

1 [Planning Code - Zoning - NC-3 District of Fillmore Street between Bush and McAllister  
2 Streets]

3 **Ordinance: 1) amending Section 145.4 of the San Francisco Planning Code to require**  
4 **active ground-floor commercial uses in properties fronting on Fillmore Street between**  
5 **Bush and McAllister Streets in the NC-3 District; and 2) adopting findings, including**  
6 **environmental findings, Planning Code Section 302 findings, and findings of**  
7 **consistency with the General Plan and the Priority Policies of Planning Code Section**  
8 **101.1.**

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10 NOTE: Additions are *single-underline italics Times New Roman*;  
11 deletions are ~~*strike-through italics Times New Roman*~~.  
Board amendment additions are double-underlined;  
Board amendment deletions are ~~strikethrough normal~~.

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

13 Section 1. Findings.

14 (a) The Planning Department has determined that the actions contemplated in this  
15 ordinance comply with the California Environmental Quality Act (California Public Resources  
16 Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of  
17 Supervisors in File No. 11-0010 and is incorporated herein by reference.

18 (b) Pursuant to Planning Code Section 302, this Board finds that these Planning Code  
19 amendments will serve the public necessity, convenience, and welfare for the reasons set  
20 forth in Planning Commission Resolution No. 18288, and the Board incorporates such  
21 reasons herein by reference. A copy of Planning Commission Resolution No. 18288 is on file  
22 with the Clerk of the Board of Supervisors in File No. 11-0010.

23 (c) This Board finds that these Planning Code amendments are consistent with the  
24 General Plan and with the Priority Policies of Planning Code Section 101.1 for the reasons set  
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1 forth in Planning Commission Resolution No. 18288, and the Board hereby incorporates such  
2 reasons herein by reference.

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4 Section 2. The San Francisco Planning Code is hereby amended by amending Section  
5 145.4, to read as follows:

6 **SEC. 145.4. REQUIRED GROUND FLOOR COMMERCIAL USES.**

7 (a) **Purpose:** To support active, pedestrian-oriented commercial uses on important  
8 commercial streets.

9 (b) **Applicability.** The requirements of this Section apply to the following street  
10 frontages.

11 (1) Folsom Street for the entirety of the Rincon Hill DTR, pursuant to Section 827;

12 (2) Folsom Street for the entirety of the Folsom and Main Residential/Commercial  
13 Special Use District;

14 (3) Van Ness Avenue, in the Van Ness and Market Downtown Residential Special Use  
15 District, from Fell Street to Market Street;

16 (4) South Van Ness Avenue, for the entirety of the Van Ness and Market Downtown  
17 Residential Special Use District;

18 (5) Market Street, for the entirety of the Van Ness and Market Downtown Residential  
19 Special Use District;

20 (6) 3rd Street, in the UMU districts for parcel frontages wholly contained within 100  
21 linear feet north or south of Mariposa Street or 100 linear feet north or south of 20th Street;

22 (7) 4th Street, between Bryant and Townsend in the SLI and MUO Districts;

23 (8) Hayes Street, for the entirety of the Hayes-Gough NCT;

24 (9) Octavia Boulevard, between Fell Street and Hayes Street, in the Hayes-Gough  
25 NCT;

(10) Market Street, for the entirety of the NCT-3, Upper Market NCD, and Upper Market NCT Districts;

(11) Church Street, for the entirety of the NCT-3 and Upper Market NCT Districts;

(12) 22nd Street, between 3rd Street and Minnesota Streets within the NCT-2 District;

(13) Valencia Street, between 15th and 23rd Streets in the Valencia Street NCT District;

(14) Mission Street, for the entirety of the Mission Street NCT District;

(15) 24th Street, for the entirety of the 24th Street-Mission NCT;

(16) 16th Street, between Guerrero and Capp Streets;

(17) 22nd Street, between Valencia and Mission Streets;

(18) 6th Street for its entirety within the SoMa NCT District;

(19) Ocean Avenue, for the entirety of the Ocean Avenue NCT District, except on the north side of Ocean Avenue between Plymouth and Brighton Avenues;

(20) Geneva Avenue, between I-280 and Delano Avenue within the NCT-2 District;

(21) Fillmore Street, in the NC-3 District from Bush Street to McAllister Street.

**(c) Definitions.**

"Active commercial uses" shall include those uses specifically identified below in Table 145.4, and:

(1) Shall not include uses oriented to motor vehicles except for automobile sale or rental where curb-cuts, garage doors, or loading access are not utilized or proposed, and such sales or rental activity is entirely within an enclosed building and does not encroach on surrounding sidewalks or open spaces;

(2) Shall include public uses except for utility installations; and

(3) Shall not include residential care uses as defined in Sections 790.50, 790.51, and 890.50.

**Table 145.4**

<b>Reference for Neighborhood Commercial Districts</b>	<b>Reference for Mixed Use Districts</b>	<b>Use</b>
790.4	890.4	Amusement Game Arcade
790.6	890.6	Animal Hospital
790.12	890.13	Automobile Sale or Rental (see qualification, above)
790.22	890.22	Bar
N/A	890.23	Business Goods and Equipment Sales and Repair Service
790.34	890.34	Eating and Drinking Use
790.38	890.37	Entertainment, Other
N/A	890.39	Gift Store-Tourist Oriented
790.50, 790.51	890.50	Institutions, Other (see qualification, above)
N/A	890.51	Jewelry Store
790.68	890.68	Neighborhood-Serving Business
N/A	890.69	Non-Auto Vehicle Sales or Rental (see qualification, above)
<u>790.70</u>	<u>890.71</u>	<u>Outdoor Activity Area</u>
790.80	890.80	Public Use (see qualification, above)
790.91	890.90	Restaurant, Fast-Food (Small)
790.90	890.91	Restaurant, Fast-Food (Large)

790.92	890.92	Restaurant, Full-Service
<u>790.93</u>	<u>N/A</u>	<u>Specialty Food, Self-Service</u>
790.102	890.102	Sales and Service, Other Retail
790.104	890.104	Sales and Services, Retail
790.110	890.110	Service, Financial
790.112	890.112	Service, Limited Financial
790.114	890.114	Service, Medical
790.116	890.116	Service, Personal
790.122	890.122	Take-Out Food
790.124	890.124	Trade Shop
790.140	890.140	Walk-Up Facility

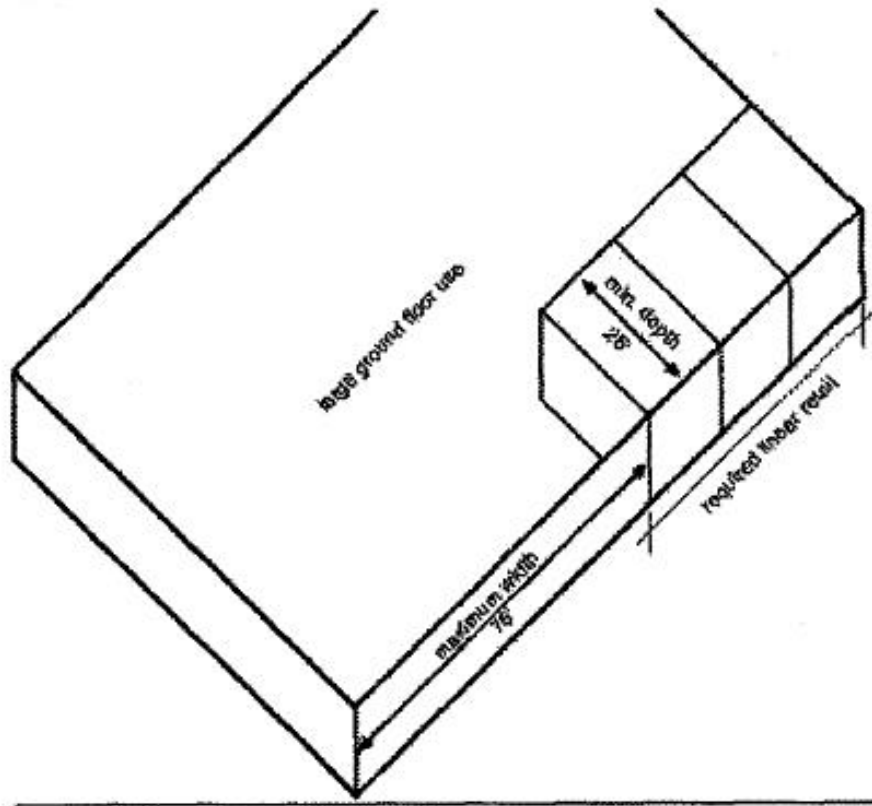
(d) **Controls.**

(1) Active commercial uses which are permitted by the specific district in which they are located are required on the ground floor of all street frontages listed in Subsection (b) above.

(2) Active commercial uses shall comply with the standards applicable to active uses as set forth in Section 145.1(c)(3) and shall further be consistent with any applicable design guidelines.

(3) On those street frontages listed in Subsection (b), an individual ground floor nonresidential use may not occupy more than 75 contiguous linear feet for the first 25 feet of depth along a street-facing facade. Separate individual storefronts shall wrap large ground floor uses for the first 25 feet of depth, as illustrated in Figure 145.4.

Figure 145.4.



(e) **Modifications.** Modifications to the requirements of this Section are not permitted in DTR Districts. In Neighborhood Commercial Districts, modifications to the requirements of this Section may be granted through the Conditional Use process, as set forth in Section 303. In the Eastern Neighborhoods Mixed Use Districts, modifications to the requirements of this Section may be granted through the procedures of Section 329 for / / /

1 projects subject to that Section or through an Administrative Modification from the Zoning  
2 Administrator for other projects, as set forth in Section 307(g).

3 APPROVED AS TO FORM:  
4 DENNIS J. HERRERA, City Attorney

5 By: \_\_\_\_\_  
6 JUDITH A. BOYAJIAN  
7 Deputy City Attorney  
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