

REVISED LEGISLATIVE DIGEST

(Substituted: 11/23/2010)

[Planning Code - Conditional Use Authorization for "Other Entertainment Uses" in the Van Ness Avenue Special Use District and Commercial Establishment Use Controls in RC Districts.]

Ordinance amending the San Francisco Planning Code by amending Sections 243 and 209.8 to require conditional use authorization for "Other Entertainment Uses" in the Van Ness Avenue Special Use District and that the Commercial Establishment use controls of the nearest C-2 District apply in RC Districts; adopting findings, including findings under Section 302 of the Planning Code, environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Existing Law

The Van Ness Avenue Special Use District (SUD) runs along Van Ness Avenue and is generally bounded by Broadway Street in the north and Golden Gate Street to the south. Its boundaries can be found on Zoning Map SU02 of the City and County of San Francisco. Currently, there are no special requirements for "Other Entertainment Uses," as defined by Planning Code Section 790.38, within this SUD. Section 790.38 generally defines "Other Entertainment Uses" as retail uses, other than adult entertainment, that provide live entertainment, including dramatic and musical performances, and/or operate as a dance hall.

Section 209.8 of the Planning Code regulates Commercial Establishment Use in RC districts, which is the underlying zoning of the Van Ness SUD. Generally, commercial uses are permitted as permitted in the nearest NC District.

Amendments to Current Law

The proposed legislation would require all new "Other Entertainment Uses", as defined in Planning Code Section 790.38, to obtain a Conditional Use authorization under Planning Code Section 303.

The proposed legislation would also amend Section 209.8 to provide that commercial uses would be permitted (with the exception of massage establishments) in the same manner they are permitted in the nearest C-2 District.