

1 [Planning Code - Limited Commercial Uses in Residential Transit Oriented Mission District]

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3 **Ordinance amending the San Francisco Planning Code Section 231 to allow for greater**
4 **size and depth from the corner for limited commercial uses in the Residential Transit**
5 **Oriented Mission (RTO-M) District; and making environmental findings and findings of**
6 **consistency with General Plan and Planning Code Section 101.1.**

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8 NOTE: Additions are *single-underline italics Times New Roman*;
9 deletions are *strike-through italics Times New Roman*.
10 Board amendment additions are double-underlined;
11 Board amendment deletions are ~~strikethrough-normal~~.

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

13 Section 1. Findings. The Board of Supervisors of the City and County of San
14 Francisco hereby finds and determines that:

15 (a) General Plan Consistency Findings.

16 (1) On March 1, 1012, at a duly noticed public hearing, the Planning Commission in
17 Resolution 18615 found that the proposed Planning Code amendments to Section 231
18 contained in this ordinance were consistent with the City's General Plan and Planning Code
19 Section 101.1(b). A copy of said resolution is on file with the Board of Supervisors in File No.
20 121033, and is incorporated herein by reference. The Board finds that the proposed Planning
21 Code amendment is on balance consistent with the City's General Plan and with Planning
22 Code Section 101.1(b), for the reasons set forth in said resolution.

23 (2) Pursuant to Planning Code Section 302, the Board finds that the proposed
24 ordinance will serve the public necessity, convenience and welfare for the reasons set forth in
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1 Planning Commission Resolution 18615, which reasons are incorporated as if fully set forth
2 herein.

3 (b) Environmental Findings.

4 The Planning Department has determined that the actions contemplated in this
5 ordinance comply with the California Environmental Quality Act (California Public Resources
6 Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of
7 Supervisors in File No. 121033 and is incorporated herein by reference.

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9 Section 2. The San Francisco Planning Code is hereby amended by amending Section
10 231, to read as follows:

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

12 (a) Purpose. Corner stores enhance and support the character and traditional
13 pattern of RTO and RM Districts. These small neighborhood-oriented establishments provide
14 convenience goods and services on a retail basis to meet the frequent and recurring needs of
15 neighborhood residents within a short walking distance of their homes. These uses tend to be
16 small in scale, to serve primarily walk-in trade, and cause minimum interference with nearby
17 streets and properties. These uses are permitted only on the ground floor of corner buildings,
18 and their intensity and operating hours are limited to ensure compatibility with the
19 predominantly residential character of the district. Accessory off-street parking is prohibited for
20 these uses to maintain the local neighborhood walk-in character of the uses.

21 (b) Location. Uses permitted under this section must be located:

- 22 (1) completely within an RTO, RTO-M, RM-3, or RM-4 District;
23 (2) on or below the ground floor; and
24
25

1 (3) in ~~RTO and RTO-M Districts~~, on a corner lot as defined by Section 102.15,
2 with no part of the use extending more than 50 feet in depth from said corner, as illustrated in
3 Figure 231.

4 [Figure 231. Limitations on Corner Retail in RTO and RM Districts]

5 (4) in ~~RM-3, and RM-4 Districts and RTO-M Districts~~, on a corner lot as
6 defined in Section 102.15, with no part of the use extending more than 100 feet in depth from
7 said corner.

8 (c) Permitted Uses. Any use is permitted which complies with the most restrictive
9 use limitations for the first story and below of an NC-1 District, as set forth in Sections 710.10
10 through 710.95 of this Code.

11 (d) Use Size. No more than 1,200 occupied square feet of commercial area in a
12 ~~RTO or RTO-M~~ District and no more than 2,500 occupied square feet of commercial area in a
13 ~~RM-3, or RM-4~~ or RTO-M District shall be allowed per corner lot, except those lots which
14 occupy more than one corner on a given block and which may provide an additional 1,200
15 occupied square feet of commercial area per additional corner, so long as the commercial
16 space is distributed equitably throughout appropriate parts of the parcel or project.

17 (e) Formula Retail Uses. All uses meeting the definition of "formula retail" use per
18 Section 703.3(b) shall not be permitted except by Conditional Use through the procedures of
19 Section 303.

20 (f) Parking. No accessory parking shall be permitted for uses permitted under this
21 Section.

22 (g) Operating Hours. The hours during which the use is open to the public shall
23 be limited to the period between 6:00 a.m. and 10:00 p.m.

24 (h) Conditions. Any uses described above shall meet all of the following
25 conditions:

1 (1) The building shall be maintained in a sound and attractive condition,
2 consistent with the general appearance of the neighborhood;

3 (2) Any signs on the property shall comply with the requirements of Section
4 606 of this Code;

5 (3) Truck loading shall be limited in such a way as to avoid undue interference
6 with sidewalks, or with crosswalks, bus stops, hydrants and other public features;

7 (4) Noise, odors and other nuisance factors shall be adequately controlled;
8 and

9 (5) The use shall comply with all other applicable provisions of this Code.

10 (i) Street Frontage. In addition to the street frontage requirements of Section 144,
11 the following provisions of Section 145.1 shall apply to the street frontage dedicated to limited
12 commercial uses permitted by this section: active uses per Section 145.1(c)(3); transparency
13 and fenestration per Section 145.1(c)(6); and grates, railing, and grillework per Section
14 145.1(c)(7).

15 (j) Awnings. Awnings are permitted, subject to the standards in Section 136.1(a)
16 of this Code. Canopies and marquees are not permitted.

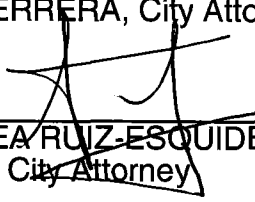
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18 Section 3. Effective Date. This ordinance shall become effective 30 days from the
19 date of passage.

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21 Section 4. This section is uncodified. In enacting this Ordinance, the Board intends to
22 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,
23 punctuation, charts, diagrams, or any other constituent part of the Planning Code that are
24 explicitly shown in this legislation as additions, deletions, Board amendment additions, and
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Board amendment deletions in accordance with the "Note" that appears under the official title of the legislation.

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

By: 
ANDREA RUIZ-ESQUIDE
Deputy City Attorney



City and County of San Francisco
Tails
Ordinance

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

File Number: 121033

Date Passed: November 06, 2012

Ordinance amending the San Francisco Planning Code Section 231 to allow for greater size and depth from the corner for limited commercial uses in the Residential Transit Oriented Mission (RTO-M) District; and making environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

October 22, 2012 Land Use and Economic Development Committee - DUPLICATED AND AMENDED

October 22, 2012 Land Use and Economic Development Committee - RECOMMENDED AS AMENDED

October 30, 2012 Board of Supervisors - PASSED ON FIRST READING

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

Excused: 1 - Chu

November 06, 2012 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 121033

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 11/6/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

11/14/12

Date Approved