

1 [Planning Code, Zoning Map - Establishing the Fillmore Street Neighborhood Commercial District]

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3 **Ordinance amending the Planning Code by adding Section 744.1 to establish the**  
4 **Fillmore Street Neighborhood Commercial District along Fillmore Street between Bush**  
5 **and Fulton Streets; amending Section 151.1, a portion of Table 151.1, Section 263.20,**  
6 **and Section 607.1(f) to make conforming and other technical changes; amending**  
7 **Zoning Map Sheets ZN02 and ZN07 to rezone specified properties to the Fillmore Street**  
8 **Neighborhood Commercial District; and adopting environmental findings, Planning**  
9 **Code Section 302 findings, and findings of consistency with the General Plan and the**  
10 **Priority Policies of Planning Code Section 101.1.**

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

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

16 Section 1. Findings.

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

21 (b) Pursuant to Planning Code Section 302, this Board finds that these Planning  
22 Code amendments will serve the public necessity, convenience and welfare for the reasons  
23 set forth in Planning Commission Resolution No. \_\_\_\_\_ and the Board hereby  
24 incorporates such reasons herein by reference. A copy of Planning Commission Resolution  
25 No. \_\_\_\_\_ is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_.

Supervisor Breed  
BOARD OF SUPERVISORS

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

5  
6 Section 2. The San Francisco Planning Code is hereby amended by adding Section  
7 744.1, to read as follows:

8 **SEC. 744.1. FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

9 The Fillmore Street Neighborhood Commercial District extends along Fillmore Street between  
10 Bush and Fulton. Fillmore Street's dense mixed-use character consists of buildings with residential  
11 units above ground-story commercial use. Buildings range in height one-story commercial buildings to  
12 high-rise towers. Fillmore Street and Geary Boulevard are important public transit corridors. The  
13 commercial district provides convenience goods and services to the surrounding neighborhoods as well  
14 as shopping, cultural, and entertainment uses that attract visitors from near and far.

15 The Fillmore Street District controls are designed to encourage and promote development that  
16 enhances the walkable, mixed-use character of the corridor and surrounding neighborhoods. Rear yard  
17 requirements at residential levels preserve open space corridors of interior blocks.

18 Consistent with Fillmore Street's existing mixed-use character, new commercial development is  
19 permitted at the ground and second stories. Most neighborhood- and visitor-serving businesses are  
20 strongly encouraged. Eating and Drinking and entertainment uses are confined to the ground story.  
21 The second story may be used by some retail stores, personal services, and medical, business and  
22 professional offices. Parking and hotels are monitored at all stories. Limits on drive-up facilities and  
23 other automobile uses protect the livability within and around the district, and promote continuous  
24 retail frontage.

*Housing development in new buildings is encouraged above the ground story. Existing residential units are protected by limitations on demolition and upper-story conversions.*

**SEC. 744. FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT**

**ZONING CONTROL TABLE**

			<u>Fillmore Street</u>
<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>			
<u>744.10</u>	<u>Height and Bulk Limit</u>	<u>§§ 102.12, 105, 106, 250</u> <u>- 252, 260, 261.1, 263.20,</u> <u>270, 271</u>	<u>Heights range from 40- to</u> <u>160-F, see Zoning Map.</u> <u>Additional 5 feet for parcels in</u> <u>the 40' and 50' height</u> <u>districts, see § 263.20. Height</u> <u>Sculpting on Alleys: § 261.1</u>
<u>744.11</u>	<u>Lot Size</u> <u>[Per Development]</u>	<u>§§ 790.56, 121.1</u>	<u>P up to 9,999 sq. ft.; C 10,000</u> <u>sq. ft. &amp; above § 121.1</u>
<u>744.12</u>	<u>Rear Yard</u>	<u>§§ 130, 134, 136</u>	<u>Required at residential levels</u> <u>only, § 134(a) (e)</u>
<u>744.13a</u>	<u>Street Frontage</u>	<u>§ 145.1</u>	<u>Required</u>
<u>744.13b</u>	<u>Street Frontage, Required</u> <u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Required along Fillmore</u> <u>Street from Bush Street to</u> <u>McAllister Street</u>
<u>744.14</u>	<u>Awning</u>	<u>§ 136.1(a)</u>	<u>P</u>

1	<u>744.15</u>	<u>Canopy</u>	<u>§ 136.1(b)</u>	<u>P</u>
2				
3	<u>744.16</u>	<u>Marquee</u>	<u>§ 136.1(c)</u>	<u>P</u>
4				
5	<u>744.17</u>	<u>Streetscape and Pedestrian</u>		<u>Required</u>
6		<u>Improvements</u>		<u>§ 138.1</u>
7	<b><u>COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES</u></b>			
8	<u>744.20</u>	<u>Floor Area Ratio</u>	<u>§§ 102.9, 102.11, 123</u>	<u>3.6 to 1</u>
9				<u>§ 124(a) (b)</u>
10	<u>744.21</u>	<u>Use Size</u>	<u>§ 790.130</u>	<u>P up to 5,999 sq. ft.;</u>
11		<u>[Non-Residential]</u>		<u>C 6,000 sq. ft. &amp; above</u>
12				<u>§ 121.2</u>
13	<u>744.22</u>	<u>Off-Street Parking,</u>	<u>§§ 145.1, 150, 151.1, 153</u>	<u>None required. Maximum</u>
14		<u>Commercial/Institutional</u>	<u>- 157, 159 - 160, 204.5</u>	<u>amounts set forth in Section</u>
15				<u>151.1</u>
16	<u>744.23</u>	<u>Off-Street Freight Loading</u>	<u>§§ 150, 153 - 155, 204.5</u>	<u>Generally, none required if</u>
17				<u>gross floor area is less than</u>
18				<u>10,000 sq. ft.</u>
19				<u>§§ 152, 161(b)</u>
20	<u>744.24</u>	<u>Outdoor Activity Area</u>	<u>§ 790.70</u>	<u>P if located in front; C if</u>
21				<u>located elsewhere</u>
22				<u>§ 145.2(a)</u>
23	<u>744.25</u>	<u>Drive-Up Facility</u>	<u>§ 790.30</u>	<u>#</u>
24	<u>744.26</u>	<u>Walk-Up Facility</u>	<u>§ 790.140</u>	<u>P if recessed 3 ft.;</u>
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			<u>C if not recessed</u>		
			<u>§ 145.2(b)</u>		
<u>744.27</u>	<u>Hours of Operation</u>	<u>§ 790.48</u>	<u>No Limit</u>		
<u>744.30</u>	<u>General Advertising Sign</u>	<u>§§ 262, 602 - 604, 608, 609</u>			
<u>744.31</u>	<u>Business Sign</u>	<u>§§ 262, 602 - 604, 608, 609</u>	<u>P</u>	<u>§ 607.1(f)(3)</u>	
<u>744.32</u>	<u>Other Signs</u>	<u>§§ 262, 602 - 604, 608, 609</u>	<u>P</u>	<u>§ 607.1(c) (d) (g)</u>	
			<u>Fillmore Street</u>		
<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Controls by Story</u>		
		<u>§ 790.118</u>	<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
<u>744.38</u>	<u>Residential Conversion</u>	<u>§ 790.84</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>744.39</u>	<u>Residential Demolition</u>	<u>§ 790.86</u>	<u>P</u>	<u>C</u>	<u>C</u>
<u>Retail Sales and Services</u>					
<u>744.40</u>	<u>Other Retail Sales and Services</u>	<u>§ 790.102</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>[Not Listed Below]</u>				
<u>744.41</u>	<u>Bar</u>	<u>§ 790.22</u>	<u>P</u>	<u>P</u>	
<u>744.43</u>	<u>Limited-Restaurant</u>	<u>§ 790.90</u>	<u>P</u>	<u>P</u>	
<u>744.44</u>	<u>Restaurant</u>	<u>§ 790.91</u>	<u>P</u>	<u>P</u>	
<u>744.45</u>	<u>Liquor Store</u>	<u>§ 790.55</u>			
<u>744.46</u>	<u>Movie Theater</u>	<u>§ 790.64</u>	<u>P</u>	<u>P</u>	
<u>744.47</u>	<u>Adult Entertainment</u>	<u>§ 790.36</u>	<u>C</u>	<u>C</u>	
<u>744.48</u>	<u>Other Entertainment</u>	<u>§ 790.38</u>	<u>P</u>	<u>P</u>	

1	<u>744.49</u>	<u>Financial Service</u>	<u>§ 790.110</u>	<u>P</u>	<u>P</u>	
2	<u>744.50</u>	<u>Limited Financial Service</u>	<u>§ 790.112</u>	<u>P</u>	<u>P</u>	
3	<u>744.51</u>	<u>Medical Service</u>	<u>§ 790.114</u>	<u>P</u>	<u>P</u>	<u>P</u>
4	<u>744.52</u>	<u>Personal Service</u>	<u>§ 790.116</u>	<u>P</u>	<u>P</u>	<u>P</u>
5	<u>744.53</u>	<u>Business or Professional Service</u>	<u>§ 790.108</u>	<u>P</u>	<u>P</u>	<u>P</u>
6	<u>744.54</u>	<u>Massage Establishment</u>	<u>§ 790.60</u>	<u>C</u>	<u>C</u>	
7			<u>§ 1900 Health Code</u>			
8	<u>744.55</u>	<u>Tourist Hotel</u>	<u>§ 790.46</u>	<u>C</u>	<u>C</u>	<u>C</u>
9	<u>744.56</u>	<u>Automobile Parking</u>	<u>§§ 790.8, 145.1, 156, 160</u>	<u>C</u>	<u>C</u>	<u>C</u>
10	<u>744.57</u>	<u>Automotive Gas Station</u>	<u>§ 790.14</u>	<u>C</u>		
11	<u>744.58</u>	<u>Automotive Service Station</u>	<u>§ 790.17</u>	<u>C</u>		
12	<u>744.59</u>	<u>Automotive Repair</u>	<u>§ 790.15</u>	<u>C</u>	<u>C</u>	
13	<u>744.60</u>	<u>Automotive Wash</u>	<u>§ 790.18</u>	<u>C</u>		
14	<u>744.61</u>	<u>Automobile Sale or Rental</u>	<u>§ 790.12</u>	<u>C</u>		
15	<u>744.62</u>	<u>Animal Hospital</u>	<u>§ 790.6</u>	<u>C</u>	<u>C</u>	
16	<u>744.63</u>	<u>Ambulance Service</u>	<u>§ 790.2</u>	<u>C</u>		
17	<u>744.64</u>	<u>Mortuary</u>	<u>§ 790.62</u>	<u>C</u>	<u>C</u>	<u>C</u>
18	<u>744.65</u>	<u>Trade Shop</u>	<u>§ 790.124</u>	<u>P</u>	<u>C</u>	<u>C</u>
19	<u>744.66</u>	<u>Storage</u>	<u>§ 790.117</u>	<u>C</u>	<u>C</u>	<u>C</u>
20	<u>744.68</u>	<u>Fringe Financial Service</u>	<u>§ 790.111</u>	<u>P #</u>		
21	<u>744.69</u>	<u>Tobacco Paraphernalia</u>	<u>§ 790.123</u>	<u>C</u>		
22		<u>Establishments</u>				
23	<u>744.69B</u>	<u>Amusement Game Arcade</u>	<u>§ 790.4</u>	<u>C</u>		
24		<u>(Mechanical Amusement Devices)</u>				
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1	<u>744.69C</u>	<u>Neighborhood Agriculture</u>	<u>§ 102.35(a)</u>	<u>P</u>	<u>P</u>	<u>P</u>
2	<u>744.69D</u>	<u>Large-Scale Urban Agriculture</u>	<u>§ 102.35(b)</u>	<u>C</u>	<u>C</u>	<u>C</u>
3	<b><u>Institutions and Non-Retail Sales and Services</u></b>					
4	<u>744.70</u>	<u>Administrative Service</u>	<u>§ 790.106</u>	<u>C</u>	<u>C</u>	<u>C</u>
5	<u>744.80</u>	<u>Hospital or Medical Center</u>	<u>§ 790.44</u>	<u>C</u>	<u>C</u>	<u>C</u>
6	<u>744.81</u>	<u>Other Institutions, Large</u>	<u>§ 790.50</u>	<u>P</u>	<u>P</u>	<u>P</u>
7	<u>744.82</u>	<u>Other Institutions, Small</u>	<u>§ 790.51</u>	<u>P</u>	<u>P</u>	<u>P</u>
8	<u>744.83</u>	<u>Public Use</u>	<u>§ 790.80</u>	<u>C</u>	<u>C</u>	<u>C</u>
9	<u>744.84</u>	<u>Medical Cannabis Dispensary</u>	<u>§ 790.141</u>	<u>P #</u>		
10	<u>744.85</u>	<u>Philanthropic Administrative</u>	<u>§ 790.107</u>		<u>P</u>	
11		<u>Service</u>				
12	<b><u>RESIDENTIAL STANDARDS AND USES</u></b>					
13	<u>744.90</u>	<u>Residential Use</u>	<u>§ 790.88</u>	<u>P</u>	<u>P</u>	<u>P</u>
14	<u>744.91</u>	<u>Residential Density, Dwelling</u>	<u>§§ 207, 207.1, 790.88(a)</u>	<u>Generally, 1 unit per 600 sq. ft. lot area</u>		
15		<u>Units</u>				
16				<u>§ 207.4</u>		
17	<u>744.92</u>	<u>Residential Density, Group</u>	<u>§§ 207.1, 208, 790.88(b)</u>	<u>Generally, 1 bedroom per 210 sq. ft. lot area</u>		
18		<u>Housing</u>				
19	<u>744.93</u>	<u>Usable Open Space</u>	<u>§§ 135, 136</u>	<u>Generally, either 80 sq. ft. if private, or 100 sq. ft. if common</u>		
20		<u>[Per Residential Unit]</u>				
21				<u>§ 135(d)</u>		
22	<u>744.94</u>	<u>Off-Street Parking, Residential</u>	<u>§§ 145.1, 150, 151.1, 153</u>	<u>None required. P up to 0.5 cars per unit; C up to 0.75</u>		
23			<u>- 157, 159 – 160, 166,</u>			
24						
25						

		<u>167, 204.5</u>	<u>cars per unit</u>		
<u>744.95</u>	<u>Community Residential Parking</u>	<u>§ 790.10</u>	<u>C</u>	<u>C</u>	<u>C</u>

**SPECIFIC PROVISIONS FOR THE FILLMORE STREET**

**NEIGHBORHOOD COMMERCIAL DISTRICT**

<u>Article 7</u>		
<u>Code</u>	<u>Other Code</u>	
<u>Section</u>	<u>Section</u>	<u>Zoning Controls</u>
<u>§ 744.68</u>	<u>§ 249.35</u>	<b><u>FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT</u></b> <b><u>(FFSRUD)</u></b> <b><u>Boundaries: The FFSRUD and its 1/4 mile buffer includes, but is not limited to, properties within the Fillmore Street NCD.</u></b> <b><u>Controls: Within the FFSRUD and its 1/4 mile buffer, fringe financial services are NP pursuant to Section 249.35. Outside the FFSRUD and its 1/4 mile buffer, fringe financial services are P subject to the restrictions set forth in Subsection 249.35(c)(3).</u></b>
<u>§ 744.84</u>	<u>§ 790.141</u> <u>Health</u> <u>Code § 3308</u>	<b><u>Medical Cannabis Dispensaries may only operate between the hours of 8 a.m. and 10 p.m.</u></b>

Section 4. The San Francisco Planning Code is hereby amended by amending Section 151.1 and a portion of Table 151.1, Section 263.20, Section 607.1(f), Section 702.3, the Specific Provisions of the Section 711 Zoning Control Table, and Section 790.55, to read as follows:

**SEC. 151.1. SCHEDULE OF PERMITTED OFF-STREET PARKING SPACES IN SPECIFIED DISTRICTS.**

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1 (a) **Applicability.** This subsection shall apply only to ~~DTR~~, NCT, RC, Upper Market  
2 NCD, RTO, Eastern Neighborhood Mixed Use, South of Market Mixed Use, M-1, PDR-1-D, and  
3 PDR-1-G, C-M, or C-3 Districts, and to the Broadway, Divisadero Street, Fillmore Street, North  
4 Beach, and Upper Market Neighborhood Commercial Districts.

5 (b) **Controls.** Off-street accessory parking shall not be required for any use, and the  
6 quantities of off-street parking specified in Table 151.1 shall serve as the maximum amount of  
7 off-street parking that may be provided as accessory to the uses specified. For non-residential  
8 and non-office uses in the UMU, PDR-1-D, and PDR-1-G Districts, the maximum amount of  
9 off-street parking that may be provided as accessory shall be no more than 50% greater than  
10 that indicated in Table 151.1. Variances from accessory off-street parking limits, as described  
11 in this Section, may not be granted. Where off-street parking is provided that exceeds the  
12 quantities specified in Table 151.1 or as explicitly permitted by this Section, such parking shall  
13 be classified not as accessory parking but as either a principally permitted or conditional use,  
14 depending upon the use provisions applicable to the district in which the parking is located. In  
15 considering an application for a conditional use for any such parking due to the amount being  
16 provided, the Planning Commission shall consider the criteria set forth in Section 157 and  
17 157.1 of this Code.

18 (c) **Definition.** Where a number or ratio of spaces are described in Table 151.1, such  
19 number or ratio shall refer to the total number of parked cars accommodated in the project  
20 proposal, regardless of the arrangement of parking, and shall include all spaces accessed by  
21 mechanical means, valet, or non-independently accessible means. For the purposes of  
22 determining the total number of cars parked, the area of an individual parking space, except  
23 for those spaces specifically designated for persons with physical disabilities, may not exceed  
24 185 square feet, including spaces in tandem, or in parking lifts, elevators or other means of  
25 vertical stacking. Any off-street surface area accessible to motor vehicles with a width of 7.5

1 feet and a length of 17 feet (127.5 square feet) not otherwise designated on plans as a  
 2 parking space may be considered and counted as an off-street parking space at the discretion  
 3 of the Zoning Administrator if the Zoning Administrator, in considering the possibility for  
 4 tandem and valet arrangements, determines that such area is likely to be used for parking a  
 5 vehicle on a regular basis and that such area is not necessary for the exclusive purpose of  
 6 vehicular circulation to the parking or loading facilities otherwise permitted.

7 (d) **Car-Share Parking.** Any off-street parking space dedicated for use as a car-share  
 8 parking space, as defined in Section 166, shall not be credited toward the total parking  
 9 permitted as accessory in this Section.

10 **Table 151.1**

11 **OFF-STREET PARKING PERMITTED AS ACCESSORY**

Use or Activity	Space Devoted to Off-Street Car Parking or Number of Off-Street Car Parking Spaces Permitted
Dwelling units and SRO units in NCT, <u>RC</u> , C-M, RSD, <del>and</del> SLR <i>Districts, and Chinatown Mixed Use Districts, and the Broadway, Divisadero, Fillmore, North Beach, and the Upper Market <del>NCD</del> Neighborhood Commercial Districts,</i> except as specified below	P up to one car for each two dwelling units; C up to 0.75 cars for each dwelling unit, subject to the criteria and procedures of Section 151.1(g); NP above 0.75 cars for each dwelling unit.

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 22 **SEC. 263.20. SPECIAL HEIGHT EXCEPTION: ADDITIONAL FIVE FEET HEIGHT FOR**  
 23 **ACTIVE GROUND FLOOR USES IN ~~NCT 30-X, 40-X AND 50-X HEIGHT AND BULK~~**  
 24 **~~DISTRICTS, IN NC-2 AND NC-3 DESIGNATED PARCELS FRONTING MISSION STREET,~~**  
 25

1 ~~FROM SILVER AVENUE TO THE DALY CITY BORDER, AND IN SPECIFIED NC-1~~  
2 ~~DESIGNATED PARCELS AND IN SPECIFIED N~~ CERTAIN DISTRICTS.

3 (a) **Intent.** In order to encourage generous ground floor ceiling heights for commercial  
4 and other active uses, encourage additional light and air into ground floor spaces, allow for  
5 walk-up ground floor residential uses to be raised slightly from sidewalk level for privacy and  
6 usability of front stoops, and create better building frontage on the public street, up to an  
7 additional 5' of height is allowed along major streets in NCT districts, or in specific ~~NC-3, NC-2,~~  
8 ~~or NC-1~~ districts listed below, for buildings that feature either higher ground floor ceilings for  
9 non-residential uses or ground floor residential units (that have direct walk-up access from the  
10 sidewalk) raised up from sidewalk level.

11 (b) **Applicability.** The special height exception described in this section shall only  
12 apply to projects that meet all of the following criteria:

13 (1) project is located in a 30-X, 40-X or 50-X Height and Bulk District as designated on  
14 the Zoning Map;

15 (2) project is located:

16 (A) in an NCT district as designated on the Zoning Map;

17 (B) in the Upper Market Street, Divisadero Street, Fillmore Street, Irving Street, Judah  
18 Street, Noriega Street, Taraval Street, Inner Clement Street and Outer Clement Street NCDs;

19 (C) on a NC-2 or NC-3 designated parcel fronting Mission Street, from Silver Avenue  
20 to the Daly City border;

21 (D) on a NC-2 designated parcel on Balboa Street between 2nd Avenue and 8th  
22 Avenue, and between 32nd Avenue and 39th Avenue;

23 (E) on a NC-1 designated parcel within the boundaries of Sargent Street to Orizaba  
24 Avenue to Lobos Street to Plymouth Avenue to Farallones Street to San Jose Avenue to  
25

1 Alemany Boulevard to 19th Avenue to Randolph Street to Monticello Street and back to  
2 Sargent Street; or

3 (F) on a NC-3 designated parcel fronting on Geary Boulevard from Masonic Avenue to  
4 28th Avenue, except for parcels on the north side of Geary Boulevard between Palm Avenue  
5 and Parker Avenue;

6 (G) on a parcel zoned NC-1 or NC-2 with a commercial use on the ground floor on Noriega  
7 Street west of 19<sup>th</sup> Avenue;

8 (H) on a parcel zoned NC-1 or NC-2 with a commercial use on the ground floor on Irving  
9 Street west of 19<sup>th</sup> Avenue;

10 (I) on a parcel zoned NC-1 or NC-2 with a commercial use on the ground floor on Taraval  
11 Street west of 19<sup>th</sup> Avenue;

12 (J) on a parcel zoned NC-1 or NC-2 with a commercial use on the ground floor on Judah Street  
13 west of 19<sup>th</sup> Avenue;

14 (3) project features ground floor commercial space or other active use as defined by  
15 Section 145.1(b)(2) with clear ceiling heights in excess of ten feet from sidewalk grade, or in  
16 the case of residential uses, such walk-up residential units are raised up from sidewalk level;

17 (4) said ground floor commercial space, active use, or walk-up residential use is  
18 primarily oriented along a right-of-way wider than 40 feet;

19 (5) said ground floor commercial space or active use occupies at least 50% of the  
20 project's ground floor area; and

21 (6) except for projects located in NCT districts, the project sponsor has conclusively  
22 demonstrated that the additional 5' increment allowed through Section 263.20 would not add  
23 new shadow to any public open spaces.

24 (c) One additional foot of height, up to a total of five feet, shall be permitted above the  
25 designated height limit for each additional foot of ground floor clear ceiling height in excess of

1 10 feet from sidewalk grade, or in the case of residential units, for each foot the unit is raised  
2 above sidewalk grade.

3 **SEC. 607.1. NEIGHBORHOOD COMMERCIAL AND RESIDENTIAL-COMMERCIAL**  
4 **DISTRICTS.**

5 (f) **Business Signs.** Business signs, as defined in Section 602.3 shall be permitted in  
6 all Neighborhood Commercial and Residential-Commercial Districts subject to the limits set forth  
7 below.

8 (1) **NC-1 and NCT-1 Districts.**

9 (A) **Window Signs.** The total area of all window signs, as defined in Section 602.1(b),  
10 shall not exceed 1/3 the area of the window on or in which the signs are located. Such signs  
11 may be nonilluminated, indirectly illuminated, or directly illuminated.

12 (B) **Wall Signs.** The area of all wall signs shall not exceed one square foot per square  
13 foot of street frontage occupied by the business measured along the wall to which the signs  
14 are attached, or 50 square feet for each street frontage, whichever is less. The height of any  
15 wall sign shall not exceed 15 feet or the height of the wall to which it is attached. Such signs  
16 may be nonilluminated or indirectly illuminated; or during business hours, may be directly  
17 illuminated.

18 (C) **Projecting Signs.** The number of projecting signs shall not exceed one per  
19 business. The area of such sign, as defined in Section 602.1(a), shall not exceed 24 square  
20 feet. The height of such sign shall not exceed 15 feet or the height of the wall to which it is  
21 attached. No part of the sign shall project more than 75 percent of the horizontal distance from  
22 the street property line to the curblineline, or six feet six inches, whichever is less. The sign may  
23 be nonilluminated or indirectly illuminated, or during business hours, may be directly  
24 illuminated.

1 (D) **Signs on Awnings.** Sign copy may be located on permitted awnings in lieu of wall  
2 signs and projecting signs. The area of such sign copy as defined in Section 602.1(c) shall not  
3 exceed 20 square feet. Such sign copy may be nonilluminated or indirectly illuminated.

4 (2) **NC-2, NCT-2, NC-S, Broadway, Castro Street, Inner Clement Street, Outer**  
5 **Clement Street, Divisadero Street, Fillmore Street, Upper Fillmore Street, Inner Sunset,**  
6 **Haight Street, Hayes-Gough, Upper Market Street, North Beach, Ocean Avenue, Pacific**  
7 **Avenue, Polk Street, Sacramento Street, SoMa, Union Street, Valencia Street, 24th**  
8 **Street - Mission, 24th Street - Noe Valley, West Portal Avenue, and Glen Park**  
9 **Neighborhood Commercial Districts.**

10 (A) **Window Signs.** The total area of all window signs, as defined in Section 602.1(b),  
11 shall not exceed 1/3 the area of the window on or in which the signs are located. Such signs  
12 may be nonilluminated, indirectly illuminated, or directly illuminated.

13 (B) **Wall Signs.** The area of all wall signs shall not exceed two square feet per foot of  
14 street frontage occupied by the use measured along the wall to which the signs are attached,  
15 or 100 square feet for each street frontage, whichever is less. The height of any wall sign shall  
16 not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest  
17 of any residential windowsill on the wall to which the sign is attached, whichever is lower.  
18 Such signs may be nonilluminated, indirectly, or directly illuminated.

19 (C) **Projecting Signs.** The number of projecting signs shall not exceed one per  
20 business. The area of such sign, as defined in Section 602.1(a), shall not exceed 24 square  
21 feet. The height of such sign shall not exceed 24 feet, or the height of the wall to which it is  
22 attached, or the height of the lowest of any residential windowsill on the wall to which the sign  
23 is attached, whichever is lower. No part of the sign shall project more than 75 percent of the  
24 horizontal distance from the street property line to the curblineline, or six feet six inches,  
25

1 whichever is less. Such signs may be nonilluminated or indirectly illuminated; or during  
2 business hours, may be directly illuminated.

3 (D) **Signs on Awnings and Marquees.** Sign copy may be located on permitted  
4 awnings or marquees in lieu of projecting signs. The area of such sign copy as defined in  
5 Section 602.1(c) shall not exceed 30 square feet. Such sign copy may be nonilluminated or  
6 indirectly illuminated; except that sign copy on marquees for movie theaters or places of  
7 entertainment may be directly illuminated during business hours.

8 (E) **Freestanding Signs and Sign Towers.** With the exception of automotive gas and  
9 service stations, which are regulated under Paragraph 607.1(f)(4), one freestanding sign or  
10 sign tower per lot shall be permitted in lieu of a projecting sign, if the building or buildings are  
11 recessed from the street property line. The existence of a freestanding business sign shall  
12 preclude the erection of a freestanding identifying sign on the same lot. The area of such  
13 freestanding sign or sign tower, as defined in Section 602.1(a), shall not exceed 20 square  
14 feet nor shall the height of the sign exceed 24 feet. No part of the sign shall project more than  
15 75 percent of the horizontal distance from the street property line to the curblin, or six feet,  
16 whichever is less. Such signs may be nonilluminated or indirectly illuminated; or during  
17 business hours, may be directly illuminated.

18 (3) **Mission Street NCT, NC-3, and NCT-3 Neighborhood Commercial Districts.**

19 (A) **Window Signs.** The total area of all window signs, as defined in Section 602.1(b),  
20 shall not exceed 1/3 the area of the window on or in which the signs are located. Such signs  
21 may be nonilluminated, indirectly illuminated, or directly illuminated.

22 (B) **Wall Signs.** The area of all wall signs shall not exceed three square feet per foot of  
23 street frontage occupied by the use measured along the wall to which the signs are attached,  
24 or 150 square feet for each street frontage, whichever is less. The height of any wall sign shall  
25 not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest

1 of any residential windowsill on the wall to which the sign is attached, whichever is lower.  
2 Such signs may be nonilluminated, indirectly, or directly illuminated.

3 (C) **Projecting Signs.** The number of projecting signs shall not exceed one per  
4 business. The area of such sign, as defined in Section 602.1(a), shall not exceed 32 square  
5 feet. The height of the sign shall not exceed 24 feet, or the height of the wall to which it is  
6 attached, or the height of the lowest of any residential windowsill on the wall to which the sign  
7 is attached, whichever is lower. No part of the sign shall project more than 75 percent of the  
8 horizontal distance from the street property line to the curblineline, or six feet six inches,  
9 whichever is less. Such signs may be nonilluminated, indirectly, or directly illuminated.

10 (D) **Sign Copy on Awnings and Marquees.** Sign copy may be located on permitted  
11 awnings or marquees in lieu of projecting signs. The area of such sign copy, as defined in  
12 Section 602.1(c), shall not exceed 40 square feet. Such sign copy may be nonilluminated or  
13 indirectly illuminated; except that sign copy on marquees for movie theaters or places of  
14 entertainment may be directly illuminated during business hours.

15 (E) **Freestanding Signs and Sign Towers.** With the exception of automotive gas and  
16 service stations, which are regulated under Paragraph 607.1(f)(4) of this Code, one  
17 freestanding sign or sign tower per lot shall be permitted in lieu of a projecting sign if the  
18 building or buildings are recessed from the street property line. The existence of a  
19 freestanding business sign shall preclude the erection of a freestanding identifying sign on the  
20 same lot. The area of such freestanding sign or sign tower, as defined in Section 602.1(a),  
21 shall not exceed 30 square feet nor shall the height of the sign exceed 24 feet. No part of the  
22 sign shall project more than 75 percent of the horizontal distance from the street property line  
23 to the curblineline, or six feet, whichever is less. Such signs may be nonilluminated or indirectly  
24 illuminated, or during business hours, may be directly illuminated.



1           (4) **Special Standards for Automotive Gas and Service Stations.** For automotive  
2 gas and service stations in Neighborhood Commercial Districts, only the following signs are  
3 permitted, subject to the standards in this Paragraph (f)(4) and to all other standards in this  
4 Section 607.1.

5           (A) A maximum of two oil company signs, which shall not extend more than 10 feet  
6 above the roofline if attached to a building, or exceed the maximum height permitted for  
7 freestanding signs in the same district if freestanding. The area of any such sign shall not  
8 exceed 180 square feet, and along each street frontage, all parts of such a sign or signs that  
9 are within 10 feet of the street property line shall not exceed 80 square feet in area. No such  
10 sign shall project more than five feet beyond any street property line. The areas of other  
11 permanent and temporary signs as covered in Subparagraph (B) below shall not be included  
12 in the calculation of the areas specified in this Subparagraph.

13           (B) Other permanent and temporary business signs, not to exceed 30 square feet in  
14 area for each such sign or a total of 180 square feet for all such signs on the premises. No  
15 such sign shall extend above the roofline if attached to a building, or in any case project  
16 beyond any street property line or building setback line.

17 **SEC. 702.3. NEIGHBORHOOD COMMERCIAL RESTRICTED USE SUBDISTRICTS.**

18           In addition to the Neighborhood Commercial Use Districts established by Section 702.1  
19 of this Code, certain Neighborhood Commercial Special Use Districts are established for the  
20 purpose of controlling the expansion of certain kinds of uses which if uncontrolled may  
21 adversely affect the character of certain Neighborhood Commercial Districts.

22           The purposes and provisions set forth in Section 781.1 through ~~781.6~~ 781.10 of this  
23 Code shall apply respectively within these districts. The boundaries of the districts are as  
24 shown on the Zoning Map as referred to in Section 105 of this Code, subject to the provisions  
25 of that Section.

Neighborhood Commercial Restricted Use Subdistricts	Section Number
Taraval Street Restaurant Subdistrict	§ 781.1
Irving Street Restaurant Subdistrict	§ 781.2
<del>Ocean Avenue Fast Food Subdistrict</del>	<del>§ 781.3</del>
Geary Boulevard Formula Retail Pet Supply Store and Formula Retail Eating and Drinking Subdistrict	§ 781.4
Mission Street Formula Retail Restaurant Subdistrict	§ 781.5
North Beach Financial Service, Limited Financial Service, and Business or Professional Service Subdistrict	§ 781.6
Chestnut Street Financial <u>Service Subdistrict</u>	§ 781.7
Haight Street Alcohol Restricted Use District	§ 781.9
<del>Divisadero Street Alcohol Restricted Use District</del>	<del>§ 783</del>
Lower Haight Street Alcohol Restricted Use District	§ 784
Excelsior Alcohol Special Use District	§ 785
Lower Haight Tobacco Paraphernalia Restricted Use District	§ 786

**SEC. 711. SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-2  
ZONING CONTROL TABLE  
SPECIFIC PROVISIONS FOR NC-2 DISTRICTS**

Article 7 Code Section	Other Code Section	Zoning Controls
§ 711.68	§ 249.35	<p>FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD)</p> <p><b>Boundaries:</b> The FFSRUD and its ¼ mile buffer includes, but is not limited to, properties within: the Mission Alcoholic Beverage Special Use District the Haight Street Alcohol Restricted Use District; the Third Street Alcohol Restricted Use District; <del>the Divisadero Street Alcohol Restricted Use District;</del> the North of Market Residential Special Use District and the Assessor's Blocks and Lots fronting on both sides of Mission Street from Silver Avenue to the Daly City borders as set forth in Special Use District Maps SU11 and SU12; and includes Small-Scale Neighborhood Commercial Districts within its boundaries.</p> <p><b>Controls:</b> Within the FFSRUD and its ¼ mile buffer, fringe financial services are NP pursuant to Section 249.35. Outside the FFSRUD and its ¼ mile buffer, fringe financial services are P subject to the restrictions set forth in Subsection 249.35(c)(3).</p>

**SEC. 790.55. LIQUOR STORE.**

A retail use which sells beer, wine, or distilled spirits to a customer in an open or closed container for consumption off the premises and which needs a State of California Alcoholic Beverage Control Board License type 20 (off-sale beer and wine) or type 21 (off-sale general)

1 This classification shall not include retail uses that (1) are both (a) classified as a general  
 2 grocery store use as set forth in Section 790.102(a), a specialty grocery store use as set forth  
 3 in Section 790.102(b), or a self-service specialty food use as set forth in Section 790.93, and  
 4 (b) have a gross floor area devoted to alcoholic beverages that is within the accessory use  
 5 limits set forth in Section 703.2(b)(1)(C)(vi); or (2) have both a) a use size as defined in  
 6 Section 790.130 of this Code of greater than 10,000 gross square feet and (b) a gross floor  
 7 area devoted to alcoholic beverages that is within accessory use limits as set forth in Section  
 8 204.2 or 703.2(b)(1)(c) of this Code, depending on the zoning district in which the use is  
 9 located. For purposes of Planning Code Sections 249.5, 781.8, 781.9, 782, ~~783~~, and 784, the  
 10 retail uses explicitly exempted from this definition as set forth above shall only apply to  
 11 general grocery and specialty grocery stores that exceed 5,000s/f in size, shall not:

12 (a) sell any malt beverage with an alcohol content greater than 5.7% by volume; any  
 13 wine with an alcohol content of greater than 15% by volume, except for "dinner wines" that  
 14 have been aged two years or more and maintained in a corked bottle; or any distilled spirits in  
 15 container sizes smaller than 600 ml;

16 (b) devote more than 15% of the gross square footage of the establishment to the  
 17 display and sale of alcoholic beverages; and

18 (c) sell single servings of beer in container sizes 24 oz. or smaller.

19  
 20 Section 5. Sheets ZN02 and ZN07 of the Zoning Map of the City and County of San  
 21 Francisco is hereby amended, as follows:

	Use District to be	Use District
<u>Description of Property</u>	<u>Superseded</u>	<u>Hereby Approved</u>
All parcels zoned NC-3 on Blocks 0677, 0678, 0683,	NC-3	Fillmore Street Neighborhood Commercial District

1	0684, 0702, 0707, 0708, 0725, 0726,		
2	0731, 0732, 0749, 0750, 0755, 0756,		
3	and 0774; Block 0701, Lot 001		
4	Block 0702, Lot 038; Block 0732,	RM-3	Fillmore Street Neighborhood
5	Lot 010		Commercial District
6	Block 0779, Lot 031	RM-4	Fillmore Street Neighborhood
7			Commercial District
8	Block 0780, Lots 035 and 036	NC-1	Fillmore Street Neighborhood
9			Commercial District
10	Block 0798, Lot 001	RH-3	Fillmore Street Neighborhood
11			Commercial District

12 Section 6. Effective Date. This Ordinance shall become effective 30 days from the  
13 date of passage.

14  
15 Section 7. This section is uncodified. In enacting this Ordinance, the Board intends to  
16 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,  
17 punctuation, charts, diagrams, or any other constituent part of the Planning Code that are  
18 explicitly shown in this legislation as additions, deletions, Board amendment additions, and  
19 Board amendment deletions in accordance with the "Note" that appears under the official title  
20 of the legislation.

21  
22 APPROVED AS TO FORM:  
23 DENNIS J. HERRERA, City Attorney

24 By: \_\_\_\_\_  
25 JUDITH A. BOYAJIAN  
Deputy City Attorney