

**REVISED LEGISLATIVE DIGEST**

(10/21/2013, Amended in Committee)

[Planning Code, Zoning Map - Establishing the Excelsior Outer Mission Street Neighborhood Commercial District]

**Ordinance amending the Planning Code to establish the Excelsior Outer Mission Street Neighborhood Commercial District (NCD) along Mission Street between Alemany Boulevard and the San Francisco-San Mateo County line; repealing the Excelsior Alcohol Restricted Use District and adding controls on liquor establishments to the new NCD; amending various sections to make conforming and other technical changes; amending the Zoning Map to rezone specified properties to the new NCD; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.**

Existing Law

Article 7 of the Planning Code establishes a number of named districts in various San Francisco neighborhoods that have special controls. The Zoning Map maps these areas.

Amendments to Current Law

The Planning Code and Zoning Map are amended to add the new Excelsior Outer Mission Street Neighborhood Commercial District (NCD). The Excelsior Alcohol Restricted Use District is repealed and its controls on liquor establishments are included in the NCD. Conforming changes have been made to various other Code sections.

New Liquor Store uses with Type 20 or Type 21 ABC licenses are not permitted in the new NCD, however any use within the NCD with an existing Type 20 or Type 21 ABC license may obtain a new license, if required by the ABC, after it has been closed temporarily for repair, renovation, remodeling, or reconstruction. A Medical Cannabis Dispensary (MCD) seeking to relocate within 500 feet of another MCD may be allowed as a conditional use but any future amendments or regulations applicable to MCDs Citywide shall apply and will supersede the conditional use requirement. An MCD may be located above the ground floor only if it is accessible to persons with disabilities.

Background Information

The area included within the Excelsior Outer Mission Street NCD is mixed use, combining street-fronting retail businesses on the ground floor and housing on upper floors. The range of comparison goods and services offered is varied and often includes specialty retail stores, restaurants, and neighborhood-serving offices. The area is transit-oriented and the commercial uses serve residents of the area as well as residents and visitors from adjacent and other neighborhoods. The purpose of this legislation is to establish specific controls tailored to the needs of the area.

n:\legana\as2013\1300263\00822625.doc