

New Planning Code Summary

The Divisadero Street Neighborhood Commercial District.

Amended Sections: 746, 783, 135A, 151.1, 201

Case Number: Board File No. 120796/ Enactment No 227-14

Legislative Sponsor: Supervisor Breed

Effective Date: December 7, 2014

The Way It Was:

1. Properties along Divisadero from Haight to O'Farrell were zoned Neighborhood Commercial, Small-Scale (NC-2).
2. Bars, Restaurants, Limited-Restaurants, Movie Theaters, Other Entertainment, and Trade Shops are prohibited on the second floor, which is standard in most NC-2 and named Neighborhood Commercial Districts. Philanthropic Administrative Services are not permitted in the NC-2 zoning district.
3. NC-2 Districts have minimum parking controls that are outlined in Planning Code Section 151.
4. The Divisadero Street Alcohol Restricted Use District encompasses the NC-2 parcels on Divisadero Street between Haight and O'Farrell Streets. It restricts new Liquor Store uses, establishes certain "good neighbor" policies for liquor stores within the district, and establishes certain limitations on the sorts of alcoholic beverages that may be sold by existing liquor stores.
5. The Alcohol Restricted Use District is within the Fringe Financial Services Special Use District, which prohibits Fringe Financial Services (aka check cashing or pay day loan businesses) within $\frac{1}{4}$ of a mile of the district.
6. Two block of Divisadero Street from Haight to Oak that are zoned 40-X, and are not permitted to have a 5 foot height bonus for a taller ground floor. The rest of the blocks in this area are zoned 65-X and are therefore not eligible for the 5' height bonus.

The Way It Is Now:

1. Properties that front on Divisadero from Haight to O'Farrell Street are now zoned as the Divisadero Street Neighborhood Commercial District.
2. Bars, Restaurants, Limited-Restaurants, Movie Theaters, Other Entertainment, Philanthropic Administrative Services and Trade Shops are now permitted on the second floor of buildings with no immediately prior residential use.
3. The Divisadero Street NCD has maximum parking controls per Section 151.1 of the Planning Code.
4. The Divisadero Street Alcohol Street Restricted Use District has been removed, but the new Divisadero Street NCD prohibits new liquor stores.

5. The prohibition on Fringe Financial Services in the proposed Divisadero Street NCD is still in effect.
6. Properties zoned 40-X along Divisadero Street (Haight to Oak) are now permitted to have a 5' height bonus for a taller ground floor. The rest of the blocks are zoned 65-X and are not impacted by this provision.

The link to signed legislation:

<https://sfgov.legistar.com/View.ashx?M=F&ID=3377432&GUID=C9B58695-E496-4332-AFD2-0CBED03A43E5>