

1 [Planning Code - Castro Street Neighborhood Commercial District]

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3 **Ordinance amending the Planning Code to conditionally permit Bars in the Castro**
4 **Street Neighborhood Commercial District; affirming the Planning Department's**
5 **determination under the California Environmental Quality Act; making findings of**
6 **consistency with the General Plan, and the eight priority policies of Planning Code,**
7 **Section 101.1.; and making findings of public necessity, convenience, and welfare**
8 **under Planning Code, Section 302.**

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

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

17 Section 1. Environmental and Land Use Findings.

18 (a) The Planning Department has determined that the actions contemplated in this
19 ordinance comply with the California Environmental Quality Act (California Public Resources
20 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
21 Supervisors in File No. 211093 and is incorporated herein by reference. The Board affirms
22 this determination.

23 (b) On December 16, 2021, the Planning Commission, in Resolution No. 21053,
24 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
25 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The

1 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of
2 the Board of Supervisors in File No. 211093, and is incorporated herein by reference.

3 (c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this
4 ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in
5 Planning Commission Resolution No. 21053, and incorporates such reasons by this reference
6 thereto. A copy of said resolution is on file with the Clerk of the Board of Supervisors in File
7 No. 211093.

8
9 Section 2. The Planning Code is hereby amended by revising Section 715, to read as
10 follows:

11 **SEC. 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

12 (a) **The Castro Street District.** The Castro Street District is situated in Eureka Valley,
13 close to the geographic center of San Francisco between the Mission District, Twin Peaks,
14 and Upper Market Street. * * * *

15 (b) **Intent of Controls.** The Castro Street District controls are designed to maintain
16 existing small-scale development and promote a balanced mix of uses. Building standards
17 permit small-scale buildings and uses and protect rear yards above the ground story and at
18 residential levels. In new buildings, most commercial uses are permitted at the ground and
19 second stories. Special controls are necessary to preserve the existing equilibrium of
20 neighborhood-serving convenience and specialty commercial uses. In order to maintain
21 convenience stores and protect adjacent residential livability, controls authorize some
22 additional *eating and* drinking establishments with a conditional use, permit self-service
23 specialty food establishments, and permit with certain limitations new late-night uses, adult
24 and other entertainment, and financial service uses. The continuous retail frontage is
25 maintained by prohibiting most automobile and drive-up uses. Housing development in new

1 buildings is encouraged above the second story. Existing housing units are protected by
 2 limitations on demolitions and upper-story conversions. Accessory Dwelling Units are
 3 permitted within the district pursuant to Subsection 207(c)(4) of this Code.

4
 5 **Table 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT**
 6 **ZONING CONTROL TABLE**

Zoning Category	§ References	Controls		
* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
		Controls by Story		
		1st	2nd	3rd+
* * * *				
Sales and Service Use Category				
Retail Sales and Service Uses*	§§ 102, 202.2(a)	P	P	NP
* * * *				
Bar	§§ 102, 202.2(a)	<u>NP</u>	<u>NP</u>	NP
* * * *				

22
 23
 24 Section 3. Effective Date. This ordinance shall become effective 30 days after
 25 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the

1 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
2 of Supervisors overrides the Mayor's veto of the ordinance.

3
4 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
5 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
6 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
7 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
8 additions, and Board amendment deletions in accordance with the "Note" that appears under
9 the official title of the ordinance.

10
11 APPROVED AS TO FORM:
12 DENNIS J. HERRERA, City Attorney

13 By: /s/
14 AUDREY PEARSON
15 Deputy City Attorney

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City and County of San Francisco
Tails
Ordinance

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

File Number: 211093

Date Passed: January 25, 2022

Ordinance amending the Planning Code to conditionally permit Bars in the Castro Street Neighborhood Commercial District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302.

January 10, 2022 Land Use and Transportation Committee - RECOMMENDED AS COMMITTEE REPORT

January 11, 2022 Board of Supervisors - PASSED ON FIRST READING

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

January 25, 2022 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 211093

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 1/25/2022 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

2/4/22

Date Approved