



# SAN FRANCISCO PLANNING DEPARTMENT

## New Planning Code Amendment Active Use on Certain Fillmore & Upper Market Properties

**Case Number:** Board File No. 11-0010/ Ord. No 62-11

**Initiated by:** Supervisor Mirkarimi

**Effective Date:** May 7, 2011

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### The Way It Was:

Planning Code Section 145.4 requires "active commercial uses," to be on the ground floor of properties of certain commercial streets. This Section has an extensive list of "active uses" as defined in Article 7 and 8 and further requires that these uses:

- (1) Shall not include uses oriented to motor vehicles except for automobile sale or rental where curb-cuts, garage doors, or loading access are not utilized or proposed, and such sales or rental activity is entirely within an enclosed building and does not encroach on surrounding sidewalks or open spaces;
- (2) Shall include public uses except for utility installations; and
- (3) Shall not include residential care uses as defined in Sections 790.50, 790.51, and 890.50.

### The Way It Is Now:

This Ordinance adds the Upper Market Neighborhood Commercial District and Fillmore Street in the NC-3 District from Bush Street to McAllister Street to the list of commercial streets that Section 145.4 applies to. It also amends Table 145.4 to add Outdoor Activity Areas and Self-Service Specialty Foods to the list of active commercial uses.

The link to signed legislation:

Board File No.	Ord. No.	Planning Code Amendment
110010	<a href="#">0062-11</a>	Active Use on Certain Fillmore & Upper Market Properties
		<a href="http://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances11/o0062-11.pdf">http://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances11/o0062-11.pdf</a>