

## **LEGISLATIVE DIGEST**

[Planning Code - Zoning - Upper Fillmore Neighborhood Commercial District]

**Ordinance amending the San Francisco Planning Code by amending Sections 703.3 and 718.1 and the Zoning Control Table for the Upper Fillmore NCD to (1) allow as a conditional use on the first floor a new full-service restaurant, large fast food restaurant, small self-service restaurant or self-service specialty food establishment that is not defined as a formula retail use, (2) add Specific Provisions to the Zoning Control Table to allow a bar associated with a full-service restaurant as a conditional use and require the Planning Commission to consider daytime usage on the block in conditionally approving a new restaurant; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.**

### **Existing Law**

Planning Code Section 718.1 establishes the Upper Fillmore Neighborhood Commercial District. The Section 718 Zoning Control Table sets forth the building standards and uses that are allowed in the Upper Fillmore NCD. The existing Code prohibits new full-service restaurants, large fast food restaurants, small self-service restaurants, bars, and self-service specialty food uses among others uses.

### **Amendments to Current Law**

The proposed legislation would allow a new full-service restaurant, a large fast food restaurant, a small self-service restaurant, and a self-service specialty food use that is not defined as a formula retail establishment on the first floor with a conditional use authorization. A new bar would be allowed in conjunction with a full-service restaurant use with a conditional use authorization. In approving a conditional use for a new restaurant use, the Planning Commission must consider whether the use proposes lunch service or other daytime usage in order to limit the number of such establishments on the block that have no daytime activity.

### **Background Information**

The restrictions on restaurants and specialty food establishments were put in place more than 20 years ago, before the City enacted the controls on formula retail establishments that are now in the Planning Code. Since the proposed legislation would prohibit formula retail restaurants and specialty food uses in the Upper Fillmore NCD, the proposed amendments would open up the Upper Fillmore NCD street to new food options with a conditional use.