

1 [Planning Code - Noriega, Irving, Taraval, and Judah NCDs; Conditional Use Authorization for
2 Bars, Liquor Stores, Personal Services, and Medical Cannabis Dispensaries Article 7
3 Reorganization; Technical and Other Amendments]

4 **Ordinance amending the Planning Code to require in the Noriega, Irving, Taraval, and**
5 **Judah Neighborhood Commercial Districts a Conditional Use authorization for Bars,**
6 **Liquor Stores, and Medical Cannabis Dispensaries on the first story and for Personal**
7 **Services on the second story; reorganize Article 7 and to update, correct, clarify, and**
8 **simplify Code language in other Planning Code Sections; requiring Conditional Use**
9 **authorization for Bars, and Liquor Stores on the first floor in the Noriega, Irving,**
10 **Taraval, and Judah Neighborhood Commercial Districts; enacting permanent controls**
11 **requiring Conditional Use authorization for Medical Cannabis Dispensaries in the**
12 **Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts; require**
13 **Conditional Use authorization for Personal Services on the second floor in the Noriega,**
14 **Irving, Taraval, and Judah Neighborhood Commercial Districts; prohibit Kennels, Large**
15 **Scale Urban Agriculture, Business Hours from 2 a.m. to 6 a.m., and the demolition or**
16 **merger of units on the second story and above in the North Beach Neighborhood**
17 **Commercial District; preserve the small storefronts, street frontage and prohibit**
18 **vehicular access on certain streets within the North Beach NCD and SUD; create the**
19 **definition of Special Food Manufacturing and amending the Eating and Drinking**
20 **Controls for the North Beach SUD; affirming the Planning Department's determination**
21 **under the California Environmental Quality Act; and making findings of consistency**
22 **with the General Plan, and the eight priority policies of Planning Code, Section 101.1,**
23 **and findings of public convenience, necessity, and welfare under Planning Code,**
24 **Section 302.**
25

1 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
2 **Additions to Codes** are in *single-underline italics Times New Roman font*.
3 **Deletions to Codes** are in ~~*italics Times New Roman font*~~.
4 **Board amendment additions** are in Arial font.
5 **Board amendment deletions** are in ~~Arial font~~.
6 **Asterisks (* * * *)** indicate the omission of unchanged Code
7 subsections or parts of tables.

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

9 Section 1. Findings.

10 (a) The Planning Department has determined that the actions contemplated in this
11 ordinance comply with the California Environmental Quality Act (California Public Resources
12 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
13 Supervisors in File No. 170466 and is incorporated herein by reference. The Board affirms
14 this determination.

15 (b) On February 2, 2017, the Planning Commission, in Resolution No. 19847,
16 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
17 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The
18 Board adopts these findings [OR, this determination] as its own. A copy of said Resolution
19 [OR determination] is on file with the Clerk of the Board of Supervisors in File No. 170466,
20 and is incorporated herein by reference.

21 Section 2. The Planning Code is hereby amended by revising Sections 739, 740, 741,
22 and 742, to read as follows:

23 **SEC. 739. NORIEGA STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

24 * * * *

**Table 739. NORIEGA STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES						
****	****	****	****			
<i>No.</i>	<i>Zoning Category</i>	<i>§ References</i>	<i>Noriega Street Controls by Story</i>			
		§ 790.118	<i>1st</i>	<i>2nd</i>	<i>3rd+</i>	
Retail Sales and Services						
739.40	Other Retail Sales and Services <i>[Not Listed Below]</i>	§ 790.102	P	P		
739.41	Bar	§ 790.22	<u>P C</u>			
****	****	****	****	****	****	****
739.45	Liquor Store	§ 790.55	<u>P C</u>			
****	****	****	****	****	****	****
739.52	Personal Service	§ 790.116	P	<u>P C</u>		
****	****	****	****	****	****	****
Institutions and Non-Retail Sales and Services						
****	****	****	****	****	****	****
739.84	Medical Cannabis Dispensary	§ 790.141	<u>P C</u> #			
****	****	****	****	****	****	****

SEC. 740. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

* * * *

**Table 740. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES						
****	****	****	****			
<i>No.</i>	<i>Zoning Category</i>	<i>§ References</i>	<i>Irving Street Controls by Story</i>			
		§ 790.118	<i>1st</i>	<i>2nd</i>	<i>3rd+</i>	
Retail Sales and Services						
740.40	Other Retail Sales and Services <i>[Not Listed Below]</i>	§ 790.102	P	P		
740.41	Bar	§ 790.22	<u>P C</u>			
****	****	****	****	****	****	****
740.45	Liquor Store	§ 790.55	<u>P C</u>			
****	****	****	****	****	****	****
740.52	Personal Service	§ 790.116	P	<u>P C</u>		
****	****	****	****	****	****	****
Institutions and Non-Retail Sales and Services						
****	****	****	****	****	****	****
740.84	Medical Cannabis Dispensary	§ 790.141	<u>P C</u> #			
****	****	****	****	****	****	****

SEC. 741. TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

* * * *

**Table 741. TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES						
****	****	****	****			
<i>No.</i>	<i>Zoning Category</i>	<i>§ References</i>	<i>Taraval Street Controls by Story</i>			
		§ 790.118	<i>1st</i>	<i>2nd</i>	<i>3rd+</i>	
Retail Sales and Services						
741.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P	P		
741.41	Bar	§ 790.22	<u>P C</u>			
****	****	****	****	****	****	
741.45	Liquor Store	§ 790.55	<u>P C</u>			
****	****	****	****	****	****	
741.52	Personal Service	§ 790.116	P	<u>P C</u>		
****	****	****	****	****	****	
Institutions and Non-Retail Sales and Services						
****	****	****	****	****	****	
741.84	Medical Cannabis Dispensary	§ 790.141	<u>P C</u> #			
****	****	****	****	****	****	

SEC. 742. JUDAH STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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1 **Table 742. JUDAH STREET NEIGHBORHOOD COMMERCIAL DISTRICT**
 2 **ZONING CONTROL TABLE**

3 * * * *

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES						
****	****	****	****			
No.	Zoning Category	§ References	Judah Street Controls by Story			
			1st	2nd	3rd+	
		§ 790.118				
Retail Sales and Services						
742.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P	P		
742.41	Bar	§ 790.22	<u>P C</u>			
****	****	****	****	****	****	****
742.45	Liquor Store	§ 790.55	<u>P C</u>			
****	****	****	****	****	****	****
742.52	Personal Service	§ 790.116	P	<u>P C</u>		
****	****	****	****	****	****	****
Institutions and Non-Retail Sales and Services						
****	****	****	****	****	****	****
742.84	Medical Cannabis Dispensary	§ 790.141	<u>P C#</u>			
****	****	****	****	****	****	****

21 Section 3. At its meeting of April 24, 2017, the Land Use and Transportation
 22 Committee of the Board of Supervisors duplicated the ordinance in File No. 170203, and
 23 amended the duplicate file to make the changes to the Noriega, Irving, Taraval, and Judah
 24 Neighborhood Commercial Districts as set forth in Section 2 of this ordinance. The remaining
 25

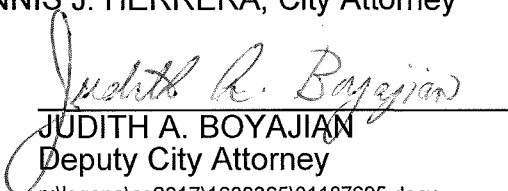
1 Sections of the Planning Code that the ordinance in File No. 170203 proposes to amend have
2 been removed from this duplicated ordinance.

3
4 Section 4. Effective Date. This ordinance shall become effective 30 days after
5 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
6 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
7 of Supervisors overrides the Mayor's veto of the ordinance.

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

15
16 APPROVED AS TO FORM:
17 DENNIS J. HERRERA, City Attorney

18 By:


19 JUDITH A. BOYAJIAN
Deputy City Attorney

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City and County of San Francisco
Tails
Ordinance

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

File Number: 170466

Date Passed: May 09, 2017

Ordinance amending the Planning Code to require in the Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts a Conditional Use authorization for Bars, Liquor Stores, and Medical Cannabis Dispensaries on the first story and for Personal Services on the second story; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

April 24, 2017 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

April 24, 2017 Land Use and Transportation Committee - RECOMMENDED AS AMENDED

May 02, 2017 Board of Supervisors - PASSED ON FIRST READING

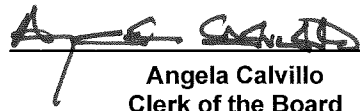
Ayes: 10 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy and Tang
Excused: 1 - Yee

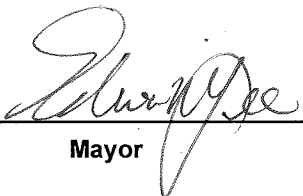
May 09, 2017 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

File No. 170466

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 5/9/2017 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board


Mayor

5/19/2017
Date Approved