

## **LEGISLATIVE DIGEST**

[Planning Code – Establishing the Divisadero Street Neighborhood Commercial District]

**Ordinance amending the San Francisco Planning Code by 1) adding Section 743.1 to establish the Divisadero Neighborhood Commercial District, 2) repealing the Divisadero Street Alcohol Restricted Use District established in Section 783, 3) amending Section 151.1 and a portion of Table 151.1, Section 263.20, 607.1(f), 702.3, the Specific Provisions of the Section 711 Zoning Control Table, and Section 790.55 to make conforming and other technical changes, 4) amending Sheets ZN02 and ZN07 of the Zoning Map to include the Divisadero Neighborhood Commercial District, 5) amending Sheet SU02 of the Zoning Map to delete the Divisadero Street Alcohol Restricted Use SUD, and 6) adopting 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**

The lots fronting on Divisadero Street between Haight and O'Farrell streets are currently zoned NC-2, Small-Scale Neighborhood Commercial.

The Divisadero Street Alcohol Restricted Use District encompasses the NC-2 parcels on Divisadero Street between Haight and O'Farrell Streets. It restricts new Liquor Store uses, permits existing Liquor Stores to relocate from within or outside the district with conditional use authorization, establishes certain "good neighbor" policies for liquor stores within the district, and establishes certain limitations on the sorts of alcoholic beverages that may be sold by small general grocery and specialty grocery uses within the district. The Alcohol Restricted Use District is within the Fringe Financial Special Use District, which prohibits new Fringe Financial Uses.

### **Amendments to Current Law**

This ordinance creates a new Divisadero Street Neighborhood Commercial District. This new NCD: (1) modifies certain of the former NC-2 district controls, (2) incorporates the controls from the Alcohol Restricted Use District, which is repealed, except that the transfer of Liquor Store uses from outside the District is not permitted and restrictions on the sorts of beverages that may be sold by small General Grocery and Specialty Grocery uses are removed, and (3) retains the Fringe Financial Special Use District controls.

Bars, Restaurants, Limited-Restaurants, Movie Theaters, Other Entertainment, Philanthropic Administrative Services and Trade Shops, which otherwise are not permitted on the second floor, are permitted on the second floor of existing buildings with no prior residential use. Buildings on lots located in the 40-X height district are permitted an additional 5 feet in height, if that additional height is used to provide a tall ground floor housing active street-fronting

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residential or non-residential uses. Minimum parking requirements for all uses are eliminated from the district. Maximum permitted parking for residential and non-residential uses are reduced to that of a Neighborhood Commercial Transit (NCT) District.