



SAN FRANCISCO PLANNING DEPARTMENT

New Planning Code Summary: Permit Review Procedures and Zoning Controls – Neighborhood Commercial Districts in Supervisorial Districts 4 and 11

Amended Sections: 311/312, 710, 711, 720, 731, 732, 733, 734
Case Number: 2018-007346PCA
Board File/Enactment #: 180482/199-18
Initiated by: Supervisors Tang and Safai
Effective Date: September 9, 2018

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The Ordinance amended the Planning Code to exempt certain uses from public notice and requests for Discretionary Review in the Neighborhood Commercial Districts in Supervisorial Districts 4 and 11. The Ordinance also modified zoning controls for certain uses in Supervisorial Districts 4 and 11.

The Way It Was:

1. In Supervisorial Districts 4 and 11 the following uses were subject to Planning Code Section 312 notification: Adult Business, Bar, Cannabis Retail, General Entertainment, Group Housing, Limited Restaurant, Liquor Store, Massage Establishment, Medical Cannabis Dispensary, Nighttime Entertainment, Outdoor Activity Area, Post-Secondary Educational Institution, Private Community Facility, Public Community Facility, Religious Institution, Restaurant, Residential Care Facility, School, Tobacco Paraphernalia Establishment, Trade School.
2. In the Neighborhood Commercial Cluster (NC-1) Districts in Supervisorial District 4, Arts Activities uses were not permitted at any story; Bar uses were principally permitted at the first story if they are located more than one-fourth mile from any NC District or Restricted Use Subdistrict with more restrictive controls; and Liquor Store uses are principally permitted at the first story. (*See Exhibit A for Summary Chart*)
3. In the Small-Scale Neighborhood Commercial (NC-2) Districts in Supervisorial District 4, Arts Activities uses were not permitted at any story; Bar uses were principally permitted at the first story; Liquor Store uses were principally permitted at the first story; and Foot/Chair Massage uses were principally permitted at the first story. (*See Exhibit A for Summary Chart*)
4. In the Excelsior Outer Mission Street Neighborhood Commercial District, Arts Activities were prohibited at all stories; Passive Outdoor Recreation uses required Conditional Use authorization at all stories; Community Facility uses, Job

Training uses, Philanthropic Facility uses, Private Community Facility uses, Religious Institution uses, and Social Service uses were principally permitted at all stories; Animal Hospital uses were allowed at the first and second stories with Conditional Use authorization and prohibited at the third story; Foot/Chair Massage uses were principally permitted at the first story, allowed with Conditional Use authorization at the second story and prohibited at the third story and above; Restaurant uses were prohibited at the third story and above; Limited Financial Services were principally permitted at the first and second stories and prohibited at the third story and above; and Personal Service uses operating as a salon and/or providing cosmetic services were principally permitted at all stories. *(See Exhibit A for Summary Chart)*

5. In the Noriega Street, Irving Street, Taraval Street, and Judah Street Neighborhood Commercial Districts Foot/Chair Massage were principally permitted at the first story.

The Way It Is Now:

1. In Supervisorial Districts 4 and 11 the following uses are exempted from Planning Code Section 312 notification for a period of 24 months after the effective date of the Ordinance:
 - a. Bar
 - b. General Entertainment
 - c. Limited Restaurant
 - d. Liquor Store
 - e. Massage Establishment
 - f. Nighttime Entertainment
 - g. Outdoor Activity Area
 - h. Private Community Facility
 - i. Public Community Facility
 - j. Restaurant
 - k. Tobacco Paraphernalia Establishments
2. In the Neighborhood Commercial Cluster (NC-1) Districts in Supervisorial District 4, Arts Activities uses are now principally permitted at the first story and require Conditional Use authorization at the second story and above; Bar uses require Conditional Use authorization at the first story; and Liquor Store uses require Conditional Use authorization at the first story. *(See Exhibit A for Summary Chart).*
3. In the Small-Scale Neighborhood Commercial (NC-2) Districts in Supervisorial District 4, Arts Activities are principally permitted at the first story and require

Conditional Use authorization at the second story and above; Bars require Conditional Use authorization at the first story; Liquor Store uses require Conditional Use authorization at the first story; and Foot/Chair Massage uses require Conditional Use authorization at the first story. (See Exhibit A for Summary Chart).

4. In the Excelsior Outer Mission Street Neighborhood Commercial District, Arts Activities and Passive Outdoor Recreation uses are principally permitted at all stories; Community Facility uses, Private Community Facility uses and Religious Institution uses require Conditional Use authorization at all stories; Job Training uses, Philanthropic Facility uses and Social Service uses are prohibited at the first story and principally permitted at the second story and above; Animal Hospital uses are principally permitted at the first and second stories; Foot/Chair Massage are allowed with Conditional Use authorization at all stories; Restaurant uses are principally permitted at all stories; Limited Financial Services are allowed with Conditional Use authorization at all stories; and Personal Service uses operating as a salon and/or providing cosmetic services require Conditional Use authorization at all stories. (See Exhibit A for Summary Chart).
5. In the Noriega Street, Irving Street, Taraval Street, and Judah Street Neighborhood Commercial Districts Foot/Chair Massage require Conditional Use authorization at the first story.

Link to Signed Legislation:

<https://sfgov.legistar.com/View.ashx?M=F&ID=6440745&GUID=A410B906-5D94-42A7-A094-8B3AAFDD8FB8>

**EXHIBIT A:
SUMMARY CHARTS**

THE WAY IT WAS

NC-1

Controls by Story

| Zoning Category | 1st | 2nd | 3rd+ |
|-----------------|-----|-----|------|
| Arts Activities | NP | NP | NP |
| Bar | P | NP | NP |
| Liquor Store | P | NP | NP |

NC-2

Controls by Story

| Zoning Category | 1st | 2nd | 3rd+ |
|--------------------|-----|-----|------|
| Arts Activities | NP | NP | NP |
| Bar | P | NP | NP |
| Liquor Store | P | NP | NP |
| Foot/Chair Massage | P | NP | NP |

Excelsior Outer Mission NCD

Controls by Story

| Zoning Category | 1st | 2nd | 3rd+ |
|---|-----|-----|------|
| Arts Activities | NP | NP | NP |
| Passive Outdoor Recreation | C | C | C |
| Community Facility | P | P | P |
| Job Training | P | P | P |
| Philanthropic Facility | P | P | P |
| Private Community Facility | P | P | P |
| Religious Institution | P | P | P |
| Social Service | P | P | P |
| Animal Hospital | C | C | NP |
| Foot/Chair Massage | P | C | NP |
| Restaurant | P | P | NP |
| Services, Limited Financial | P | P | NP |
| Services, Personal (salon, cosmetic services) | P | P | P |

Noriega Street NCD

Controls by Story

| Zoning Category | 1st | 2nd | 3rd+ |
|--------------------|-----|-----|------|
| Foot/Chair Massage | P | NP | NP |

Irving Street NCD

Controls by Story

| Zoning Category | 1st | 2nd | 3rd+ |
|--------------------|-----|-----|------|
| Foot/Chair Massage | P | NP | NP |

Taraval Street NCD

Controls by Story

| Zoning Category | 1st | 2nd | 3rd+ |
|--------------------|-----|-----|------|
| Foot/Chair Massage | P | NP | NP |

Judah Street NCD

Controls by Story

| Zoning Category | 1st | 2nd | 3rd+ |
|--------------------|-----|-----|------|
| Foot/Chair Massage | P | NP | NP |

THE WAY IT IS

NC-1 in Supervisorial District 4

Controls by Story

| Zoning Category | 1st | 2nd | 3rd+ |
|-----------------|-----|-----|------|
| Arts Activities | P | C | C |
| Bar | C | NP | NP |
| Liquor Store | C | NP | NP |

NC-2 in Supervisorial District 4

Controls by Story

| Zoning Category | 1st | 2nd | 3rd+ |
|--------------------|-----|-----|------|
| Arts Activities | P | C | C |
| Bar | C | NP | NP |
| Liquor Store | C | NP | NP |
| Foot/Chair Massage | C | NP | NP |

Excelsior Outer Mission NCD

Controls by Story

| Zoning Category | 1st | 2nd | 3rd+ |
|---|-----|-----|------|
| Arts Activities | P | P | P |
| Passive Outdoor Recreation | P | P | P |
| Community Facility | C | C | C |
| Job Training | NP | P | P |
| Philanthropic Facility | NP | P | P |
| Private Community Facility | C | C | C |
| Religious Institution | C | C | C |
| Social Service | NP | P | P |
| Animal Hospital | P | P | NP |
| Foot/Chair Massage | C | C | C |
| Restaurant | P | P | P |
| Services, Limited Financial | C | C | C |
| Services, Personal (salon, cosmetic services) | C | C | C |

Noriega Street NCD

Controls by Story

| Zoning Category | 1st | 2nd | 3rd+ |
|--------------------|-----|-----|------|
| Foot/Chair Massage | C | NP | NP |

Irving Street NCD

Controls by Story

| Zoning Category | 1st | 2nd | 3rd+ |
|--------------------|-----|-----|------|
| Foot/Chair Massage | C | NP | NP |

Taraval Street NCD

Controls by Story

| Zoning Category | 1st | 2nd | 3rd+ |
|--------------------|-----|-----|------|
| Foot/Chair Massage | C | NP | NP |

Judah Street NCD

Controls by Story

| Zoning Category | 1st | 2nd | 3rd+ |
|--------------------|-----|-----|------|
| Foot/Chair Massage | C | NP | NP |