

LEGISLATIVE DIGEST

[Planning Code - Limited Commercial Uses in Residential Districts]

Ordinance amending the San Francisco Planning Code Section 186 to allow for reactivation of limited commercial uses in RH, RM, RTO, and RED districts under a conditional use authorization and amending Section 231 to allow for greater size and depth from the corner for limited corner commercial uses in RM-3 and RM-4 districts; and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

Existing Law

Under Section 186 of the Planning Code, certain non-conforming commercial uses may continue to operate within certain residentially zoned districts—specifically in RH (Residential, House), RM (Residential, Mixed), RTO (Residential, Transit-Oriented Neighborhood), and RED (Residential Enclave) Districts—as long as those uses are permitted in NC-1 (Neighborhood Commercial Cluster) Districts and subject to certain conditions. If these commercial uses become inactive for three years, they can not be reestablished.

Under Section 231 of the Planning Code, certain new commercial uses may be established on a corner lot in higher density residential districts—specifically in RTO (Residential, Transit-Oriented Neighborhood) , RTO-M (Residential, Transit-Oriented-Mission Neighborhood), RM-3 (Residential, Mixed, Medium Density), and RM-4 (Residential, Mixed, High Density) Districts. These commercial uses may not exceed 1200 square feet in size or extend more than 50 feet from the street corner.

Amendments to Current Law

Under the proposed ordinance, Section 186 would be amended to allow certain lapsed nonconforming commercial uses to be reestablished in RH, RM, RTO, and RED Districts if the use is located on or below the ground level, was commercial prior to January 1, 1960, and conforms to all other requirements of the Planning Code.

Under the proposed ordinance, Section 231 would be amended to allow certain commercial uses on corners in RM-3 and RM-4 districts up to 2500 square feet in size and up to 100 feet from the street corner.