

1 [Business and Tax Regulations Code - Streamlined Permitting Review in C-3 Districts]

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3 **Ordinance amending the Business and Tax Regulations Code to expand streamlined**
4 **permitting review of principally permitted commercial uses to upper floors in C-3**
5 **(Downtown Commercial) Districts; and affirming the Planning Department's**
6 **determination under the California Environmental Quality Act.**

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

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

15 Section 1. Findings.

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

21 (b) Downtown Commercial (C-3) Districts contain a variety of commercial uses,
22 including retail, entertainment, clubs and institutions, many of which are principally permitted
23 uses. Existing streamlined permitting programs apply to the establishment, modification, and
24 operation of ground floor principally permitted uses. In C-3 Districts, however, commercial
25 uses are often located on the upper floors of a building. These upper-floor commercial uses
cannot avail themselves of the existing streamlined review process. Active commercial uses,

1 regardless of their location in a building, contribute to the vibrancy of Downtown. Expanding
2 streamlined permitting review to upper-floor principally permitted commercial uses in the C-3
3 Districts serves the public interest and will assist Downtown in its post-pandemic recovery.
4 Additionally, applying streamlined review to principally permitted commercial uses that
5 reconfigure existing interior square footage – including expansions of interior square footage –
6 will facilitate the establishment of a broad array of commercial uses on upper floors.

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8 Section 2. Article 1 of the Business and Tax Regulations Code is hereby amended by
9 revising Section 32, to read as follows:

10 **SEC. 32. COORDINATED AND STREAMLINED CITY REVIEW OF THE**
11 **ESTABLISHMENT, MODIFICATION, AND/OR OPERATION OF A PRINCIPALLY**
12 **PERMITTED COMMERCIAL USE; EXPEDITED PROCESS AND WAIVER OF ADDITIONAL**
13 **FEES WHERE DEPARTMENT ERROR REQUIRES ADDITIONAL PROCESSING.**

14 (a) **General Requirement.** City departments that are responsible for reviewing permit
15 applications for the establishment, modification, and/or operation of a principally permitted
16 storefront commercial use shall develop a process for the coordinated and streamlined review
17 of those permit applications, with timely responses from applicants, and any inspections
18 required in connection with the applications, in order to (1) ensure that San Francisco’s
19 commercial corridors remain thriving, (2) support existing businesses in adapting their
20 business models in a changing economic environment, (3) improve access for business
21 owners from all backgrounds to successfully open their business in San Francisco, and (4)
22 protect the City’s tax base.

23 * * * *

24 (g) **Requirements for C-3 Districts.** In all C-3 Districts, this Section 32 shall apply to all
25 principally permitted commercial uses, not only principally permitted storefront commercial uses but

1 also principally permitted commercial uses on all floors of a building. In all C-3 districts, the
2 provisions of this Section 32 shall also apply to expansions of the interior square footage of the
3 commercial use. No later than 30 days from the effective date of the ordinance in Board File
4 No. 231272 adding this subsection (g), the subject City departments shall apply the coordinated and
5 simplified process in this Section 32 to the review of all applications for principally permitted
6 commercial uses in C-3 Districts, as set forth in this subsection (g), and shall periodically review and
7 update the process.

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9 Section 4. 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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14 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
15 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
16 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
17 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
18 additions, and Board amendment deletions in accordance with the "Note" that appears under
19 the official title of the ordinance.

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21 APPROVED AS TO FORM:
22 DAVID CHIU, City Attorney

23 By: /s/ Giulia Gualco-Nelson
24 GIULIA GUALCO-NELSON
Deputy City Attorney

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