

1 [Planning Code - Zoning - Self-Service Restaurants, Retail Coffee Stores, and Video Stores]

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3 **Ordinance amending the San Francisco Planning Code by amending Sections 710, 730,**
 4 **733A, 733A.1, 790.90, 790.91, and 790.102 of the Planning Code to: (1) increase the**
 5 **maximum use size for Small Self-Service Restaurants in Neighborhood Commercial**
 6 **Districts to that of the non-residential use size limit for the district and eliminate the**
 7 **limit on the number of seats; (2) increase the minimum size for Large Self-Service**
 8 **Restaurants in Neighborhood Commercial Districts to that of the non-residential use**
 9 **size limit for the district; (3) principally permit Small Self-Service Restaurants and**
 10 **Video Stores in Neighborhood Commercial Cluster (NC-1) and Neighborhood**
 11 **Commercial Transit Cluster (NCT-1) Districts; (4) conditionally permit Large Self-**
 12 **Service Restaurants in the Inner Sunset Neighborhood Commercial District; (5) require**
 13 **that mechanical noise and vibration from Self-Service Restaurants be confined to the**
 14 **premises; and (6) remove the prohibition of on-site food preparation and cooking and**
 15 **reheating equipment in Retail Coffee Stores; adopting findings, including**
 16 **environmental findings, Section 302 findings, and findings of consistency with the**
 17 **General Plan and the Priority Policies of Planning Code Section 101.1.**

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

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

22 Section 1. Findings.

23 (a) The Planning Department has determined that the actions contemplated in this
 24 ordinance comply with the California Environmental Quality Act (California Public Resources
 25

1 Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of
2 Supervisors in File No. _____ and is incorporated herein by reference.

3 (b) Pursuant to Planning Code Section 302, this Board finds that these Planning
4 Code amendments will serve the public necessity, convenience, and welfare for the reasons
5 set forth in Planning Commission Resolution No. _____ and the Board
6 incorporates such reasons herein by reference. A copy of Planning Commission Resolution
7 No. _____ is on file with the Board of Supervisors in File No. _____.

8 (c) This Board finds that these Planning Code amendments are consistent with the
9 General Plan and with the priority policies of Planning Code Section 101.1 for the reasons set
10 forth in Planning Commission Resolution No. _____, and the Board hereby
11 incorporates such reasons herein by reference.

12 Section 2. The San Francisco Planning Code is hereby amended by amending Section
13 710, to read as follows:

14 **SEC. 710. NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT NC-1**
15 **ZONING CONTROL TABLE**
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			NC-1
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
710.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250—252, 260, 263.20. 270, 271	Varies See Zoning Map <i>Height Sculpting on alleys; § 261.1.</i> Additional 5 feet for NC-1 parcels with a commercial use on the ground floor within the boundaries of Sargent Street to Orizaba Avenue to Lobos Street to Plymouth Avenue to Farellones Street to San Jose Avenue to Alemany Boulevard to 19th Avenue to Randolph Street to Monticello Street and back to Sargent Street. see § 263.20
710.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 4,999 sq. ft.; C 5,000 sq. ft. & above § 121.1
710.12	Rear Yard	§§ 130, 134, 136	Required at grade level and above § 134(a) (e)
710.13	Street Frontage		Required § 145.1
710.14	Awning	§ 790.20	P § 136.1(a)

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710.15	Canopy	§ 790.26	
710.16	Marquee	§ 790.58	
710.17	Street Trees		Required § 143
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
710.20	Floor Area Ratio	§§ 102.9, 102.11, 123	1.8 to 1 § 124(a) (b)
710.21	Use Size [Non-Residential]	§ 790.130	P up to 2,999 sq. ft.; C 3,000 sq. ft. & above § 121.2
710.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153— 157, 159—160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
710.23	Off-Street Freight Loading	§§ 150, 153— 155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)
710.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
710.25	Drive-Up Facility	§ 790.30	
710.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed

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			§ 145.2(b)
710.27	Hours of Operation	§ 790.48	P 6 a.m.—11 p.m.; C 11 p.m.—2 a.m.
710.30	General Advertising Sign	§§ 262, 602— 604, 608, 609	
710.31	Business Sign	§§ 262, 602— 604, 608, 609	P § 607.1(f)1
710.32	Other Signs	§§ 262, 602— 604, 608, 609	P § 607.1(c) (d) (g)

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No.	Zoning Category	§ References	NC-1		
			Controls by Story		
		§ 790.118	1 st	2nd	3rd+
710.38	Residential Conversion	§ 790.84	P		
710.39	Residential Demolition	§ 790.86	P	C	C
Retail Sales and Services					
710.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P #		
710.41	Bar	§ 790.22	P #		
710.42	Full-Service Restaurant	§ 790.92	P #		
710.43	Large Self-Service <i>Fast Food</i> Restaurant	§ 790.90			
710.44	Small Self-Service Restaurant	§ 790.91	<u>P</u> #		
710.45	Liquor Store	§ 790.55	P		
710.46	Movie Theater	§ 790.64			
710.47	Adult Entertainment	§ 790.36			
710.48	Other Entertainment	§ 790.38	C		
710.49	Financial Service	§ 790.110			
710.50	Limited Financial Service	§ 790.112	P		
710.51	Medical Service	§ 790.114	P		
710.52	Personal Service	§ 790.116	P		

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		§ 790.118	1 st	2nd	3rd+
710.53	Business or Professional Service	§ 790.108	P		
710.54	Massage Establishment	§ 790.60, § 1900 Health Code			
710.55	Tourist Hotel	§ 790.46			
710.56	Automobile Parking	§§ 790.8, 156, 160	C		
710.57	Automotive Gas Station	§ 790.14			
710.58	Automotive Service Station	§ 790.17			
710.59	Automotive Repair	§ 790.15			
710.60	Automotive Wash	§ 790.18			
710.61	Automobile Sale or Rental	§ 790.12			
710.62	Animal Hospital	§ 790.6			
710.63	Ambulance Service	§ 790.2			
710.64	Mortuary	§ 790.62			
710.65	Trade Shop	§ 790.124	P		
710.66	Storage	§ 790.117			
710.67	Video Store	§ 790.135	<u>P</u> €		
710.68	Fringe Financial Service	§ 790.111			

1	710.69	Tobacco Paraphernalia Establishments	§ 790.123	C		
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3	710.69A	Self-Service Specialty Food	§ 790.93	C#		
4	710.69B	Amusement Game Arcade (Mechanical Amusement Devices)	§ 790.04			
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8	Institutions and Non-Retail Sales and Services					
9	710.70	Administrative Service	§ 790.106			
10	710.80	Hospital or Medical Center	§ 790.44			
11	710.81	Other Institutions, Large	§ 790.50	P	C	
12	710.82	Other Institutions, Small	§ 790.51	P	P	P
13	710.83	Public Use	§ 790.80	C	C	C
14	710.84	Medical Cannabis Dispensary	§ 790.141	P #		
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16	RESIDENTIAL STANDARDS AND USES					
17	710.90	Residential Use	§ 790.88	P	P	P
18	710.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 800 sq. ft. lot area § 207.4		
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21	710.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 275 sq. ft. lot area § 208		
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24	710.93	Usable Open Space	§§ 135, 136	Generally, either 100 sq. ft. if		
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1		[Per Residential Unit]		private, or 133 sq. ft. if common		
2				§ 135(d)		
3	710.94	Off-Street Parking, Residential	§§ 150, 153—	Generally, 1 space for each		
4			157,	dwelling unit		
5			159—160,	§§ 151, 161(a) (g)		
6			204.5			
7	710.95	Community Residential Parking	§ 790.10	C	C	C
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9 **SPECIFIC PROVISIONS FOR NC-1 DISTRICTS**

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Article 7 Code Section	Other Code Section	Zoning Controls
§ 710.40 § 710.41 § 710.42		Boundaries: All NC-1 Districts Controls: P if located more than ¼ mile from any NC District or Restricted Use Subdistrict with more restrictive controls; otherwise, same as more restrictive control
§ 710.44 § 710.69A		Boundaries: All NC-1 Districts Controls: C if located more than ¼ mile from any NC District or Restricted Use Subdistrict with more restrictive controls; otherwise, same as more restrictive control
§ 710.42 § 710.43 § 710.44 §710.69A	§ 781.1	TARAVAL STREET RESTAURANT AND FAST-FOOD SUBDISTRICT Boundaries: Applicable only for the two Taraval Street NC-1 Districts between 40th and 41st Avenues and 45th and 47th Avenues as mapped on Sectional Map 5 SU Controls: Full-service restaurants, small self-service restaurants and self-service specialty food are C; large fast-food restaurants are NP
§ 710.84 § 790.141		Only those medical cannabis dispensaries that can demonstrate to the Planning Department they were in operation as of April 1, 2005 and have remained in continuous operation or that were not in continuous operation since April 1, 2005, but can demonstrate to the Planning Department that the reason for their lack of continuous operation was not closure due to an actual violation of federal, state or local law, may

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		apply for a medical cannabis dispensary permit in an NC-1 District.
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Section 3. The San Francisco Planning Code is hereby amended by amending Section 730, to read as follows:

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

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			Inner Sunset
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
730.1	Height and Bulk Limit	§§ 102.12, 105, 106, 250—252, 260, 270, 271	40-X
730.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 4,999 sq. ft.; C 5,000 sq. ft. & above § 121.1
730.12	Rear Yard	§§ 130, 134, 136	Required at grade level and above § 134(a) (e)
730.13	Street Frontage		Required § 145.1
730.14	Awning	§ 790.20	P § 136.1(a)
730.15	Canopy	§ 790.26	P § 136.1(b)
730.16	Marquee	§ 790.58	P § 136.1(c)
730.17	Street Trees		Required § 143
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			

1	730.2	Floor Area Ratio	§§ 102.9, 102.11, 123	1.8 to 1 § 124(a) (b)
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3	730.21	Use Size [Nonresidential]	§ 790.130	P up to 2,499 sq. ft.; C 2,500 sq. ft. & above § 121.2
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6	730.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153—157, 159—160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
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10	730.23	Off-Street Freight Loading	§§ 150, 153—155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)
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14	730.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
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18	730.25	Drive-Up Facility	§ 790.30	
19	730.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
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22	730.27	Hours of Operation	§ 790.48	P 6 a.m.—2 a.m. C 2 a.m.—6 a.m.
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24	730.30	General Advertising	§§ 262, 602, 604, 608,	
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	Sign	609	
730.31	Business Sign	§§ 262, 602, 604, 608, 609	P § 607.1(f)2
730.32	Other Signs	§§ 262, 602, 604, 608, 609	P § 607.1(c) (d) (g)

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No.	Zoning Category	§ References	Inner Sunset		
			Controls by Story		
		§ 790.118	1st	2nd	3rd+
730.38	Residential Conversion	§ 790.84	P		
730.39	Residential Demolition	§ 790.86	P	C	C
Retail Sales and Services					
730.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P	C	
730.41	Bar	§ 790.22	C		
730.42	Full-Service Restaurant	§ 790.92	C		
730.43	Large Self-Service Fast Food Restaurant	§ 790.90	<u>C</u>		
730.44	Small Self-Service Restaurant	§ 790.91	C		
730.45	Liquor Store	§ 790.55			
730.46	Movie Theater	§ 790.64	P		
730.47	Adult Entertainment	§ 790.36			
730.48	Other Entertainment	§ 790.38	C		
730.49	Financial Service	§ 790.110	P		
730.50	Limited Financial Service	§ 790.112	P		
730.51	Medical Service	§ 790.114	C	C	
730.52	Personal Service	§ 790.116	P	C	

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730.53	Business or Professional Service	§ 790.108	P	C	
730.54	Massage Establishment	§ 790.60, § 1900 Health Code	C		
730.55	Tourist Hotel	§ 790.46	C	C	
730.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
730.57	Automotive Gas Station	§ 790.14			
730.58	Automotive Service Station	§ 790.17			
730.59	Automotive Repair	§ 790.15	C		
730.60	Automotive Wash	§ 790.18			
730.61	Automobile Sale or Rental	§ 790.12			
730.62	Animal Hospital	§ 790.6	C		
730.63	Ambulance Service	§ 790.2			
730.64	Mortuary	§ 790.62			
730.65	Trade Shop	§ 790.124	P		
730.66	Storage	§ 790.117			
730.67	Video Store	§ 790.135	<u>P</u> <i>€</i>		
730.68	Fringe Financial Service	§ 790.111	P		
730.69	Tobacco Paraphernalia Establishments	§ 790.123	C		

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730.69A	Self-Service Specialty Food	§ 790.93	C		
730.69B	Amusement Game Arcade (Mechanical Amusement Devices)	§ 790.04			
Institutions and Non-Retail Sales and Services					
730.7	Administrative Service	§ 790.106			
730.8	Hospital or Medical Center	§ 790.44			
730.81	Other Institutions, Large	§ 790.50	P	C	C
730.82	Other Institutions, Small	§ 790.51	P	P	P
730.83	Public Use	§ 790.80	C	C	
730.84	Medical Cannabis Dispensary	§ 790.141	P		
RESIDENTIAL STANDARDS AND USES					
730.9	Residential Use	§ 790.88	P	P	P
730.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 800 sq. ft. lot area § 207.4		
730.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 275 sq. ft. lot area § 208		
730.93	Usable Open Space [Per Residential Unit]	§§ 135, 136	Generally, either 100 sq. ft. if private, or 133 sq. ft. if common		

			§ 135(d)		
730.94	Off-Street Parking, Residential	§§ 150, 153—157, 159—160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
730.95	Community Residential Parking	§ 790.10	C	C	C

SPECIFIC PROVISIONS FOR THE INNER SUNSET NEIGHBORHOOD

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

COMMERCIAL DISTRICT

Section 4. The San Francisco Planning Code is hereby amended by amending Sections 733A.1 and 733A, to read as follows:

SEC. 733A.1. NCT-1 – NEIGHBORHOOD COMMERCIAL TRANSIT CLUSTER DISTRICT.

NCT-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.

1 Housing density is limited not by lot area, but by the regulations on the built envelope of
2 buildings, including height, bulk, setbacks, and lot coverage, and standards for residential
3 uses, including open space and exposure, and urban design guidelines. There are
4 prohibitions on access (i.e. driveways, garage entries) to off-street parking and loading on
5 critical stretches of commercial and transit street frontages to preserve and enhance the
6 pedestrian-oriented character and transit function. Residential parking is not required and
7 generally limited. Commercial establishments are discouraged from building excessive
8 accessory off-street parking in order to preserve the pedestrian-oriented character of the
9 district and prevent attracting auto traffic.

10 NCT-1 Districts are generally characterized by their location in residential
11 neighborhoods. The commercial intensity of these districts varies. Many of these districts have
12 the lowest intensity of commercial development in the City, generally consisting of small
13 clusters with three or more commercial establishments, commonly grouped around a corner;
14 and in some cases short linear commercial strips with low-scale, interspersed mixed-use
15 (residential-commercial) development. Building controls for the NCT-1 District promote low-
16 intensity development which is compatible with the existing scale and character of these
17 neighborhood areas. Commercial development is limited to one story. Rear yard requirements
18 at all levels preserve existing backyard space.

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

1 Existing residential units are protected by prohibitions of conversions above the ground
2 story and limitations on demolitions.

3 **SEC. 733A. NEIGHBORHOOD COMMERCIAL TRANSIT CLUSTER DISTRICT NCT-1**
4 **ZONING CONTROL TABLE**

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			NCT-1
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
733A.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250—252, 260, 270, 271	Varies See Zoning Map. <i>Height Sculpting on Alleys; § 261.1.</i> <i>Additional 5' Height Allowed for Ground Floor Active Uses in 40-X and 50-X height and bulk districts; § 263.20.</i>
733A.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 4,999 sq. ft.; C 5,000 sq. ft. & above § 121.1
733A.12	Rear Yard	§§ 130, 134, 136	Required at grade level and above § 134(a)(e)
733A.13	Street Frontage		Required § 145.1
733.13a	Street Frontage, Above-Grade Parking Setback and Active Uses		Minimum 25 feet on ground floor, 15 feet on floors above § 145.1
733A.13b	Street Frontage, Required Ground Floor Commercial		Geneva Avenue, § 145.4
733A.13c	Street Frontage, Parking and Loading access restrictions		§ 155(r) NP: Geneva Avenue
733A.14	Awning	§ 790.20	P § 136.1(a)

1	733A.15	Canopy	§ 790.26	
2	733A.16	Marquee	§ 790.58	
3	733A.17	Street Trees		Required § 143
4	COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
5	733A.20	Floor Area Ratio	§§ 102.9, 102.11, 123	1.8 to 1 § 124(a)(b)
6	733A.21	Use Size [Non-Residential]	§ 790.130	P up to 2,999 sq. ft.; C 3,000 sq. ft. & above § 121.2
7	733A.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153— 157, 159— 160, 204.5	§§ 151.1, 166, 145.1 None required. Amount permitted varies by use; see Table 151.1. For retail uses, P up to 1 space per 1,500 feet of occupied floor area or the quantity specified in Table 151, whichever is less, and subject to the conditions of Section 151.1(f); NP above. For retail grocery stores larger than 20,000 square feet, P up to 1:500, C up to 1:250 for space in excess of 20,000 s.f. subject to conditions of 151.1(f); NP above.
8	733A.23	Off-Street Freight Loading	§§ 150, 153— 155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft.
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			§§ 152, 161(b)
733A.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
733A.25	Drive-Up Facility	§ 790.30	
733.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
733A.27	Hours of Operation	§ 790.48	P 6 a.m.—11 p.m.; C 11 p.m.—2 a.m.
733A.30	General Advertising Sign	§§ 262, 602— 604, 608, 609	
733A.31	Business Sign	§§ 262, 602— 604, 608, 609	P § 607.1(f)1
733A.32	Other Signs	§§ 262, 602— 604, 608, 609	P § 607.1(c)(d)(g)

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No.	Zoning Category	§ References	NCT-1		
			Controls by Story		
		§ 790.118	1st	2nd	3rd+
733A.38	Residential Conversion	§ 790.84	P		
733A.39	Residential Demolition	§ 790.86	C	C	C
733A.39a	Residential Division	§ 207. 86	P	P	P
Non-Retail Sales and Services					
733A.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P #		
733A.41	Bar	§ 790.22	P #		
733A.42	Full-Service Restaurant	§ 790.92	P #		
733A.43	Large <i>Self-Service Fast Food</i> Restaurant	§ 790.90			
733A.44	Small Self-Service Restaurant	§ 790.91	<u>P</u> € #		

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733A.45	Liquor Store	§ 790.55	P		
733A.46	Movie Theater	§ 790.64			
733A.47	Adult Entertainment	§ 790.36			
733A.48	Other Entertainment	§ 790.38	C		
733A.49	Financial Service	§ 790.110			
733A.50	Limited Financial Service	§ 790.112	P		
733A.51	Medical Service	§ 790.114	P		
733A.52	Personal Service	§ 790.116	P		
733A.53	Business or Professional Service	§ 790.108	P		
733A.54	Massage Establishment	§ 790.60, § 1900 Health Code			
733A.55	Tourist Hotel	§ 790.46			
733A.56	Automobile Parking	§§ 790.8, 156, 160	C		
733A.57	Automotive Gas Station	§ 790.14			

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733A.58	Automotive Service Station	§ 790.17			
733A.59	Automotive Repair	§ 790.15			
733A.60	Automotive Wash	§ 790.18			
733A.61	Automobile Sale or Rental	§ 790.12			
733A.62	Animal Hospital	§ 790.6			
733A.63	Ambulance Service	§ 790.2			
733A.64	Mortuary	§ 790.62			
733A.65	Trade Shop	§ 790.124	P		
733A.66	Storage	§ 790.117			
733A.67	Video Store	§ 790.135	<u>PE</u>		
Institutions and Non-Retail Sales and Services					
733A.70	Administrative Service	§ 790.106			
733A.80	Hospital or Medical Center	§ 790.44			
733A.81	Other Institutions,	§ 790.50	P	C	

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733A.82	Other Institutions, Small	§ 790.51	P	P	P
733A.83	Public Use	§ 790.80	C	C	C
733A.84	Medical Cannabis Dispensary	§ 790.141	P#		
RESIDENTIAL STANDARDS AND USES					
733A.90	Residential Use	§ 790.88	P, except C for frontages listed in 145.4	P	P
733A.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	No residential density limit by lot area. Density restricted by physical envelope controls of height, bulk, setbacks, open space, exposure and other applicable controls of this and other Codes, as well as by applicable design guidelines, applicable elements and area plans of the General Plan, and design review by the Planning Department. § 207.4, 207.6		Density restricted by physical envelope controls of height, bulk, setbacks, open space, exposure and other applicable controls of this and other Codes, as well as by applicable design guidelines, applicable elements and area plans of the General Plan, and design review by the Planning Department.
<u>733A.91a</u>	<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>For projects with five or more dwelling units, 40% of units shall have two or more bedrooms.</u>		

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733A.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	<p>No group housing density limit by lot area. Density restricted by physical envelope controls of height, bulk, setbacks, open space, exposure and other applicable controls of this and other Codes, as well as by applicable design guidelines, applicable elements and area plans of the General Plan, and design review by the Planning Department.</p> <p>§ 208</p>		
733A.93	Usable Open Space [Per Residential Unit]	§§ 135, 136	Generally, either 100 sq. ft. if private, or 133 sq. ft. if common § 135(d)		
733A.94	Off-Street Parking, Residential	§§ 150, 153—157, 159—160, 204.5	<p>P up to one car for each two dwelling units; C up to 0.75 cars for each dwelling unit, subject to the criteria and procedures of Section 151.1(f); NP above 0.75 cars for each dwelling unit.</p> <p>§ 151.1, 166, 167, 145.1</p>		
733A.95	Community Residential Parking	§ 790.10	C	C	C

SPECIFIC PROVISIONS FOR NCT-12 DISTRICTS

Article 7 Code Section	Other Code Section	Zoning Controls
§ 733A.40 § 733A.41 § 733A.42		Boundaries: All NCT-1 Districts Controls: P if located more than ¼ mile from any NC District or Restricted Use Subdistrict with more restrictive controls; otherwise, same as more restrictive control
§ 733A.44		Boundaries: All NCT-1 Districts Controls: C if located more than ¼ mile from any NC District or Restricted Use Subdistrict with more restrictive controls; otherwise, same as more restrictive control

Section 5. The San Francisco Planning Code is hereby amended by amending Section 790.90, to read as follows:

SEC. 790.90. RESTAURANT, LARGE SELF-SERVICE (LARGE FAST FOOD).

(a) *A self-service restaurant, as defined in Section 790.91 of this Code, which exceeds the non-residential use size limit, as defined in Section 121.2, of the district. ~~retail eating or drinking use which provides ready-to-eat food to a high volume of customers at a high turnover rate for consumption on or off the premises, which may or may not provide seating. Such use exhibits the following characteristics:~~*

~~(1) A gross floor area of 1,000 square feet or more;~~

~~(2) A limited menu of ready-to-eat food prepared in advance of customer orders, or food which is able to be quickly prepared for consumption on or off the premises;~~

~~(3) Food served in disposable wrappers or containers;~~

1 (4) — ~~Food is ordered and served at customer service counter;~~

2 (5) — ~~Food is paid for prior to consumption;~~

3 (6) — ~~Public food service area, including queuing areas and service counters without fixed~~
4 ~~seats, which counters are designed specifically for the sale and distribution of food and beverages;~~

5 (7) — ~~Food available upon a short waiting time.~~

6 ~~It does not include retail grocery stores with accessory take-out food activity, as described in~~
7 ~~Section 703.2(b)(1)(C) of this Code, self-service specialty food use, as described in Section 790.93 of~~
8 ~~this Code, or retail uses which sell prepackaged or bulk ready-to-eat foods with no-site food~~
9 ~~preparation area, such as confectionery or produce stores. When a fast food restaurant operates within~~
10 ~~and in conjunction with another retail use, such as a retail grocery store, the area of the fast food~~
11 ~~restaurant use shall be measured to include the area devoted to food preparation and service, seating~~
12 ~~and separate public food service counters, excluding fish, poultry and meat counters.~~

13 ~~(c) — It may provide off-site beer, wine, and/or liquor sales for consumption off the premises~~
14 ~~(with ABC licenses 20 or 21) or on-site beer and/or wine sales for drinking on the premises (with ABC~~
15 ~~licenses 40, 41 or 60). If it serves liquor for drinking on the premises (with ABC licenses 47 or 48), or~~
16 ~~does not admit minors (with ABC licenses 42 or 61), then it shall also be considered a bar, as defined~~
17 ~~in Section 790.22 of this Code.~~

18 ~~(d) — It shall be conducted in accordance with the following conditions:~~

19 ~~(1) — All debris boxes shall be kept in enclosed structures.~~

20 ~~(2) — The operator shall be responsible for cleaning the sidewalk within a one-block radius~~
21 ~~daily to maintain the sidewalk free of paper or other litter during its business hours, in accordance with~~
22 ~~Article 1, Section 34 of the San Francisco Police Code.~~

23 ~~(3) — Noise and odors shall be contained within the premises so as not to be a nuisance to~~
24 ~~nearby residents or neighbors.~~

25

1 Section 6. The San Francisco Planning Code is hereby amended by amending Section
2 790.91, to read as follows:

3 **SEC. 790.91. RESTAURANT, SMALL SELF-SERVICE.**

4 (a) A retail eating or eating and drinking use which provides ready-to-eat food for
5 consumption on and off the premises and which may or may not provide seating. Such use
6 exhibits the following characteristics:

7 (1) Does not exceed the non-residential use size limit, as defined in Section 121.2 of this
8 Code, of the district. ~~Contains fewer than 50 seats and less than 1,000 square feet of gross floor area;~~

9 (2) A limited menu of ready-to-eat food prepared in advance of customer orders, or
10 food which is able to be quickly prepared for consumption on or off the premises;

11 (3) Food served in disposable wrappers or containers;

12 (4) Food is ordered and served at customer service counter;

13 (5) Food is paid for prior to consumption;

14 (6) Public food service area, including queuing areas and service counters without
15 fixed seats, which counters are designed specifically for the sale and distribution of food and
16 beverages;

17 (7) Food available upon a short waiting time.

18 It does not include retail grocery stores with accessory take-out food activity, as
19 described in Section 703.2(b)(1)(C) of this Code, self-service specialty food use, as described
20 in Section 790.93 of this Code, or retail uses which sell prepackaged or bulk ready-to-eat
21 foods with no-site food preparation area, such as confectionery or produce stores. When a
22 self-service fast food restaurant operates within and in conjunction with another retail use, such
23 as a retail grocery store, the area of the self-service fast food restaurant use shall be measured
24 to include the area devoted to food preparation and service, seating and separate public food
25 service counters, excluding fish, poultry and meat counters.

1 (b) It may provide off-site beer, wine and/or liquor sales for consumption off the
2 premises (with ABC licenses 20 or 21) or on-site beer and/or wine sales for drinking on the
3 premises (with ABC licenses 40, 41 or 60). If it serves liquor for drinking on the premises (with
4 ABC licenses 47 or 48) or does not admit minors (with ABC licenses 42 or 61), then it shall
5 also be considered a bar, as defined in Section 790.22 of this Code.

6 (c) It shall be conducted in accordance with the following conditions:

7 (1) All debris boxes shall be kept in enclosed structures.

8 (2) The operator shall be responsible for cleaning the sidewalk within a one-block
9 radius daily to maintain the sidewalk free of paper or other litter during its business hours, in
10 accordance with Article 1, Section 34 of the San Francisco Police Code.

11 (3) Noise, ~~and~~ odors, and mechanical noise and vibration shall be contained within the
12 premises so as not to be a nuisance to nearby residents or neighbors.

13 Section 7. The San Francisco Planning Code is hereby amended by amending Section
14 790.102, to read as follows:

15 **SEC. 790.102. SALES AND SERVICES, OTHER RETAIL.**

16 A retail use which provides goods and/or services but is not listed as a separate zoning
17 category in zoning category numbers .41 through .63 listed in Article 7 of this Code, including
18 but not limited to, sale or provision of the following goods and services:

19 (a) General groceries. As used herein, general groceries means:

20 (1) An individual retail food establishment that:

21 (A) Offers a diverse variety of unrelated, non-complementary food and non-food
22 commodities, such as beverages, dairy, dry goods, fresh produce and other perishable items,
23 frozen foods, household products, and paper goods;

24 (B) May provide beer, wine, and/or liquor sales for consumption off the premises
25 with a California Alcoholic Beverage Control Board License type 20 (off-sale beer and wine) or

1 type 21 (off-sale general) within the accessory use limits as set forth in Section
2 703.2(b)(1)(C)(vi);

3 (C) Prepares minor amounts or no food on-site for immediate consumption; and

4 (D) Markets the majority of its merchandise at retail prices.

5 (b) Specialty groceries. As used herein, specialty groceries means:

6 (1) An individual retail food establishment that:

7 (A) Offers specialty food products, such as baked goods, pasta, cheese,
8 confections, coffee, meat, seafood, produce, artisanal goods and other specialty food
9 products, and may also offer additional food and non-food commodities related or
10 complementary to the specialty food products;

11 (B) May provide beer, wine, and/or liquor sales for consumption off the premises
12 with a California Alcoholic Beverage Control Board License type 20 (off-sale beer and wine) or
13 type 21 (off-sale general) within the accessory use limits as set forth in Section
14 703.2(b)(1)(C)(vi);

15 (C) Prepares minor amounts or no food on-site for immediate consumption; and

16 (D) Markets the majority of its merchandise at retail prices.

17 (c) Pharmaceutical drugs and personal toiletries;

18 (d) Personal items such as tobacco and magazines;

19 (e) Self-service laundromats and dry cleaning, where no portion of a building
20 occupied by such use shall have any opening other than fixed windows and exits required by
21 law within 50 feet of any R District;

22 (f) Household goods and service (including paint, fixtures and hardware, but
23 excluding other building materials);

24 (g) Variety merchandise, pet supply stores and pet grooming services;

25 (h) Florists and plant stores;

- 1 (i) Apparel and accessories;
- 2 (j) Antiques, art galleries, art supplies and framing service;
- 3 (k) Home furnishings, furniture and appliances;
- 4 (l) Books, stationery, greeting cards, office supplies, copying service, music and
- 5 sporting goods;
- 6 (m) Toys, gifts, and photographic goods and services; and
- 7 (n) Retail coffee stores. As used herein, retail coffee store means:
- 8 (1) A retail drinking use which provides ready-to-drink coffee and/or other
- 9 nonalcoholic beverages for consumption on or off the premises, which may or may not
- 10 provide seating. Its intended design is not to serve prepared ready-to-eat food for
- 11 consumption on or off the premises, except where a conditional use is granted for an
- 12 exception in the West Portal NCD pursuant to the "Specific Provisions for the West Portal
- 13 District." Such use exhibits the following characteristics:
- 14 (A) Contains no more than 15 seats with no more than 400 square feet of floor area
- 15 devoted to seating,
- 16 (B) A limited menu of beverages prepared on the premises and able to be quickly
- 17 prepared for consumption on or off the premises,
- 18 (C) Beverages served in disposable or nondisposable containers for consumption
- 19 on or off the premises,
- 20 (D) Beverages are ordered and served at a customer service counter,
- 21 (E) Beverages are paid for prior to consumption,
- 22 (F) Public service area, including queuing areas and service counters, which
- 23 counters are designed specifically for the sale and distribution of beverages;
- 24 (G) Beverages are available upon a short waiting time,
- 25 (H) Equipment to prepare beverages for consumption,

1 (I) Limited amount of nonprepackaged food goods may be served, such as pastries
2 or similar goods,

3 (J) ~~No on-site food preparation, and no equipment to cook or reheat food or prepare meals
4 other than that connected to beverage preparation, except where a conditional use is granted for an
5 exception in the West Portal NCD pursuant to the "Specific Provisions for the West Portal District."~~

6 (K) Coffee beans, tea, syrups, herbs and other beverage-based products and
7 equipment to make and/or reconstitute beverages or consume coffee, tea and/or other
8 beverages may be sold.

9 It may include any use permitted for specialty grocery, as defined in Section
10 790.102(b), but if so, such use shall not include accessory take-out food activity, as described
11 in Section 703.2(b)(1)(C) of this Code, except to the extent permitted by this Subsection
12 790.102(n). It is distinct and separate from a small self-service or large fast-food restaurant,
13 as defined in Section 790.90 and 790.91 of this Code, or a full-service restaurant as defined in
14 Section 790.92 of this Code.

15 (2) It shall be conducted in accordance with the following conditions:

16 (A) All debris boxes shall be kept in enclosed structures,

17 (B) The operator shall be responsible for cleaning the sidewalk in front of or abutting
18 the building to maintain the sidewalk free of paper or other litter during its business hours, in
19 accordance with Article 1, Section 34 of the San Francisco Police Code,

20 (C) Noise and odors shall be contained within the premises so as not to be a
21 nuisance to nearby residents or neighbors.

22 This Section excludes tourist motels, as distinguished from tourist hotels in Section
23 790.46 of this Code, amusement game arcades as defined in Section 790.4 of this Code and
24 household goods self-storage facilities, which are included in storage as defined in Section
25 790.117 of this Code. It also excludes the sale of heating fuel and the sale or rental of

1 commercial equipment (excluding office equipment) and construction materials, other than
2 paint, fixtures and hardware.

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

5 By: _____
6 JUDITH A. BOYAJIAN
7 Deputy City Attorney

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