

FILE NO. 080567

ORDINANCE NO. 244-08

1 [Zoning – Ordinance creating a conditional use requirement for establishments that sell
2 Tobacco Paraphernalia.]

3 Ordinance amending the Planning Code to add a new Section 227(v), to define Tobacco
4 Paraphernalia Establishments, and to impose a conditional use requirement on the
5 establishment of such new enterprises in all Commercial and Industrial districts;
6 amending Section 303 of the Planning Code to refer to this requirement, and to require
7 consideration of additional criteria when analyzing a conditional use application;
8 adding a new Section 790.123, to define Tobacco Paraphernalia Establishments in the
9 Neighborhood Commercial districts; amending sections 710.1, 711.1, 712.1, 713.1,
10 714.1, 715.1, 716.1, 717.1, 718.1, 719.1, 720.1, 721.1, 722.1, 723.1, 724.1, 725.1, 726.1,
11 727.1, 728.1, 729.1, 730.1, and 732.1, to refer to this definition and conditional use
12 requirement; adding a new Section 890.89 to define Tobacco Paraphernalia
13 Establishments in the Mixed Use districts; amending sections 803.1, 810.1, 811.1, 812.1,
14 814, 815, 816, 817, 818, and 827 to refer to this definition and conditional use
15 requirement; and making findings, including findings of consistency with the Priority
16 Policies of Planning Code Section 101.1 and environmental findings.

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.
Board amendment deletions are ~~strikethrough-normal~~.

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

21 Section 1. Findings. The Board of Supervisors of the City and County of San
22 Francisco hereby find and determine that:

23 (a) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this
24 ordinance will serve the public necessity, convenience and welfare, because the goal of this
25 ordinance is to combat the detrimental effects of Tobacco Paraphernalia Establishments, such

1 as breaches of the peace, and related health, safety and general welfare problems in the
 2 City's Commercial and Industrial districts. Requiring a variety of checks and balances on the
 3 opening of retail stores that sell Tobacco Paraphernalia, through the conditional use
 4 authorization process and the Section 312 notification, will enable the community and the
 5 Planning Commission to evaluate each proposed store on a case-by-case basis. for the
 6 reasons set forth in Planning Commission Resolution No. _____, and incorporates such
 7 reasons by this reference thereto. A copy of said resolution is on file with the Clerk of the
 8 Board of Supervisors in File No. _____.

9 (b) Pursuant to Planning Code Section 101.1, the Board of Supervisors finds that the
 10 ordinance is consistent with the Priority Policies of Section 101.1(b) of the Planning Code and
 11 with the General Plan, for the reasons set forth in the Planning Staff report dated July 17,
 12 2008, and hereby incorporates that report as if fully set forth herein. and hereby incorporates
 13 a report containing those findings as if fully set forth herein. A copy of said report is on file
 14 with the Clerk of the Board of Supervisors in File No. 080567.

15 (c) The Planning Department concluded environmental review of this ordinance
 16 pursuant to the California Environmental Quality Act, Public Resources Code Section 2100 et
 17 seq. Documentation of that review is on file with the Clerk of the Board of Supervisors in File
 18 No. 080567.

19 Section 2. The San Francisco Planning Code is hereby amended by amending
 20 Section 227, to read as follows:

21 SEC. 227. OTHER USES.

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		O	R	G	S				
									SEC. 227. OTHER USES.
P*	P*				P	P	P	P	(a) Greenhouse or plant nursery.
P*	P*					P	P	P	(b) Truck gardening, horticulture.
	C			C	C	P	P	P	(c) Mortuary establishment, including retail establishments that predominantly sell or offer for sale caskets, tombstones, or other funerary goods.
P	P	P	P	P	P	P	P	P	(d) Public structure or use of a nonindustrial character, when in conformity with the General Plan. Such structure or use shall not include a storage yard, incinerator, machine shop, garage or similar use.
P*	P*	C	C	P	P	P	P	P	(e) Utility installation, excluding Internet Services Exchange (see Section 227(t)); public service facility, excluding service yard; provided that operating requirements necessitate location within the district.
C*	C*	C	C	C	C	C	C	C	(f) Public transportation facility, whether public or privately owned or operated, when in conformity with the General Plan, and which does not require approval of the Board of Supervisors under other provisions of law, and which includes:
									(1) Off-street passenger terminal facilities for mass transportation of a single or combined modes including but not limited to aircraft, ferries, fixed-rail vehicles and buses when such facility is not commonly defined as a boarding platform, bus stop, transit shelter or similar ancillary feature

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									of a transit system; and
									(2) Landing field for aircraft.
C*	C*	C	C	C	C	C	P	P	(g) Public transportation facility, when in conformity with the General Plan, other than as required in (f) of this Section or as in Sections 223 and 226 of this Code.
P	P	P	P	P	P	P	P	P	(h) Commercial wireless transmitting, receiving or relay facility, including towers, antennae, and related equipment for the transmission, reception, or relay of radio, television, or other electronic signals where:
									(1) No portion of such facility exceeds a height of 25 feet above the roof line of the building on the premises or above the ground if there is no building, or 25 feet above the height limit applicable to the subject site under Article 2.5 of this Code, whichever is the lesser height; and
									(2) Such facility, if closer than 1,000 feet to any R District (except for those R Districts entirely surrounded by a C-3, M or a combination of C-3 and M Districts), does not include a parabolic antenna with a diameter in excess of three meters or a composite diameter or antennae in excess of six meters. (See also Section 204.3.)
C	C	C	C	C	C	C	C	C	(i) Commercial wireless transmitting, receiving or relay facility, as described in Subsection 227(h) above, where:
									(1) Any portion of such facility exceeds a height of 25 feet above the roof line of the building on the premises or above the ground if there is no building, or 25 feet above the height limit applicable to the subject site under Article

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									2.5 of this Code, whichever is the lesser height; or
									(2) Such facility, if closer than 1,000 feet to any R District (except for those R Districts entirely surrounded by a C-3, M or combination of C-3 and M Districts), includes a parabolic antenna with a diameter in excess of three meters or a composite diameter of antennae in excess of six meters. (See also Section 204.3.)
P*	P*	P	P	P	P	P	P	P	(j) Sale or lease sign, as defined and regulated by Article 6 of this Code.
	P*	P	P	P	P	P	P	P	(k) General advertising sign, as defined and regulated by Article 6 of this Code.
P*	P*	P	P	P	P	P	P	P	(l) Access driveway to property in any C or M District.
C	C					C	C	C	(m) Planned Unit Development, as defined and regulated by Section 304 and other applicable provisions of this Code.
								P	(n) Any use that is permitted as a principal use in any other C or M District without limitation as to enclosure within a building, wall or fence.
SEE SECTIONS 205 THROUGH 205.2									(o) Temporary uses, as specified in and regulated by Sections 205 through 205.2 of this Code. (*See Section 212(a).)
P	P	P	P	P	P	P	P	P	(p) Subject to Section 233(a), live/work units, provided that one or more arts activities as defined in Section 102.2 of this Code are the primary nonresidential use within the unit and that other nonresidential activities are limited to those otherwise permitted in the district or otherwise conditional

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										in the district and specifically approved as a conditional use.
P	P	P	P	P	P	P	P	P	P	(q) Subject to Section 233(a), live/work units not included above but satisfying the conditions of Section 233(b) of this Code.
P	P	P	P	P	P	P	P	P	P	(r) Arts activities.
	P							P	P	(s) Waterborne commerce, navigation, fisheries and recreation, and industrial, commercial and other operations directly related to the conduct of waterborne commerce, navigation, fisheries or recreation on property subject to public trust.
C	C	C	C	C	C	C	C	C	C	(t) Internet Services Exchange as defined in Section 209.6(c).
P	P	P	P	P	P	P	P	P	P	(u) Fringe financial services, as defined in Section 249.35, and subject to the restrictions set forth in Section 249.35, including, but not limited to, that no new fringe financial service shall be located within a 1/4 miles of an existing fringe financial service.
C	C	C	C	C	C	C	C	C	C	<i>(v) Tobacco Paraphernalia Establishments, defined as retail uses where more than 15% of the gross square footage of the establishment is dedicated to the sale, distribution, delivery, furnishing or marketing of Tobacco Paraphernalia from one person to another. Tobacco Paraphernalia is sold, distributed, delivered, furnished, or marketed from one person to another. "Tobacco Paraphernalia" means paraphernalia, devices, or instruments that are designed or manufactured for the smoking, ingesting, inhaling, or otherwise introducing into the body of tobacco, products prepared from tobacco, or controlled substances as defined in California Health and Safety Code Sections 11054 et seq. "Tobacco</i>

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									<p><u>Paraphernalia" does not include lighters, matches, cigarette holders, any device used to store or preserve tobacco, tobacco, cigarettes, cigarette papers, cigars, or any other preparation of tobacco that is permitted by existing law. Medical Cannabis Dispensaries, as defined in Section 3201(f) of the San Francisco Health Code, are not Tobacco Paraphernalia Establishments.</u></p>
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Section 3. The San Francisco Planning Code is hereby amended by amending Section 303, to read as follows:

SEC. 303. CONDITIONAL USES.

(a) General. The City Planning Commission shall hear and make determinations regarding applications for the authorization of conditional uses in the specific situations in which such authorization is provided for elsewhere in this Code. The procedures for conditional uses shall be as specified in this Section and in Sections 306 through 306.6, except that Planned Unit Developments shall in addition be subject to Section 304, medical institutions and post-secondary educational institutions shall in addition be subject to the institutional master plan requirements of Section 304.5, and conditional use and Planned Unit Development applications filed pursuant to Article 7, or otherwise required by this Code for uses or features in Neighborhood Commercial Districts, and conditional use applications within South of Market Districts, shall be subject to the provisions set forth in Sections 316 through 316.8 of this Code, in lieu of those provided for in Sections 306.2 and 306.3 of this Code, with respect to scheduling and notice of hearings, and in addition to those provided for in Sections 306.4 and 306.5 of this Code, with respect to conduct of hearings and reconsideration.

(b) Initiation. A conditional use action may be initiated by application of the owner, or authorized agent for the owner, of the property for which the conditional use is sought. For a conditional use application to relocate a general advertising sign under subsection (l) below,

1 application shall be made by a general advertising sign company that has filed a Relocation
2 Agreement application and all required information with the Planning Department pursuant to
3 Section 2.21 of the San Francisco Administrative Code.

4 (c) Determination. After its hearing on the application, or upon the recommendation of
5 the Director of Planning if the application is filed pursuant to Sections 316 through 316.8 of
6 this Code and no hearing is required, the City Planning Commission shall approve the
7 application and authorize a conditional use if the facts presented are such to establish:

8 (1) That the proposed use or feature, at the size and intensity contemplated and at the
9 proposed location, will provide a development that is necessary or desirable for, and
10 compatible with, the neighborhood or the community:

11 (A) In Neighborhood Commercial Districts, if the proposed use is to be located at a
12 location in which the square footage exceeds the limitations found in Planning Code §
13 121.2(a) or 121.2(b), the following shall be considered:

14 (i) The intensity of activity in the district is not such that allowing the larger use will be
15 likely to foreclose the location of other needed neighborhood-servicing uses in the area; and

16 (ii) The proposed use will serve the neighborhood, in whole or in significant part, and
17 the nature of the use requires a larger size in order to function; and

18 (iii) The building in which the use is to be located is designed in discrete elements
19 which respect the scale of development in the district; and

20 (2) That such use or feature as proposed will not be detrimental to the health, safety,
21 convenience or general welfare of persons residing or working in the vicinity, or injurious to
22 property, improvements or potential development in the vicinity, with respect to aspects
23 including but not limited to the following:
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1 (A) The nature of the proposed site, including its size and shape, and the proposed
2 size, shape and arrangement of structures;

3 (B) The accessibility and traffic patterns for persons and vehicles, the type and
4 volume of such traffic, and the adequacy of proposed off-street parking and loading;

5 (C) The safeguards afforded to prevent noxious or offensive emissions such as noise,
6 glare, dust and odor;

7 (D) Treatment given, as appropriate, to such aspects as landscaping, screening, open
8 spaces, parking and loading areas, service areas, lighting and signs; and

9 (3) That such use or feature as proposed will comply with the applicable provisions of
10 this Code and will not adversely affect the Master Plan; and

11 (4) With respect to applications filed pursuant to Article 7 of this Code, that such use
12 or feature as proposed will provide development that is in conformity with the stated purpose
13 of the applicable Neighborhood Commercial District, as set forth in zoning control category .1
14 of Sections 710 through 729 of this Code; and

15 (5) (A) With respect to applications filed pursuant to Article 7, Section 703.2(a), zoning
16 categories .46, .47, and .48, in addition to the criteria set forth above in Section 303(c)(1--4),
17 that such use or feature will:

18 (i) Not be located within 1,000 feet of another such use, if the proposed use or feature
19 is included in zoning category .47, as defined by Section 790.36 of this Code; and/or

20 (ii) Not be open between two a.m. and six a.m.; and

21 (iii) Not use electronic amplification between midnight and six a.m.; and

22 (iv) Be adequately soundproofed or insulated for noise and operated so that incidental
23 noise shall not be audible beyond the premises or in other sections of the building and fixed-

1 source equipment noise shall not exceed the decibel levels specified in the San Francisco
2 Noise Control Ordinance.

3 (B) Notwithstanding the above, the City Planning Commission may authorize a
4 conditional use which does not satisfy the criteria set forth in (5)(A)(ii) and/or (5)(A)(iii) above,
5 if facts presented are such to establish that the use will be operated in such a way as to
6 minimize disruption to residences in and around the district with respect to noise and crowd
7 control.

8 (C) The action of the Planning Commission approving a conditional use does not take
9 effect until the appeal period is over or while the approval is under appeal.

10 (6) With respect to applications for live/work units in RH and RM Districts filed
11 pursuant to Section 209.9(f) or 209.9(h) of this Code, that:

12 (A) Each live/work unit is within a building envelope in existence on the effective date
13 of Ordinance No. 412-88 (effective October 10, 1988) and also within a portion of the building
14 which lawfully contains at the time of application a nonconforming, nonresidential use;

15 (B) There shall be no more than one live/work unit for each 1,000 gross square feet of
16 floor area devoted to live/work units within the subject structure; and

17 (C) The project sponsor will provide any off-street parking, in addition to that
18 otherwise required by this Code, needed to satisfy the reasonably anticipated auto usage by
19 residents of and visitors to the project.

20 Such action of the City Planning Commission, in either approving or disapproving the
21 application, shall be final except upon the filing of a valid appeal to the Board of Supervisors
22 as provided in Section 308.1.

23 (d) Conditions. When considering an application for a conditional use as provided
24 herein with respect to applications for development of "dwellings" as defined in Chapter 87 of
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1 the San Francisco Administrative Code, the Commission shall comply with that Chapter which
2 requires, among other things, that the Commission not base any decision regarding the
3 development of "dwellings" in which "protected class" members are likely to reside on
4 information which may be discriminatory to any member of a "protected class" (as all such
5 terms are defined in Chapter 87 of the San Francisco Administrative Code). In addition, when
6 authorizing a conditional use as provided herein, the City Planning Commission, or the Board
7 of Supervisors on appeal, shall prescribe such additional conditions, beyond those specified in
8 this Code, as are in its opinion necessary to secure the objectives of the Code. Once any
9 portion of the conditional use authorization is utilized, all such conditions pertaining to such
10 authorization shall become immediately operative. The violation of any condition so imposed
11 shall constitute a violation of this Code and may constitute grounds for revocation of the
12 conditional use authorization. Such conditions may include time limits for exercise of the
13 conditional use authorization; otherwise, any exercise of such authorization must commence
14 within a reasonable time.

15 (e) Modification of Conditions. Authorization of a change in any condition previously
16 imposed in the authorization of a conditional use shall be subject to the same procedures as a
17 new conditional use. Such procedures shall also apply to applications for modification or
18 waiver of conditions set forth in prior stipulations and covenants relative thereto continued in
19 effect by the provisions of Section 174 of this Code.

20 (f) Conditional Use Abatement. The Planning Commission may consider the possible
21 revocation of a conditional use or the possible modification of or placement of additional
22 conditions on a conditional use when the Planning Commission determines, based upon
23 substantial evidence, that the applicant for the conditional use had submitted false or
24 misleading information in the application process that could have reasonably had a substantial
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1 effect upon the decision of the Commission or the conditional use is not in compliance with a
2 condition of approval, is in violation of law if the violation is within the subject matter
3 jurisdiction of the Planning Commission or operates in such a manner as to create hazardous,
4 noxious or offensive conditions enumerated in Section 202(c) if the violation is within the
5 subject matter jurisdiction of the Planning Commission and these circumstances have not
6 been abated through administrative action of the Director, the Zoning Administrator or other
7 City authority. Such consideration shall be the subject of a public hearing before the Planning
8 Commission but no fee shall be required of the applicant or the subject conditional use
9 operator.

10 (1) The Director of Planning or the Planning Commission may seek a public hearing
11 on conditional use abatement when the Director or Commission has substantial evidence
12 submitted within one year of the effective date of the Conditional Use authorization that the
13 applicant for the conditional use had submitted false or misleading information in the
14 application process that could have reasonably had a substantial effect upon the decision of
15 the Commission or substantial evidence of a violation of conditions of approval, a violation of
16 law, or operation which creates hazardous, noxious or offensive conditions enumerated in
17 Section 202(c).

18 (2) The notice for the public hearing on a conditional use abatement shall be subject
19 to the notification procedure as described in Sections 306.3 and 306.8 except that notice to
20 the property owner and the operator of the subject establishment or use shall be mailed by
21 regular and certified mail.

22 (3) In considering a conditional use revocation, the Commission shall consider
23 whether and how the false or misleading information submitted by the applicant could have
24 reasonably had a substantial effect upon the decision of the Commission, or the Board of
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1 Supervisors on appeal, to authorize the conditional use, substantial evidence of how any
2 required condition has been violated or not implemented or how the conditional use is in
3 violation of the law if the violation is within the subject matter jurisdiction of the Planning
4 Commission or operates in such a manner as to create hazardous, noxious or offensive
5 conditions enumerated in Section 202(c) if the violation is within the subject matter jurisdiction
6 of the Planning Commission. As an alternative to revocation, the Commission may consider
7 how the use can be required to meet the law or the conditions of approval, how the
8 hazardous, noxious or offensive conditions can be abated, or how the criteria of Section
9 303(c) can be met by modifying existing conditions or by adding new conditions which could
10 remedy a violation.

11 (4) Appeals. A decision by the Planning Commission to revoke a conditional use, to
12 modify conditions or to place additional conditions on a conditional use or a decision by the
13 Planning Commission refusing to revoke or amend a conditional use, may be appealed to the
14 Board of Supervisors within 30 days after the date of action by the Planning Commission
15 pursuant to the provisions of Section 308.1(b) The Board of Supervisors may disapprove the
16 action of the Planning Commission in an abatement matter by the same vote necessary to
17 overturn the Commission's approval or denial of a conditional use. The Planning
18 Commission's action on a conditional use abatement issue shall take effect when the appeal
19 period is over or, upon appeal, when there is final action on the appeal.

20 (5) Reconsideration. The decision by the Planning Commission with regards to a
21 conditional use abatement issue or by the Board of Supervisors on appeal shall be final and
22 not subject to reconsideration within a period of one year from the effective date of final action
23 upon the earlier abatement proceeding, unless the Director of Planning determines that:
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1 (A) There is substantial new evidence of a new conditional use abatement issue that
2 is significantly different than the issue previously considered by the Planning Commission; or

3 (B) There is substantial new evidence about the same conditional use abatement
4 issue considered in the earlier abatement proceeding, this new evidence was not or could not
5 be reasonably available at the time of the earlier abatement proceeding, and that new
6 evidence indicates that the Commission's decision in the earlier proceeding ha not been
7 implemented within a reasonable time or raises significant new issues not previously
8 considered by the Planning Commission. The decision of the Director of Planning regarding
9 the sufficiency and adequacy of evidence to allow the reconsideration of a conditional use
10 abatement issue within a period of one year from the effective date of final action on the
11 earlier abatement proceeding shall be final.

12 (g) Hotels and Motels.

13 (1) With respect to applications for development of tourist hotels and motels, the
14 Planning Commission shall consider, in addition to the criteria set forth in Subsections (c) and
15 (d) above:

16 (A) The impact of the employees of the hotel or motel on the demand in the City for
17 housing, public transit, childcare, and other social services. To the extent relevant, the
18 Commission shall also consider the seasonal and part-time nature of employment in the hotel
19 or motel;

20 (B) The measures that will be taken by the project sponsor to employ residents of San
21 Francisco in order to minimize increased demand for regional transportation; and

22 (C) The market demand for a hotel or motel of the type proposed.
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1 (2) Notwithstanding the provisions of Sub-sections (f)(1) above, the Planning
2 Commission shall not consider the impact of the employees of a proposed hotel or motel
3 project on the demand in the City for housing where:

4 (A) The proposed project would be located on property under the jurisdiction of the
5 San Francisco Port Commission; and

6 (B) The sponsor of the proposed project has been granted exclusive rights to propose
7 the project by the San Francisco Port Commission prior to June 1, 1991.

8 (3) Notwithstanding the provisions of Subsection (f)(1) above, with respect to the
9 conversion of residential units to tourist hotel or motel use pursuant to an application filed on
10 or before June 1, 1990 under the provisions of Chapter 41 of the San Francisco
11 Administrative Code, the Planning Commission shall not consider the criteria contained in
12 Subsection (f)(1) above; provided, however, that the Planning Commission shall consider the
13 criteria contained in Subsection (f)(1)(B) at a separate public hearing if the applicant applies
14 for a permit for new construction or alteration where the cost of such construction or alteration
15 exceeds \$100,000. Furthermore, no change in classification from principal permitted use to
16 conditional use in Section 216(b)(i) of this Code shall apply to hotels or motels that have filed
17 applications on or before June 1, 1990 to convert residential units to tourist units pursuant to
18 Chapter 41 of the San Francisco Administrative Code.

19 (h) Internet Services Exchange.

20 (1) With respect to application for development of Internet Services Exchange as
21 defined in Section 209.6(c), the Planning Commission shall, in addition to the criteria set forth
22 in Subsection (c) above, find that:

1 (A) The intensity of the use at this location and in the surrounding neighborhood is not
2 such that allowing the use will likely foreclose the location of other needed neighborhood-
3 serving uses in the area;

4 (B) The building in which the use is located is designed in discrete elements, which
5 respect the scale of development in adjacent blocks, particularly any existing residential uses;

6 (C) Rooftop equipment on the building in which the use is located is screened
7 appropriately.

8 (D) The back-up power system for the proposed use will comply with all applicable
9 federal state, regional and local air pollution controls.

10 (E) Fixed-source equipment noise does not exceed the decibel levels specified in the
11 San Francisco Noise Control Ordinance.

12 (F) The building is designed to minimize energy consumption, such as through the
13 use of energy-efficient technology, including without limitation, heating, ventilating and air
14 conditioning systems, lighting controls, natural ventilation and recapturing waste heat, and as
15 such commercially available technology evolves;

16 (G) The project sponsor has examined the feasibility of supplying and, to the extent
17 feasible, will supply all or a portion of the building's power needs through on-site power
18 generation, such as through the use of fuel cells or co-generation;

19 (H) The project sponsor shall have submitted design capacity and projected power
20 use of the building as part of the conditional use application; and

21 (2) As a condition of approval, and so long as the use remains an Internet Services
22 Exchange, the project sponsor shall submit to the Planning Department on an annual basis
23 power use statements for the previous twelve-month period as provided by all suppliers of
24 utilities and shall submit a written annual report to the Department of Environment and the
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1 Planning Department which shall state: (a) the annual energy consumption and fuel
2 consumption of all tenants and occupants of the Internet Services Exchange; (b) the number
3 of all diesel generators located at the site and the hours of usage, including usage for testing
4 purposes; (c) evidence that diesel generators at the site are in compliance with all applicable
5 local, regional, state and federal permits, regulations and laws; and (d) such other information
6 as the Planning Commission may require.

7 (3) The Planning Department shall have the following responsibilities regarding
8 Internet Services Exchanges:

9 (A) Upon the effective date of the requirement of a conditional use permit for an
10 Internet Services Exchange, the Planning Department shall notify property owners of all
11 existing Internet Services Exchanges that the use has been reclassified as a conditional use;

12 (B) Upon the effective date of the requirement of a conditional use permit for an
13 Internet Services Exchange, the Planning Department shall submit to the Board of
14 Supervisors and to the Director of the Department of Building Inspection a written report
15 covering all existing Internet Services Exchanges and those Internet Services Exchanges
16 seeking to obtain a conditional use permit, which report shall state the address, assessor's
17 block and lot, zoning classification, square footage of the Internet Services Exchange
18 constructed or to be constructed, a list of permits previously issued by the Planning and/or
19 Building Inspection Departments concerning the Internet Services Exchange, the date of
20 issuance of such permits, and the status of any outstanding requests for permits from the
21 Planning and/or Building Inspection Departments concerning Internet Services Exchange; and

22 (C) Within three years from the effective date of the requirement of a conditional use
23 permit for an Internet Services Exchange, the Planning Department, in consultation with the
24 Department of Environment, shall submit to the Board of Supervisors a written report, which
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1 report shall contain the Planning Commission's evaluation of the effectiveness of the
2 conditions imposed on Internet Services Exchanges, and whether it recommends additional or
3 modified conditions to reduce energy and fuel consumption, limit air pollutant emissions, and
4 enhance the compatibility of industrial uses, such as Internet Services Exchanges, located
5 near or in residential or commercial districts.

6 (i) Formula Retail Uses.

7 (1) With respect to an application for a formula retail use as defined in Section 703.3,
8 whenever a conditional use permit is required per Section 703.3(f), the Planning Commission
9 shall consider, in addition to the criteria set forth in Subsection (c) above:

10 (A) The existing concentrations of formula retail uses within the Neighborhood
11 Commercial District.

12 (B) The availability of other similar retail uses within the Neighborhood Commercial
13 District.

14 (C) The compatibility of the proposed formula retail use with the existing architectural
15 and aesthetic character of the Neighborhood Commercial District.

16 (D) The existing retail vacancy rates within the Neighborhood Commercial District.

17 (E) The existing mix of Citywide-serving retail uses and neighborhood-serving retail
18 uses within the Neighborhood Commercial District.

19 (j) Large-Scale Retail Uses. With respect to applications for the establishment of
20 large-scale retail uses under Section 121.6, in addition to the criteria set forth in Subsections
21 (c) and (d) above, the Commission shall consider the following:

22 (A) The extent to which the retail use's parking is planned in a manner that creates or
23 maintains active street frontage patterns;

1 (B) The extent to which the retail use is a component of a mixed-use project or is
2 designed in a manner that encourages mixed-use building opportunities;

3 (C) This shift in traffic patterns that may result from drawing traffic to the location of
4 the proposed use; and

5 (D) The impact that the employees at the proposed use will have on the demand in
6 the City for housing, public transit, childcare, and other social services.

7 (k) Movie Theater Uses.

8 (1) With respect to a change in use or demolition of a movie theater use as set forth in
9 Sections 221.1, 703.2(b)(1)(B)(ii), 803.2(b)(2)(B)(iii) or 803.3(b)(1)(B)(ii), in addition to the
10 criteria set forth in Subsections (c) and (d) above, the Commission shall make the following
11 findings:

12 (A) Preservation of a movie theater use is no longer economically viable and cannot
13 effect a reasonable economic return to the property owner;

14 (i) For purposes of defining "reasonable economic return," the Planning Commission
15 shall be guided by the criteria for "fair return on investment" as set forth in Section 228.4(a).

16 (B) The change in use or demolition of the movie theater use will not undermine the
17 economic diversity and vitality of the surrounding Neighborhood Commercial District; and

18 (C) The resulting project will preserve the architectural integrity of important historic
19 features of the movie theater use affected.

20 (l) Relocation of Existing General Advertising Signs pursuant to a General Advertising
21 Sign Company Relocation Agreement.

22 (1) Before the Planning Commission may consider an application for a conditional use
23 to relocate an existing lawfully permitted general advertising sign as authorized by Section
24 611 of this Code, the applicant sign company must have:

1 (A) Obtained a current Relocation Agreement approved by the Board of Supervisors
2 under Section 2.21 of the San Francisco Administrative Code that covers the sign or signs
3 proposed to be relocated; and

4 (B) Submitted to the Department a current sign inventory, site map, and the other
5 information required under Section 604.2 of this Code; and

6 (C) Obtained the written consent to the relocation of the sign from the owner of the
7 property upon which the existing sign structure is erected.

8 (D) Obtained a permit to demolish the sign structure at the existing location.

9 (2) The Department, in its discretion, may review in a single conditional use
10 application all signs proposed for relocation by a general advertising company or may require
11 that one or more of the signs proposed for relocation be considered in a separate application
12 or applications. Prior to the Commission's public hearing on the application, the Department
13 shall have verified the completeness and accuracy of the general advertising sign company's
14 sign inventory.

15 (3) Only one sign may be erected in a new location, which shall be the same square
16 footage or less than the existing sign proposed to be relocated. In no event may the square
17 footage of several existing signs be aggregated in order to erect a new sign with greater
18 square footage.

19 (4) In addition to applicable criteria set forth in subsection (c) above, the Planning
20 Commission shall consider the size and visibility of the signs proposed to be located as well
21 as the following factors in determining whether to approve or disapprove a proposed
22 relocation:

23 (A) The factors set forth in this subsection (A) shall weigh in favor of the
24 Commission's approval of the proposed relocation site:

1 (i) The sign or signs proposed for relocation are lawfully existing but are not in
2 conformity with the sign regulations that existed prior to the adoption of Proposition G on
3 March 5, 2002.

4 (ii) The sign or signs proposed for relocation are on a City list, if any, of priorities for
5 sign removal or signs preferred for relocation.

6 (iii) The sign or signs proposed for relocation are within, adjacent to, or visible from
7 property under the jurisdiction of the San Francisco Port Commission, the San Francisco
8 Unified School District, or the San Francisco Recreation and Park Commission.

9 (iv) The sign or signs proposed for relocation are within, adjacent to, or visible from an
10 Historic District or conservation district designated in Article 10 or Article 11 of the Planning
11 Code.

12 (v) The sign or signs proposed for relocation are within, adjacent to, or visible from a
13 zoning district where general advertising signs are prohibited.

14 (vi) The sign or signs proposed for relocation are within, adjacent to, or visible from a
15 designated view corridor.

16 (B) The factors set forth in this Subsection (B) shall weigh against the Commission's
17 approval of the proposed relocation:

18 (i) The sign or signs proposed for relocation are or will be obstructed, partially
19 obstructed, or removed from public view by another structure or by landscaping.

20 (ii) The proposed relocation site is adjacent to or visible from property under the
21 jurisdiction of the San Francisco Port Commission, the San Francisco Unified School District,
22 or the San Francisco Recreation and Park Commission.

23 (iii) The proposed relocation site is adjacent to or visible from an Historic District or
24 conservation district designated in Article 10 or Article 11 of the Planning Code.

1 (iv) The proposed relocation site is within, adjacent to, or visible from a zoning district
2 where general advertising signs are prohibited.

3 (v) The proposed relocation site is within, adjacent to, or visible from a designated
4 view corridor.

5 (vi) There is significant neighborhood opposition to the proposed relocation site.

6 (5) In no event may the Commission approve a relocation where:

7 (A) The sign or signs proposed for relocation have been erected, placed, replaced,
8 reconstructed, or relocated on the property, or intensified in illumination or other aspect, or
9 expanded in area or in any dimension in violation of Article 6 of this Code or without a permit
10 having been duly issued therefor; or

11 (B) The proposed relocation site is not a lawful location under Planning Code Section
12 611(c)(2); or

13 (C) The sign in its new location would exceed the size, height or dimensions, or
14 increase the illumination or other intensity of the sign at its former location; or

15 (D) The sign in its new location would not comply with the Code requirements for that
16 location as set forth in Article 6 of this Code; or

17 (E) The sign has been removed from its former location; or

18 (F) The owner of the property upon which the existing sign structure is erected has
19 not consented in writing to the relocation of the sign.

20 (6) The Planning Commission may adopt additional criteria for relocation of general
21 advertising signs that do not conflict with this Section 303(l) or Section 611 of this Code.

22 (m) General Grocery Store Uses.

23 (1) With respect to a change in use or demolition of general grocery store use as set
24 forth in Sections 218.2, 703.2(b)(1)(B)(iii), 803.2(b)(2)(B)(iv) or 803.3 (b)(1)(B)(iii), in addition
25

1 to the criteria set forth in Subsections (c) and (d) above, the Commission shall make the
2 following findings:

3 (A) Preservation of a general grocery store use is no longer economically viable and
4 cannot effect a reasonable economic return to the property owner. The Commission may
5 disregard the above finding if it finds that the change in use or replacement structure in the
6 case of demolition will contain a general grocery store that is of a sufficient size to serve the
7 shopping needs of nearby residents and offers comparable services to the former general
8 grocery store.

9 (i) For purposes of defining "reasonable economic return," the Planning Commission
10 shall be guided by the criteria for "fair return on investment" as set forth in Section 228.4(a).

11 (B) The change in use or demolition of the general grocery store use will not
12 undermine the economic diversity and vitality of the surrounding neighborhood.

13 (n) Tobacco Paraphernalia Establishments.

14 (1) With respect to a Tobacco Paraphernalia Establishment, as set forth in Section 227(vA) of
15 this Code, in addition to the criteria set forth in Subsections (c) and (d) above, the Commission shall
16 make the following findings:

17 (A) The concentration of such establishments in the particular zoning district for which they
18 are proposed does not appear to contribute directly to peace, health, safety, and general welfare
19 problems, including drug use, drug sales, drug trafficking, other crimes associated with drug use,
20 loitering, and littering, as well as traffic circulation, parking, and noise problems on the district's
21 public streets and lots;

22 (B) The concentration of such establishments in the particular zoning district for which they
23 are proposed does not appear to adversely impact the health, safety, and welfare of residents of nearby
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1 areas, including fear for the safety of children, elderly and disabled residents, and visitors to San
2 Francisco; and

3 (C) The proposed establishment is compatible with the existing character of the particular
4 district for which it is proposed.

5 Section 4. The San Francisco Planning Code is hereby amended by amending Section
6 710.1, to read as follows:

7 SEC. 710.1. NC-1 – NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT.

8 NC-1 Districts are intended to serve as local neighborhood shopping districts, providing
9 convenience retail goods and services for the immediately surrounding neighborhoods
10 primarily during daytime hours.

11 These NC-1 Districts are characterized by their location in residential neighborhoods,
12 often in outlying areas of the City. The commercial intensity of these districts varies. Many of
13 these districts have the lowest intensity of commercial development in the City, generally
14 consisting of small clusters with three or more commercial establishments, commonly grouped
15 around a corner; and in some cases short linear commercial strips with low-scale,
16 interspersed mixed-use (residential-commercial) development.

17 Building controls for the NC-1 District promote low-intensity development which is
18 compatible with the existing scale and character of these neighborhood areas. Commercial
19 development is limited to one story. Rear yard requirements at all levels preserve existing
20 backyard space.

21 NC-1 commercial use provisions encourage the full range of neighborhood-serving
22 convenience retail sales and services at the first story provided that the use size generally is
23 limited to 3,000 square feet. However, commercial uses and features which could impact
24 residential livability are prohibited, such as auto uses, financial services, general advertising
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1 signs, drive-up facilities, hotels, and late-night activity; eating and drinking establishments are
 2 restricted, depending upon the intensity of such uses in nearby commercial districts.

3 Housing development in new buildings is encouraged above the ground story in
 4 most districts. Existing residential units are protected by prohibitions of conversions
 5 above the ground story and limitations on demolitions.

6
 7 **SEC. 710. NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT NC-1**
 8 **ZONING CONTROL TABLE**

			NC-1
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
710.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250– 252, 260, 270, 271	Varies See Zoning Map
710.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 4,999 sq. ft.; C 5,000 sq. ft. & above § 121.1
710.12	Rear Yard	§§ 130, 134, 136	Required at grade level and above § 134(a) (e)
710.13	Street Frontage		Required § 145.1
710.14	Awning	§ 790.20	P § 136.1(a)
710.15	Canopy	§ 790.26	
710.16	Marquee	§ 790.58	

1	710.17	Street Trees		Required § 143
2	COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
3	710.20	Floor Area Ratio	§§ 102.9, 102.11, 123	1.8 to 1 § 124(a) (b)
4				
5	710.21	Use Size [Non-Residential]	§ 790.130	P up to 2,999 sq. ft.; C 3,000 sq. ft. & above § 121.2
6				
7	710.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153– 157, 159– 160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
8				
9	710.23	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)
10				
11	710.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
12				
13	710.25	Drive-Up Facility	§ 790.30	
14				
15	710.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
16				
17	710.27	Hours of Operation	§ 790.48	P 6 a.m.– 11 p.m.; C 11 p.m.– 2 a.m.
18				
19	710.30	General Advertising Sign	§§ 262, 602– 604, 608, 609	
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21	710.31	Business Sign	§§ 262, 602– 604,	P § 607.1(f)1
22				
23				
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		608, 609	
710.32	Other Signs	§§ 262, 602– 604, 608, 609	P § 607.1(c) (d) (g)

No. Zoning Category §

References

NC-1

Controls by Story

		§	1st	2nd	3rd+
		790.118			
710.38	Residential Conversion	§ 790.84	P		
710.39	Residential Demolition	§ 790.86	P	C	C
Retail Sales and Services					
710.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P #		
710.41	Bar	§ 790.22	P #		
710.42	Full-Service Restaurant	§ 790.92	P #		
710.43	Large Fast Food Restaurant	§ 790.90			

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710.44	Small Self-Service Restaurant	§ 790.91	C		
			#		
710.45	Liquor Store	§ 790.55	P		
710.46	Movie Theater	§ 790.64			
710.47	Adult Entertainment	§ 790.36			
710.48	Other Entertainment	§ 790.38	C		
710.49	Financial Service	§ 90.110			
710.50	Limited Financial Service	§ 90.112	P		
710.51	Medical Service	§ 90.114	P		
710.52	Personal Service	§ 90.116	P		

No. Zoning
Category §
References

NC-1

Controls by Story

		§ 790.118	1st	2nd	3rd+
710.53	Business or Professional Service	§ 790.108	P		
710.54	Massage Establishment	§ 790.60, § 1900 Health Code			
710.55	Tourist Hotel	§ 790.46			

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710.56	Automobile Parking	§§ 790.8, 156, 160	C		
710.57	Automotive Gas Station	§ 790.14			
710.58	Automotive Service Station	§ 790.17			
710.59	Automotive Repair	§ 790.15			
710.60	Automotive Wash	§ 790.18			
710.61	Automobile Sale or Rental	§ 790.12			
710.62	Animal Hospital	§ 790.6			
710.63	Ambulance Service	§ 790.2			
710.64	Mortuary	§ 790.62			
710.65	Trade Shop	§ 790.124	P		
710.66	Storage	§ 790.117			
710.67	Video Store	§ 790.135	C		
710.68	Fringe Financial Service	§ 790.111			
<u>710.69</u>	<u>Tobacco Paraphernalia</u> <u>Establishments</u>	<u>§ 790.123</u>	<u>C</u>		

Institutions and Non-Retail Sales and Services

710.70	Administrative Service	§ 790.106			
710.80	Hospital or Medical Center	§ 790.44			
710.81	Other Institutions, Large	§ 790.50	P	C	
710.82	Other Institutions, Small	§ 790.51	P	P	P
710.83	Public Use	§ 790.80	C	C	C
710.84	Medical Cannabis Dispensary	§ 790.141	P #		

RESIDENTIAL STANDARDS AND USES

710.90	Residential Use	§ 790.88	P	P	P
710.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 800 sq. ft. lot area § 207.4		
710.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 275 sq. ft. lot area § 208		
710.93	Usable Open Space [Per Residential Unit]	§§ 135, 136	Generally, either 100 sq. ft. if private, or 133 sq. ft. if common § 135(d)		
710.94	Off-Street Parking, Residential	§§ 150, 153–157, 159–160,	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		

		204.5			
710.95	Community Residential Parking	§ 790.10	C	C	C

SPECIFIC PROVISIONS FOR NC-1 DISTRICTS

Article 7 Code Section	Other Code Section	Zoning Controls
§ 710.40 § 710.41 § 710.42		Boundaries: All NC-1 Districts Controls: P if located more than 1/4 mile from any NC District or Restricted Use Subdistrict with more restrictive controls; otherwise, same as more restrictive control
§ 710.44		Boundaries: All NC-1 Districts Controls: C if located more than 1/4 mile from any NC District or Restricted Use Subdistrict with more restrictive controls; otherwise, same as more restrictive control
§ 710.42 § 710.43 § 710.44	§ 781.1	TARAVAL STREET RESTAURANT AND FAST-FOOD SUBDISTRICT Boundaries: Applicable only for the two Taraval Street NC-1 Districts between 40th and 41st Avenues and 45th and 47th Avenues as mapped on Sectional Map 5 SU Controls: Full-service restaurants and small self-service restaurants are C; large fast-food restaurants are NP
§ 710.84 § 790.141		Only those medical cannabis dispensaries that can demonstrate to the Planning Department they were in operation as of April 1, 2005 and have remained in continuous operation or that were not in continuous

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		operation since April 1, 2005, but can demonstrate to the Planning Department that the reason for their lack of continuous operation was not closure due to an actual violation of federal, state or local law, may apply for a medical cannabis dispensary permit in an NC-1 District.
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Section 5. The San Francisco Planning Code is hereby amended by amending Section 711.1, to read as follows:

SEC. 711.1. NC-2 – SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT.

The NC-2 District is intended to serve as the City's Small-Scale Neighborhood Commercial District. These districts are linear shopping streets which provide convenience goods and services to the surrounding neighborhoods as well as limited comparison shopping goods for a wider market. The range of comparison goods and services offered is varied and often includes specialty retail stores, restaurants, and neighborhood-serving offices. NC-2 Districts are commonly located along both collector and arterial streets which have transit routes.

These districts range in size from two or three blocks to many blocks, although the commercial development in longer districts may be interspersed with housing or other land uses. Buildings typically range in height from two to four stories with occasional one-story commercial buildings.

The small-scale district controls provide for mixed-use buildings which approximate or slightly exceed the standard development pattern. Rear yard requirements above the ground story and at residential levels preserve open space corridors of interior blocks.

Most new commercial development is permitted at the ground and second stories. Neighborhood-serving businesses are strongly encouraged. Eating and drinking and

entertainment uses, however, are confined to the ground story. The second story may be used by some retail stores, personal services, and medical, business and professional offices. Parking and hotels are monitored at all stories. Limits on late-night activity, drive-up facilities, and other automobile uses protect the livability within and around the district, and promote continuous 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. 711. SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-2
ZONING CONTROL TABLE**

			NC-2
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
711.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250– 252, 260, 270, 271	Generally, 40-X See Zoning Map
711.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 9,999 sq. ft.; C 10,000 sq. ft. & above § 121.1
711.12	Rear Yard	§§ 130, 134, 136	Required at the second story and above and at all residential levels § 134(a) (e)
711.13	Street Frontage		Required § 145.1
711.14	Awning	§ 790.20	P § 136.1(a)

1	711.15	Canopy	§ 790.26	P § 136.1(b)
2	711.16	Marquee	§ 790.58	P § 136.1(c)
3	711.17	Street Trees		Required § 143
4	COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
5	711.20	Floor Area Ratio	§§ 102.9, 102.11, 123	2.5 to 1 § 124(a) (b)
6	711.21	Use Size [Non-Residential]	§ 790.130	P up to 3,999 sq. ft.; C 4,000 sq. ft. & above § 121.2
7	711.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153– 157, 159– 160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
8	711.23	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)
9	711.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
10	711.25	Drive-Up Facility	§ 790.30	
11	711.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
12	711.27	Hours of Operation	§ 790.48	P 6 a.m.– 2 a.m.; C 2 a.m.– 6 a.m.
13	711.30	General Advertising Sign	§§ 262, 602– 604,	P § 607.1(e)1

		608, 609	
711.31	Business Sign	§§ 262, 602– 604, 608, 609	P § 607.1(f) 2
711.32	Other Signs	§§ 262, 602– 604, 608, 609	P § 607.1(c) (d) (g)

No. Zoning
 Category §
 References

NC-2

Controls by Story

		§ 790.118	1st	2nd	3rd+
711.38	Residential Conversion	§ 790.84	P	C	
711.39	Residential Demolition	§ 790.86	P	C	C

Retail Sales and Services

711.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P	P	
711.41	Bar	§ 790.22	P		
711.42	Full-Service Restaurant	§ 790.92	P #		

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711.43	Large Fast Food Restaurant	§ 790.90	C #		
711.44	Small Self-Service Restaurant	§ 790.91	P #		
711.45	Liquor Store	§ 790.55	P		
711.46	Movie Theater	§ 790.64	P		
711.47	Adult Entertainment	§ 790.36			
711.48	Other Entertainment	§ 790.38	P		
711.49	Financial Service	§ 790.110	P #	C #	
711.50	Limited Financial Service	§ 790.112	P #		
711.51	Medical Service	§ 790.114	P	P	
711.52	Personal Service	§ 790.116	P	P	
711.53	Business or Professional Service	§ 790.108	P	P	
711.54	Massage Establishment	§ 790.60, § 1900 Health Code	C		
711.55	Tourist Hotel	§ 790.46	C	C	C
711.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
711.57	Automotive Gas Station	§ 790.14	C		
711.58	Automotive Service	§ 790.17	C		

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	Station				
711.59	Automotive Repair	§ 790.15	C		
711.60	Automotive Wash	§ 790.18			
711.61	Automobile Sale or Rental	§ 790.12			
711.62	Animal Hospital	§ 790.6	C		
711.63	Ambulance Service	§ 790.2			
711.64	Mortuary	§ 790.62			
711.65	Trade Shop	§ 790.124	P #	C #	
711.66	Storage	§ 790.117			
711.67	Video Store	§ 790.135	C	C	
711.68	Fringe Financial Service	§ 790.111	P#		
<u>711.69</u>	<u>Tobacco Paraphernalia Establishments</u>	<u>§ 790.123</u>	<u>C</u>		
Institutions and Non-Retail Sales and Services					
711.70	Administrative Service	§ 790.106			
711.80	Hospital or Medical Center	§ 790.44			
711.81	Other Institutions, Large	§ 790.50	P	C	C

1	711.82	Other Institutions, Small	§ 790.51	P	P	P
2	711.83	Public Use	§ 790.80	C	C	C
3	711.84	Medical Cannabis	§ 790.141	P #		
4		Dispensary				
5	RESIDENTIAL STANDARDS AND USES					
6						
7	711.90	Residential Use	§ 790.88	P	P	P
8	711.91	Residential Density,	§§ 207, 207.1,	Generally, 1 unit per 800 sq.		
9		Dwelling Units	790.88(a)	ft. lot area § 207.4		
10	711.92	Residential Density,	§§ 207.1,	Generally, 1 bedroom per 275		
11		Group Housing	790.88(b)	sq. ft. lot area § 208		
12	711.93	Usable Open Space [Per	§§ 135, 136	Generally, either 100 sq. ft. if		
13		Residential Unit]		private, or 133 sq. ft. if		
14				common § 135(d)		
15	711.94	Off-Street Parking,	§§ 150, 153–	Generally, 1 space for each		
16		Residential	157, 159– 160,	dwelling unit §§ 151, 161(a)		
17			204.5	(g)		
18						
19	711.95	Community Residential	§ 790.10	C	C	C
20		Parking				

SPECIFIC PROVISIONS FOR NC-2 DISTRICTS

23	Article 7	Other	Zoning Controls
24	Code	Code	
25			

Section	Section	
§ 711.42 § 711.43 § 711.44	§ 781.1	TARAVAL STREET RESTAURANT AND FAST-FOOD SUBDISTRICT Boundaries: Applicable only for the Taraval Street NC-2 District between 12th and 36th Avenues as mapped on Sectional Maps 5 SU and 6 SU Controls: Full-service restaurants and small self-service restaurants are C; large fast-food restaurants are NP
§ 711.42 § 711.43 § 711.44	§ 781.2	IRVING STREET RESTAURANT AND FAST-FOOD SUBDISTRICT Boundaries: Applicable only for the portion of the Irving Street NC-2 District between 19th and 27th Avenues as mapped on Sectional Map 5 SU Controls: Small self-service restaurants are C; full-service restaurants and large fast-food restaurants are NP
§ 711.43 § 711.44	§ 781.3	OCEAN AVENUE FAST-FOOD SUBDISTRICT Boundaries: Applicable only for the Ocean Avenue NC-2 District from Manor Drive to Phelan Avenue as mapped on Sectional Map 12 SU Controls: Small self-service restaurants and large fast-food restaurants are NP
§ 711.49 § 711.50 § 711.68	§ 781.7	CHESTNUT STREET FINANCIAL SERVICE SUBDISTRICT Boundaries: Applicable only for the Chestnut Street NC-2 District from Broderick to Fillmore Streets as mapped on Sectional Map 2 SU Controls: Financial services, limited financial services, and fringe financial services are NP
§ 711.65	§ 236	GARMENT SHOP SPECIAL USE DISTRICT Boundaries: Applicable only for the portion of the Pacific Avenue NC-2 District east of Hyde Street as mapped on Sectional Map 1 SUa Controls: Garment shops

		are P at the 1st and 2nd stories
§ 711.68	§ 249.35	FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD) Boundaries: The FFSRUD and its 1/4 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; the Divisadero Street Alcohol Restricted Use District; and the North of Market Residential Special Use District; and includes Small-Scale Neighborhood Commercial Districts within its boundaries. 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).
§ 711.84 § 790.141	Health Code § 3308	Medical cannabis dispensaries in NC-2 District may only operate between the hours of 8 a.m. and 10 p.m.

Section 6. The San Francisco Planning Code is hereby amended by amending Section 712.1, to read as follows:

SEC. 712.1. NC-3 – MODERATE-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT.

NC-3 Districts are intended in most cases to offer a wide variety of comparison and specialty goods and services to a population greater than the immediate neighborhood, additionally providing convenience goods and services to the surrounding neighborhoods.

1 NC-3 Districts are linear districts located along heavily trafficked thoroughfares which also
 2 serve as major transit routes.

3 NC-3 Districts include some of the longest linear commercial streets in the City, some
 4 of which have continuous retail development for many blocks. Large-scale lots and buildings
 5 and wide streets distinguish the districts from smaller-scaled commercial streets, although the
 6 districts may include small as well as moderately scaled lots. Buildings typically range in
 7 height from two to four stories with occasional taller structures.

8 NC-3 building standards permit moderately large commercial uses and buildings. Rear
 9 yards are protected at residential levels.

10 A diversified commercial environment is encouraged for the NC-3 District, and a wide
 11 variety of uses are permitted with special emphasis on neighborhood-serving businesses.
 12 Eating and drinking, entertainment, financial service and certain auto uses generally are
 13 permitted with certain limitations at the first and second stories. Other retail businesses,
 14 personal services and offices are permitted at all stories of new buildings. Limited storage and
 15 administrative service activities are permitted with some restrictions.

16 Housing development in new buildings is encouraged above the second story. Existing
 17 residential units are protected by limitations on demolitions and upper-story conversions.

18 **SEC. 712. MODERATE-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT**
 19 **NC-3 ZONING CONTROL TABLE**

			NC-3
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			

1	712.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250– 252, 260, 270, 271	Generally, 40-X See Zoning Map
2				
3				
4	712.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 9,999 sq. ft.; C 10,000 sq. ft. & above § 121.1
5				
6	712.12	Rear Yard	§§ 130, 134, 136	Required at residential levels only § 134(a)(e)
7				
8				
9	712.13	Street Frontage		Required § 145.1
10	712.14	Awning	§ 790.20	P § 136.1(a)
11	712.15	Canopy	§ 790.26	P § 136.1(b)
12	712.16	Marquee	§ 790.58	P § 136.1(c)
13	712.17	Street Trees		Required § 143
14				
15		COMMERCIAL AND INSTITUTIONAL		
16		STANDARDS AND USES		
17	712.20	Floor Area Ratio	§§ 102.9, 102.11, 123	3.6 to 1 § 124(a) (b)
18				
19	712.21	Use Size [Non-Residential]	§ 790.130	P up to 5,999 sq. ft.; C 6,000 sq. ft. & above § 121.2
20				
21	712.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153– 157, 159– 160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
22				
23				
24				
25				

1	712.23	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)
2				
3				
4	712.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
5				
6	712.25	Drive-Up Facility	§ 790.30	#
7				
8	712.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
9				
10	712.27	Hours of Operation	§ 790.48	No Limit
11	712.30	General Advertising Sign	§§ 262, 602– 604, 608, 609	P # § 607.1(e)2
12				
13	712.31	Business Sign	§§ 262, 602– 604, 608, 609	P # § 607.1(f)3
14				
15	712.32	Other Signs	§§ 262, 602– 604, 608, 609	P # § 607.1(c) (d) (g)
16				

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18	No. Zoning			
19	Category §			
20	References			
21	NC-3			
22	Controls by Story			
23		§ 790.118	1st	2nd
24			3rd+	
25				

1	712.38	Residential Conversion	§ 790.84	P	C	C #
2	712.39	Residential Demolition	§ 790.86	P	C	C
3	Retail Sales and Services					
4	712.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P #	P #	P #
5						
6						
7						
8	712.41	Bar	§ 790.22	P	P	
9	712.42	Full-Service Restaurant	§ 790.92	P	P	
10	712.43	Large Fast Food Restaurant	§ 790.90	C #	C #	
11						
12	712.44	Small Self-Service Restaurant	§ 790.91	P #	P #	
13						
14	712.45	Liquor Store	§ 790.55			
15						
16	712.46	Movie Theater	§ 790.64	P	P	
17	712.47	Adult Entertainment	§ 790.36	C	C	
18	712.48	Other Entertainment	§ 790.38	P	P	
19	712.49	Financial Service	§ 790.110	P	P	
20						
21	712.50	Limited Financial Service	§ 790.112	P	P	
22	712.51	Medical Service	§ 790.114	P	P	P
23	712.52	Personal Service	§ 790.116	P	P	P
24	712.53	Business or Professional	§ 790.108	P	P	P
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	Service				
712.54	Massage Establishment	§ 790.60, § 1900 Health Code	C	C	
712.55	Tourist Hotel	§ 790.46	C	C	C
712.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
712.57	Automobile Gas Station	§ 790.14	C		
712.58	Automotive Service Station	§ 790.17	C		
712.59	Automotive Repair	§ 790.15	C	C	
712.60	Automotive Wash	§ 790.18	C		
712.61	Automobile Sale or Rental	§ 790.12	C		
712.62	Animal Hospital	§ 790.6	C	C	
712.63	Ambulance Service	§ 790.2	C		
712.64	Mortuary	§ 790.62	C	C	C
712.65	Trade Shop	§ 790.124	P	C	C
712.66	Storage	§ 790.117	C	C	C
712.67	Video Store	§ 790.135	C	C	C
712.68	Fringe Financial Service	§ 790.111	P#		

1	<u>712.69</u>	<u>Tobacco Paraphernalia</u>	<u>§ 790.123</u>	<u>C</u>		
2		<u>Establishments</u>				
3	Institutions and Non-Retail Sales and					
4	Services					
5	712.70	Administrative Service	§ 790.106	C	C	C
6	712.80	Hospital or Medical	§ 790.44	C	C	C
7		Center				
8	712.81	Other Institutions, Large	§ 790.50	P	P	P
9	712.82	Other Institutions, Small	§ 790.51	P	P	P
10	712.83	Public Use	§ 790.80	C	C	C
11	712.84	Medical Cannabis	§ 790.141	P #		
12		Dispensary				
13	RESIDENTIAL STANDARDS AND USES					
14	712.90	Residential Use	§ 790.88	P	P	P
15	712.91	Residential Density,	§§ 207, 207.1,	Generally, 1 unit per 600 sq.		
16		Dwelling Units	790.88(a)	ft. lot area § 207.4		
17	712.92	Residential Density,	§§ 207.1,	Generally, 1 bedroom per 210		
18		Group Housing	790.88(b)	sq. ft. lot area § 208		
19	712.93	Usable Open Space [Per	§§ 135, 136	Generally, either 80 sq. ft. if		
20		Residential Unit]		private, or 100 sq. ft. if		
21				common § 135(d)		
22						
23						
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1	712.94	Off-Street Parking, Residential	§§ 150, 153-157, 159– 160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
2	712.95	Community Residential Parking	§ 790.10	C	C	C
3						
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7 **SPECIFIC PROVISIONS FOR NC-3 DISTRICTS**

8	9	10	11
Article 7 Code Section	Other Code Section	Zoning Controls	
12 § 712.25 § 13 712.40	§ 249.14	THIRD STREET SPECIAL USE DISTRICT Boundaries: Applicable only to the portion of the Third Street SUD as shown on Sectional Map 10 SU zoned NC-3 Controls: Off-sale retail liquor sales as defined in Section 249.14(b)(1)(A) are NP; drive-up facilities for large fast-food restaurants and small self-service restaurants are C	
17 § 712.30 § 18 712.31 § 19 712.32	§ 608.10	UPPER MARKET STREET SPECIAL SIGN DISTRICT Boundaries: Applicable only for the portion of the Market Street NC-3 District from Octavia to Church Streets as mapped on Sectional Map SSD Controls: Special restrictions and limitations for signs	
21 § 712.38	§ 790.84	Boundaries: Applicable to NC-3 Districts Controls: A residential use may be converted to an Other Institution, Large, use, as defined by Section 790.50 of this Code, as a conditional use on the third story and above if in addition to the criteria set forth in Section 303, the	
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1			Commission finds that: (1) The structure in which the residential use is
2			to be converted has been found eligible for listing on the National
3			Register of Historic Places; (2) The proposed Other Institution, Large,
4			use is to be operated by a nonprofit public benefit corporation; and (3)
5			No legally residing residential tenants will be displaced.
6	§ 712.43	§ 781.4	GEARY BOULEVARD FAST-FOOD SUBDISTRICT Boundaries:
7			Applicable only for the portion of the Geary Boulevard NC-3 District
8			between 14th and 28th Avenues as mapped on Sectional Maps 3 SU
9			and 4 SU Controls: Large fast-food restaurants are NP
10	§ 712.43 §	§ 781.5	MISSION STREET FAST-FOOD SUBDISTRICT Boundaries:
11	712.44		Applicable only for the portion of the Mission Street NC-3 District
12			between 15th Avenue and Randall Street as mapped on Sectional
13			Map 7 SU Controls: Small self-service restaurants are C; large fast-
14			food restaurants are NP
15	§ 712.45	§ 781.10	17TH AND RHODE ISLAND STREET GROCERY STORE SPECIAL
16			USE SUBDISTRICT. Boundaries: Applicable only for the block bound
17			by 17th, Rhode Island, Mariposa and Kansas Streets as mapped on
18			Sectional Map 8 SU Controls: One liquor store on the first or second
19			story is C if operated as integral element of a grocery store of not less
20			than 30,000 gross square feet. Nighttime Entertainment uses are not
21			permitted.
22	§ 712.68	§ 249.35	FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT
23			(FFSRUD) Boundaries: The FFSRUD and its 1/4 mile buffer includes,
24			
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		<p>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; 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. 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).</p>
<p>§ 712.84 § 790.141</p>	<p>Health Code § 3308</p>	<p>Medical cannabis dispensaries in NC-3 District may only operate between the hours of 8 a.m. and 10 p.m.</p>

Section 7. The San Francisco Planning Code is hereby amended by amending 713.1, to read as follows:

SEC. 713.1. NC-S – NEIGHBORHOOD COMMERCIAL SHOPPING CENTER DISTRICT.

NC-S Districts are intended to serve as small shopping centers or supermarket sites which provide retail goods and services for primarily car-oriented shoppers. They commonly contain at least one anchor store or supermarket, and some districts also have small medical office buildings. The range of services offered at their retail outlets usually is intended to serve the immediate and nearby neighborhoods. These districts encompass some of the most

1 recent (post-1945) retail development in San Francisco's neighborhoods and serve as an
 2 alternative to the linear shopping street.

3 Shopping centers and supermarket sites contain mostly one-story buildings which are
 4 removed from the street edge and set in a parking lot. Outdoor pedestrian activity consists
 5 primarily of trips between the parking lot and the stores on-site. Ground and second stories
 6 are devoted to retail sales and some personal services and offices.

7 The NC-S standards and use provisions allow for medium-size commercial uses in low-
 8 scale buildings. Rear yards are not required for new development. Most neighborhood-serving
 9 retail businesses are permitted at the first and second stories, but limitations apply to fast-food
 10 restaurants and take-out food uses. Some auto uses are permitted at the first story. Limited
 11 storage and administrative service activities are permitted with some restrictions.

12 Housing development in new buildings is permitted. Existing residential units are
 13 protected by limitations on demolitions and prohibitions of upper-story conversions.

14
 15 **SEC. 713. NEIGHBORHOOD COMMERCIAL SHOPPING CENTER DISTRICT**
 16 **NC-S ZONING CONTROL TABLE**

			NC-S
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
713.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250– 252, 260, 270, 271	Generally, 40-X # See Zoning Map

1	713.11	Lot Size [Per Development]	§§ 790.56, 121.1	Not Applicable
2	713.12	Rear Yard	§§ 130, 134, 136	Not Required
3	713.13	Street Frontage		Required § 145.1
4	713.14	Awning	§ 790.20	P § 136.1(a)
5	713.15	Canopy	§ 790.26	P § 136.1(b)
6	713.16	Marquee	§ 790.58	P § 136.1(c)
7	713.17	Street Trees		Required § 143
8	COMMERCIAL AND INSTITUTIONAL			
9	STANDARDS AND USES			
10	713.20	Floor Area Ratio	§§ 102.9, 102.12, 123	1.8 to 1 § 124(a)(b)
11	713.21	Use Size [Non-Residential]	§ 790.130	P up to 5,999 sq. ft.; C 6,000 sq. ft. & above § 121.2
12	713.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153– 157, 159– 160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
13	713.23	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)
14	713.24	Outdoor Activity Area	§ 790.70	P/C § 145.2(a)

1	713.25	Drive-Up Facility	§ 790.30	C
2	713.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not
3				recessed § 145.2(b)
4	713.27	Hours of Operation	§ 790.48	P 6 a.m.– 2 a.m.;# C 2 a.m. 6
5				a.m.#
6	713.30	General Advertising Sign	§§ 262, 602– 604, 608, 609	P # § 607.1(e)1
7				
8	713.31	Business Sign	§§ 262, 602– 604, 608, 609	P § 607.1(f)2
9				
10	713.32	Other Signs	§§ 262, 602– 604, 608, 609	P § 607.1(c) (d) (g)
11				
12				

No. Zoning
Category §
References

NC-S
Controls by Story

		§ 790.118	1st	2nd	3rd+
21	713.38	Residential Conversion	§ 790.84	P	
22	713.39	Residential Demolition	§ 790.86	P	C C
23					
24					
25					

1	Retail Sales and Services					
2	713.40	Other Retail Sales and	§ 790.102	P	P	
3		Services [Not Listed				
4		Below]				
5	713.41	Bar	§ 790.22	P #	P #	
6	713.42	Full-Service Restaurant	§ 790.92	P	P	
7	713.43	Large Fast-Food	§ 790.90	C	C	
8		Restaurant				
9	713.44	Small Self-Service	§ 790.91	P #	P #	
10		Restaurant				
11	713.45	Liquor Store	§ 790.55	P		
12	713.46	Movie Theater	§ 790.64	P #	#	
13	713.47	Adult Entertainment	§ 790.36			
14	713.48	Other Entertainment	§ 790.38	P #	P #	
15	713.49	Financial Service	§ 790.110	P	P	#
16	713.50	Limited Financial Service	§ 790.112	P	P	
17	713.51	Medical Service	§ 790.114	P	P	#
18	713.52	Personal Service	§ 790.116	P	P	#
19	713.53	Business or Professional	§ 790.108	P	P	#
20		Service				
21	713.54	Massage Establishment	§ 790.60, § 1900	C	C	

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		Health Code			
713.55	Tourist Hotel	§ 790.46	C #	C #	C #
713.56	Automobile Parking	§§ 790.8, 156, 160	P	P	
713.57	Automotive Gas Station	§ 790.14	C		
713.58	Automotive Service Station	§ 790.17	P		
713.59	Automotive Repair	§ 790.15			
713.60	Automotive Wash	§ 790.18	C		
713.61	Automobile Sale or Rental	§ 790.12			
713.62	Animal Hospital	§ 790.6	C	C	
713.63	Ambulance Service	§ 790.2			
713.64	Mortuary	§ 790.62	C #	C #	
713.65	Trade Shop	§ 790.124	P	P	
713.66	Storage	§ 790.117	C	C	
713.67	Video Store	§ 790.135	C	C	
713.68	Fringe Financial Service	§ 790.111	P#		
<u>713.69</u>	<u>Tobacco Paraphernalia</u> <u>Establishments</u>	<u>§ 790.123</u>	<u>C</u>		

1	Institutions and Non-Retail Sales and					
2	Services					
3	713.70	Administrative Service	§ 790.106	C #	C #	#
4	713.80	Hospital or Medical	§ 790.44			
5		Center				
6	713.81	Other Institutions, Large	§ 790.50	P #	P #	#
7	713.82	Other Institutions, Small	§ 790.51	P #	P #	P #
8	713.83	Public Use	§ 790.80	C	C	C
9	713.84	Medical Cannabis	§ 790.141	P #		
10		Dispensary				
11	RESIDENTIAL STANDARDS AND USES					
12	713.90	Residential Use	§ 790.88	P #	P #	P #
13	713.91	Residential Density,	§§ 207, 207.1,	Generally, 1 unit per 800 sq.		
14		Dwelling Units	790.88(a)	ft. lot area # § 207.4		
15	713.92	Residential Density,	§§ 207.1,	Generally, 1 bedroom per 275		
16		Group Housing	790.88(b)	sq. ft. lot area # § 208		
17	713.93	Usable Open Space [Per	§§ 135, 136	Generally, either 100 sq. ft if		
18		Residential Unit]		private, or 133 sq. ft. if		
19				common # § 135(d)		
20	713.94	Off-Street Parking,	§§ 150, 153–	Generally, 1 space for each		
21		Residential	157, 159– 160,	dwelling unit §§ 151, 161(a)		
22			204.5	(g)		

1	713.95	Community Residential	§ 790.10	C	C #	C #
2		Parking				

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SPECIFIC PROVISIONS FOR NC-S DISTRICTS

Article 7 Code Section	Other Code Section	Zoning Controls
§ 713.10 § 713.27 § 713.30 § 713.41 § 713.44 § 713.46 § 713.48 § 713.49 § 713.51 § 713.52 § 713.53 § 713.64 § 713.70 § 713.81 § 713.82 § 713.90 § 713.91 § 713.92 § 713.93 § 713.95	§ 253.3 § 780.1	LAKESHORE PLAZA SPECIAL USE DISTRICT Boundaries: Applicable only for the Lakeshore Plaza NC-S District as mapped on Sectional Map 13SU and 13H Controls: Special controls on various features and uses, and residential standards
§ 713.68	§ 249.35	Fringe financial services are P subject to the restrictions set forth in Section 249.35, including, but not limited to, the proximity restrictions set forth in Subsection 249.35(c)(3).
§ 713.55	§ 780.2	BAYSHORE-HESTER SPECIAL USE DISTRICT Boundaries: Applicable only for the Bayshore-Hester Special Use District NC-S District as mapped on the Sectional Map 10SU Controls: Tourist hotels (inclusive of motels) may be

		permitted as a conditional use.
§ 713.84 § 790.141	Health Code § 3308	Medical cannabis dispensaries in NC-S District may only operate between the hours of 8 a.m. and 10 p.m.

Section 8. The San Francisco Planning Code is hereby amended by amending Section 714.1, to read as follows:

SEC. 714.1. BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT.

The Broadway Neighborhood Commercial District, located in the northeast quadrant of San Francisco, extends along Broadway from west of Columbus Avenue to Osgood Place. It is part of a larger commercial area which includes North Beach to the north, Chinatown to the south and west, and Jackson Square to the southeast. Broadway's fame and popularity as a Citywide and regional entertainment district is derived from a concentration of nightclubs, music halls, adult theaters, bars, and restaurants between Grant Avenue and Montgomery Street. These places attract locals and visitors alike, mainly in the evening and late-night hours. In addition to the entertainment and some retail businesses, Broadway contains many upper-story residential hotels. Due to its proximity to downtown, there is strong pressure to develop upper-story offices.

The Broadway District controls are designed to encourage development that is compatible with the existing moderate building scale and mixed-use character, and maintain the district's balance of entertainment uses, restaurants, and small-scale retail stores. New buildings exceeding 40 feet in height will be carefully reviewed and rear yards at residential levels are protected. Most commercial uses in new buildings are permitted at the first two

1 stories. Neighborhood-serving businesses are strongly encouraged. In order to protect the
 2 livability of the area, limitations apply to new fast-food restaurants and adult entertainment
 3 uses at the first and second stories, as well as late-night activity. Financial services are
 4 allowed on the ground story subject to certain limitations. Nonretail offices are prohibited in
 5 order to prevent encroachment of the adjoining downtown office uses. Due to the high traffic
 6 volume on Broadway, most automobile and drive-up uses are prohibited in order to prevent
 7 further traffic congestion. Parking garages are permitted if their ingress and egress do not
 8 disrupt the traffic flow on Broadway.

9 Housing development in new buildings is encouraged above the second story. Existing
 10 housing is protected by limitations on demolitions and upper-story conversions.

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

			Broadway
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
714.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250– 252, 260, 270, 271	P up to 40 ft. C 40 to 65 ft. § 253.1
714.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 4,999 sq. ft.; C 5,000 sq. ft. & above § 121.1
714.12	Rear Yard	§§ 130, 134, 136	Required at residential level only § 134(a) (e)

1	714.13	Street Frontage		Required § 145.1
2	714.14	Awning	§ 790.20	P § 136.1(a)
3	714.15	Canopy	§ 790.26	P § 136.1(b)
4	714.16	Marquee	§ 790.58	P § 136.1(c)
5	714.17	Street Trees		Required § 143
7	COMMERCIAL AND INSTITUTIONAL			
8	STANDARDS AND USES			
9	714.20	Floor Area Ratio	§§ 102.9, 102.11, 123	2.5 to 1 § 124(a) (b)
10				
11	714.21	Use Size [Non-Residential]	§ 790.130	P up to 2,999 sq. ft.; C 3,000
12				sq. ft. & above § 121.2
13	714.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153– 157, 159– 160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
14				
15				
16				
17				
18	714.23	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)
19				
20				
21	714.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
22				
23	714.25	Drive-Up Facility	§ 790.30	
24	714.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not
25				

			recessed § 145.2(b)
714.27	Hours of Operation	§ 790.48	P 6 a.m.– 2 a.m.; C 2 a.m.– 6 a.m.
714.30	General Advertising Sign	§§ 262, 602– 604, 608, 609	
714.31	Business Sign	§§ 262, 602– 604, 608, 609	P § 607.1(f)2
714.32	Other Signs	§§ 262, 602– 604, 608, 609	P § 607.1(c) (d) (g)

No. Zoning
Category §
References

Broadway

Controls by Story

		§ 790.118	1st	2nd	3rd+
714.38	Residential Conversion	§ 790.84	P	C	
714.39	Residential Demolition	§ 790.86	P	C	C

Retail Sales and Services

714.40	Other Retail Sales and	§ 790.102	P #	P #	
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	Services [Not Listed Below]				
714.41	Bar	§ 790.22	P	P	
714.42	Full-Service Restaurant	§ 790.92	P	P	
714.43	Large Fast Food Restaurant	§ 790.90			
714.44	Small Self-Service Restaurant	§ 790.91	C	C	
714.45	Liquor Store	§ 790.55	C		
714.46	Movie Theater	§ 790.64	P	P	
714.47	Adult Entertainment	§ 790.36	C	C	
714.48	Other Entertainment	§ 790.38	P	P	
714.49	Financial Service	§ 790.110	C		
714.50	Limited Financial Service	§ 790.112	C		
714.51	Medical Service	§ 790.114	P	P	
714.52	Personal Service	§ 790.116	P	P	
714.53	Business or Professional Service	§ 790.108	P	P	
714.54	Massage Establishment	§ 790.60, § 1900 Health Code	P	C	
714.55	Tourist Hotel	§ 790.46	C	C	C

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714.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
714.57	Automotive Gas Station	§ 790.14			
714.58	Automotive Service Station	§ 790.17			
714.59	Automotive Repair	§ 790.15			
714.60	Automotive Wash	§ 790.18			
714.61	Automobile Sale or Rental	§ 790.12			
714.62	Animal Hospital	§ 790.6	C		
714.63	Ambulance Service	§ 790.2			
714.64	Mortuary	§ 790.62			
714.65	Trade Shop	§ 790.124	P #	C #	
714.66	Storage	§ 790.117			
714.67	Video Store	§ 790.135	C	C	
714.68	Fringe Financial Service	§ 790.111			
<u>714.69</u>	<u>Tobacco Paraphernalia Establishments</u>	<u>§ 790.123</u>	<u>C</u>		
Institutions and Non-Retail Sales and Services					

1	714.70	Administrative Service	§ 790.106			
2	714.80	Hospital or Medical	§ 790.44			
3		Center				
4	714.81	Other Institutions, Large	§ 790.50	P	C	C
5	714.82	Other Institutions, Small	§ 790.51	P	P	P
6						
7	714.83	Public Use	§ 790.80	C	C	C
8	714.84	Medical Cannabis	§ 790.141	P		
9		Dispensary				
10	RESIDENTIAL STANDARDS AND USES					
11	714.90	Residential Use	§ 790.88	P	P	P
12	714.91	Residential Density,	§§ 207, 207.1,	Generally, 1 unit per 400 sq.		
13		Dwelling Units	790.88(a)	ft. lot area § 207.4		
14	714.92	Residential Density,	§§ 207.1,	Generally, 1 bedroom per		
15		Group Housing	790.88(b)	140 sq. ft. lot area § 208		
16	714.93	Usable Open Space [Per	§§ 135, 136	Generally, either 60 sq. ft if		
17		Residential Unit]		private, or 80 sq. ft. if		
18				common § 135(d)		
19	714.94	Off-Street Parking,	§§ 150, 153–	Generally, 1 space for each		
20		Residential	157, 159– 160,	dwelling unit §§ 151, 161(a)		
21			204.5	(g)		
22	714.95	Community Residential	§ 790.10	C	C	C
23		Parking				
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**SPECIFIC PROVISIONS FOR THE BROADWAY NEIGHBORHOOD
COMMERCIAL DISTRICT**

Article 7 Code Section	Other Code Section	Zoning Controls
§ 714.10	§ 253.1	65-A-1 HEIGHT AND BULK DISTRICT Boundaries: Applicable for all of the Broadway NCD from Columbus Avenue to Osgood Place as mapped on Sectional Map 1H Controls: Building height and bulk limits are P up to 40 feet; C between 40 feet and 65 feet
§ 714.40	§ 790.102(n)	BROADWAY SPECIALTY RETAIL USES Boundaries: Broadway NCD Controls: Retail coffee stores defined pursuant to Code § 790.102(n) are not permitted without conditional use authorization except to the extent qualifying as specialty grocery permitted pursuant to § 790.102(b)
§ 714.65	§ 236	GARMENT SHOP SPECIAL USE DISTRICT Boundaries: Applicable only for the portion of Broadway NCD as mapped on Sectional Map 1 SUa Controls: Garment shops are P at the 1st and 2nd stories

Section 9. The San Francisco Planning Code is hereby amended by amending Section 715.1, to read as follows:

SEC. 715.1. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Castro Street District is situated in Eureka Valley, close to the geographic center of San Francisco between the Mission District, Twin Peaks, and Upper Market Street. The

1 physical form of the district is a crossing at Castro and 18th Streets, the arms of which contain
2 many small, but intensely active commercial businesses. The multi-purpose commercial
3 district provides both convenience goods to its immediate neighborhood as well as
4 comparison shopping goods and services on a specialized basis to a wider trade area.
5 Commercial businesses are active both in the daytime and late into the evening and include a
6 number of gay-oriented bars and restaurants, as well as several specialty clothing and gift
7 stores. The district also supports a number of offices in converted residential buildings.

8 The Castro Street District controls are designed to maintain existing small-scale
9 development and promote a balanced mix of uses. Building standards permit small-scale
10 buildings and uses and protect rear yards above the ground story and at residential levels. In
11 new buildings, most commercial uses are permitted at the ground and second stories. Special
12 controls are necessary to preserve the existing equilibrium of neighborhood-serving
13 convenience and specialty commercial uses. In order to maintain convenience stores and
14 protect adjacent residential livability, controls prohibit additional eating and drinking
15 establishments and permit with certain limitations new late-night uses, adult and other
16 entertainment, and financial service uses. The continuous retail frontage is maintained by
17 prohibiting most automobile and drive-up uses.

18 Housing development in new buildings is encouraged above the second story. Existing
19 housing units are protected by limitations on demolitions and upper-story conversions.

20
21 **SEC. 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT**
22 **ZONING CONTROL TABLE**

23
24

Castro Street

No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
715.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250– 252, 260, 270, 271	40-X, 65B See Zoning Map
715.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 4,999 sq. ft.; C 5,000 sq. ft & above § 121.1
715.12	Rear Yard	§§ 130, 134, 136	Required at the second story and above and at all residential levels § 134(a) (e)
715.13	Street Frontage		Required § 145.1
715.14	Awning	§ 790.20	P § 136.1(a)
715.15	Canopy	§ 790.26	P § 136.1(b)
715.16	Marquee	§ 790.58	P § 136.1(c)
715.17	Street Trees		Required § 143
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
715.20	Floor Area Ratio	§§ 102.9, 102.11, 123	3.0 to 1 § 124(a) (b)
715.21	Use Size [Non-Residential]	§ 790.130	P to 1,999 sq. ft.; C 2,000 sq. ft. to 3,999 sq. ft.; NP 4,000 sq. ft. & above § 121.2

1	715.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153– 157, 159– 160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
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4				
5	715.23	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)
6				
7				
8	715.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
9				
10				
11	715.25	Drive-Up Facility	§ 790.30	
12	715.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
13				
14	715.27	Hours of Operation	§ 790.48	P 6 a.m.– 2 a.m.; C 2 a.m.– 6 a.m.
15				
16	715.30	General Advertising Sign	§§ 262, 602– 604, 608, 609	
17				
18	715.31	Business Sign	§§ 262, 602– 604, 608, 609	P # § 607.1(f)2
19				
20	715.32	Other Signs	§§ 262, 602– 604, 608, 609	P # § 607.1(c) (d) (g)
21				
22				

1 No. Zoning

2 Category §

3 References

4 Castro Street

5 Controls by Story

		§ 790.118	1st	2nd	3rd+
715.38	Residential Conversion	§ 790.84	P	C	
715.39	Residential Demolition	§ 790.86	P	C	C

10 **Retail Sales and Services**

715.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P	P	
715.41	Bar	§ 790.22			
715.42	Full-Service Restaurant	§ 790.92			
715.43	Large Fast Food Restaurant	§ 790.90	C #		
715.44	Small Self-Service Restaurant	§ 790.91			
715.45	Liquor Store	§ 790.55	C		
715.46	Movie Theater	§ 790.64	P		
715.47	Adult Entertainment	§ 790.36	C		

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715.48	Other Entertainment	§ 790.38	C #		
715.49	Financial Service	§ 790.110	C	C	
715.50	Limited Financial Service	§ 790.112	C		
715.51	Medical Service	§ 790.114	P	P	C
715.52	Personal Service	§ 790.116	P	P	C
715.53	Business or Professional Service	§ 790.108	P	P	C
715.54	Massage Establishment	§ 790.60, § 1900 Health Code	P	C	
715.55	Tourist Hotel	§ 790.46	C	C	C
715.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
715.57	Automotive Gas Station	§ 790.14			
715.58	Automotive Service Station	§ 790.17			
715.59	Automotive Repair	§ 790.15			
715.60	Automotive Wash	§ 790.18			
715.61	Automobile Sale or Rental	§ 790.12			
715.62	Animal Hospital	§ 790.6	C		
715.63	Ambulance Service	§ 790.2			

1	715.64	Mortuary	§ 790.62			
2	715.65	Trade Shop	§ 790.124	P	C	
3	715.66	Storage	§ 790.117			
4	715.67	Video Store	§ 790.135	C	C	
5	715.68	Fringe Financial Service	§ 790.111			
6						
7						
8	<u>715.69</u>	<u>Tobacco Paraphernalia</u>	<u>§ 790.123</u>	<u>C</u>		
9		<u>Establishments</u>				
10	Institutions and Non-Retail Sales and					
11	Services					
12	715.70	Administrative Service	§ 790.106			
13	715.80	Hospital or Medical	§ 790.44			
14		Center				
15						
16	715.81	Other Institutions, Large	§ 790.50	P	C	C
17	715.82	Other Institutions, Small	§ 790.51	P	P	P
18	715.83	Public Use	§ 790.80	C	C	C
19	715.84	Medical Cannabis	§ 790.141	P		
20		Dispensary				
21	RESIDENTIAL STANDARDS AND USES					
22						
23	715.90	Residential Use	§ 790.88	P	P	P
24	715.91	Residential Density,	§§ 207, 207.1,	Generally, 1 unit per 600 sq.		
25						

	Dwelling Units	790.88(a)	ft. lot area § 207.4		
715.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 210 sq. ft. lot area § 208		
715.93	Usable Open Space [Per Residential Unit]	§§ 135, 136	Generally, either 80 sq. ft. if private, or 100 sq. ft. if common § 135(d)		
715.94	Off-Street Parking, Residential	§§ 150, 153– 157, 159– 160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
715.95	Community Residential Parking	§ 790.10	C	C	C

**SPECIFIC PROVISIONS FOR CASTRO STREET NEIGHBORHOOD
COMMERCIAL DISTRICT**

Article 7 Code Section	Other Code Section	Zoning Controls
§ 715.31 § 715.32	§ 608.10	UPPER MARKET STREET SPECIAL SIGN DISTRICT
		Boundaries: Applicable only for the portions of the Castro Street NCD as mapped on Sectional Map SSD Controls: Special restrictions and limitations for signs

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§ 715.43		Boundaries: Applicable for the Castro Street NCD
		Controls: A large fast food restaurant may be permitted as a conditional use if in addition to the criteria set forth in § 303, the Commission finds that:
		(1) The large fast food restaurant will be located in an existing building that:
		(a) Is situated within the Castro Street NCD and adjacent to the Upper Market Street NCD, and
		(b) Straddles the intersection of Castro and Market Streets, where heavy pedestrian traffic already exists for the many retail businesses in the area, and the addition of a large fast food restaurant would not cause additional burdens to the street;
		(2) The large fast food restaurant will be located in a building jointly occupied by a nonprofit community group providing medical, cultural, social, or other community services to the Castro Street NCD;
		(3) The fast food restaurant will contribute substantially to the financial ability of the nonprofit community group's ability to locate and operate in that building by paying the nonprofit's rent and maintenance costs for the building for at least seven years and by making a one-time cash contribution of \$120,000 to an AIDS-related community group;
		(4) That portion of the building occupied by the community use shall be at least twice the floor area occupied by the large fast food restaurant; and

		<p>(5) No conditional use granted pursuant to this Section may exceed a period of 15 years unless a new conditional use application is filed and granted by the City Planning Commission or Board of Supervisors on appeal.</p>
<p>§ 715.48</p>		<p>Boundaries: Applicable for the Castro Street NCD. Controls: Existing bars in the Castro Street Neighborhood Commercial District will be allowed to apply for and receive a place of entertainment permit from the Entertainment Commission without obtaining conditional use authorization from the Planning Commission if they can demonstrate to the satisfaction of the Entertainment Commission that they have been in regular operation as an entertainment use prior to January 1, 2004; provided, however, that a conditional use is required (1) if an application for a conditional use for the entertainment use was filed with the Planning Department prior to the date this ordinance was introduced or (2) if a conditional use was denied within 12 months prior to the effective date of this ordinance.</p>

Section 10. The San Francisco Planning Code is hereby amended by amending Section 716.1, to read as follows:

SEC. 716.1. INNER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Inner Clement Street Commercial District is located on Clement Street between Arguello Boulevard and Funston Avenue in the eastern portion of the Richmond District of northwest San Francisco. The district provides a wide selection of convenience goods and

1 services for the residents of the Inner Richmond neighborhood. Inner Clement Street has one
2 of the greatest concentrations of restaurants of any commercial street in San Francisco,
3 drawing customers from throughout the City and region. There are also a significant number
4 of professional, realty, and business offices as well as financial institutions. The pleasant
5 pedestrian character of the district is derived directly from the intensely active retail frontage
6 on Clement Street.

7 The Inner Clement Street District controls are designed to promote development that is
8 consistent with its existing land use patterns and to maintain a harmony of uses that supports
9 the district's vitality. The building standards allow small-scale buildings and uses, protecting
10 rear yards above the ground story and at residential levels. In new development, most
11 commercial uses are permitted at the first two stories, although certain limitations apply to
12 uses at the second story. Special controls are necessary to preserve the equilibrium of
13 neighborhood-serving convenience and comparison shopping businesses and protect
14 adjacent residential livability. These controls prohibit additional financial service and limit
15 additional eating and drinking establishments, late-night commercial uses and ground-story
16 entertainment uses. In order to maintain the street's active retail frontage, controls also
17 prohibit most new automobile and drive-up uses.

18 Housing development is encouraged in new buildings above the ground story. Existing
19 residential units are protected by prohibitions on upper-story conversions and limitations on
20 demolitions.

21 **SEC. 716. INNER CLEMENT STREET NEIGHBORHOOD COMMERCIAL**
22 **DISTRICT ZONING CONTROL TABLE**

	Inner Clement Street
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No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
716.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250– 252, 260, 270, 271	40-X
716.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 4,999 sq. ft.; C 5,000 sq. ft. & above § 121.1
716.12	Rear Yard	§§ 130, 134, 136	Required at the second story and above and at all residential levels § 134(a) (e)
716.13	Street Frontage		Required § 145.1
716.14	Awning	§ 790.20	P § 136.1(a)
716.15	Canopy	§ 790.26	P § 136.1(b)
716.16	Marquee	§ 790.58	P § 136.1(c)
716.17	Street Trees		Required § 143
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
716.20	Floor Area Ratio	§§ 102.9, 102.11, 123	1.8 to 1 § 124(a) (b)
716.21	Use Size [Non-Residential]	§ 790.130	P up to 2,499 sq. ft.; C 2,500 sq. ft. & above §121.2

1	716.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153– 157, 159– 160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
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5	716.23	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)
6				
7				
8	716.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
9				
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11	716.25	Drive-Up Facility	§ 790.30	
12	716.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
13				
14	716.27	Hours of Operation	§ 790.48	P 6 a.m.– 2 a.m.; C 2 a.m.– 6 a.m.
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16	716.30	General Advertising Sign	§§ 262, 602– 604, 608, 609	
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18	716.31	Business Sign	§§ 262, 602– 604, 608, 609	P § 607.1(f)2
19				
20	716.32	Other Signs	§§ 262, 602– 604, 608, 609	P § 607.1(c) (d) (g)
21				
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1	No. Zoning
2	Category §
3	References

4 Inner Clement Street

5 Controls by Story

6		§ 790.118	1st	2nd	3rd+
7					
8	716.38	Residential Conversion	§ 790.84	P	
9	716.39	Residential Demolition	§ 790.86	P	C C

10 **Retail Sales and Services**

11	716.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P	C	
12						
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14	716.41	Bar	§ 790.22	C		
15						
16	716.42	Full-Service Restaurant	§ 790.92	C		
17						
18	716.43	Large Fast Food Restaurant	§ 790.90			
19						
20	716.44	Small Self-Service Restaurant	§ 790.91			
21						
22	716.45	Liquor Store	§ 790.55	C		
23						
24	716.46	Movie Theater	§ 790.64	P		
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	716.47	Adult Entertainment	§ 790.36			

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716.48	Other Entertainment	§ 790.38	C		
716.49	Financial Service	§ 790.110			
716.50	Limited Financial Service	§ 790.112	C		
716.51	Medical Service	§ 790.114	P	C	
716.52	Personal Service	§ 790.116	P	C	
716.53	Business or Professional Service	§ 790.108	P	C	
716.54	Massage Establishment	§ 790.60, § 1900 Health Code	C		
716.55	Tourist Hotel	§ 790.46	C	C	
716.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
716.57	Automotive Gas Station	§ 790.14			
716.58	Automotive Service Station	§ 790.17			
716.59	Automotive Repair	§ 790.15			
716.60	Automotive Wash	§ 790.18			
716.61	Automobile Sale or Rental	§ 790.12			
716.62	Animal Hospital	§ 790.6	C		
716.63	Ambulance Service	§ 790.2			

1	716.64	Mortuary	§ 790.62			
2	716.65	Trade Shop	§ 790.124	P	C	
3	716.66	Storage	§ 790.117			
4	716.67	Video Store	§ 790.135	C	C	
5	716.68	Fringe Financial Service	§ 790.111			
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7						
8	<u>716.69</u>	<u>Tobacco Paraphernalia</u>	<u>§ 790.123</u>	<u>C</u>		
9		<u>Establishments</u>				
10	Institutions and Non-Retail Sales and					
11	Services					
12	716.70	Administrative Service	§ 790.106			
13	716.80	Hospital or Medical	§ 790.44			
14		Center				
15						
16	716.81	Other Institutions, Large	§ 790.50	P	C	C
17	716.82	Other Institutions, Small	§ 790.51	P	P	P
18	716.83	Public Use	§ 790.80	C	C	C
19	716.84	Medical Cannabis	§ 790.141	P		
20		Dispensary				
21	RESIDENTIAL STANDARDS AND USES					
22						
23	716.90	Residential Use	§ 790.88	P	P	P
24	716.91	Residential Density,	§§ 207, 207.1,	Generally, 1 unit per 600 sq.		
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1		Dwelling Units	790.88(a)	ft. lot area § 207.4		
2	716.92	Residential Density,	§§ 207.1, 790.88	Generally, 1 bedroom per		
3		Group Housing	(b)	210 sq. ft. lot area § 208		
4	716.93	Usable Open Space [Per	§§ 135, 136	Generally, either 80 sq. ft if		
5		Residential Unit]		private, or 100 sq. ft. if		
6				common § 135 (d)		
7	716.94	Off-Street Parking,	§§ 150, 153–	Generally, 1 space for each		
8		Residential	157, 159– 160,	dwelling unit §§ 151, 161(a)		
9			204.5	(g)		
10	716.95	Community Residential	§ 790.10	C	C	C
11		Parking				

**SPECIFIC PROVISIONS FOR THE INNER CLEMENT STREET
NEIGHBORHOOD COMMERCIAL DISTRICT**

16	Article 7	Other	Zoning Controls
17	Code	Code	
18	Section	Section	
19	§ 716.41	§ 790.22	INNER CLEMENT STREET LIQUOR LICENSES FOR FULL-
20			SERVICE RESTAURANTS Boundaries: Applicable to the Inner
21			Clement Street Neighborhood Commercial District Controls: (a) In
22			order to allow certain restaurants to seek an ABC license type 47 so
23			that liquor may be served for drinking on the premises, a bar use, as
24			defined in § 790.22, may be permitted as a conditional use on the
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ground level if, in addition to the criteria set forth in Section 303, the Planning Commission finds that: (1) The bar function is operated as an integral element of an establishment which is classified both as: (A) a full-service restaurant as defined in §790.92 and (B) a bona-fide restaurant as defined in §781.8(c); and (2) The establishment maintains only an ABC license type 47. Other ABC license types, except those that are included within the definition of a full-service restaurant pursuant to §790.22, are not permitted for those uses subject to this Section. (b) Subsequent to the granting of a conditional use authorization under this Section, the Commission may consider immediate revocation of the previous conditional use authorization should an establishment no longer comply with any of the above criteria for any length of time.

§ 716.41	§ 790.22	<p>INNER CLEMENT STREET LIQUOR LICENSES FOR BARS</p> <p>Boundaries: Applicable to the Inner Clement Street Neighborhood Commercial District Controls: (a) In order to allow wine and/or beer bars to seek an ABC license type 42 so that wine and beer (but not hard spirits) may be served for drinking on the premises, a bar use, as defined in §790.22, may be permitted as a conditional use on the ground level if, in addition to the criteria set forth in Section 303, the Planning Commission finds that: (1) The bar function is operated as a wine and beer bar with an ABC license type 42, which may include incidental food services; and (2) The establishment maintains only an ABC license type 42 and/or an ABC license type 20 permitting off-</p>
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		<p>premises sales of wine and beer. Other ABC license types, except those that are included within the definition of a full-service restaurant pursuant to §790.22, are not permitted for those uses subject to this Section. (b) Subsequent to the granting of a conditional use authorization under this Section, the Commission may consider immediate revocation of the previous conditional use authorization should an establishment no longer comply with any of the above criteria for any length of time.</p>
<p>§716.41 and 716.42</p>	<p>§790.92 and 790.22</p>	<p>INNER CLEMENT STREET FULL-SERVICE RESTAURANTS AND BARS Boundaries: Applicable to the Inner Clement Street Neighborhood Commercial District Controls: A full-service restaurant or a bar may be permitted as a conditional use on the ground level if, in addition to the criteria set forth in Section 303, the Planning Commission has approved no more than a total of three (3) full-service restaurants or bars in accordance with this Section. Should a full-service restaurant or bar permitted under this Section cease operation and complete a lawful change of use to another principally or conditionally permitted use, the Commission may consider a new full-service restaurant or bar in accordance with the terms of this Section.</p>

Section 11. The San Francisco Planning Code is hereby amended by amending Section 717.1, to read as follows:

SEC. 717.1. OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

1 The Outer Clement Street Neighborhood Commercial District is located on Clement
2 Street between 19th Avenue and 27th Avenue in the western portion of the Richmond District.
3 The shopping area contains small-scale convenience businesses, as well as many
4 restaurants and a movie theater. The district's restaurants serve a neighborhood and Citywide
5 clientele during the evening hours, while convenience shopping uses cater for the most part to
6 daytime neighborhood shoppers. Outer Clement Street contains many mixed-use buildings
7 with some fully commercial and fully residential buildings interspersed between them.

8 The Outer Clement Street District controls are designed to promote development that is
9 in keeping with the district's existing small-scale, mixed-use character. The building standards
10 monitor large-scale development and protect rear yards at all levels. Future commercial
11 growth is directed to the ground story in order to promote more continuous and active retail
12 frontage. Additional eating and drinking establishments are prohibited, while ground-story
13 entertainment and financial service uses are monitored in order to limit the problems of traffic,
14 congestion, noise and late-night activity associated with such uses and to protect existing
15 neighborhood-serving businesses. Other controls restricting late-night activity, hotels,
16 automobile uses, and drive-up facilities are designed to preserve the low-intensity character of
17 the district.

18 Housing development in new buildings is encouraged above the ground story. Existing
19 residential units are protected by prohibitions of upper-story conversions and limitations on
20 demolitions.

21 **SEC. 717. OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL**
22 **DISTRICT ZONING CONTROL TABLE**
23

24	Outer Clement Street
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No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
717.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250– 252, 260, 270, 271	40-X
717.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 4,999 sq. ft. C 5,000 sq. ft. & above § 121.1
717.12	Rear Yard	§§ 130, 134, 136	Required at grade level and above § 134(a) (e)
717.13	Street Frontage		Required § 145.1
717.14	Awning	§ 790.20	P § 136.1(a)
717.15	Canopy	§ 790.26	P § 136.1(b)
717.16	Marquee	§ 790.58	P § 136.1(c)
717.17	Street Trees		Required § 143
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
717.20	Floor Area Ratio	§§ 102.9, 102.11, 123	1.8 to 1 § 124(a) (b)
717.21	Use Size [Non-Residential]	§ 790.130	P up to 2,499 sq. ft.; C 2,500 sq. ft. & above § 121.2
717.22	Off-Street Parking,	§§ 150, 153– 157,	Generally, none required if

1		Commercial/Institutional	159– 160, 204.5	occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
2				
3				
4	717.23	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)
5				
6				
7	717.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
8				
9				
10	717.25	Drive-Up Facility	§ 790.30	
11	717.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
12				
13	717.27	Hours of Operation	§ 790.48	P 6 a.m.– 11 p.m.; C 11 p.m.– 2 a.m.
14				
15	717.30	General Advertising Sign	§§ 262, 602– 604, 608, 609	
16				
17	717.31	Business Sign	§§ 262, 602– 604, 608, 609	P § 607.1(f) 2
18				
19	717.32	Other Signs	§§ 262, 602– 604, 608, 609	P § 607.1(c) (d) (g)
20				
21				

No. Zoning

1 Category §
 2 References

3 Outer Clement Street

4 Controls by Story

		§ 790.118	1st	2nd	3rd+
7	717.38 Residential Conversion	§ 790.84	P		
8	717.39 Residential Demolition	§ 790.86	P	C	C
9	Retail Sales and Services				
10	717.40 Other Retail Sales and Services [Not Listed Below]	§ 790.102	P		
13	717.41 Bar	§ 790.22			
15	717.42 Full-Service Restaurant	§ 790.92			
16	717.43 Large Fast Food Restaurant	§ 790.90			
18	717.44 Small Self-Service Restaurant	§ 790.91			
20	717.45 Liquor Store	§ 790.55	C		
21	717.46 Movie Theater	§ 790.64	P		
22	717.47 Adult Entertainment	§ 790.36			
23	717.48 Other Entertainment	§ 790.38	C		

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717.49	Financial Service	§ 790.110	C		
717.50	Limited Financial Service	§ 790.112	C		
717.51	Medical Service	§ 790.114	P		
717.52	Personal Service	§ 790.116	P		
717.53	Business or Professional Service	§ 790.108	P		
717.54	Massage Establishment	§ 790.60, § 1900 Health Code			
717.55	Tourist Hotel	§ 790.46			
717.56	Automobile Parking	§§ 790.8, 156, 160	C	C	
717.57	Automotive Gas Station	§ 790.14			
717.58	Automotive Service Station	§ 790.17			
717.59	Automotive Repair	§ 790.15			
717.60	Automotive Wash	§ 790.18			
717.61	Automobile Sale or Rental	§ 790.12			
717.62	Animal Hospital	§ 790.6	C		
717.63	Ambulance Service	§ 790.2			
717.64	Mortuary	§ 790.62			

1	717.65	Trade Shop	§ 790.124	P		
2	717.66	Storage	§ 790.117			
3	717.67	Video Store	§ 790.135	C	C	
4	717.68	Fringe Financial Service	§ 790.111			
5						
6						
7	<u>717.69</u>	<u>Tobacco Paraphernalia</u>	<u>§ 790.123</u>	<u>C</u>		
8		<u>Establishments</u>				
9	Institutions and Non-Retail Sales and					
10	Services					
11	717.70	Administrative Service	§ 790.106			
12	717.80	Hospital or Medical	§ 790.44			
13		Center				
14	717.81	Other Institutions, Large	§ 790.50	P	C	C
15	717.82	Other Institutions, Small	§ 790.51	P	P	P
16	717.83	Public Use	§ 790.80	C	C	C
17	717.84	Medical Cannabis	§ 790.141	P		
18		Dispensary				
19						
20	RESIDENTIAL STANDARDS AND USES					
21	717.90	Residential Use	§ 790.88	P	P	P
22	717.91	Residential Density,	§§ 207, 207.1,	Generally, 1 unit per 600 sq.		
23		Dwelling Units	790.88(a)	ft. lot area § 207.4		
24						
25						

1	717.92	Residential Density, Group Housing	§§ 207.1, 790.88 (b)	Generally, 1 bedroom per 210 sq. ft. lot area § 208		
2						
3	717.93	Usable Open Space [Per Residential Unit]	§§ 135, 136	Generally, either 80 sq. ft. if private, or 100 sq. ft. if common § 135(d)		
4						
5						
6	717.94	Off-Street Parking, Residential	§§ 150, 153– 157, 159– 160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
7						
8						
9						
10	717.95	Community Residential Parking	§ 790.10	C	C	C
11						

12
13 Section 12. The San Francisco Planning Code is hereby amended by amending
14 Section 718.1, to read as follows:

15 SEC. 718.1. UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL
16 DISTRICT.

17 The Upper Fillmore Street Neighborhood Commercial District is situated in the south-
18 central portion of Pacific Heights. It runs north-south along Fillmore Street from Jackson to
19 Bush and extends west one block along California and Pine Streets. This medium-scaled,
20 multi-purpose commercial district provides convenience goods to its immediate neighborhood
21 as well as comparison shopping goods and services on a specialized basis to a wider trade
22 area. Commercial businesses are active during both day and evening and include a number
23 of bars, restaurants, specialty groceries, and specialty clothing stores.

1 The Upper Fillmore District controls are designed to protect the existing building scale
 2 and promote new mixed-use development which is in character with adjacent buildings.
 3 Building standards regulate large lot and use development and protect rear yards above the
 4 ground story and at residential levels. Most commercial uses are permitted at the first two
 5 stories of new buildings. Special controls are designed to preserve the existing equilibrium of
 6 neighborhood-serving convenience and specialty commercial uses. In order to maintain
 7 convenience stores and protect adjacent livability, additional eating and drinking
 8 establishments are prohibited and ground-story entertainment and financial service uses are
 9 limited. In order to promote continuous retail frontage, drive-up and most automobile uses are
 10 prohibited.

11 Housing development in new buildings is encouraged above the second story. Existing
 12 residential units are protected by limitations on demolitions and upper-story conversions.

13 **SEC. 718. UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL**
 14 **DISTRICT ZONING CONTROL TABLE**

			Upper Fillmore Street
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
718.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250– 252, 260, 270, 271	40-X
718.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 4,999 sq. ft.; C 5,000 sq. ft. & above § 121.1

1	718.12	Rear Yard	§§ 130, 134, 136	Required at the second story and above and at all residential levels § 134(a) (e)
2				
3				
4	718.13	Street Frontage		Required § 145.1
5	718.14	Awning	§ 790.20	P § 136.1(a)
6	718.15	Canopy	§ 790.26	P § 136.1(b)
7	718.16	Marquee	§ 790.58	P § 136.1(c)
8	718.17	Street Trees		Required § 143
9				
10	COMMERCIAL AND INSTITUTIONAL			
11	STANDARDS AND USES			
12	718.20	Floor Area Ratio	§§ 102.9, 102.11, 123	2.5 to 1 § 124(a) (b)
13				
14	718.21	Use Size [Non-Residential]	§ 790.130	P up to 2,499 sq. ft.; C 2,500 sq. ft. & above § 121.2
15				
16	718.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153– 157, 159– 160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
17				
18	718.23	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)
19				
20	718.24	Outdoor Activity Area	§ 790.70	P if located in front; C if
21				
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23				
24				
25				

			located elsewhere § 145.2(a)
718.25	Drive-Up Facility	§ 790.30	
718.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
718.27	Hours of Operation	§ 790.48	P 6 a.m.– 2 a.m.; C 2 a.m.– 6 a.m.
718.30	General Advertising Sign	§§ 262, 602– 604, 608, 609	
718.31	Business Sign	§§ 262, 602– 604, 608, 609	P § 607.1(f) 2
718.32	Other Signs	§§ 262, 602– 604, 608, 609	P § 607.1(c) (d) (g)

No. Zoning
Category §
References

Upper Fillmore Street
Controls by Story

		§ 790.118	1st	2nd	3rd+
718.38	Residential Conversion	§ 790.84	P	C	

1	718.39	Residential Demolition	§ 790.86	P	C	C
2	Retail Sales and Services					
3	718.40	Other Retail Sales and	§ 790.102	P	P	
4		Services [Not Listed				
5		Below]				
6						
7	718.41	Bar	§ 790.22			
8	718.42	Full-Service Restaurant	§ 790.92			
9	718.43	Large Fast Food	§ 790.90			
10		Restaurant				
11	718.44	Small Self-Service	§ 790.91			
12		Restaurant				
13	718.45	Liquor Store	§ 790.55	C		
14	718.46	Movie Theater	§ 790.64	P		
15						
16	718.47	Adult Entertainment	§ 790.36			
17	718.48	Other Entertainment	§ 790.38	C		
18	718.49	Financial Service	§ 790.110	C		
19	718.50	Limited Financial Service	§ 790.112	C		
20						
21	718.51	Medical Service	§ 790.114	P	P	
22	718.52	Personal Service	§ 790.116	P	P	
23	718.53	Business or Professional	§ 790.108	P	P	
24		Service				
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718.54	Massage Establishment	§ 790.60, § 1900 Health Code	C		
718.55	Tourist Hotel	§ 790.46	C	C	C
718.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
718.57	Automotive Gas Station	§ 790.14			
718.58	Automotive Service Station	§ 790.17			
718.59	Automotive Repair	§ 790.15			
718.60	Automotive Wash	§ 790.18			
718.61	Automobile Sale or Rental	§ 790.12			
718.62	Animal Hospital	§ 790.6	C		
718.63	Ambulance Service	§ 790.2			
718.64	Mortuary	§ 790.62			
718.65	Trade Shop	§ 790.124	P		
718.66	Storage	§ 790.117			
718.67	Video Store	§ 790.135	C	C	
718.68	Fringe Financial Service	§ 790.111			
<u>718.69</u>	<u>Tobacco Paraphernalia</u>	<u>§ 790.123</u>	<u>C</u>		

	<i>Establishments</i>				
	Institutions and Non-Retail Sales and Services				
718.70	Administrative Service	§ 790.106			
718.80	Hospital or Medical Center	§ 790.44			
718.81	Other Institutions, Large	§ 790.50	P	C	C
718.82	Other Institutions, Small	§ 790.51	P	P	P
718.83	Public Use	§ 790.80	C	C	C
718.84	Medical Cannabis Dispensary	§ 790.141	P		
	RESIDENTIAL STANDARDS AND USES				
718.90	Residential Use	§ 790.88	P	P	P
718.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 600 sq. ft. lot area § 207.4		
718.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 210 sq. ft. lot area § 208		
718.93	Usable Open Space [Per Residential Unit]	§§ 135, 136	Generally, either 80 sq. ft. if private, or 100 sq. ft. if common § 135(d)		
718.94	Off-Street Parking,	§§ 150, 153–	Generally, 1 space for each		

1		Residential	157, 159– 160,	dwelling unit §§ 151, 161(a)		
2			204.5	(g)		
3	718.95	Community Residential	§ 790.10	C	C	C
4		Parking				

5
6 Section 13. The San Francisco Planning Code is hereby amended by amending
7 Section 719.1, to read as follows:

8 SEC. 719.1. HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

9 Northwest of the City's geographical center, the Haight Street Neighborhood
10 Commercial District is located in the Haight-Ashbury neighborhood, extending along Haight
11 Street between Stanyan and Central Avenue, including a portion of Stanyan Street between
12 Haight and Beulah. The shopping area provides convenience goods and services to local
13 Haight-Ashbury residents, as well as comparison shopping goods and services to a larger
14 market area. The commercial district is also frequented by users of Golden Gate Park on
15 weekends and by City residents for its eating, drinking, and entertainment places. Numerous
16 housing units establish the district's mixed residential-commercial character.

17 The Haight Street District controls are designed to protect the existing building scale
18 and promote new mixed-use development which is in character with adjacent buildings. The
19 building standards regulate large-lot and use development and protect rear yards above the
20 ground story and at residential levels. To promote the prevailing mixed-use character, most
21 commercial uses are directed primarily to the ground story with some upper-story restrictions
22 in new buildings. In order to maintain the balanced mix and variety of neighborhood-serving
23 commercial uses and regulate the more intensive commercial uses which can generate
24 congestion and nuisance problems, special controls prohibit additional eating and drinking
25

1 uses, restrict expansion and intensification of existing eating and drinking establishments, and
 2 limit entertainment and tourist hotels. Prohibitions of most automobile and drive-up uses
 3 protect the district's continuous retail frontage.

4 Housing development in new buildings is encouraged above the ground story. Existing
 5 residential units are protected by prohibition of upper-story conversions and limitations on
 6 demolitions.

7 **SEC. 719. HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT**
 8 **ZONING CONTROL TABLE**
 9

			Haight Street
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
719.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250– 252, 260, 270, 271	40-X
719.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 4,999 sq. ft.; C 5,000 sq. ft. & above § 121.1
719.12	Rear Yard	§§ 130, 134, 136	Required at grade level and above § 134(a) (e)
719.13	Street Frontage		Required § 145.1
719.14	Awning	§ 790.20	P § 136.1(a)
719.15	Canopy	§ 790.26	P § 136.1(b)

1	719.16	Marquee	§ 790.58	P § 136.1(c)
2	719.17	Street Trees		Required § 143
3	COMMERCIAL AND INSTITUTIONAL			
4	STANDARDS AND USES			
5	719.20	Floor Area Ratio	§§ 102.9, 102.11, 123	1.8 to 1 § 124(a) (b)
6				
7				
8	719.21	Use Size [Non-Residential]	§ 790.130	P up to 2,499 sq. ft.; C 2,500 sq. ft. & above § 121.2
9				
10	719.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153– 157, 159– 160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
11				
12				
13				
14	719.23	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)
15				
16				
17	719.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
18				
19				
20	719.25	Drive-Up Facility	§ 790.30	
21	719.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
22				
23	719.27	Hours of Operation	§ 790.48	P 6 a.m.– 2 a.m.; C 2 a.m.– 6 a.m.
24				
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1	719.30	General Advertising Sign	§§ 262, 602– 604, 608, 609	
2				
3	719.31	Business Sign	§§ 262, 602– 604, 608, 609	P § 607.1(f)2
4				
5	719.32	Other Signs	§§ 262, 602– 604, 608, 609	P § 607.1(c) (d) (g)
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10	No. Zoning
11	Category §
12	References

13	Haight Street
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14	Controls by Story
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15		§ 790.118	1st	2nd	3rd+
16	719.38	Residential Conversion	§ 790.84	P	
17					
18	719.39	Residential Demolition	§ 790.86	P	C C

19	Retail Sales and Services				
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20	719.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P#	C#	#
21						
22						
23	719.41	Bar	§ 790.22	#	#	#
24						
25						

1	719.42	Full-Service Restaurant	§ 790.92	#	#	#
2	719.43	Large Fast Food	§ 790.90	#	#	#
3		Restaurant				
4	719.44	Small Self-Service	§ 790.91	#	#	#
5		Restaurant				
6						
7	719.45	Liquor Store	§ 790.55			
8	719.46	Movie Theater	§ 790.64	P		
9	719.47	Adult Entertainment	§ 790.36			
10	719.48	Other Entertainment	§ 790.38	C		
11	719.49	Financial Service	§ 790.110	P		
12						
13	719.50	Limited Financial Service	§ 790.112	P		
14	719.51	Medical Service	§ 790.114		C	
15	719.52	Personal Service	§ 790.116	P	C	
16	719.53	Business or Professional	§ 790.108	P	C	
17		Service				
18	719.54	Massage Establishment	§ 790.60, § 1900	C		
19			Health Code			
20						
21	719.55	Tourist Hotel	§ 790.46	C	C	
22	719.56	Automobile Parking	§§ 790.8, 156,	C	C	C
23			160			
24	719.57	Automotive Gas Station	§ 790.14			
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719.58	Automotive Service Station	§ 790.17			
719.59	Automotive Repair	§ 790.15	C		
719.60	Automotive Wash	§ 790.18			
719.61	Automobile Sale or Rental	§ 790.12			
719.62	Animal Hospital	§ 790.6	C		
719.63	Ambulance Service	§ 790.2			
719.64	Mortuary	§ 790.62			
719.65	Trade Shop	§ 790.124	P		
719.66	Storage	§ 790.117			
719.67	Video Store	§ 790.135	C	C	
719.68	Fringe Financial Service	§ 790.111	#	#	#
<u>719.69</u>	<u>Tobacco Paraphernalia Establishments</u>	<u>§ 790.123</u>	<u>C</u>		
Institutions and Non-Retail Sales and Services					
719.70	Administrative Service	§ 790.106			
719.80	Hospital or Medical Center	§ 790.44			

1	719.81	Other Institutions, Large	§ 790.50	P	C	C
2	719.82	Other Institutions, Small	§ 790.51	P	P	P
3	719.83	Public Use	§ 790.80	C	C	C
4	719.84	Medical Cannabis Dispensary	§ 790.141	P		
5	RESIDENTIAL STANDARDS AND USES					
6	719.90	Residential Use	§ 790.88	P	P	P
7	719.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 600 sq. ft. lot area – § 207.4		
8	719.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 210 sq. ft. lot area – § 208		
9	719.93	Usable Open Space [Per Residential Unit]	§§ 135, 136	Generally, either 80 sq. ft. if private, or 100 sq. ft. if common § 135(d)		
10	719.94	Off-Street Parking, Residential	§§ 150, 153– 157, 159– 160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
11	719.95	Community Residential Parking	§ 790.10	C	C	C

SPECIFIC PROVISIONS FOR THE HAIGHT STREET DISTRICT

Article 7 Code	Other	Zoning Controls
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Section	Code Section	
§ 719.40 § 719.41 § 719.42 § 719.43 § 719.44	§ 781.9	Boundaries: The entire Haight Street Neighborhood Commercial District. Controls: Retail establishments selling off-sale or on-sale alcoholic beverages are not permitted pursuant to Section 781.9.
§ 719.68	§ 249.35	FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD) Boundaries: The FFSRUD includes, but is not limited to, the Haight Street Neighborhood Commercial District. Controls: Fringe financial services are NP pursuant to Section 249.35.

Section 14. The San Francisco Planning Code is hereby amended by amending Section 720.1, to read as follows:

SEC. 720.1. HAYES-GOUGH NEIGHBORHOOD COMMERCIAL DISTRICT.

The Hayes-Gough Neighborhood Commercial District is located within walking distance of the Civic Center, lying west of Franklin Street and east of Laguna Street, with its southern tip resting at Lily Street. This mixed-use commercial district contains a limited range of retail commercial activity, which primarily caters to the immediate needs of the neighborhood. The few comparison goods that it does provide attract clientele from a wider area outside its neighborhood, mostly the Performing Arts and Civic Center workers and visitors. There are a number of restaurants and art galleries, but other types of retail activity are limited.

1 The Hayes-Gough District controls are designed to allow for growth and expansion that
 2 is compatible with the existing building and use scales. Building standards protect the
 3 moderate building and use size and require rear yards at residential levels. To maintain the
 4 mixed-use character of the district, most commercial uses are permitted at the first and
 5 second stories and housing is strongly encouraged at the third story and above. In order to
 6 encourage lively pedestrian-oriented commercial activity, but restrict certain sensitive and
 7 problematic uses, eating and drinking, and entertainment uses are directed to the ground
 8 story. Retail sales activity, especially neighborhood-serving businesses, is further promoted
 9 by restricting new ground-story medical, business and professional offices. To protect
 10 continuous frontage, drive-up and most automobile uses are prohibited.

11 Housing development in new buildings is encouraged above the second story. Existing
 12 residential units are protected by limitations on demolitions and upper-story conversions.

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

			Hayes-Gough
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
720.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250– 252, 260, 270, 271	50-X, 65-A See Zoning Map
720.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 9,999 sq. ft.; C 10,000 sq. ft. & above § 121.1

1	720.12	Rear Yard	§§ 130, 134, 136	Required at residential levels only § 134(a) (e)
2				
3	720.13	Street Frontage		Required § 145.1
4	720.14	Awning	§ 790.20	P § 136.1(a)
5	720.15	Canopy	§ 790.26	P § 136.1(b)
6	720.16	Marquee	§ 790.58	P § 136.1(c)
7	720.17	Street Trees		Required § 143
8				
9		COMMERCIAL AND INSTITUTIONAL		
10		STANDARDS AND USES		
11	720.20	Floor Area Ratio	§§ 102.9, 102.11, 123	3.0 to 1 § 124(a) (b)
12				
13	720.21	Use Size [Non-Residential]	§ 790.130	P up to 2,999 sq. ft.; C 3,000 sq. ft. & above § 121.2
14				
15	720.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153– 157, 159– 160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
16				
17				
18				
19				
20	720.23	Off-Street Freight Loading	§§ 150, 153– 155, 204.5	Generally, none required if gross floor is less than 10,000 sq. ft. §§ 152, 161(b)
21				
22				
23	720.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
24				
25				

1	720.25	Drive-Up Facility	§ 790.30	
2	720.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
3				
4	720.27	Hours of Operation	§ 790.48	P 6 a.m.– 2 a.m. C 2 a.m.– 6 a.m.
5				
6	720.30	General Advertising Sign	§§ 262, 602– 604, 608, 609	
7				
8	720.31	Business Sign	§§ 262, 602– 604, 608, 609	P § 607.1(f)2
9				
10	720.32	Other Signs	§§ 262, 602– 604, 608, 609	P # § 607.1(c) (d) (g)
11				
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15 No. Zoning
16 Category §
17 References

18
19 Hayes-Gough
20 Controls by Story

21			§ 790.118	1st	2nd	3rd+
22	720.38	Residential Conversion	§ 790.84	P	C	
23	720.39	Residential Demolition	§ 790.86	P	C	C
24						
25						

1	Retail Sales and Services					
2	720.40	Other Retail Sales and	§ 790.102	P	P	
3		Services [Not Listed				
4		Below]				
5	720.41	Bar	§ 790.22	P		
6	720.42	Full-Service Restaurant	§ 790.92	P		
7	720.43	Large Fast Food	§ 790.90	C		
8		Restaurant				
9	720.44	Small Self-Service	§ 790.91	P		
10		Restaurant				
11	720.45	Liquor Store	§ 790.55	C		
12	720.46	Movie Theater	§ 790.64	P		
13	720.47	Adult Entertainment	§ 790.36			
14	720.48	Other Entertainment	§ 790.38	C		
15	720.49	Financial Service	§ 790.110	P	C	
16	720.50	Limited Financial Service	§ 790.112	P		
17	720.51	Medical Service	§ 790.114	C	P	C
18	720.52	Personal Service	§ 790.116	P	P	C
19	720.53	Business or Professional	§ 790.108	C	P	C
20		Service				
21	720.54	Massage Establishment	§ 790.60, § 1900	C		
22						
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		Health Code			
720.55	Tourist Hotel	§ 790.46	C	C	C
720.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
720.57	Automotive Gas Station	§ 790.14			
720.58	Automotive Service Station	§ 790.17			
720.59	Automotive Repair	§ 790.15			
720.60	Automotive Wash	§ 790.18			
720.61	Automobile Sale or Rental	§ 790.12			
720.62	Animal Hospital	§ 790.6	C		
720.63	Ambulance Service	§ 790.2			
720.64	Mortuary	§ 790.62			
720.65	Trade Shop	§ 790.124	P	C	
720.66	Storage	§ 790.117			
720.67	Video Store	§ 790.135	C	C	
720.68	Fringe Financial Service	§ 790.111	P#		
<u>720.69</u>	<u>Tobacco Paraphernalia</u> <u>Establishments</u>	<u>§ 790.123</u>	<u>C</u>		

1	Institutions and Non-Retail Sales and					
2	Services					
3	720.70	Administrative Service	§ 790.106			
4	720.80	Hospital or Medical	§ 790.44			
5		Center				
6	720.81	Other Institutions, Large	§ 790.50	P	C	C
7	720.82	Other Institutions, Small	§ 790.51	P	P	P
8	720.83	Public Use	§ 790.80	C	C	C
9	720.84	Medical Cannabis	§ 790.141	P		
10		Dispensary				
11	RESIDENTIAL STANDARDS AND USES					
12	720.90	Residential Use	§ 790.88	P	P	P
13	720.91	Residential Density,	§§ 207, 207.1,	Generally, 1 unit per 400 sq.		
14		Dwelling Units	790.88(a)	ft. lot area § 207.4		
15	720.92	Residential Density,	§§ 207.1,	Generally, 1 bedroom per		
16		Group Housing	790.88(b)	140 sq. ft. lot area § 208		
17	720.93	Usable Open Space [Per	§§ 135, 136	Generally, either 60 sq. ft. if		
18		Residential Unit]		private, or 80 sq. ft. if		
19				common § 135(d)		
20	720.94	Off-Street Parking,	§§ 150, 153–	Generally, 1 space for each		
21		Residential	157, 159– 160,	dwelling unit §§ 151, 161(a)		
22			204.5	(g)		

720.95	Community Residential Parking	§ 790.10	C	C	C
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SPECIFIC PROVISIONS FOR THE HAYES-GOUGH DISTRICT

Article 7 Code Section	Other Code Section	Zoning Controls
720.68	§ 249.35	Fringe financial services are P subject to the restrictions set forth in Section 249.35, including, but not limited to, the proximity restrictions set forth in Subsection 249.35(c)(3).

Section 15. The San Francisco Planning Code is hereby amended by amending Section 721.1, to read as follows:

SEC. 721.1. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Upper Market Street Neighborhood Commercial District, on Market Street from Church to Castro, and on side streets off Market, is situated at the border of the Eureka Valley, Buena Vista, and Duboce Triangle neighborhoods. Upper Market Street is a multi-purpose commercial district that provides limited convenience goods to adjacent neighborhoods, but also serves as a shopping street for a broader trade area. A large number of offices are located on Market Street within easy transit access to downtown. The width of Market Street and its use as a major arterial diminish the perception of the Upper Market Street District as a single commercial district. The street appears as a collection of dispersed centers of commercial activity, concentrated at the intersections of Market Street with secondary streets.

1 The Upper Market Street district controls are designed to promote moderate-scale
 2 development which contributes to the definition of Market Street's design and character. They
 3 are also intended to preserve the existing mix of commercial uses and maintain the livability of
 4 the district and its surrounding residential areas. Large-lot and use development is reviewed
 5 for consistency with existing development patterns. Rear yards are protected at residential
 6 levels. To promote mixed-use buildings, most commercial uses are permitted with some
 7 limitations above the second story. In order to maintain continuous retail frontage and
 8 preserve a balanced mix of commercial uses, ground-story neighborhood-serving uses are
 9 encouraged, and eating and drinking, entertainment, and financial service uses are limited.
 10 Continuous frontage is promoted by prohibitions of most automobile and drive-up uses.

11 Housing development in new buildings is encouraged above the second story. Existing
 12 upper-story residential units are protected by limitations on demolitions and upper-story
 13 conversions.

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

			Upper Market Street
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
721.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250– 252, 260, 270, 271	40-X, 50-X, 65-B, 80-B See Zoning Map
721.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 9,999 sq. ft. C 10,000

			sq. ft. & above § 121.1
721.12	Rear Yard	§§ 130, 134, 136	Required at residential levels only § 134(a) (e)
721.13	Street Frontage		Required § 145.1
721.14	Awning	§ 790.20	P § 136.1(a)
721.15	Canopy	§ 790.26	P § 136.1(b)
721.16	Marquee	§ 790.58	P § 136.1(c)
721.17	Street Trees		Required § 143
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
721.20	Floor Area Ratio	§§ 102.9, 102.11, 123	3.0 to 1 § 124(a) (b)
721.21	Use Size [Non-Residential]	§ 790.130	P up to 2,999 sq. ft.; C 3,000 sq. ft. & above § 121.2
721.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153– 157, 159– 160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
721.23	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)
721.24	Outdoor Activity Area	§ 790.70	P if located in front; C if

			located elsewhere § 145.2(a)
721.25	Drive-Up Facility	§ 790.30	
721.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
721.27	Hours of Operation	§ 790.48	P 6 a.m.– 2 a.m. C 2 a.m.– 6 a.m.
721.30	General Advertising Sign	§§ 262, 602– 604, 608, 609	
721.31	Business Sign	§§ 262, 602– 604, 608, 609	P # § 607.1(f)2
721.32	Other Signs	§§ 262, 602– 604, 608, 609	P # § 607.1(c) (d) (g)

No. Zoning
Category §
References

Upper Market Street

Controls by Story

		§ 790.118	1st	2nd	3rd+
721.38	Residential Conversion	§ 790.84	P	C	

1	721.39	Residential Demolition	§ 790.86	P	C	C
2	Retail Sales and Services					
3	721.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P	P	
4						
5						
6	721.41	Bar	§ 790.22	C		
7						
8	721.42	Full-Service Restaurant	§ 790.92	C		
9	721.43	Large Fast Food Restaurant	§ 790.90			
10						
11	721.44	Small Self-Service Restaurant	§ 790.91	C		
12						
13	721.45	Liquor Store	§ 790.55	C		
14						
15	721.46	Movie Theater	§ 790.64	P		
16	721.47	Adult Entertainment	§ 790.36			
17	721.48	Other Entertainment	§ 790.38	C#		
18	721.49	Financial Service	§ 790.110	C	C	
19	721.50	Limited Financial Service	§ 790.112	P		
20						
21	721.51	Medical Service	§ 790.114	P	P	C
22	721.52	Personal Service	§ 790.116	P	P	C
23	721.53	Business or	§ 790.108	P	P	C
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	Professional Service				
721.54	Massage Establishment	§ 790.60, § 1900 Health Code	C	C	
721.55	Tourist Hotel	§ 790.46	C	C	C
721.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
721.57	Automotive Gas Station	§ 790.14			
721.58	Automotive Service Station	§ 790.17			
721.59	Automotive Repair	§ 790.15	C		
721.60	Automotive Wash	§ 790.18			
721.61	Automobile Sale or Rental	§ 790.12			
721.62	Animal Hospital	§ 790.6	C		
721.63	Ambulance Service	§ 790.2			
721.64	Mortuary	§ 790.62			
721.65	Trade Shop	§ 790.124	P	C	
721.66	Storage	§ 790.117			
721.67	Video Store	§ 790.135	C	C	
721.68	Fringe Financial Service	§ 790.111			

1	<u>721.69</u>	<u>Tobacco Paraphernalia</u>	<u>§ 790.23</u>	<u>C</u>		
2		<u>Establishments</u>				
3	Institutions and Non-Retail Sales and					
4	Services					
5	721.70	Administrative Service	§ 790.106			
6	721.80	Hospital or Medical	§ 790.44			
7		Center				
8						
9	721.81	Other Institutions, Large	§ 790.50	P	C	C
10	721.82	Other Institutions, Small	§ 790.51	P	P	P
11	721.83	Public Use	§ 790.80	C	C	C
12	721.84	Medical Cannabis	§ 790.141	P		
13		Dispensary				
14						
15	RESIDENTIAL STANDARDS AND USES					
16	721.90	Residential Use	§ 790.88	P	P	P
17	721.91	Residential Density,	§§ 207, 207.1,	Generally, 1 unit per 400 sq. ft.		
18		Dwelling Units	790.88(a)	lot area § 207.4		
19	721.92	Residential Density,	§§ 207.1,	Generally, 1 bedroom per 140		
20		Group Housing	790.88(b)	sq. ft. lot area § 208		
21	721.93	Usable Open Space	§§ 135, 136	Generally, either 60 sq. ft. if		
22		[Per Residential Unit]		private, or 80 sq. ft. if common		
23				135(d)		
24						
25						

721.94	Off-Street Parking, Residential	§§ 150, 153– 157, 159– 160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
721.95	Community Residential Parking	§ 790.10	C	C	C

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

Article 7 Code Section	Other Code Section	Zoning Controls
§ 721.31 § 721.32	§ 608.10	UPPER MARKET STREET SPECIAL SIGN DISTRICT Boundaries: Applicable only for the portions of the Upper Market Street NCD as mapped on Sectional Map SSD Controls: Special restrictions and limitations for signs
§ 721.48		Boundaries: Applicable for the Upper Market Street NCD. Controls: Existing bars in the Upper Market Street Neighborhood Commercial District will be allowed to apply for and receive a place of entertainment permit from the Entertainment Commission without obtaining conditional use authorization from the Planning Commission if they can demonstrate to the satisfaction of the Entertainment Commission that they have been in regular operation as an entertainment use prior to January 1, 2004; provided, however, that a conditional use is required

1 (1) if an application for a conditional use for the entertainment use was
2 filed with the Planning Department prior to the date this ordinance was
3 introduced or (2) if a conditional use was denied within 12 months prior
4 to the effective date of this ordinance.

5
6 Section 16. The San Francisco Planning Code is hereby amended by amending
7 Section 722.1, to read as follows:

8 SEC. 722.1. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT.

9 The North Beach Neighborhood Commercial District is a nonlinear district centered on
10 Columbus Avenue, located in the valley between Telegraph Hill and Nob Hill north of
11 Broadway. North Beach functions as a neighborhood-serving marketplace, citywide specialty
12 shopping, and dining district, and a tourist attraction, as well as an apartment and residential
13 hotel zone. Traditionally, the district has provided most convenience goods and services for
14 residents of North Beach and portions of Telegraph and Russian Hills. North Beach's eating,
15 drinking, and entertainment establishments remain open into the evening to serve a much
16 wider trade area and attract many tourists. The balance between neighborhood-serving
17 convenience stores and Citywide specialty businesses has shifted gradually, as some
18 convenience stores have been replaced by bakeries, ice cream parlors, and restaurants. The
19 proliferation of financial services has also upset the district's balance of uses. The relocation
20 of business and professional offices from downtown to North Beach threatens the loss of
21 upper-story residential units.

22 The North Beach District controls are designed to ensure the livability and
23 attractiveness of North Beach. Building standards limit new development to a small to
24 moderate scale. New buildings which exceed 40 feet in the 65-foot height district will be
25

carefully reviewed, and rear yards are protected above the ground story and at residential levels. Most new commercial development is permitted at the first two stories. Small-scale, neighborhood-serving businesses are strongly encouraged. Special controls limit additional ground-story eating and drinking, entertainment, and business and professional office uses. Financial services are prohibited from locating in the portion of the district south of Union Street, while new financial services locating in the portion of the district north of Union Street are limited. Restrictions on automobile and drive-up uses are intended to promote continuous retail frontage and maintain residential livability.

In keeping with the district's existing mixed-use character, housing development in new buildings is encouraged above the second story. Existing residential units are protected by prohibitions of upper-story conversions and limitations on demolitions.

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

			North Beach
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
722.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250– 252, 260, 270, 271	P up to 40 ft. C 41 to 65 ft. § 253.1
722.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 4,999 sq. ft.; C 5,000 sq. ft. & above § 121.1
722.12	Rear Yard	§§ 130, 134, 136	Required at the second story

			and above and at all residential levels § 134(a) (e)
722.13	Street Frontage		Required § 145.1
722.14	Awning	§ 790.20	P § 136.1(a)
722.15	Canopy	§ 790.26	P § 136.1(b)
722.16	Marquee	§ 790.58	P § 136.1(c)
722.17	Street Trees		Required § 143
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
722.20	Floor Area Ratio	§§ 102.9, 102.11, 123	1.8 to 1 § 124(a) (b)
722.21	Use Size [Nonresidential]	§ 790.130	P up to 1,999 sq. ft.; C 2,000 sq. ft. to 3,999 sq. ft. NP 4,000 sq. ft. and above § 121.2
722.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153– 157, 159– 160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
722.23	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)
722.24	Outdoor Activity Area	§ 790.70	P if located in front; C if

			located elsewhere § 145.2(a)
722.25	Drive-Up Facility	§ 790.30	
722.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
722.27	Hours of Operation	§ 790.48	P 6 a.m.– 2 a.m. C 2 a.m.– 6 a.m.
722.30	General Advertising Sign	§§ 262, 602– 604, 608, 609	
722.31	Business Sign	§§ 262, 602– 604, 608, 609	P § 607.1(f)2
722.32	Other Signs	§§ 262, 602– 604, 608, 609	P § 607.1(c) (d) (g)

No. Zoning
Category §
References

North Beach

Controls by Story

		§ 790.118	1st	2nd	3rd+
722.38	Residential Conversion	§ 790.84	P		

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722.39	Residential Demolition	§ 790.86	P	C	C
Retail Sales and Services					
722.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P #	P #	
722.41	Bar	§ 790.22	C		
722.42	Full-Service Restaurant	§ 790.92	C	C #	
722.43	Large Fast Food Restaurant	§ 790.90			
722.44	Small Self-Service Restaurant	§ 790.91	C		
722.45	Liquor Store	§ 790.55	C		
722.46	Movie Theater	§ 790.64	P		
722.47	Adult Entertainment	§ 790.36			
722.48	Other Entertainment	§ 790.38	C		
722.49	Financial Service	§ 790.110	C/NP #		
722.50	Limited Financial Service	§ 790.112	C		
722.51	Medical Service	§ 790.114	P	P	
722.52	Personal Service	§ 790.116	P	P	
722.53	Business or Professional Service	§ 790.108	C	P	

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722.54	Massage Establishment	§ 790.60, § 1900 Health Code	C		
722.55	Tourist Hotel	§ 790.46	C	C	C
722.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
722.57	Automotive Gas Station	§ 790.14			
722.58	Automotive Service Station	§ 790.17			
722.59	Automotive Repair	§ 790.15	C		
722.60	Automotive Wash	§ 790.18			
722.61	Automobile Sale or Rental	§ 790.12			
722.62	Animal Hospital	§ 790.6	C		
722.63	Ambulance Service	§ 790.2			
722.64	Mortuary	§ 790.62			
722.65	Trade Shop	§ 790.124	P#	C #	
722.66	Storage	§ 790.117			
722.67	Video Store	§ 790.135	C	C	
722.68	Fringe Financial Service	§ 790.111			
<u>722.69</u>	<i>Tobacco Paraphernalia</i>	<u>§ 790.123</u>	<u>C</u>		

	<u>Establishments</u>				
	Institutions and Non-Retail Sales and Services				
722.70	Administrative Service	§ 790.106			
722.80	Hospital or Medical Center	§ 790.44			
722.81	Other Institutions, Large	§ 790.50	P	C	C
722.82	Other Institutions, Small	§ 790.51	P	P	P
722.83	Public Use	§ 790.80	C	C	C
722.84	Medical Cannabis Dispensary	§ 790.141	P		
RESIDENTIAL STANDARDS AND USES					
722.90	Residential Use	§ 790.88	P	P	P
722.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 400 sq. ft. lot area § 207.4		
722.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 140 sq. ft. lot area § 208		
722.93	Usable Open Space [Per Residential Unit]	§§ 135, 136	Generally, either 60 sq. ft if private, or 80 sq. ft. if common § 135(d)		
722.94	Off-Street Parking,	§§ 150, 153–	Generally, 1 space for each		

	Residential	157, 159– 160, 204.5	dwelling unit §§ 151, 161(a) (g)		
722.95	Community Residential Parking	§ 790.10	C	C	C

**SPECIFIC PROVISIONS FOR THE NORTH BEACH NEIGHBORHOOD
COMMERCIAL DISTRICT**

Article 7 Code Section	Other Code Section	Zoning Controls
§ 722.10	§ 253.1	65-A-1 HEIGHT AND BULK DISTRICT Boundaries: Applicable for all of the North Beach NCD as mapped on Sectional Map 1H Controls: Building height and bulk limits are P up to 40 feet; C between 41 feet and 65 feet
§ 722.40	§ 790.102(n)	NORTH BEACH SPECIALTY RETAIL USES Boundaries: North Beach NCD Controls: Retail coffee stores defined pursuant to Code § 790.102(n) are not permitted without conditional use authorization except to the extent qualifying as specialty grocery permitted pursuant to § 790.102(b)
§ 722.42	§ 790.92	NORTH BEACH FULL-SERVICE RESTAURANTS Boundaries: Applicable to the North Beach NCD Controls: A full-service restaurant may be permitted as a conditional use on the second story if, in addition to the criteria set forth in Section 303, the Commission

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		finds that:
		(1) The full-service restaurant is situated within the North Beach NCD and is within 100 feet of Columbus Avenue; and
		(2) The full-service restaurant will be located in an existing building that is currently permitted for occupancy solely by commercial uses; and
		(3) The full-service restaurant does not require the demolition, conversion or relocation of any lawfully permitted dwelling units or guest rooms; and
		(4) The full-service restaurant is operated in combination with a lawfully existing nonconforming second-floor movie theater as defined in Section 790.64 of this Code or a lawfully existing nonconforming second floor "other entertainment" use as defined by Section 790.38 of this Code.
§ 722.49	§ 781.6	NORTH BEACH FINANCIAL SERVICE SUBDISTRICT Boundaries: Applicable only for portions of the North Beach NCD south of Union Street as mapped on Sectional Map 1 SUa Controls: Financial services are NP at all stories
§ 722.65	§ 236	GARMENT SHOP SPECIAL USE DISTRICT Boundaries: Applicable only for the portion of North Beach NCD as mapped on Sectional Map 1 SUa Controls: Garment shops are P at the 1st and 2nd stories

1 Section 17. The San Francisco Planning Code is hereby amended by amending
2 Section 723.1, to read as follows:

3 SEC. 723.1. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

4 Sitting in the gulch between Nob and Russian Hills and Pacific Heights, the Polk Street
5 Neighborhood Commercial District extends for a mile as a north-south linear strip, and
6 includes a portion of Larkin Street between Post and California Streets. Polk Street's dense
7 mixed-use character consists of buildings with residential units above ground-story
8 commercial use. The district has an active and continuous commercial frontage along Polk
9 Street for almost all of its length. Larkin Street and side streets in the district have a greater
10 proportion of residences than Polk Street itself. The district provides convenience goods and
11 services to the residential communities in the Polk Gulch neighborhood and to the residents
12 on the west slopes of Nob and Russian Hills. It has many apparel and specialty stores, as well
13 as some automobile uses, which serve a broader trade area. Commercial uses also include
14 offices, as well as movie theaters, restaurants, and bars which keep the district active into the
15 evening.

16 The Polk Street District controls are designed to encourage and promote development
17 which is compatible with the surrounding neighborhood. The building standards monitor large-
18 scale development and protect rear yards at residential levels. Consistent with Polk Street's
19 existing mixed-use character, new buildings may contain most commercial uses at the first
20 two stories. The controls encourage neighborhood-serving businesses, but limit new eating,
21 drinking, other entertainment, and financial service uses, which can produce parking
22 congestion, noise and other nuisances or displace other types of local-serving convenience
23 goods and services. They also prohibit new adult entertainment uses. Restrictions on drive-up
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1 and most automobile uses protect the district's continuous retail frontage and prevent further
 2 traffic congestion.

3 Housing developed in new buildings is encouraged above the second story, especially
 4 in the less intensely developed portions of the district along Larkin Street. Existing housing
 5 units are protected by limitations on demolitions and upper-story conversions.

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

			Polk Street
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
723.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250– 252, 260, 270, 271	65-A, 80-A, 130-E See Zoning Map
723.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 9,999 sq. ft. C 10,000 sq. ft. & above § 121.1
723.12	Rear Yard	§§ 130, 134, 136	Required at residential levels only § 134(a) (e)
723.13	Street Frontage		Required § 145.1
723.14	Awning	§ 790.20	P § 136.1(a)
723.15	Canopy	§ 790.26	P § 136.1(b)
723.16	Marquee	§ 790.58	P § 136.1(c)

1	723.17	Street Trees		Required § 143
2	COMMERCIAL AND INSTITUTIONAL			
3	STANDARDS AND USES			
4	723.20	Floor Area Ratio	§§ 102.9, 102.11, 123	2.5 to 1 § 124(a) (b)
5				
6	723.21	Use Size [Non-Residential]	§ 790.130	P up to 1,999 sq. ft.; C 2,000 sq. ft. & above § 121.2
7				
8	723.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153– 157, 159– 160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
9				
10	723.23	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)
11				
12	723.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
13				
14	723.25	Drive-Up Facility	§ 790.30	
15				
16	723.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
17				
18	723.27	Hours of Operation	§ 790.48	P 6 a.m.– 2 a.m. C 2 a.m.– 6 a.m.
19				
20	723.30	General Advertising Sign	§§ 262, 602– 604,	
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		608, 609	
723.31	Business Sign	§§ 262, 602– 604, 608, 609	P § 607.1(f)2
723.32	Other Signs	§§ 262, 602– 604, 608, 609	P § 607.1(c) (d) (g)

No. Zoning
Category §
References

Polk Street

Controls by Story

		§ 790.118	1st	2nd	3rd+
723.38	Residential Conversion	§ 790.84	P	C	
723.39	Residential Demolition	§ 790.86	P	C	C
Retail Sales and Services					
723.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P	P	
723.41	Bar	§ 790.22	C		
723.42	Full-Service Restaurant	§ 790.92	C		

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723.43	Large Fast Food Restaurant	§ 790.90			
723.44	Small Self-Service Restaurant	§ 790.91	C		
723.45	Liquor Store	§ 790.55	C		
723.46	Movie Theater	§ 790.64	P		
723.47	Adult Entertainment	§ 790.36			
723.48	Other Entertainment	§ 790.38	C		
723.49	Financial Service	§ 790.110	C	C	
723.50	Limited Financial Service	§ 790.112	P		
723.51	Medical Service	§ 790.114	P	P	
723.52	Personal Service	§ 790.116	P	P	
723.53	Business or Professional Service	§ 790.108	P	P	
723.54	Massage Establishment	§ 790.60, § 1900 Health Code	C		
723.55	Tourist Hotel	§ 790.46	C	C	C
723.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
723.57	Automotive Gas Station	§ 790.14			
723.58	Automotive Service	§ 790.17			

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	Station				
723.59	Automotive Repair	§ 790.15	C		
723.60	Automotive Wash	§ 790.18			
723.61	Automobile Sale or Rental	§ 790.12			
723.62	Animal Hospital	§ 790.6	C		
723.63	Ambulance Service	§ 790.2			
723.64	Mortuary	§ 790.62			
723.65	Trade Shop	§ 790.124	P	C	
723.66	Storage	§ 790.117			
723.67	Video Store	§ 790.135	C	C	
723.68	Fringe Financial Service	§ 790.111	#	#	#
<u>723.69</u>	<u>Tobacco Paraphernalia</u> <u>Establishments</u>	<u>§ 790.123</u>	<u>C</u>		
Institutions and Non-Retail Sales and Services					
723.70	Administrative Service	§ 790.106			
723.80	Hospital or Medical Center	§ 790.44			
723.81	Other Institutions, Large	§ 790.50	P	C	C

1	723.82	Other Institutions, Small	§ 790.51	P	P	P
2	723.83	Public Use	§ 790.80	C	C	C
3	723.84	Medical Cannabis	§ 790.141	P		
4		Dispensary				
5	RESIDENTIAL STANDARDS AND USES					
6						
7	723.90	Residential Use	§ 790.88	P	P	P
8	723.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 400 sq. ft. lot area § 207.4		
9						
10	723.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 140 sq. ft. lot area § 208		
11						
12	723.93	Usable Open Space [Per Residential Unit]	§§ 135, 136	Generally, either 60 sq. ft. if private, or 80 sq. ft. if common § 135(d)		
13						
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15						
16	723.94	Off-Street Parking, Residential	§§ 150, 153– 157, 159– 160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
17						
18						
19	723.95	Community Residential Parking	§ 790.10	C	C	C
20						

SPECIFIC PROVISIONS FOR THE POLK STREET DISTRICT

23	Article 7	Other	Zoning Controls
24	Code	Code	

Section	Section	
723.68	§249.35	FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD) 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. 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).

Section 18. The San Francisco Planning Code is hereby amended by amending Section 724.1, to read as follows:

SEC. 724.1. SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

Located in the Presidio Heights neighborhood in north-central San Francisco, the Sacramento Street Neighborhood Commercial District functions as a small-scale linear shopping area. It extends along Sacramento Street between Lyon and Spruce. Interspersed among residential buildings and garages, the district's daytime-oriented retail stores provide a limited array of convenience goods to the immediate neighborhood. Sacramento Street also has many elegant clothing, accessory, and antique stores and services, such as hair salons, which attract customers from a wider trade area. Its numerous medical and business offices draw clients from throughout the City. Evening activity in the district is limited to one movie theater, a few restaurants, and some stores near Presidio Avenue.

1 The Sacramento Street District controls are designed to promote adequate growth
 2 opportunities for development that is compatible with the surrounding low-density residential
 3 neighborhood. The building standards monitor large-scale development and protect rear yards
 4 at the grade level and above. Most new commercial development is permitted at the first
 5 story; general retail uses are permitted at the second story only if such use would not involve
 6 conversion of any existing housing units. Special controls are designed to protect existing
 7 neighborhood-serving ground-story retail uses. New medical service offices are prohibited at
 8 all stories. Personal and business services are restricted at the ground story and prohibited on
 9 upper stories. Limits on new ground-story eating and drinking uses, as well as new
 10 entertainment and financial service uses, are intended to minimize the environmental impacts
 11 generated by the growth of such uses. The daytime orientation of the district is encouraged by
 12 prohibiting bars and restricting late-night commercial activity. New hotels and parking facilities
 13 are limited in scale and operation to minimize disruption to the neighborhood. Most new
 14 automobile and drive-up uses are prohibited to promote continuous retail frontage.

15 Housing development in new buildings is encouraged above the second story. Existing
 16 residential units are protected by limitations on demolitions and prohibitions of upper-story
 17 conversions.

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

			Sacramento Street
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			

1	724.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250– 252, 260, 270, 271	40-X
2				
3				
4	724.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 4,999 sq. ft. C 5,000 sq. ft. & above § 121.1
5				
6	724.12	Rear Yard	§§ 130, 134, 136	Required at grade level and above § 134(a) (e)
7				
8				
9	724.13	Street Frontage		Required § 145.1
10	724.14	Awning	§ 790.20	P § 136.1(a)
11	724.15	Canopy	§ 790.26	P § 136.1(b)
12	724.16	Marquee	§ 790.58	P § 136.1(c)
13	724.17	Street Trees		Required § 143
14				
15		COMMERCIAL AND INSTITUTIONAL		
16		STANDARDS AND USES		
17	724.20	Floor Area Ratio	§§ 102.9, 102.11, 123	1.8 to 1 § 124(a) (b)
18				
19	724.21	Use Size [Non-Residential]	§ 790.130	P up to 2,499 sq. ft.; C 2,500 sq. ft. & above § 121.2
20				
21	724.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153– 157, 159– 160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
22				
23				
24	724.23	Off-Street Freight Loading	§§ 150, 153– 155,	Generally, none required if
25				

		204.5	gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)
724.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
724.25	Drive-Up Facility	§ 790.30	
724.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
724.27	Hours of Operation	§ 790.48	P 6 a.m.– 12 a.m.; C 12 a.m.– 6 a.m.
724.30	General Advertising Sign	§§ 262, 602– 604, 608, 609	
724.31	Business Sign	§§ 262, 602– 604, 608, 609	P § 607.1(f) 2
724.32	Other Signs	§§ 262, 602– 604, 608, 609	P § 607.1(c) (d) (g)

No. Zoning

Category §

References

Sacramento Street

Controls by Story

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		§ 790.118	1st	2nd	3rd+
724.38	Residential Conversion	§ 790.84	P		
724.39	Residential Demolition	§ 790.86	P	C	C
Retail Sales and Services					
724.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P	C	
724.41	Bar	§ 790.22			
724.42	Full-Service Restaurant	§ 790.92	C		
724.43	Large Fast Food Restaurant	§ 790.90			
724.44	Small Self-Service Restaurant	§ 790.91	C		
724.45	Liquor Store	§ 790.55	P		
724.46	Movie Theater	§ 790.64	P		
724.47	Adult Entertainment	§ 790.36			
724.48	Other Entertainment	§ 790.38	C		
724.49	Financial Service	§ 790.110	C		
724.50	Limited Financial Service	§ 790.112	C		
724.51	Medical Service	§ 790.114			
724.52	Personal Service	§ 790.116	C		

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724.53	Business or Professional Service	§ 790.108	C		
724.54	Massage Establishment	§ 790.60, § 1900 Health Code			
724.55	Tourist Hotel	§ 790.46	C	C	
724.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
724.57	Automotive Gas Station	§ 790.14			
724.58	Automotive Service Station	§ 790.17			
724.59	Automotive Repair	§ 790.15			
724.60	Automotive Wash	§ 790.18			
724.61	Automobile Sale or Rental	§ 790.12			
724.62	Animal Hospital	§ 790.6	C		
724.63	Ambulance Service	§ 790.2			
724.64	Mortuary	§ 790.62			
724.65	Trade Shop	§ 790.124	P	C	
724.66	Storage	§ 790.117			
724.67	Video Store	§ 790.135	C	C	
724.68	Fringe Financial Service	§ 790.111			

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2	<u>724.69</u>	<u>Tobacco Paraphernalia</u>	<u>§ 790.123</u>		
3		<u>Establishments</u>			
4	Institutions and Non-Retail Sales and				
5	Services				
6					
7	724.70	Administrative Service	§ 790.106		
8	724.80	Hospital or Medical Center	§ 790.44		
9					
10	724.81	Other Institutions, Large	§ 790.50	P	C C
11	724.82	Other Institutions, Small	§ 790.51	P	P P
12	724.83	Public Use	§ 790.80	C	C C
13					
14	724.84	Medical Cannabis Dispensary	§ 790.141	P	
15					
16	RESIDENTIAL STANDARDS AND USES				
17	724.90	Residential Use	§ 790.88	P	P P
18	724.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)		Generally, 1 unit per 800 sq. ft. lot area § 207.4
19					
20	724.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)		Generally, 1 bedroom per 275 sq. ft. lot area § 208
21					
22	724.93	Usable Open Space [Per Residential Unit]	§§ 135, 136		Generally, either 100 sq. ft if private, or 133 sq. ft. if
23					
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			common § 135(d)		
724.94	Off-Street Parking, Residential	§§ 150, 153– 157, 159– 160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
724.95	Community Residential Parking	§ 790.10	C	C	C

Article 7 Code Section	Other Code Section	Zoning Controls
724.38	790.84	Boundaries: Sacramento Street Neighborhood Commercial District Controls: A residential use may be converted to an Other Institution, Large, Educational Service use as defined by Section 790.50 as a conditional use, if, in addition to the criteria set forth in Section 303, the Planning Commission finds that:
		1) The residential use is comprised of a single dwelling unit in a building that is otherwise used for non-residential uses; and
		2) No legally residing residential tenant will be displaced.

Section 20. The San Francisco Planning Code is hereby amended by amending
Section 725.1, to read as follows:

SEC. 725.1. UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

1 The Union Street Commercial District is located in northern San Francisco between the
2 Marina and Pacific Heights neighborhoods. The district lies along Union Street between Van
3 Ness Avenue and Steiner, including an arm extending north on Fillmore Street to Lombard.
4 The shopping area provides limited convenience goods for the residents of sections of the
5 Cow Hollow, Golden Gate Valley, and Pacific Heights neighborhoods immediately
6 surrounding the street. Important aspects of Union Street's business activity are eating and
7 drinking establishments and specialty shops whose clientele comes from a wide trade area.
8 There are also a significant number of professional, realty, and business offices. Many
9 restaurants and bars as well as the district's two movie theaters are open into the evening
10 hours, and on weekends the street's clothing, antique stores and galleries do a vigorous
11 business.

12 The Union Street District controls are designed to provide sufficient growth
13 opportunities for commercial development that is in keeping with the existing scale and
14 character, promote continuous retail frontage, and protect adjacent residential livability. Small-
15 scale buildings and neighborhood-serving uses are promoted, and rear yards above the
16 ground story and at all residential levels are protected. Most commercial development is
17 permitted at the first two stories of new buildings, while retail service uses are monitored at
18 the third story and above. Controls are necessary to preserve the remaining convenience
19 businesses and to reduce the cumulative impacts which the growth of certain uses have on
20 neighborhood residents. Such controls prohibit additional eating and drinking establishments
21 and limit entertainment and financial service uses. Most automobile and drive-up uses are
22 prohibited in order to maintain continuous retail frontage and minimize further traffic
23 congestion.
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1 Housing development in new buildings is encouraged above the second story. Existing
 2 residential units are protected by limitations on demolitions and upper-story conversions.

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

			Union Street
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
725.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250– 252, 260, 270, 271	40-X
725.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 4,999 sq. ft. C 5,000 sq. ft. & above § 121.1
725.12	Rear Yard	§§ 130, 134, 136	Required at the second story and above and at all residential levels § 134(a) (e)
725.13	Street Frontage		Required § 145.1
725.14	Awning	§ 790.20	P § 136.1(a)
725.15	Canopy	§ 790.26	P § 136.1(b)
725.16	Marquee	§ 790.58	P § 136.1(c)
725.17	Street Trees		Required § 143
COMMERCIAL AND INSTITUTIONAL			

1 **STANDARDS AND USES**

2	725.20	Floor Area Ratio	§§ 102.9, 102.11, 123	3.0 to 1 § 124(a) (b)
3				
4	725.21	Use Size [Non-Residential]	§ 790.130	P up to 2,499 sq. ft.; C 2,500 sq. ft. & above § 121.2
5				
6	725.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153– 157, 159– 160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
7				
8				
9				
10				
11	725.23	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)
12				
13				
14	725.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
15				
16	725.25	Drive-Up Facility	§ 790.30	
17	725.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
18				
19	725.27	Hours of Operation	§ 790.48	P 6 a.m.– 2 a.m. C 2 a.m.– 6 a.m.
20				
21				
22	725.30	General Advertising Sign	§§ 262, 602– 604, 608, 609	
23				
24	725.31	Business Sign	§§ 262, 602– 604,	P § 607.1(f) 2

		608, 609	
725.32	Other Signs	§§ 262, 602– 604, 608, 609	P § 607.1(c) (d) (g)

No. Zoning
Category §
References

Union Street

Controls by Story

		§ 790.118	1st	2nd	3rd+
725.38	Residential Conversion	§ 790.84	P	C	C
725.39	Residential Demolition	§ 790.86	P	C	C
Retail Sales and Services					
725.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P	P	
725.41	Bar	§ 790.22			
725.42	Full-Service Restaurant	§ 790.92			
725.43	Large Fast Food Restaurant	§ 790.90			

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725.44	Small Self-Service Restaurant	§ 790.91			
725.45	Liquor Store	§ 790.55	C		
725.46	Movie Theater	§ 790.64	P		
725.47	Adult Entertainment	§ 790.36			
725.48	Other Entertainment	§ 790.38	C		
725.49	Financial Service	§ 790.110	C	C	
725.50	Limited Financial Service	§ 790.112	P		
725.51	Medical Service	§ 790.114	P	P	C
725.52	Personal Service	§ 790.116	P	P	C
725.53	Business or Professional Service	§ 790.108	P	P	C
725.54	Massage Establishment	§ 790.60, § 1900 Health Code			
725.55	Tourist Hotel	§ 790.46	C	C	C
725.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
725.57	Automotive Gas Station	§ 790.14			
725.58	Automotive Service Station	§ 790.17			
725.59	Automotive Repair	§ 790.15			

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725.60	Automotive Wash	§ 790.18			
725.61	Automobile Sale or Rental	§ 790.12			
725.62	Animal Hospital	§ 790.6	C		
725.63	Ambulance Service	§ 790.2			
725.64	Mortuary	§ 790.62			
725.65	Trade Shop	§ 790.124	P	C	
725.66	Storage	§ 790.117			
725.67	Video Store	§ 790.135	C	C	
725.68	Fringe Financial Service	§ 790.111			
<u>725.69</u>	<u>Tobacco Paraphernalia Establishments</u>	<u>§790.123</u>	<u>C</u>		
Institutions and Non-Retail Sales and Services					
725.70	Administrative Service	§ 790.106			
725.80	Hospital or Medical Center	§ 790.44			
725.81	Other Institutions, Large	§ 790.50	P	C	C
725.82	Other Institutions, Small	§ 790.51	P	P	P
725.83	Public Use	§ 790.80	C	C	C

1	725.84	Medical Cannabis Dispensary	§ 790.141	P		
2	RESIDENTIAL STANDARDS AND USES					
3	725.90	Residential Use	§ 790.88	P	P	P
4	725.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 600 sq. ft. lot area § 207.4		
5	725.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 210 sq. ft. lot area § 208		
6	725.93	Usable Open Space [Per Residential Unit]	§§ 135, 136	Generally, either 80 sq. ft if private, or 100 sq. ft. if common § 135(d)		
7	725.94	Off-Street Parking, Residential	§§ 150, 153– 157, 159– 160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
8	725.95	Community Residential Parking	§ 790.10	C	C	C

19 Section 21. The San Francisco Planning Code is hereby amended by amending
20 Section 726.1, to read as follows:

21 SEC. 726.1. VALENCIA STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

22
23 The Valencia Street Commercial District is located near the center of San Francisco in
24 the Mission District. It lies along Valencia Street between 14th and Army Street, and includes
25

1 a portion of 16th Street extending west towards Dolores Street. The commercial area provides
2 a limited selection of convenience goods for the residents of sections of the Mission and
3 Dolores Heights. Valencia Street also serves a wider trade area with its retail and wholesale
4 home furnishings and appliance outlets. The commercial district also has several automobile-
5 related businesses and large light manufacturing operations. Eating and drinking
6 establishments contribute to the street's mixed-use character and activity in the evening
7 hours. A number of upper-story professional and business offices are located in the district,
8 some in converted residential units.

9
10 The Valencia Street District has a pattern of large lots and businesses, as well as a
11 sizable number of upper-story residential units. Controls are designed to permit moderate-
12 scale buildings and uses, protecting rear yards above the ground story and at residential
13 levels. New neighborhood-serving commercial development is encouraged mainly at the
14 ground story. While offices and general retail sales uses may locate at the second story of
15 new buildings under certain circumstances, most commercial uses are prohibited above the
16 second story. In order to protect the balance and variety of retail uses and the livability of
17 adjacent uses and areas, most eating and drinking and entertainment uses at the ground
18 story are limited. Continuous retail frontage is promoted by prohibiting drive-up facilities, some
19 automobile uses, and new nonretail commercial uses.

20 Housing development in new buildings is encouraged above the ground story. Existing
21 residential units are protected by prohibitions on upper-story conversions and limitations on
22 demolitions.

23 **SEC. 726. VALENCIA STREET NEIGHBORHOOD COMMERCIAL DISTRICT**
24 **ZONING CONTROL TABLE**
25

			Valencia Street
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
726.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250– 252, 260, 270, 271	40-X, 50-X See Zoning Map
726.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 9,999 sq. ft. C 10,000 sq. ft. & above § 121.1
726.12	Rear Yard	§§ 130, 134, 136	Required at the second story and above and at all residential levels § 134(a) (e)
726.13	Street Frontage		Required § 145.1
726.14	Awning	§ 790.20	P § 136.1(a)
726.15	Canopy	§ 790.26	P § 136.1(b)
726.16	Marquee	§ 790.58	P § 136.1(c)
726.17	Street Trees		Required § 143
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
726.20	Floor Area Ratio	§§ 102.9, 102.11, 123	2.5 to 1 § 124(a) (b)
726.21	Use Size [Non-Residential]	§ 790.130	P up to 2,999 sq. ft.; C 3,000

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			sq. ft. & above § 121.2
726.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153– 157, 159– 160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
726.23	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)
726.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
726.25	Drive-Up Facility	§ 790.30	
726.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
726.27	Hours of Operation	§ 790.48	P 6 a.m.– 2 a.m. C 2 a.m.– 6 a.m.
726.30	General Advertising Sign	§§ 262, 602– 604, 608, 609	
726.31	Business Sign	§§ 262, 602– 604, 608, 609	P § 607.1(f) 2
726.32	Other Signs	§§ 262, 602– 604, 608, 609	P § 607.1(c) (d) (g)

1 No. Zoning

2 Category §

3 References

4 Valencia Street

5 Controls by Story

		§ 790.118	1st	2nd	3rd+
7		§ 790.118	1st	2nd	3rd+
8	726.38	Residential Conversion	§ 790.84	P	
9	726.39	Residential Demolition	§ 790.86	P	C C
10	Retail Sales and Services				
11	726.40	Other Retail Sales and	§ 790.102	P	C
12		Services [Not Listed			
13		Below]			
14	726.41	Bar	§ 790.22	C	
15	726.42	Full-Service Restaurant	§ 790.92	P	
16	726.43	Large Fast Food	§ 790.90	C	
17		Restaurant			
18	726.44	Small Self-Service	§ 790.91	P	
19		Restaurant			
20	726.45	Liquor Store	§ 790.55		
21	726.46	Movie Theater	§ 790.64	P	
22	726.47	Adult Entertainment	§ 790.36		
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726.48	Other Entertainment	§ 790.38	C		
726.49	Financial Service	§ 790.110	P		
726.50	Limited Financial Service	§ 790.112	P		
726.51	Medical Service	§ 790.114	P	C	
726.52	Personal Service	§ 790.116	P	C	
726.53	Business or Professional Service	§ 790.108	P	C	
726.54	Massage Establishment	§ 790.60, § 1900 Health Code	C		
726.55	Tourist Hotel	§ 790.46	C	C	
726.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
726.57	Automotive Gas Station	§ 790.14			
726.58	Automotive Service Station	§ 790.17			
726.59	Automotive Repair	§ 790.15	C		
726.60	Automotive Wash	§ 790.18			
726.61	Automobile Sale or Rental	§ 790.12			
726.62	Animal Hospital	§ 790.6	C		
726.63	Ambulance Service	§ 790.2			

1	726.64	Mortuary	§ 790.62	C	C	
2	726.65	Trade Shop	§ 790.124	P	C	
3	726.66	Storage	§ 790.117			
4	726.67	Video Store	§ 790.135	C	C	
5	726.68	Fringe Financial Service	§ 790.111	#	#	#
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8	<u>726.69</u>	<u>Tobacco Paraphernalia</u>	<u>§ 790.123</u>	<u>C</u>		
9		<u>Establishments</u>				
10	Institutions and Non-Retail Sales and					
11	Services					
12	726.70	Administrative Service	§ 790.106			
13	726.80	Hospital or Medical	§ 790.44			
14		Center				
15	726.81	Other Institutions, Large	§ 790.50	P	C	C
16	726.82	Other Institutions, Small	§ 790.51	P	P	P
17	726.83	Public Use	§ 790.80	C	C	C
18	726.84	Medical Cannabis	§ 790.141	P		
19		Dispensary				
20						
21	RESIDENTIAL STANDARDS AND USES					
22	726.90	Residential Use	§ 790.88	P	P	P
23	726.91	Residential Density,	§§ 207, 207.1,	Generally, 1 unit per 600 sq.		
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	Dwelling Units	790.88(a)	ft. lot area § 207.4		
726.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 210 sq. ft. lot area § 208		
726.93	Usable Open Space [Per Residential Unit]	§§ 135, 136	Generally, either 80 sq. ft if private, or 100 sq. ft. if common § 135(d)		
726.94	Off-Street Parking, Residential	§§ 150, 153– 157, 159– 160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
726.95	Community Residential Parking	§ 790.10	C	C	C

SPECIFIC PROVISIONS FOR THE VALENCIA STREET DISTRICT

Article 7 Code Section	Other Code Section	Zoning Controls
§ 726.68	§ 249.35	FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD) Boundaries: The FFSRUD and its 1/4 mile buffer includes, but is not limited to, the Valencia Street Neighborhood Commercial District. 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).

1 Section 22. The San Francisco Planning Code is hereby amended by amending
2 Section 727.1, to read as follows:

3 SEC. 727.1. 24TH STREET – MISSION NEIGHBORHOOD COMMERCIAL DISTRICT.
4

5 The 24th Street – Mission Neighborhood Commercial District is situated in the Inner
6 Mission District on 24th Street between Bartlett Street and San Bruno Avenue. This mixed-
7 use district provides convenience goods to its immediate neighborhood as well as comparison
8 shopping goods and services to a wider trade area. The street has a great number of Latin
9 American restaurants, grocery stores, and bakeries as well as other gift and secondhand
10 stores. Most commercial businesses are open during the day while the district's bars,
11 restaurants, and movie theater are also active in the evening. Dwelling units are frequently
12 located above the ground-story commercial uses.

13 The 24th Street – Mission District controls are designed to provide potential for new
14 development consistent with the existing scale and character. Small-scale buildings and
15 neighborhood-serving uses are encouraged, and rear yard corridors above the ground story
16 and at residential levels are protected. Most commercial uses are encouraged at the ground
17 story, while service uses are permitted with some limitations at the second story. Special
18 controls are necessary to preserve the unique mix of convenience and specialty commercial
19 uses. In order to maintain convenience stores and protect adjacent livability, new bars and
20 fast-food restaurants are prohibited, and limitations apply to the development and operation of
21 ground-story full-service restaurants, take-out food and entertainment uses. Continuous retail
22 frontage is maintained and encouraged by prohibiting most automobile and drive-up uses.
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1 Housing development in new buildings is encouraged above the ground story. Existing
 2 housing units are protected by prohibitions on upper-story conversions and limitations on
 3 demolitions.

4 **SEC. 727. 24TH STREET – MISSION NEIGHBORHOOD COMMERCIAL**
 5 **DISTRICT ZONING CONTROL TABLE**
 6

			24th Street – Mission
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
727.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250– 252, 260, 270, 271	40-X, 50-X, 105-E See Zoning Map
727.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 4,999 sq. ft.; C 5,000 sq. ft. & above § 121.1
727.12	Rear Yard	§§ 130, 134, 136	Required at the second story and above and at all residential levels § 134(a) (e)
727.13	Street Frontage		Required § 145.1
727.14	Awning	§ 790.20	P § 136.1(a)
727.15	Canopy	§ 790.26	P § 136.1(b)
727.16	Marquee	§ 790.58	P § 136.1(c)
727.17	Street Trees		Required § 143

1 **COMMERCIAL AND INSTITUTIONAL**
 2 **STANDARDS AND USES**

3 727.20	Floor Area Ratio	§§ 102.9, 102.11, 123	2.5 to 1 § 124(a) (b)
4 727.21	Use Size [Non-Residential]	§ 790.130	P up to 2,499 sq. ft.; C 2,500 sq. ft. & above § 121.2
5 727.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153– 157, 159– 160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
6 727.23	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)
7 727.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
8 727.25	Drive-Up Facility	§ 790.30	
9 727.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2 (b)
10 727.27	Hours of Operation	§ 790.48	P 6 a.m.– 2 a.m. C 2 a.m.– 6 a.m.
11 727.30	General Advertising Sign	§§ 262, 602– 604, 608, 609	

1	727.31	Business Sign	§§ 262, 602– 604, 608, 609	P § 607.1(f)2
2				
3	727.32	Other Signs	§§ 262, 602– 604, 608, 609	P § 607.1(c) (d) (g)
4				

7	No. Zoning
8	Category §
9	References

10
11 24th Street– Mission

12 Controls by Story

13		§ 790.118	1st	2nd	3rd+
14	727.38	Residential Conversion	§ 790.84	P	
15	727.39	Residential Demolition	§ 790.86	P	C
16					

17 **Retail Sales and Services**

18	727.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P	
19					
20					
21	727.41	Bar	§ 790.22		
22	727.42	Full-Service Restaurant	§ 790.92	C	
23	727.43	Large Fast Food	§ 790.90		
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	Restaurant				
727.44	Small Self-Service Restaurant	§ 790.91	C		
727.45	Liquor Store	§ 790.55			
727.46	Movie Theater	§ 790.64	P		
727.47	Adult Entertainment	§ 790.36			
727.48	Other Entertainment	§ 790.38	C		
727.49	Financial Service	§ 790.110	P		
727.50	Limited Financial Service	§ 790.112	P		
727.51	Medical Service	§ 790.114	P	C	
727.52	Personal Service	§ 790.116	P	C	
727.53	Business or Professional Service	§ 790.108	P	C	
727.54	Massage Establishment	§ 790.60, § 1900 Health Code	C		
727.55	Tourist Hotel	§ 790.46	C	C	
727.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
727.57	Automotive Gas Station	§ 790.14			
727.58	Automotive Service Station	§ 790.17			

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727.59	Automotive Repair	§ 790.15	C		
727.60	Automotive Wash	§ 790.18			
727.61	Automobile Sale or Rental	§ 790.12			
727.62	Animal Hospital	§ 790.6	C		
727.63	Ambulance Service	§ 790.2			
727.64	Mortuary	§ 790.62			
727.65	Trade Shop	§ 790.124	P		
727.66	Storage	§ 790.117			
727.67	Video Store	§ 790.135	C		
727.68	Fringe Financial Service	§ 790.111	#	#	#
<u>727.69</u>	<u>Tobacco Paraphernalia</u> <u>Establishments</u>	<u>§ 790.123</u>	<u>C</u>		
Institutions and Non-Retail Sales and Services					
727.70	Administrative Service	§ 790.106			
727.80	Hospital or Medical Center	§ 790.44			
727.81	Other Institutions, Large	§ 790.50	P	C	C
727.82	Other Institutions, Small	§ 790.51	P	P	P

1	727.83	Public Use	§ 790.80	C	C	C
2	727.84	Medical Cannabis	§ 790.141	P		
3		Dispensary				
4	RESIDENTIAL STANDARDS AND USES					
5	727.90	Residential Use	§ 790.88	P	P	P
6	727.91	Residential Density,	§§ 207, 207.1,	Generally, 1 unit per 600 sq.		
7		Dwelling Units	790.88(a)	ft. lot area § 207.4		
8	727.92	Residential Density,	§§ 207.1,	Generally, 1 bedroom per		
9		Group Housing	790.88(b)	210 sq. ft. lot area § 208		
10	727.93	Usable Open Space [Per	§§ 135, 136	Generally, either 80 sq. ft if		
11		Residential Unit]		private, or 100 sq. ft. if		
12				common § 135(d)		
13	727.94	Off-Street Parking,	§§ 150, 153–	Generally, 1 space for each		
14		Residential	157, 159– 160,	dwelling unit §§ 151, 161(a)		
15			204.5	(g)		
16	727.95	Community Residential	§ 790.10	C	C	C
17		Parking				

SPECIFIC PROVISIONS FOR THE 24TH STREET-MISSION DISTRICT

22	Article 7	Other	Zoning Controls
23	Code	Code	
24	Section	Section	

§ 727.68	§ 249.35	<p>FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD) Boundaries: The FFSRUD and its 1/4 mile buffer includes, but is not limited to, the 24th Street-Mission Neighborhood Commercial District. 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).</p>
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Section 23. The San Francisco Planning Code is hereby amended by amending Section 728.1, to read as follows:

SEC. 728.1. 24TH STREET – NOE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICT.

The 24th Street – Noe Valley Neighborhood Commercial District is situated along 24th Street between Chattanooga and Diamond in the Noe Valley neighborhood of central San Francisco. This daytime-oriented, multi-purpose commercial district provides a mixture of convenience and comparison shopping goods and services to a predominantly local market area. It contains primarily retail sales and personal services at the street level, some office uses on the second story, and residential use almost exclusively on the third and upper stories.

The 24th Street – Noe Valley District controls are designed to allow for development that is compatible with the existing small-scale, mixed-use neighborhood commercial character and surrounding residential area. The small scale of new buildings and neighborhood-serving uses is encouraged and rear yard open space corridors at all levels are

1 protected. Most commercial uses are directed to the ground story and limited at the second
 2 story of new buildings. In order to maintain the variety and mix of retail sales and services
 3 along the commercial strip and to control the problems of traffic, congestion, noise and late-
 4 night activity, certain potentially troublesome commercial uses are regulated. Additional eating
 5 and drinking establishments are prohibited, and ground-story entertainment and financial
 6 service uses are restricted to and at the ground story. Prohibitions on drive-up and most
 7 automobile uses help prevent additional traffic and parking congestion.

8 Housing development in new buildings is encouraged above the ground story. Existing
 9 housing units are protected by prohibitions on upper-story conversions and limitations on
 10 demolitions.

11
 12 **SEC. 728. 24TH STREET – NOE VALLEY NEIGHBORHOOD COMMERCIAL**
 13 **DISTRICT ZONING CONTROL TABLE**

			24th Street – Noe Valley
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
728.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250– 252, 260, 270, 271	40-X
728.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 4,999 sq. ft. C 5,000 sq. ft. & above § 121.1
728.12	Rear Yard	§§ 130, 134, 136	Required at grade level and

			above § 134(a) (e)
728.13	Street Frontage		Required § 145.1
728.14	Awning	§ 790.20	P § 136.1(a)
728.15	Canopy	§ 790.26	P § 136.1(b)
728.16	Marquee	§ 790.58	P § 136.1(c)
728.17	Street Trees		Required § 143
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
728.20	Floor Area Ratio	§§ 102.9, 102.11, 123	1.8 to 1 § 124(a) (b)
728.21	Use Size [Non-Residential]	§ 790.130	P up to 2,499 sq. ft.; C 2,500 sq. ft. & above § 121.2
728.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153– 157, 159– 160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
728.23	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)
728.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
728.25	Drive-Up Facility	§ 790.30	

1	728.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
2				
3	728.27	Hours of Operation	§ 790.48	P 6 a.m.– 2 a.m. C 2 a.m.– 6 a.m.
4				
5	728.30	General Advertising Sign	§§ 262, 602– 604, 608, 609	
6				
7	728.31	Business Sign	§§ 262, 602– 604, 608, 609	P § 607.1(f)2
8				
9	728.32	Other Signs	§§ 262, 602– 604, 608, 609	P § 607.1(c) (d) (g)
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13				
14	No. Zoning			
15	Category §			
16	References			

17 24th Street– Noe Valley

18 Controls by Story

19			§ 790.118	1st	2nd	3rd+
20						
21	728.38	Residential Conversion	§ 790.84	P		
22	728.39	Residential Demolition	§ 790.86	P	C	C

23 **Retail Sales and Services**

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728.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P#	C#	
728.41	Bar	§ 790.22	C#		
728.42	Full-Service Restaurant	§ 790.92	C#		
728.43	Large Fast Food Restaurant	§ 790.90			
728.44	Small Self-Service Restaurant	§ 790.91			
728.45	Liquor Store	§ 790.55	C		
728.46	Movie Theater	§ 790.64	P		
728.47	Adult Entertainment	§ 790.36			
728.48	Other Entertainment	§ 790.38	C		
728.49	Financial Service	§ 790.110	C		
728.50	Limited Financial Service	§ 790.112	C		
728.51	Medical Service	§ 790.114	P	C	
728.52	Personal Service	§ 790.116	P	C	
728.53	Business or Professional Service	§ 790.108	P	C	
728.54	Massage Establishment	§ 790.60, § 1900 Health Code	C		

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728.55	Tourist Hotel	§ 790.46	C	C	
728.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
728.57	Automotive Gas Station	§ 790.14			
728.58	Automotive Service Station	§ 790.17			
728.59	Automotive Repair	§ 790.15			
728.60	Automotive Wash	§ 790.18			
728.61	Automobile Sale or Rental	§ 790.12			
728.62	Animal Hospital	§ 790.6	C		
728.63	Ambulance Service	§ 790.2			
728.64	Mortuary	§ 790.62			
728.65	Trade Shop	§ 790.124	P	C	
728.66	Storage	§ 790.117			
728.67	Video Store	§ 790.135	C	C	
728.68	Fringe Financial Service	§ 790.111	#	#	#
<u>728.69</u>	<u>Tobacco Paraphernalia</u> <u>Establishments</u>	<u>§ 790.123</u>	<u>C</u>		
Institutions and Non-Retail Sales and					

1	Services					
2	728.70	Administrative Service	§ 790.106			
3	728.80	Hospital or Medical	§ 790.44			
4		Center				
5	728.81	Other Institutions, Large	§ 790.50	P	C	C
6	728.82	Other Institutions, Small	§ 790.51	P	P	P
7	728.83	Public Use	§ 790.80	C	C	C
8	728.84	Medical Cannabis	§ 790.141	P		
9		Dispensary				
10	RESIDENTIAL STANDARDS AND USES					
11	728.90	Residential Use	§ 790.88	P	P	P
12	728.91	Residential Density,	§§ 207, 207.1,	Generally, 1 unit per 600 sq.		
13		Dwelling Units	790.88(a)	ft. lot area § 207.4		
14	728.92	Residential Density,	§§ 207.1,	Generally, 1 bedroom per		
15		Group Housing	790.88(b)	210 sq. ft. lot area § 208		
16	728.93	Usable Open Space [Per	§§ 135, 136	Generally, either 80 sq. ft if		
17		Residential Unit]		private, or 100 sq. ft. if		
18				common § 135(d)		
19	728.94	Off-Street Parking,	§§ 150, 153–	Generally, 1 space for each		
20		Residential	157, 159– 160,	dwelling unit §§ 151, 161(a)		
21			204.5	(g)		

728.95	Community Residential Parking	§ 790.10	C	C	C
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**SPECIFIC PROVISIONS FOR THE 24TH STREET- NOE VALLEY
NEIGHBORHOOD COMMERCIAL DISTRICT**

Article 7 Code Section	Other Code Section	Zoning Controls
§ 728.40	§ 790.102(b) and (n) § 703.2(b)(1)(C)	24TH STREET – NOE VALLEY SPECIALTY RETAIL USES Boundaries: Only the area within the 24th Street – Noe Valley Neighborhood Commercial District. The controls shall not apply to NC-1 Districts or nonconforming uses within 1/4 mile of this District asset forth in Code §§ 710.10 and 186. Controls: Retail coffee stores, as defined in Code § 790.102(n), are prohibited. Retail coffee stores and specialty groceries, defined in Code § 790.102(b), are prohibited from establishing accessory take-out food service use pursuant to Code § 703.2(b)(1)(C).
§ 728.41	§ 790.22	24th STREET- NOE VALLEY LIQUOR LICENSES FOR FULL- SERVICE RESTAURANTS Boundaries: Applicable to the 24th Street - Noe Valley Neighborhood Commercial District Controls: (a) In order to allow certain restaurants to seek an ABC license type 47 so that liquor may be served for drinking on the premises, a bar use, as defined in § 790.22, may be permitted

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		<p>as a conditional use on the ground level if, in addition to the criteria set forth in Section 303, the Planning Commission finds that: (1) The bar function is operated as an integral element of an establishment which is classified both as: (A) a full-service restaurant as defined in § 790.92 and (B) a bona-fide restaurant as defined in § 781.8(c); and (2) The establishment maintains only an ABC license type 47. Other ABC license types, except those that are included within the definition of a full-service restaurant pursuant to § 790.92, are not permitted for those uses subject to this Section. (b) Subsequent to the granting of a conditional use authorization under this Section, the Commission may consider immediate revocation of the previous conditional use authorization should an establishment no longer comply with any of the above criteria for any length of time.</p>
§ 728.42	§ 790.92	<p>24th STREET - NOE VALLEY FULL-SERVICE RESTAURANTS Boundaries: Applicable to the 24th Street - Noe Valley Neighborhood Commercial District Controls: (a) A full-service restaurant may be permitted as a conditional use on the ground level if, in addition to the criteria set forth in Section 303, the Planning Commission finds that: (1) The full-service restaurant does not occupy space that has been occupied by a basic neighborhood service since the effective date of this Section. For the purposes of this Section, a 'basic neighborhood service' shall be considered to include, but not necessarily be</p>

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		<p>limited to, the following: hardware stores, shoe repair facilities, bookstores, and grocery stores that sell a wide variety of staple goods and collect less than 50% of gross receipts from the sale of alcoholic beverages; (2) Should the full-service restaurant seek the use of public sidewalk space through the Department of Public Works or another City agency, such use is conducted in a manner consistent with: (A) nearby commercial and residential uses and structures, and (B) the width of the sidewalk along the subject property and adjacent properties. New, expanded, or intensified use of public sidewalk space for a full-service restaurant authorized under this Section shall require a new conditional use authorization pursuant to Section 303; (3) The Planning Commission has approved no more than a total of three (3) full-service restaurants in accordance with this Section. Should a full-service restaurant permitted under this Section cease operation and complete a lawful change of use to another principally or conditionally permitted use, the Commission may consider a new full-service restaurant in accordance with the terms of this Section; and (4) No more than 60 months have elapsed from the effective date of this Section.</p>
§ 728.68	§ 249.35	FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD) Boundaries: The FFSRUD and its 1/4 mile buffer includes portions of, but is not limited to, the 24th Street-Noe Valley Neighborhood Commercial District. Controls: Within the

1 FFSRUD and its 1/4 mile buffer, fringe financial services are NP
2 pursuant to Section 249.35. Outside the FFSRUD and its 1/4
3 mile buffer, fringe financial services are P subject to the
4 restrictions set forth in Subsection 249.35(c)(3).

5
6 Section 24. The San Francisco Planning Code is hereby amended by amending
7 Section 729.1, to read as follows:

8 SEC. 729.1. WEST PORTAL AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT.

9
10 Located in the southwestern part of the City, the West Portal Avenue Neighborhood
11 Commercial District stretches for three long blocks along West Portal Avenue from Ulloa
12 Street to 15th Avenue and extends one block east along Ulloa Street from the Twin Peaks
13 Tunnel entrance to Claremont Boulevard. West Portal Avenue provides a selection of goods
14 and services for customers coming mainly from the surrounding west of Twin Peaks and
15 Sunset single-family residential neighborhoods. The lively, small-scale retail frontage is
16 interrupted at several locations by large-scale financial institutions which take up a large
17 amount of commercial ground-story frontage. More than half of the number of medical,
18 professional and business offices are located at the ground level. Except for one three-movie
19 theater complex, West Portal offers no entertainment uses and its restaurants are mainly
20 family-oriented.

21 The West Portal Avenue District controls are designed to preserve the existing family-
22 oriented, village character of West Portal Avenue. The building standards limit building heights
23 to 26 feet and two stories and maintain the existing pattern of rear yards at the ground level
24 and above. The height, bulk and design of new development, especially on large lots, should
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1 respect the small-scale character of the district and its surrounding residential neighborhoods.
2 Lot mergers creating large lots are discouraged. Individual nonresidential uses require
3 conditional use permits above 2,500 square feet and are restricted to 4,000 square feet as an
4 absolute limit to conform with the existing small use sizes in the district.

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6 Special controls on commercial uses are designed to protect the existing mix of
7 ground-story retail uses and prevent further intensification and congestion in the district. No
8 new financial services are permitted. Because the district and surrounding neighborhoods are
9 well served by the existing number of eating and drinking establishments, new bars,
10 restaurants and take-out food generally are discouraged: any proposed new establishment
11 should be carefully reviewed to ensure that it is neighborhood-serving and family-oriented,
12 and will not involve high-volume take-out food or generate traffic, parking, or litter problems.
13 Large fast-food restaurants and small self-service restaurants are prohibited. Medical,
14 business or professional services are permitted at the first two stories, but additional ground-
15 story locations are to be closely monitored to ensure that the current balance between retail
16 and office uses is maintained. Existing service stations are encouraged to continue operating,
17 but changes in their size, operation, or location are subject to review. Other automotive uses
18 are prohibited. The neighborhood-oriented, retail character of the district is further protected
19 by prohibiting hotels and nonretail uses. The daytime orientation of the district is maintained
20 by prohibitions of entertainment uses and late-night commercial operating hours.

21 Housing development is limited. Existing residential units are protected by limitations
22 on demolition and prohibition of upper-story conversions; new construction is to be carefully
23 reviewed to ensure appropriate scale, design and compatibility with adjacent development.
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**SEC. 729. WEST PORTAL AVENUE NEIGHBORHOOD COMMERCIAL
DISTRICT ZONING CONTROL TABLE**

			West Portal Avenue
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
729.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250– 252, 260, 270, 271	26-X
729.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 4,999 sq. ft.; C 5,000 sq. ft. & above § 121.1
729.12	Rear Yard	§§ 130, 134, 136	Required at grade level and above § 134(a) (e)
729.13	Street Frontage		Required § 145.1
729.14	Awning	§ 790.20	P § 136.1(a)
729.15	Canopy	§ 790.26	P § 136.1(b)
729.16	Marquee	§ 790.58	P § 136.1(c)
729.17	Street Trees		Required § 143
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
729.20	Floor Area Ratio	§§ 102.9, 102.11, 123	1.8 to 1 § 124(a) (b)

1	729.21	Use Size [Nonresidential]	§ 790.130	P up to 2,499 sq. ft.; C 2,500 to 3,999 sq. ft.; NP 4,000 sq. ft. & above § 121.2
2				
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4	729.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153– 157, 159– 160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
5				
6				
7				
8	729.23	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)
9				
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11				
12	729.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
13				
14	729.25	Drive-Up Facility	§ 790.30	
15	729.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
16				
17	729.27	Hours of Operation	§ 790.48	P 6 a.m.– 2 a.m.
18	729.30	General Advertising Sign	§§ 262, 602– 604, 608, 609	
19				
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21	729.31	Business Sign	§§ 262, 602– 604, 608, 609	P § 607.1(f)2
22				
23	729.32	Other Signs	§§ 262, 602– 604, 608, 609	P § 607.1(c) (d) (g)
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No. Zoning
Category §
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West Portal Avenue

Controls by Story

		§ 790.118	1st	2nd	3rd+
729.38	Residential Conversion	§ 790.84	P		
729.39	Residential Demolition	§ 790.86	P	C	C
Retail Sales and Services					
729.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P#	P	
729.41	Bar	§ 790.22	C		
729.42	Full-Service Restaurant	§ 790.92	C		
729.43	Large Fast Food Restaurant	§ 790.90			
729.44	Small Self-Service Restaurant	§ 790.91			
729.45	Liquor Store	§ 790.55	P		
729.46	Movie Theater	§ 790.64			

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729.47	Adult Entertainment	§ 790.36			
729.48	Other Entertainment	§ 790.38			
729.49	Financial Service	§ 790.110			
729.50	Limited Financial Service	§ 790.112	C		
729.51	Medical Service	§ 790.114	C	P	
729.52	Personal Service	§ 790.116	P	P	
729.53	Business or Professional Service	§ 790.108	C #	P	
729.54	Massage Establishment	§ 790.60, § 1900 Health Code			
729.55	Tourist Hotel	§ 790.46			
729.56	Automobile Parking	§§ 790.8, 156, 160			
729.57	Automotive Gas Station	§ 790.14			
729.58	Automotive Service Station	§ 790.17	C		
729.59	Automotive Repair	§ 790.15			
729.60	Automotive Wash	§ 790.18			
729.61	Automobile Sale or Rental	§ 790.12			
729.62	Animal Hospital	§ 790.6	C		

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729.63	Ambulance Service	§ 790.2			
729.64	Mortuary	§ 790.62			
729.65	Trade Shop	§ 790.124	P		
729.66	Storage	§ 790.117			
729.67	Video Store	§ 790.135	C	C	
729.68	Fringe Financial Service	§ 790.111			
<u>729.69</u>	<u>Tobacco Paraphernalia</u>	<u>§ 790.123</u>	<u>C</u>		
	<u>Establishments</u>				
Institutions and Non-Retail Sales and Services					
729.70	Administrative Service	§ 790.106			
729.80	Hospital or Medical Center	§ 790.44			
729.81	Other Institutions, Large	§ 790.50	C	C	
729.82	Other Institutions, Small	§ 790.51	P	P	
729.83	Public Use	§ 790.80	C	C	
729.84	Medical Cannabis Dispensary	§ 790.141	C		
RESIDENTIAL STANDARDS AND USES					
729.90	Residential Use	§ 790.88	P	P	
729.91	Residential Density,	§§ 207, 207.1,	Generally, 1 unit per 800 sq.		

1		Dwelling Units	790.88(a)	ft. lot area § 207.4	
2	729.92	Residential Density,	§§ 207.1,	Generally, 1 bedroom per 275	
3		Group Housing	790.88(b)	sq. ft. lot area § 208	
4	729.93	Usable Open Space [Per	§§ 135, 136	Generally, either 100 sq. ft. if	
5		Residential Unit]		private, or 133 sq. ft. if	
6				common § 135(d)	
7	729.94	Off-Street Parking,	§§ 150, 153–	Generally, 1 space for each	
8		Residential	157, 159– 160,	dwelling unit §§ 151, 161(a)	
9			204.5	(g)	
10	729.95	Community Residential	§ 790.10	C	C
11		Parking			

**SPECIFIC PROVISIONS FOR THE WEST PORTAL AVENUE
NEIGHBORHOOD COMMERCIAL DISTRICT**

16	Article 7	Other	Zoning Controls
17	Code	Code	
18	Section	Section	
19	§ 729.40	§ 790.102	Boundaries: The entire West Portal Neighborhood Commercial District
20			Controls: A retail coffee store or other non-alcoholic beverage store as
21			defined by Subsection 790.102(n) may be granted a conditional use to
22			be exempt from the prohibition described in that subsection of cooking
23			devices and on-site food preparation not connected with beverage
24			preparation, provided that the cooking device allowed shall be limited
25			

		to one small device for warming sandwich ingredients and provided that all other provisions of Subsection 790.102(n) are met.
§ 729.53		<p>Boundaries: The entire West Portal Neighborhood Commercial District</p> <p>Controls: Applicable only for the use of stock brokerage. A stock brokerage may apply for conditional use if there are no more than a total of seven financial uses and/or stock brokerages within the district. If there are more than seven financial services and/or stock brokerages in the district, stock brokerages shall not be permitted.</p>

Section 25. The San Francisco Planning Code is hereby amended by amending Section 730.1, to read as follows:

SEC. 730.1. INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Inner Sunset Neighborhood Commercial District is located in the Inner Sunset neighborhood, consisting of the NC-2 district bounded by Lincoln Way on the north, Fifth Avenue on the east, Kirkham Street on the south, and Nineteenth Avenue on the west. The shopping area provides convenience goods and services to local Inner Sunset residents, as well as comparison shopping goods and services to a larger market area. The commercial district is also frequented by users of Golden Gate Park on weekends and by City residents for its eating, drinking, and entertainment places. Numerous housing units establish the district's mixed residential-commercial character.

The Inner Sunset District controls are designed to protect the existing building scale and promote new mixed-use development which is in character with adjacent buildings. The building standards regulate large-lot and use development and protect rear yards above the

1 ground story and at residential levels. To promote the prevailing mixed use character, most
 2 commercial uses are directed primarily to the ground story with some upper-story restrictions
 3 in new buildings. In order to maintain the balanced mix and variety of neighborhood-serving
 4 commercial uses and regulate the more intensive commercial uses which can generate
 5 congestion and nuisance problems, special controls prohibit additional eating and drinking
 6 uses, restrict expansion and intensification of existing eating and drinking establishments, and
 7 limit entertainment and tourist hotels. Prohibitions of most automobile and drive-up uses
 8 protect the district's continuous retail frontage.

9
 10 Housing development in new buildings is encouraged above the ground story. Existing
 11 residential units are protected by prohibition of upper-story conversions and limitations on
 12 demolitions.

13 **SEC. 730. INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT**
 14 **ZONING CONTROL TABLE**

			Inner Sunset
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
730.1	Height and Bulk Limit	§§ 102.12, 105, 106, 250– 252, 260, 270, 271	40-X
730.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 4,999 sq. ft.; C 5,000 sq. ft. & above § 121.1

1	730.12	Rear Yard	§§ 130, 134, 136	Required at grade level and above § 134(a) (e)
2				
3	730.13	Street Frontage		Required § 145.1
4	730.14	Awning	§ 790.20	P § 136.1(a)
5	730.15	Canopy	§ 790.26	P § 136.1(b)
6	730.16	Marquee	§ 790.58	P § 136.1(c)
7	730.17	Street Trees		Required § 143
8				
9	COMMERCIAL AND INSTITUTIONAL			
10	STANDARDS AND USES			
11	730.2	Floor Area Ratio	§§ 102.9, 102.11, 123	1.8 to 1 § 124(a) (b)
12				
13	730.21	Use Size [Nonresidential]	§ 790.130	P up to 2,499 sq. ft.; C 2,500 sq. ft. & above § 121.2
14				
15	730.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153– 157, 159– 160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
16				
17				
18				
19				
20	730.23	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)
21				
22				
23	730.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
24				
25				

1	730.25	Drive-Up Facility	§ 790.30	
2	730.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not
3				recessed § 145.2(b)
4	730.27	Hours of Operation	§ 790.48	P 6 a.m.– 2 a.m. C 2 a.m.– 6
5				a.m.
6	730.30	General Advertising Sign	§§ 262, 602, 604,	
7			608, 609	
8	730.31	Business Sign	§§ 262, 602, 604,	P § 607.1(f)2
9			608, 609	
10	730.32	Other Signs	§§ 262, 602, 604,	P § 607.1(c) (d) (g)
11			608, 609	

No. Zoning
Category §
References

Inner Sunset
Controls by Story

		§ 790.118	1st	2nd	3rd+
21	730.38	Residential Conversion	§ 790.84	P	
22	730.39	Residential Demolition	§ 790.86	P	C C

1 **Retail Sales and Services**

2	730.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P	C	
3						
4						
5	730.41	Bar	§ 790.22	C #		
6						
7	730.42	Full-Service Restaurant	§ 790.92	C #		
8						
9	730.43	Large Fast Food Restaurant	§ 790.90			
10						
11	730.44	Small Self-Service Restaurant	§ 790.91	C		
12						
13	730.45	Liquor Store	§ 790.55			
14						
15	730.46	Movie Theater	§ 790.64	P		
16						
17	730.47	Adult Entertainment	§ 790.36			
18						
19	730.48	Other Entertainment	§ 790.38	C		
20						
21	730.49	Financial Service	§ 790.110	P		
22						
23	730.50	Limited Financial Service	§ 790.112	P		
24						
25	730.51	Medical Service	§ 790.114	C	C	
	730.52	Personal Service	§ 790.116	P	C	
	730.53	Business or Professional Service	§ 790.108	P	C	
	730.54	Massage Establishment	§ 790.60, § 1900	C		

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		Health Code			
730.55	Tourist Hotel	§ 790.46	C	C	
730.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
730.57	Automotive Gas Station	§ 790.14			
730.58	Automotive Service Station	§ 790.17			
730.59	Automotive Repair	§ 790.15	C		
730.60	Automotive Wash	§ 790.18			
730.61	Automobile Sale or Rental	§ 790.12			
730.62	Animal Hospital	§ 790.6	C		
730.63	Ambulance Service	§ 790.2			
730.64	Mortuary	§ 790.62			
730.65	Trade Shop	§ 790.124	P		
730.66	Storage	§ 790.117			
730.67	Video Store	§ 790.135	C		
730.68	Fringe Financial Service	§ 790.111	P#		
<u>730.69</u>	<u>Tobacco Paraphernalia</u> <u>Establishments</u>	<u>§ 790.123</u>	C		

1	Institutions and Non-Retail Sales and					
2	Services					
3	730.7	Administrative Service	§ 790.106			
4	730.8	Hospital or Medical	§ 790.44			
5		Center				
6	730.81	Other Institutions, Large	§ 790.50	P	C	C
7	730.82	Other Institutions, Small	§ 790.51	P	P	P
8	730.83	Public Use	§ 790.80	C	C	
9	730.84	Medical Cannabis	§ 790.141	P		
10		Dispensary				
11	RESIDENTIAL STANDARDS AND USES					
12	730.9	Residential Use	§ 790.88	P	P	P
13	730.91	Residential Density,	§§ 207, 207.1,	Generally, 1 unit per 800 sq.		
14		Dwelling Units	790.88(a)	ft. lot area § 207.4		
15	730.92	Residential Density,	§§ 207.1,	Generally, 1 bedroom per 275		
16		Group Housing	790.88(b)	sq. ft. lot area § 208		
17	730.93	Usable Open Space [Per	§§ 135, 136	Generally, either 100 sq. ft. if		
18		Residential Unit]		private, or 133 sq. ft. if		
19				common § 135(d)		
20	730.94	Off-Street Parking,	§§ 150, 153–	Generally, 1 space for each		
21		Residential	157, 159– 160,	dwelling unit §§ 151, 161(a)		
22			204.5	(g)		

730.95	Community Residential Parking	§ 790.10	C	C	C
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**SPECIFIC PROVISIONS FOR THE INNER SUNSET NEIGHBORHOOD
COMMERCIAL DISTRICT**

Article 7 Code Section	Other Code Section	Zoning Controls
§ 730.68	§ 249.35	Fringe financial services are P subject to the restrictions set forth in Section 249.35, including, but not limited to, the proximity restrictions set forth in Subsection 249.35(c)(3).

Section 26. The San Francisco Planning Code is hereby amended by amending Section 732.1, to read as follows:

SEC. 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

1 surrounding neighborhood residential character. These controls are intended to preserve
 2 livability in a largely low-rise development residential neighborhood, enhance solar access on
 3 a narrow street right-of-way and protect residential rear yard patterns at the ground floor.

4 **SEC. 732. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT**
 5 **ZONING CONTROL TABLE**

			Pacific Avenue NCD
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
732.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250-252, 260, 270, 271	40-X See Zoning Map
732.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 9,999 sq. ft.; C 10,000 sq. ft. & above § 121.1
732.12	Rear Yard	§§ 130, 134, 136	45% required at the first story and above and at all residential levels § 134(c)
732.13	Street Frontage		Required § 145.1
732.14	Awning	§ 790.20	P § 136.1(a)
732.15	Canopy	§ 790.26	P § 136.1(b)
732.16	Marquee	§ 790.58	P § 136.1(c)
732.17	Street Trees		Required § 143

**COMMERCIAL AND INSTITUTIONAL
STANDARDS AND USES**

732.20	Floor Area Ratio	§§ 102.9, 102.11, 123	1.5 to 1 § 124(a) (b)
732.21	Use Size [Non-Residential]	§ 790.130	P up to 1,999 sq. ft.; C 2,000 sq. ft. & above § 121.2
732.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153-157, 159-160, 204.5	Generally, none required if occupied floor area is less than 2,000 sq. ft. §§ 151, 161(g)

Pacific Avenue NCD

No.	Zoning Category	§ References	Controls
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)
732.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
732.25	Drive-Up Facility	§ 790.30	
732.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
732.27	Hours of Operation	§ 790.48	P 6 a.m. - 10 p.m.; C 10 p.m. - 2 a.m.
732.30	General Advertising Sign	§§ 262, 602-604, 608, 609	

1	732.31	Business Sign	§§ 262, 602-604, 608, 609	P § 607.1(f) 2
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3	732.32	Other Signs	§§ 262, 602-604, 608, 609	P § 607.1(c) (d) (g)
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No. Zoning
Category §
References

Pacific Avenue NCD

Controls by Story

		§ 790.118	1st	2nd	3rd+
13					
14	732.38	Residential Conversion	§ 790.84	C	
15					
16	732.39	Residential Demolition	§ 790.86	C	

17 **Retail Sales and Services**

18	732.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P	C	
19						
20						
21	732.41	Bar	§ 790.22			
22	732.42	Full-Service Restaurant	§ 790.92	C		
23						
24	732.43	Large Fast Food	§ 790.90			

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	Restaurant				
732.44	Small Self-Service Restaurant	§ 790.91			
732.45	Liquor Store	§ 790.55			
732.46	Movie Theater	§ 790.64			
732.47	Adult Entertainment	§ 790.36			
732.48	Other Entertainment	§ 790.38			
732.49	Financial Service	§ 790.110	C		
732.50	Limited Financial Service	§ 790.112	P		
732.51	Medical Service	§ 790.114	C	C	
732.52	Personal Service	§ 790.116	P	C	
732.53	Business or Professional Service	§ 790.108	P	C	
732.54	Massage Establishment	§ 790.60, § 2700 Police Code			
732.55	Tourist Hotel	§ 790.46			
732.56	Automobile Parking	§§ 790.8, 156, 160	C		
732.57	Automotive Gas Station	§ 790.14			
732.58	Automotive Service	§ 790.17			

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	Station				
732.59	Automotive Repair	§ 790.15	C		
732.60	Automotive Wash	§ 790.18			
732.61	Automobile Sale or Rental	§ 790.12			
732.62	Animal Hospital	§ 790.6			
732.63	Ambulance Service	§ 790.2			
732.64	Mortuary	§ 790.62			
732.65	Trade Shop	§ 790.124	C		
732.66	Storage	§ 790.117			
732.67	Video Store	§ 790.135	C		
<u>732.68</u>	<u>Tobacco Paraphernalia</u>	<u>§ 790.123</u>	<u>C</u>		
	<u>Establishments</u>				
Institutions and Non-Retail Sales and Services					
732.70	Administrative Service	§ 790.106			
732.80	Hospital or Medical Center	§ 790.44			
732.81	Other Institutions, Large	§ 790.50			
732.82	Other Institutions, Small	§ 790.51	C		

1	732.83	Public Use	§ 790.80	C		
2	RESIDENTIAL STANDARDS AND USES					
3	732.90	Residential Use	§ 790.88	P	P	P
4	732.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 1,000 sq. ft. lot area § 207.4		
5	732.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 275 sq. ft. lot area § 208		
6	732.93	Usable Open Space [Per Residential Unit]	§§ 135, 136	Generally, either 100 sq. ft if private, or 133 sq. ft. if common § 135(d)		
7	732.94	Off-Street Parking, Residential	§§ 150, 153- 157, 159-160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
8	732.95	Community Residential Parking	§ 790.10	C		

18
19 Section 27. The San Francisco Planning Code is hereby amended by adding Section
20 790.123, to read as follows:

21 SEC. 790.123. TOBACCO PARAPHERNALIA ESTABLISHMENT

22 A Tobacco Paraphernalia Establishment shall be, as established in Section 227(v) of this code,
23 a retail use where more than 15% of the gross square footage of the establishment is dedicated
24 to the sale, distribution, delivery, furnishing or marketing of Tobacco Paraphernalia from one
25

1 person to another. Tobacco Paraphernalia is sold, distributed, delivered, furnished, or
 2 marketed from one person to another. "Tobacco Paraphernalia" means paraphernalia, devices, or
 3 instruments that are designed or manufactured for the smoking, ingesting, inhaling, or otherwise
 4 introducing into the body of tobacco, products prepared from tobacco, or controlled substances as
 5 defined in California Health and Safety Code Sections 11054 et seq. "Tobacco Paraphernalia" does not
 6 include lighters, matches, cigarette holders, any device used to store or preserve tobacco,
 7 tobacco, cigarettes, cigarette papers, cigars, or any other preparation of tobacco that is permitted by
 8 existing law. Medical Cannabis Dispensaries, as defined in Section 3201(f) of the San
 9 Francisco Health Code, are not Tobacco Paraphernalia Establishments.

10 Section 28. The San Francisco Planning Code is hereby amended by amending
 11 Section 803.1, to read as follows:

12 SEC. 803.2. USES PERMITTED IN CHINATOWN.

13 A use is the specific purpose for which a property or building is used, occupied,
 14 maintained, or leased. Whether or not a use is permitted in a specific Chinatown Mixed Use
 15 District is set forth, summarized or cross-referenced in Sections 810.1 through 812.96 of this
 16 Code for each district class.

17 (a) Use Categories. The uses, functions, or activities, which are permitted in each
 18 Chinatown Mixed Use District class include those listed in Table 803.2 below by zoning
 19 control category and numbered and cross-referenced to the Code Section containing the
 20 definition.

21 **TABLE 803.2 USE CATEGORIES PERMITTED IN THE CHINATOWN**

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No.	Zoning Control Categories for Uses	Section Number of Use Definition
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803.2.24	Outdoor Activity Area	§ 890.71
803.2.25	Drive-Up Facility	§ 890.30
803.2.26	Walk-Up Facility	§ 890.140
803.2.27	Hours of Operation	§ 890.48
803.2.38a	Residential Conversion, Residential Hotels	§ 890.84
803.2.38b	Residential Demolition, Residential Hotels	§ 890.86
803.2.39a	Residential Conversion, Apartments	§ 890.84
803.2.39b	Residential Demolition, Apartments	§ 890.86
803.2.40a	Other Retail Sales and Services	§ 890.102
803.2.40b	Gift Store– Tourist-Oriented	§ 890.39
803.2.40c	Jewelry	§ 890.51
803.2.41	Bar	§ 890.22
803.2.42	Full-Service Restaurant	§ 890.92
803.2.43	Fast-Food Restaurant– Small	§ 890.90
803.2.44	Fast-Food Restaurant– Large	§ 890.91
803.2.45	Take-Out Food	§ 890.122
803.2.46	Movie Theater	§ 890.64
803.2.47	Adult Entertainment	§ 890.36
803.2.48	Other Entertainment	§ 890.37
803.2.49	Financial Service	§ 890.110

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803.2.50	Limited Financial Service	§ 890.112
803.2.51	Medical Service	§ 890.114
803.2.52	Personal Service	§ 890.116
803.2.53	Professional Service	§ 890.108
803.2.54	Massage Establishment	§ 890.60
803.2.55	Tourist Hotel	§ 890.46
803.2.56	Automobile Parking Lot, Community Commercial	§ 890.9
803.2.57	Automobile Parking Garage, Community Commercial	§ 890.10
803.2.58	Automobile Parking Lot, Public	§ 890.11
803.2.59	Automobile Parking Garage, Public	§ 890.12
803.2.60	Automotive Gas Station	§ 890.14
803.2.61	Automotive Service Station	§ 890.18
803.2.62	Automotive Repair	§ 890.15
803.2.63	Automotive Wash	§ 890.20
803.2.64	Automobile Sale or Rental	§ 890.13
803.2.65	Animal Hospital	§ 890.6
803.2.66	Ambulance Service	§ 890.2
803.2.67	Mortuary	§ 890.62
803.2.68	Trade Shop	§ 890.124

1	803.2.70	Administrative Service	§ 890.106
2	803.2.71	Light Manufacturing, Wholesale Sales or Storage	§ 890.54
3	803.2.72	Fringe Financial Service	§ 890.113
4	803.2.73	Business Services	§ 890.111
5	803.2.80	Hospital or Medical Center	§ 890.44
6	803.2.81	Other Institutions	§ 890.50
7	803.2.82	Public Use	§ 890.80
8	803.2.90	Residential Use	§ 890.88
9	803.2.95	Automobile Parking Lot, Community Residential	§ 890.7
10	803.2.96	Automobile Parking Garage, Community Residential	§ 890.8
11	803.2.97	<i>Tobacco Paraphernalia Establishments</i>	<i>§ 890.123</i>

15 (b) Use Limitations. Uses in Chinatown Mixed Use Districts are either permitted,
16 conditional, accessory, temporary, or are not permitted.

17 (1) Permitted Uses. All permitted uses in Chinatown Mixed Use Districts shall be
18 conducted within an enclosed building, unless otherwise specifically allowed in this Code.
19 Exceptions from this requirement are: accessory off-street parking and loading; uses which,
20 when located outside of a building, qualify as an outdoor activity area, as defined in Section
21 890.71 of this Code; and uses which by their nature are to be conducted in an open lot or
22 outside a building, as described in Sections 890 through 890.140 of this Code.

1 If there are two or more uses in a structure and none is classified under Section
2 803.2(b)(1)(C) of this Code as accessory, then each of these uses will be considered
3 separately as an independent permitted, conditional, temporary or not permitted use.

4 (A) Principal Uses. Principal uses are permitted as of right in a Chinatown Mixed Use
5 District, when so indicated in Sections 810.1 through 812.96 of this Code for each district
6 class.

7 (B) Conditional Uses. Conditional uses are permitted in a China-town Mixed Use
8 District when authorized by the Planning Commission; whether a use is conditional in a given
9 district is indicated in Sections 810 through 812. Conditional uses are subject to the provisions
10 set forth in Section 303 of this Code.

11 (i) An establishment which sells beer and wine with motor vehicle fuel is a conditional
12 use, and shall be governed by Section 229.

13 (ii) Any use or feature which lawfully existed and was permitted as a principal or
14 conditional use on the effective date of these controls which is not otherwise nonconforming
15 or noncomplying as defined in Section 180 of this Code, and which use or feature is not
16 permitted under this Article is deemed to be a permitted conditional use subject to the
17 provisions of this Code.

18 (iii) Notwithstanding any other provision of this Article, a change in use or demolition of
19 a movie theater use, as set forth in Section 890.64, shall require conditional use authorization.
20 This Subsection shall not authorize a change in use if the new use or uses are otherwise
21 prohibited.

22 (iv) Notwithstanding any other provision of this Article, a change in use or demolition of
23 a general grocery store use, as set forth in Section 890.102(a) and as further defined in
24
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1 Section 790.102(a), shall require conditional use authorization. This Subsection shall not
2 authorize a change in use if the new use or uses are otherwise prohibited.

3 (C) Accessory Uses. Subject to the limitations set forth below and in Sections 204.1
4 (Accessory Uses for Dwelling Units in R Districts) and 204.5 (Parking and Loading as
5 Accessory Uses) of this Code, a related minor use which is either necessary to the operation
6 or enjoyment of a lawful principal use or conditional use or is appropriate, incidental and
7 subordinate to any such use, shall be permitted in Chinatown Mixed Use Districts as an
8 accessory use when located on the same lot. Any use not qualified as an accessory use shall
9 only be allowed as a principal or conditional use, unless it qualifies as a temporary use under
10 Sections 205 through 205.2 of this Code.

11 No use in a Chinatown Mixed Use District will be considered accessory to a principal
12 use which involves or requires any of the following:

13 (i) The use of more than 1/3 of the total floor area occupied by both the accessory use
14 and the principal use to which it is accessory, combined, except in the case of accessory off-
15 street parking;

16 (ii) Any bar, restaurant, other entertainment, or any retail establishment which serves
17 liquor for consumption on-site;

18 (iii) Any take-out food use, except for a take-out food use which occupies 100 square
19 feet or less (including the area devoted to food preparation and service and excluding storage
20 and waiting areas) in a retail grocery or specialty food store;

21 (iv) The wholesaling, manufacturing or processing of foods, goods, or commodities on
22 the premises of an establishment which does not also provide for primarily retail sale of such
23 foods, goods or commodities at the same location where such wholesaling, manufacturing or
24 processing takes place.

1 The above shall not prohibit take-out food activity which operates in conjunction with a
2 fast-food restaurant. A fast-food restaurant, by definition, includes take-out food as an
3 accessory and necessary part of its operation.

4 (D) Temporary Uses. Uses not otherwise permitted are permitted in Chinatown Mixed
5 Use Districts to the extent authorized by Sections 205, 205.1 or 205.2 of this Code.

6 (2) Not Permitted Uses.

7 (A) Uses which are not listed in this Article are not permitted in a Chinatown Mixed Use
8 District unless determined by the Zoning Administrator to be permitted uses in accordance
9 with Section 307(a) of this Code.

10 (B) No use, even though listed as a permitted use or otherwise allowed, shall be
11 permitted in a Chinatown Mixed Use District which, by reason of its nature or manner of
12 operation, creates conditions that are hazardous, noxious, or offensive through the emission
13 of odor, fumes, smoke, cinders, dust, gas, vibration, glare, refuse, water-carried waste, or
14 excessive noise.

15 (C) The establishment of a use that sells alcoholic beverages, other than beer and
16 wine, concurrent with motor vehicle fuel is prohibited, and shall be governed by Section 229.

17 Section 29. The San Francisco Planning Code is hereby amended by amending
18 Section 810.1, to read as follows:

19 SEC. 810.1. CHINATOWN COMMUNITY BUSINESS DISTRICT.

20 The Chinatown Community Business District, located in the northeast quadrant of San
21 Francisco, extends along Broadway from the eastern portal of the Broadway Tunnel to
22 Columbus Avenue and along Kearny Street from Columbus to Sacramento Street. This district
23 also includes portions of Commercial Street between Montgomery Street and Grant Avenue
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1 and portions of Grant Avenue between Bush and California Streets. It is part of the larger core
 2 area of Chinatown.

3 The portions of Broadway, Kearny and Commercial Streets and Grant Avenue in this
 4 district are transitional edges or entries to Chinatown. North and east of the two blocks of
 5 Broadway contained in this district are North Beach and the Broadway Entertainment Districts.
 6 Kearny and Columbus Streets are close to intensive office development in the Downtown
 7 Financial District. Both Grant Avenue and Commercial Street provide important pedestrian
 8 entries to Chinatown. Generally, this district has more potential for added retail and
 9 commercial development than other parts of Chinatown.

10 This zoning district is intended to protect existing housing, encourage new housing and
 11 to accommodate modest expansion of Chinatown business activities as well as street-level
 12 retail uses. The size of individual professional or business office use is limited in order to
 13 prevent these areas from being used to accommodate larger office uses spilling over from the
 14 financial district. Housing development in new buildings is encouraged at upper stories.
 15 Existing housing is protected by limitations on demolitions and upper-story conversions.

16 Table 810 CHINATOWN COMMUNITY BUSINESS DISTRICT ZONING
 17 CONTROL TABLE

			Chinatown Community Business District
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
.10	Height and Bulk	§§ 102.12, 105, 106, 263.4, §§ 250– 252,	P up to 35 feet # C to 65 ft. C to 50 ft. (along Commercial Street) See Zoning

1		260, 270, 271	Map, § 254 50 ft. length and 100 ft.
2			diagonal above 40 ft. # See Zoning Map, §
3			270
4	.11	Lot Size [Per	§§ 890.56, 121
5		Development]	
6			P up to 5,000 sq. ft. C 5,001 sq. ft. & above
7			§ 121.3
8	.12	Rear Yard/Site	§§ 130, 134, 136
9		Coverage	
10			Location may be modified / 75% coverage
11			§ 134.1
12	.13	Sun Access Setbacks	
13			15 ft. at specified heights § 132.3
14	.14	Maximum Street	
15		Frontage [Per	
16		Building]	P to 50 feet C more than 50 feet § 145.3
17	.15	Awning	§ 890.21
18			P § 136.2(a)
19	.16	Canopy	§ 890.24
20			P § 136.2(b)
21	.17	Marquee	§ 890.58
22			P § 136.2(c)
23	COMMERCIAL AND INSTITUTIONAL STANDARDS AND SERVICES		
24	.19	Floor Area Ratio	§§ 102.9, 102.11, 123
25			
			2.8 to 1 § 124(a) (b)
	.20	Use Size	§ 890.130
		[Nonresidential]	
			P up to 5,000 sq. ft. C 5,000 sq. ft. & above
			§ 121.4 Except for full-service restaurants
	.21	Open Space	
			1 sq. ft. for every 50 sq. ft. of building over
			10,000 sq. ft. § 135.1
	.22	Off-Street Parking,	§§ 150, 153– 157,
			1:500 sq. ft. when lot size over 20,000 sq.

1	Commercial and	159– 160, 204.5	ft. §§ 151, 161(d)
2	Institutional		
3	.23 Off-Street Freight	§§ 150, 153– 155,	Generally, none required if gross floor area
4	Loading	204.5	is less than 10,000 sq. ft. §§ 152, 161(b)
5	.24 Outdoor Activity Area	§ 890.71	P in front C elsewhere
6			
7	.25 Drive-Up Facility	§ 890.30	
8	.26 Walk-Up Facility	§ 890.140	P if recessed 3 ft. C otherwise
9	.27 Hours of Operation	§ 890.48	No limit
10	.30 General Advertising	§§ 602– 604, 608.1,	P § 607.2(e)
11	Sign	608.2	
12	.31 Business Sign	§§ 602– 604, 608.1,	P § 607.2(f)
13		608.2	
14			



Chinatown Community Business District

Controls by Story

No.	Zoning Category	§ References	1st	2nd	3rd+
.38a	Residential Conversion Residential Hotels	Ch. 41 Admin. Code			
.38b	Residential Demolition	Ch. 41 Admin. Code			

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	Residential Hotels				
.39a	Residential Conversion Apartments				
.39b	Residential Demolition Apartments				
Retail Sales and Services					
.40a	Other Retail Sales and Services [Not Listed Below]	§ 890.102	P	P	P
.40b	Gift Store-- Tourist Oriented	§ 890.39	P	P	P
.40c	Jewelry	§ 890.51	P	P	P
.41	Bar	§ 890.22	P	P	P
.42	Full-Service Restaurant	§ 890.92	P	P	P
.43	Fast Food Restaurant (Small)	§ 890.90	C	C	C
.44	Fast Food Restaurant (Large)	§ 890.91			
.45	Take-Out Food	§ 890.122	C	C	
.46	Movie Theater	§ 890.64	P	P	
.47a	Adult Entertainment	§ 890.36			
.47b	Other Entertainment	§ 890.37	P	P	P
.48	Amusement Game Arcade	§ 890.4 § 1036 Police Code			
.49	Financial Service	§ 890.110	P		

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.50	Limited Financial Service	§ 890.112	P		
.51	Medical Service	§ 890.114	P	P	P
.52	Personal Service	§ 890.116	P	P	P
.53	Professional Service	§ 890.108	P	P	P
.54	Massage Establishment	§ 890.60 § 1900 Health Code	P	P	P
.55	Tourist Hotel	§ 890.46	C	C	C
.56	Automobile Parking Lot, Community Commercial	§§ 890.9, 156, 160	C	C	C
.57	Automobile Parking Garage, Community Commercial	§ 890.10, 160	C	C	C
.58	Automobile Parking Lot, Public	§ 890.11, 156	C	C	C
.59	Automobile Parking Garage, Public	§ 890.12	C	C	C
.60	Automotive Gas Station	§ 890.14			
.61	Automotive Service Station	§ 890.18			
.62	Automotive Repair	§ 890.15			
.63	Automotive Wash	§ 890.20			
.64	Automotive Sale or Rental	§ 890.13			
.65	Animal Hospital	§ 890.6			
.66	Ambulance Service	§ 890.2			

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.67	Mortuary	§ 890.62	C	C	
.68	Trade Shop	§ 890.124	P	C	
.70	Administrative Service	§ 890.106			
.71	Light Manufacturing or Wholesale Sales	§ 890.54	#	#	
.72	Fringe Financial Service	§ 890.113	P#		
.73	<u>Tobacco Paraphernalia</u> <u>Establishments</u>	<u>§ 890.123</u>	C		
Institutions					
.80	Hospital or Medical Center	§ 890.44			
.81	Other Institutions	Not counted as Commercial Fl. area § 890.50	P	P	P
.82	Public Use	§ 890.80	C	C	C
.83	Medical Cannabis Dispensary	§ 890.133	P		
RESIDENTIAL STANDARDS AND USES					
.90	Residential Use	§ 890.88	P	P	P
.91	Residential Density, Dwelling	§§ 207, 207.1, 890.88(a)	1 unit per 200 sq. ft. lot area		

1	Units		§ 207.5		
2	.92 Residential Density, Group	§§ 207.1, 208, 890.88(b)	1 bedroom per 140 sq. ft.		
3	Housing		lot area § 208		
4	.93 Usable Open Space [Per	§§ 135, 136	48 sq. ft. § 135 Table 3		
5	Residential Unit]				
6	.94 Off-Street Parking, Residential	§§ 150, 153– 157, 159–	Generally, 1 space per unit		
7		160, 204.5	§§ 151, 161(a) (o)		
8	.95 Automobile Parking Lot,	§ 890.7, 156, 160	C	C	C
9	Community Residential				
10	.96 Automobile Parking Garage,	§ 890.8, 160		C	C
11	Community Residential				

**SPECIFIC PROVISIONS FOR CHINATOWN COMMUNITY BUSINESS
DISTRICT**

Section		Zoning Controls
16	§ 810.10	§ 270 – 50 N Height and Bulk District and 65 N Height and Bulk District as mapped on Sectional Map 1H
17	§ 810.71	§ 236 – Garment Shop Special Use District applicable only for portions of the Chinatown Community Business District as mapped on Sectional Map No. 1 SUa
18	§ 810.72	249.35 Fringe Financial Services are P subject to the restrictions set forth in Section 249.35, including, but not limited to, the proximity restrictions set forth in

Subsection 249.35(c)(3).

Section 30. The San Francisco Planning Code is hereby amended by amending Section 811.1, to read as follows:

SEC. 811.1. CHINATOWN VISITOR RETAIL DISTRICT.

The Chinatown Visitor Retail Neighborhood Commercial District extends along Grant Avenue between California and Jackson Streets. This district contains a concentration of shopping bazaars, art goods stores and restaurants which attract visitors and shoppers and contribute to the City's visual and economic diversity. Grant Avenue provides an important link between Downtown retail shopping and the Broadway, North Beach and Fisherman's Wharf areas.

This district is intended to preserve the street's present character and scale and to accommodate uses primarily appealing to visitors (e.g tourist gifts shops, jewelry stores, art goods, large restaurants. In order to promote continuous retail frontage, entertainment, financial services, medical service, automotive and drive-up uses are restricted. Most commercial uses, except financial services are permitted on the first two stories. Administrative services, (those not serving the public) are prohibited in order to prevent encroachment from downtown office uses. There are also special controls on fast-food restaurants and tourist hotels. Building standards protect and complement the existing small-scale development and the historic character of the area.

The height limit applicable to the district will accommodate two floors of housing or institutional use above two floors of retail use. Existing residential units are protected by prohibition of upper-story conversions and limitation on demolition.

1 Table 811 CHINATOWN VISITOR RETAIL DISTRICT ZONING CONTROL

2 TABLE

			Chinatown Visitor Business District
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
.10	Height and Bulk	§§ 102.12, 105, 106, 263.4 §§ 250– 252, 260, 270, 271	P up to 35 feet # C to 50 ft. See Zoning Map, § 254 50 ft. length and 100 ft. diagonal above 40 ft. # See Zoning Map, § 270
.11	Lot Size [Per Development]	§§ 890.56, 121	P up to 2,500 sq. ft. C 5,000 sq. ft. & above § 121.3
.12	Rear Yard/Site Coverage	§§ 130, 134, 136	Location may be modified /75% coverage § 134.1
.13	Sun Access Setbacks		15 ft. at specified heights § 132.3
.14	Maximum Street Frontage [Per Building]		P to 50 feet C more than 50 feet § 145.3
.15	Awning	§ 890.21	P § 136.2(a)
.16	Canopy	§ 890.24	P § 136.2(b)
.17	Marquee	§ 890.58	P § 136.2(c)
COMMERCIAL AND			

**INSTITUTIONAL STANDARDS
AND SERVICES**

.19	Floor Area Ratio	§§ 102.9, 102.11, 123	2.0 to 1 § 124(a) (b)
.20	Use Size [Nonresidential]	§ 890.130	P up to 2,500 sq. ft. C 2,501 to 5,000 sq. ft. Except for full-service restaurants– 5,000 sq. ft. § 121.4
.21	Open Space		1 sq. ft. for every 50 sq. ft. above 10,000 sq. ft. § 135.1
.22	Off-Street Parking, Commercial and Institutional	§§ 150, 153– 157, 159– 160, 204.5	None required § 161(c)
.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)
.24	Outdoor Activity Area	§ 890.71	P in front C elsewhere
.25	Drive-Up Facility	§ 890.30	
.26	Walk-Up Facility	§ 890.140	P if recessed 3 ft. C otherwise
.27	Hours of Operation	§ 890.48	P 6 a.m.– 11 p.m. C 11 p.m.– 2 a.m.
.30	General Advertising Sign	§§ 602– 604, 608.1, 608.2	P § 607.2(e)
.31	Business Sign	§§ 602– 604, 608.1, 608.2	P § 607.2(f)

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Chinatown Visitor Retail District

Controls by Story

No.	Zoning Category	§ References	1st	2nd	3rd+
.38a	Residential Conversion Residential Hotels	Ch. 41 Admin. Code			
.38b	Residential Demolition Residential Hotels	Ch. 41 Admin. Code			
.39a	Residential Conversion Apartments				
.39b	Residential Demolition Apartments				
Retail Sales and Services					
.40a	Other Retail Sales and Services [Not Listed Below]	§ 890.102	P	P	
.40b	Gift Store— Tourist Oriented	§ 890.39	P	P	
.40c	Jewelry	§ 890.51	P	P	
.41	Bar	§ 890.22	P	P	
.42	Full-Service Restaurant	§ 890.92	P	P	
.43	Fast Food Restaurant (Small)	§ 890.90	C		

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.44	Fast Food Restaurant (Large)	§ 890.91			
.45	Take-Out Food	§ 890.122	P	P	
.46	Movie Theater	§ 890.64			
.47a	Adult Entertainment	§ 890.36			
.47b	Other Entertainment	§ 890.37	P#	P#	
.48	Amusement Game Arcade	§ 890.4 § 1036 Police Code			
.49	Financial Service	§ 890.110			
.50	Limited Financial Service	§ 890.112			
.51	Medical Service	§ 890.114		P	
.52	Personal Service	§ 890.116		P	
.53	Professional Service	§ 890.108		P	
.54	Massage Establishment	§ 890.60, § 1900 Health Code	P	P	
.55	Tourist Hotel	§ 890.46	C	C	C
.56	Automobile Parking Lot, Community Commercial	§§ 890.9, 156, 160	C	C	C
.57	Automobile Parking Garage, Community Commercial	§ 890.10, 160	C	C	C
.58	Automobile Parking Lot, Public	§ 890.11, 156	C	C	C
.59	Automobile Parking Garage,	§ 890.12	C	C	C

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	Public				
.60	Automotive Gas Station	§ 890.14			
.61	Automotive Service Station	§ 890.18			
.62	Automotive Repair	§ 890.15			
.63	Automotive Wash	§ 890.20			
.64	Automotive Sale or Rental	§ 890.13			
.65	Animal Hospital	§ 890.6			
.66	Ambulance Service	§ 890.2			
.67	Mortuary	§ 890.62	C	C	
.68	Trade Shop	§ 890.124	P	C	
.70	Administrative Service	§ 890.106			
.71	Light Manufacturing or Wholesale Sales	§ 890.54	#	#	
.72	Fringe Financial Service	§ 890.113			
.73	<u>Tobacco Paraphernalia Establishments</u>	<u>§ 890.123</u>	<u>C</u>		
Institutions					
.80	Hospital or Medical Center	§ 890.44			
.81	Other Institutions	§ 890.50	P	P	P
.82	Public Use	§ 890.80	C	C	C

1	.83	Medical Cannabis Dispensary	§ 890.133	P		
2	RESIDENTIAL STANDARDS AND					
3	USES					
4	.90	Residential Use	§ 890.88	P	P	P
5	.91	Residential Density, Dwelling Units	§§ 207, 207.1, 890.88(a)	1 unit per 200 sq. ft. lot area § 207.5		
6	.92	Residential Density, Group Housing	§§ 207.1, 208, 890.88(b)	1 bedroom per 140 sq. ft. lot area § 208		
7	.93	Usable Open Space [Per Residential Unit]	§§ 135, 136	48 sq. ft. § 135 Table 3		
8	.94	Off-Street Parking, Residential	§§ 150, 153– 157, 159– 160, 204.5	Generally, 1 space per unit §§ 151, 161(a) (o)		
9	.95	Automobile Parking Lot, Community Residential	§ 890.7, 156, 160	C	C	C
10	.96	Automobile Parking Garage, Community Residential	§ 890.8, 160	C	C	C

SPECIFIC PROVISIONS FOR CHINATOWN VISITOR RETAIL DISTRICT

Section	Zoning Controls
§ 811.10 § 270	– 50 N Height and Bulk District as mapped on Sectional Map 1H
§ 811.71 § 236	– Garment Shop Special Use District applicable only for portions of the Chinatown Visitor Retail District as mapped on Sectional Map No. 1 SUa

§ 811.47b	§ 890.37	The other entertainment use must be in conjunction with an existing full-
		service restaurant

Section 31. The San Francisco Planning Code is hereby amended by amending Section 812.1, to read as follows:

SEC. 812.1. CHINATOWN RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT.

The Chinatown Residential Neighborhood Commercial District extends along Stockton Street between Sacramento and Broadway and along Powell Street between Washington Street and Broadway. It is generally west and uphill from Grant Avenue and is close to the relatively intensely developed residential areas of lower Nob and Russian Hills. Stockton Street is a major transit corridor which serves as "Main Street" for the Chinatown neighborhood. Both Stockton and Powell Streets contain a significant amount of housing as well as major community institutions supportive to Chinatown and the larger Chinese community. This daytime-oriented district provides local and regional specialty food shopping for fresh vegetables, poultry, fish and meat. Weekends are this area's busiest shopping days.

Because Stockton Street is intended to remain principally in its present character, the Stockton Street controls are designed to preserve neighborhood-serving uses and protect the residential livability of the area. The controls promote new residential development compatible with existing small-scale mixed-use character of the area. Consistent with the residential character of the area, commercial development is directed to the ground story. Daytime-oriented use is protected and tourist-related uses, fast-food restaurants and financial services are limited.

Housing development in new and existing buildings is encouraged above the ground floor. Institutional uses are also encouraged. Existing residential units are protected by limits on demolition and conversion.

Table 812 CHINATOWN RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

			Chinatown Residential Neighborhood Commercial District
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
.10	Height and Bulk	§§ 102.12, 105, 106, 263.4 §§ 250– 252, 260, 270, 271	P up to 35 feet # C 50 ft., portions of Grant & Pacific C 65 ft., except 85 ft. for portions of Stockton if low income housing See Zoning Map, § 254 50 ft. length and 100 ft. diagonal and above 40 ft. See Zoning Map, § 270
.11	Lot Size [Per Development]	§§ 890.56, 121	P up to 5,000 sq. ft. C 5,001 sq. ft. & above § 121.3
.12	Rear Yard/Site Coverage	§§ 130, 134, 136	Location may be modified § 134.1
.13	Sun Access Setbacks		15 ft. at specified heights § 132.3
.14	Maximum Street Frontage [Per Building]		P to 50 feet C more than 50 feet § 145.3

1	.15	Awning	§ 890.21	P § 136.2(a)
2	.16	Canopy	§ 890.24	P § 136.2(b)
3	.17	Marquee	§ 890.58	P § 136.2(c)
4	COMMERCIAL AND			
5	INSTITUTIONAL			
6	STANDARDS AND			
7	SERVICES			
8				
9	.19	Floor Area Ratio	§§ 102.9, 102.11, 123	1.0 to 1 § 124(a) (b)
10				
11	.20	Use Size [Nonresidential]	§ 890.130	P up to 2,500 sq. ft. C 2,501 to 4,000 sq. ft. § 121.4
12				
13	.21	Open Space		1 sq. ft. for every 50 sq. ft. of building over 10,000 sq. ft. § 135.1
14				
15	.22	Off-Street Parking, Commercial and Institutional	§§ 150, 153– 157, 159– 160, 204.5	None Required § 161(c)
16				
17				
18	.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)
19				
20				
21	.24	Outdoor Activity Area	§ 890.71	P in front C elsewhere
22	.25	Drive-Up Facility	§ 890.30	
23	.26	Walk-Up Facility	§ 890.140	P if recessed 3 ft. C otherwise
24	.27	Hours of Operation	§ 890.48	P 6 a.m.– 11 p.m. C 11 p.m.– 2 a.m.
25				

1	.30	General Advertising Sign	§§ 602– 604, 608.1, 608.2	P § 607.2(e)
2				
3	.31	Business Sign	§§ 602– 604, 608.1, 608.2	P § 607.2(f)
4				
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Chinatown Residential Neighborhood Commercial District

Controls by Story

11	No.	Zoning Category	§ References	1st	2nd	3rd+
12	.38a	Residential Conversion	Ch. 41 Admin. Code			
13		Residential Hotels				
14	.38b	Residential Demolition	Ch. 41 Admin. Code			
15		Residential Hotels				
16	.39a	Residential Conversion				
17		Apartments				
18	.39b	Residential Demolition				
19		Apartments				
20						

Retail Sales and Services

22	.40a	Other Retail Sales and Services	§ 890.102	P		
23		[Not Listed Below]				
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.40b	Gift Store-- Tourist Oriented	§ 890.39			
.40c	Jewelry	§ 890.51	C		
.41	Bar	§ 890.22	C		
.42	Full-Service Restaurant	§ 890.92	P		
.43	Fast Food Restaurant (Small)	§ 890.90	C		
.44	Fast Food Restaurant (Large)	§ 890.91	C		
.45	Take-Out Food	§ 890.122	C		
.46	Movie Theater	§ 890.64	C		
.47a	Adult Entertainment	§ 890.36			
.47b	Other Entertainment	§ 890.37			
.48	Amusement Game Arcade	§ 890.4 § 1036 Police Code			
.49	Financial Service	§ 890.110	C		
.50	Limited Financial Service	§ 890.112	C		
.51	Medical Service	§ 890.114	P		
.52	Personal Service	§ 890.116	P		
.53	Professional Service	§ 890.108	P		
.54	Massage Establishment	§ 890.60 § 1900 Health Code	P		
.55	Tourist Hotel	§ 890.46			

1	.56	Automobile Parking Lot, Community Commercial	§§ 890.9, 156, 160	C		
2						
3	.57	Automobile Parking Garage, Community Commercial	§ 890.10, 160	C		
4						
5	.58	Automobile Parking Lot, Public	§ 890.11, 156	C		
6						
7	.59	Automobile Parking Garage, Public	§ 890.12			
8						
9	.60	Automotive Gas Station	§ 890.14			
10	.61	Automotive Service Station	§ 890.18			
11	.62	Automotive Repair	§ 890.15			
12	.63	Automotive Wash	§ 890.20			
13						
14	.64	Automotive Sale or Rental	§ 890.13			
15	.65	Animal Hospital	§ 890.6			
16	.66	Ambulance Service	§ 890.2			
17	.67	Mortuary	§ 890.62	C	C	
18	.68	Trade Shop	§ 890.124	P		
19						
20	.70	Administrative Service	§ 890.106			
21	.71	Light Manufacturing or Wholesale Sales	§ 890.54	#	#	
22						
23	.72	Fringe Financial Service	§ 890.113	C		
24						
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1	.73	<i>Tobacco Paraphernalia</i>	§ 890.123	C		
2		<i>Establishments</i>				
3	Institutions					
4	.80	Hospital or Medical Center	§§ 124.1, 890.44	C	C	C
5	.81	Other Institutions	§ 890.50	P	P	P
6	.82	Public Use	§ 890.80	C	C	C
7	.83	Medical Cannabis Dispensary	§ 890.133	P		
8	RESIDENTIAL STANDARDS AND					
9	USES					
10	.90	Residential Use	§ 890.88	P	P	P
11	.91	Residential Density, Dwelling	§§ 207, 207.1,	1 unit per 200 sq. ft. lot area		
12		Units	890.88(a)	§ 207.5		
13	.92	Residential Density, Group	§§ 207.1, 208,	1 bedroom per 140 sq. ft. lot		
14		Housing	890.88(b)	area § 208		
15	.93	Usable Open Space [Per	§§ 135, 136	48 sq. ft. § 135 Table 3		
16		Residential Unit]				
17	.94	Off-Street Parking, Residential	§§ 150, 153– 157,	Generally, 1 space per unit		
18			159– 160, 204.5	§§ 151, 161(a) (g)		
19	.95	Automobile Parking Lot,	§ 890.7, 156, 160	C	C	C
20		Community Residential				
21	.96	Automobile Parking Garage,	§ 890.8, 160	C	C	C
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Community Residential

**SPECIFIC PROVISIONS FOR CHINATOWN RESIDENTIAL NEIGHBORHOOD
COMMERCIAL DISTRICT**

Section		Zoning Controls
§ 812.10	§ 270	– 50 N Height and Bulk District and 65 N Height and Bulk District as mapped on Sectional Map 1H
§ 812.71	§ 236	– Garment Shop Special Use District applicable only for portions of the Chinatown Residential Neighborhood Commercial District as mapped on Sectional Map No. 1 SUa

Section 32. The San Francisco Planning Code is hereby amended by amending Section 814, to read as follows:

SEC. 814. SPD – SOUTH PARK DISTRICT.

South Park is an attractive affordable mixed-use neighborhood. The South Park District (SPD) is intended to preserve the scale, density and mix of commercial and residential activities within this unique neighborhood. The district is characterized by small-scale, continuous-frontage warehouse, retail and residential structures built in a ring around an oval-shaped, grassy park. Retention of the existing structures is encouraged, as is a continued mix of uses and in-fill development which contributes positively to the neighborhood scale and use mix.

Most retail, general commercial, office, service/light industrial, arts, live/work and residential activities are permitted. Group housing, social services, and other institutional uses

1 are conditional uses. Hotels, motels, movie theaters, adult entertainment and nighttime
 2 entertainment are not permitted.

3 **Table 814 SPD – SOUTH PARK DISTRICT ZONING CONTROL TABLE**

			South Park District
No.	Zoning Category	§ References	Controls
814.01	Height		See Sectional Zoning Map 1
814.02	Bulk	§ 270	See Sectional Zoning Map 1
814.03	Residential Density Limit	§§ 124, 207.5, 208	1:600 for dwelling units; 1 bedroom for each 210 sq. ft. of lot area for group housing
814.04	Non-Residential Density Limit	§§ 102.9, 123, 124, 127	Generally 1.8 to 1 floor area ratio
814.05	Usable Open Space for Dwelling Units and Group Housing	§ 135	80 sq. ft. per unit, if private, 106 sq. ft. if common
814.06	Usable Open Space for Live/Work Units in Newly Constructed Buildings or Additions	§ 135.2	36 sq. ft. per unit
814.07	Usable Open Space for Other Uses	§ 135.3	Varies by use

1	814.09	Outdoor Activity Area	§ 890.71	P
2	814.10	Walk-Up Facility, except Automated Bank	§ 890.140	P
3		Teller Machine		
4	814.11	Automated Bank Teller Machine	§ 803.5(d)	NP
5	814.12	Residential Conversion	§ 803.5(b)	C
6	814.13	Residential Demolition	§ 803.5(b)	C
7				
8		Residential Use		
9	814.14	Dwelling Units	§ 102.7	P
10	814.15	Group Housing	§ 890.88(b)	C
11	814.16	SRO Units	§ 890.88(c)	P
12				
13		Institutions		
14	814.17	Hospital, Medical Centers	§ 890.44	NP
15	814.18	Residential Care	§ 890.50(e)	C
16	814.19	Educational Services	§ 890.50(c)	NP
17				
18		Institutions		
19	814.20	Religious Facility	§ 890.50(d)	C
20	814.21	Assembly and Social Service, except Open	§ 890.50(a)	C
21		Recreation and Horticulture		
22	814.22	Child Care	§ 890.50(b)	P
23	814.23	Medical Cannabis Dispensary	§ 890.133	P #
24				
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1 **Vehicle Parking**

2	814.25	Automobile Parking Lot, Community Residential	§ 890.7	P
3				
4	814.26	Automobile Parking Garage, Community Residential	§ 890.8	C
5				
6	814.27	Automobile Parking Lot, Community Commercial	§ 890.9	P
7				
8	814.28	Automobile Parking Garage, Community Commercial	§ 890.10	C
9				
10	814.29	Automobile Parking Lot, Public	§ 890.11	P
11				
12	814.30	Automobile Parking Garage, Public	§ 890.12	C

13 **Retail Sales and Services**

14	814.31	All Retail Sales and Services which are not Office Uses or prohibited by § 803.4, including Bars, Full Service and Fast Food Restaurants, Take Out Food Services, and Personal Services	§ 890.104	P
15				
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19				
20	814.33	Fringe Financial Service	§§ 249.35, 890.113	P#
21				
22				
23	<u>814.34</u>	<u>Tobacco Paraphernalia Establishments</u>	<u>§ 890.123</u>	<u>C</u>
24				

1 **Assembly, Recreation, Arts and Entertainment**

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814.37	Nighttime Entertainment	§ 102.17	NP
814.38	Meeting Hall	§ 221(c)	C
814.39	Recreation Building, not falling within Category 814.21	§ 221(e)	C
814.40	Pool Hall, Card Club, not falling within Category 814.21	§§ 221(f), 803.4	NP
814.41	Theater, falling within § 221(d), except Movie Theater	§§ 221(d), 890.64	NP

11 **Home and Business Service**

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814.42	Trade Shop	§ 890.124	P
814.43	Catering Services	§ 890.25	P
814.45	Business Goods and Equipment Repair Service	§ 890.23	P
814.46	Arts Activities, other than Theaters	§ 102.2	P
814.47	Business Services	§ 890.111	P

19 **Office**

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814.49	Work Space of Design Professionals	§ 890.28	P
814.50	All Office Uses	§ 890.70	P

23 **Live/Work Units**

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814.55	All types of Live/Work Units	§§ 102.2,	P
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		102.13, 209.9(f), (g)	
Automotive			
814.57	Vehicle Storage– Open Lot	§ 890.131	NP
814.58	Vehicle Storage– Enclosed Lot or Structure	§ 890.132	NP
814.59	Motor Vehicle Service Station, Automotive Washing	§§ 890.18, 890.20	NP
814.60	Motor Vehicle Repair	§ 890.15	NP
814.61	Motor Vehicle Tow Service	§ 890.19	NP
814.62	Non-Auto Vehicle Sales or Rental	§ 890.69	P
814.63	Public Transportation Facilities	§ 890.80	NP
Industrial			
814.64	Wholesale Sales	§ 890.54(b)	P
814.65	Light Manufacturing	§ 890.54(a)	P
814.66	All Other Wholesaling, Storage, Distribution and Open Air Handling of Materials and Equipment, and Manufacturing and Processing Uses	§§ 225, 226	NP
814.67	Storage	§ 890.54(c)	P
Other Uses			
814.68	Animal Services	§ 224	NP

1	814.69	Open Air Sales	§§ 803.5(f), 890.38	P
2				
3	814.70	Ambulance Service	§ 890.2	NP
4	814.71	Open Recreation and Horticulture	§ 209.5	P
5				
6	814.72	Public Use, except Public Transportation Facility	§ 890.80	C
7				
8	814.73	Commercial Wireless Transmitting, Receiving or Relay Facility	§ 227(h)	C
9				
10	814.74	Greenhouse or Plant Nursery	§ 227(a)	NP
11	814.75	Mortuary Establishment	§ 227(c)	NP
12				
13	814.76	General Advertising Sign	§ 607.2(b) & (e)	NP
14				

SPECIFIC PROVISIONS FOR SPD DISTRICTS

Article Code Section	Other Code Section	Zoning Controls
§ 814.23 § 890.133		– Only those medical cannabis dispensaries that can demonstrate to the Planning Department they were in operation as of April 1, 2005 and have remained in continuous operation or that were not in continuous operation since April 1, 2005, but can demonstrate to the Planning Department that the reason for their lack of continuous

		operation was not closure due to an actual violation of Federal, State or local law, may apply for a medical cannabis dispensary permit in a South Park District.
814.33	§§ 249.35, 890.113	Fringe Financial Services are P subject to the restrictions set forth in Section 249.35, including, but not limited to, the proximity restrictions set forth in Subsection 249.35(c)(3).

Section 33. The San Francisco Planning Code is amended to amend Section 815, to read as follows:

SEC. 815. RSD – RESIDENTIAL/SERVICE MIXED USE DISTRICT.

The Residential/Service Mixed Use District (RSD) serves as a buffer between the higher-density, predominantly commercial area of Yerba Buena Center to the east and the low-scale, predominantly service/industrial area west of Sixth Street. The RSD serves as a major housing opportunity area within the South of Market District. The district controls are intended to facilitate the development of high-density, mid-rise housing, including residential hotels and live/work units, while also encouraging the expansion of retail, business service and commercial and cultural arts activities.

Residential hotels are subject to flexible standards for parking, rear yard/open space and density. Continuous ground floor commercial frontage with pedestrian-oriented retail activities along major thoroughfares is encouraged.

General office, hotels, nighttime entertainment, adult entertainment, massage establishment, movie theaters and heavy industrial uses are not permitted.

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**Table 815 RSD – RESIDENTIAL/SERVICE MIXED USE DISTRICT ZONING
CONTROL TABLE**

			Residential/Service Mixed Use Districts
No.	Zoning Category	§ References	Controls
815.01	Height		Map, generally ranges from 40 to 85 feet See Sectional Zoning Map 1
815.02	Bulk	§ 270	See Sectional Zoning Map 1
815.03	Residential Density Limit	§§ 124(b), 207.5, 208	1:200 for dwellings in projects below 40 ft., above 40 ft. density to be determined as part of Conditional Use process; 1 bedroom for each 70 sq. ft. of lot area for group housing
815.04	Non-Residential Density Limit	§§ 102.9, 123, 124, 127	Generally, 1.8 to 1 floor area ratio subject to § 803.5(j)
815.05	Usable Open Space for Dwelling Units and Group Housing	§ 135	36 sq. ft. per unit if private, 48 sq. ft. if common
815.06	Usable Open Space for Live/Work Units in Newly Constructed Buildings or Additions	§ 135.2	36 sq. ft. per unit

1	815.07	Usable Open Space for Other Uses	§ 135.3	Varies by use
2				
3	815.09	Outdoor Activity Area	§ 890.71	P
4	815.10	Walk-Up Facility, except Automated Bank Teller Machine	§ 890.140	P
5				
6				
7				
8	815.11	Automated Bank Teller Machine	§ 803.5(d)	P
9				
10	815.12	Residential Conversion	§ 803.5(b)	C
11	815.13	Residential Demolition	§ 803.5(b)	C
12	Residential Use			
13	815.14	Dwelling Units	§ 102.7	P
14				
15	815.15	Group Housing	§ 890.88(b)	C
16	815.16	SRO Units	§ 890.88(c)	P
17	Institutions			
18	815.17	Hospital, Medical Centers	§ 890.44	NP
19	815.18	Residential Care	§ 890.50(e)	C
20	815.19	Educational Services	§ 890.50(c)	P
21				
22	815.20	Religious Facility	§ 890.50(d)	C
23	815.21	Assembly and Social Service, except Open Recreation and	§ 890.50(a)	C
24				
25				

1		Horticulture		
2	815.22	Child Care	§ 890.50(b)	P
3	815.23	Medical Cannabis Dispensary	§ 890.133	P#
4	Vehicle Parking			
5				
6	815.25	Automobile Parking Lot, Community Residential	§ 890.7	P
7				
8	815.26	Automobile Parking Garage, Community Residential	§ 890.8	C, pursuant to § 803.5(i)
9				
10	815.27	Automobile Parking Lot, Community Commercial	§ 890.9	P
11				
12	815.28	Automobile Parking Garage, Community Commercial	§ 890.10	C, pursuant to § 803.5(i)
13				
14	815.29	Automobile Parking Lot, Public	§ 890.11	P
15				
16	815.30	Automobile Parking Garage, Public	§ 890.12	C, pursuant to § 803.5(i)
17				
18	Retail Sales and Services			
19	815.31	All Retail Sales and Services which are not Office Uses or prohibited by § 803.4, including Bars, Full Service and Fast Food Restaurants, Take Out Food Services, and Personal	§ 890.104	P, pursuant to § 803.5(i)
20				
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1		Services		
2	815.33	Fringe Financial Service	§§ 249.35, 890.113	P#
3				
4				
5	815.34	<i>Tobacco Paraphernalia</i>	<u>§ 890.123</u>	<i>C</i>
6		<i>Establishments</i>		
7				
8				
9		Assembly, Recreation, Arts and		
10		Entertainment		
11	815.37	Nighttime Entertainment	§§ 102.17, 181(f)	NP
12				
13	815.38	Meeting Hall, not falling within Category 815.21	§ 221(c)	C, pursuant to § 803.5(i)
14				
15	815.39	Recreation Building, not falling within Category 815.21	§ 221(e)	C, pursuant to § 803.5(i)
16				
17	815.40	Pool Hall, Card Club, not falling within Category 815.21	§§ 221(f), 803.4	P, pursuant to § 803.5(i)
18				
19	815.41	Theater, falling within § 221(d), except Movie Theater	§§ 221(d), 890.64	P, pursuant to § 803.5(i)
20				
21				
22		Home and Business Service		
23	815.42	Trade Shop	§ 890.124	P, pursuant to § 803.5(i)
24	815.43	Catering Services	§ 890.25	P, pursuant to § 803.5(i)
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815.45	Business Goods and Equipment Repair Service	§ 890.23	P, pursuant to § 803.5(i)
815.46	Arts Activities, other than Theaters	§ 102.2	P, pursuant to § 803.5(i)
815.47	Business Services	§ 890.111	P, pursuant to § 803.5(i)
Office			
815.48	Office Uses in Landmark Buildings or Contributory Buildings in Historic Districts	§ 803.5(c)	C
815.49	Work Space of Design Professionals	§§ 890.28, 803.5(k)	P, subject to § 803.5(k)
815.50	All Other Office Uses	§ 890.70	NP
Live/Work Units			
815.51	Live/Work Units where the work activity is an Arts Activity	§§ 102.2, 102.13, 209.9(f) and (g), 233	P
815.52	Live/Work Units where all the work activity is otherwise permitted as a Principal Use	§§ 102.13, 233	P
815.53	Live/Work Units where the work activity is otherwise	§ 233	C

	permitted as a Conditional Use		
815.54	Live/Work Units in Landmark Buildings or Contributory Buildings in Historic Districts	§ 803.5(c)	C
815.55	All other Live/Work Units		NP
Motor Vehicle Services			
815.57	Vehicle Storage– Open Lot	§ 890.131	NP
815.58	Vehicle Storage– Enclosed Lot or Structure	§ 890.132	P
815.59	Motor Vehicle Service Station, Automotive Wash	§§ 890.18, 890.20	P, pursuant to § 803.5(i)
815.60	Motor Vehicle Repair	§ 890.15	P, pursuant to § 803.5(i)
815.61	Motor Vehicle Tow Service	§ 890.19	C, § 803.5(i)
815.62	Non-Auto Vehicle Sales or Rental	§ 890.69	P, § 803.5(i)
815.63	Public Transportation Facilities	§ 890.80	C, pursuant to § 803.5(i)
Industrial			
815.64	Wholesale Sales	§ 890.54(b)	P, pursuant to § 803.5(i)
815.65	Light Manufacturing	§ 890.54(a)	P, pursuant to § 803.5(i)
815.66	Storage	§ 890.54(c)	P
815.67	All Other Wholesaling, Storage,	§ 225	P

1		Distribution and Open Air		
2		Handling of Materials and		
3		Equipment		
4	Other Uses			
5	815.68	Animal Services	§ 224	NP
6	815.69	Open Air Sales	§§ 803.5(e),	P
7			890.38	
8	815.70	Ambulance Service	§ 890.2	NP
9	815.71	Open Recreation and	§ 209.5	P
10		Horticulture		
11	815.72	Public Use, except Public	§ 890.80	C
12		Transportation Facility		
13	815.73	Commercial Wireless	§ 227(h)	C
14		Transmitting, Receiving or		
15		Relay Facility		
16	815.74	Greenhouse or Plant Nursery	§ 227(a)	NP
17	815.75	Mortuary Establishment	§ 227(c)	NP
18	815.76	General Advertising Sign	§ 607.2(b) &	NP
19			(e)	

SPECIFIC PROVISIONS FOR RSD DISTRICTS

Article	Other	Zoning Controls
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Code	Code	
Section	Section	
§ 815.23 § 890.133		– Only those medical cannabis dispensaries that can demonstrate to the Planning Department they were in operation as of April 1, 2005 and have remained in continuous operation or that were not in continuous operation since April 1, 2005, but can demonstrate to the Planning Department that the reason for their lack of continuous operation was not closure due to an actual violation of federal, state or local law, may apply for a medical cannabis dispensary permit in an RSD District.
815.33	§§ 249.35, 890.113	Fringe Financial Services are P subject to the restrictions set forth in Section 249.35, including, but not limited to, the proximity restrictions set forth in Subsection 249.35(c)(3).

Section 34. The San Francisco Planning Code is hereby amended by amending Section 816, to read as follows:

SEC. 816. SLR – SERVICE/LIGHT INDUSTRIAL/RESIDENTIAL MIXED USE DISTRICT.

The Service/Light Industrial/Residential (SLR) Mixed Use District is designed to maintain and facilitate the growth and expansion of small-scale light industrial, home and business service, wholesale distribution, arts production and performance/exhibition activities, live/work use, general commercial and neighborhood-serving retail and personal service

1 activities while protecting existing housing and encouraging the development of housing and
 2 live/work space at a scale and density compatible with the existing neighborhood.

3 Housing and live/work units are encouraged over ground floor commercial/service/light
 4 industrial activity. New residential or mixed use developments are encouraged to provide as
 5 much mixed-income rental housing as possible. Existing group housing and dwelling units
 6 would be protected from demolition or conversion to nonresidential use by requiring
 7 conditional use review.

8 General office, hotels, nighttime entertainment, movie theaters, adult entertainment and
 9 heavy industrial uses are not permitted.

10 **Table 816 SLR – SERVICE/LIGHT INDUSTRIAL/RESIDENTIAL MIXED USED**
 11 **DISTRICT ZONING CONTROL TABLE**

			Service/Light Industrial/ Residential Mixed Use District
No.	Zoning Category	§ References	Controls
816.01	Height Limit Designation	See Zoning Map	As shown on Sectional Maps 1 and 7 of the Zoning Map; generally ranges from 40 to 65 feet
816.02	Bulk Limit Designation	See Zoning Map, § 270	As shown on Sectional Maps 1 and 7 of the Zoning Map

1	816.03	Residential Density Limit	§§ 124, 207.5, 208	1:200 for dwelling units; 1 bedroom for each 70 sq. ft. of lot area for group housing
2				
3				
4				
5	816.04	Non-Residential Density Limit	§§ 102.9, 123, 124, 127	Generally, 2.5 to 1 floor area ratio
6				
7	816.05	Usable Open Space for Dwelling Units and Group Housing	§ 135	60 sq. ft. per unit if private, 80 sq. ft. if common
8				
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10				
11	816.06	Usable Open Space for Live/Work Units in Newly Constructed Buildings or Additions	§ 135.2	36 sq. ft. per unit
12				
13				
14	816.07	Usable Open Space for Other Uses	§ 135.3	Varies by use
15	816.09	Outdoor Activity Area	§ 890.71	P
16	816.10	Walk-up Facility, including Automated Bank Teller Machine	§§ 890.140, 803.5(d)	P
17				
18	816.12	Residential Conversion	§ 803.5(b)	C
19				
20	816.13	Residential Demolition	§ 803.5(b)	C
21	Residential Use			
22	816.14	Dwelling Units	§ 102.7	P
23	816.15	Group Housing	§ 890.88(b)	C
24	816.16	SRO Units	§ 890.88(c)	P
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1	Institutions		
2	816.17	Hospital, Medical Centers	§ 890.44 NP
3	816.18	Residential Care	§ 890.50(e) C
4	816.19	Educational Services	§ 890.50(c) P
5	816.20	Religious Facility	§ 890.50(d) P
6	816.21	Assembly and Social Service, except	§ 890.50(a) C
7		Open Recreation and Horticulture	
8	816.22	Child Care	§ 890.50(b) P
9	816.23	Medical Cannabis Dispensary	§ 890.133 P#
10	Vehicle Parking		
11	816.25	Automobile Parking Lot, Community	§ 890.7 P
12		Residential	
13	816.26	Automobile Parking Garage, Community	§ 890.8 P
14		Residential	
15	816.27	Automobile Parking Lot, Community	§ 890.9 P
16		Commercial	
17	816.28	Automobile Parking Garage, Community	§ 890.10 P
18		Commercial	
19	816.29	Automobile Parking Lot, Public	§ 890.11 P
20	816.30	Automobile Parking Garage, Public	§ 890.12 C
21	Retail Sales and Services		
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1	816.31	All Retail Sales and Services which are not Office Uses or prohibited by § 803.4, including Bars, Full Service and Fast Food Restaurants, Take Out Food Services, and Personal Services	§ 890.104	P
2				
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5				
6	816.33	Fringe Financial Service	§§ 249.35, 890.113	P#
7				
8	<u>816.34</u>	<u>Tobacco Paraphernalia Establishments</u>	<u>§ 890.123</u>	<u>C</u>
9				
10		Assembly, Recreation, Arts and		
11		Entertainment		
12	816.36	Arts Activity, other than Theater	§ 102.2	P
13	816.37	Nighttime Entertainment	§§ 102.17, 181(f)	NP
14				
15	816.38	Meeting Hall, not falling within Category 816.21	§ 221(c)	C
16				
17	816.39	Recreation Building, not falling within Category 816.21	§ 221(e)	C
18				
19	816.40	Pool Hall, Card Club, not falling within Category 816.21	§§ 221(f), 803.4	P
20				
21	816.41	Theater, falling within § 221(d), except Movie Theater	§§ 221(d), 890.64	P
22				
23				
24		Home and Business Service		
25				

1	816.42	Trade Shop	§ 890.124	P
2	816.43	Catering Service	§ 890.25	P
3	816.45	Business Goods and Equipment Repair	§ 890.23	P
4		Service		
5	816.47	Business Service	§ 890.111	P
6	Office			
7				
8	816.48	Office Uses in Landmark Buildings or	§ 803.5(c)	C
9		Contributory Buildings in Historic Districts		
10	816.49	Work Space of Design Professionals	§§ 890.28,	P, subject to § 803.5(k)
11			803.5(k)	
12	816.50	All Other Office Uses	§ 890.70	NP
13	Live/Work Units			
14				
15	816.51	Live/Work Units where the work activity is	§§ 102.2,	P
16		an Arts Activity	102.13, 209.9(f)	
17			and (g), 233	
18	816.52	Live/Work Units where all the work	§§ 102.13, 233	P
19		activity is otherwise permitted as a		
20		Principal Use		
21	816.53	Live/Work Units where the work activity is	§ 233	C
22		otherwise permitted as a Conditional Use		
23	816.54	Live/Work Units in Landmark Buildings or	§ 803.5(c)	C
24		Contributory Buildings in Historic Districts		
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816.55	All Other Live/Work Units		NP
Motor Vehicle Services			
816.57	Vehicle Storage– Open Lot	§ 890.131	NP
816.58	Vehicle Storage– Enclosed Lot or Structure	§ 890.132	P
816.59	Motor Vehicle Service Station, Automotive Wash	§§ 890.18, 890.20	P
816.60	Motor Vehicle Repair	§ 890.15	P
816.61	Automobile Tow Service	§ 890.19	C
816.62	Non-Auto Vehicle Sales or Rental	§ 890.69	P
816.63	Public Transportation Facilities	§ 890.80	P
Industrial			
816.64	Wholesale Sales	§ 890.54(b)	P
816.65	Light Manufacturing	§ 890.54(a)	P
816.66	Storage	§ 890.54(c)	P
816.67	All Other Wholesaling, Storage, Distribution and Open Air Handling of Materials and Equipment	§ 255	P
Other Uses			
816.68	Animal Services	§ 224	NP
816.69	Open Air Sales	§§ 803.5(e),	P

		890.38	
1			
2	816.70	Ambulance Service	§ 890.2 NP
3	816.71	Open Recreation and Horticulture	§ 209.5 P
4	816.72	Public Use, except Public Transportation Facility	§ 890.80 C
5			
6	816.73	Commercial Wireless Transmitting, Receiving or Relay Facility	§ 227(h) C
7			
8	816.74	Greenhouse or Plant Nursery	§ 227(a) NP
9	816.75	Mortuary Establishment	§ 227(c) NP
10	816.76	General Advertising Sign	§ 607.2(b) & (e) P in South of Market General Advertising Special Sign District, Otherwise NP
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SPECIFIC PROVISIONS FOR SLR DISTRICTS

Article Code Section	Other Code Section	Zoning Controls
§ 816.23 § 890.133		– Only those medical cannabis dispensaries that can demonstrate to the Planning Department they were in operation as of April 1, 2005 and have remained in continuous operation or that were not in continuous operation since April 1, 2005, but can demonstrate to the

		Planning Department that the reason for their lack of continuous operation was not closure due to an actual violation of federal, state or local law, may apply for a medical cannabis dispensary permit in an SLR District.
816.33	§§ 249.35, 890.113	Fringe Financial Services are P subject to the restrictions set forth in Section 249.35, including, but not limited to, the proximity restrictions set forth in Subsection 249.35(c)(3).

Section 35. The San Francisco Planning Code is hereby amended by amending Section 817, to read as follows:

SEC. 817. SLI – SERVICE/LIGHT INDUSTRIAL DISTRICT.

The Service/Light Industrial (SLI) District is designed to protect and facilitate the expansion of existing general commercial, manufacturing, home and business service, live/work use, arts uses, light industrial activities and small design professional office firms. Existing group housing and dwelling units are protected from demolition or conversion to nonresidential use and development of group housing and low-income affordable dwelling units are permitted as a conditional use. General office, hotels, movie theaters, nighttime entertainment and adult entertainment uses are not permitted.

Table 817 SLI – SERVICE/LIGHT INDUSTRIAL DISTRICT ZONING CONTROL TABLE

			Service/Light Industrial District
No.	Zoning Category	§ References	Controls

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817.01	Height		As shown on Sectional Maps 1 and 7 of the Zoning Map; generally ranges from 30 to 65 feet; See Zoning Sectional Maps 1 and 7
817.02	Bulk	§ 270	See Zoning Sectional Maps 1 and 7
817.03	Residential Density Limit	§ 208	1:200 for dwelling units; 1 bedroom for each 70 sq. ft. of lot area for group housing
817.04	Non-Residential Density Limit	§§ 102.9, 123, 124, 127	Generally, 2.5 to 1 floor area ratio
817.05	Usable Open Space for Dwelling Units and Group Housing	§ 135	36 sq. ft. per unit
817.06	Usable Open Space for Live/Work Units in Newly Constructed Buildings or Additions	§ 135.2	36 sq. ft. per unit
817.07	Usable Open Space for Other Uses	§ 135.3	Varies by use
817.09	Outdoor Activity Area	§ 890.71	P
817.10	Walk-Up Facility, including Automated Bank Teller	§§ 890.140, 803.5(d)	P

1		Machine		
2	817.12	Residential Conversion	§ 803.5(b)	C
3	817.13	Residential Demolition	§ 803.5(b)	C
4	Residential Use			
5	817.14	Dwelling Units	§§ 102.7, 803.5(f)	C, if low-income pursuant to § 803.5(f); otherwise NP
6	817.15	Group Housing	§ 890.88(b)	C
7	817.16	SRO Units	§ 890.88(c)	C
8	Institutions			
9	817.17	Hospital, Medical Centers	§ 890.44	NP
10	817.18	Residential Care	§ 890.50(e)	C
11	817.19	Educational Services	§ 890.50(c)	P
12	817.20	Religious Facility	§ 890.50(d)	P
13	817.21	Assembly and Social Service, except Open Recreation and Horticulture	§ 890.50(a)	C
14	817.22	Child Care	§ 890.50(b)	P
15	817.23	Medical Cannabis Dispensary	§ 890.133	P#
16	Vehicle Parking			
17	817.25	Automobile Parking Lot, Community Residential	§ 890.7	P

1	817.26	Automobile Parking Garage, Community Residential	§ 890.8	P
2				
3	817.27	Automobile Parking Lot, Community Commercial	§ 890.9	P
4				
5	817.28	Automobile Parking Garage, Community Commercial	§ 890.10	P
6				
7				
8	817.29	Automobile Parking Lot, Public	§ 890.11	P
9				
10	817.30	Automobile Parking Garage, Public	§ 890.12	C
11				
12	Retail Sales and Services			
13	817.31	All Retail Sales and Services which are not Office Uses or prohibited by § 803.4, including Bars, Full Service and Fast Food Restaurants, Take Out Food Services, and Personal Services	§ 890.104	P
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20	817.32	Financial Services	§ 890.110	P if gross floor area is up to 4,000 sq. ft. C if gross floor area is equal to or exceeds 4,000 sq. ft. and only then if the location is: (a) within a height district of 65 ft. or greater, (b) on the
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			ground story or below, and (c) was not used within the 12 months prior to the filing of any planning or building application as (1) a residential use as defined in § 817.14 through § 817.16, (2) a neighborhood-serving retail use as defined in § 817.31, or (3) an industrial use as defined in §§ 817.64, 817.65; otherwise NP
817.33	Fringe Financial Service	§§ 249.35, 890.113	P#
<u>817.34</u>	<u>Tobacco Paraphernalia Establishments</u>	<u>§ 890.123</u>	<u>C</u>
Assembly, Recreation, Arts and Entertainment			
817.37	Nighttime Entertainment	§ 102.17	NP
817.38	Meeting Hall	§ 221(c)	C
817.39	Recreation Building	§ 221(e)	C
817.40	Pool Hall, Card Club, not falling within Category 817.21	§§ 221(f), 803.4	P
817.41	Theater, falling within §	§§ 221(d),	P

1		221(d), except Movie Theater	890.64	
2	Home and Business Service			
3	817.42	Trade Shop	§ 890.124	P
4	817.43	Catering Service	§ 890.25	P
5	817.45	Business Goods and Equipment Repair Service	§ 890.23	P
6	817.46	Arts Activities, other than Theaters	§ 102.2	P
7	817.47	Business Services	§ 890.111	P
8	Office			
9	817.48	Office Uses in Landmark Buildings or Contributory Buildings in Historic Districts	§ 803.5(c)	C
10	817.49	Work Space of Design Professionals	§§ 890.28, 803.5(k)	P, subject to § 803.5(k)
11	817.50	Office Uses Related to the Hall of Justice	§§ 803.5(j), 822	P in Special Use District, pursuant to § 803.5(j)
12	817.51	All Other Office Uses	§ 890.70	NP
13	Live/Work Units			
14	817.51	Live/Work Units where the work activity is an Arts Activity	§§ 102.2, 102.13,	P

		209.9(f) and (g), 233	
817.52	Live/Work Units where all the work activity is otherwise permitted as a Principal Use	§§ 102.13, 233	P
817.53	Live/Work Units where the work activity is otherwise permitted as a Conditional Use	§ 233	C
817.54	Live/Work Units in Landmark Buildings or Contributory Buildings in Historic Districts	§ 803.5(c)	C
817.55	All Other Live/Work Units		NP
Automotive Services			
817.57	Vehicle Storage– Open Lot	§ 890.131	P
817.58	Vehicle Storage– Enclosed Lot or Structure	§ 890.132	P
817.59	Motor Vehicle Service Station, Automotive Wash	§§ 890.18, 890.20	P
817.60	Motor Vehicle Repair	§ 890.15	P
817.61	Motor Vehicle Tow Service	§ 890.19	C
817.62	Non-Auto Vehicle Sale or	§ 890.69	P

1		Rental		
2	817.63	Public Transportation	§ 890.80	P
3		Facilities		
4	Industrial			
5	817.64	Wholesale Sales	§ 890.54(b)	P
6	817.65	Light Manufacturing	§ 890.54(a)	P
7	817.66	Storage	§ 890.54(c)	P
8	817.67	All Other Wholesaling, Storage, Distribution and Open Air Handling of Materials and Equipment	§ 255	P
9	Other Uses			
10	817.68	Animal Services	§ 224	P
11	817.69	Open Air Sales	§§ 803.5(e), 890.38	P
12	817.70	Ambulance Service	§ 890.2	P
13	817.71	Open Recreation and Horticulture	§ 209.5	P
14	817.72	Public Use, except Public Transportation Facility	§ 890.80	P
15	817.73	Commercial Wireless	§ 227(h)	C

	Transmitting, Receiving or Relay Facility		
817.74	Greenhouse or Plant Nursery	§ 227(a)	P
817.75	Mortuary Establishment	§ 227(c)	NP
817.76	General Advertising Sign	§ 607.2(b) & (e)	P in South of Market General Advertising Special Sign District, Otherwise NP
817.77	Internet Services Exchange	§ 209.6(c)	C

SPECIFIC PROVISIONS FOR SLI DISTRICTS

Article Code Section	Other Code Section	Zoning Controls
§ 817.23 § 890.133		– Only those medical cannabis dispensaries that can demonstrate to the Planning Department they were in operation as of April 1, 2005 and have remained in continuous operation or that were not in continuous operation since April 1, 2005, but can demonstrate to the Planning Department that the reason for their lack of continuous operation was not closure due to an actual violation of federal, state or local law, may apply for a medical cannabis dispensary permit in an SLI District.
817.33	§§ 249.35,	Fringe Financial Services are P subject to the controls set forth in

	817.32, 890.113	Section 817.32 for Financial Services and the restrictions set forth in Section 249.35, including, but not limited to, the proximity restrictions set forth in Subsection 249.35(c)(3).
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Section 36. The San Francisco Planning Code is hereby amended by amending Section 818, to read as follows:

SEC. 818. SSO – SERVICE/SECONDARY OFFICE DISTRICT.

The Service/Secondary Office District (SSO) is designed to accommodate small-scale light industrial, home and business services, arts activities, live/work units, and small-scale, professional office space and large-floor-plate "back office" space for sales and clerical work forces. Nighttime entertainment is permitted as a conditional use. Dwelling units and group housing are permitted as conditional uses. Demolition or conversion of existing group housing or dwelling units requires conditional use authorization.

Office, general commercial, most retail, service and light industrial uses are principal permitted uses. Large hotel, movie theater, adult entertainment and heavy industrial uses are not permitted.

Small hotels of 75 rooms or less are permitted in this District only as a conditional use. Any such conditional use authorization requires a conditional use finding that disallows project proposals that displace existing Production, Distribution and Repair (PDR) uses.

Table 818 SSO – SERVICE/SECONDARY OFFICE DISTRICT ZONING CONTROL TABLE

	Service/Secondary Office District
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No.	Zoning Category	§ References	Controls
818.01	Height Limit Designation	See Zoning Map	As shown on Sectional Maps 1 and 7 of the Zoning Map; generally ranging from 40 to 130 feet
818.02	Bulk Limit Designation	See Zoning Map, § 270	As shown on Sectional Maps 1 and 7 of the Zoning Map
818.03	Residential Density	§§ 124(b), 207.5, 208	1:200 for dwellings; 1 bedroom for each 70 sq. ft. of lot area for group housing
818.04	Non-Residential Density Limit	§§ 102.9, 123, 124, 127	3.0 to 1 floor area ratio in 40 or 50 foot height districts; 4.0 to 1 in 65 or 80 foot height districts, and 4.5 to 1 in 130 foot height districts
818.05	Usable Open Space for Dwelling Units and Group Housing	§ 135	36 sq. ft. per unit
818.06	Usable Open Space for Live/Work Units in Newly Constructed Buildings or Additions	§ 135.2	36 sq. ft. per unit
818.07	Usable Open Space for Other Uses	§ 135.3	Varies by use
818.09	Outdoor Activity Area	§ 890.71	P
818.10	Walk-up Facility, including	§§ 890.140,	P

1		Automated Bank Teller Machine	803.5(d)	
2	818.11	Residential Conversion	§ 803.5(b)	C
3	818.12	Residential Demolition	§ 803.5(b)	C
4	Residential Use			
5				
6	818.14	Dwelling Units	§ 102.7	C
7	818.15	Group Housing	§ 890.88(b)	C
8	818.16	SRO Units	§ 890.88(c)	P
9	Institutions			
10				
11	818.17	Hospital, Medical Centers	§ 890.44	P
12	818.18	Residential Care	§ 890.50(c)	C
13	818.19	Educational Services	§ 890.50(c)	P
14	818.20	Religious Facility	§ 890.50(d)	P
15	818.21	Assembly and Social Service,	§ 890.50(a)	C
16		except Open Recreation and		
17		Horticulture		
18	818.22	Child Care	§ 890.50(b)	P
19				
20	818.23	Medical Cannabis Dispensary	§ 890.133	P#
21	Vehicle Parking			
22	818.25	Automobile Parking Lot,	§ 890.7	P
23		Community Residential		
24	818.26	Automobile Parking Garage,	§ 890.8	P
25				

1		Community Residential		
2	818.27	Automobile Parking Lot,	§ 890.9	P
3		Community Commercial		
4	818.28	Automobile Parking Garage,	§ 890.10	P
5		Community Commercial		
6				
7	818.29	Automobile Parking Lot, Public	§ 890.11	P
8	818.30	Automobile Parking Garage, Public	§ 890.12	C
9	Retail Sales and Services			
10	818.31	All Retail Sales and Services which	§ 890.104	P
11		are not Office Uses or prohibited by		
12		§ 803.4, including Bars, Full		
13		Service and Fast Food		
14		Restaurants, Take Out Food		
15		Services, and Personal Services		
16	818.33	Fringe Financial Service	§§ 249.35,	P#
17			890.113	
18				
19				
20	<i>818.34</i>	<i>Tobacco Paraphernalia</i>	<i>§ 890.123</i>	<i>C</i>
21		<i>Establishments</i>		
22	Assembly, Recreation, Arts and			
23	Entertainment			
24	818.37	Nighttime Entertainment	§§ 102.17,	C
25				

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		803.5(a)	
818.38	Meeting Hall, not falling within Category 818.21	§ 221(c)	P
818.39	Recreation Building, not falling within Category 818.21	§ 221(e)	P
818.40	Pool Hall, Card Club, not falling within Category 818.21	§§ 221(f), 803.4	P
818.41	Theater, falling within § 221(d), except Movie Theater	§§ 221(d), 890.64	P
Home and Business Service			
818.42	Trade Shop	§ 890.124	P
818.43	Catering Service	§ 890.25	P
818.45	Business Goods and Equipment Repair Service	§ 890.23	P
818.46	Arts Activities, other than Theaters	§ 102.2	P
818.47	Business Services	§ 890.111	P
Office			
818.48	All Office Uses including Work Space of Design Professionals	§ 890.70	P
Live/Work Units			
818.54	Live/Work Units where the work	§§ 102.2,	P

1		activity is an Arts Activity	102.13,	
2			209.9(f), (g),	
3			233	
4	818.55	Live/Work Units where all the work	§§ 102.13,	P
5		activity is otherwise permitted	233	
6	Automobile Services			
7				
8	818.57	Vehicle Storage– Open Lot	§ 890.131	NP
9	818.58	Vehicle Storage– Enclosed Lot or	§ 890.132	P
10		Structure		
11	818.59	Motor Vehicle Service Station,	§§ 890.18,	P
12		Automotive Wash	890.20	
13	818.60	Motor Vehicle Repair	§ 890.15	P
14	818.61	Motor Vehicle Tow Service	§ 890.19	C
15				
16	818.62	Non-Auto Vehicle Sale or Rental	§ 890.69	P
17	818.63	Public Transportation Facilities	§ 890.80	P
18	Industrial			
19	818.64	Wholesale Sales	§ 890.54(b)	P
20	818.65	Light Manufacturing	§ 890.54(a)	P
21				
22	818.66	Storage	§ 890.54(c)	P
23	818.67	All Other Wholesaling, Storage	§ 255	P
24		Distribution and Open Air Handling		
25				

	of Materials and Equipment		
Other Uses			
818.68	Animal Services	§ 224	P
818.69	Open Air Sales	§§ 803.5(e), 890.38	P
818.70	Ambulance Service	§ 890.2	P
818.71	Open Recreation and Horticulture	§ 209.5	P
818.72	Public Use, except Public Transportation Facility	§ 890.80	P
818.73	Commercial Wireless Transmitting, Receiving or Relay Facility	§ 227(h)	C
818.74	Greenhouse or Plant Nursery	§ 227(a)	P
818.75	Mortuary Establishment	§ 227(c)	NP
818.76	General Advertising Sign	§ 607.2(b) & (e)	NP
818.77	Internet Services Exchange	§ 209.6(c)	C
818.78	Hotel, Tourist if 75 rooms or less	§ 890.46	C

SPECIFIC PROVISIONS FOR SSO DISTRICTS

Article Code	Other Code	Zoning Controls
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Section	Section	
§ 818.23 § 890.133		– Only those medical cannabis dispensaries that can demonstrate to the Planning Department they were in operation as of April 1, 2005 and have remained in continuous operation or that were not in continuous operation since April 1, 2005, but can demonstrate to the Planning Department that the reason for their lack of continuous operation was not closure due to an actual violation of federal, state or local law, may apply for a medical cannabis dispensary permit in an SSO District.
818.33	§§ 249.35, 890.113	Fringe Financial Services are P subject to the restrictions set forth in Section 249.35, including, but not limited to, the proximity restrictions set forth in Subsection 249.35(c)(3).

Section 37. The San Francisco Planning Code is hereby amended by amending Section 827, to read as follows:

SEC. 827. RINCON HILL DOWNTOWN RESIDENTIAL MIXED USE DISTRICT (RH DTR).

The Rincon Hill Downtown Residential Mixed Use District (RH DTR), the boundaries of which are shown in Section Map No. 1 of the Zoning Map, is established for the purposes set forth below.

The RH DTR District is adjacent to the southern edge of the downtown, generally bounded by Folsom Street, the Bay Bridge, the Embarcadero, and Essex Street. High-density residential uses and supporting commercial and institutional uses are allowed and

1 encouraged within the limits set by height, bulk, and tower spacing controls. Folsom Street is
2 intended to develop as the neighborhood commercial heart of the Rincon Hill and Transbay
3 neighborhoods, and pedestrian-oriented uses are required on the ground floor. Individual
4 townhouse dwelling units with ground floor entries directly to the street are required on streets
5 that will become primarily residential, including First, Fremont, Beale, Main, and Spear
6 Streets.

7 While lot coverage is limited for all levels with residential uses that do not face onto
8 streets or alleys, traditional rear yard open spaces are not required except in the limited
9 instances where there is an existing pattern of them, such as smaller lots on the Guy Place
10 block. Specific height, bulk, and setback controls establish appropriate heights for both towers
11 and mid-rise podium development and ensure adequate spacing between towers in order to
12 establish a neighborhood scale and ensure light and air to streets and open spaces. Setbacks
13 are required where necessary to provide transition space for ground floor residential uses and
14 to ensure sunlight access to streets and open spaces. Off-street parking must be located
15 below grade.

16 Given the need for services and open space resulting from new development, projects
17 will provide or contribute funding for the creation of public open space and community facilities
18 as described in the Rincon Hill Area Plan of the General Plan. The Rincon Hill Streetscape
19 Plan, part of the Area Plan, proposes to enhance and redesign most streets in the district to
20 create substantial new open space amenities, improve pedestrian conditions, and improve the
21 flow of local traffic and transit. Detailed standards for the provision of open spaces, mid-block
22 pathways, and residential entries are provided to ensure that new buildings contribute to
23 creating a public realm of the highest quality in Rincon Hill.

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**Table 827 RINCON HILL DOWNTOWN RESIDENTIAL MIXED USE DISTRICT
ZONING CONTROL TABLE**

			Rincon Hill Downtown Residential Mixed Use District Zoning
No.	Zoning Category	§ References	Controls
Building and Siting Standards			
.10	Height and Bulk	§§ 102.12, 105, 106, 250– 252, 260, 270	Varies 45– 550 feet. For height limits, see Zoning Map 1H and § 263.19; for bulk controls, see § 270(e).
.11	Lot Size [Per Development]	§§ 890.56, 121	No limit
.12	Rear Yard/Site Coverage	§ 136	100 percent lot coverage permitted; up to 80 percent for parcels that front the north side of Guy Place and for all parcels at residential levels where not all units face onto streets or alleys. § 827(d)(2).
.13	Setbacks		Building setback of 3 to 10 ft. for all buildings except towers on Spear, Main, Beale, Fremont, and First Streets. § 827(d). Upper-story setback of 10 ft. required above a height of 65 feet on both sides of Spear, Main, Beale, Fremont, and First Streets. § 827(d). Sun access plane setback of 50

1			degrees for all buildings 85+ and lower on the south side of east-west mid-block pathways. § 827(d).	
2				
3				
4	.14	Street-Facing Uses	§§ 145.4, 145.5	Requirements based on location. See §§ 145.4 and 827(c).
5				
6	.15	Parking and Loading Access: Prohibition	§ 155(r)	Prohibited on Folsom Street from Essex Street to The Embarcadero. § 827(d)(7)
7				
8				
9				
10	.16	Parking and Loading Access: Siting and Dimensions	§§ 145.4, 151.1, 155(r)	No parking permitted aboveground, except on sloping sites. Parking access limited to two openings, max. 11+ wide each, loading access limited to one 15+ opening. § 827(d)(7).
11				
12				
13				
14	.17	Awning	§ 890.21	P, § 136.2(a)
15	.18	Canopy	§ 890.24	P, § 136.2(b)
16	.19	Marquee	§ 890.58	P, § 136.2(c)
17	Non-Residential Standards and Uses			
18				
19				
20	.20	Required Residential to Non-Residential Use Ratio	§ 102.10	Non-residential uses limited to occupiable sf per 6 occupiable sf devoted to residential uses. § 827(b)
21				
22				
23				
24	.21	Use Size [Non-	§§ 890.130,	P for non-residential uses up to 25,000 sq. ft., C
25				

1	Residential]	145.4	above. No individual ground floor tenant may
2			occupy more than 75+ of frontage for a depth of
3			25+ from Folsom Street. §§ 827(d)(5), 145.4.
4	.22 Open Space	§ 135	1 sq. ft. of publicly-accessible open space for every
5			50 sq. ft. of non-residential use over 10,000 sq. ft.
6			§ 827(e)
7	.23 Off-Street Parking	§§ 150, 151,	None Required. Parking that is accessory to office
8	[Office uses]	151.1, 153–	space limited to 7% of GFA.
9		157, 204.5	
10	.24 Off-Street Parking	§§ 150, 151,	None Required. Parking limited as described in
11	[Non-Residential,	151.1, 153–	Section 151.1.
12	other than office	157, 204.5	
13	uses]		
14			
15	.25 Off-Street Freight	§§ 150, 152.2,	None Required. Loading maximums described in
16	Loading	153– 155,	Section 152.2.
17		204.5	
18	.26 All Non-Residential Uses Permitted, except as described below.		
19	.27 Drive-Up Facility	§ 890.30	NP
20	.28 Walk-Up Facility	§ 890.140	P if recessed 3 ft. C otherwise.
21	.29 Hospital or Medical	§ 124.1, 890.44	C
22	Center		
23	.30 Other Institutions	§ 890.50	C
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.31	Public Use	§ 890.80	C
.32	Movie Theater	§ 890.64	C
.33	Nighttime Entertainment	§§ 102.17, 803.5(g)	C
.34	Adult Entertainment	§ 890.36	NP
.35	Massage Establishment	§ 890.60 Article 29 Health Code	C
.36	Automobile Parking Lot, Community Commercial	§§ 890.9, 156, 160	NP
.37	Automobile Parking Garage, Community Commercial	§ 890.10, 160	NP
.38	Automotive Gas Station	§ 890.14	NP
.39	Automotive Service Station	§ 890.18, 890.19	NP
.40	Automotive Repair	§ 890.15	NP
.41	Automotive Wash	§ 890.20	NP
.42	Automotive Sale or Rental	§ 890.13	C

1	.43	Mortuary	§ 890.62	C
2	.44	Hours of Operation	§ 890.48	C. 2 a.m.– 6 a.m.
3	.45	Business Sign	§§ 602– 604, 608.1, 608.2	P. § 607.2(f)
4				
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6				
7	.45a	<i>Tobacco</i>	<u>§890.123</u>	<u>C</u>
8		<i>Paraphernalia</i>		
9		<i>Establishments</i>		
10	Residential Standards			
11	and Uses			
12	.46	Residential Use	§ 890.88	P
13	.47	Residential Density, Dwelling Units	§ 890.88(a)	No Limit. § 207.5 (b)
14				
15	.48	Residential Density, Group Housing	§ 890.88(b)	No Limit. § 207.5 (b)
16				
17	.49	Usable Open Space [Per Residential Unit]	§ 135, 136	75 sq. ft. per unit; up to 50% may be provided off-site if publicly accessible. § 827(e).
18				
19				
20				
21	.50	Accessory Off- Street Parking, Residential	§§ 151.1, 153– 157, 159– 160, 204.5	None Required. Up to one car per 2 dwelling units permitted; up to one car per dwelling unit per procedures and criteria of Sections 151.1 and 827(d).
22				
23				
24				

1	.51	Residential Conversions	§ 790.84, Ch. 41 Admin. Code	C
2				
3				
4	.52	Residential Demolition		C
5				
6	.53	Fringe Financial Service	§§ 249.35, 890.113	P subject to the restrictions set forth in Section 249.35, including, but not limited to, the proximity restrictions set forth in Subsection 249.35(c)(3).
7				
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9				

10 (a) Development Concept. The development concept is for podium development up to 85 feet
11 in height, with slender residential towers spaced to provide ample light and air to the district.
12 New development will contribute to the creation of a substantial amount of public open space,
13 as well as provide private common areas, courtyards, and balconies. Streets will be improved
14 to provide widened sidewalks with substantial public open space. Ground floor uses will be
15 pedestrian-oriented in character, consisting primarily of retail on Folsom Street, and individual
16 townhouse-style residential units on First, Fremont, Beale, Main, and Spear Streets, as well
17 as on alleys and mid-block pathways. Parking will be located below grade, and building
18 utilities (loading bays, service doors, garage doors) will be located in sidewalk vaults or on
19 secondary frontages.

20 **GRAPHIC UNAVAILABLE: [Click here](#)**

21
22 (b) Residential Use Controls.
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1 (1) Residential Density. There shall be no density limit for residential uses, as defined by
2 Section 890.88 of this Code, in the Rincon Hill Downtown Residential District. The provisions
3 of Sections 207 through 208 related to residential density shall not apply.

4 (2) Required Residential to Non-Residential Use Ratio. For newly constructed buildings or
5 additions which exceed 20 percent or more of an existing structure's gross floor area, at least
6 six occupiable square feet of residential use shall be provided for each occupiable square foot
7 of non-residential use, excluding accessory parking, on any lot legally existing. Lawfully
8 existing live/work units shall be considered as non-residential uses for the purpose of this
9 section, and do not satisfy the residential requirement. Exemption from the required use ratio
10 for building additions of less than 20 percent may not be granted for any single lot if such an
11 exemption would increase the total square footage of the building to an amount 20 percent
12 greater than existed on the lot since the adoption of this Section.

13
14 (3) Required unit size mix. No less than 40 percent of all units on-site must have at least two
15 bedrooms or more. Projects are encouraged to have at least 10 percent of all units on site
16 with three bedrooms or more.

17
18 (4) For newly constructed buildings or additions, which exceed 20 percent or more of an
19 existing structure's gross floor area, all building area above 85 feet in height shall be devoted
20 to residential use.

21
22 (5) Housing Requirement for Residential Developments. The requirements of Sections 315
23 through 315.9 shall apply in the RH DTR subject to the following exceptions:
24
25

1 (A) If constructed on-site, a minimum of 12 percent of the total units constructed, and if
2 constructed off-site, a minimum of 17 percent of the total units constructed, shall be affordable
3 to and occupied by qualifying persons and families as defined elsewhere in this Code.
4

5 (B) Below-market-rate units as required by Sections 315 through 315.9 that are built off-site
6 must be built within the area bounded by Market Street, the Embarcadero, King Street,
7 Division Street, and South Van Ness Avenue.
8

9 (C) No less than fifty percent (50%) of the fees that are paid due to development in the Rincon
10 Hill Area Plan under Section 315.4(e)(2) and 315.6 shall be paid into the Citywide Affordable
11 Housing Fund, but the funds shall be separately accounted for and designated exclusively to
12 increase the supply of affordable housing in the SOMA area.
13

14 (D) Fifty percent (50%) of the below-market rate units as required by Section 315 through
15 315.9 that are built on- or off-site must be provided as rental units for the life of the project, as
16 defined in Planning Code Section 315.7(a).
17

18 (E) The Mayor's Office of Housing must submit a resolution to the Board of Supervisors with a
19 plan for the use of all in lieu fee payments generated from the Rincon Hill Plan prior to any
20 expenditure of the Funds.
21

22 (c) Street-Facing Use Requirements. Pedestrian-oriented retail, residential, institutional uses,
23 and community services are required ground floor uses on all street facing frontages, except
24
25

1 for the minimum frontage required for fire doors, parking and loading access, and other
2 utilities.

3
4 (1) Required Ground Floor Retail Spaces. For frontages facing Folsom Street, ground floor
5 space suitable for retail use is required for no less than 75 percent of all frontages, as
6 specified in Section 145.4.

7
8 (2) Required Individual Ground Floor Residential Units. For building frontages facing Fremont,
9 First, Main, Beale and Spear Streets more than 60 feet from an intersection with Folsom,
10 Harrison, or Bryant Streets, and for building frontages facing Guy Place and Lansing Street,
11 individual ground floor residential units with direct pedestrian access to the sidewalk are
12 required at intervals of no greater than 25 feet, except where residential lobbies, parking and
13 loading access, utilities, and open space are necessary and provided pursuant to the
14 allowances of Section 827 and other sections of this Code. Individual ground floor residential
15 units are also encouraged along Harrison Street, Bryant Street, and alleys and mid-block
16 pedestrian paths where appropriate.

17
18 Figure 827(B): Frontages Where Ground Floor Retail Uses Are Required.

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20 **GRAPHIC UNAVAILABLE: Click here**

21
22 Figure 827(C): Frontages Where Ground Floor Residential Uses/Entries Are Required.

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24 **GRAPHIC UNAVAILABLE: Click here**

1
2 (d) Building Design Standards.

3 (1) Required Streetwall. Building area below 85 feet in height is required to be built to 100
4 percent of all property lines facing public rights-of-way, except where setbacks are required by
5 this Section and except where publicly accessible open space is provided according to the
6 provisions of this Section. Recesses, insets and breaks between buildings are permitted to
7 provide vertical articulation to the facade, provided the overall integrity of the streetwall is
8 maintained.

9
10 (2) Lot Coverage. The requirements of Section 134 shall not apply in the RH DTR District. Lot
11 coverage is limited to 80 percent at all residential levels except on levels in which all
12 residential units face onto a public right-of-way or mid-block pedestrian path meeting the
13 minimum standards of this Section. The unbuilt portion of the lot shall be open to the sky
14 except for those obstructions permitted in yards pursuant to Section 136(c). Exceptions to the
15 20 percent open area requirement may be granted, pursuant to the provisions of Section
16 309.1, for conversions of existing non-residential structures where it is determined that
17 provision of 20 percent open area would require partial demolition of the existing non-
18 residential structure. Lots fronting only on the north side of Guy Place are permitted up to 80
19 percent lot coverage.

20
21 (3) Dwelling Unit Exposure. The requirements of Section 140 shall apply. Reductions in this
22 requirement may be granted though the procedures of Section 309.1.

1 (4) Upper Story Setback. To ensure adequate sunlight to streets, alleys, and pedestrian
2 pathways, upper story setbacks are required as follows:

3
4 (A) All buildings are required to set back at least 10 feet above a height of 65 feet along
5 Spear, Main, Beale, Fremont and First Streets. This requirement shall not apply to street
6 frontage occupied by a building taller than 85 feet. This upper story setback requirement shall
7 also not apply to the first 60 linear feet of frontage from corners at Folsom, Harrison, and
8 Bryant Streets.

9
10 (B) Buildings greater than 60 linear feet from a major street along Guy Place, Lansing Street,
11 and any proposed or existing private or public mid-block pedestrian pathways, are required to
12 be set back at least 10 feet above 45 feet in height from said right-of-way.

13
14 (C) In order to increase sun access to mid-block pathways and uses along such pathways, all
15 building frontage on the southeast side of mid-block pathways not occupied by a building taller
16 than 85 feet must set back upper stories by 10 feet above a building height of 45 feet. For
17 projects on the south side of a mid-block pedestrian pathway taller than 65 feet, an additional
18 upper story setback of 10 feet is required above a building height of 65 feet.

19
20 (i) Modifications. For any lot on the north side of a required mid-block pedestrian pathway, a
21 modification from the required upper story setback of 10 feet above a height of 45 feet may be
22 granted according to the provisions of Section 309.1, provided that, in total, the building is set
23 back by a volume equal to what would be required by meeting the standard in (C) above, and
24
25

1 the modification would substantially improve the accessibility, design and character of the
2 mid-block pedestrian pathway.

3
4 Figure 827(D): Required Upper Story Stepbacks

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7
8 (5) Ground Floor Residential Units. Where ground floor residential units are required along
9 Spear, Main, Beale, Fremont, and First Streets, the following design standards apply. Ground
10 floor residential units along Guy Place and Lansing Street, within the footprint of towers taller
11 than 105 feet, and those that are proposed in locations where they are not required, are
12 encouraged to meet the standards in this subsection to the greatest degree possible.

13
14 (A) Facade Articulation. Individual residential units are required to be vertically articulated at
15 regular intervals of no greater than 25 feet. Changes in vertical massing, architectural
16 projections and recesses may be used to achieve this articulation.

17
18 (B) Setback Dimensions. Building setbacks are required to create a transitional space
19 between the public realm of the street and the private realm of the individual dwelling unit. The
20 setback shall be implemented according to the following specifications, and as illustrated in
21 Figures 827(E) and 827(F):

22
23 (i) The entire building facade must be set back from the street-abutting property line a
24 minimum of three feet, an average of five feet, and not in excess of ten feet.

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(ii) All projections allowed by Section 136 permitted in front setbacks are permitted, except for garages and driveways. Architectural projections, such as bay windows, are encouraged and may extend down to the ground provided they do not encroach within the 18-inch landscaping strip required by subsection (iii). Railings, fences, and grilles up to a height of 3 feet 6 inches that are at least 75 percent open to perpendicular view are permitted on top of an landing or porch, regardless of the combined total height of the railing and porch from street grade. \

(iii) A landscaped strip at grade with the sidewalk is required for the first 18 inches of the setback, for at least 50 percent of the width of each residential unit.

(iv) Setbacks proposed to be greater than five feet are encouraged to provide a porch or landscape area at grade with the residential entry.

(C) Residential Entries.

(i) Residential entries are required to be raised an average of three feet above street grade.

(ii) Each entry is required to have a vestibule at least one foot in depth from the building facade. The entry vestibule may be no less than five feet wide and no less than the height of the ground story.

1 (D) Landscaping in Setbacks. All building setback areas not occupied by steps, porches or
2 other occupiable space must be landscaped. Setbacks should be designed to provide access
3 to landscaped areas, encouraging gardening and other uses by residents.

4
5 (i) A water source must be provided for each residential setback.

6
7 (ii) To allow for landscaping and street trees at street grade, parking must be located far
8 enough below the surface of the setback to provide a minimum soil depth of 3 feet 6 inches. A
9 continuous soil trough should be provided with adequate centrally-operated irrigation.

10
11 Figure 827(E): Required Dimensions for Building Setbacks.

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13 **GRAPHIC UNAVAILABLE: Click here**

14
15 Figure 827(F): Required Dimensions for Building Setbacks.

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17 **GRAPHIC UNAVAILABLE: Click here**

18
19 (6) Ground Floor Commercial Design.

20
21 (A) Minimum Depth. Ground floor non-residential spaces along Folsom Street must have a
22 minimum depth of 25 feet from the Folsom Street facade.

1 (B) Minimum Ceiling Height. Ground floor non-residential spaces along Folsom Street must
2 have a minimum 12 foot 6 inch clear ceiling height for the first 25 feet of depth fronting Folsom
3 Street.

4
5 (C) Transparency and Fenestration. Non-residential frontages must be fenestrated with
6 windows and doorways for no less than 60 percent of the facade area. No less than 75
7 percent of the fenestrated area must be transparent. The use of dark or mirrored glass is not
8 permitted or required transparent area.

9
10 (D) Maximum Frontage. A single ground floor commercial tenant may not occupy more than
11 75 linear feet of frontage for the first 25 feet of depth from the street facing facade along any
12 major street. Separate individual storefronts shall wrap large footprint ground floor uses for the
13 first 25 feet of depth.

14
15 (7) Lighting. Pedestrian-scaled lighting shall be provided as an integral element of all building
16 facades and shall be designed and located to accentuate the uses facing the street.
17 Pedestrian-scaled lighting shall be incorporated into all facades and landscaped setback
18 areas in the form of wall sconces, entry illumination and low-level lighting set into edging
19 features. Lighting should be designed to accentuate ground floor retail and residential entries.
20 Incandescent or color-corrected lighting sources must be used.

21
22 Figure 827(G): Required Ground Floor Commercial Transparency and Fenestration.

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24 **GRAPHIC UNAVAILABLE: Click here**

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Figure 827(H): Ground Floor Commercial Frontages.

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(8) Off-Street Parking and Loading. Restrictions on the design and location of off-street parking and loading and access to off-street parking and loading are necessary to reduce their negative impacts on neighborhood quality and the pedestrian environment.

(A) Required Below-Grade. All off-street parking in the RH DTR shall be built below street grade. The design of parking on sloping sites must be reviewed through the procedures of Section 309.1, according to the following standards:

(i) For sloping sites with a grade change of at least ten feet laterally along the street, no less than 50 percent of the perimeter of all floors with off-street parking shall be below the level of said sloping street; and

(ii) For sites that slope upwards from a street, no less than 50 percent of the perimeter of all floors with off-street parking shall be below the average grade of the site; and

(iii) Any above-grade parking shall be set back from the street facing facades and wrapped with active uses, as defined by Section 145.4, for a depth of no less than 25 feet at the ground floor and 15 feet on floors above.

1 Pursuant to the procedures of Section 309.1, the Planning Commission may reduce the
2 minimum on-site provision of required residential open space to not less than 18 square feet
3 per unit in order to both create additional publicly accessible open space serving the district
4 and to foster superior architectural design on constrained sites.

5
6 (B) Parking and Loading Access.

7
8 (i) Width of openings. Any single development is limited to a total of two facade openings of
9 no more than 11 feet wide each or one opening of no more than 22 feet wide for access to off-
10 street parking and one facade opening of no more than 15 feet wide for access to off-street
11 loading. Shared openings for parking and loading are encouraged. The maximum permitted
12 width of a shared parking and loading garage opening is 27 feet. The maximum permitted
13 width of all combined parking and loading openings on Guy Place and Lansing Street for any
14 single project is 20 feet.

15
16 (ii) Folsom Street. Access to off-street parking is not permitted on Folsom Street for lots with
17 frontage on another street. For lots fronting solely on Folsom Street, access to parking on a
18 Folsom Street frontage is permitted only through the processes established by Section 309.1
19 by demonstrating that every effort has been made to minimize negative impact on the
20 pedestrian quality of the street. Loading may not be accessed from Folsom Street.

21
22 (iii) Sidewalk narrowings or porte cocheres to accommodate passenger loading and unloading
23 are not permitted. For the purpose of this section, a "porte cochere" is defined as an off-street
24
25

1 driveway, either covered or uncovered, for the purpose of passenger loading or unloading,
2 situated between the ground floor facade of the building and the sidewalk.

3
4 (e) Open Space.

5
6 (1) Amount Required.

7
8 (A) Residential. For all residential uses, 75 square feet of open space is required per dwelling
9 unit. All residential open space must meet the provisions described in Section 135 unless
10 otherwise established in this Section. Open space requirements may be met with the following
11 types of open space: "private usable open space" as defined in Section 135(a) of this Code,
12 "common usable open space" as defined in Section 135(a) of this Code, and "publicly-
13 accessible open space" as defined in this Section. At least 40 percent of the residential open
14 space is required to be common to all residential units. Common usable open space is not
15 required to be publicly-accessible. Publicly-accessible open space, including off-site open
16 space permitted by this Section, meeting the standards of this Section may be considered as
17 common usable open space. For residential units with direct access from the street, building
18 setback areas that meet the standards in Section 827(d)(4) may be counted toward the open
19 space requirement as private non-common open space.

20
21 (B) Non-residential. One square foot of publicly-accessible open space is required for every
22 50 gross square feet of non-residential uses over 10,000 square feet. All non-residential open
23 space must meet the standards of Section 827 for publicly-accessible open space.

1 (2) Off-site provision of required open space. The provision of off-site publicly-accessible open
2 space may be counted toward the requirements of both residential and non-residential open
3 space provided it is within the RH DTR or within 500 feet of any boundary of the RH DTR
4 District, and meets the standards of this Section.

5
6 (A) At least 36 square feet per residential unit of required open space and 50 percent of
7 required non-residential open space must be provided on-site. Pursuant to the procedures of
8 Section 309.1, the Planning Commission may reduce the minimum on-site provision of
9 required residential open space to not less than 18 square feet per unit in order to both create
10 additional publicly-accessible open space serving the district and to foster superior
11 architectural design on constrained sites.

12
13 (B) Open Space Provider. The open space required by this Section may be provided
14 individually by the project sponsor or jointly by the project sponsor and other project sponsors,
15 provided that each square foot of jointly developed open space may count toward only one
16 sponsor's requirement. With the approval of the Planning Commission, a public or private
17 agency may develop and maintain the open space, provided that (i) the project sponsor or
18 sponsors pay for the cost of development of the number of square feet the project sponsor is
19 required to provide, (ii) provision satisfactory to the Commission is made for the continued
20 maintenance of the open space for the actual lifetime of the building giving rise to the open
21 space requirement, and (iii) the Commission finds that there is reasonable assurance that the
22 open space to be developed by such agency will be developed and open for use by the time
23 the building, the open space requirement of which is being met by the payment, is ready for
24 occupancy.

1
2 (3) Publicly-Accessible Open Space Standards. Any open space intended to fulfill the
3 requirements of off-site or publicly-accessible open space required by this Section must meet
4 the following standards and be approved by the Planning Commission according to the
5 procedures of Section 309.1 of this Code.

6
7 (A) Open space must be of one or more of the following types:

8
9 (i) An unenclosed park or garden at street grade or following the natural topography, including
10 improvements to hillsides or other unimproved public areas according to the Rincon Hill Area
11 Plan;

12
13 (ii) An unenclosed plaza at street grade, with seating areas and landscaping and no more
14 than 10 percent of the floor area devoted to food or beverage service;

15
16 (iii) An unenclosed pedestrian pathway that meets the minimum standards described in
17 Section 827(g)(3);

18
19 (iv) A terrace or roof garden with landscaping;

20
21 (v) Streetscape improvements with landscaping and pedestrian amenities that result in
22 additional space beyond the pre-existing sidewalk width and conform to the Streetscape Plan
23 of the Rincon Hill Area Plan, such as sidewalk widening or building setbacks, other than those
24
25

1 ground floor setbacks required by Section 827(d)(4) or intended by design for the use of
2 individual ground floor residential units; and

3
4 (vi) Streetscape improvements with landscaping and pedestrian amenities on Guy Place and
5 Lansing Street, beyond basic street tree planting or street lighting as otherwise required by
6 this Code, in accordance with the Streetscape Plan of the Rincon Hill Area Plan.

7
8 (B) Open space must meet the following standards:

9
10 (i) Be in such locations and provide such ingress and egress as will make the area
11 convenient, safe, secure and easily accessible to the general public;

12
13 (ii) Be appropriately landscaped;

14
15 (iii) Be protected from uncomfortable winds;

16
17 (iv) Incorporate ample seating and, if appropriate, access to limited amounts of food and
18 beverage service, which will enhance public use of the area;

19
20 (v) Be well signed and accessible to the public during daylight hours;

21
22 (vi) Be well lighted if the area is of the type requiring artificial illumination;

23
24 (vii) Be designed to enhance user safety and security;

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(viii) Be of sufficient size to be attractive and practical for its intended use; and

(ix) Have access to drinking water and toilets if feasible.

(C) Maintenance. Open spaces shall be maintained at no public expense, except as might be provided for by any community facilities district that may be formed in the RH DTR. The owner of the property on which the open space is located shall maintain it by keeping the area clean and free of litter and keeping in a healthy state any plant material that is provided. Conditions intended to assure continued maintenance of the open space for the actual lifetime of the building giving rise to the open space requirement may be imposed in accordance with the provisions of Section 309.1.

(D) Informational Plaque. Prior to issuance of a permit of occupancy, a plaque of no less than 24 inches by 36 inches in size shall be placed in a publicly conspicuous location outside the building at street level, or at the site of any publicly-accessible open space, identifying said open space feature and its location, stating the right of the public to use the space and the hours of use, describing its principal required features (e.g., number of seats, availability of food service) and stating the name and address of the owner or owner's agent responsible for maintenance.

(E) The Zoning Administrator shall have authority to require a property owner to hold harmless the City and County of San Francisco, its officers, agents and employees, from any damage or injury caused by the design, construction or maintenance of open space, and to require the

1 owner or owners or subsequent owner or owners of the property to be solely liable for any
2 damage or loss occasioned by any act or neglect in respect to the design, construction or
3 maintenance of the open space.

4
5 (f) Reduction of Ground Level Wind Currents.

6
7 (1) Requirement. New buildings and additions to existing buildings shall be shaped, or other
8 wind-baffling measures shall be adopted, so that the developments will not cause ground-
9 level wind currents to exceed, more than 10 percent of the time year-round, between 7:00
10 a.m. and 6:00 p.m., the comfort level of 11 m.p.h. equivalent wind speed in areas of
11 substantial pedestrian use and seven m.p.h. equivalent wind speed in public seating areas.
12 The term "equivalent wind speed" shall mean an hourly mean wind speed adjusted to
13 incorporate the effects of gustiness or turbulence on pedestrians.

14
15 (2) When preexisting ambient wind speeds exceed the comfort level, or when a proposed
16 building or addition may cause ambient wind speeds to exceed the comfort level, the building
17 shall be designed to reduce the ambient wind speeds to meet the requirements.

18
19 (3) Exception. The Zoning Administrator may allow the building or addition to add to the
20 amount of time the comfort level is exceeded by the least practical amount if (i) it can be
21 shown that a building or addition cannot be shaped and other wind-baffling measures cannot
22 be adopted to meet the foregoing requirements without creating an unattractive and ungainly
23 building form and without unduly restricting the development potential of the building site in
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1 question, and (ii) the Zoning Administrator concludes that, because of the limited amount by
2 which the comfort level is exceeded, the addition is insubstantial.

3
4 The Zoning Administrator shall not grant an exception, and, no building or addition shall be
5 permitted that causes equivalent winds speeds to reach or exceed the hazard level of 26
6 miles per hour for a single hour of the year.

7
8 (g) Streetscape Standards.

9
10 (1) Sidewalk Treatments.

11
12 (A) For all frontages abutting a public sidewalk, the project sponsor is required to install
13 sidewalk widening, street trees, lighting, decorative paving, seating and landscaping in
14 accordance with the Streetscape Plan of the Rincon Hill Area Plan, developed by the Planning
15 Department and approved by the Board of Supervisors.

16
17 (B) Prior to approval by the Board of Supervisors of a Streetscape Plan for Rincon Hill, the
18 Planning Commission, through the procedures of Section 309.1, shall require an applicant to
19 install sidewalk widening, street trees, lighting, decorative paving, seating, and landscaping in
20 keeping with the intent of the Rincon Hill Area Plan of the General Plan and in accordance
21 with subsections (C)– (F) below.

22
23 (C) Sidewalk treatments shall comply with any applicable ordinances and with any applicable
24 regulation of the Art Commission, the Department of Public Works and the Bureau of Light,
25

1 Heat and Power of the Public Utility Commission regarding street lighting, sidewalk paving,
2 and sidewalk landscaping.

3
4 (D) The Streetscape Plan and any Commission requirement pursuant to subsection (B) shall
5 require the abutting property owner or owners to hold harmless the City and County of San
6 Francisco, its officers, agents, and employees, from any damage or injury caused by reason
7 of the design, construction or maintenance of the improvements, and shall require the owner
8 or owners or subsequent owner or owners of the respective property to be solely liable for any
9 damage or loss occasioned by any act.

10
11 (E) Notwithstanding the provisions of this Section, an applicant shall apply for all required
12 permits for changes to the legislated sidewalk widths and street improvements and pay all
13 required fees.

14
15 (F) The owner of the property is required to maintain all those improvements other than
16 lighting.

17
18 (2) Street Trees. Street trees shall be installed by the owner or developer in the case of
19 construction of a new building, relocation of a building, or addition of floor area equal to 20
20 percent or more of an existing building when such construction, relocation or addition occurs
21 on any site in the RH DTR. Street trees shall be provided according to the provisions of
22 Section 143(b), (c) and (d). In addition, street trees shall:

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24 (A) be planted at least one foot back from the curb line;

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(B) have a minimum 2 inch caliper, measured at breast height;

(C) branch a minimum of 8 feet above sidewalk grade;

(D) where in the public right-of way, be planted in a sidewalk opening at least 16 square feet, and have a minimum soil depth of 3 feet 6 inches;

(E) where planted in individual basins rather than a landscaped planting bed, be protected by a tree grate with a removable inner ring to provide for the tree's growth over time;

(F) provide a below-grade environment with nutrient-rich soils, free from overly-compacted soils, and generally conducive to tree root development;

(G) be irrigated, maintained and replaced if necessary by the property owner, in accordance with Sec. 174 of the Public Works Code; and

(H) be planted in a continuous soil-filled trench parallel to the curb, such that the basin for each tree is connected.

(3) Mid-Block Pedestrian Pathways. For developments on Assessor's Blocks 3744– 3748, the Commission may require, pursuant to Section 309.1, the applicant to provide a mid-block pedestrian pathway for the entire depth of their property where called for by the Rincon Hill

1 Area Plan of the General Plan. This pathway shall be designed in accordance with the
2 standards of this Section.

3
4 (A) Design. The design of the pathway shall meet the following minimum requirements:

5
6 (i) Have a minimum width of 20 feet from building face to building face;

7
8 (ii) Have a minimum clear walking width of 10 feet free of any obstructions.

9
10 (iii) Be open to the sky and free from all encroachments for that entire width, except for those
11 permitted in front setbacks by Section 136 of this Code;

12
13 (iv) Provide such ingress and egress as will make the area easily accessible to the general
14 public;

15
16 (v) Be protected from uncomfortable wind, as called for elsewhere in this Code;

17
18 (vi) Be publicly accessible, as defined elsewhere in this Section;

19
20 (vii) Be provided with special paving, furniture, landscaping, and other amenities that facilitate
21 pedestrian use;

22
23 (viii) Be provided with ample pedestrian lighting to ensure pedestrian comfort and safety;

1 (ix) Be free of any changes in grade or steps not required by the natural topography of the
2 underlying hill; and

3
4 (x) Be fronted by active ground floor uses, such as individual townhouse residential units, to
5 the greatest extent possible.

6
7 (B) Prior to issuance of a permit of occupancy, informational signage directing the general
8 public to the pathway shall be placed in a publicly conspicuous outdoor location at street level
9 stating its location, the right of the public to use the space and the hours of use, and the name
10 and address of the owner or owner's agent responsible for maintenance.

11
12 (C) The owner of the property on which the pathway is located shall maintain it by keeping the
13 area clean and free of litter and keeping in a functional and healthy state any street furniture,
14 lighting and/or plant material that is provided.

15
16 (D) Notwithstanding the provisions of this subsection, an applicant shall obtain all required
17 permits for changes to the legislated sidewalk and street improvements and pay all required
18 fees.

19
20 (E) The property owner or owners must hold harmless the City and County of San Francisco,
21 its officers, agents, and employees, from any damage or injury caused by reason of the
22 design, construction or maintenance of the improvements, and shall require the owner or
23 owners or subsequent owner or owners of the respective property to be solely liable for any
24 damage or loss occasioned by any act.

1
2 Section 38. The San Francisco Planning Code is hereby amended by adding Section
3 890.123, to read as follows:

4 SEC. 890.123. TOBACCO PARAPHERNALIA ESTABLISHMENT

5 A Tobacco Paraphernalia Establishment shall be, as established in Section 227(v) of this code,
6 a retail use where more than 15% of the gross square footage of the establishment is dedicated
7 to the sale, distribution, delivery, furnishing or marketing of Tobacco Paraphernalia from one
8 person to another. Tobacco Paraphernalia is sold, distributed, delivered, furnished, or
9 marketed from one person to another. "Tobacco Paraphernalia" means paraphernalia, devices, or
10 instruments that are designed or manufactured for the smoking, ingesting, inhaling, or otherwise
11 introducing into the body of tobacco, products prepared from tobacco, or controlled substances as
12 defined in California Health and Safety Code Sections 11054 et seq. "Tobacco Paraphernalia" does not
13 include lighters, matches, cigarette holders, any device used to store or preserve tobacco,
14 tobacco, cigarettes, cigarette papers, cigars, or any other preparation of tobacco that is permitted by
15 existing law. Medical Cannabis Dispensaries, as defined in Section 3201(f) of the San
16 Francisco Health Code, are not Tobacco Paraphernalia Establishments.

17
18 APPROVED AS TO FORM:
19 DENNIS J. HERRERA, City Attorney

20 By:

21 
22 ANDREA RUIZ-ESQUEDA
23 Deputy City Attorney



City and County of San Francisco

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

Tails

Ordinance

File Number: 080567

Date Passed:

Ordinance amending the Planning Code to add a new Section 227(v), to define Tobacco Paraphernalia Establishments, and to impose a conditional use requirement on the establishment of such new enterprises in all Commercial and Industrial districts; amending Section 303 of the Planning Code to refer to this requirement, and to require consideration of additional criteria when analyzing a Conditional Use application; adding a new Section 790.123, to define Tobacco Paraphernalia Establishments in the Neighborhood Commercial districts; amending sections 710.1, 711.1, 712.1, 713.1, 714.1, 715.1, 716.1, 717.1, 718.1, 719.1, 720.1, 721.1, 722.1, 723.1, 724.1, 725.1, 726.1, 727.1, 728.1, 729.1, 730.1, and 732.1, to refer to this definition and conditional use requirement; adding a new Section 890.89 to define Tobacco Paraphernalia Establishments in the Mixed Use districts; amending sections 803.1, 810.1, 811.1, 812.1, 814, 815, 816, 817, 818, and 827 to refer to this definition and Conditional Use requirement; and making findings, including findings of consistency with the Priority Policies of Planning Code Section 101.1 and environmental findings.

October 7, 2008 Board of Supervisors — PASSED ON FIRST READING

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell,
Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

October 21, 2008 Board of Supervisors — FINALLY PASSED

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

File No. 080567

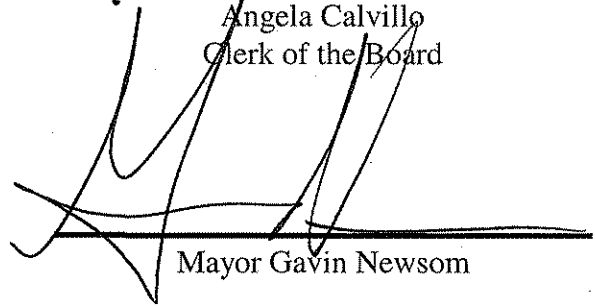
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on October 21, 2008
by the Board of Supervisors of the City and
County of San Francisco.



Angela Calvillo
Clerk of the Board

10/30/2008

Date Approved



Mayor Gavin Newsom