

FILE NO. 070681

ORDINANCE NO. 167-07

1 [Zoning - Pacific Avenue Individual Area Neighborhood Commercial District.]

2
3 Ordinance adding Planning Code Sections ~~734~~ 732 et seq. to establish the Pacific
4 Avenue Individual Area Neighborhood Commercial District, as specifically defined
5 herein and generally encompassing the length of Pacific Avenue from Polk Street to
6 Taylor Street; deleting Section 236, the Garment Shop Special Use District; amending
7 the City's Zoning Map Sectional Maps 1, 1H, 2, and 2H to reflect the boundaries of the
8 Pacific Avenue Neighborhood Commercial District, other associated zoning changes,
9 and related changes to height and bulk districts and amending Zoning Map Sectional
10 Map 1 SU to delete the Garment Shop Special Use District; and making environmental
11 findings and findings of consistency with the General Plan and priority policies of
12 Planning Code Section 101.1.

13 Note: Additions are single-underline italics Times New Roman;
14 deletions are ~~strikethrough italics Times New Roman~~.
15 Board amendment additions are double underlined.
16 Board amendment deletions are ~~strikethrough normal~~.

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

17 Section 1. Findings. The Board of Supervisors of the City and County of San
18 Francisco hereby finds and declares as follows:

19 a. There is no longer an economic justification for a Garment Shop Special Use
20 District.

21 b. Rezoning of the existing NC-2 zoning district along Pacific Avenue between Polk
22 and Jones Streets is necessary to preserve neighborhood character and environmental
23 qualities that respond to the topography and narrow street right-of-way.

24 c. Rezoning the existing NC-2 zoning district along Pacific Avenue between Jones and
25 Taylor Streets is necessary to preserve the residential character of the block.

1 d. Condensing the NC-2 zoning district in the abovementioned areas to its commercial
2 core will be accomplished through establishment of a new individual area neighborhood
3 commercial district, specified Zoning Map amendments to Sectional Maps 1, 1H, 1SU, 2, and
4 2H, and other related zoning actions, including reclassification of specified properties from the
5 NC-2 District designation to RM-1 or RM-3.

6 Section 2. Environmental Findings, General Plan Findings, and Other Required
7 Findings.

8 a. The Planning Department has determined that the actions contemplated in this
9 Ordinance are in compliance with the California Environmental Quality Act (California Public
10 Resources Code sections 21000 et seq.). The Board hereby affirms said determination,
11 which is part of Planning Commission Resolution No. 17413, is on file with the Clerk of the
12 Board of Supervisors in File No. 070681, and is incorporated herein by
13 reference.

14 b. On April 5, 2007, after a duly noticed public hearing, the Planning Commission, in
15 Resolution No. 17413, approved and recommended for adoption by the Board, the Pacific
16 Avenue Individual Area Neighborhood Commercial District, associated Zoning Map
17 amendments, and other related zoning actions. In said Resolution, the Planning Commission
18 also adopted findings that the legislation is consistent, on balance, with the City's General
19 Plan and eight priority policies of Planning Code Section 101.1. The Board adopts these
20 findings as its own and incorporates these findings herein by reference.

21 c. Pursuant to Planning Code Section 302, this Board of Supervisors finds that the
22 subject Neighborhood Commercial District, Zoning Map amendments, and other related
23 zoning actions will serve the public necessity, convenience, and welfare for the reasons set
24 forth in Planning Commission Resolution No. 17413 and incorporates such reasons herein by
25 reference.

1 Section 3. The San Francisco Planning Code is hereby amended by adding Sections
 2 ~~731~~ 732 et seq., to read as follows:

3 Section ~~731.4~~ 732.1 Pacific Avenue Neighborhood Commercial District

4 The Pacific Avenue Neighborhood Commercial District, on Pacific Avenue from just east of
 5 Polk Street to all four corners of Pacific Avenue and Jones Street, is situated on the north slope of the
 6 Nob Hill neighborhood and south of the Broadway Tunnel. Pacific Avenue is a multi-purpose, small-
 7 scale mixed-use neighborhood shopping district on a narrow street that provides limited convenience
 8 goods to the adjacent neighborhoods.

9 The Pacific Avenue Neighborhood Commercial District controls are designed to promote a
 10 small, neighborhood serving mixed-use commercial street that preserves the surrounding neighborhood
 11 residential character. These controls are intended to preserve livability in a largely low-rise
 12 development residential neighborhood, enhance solar access on a narrow street right-of-way and
 13 protect residential rear yard patterns at the ground floor.

14
 15 SEC. ~~731~~732. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT
 16 ZONING CONTROL TABLE

			<u>Pacific Avenue NCD</u>
<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<u>BUILDING STANDARDS</u>			
<u>731.10</u> <u>732.10</u>	<u>Height and Bulk Limit</u>	<u>§§ 102.12, 105, 106,</u> <u>250-252, 260, 270, 271</u>	<u>40-X</u> <u>See Zoning Map</u>
<u>731.11</u> <u>732.11</u>	<u>Lot Size [Per</u> <u>Development]</u>	<u>§§ 790.56, 121.1</u>	<u>P up to 9,999 sq. ft.;</u> <u>C 10,000 sq. ft. & above</u> <u>§ 121.1</u>

1	<u>731.12</u>	<u>Rear Yard</u>	<u>§§ 130, 134, 136</u>	<u>45 % required at the first</u>
2	<u>732.12</u>			<u>story and above and at all</u>
3				<u>residential levels</u>
4				<u>§ 134(c)</u>
5	<u>731.13</u>	<u>Street Frontage</u>		<u>Required</u>
6	<u>732.13</u>			<u>§ 145.1</u>
7	<u>731.14</u>	<u>Awning</u>	<u>§ 790.20</u>	<u>P</u>
8	<u>732.14</u>			<u>§ 136.1(a)</u>
9				
10	<u>731.15</u>	<u>Canopy</u>	<u>§ 790.26</u>	<u>P</u>
11	<u>732.15</u>			<u>§ 136.1(b)</u>
12	<u>731.16</u>	<u>Marquee</u>	<u>§ 790.58</u>	<u>P</u>
13	<u>732.16</u>			<u>§ 136.1(c)</u>
14	<u>731.17</u>	<u>Street Trees</u>		<u>Required</u>
15	<u>732.17</u>			<u>§ 143</u>
16	<u>COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES</u>			
17				
18	<u>731.20</u>	<u>Floor Area Ratio</u>	<u>§§ 102.9, 102.11, 123</u>	<u>1.5 to 1</u>
19	<u>732.20</u>			<u>§ 124(a) (b)</u>
20	<u>731.21</u>	<u>Use Size [Non-Residential]</u>	<u>§ 790.130</u>	<u>P up to 1,999 sq. ft.;</u>
21	<u>732.21</u>			<u>C 2,000 sq. ft. & above</u>
22				<u>§ 121.2</u>
23	<u>731.22</u>	<u>Off-Street Parking,</u>	<u>§§ 150, 153-157, 159-</u>	<u>Generally, none required if</u>
24	<u>732.22</u>	<u>Commercial/Institutional</u>	<u>160, 204.5</u>	<u>occupied floor area is less</u>
25				<u>than 2,000 sq. ft.</u>
				<u>§§ 151, 161(g)</u>

1	<u>731.23</u>	<u>Off-Street Freight Loading</u>	<u>§§ 150, 153-155, 204.5</u>	<u>Generally, none required if gross floor area is less than 10,000 sq. ft.</u>		
2	<u>732.23</u>			<u>§§ 152, 161(b)</u>		
3						
4	<u>731.24</u>	<u>Outdoor Activity Area</u>	<u>§ 790.70</u>	<u>P if located in front;</u>		
5	<u>732.24</u>			<u>C if located elsewhere</u>		
6				<u>§ 145.2(a)</u>		
7	<u>731.25</u>	<u>Drive-Up Facility</u>	<u>§ 790.30</u>			
8	<u>732.25</u>					
9	<u>731.26</u>	<u>Walk-Up Facility</u>	<u>§ 790.140</u>	<u>P if recessed 3 ft.;</u>		
10	<u>732.26</u>			<u>C if not recessed</u>		
11				<u>§ 145.2(b)</u>		
12	<u>731.27</u>	<u>Hours of Operation</u>	<u>§ 790.48</u>	<u>P 6 a.m. - 10 p.m.;</u>		
13	<u>732.27</u>			<u>C 10 p.m. - 2 a.m.</u>		
14	<u>731.30</u>	<u>General Advertising Sign</u>	<u>§§ 262, 602-604, 608,</u>			
15	<u>732.30</u>		<u>609</u>			
16	<u>731.34</u>	<u>Business Sign</u>	<u>§§ 262, 602-604, 608,</u>	<u>P</u>		
17	<u>732.31</u>		<u>609</u>	<u>§ 607.1(f) 2</u>		
18	<u>731.32</u>	<u>Other Signs</u>	<u>§§ 262, 602-604, 608,</u>	<u>P</u>		
19	<u>732.32</u>		<u>609</u>	<u>§ 607.1(c) (d) (g)</u>		

21				<u>Pacific Avenue NCD</u>		
22				<u>Controls by Story</u>		
23						
24	<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>1st</u>	<u>2nd</u>	<u>3rd+</u>

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		<u>§ 790.118</u>	<u>1st</u>	<u>2nd</u>	<u>3rd +</u>
731.38	<u>Residential Conversion</u>	<u>§ 790.84</u>	<u>C</u>		
<u>732.38</u>					
731.39	<u>Residential Demolition</u>	<u>§ 790.86</u>	<u>C</u>		
<u>732.39</u>					
<u>Retail Sales and Services</u>					
731.40	<u>Other Retail Sales and Services</u>	<u>§ 790.102</u>	<u>P</u>	<u>C</u>	
<u>732.40</u>	<u>[Not Listed Below]</u>				
731.41	<u>Bar</u>	<u>§ 790.22</u>			
<u>732.41</u>					
731.42	<u>Full-Service Restaurant</u>	<u>§ 790.92</u>	<u>C</u>		
<u>732.42</u>					
731.43	<u>Large Fast Food Restaurant</u>	<u>§ 790.90</u>			
<u>732.43</u>					
731.44	<u>Small Self-Service Restaurant</u>	<u>§ 790.91</u>			
<u>732.44</u>					
731.45	<u>Liquor Store</u>	<u>§ 790.55</u>			
<u>732.45</u>					
731.46	<u>Movie Theater</u>	<u>§ 790.64</u>			
<u>732.46</u>					
731.47	<u>Adult Entertainment</u>	<u>§ 790.36</u>			

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<u>732.47</u>					
731.48	<u>Other Entertainment</u>	<u>§ 790.38</u>			
<u>732.48</u>					
731.49	<u>Financial Service</u>	<u>§ 790.110</u>	<u>C</u>		
<u>732.49</u>					
731.50	<u>Limited Financial Service</u>	<u>§ 790.112</u>	<u>P</u>		
<u>732.50</u>					
731.51	<u>Medical Service</u>	<u>§ 790.114</u>	<u>C</u>	<u>C</u>	
<u>732.51</u>					
731.52	<u>Personal Service</u>	<u>§ 790.116</u>	<u>P</u>	<u>C</u>	
<u>732.52</u>					
731.53	<u>Business or Professional Service</u>	<u>§ 790.108</u>	<u>P</u>	<u>C</u>	
<u>732.53</u>					
731.54	<u>Massage Establishment</u>	<u>§ 790.60.</u> <u>§ 2700 Police Code</u>			
<u>732.54</u>					
731.55	<u>Tourist Hotel</u>	<u>§ 790.46</u>			
<u>732.55</u>					
731.56	<u>Automobile Parking</u>	<u>§§ 790.8, 156, 160</u>	<u>C</u>		
<u>732.56</u>					
731.57	<u>Automotive Gas Station</u>	<u>§ 790.14</u>			
<u>732.57</u>					

1	<u>731.58</u>	<u>Automotive Service Station</u>	<u>§ 790.17</u>			
2	<u>732.58</u>					
3	<u>731.59</u>	<u>Automotive Repair</u>	<u>§ 790.15</u>	<u>C</u>		
4	<u>732.59</u>					
5	<u>731.60</u>	<u>Automotive Wash</u>	<u>§ 790.18</u>			
6	<u>732.60</u>					
7						
8	<u>731.61</u>	<u>Automobile Sale or Rental</u>	<u>§ 790.12</u>			
9	<u>732.61</u>					
10	<u>731.62</u>	<u>Animal Hospital</u>	<u>§ 790.6</u>			
11	<u>732.62</u>					
12	<u>731.63</u>	<u>Ambulance Service</u>	<u>§ 790.2</u>			
13	<u>732.63</u>					
14						
15	<u>731.64</u>	<u>Mortuary</u>	<u>§ 790.62</u>			
16	<u>732.64</u>					
17	<u>731.65</u>	<u>Trade Shop</u>	<u>§ 790.124</u>	<u>C</u>		
18	<u>732.65</u>					
19	<u>731.66</u>	<u>Storage</u>	<u>§ 790.117</u>			
20	<u>732.66</u>					
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22	<u>731.67</u>	<u>Video Store</u>	<u>§ 790.135</u>	<u>C</u>		
23	<u>732.67</u>					
24	<u>Institutions and Non-Retail Sales and Services</u>					
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1	731.70	<u>Administrative Service</u>	<u>§ 790.106</u>			
2	<u>732.70</u>					
3	731.80	<u>Hospital or Medical Center</u>	<u>§ 790.44</u>			
4	<u>732.80</u>					
5	731.81	<u>Other Institutions, Large</u>	<u>§ 790.50</u>			
6	<u>732.81</u>					
7						
8	731.82	<u>Other Institutions, Small</u>	<u>§ 790.51</u>	<u>C</u>		
9	<u>732.82</u>					
10	731.83	<u>Public Use</u>	<u>§ 790.80</u>	<u>C</u>		
11	<u>732.83</u>					
12	<u>RESIDENTIAL STANDARDS AND USES</u>					
13						
14	731.90	<u>Residential Use</u>	<u>§ 790.88</u>	<u>P</u>	<u>P</u>	<u>P</u>
15	<u>732.90</u>					
16	731.91	<u>Residential Density, Dwelling Units</u>	<u>§§ 207, 207.1, 790.88(a)</u>	<u>Generally, 1 unit per 1,000 sq. ft. lot area § 207.4</u>		
17	<u>732.91</u>					
18	731.92	<u>Residential Density, Group Housing</u>	<u>§§ 207.1, 790.88(b)</u>	<u>Generally, 1 bedroom per 275 sq. ft. lot area § 208</u>		
19	<u>732.92</u>					
20						
21	731.93	<u>Usable Open Space [Per Residential Unit]</u>	<u>§§ 135, 136</u>	<u>Generally, either 100 sq. ft if private, or 133 sq. ft. if common § 135(d)</u>		
22	<u>732.93</u>					
23						
24	731.94	<u>Off-Street Parking, Residential</u>	<u>§§ 150, 153-157, 159- 160, 204.5</u>	<u>Generally, 1 space for each dwelling unit</u>		
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1	<u>732.94</u>			<u>§§ 151, 161(a) (g)</u>		
2	<u>731.95</u>	<u>Community Residential</u>	<u>§ 790.10</u>	<u>C</u>		
3	<u>732.95</u>	<u>Parking</u>				
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5
6 Section 4. The San Francisco Planning Code is hereby amended by deleting Section
7 236 in its entirety as follows:

8 ~~SEC. 236. GARMENT SHOP SPECIAL USE DISTRICT.~~

9 ~~In order to provide for garment shops of limited size in a recognized area of the City, there shall~~
10 ~~be a Garment Shop Special Use District as designated on Sectional Map No. 1 SU of the Zoning Map.~~
11 ~~The following provisions shall apply within such special use district:~~

12 ~~(a) A garment shop equipped with single head power or hand sewing machines and~~
13 ~~specialty machines, where the total number of such single head machines does not exceed 25, shall be~~
14 ~~permitted as a principal use on any lot in an NC District, C District or Residential Commercial~~
15 ~~Combined District therein at a location where commercial uses are permitted.~~

16 Section 5. Zoning Map Amendments.

17 a. Pursuant to Sections 106 and 302(c) of the Planning Code, the following change, as
18 shown and further delineated in attachments to Planning Commission Resolution No. 17413,
19 is hereby adopted as an amendment to the Zoning Map of the City and County of San
20 Francisco, Sectional Maps 1 and 2 as follows:

21	Description of Property	Use District to be Superseded	Use District Hereby Approved
22	Assessor's Block 0573, 23 Lots 004, 004A, 004B, 005, 24 006, 008, 009, 010, 25 Assessor's Block 0154, Lots 007, 008, 009, 010, 011, 012, 013, 014, 015,	NC-2	Pacific Avenue Neighborhood Commercial District, pursuant to Planning Code Sections 734

1	016, 017, 018, 019, 020, 021, Assessor's Block 0155, 2 Lots 009, 010, 012, 013, 3 014, 015, 016, 017, 019, 4 020, 021, 022, 023, 024, 5 025, 026, 054, 6 Assessor's Block 0156, 7 Lots 007, 008, 009, 010, 8 011, 012, 013, 014, 015, 9 016, 017 (partial), 018 10 (partial), 019 (partial), 020 11 (partial), 021, 022, 12 Assessor's Block 0157, 13 Lot 021, 14 Assessor's Block 0596, 15 Lots 001, 002, 003, 004, 16 005, 026, 027, 031, 032, 17 033, 18 Assessor's Block 0185, 19 Lots 001, 002, 003, 004, 20 006, 007, 028, 21 Assessor's Block 0184, 22 Lots 021, 022, 023, 024, 23 025, 026, 027, 029, 030, 24 031, 035, 036 (partial), 25 Assessor's Block 0183, Lots 001, 026, 027, 028, 029, 031, 032, 033, 034, 035, 036, 037, 038, 039, and Assessor's Block 0182, Lots 021.		732 et seq.
18	Assessor's Block 0185, Lots 005, 029, 030, 031, 038, 039, 041	RM-1	
20	Assessor's Block 0157, Lots 007, 008, 009, 010, 011, 013, 014, 015, 016, 017, 018, 019, 020, 063, and Assessor's Block 0182, Lots 001, 022, 023, 024, 031, 031B, 031C, 032, 034, 035	NC-2	RM-1
25	Assessor's Block 0186, Lot 001, and	NC-2	RM-3

1 Assessor's Block 0187,
2 Lots 025

3 b. Pursuant to Sections 106 and 302(c) of the Planning Code, the following change, as
4 shown and further delineated in attachments to Planning Commission Resolution No. 17413,
5 is hereby adopted as an amendment to the Zoning Map of the City and County of San
6 Francisco, Sectional Maps 1H and 2H as follows:

Description of Property	Use District to be Superseded	Use District Hereby Approved
<p>7</p> <p>8 Assessor's Block 0573, 9 Lots 004, 004A, 004B, 005, 10 006, 008, 009, 010, 11 Assessor's Block 0154, 12 Lots 007, 008, 009, 010, 13 011, 012, 013, 014, 015, 14 016, 017, 018, 019, 020, 15 021, 16 Assessor's Block 0155, 17 Lots 009, 010, 012, 013, 18 014, 015, 016, 017, 019, 19 020, 021, 022, 023, 024, 20 025, 026, 054, 21 Assessor's Block 0156, 22 Lots 007, 008, 009, 010, 23 011, 012, 013, 014, 015, 24 016, 017 (partial), 018 25 (partial), 019 (partial), 020 (partial), 021, 022, Assessor's Block 0157, Lots 007, 008, 009, 010, 011, 013, 014, 015, 016, 017, 018, 019, 020, 021, 063, Assessor's Block 0596, Lots 001, 002, 003, 004, 005, 026, 027, 028, 031, 032, 033, Assessor's Block 0185, Lots 001, 002, 003, 004, 005, 007, 028, 029, 030, 031, 038, 039, 041 Assessor's Block 0184,</p>	<p>Height District: 65-X</p>	<p>Height District : 40-X</p>

1 Lots 021, 022, 023, 024,
2 025, 026, 027, 029, 030,
3 031, 035, 036 (partial),
4 Assessor's Block 0183,
5 Lots 001, 026, 027, 028,
6 029, 031, 032, 033, 034,
7 035, 036, 037, 038, 039,
8 and
9 Assessor's Block 0182,
10 Lots 001, 021, 022, 023,
11 024, 031, 031B, 031C, 032,
12 034, 035.

13
14 c. Pursuant to Sections 106 and 302(c) of the Planning Code, the following change is
15 hereby adopted as an amendment to the Zoning Map of the City and County of San
16 Francisco: Sectional Map 1 SU shall delete all reference to the Garment Shop Special Use
17 District, Planning Code Section 236.

18 Section 6. This Section is uncodified. This Ordinance shall not apply to those
19 development proposals that receive Planning Department or Zoning Administrator project
20 approval prior to the effective date of this Ordinance.

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

23 By: 
24 John D. Malamut
25 Deputy City Attorney



City and County of San Francisco

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

Tails Ordinance

File Number: 070681

Date Passed:

Ordinance adding Planning Code Sections 732 et seq. to establish the Pacific Avenue Individual Area Neighborhood Commercial District, as specifically defined herein and generally encompassing the length of Pacific Avenue from Polk Street to Taylor Street; deleting Section 236, the Garment Shop Special Use District; amending the City's Zoning Map Sectional Maps 1, 1H, 2, and 2H to reflect the boundaries of the Pacific Avenue Neighborhood Commercial District, other associated zoning changes, and related changes to height and bulk districts and amending Zoning Map Sectional Map 1 SU to delete the Garment Shop Special Use District; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

June 26, 2007 Board of Supervisors — PASSED ON FIRST READING

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

July 10, 2007 Board of Supervisors — FINALLY PASSED


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

File No. 070681

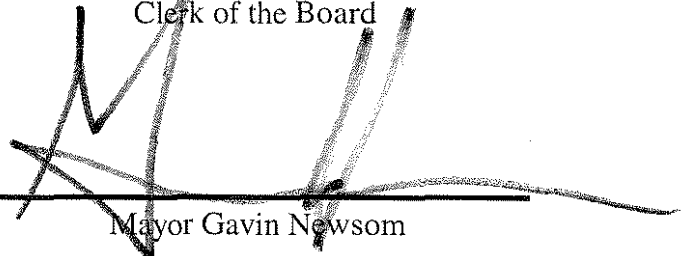
I hereby certify that the foregoing Ordinance was FINALLY PASSED on July 10, 2007 by the Board of Supervisors of the City and County of San Francisco.

JUL 20 2007

Date Approved



Angela Calvillo
Clerk of the Board



Mayor Gavin Newsom