



2020 JUL 17 PM 3:08

ACKNOWLEDGEMENT OF RECEIPT

Submission of Hearing: Initiative Ordinance

**Hearing - Initiative Ordinance - Planning Code and Business and Tax
Regulations Code - Save Our Small Businesses Initiative, Simplifying
Restrictions in Neighborhood Commercial Districts and Permitting Processes for
Certain Businesses (File No. 200650)**

(Unofficial Title of Measure)

- Hearing notification submitted by Clerk of the Board: Date Submitted: 07 / 17 / 2020
- Copy to Department of Elections: Date Submitted: 07 / 17 / 2020

1) BOARD OF SUPERVISORS: The following four and/or more members of the Board are submitting: (check boxes)

- FEWER, Sandra Lee
- STEFANI, Catherine
- PESKIN, Aaron
- MAR, Gordon
- PRESTON, Dean
- HANEY, Matt
- YEE, Norman
- MANDELMAN, Rafael
- RONEN, Hillary
- WALTON, Shamann
- SAFAI, Ahsha

2) MAYOR:

- BREED, London

4) Contact Person: Victor Young
Address: 1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Phone: (415) 554-7723
Date: 07 / 17 / 2020
Submitted By: Victor Young

Victor Young

_____ (sign)

5) COPIES

- John Arntz- Director of Elections, in consultation with the City Attorney, shall forward the measure (within two working days after receipt of the petition) to departments that are effected by the measure.
- Publications
- Public- copy
- Office- original

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

July 17, 2020

John Arntz, Director of Elections
Department of Elections
1 Dr. Carlton B. Goodlett Place, Room 48
San Francisco, CA 94102

HAND DELIVERED

Dear Mr. Arntz:

Please find attached four (4) certified copies of the notification that a hearing has been held for the following Initiative Ordinance submitted by the Mayor for the November 3, 2020, Ballot, pursuant to Charter, Section 2.113(b), and Municipal Elections Code, Section 300(b):

File No. 200650 Hearing - Initiative Ordinance - Planning Code and Business and Tax Regulations Code - Save Our Small Businesses Initiative, Simplifying Restrictions in Neighborhood Commercial Districts and Permitting Processes for Certain Businesses

Hearing to consider the proposed Initiative Ordinance submitted by the Mayor to the voters for the November 3, 2020, Election, entitled "Ordinance amending the Planning Code and the Business and Tax Regulations Code to adopt and implement the Save our Small Businesses Initiative to simplify procedures and allow greater flexibility for certain kinds of businesses by 1) coordinating and streamlining City review and inspection procedures for principally permitted storefront uses in Neighborhood Commercial and Neighborhood Commercial Transit districts; 2) allowing eating and drinking uses in Neighborhood Commercial and Neighborhood Commercial districts to offer workspaces; 3) expanding principally and conditionally permitted uses in Neighborhood Commercial and Neighborhood Commercial Transit districts; 4) removing neighborhood notice requirements for principally permitted uses in Neighborhood Commercial and Neighborhood Commercial Transit districts and limited commercial and limited corner commercial uses; 5) broadening the definition of a Bona Fide Eating Place and Social Service or Philanthropic Facility; 6) permitting temporary "pop-up" retail activities in vacant commercial storefronts; 7) allowing certain outdoor activity areas on the ground level; 8) allowing temporary uses in certain bars and entertainment venues; 9) removing certain buffer requirements near NC-1 districts, limited commercial uses and limited corner commercial uses; 10) adopting a policy to allow use of parklets for certain kinds of restaurant service; 11) coordinating permit processing and providing waiver of additional fees in specified cases of City department error; and 12) allowing certain amendments to the Initiative."

John Arntz, Director of Elections
July 17, 2020
Page 2

The Board of Supervisors Rules Committee held this hearing on July 13, 2020.

The electronic version of this notification was e-mailed to your office at publications@sfgov.org on July 17, 2020.

Sincerely,



Angela Calvillo
Clerk of the Board of Supervisors
City and County of San Francisco

(Attachments)



City and County of San Francisco

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

Certified Copy
Hearing

200650

[Hearing - Initiative Ordinance - Planning Code and Business and Tax Regulations Code - Save Our Small Businesses Initiative, Simplifying Restrictions in Neighborhood Commercial Districts and Permitting Processes for Certain Businesses]

Sponsor: Mayor

Hearing to consider the proposed Initiative Ordinance submitted by the Mayor to the voters for the November 3, 2020, Election, entitled "Ordinance amending the Planning Code and the Business and Tax Regulations Code to adopt and implement the Save our Small Businesses Initiative to simplify procedures and allow greater flexibility for certain kinds of businesses by 1) coordinating and streamlining City review and inspection procedures for principally permitted storefront uses in Neighborhood Commercial and Neighborhood Commercial Transit districts; 2) allowing eating and drinking uses in Neighborhood Commercial and Neighborhood Commercial districts to offer workspaces; 3) expanding principally and conditionally permitted uses in Neighborhood Commercial and Neighborhood Commercial Transit districts; 4) removing neighborhood notice requirements for principally permitted uses in Neighborhood Commercial and Neighborhood Commercial Transit districts and limited commercial and limited corner commercial uses; 5) broadening the definition of a Bona Fide Eating Place and Social Service or Philanthropic Facility; 6) permitting temporary "pop-up" retail activities in vacant commercial storefronts; 7) allowing certain outdoor activity areas on the ground level; 8) allowing temporary uses in certain bars and entertainment venues; 9) removing certain buffer requirements near NC-1 districts, limited commercial uses and limited corner commercial uses; 10) adopting a policy to allow use of parklets for certain kinds of restaurant service; 11) coordinating permit processing and providing waiver of additional fees in specified cases of City department error; and 12) allowing certain amendments to the Initiative."

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Hearing is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

July 16, 2020

Date

[Handwritten signature]

Angela Calvillo

Clerk of the Board

DEPARTMENT OF PERMITS
2020 JUL 17 PM 3:08

FILED
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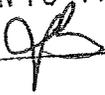
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BY



Submittal Form
For Proposed Initiative Measure(s)
Prior to Submittal to the Department of Elections

by 4 or more Supervisors or the Mayor

I, hereby submit the following proposed initiative measure(s) for hearing before the Board of Supervisors' Rules Committee prior to the submittal of the proposed initiative measure to the Department of Elections (per Proposition C, November 2007).

This matter is for the **November 3, 2020** Election.

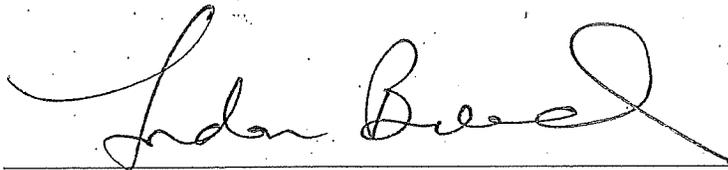
Sponsor(s): Mayor London Breed

Subject: Initiative Ordinance – Planning Code and Business and Tax Regulations Code – Save Our Small Businesses Initiative, simplifying restrictions in neighborhood commercial districts and permitting processes for certain businesses

The text is listed below or attached:

(See attached.)

Mayor Breed :



(Clerk of the Board's Time Stamp)

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2020 JUN 16 PM 4:27

2020 JUN 16 PM 4:16

BY QB **PROPOSED INITIATIVE ORDINANCE TO BE SUBMITTED BY THE MAYOR TO THE VOTERS AT THE NOVEMBER 3, 2020 ELECTION.**

[Under Charter Sections 3.100(16) and 2.113(b), this measure must be submitted to the Board of Supervisors and filed with the Department of Elections no less than *45 days prior* to deadline for submission of such initiatives to the Department of Elections set in Municipal Elections Code Section 300(b).]

[Initiative Ordinance – Planning Code and Business and Tax Regulations Code – Save Our Small Businesses Initiative, simplifying restrictions in neighborhood commercial districts and permitting processes for certain businesses]

Ordinance amending the Planning Code and the Business and Tax Regulations Code to adopt and implement the Save our Small Businesses Initiative to simplify procedures and allow greater flexibility for certain kinds of businesses by 1) coordinating and streamlining City review and inspection procedures for principally permitted storefront uses in Neighborhood Commercial and Neighborhood Commercial Transit districts; 2) allowing eating and drinking uses in Neighborhood Commercial and Neighborhood Commercial Districts to offer workspaces; 3) expanding principally and conditionally permitted uses in Neighborhood Commercial and Neighborhood Commercial Transit districts; 4) removing neighborhood notice requirements for principally permitted uses in Neighborhood Commercial and Neighborhood Commercial Transit districts and limited commercial and limited corner commercial uses; 5) broadening the definition of a Bona Fide Eating Place and Social Service or Philanthropic Facility; 6) permitting temporary “pop-up” retail activities in vacant commercial storefronts; 7) allowing certain outdoor activity areas on the ground level; 8) allowing temporary uses in certain bars and entertainment venues; 9) removing certain buffer requirements near

NC-1 Districts, limited commercial uses and limited corner commercial uses; 10) adopting a policy to allow use of parklets for certain kinds of restaurant service; 11) coordinating permit processing and providing waiver of additional fees in specified cases of City department error; and 12) allowing certain amendments to the Initiative.

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

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

SECTION 1. FINDINGS.

This Measure shall be known as the Save Our Small Businesses Initiative.

San Francisco's small businesses help make San Francisco the city that we all love, contributing to our culture, our economy, and the vitality of our neighborhoods. Retail storefronts are the building blocks of neighborhood vitality, encouraging people to stroll through San Francisco's streets and engage with their community.

But small businesses, and particularly those small businesses along retail corridors, have been struggling for years with increased competition from online retailers, changing consumer demands, and an onerous permitting process. Coupled with San Francisco's high cost of doing business and high commercial rents, our commercial corridors are struggling.

The voters recognized this struggle in passing Proposition D in March 2020, establishing a tax on vacant commercial storefronts to help incentivize lower rents, and in doing so, support new and existing small businesses. This tax has now been delayed given the COVID-19 pandemic.

San Francisco residents and visitors have an interest in preserving the vitality of commercial corridors in these districts. Vacant storefronts in otherwise vibrant neighborhood commercial districts degrade the urban environment and contribute toward blight, particularly when storefronts stay empty for extended periods of time. Further, the resulting blight negatively impacts other small businesses in the area by discouraging foot traffic and eroding the character and uniqueness of San Francisco's diverse commercial corridors.

Similarly, many of San Francisco's community-serving organizations and nonprofits which provide essential services for all San Franciscans, have found it increasingly difficult to stay in San Francisco, burdened by high rents and a high cost of doing business. Many of these organizations have been forced to relocate out of San Francisco or cease operations entirely.

In recent years, businesses have responded to these challenges by experimenting with new strategies to survive. For example, retailers are exploring serving food and drinks, offering classes or events, and other unique models of operation. Yet often, as these businesses try to adapt to changing consumer demands, they run up against outdated zoning rules drafted decades ago.

Consistent with national trends toward increased spending on dining, services, and other experiences, restaurant, entertainment, and personal services uses are increasingly driving demand for ground floor space in San Francisco neighborhoods. Supporting these uses can help all businesses along a business corridor, as they attract foot traffic and increased consumer spending.

In addition to zoning restrictions, San Francisco's bureaucracy often takes months to approve new small business uses. According to a 2019 report that analyzed commercial vacancies in the Upper Market and Castro area, building permit applications for commercial uses took an average of 172 days to be issued. This lengthy approval processes makes it

more difficult for small and medium sized businesses to open in otherwise vacant spaces as they are often required to pay rent, without any income, while they await City approval. For example, businesses must provide neighborhood notice when changing from one use to another, even if the new use is permitted by the zoning. This process can take 4 to 6 months, leaving a business to pay rent without any income.

The same report found that conditional use authorizations in certain districts between 2015 and 2017 took an average of 332 days to be approved. When combined with obtaining a building permit and approval for construction work, the entire process can take over one and a half years before a storefront is able to open. These spaces often sit vacant during this timeframe, saddling new businesses with significant rent costs without income to cover those costs.

What was already a challenging landscape for small businesses in San Francisco has been significantly worsened by the COVID-19 pandemic. Nationally, according to a March 2020 survey, 75% of all small and medium businesses report that COVID-19 is significantly hurting their businesses. In San Francisco, COVID-19 has had a devastating impact on San Francisco's economy. Recent unemployment data suggests that as many as one in six San Franciscans are unemployed. Many business sectors have been hit hard, including leisure and hospitality, which saw a 53% decline in employment; retail, which saw a 23% decline in employment; and nonprofits, which saw a 35% decline in employment.

The California Restaurant Association estimates that the COVID-19 pandemic could lead to the permanent closure of 30% of restaurants statewide. The numbers here in San Francisco are even more staggering. According to the Golden Gate Restaurant Association, up to 50% of restaurants in San Francisco could close permanently due to the economic impacts of COVID-19. Between March 2020 and May 2020, San Francisco restaurant sales have decreased by as much as 95%.

COVID-19 is also forcing restaurants and other businesses to decrease capacity when they do reopen, leading many businesses to utilize outdoor space on their premises. Despite the increased need for businesses to use outdoor spaces like rear and side patios for socially-distanced activities, the process to authorize those uses in San Francisco's neighborhood commercial districts is lengthy and complicated—even if the space will be used in a limited manner that is clearly compatible with other surrounding uses.

The purpose of this measure is to make it easier for small businesses and community-serving organizations to open and operate in San Francisco by streamlining and simplifying permit application processes and updating outdated zoning laws. The policy changes in the measure respond both to the underlying issues that make it difficult to open a small business in San Francisco and the exacerbation of these issues caused by the COVID-19 pandemic.

SECTION 2. BUSINESS AND TAX REGULATIONS CODE AMENDMENTS.

Article 1 of the Business and Tax Regulations Code is hereby amended by adding Section 32, to read as follows:

SEC. 32. Coordinated and Streamlined City Review of the Establishment, Modification, and/or Operation of a Commercial Use that is Principally Permitted in a Neighborhood Commercial or Neighborhood Commercial Transit District; Expedited Process and Waiver of Additional Fees Where Department Error Requires Additional Processing.

(a) General Requirement. *City departments that are responsible for reviewing permit applications for the establishment, modification, and/or operation of a storefront commercial use that is principally permitted in a Neighborhood Commercial District or Neighborhood Commercial Transit District shall develop a process for the coordinated and streamlined review of those permit applications, with timely responses from applicants, and any inspections required in connection with*

the applications in order to (1) ensure that San Francisco's commercial corridors remain thriving, (2) support existing businesses in adapting their business models in a changing economic environment, (3) improve access for business owners from all backgrounds to successfully open their business in San Francisco, and (4) protect the City's tax base.

***(b) Deadline for Implementation of Coordinated and Simplified Review Process.** The City departments subject to this Section 32 include, but are not limited to, the Planning Department, Department of Building Inspection, Fire Department, Department of Public Works, and Health Department. No later than 30 days from the effective date of this Section 32, the subject City departments shall implement a coordinated and simplified process for the review of all applications for storefront commercial uses that are principally permitted in the district, and shall periodically review and update the process.*

***(c) Concurrent Review of Complete Permit Applications.** Relevant departments shall perform a concurrent review of the permit application, when such review would reduce the length of the permit review process, provided the applicant submits a complete and accurate application. To the maximum extent feasible, this review shall be completed within 30 days of the date a complete application is submitted. If this review is not or cannot be completed within 30 days, the reason or reasons therefor shall be provided to the applicant, explaining why a decision could not be made on the permit application, the necessary steps to complete review, and the time needed to finalize review after receiving any additional information necessary to complete such review.*

***(d) Pre-Approval Inspections.** If inspection of the proposed use is required before operation may begin, the inspection shall be limited to compliance with the items on an adopted checklist of objective threshold requirements for business operation. To the maximum extent feasible, the City departments involved shall coordinate their inspections and schedule them within two weeks of a request. Notwithstanding any other provision of the Municipal Code, an applicant may submit an*

inspection report by a qualified entity as determined and authorized by the head of the reviewing Department.

(e) **Conditional Approvals.** Where only minor corrective action is required before the proposed use may operate, a reviewing City department shall grant conditional approval so long as the Director of the department has found that no substantial hazard will result from operation of the use, or portion thereof. If the minor corrective action is not completed within a reasonable amount of time, as determined by the Director of the department, the failure to perform the corrective action shall be deemed a code violation which may be abated pursuant to the requirements of the applicable code.

(f) **Expedited Process and Waiver of Additional Fees Where Department Error Results in Additional Review.** Where a reviewing City department has made a significant error late in the application process in interpreting code requirements or determining the approvals required, and the error affects the timeliness of the City's review, as determined by the Director of the involved department, the department shall expedite the additional review. In addition, notwithstanding any other provision of the Municipal Code, said department shall waive any fees applicable to the additional review. If the applicant or agent submits false or misleading information, no fee waiver shall apply.

SECTION 3. PLANNING CODE AMENDMENTS.

The Planning Code is hereby amended by revising Sections 102, 145.4, 186, 202.2, 205.1, 231, and 703, and adding Sections 183.1 and 205.6, to read as follows:

SEC. 102. DEFINITIONS.

* * * *

Bona Fide Eating Place. A place that is regularly and in a bona fide manner used and kept open for the service of meals to guests for compensation and that has suitable kitchen

facilities connected therewith, containing conveniences for cooking of an assortment of foods that may be required for ordinary meals.

* * * *

(e) The establishment must secure significant revenue from food and non-alcoholic beverage sales. Significant revenue from food and non-alcoholic beverage sales shall mean either:

(1) A minimum of 51% percent of the restaurant's establishment's gross receipts shall be from food and non-alcoholic beverage sales prepared and sold to guests on the premises. Records of the restaurant's establishment's gross receipts shall be provided to the Department upon request; or

(2) Annual gross food and non-alcoholic beverage sales prepared and sold to guests on the premises of at least \$4,200 per occupant based on the premises' maximum occupant load as determined and approved by the Fire Department and Department of Building Inspection. Records of the establishment's gross sales shall be provided to the Department upon request. The Zoning Administrator may adjust the amount of \$4,200 per occupant each year, provided that such adjustments are supported by specific financial and economic criteria, including but not limited to a review of the restaurant market, costs, prices, profits, and losses, and recognizing the differences in sizes and types of establishments.

* * * *

Retail Workspace. A Retail Sales and Service Use open to the general public that provides space to work that is made available on a daily or hourly basis. Such use is only permitted as a principal use in conjunction with the concurrent operation of a principally or conditionally permitted Eating and Drinking Use, which Eating and Drinking Use shall (a) occupy no less than one-third of the gross floor area of the premises and (b) face the street. A Retail Workspace may provide services to the business community along with services to the general public. If the Retail Workspace exclusively

provides services to the business community, it shall be considered a General Office Use as defined in the Planning Code.

* * * *

Social Service or Philanthropic Facility. An Institutional Community Use providing assistance that provides programs and/or services of a charitable or public service nature, and not of a profit-making or commercial nature, including but not limited to arts, education, financial or housing assistance, training, and advocacy. In addition to providing their services on site, such uses may also conduct their administrative activities on site as a Principal Use.

* * * *

SEC. 145.4 REQUIRED GROUND FLOOR COMMERCIAL USES.

(a) **Purpose.** To support active, pedestrian-oriented commercial uses on important commercial streets.

* * * *

| Reference for Commercial, Neighborhood Commercial, and Residential Commercial Districts | Reference for Mixed Use Districts | Use |
|---|-----------------------------------|------------------------|
| * * * * | * * * * | * * * * |
| <u>102</u> | <u>N/A</u> | <u>Arts Activities</u> |
| * * * * | * * * * | * * * * |
| <u>102</u> | <u>890.64</u> | <u>Movie Theater</u> |
| * * * * | * * * * | * * * * |

* * * *

SEC. 183.1. PERMITTED, NON-CONFORMING, AND CONDITIONALLY PERMITTED USES: TEMPORARY USES.

Any permitted, non-conforming, or conditionally permitted use may be changed to a temporary use without abandoning its original status or authorization as a permitted, non-conforming or conditionally permitted use under Planning Code Article 1.7, provided that such temporary use is permitted and has been authorized as required by any applicable law.

**SEC. 186. EXEMPTION OF LIMITED COMMERCIAL AND INDUSTRIAL
NONCONFORMING USES IN RH, RM, RTO, AND RED DISTRICTS.**

* * * *

(a) Exemption from Termination Provisions. The following nonconforming uses in R Districts shall be exempt from the termination provisions of Section 185, provided such uses comply with all the conditions specified in subsection (b) below:

(1) Any nonconforming use at any Story in an RTO, RH, or RM District which is located more than one-quarter of one mile from ~~the nearest Named Neighborhood Commercial District described in Article 7 of this Code or~~ any of the Restricted Use Subdistricts specified in subsection (a)(3) below, and which complies with the use limitations specified for the First Story and below of an NC-1 District, as set forth in Section 710 of this Code.

(2) Any nonconforming use in an RTO, RH, or RM District which is located within one-quarter of one mile from ~~any Named Neighborhood Commercial District or~~ any of the Restricted Use Subdistricts specified in subsection (a)(3) below and which complies with the most restrictive use limitations specified for the First Story and below of:

(A) an NC-1 District, as set forth in Section 710 of this Code;

~~(B) the nearest Named Neighborhood Commercial District within one-quarter of one mile of the use, as set forth in Sections 714 through 748 and 753 through 764 of this Code; or~~

~~(B)~~ Any of the specified Restricted Use Subdistricts specified in subsection (a)(3) below.

(3) Subsections (a)(1) and (a)(2) above apply to the following Restricted Use Subdistricts: the Geary Boulevard Formula Retail Pet Supply Store and Formula Retail Eating and Drinking Subdistrict set forth in Section 781.4 of this Code; the North Beach Financial Service, Limited Financial Service, and Business or Professional Service Subdistrict set forth in Section 781.6 of this Code; the Lower Polk Street Alcohol Restricted Use District set forth in Section 788 of this Code; and the Third Street Formula Retail Restricted Use District set forth in Section 786 of this Code; and the Mission Street Formula Retail Restaurant Subdistrict as set forth in Section 781.5 of this Code.

* * * *

SEC. 202.2. LOCATION AND OPERATING CONDITIONS.

(a) Retail Sales and Service Uses. The Retail Sales and Service Uses listed below shall be subject to the corresponding conditions:

* * * *

(7) Outdoor Activity Area. An Outdoor Activity Area shall be principally permitted in any Neighborhood Commercial District or Neighborhood Commercial Transit District if it meets all of the following conditions:

(A) The Outdoor Activity Area is located on the ground level;

(B) The Outdoor Activity Area is in operation only between 9:00 a.m. and 10:00 p.m.;

(C) The Outdoor Activity Area is not operated in association with a Bar use;

(D) Where associated with a Limited Restaurant or Restaurant Use, the Outdoor Activity Area includes only seated, not standing, areas for patrons; and

(E) Alcohol is dispensed to patrons only inside the premises or through wait staff services at the patron's outdoor seat in the Outdoor Activity Area.

Any Outdoor Activity Area seeking to operate beyond these limitations requires a Conditional Use Authorization, unless such Outdoor Activity Area is permitted by Planning Code Section 145.2.

* * * *

SEC. 205.1. TEMPORARY USES: SIXTY-DAY LIMIT.

A temporary use may be authorized for a period not to exceed 60 days for any of the following uses:

(a) Neighborhood carnival, exhibition, celebration or festival sponsored by an organized group of residents in the vicinity or, in Neighborhood Commercial, Mixed Use, PDR, C, or M Districts, sponsored by property owners or businesses in the vicinity;

(b) Booth for charitable, patriotic or welfare purposes;

(c) Open air sale of agriculturally produced seasonal decorations, including, but not necessarily limited to, Christmas trees and Halloween pumpkins;

(d) Pop-Up Retail, which is a temporary Retail Use permitted within either a vacant commercial space or a space occupied by a legally established Commercial Use. If the Pop-Up Retail use is in a Residential District then the temporary Pop-Up Retail use may not serve alcohol or have hours of operation past 10:00 pm, and such use shall not be permitted within six months of the date a prior Pop-Up Retail use began its occupancy of the same commercial space.

SEC. 205.6. TEMPORARY USES: INTERIM USES WITHIN BARS AND ENTERTAINMENT USES.

Any Retail Use may be authorized as a temporary use within any space authorized as a Bar, General Entertainment or Nighttime Entertainment Use for a period not to exceed four years from the date of any such authorization, provided that the period terminates within 6 years from the effective

date of this Section 205.6. Such temporary uses shall be subject to applicable operating conditions, including but not limited to those conditions set forth in Section 202.2(a)(1) of this Code.

SEC. 231. LIMITED CORNER COMMERCIAL USES IN RTO AND RM DISTRICTS.

* * * *

(c) Permitted Uses. Any use is permitted which complies with the *most restrictive* use limitations for the First Story and below of *the nearest NCD, as set forth in Article 7, or* an NC-1 District, as set forth in Section 710 of this Code.

* * * *

SEC. 311. PERMIT REVIEW PROCEDURES.

* * * *

(b) **Applicability.** Except as indicated herein, all building permit applications in Residential, NC, NCT, and Eastern Neighborhoods *Mixed Use* Districts for a change of use; establishment of a Micro Wireless Telecommunications Services Facility; establishment of a Formula Retail Use; demolition, new construction, or alteration of buildings; and the removal of an authorized or unauthorized residential unit, shall be subject to the notification and review procedures required by this Section 311. In addition, all building permit applications that would establish Cannabis Retail or Medical Cannabis Dispensary uses, regardless of zoning district, shall be subject to the review procedures required by this Section 311. Notwithstanding the foregoing or any other requirement of this Section 311, a change of use to a Child Care Facility, as defined in Section 102, shall not be subject to the review requirements of this Section 311. Notwithstanding the foregoing or any other requirement of this Section 311, building permit applications to construct an Accessory Dwelling Unit pursuant to Section 207(c)(6) shall not be subject to the notification or review requirements of this Section 311. Notwithstanding the foregoing or any other requirement of this Section 311, a

change of use to a principally permitted use in an NC or NCT District, or in a limited commercial use or a limited corner commercial use, as defined in Sections 186 and 231, respectively, shall not be subject to the review or notice requirements of this Section 311.

(1) **Change of Use.** For purposes of this Section 311, a change of use is defined as follows:

(A) **Residential, NC, and NCT Districts.** For all Residential, NC, and NCT Districts, a change of use is defined as a change to, or the addition of, any of the following land uses as defined in Section 102 of this Code: Adult Business, Bar, Cannabis Retail, General Entertainment, Group Housing, Limited Restaurant, Liquor Store, Massage Establishment, Medical Cannabis Dispensary, Nighttime Entertainment, Outdoor Activity Area, Post-Secondary Educational Institution, Private Community Facility, Public Community Facility, Religious Institution, Residential Care Facility, Restaurant, School, Tobacco Paraphernalia Establishment, Trade School, and Wireless Telecommunications Facility. A change of use from a Restaurant to a Limited-Restaurant shall not be subject to the provisions of this Section 311. Any accessory massage use in the Ocean Avenue Neighborhood Commercial Transit District shall be subject to the provisions of this Section 311. A change of use to a principally permitted use in an NC or NCT District, or in a limited commercial use or a limited corner commercial use, as defined in Sections 186 and 231, respectively, shall not be subject to the provisions of this Section 311.

* * * *

SEC. 703. NEIGHBORHOOD COMMERCIAL DISTRICT REQUIREMENTS.

* * * *

(d) **Accessory Uses.** Subject to the limitations set forth below and in Sections 204.1 (Accessory Uses for Dwellings in All Districts), 204.4 (Dwelling Units Accessory to Other

Uses), and 204.5 (Parking and Loading as Accessory Uses) of this Code, Accessory Uses as defined in Section 102 shall be permitted when located on the same lot. Notwithstanding the foregoing, a Retail Workspace, as defined in Section 102, shall be permitted as an Accessory Use in connection with any Eating and Drinking Use regardless of the floor area occupied by such Accessory Use, so long as (1) the hours of operation for the accessory Retail Workspace use are limited to 9 a.m. to 5 p.m. and (2) such Eating and Drinking Use is also open for business to the general public on each day during which the accessory Retail Workspace use is open. Any Use that does not qualify as an Accessory Use shall be classified as a Principal or Conditional Use unless it qualifies as a temporary use under Sections 205 through 205.4 of this Code.

* * * *

SECTION 4. PLANNING CODE AMENDMENTS TO ZONING DISTRICTS AND ZONING TABLES. Each Neighborhood Commercial District and Neighborhood Commercial Transit District in Article 7 of the Planning Code includes a short explanatory narrative, accompanied by a corresponding Zoning Control Table that details the basic development standards and use controls for that district. This Section 4 amends the controls for certain uses within the neighborhood commercial districts and neighborhood commercial transit districts. Amendments to the explanatory narrative are in Times New Roman italics font strikethrough (for deletions) or underline (for additions), and asterisks (* * * *) indicating unchanged text that has been omitted. For amendments to the tables, only those uses that are to be amended are included in the tables, using the same font for deletions and additions as described; unchanged uses are omitted from the tables, but are not marked by asterisks or otherwise marked.

The Planning Code is hereby amended by revising Sections 710 – 745, 750 – 752, 755-762, and 764, to read as follows:

SEC. 710. NC-1 – NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT.

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

* * * * *

Table 710. NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT NC-1 ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|--------------------|-------------------|-------------|-------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | <u>NP-P</u> | <u>NP-P</u> | <u>NP-P</u> |
| Entertainment, General | §102 | <u>C-P</u> | <u>NP-P</u> | NP |
| <i>Movie Theater</i> | <u>§102, 202.4</u> | <u>C</u> | <u>C</u> | <u>C</u> |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facility | §102 | <u>C-P</u> | <u>C-P</u> | <u>C-P</u> |
| <i>Social Service or Philanthropic Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <u>NP-P</u> | <u>NP-P</u> | NP |

| | | | | |
|---|-----------------------|----------------------|-------------|-------------|
| Bar | §102 | P (2) (6) | NP | NP |
| <u>Restaurant</u> | <u>§102, 202.2(a)</u> | <u>P(3)</u> | <u>P(3)</u> | <u>NP</u> |
| <u>Restaurant, Limited</u> | <u>§102, 202.2(a)</u> | <u>P(3)</u> | <u>P</u> | <u>NP</u> |
| Services, Retail Professional | §102 | P | <u>NP-P</u> | <u>NP-P</u> |
| <u>Service, Non-Retail Professional</u> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

(2) ~~[Note deleted.] P if located more than one quarter of one mile from the Inner Clement Street Commercial District, the Outer Clement Street Commercial District, the Geary Boulevard Formula Retail Pet Supply Store and Formula Retail Eating and Drinking Subdistrict, the Noriega Street Neighborhood Commercial District, the Irving Street Neighborhood Commercial District, the Judah Street Neighborhood Commercial District, the Taraval Street Neighborhood Commercial District, the Broadway Neighborhood Commercial District, the North Beach Neighborhood Commercial District, the Pacific Avenue Neighborhood Commercial District, the Polk Street Neighborhood Commercial District, the North Beach Financial Service, Limited Financial Service, and Business or Professional Service Subdistrict, the Lower Polk Street Alcohol Restricted Use District, the 24th Street Noe Valley Neighborhood Commercial District, the Third Street Formula Retail Restricted Use District, and Mission Street Neighborhood Commercial Transit District, and the Mission Street Formula Retail Restaurant Subdistrict; otherwise, same as more restrictive control within that Named Neighborhood Commercial District or Restricted Use Subdistrict. P if located more than 300 feet from any other NC District with more restrictive controls; otherwise, same as more restrictive control.~~

(3) TARAVAL STREET RESTAURANT SUBDISTRICT. Applicable only for the Taraval Street NC-1 District between 40th and 41st Avenues and between 45th and 47th Avenues as mapped on Sectional Maps 5 SU and 6 SU. Within the Taraval Street Restaurant Subdistrict, restaurants and Limited Restaurants are C; Formula Retail Restaurants and Formula Retail Limited Restaurants are NP; Formula Retail Restaurants and Formula Retail Limited

Restaurants are NP if located within one quarter of one mile from the Taraval Street Restaurant Subdistrict.

SEC 711. 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.

* * * *

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.

* * * *

Table 711. SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-2

ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|----------------|-------------------|-----------------|-----------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | <i>NP-P</i> (10) | <i>NP(11)-P</i> | <i>NP(11)-P</i> |
| Entertainment, General | §102 | P | <i>NP-P</i> | NP |
| Movie Theater | §102, 202.4 | P | <i>NP-P</i> | <i>NP-P</i> |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <i>§102</i> | <i>P</i> | <i>P</i> | <i>P</i> |
| Public Facilities | §102 | <i>C-P</i> | <i>C-P</i> | <i>C-P</i> |
| <i>Social Service or Philanthropic Facility</i> | <i>§102</i> | <i>P</i> | <i>P</i> | <i>P</i> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <i>C-P</i> | <i>NP-P</i> | NP |
| Restaurant | §102, 202.2(a) | P(4) | <i>NP-P(4)</i> | NP |
| Restaurant, Limited | §102, 202.2(a) | P(4) | <i>NP-P(4)</i> | NP |
| <i>Services, Retail Professional</i> | <i>§102</i> | <i>P</i> | <i>P</i> | <i>P</i> |
| <i>Service, Non-Retail Professional</i> | <i>§102</i> | <i>NP</i> | <i>P</i> | <i>NP</i> |

(4) TARAVAL STREET RESTAURANT SUBDISTRICT: Applicable only for the Taraval Street NC-2 District between 12th and 19th Avenues as mapped on Sectional Maps 5 SU and 6 SU. Restaurants, Limited-Restaurants are C; Formula Retail Restaurants and Limited-Restaurants are NP.

* * * *

(10) P in the geographic area described as Flexible Retail Zones in Section 202.9.

~~(11) C in the geographic area described as Flexible Retail Zones in Section 202.9.~~

SEC. 712. 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. NC-3 Districts are linear districts located along heavily trafficked thoroughfares which also serve as major transit routes.

* * * *

Table 712. MODERATE –SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-3

ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|--------------|-------------------|--------------------|--------------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | NP(9)P | NP(10)P | NP(10)P |
| Movie Theater | §102, 202.4 | P | NPP | NPP |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <i>§102</i> | <i>P</i> | <i>P</i> | <i>P</i> |
| Public Facility | §102 | CP | CP | CP |
| <i>Social Service or Philanthropic Facility</i> | <i>§102</i> | <i>P</i> | <i>P</i> | <i>P</i> |

| Sales and Service Use Category | | | | |
|---------------------------------------|-------------|-----------|-----------|----------|
| Animal Hospital | §102 | <u>CP</u> | <u>CP</u> | NP |
| <i>Services, Retail Professional</i> | <i>§102</i> | <i>P</i> | <i>P</i> | <i>P</i> |
| Service, Non-Retail Professional | §102 | C | <u>CP</u> | C |

(9) P in the geographic area described as Flexible Retail Zones in Section 202.9.

~~(10) C in the geographic area described as Flexible Retail Zones in Section 202.9.~~

SEC. 713. 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 recent (post-1945) retail development in San Francisco's neighborhoods and serve as an alternative to the linear shopping street.

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

The NC-S standards and use provisions allow for medium-size commercial uses in low-scale buildings. Rear yards are not required for new development. Most neighborhood-

serving retail businesses are permitted at the first and second stories, *but limitations apply to fast food restaurants and take-out food uses.* Some auto uses are permitted at the first story. Limited storage and administrative service activities are permitted with some restrictions.

* * * *

**Table 713. NEIGHBORHOOD COMMERCIAL SHOPPING CENTER DISTRICT NC-S
ZONING CONTROL TABLE**

| Non-Residential Uses | References | Controls by Story | | |
|---|--------------|-------------------|---------------|---------------|
| | | 1st | 2nd | 3rd |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | <i>NP(6)P</i> | <i>NP(7)P</i> | <i>NP(7)P</i> |
| Movie Theater | §§102, 202.4 | P(1) | <i>NPP(1)</i> | <i>NPP</i> |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <i>§102</i> | <i>P</i> | <i>P</i> | <i>P</i> |
| Public Facilities | §102 | <i>CP</i> | <i>CP</i> | <i>CP</i> |
| <i>Social Service or Philanthropic Facility</i> | <i>§102</i> | <i>P</i> | <i>P</i> | <i>P</i> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <i>CP</i> | <i>CP</i> | NP |
| <i>Services, Retail Professional</i> | <i>§102</i> | <i>P</i> | <i>P</i> | <i>P</i> |
| Service, Non-Retail Professional | §102 | C | <i>CP</i> | C |

(6) P in the geographic area described as Flexible Retail Zones in Section 202.9.

(7) C in the geographic area described as Flexible Retail Zones in Section 202.9.

SEC. 714. BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT.

The Broadway Neighborhood Commercial District, located in the northeast quadrant of San Francisco, extends along Broadway from east of Columbus Avenue to Osgood Place. *

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Table 714. BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL

TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|----------------|-----------------------|--------------------------|------------------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| <i>Arts Activities</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Movie Theater | §§ 102, 202.4 | P | P | NP <u>P</u> |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | C <u>P</u> | C <u>P</u> | C <u>P</u> |
| <i>Social Service or Philanthropic Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | C <u>P</u> | NP <u>P</u> | NP |
| Restaurant | §102, 202.2(a) | P(4) (5) | C <u>P(4)</u> | NP |
| <i>Services, Retail Professional</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |

| | | | | |
|---|-------------|-----------|----------|-----------|
| <u>Service, Non-Retail Professional</u> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |
|---|-------------|-----------|----------|-----------|

(4) Formula Retail NP for this use.

(5) ~~[Note deleted.] BROADWAY LIQUOR LICENSES FOR RESTAURANTS~~

~~Boundaries: Applicable to the Broadway Neighborhood Commercial District.~~

~~Controls: A Restaurant Use may only add ABC license types 41, 47, 49 or 75 as a Conditional Use on the First Story if, in addition to the criteria set forth in Section 303, the Planning Commission finds that the restaurant is operating as a Bona Fide Eating Place, as defined in Section 102 of this Code. Should a restaurant fail to operate as a Bona Fide Eating Place for any length of time, the Conditional Use authorization shall be subject to immediate revocation.~~

* * * *

SEC. 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

(a) The Castro Street 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 physical form of the district is a crossing at Castro and 18th Streets, the arms of which contain many small, but intensely active commercial businesses. *

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

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|--|--------------|-------------------|-----|------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |

| | | | | |
|---|----------------|---------------|-------------|-------------|
| <u>Arts Activities</u> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Entertainment, General | §102 | <u>CP</u> | <u>NP P</u> | NP |
| Movie Theater | §102 | P | <u>NP P</u> | <u>NP P</u> |
| Institutional Use Category | | | | |
| <u>Community Facility</u> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | <u>CP</u> | <u>CP</u> | <u>CP</u> |
| <u>Social Service or Philanthropic Facility</u> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <u>CP</u> | <u>NP P</u> | NP |
| Restaurant | §102, 202.2(a) | <u>C(4) P</u> | <u>NP P</u> | NP |
| Restaurant, Limited | §102, 202.2(a) | P | <u>NP P</u> | NP |
| Services, Retail Professional | §102 | <u>CP</u> | P | <u>CP</u> |
| <u>Service, Non-Retail Professional</u> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

(4) *[Note deleted.] CASTRO STREET LIQUOR LICENSES FOR RESTAURANTS*

Boundaries: Applicable to the Castro Street Neighborhood Commercial District

Controls: A Restaurant, as defined in Section 102, may only add ABC license types 47, 49 or 75 as a Conditional Use on the ground level if, in addition to the criteria set forth in Section 303, the Planning Commission finds that the Restaurant is operating as a Bona Fide Eating Place, as defined in Section 102 of this Code. Should a Restaurant fail to operate as a Bona Fide Eating Place for any length of time, the Conditional Use authorization shall be subject to immediate revocation.

SEC. 716. 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 Inner Clement Street District controls are designed to promote development that is consistent with its existing land use patterns and to maintain a harmony of uses that supports the district's vitality. The building standards allow small-scale buildings and uses, protecting rear yards above the ground story and at residential levels. In new development, most commercial uses are permitted at the first two stories, although certain limitations apply to uses at the second story. Special controls are necessary to preserve the equilibrium of neighborhood-serving convenience and comparison shopping businesses and protect adjacent residential livability. These controls prohibit additional financial service and limit additional eating and drinking establishments, *and* late-night commercial uses *and ground-story entertainment uses*. In order to maintain the street's active retail frontage, controls also prohibit most new automobile and drive-up uses.

* * * *

Table 716. INNER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|--------------|-------------------|-------------|-------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | P | <u>CP</u> | <u>CP</u> |
| Entertainment, General | §102 | <u>CP</u> | <u>NP P</u> | NP |
| Movie Theater | §102 | P | <u>NP P</u> | <u>NP P</u> |
| Institutional Use Category | | | | |

| | | | | |
|---|----------------|---------------|-------------|-----------|
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | <u>CP</u> | <u>CP</u> | <u>CP</u> |
| <i>Social Service or Philanthropic Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <u>CP</u> | <u>NP P</u> | NP |
| Restaurant | §102, 202.2(a) | <u>C(4) P</u> | <u>NP P</u> | NP |
| Restaurant, Limited | §102, 202.2(a) | P | <u>NP P</u> | NP |
| <i>Services, Retail Professional</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| <i>Service, Non-Retail Professional</i> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

(4) *[Note deleted.] INNER CLEMENT STREET LIQUOR LICENSES FOR RESTAURANTS*
A Restaurant as defined in Section 102 may only add ABC license types 47, 49 or 75 as a Conditional Use on the ground level if, in addition to the criteria set forth in Section 303, the Planning Commission finds that the Restaurant is operating as a Bona Fide Eating Place, as defined in Section 102 of this Code. Should a Restaurant fail to operate as a Bona Fide Eating Place for any length of time, the Conditional Use authorization shall be subject to immediate revocation.

SEC. 717. OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Outer Clement Street Neighborhood Commercial District is located on Clement Street between 19th Avenue and 27th Avenue in the western portion of the Richmond District. The shopping area contains small-scale convenience businesses, as well as many restaurants and a movie theater. The district's restaurants serve a neighborhood and Citywide clientele during the evening hours, while convenience shopping uses cater for the

most part to daytime neighborhood shoppers. Outer Clement Street contains many mixed-use buildings with some fully commercial and fully residential buildings interspersed between them.

* * * *

Table 717. OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|----------------|-------------------|------------|------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | P | <u>CP</u> | <u>CP</u> |
| Entertainment, General | §102 | <u>CP</u> | <u>NPP</u> | NP |
| Movie Theater | §102 | P | <u>NPP</u> | <u>NPP</u> |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | <u>CP</u> | <u>CP</u> | <u>CP</u> |
| <i>Social Service or Philanthropic Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <u>CP</u> | <u>NPP</u> | NP |
| Restaurant | §102, 202.2(a) | <u>CP</u> | <u>NPP</u> | NP |
| Restaurant, Limited | §102, 202.2(a) | <u>CP</u> | <u>NPP</u> | NP |
| <i>Services, Retail Professional</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |

| | | | | |
|---|-------------|-----------|----------|-----------|
| <u>Service, Non-Retail Professional</u> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |
|---|-------------|-----------|----------|-----------|

SEC. 718. UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Upper Fillmore Street Neighborhood Commercial District is situated in the south-central portion of Pacific Heights. It runs north-south along Fillmore Street from Jackson to Bush and extends west one block along California and Pine Streets. * * * *

The Upper Fillmore District controls are designed to protect the existing building scale and promote new mixed-use development which is in character with adjacent buildings. Building standards regulate large lot and use development and protect rear yards above the ground story and at residential levels. Most commercial uses are permitted at the first two stories of new buildings. Special controls are designed to preserve the existing equilibrium of neighborhood-serving convenience and specialty commercial uses. In order to maintain convenience stores and protect adjacent livability, additional bars (unless part of a restaurant) and formula retail establishments are prohibited, ~~other eating and drinking establishments require Conditional Use authorization and ground story entertainment~~ and financial service uses are limited. In order to promote continuous retail frontage, drive-up and most automobile uses are prohibited.

* * * *

Table 718. UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|--|--------------|-------------------|-----|------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |

| | | | | |
|---|----------------|-------------------|----------------|-------------|
| <u>Arts Activities</u> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Entertainment, General | §102 | <u>CP</u> | <u>NP P</u> | NP |
| Movie Theater | §102 | <u>CP</u> | <u>NP P</u> | <u>NP P</u> |
| Institutional Use Category | | | | |
| <u>Community Facility</u> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | <u>§102</u> | <u>CP</u> | <u>CP</u> | <u>CP</u> |
| <u>Social Service or Philanthropic Facility</u> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <u>CP</u> | <u>NP P</u> | <u>NP P</u> |
| Restaurant | §102, 202.2(a) | <u>C(4) P (5)</u> | <u>NP P(5)</u> | NP |
| Restaurant, Limited | §102, 202.2(a) | P(5) | <u>NP P(5)</u> | NP |
| <u>Services, Retail Professional</u> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| <u>Service, Non-Retail Professional</u> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

(4) *[Note deleted.] In considering a Conditional Use for a Restaurant, the Planning Commission shall consider whether the use proposes lunch service or other daytime usage in order to limit the number of such establishments on the block that have no daytime activity.*

(5) Formula Retail NP for this use

SEC. 719. HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

Northwest of the City's geographical center, the Haight Street Neighborhood Commercial District is located in the Haight-Ashbury neighborhood, extending along Haight

Street between Stanyan and Central Avenue, including a portion of Stanyan Street between Haight and Beulah. * * * *

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

* * * *

Table 719. HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING

CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|--------------|-------------------|-------------|-------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | P | <u>CP</u> | <u>CP</u> |
| Entertainment, General | §102 | <u>C(8) P</u> | <u>NP P</u> | NP |
| Movie Theater | §102 | P | <u>NP P</u> | <u>NP P</u> |
| Institutional Use Category | | | | |

| | | | | |
|---|-------------|-----------|-------------|-----------|
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | <u>CP</u> | <u>CP</u> | <u>CP</u> |
| <i>Social Service or Philanthropic Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <u>CP</u> | <u>NP-P</u> | NP |
| <i>Services, Retail Professional</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| <i>Service, Non-Retail Professional</i> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

SEC. 720. EXCELSIOR OUTER MISSION NEIGHBORHOOD COMMERCIAL DISTRICT.

The Excelsior Outer Mission Street Neighborhood Commercial District is located along Mission Street between Alemany Boulevard and the San Francisco-San Mateo county line. *

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Table 720. EXCELSIOR OUTER MISSION STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|--------------|-------------------|-----|-------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Movie Theater | §102 | P | P | <u>NP-P</u> |
| Institutional Use Category | | | | |

| | | | | |
|---|-------------|-----------|-----------|-----------|
| Community Facility | §102 | <u>CP</u> | <u>CP</u> | <u>CP</u> |
| <i>Philanthropic Facility</i> | <i>§102</i> | <i>NP</i> | <i>P</i> | <i>P</i> |
| Public Facilities | §102 | <u>CP</u> | <u>CP</u> | <u>CP</u> |
| Social Service <i>or Philanthropic Facility</i> | §102 | NP | P | P |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <u>CP</u> | <u>CP</u> | NP |
| <i>Services, Retail Professional</i> | <i>§102</i> | <i>P</i> | <i>P</i> | <i>P</i> |
| Service, Non-Retail Professional | §102 | C | <u>CP</u> | C |

SEC. 721. JAPANTOWN NEIGHBORHOOD COMMERCIAL DISTRICT.

The Japantown Neighborhood Commercial District extends between Geary Boulevard and Post Street from Fillmore Street to Laguna Street, the north side of Post Street from Webster Street to Laguna Street, and Buchanan Street from Post Street to midway between Sutter Street and Bush Street. * * * *

* * * *

TABLE 721. JAPANTOWN NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|--------------|-------------------|-----------|-----------|
| | | 1st(1) | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | P | <u>CP</u> | <u>CP</u> |

| Institutional Use Category | | | | |
|---|-------------|-----------------------|------------------------|-----------------------|
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | C <u>P</u> | C <u>P</u> | C <u>P</u> |
| <i>Social Service or Philanthropic Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | C <u>P</u> | NP <u>P</u> | NP |
| Services, Retail Professional | §102 | C <u>P</u> | P | P |
| Service, Non-Retail Professional | §102 | NP | C <u>P</u> | C |

SEC. 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT.

The North Beach Neighborhood Commercial District is a nonlinear district centered on Columbus Avenue, located in the valley between Telegraph Hill and Russian Hill north of Broadway. * * * *

The North Beach District controls are designed to ensure the livability and attractiveness of North Beach. Building standards limit new development to a small to moderate scale. Rear yards are protected above the ground story and at residential levels. Active commercial uses shall be required at the ground floor. Small-scale, neighborhood-serving businesses are strongly encouraged and formula retail uses are prohibited. To preserve and maintain the district's small-scale, fine grain storefronts, the consolidation or merger of existing retail or commercial spaces or storefronts are prohibited, and Use Sizes are controlled to encourage conversion back to the traditional small-scale commercial spaces. Special controls are necessary because an over-concentration of food and beverage service establishments limits neighborhood-serving retail sales and personal services in an area that

needs them to thrive as a neighborhood. In order to maintain neighborhood-serving retail sales and personal services and to protect residential livability, additional eating and drinking establishments are prohibited in spaces that have been occupied by neighborhood-serving retail sales and personal services. Special controls *limit additional ground-story entertainment uses and* prohibit new walk-up facilities. Financial services, limited financial services, and ground-story business and professional office uses are prohibited from locating in the portion of the district south of Greenwich Street, while new financial services locating in the portion of the district north of Greenwich Street are limited. Restrictions on automobile and drive-up uses are intended to promote continuous retail frontage and maintain residential livability.

* * * *

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

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|--------------|-------------------|-------------|-------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| <i>Arts Activities</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Entertainment, General | §102 | <u>CP</u> | <u>NP-P</u> | NP |
| Movie Theater | §§102, 202.4 | P | <u>NP-P</u> | <u>NP-P</u> |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facility | §102 | <u>CP</u> | <u>CP</u> | <u>CP</u> |
| <i>Social Service or Philanthropic Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |

| Sales and Service Use Category | | | | |
|---|-------------|--------------|-------------|-------------|
| Animal Hospital | §102 | <u>CP</u> | <u>NP-P</u> | NP |
| Services, Retail Professional | §102 | <u>CP(7)</u> | P | <u>NP-P</u> |
| <u>Service, Non-Retail Professional</u> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

(7) NORTH BEACH FINANCIAL SERVICE, LIMITED FINANCIAL SERVICE, AND BUSINESS OR PROFESSIONAL SERVICE SUBDISTRICT (Section 781.6)

Boundaries: Applicable only for portions of the North Beach NCD south of Greenwich Street as mapped on Sectional Map SU01.

Controls: Financial Services and Limited Financial Services are NP at all stories; Retail Professional Services, Design Professional, and Trade Office are NP at the First story.

SEC. 723. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

(a) **Background.** Situated in the gulch between Nob and Russian Hills and Pacific Heights, the Polk Street Neighborhood Commercial District extends for a mile as a north-south linear strip, and includes a portion of Larkin Street between Post and California Streets.

* * * *

(b) **Controls.**

(1) **Purposes.** The Polk Street District controls are designed to encourage and promote development that is compatible with the surrounding neighborhood. The building standards monitor large-scale development and protect rear yards at residential levels. Consistent with Polk Street's existing mixed-use character, new buildings may contain most commercial uses at the First Story. The controls encourage neighborhood-serving businesses, *but limit new eating, drinking, other entertainment, and financial service uses, which can produce parking congestion, noise, and other nuisances or displace other types of local serving*

~~convenience goods and services~~. They also prohibit new adult entertainment uses. Restrictions on drive-up and most automobile uses protect the district's continuous retail frontage and prevent further traffic congestion.

* * * *

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

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|-----------------|--------------------------|------------------------|------------------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| <i>Arts Activities</i> | §102 | <u>P</u> | <u>P</u> | <u>P</u> |
| Entertainment, General | §102 | C <u>P</u> | NP <u>P</u> | NP |
| Movie Theater | §§102, 202.4 | P | NP <u>P</u> | NP <u>P</u> |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | §102 | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | C <u>P</u> | C <u>P</u> | C <u>P</u> |
| <i>Social Service or Philanthropic Facility</i> | §102 | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | C <u>P</u> | NP <u>P</u> | NP |
| Restaurant | §§102, 202.2(a) | C(3) <u>P</u> | NP <u>P</u> | NP |
| Restaurant, Limited | §§102, 202.2(a) | P | NP <u>P</u> | NP |
| <i>Services, Retail Professional</i> | §102 | <u>P</u> | <u>P</u> | <u>P</u> |

| | | | | |
|---|-------------|-----------|----------|-----------|
| <i>Service, Non-Retail Professional</i> | <i>§102</i> | <i>NP</i> | <i>P</i> | <i>NP</i> |
|---|-------------|-----------|----------|-----------|

(3) ~~[Note deleted.] POLK STREET LIQUOR LICENSES FOR RESTAURANTS: A Restaurant use may only add ABC license types 47, 49 or 75 as a Conditional Use on the ground level if, in addition to the criteria set forth in Section 303, the Planning Commission finds that the Restaurant is operating as a Bona Fide Eating Place. Should a Restaurant fail to operate as a Bona Fide Eating Place for any length of time, the Conditional Use authorization shall be subject to immediate revocation.~~

SEC. 724. 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 Streets. * *

* *

The Sacramento Street District controls are designed to promote adequate growth opportunities for development that is compatible with the surrounding low-density residential neighborhood. The building standards monitor large-scale development and protect rear yards at the grade level and above. Most new commercial development is permitted at the first story; general retail uses are permitted at the second story only if such use would not involve conversion of any existing housing units. Special controls are designed to protect existing neighborhood-serving ground-story retail uses. New Health Service uses, whether Principal or Accessory, require a Conditional Use authorization on the ground story and are permitted above the ground story. ~~Personal and business services are restricted at the ground story and prohibited on upper stories.~~ Limits on ~~new ground-story eating and drinking uses, as well as new entertainment and~~ financial service uses, are intended to minimize the environmental impacts generated by the growth of such uses. The daytime orientation of the district is encouraged by prohibiting bars and restricting late-night commercial activity. New hotels and parking

facilities are limited in scale and operation to minimize disruption to the neighborhood. Most new automobile and drive-up uses are prohibited to promote continuous retail frontage.

* * * *

Table 724. SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|-----------------|--------------------------|------------------------|------------------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| <i>Arts Activities</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Entertainment, General | §102 | C <u>P</u> | NP <u>P</u> | NP |
| Movie Theater | §§102, 202.4 | P | NP <u>P</u> | NP <u>P</u> |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | C <u>P</u> | C <u>P</u> | C <u>P</u> |
| <i>Social Service or Philanthropic Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | C <u>P</u> | NP <u>P</u> | NP |
| Restaurant | §§102, 202.2(a) | C <u>P</u> | NP <u>P</u> | NP |
| Restaurant, Limited | §§102, 202.2(a) | P | NP <u>P</u> | NP |
| Services, Retail Professional | §102 | C(4) <u>P</u> | NP <u>P</u> | NP <u>P</u> |
| <i>Service, Non-Retail Professional</i> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

(4) A Health Service Use requires a Conditional Use authorization on the ground story whether it is Principal or Accessory.

SEC. 725. UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Union Street Commercial District is located in northern San Francisco between the Marina and Pacific Heights neighborhoods. The district lies along Union Street between Van Ness Avenue and Steiner, including an arm extending north on Fillmore Street to Lombard. *

* * *

The Union Street District controls are designed to provide sufficient growth opportunities for commercial development that is in keeping with the existing scale and character, promote continuous retail frontage, and protect adjacent residential livability. Small-scale buildings and neighborhood-serving uses are promoted, and rear yards above the ground story and at all residential levels are protected. Most commercial development is permitted at the first two stories of new buildings, while retail service uses are monitored at the third story and above. Controls are necessary to preserve the remaining convenience businesses and to reduce the cumulative impacts which the growth of certain uses have on neighborhood residents. Such controls prohibit additional drinking establishments and limit additional ~~eating establishments~~, entertainment, and financial service uses. Most automobile and drive-up uses are prohibited in order to maintain continuous retail frontage and minimize further traffic congestion.

* * * *

Table 725. UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story |
|---|---------------------|--------------------------|
|---|---------------------|--------------------------|

| | | 1st | 2nd | 3rd+ |
|---|-----------------|---------------|-------------|-------------|
| Entertainment, Arts, and Recreation Use Category | | | | |
| <i>Arts Activities</i> | §102 | <u>P</u> | <u>P</u> | <u>P</u> |
| Entertainment, General | §102 | <u>CP</u> | <u>NP-P</u> | NP |
| Movie Theater | §§102, 202.4 | P | <u>NP-P</u> | <u>NP-P</u> |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | §102 | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | <u>CP</u> | <u>CP</u> | <u>CP</u> |
| <i>Social Service or Philanthropic Facility</i> | §102 | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <u>CP</u> | <u>NP-P</u> | NP |
| Restaurant | §§102, 202.2(a) | <u>C(3)-P</u> | <u>NP-P</u> | NP |
| Restaurant, Limited | §§102, 202.2(a) | <u>CP</u> | <u>NP-P</u> | NP |
| Services, Retail Professional | §102 | P | P | <u>CP</u> |
| <i>Service, Non-Retail Professional</i> | §102 | <u>NP</u> | <u>P</u> | <u>NP</u> |

(3) ~~[Note deleted.] UNION STREET RESTAURANTS:~~

~~Applicability: The following controls apply to new uses as well to significant alterations, modifications, and intensifications of existing uses pursuant to § 178(c) of the Planning Code.~~

~~Controls: The Planning Commission may approve a Restaurant if in addition to meeting the criteria set forth in Section 303, 1: the use is located on the ground floor, and 2: the Planning Commission finds that an additional Restaurant would not result in a net total of more than 44 Restaurants in the Union Street Neighborhood Commercial District. The Planning Department shall apply Article 7 zoning~~

~~controls for Union Street Restaurants to Conditional Use authorizations required by Planning Code § 178, including but not limited to significant alterations, modifications, and intensifications of use. No new alcoholic beverage license type 47 or 49 shall be permitted in the Union Street NCD. Transfer of an existing license type 47 or 49 from an existing Restaurant located within the Union Street NCD to another Restaurant, new or existing, located within the Union Street NCD is permitted with Conditional Use authorization, consistent with the requirements of Planning Code Section 303.~~

SEC. 726. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT.

(a) **Background.** 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. *

* * *

* * * *

Table 726. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|--------------|-------------------|----------|-----------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| <i>Arts Activities</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| <i>Entertainment, General</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>NP</u> |
| <i>Movie Theater</i> | <u>§102</u> | <u>C</u> | <u>C</u> | <u>C</u> |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <u>§102</u> | <u>C</u> | <u>C</u> | <u>C</u> |

| | | | | |
|---|-----------------------|--------------------|--------------------|--------------------|
| Public Facilities | §102 | <u>C</u> <u>P</u> | <u>NP</u> <u>P</u> | <u>NP</u> <u>P</u> |
| <u>Social Service or Philanthropic Facility</u> | <u>§102</u> | <u>C</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <u>NP</u> <u>C</u> | <u>NP</u> <u>C</u> | NP |
| Restaurant | §§102, 202.2(a) | <u>C</u> <u>P</u> | <u>NP</u> <u>P</u> | NP |
| Restaurant, Limited | §§102, 202.2(a) | P | <u>NP</u> <u>P</u> | NP |
| <u>Services, Retail Professional</u> | <u>§102, 202.2(a)</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| <u>Service, Non-Retail Professional</u> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

SEC. 727. LAKESIDE VILLAGE NEIGHBORHOOD COMMERCIAL DISTRICT.

The Lakeside Village Neighborhood Commercial District is located in the southwestern part of the City and stretches along Ocean Avenue from Junipero Serra Boulevard to 19th Avenue. * * * *

* * * *

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

* * * *

**Table 727. LAKESIDE VILLAGE NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|------------------------|-------------------|-------------|-------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | <u>NP-P</u> | <u>NP-P</u> | <u>NP-P</u> |
| Entertainment, General | §102 | <u>CP</u> | <u>NP-P</u> | NP |
| <i>Movie Theater</i> | <u>§102</u> | <u>C</u> | <u>C</u> | <u>C</u> |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | <u>CP</u> | <u>CP</u> | <u>CP</u> |
| <i>Social Service or Philanthropic Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <u>NP-P</u> | <u>NP-P</u> | NP |
| <i>Restaurant</i> | <u>§§102, 202.2(a)</u> | <u>P</u> | <u>P</u> | <u>NP</u> |
| <i>Restaurant, Limited</i> | <u>§§102, 202.2(a)</u> | <u>P</u> | <u>P</u> | <u>NP</u> |
| Services, Retail Professional | §102 | P | <u>NP-P</u> | <u>NP-P</u> |
| <i>Service, Non-Retail Professional</i> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

SEC. 728. 24TH STREET – NOE VALLEY NEIGHBORHOOD.

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 protected. Most commercial uses are directed to the ground story and limited at the second story of new buildings. In order to maintain the variety and mix of retail sales and services along the commercial strip and to control the problems of traffic, congestion, noise and late-night activity, certain potentially troublesome commercial uses are regulated. *Eating and drinking establishments require conditional use authorization, and ground-story entertainment and financial Financial service uses are restricted to and at the ground story.* Prohibitions on drive-up and most automobile uses help prevent additional traffic and parking congestion.

* * * *

Table 728. 24TH STREET – NOE VALLEY NEIGHBORHOOD ZONING CONTROL

TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|--------------|-----------------------|------------------------|------------------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| <i>Arts Activities</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Entertainment, General | §102 | C <u>P</u> | NP <u>P</u> | NP |
| Movie Theater | §§102, 202.4 | P | NP <u>P</u> | NP <u>P</u> |

| Institutional Use Category | | | | |
|---|-----------------|--------------------------|------------------------|-----------------------|
| <u>Community Facility</u> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | C <u>P</u> | C <u>P</u> | C <u>P</u> |
| <u>Social Service or Philanthropic Facility</u> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | C <u>P</u> | NP <u>P</u> | NP |
| Restaurant | §§102, 202.2(a) | C(3) <u>P</u> | NP <u>P</u> | NP |
| Restaurant, Limited | §§102, 202.2(a) | P(4) | NP <u>P</u> | NP |
| Services, Retail Professional | §102 | C <u>P</u> | P | C <u>P</u> |
| <u>Service, Non-Retail Professional</u> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

(3) ~~[Note deleted.] 24th STREET—NOE VALLEY LIQUOR LICENSES FOR RESTAURANTS~~

~~Boundaries: Applicable to the 24th Street—Noe Valley Neighborhood Commercial District.~~

~~Controls: A Restaurant Use may only add ABC license types 47, 49 or 75 as a Conditional Use on the ground level if, in addition to the criteria set forth in Section 303, the Planning Commission finds that the Restaurant is operating as a Bona Fide Eating Place. Should a Restaurant fail to operate as a Bona Fide Eating Place for any length of time, the Conditional Use authorization shall be subject to immediate revocation.~~

(4) ~~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 within 300 feet or nonconforming uses within one quarter of one mile of this District as set forth in Code §§ 710 and 186.~~

~~Controls: Formula Retail Limited-Restaurants are NP~~

SEC. 729. WEST PORTAL AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT

Located in the southwestern part of the City, the West Portal Avenue Neighborhood Commercial District stretches for three long blocks along West Portal Avenue from Ulloa Street to 15th Avenue and extends one block east along Ulloa Street from the Twin Peaks Tunnel entrance to Claremont Boulevard. * * * *

* * * *

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

* * * *

Table 729. WEST PORTAL NEIGHBORHOOD COMMERCIAL DISTRICT ZONING

CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|-----------------|-------------------|-------------|-------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| <i>Arts Activities</i> | §102 | <u>P</u> | <u>P</u> | <u>P</u> |
| <i>Entertainment, General</i> | §102 | <u>P</u> | <u>P</u> | <u>NP</u> |
| <i>Movie Theater</i> | §§102, 202.4 | <u>C</u> | <u>C</u> | <u>C</u> |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | §102 | <u>P</u> | <u>P</u> | <u>P</u> |
| <i>Public Facilities</i> | §102 | <u>P</u> | <u>P</u> | <u>P</u> |
| <i>Social Service or Philanthropic Facility</i> | §102 | <u>C</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <u>C-P</u> | <u>NP-P</u> | NP |
| Restaurant | §§102, 202.2(a) | <u>C-P</u> | <u>NP-P</u> | NP |
| Restaurant, Limited | §§102, 202.2(a) | <u>C-P</u> | <u>NP-P</u> | NP |
| Services, Retail Professional | §102 | <u>C(3)-P</u> | <u>P-P</u> | <u>NP-P</u> |
| <i>Service, Non-Retail Professional</i> | §102 | <u>NP</u> | <u>P</u> | <u>NP</u> |

(3) [Note deleted.] *Boundaries: The entire West Portal Neighborhood Commercial District.*

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 uses and/or stock brokerages in the district, stock brokerages shall not be permitted.

SEC. 730. 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 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 ground story and at residential levels. To promote the prevailing ~~mixed use~~ mixed-use character, most commercial uses are directed primarily to the ground story with some upper-story restrictions in new buildings. In order to maintain the balanced mix and variety of neighborhood-serving commercial uses and regulate the more intensive commercial uses which can generate congestion and nuisance problems, special controls ~~prohibit additional eating and drinking uses,~~ restrict expansion and intensification of existing eating and drinking establishments, and limit ~~entertainment and~~ tourist hotels. Prohibitions of most automobile and drive-up uses protect the district's continuous retail frontage.

* * * *

Table. 730. INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|-----------------|-------------------|-----------------|-----------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | P | C P | C P |
| Entertainment, General | §102 | C P | NP P | NP |
| Movie Theater | §§102, 202.4 | P | NP P | NP P |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <i>§102</i> | <i>P</i> | <i>P</i> | <i>P</i> |
| Public Facilities | §102 | C P | C P | NP P |
| <i>Social Service or Philanthropic Facility</i> | <i>§102</i> | <i>P</i> | <i>P</i> | <i>P</i> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | C P | NP P | NP |
| Restaurant | §§102, 202.2(a) | C P | NP P | NP |
| Restaurant, Limited | §§102, 202.2(a) | P | NP P | NP |
| <i>Services, Retail Professional</i> | <i>§102</i> | <i>P</i> | <i>P</i> | <i>P</i> |
| <i>Service, Non-Retail Professional</i> | <i>§102</i> | <i>NP</i> | <i>P</i> | <i>NP</i> |

SEC. 731. NORIEGA STREET NEIGHBORHOOD COMMERCIAL DISTRICT

The Noriega Street Neighborhood Commercial District is located in the Outer Sunset neighborhood and includes the non-residential currently-zoned NC-2 properties fronting both sides of Noriega Street between 19th and 27th and 30th through 33rd Avenues.

* * * *

Table 731. NORIEGA STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING
CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|-----------------|-------------------|-----------------|-----------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | P | C P | C P |
| Entertainment, General | §102 | P | NP P | NP |
| Movie Theater | §§102, 202.4 | P | NP P | NP P |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | C P | C P | C P |
| <i>Social Service or Philanthropic Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | C P | NP P | NP |
| Restaurant | §§102, 202.2(a) | P(3) | NP P | NP |
| Restaurant, Limited | §§102, 202.2(a) | P(3) | NP P | NP |
| <i>Services, Retail Professional</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| <i>Service, Non-Retail Professional</i> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

(3) Formula Retail NP for this use

SEC. 732. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Irving Street Neighborhood Commercial District is located in the Outer Sunset neighborhood and includes the non-residential currently-zoned NC-2 properties fronting both sides of Irving Street between 19th and 27th Avenues. * * * *

* * * *

Table 732. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|-----------------|-------------------|--------------------|-----------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | P | C-P | C-P |
| Entertainment, General | §102 | P | NP-P | NP |
| Movie Theater | §§102, 202.4 | P | NP-P | NP-P |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | C-P | C-P | C-P |
| <i>Social Service or Philanthropic Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | C-P | NP-P | NP-P |
| Restaurant | §§102, 202.2(a) | P(3) | NP-P(3) | NP |
| Restaurant, Limited | §§102, 202.2(a) | P(3) | NP-P(3) | NP |
| <i>Services, Retail Professional</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |

| | | | | |
|---|-------------|-----------|----------|-----------|
| <u>Service, Non-Retail Professional</u> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |
|---|-------------|-----------|----------|-----------|

(3) Formula Retail NP for this use.

SEC. 733. TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Taraval Street Neighborhood Commercial District is located in the Outer Sunset neighborhood and includes the non-residential currently-zoned NC-2 properties fronting both sides of Taraval Street from 19th through 36th Avenues. * * * *

* * * *

Table 733. TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|--------------|-------------------|-------------|-------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | P | <u>CP</u> | <u>CP</u> |
| Entertainment, General | §102 | P | <u>NP-P</u> | NP |
| Movie Theater | §§102, 202.4 | P | <u>NP-P</u> | <u>NP-P</u> |
| Institutional Use Category | | | | |
| <u>Community Facility</u> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | <u>CP</u> | <u>CP</u> | <u>CP</u> |
| <u>Social Service or Philanthropic Facility</u> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <u>CP</u> | <u>NP-P</u> | NP |

| | | | | |
|---|-----------------|-----------|--------------------|-----------|
| Restaurant | §§102, 202.2(a) | P(3) | NP-P(3) | NP |
| Restaurant, Limited | §§102, 202.2(a) | P(3) | NP-P(3) | NP |
| <i>Services, Retail Professional</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| <i>Service, Non-Retail Professional</i> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

(3) Formula Retail NP for this use.

SEC. 734. JUDAH STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Judah Street Neighborhood Commercial District is located in the Outer Sunset neighborhood and includes the non-residential currently-zoned NC-2 properties fronting both sides of Judah Street from 29th through 33rd Avenues. * * * *

* * * *

Table 734. JUDAH STREET NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|--------------|-------------------|-----------------|-----------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | P | CP | CP |
| Entertainment, General | §102 | P | NP-P | NP |
| Movie Theater | §§102, 202.4 | P | NP-P | NP-P |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | CP | CP | CP |

| | | | | |
|---|-----------------|------------|----------------|-----------|
| <u>Social Service or Philanthropic Facility</u> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <u>C-P</u> | <u>NP-P</u> | NP |
| Restaurant | §§102, 202.2(a) | P(3) | <u>NP-P(3)</u> | NP |
| Restaurant, Limited | §§102, 202.2(a) | P(3) | <u>NP-P(3)</u> | NP |
| <u>Services, Retail Professional</u> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| <u>Service, Non-Retail Professional</u> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

(3) Formula Retail NP for this use

SEC. 735. INNER BALBOA STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Inner Balboa Street Neighborhood Commercial District is located along Balboa Street between 2nd Avenue and 8th Avenue in the Richmond District of San Francisco. * * *

*

* * * *

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.

* * * *

Table 735. INNER BALBOA STREET NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|-----------------|-----------------------|------------------------|------------------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | P | C <u>P</u> | C <u>P</u> |
| Entertainment, General | §102 | P | NP <u>P</u> | NP |
| Movie Theater | §§102, 202.4 | P | NP <u>P</u> | NP <u>P</u> |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | C <u>P</u> | C <u>P</u> | C <u>P</u> |
| <i>Social Service or Philanthropic Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | C <u>P</u> | NP <u>P</u> | NP |
| Restaurant | §§102, 202.2(a) | P | NP <u>P</u> | NP |
| Restaurant, Limited | §§102, 202.2(a) | P | NP <u>P</u> | NP |
| <i>Services, Retail Professional</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| <i>Service, Non-Retail Professional</i> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

SEC. 736. OUTER BALBOA STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Outer Balboa Street Neighborhood Commercial District is located along Balboa Street between 32nd Avenue and 39th Avenue in the Richmond District of San Francisco. * *

* *

* * * *

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.

* * * *

**Table 736. OUTER BALBOA STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|--------------|-----------------------|------------------------|------------------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | P | C <u>P</u> | C <u>P</u> |
| Entertainment, General | §102 | P | NP <u>P</u> | NP |
| Movie Theater | §§102, 202.4 | P | NP <u>P</u> | NP <u>P</u> |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | C <u>P</u> | C <u>P</u> | C <u>P</u> |

| | | | | |
|---|-----------------|------------|-------------|-----------|
| <i>Social Service or Philanthropic Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <u>C-P</u> | <u>NP-P</u> | NP |
| Restaurant | §§102, 202.2(a) | P | <u>NP-P</u> | NP |
| Restaurant, Limited | §§102, 202.2(a) | P | <u>NP-P</u> | NP |
| <i>Services, Retail Professional</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| <i>Service, Non-Retail Professional</i> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

SEC. 737. BAYVIEW NEIGHBORHOOD COMMERCIAL DISTRICT.

The Bayview Neighborhood Commercial District is located along Third Street between Yosemite and Jerrold Avenues. It is a linear district located along a heavily trafficked thoroughfare which also serves as a major transit route. In addition to providing convenience goods and services to the surrounding neighborhood, the District offers a wide variety of comparison and specialty goods and services to a population greater than the immediate neighborhood.

* * * *

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

* * * *

Table 737. BAYVIEW NEIGHBORHOOD COMMERCIAL DISTRICT ZONING

CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|--------------|-------------------|-----------|-------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | P | <u>CP</u> | <u>CP</u> |
| Movie Theater | §§102, 202.4 | P | P | <u>NP-P</u> |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | <u>CP</u> | <u>CP</u> | <u>CP</u> |
| <i>Social Service or Philanthropic Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <u>CP</u> | <u>CP</u> | NP |
| <i>Services, Retail Professional</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Service, Non-Retail Professional | §102 | C | <u>CP</u> | C |

(2) 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 are NP; drive-up facilities for Restaurants and Limited-Restaurants are C.

SEC. 738. CORTLAND AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT.

The Cortland Avenue Neighborhood Commercial District is located along Cortland Avenue between Bonview and Folsom Streets. * * * *

* * * *

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.

* * * *

Table 738. CORTLAND AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|--------------|-------------------|-------------|-------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | <u>NP-P</u> | <u>NP-P</u> | <u>NP-P</u> |
| Entertainment, General | §102 | P | <u>NP-P</u> | NP |
| Movie Theater | §§102, 202.4 | P | <u>NP-P</u> | <u>NP-P</u> |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | <u>CP</u> | <u>CP</u> | <u>CP</u> |
| <i>Social Service or Philanthropic Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |

| Sales and Service Use Category | | | | |
|---|-----------------|-----------|-------------|-----------|
| Animal Hospital | §102 | <u>CP</u> | <u>NP-P</u> | NP |
| Restaurant | §§102, 202.2(a) | P | <u>NP-P</u> | NP |
| Restaurant, Limited | §§102, 202.2(a) | P | <u>NP-P</u> | NP |
| <u>Services, Retail Professional</u> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| <u>Service, Non-Retail Professional</u> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

SEC. 739. GEARY BOULEVARD NEIGHBORHOOD COMMERCIAL DISTRICT.

The Geary Boulevard Neighborhood Commercial District is located along Geary Boulevard between Masonic and 28th Avenues. * * * *

* * * *

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

* * * *

**Table 739. GEARY BOULEVARD NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|--------------|-------------------|-----|------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |

| | | | | |
|---|--------------|--------------------|--------------------|--------------------|
| Arts Activities | §102 | <u>NP</u> <u>P</u> | <u>NP</u> <u>P</u> | <u>NP</u> <u>P</u> |
| Movie Theater | §§102, 202.4 | P | P | <u>NP</u> <u>P</u> |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | <u>C</u> <u>P</u> | <u>C</u> <u>P</u> | <u>C</u> <u>P</u> |
| <i>Social Service or Philanthropic Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <u>C</u> <u>P</u> | <u>C</u> <u>P</u> | NP |
| <i>Services, Retail Professional</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Service, Non-Retail Professional | §102 | C | <u>C</u> <u>P</u> | C |

SEC. 740. MISSION BERNAL NEIGHBORHOOD COMMERCIAL DISTRICT.

The Mission Bernal Neighborhood Commercial District is located along Mission Street between Cesar Chavez and Randall Streets. * * * *

* * * *

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

* * * *

Table 740. MISSION BERNAL NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|--------------|-------------------|-------------|-------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | <u>NP-P</u> | <u>NP-P</u> | <u>NP-P</u> |
| Movie Theater | §§102, 202.4 | P | P | <u>NP-P</u> |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | <u>CP</u> | <u>CP</u> | <u>CP</u> |
| <i>Social Service or Philanthropic Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <u>CP</u> | <u>CP</u> | NP |
| <i>Services, Retail Professional</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Service, Non-Retail Professional | §102 | C | <u>CP</u> | C |

SEC. 741. SAN BRUNO AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT.

The San Bruno Avenue Neighborhood Commercial District is located along San Bruno Avenue between Hale and Olmstead Streets. * * * *

* * * *

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.

* * * *

**Table 741. SAN BRUNO AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|-----------------|-------------------|-------------|-------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | <i>NP P</i> | <i>NP P</i> | <i>NP P</i> |
| Entertainment, General | §102 | P | <i>NP P</i> | NP |
| Movie Theater | §§102, 202.4 | P | <i>NP P</i> | <i>NP P</i> |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <i>§102</i> | <i>P</i> | <i>P</i> | <i>P</i> |
| Public Facilities | §102 | <i>CP</i> | <i>CP</i> | <i>CP</i> |
| <i>Social Service or Philanthropic Facility</i> | <i>§102</i> | <i>P</i> | <i>P</i> | <i>P</i> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <i>CP</i> | <i>NP P</i> | NP |
| Restaurant | §§102, 202.2(a) | P | <i>NP P</i> | NP |
| Restaurant, Limited | §§102, 202.2(a) | P | <i>NP P</i> | NP |
| <i>Services, Retail Professional</i> | <i>§102</i> | <i>P</i> | <i>P</i> | <i>P</i> |

| | | | | |
|---|-------------|-----------|----------|-----------|
| <u>Service, Non-Retail Professional</u> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |
|---|-------------|-----------|----------|-----------|

SEC. 742. COLE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICTS.

The Cole Valley Neighborhood Commercial District is located along Cole Street from Frederick to Grattan Streets and includes some parcels north of Carl Street and south of Parnassus. * * * *

* * * *

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

* * * *

Table 742. COLE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|---------------------|-------------------|-------------|-----------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | P | <u>CP</u> | <u>CP</u> |
| Entertainment, General | §102 | <u>CP</u> | <u>NP P</u> | NP |
| <u>Movie Theater</u> | <u>§§102, 202.4</u> | <u>C</u> | <u>C</u> | <u>C</u> |
| Institutional Use Category | | | | |

| | | | | |
|---|------------------------|-------------|-------------|-------------|
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | <u>CP</u> | <u>CP</u> | <u>CP</u> |
| <i>Social Service or Philanthropic Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <u>NP-C</u> | <u>NP-C</u> | NP |
| <i>Restaurant</i> | <u>§§102, 202.2(a)</u> | <u>P</u> | <u>P</u> | <u>NP</u> |
| <i>Restaurant, Limited</i> | <u>§§102, 202.2(a)</u> | <u>P</u> | <u>P</u> | <u>NP</u> |
| Services, Retail Professional | §102 | P | <u>NP-P</u> | <u>NP-P</u> |
| <i>Service, Non-Retail Professional</i> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

SEC. 743. LOWER HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Lower Haight Street Neighborhood Commercial District is located along Haight Street between Webster and Steiner Streets. * * * *

* * * *

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.

* * * *

Table 743. LOWER HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|-----------------|-------------------|-----------------|-----------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | P | C P | C P |
| Entertainment, General | §102 | P | NP P | NP |
| Movie Theater | §§102, 202.4 | P | NP P | NP P |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <i>§102</i> | <i>P</i> | <i>P</i> | <i>P</i> |
| Public Facilities | §102 | C P | C P | C P |
| <i>Social Service or Philanthropic Facility</i> | <i>§102</i> | <i>P</i> | <i>P</i> | <i>P</i> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | C P | NP P | NP |
| Restaurant | §§102, 202.2(a) | P | NP P | NP |
| Restaurant, Limited | §§102, 202.2(a) | P | NP P | NP |
| <i>Services, Retail Professional</i> | <i>§102</i> | <i>P</i> | <i>P</i> | <i>P</i> |
| <i>Service, Non-Retail Professional</i> | <i>§102</i> | <i>NP</i> | <i>P</i> | <i>NP</i> |

SEC. 744. LOWER POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Lower Polk Street Neighborhood Commercial District is located along Polk Street and includes non-contiguous parcels from Geary Street to Golden Gate Avenue with frontage on Geary Street, Golden Gate Avenue, and other side streets.

* * * *

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

* * * *

**Table 744. LOWER POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|--------------|--------------------|--------------------|--------------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | <u>NP</u> <u>P</u> | <u>NP</u> <u>P</u> | <u>NP</u> <u>P</u> |
| Movie Theater | §§102, 202.4 | P | P | <u>NP</u> <u>P</u> |
| Institutional Use Category | | | | |
| <u>Community Facility</u> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | <u>CP</u> | <u>CP</u> | <u>CP</u> |
| <u>Social Service or Philanthropic Facility</u> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |

| | | | | |
|--------------------------------------|-------------|-----------|-----------|----------|
| Animal Hospital | §102 | <u>CP</u> | <u>CP</u> | NP |
| <i>Services, Retail Professional</i> | <i>§102</i> | <i>P</i> | <i>P</i> | <i>P</i> |
| Service, Non-Retail Professional | §102 | C | <u>CP</u> | C |

SEC. 745. INNER TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Inner Taraval Street Neighborhood Commercial District is located along Taraval Street between 19th and Forest Side Avenues in the Inner Sunset neighborhood. It is separated from the Taraval Street Neighborhood Commercial District by 19th Avenue. * * *

* * * *

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.

* * * *

Table 745. INNER TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|--------------|-------------------|-----------|-----------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | P | <u>CP</u> | <u>CP</u> |

| | | | | |
|---|-----------------|----------------|--------------------|-----------------|
| Entertainment, General | §102 | P | NP-P | NP |
| Movie Theater | §§102, 202.4 | P | NP-P | NP-P |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | C-P | C-P | C-P |
| <i>Social Service or Philanthropic Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | C-P | NP-P | NP-P |
| Restaurant | §§102, 202.2(a) | P(1) | NP-P(1) | NP |
| Restaurant, Limited | §§102, 202.2(a) | P(1) | NP-P(1) | NP |
| <i>Services, Retail Professional</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| <i>Service, Non-Retail Professional</i> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

(1) TARAVAL STREET RESTAURANT SUBDISTRICT: Applicable for the Taraval Street NCD between 12th and 19th Avenues as mapped on Sectional Maps 5 SU and 6 SU. Restaurants, Limited-Restaurants are C; Formula Retail Restaurants and Limited-Restaurants are NP.

SEC. 750. NCT-1 NEIGHBORHOOD COMMERCIAL TRANSIT CLUSTER DISTRICT.

NC-1 Districts are intended to serve as local neighborhood shopping districts, providing convenience retail goods and services for the immediately surrounding neighborhoods primarily during daytime hours. NCT-1 Districts are located near major transit services. They

are small mixed-use clusters, generally surrounded by residential districts, with small-scale neighborhood-serving commercial uses on lower floors and housing above. * * * *

* * * *

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

* * * *

**TABLE 750. NEIGHBORHOOD COMMERCIAL TRANSIT CLUSTER DISTRICT NCT-1
ZONING CONTROL TABLE**

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|---------------------|--------------------|--------------------|--------------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | NP(7)-P | NP(8)-P | NP(8)-P |
| Entertainment, General | §102 | CP | NPP | NP |
| <i>Movie Theater</i> | <u>§§102, 202.4</u> | <u>C</u> | <u>C</u> | <u>C</u> |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | CP | CP | CP |

| | | | | |
|---|------------------------|--------------|------------|------------|
| <u>Social Service or Philanthropic Facility</u> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <u>NPC</u> | <u>NPC</u> | NP |
| Restaurant | §§102, 202.2(a) | <u>C(5)P</u> | <u>NPP</u> | NP |
| <u>Restaurant, Limited</u> | <u>§§102, 202.2(a)</u> | <u>P</u> | <u>P</u> | <u>NP</u> |
| Services, Retail Professional | §102 | P | <u>NPP</u> | <u>NPP</u> |
| <u>Service, Non-Retail Professional</u> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

(5) ~~[Note deleted.] 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.~~

* * * *

(7) P in the geographic area described as Flexible Retail Zones in Section 202.9.

~~(8) C in the geographic area described as Flexible Retail Zones in Section 202.9.~~

SEC. 751. NCT-2 -- SMALL-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT

NCT-2 Districts are transit-oriented mixed-use neighborhoods with small scale commercial uses near transit services. The NCT-2 Districts are mixed use districts that support neighborhood-serving commercial uses on lower floors and housing above. These Districts are well-served by public transit and aim to maximize residential and commercial opportunities on or near major transit services. The District's form is generally linear along transit-priority corridors, though may be concentric around transit stations or in broader areas where multiple transit services criss-cross the neighborhood. * * * *

* * * *

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.

* * * *

**TABLE 751. SMALL-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT
NCT-2 ZONING CONTROL TABLE**

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|--------------|-------------------|----------------|----------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | <i>NP(5)P</i> | <i>NP(6) P</i> | <i>NP(6)-P</i> |
| Entertainment, General | §102 | P | <i>NPP</i> | NP |
| Movie Theater | §§102, 202.4 | P | <i>NPP</i> | <i>NPP</i> |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <i>§102</i> | <i>P</i> | <i>P</i> | <i>P</i> |
| Public Facilities | §102 | <i>CP</i> | <i>CP</i> | <i>CP</i> |
| <i>Social Service or Philanthropic Facility</i> | <i>§102</i> | <i>P</i> | <i>P</i> | <i>P</i> |

| Sales and Service Use Category | | | | |
|---|-----------------|-----------|-------------|-----------|
| Animal Hospital | §102 | <u>CP</u> | <u>NP-P</u> | NP |
| Restaurant | §§102, 202.2(a) | P | <u>NPP</u> | NP |
| Restaurant, Limited | §§102, 202.2(a) | P | <u>NPP</u> | NP |
| <u>Services, Retail Professional</u> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| <u>Service, Non-Retail Professional</u> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

(5) P in the geographic area described as Flexible Retail Zones in Section 202.9.

~~(6) C in the geographic area described as Flexible Retail Zones in Section 202.9.~~

SEC. 752. NCT-3 MODERATE-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

(a) NCT-3 Districts are walkable and transit-oriented moderate- to high-density mixed-use neighborhoods of varying scale concentrated near transit services. The NCT-3 Districts are mixed use districts that support neighborhood-serving Commercial Uses on lower floors and housing above. These districts are well-served by public transit and aim to maximize residential and commercial opportunities on or near major transit services. The district's form can be either linear along transit-priority corridors, concentric around transit stations, or broader areas where transit services criss-cross the neighborhood. * * * *

* * * *

(d) A diversified commercial environment is encouraged for the NCT-3 District, and a wide variety of uses are permitted with special emphasis on neighborhood-serving businesses. ~~Eating and Drinking, Entertainment, and financial~~ Financial service uses generally

are permitted with certain limitations at the first and second stories. Auto-oriented uses are somewhat restricted. Other retail businesses, personal services and offices are permitted at all stories of new buildings. Limited storage and administrative service activities are permitted with some restrictions.

* * * *

**Table 752. MODERATE-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT
ZONING CONTROL TABLE**

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|--------------|-------------------|-----------|------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Movie Theater | §§102, 202.4 | P | P | <u>NPP</u> |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| <i>Public Facilities</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| <i>Social Service or Philanthropic Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <u>CP</u> | <u>CP</u> | NP |
| Services, Retail Professional | §102 | P (3) | P | P |
| Service, Non-Retail Professional | §102 | C | <u>CP</u> | C |

(3) CU FOR LIMITED FINANCIAL SERVICE AND OTHER USES

Boundaries: Applicable only for the parcels zoned NCT-3 on Market Street West of Octavia Boulevard.

Controls: A Conditional Use authorization is required for a Limited Financial Service, *Retail Professional Services*, Design Professional, and Trade Office uses on the 1st story.

* * * *

SEC. 755. OCEAN AVENUE NEIGHBORHOOD COMMERCIAL TRANSIT

DISTRICT.

The Ocean Avenue Neighborhood Commercial Transit District is located on Ocean Avenue from Howth Street to Manor Drive. * * * *

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TABLE 755. OCEAN AVENUE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE.

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|--------------|-------------------|------------|-------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | P | P | <u>NP-P</u> |
| Entertainment, General | §102 | P | <u>NPP</u> | NP |
| Movie Theater | §§102, 202.4 | P | <u>NPP</u> | <u>NPP</u> |
| Institutional Use Category | | | | |
| <u>Community Facility</u> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | <u>CP</u> | <u>CP</u> | <u>CP</u> |

| | | | | |
|---|-----------------|-----------|------------|-----------|
| <u>Social Service or Philanthropic Facility</u> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <u>CP</u> | <u>NPP</u> | NP |
| Restaurant | §§102, 202.2(a) | P | <u>NPP</u> | NP |
| Restaurant, Limited | §§102, 202.2(a) | P | <u>NPP</u> | NP |
| <u>Services, Retail Professional</u> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| <u>Service, Non-Retail Professional</u> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

SEC. 756. GLEN PARK NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT

The Glen Park Neighborhood Commercial Transit (NCT) District lies primarily along Diamond Street from Chenery Street to Monterey Boulevard and Chenery Street from Thor Avenue to Castro Street and includes adjacent portions of Wilder Street, Bosworth Street, Joost Avenue and Monterey Boulevard. * * * *

* * * *

Table 756. GLEN PARK NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT

ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|--------------|-------------------|------------|----------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| <u>Arts Activities</u> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Entertainment, General | §102 | P | <u>NPP</u> | NP |

| | | | | |
|---|-----------------|-----------|------------|------------|
| Movie Theater | §§102, 202.4 | P | <u>NPP</u> | <u>NPP</u> |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | <u>CP</u> | <u>CP</u> | <u>CP</u> |
| <i>Social Service or Philanthropic Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <u>CP</u> | <u>NPP</u> | NP |
| Restaurant | §§102, 202.2(a) | P | <u>NPP</u> | NP |
| Restaurant, Limited | §§102, 202.2(a) | P | <u>NPP</u> | NP |
| <i>Services, Retail Professional</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| <i>Service, Non-Retail Professional</i> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

SEC. 757. FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT

DISTRICT

The Folsom Street Neighborhood Commercial Transit District (Folsom Street NCT) is located along Folsom Street in the Western SoMa area, generally between 7th Street and 10th Streets.

* * * *

TABLE 757. FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT

ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story |
|------------------------------------|--------------|-------------------|
|------------------------------------|--------------|-------------------|

| | | 1st | 2nd | 3rd+ |
|---|---------------------|-----------|------------|------------|
| Entertainment, Arts, and Recreation Use Category | | | | |
| <i>Arts Activities</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| <i>Entertainment, General</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>NP</u> |
| <i>Movie Theater</i> | <u>§§102, 202.4</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Institutional Use Category | | | | |
| Community Facility | §102 | <u>CP</u> | <u>CP</u> | <u>NPP</u> |
| Public Facilities | §102 | <u>CP</u> | <u>CP</u> | <u>CP</u> |
| Social Service or Philanthropic Facility | §102 | <u>CP</u> | <u>CP</u> | <u>NPP</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §§102, 823(c)(9)(B) | P(4) | <u>NPP</u> | NP |
| Restaurant | §§102, 202.2(a) | P(6) | <u>NPP</u> | NP |
| Restaurant, Limited | §§102, 202.2(a) | P(6) | <u>NPP</u> | NP |
| Services, Retail Professional | §102 | P(7)(8) | P | <u>NPP</u> |
| <i>Service, Non-Retail Professional</i> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

(4) P for grooming and daycare only; no 24 hour care.

* * * *

(6) NP above 10,000 Gross Square Feet per Lot.

(7) Must be primarily open to the general public on a client- oriented basis, NP if not.

(8) P on first or second floor, but not both.

SEC. 758. REGIONAL COMMERCIAL DISTRICT

The Regional Commercial District (RCD) is located along the 9th Street and 10th Street corridors, generally running from Mission Street to Harrison Street, and provides for a wide variety of commercial uses and services to a population greater than the immediate neighborhood. * * * *

* * * *

Table 758. REGIONAL COMMERCIAL DISTRICT ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|---------------------|-------------------|------------|------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | P | P | P |
| <i>Entertainment, General</i> | <u>§102</u> | <u>C</u> | <u>C</u> | <u>NP</u> |
| <i>Movie Theater</i> | <u>§§102, 202.4</u> | <u>C</u> | <u>C</u> | <u>C</u> |
| Institutional Use Category | | | | |
| Social Service or Philanthropic Facility | §102 | <u>CP</u> | <u>CP</u> | <u>CP</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §§102, 823(c)(9)(B) | P(8) | <u>NPP</u> | NP |
| Restaurant | §§102, 202.2(a) | P(5) | <u>NPP</u> | NP |
| Restaurant, Limited | §§102, 202.2(a) | P(5) | <u>NPP</u> | NP |
| Services, Retail Professional | §102 | P(6)(7) | <u>NPP</u> | <u>NPP</u> |

| | | | | |
|---|-------------|-----------|----------|-----------|
| <u>Service, Non-Retail Professional</u> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |
|---|-------------|-----------|----------|-----------|

- (5) P up to 10,000 gross square feet per lot; NP above.
- (6) P when primarily open to the general public on a client-oriented basis.
- (7) P on first or second floor, but not on both; P on all floors in Historic Buildings.
- (8) P for grooming and daycare only; no 24 hour care.

SEC. 759. DIVISADERO STREET NEIGHBORHOOD COMMERCIAL TRANSIT

DISTRICT

The Divisadero Street Neighborhood Commercial Transit District (“Divisadero Street NCT”) extends along Divisadero Street between Haight and O’Farrell Streets. * * * *

* * * *

Consistent with Divisadero Street’s existing mixed-use character, new commercial development is permitted at the ground and second stories. Most neighborhood-serving businesses are strongly encouraged. Controls on new Formula Retail uses are consistent with Citywide policy for Neighborhood Commercial Districts; *Eating and Drinking and Entertainment uses are confined to the ground story.* The second story may be used by some retail stores, personal services, and medical, business and professional offices. Additional flexibility is offered for second-floor Eating and Drinking, Entertainment, and Trade Shop uses in existing non-residential buildings to encourage the preservation and reuse of such buildings. 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.

* * * *

Table 759. DIVISADERO STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT

ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|--------------|-------------------|------------|------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | P | <u>CP</u> | <u>CP</u> |
| Movie Theater | §§102, 202.4 | P | P(2) | <u>NPP</u> |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | <u>CP</u> | <u>CP</u> | <u>CP</u> |
| <i>Social Service or Philanthropic Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <u>CP</u> | <u>NPP</u> | NP |
| <i>Services, Retail Professional</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| <i>Service, Non-Retail Professional</i> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

* * * *

(2) P on the Second Story of existing buildings which have had no immediately prior second-story Residential Use, otherwise NP.

SEC. 760. FILLMORE STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT

The Fillmore Street Neighborhood Commercial Transit District (“Fillmore Street NCT”) extends along Fillmore Street between Bush and McAllister Streets. * * * *

* * * *

Consistent with Fillmore Street’s existing mixed-use character, new commercial development is permitted at the ground and second stories. Most neighborhood- and visitor-serving businesses are strongly encouraged. Controls on new Formula Retail uses are consistent with Citywide policy for Neighborhood Commercial Districts; ~~Eating and Drinking and entertainment uses 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 drive-up facilities and other automobile uses protect the livability within and around the district and promote continuous retail frontage.

Table 760. FILLMORE STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|--------------|-------------------|-----------|------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | P | <u>CP</u> | <u>CP</u> |
| Movie Theater | §§102, 202.4 | P | P | <u>NPP</u> |
| Institutional Use Category | | | | |
| <u>Community Facility</u> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | <u>CP</u> | <u>CP</u> | <u>CP</u> |

| | | | | |
|---|------|-----------|------------|----------|
| <u>Social Service or Philanthropic Facility</u> | §102 | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <u>CP</u> | <u>NPP</u> | NP |
| <u>Services, Retail Professional</u> | §102 | <u>P</u> | <u>P</u> | <u>P</u> |
| Service, Non-Retail Professional | §102 | C | <u>CP</u> | C |

SEC. 761. HAYES-GOUGH NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

The Hayes-Gough Neighborhood Commercial Transit District is located within walking distance of the Civic Center, lying west of Franklin Street and east of Laguna Street, with its southern edge generally at Lily Street, with an extension south along both sides of Octavia Boulevard to Market Street. * * * *

The Hayes-Gough District controls are designed to allow for growth and expansion that is compatible with the existing building and use scales. Building standards protect the moderate building and Use Size and require rear yards at residential levels. To maintain the mixed-use character of the district, most commercial uses are permitted at the first and second stories and housing is strongly encouraged at the third story and above. *In order to encourage lively pedestrian-oriented commercial activity, but restrict certain sensitive and problematic uses, eating and drinking, and entertainment uses are directed to the ground story.* Retail sales activity, especially neighborhood-serving businesses, is further promoted by restricting new ground-story medical, business and professional offices. To protect continuous frontage, drive-up and most automobile uses are prohibited, above-ground parking is required to be setback or below ground, and active, pedestrian-oriented ground floor uses are required on Hayes Street and portions of Octavia Boulevard.

* * * *

Table 761. HAYES-GOUGH NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT

ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|-----------------|-----------------------|------------------------|------------------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Arts Activities | §102 | P | C <u>P</u> | C <u>P</u> |
| Entertainment, General | §102 | C <u>P</u> | NP <u>P</u> | NP |
| Movie Theater | §§102, 202.4 | P | NP <u>P</u> | NP <u>P</u> |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | C <u>P</u> | C <u>P</u> | C <u>P</u> |
| <i>Social Service or Philanthropic Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | C <u>P</u> | NP <u>P</u> | NP |
| Restaurant | §§102, 202.2(a) | P | NP <u>P</u> | NP |
| Restaurant, Limited | §§102, 202.2(a) | P | NP <u>P</u> | NP |
| Services, Retail Professional | §102 | C <u>P</u> | P | C <u>P</u> |
| <i>Service, Non-Retail Professional</i> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

SEC. 762. VALENCIA STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

The Valencia Street Commercial Transit District is located near the center of San Francisco in the Mission District. It lies along Valencia Street between 14th and Cesar Chavez (Army) Street, and includes a portion of 16th Street extending west toward Dolores Street. * * * *

The Valencia Street District has a pattern of large lots and businesses, as well as a sizable number of upper-story residential units. Controls are designed to permit moderate-scale buildings and uses, protecting rear yards above the ground story and at residential levels. New neighborhood-serving commercial development is encouraged mainly at the ground story. While offices and general retail sales uses may locate at the second story of new buildings under certain circumstances, most commercial uses are prohibited above the second story. *In order to protect the balance and variety of retail uses and the livability of adjacent uses and areas, most eating and drinking and entertainment uses at the ground story are limited.* Continuous retail frontage is promoted by prohibiting drive-up facilities, some automobile uses, and new nonretail commercial uses. Parking is not required, and any new parking is required to be set back or below ground. Active, pedestrian-oriented ground floor uses are required.

* * * * *

Table 762. VALENCIA STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT

ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|--|--------------|-------------------|-----|------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |

| | | | | |
|---|------------------------|-------------|-------------|-------------|
| <i>Arts Activities</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Entertainment, General | §102 | <u>CP</u> | <u>NP-P</u> | NP |
| Movie Theater | <u>§§102, 202.4</u> | P | <u>NP-P</u> | <u>NP-P</u> |
| Institutional Use Category | | | | |
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Public Facilities | §102 | <u>CP</u> | <u>CP</u> | <u>CP</u> |
| <i>Social Service or Philanthropic Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <u>CP</u> | <u>NP-P</u> | NP |
| Restaurant | <u>§§102, 202.2(a)</u> | <u>P(4)</u> | <u>NP-P</u> | NP |
| Restaurant, Limited | <u>§§102, 202.2(a)</u> | P | <u>NP-P</u> | NP |
| <i>Services, Retail Professional</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| <i>Service, Non-Retail Professional</i> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

(4) *[Note deleted.] - GROUND FLOOR CONVERSION OF RETAIL TO RESTAURANTS RESTRICTED*

Boundaries: Valencia Street from 15th Street to 24th Street.

Controls: Conversion of existing ground floor retail uses or of ground floor spaces occupied as retail uses at any point within a period of three years prior to submission of a building permit application to Restaurant requires conditional use authorization.

SEC. 764. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

The Upper Market Street Neighborhood Commercial Transit District is located on Market Street from Church to Noe Streets, and on side streets off Market. Upper Market Street is a multi-purpose commercial district that provides ~~goods~~ goods and services to adjacent neighborhoods, but also serves as a shopping street for a broader trade area. * * *

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* * * *

The Upper Market Street Transit District controls are designed to promote moderate-scale development which contributes to the definition of Market Street’s design and character. They are also intended to preserve the existing mix of Commercial Uses and maintain the livability of the district and its surrounding residential areas. Large-lot and use development is reviewed for consistency with existing development patterns. Rear yards are protected at all levels. To promote mixed-use buildings, most Commercial Uses are permitted with some limitations above the second story. In order to maintain continuous retail frontage and preserve a balanced mix of Commercial Uses, ground-story neighborhood-serving uses are encouraged, ~~and Eating and Drinking, Entertainment,~~ and financial service uses are limited. Ground floor-commercial space is required along Market and Church Streets. Most Automotive Service and Drive-Up Facility uses are prohibited or conditional.

* * * *

Table 764. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

| NON-RESIDENTIAL STANDARDS AND USES | § References | Controls by Story | | |
|---|--------------|-------------------|-------------|-------------|
| | | 1st | 2nd | 3rd+ |
| Entertainment, Arts, and Recreation Use Category | | | | |
| Movie Theater | §§102, 202.4 | P | <u>NP-P</u> | <u>NP-P</u> |

| Institutional Use Category | | | | |
|---|-----------------|-------------|---------------|------------|
| <i>Community Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| <i>Public Facilities</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| <i>Social Service or Philanthropic Facility</i> | <u>§102</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| Sales and Service Use Category | | | | |
| Animal Hospital | §102 | <u>C-P</u> | <u>NP-P</u> | NP |
| Restaurant | §§102, 202.2(a) | <u>P(4)</u> | <u>C-P(4)</u> | NP |
| Restaurant, Limited | §§102, 202.2(a) | <u>P</u> | <u>NP-P</u> | NP |
| Services, Retail Professional | §102 | <u>C-P</u> | <u>P</u> | <u>C-P</u> |
| <i>Service, Non-Retail Professional</i> | <u>§102</u> | <u>NP</u> | <u>P</u> | <u>NP</u> |

~~(4) UPPER MARKET STREET LIQUOR LICENSES FOR RESTAURANTS~~

~~Boundaries: Applicable to the Upper Market Street Neighborhood Commercial Transit District.~~

~~Controls: A Restaurant Use may only add a Bar use (ABC license types 47, 49 or 75) as a Conditional Use on the ground level if, in addition to the criteria set forth in Section 303, the Planning Commission finds that the Restaurant is operating as a Bona Fide Eating Place. Should a Restaurant fail to operate as a Bona Fide Eating Place for any length of time, the Conditional Use authorization for the Bar use shall be subject to immediate revocation.~~

SECTION 5. AMENDMENT OF ZONING CONTROL TABLES.

In addition to the amendments to the Zoning Control Tables set forth in Section 4 of this Ordinance, the Planning Code is hereby amended by further revising the Zoning Control Tables in Sections 710, 717, 757, and 758, to read as follows:

SEC.710. NC-1—NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT.

* * * *

Table 710. NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT NC-1
ZONING CONTROL TABLE

* * * *

| | | |
|-----------------|--------------|------------------|
| Zoning Category | § References | NC-1 Controls |
|-----------------|--------------|------------------|

* * * *

| | | | | |
|---------------------------------------|-----------------------------|----------------------|---|-----|
| NON-RESIDENTIAL STANDARDS | | | | |
| COMMERCIAL USE CHARACTERISTICS | | | | |
| * * * * | | | | |
| Outdoor Activity Area | §§ 102, 145.2, <u>202.2</u> | | P if located in front of building <u>or</u> <i>it complies with Section</i> <u>202.2(a)(7)</u> ; C if located elsewhere. | |
| * * * * | | | | |
| NON-RESIDENTIAL USES | | | Controls by Story | |
| | | | 1st | 2nd |
| * * * * | | | | |
| Sales and Service Use Category | | | | |
| Retail Sales and Services Uses | §102 | P (2) (3) | NP | NP |
| * * * * | | | | |

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SEC. 717. OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 717. OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

* * * *

| Zoning Category | § References | Outer Clement Street Controls |
|-----------------|--------------|-------------------------------|
|-----------------|--------------|-------------------------------|

* * * *

| | | |
|---------------------------------------|-----------------------------|--|
| NON-RESIDENTIAL STANDARDS | | |
| COMMERCIAL USE CHARACTERISTICS | | |
| * * * * | | |
| Outdoor Activity Area | §§ 102, 145.2, <u>202.2</u> | P if located in front <i>or if complies with Section <u>202.2(a)(7)</u></i> ; C if located elsewhere (4) |
| * * * * | | |

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SEC. 757. FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

* * * *

Table 757. FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT

ZONING CONTROL TABLE

* * * * *

| Zoning Category | § References | Folsom Street NCT Controls |
|-----------------|--------------|-------------------------------|
|-----------------|--------------|-------------------------------|

* * * * *

| | | |
|---------------------------------------|-----------------------------|---|
| NON-RESIDENTIAL STANDARDS | | |
| COMMERCIAL USE CHARACTERISTICS | | |
| * * * * * | | |
| Outdoor Activity Area | §§ 102, 145.2, <u>202.2</u> | P at 1st and 2nd Floors if located in front, <i>or it complies with Section 202.2(a)(7)</i> ; C if located elsewhere. |
| * * * * * | | |

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SEC. 758. REGIONAL COMMERCIAL DISTRICT.

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Table 758. REGIONAL COMMERCIAL DISTRICT

ZONING CONTROL TABLE

* * * * *

| Zoning Category | § References | Regional Commercial District Controls |
|-----------------|--------------|---|
|-----------------|--------------|---|

* * * * *

| | | |
|---------------------------------------|-----------------------------|--|
| NON-RESIDENTIAL STANDARDS | | |
| COMMERCIAL USE CHARACTERISTICS | | |
| * * * * | | |
| Outdoor Activity Area | §§ 102, 145.2, <u>202.2</u> | P at 1st and 2nd Floors if located in front, <i>or it complies with Section <u>202.2(a)(7)</u></i> ; C if located elsewhere. |
| * * * * | | |

* * * *

SECTION 6. AMENDMENT OF ZONING CONTROL TABLES.

In addition to the amendments to these Zoning Control Tables set forth in Section 4 of this Ordinance, the Planning Code is hereby amended by further revising the Zoning Control Tables in Sections 711, 712, 713, 714, 715, 716, 718, 719, 720, 721, 722, 723, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 750, 751, 752, 755, 756, 759, 760, 761, 762, and 764, as follows:

SEC. 711. NC – SMALL NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 711. SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-2

ZONING CONTROL TABLE

| Zoning Category | § References | NC-2 Controls |
|-----------------|--------------|---------------|
|-----------------|--------------|---------------|

* * * *

| | | |
|---------------------------------------|-----------------------------|---|
| NON-RESIDENTIAL STANDARDS | | |
| COMMERCIAL USE CHARACTERISTICS | | |
| * * * * | | |
| Outdoor Activity Area | §§ 102, 145.2, <u>202.2</u> | P if located in front of building <u>or</u> <i>it complies with Section</i> <u>202.2(a)(7)</u> ; C if located elsewhere. |
| * * * * | | |

Zoning Control Tables 712, 713, 714, 715, 716, 718, 719, 720, 721, 722, 723, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 750, 751, 752, 755, 756, 759, 760, 761, 762, and 764 are hereby amended identically to the amendment of Zoning Control Table 711, above in this Section 5 of this ordinance, to provide in the "Controls" column that an Outdoor Activity Area is P if located in front of building or it complies with Section 202.2(a)(7); C if located elsewhere.

SECTION 7. CITY POLICY REGARDING PARKLET USE.

(a) The City has implemented a Pavement to Parks Program, the "Parklet Program," developed by several City departments, including the Planning Department, Department of Public Works, and San Francisco Municipal Transportation Agency. The Parklet Program was created to reclaim underutilized space and temporarily regain these areas by quickly and inexpensively turning them into parklets. Installing a parklet is one way to activate space in the public right-of-way, and provide an economical solution to the desire and need for wider sidewalks. Parklets provide space for the general public to sit and enjoy the space despite

narrow sidewalks. The Parklet Program is implemented and permitted by the Department of Public Works, through Director of Public Works Order No. 183392.

(b) The City has a compelling interest in revitalizing its restaurant industry. Accordingly, it is the policy of the City and County of San Francisco to allow parklets to be used to provide service for patrons of Restaurants and Limited Restaurants, as those uses are defined in the Planning Code, who may be seated in a parklet area. The sole purpose of this policy is to support and allow this additional Restaurant and Limited Restaurant use of parklets, provided the parklet otherwise meets all City requirements. The policy is not intended and shall not be construed to exclude, restrict, or discourage members of the public who are not patrons of Restaurants and Limited Restaurants to use a parklet area consistent with all applicable legal requirements.

(c) This City policy is not intended and shall not be deemed to change or circumvent any permitting, procedural, or operational requirements for parklets. Further, this City policy is not intended and shall not be deemed to affect the City's power to modify, develop, expand, limit, or abolish the Parklet Program.

SECTION 8. ORDINANCES ENACTED BETWEEN JUNE 16, 2020, AND JANUARY 1, 2021.

This ordinance is intended to promote the economic vitality of Neighborhood Commercial Districts and Neighborhood Commercial Transit Districts. It is possible that one or more ordinances with the same goal may be enacted in the period after June 16, 2020, and before January 1, 2021. Any ordinance enacted during that time period that reduces restrictions for uses in Neighborhood Commercial Districts and Neighborhood Commercial Transit Districts beyond the reductions in restrictions contained in this ordinance shall, as to the greater reductions in restrictions, remain valid notwithstanding the provisions of this

ordinance. Other provisions in such an ordinance enacted during that time period shall remain valid to the extent not inconsistent with this ordinance.

SECTION 9. PERMIT REVIEW AUTHORITY.

The voters urge the City to fully operationalize the amendments in this ordinance to Section 205 of the Planning Code, allowing temporary uses, by making any necessary modifications to the permitting authority of the Department of Public Health, the Entertainment Commission, and any other City department. On or before June 30, 2021, the San Francisco Office of Economic and Workforce Development shall submit to the Mayor and the Board of Supervisors a report identifying any such necessary legislative changes, and any proposed legislative amendments.

SECTION 10. AMENDMENTS AND RELATED LEGISLATION.

(a) In the first three years following the effective date of this ordinance, the City:

(1) may amend this ordinance to (A) include additional uses as principally permitted uses, or allow non-permitted uses as principally or conditionally permitted uses, in Neighborhood Commercial Districts and Neighborhood Commercial Transit Districts, or (B) simplify or reduce notice and permitting procedures for any uses in such districts; but

(2) may not amend this ordinance to restrict principally permitted uses as conditionally permitted or non-permitted uses, or restrict conditionally permitted uses as non-permitted uses, in Neighborhood Commercial Districts and Neighborhood Commercial Transit Districts.

(b) After the first three years following the effective date of this ordinance, the City may amend this ordinance in any way and without restriction.

(c) At any time following the effective date of this ordinance, the City may enact one or more ordinances to conform or correct provisions in the Municipal Code with provisions in this ordinance. The People of the City and County of San Francisco urge the City to clarify, simplify and conform provisions of the Planning Code to improve the accessibility of the Planning Code to the general public, and to make any conforming or correcting amendments necessary to implement the intent and specific provisions of this ordinance.

SECTION 11. SCOPE OF ORDINANCE.

In enacting this ordinance, the People of the City and County of San Francisco intend to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions or deletions, in accordance with the "Note" that appears under the official title of the ordinance, except to the extent there are differences in Sections 4, 5, and 6 in the manner of effecting amendments to the Municipal Code.

SECTION 12. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or word of this ordinance or any application thereof to any person or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or applications of this ordinance. The People of the City and County of San Francisco hereby declare that they would have adopted this ordinance and every section, subsection, sentence, clause, phrase, or word not declared invalid or unconstitutional without

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regard to whether any other portion of this Ordinance or application thereof would be subsequently declared invalid or unconstitutional.

SUBMITTED



LONDON BREED
Mayor, City and County of San Francisco

Date:

6/16/2020