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Ordinance adding Planning Code Sections 731 732 et seg. to establish the Pacific Avenue Individual Area Neighborhood Commercial District, as specifically defined herein and generally encompassing the length of Pacific Avenue from Polk Street to Taylor Street; deleting Section 236, the Garment Shop Special Use District; amending the City's Zoning Map Sectional Maps 1, 1H, 2, and 2H to reflect the boundaries of the Pacific Avenue Neighborhood Commercial District, other associated zoning changes. and related changes to height and bulk districts and amending Zoning Map Sectional Map 1 SU to delete the Garment Shop Special Use District; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

> Additions are single-underline italics Times New Roman; deletions are strikethrough italies Times New Roman.

Board amendment additions are double underlined. Board amendment deletions are strikethrough normal.

[Zoning - Pacific Avenue Individual Area Neighborhood Commercial District.]

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

Findings. The Board of Supervisors of the City and County of San Section 1. Francisco hereby finds and declares as follows:

- a. There is no longer an economic justification for a Garment Shop Special Use District.
- b. Rezoning of the existing NC-2 zoning district along Pacific Avenue between Polk and Jones Streets is necessary to preserve neighborhood character and environmental qualities that respond to the topography and narrow street right-of-way.
- c. Rezoning the existing NC-2 zoning district along Pacific Avenue between Jones and Taylor Streets is necessary to preserve the residential character of the block.

Note:

d. Condensing the NC-2 zoning district in the abovementioned areas to its commercial core will be accomplished through establishment of a new individual area neighborhood commercial district, specified Zoning Map amendments to Sectional Maps 1, 1H, 1SU, 2, and 2H, and other related zoning actions, including reclassification of specified properties from the NC-2 District designation to RM-1 or RM-3.

Section 2. Environmental Findings, General Plan Findings, and Other Required Findings.

- a. The Planning Department has determined that the actions contemplated in this Ordinance are in compliance with the California Environmental Quality Act (California Public Resources Code sections 21000 et seq.). The Board hereby affirms said determination, which is part of Planning Commission Resolution No. 17413, is on file with the Clerk of the Board of Supervisors in File No.
- b. On April 5, 2007, after a duly noticed public hearing, the Planning Commission, in Resolution No. 17413, approved and recommended for adoption by the Board, the Pacific Avenue Individual Area Neighborhood Commercial District, associated Zoning Map amendments, and other related zoning actions. In said Resolution, the Planning Commission also adopted findings that the legislation is consistent, on balance, with the City's General Plan and eight priority policies of Planning Code Section 101.1. The Board adopts these findings as its own and incorporates these findings herein by reference.
- c. Pursuant to Planning Code Section 302, this Board of Supervisors finds that the subject Neighborhood Commercial District, Zoning Map amendments, and other related zoning actions will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission Resolution No. 17413 and incorporates such reasons herein by reference.

 Section 3. The San Francisco Planning Code is hereby amended by adding Sections 731 732 et seq., to read as follows:

Section 731.1 732.1 Pacific Avenue Neighborhood Commercial District

The Pacific Avenue Neighborhood Commercial District, on Pacific Avenue from just east of Polk Street to all four corners of Pacific Avenue and Jones Street, is situated on the north slope of the Nob Hill neighborhood and south of the Broadway Tunnel. Pacific Avenue is a multi-purpose, small-scale mixed-use neighborhood shopping district on a narrow street that provides limited convenience goods to the adjacent neighborhoods.

The Pacific Avenue Neighborhood Commercial District controls are designed to promote a small, neighborhood serving mixed-use commercial street that preserves the surrounding neighborhood residential character. These controls are intended to preserve livability in a largely low-rise development residential neighborhood, enhance solar access on a narrow street right-of-way and protect residential rear yard patterns at the ground floor.

## <u>SEC. 731732. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE</u>

			Pacific Avenue NCD
<u>No.</u>	Zoning Category	§ References	<u>Controls</u>
BUILDING ST	TANDARDS		
731.10 732.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250-252, 260, 270, 271	<u>40-X</u> <u>See Zoning Map</u>
731.11 732.11	Lot Size [Per Development]	<u>§§ 790.56, 121.1</u>	P up to 9,999 sq. ft.; C 10,000 sq. ft. & above § 121.1

1 2	731.12 732.12	Rear Yard	<u>§§ 130, 134, 136</u>	45 % required at the first story and above and at all
3	· · · · · · · · · · · · · · · · · · ·			<u>residential levels</u> § 134(c)
4				
5	731.13	Street Frontage		<u>Required</u> § 145.1
6	<u>732.13</u>			<u> </u>
7	731.14	Awning	§ 790.20	<u>P</u>
8	732.14			§ 136.1(a)
9	731.15	<u>Canopy</u>	<u>§ 790.26</u>	<u>P</u>
11	<u>732.15</u>		·	§ 136.1(b)
12	731.16	<u>Marquee</u>	<u>§ 790.58</u>	<u>P</u> § 136.1(c)
13	732.16			§ 130.1(C)
14	731.17	Street Trees		Required
15	<u>732.17</u>			<u>§ 143</u>
16 17	<u>COMMERCI</u>	AL AND INSTITUTIONAL ST	ANDARDS AND USES	
18	731.20	Floor Area Ratio	§§ 102.9, 102.11, 123	1.5 to 1
19	732.20			§ 124(a) (b)
20	731.21	<u>Use Size [Non-Residential]</u>	<u>§ 790.130</u>	Pup to 1,999 sq. ft.;
21	732.21		,	<u>C 2,000 sq. ft. &amp; above</u> § 121.2
22	731.22	Off-Street Parking.	§§ 150, 153-157, 159-	Generally, none required if
23	732.22	Commercial/Institutional	<u>160, 204.5</u>	occupied floor area is less than 2,000 sq. ft.
24				§§ 151, 161(g)
25				

731.23 732.23	Off-Street Freight Loading	§§ 150, 153-155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)
731.24 732.24	Outdoor Activity Area	<u>§ 790.70</u>	P if located in front; C if located elsewhere § 145.2(a)
731.25 732.25	Drive-Up Facility	<u>§ 790.30</u>	
731.26 732.26	Walk-Up Facility	<u>§ 790.140</u>	P if recessed 3 ft.; C if not recessed § 145.2(b)
731.27 732.27	Hours of Operation	<u>§ 790.48</u>	<u>P 6 a.m 10 p.m.;</u> <u>C 10 p.m 2 a.m.</u>
731.30 732.30	General Advertising Sign	§§ 262, 602-604, 608, 609	
731.31 732.31	<u>Business Sign</u>	§§ 262, 602-604, 608, 609	<u>P</u> <u>§ 607.1(f) 2</u>
731.32 732.32	Other Signs	§ <u>§ 262, 602-604, 608,</u> <u>609</u>	<u>P</u> § 607.1(c) (d) (g)
			Pacific Avenue NCD
			Controls by Story
No.	Zoning Category	§ References	<u>1st</u> <u>2nd</u> <u>3rd+</u>
	732.23 731.24 731.25 732.25 731.26 732.26 731.27 732.27 732.27 731.30 732.30 731.31 732.31 732.31	731.24       Outdoor Activity Area         731.25       Drive-Up Facility         731.26       Walk-Up Facility         732.26       Hours of Operation         731.30       General Advertising Sign         732.30       Business Sign         731.31       Business Sign         732.32       Other Signs         732.32       Other Signs	732.23         Outdoor Activity Area         \$ 790.70           732.24         \$ 790.30           731.25         Drive-Up Facility         \$ 790.30           732.25         \$ 790.140           732.26         Walk-Up Facility         \$ 790.140           732.26         \$ 790.48           732.27         \$ 790.48           732.30         \$ \$ 262.602-604.608.609           731.31         \$ 8 262.602-604.608.609           732.31         \$ \$ 262.602-604.608.609           732.32         \$ \$ 262.602-604.608.609

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		§ 790.118	1st	2nd	<u>3rd +</u>
731.38	<u>Residential Conversion</u>	<u>§ 790.84</u>	<u>C</u>		
<u>732.38</u>					
731.39	Residential Demolition	<u>§ 790.86</u>	<u>C</u>		
732.39					
Retail Sales a	nd Services				
731.40	Other Retail Sales and	<u>§ 790.102</u>	<u>P</u>	<u>C</u>	
732.40	Services [Not Listed Below]				
731.41	<u>Bar</u>	<u>§ 790.22</u>			
732.41					
731.42	Full-Service Restaurant	<u>§ 790.92</u>	<u>C</u>		
732.42					
731.43	Large Fast Food	<u>§ 790.90</u>			
732.43	Restaurant				
731.44	Small Self-Service	<u>§ 790.91</u>			
732.44	Restaurant				
731.45	<u>Liquor Store</u>	<u>§ 790.55</u>			
<u>732.45</u>					
731.46	Movie Theater	<u>§ 790.64</u>			
732.46					
731.47	Adult Entertainment	<u>§ 790.36</u>			

1	732.47					
3	731.48 732.48	Other Entertainment	<u>§ 790.38</u>			
5 6	731.49 732.49	Financial Service	<u>§ 790.110</u>	<u>C</u>		
7	731.50 732.50	Limited Financial Service	§ 790.112	<u>P</u>		
9	731.51 732.51	<u>Medical Service</u>	§ 790.114	<u>C</u>	<u>C</u>	
11   12   13	731.52 732.52	<u>Personal Service</u>	<u>§ 790.116</u>	<u>P</u>	<u>C</u>	
14 15	731.53 732.53	Business or Professional Service	<u>§ 790.108</u>	<u>P</u>	<u>C</u>	
16 17	731.54 732.54	Massage Establishment	§ 790.60, § 2700 Police Code			
18 19 20	731.55 732.55	Tourist Hotel	<u>§ 790.46</u>			
21 22	731.56 732.56	Automobile Parking	§§ 790.8, 156, 160	<u>C</u>		
23 24	731.57 732.57	Automotive Gas Station	§ 790.14			

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1	731.58	Automotive Service Station	<u>§ 790.17</u>			
2	732.58		•			Market of the second of the se
3	731.59	<u>Automotive Repair</u>	<u>§ 790.15</u>	<u>C</u>		
4	732.59					
5	731.60	Automotive Wash	<u>§ 790.18</u>		·	
7	732.60					
8	731.61	Automobile Sale or Rental	<u>§ 790.12</u>			·
9	732.61					
10	731.62	Animal Hospital	<u>§ 790.6</u>	·		A CALLANT TO A CALLANT THE CAL
11	732.62					
12 13	731.63	Ambulance Service	<u>§ 790.2</u>	·		
14	732.63					
15	731.64	<u>Mortuary</u>	<u>§ 790.62</u>			
16	732.64					
17	731.65	Trade Shop	<u>§ 790.124</u>	<u>C</u>		·
18	732.65					
19	731.66	<u>Storage</u>	<u>§ 790.117</u>			
20 21	732.66				:	
22	731.67	Video Store	<u>§ 790.135</u>	<u>C</u>		
23	732.67					
24	Institutions a	and Non-Retail Sales and Serv	ices			
25						

1	<del>731.70</del>	<u>Administrative Service</u>	<u>§ 790.106</u>			
2	732.70					
3	731.80	Hospital or Medical Center	<u>§ 790.44</u>			
4	732.80			:		
5	731.81	Other Institutions, Large	§ 790.50			
7	732.81					
8	731.82	Other Institutions, Small	<u>\$ 790.51</u>	<u>C</u>		•
9	732.82					
10	731.83	Public Use	<u>§ 790.80</u>	<u>Ċ</u>		
11	<u>732.83</u>					
12 13	RESIDENTIA	L STANDARDS AND USES				
14	731.90	Residential Use	<u>§ 790.88</u>	<u>P</u>	<u>P</u>	<u>P</u>
15	732.90					
16	731.91	Residential Density,	§§ 207, 207.1,		lly, 1 un	
17	732.91	<u>Dwelling Units</u>	790.88(a)	§ 207.4	q. <u>ft. lot</u>	<u>area</u>
18 19	731.92	Residential Density, Group	§§ 207.1, 790.88(b)			droom per
20	732.92	<u>Housing</u>		<u>275 sq.</u> <u>§ 208</u>	ft. lot ar	<u>·ea</u>
21	731.93	Usable Open Space	§§ 135, 136	Genera	lly, eithe	er
22	732.93	[Per Residential Unit]			ft if priv ft. if con	
23				<u>§ 135(a</u>	<u>()</u>	
24	731.94	Off-Street Parking, Residential	§§ 150, 153-157, 159- 160, 204.5	1	lly, 1 spe velling u	
25						

732.94			<u>§§ 151,</u>	161(a) (	(g)
731.95	Community Residential	<u>§ 790.10</u>	<u>C</u>		
<u>732.95</u>	<u>Parking</u>				

Section 4. The San Francisco Planning Code is hereby amended by deleting Section 236 in its entirety as follows:

SEC. 236. GARMENT SHOP SPECIAL USE DISTRICT.

In order to provide for garment shops of limited size in a recognized area of the City, there shall be a Garment Shop Special Use District as designated on Sectional Map No. 1 SU of the Zoning Map.

The following provisions shall apply within such special use district:

(a) A garment shop equipped with single-head power or hand sewing machines and specialty machines, where the total number of such single-head machines does not exceed 25, shall be permitted as a principal use on any lot in an NC District, C District or Residential Commercial Combined District therein at a location where commercial uses are permitted.

Section 5. Zoning Map Amendments.

a. Pursuant to Sections 106 and 302(c) of the Planning Code, the following change, as shown and further delineated in attachments to Planning Commission Resolution No. 17413, is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco, Sectional Maps 1 and 2 as follows:

Description of Property	Use District to be Superseded	Use District Hereby Approved
Assessor's Block 0573, Lots 004, 004A, 004B, 005, 006, 008, 009, 010, Assessor's Block 0154, Lots 007, 008, 009, 010, 011, 012, 013, 014, 015,	NC-2	Pacific Avenue Neighborhood Commercial District, pursuant to Planning Code Sections 731

- 11			
1	016, 017, 018, 019, 020, 021,	·	732 et seq.
2	Assessor's Block 0155, Lots 009, 010, 012, 013,		<u>102</u> et seq.
3	014, 015, 016, 017, 019,		
4	020, 021, 022, 023, 024, 025, 026, 054,		
	Assessor's Block 0156, Lots 007, 008, 009, 010,		
5	011, 012, 013, 014, 015, 016, 017 (partial), 018		
6	(partial), 019 (partial), 020 (partial), 021, 022,		
7	Assessor's Block 0157, Lot 021,		
8	Assessor's Block 0596,		
9	Lots 001, 002, 003, 004, 005, 026, 027, 031, 032,		
10	033, Assessor's Block 0185,		·
11	Lots 001, 002, 003, 004, 006, 007, 028,		
12	Assessor's Block 0184, Lots 021, 022, 023, 024,		
13	025, 026, 027, 029, 030, 031, 035, 036 (partial),		
14	Assessor's Block 0183, Lots 001, 026, 027, 028,		
15	029, 031, 032, 033, 034, 035, 036, 037, 038, 039,	*	
16	and Assessor's Block 0182,		
17	Lots 021.		
18	Assessor's Block 0185,	RM-1	
	Lots 005, 029, 030, 031, 038, 039, 041	Kivi- I	
19	Assessor's Block 0157,		
20	Lots 007, 008, 009, 010, 011, 013, 014, 015, 016,	NC-2	RM-1
21	017, 018, 019, 020, 063, and		·
22	Assessor's Block 0182, Lots 001, 022, 023, 024,		
23	031, 031B, 031C, 032, 034,		
24	035		
25	Assessor's Block 0186, Lot 001, and	NC-2	RM-3

b. Pursuant to Sections 106 and 302(c) of the Planning Code, the following change, as shown and further delineated in attachments to Planning Commission Resolution No. 17413, is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco, Sectional Maps 1H and 2H as follows:

Description of Property	Use District to be Superseded	Use District Hereby Approved
Accorder's Plack 0572	33 1 1 4 5 1 4 1 4	

Assessor's Block 0573, Lots 004, 004A, 004B, 005, 006, 008, 009, 010, Assessor's Block 0154, Lots 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021,	Height District: 65-X	Height District : 40-X
Assessor's Block 0155, Lots 009, 010, 012, 013, 014, 015, 016, 017, 019, 020, 021, 022, 023, 024, 025, 026, 054, Assessor's Block 0156, Lots 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017 (partial), 018		
(partial), 019 (partial), 020 (partial), 021, 022, Assessor's Block 0157, Lots 007, 008, 009, 010, 011, 013, 014, 015, 016, 017, 018, 019, 020, 021, 063,		
Assessor's Block 0596, Lots 001, 002, 003, 004, 005, 026, 027, 028, 031, 032, 033, Assessor's Block 0185, Lots 001, 002, 003, 004, 005, 007, 028, 029, 030, 031, 038, 039, 041 Assessor's Block 0184,		

Lots 021, 022, 023, 024, 025, 026, 027, 029, 030, 031, 035, 036 (partial), Assessor's Block 0183, Lots 001, 026, 027, 028, 029, 031, 032, 033, 034, 035, 036, 037, 038, 039, and Assessor's Block 0182, Lots 001, 021, 022, 023, 024, 031, 031B, 031C, 032, 034, 035.	
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c. Pursuant to Sections 106 and 302(c) of the Planning Code, the following change is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco: Sectional Map 1 SU shall delete all reference to the Garment Shop Special Use District, Planning Code Section 236.

Section 6. This Section is uncodified. This Ordinance shall not apply to those development proposals that receive Planning Department or Zoning Administrator project approval prior to the effective date of this Ordinance.

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

By:

John D. Malamut

Deputy City Attorney



## City and County of San Francisco Tails

City Hall 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4689

## **Ordinance**

File Number:

070681

Date Passed:

Ordinance adding Planning Code Sections 732 et seq. to establish the Pacific Avenue Individual Area Neighborhood Commercial District, as specifically defined herein and generally encompassing the length of Pacific Avenue from Polk Street to Taylor Street; deleting Section 236, the Garment Shop Special Use District; amending the City's Zoning Map Sectional Maps 1, 1H, 2, and 2H to reflect the boundaries of the Pacific Avenue Neighborhood Commercial District, other associated zoning changes, and related changes to height and bulk districts and amending Zoning Map Sectional Map 1 SU to delete the Garment Shop Special Use District; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

June 26, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

July 10, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 070681

I hereby certify that the foregoing Ordinance was FINALLY PASSED on July 10, 2007 by the Board of Supervisors of the City and County of San Francisco.

JUL 2 0 2007

**Date Approved** 

Clerk of the Board

(ayor Gavin Newsom