

[Planning Code - Arcades in the Upper Market Street Neighborhood Commercial Transit District]

Ordinance amending the Planning Code to permit arcades in the Upper Market Street Neighborhood Commercial Transit District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font. **Additions to Codes** are in *single-underline italics Times New Roman font*. **Deletions to Codes** are in *strikethrough italics Times New Roman font*. **Board amendment additions** are in double-underlined Arial font. **Board amendment deletions** are in ~~strikethrough Arial font~~. **Asterisks (* * * *)** indicate the omission of unchanged Code subsections or parts of tables.

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

Section 1. Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). The Board of Supervisors hereby affirms the determination. Said determination is on file with the Clerk of the Board of Supervisors in File No. 140982 and is incorporated herein by reference.

(b) On December 18, 2014, the Planning Commission, in Resolution No. 19299, adopted findings that the actions contemplated in this ordinance are 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. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File No. 140982, and is incorporated herein by reference.

(c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that these Planning Code amendments will serve the public necessity, convenience and welfare for the reasons set forth in Planning Commission Resolution No. 19299 and the Board of Supervisors hereby incorporates such reasons herein by reference.

Section 2. The Planning Code is hereby amended by revising Section 733, to read as follows:

**SEC. 733. UPPER MARKET STREET NEIGHBORHOOD
COMMERCIAL TRANSIT DISTRICT
ZONING CONTROL TABLE**

* * * *

No.	Zoning Category	§ References	Upper Market Street Transit		
			Controls by Story		
			1st	2nd	3rd+
* * * *					
733.48	Other Entertainment	§ 790.38	C#	-	-
* * * *					
733.69B	Amusement Game Arcade (Mechanical Amusement Devices)	§ 790.4	<u>P</u>	<u>P</u>	
* * * *					

**SPECIFIC PROVISIONS FOR THE UPPER MARKET STREET
NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT**

Article 7 Code Section	Other Code Section	Zoning Controls
<p>****</p> <p><u>§ 733.48</u></p> <p>****</p>	<p><u>§§ 790.4, 790.38</u></p>	<p><i>Within the Upper Market Neighborhood Commercial Transit District, up to four mechanical amusement devices are considered an accessory use and up to ten mechanical amusement devices will be considered an Amusement Game Arcade use.</i></p>

Section 3. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

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

By: 
JUDITH A. BOYAJIAN
Deputy City Attorney

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City and County of San Francisco
Tails
Ordinance

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

File Number: 140982

Date Passed: February 03, 2015

Ordinance amending the Planning Code to permit arcades in the Upper Market Street Neighborhood Commercial Transit District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

January 12, 2015 Land Use and Economic Development Committee - RECOMMENDED

January 27, 2015 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

February 03, 2015 Board of Supervisors - FINALLY PASSED

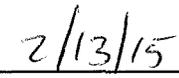
Ayes: 10 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Wiener and Yee
Absent: 1 - Tang

File No. 140982

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 2/3/2015 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board


Mayor


Date Approved