

1 [Zoning—Creating the Fringe Financial Service Restricted Use District and Related Zoning  
2 Map Amendments.]

3 **Ordinance amending Section 249.5 and adding Section 785 to the San Francisco**  
4 **Planning Code to create a noncontiguous Fringe Financial Service Restricted Use**  
5 **District prohibiting new fringe financial services, as defined, with certain exceptions;**  
6 **adding Section 790.111 to the San Francisco Planning Code to define a Fringe**  
7 **Financial Service Use; amending San Francisco Planning Code Section 312(c) to**  
8 **require certain notice in Neighborhood Commercial Districts; amending San Francisco**  
9 **Planning Code Sections 710 through 730 to add Fringe Financial Service Use to the**  
10 **Neighborhood Commercial District Zoning Control Tables; amending Sectional Maps**  
11 **Numbers 1SU, 2SU, 6SU, 7SU, 8SU, and 10SU of Zoning Map of the City and County of**  
12 **San Francisco to indicate the boundaries of the Fringe Financial Service Restricted Use**  
13 **District, and making findings, including environmental findings and findings of**  
14 **consistency with the priority policies of Planning Code Section 101.1 and the General**  
15 **Plan.**

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17 Note: Additions are *single-underline italics Times New Roman*;  
18 deletions are ~~*strikethrough italics Times New Roman*~~.  
19 Board amendment additions are double underlined.  
20 Board amendment deletions are ~~strikethrough normal~~.

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

22 Section 1. Findings. The Board of Supervisors of the City and County of San  
23 Francisco hereby finds and determines that:

24 (a) General Plan and Planning Code Findings.

25 (1) On \_\_\_\_\_ at a duly noticed public hearing, the Planning Commission in  
Resolution No. \_\_\_\_\_ found that the proposed Planning Code and Zoning Map

1 amendments contained in this ordinance were consistent with the City's General Plan and  
2 with Planning Code Section 101.1(b). In addition, the Planning Commission recommended  
3 that the Board of Supervisors adopt the proposed Planning Code and Zoning Map  
4 amendments. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in  
5 File No. \_\_\_\_\_ and is incorporated herein by reference. The Board finds that the  
6 proposed Planning Code and Zoning Map amendments contained in this ordinance are  
7 consistent with the City's General Plan and with Planning Code Section 101.1(b) for the  
8 reasons set forth in said Resolution.

9 (2) Pursuant to Planning Code Section 302, the Board finds that the proposed  
10 ordinance will serve the public necessity, convenience and welfare for the reasons set forth in  
11 Planning Commission Resolution No. \_\_\_\_\_, which reasons are incorporated  
12 herein by reference as though fully set forth.

13 (b) Environmental Findings. The Planning Department has determined that the  
14 actions contemplated in this Ordinance are in compliance with the California Environmental  
15 Quality Act (California Public Resources Code section 21000 et seq.). Said determination is  
16 on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and is  
17 incorporated herein by reference.

18 (c) General Findings.

19 (1) Check cashing businesses cash payroll, government, personal, and other types of  
20 checks, among other related services, while taking a commission off the face-value of the  
21 check.

22 (2) Pay day lender businesses (also known as deferred deposit transaction businesses  
23 and advanced pay day lenders) provide small cash loans based on a borrower's personal  
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1 check held for future deposit or on electronic access to a borrower's bank account. Generally,  
2 the borrower must include the fee for the loan in the face value of the personal check.

3 (3) According to the Federal Trade Commission and Consumer Reports, because of  
4 the high fees paid for these short term loans and check cashing services, some borrowers  
5 may pay the equivalent of more than 900% annual percentage rate interest on their loan. In  
6 California, the fee for a pay day loan can be up to \$17.50 for every \$100 borrowed, up to the  
7 maximum of \$300. The annual percentage rate for such a transaction is: 911% for a one-week  
8 loan; 456% for a two-week loan; and 212% for a one-month loan.

9 (4) According to the California Reinvestment Coalition, check cashing and pay day  
10 lender businesses, also known as fringe financial services, have grown over 1100 percent  
11 nation-wide between 1996 and 2003. According to the Federal Trade Commission and  
12 Consumer Reports, since pay day loans were legalized in California in 1997, more than 3,500  
13 pay day loan businesses have opened in the state.

14 (5) The Brookings Institute conservatively estimates that fringe financial service  
15 providers sell \$40 million worth of their services annually out of 56 locations in San Francisco.  
16 The average fringe financial service establishment in the City has a sales volume of \$737,000  
17 annually. The estimates provided by the Brookings Institute are conservative because they  
18 only include fringe financial service providers that provide those services as their primary or  
19 secondary business service, and do not include tertiary providers of these services, including  
20 grocery stores, convenience stores, and gas stations.

21 (6) According to the Brookings Institute, these fringe financial service providers are  
22 heavily concentrated in San Francisco's poorer neighborhoods, which also have a higher  
23 percentage of minority residents than other parts of the City. The median income in a  
24 neighborhood with these types of financial services is roughly \$38,000, compared with a City-

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1 wide median income of about \$60,000. One in five residents in these neighborhoods lives in  
2 poverty, compared with a City-wide rate of about one in ten. Additionally, 30 percent of  
3 residents in these neighborhoods with a check cashing or pay day lender business are Latino,  
4 compared with a City-wide rate of about 14 percent. The neighborhood with the highest  
5 concentration of fringe financial service providers (Census Tract No. 176.01), has a median  
6 household income of just \$23,899, nearly one in three of its residents lives below the poverty  
7 line, and it has one of the highest concentrations of African American residents in the City.

8 (7) The Brookings Institute found that these fringe financial service providers tend to  
9 cluster together in the City, saturating particular neighborhoods with their high-priced financial  
10 service products. Roughly half of the core providers of these fringe financial service providers  
11 are located in just four neighborhoods in the City.

12 (8) Concerns have been raised that the unchecked proliferation of these businesses is  
13 displacing charter banks, which offer a much broader range of financial services, and other  
14 desired commercial development in the City, particularly in the commercial districts of lower  
15 income neighborhoods. Without appropriate controls, the result of the high growth of fringe  
16 financial service providers could be a reduction or displacement of other needed financial  
17 services and other commercial benefits.

18 (9) On January 10, 2006, the Board of Supervisors adopted Ordinance No. 01-06, an  
19 urgency Ordinance that imposed a 45-day moratorium on check cashing and payday lender  
20 uses. A copy of said Ordinance is on file with the Clerk of the Board of Supervisors in File No.  
21 051721, and is incorporated herein by reference.

22 (10) On January 13, 2005, the Mayor signed Ordinance No. 01-06 into law.

23 (11) On December 9, 2005, the Planning Department issued a report entitled  
24 "Preliminary Report on Land Use Issues and Policy Opportunities for Check Cashing and Pay  
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1 Day Lender Businesses” for the Board’s consideration. A copy of said report is on file with the  
2 Clerk of the Board of Supervisors in File No. 051721 and is incorporated herein by reference.

3 (12) On December 15, 2005, during a hearing of the Budget and Finance Committee  
4 of the Board of Supervisors, the Committee considered the Planning Department’s report and  
5 held a hearing at which it took testimony from the public and from various City departments  
6 regarding check cashing and payday lender uses.

7 (13) On February 28, 2006, the Board of Supervisors, in accordance with California  
8 Government Code section 65858, and in furtherance of Ordinance No. 01-06, by Motion No.  
9 06-28 formally issued the Planning Department’s report entitled “Preliminary Report on Land  
10 Use Issues and Policy Opportunities for Check Cashing and Pay Day Lender Businesses.” A  
11 copy of said Motion is on file with the Clerk of the Board of Supervisors in File No. 060229 and  
12 is incorporated herein by reference.

13 (14) On May 23, 2006, the Board of Supervisors adopted Ordinance No. 115-06, an  
14 Urgency Ordinance extending the moratorium on check cashing and payday lender uses, for  
15 an additional three months. A copy of said Ordinance is on file with the Clerk of the Board of  
16 Supervisors in File No. 060641 and is incorporated herein by reference.

17 (15) This ordinance constitutes permanent controls to address the proliferation of  
18 fringe financial service providers and its passage terminates the efficacy of Ordinance 34-06,  
19 “Zoning—Three Month Extension of Interim Moratorium on New Check Cashing and Pay Day  
20 Lender Uses.”

21 Section 2. The San Francisco Planning Code is hereby amended by amending  
22 Section 249.5, to read as follows:

23 SEC. 249.5. NORTH OF MARKET RESIDENTIAL SPECIAL USE DISTRICT.  
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1           (a)     General. A special use district entitled the “North of Market Residential Special  
2 Use District,” which includes RC-4 and P Use Districts, the boundaries of which are shown on  
3 Sectional Map No. 1SU b of the Zoning Map, is hereby established for the purposes set forth  
4 below.

5           (b)     Purposes. In order to protect and enhance important housing resources in an  
6 area near downtown, conserve and upgrade existing low and moderate income housing stock,  
7 preserve buildings of architectural and historic importance and preserve the existing scale of  
8 development, maintain sunlight in public spaces, encourage new infill housing at a compatible  
9 density, limit the development of tourist hotels and other commercial uses that could  
10 adversely impact the residential nature of the area, and limit the number of commercial  
11 establishments which are not intended primarily for customers who are residents of the area,  
12 the following controls are imposed in the North of Market Residential Special Use District.

13           (c)     Controls. The following zoning controls are applicable in the North of Market  
14 Residential Special Use District. Certain controls are set forth in other Sections of this Code  
15 and are referenced herein.

16           (1)     Conditional Use Criteria. In making determinations on applications for  
17 conditional use authorizations required for uses located within the North of Market Residential  
18 Special Use District, the City Planning Commission shall consider the purposes as set forth in  
19 Subsection (b) above, in addition to the criteria of Section 303(c) of this Code.

20           (2)     Notwithstanding the provisions of Section 209.8 of this Code, commercial  
21 establishments shall be limited to the ground floor and the first basement floor, except that  
22 such establishments may be permitted on the second story as a conditional use if authorized  
23 pursuant to Section 303 and Section 249.5(c)(1) of this Code.

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1           (3)     Garment shops that meet the qualifications set forth in Section 236(a) may be  
2 permitted on the ground floor and first basement floor as a conditional use if authorized  
3 pursuant to Section 303 and Section 249.5(c)(1) of this Code.

4           (4)     The following uses are not permitted: (A) A hotel, inn, hostel or motel; and (B)  
5 massage establishments which are not incidental to the institutional uses permitted in  
6 Sections 217(a) through (d) of the Planning Code or are not incidental to a health club,  
7 gymnasium or other facility with a regular membership or other facility which is used primarily  
8 for instruction and training in body building, exercising, reducing, sports, dancing or other  
9 similar physical activities.

10          (5)     In the portion of the area designated as Subarea No. 1 of the North of Market  
11 Residential Special Use District, as shown on Section Map 1SU b of the Zoning Map, the  
12 density ratio shall be one dwelling unit for each 125 square feet of lot area; in Subarea No. 2,  
13 as shown on Section Map 1SU b of the Zoning Map, the density ratio shall be one dwelling  
14 unit for each 200 feet of lot area. The double density provisions of Section 209.1(m) shall not  
15 result in greater density than that permitted in an RC-4 District.

16          (6)     Off-street parking requirements may be modified by the City Planning  
17 Commission, as provided in Section 161(h) of this Code.

18          (7)     A bulk district "T" shall apply pursuant to the provisions of Section 270, Table  
19 270 of this Code.

20          (8)     Special exceptions to the 80-foot base height limit in height and bulk districts 80-  
21 120-T and 80-130-T may be granted pursuant to the provisions of Section 263.7 of this Code.

22          (9)     Building setbacks are required in this district pursuant to Section 132.2;  
23 provisions for exceptions are also set forth in Section 132.2 of this Code.

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1 (10) Exceptions to the rear yard requirements for an RC-4 District may be granted  
2 pursuant to Section 134(f) of this Code.

3 (11) Awnings, canopies and marquees, as defined in Sections 790.20, 790.26 and  
4 790.58 of this Code, and further regulated by the Building Code and Sections 249.5(c)(12),  
5 136.2 and 607.4 of this Code are permitted.

6 (12) Signs located in the RC-4 portion of this district shall be regulated as provided in  
7 Section 607.4 of this Code.

8 (13) All provisions of the City Planning Code applicable in an RC-4 Use District shall  
9 apply within that portion of the district zoned RC-4, except as specifically provided above. All  
10 provisions of the City Planning Code applicable in a P Use District shall apply within that  
11 portion of the district zoned P, except as specifically provided above.

12 (14) All demolitions of buildings containing residential units shall be permitted only if  
13 authorized as a conditional use under Section 303 of this Code, unless the Director of the  
14 Department of Building Inspection or the Chief of the Bureau of Fire Prevention and Public  
15 Safety determines that the building is unsafe or dangerous and that demolition is the only  
16 feasible means to secure the public safety. When considering whether to grant a conditional  
17 use permit for the demolition, in lieu of the criteria set forth in City Planning Code Section  
18 303(c), consideration shall be given to the purposes of the North of Market Residential Special  
19 Use District set forth in Section 249.5(b), above, to the adverse impact on the public health,  
20 safety and general welfare due to the loss of existing housing stock in the district and to any  
21 unreasonable hardship to the applicant if the permit is denied. Demolition of residential hotel  
22 units shall also comply with the provisions of the Residential Hotel Ordinance.

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1 (d) Liquor Establishments. In addition to all other applicable controls set forth in this  
2 Code, Liquor Establishments in the North of Market Residential Special Use District shall be  
3 subject to the controls set forth in this Section.

4 (1) No Off-Sale Liquor Establishments shall be permitted in the North of Market  
5 Residential Special Use District.

6 (2) An Off-Sale Liquor Establishment lawfully existing in the North of Market  
7 Residential Special Use District and selling alcoholic beverages as licensed by the State of  
8 California prior to the effective date of this legislation may continue operation only under the  
9 following conditions, as provided by California Business and Professions Code Section 23790:

10 (A) The premises shall retain the same type of retail liquor license within a license  
11 classification; and

12 (B) The licensed premises shall be operated continuously without substantial  
13 change in mode or character of operation.

14 (3) The prohibition on Off-Sale Liquor Establishments shall not be interpreted to  
15 prohibit the following, provided that the type of California liquor license does not change, the  
16 location of the establishment does not change, and the square footage used for the display  
17 and sale of alcoholic beverages does not increase:

18 (A) A change in ownership of an Off-Sale Liquor Establishment or an owner-to-  
19 owner transfer of a California liquor license; or

20 (B) Re-establishment, restoration or repair of an existing Off-Sale Liquor  
21 Establishment on the same lot after total or partial destruction or damage due to fire, riot,  
22 insurrection, toxic accident or act of God; or

23 (C) Temporary closure of an existing Off-Sale Liquor Establishment for not more  
24 than ninety (90) days for repair, renovation or remodeling.

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1           (4)    The prohibition on Off-Sale Liquor Establishments shall not be interpreted to  
2 prohibit the following:

3           (A)    Temporary uses, as described in Planning Code Section 205.1; or

4           (B)    Establishment of an Off-Sale Liquor Establishment if application for such Off-  
5 Sale Liquor Establishment is on file with the California Department of Alcoholic Beverage  
6 Control prior to the effective date of this legislation; or

7           (C)    Re-location of an existing Off-Sale Liquor Establishment in the North of Market  
8 Residential Special Use District to another location within the North of Market Residential  
9 Special Use District with conditional use authorization from the City Planning Commission,  
10 provided that (i) the type of California liquor license does not, change, (ii) the square footage  
11 used for the display and sale of alcoholic beverages does not increase, and (iii) the original  
12 premises shall not be occupied by an Off-Sale Liquor Establishment unless by another Off-  
13 Sale Liquor Establishment that is also relocating from within the North of Market Residential  
14 Special Use District. Any such conditional use authorization shall include a requirement that  
15 the establishment comes with the “Good Neighbor Policies” set forth in Subsection (d)(6)  
16 below; or

17           (D)    A change in liquor license from a Type 21 (Off-Sale General) to a Type 20 (Off-  
18 Sale Beer and Wine), provided that the square footage used for the display and sale of  
19 alcoholic beverages does not increase.

20           (5)    The prohibition on Off-Sale Liquor Establishments shall be interpreted to prohibit  
21 the transfer of any California Alcoholic Beverage Control Board off-sale liquor license from a  
22 location outside of the North of Market Residential Special Use District to a location within the  
23 North of Market Residential Special Use District or the issuance of any original California  
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1 Alcoholic Beverage Control Board off-sale liquor license for a location within the North of  
2 Market Residential Special Use District.

3 (6) The following "Good Neighbor Policies" shall apply to all Liquor Establishments  
4 in the North of Market Residential Special Use District in order to maintain the safety and  
5 cleanliness of the premises and vicinity:

6 (A) Employees of the establishment shall walk a 100-foot radius from the premises  
7 some time between 30 minutes after closing time and 8:00 a.m. the following morning, and  
8 shall pick up and dispose of any discarded beverage containers and other trash left by  
9 patrons;

10 (B) The establishment shall provide outside lighting in a manner sufficient to  
11 illuminate street and sidewalk areas and adjacent parking, as appropriate to maintain security,  
12 without disturbing area residences;

13 (C) No alcoholic beverages shall be consumed on any outdoor property adjacent to  
14 the establishment and which is under the control of the establishment, excepting those areas  
15 of the property that are enclosed and not visible from the sidewalk. are intended for patron  
16 services, are supervised by the establishment, and are not located adjacent to any sidewalk  
17 areas;

18 (D) No more than 33 percent of the square footage of the windows and clear doors  
19 of the establishment shall bear advertising or signage of any sort, and all advertising and  
20 signage shall be placed and maintained in a manner that ensures that law enforcement  
21 personnel have a clear and unobstructed view of the interior of the premises, including the  
22 area in which the cash registers are maintained, from the exterior public sidewalk or entrance  
23 to the premises. This requirement shall not apply to premises where there are no windows, or  
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1 where existing windows are located at a height that precludes a view of the interior of the  
2 premises to a person standing outside the premises;

3 (E) No person under the age of 21 shall sell or package alcoholic beverages;

4 (F) Employees of the establishment shall regularly police the area under the control  
5 of the establishment in an effort to prevent the loitering of persons about the premises; and

6 (G) The establishment shall promptly remove any graffiti from the exterior of the  
7 premises.

8 (7) For purposes of this Section, the following definitions shall apply:

9 (A) "Liquor Establishment" shall mean any enterprise selling alcoholic beverages  
10 pursuant to a California Alcoholic Beverage Control Board license.

11 (B) "Off-Sale Liquor Establishment" shall mean any enterprise selling alcoholic  
12 beverages pursuant to a California Alcoholic Beverage Control Board License Type 20 (Off-  
13 Sale Beer and Wine), Type 21 (Off-Sale General), or any other California Alcoholic Beverage  
14 Control Board License which includes the privilege to sell alcoholic beverages for  
15 consumption off of the premises. Typical Off-Sale Liquor Establishments may include, but are  
16 not limited to, grocery stores, supermarkets and other retail sales and services;

17 (C) "Alcoholic Beverages" shall mean "alcoholic beverages," as defined by California  
18 Business and Professions Code Sections 23004 and 23025;

19 (D) "Sell" or "Sale" shall mean and include any retail transaction whereby, for any  
20 consideration, an alcoholic beverage is transferred from one person to another.

21 (e) Fringe Financial Services. In addition to all other applicable controls set forth in this  
22 Code, properties in the North of Market Residential Special Use District, as designated on Sectional  
23 Maps Numbers 1SU and 2SU, are within the Fringe Financial Service Restricted Use District  
24 established by Section 785 and are subject to the controls and exemptions set forth in Section 785.

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1 Section 3. The San Francisco Planning Code is hereby amended by amending  
2 Section 312, to read as follows:

3 SEC. 312. NEIGHBORHOOD COMMERCIAL PERMIT REVIEW PROCEDURES  
4 FOR ALL NC DISTRICTS.

5 (a) Purpose. The purpose of this Section is to establish procedures for reviewing  
6 building permit applications for lots in NC Districts in order to determine compatibility of the  
7 proposal with the neighborhood and for providing notice to property owners, occupants and  
8 residents neighboring the site of the proposed project and to interested neighborhood  
9 organizations, so that concerns about a project may be identified and resolved during the  
10 review of the permit.

11 (b) Applicability. Except as indicated herein, all building permit applications for  
12 demolition, new construction, changes in use to a formula retail use as defined in section  
13 703.3 of this Code or alterations which expand the exterior dimensions of a building shall be  
14 subject to the notification and review procedures required by subsection 312(d). Subsection  
15 312(f) regarding demolition permits and approval of replacement structures shall apply to all  
16 NC Districts. For the purposes of this Section, addition to a building of the features listed in  
17 Section 136(c)(1) through 136(c)(24) and 136(c)(26) shall not be subject to notification under  
18 this Section.

19 (c) Changes of Use. All building permit applications for a change of use to a bar, as  
20 defined in section 790.22, a liquor store, as defined in section 790.55, a walkup facility, as  
21 defined in section 790.140, other large institutions, as defined in section 790.50, other small  
22 institutions, as defined in section 790.51, a full-service restaurant, as defined in section  
23 790.92, a large fast food restaurant, as defined in section 790.90, a small self-service  
24 restaurant, as defined in section 790.91, a massage establishment, as defined in section  
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1 790.60, an outdoor activity, as defined in section 790.70, ~~or~~ an adult or other entertainment  
2 use, as defined in sections 790.36 and 790.38, or a fringe financial service use, as defined in  
3 section 790.111, shall be subject to the provisions of subsection 312(d).

4 (d) Building Permit Application Review for Compliance and Notification. Upon  
5 acceptance of any application subject to this Section, the Planning Department shall review  
6 the proposed project for compliance with the Planning Code and any applicable design  
7 guidelines approved by the Planning Commission. Applications determined not to be in  
8 compliance with the standards of Articles 1.2, 1.5, 2 and 2.5 of the Planning Code, including  
9 design guidelines for specific areas adopted by the Planning Commission, or with any  
10 applicable conditions of previous approvals regarding the project, shall be held until either the  
11 application is determined to be in compliance, is disapproved or a recommendation for  
12 cancellation is sent to the Department of Building Inspection.

13 (1) Neighborhood Commercial Design Guidelines. The construction of new  
14 buildings and alteration of existing buildings in NC Districts shall be consistent with the design  
15 policies and guidelines of the General Plan as adopted and periodically amended for specific  
16 areas or conditions by the Planning Commission. The Director of Planning may require  
17 modifications to the exterior of a proposed new building or proposed alteration of an existing  
18 building in order to bring it into conformity with the General Plan. These modifications may  
19 include, but are not limited to, changes in siting, building envelope, scale texture and detailing,  
20 openings, and landscaping.

21 (2) Notification. Upon determination that an application is in compliance with the  
22 development standards of the Planning Code, the Planning Department shall cause a notice  
23 to be posted on the site pursuant to rules established by the Zoning Administrator and shall  
24 cause a written notice describing the proposed project to be sent in the manner described  
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1 below. This notice shall be in addition to any notices required by the Building Code and shall  
2 have a format and content determined by the Zoning Administrator. It shall include a  
3 description of the proposal compared to any existing improvements on the site with  
4 dimensions of the basic features, elevations and site plan of the proposed project including  
5 the position of any adjacent buildings, exterior dimensions and finishes, a graphic reference  
6 scale, existing and proposed uses and commercial or institutional business name, if known.  
7 The notice shall describe the project review process and shall set forth the mailing date of the  
8 notice and the expiration date of the notification period.

9 Written notice shall be mailed to the notification group which shall include the project  
10 sponsor, relevant neighborhood organizations as described in Subparagraph 312(d)(2)(C)  
11 below, all individuals having made a written request for notification for a specific parcel or  
12 parcels pursuant to Planning Code Section 351 and all owners and, to the extent practical,  
13 occupants, of properties in the notification area.

14 (A) The notification area shall be all properties within 150 feet of the subject lot in  
15 the same Assessor's Block and on the block face across from the subject lot. When the  
16 subject lot is a corner lot, the notification area shall further include all property on both block  
17 faces across from the subject lot, and the corner property diagonally across the street.

18 (B) The latest City-wide Assessor's roll for names and addresses of owners shall be  
19 used for said notice.

20 (C) The Planning Department shall maintain a list, updated every six months with  
21 current contact information, available for public review, and kept at the Planning Department's  
22 Planning Information Counter, and reception desk, as well as the Department of Building  
23 Inspection's Building Permit Counter, of neighborhood organizations which have indicated an  
24 interest in specific properties or areas. The organizations having indicated an interest in the  
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1 subject lot or its area shall be included in the notification group for the proposed project.  
2 Notice to these groups shall be verified by a declaration of mailing signed under penalty of  
3 perjury. In the event that such an organization is not included in the notification group for a  
4 proposed project as required under this subsection, the proposed project must be re-noticed.

5 (3) Notification Period. All building permit applications shall be held for a period of  
6 30 calendar days from the date of the mailed notice to allow review by residents, occupants,  
7 owners of neighboring properties and by neighborhood groups.

8 (4) Elimination of Duplicate Notice. The notice provisions of this Section may be  
9 waived by the Zoning Administrator for building permit applications for projects that have  
10 been, or before approval will be, the subject of a duly noticed public hearing before the  
11 Planning Commission or Zoning Administrator, provided that the nature of work for which the  
12 building permit application is required is both substantially included in the hearing notice and  
13 is the subject of the hearing.

14 (e) Requests for Planning Commission Review. A request for the Planning  
15 Commission to exercise its discretionary review powers over a specific building permit  
16 application shall be considered by the Planning Commission if received by the Planning  
17 Department no later than 5:00 p.m. of the last day of the notification period as described  
18 under Subsection (d)(3) above, subject to guidelines adopted by the Planning Commission.

19 The project sponsor of a building permit application may request discretionary review  
20 by the Planning Commission to resolve conflicts between the Director of Planning and the  
21 project sponsor concerning requested modifications to comply with relevant design guidelines  
22 of the General Plan.

23 (1) Scheduling of Hearing. The Zoning Administrator shall set a time for hearing  
24 requests for discretionary review by the Planning Commission within a reasonable period.

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1 (2) Notice. Mailed notice of the discretionary review hearing by the Planning  
2 Commission shall be given not less than 10 days prior to the date of the hearing to the  
3 notification group as described in Paragraph 312(d)(2) above. Posted notice of the hearing  
4 shall be made as provided under Planning Code Section 306.8.

5 (f) Demolition of Dwellings, Approval of Replacement Structure Required. Unless  
6 the building is determined to pose a serious and imminent hazard as defined in the Building  
7 Code an application authorizing demolition in any NC District of an historic or architecturally  
8 important building or of a dwelling shall not be approved and issued until the City has granted  
9 final approval of a building permit for construction of the replacement building. A building  
10 permit is finally approved if the Board of Appeals has taken final action for approval on an  
11 appeal of the issuance or denial of the permit or if the permit has been issued and the time for  
12 filing an appeal with the Board has lapsed with no appeal filed.

13 (1) The demolition of any building whether or not historically and architecturally  
14 important may be approved administratively where the Director of the Department of Building  
15 Inspection or the Chief of the Bureau of Fire Prevention and Public Safety determines, after  
16 consultation with the Zoning Administrator, that an imminent safety hazard exists, and the  
17 Director of the Department of Building Inspection determines that demolition or extensive  
18 alteration of the structure is the only feasible means to secure the public safety.

19 Section 4. The San Francisco Planning Code is hereby amended by amending  
20 Sections 710 through 730, to read as follows:

21  
22 **SEC. 710. NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT NC-1 ZONING**  
23 **CONTROL TABLE.**

	NC-1
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			Controls by Story		
No.	Zoning Category	§ References	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Retail Sales and Services					
<u>710.68</u>	<u>Fringe Financial Service</u>	<u>§ 790.111</u>			

**SEC. 711. SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-2 ZONING CONTROL TABLE.**

			NC-2		
			Controls by Story		
No.	Zoning Category	§ References	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Retail Sales and Services					
<u>711.68</u>	<u>Fringe Financial Service</u>	<u>§ 790.111</u>	<u>P#</u>		

**SPECIFIC PROVISIONS FOR NC-2 DISTRICTS**

Article 7 ] Code Section	Other Code Section	Zoning Controls
§711.49 §711.50 <u>§711.68</u>	§ 781.7	CHESTNUT STREET FINANCIAL SERVICE SUBDISTRICT Boundaries: Applicable only for the Chestnut Street NC-2 District from Broderick to Fillmore Street as mapped on Section Map 2SU. Controls: Financial services, <i>and</i> limited financial services, <i>and</i> <u>fringe financial services</u> are NP.
<u>711.68</u>	<u>§785</u>	<u>FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD)</u>

1		<u>Boundaries: The FFSRUD and its ¼ mile buffer includes, but is not</u>
2		<u>limited to, properties within: the Mission Alcoholic Beverage Special</u>
3		<u>Use District the Haight Street Alcohol Restricted Use District; the</u>
4		<u>Third Street Alcohol Restricted Use District; the Divisadero Street</u>
5		<u>Alcohol Restricted Use District; and the North of Market Residential</u>
6		<u>Special Use District; and includes Small-Scale Neighborhood</u>
7		<u>Commercial Districts within its boundaries.</u>
8		<u>Controls: Fringe financial service providers are not permitted</u>
9		<u>pursuant to Section 785.</u>

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11 **SEC. 712. MODERATE-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-3**  
12 **ZONING CONTROL TABLE.**

			NC-3		
			Controls by Story		
No.	Zoning Category	§ References	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Retail Sales and Services					
<u>712.68</u>	<u>Fringe Financial Service</u>	<u>§ 790.111</u>	<u>P#</u>		

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19 **SPECIFIC PROVISIONS FOR NC-3 DISTRICTS**

Article 7 ] Code Section	Other Code Section	Zoning Controls
<u>712.68</u>	<u>§785</u>	<u>FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT</u> <u>(FFSRUD)</u> <u>Boundaries: The FFSRUD and its ¼ mile buffer includes, but is not</u>

		<p><i>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; the Divisadero Street Alcohol Restricted Use District; and the North of Market Residential Special Use District; and includes Moderate-Scale Neighborhood Commercial Districts within its boundaries.</i></p> <p><i>Controls: Fringe financial service providers are not permitted pursuant to Section 785.</i></p>
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**SEC. 713. NEIGHBORHOOD COMMERCIAL SHOPPING CENTER DISTRICT NC-S ZONING CONTROL TABLE.**

C			NC-S		
			Controls by Story		
No.	Zoning Category	§ References	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Retail Sales and Services					
<u>713.68</u>	<u>Fringe Financial Service</u>	<u>§ 790.111</u>	<u>P</u>		

**SEC. 714. BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE**

			Controls by Story		
No.	Zoning Category	§ References	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Retail Sales and Services					
<u>714.68</u>	<u>Fringe Financial Service</u>	<u>§ 790.111</u>			

1 **SEC. 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING**  
 2 **CONTROL TABLE.**

			Controls by Story		
No.	Zoning Category	§ References	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Retail Sales and Services					
<u>715.68</u>	<u>Fringe Financial Service</u>	<u>§ 790.111</u>			

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 8 **SEC. 716. INNER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT**  
 9 **ZONING CONTROL TABLE.**

			Controls by Story		
No.	Zoning Category	§ References	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Retail Sales and Services					
<u>716.68</u>	<u>Fringe Financial Service</u>	<u>§ 790.111</u>			

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 15 **SEC. 717. OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT**  
 16 **ZONING CONTROL TABLE.**

			Controls by Story		
No.	Zoning Category	§ References	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Retail Sales and Services					
<u>717.68</u>	<u>Fringe Financial Service</u>	<u>§ 790.111</u>			

21  
 22 **SEC. 718. UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT**  
 23 **ZONING CONTROL TABLE.**

			Controls by Story		

No.	Zoning Category	§ References	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Retail Sales and Services					
<u>718.68</u>	<u>Fringe Financial Service</u>	<u>§ 790.111</u>			

**SEC. 719. HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE.**

			Controls by Story		
No.	Zoning Category	§ References	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Retail Sales and Services					
<u>719.68</u>	<u>Fringe Financial Service</u>	<u>§ 790.111</u>	#	#	#

**SPECIFIC PROVISIONS FOR THE HAIGHT STREET DISTRICT**

Article 7 Code Section	Other Code Section	Zoning Controls
<u>§§719.68</u>	<u>§785</u>	<p><u>FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD)</u></p> <p><u>Boundaries: The FFSRUD includes, but is not limited to, the Haight Street Neighborhood Commercial District.</u></p> <p><u>Controls: Fringe financial service providers are not permitted pursuant to Section 785.</u></p>

**SEC. 720. HAYES-GOUGH NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE.**

			Controls by Story		

No.	Zoning Category	§ References	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Retail Sales and Services					
<u>720.68</u>	<u>Fringe Financial Service</u>	<u>§ 790.111</u>	<u>P</u>		

**SEC. 721. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE.**

			Controls by Story		
No.	Zoning Category	§ References	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Retail Sales and Services					
<u>721.68</u>	<u>Fringe Financial Service</u>	<u>§ 790.111</u>			

**SEC. 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE.**

			Controls by Story		
No.	Zoning Category	§ References	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Retail Sales and Services					
<u>722.68</u>	<u>Fringe Financial Service</u>	<u>§ 790.111</u>			

**SEC. 723. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE.**

			Controls by Story		
No.	Zoning Category	§ References	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Retail Sales and Services					
<u>723.68</u>	<u>Fringe Financial Service</u>	<u>§ 790.111</u>	<u>#</u>	<u>#</u>	<u>#</u>

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**SPECIFIC PROVISIONS FOR POLK STREET DISTRICT**

Article 7 ] Code Section	Other Code Section	Zoning Controls
<u>723.68</u>	<u>§785</u>	<u>FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD)</u> <u>Boundaries: The FFSRUD and its 1/4 mile buffer includes, but is not limited to, properties within the North of Market Residential Special Use District; and includes some properties within the Polk Street Neighborhood Commercial District.</u> <u>Controls: Fringe financial service providers are not permitted pursuant to Section 785.</u>

**SEC. 724. SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE.**

			Controls by Story		
No.	Zoning Category	§ References	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Retail Sales and Services					
<u>724.68</u>	<u>Fringe Financial Service</u>	<u>§ 790.111</u>			

**SEC. 725. UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE.**

			Controls by Story		
No.	Zoning Category	§ References	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +

Retail Sales and Services					
<u>725.68</u>	<u>Fringe Financial Service</u>	<u>§ 790.111</u>			

**SEC. 726. VALENCIA STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE.**

			Controls by Story		
No.	Zoning Category	§ References	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Retail Sales and Services					
<u>726.68</u>	<u>Fringe Financial Service</u>	<u>§ 790.111</u>	#	#	#

**SPECIFIC PROVISIONS FOR THE VALENCIA STREET DISTRICT**

Article 7 Code Section	Other Code Section	Zoning Controls
<u>§§726.68</u>	<u>§785</u>	<p><u>FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD)</u></p> <p><u>Boundaries: The FFSRUD and its ¼ mile buffer includes, but is not limited to, the Valencia Street Neighborhood Commercial District.</u></p> <p><u>Controls: Fringe financial service providers are not permitted pursuant to Section 785.</u></p>

**SEC. 727. 24<sup>TH</sup> STREET-MISSION NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE.**

			Controls by Story		
No.	Zoning Category	§ References	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +

Retail Sales and Services					
<u>727.68</u>	<u>Fringe Financial Service</u>	<u>§ 790.111</u>	#	#	#

**SPECIFIC PROVISIONS FOR THE 24TH STREET-MISSION DISTRICT**

Article 7 Code Section	Other Code Section	Zoning Controls
<u>§§727.68</u>	<u>§785</u>	<p><u>FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD)</u></p> <p><u>Boundaries: The FFSRUD and its 1/4 mile buffer includes, but is not limited to, the 24th Street-Mission Neighborhood Commercial District.</u></p> <p><u>Controls: Fringe financial service providers are not permitted pursuant to Section 785.</u></p>

**SEC. 728. 24<sup>TH</sup> STREET-NOE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE.**

			Controls by Story		
No.	Zoning Category	§ References	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Retail Sales and Services					
<u>728.68</u>	<u>Fringe Financial Service</u>	<u>§ 790.111</u>	#	#	#

**SPECIFIC PROVISIONS FOR THE 24TH STREET-NOE VALLEY DISTRICT**

Article 7 Code Section	Other Code Section	Zoning Controls

<p>1 <u>§§728.68</u></p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p>	<p><u>§785</u></p>	<p><u>FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT</u></p> <p><u>(FFSRUD)</u></p> <p><u>Boundaries: The FFSRUD and its 1/4 mile buffer includes portions of,</u></p> <p><u>but is not limited to, the 24th Street-Noe Valley Neighborhood</u></p> <p><u>Commercial District.</u></p> <p><u>Controls: Fringe financial service providers are not permitted</u></p> <p><u>pursuant to Section 785.</u></p>
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9 **SEC. 729. WEST PORTAL AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT**

10 **ZONING CONTROL TABLE.**

			Controls by Story		
No.	Zoning Category	§ References	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Retail Sales and Services					
<u>729.68</u>	<u>Fringe Financial Service</u>	<u>§ 790.111</u>			

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16 **SEC. 730. INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING**

17 **CONTROL TABLE.**

			Controls by Story		
No.	Zoning Category	§ References	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Retail Sales and Services					
<u>730.68</u>	<u>Fringe Financial Service</u>	<u>§ 790.111</u>	<u>P</u>		

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23 Section 5. The San Francisco Planning Code is hereby amended by adding Section

24 785, to read as follows:

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1           SEC. 785. FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT.

2           (a) Findings. There are an unusually large number of establishments providing fringe  
3 financial services, including check cashing and payday lending, in the neighborhoods included in the  
4 Mission Alcoholic Beverage Special Use District, the North of Market Residential Special Use District,  
5 the Divisadero Street Alcohol Restricted Use District, the Third Street Special Use District, and the  
6 Haight Street Alcohol Restricted Use Subdistrict. The unchecked proliferation of these businesses has  
7 the potential to displace other financial service providers, including charter banks, which offer a much  
8 broader range of financial services, as well as other desired commercial development in the City,  
9 which provides a broad range of neighborhood commercial goods and services.

10           (b) Establishment of the Fringe Financial Service Restricted Use District. In order to  
11 preserve the residential character and the neighborhood-serving commercial uses of the following  
12 defined areas, a noncontiguous Fringe Financial Service Restricted Use District (Fringe Financial  
13 Service RUD) is hereby established for the following properties:

14           (1) Properties in the Mission Alcoholic Beverage Special Use District, as described in  
15 Section 781.8 of this Code and as designated on Sectional Maps Numbers 7SU and 8SU of the Zoning  
16 Map of the City and County of San Francisco;

17           (2) Properties in the North of Market Residential Special Use District, as described in  
18 Section 249.5 of this Code and as designated on Sectional Maps Numbers 1SU and 2SU;

19           (3) Properties in the Divisadero Street Alcohol Restricted Use District, as described in  
20 Section 783 of this Code and as designated on Sectional Maps Numbers 2 and 7 of the Zoning Map of  
21 the City and County of San Francisco;

22           (4) Properties in the Third Street Special Use District, as described in Section 782 of this  
23 Code and as designated on Sectional Map Number 10SU of the Zoning Map of the City and County of  
24 San Francisco; and

1           (5) Properties in the Haight Street Alcohol Restricted Use Subdistrict, as described in  
2           Section 781.9 of this Code and as designated on Sectional Maps Numbers 6 and 7 of the Zoning Map of  
3           the City and County of San Francisco;

4           (c) Restrictions.

5           (1) No new fringe financial service providers shall be permitted in the Fringe Financial  
6           Service RUD.

7           (2) The controls of this Section 785 shall also apply within a ¼ mile of the Fringe Financial  
8           Service RUD.

9           (d) Exemptions. The prohibition on fringe financial service providers shall not be  
10          interpreted to prohibit the following:

11          (1) A nonprofit fringe financial service provider; or

12          (2) Any other financial services provider that is not a fringe financial service provider.

13          Accordingly, any applicant for a financial services use shall provide the Planning Department with a  
14          true copy of the license issued to it by the State of California, demonstrating that such financial  
15          services provider operates under a license of a type distinct from that issued to a “check cashier” as  
16          defined in California Civil Code section 1789.31, as amended from time to time; or to a “licensee” as  
17          defined in California Financial Code section 23001(d), as amended from time to time.

18          (e) Continuation of Existing Prohibited Fringe Financial Service Providers. In the Fringe  
19          Financial Service RUD, any prohibited fringe financial service provider may continue in accordance  
20          with Planning Code section 180 through 186.2, subject to the following provisions:

21          (1) A prohibited fringe financial service provider lawfully existing as licensed by the State  
22          of California prior to the effective date of this legislation, or subsequent legislation prohibiting that  
23          type of fringe financial service provider, so long as otherwise lawful, may continue to operate only  
24          under the following conditions:

1           (A) Except as provided in subsection 785(e)(2) below, the premises shall retain the same  
2 type of fringe financial service provider license within a license classification; and

3           (B) Except as provided in subsection 785(e)(2) below, the prohibited fringe financial service  
4 provider shall be operated continuously, without substantial changes in mode or character of  
5 operation.

6           (2) A break in continuous operation shall not be interpreted to include the following,  
7 provided that, except as indicated below, the location of the establishment does not change, the square  
8 footage used does not increase, and the type of state license does not change:

9           (A) A change in ownership of a prohibited fringe financial service provider or a lawful  
10 transfer of a state license;

11           (B) Temporary closure for restoration or repair of an existing prohibited fringe financial  
12 service provider on the same lot after total or partial destruction or damage due to fire, riot,  
13 insurrection, toxic accident, or act of God; or

14           (C) Temporary closure of an existing prohibited fringe financial service provider for  
15 reasons other than total or partial destruction or damage due to fire, riot, insurrection, toxic accident,  
16 or act of God for not more than thirty (30) days for repair, renovation, or remodeling.

17           (f) Definitions: The following definitions shall apply to this Section 785.

18           (1) A “fringe financial service provider” shall mean:

19           (A) any retail use owned or operated by a “check casher” as defined in California Civil  
20 Code section 1789.31, as amended from time to time; and

21           (B) any retail use owned or operated by a “licensee” as defined in California Financial  
22 Code section 23001(d), as amended from time to time.

23           (2) A “nonprofit fringe financial service provider” shall mean a fringe financial service  
24 provider that is exempted from payment of income tax under Section 23701(d) of the California  
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1 Revenue and Taxation Code and Section 501(c)(3) of the Internal Revenue Code of the United States.  
2 Any such nonprofit fringe financial service provider shall provide the Planning Department with a true  
3 copy(ies) of its income tax documentation demonstrating its exemption from payment of income tax  
4 under state and federal law.

5 (2) A “prohibited fringe financial service provider” shall mean any fringe financial service  
6 provider lawfully existing prior to the effective date of this ordinance and licensed by the State of  
7 California for the provision of fringe financial services, so long as otherwise lawful.

8 Section 6. The San Francisco Planning Code is hereby amended by amending Section  
9 790.110 to read as follows:

10 Sec. 790.110. SERVICE, FINANCIAL.

11 A retail use which provides banking services and products to the public, such as banks,  
12 savings and loans, and credit unions, when occupying more than 15 feet of linear frontage or  
13 200 square feet of gross floor area. Any applicant for a financial service use shall provide the  
14 Planning Department with a true copy of the license issued to it by the State of California.

15 Section 7. The San Francisco Planning Code is hereby amended by adding Section  
16 790.111 to read as follows:

17 SEC. 790.111. SERVICE, FRINGE FINANCIAL.

18 A retail use that provides banking services and products to the public and owned or operated by  
19 a “check casher” as defined in California Civil Code section 1789.31, as amended from time to time,  
20 or by a “licensee” as defined in California Financial Code section 23001(d), as amended from time to  
21 time. Any applicant for a fringe financial service use shall provide the Planning Department with a  
22 true copy of the license issued to it by the State of California.

23 Section 8. The San Francisco Planning Code is hereby amended by amending  
24 Section 790.112 to read as follows:

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1           Sec. 790.112. SERVICE, LIMITED FINANCIAL.

2           A retail use which provides banking services , when not occupying more than 15 feet of  
3 linear frontage or 200 square feet of gross floor area. Automated teller machines, if installed  
4 within such a facility or on an exterior wall as a walk-up facility, are included in this category;  
5 however, these machines are not subject to the hours of operation, as defined in Section  
6 790.48 of this Code and set forth in zoning category number .27 listed in Article 7 of this Code  
7 for each district. Any applicant for a limited financial service use shall provide the Planning  
8 Department with a true copy of the license issued to it by the State of California.

9           Section 9.    In accordance with Planning Code sections 106 and 203, the following  
10 change is hereby adopted as an amendment to Sectional Maps Numbers 1SU, 2SU, 6SU,  
11 7SU, 8SU, and 10SU of the Zoning Map of the City and County of San Francisco:

12           The following properties shall be part of the Fringe Financial Service Restricted Use  
13 District:

14           (1)    Amending Sectional Maps 7SU and 8SU of the Zoning Map, properties in the  
15 Mission Alcoholic Beverage Special Use District, as described in Section 781.8 of this Code  
16 and as designated on Sectional Maps Numbers 7SU and 8SU of the Zoning Map of the City  
17 and County of San Francisco;

18           (2)    Amending Sectional Maps 1SU and 2SU of the Zoning Map, properties in the  
19 North of Market Residential Special Use District, as described in Section 249.5 of this Code  
20 and as designated on Sectional Maps Numbers 1SU and 2SU;

21           (3)    Amending Sectional Maps 2SU and 7SU, properties in the Divisadero Street  
22 Alcohol Restricted Use District, as described in Section 783 of this Code and as designated  
23 on Sectional Maps Numbers 2 and 7 of the Zoning Map of the City and County of San  
24 Francisco;

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1 (4) Amending Sectional Map 10SU of the Zoning Map, properties in the Third Street  
2 Special Use District, as described in Section 782 of this Code and as designated on Sectional  
3 Map Number 10SU of the Zoning Map of the City and County of San Francisco; and

4 (5) Amending Sectional Maps 6SU and 7SU of the Zoning Map, properties in the  
5 Haight Street Alcohol Restricted Use Subdistrict, as described in Section 781.9 of this Code  
6 and as designated on Sectional Maps Numbers 6 and 7 of the Zoning Map of the City and  
7 County of San Francisco

8 Section 10. Reporting Requirement.

9 Within 2 years of the effective date of this Ordinance, the Planning Department shall  
10 submit to the Clerk of the Board a written report recommending amendments to this  
11 Ordinance, if necessary or desirable. Upon receipt of the report, the Clerk shall calendar a  
12 hearing before the appropriate committee of the Board of Supervisors to review the report and  
13 consider any proposed amendments to this Ordinance, based upon recommendations of the  
14 report and public comment.

15 Section 11. Severability.

16 If any provision of this ordinance or the application thereof to any person or  
17 circumstances is held invalid or unconstitutional, such invalidity or unconstitutionality shall not  
18 affect other provisions or applications of this ordinance that can be given effect without the  
19 invalid or unconstitutional provision or application. To this end, the provisions of this  
20 ordinance shall be deemed severable.

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

24 By: \_\_\_\_\_  
25 Marlena G. Byrne  
Deputy City Attorney