

1 [Planning Code - Nighttime Entertainment Castro Street Neighborhood Commercial District]

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3 **Ordinance amending the Planning Code, to change the zoning controls in the Castro**
 4 **Street Neighborhood Commercial District to allow Nighttime Entertainment with a**
 5 **Conditional Use authorization on the second floor; and affirming the Planning**
 6 **Department's determination under the California Environmental Quality Act; and**
 7 **making findings of consistency with the General Plan, and the eight priority policies of**
 8 **Planning Code, Section 101.1, and findings of public necessity, convenience, and**
 9 **welfare under Planning Code, Section 302.**

10 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
 11 **Additions to Codes** are in *single-underline italics Times New Roman font*.
 12 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
 13 **Board amendment additions** are in double-underlined Arial font.
 14 **Board amendment deletions** are in ~~strikethrough Arial font~~.
 15 **Asterisks (* * * *)** indicate the omission of unchanged Code
 16 subsections or parts of tables.

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15 Be it ordained by the People of the City and County of San Francisco:

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17 Section 1. Findings.

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19 (a) The Planning Department has determined that the actions contemplated in this
 20 ordinance comply with the California Environmental Quality Act (California Public Resources
 21 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
 22 Supervisors in File No. 220709 and is incorporated herein by reference. The Board affirms
 23 this determination.

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24 (b) On June 28, 2023, the Planning Commission, in Resolution No. 21333, adopted
 25 findings that the actions contemplated in this ordinance are consistent, on balance, with the
 City's General Plan and eight priority policies of Planning Code Section 101.1. The Board

adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File No. 220709, and is incorporated herein by reference.

(c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission Resolution No. 21333, and incorporates such reasons by this reference thereto. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File No. 220709, and is incorporated herein by reference.

Section 2. The Planning Code is hereby amended by revising Section 715, to read as follows:

SEC. 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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**Table 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *

Zoning Category	§ References	Controls		
* * * *				
NON-RESIDENTIAL STANDARDS				
* * * *				
Non-Residential Uses	Controls by Story			
		1st	2nd	3rd+
* * * *				
Entertainment, Arts and Recreation Use Category				

1	Entertainment, Arts and Recreation Uses*	§ 102	NP	NP	NP
2	Arts Activities	§ 102	P	P	P
3	Entertainment, General	§ 102	P	P	NP
4	Entertainment, Nighttime	§ 102	C	<u>CNP</u>	NP

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9 Section 3. Effective Date. This ordinance shall become effective 30 days after
10 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
11 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
12 of Supervisors overrides the Mayor's veto of the ordinance.

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15 APPROVED AS TO FORM:
16 DAVID CHIU, City Attorney

17 By: /s/ _____
18 ROBB KAPLA
19 Deputy City Attorney

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