



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Planning Code Text Amendment

HEARING DATE: OCTOBER 19, 2017  
90- DAY EXPIRATION DATE: JANUARY 1, 2018

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*Project Name:* **Cannabis Regulations**  
*Case Number:* **2017-010365PCA** [Board File No. 171041]  
*Initiated by:* Mayor Lee and Supervisor Sheehy/ Re-Introduced October 3, 2017  
*Staff Contact:* Aaron Starr, Manager of Legislative Affairs  
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*Recommendation:* **Approval with Modifications**

### PLANNING CODE AMENDMENT

Ordinance amending the Planning Code to 1) establish regulations for land uses associated with the adult use (i.e. nonmedical) cannabis industry, including Cannabis Retailers, cannabis delivery services, manufacture of cannabis products, cannabis cultivation, and cannabis testing; 2) modify existing regulations for Medical Cannabis Dispensaries to allow them in additional locations throughout the City; and 3) establish a process for the conversion of existing Medical Cannabis Dispensaries to Cannabis Retail establishments.

#### The Way It Is Now:

1. San Francisco Department of Public Health oversees the licensing and operations of Medical Cannabis Dispensaries (MCDs).
2. MCDs are currently prohibited in PDR, Eastern Neighborhoods Mixed Use, and South of Market Mixed-Use zoning districts; the Japantown, Pacific Avenue, and Folsom Street Neighborhood Commercial Districts (NCDs); and the Regional Commercial District.
3. In most Neighborhood Commercial Transit (NCT) Districts and NCDs, MCDs are allowed on the first floor subject to Mandatory Discretionary Review or Conditional Use (CU) authorization, depending on the zoning district; however, they are generally not allowed on the second floor.
4. MCDs must be located more than a 1,000 from a school or a youth-serving Public or Community Facility.
5. City law is silent on the retail sale of non-medical cannabis.
6. City law is silent on the commercial growing, manufacture, testing, or distribution of cannabis.
7. The Planning Code does not have a provision that allows for the conversion of MCD to a facility that sells adult use cannabis.
8. MCDs are not subject to Formula Retail Controls, but they are subject transparency requirements.
9. There is a limit of three MCDs in Supervisorial District 11.

**The Way It Would Be:**

1. The newly formed Office of Cannabis would regulate the cannabis industry in San Francisco, including MCDs and adult use cannabis facilities, by issuing licenses and setting operating conditions specific to the cannabis industry. The Department of Public Health would still perform its inspection and regulatory functions outside of licensing and the operating conditions of cannabis facilities.
2. MCDs would now be allowed in PDR, Eastern Neighborhoods Mixed Use, South of Market Mixed-Use zoning districts; the Japantown, Pacific Avenue, and Folsom Street NCDs; and the Regional Commercial District. In PDR Districts, MCDs would be subject to the size limits for other retail uses.
3. MCDs would be allowed on both the first and second floor in NC Districts, subject to either Mandatory Discretionary Review or CU authorization, deepening on what the current regulations are for the subject zoning district.
4. The 1000 foot buffer around sensitive uses would be reduced to 600 feet, which is the state standard. In addition, the definition of sensitive uses would be revised to only include Schools; however other sensitive uses would be considered as part of conditional use findings.
5. A new land use definition would be created, Cannabis Retail, which would allow the retail sale of cannabis and cannabis-related products for adult use, and may also include the sale or provision of cannabis for medicinal use and on-site consumption. Cannabis Retail establishments would be prohibited within 600 feet of a School (as defined by the Planning Code), and would not be permitted within 300 feet of another Cannabis Retail or MCD. Cannabis Retailers would be allowed as follows:
  - a. Residential (RH, RM, RTO) Districts: Prohibited.
  - b. Industrial (PDR) Districts: Allowed only in conjunction with a State Microbusiness License; 2/3 of the premises must be dedicated to cannabis-related PDR.
  - c. Neighborhood Commercial (NC) & Chinatown Districts: Allowed on 2nd floor and below with Conditional Use ("CU") excepting (1) a prohibition in the NC-1 and NCT-1 Districts and (2) a prohibition above the ground floor in the CR-NC District.
  - d. Residential-Commercial (RC) Districts: Permitted as of right on the ground floor; CU required above the ground floor.
  - e. Eastern Neighborhoods Districts: Neighborhood notice required, except that CU required in SPD and MUG Districts.
  - f. Community Business (C-2), Downtown (C-3; DTR) and SoMa Districts: Permitted as of right.
6. Existing PDR land uses would be amended to explicitly allow for cannabis related activity. In addition, Neighborhood Agriculture and Large Scale Urban Agriculture definitions would be amended to explicitly prohibit the growing of cannabis for commercial or personal use. Uses that would be amended to include cannabis commercial activity are as follows:
  - a. Industrial Agriculture (currently named Greenhouse) for the growing of cannabis. This use requires that cannabis be grown inside and limits the overall canopy to 22,000 sq. ft.
  - b. Light Manufacturing for the manufacturing of cannabis produced without the use of volatile organic compounds (State License Type 6);
  - c. Agricultural and Beverage Processing 2 for the manufacture of cannabis products using volatile organic compounds (State License Type 7);
  - d. Wholesale for the wholesale distribution of cannabis products (State License Type 11);
  - e. Laboratory for the testing of cannabis and cannabis products (State License Type 8);

- f. Parcel Delivery Service for retail cannabis delivery where there is no on site cannabis retail.
7. Section 190 would be added to the Planning Code, which would allow existing MCDs to convert to Cannabis Retail with only a change of use application. Also, existing MCDs that wish to convert to sell adult use cannabis would not be subject to the location restrictions for Cannabis Retail.
8. MCDs and Cannabis Retail would be subject to Formula Retail Controls and transparency requirements.
9. The limit on three MCDs in Supervisor District 11 would be removed from the Code.

## **BACKGROUND**

On October 9, 2015, Governor Brown signed into law the Medical Marijuana Regulation and Safety Act ("MMRSA"), effective January 1, 2016, which established a comprehensive state licensing and regulatory framework for the cultivation, manufacturing, testing, distribution, transportation, dispensing, and delivery of medicinal cannabis, and which recognized the authority of local jurisdictions to prohibit or impose additional restrictions on commercial activities relating to medicinal cannabis. MMRSA was later renamed the Medical Cannabis Regulation and Safety Act ("MCRSA").

On November 8, 2016, the voters of California approved Proposition 64, the Control, Regulate, and Tax Adult Use of Marijuana Act (AUMA), which decriminalized the nonmedicinal use of cannabis by adults 21 years of age and older, created a state regulatory, licensing, and taxation system for non-medicinal cannabis businesses, and reduced penalties for marijuana-related crimes. San Franciscans overwhelmingly approved of legalized adult use cannabis with 74.3% voting yes on Proposition 64.

On November 9, 2016, the Mayor issued Executive Directive 16-05, "Implementing Prop 64: Adult Use of Marijuana Act," directing the Department of Public Health and the Planning Department, in consultation with other departments, to move forward with legislation for the Board of Supervisors' consideration that would address land use, licensing, safety, and youth access issues related to adult use cannabis under Proposition 64. Pursuant to that Executive Directive, the City developed this comprehensive legislation that will establish a complete regulatory framework for a broad range of cannabis businesses, and that will identify where, and under what conditions, they may operate.

On June 27, 2017, Governor Brown signed into law the Medicinal and Adult-Use Cannabis Regulations and Safety Act (MAUCRSA), which reconciled MCRSA and Proposition 64, and established a unified state regulatory scheme for commercial activities relating to both medicinal and adult use cannabis. Under MAUCRSA, businesses that engage in commercial cannabis activities will be required to obtain a state cannabis license and comply with strict operating conditions. MAUCRSA requires that state agencies begin issuing state cannabis business licenses by January 1, 2018. Under MAUCRSA, local jurisdictions may adopt and enforce ordinances to further regulate cannabis businesses, including but not limited to zoning and permitting requirements.

## **ISSUES AND CONSIDERATIONS**

### **Office of Cannabis**

The Administrative Code establishes an Office of Cannabis (OOC) under the direction of the City Administrator, and authorizes the Director of the OOC to issue permits to cannabis-related businesses, and to collect permit application and annual license fees following the enactment of a subsequent ordinance establishing the amounts of those fees. The new office is responsible for developing and managing a permitting process for all cannabis-related businesses, dealing with complaints, providing policy analysis and development, and serving as a single point of contact for businesses, the public and state regulators. The offices' budget for its first fiscal year is \$700,000, which would include three positions and \$225,000 for web site development, public outreach and overhead. The office is expected to recover at least some of its expenses through permitting fees.

### **First Year of Adult Use Cannabis Sales**

During 2018, only social equity applicants and businesses that have been operating in San Francisco prior to September of 2017 will qualify for a license from the OOC. Further, no permit will be issued until the City establishes an equity program. To that end, the City is in the process of developing an equity program that prioritizes communities that have been unfairly targeted by the war on drugs so that they can be the first to take advantage of legalization. A social equity report on which the equity program will be developed is expected on November 1 of this year.

There are around 40 approved MCDs in the city, all of which will be eligible to convert to Cannabis Retail the first year if they submit an application to the Planning Department prior to June 30, 2018. The number of non-retail uses operating in the City right now is harder to account for. Some businesses have already received planning approval for their operations, but are not registered as cannabis businesses. To ensure that the City captures all existing non-retail businesses, the OOC has opened up a registration process for existing non-retail businesses – those operating both with and without benefit or permit - which closes in late November. Only those non-retail businesses that have registered would be eligible for a license to operate in 2018.

### **Non-Retail Cannabis-related Uses**

San Francisco already has a very robust regulatory structure for Production, Distribution and Repair (PDR) uses, which were minimally amended in the proposed ordinance to explicitly include cannabis related activities. A chart showing what uses are allowed in the various zoning districts is included in Exhibit C. The Ordinance also restricts cannabis cultivation to state license types that allow for indoor and/or mixed-light cultivation with up to 22,000 sq. ft. of canopy. This provision basically limits cannabis growing to indoor facilities and to medium size growing operation per the State's licensing categories.

### **Cannabis Retail**

The proposed ordinance creates a new Retail Sales and Service use called Cannabis Retail, which allows for the sale of cannabis and cannabis-related products for adult use, and that may also include the sale of cannabis for medicinal use. The definition allows for cannabis to be consumed on-site; however only upon the authorization by the City's Office of Cannabis and Department of Public Health. Cannabis Retail is also included in the list of uses considered to be Formula Retail and Cannabis Retail will also be subject to the Planning Code's transparency requirements. The ordinance prohibits Cannabis Retail from being established within 600 of a School, and within 300 feet of an existing MCD or another Cannabis Retail establishment.

### Future of MCDs

The question of whether or not to keep the MCD land use definition in the Planning Code was internally debated and fully considered by Planning Staff. Staff wanted to balance the desire to avoid over complicating the land use categories for retail cannabis, while at the same time acknowledging that MCDs had the potential to persist as a discrete land use with unique – and likely less notable – externalities. The current legislative proposal maintains the separate land use category for medical cannabis at least until the City has a better understanding of how the cannabis industry will take shape. Staff's main reasons for maintaining the MCD definition include:

1. **Clear Conversion Process:** Keeping two distinct land uses provides a clear path for existing MCDs to convert to Cannabis Retail. If we do not keep MCDs as a separate land use, it's not clear how we could control for the conversion from an MCD to a Cannabis Retail use. Nor is it clear how we would treat those that decide not to convert to Cannabis Retail. The problem isn't insurmountable, but maintaining the MCD definition makes the conversion process more straightforward and easier to implement.
2. **Less Impactful Use:** Starting January 1, 2018, the rules for doctors that recommend cannabis will change in three significant ways: 1) The doctor recommending cannabis must be the patient's attending physician; 2) the doctor recommending cannabis cannot have a financial interest in a dispensary or be an employee of a dispensary; and 3) the doctor recommending cannabis has to perform a proper examination before recommending cannabis, lest issuance of the recommendation be deemed unprofessional conduct. Further, the law also has a provision directing the Medical Board of California to consult with the California Marijuana Research Program in order to develop and adopt medical guidelines for the appropriate administration and use of medical cannabis. Presumably, when these guidelines are adopted there will be a set list of medical conditions for which doctors can recommend cannabis. These changes are highly likely to significantly reduce the number of customers for conventional medical-only establishments, making them a less intensive land use. Cannabis Retail, on the other hand, will not only be used by medical users, but also by a range of adult users, both locals and tourists. Further, since Medical Cannabis Dispensaries are likely to be a less impactful land use, a less rigorous approval process was felt to be appropriate.
3. **Medical Cannabis Community.** An ongoing dialogue with those involved in the cannabis community, including through the City's Cannabis Legalization Task Force, suggests a desire to maintain the San Francisco's leading medical cannabis industry and culture. Local MCDs employ experts familiar with what types of cannabis are best for various ailments, have compassionate care programs that provide free cannabis to lower income patients, and provide cannabis products more oriented toward the medical market than the adult use market.
4. **The Unknown:** It is far from clear as to what the adult use cannabis market will look like and how it will impact the medical cannabis industry, or to fully understand its future interaction with our neighborhoods. Keeping the medical use allows the City to take a more measured approach. If, in a few years, it turns out that we no longer need a separate land use category, then the City can reexamine the need for two definitions.

### **“Buffering” Alternatives**

At the September 26, 2017 informational hearing, some Commissioners expressed a dissatisfaction with the proposed 300' minimum distance between various retail cannabis uses. In response, Staff has developed the following three alternatives to the proposed 300 foot buffering provision in the proposed ordinance:

**The “District Concentration” Option.** Rather than requiring a 300 foot radius around existing Cannabis Retail and MCDs, this option would examine the overall concentration of Cannabis Retailers and MCDs within a given Neighborhood Commercial District when deciding whether or not a new establishment should move forward. This option is similar to how the Department examines Restaurant and Formula Retail concentration; however those two options only look at the immediate 300 foot radius or ¼ mile radius to determine concentration, not the entire Neighborhood Commercial District.

For Restaurants, the concentration is not allowed to exceed 25 percent of the total commercial frontage within 300' of the subject property (and also located within the same zoning district). For Formal Retail, no specific concentration limit is established in the Code. The Department's review includes all parcels that are wholly or partially located within the 300-foot radius or quarter-mile radius. For each property, the total linear frontage of the lot facing a public right-of-way is divided by the number of storefronts. Those numbers are then used to calculate the percentage of the total linear frontage for Formula Retail and non-Formula Retail uses within the immediate area.

Staff has some concerns with this approach, the first being: What is the appropriate percentage for a neighborhood commercial district? The second is implementation. Some districts are very large (e.g. several miles long), while others are fairly small, encompassing only a few blocks. Evaluating the composition of an entire NCD every time there is a proposed MCD or Cannabis Retailer will require a significant amount of time and efforts – not just for City Staff but also for prospective applicants and concerned members of the public. Further, while the City's Zoning Maps present clear boundaries for neighborhood commercial district, members of the public fairly perceive neighborhoods to be less rigid and unencumbered by seemingly arbitrary lines on a map. It would also be difficult to apply to those zoning district that do not require CU authorization for cannabis businesses since this approach would require a level of analysis not typical for as-of-right permits.

**The “Clustering-As-Finding” Option.** This option would remove the mandatory buffering in neighborhoods that require CU authorization, and instead make the 300' buffer a finding as part of the CU evaluation process. In neighborhoods that do not require CU authorization, a retail cannabis business would be principally permitted unless it was within 300 feet of another retail cannabis business, in which case CU would be required. This option provides more flexibility for retail cannabis business in neighborhoods where CU authorization is required, and also helps ensure that neighborhoods where retail cannabis business are permitted as-of-right don't become over-concentrated. It's also fairly straightforward to implement. This criterion would be weighed against existing CU criteria in the Code along with other new CU criteria established by this ordinance.

**The “Orbit” Option.** This option would establish a more general, yet easily understood clustering rule, by allowing a new retail cannabis business only if there were no more than two other existing retail cannabis businesses within a 1,000 foot radius of the proposed site. In other

words, a maximum of three retail cannabis businesses would be permitted within a 1,000 foot radius. Two variants of this option exist, either (1) a “hard cap” that would prohibit more than three retail cannabis establishments within 1,000 feet or (2) a “soft cap” that would trigger CU, with clustering as a finding, if that trigger was met. As above, this latter option allows for more flexibility, while the former is a clearer bright-line regulation. The Orbit Option – or either variant – could theoretically be applied citywide or in certain Zoning Districts. The 1,000 foot radius and number of cannabis retailer could also be adjusted based on further analysis and research.

### **On-site Consumption**

At the September 26, 2017 informational hearing, some Commissioners expressed an interest in allowing at-least some level of on-site adult use cannabis consumption at Cannabis Retailers.

On-site consumption can include, but is not limited to, applying salves or balms, vaporizing or smoking the cannabis flower, or ingesting edibles made with cannabis extracts. As currently written, The Planning Code allows Cannabis Retailer and MCDs to have on-site consumption so long as they get authorization from the OOC and Department of Public Health, as applicable.

Currently, there are eight MCDs in the City that allow on-site vaporizing or smoking. The proposed Ordinance would limit onsite vaporizing or smoking to those eight existing MCDs, and should those MCDs convert to Cannabis Retail they would forfeit their permit to have on-site vaporizing or smoking. The intention, based on the Department of Public Health’s highly successful anti-tobacco campaign, is to maintain indoor air quality for the health of the establishment’s employees and customers. A concern has also been expressed regarding mixed messages with regards to smoking tobacco and smoking cannabis by allowing later, but prohibiting the former.

Department Staff has significant concerns that if the City fails to allow at least some on-site vaporizing or smoking, patrons will undoubtedly vaporize and smoke cannabis on streets, sidewalks, parks, plazas, and other public places. In these places, it is not only prohibited by state law, but where the likelihood of youth exposure to cannabis is dramatically higher. While the Department understands concerns about sending mixed messages, tobacco and cannabis are not analogous. One can smoke tobacco on the sidewalk if you are walking and at the curb if one is not. One can also smoke tobacco in a car, on an outdoor patio at a bar, and at various other places. However, state law categorically prohibits the smoking cannabis in public, leaving no place to consume the product legally for those who are not able to smoke cannabis within their home or for tourists. It is instructional to note that the city of Denver did not provide for a place to consume via smoking or vaporizing and subsequently amended their laws to allow for consumption areas upon an increase in unwanted public smoking of cannabis. Department Staff is concerned that not allowing on-site vaporizing or smoking will lead to the same issues that Denver experienced, and result in more people smoking cannabis in places that will impact a greater number of individuals, particularly youth.

### **Accessory Use Provisions**

The Planning Code allows for the accessory sale of cannabis products contingent upon the approval or the OOC; however accessory level sales are not contemplated to be allowed in the first few years of adult use cannabis sales. The Planning Department believes that allowing accessory level sales will reduce the need for cannabis-only businesses thought the city, and helps to normalize the sale of cannabis along the same lines as alcohol and tobacco sales. It also provides a way for small existing business that many not

have the funds to invest in an entirely new enterprise to benefit from this emerging industry. However, accessory cannabis sales are currently impractical both due to (1) the State's prohibition on the sale of alcohol and/or tobacco along with cannabis at the same premises and (2) the absence of nuanced controls necessary to ensure the sale of adult use cannabis as a genuinely subordinate and incidental accessory. The state prohibits cannabis sales in stores that also sell alcohol or tobacco, and requires that the premises be only open to adults 21 years or older.

## **RECOMMENDATION**

The Department recommends that the Commission *approve* the proposed Ordinance and adopt the attached Draft Resolution to that effect. Should the Commission wish to seek amendments to the proposed Ordinance, the foregoing discussion is intended to provide useful options to do so.

## **BASIS FOR RECOMMENDATION**

The Planning Department supports the proposed ordinance because it provides a strong and fair regulatory framework for non-retail and retail adult use cannabis sales, and the supporting PDR activities in San Francisco. The ordinance uses well established land use categories to regulate PDR activities, avoiding extra regulations on cannabis PDR uses. The proposed separation from sensitive uses and from other retail cannabis uses for new retail cannabis operations significantly increases the areas of the city that are allowed to have retail cannabis sales, while also directly and indirectly addressing concerns regarding overconcentration in certain neighborhoods.

## **REQUIRED COMMISSION ACTION**

The proposed Ordinance is before the Commission so that it may recommend adoption, rejection, or adoption with modifications to the Board of Supervisors.

## **IMPLEMENTATION**

The Department has determined that this Ordinance will impact our current implementation procedures; however the proposed changes can be implemented without increasing permit costs or review time.

## **ENVIRONMENTAL REVIEW**

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

## **PUBLIC COMMENT**

The Planning Department has participated in hearings at the Small Business Commission, and the Health Commission. It has also been involved with various outreach meetings including meetings with the cannabis growers and manufacturer, and existing MCD operators. The Small Business Commission has not officially taken an action on the proposed ordinance, but was generally in support of the proposed



ordinance and appreciated the 300 foot buffering provision. The Health Commission has also not taken an official action on the ordinance, but expressed concern about allowing on-site consumption. It was also concerned that the proximity to mental health clinics to future retail cannabis operations, or the saturation of alcohol and tobacco establishments wasn't given consideration in the land use evaluation process. Members of the cannabis industry have indicated that they would like an easier path for conversion of existing MCD to Cannabis Retail, and to allow all existing MCD applicants the ability to obtain a license to operate from the OOC in 2018. As of the date of this report, the Department has not received a letter from the industry outlining their concerns over the proposed ordinance; however, we expect that one will come prior to the Planning Commission hearing.

<b>RECOMMENDATION:</b>	<b>Approve the proposed Ordinance.</b>
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**Attachments:**

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: Board of Supervisors File No. 171041
- Exhibit C: Matrix for Non-Retail Cannabis controls.
- Exhibit D: Map showing the existing and proposed "Green Zone"
- Exhibit E: Map showing the approval process for Cannabis Retail



Exhibit A

# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Resolution

HEARING DATE OCTOBER 19, 2017

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*Reviewed by:* Daniel A. Sider, AICP; Senior Advisor for Special Projects  
[dan.sider@sfgov.org](mailto:dan.sider@sfgov.org); (415) 558-6697  
*Recommendation:* **Approval**

**APPROVING THE PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO 1) REGULATE CANNABIS LAND USES, INCLUDING, AMONG OTHER THINGS, ADULT USE CANNABIS RETAIL, MEDICAL CANNABIS DISPENSARIES, DELIVERY-ONLY SERVICES, MANUFACTURE OF CANNABIS PRODUCTS, CANNABIS CULTIVATION, AND CANNABIS TESTING; 2) ALLOW MEDICAL CANNABIS DISPENSARIES IN ADDITIONAL ZONING DISTRICTS; 3) ESTABLISH A LAND USE PROCESS FOR THE CONVERSION OF EXISTING MEDICAL CANNABIS DISPENSARIES TO CANNABIS RETAIL ESTABLISHMENTS; 4) ESTABLISH LOCATION AND OPERATING CONDITIONS FOR CANNABIS USES; 5) REPEAL ORDINANCE NO. 186-17, WHICH LIMITED THE NUMBER OF MEDICAL CANNABIS DISPENSARIES IN SUPERVISORIAL DISTRICT 11; AND 6) DELETE SUPERSEDED PLANNING CODE PROVISIONS; 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 PUBLIC NECESSITY, CONVENIENCE, AND WELFARE FINDINGS PURSUANT TO PLANNING CODE, SECTION 302.**

WHEREAS, on September 26, 2017 Mayor Lee and Supervisor Sheehy introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 171041, which would amend the Planning Code to 1) regulate cannabis land uses, including, among other things, adult use cannabis retail, Medical Cannabis Dispensaries, delivery-only services, manufacture of cannabis products, cannabis cultivation, and cannabis testing; 2) allow Medical Cannabis Dispensaries in additional zoning districts; 3) establish a land use process for the conversion of existing Medical Cannabis Dispensaries to Cannabis Retail establishments; 4) establish location and operating conditions for cannabis uses; 5) repeal Ordinance No. 186-17, which limited the number of medical cannabis dispensaries in Supervisorial District 11; and 6) delete superseded Planning Code provisions; and,

WHEREAS, The Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on October 19, 2017; and,

WHEREAS, The Department determined that the proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment; and

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

MOVED, that the Planning Commission hereby **approves** the proposed ordinance.

## FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The Commission finds that the proposed ordinance because it provides a strong and fair regulatory framework for non-retail and retail adult use cannabis sales, and the supporting PDR activities, in San Francisco.
2. The Commission finds that the ordinance uses well established land use categories to regulate PDR activities, avoiding extra regulations on cannabis PDR uses.
3. The Commission Finds that the proposed separation from sensitive uses and from other retail cannabis uses for new retail cannabis operations significantly increases the areas of the city that are allowed to have retail cannabis sales, while also directly and indirectly addressing concerns regarding overconcentration in certain neighborhoods.
4. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

## COMMERCE AND INDUSTRY ELEMENT

### OBJECTIVE 1

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

### Policy 1.3

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

*The proposed ordinance locates commercial and industrial activities according existing zoning districts by utilizing well established PDR zoning categories for non-retail activities and by allowing retail cannabis in commercially zoned districts.*

### **OBJECTIVE 3**

#### **PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.**

##### **Policy 3.1**

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

##### **Policy 3.4**

Assist newly emerging economic activities.

*The proposed ordinance seeks to attract, retain and expand the newly emerging cannabis industry, which provides employment opportunities for unskilled and semi-skilled workers*

### **OBJECTIVE 6**

#### **MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.**

##### **Policy 6.1**

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

##### **Policy 6.2**

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to economic and technological innovation in the marketplace and society.

*The proposed ordinance seeks to balance the need to accommodate the emerging cannabis retail industry which includes small business enterprises and entrepreneurship with the need to preserve neighborhood-serving goods and services in the city's neighborhood commercial districts. It does this by creating buffering provisions around other similar uses and sensitive uses, effectively controlling the number of cannabis retail businesses that can locate within any one neighborhood commercial district.*

5. **Planning Code Section 101 Findings.** The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

*The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.*

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

*The proposed Ordinance would not have a negative effect on housing or neighborhood character.*

3. That the City's supply of affordable housing be preserved and enhanced;

*The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.*

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

*The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.*

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

*The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.*

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

*The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.*

7. That the landmarks and historic buildings be preserved;

*The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.*

8. That our parks and open space and their access to sunlight and vistas be protected from development;

*The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.*

6. **Planning Code Section 302 Findings.** The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby APPROVES the proposed Ordinance described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on October 19, 2017.

Jonas P. Ionin  
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED:     October 19, 2017

## Exhibit B

[Planning Code - Cannabis Regulation]

Ordinance amending the Planning Code to 1) regulate cannabis land uses, including, among other things, adult use cannabis retail, Medical Cannabis Dispensaries, delivery-only services, manufacture of cannabis products, cannabis cultivation, and cannabis testing; 2) allow Medical Cannabis Dispensaries in additional zoning districts; 3) establish a land use process for the conversion of existing Medical Cannabis Dispensaries to Cannabis Retail establishments; 4) establish location and operating conditions for cannabis uses; 5) repeal Ordinance No. 186-17, which limited the number of medical cannabis dispensaries in Supervisorial District 11; and 6) delete superseded Planning Code provisions; 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 public necessity, convenience, and welfare findings pursuant to Planning Code, Section 302.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
**Additions to Codes** are in *single-underline italics Times New Roman font*.  
**Deletions to Codes** are in ~~*strikethrough italics Times New Roman font*~~.  
**Board amendment additions** are in double-underlined Arial font.  
**Board amendment deletions** are in ~~strikethrough Arial font~~.  
**Asterisks (\* \* \* \*)** indicate the omission of unchanged Code subsections or parts of tables.

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

Section 1. Environmental and Land Use Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources

Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_ and is incorporated herein by reference. The Board affirms this determination.

(b) On \_\_\_\_\_, the Planning Commission, in Resolution No. \_\_\_\_\_, adopted findings that the actions contemplated in this ordinance are consistent, on balance, with the City's General Plan and eight priority policies of Planning Code Section 101.1. The Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_, and is incorporated herein by reference.

(c) Pursuant to Planning Code Section 302, this Board finds that this ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission Resolution No. \_\_\_\_\_, and the Board incorporates such reasons herein by reference.

Section 2. The Planning Code is hereby amended by revising Sections 102, 202.2, 204.3, 209.1, 209.2, 210.3, 303, 303.1, 312, 703, 710-726, 728-734, 750-764, 803.2, 803.3, 810-818, 840-845, 890.52, 890.54, and 890.111; adding Sections 190 and 890.125; and deleting Sections 739-742, 745, and 748, to read as follows:

**SEC. 102. DEFINITIONS.**

\* \* \* \*

**Agricultural Food, Fiber and Beverage Processing 1.** An Industrial use that involves the processing of ~~food stuffs~~, agricultural ~~products~~~~fibers~~, and beverages with a low potential for noxious fumes, noise, and nuisance to the surrounding area, including but not limited to bottling plants, breweries, dairy products plant, malt manufacturing or processing plant, fish curing, smoking, or drying, cereal manufacturing, liquor distillery, manufacturing of felt or



shoddy, processing of hair or products derived from hair, pickles, sauerkraut, vinegar, yeast, soda or soda compounds, meat products, and fish oil. This use does not include the processing of wood pulp, and is subject to the operating conditions outlined in Section 202.2(d).

**Agricultural Food, Fiber and Beverage Processing 2.** An Industrial Use that involves the processing of ~~food stuffs~~, agricultural products fibers, and beverages with a high potential for noxious fumes, noise, and nuisance to the surrounding area, including but not limited to a flour mill; sugar refinery; manufacturer of cannabis products or extracts that are derived by using volatile organic compounds (any use requiring License Type 7—Manufacturer 2, as defined in California Business and Professions Code, Division 10); and facility for wool pulling or scouring. This use does not include the processing of wood pulp, and is subject to the operating conditions outlined in Section 202.2(d).

**Agriculture.** A Use Category that includes Industrial Agriculture, Neighborhood Agriculture, and Large-Scale Urban Agriculture, ~~and Greenhouse.~~

**Agriculture, Industrial Greenhouse.** An Agricultural use that involves the cultivation of plants for wholesale sales or industrial uses inside a glass building. This use includes, but is not limited to, plant nurseries and cannabis cultivation operations, and is subject to the location and operating conditions listed in Section 202.2(c). For the cultivation of cannabis, this definition includes all cultivation pursuant to state license types that allow for indoor and/or mixed-light cultivation with up to 22,000 sq. ft. of canopy. This definition does not include accessory structures located in a required rear yard that comply with Section 136(c)(22) of this Code.

1     **Agriculture, Large-Scale Urban.** An Agricultural Use that is characterized by the use of  
2     land for the production of food or horticultural crops to be harvested, sold, ~~or~~ donated, or  
3     otherwise not used or consumed by the operator of the premises that occur: (a) on a plot of land  
4     one acre or larger or (b) on smaller parcels that cannot meet the physical and operational  
5     standards for Neighborhood Agriculture. This use is subject to location and operational  
6     conditions outlined in Section 202.2(c) ~~of this Code~~ and does not include any cannabis-related use  
7     or any other agricultural activities, including the cultivation of cannabis for personal use.

8  
9     **Agriculture, Neighborhood.** An Agricultural Use that occupies less than one acre for the  
10    production of food or horticultural crops to be harvested, sold, or donated and complies with  
11    the controls and standards herein. The use includes, but is not limited to, home, kitchen, and  
12    roof gardens. Farms that qualify as Neighborhood Agricultural ~~Use~~ Use may include, but are not  
13    limited to, community gardens, community-supported agriculture, market gardens, and  
14    private farms. Neighborhood Agricultural ~~Use~~ Use may be principal or accessory use. This use  
15    is subject to location and operational conditions outlined in Section 202.2(c) ~~of this Code~~ and  
16    does not include any cannabis-related use or any other agricultural activities, including the  
17    cultivation of cannabis for personal use.

18    \*   \*   \*   \*

19    **Cannabis Retail.** A Retail Sales and Service Use that sells or otherwise provides cannabis and  
20    cannabis-related products for adult use, and that may also include the sale or provision of cannabis  
21    for medicinal use. Cannabis may be consumed on site pursuant to authorization by the City's Office  
22    of Cannabis and Department of Public Health, as applicable. A Cannabis Retail establishment may  
23    only be operated by the holder of (a) a valid license from the State of California (License Type 10—  
24    Retailer, as defined in California Business and Professions Code, Division 10) and (b) a valid permit

1 from the City's Office of Cannabis. This use is subject to operating and location restrictions set forth  
2 in Section 202.2(a).

3 \* \* \* \*

4 **Industrial Use.** A Use Category continuing the following uses: Agricultural and Beverage  
5 Processing 1 and 2, Automobile Wrecking, Automobile Assembly, ~~Food Fiber and Beverage~~  
6 ~~Processing 1 and 2~~, Grain Elevator, Hazardous Waste Facility, Junkyard, Livestock  
7 Processing 1 and 2, Heavy Manufacturing 1, 2, and 3, Light Manufacturing, Metal Working,  
8 Power Plant, Ship Yard, Storage Yard, Volatile Materials Storage, and Truck Terminal.

9 \* \* \* \*

10 **Laboratory.** A Non-Retail Sales and Services Use intended or primarily suitable for  
11 scientific research. The space requirements of uses within this category include specialized  
12 facilities and/or built accommodations that distinguish the space from Office uses, Light  
13 Manufacturing, or Heavy Manufacturing. Examples of laboratories include the following:

- 14 (a) Chemistry, biochemistry, or analytical laboratory;
- 15 (b) Engineering laboratory;
- 16 (c) Development laboratory;
- 17 (d) Biological laboratories including those classified by the Centers for Disease  
18 Control (CDC) and National Institutes of Health (NIH) as Biosafety level 1, Biosafety level 2,  
19 or Biosafety level 3;
- 20 (e) Animal facility or vivarium, including laboratories classified by the CDC/NIH as  
21 Animal Biosafety level 1, Animal Biosafety level 2, or Animal Biosafety level 3;
- 22 (f) Support laboratory;
- 23 (g) Quality assurance/Quality control laboratory; ~~and~~
- 24 (h) Core laboratory; and

1            (i) Cannabis testing facility (any use requiring License Type 8—Testing Laboratory, as  
2            defined in California Business and Professions Code, Division 10).

3            \*   \*   \*   \*

4            **Manufacturing, Light.** An Industrial Use that provides for the fabrication or production of  
5            goods, by hand or machinery, for distribution to retailers or wholesalers for resale off the  
6            premises, primarily involving the assembly, packaging, repairing, or processing of previously  
7            prepared materials. Light manufacturing uses include production and custom activities  
8            usually involving individual or special design, or handiwork, such as the following fabrication  
9            or production activities, as may be defined by the Standard Industrial Classification Code  
10          Manual as light manufacturing uses:

- 11            (a) Food processing;
- 12            (b) Apparel and other garment products;
- 13            (c) Furniture and fixtures;
- 14            (d) Printing and publishing of books or newspapers;
- 15            (e) Leather products;
- 16            (f) Pottery;
- 17            (g) Glass-blowing;
- 18            (h) Commercial laundry, rug cleaning, and dry cleaning facility; ~~or~~
- 19            (i) Measuring, analyzing, and controlling instruments; photographic, medical, and  
20          optical goods; watches and clocks; or

21          (j) Manufacture of cannabis products or cannabis extracts that are derived without the use of  
22          volatile organic compounds (any use requiring License Type 6—Manufacturer 1, as defined in  
23          California Business and Professions Code, Division 10).

1 It shall not include Trade Shop, Agricultural and Beverage Processing 1 or 2, or Heavy  
2 Manufacturing 1, 2, or 3. This use is subject to the location and operation controls in  
3 Section 202.2(d).

4 \* \* \* \*

5 **Medical Cannabis Dispensary.** An Institutional Healthcare Use that is either (a) a  
6 cooperative or collective operating under the authority of a permit issued by the Director of Health  
7 under Article 33 of the Health Code, or (b) a Medicinal Cannabis Retailer as defined in Police Code  
8 Section 1602. A Medical Cannabis Dispensary Use~~defined in Section 3301(f) of the San Francisco~~  
9 ~~Health Code, which~~ is permitted only if it meets the conditions listed in Section 202.2(e).

10 \* \* \* \*

11 **Service, Parcel Delivery.** A Non-Retail Automotive Use limited to facilities for the  
12 unloading, sorting, and reloading of local retail merchandise for ~~home~~ deliveries, including but  
13 not limited to cannabis and cannabis products, where the operation is conducted entirely within  
14 a completely enclosed building, including garage facilities for local delivery trucks, but  
15 excluding repair shop facilities. Where permitted in PDR Districts, this use is not required to  
16 be operated within a completely enclosed building.

17 \* \* \* \*

18 **Wholesale Sales.** A Non-Retail Sales and Service Use that exclusively provides goods or  
19 commodities for resale or business use, including accessory storage. This use includes  
20 cannabis distribution (any use requiring License Type 11—Distributor, as defined in California  
21 Business and Professions Code, Division 10). It shall not include a nonaccessory storage  
22 warehouse.

23 \* \* \* \*

1     **SECTION 190. CONVERSION OF MEDICAL CANNABIS DISPENSARIES TO CANNABIS**  
2     **RETAIL ESTABLISHMENTS.**

3             (a) An establishment that holds a valid permit from the Department of Public Health to  
4     operate as a Medical Cannabis Dispensary as of the effective date of the ordinance in Board File  
5     No. \_\_\_\_\_ (“DPH-Permitted MCD”) may convert to a Cannabis Retail Use without  
6     obtaining Conditional Use authorization or seeking Mandatory Discretionary Review, by obtaining a  
7     building permit authorizing the change of use. Such permits are subject to neighborhood notification  
8     pursuant to Sections 311 and 312, if applicable.

9             (b) A DPH-Permitted MCD converting to a Cannabis Retail Use pursuant to this Section 190  
10    is not subject to the locational restrictions for Cannabis Retail set forth in Section 202.2(a).

11            (c) In order for a DPH-Permitted MCD to convert to a Cannabis Retail Use pursuant to this  
12    Section 190, a completed application for the change of use must be submitted to the Department of  
13    Building Inspection no later than June 30, 2018, and a first approval by the Planning Department or  
14    Planning Commission must be received on or before December 31, 2019. An application will be  
15    deemed to have received its first approval from the Planning Department or Planning Commission  
16    when that body issues its decision, regardless of whether any appeal or lawsuit is subsequently filed  
17    challenging any City approval related to the application.

18            (d) All other applications for a change of use from a DPH-Permitted MCD to a Cannabis  
19    Retail Use shall be subject to the zoning controls for the district in which the DPH-Permitted MCD is  
20    located.

21            (e) This Section 190 shall expire by operation of law on January 1, 2020. Upon its  
22    expiration, the City Attorney shall cause this Section 190 to be removed from the Planning Code.

23  
24  
25     **SEC. 202.2. LOCATION AND OPERATING CONDITIONS.**

1 (a) **Retail Sales and Service Uses.** The Retail Sales and Service Uses listed below  
2 shall be subject to the corresponding conditions:

3 \* \* \* \*

4 (5) **Cannabis Retail.** A Cannabis Retail establishment must meet all of the following  
5 conditions:

6 (A) A Cannabis Retail establishment must apply for a permit from the Office of  
7 Cannabis pursuant to Article 16 of the Police Code prior to submitting an application to the Planning  
8 Department.

9 (B) The parcel containing the Cannabis Retail Use shall not be located within  
10 a 600-foot radius of a parcel containing an existing School, public or private, unless a State licensing  
11 authority specifies a different radius, in which case that different radius shall apply. In addition, the  
12 parcel containing the Cannabis Retail Use shall not be located within a 300-foot radius of a parcel  
13 for which a valid permit from the City's Office of Cannabis for a Cannabis Retailer or a Medicinal  
14 Cannabis Retailer has been issued. There shall be no minimum radius from a Cannabis Retail Use to  
15 an existing day care center or youth center unless a State licensing authority specifies a minimum  
16 radius, in which case that minimum radius shall apply.

17 \* \* \* \*

18 (c) **Agriculture Use.** The Agricultural Uses listed below shall be subject to the  
19 corresponding conditions:

20 (1) **Agricultural Uses, General.**

21 Any plot of land that exceeds 1,000 square feet and is newly established shall comply  
22 with the applicable water use requirements of Administrative Code Chapter 63. Pursuant to  
23 Section 63.6.2(b) of the Administrative Code, no permit for any site where the modified land  
24 area exceeds 1,000 square feet shall be issued until the General Manager of the Public  
25 Utilities Commission has approved the applicable landscape project documentation.

1                   \*   \*   \*   \*

2                   **(3) Industrial Agriculture.**

3                   Cannabis must only be grown within an enclosed structure.

4                   (d) **Industrial Uses.** The Industrial and PDR uses listed below shall be subject to  
5 the corresponding conditions:

6                   (1) **Heavy Manufacturing 1, Metal Working, and Agricultural Food, Fiber,**  
7 **and Beverage Processing 1 and 2.** These uses are required to operate within a  
8 completely enclosed building, with no opening, other than fixed windows or exits required by  
9 law, within 50 feet of any R District; No noise, vibration, or unhealthful emissions shall  
10 extend beyond the premises of the use.

11                   \*   \*   \*   \*

12                   (e) **Institutional Uses.** The Institutional Uses listed below shall be subject to the  
13 corresponding conditions:

14                   (1) **Medical Cannabis Dispensaries.** Medical Cannabis Dispensaries Uses  
15 are required to meet all of the following conditions:

16                   (A) A Medical Cannabis Dispensary Use shall apply for a permit from  
17 the ~~Department of Public Health~~Office of Cannabis pursuant to ~~Section 3304~~Article 16 of the ~~San~~  
18 ~~Francisco Health~~Police Code prior to submitting an application to the Planning Department.

19                   (B) The parcel containing the Medical Cannabis Dispensary Use shall  
20 not be located within a 600-foot radius of less than 1,000 feet from a parcel containing ~~the~~  
21 ~~grounds of a use primarily serving persons under 18 years of age and which consists of the~~  
22 ~~following: an existing~~ School, public or private, ~~or a Public Facility, Community Facility, or Private~~  
23 ~~Community Facility; unless a State licensing authority specifies a different radius, in which case that~~  
24 ~~different radius shall apply. In addition, the parcel containing the Medical Cannabis Dispensary Use~~  
25 shall not be located within a 300-foot radius of a parcel for which a valid permit from the City's



Office of Cannabis for a Cannabis Retailer or Medicinal Cannabis Retailer has been issued. There shall be no minimum radius from a Medical Cannabis Dispensary Use to an existing day care center or youth center unless a State licensing authority specifies a minimum radius, in which case that minimum radius shall apply. Smoking on the premises of a Medical Cannabis Dispensary Use located within ~~1000~~600 feet of a School, public or private, ~~or a Public Facility, Community Facility, or Private Community Facility that primarily serves persons under 18 years of age~~ is not permitted.

\* \* \* \*

(h) Cannabis-Related Uses. Except as otherwise specified in the Code, there shall be no minimum radius from a cannabis-related Use to an existing School, public or private; day care center; or youth center unless a State licensing authority specifies a minimum radius, in which case that minimum radius shall apply.

### **SEC. 204.3. ACCESSORY USES FOR USES OTHER THAN DWELLINGS IN C, RC, M, AND PDR DISTRICTS.**

(a) ~~Commercial, and Residential-Commercial, Districts PDR, and M Districts.~~ No use shall be permitted as a ~~An~~ Accessory ~~Use~~ to a lawful ~~p~~ Principal or e ~~Conditional~~ Use in any Commercial or Residential-Commercial District which is subject to ~~involves or requires any of the~~ following limitations:

(1) Floor Area Limitations. ~~The use of more~~ An Accessory Use cannot occupy more than one-third of the total floor area occupied by such use, any additional accessory uses, and the ~~p~~ Principal or e ~~Conditional~~ Use to which it is accessory, except in the case of accessory off-street parking or loading; ~~or~~

(2) Noise and Vibration Limitations. Any noise, vibration, or unhealthful emissions may not ~~extend~~ ing beyond the premises of the use.

1                    (3) **Limitations on Cannabis Retail Accessory Uses.** The sale of cannabis as an  
2 accessory use is subject to any applicable limitations or regulations imposed by the Office of  
3 Cannabis. Cannabis Retail is not permitted as an Accessory Use unless the Cannabis Retail  
4 establishment holds a permit from the City's Office of Cannabis specifically permitting Cannabis  
5 Retail accessory to another activity on the same premises.

6                    (b) **PDR and M Districts Specific Controls.** ~~No use shall be permitted as an accessory use~~  
7 ~~to a lawful principal or conditional use in any PDR or M District that involves or requires the use of~~  
8 ~~more than one-third (1/3) of the total floor area occupied by such use and the principal or~~  
9 ~~conditional use to which it is accessory, except in the case of accessory retail, off-street parking, and~~  
10 ~~loading.~~ Multiple PDR uses within a single building or development may combine their  
11 accessory retail allotment into one or more shared retail spaces, provided that the total  
12 allotment of accessory retail space per use does not exceed what otherwise would be  
13 permitted by this Section 204.3.

14                    (c) **C, M, and PDR Districts Specific Controls.** An antenna or a microwave or satellite  
15 dish shall be permitted in, C, M, and PDR Districts, except PDR-1-B Districts, without regard  
16 to the height of such antenna or microwave or satellite dish and without regard to the  
17 proximity of such antenna or microwave or satellite dish to any R District, if the following  
18 requirements are met:

19                    (1) the antenna or dish will be used for the reception of indoor wireless,  
20 microwave, radio, satellite, or television broadcasts for the exclusive benefit of the residents  
21 or occupants in the building on which the facility is placed; ~~and~~

22                    (2) the antenna or dish is an accessory use to a lawful principal or conditional  
23 use; and

(3) the antenna or dish shall comply with any applicable design review criteria, including but not limited to any applicable design review criteria contained in the Wireless Telecommunications Services Facility Siting Guidelines.

\* \* \* \*

SEC. 209.1. RH (RESIDENTIAL, HOUSE) DISTRICTS.

\* \* \* \*

Table 209.1  
ZONING CONTROL TABLE FOR RH DISTRICTS

Zoning Category	§ References	RH-1(D)	RH-1	RH-1(S)	RH-2	RH-3
* * * *						
Agricultural Use Category						
Agricultural Uses*	§§ 102, 202.2(c)	C	C	C	C	C
<u>Agriculture, Industrial</u>	<u>§§ 102, 202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
Agriculture, Neighborhood	§§ 102, 202.2(c)	P	P	P	P	P
* * * *						

SEC. 209.2. RM (RESIDENTIAL, MIXED) DISTRICTS.

\* \* \* \*

Table 209.2  
ZONING CONTROL TABLE FOR RM DISTRICTS

<b>Zoning Category</b>	<b>§ References</b>	<b>RM-1</b>	<b>RM-2</b>	<b>RM-3</b>	<b>RM-4</b>
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\* \* \* \*

<b>Agricultural Use Category</b>					
Agricultural Uses*	§§ 102, 202.2(c)	C	C	C	C
<u>Agriculture, Industrial</u>	<u>§§ 102, 202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
Agriculture, Neighborhood	§§ 102, 202.2(c)	P	P	P	P
* * * *					

### SEC. 210.3. PDR DISTRICTS.

\* \* \* \*

Table 210.3

#### ZONING CONTROL TABLE FOR PDR DISTRICTS

<b>Zoning Category</b>	<b>§ References</b>	<b>PDR-1-D</b>	<b>PDR-1-B</b>	<b>PDR-1-G</b>	<b>PDR-2</b>
* * * *					
<b>NON-RESIDENTIAL STANDARDS AND USES</b>					
* * * *					
<b>Industrial Use Category</b>					
* * * *					
<u>Agricultural</u> <u>Food Fiber</u>	§§ 102, 202.2(d)	NP	P	P	P

and Beverage Processing 1					
<u>Agricultural</u> <del>Food Fiber</del> and Beverage Processing 2	§§ 102, 202.2(d)	NP	C	C	C
<b><i>Institutional Use Category</i></b>					
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	<u>NPP (1)</u>	<u>NPP (10)</u>	<u>NPP (9)</u>	<u>NPP (1)</u>
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
<b>Sales and Service Category</b>					
<b>Retail Sales and Service Uses*</b>	§§ 102, 202.2(a)	P (1)	P (10)	P (9)	P (1)
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102,</u> <u>202.2(a)</u>	<u>P (1)(21)</u>	<u>P (10)(21)</u>	<u>P (9)(21)</u>	<u>P (1)(21)</u>
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *

\* \* \* \*

1 (21) Cannabis Retail is only permitted where (a) the Cannabis Retail establishment holds a valid  
2 Cannabis Microbusiness permit from the City's Office of Cannabis, and (b) the Cannabis Retail Use  
3 occupies no more than 1/3 of the total floor area occupied by the PDR and Cannabis Retail Uses on  
4 the premises.

5 **SEC. 303. CONDITIONAL USES.**

6 \* \* \* \*

7 (~~v~~) **Affordable Housing Bonus Projects.** The purpose of this Section is to ensure  
8 that all HOME-SF Projects under Section 206.3 and all Analyzed State Density Bonus  
9 Program Projects under Section 206.5 are reviewed in coordination with priority processing  
10 available for certain projects with greater levels of affordable housing. While most projects in  
11 the Program will likely be somewhat larger than their surroundings in order to facilitate  
12 higher levels of affordable housing, the Planning Commission and Department shall ensure  
13 that each project is consistent with the Affordable Housing Bonus Design Guidelines and  
14 any other applicable design guidelines, as adopted and periodically amended by the  
15 Planning Commission, so that projects respond to their surrounding context, while still  
16 meeting the City's affordable housing goals.

17 \* \* \* \*

18 (2) Exceptions. This subsection (~~v~~)(2) shall not apply to State Analyzed  
19 projects. As a component of the review process under this Section 303(~~v~~), the Planning  
20 Commission may grant minor exceptions to the provisions of this Code as provided for  
21 below, in addition to the development bonuses granted to the project in Section 206.3(d).  
22 Such exceptions, however, should only be granted to allow building mass to appropriately  
23 shift to respond to surrounding context, and only when the Planning Commission finds that  
24 such modifications: (1) do not substantially reduce or increase the overall building envelope  
25

permitted by the Program under Section 206.3; and (2) are consistent with the Affordable Housing Bonus Design Guidelines. These exceptions may include:

\* \* \* \*

(F) Where not specified elsewhere in this subsection (v)(2), modification of other Code requirements that could otherwise be modified as a Planned Unit Development (as set forth in Section 304), irrespective of the zoning district in which the property is located.

\* \* \* \*

(3) **Additional Criteria.** In addition to the criteria set forth in subsection (c)(2), the Planning Commission shall consider the extent to which the following criteria are met:

\* \* \* \*

(F) whether any existing commercial or retail use has been designated, or is eligible to be designated, as a Legacy Business under Administrative Code Section 2A.242; or is a formula retail business.

\* \* \* \*

(w) Cannabis Retail.

With respect to any application for the establishment of a new Cannabis Retail Use, in addition to the criteria set forth in subsections (c) and (d) above, the Commission shall consider the geographic distribution of Cannabis Retail Uses throughout the City, the balance of other goods and services available within the general proximity of the proposed Cannabis Retail Use, any increase in youth access and exposure to cannabis at nearby facilities that primarily serve youth, and any proposed measures to counterbalance any such increase.

**SEC. 303.1. FORMULA RETAIL USES.**

\* \* \* \*

1 (c) "Retail Sales or Service Activity or Retail Sales or Service Establishment."

2 For the purposes of this Section 303.1, a retail sales or service activity or retail sales or  
3 service establishment shall include the following uses, whether functioning as a principal or  
4 accessory use, as defined in Articles 1, 2, 7, and 8 of this Code:

5 \* \* \* \*

6 Tourist Oriented Gift Store §§ 102, 890.39;~~and~~

7 Non-Auto Vehicle Sales or Rental §§ 102, 890.69; ~~and~~

8 Cannabis Retail §§ 102, 890.125.

9 \* \* \* \*

10 **SECTION 312. PERMIT REVIEW PROCEDURES FOR ALL NC AND EASTERN**  
11 **NEIGHBORHOODS MIXED USE DISTRICTS.**

12 \* \* \* \*

13 (c) **Changes of Use.**

14 (1) NC Districts. In NC Districts, all building permit applications for a change of  
15 use to, or the establishment of, the following uses shall be subject to the provisions of subsection  
16 312(d) except as stated below:

17 ~~an~~ Adult Business;

18 Bar;

19 Cannabis Retail

20 Child Care Facility;

21 General Entertainment;

22 Group Housing;

23 Limited Restaurant;

24 Liquor Store;

25 ~~Restaurant;~~



1           Massage Establishment;

2           Medical Cannabis Dispensary

3           Nighttime Entertainment;

4           Outdoor Activity Area;

5           Post-Secondary Educational Institution;

6           Private Community Facility;

7           Public Community Facility;

8           Religious Institution;

9           Residential Care Facility;

10          Restaurant

11          School;

12          Tobacco Paraphernalia Establishment; ~~or~~

13          Trade School~~shall be subject to the provisions of Subsection 312(d);~~

14 ~~provided, h~~However, ~~that~~ a change of use from a Restaurant to a Limited-Restaurant shall  
15 not be subject to the provisions of subsection 312(d). In addition, any accessory massage  
16 use in the Ocean Avenue Neighborhood Commercial Transit District shall be subject to the  
17 provisions of subsection 312(d).

18           (2) Eastern Neighborhoods Districts. In all ~~RED and~~ Eastern Neighborhoods  
19 Mixed Use Districts all building permit applications for a change of use from any one land  
20 use category to another land use category or for the establishment of a new Cannabis Retail or  
21 Medical Cannabis Dispensary Use shall be subject to the provisions of ~~S~~subsection 312(d). For  
22 the purposes of this subsection (c), "land use category" shall mean those categories used to  
23 organize the individual land uses which appear in the use tables in Article 8, immediately  
24 preceding a group of individual land uses, ~~and include the~~ including but not limited to the  
25 following: Residential Use; Institutional Use; Retail Sales and Service Use; ~~a~~Assembly,

Recreation, Arts and Entertainment Use; Office Use; Live/Work Units Use; ~~Motor~~ Vehicle  
~~Services~~ Use; Vehicle Parking Use; Industrial Use; ~~Home~~ and ~~Business~~ Service Use;  
or ~~Other~~ Use.

\* \* \* \*

**SEC. 703. NEIGHBORHOOD COMMERCIAL DISTRICT REQUIREMENTS.**

\* \* \* \*

(d) **Accessory Uses.** Subject to the limitations set forth below and in Sections 204.1  
(Accessory Uses for Dwelling Units in R and NC Districts), 204.4 (Dwelling Units Accessory  
to Other Uses), and 204.5 (Parking and Loading as Accessory Uses) of this Code,  
Accessory Uses as defined in Section 102 shall be permitted when located on the same lot.  
Any use that does not qualify as an Accessory Use shall be classified as a Principal or  
Conditional Use unless it qualifies as a temporary use under Sections 205 through 205.4 of  
this Code.

No Use will be considered accessory to a permitted Principal or Conditional Use that  
involves or requires any of the following:

\* \* \* \*

(9) Cannabis Retail that does not meet the limitations set forth in Section 204.3(a)(3).

\* \* \* \*

**SEC. 710. NC-1 – NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT.**

\* \* \* \*

**Table 710. NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT NC-1  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls
* * * *	* * * *	* * * *

NON-RESIDENTIAL USES		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse Agriculture,</del> <u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	NP <del>(4)</del>	NP	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Residential Care Facility	§ 102	P	P <del>(54)</del>	P <del>(54)</del>
* * * *				
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *
Utility and Infrastructure Use Category				
<b>Utility and Infrastructure*</b>	§ 102	C <del>(65)</del>	C <del>(65)</del>	C <del>(65)</del>
* * * *	* * * *	* * * *	* * * *	* * * *

\* \* \* \*

~~(4) Permitted with DR if the Medical Cannabis Dispensaries can demonstrate to the Planning Department they were in operation as of April 1, 2005 and have remained in continuous operation and have obtained a final permit to operate by March 1, 2008.~~

(54) C required for 7 or more persons.

(65) C if a Macro WTS Facility; P if a Micro WTS Facility.

**SEC. 711. NC-2 – SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT.**

\* \* \* \*

**Table 711. SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-2  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls		
* * * *	* * * *	* * * *		
NON-RESIDENTIAL USES		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +

* * * *				
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse</del> <u>Agriculture,</u> <u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	DR	NP
* * * *	* * * *	* * * *	* * * *	* * * *

Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

\* \* \* \*

## SEC. 712. NC-3 – MODERATE-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT.

\* \* \* \*

**Table 712. MODERATE-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-3  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls		
* * * *	* * * *	* * * *		
NON-RESIDENTIAL USES		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +

* * * *				
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse</del> <u>Agriculture.</u>				
<u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	DR	<del>DR</del> <u>NP</u>

* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

\* \* \* \*

## SEC. 713. NC-S – NEIGHBORHOOD COMMERCIAL SHOPPING CENTER DISTRICT.

\* \* \* \*

**Table 713. NEIGHBORHOOD COMMERCIAL SHOPPING CENTER DISTRICT NC-S  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls		
* * * *	* * * *	* * * *		
NON-RESIDENTIAL USES		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse</del> <u>Agriculture.</u>				
<u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<u>NPDR</u>	NP

* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

\* \* \* \*

## SEC. 714. BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT.

\* \* \* \*

**Table 714. BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse</del> <u>Agriculture,</u> <u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *



Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<del>NPDR</del>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

\* \* \* \*

## SEC. 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

\* \* \* \*

**Table 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse</del> <u>Agriculture,</u>  <u>Industrial</u>	§§ 102,  202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				

* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<del>NPDR</del>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	§§ 102, <u>202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

\* \* \* \*

## SEC. 716. INNER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

\* \* \* \*

**Table 716. INNER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse</del> <u>Agriculture,</u> <u>Industrial</u>	§§102, 202.2(c)	NP	NP	NP

* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§102, 202.2(e)	DR	<u>NPDR</u>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§102,</u> <u>202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

\* \* \* \*

## SEC. 717. OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

\* \* \* \*

**Table 717. OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls			
NON-RESIDENTIAL STANDARDS & USES					
* * * *					
		Controls by Story			
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +	
Agricultural Use Category					
* * * *	* * * *	* * * *	* * * *	* * * *	

<del>Greenhouse</del> <u>Agriculture,</u>	§§ 102,			
<u>Industrial</u>	202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis	§§ 102,	DR	<u>NPDR</u>	NP
Dispensary	202.2(e)			
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

\* \* \* \*

## SEC. 718. UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

\* \* \* \*

**Table 718. UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Agricultural Use Category				

* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse</del> Agriculture, <u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<del>NP</del> DR	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102,</u> <u>202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

\* \* \* \*

## SEC. 719. HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

\* \* \* \*

**Table 719. HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls
NON-RESIDENTIAL STANDARDS & USES		
* * * *		
		Controls by Story

		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse</del> Agriculture, Industrial	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<del>NP</del> DR	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Cannabis Retail	§§ 102, 202.2(a)	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

\* \* \* \*

## SEC. 720. EXCELSIOR OUTER MISSION STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

\* \* \* \*

**Table 720. EXCELSIOR OUTER MISSION STREET  
NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls
-----------------	--------------	----------

## NON-RESIDENTIAL STANDARDS & USES

\* \* \* \*

		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +

### Agricultural Use Category

* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse Agriculture.</del> <u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP

\* \* \* \*

### Institutional Use Category

* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR <del>(+)</del>	DR <del>(+)</del>	DR <del>(+)</del>
* * * *	* * * *	* * * *	* * * *	* * * *

### Sales and Service Use Category

* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102,</u> <u>202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

\* \* \* \*

### ~~(I) MEDICAL CANNABIS DISPENSARIES~~

#### ~~Controls:~~

~~—(a) A Medical Cannabis Dispensary (MCD) seeking to locate within 500 feet of another MCD use may be allowed as a Conditional Use; provided, however, that any amendments to~~

~~regulations governing the proximity of an MCD to another MCD that are applicable to MCDs Citywide shall apply in the Excelsior Outer Mission NCD and will supersede the condition use requirement contained in this Section 745.1~~

~~—(b) In addition to the requirements of Planning Code Section 303, the Planning Commission shall approve the application and authorize the Conditional Use if the facts presented are such to establish that:~~

~~———(i) the MCD will bring measurable community benefits and enhancements to the Excelsior Outer Mission Street Neighborhood Commercial District;~~

~~———(ii) the MCD has prepared a parking and transportation management plan sufficient to address the anticipated impact of its patients;~~

~~———(iii) the MCD has demonstrated a commitment to maintaining public safety by actively engaging with the community prior to applying for the Conditional Use, including adequate security measures in the operation of their business and designating a community liaison to deal effectively with current and future neighborhood concerns.~~

~~—(c) In addition to the above criteria, in regard to a Conditional Use authorization application, the Planning Commission shall consider the existing concentrations of MCDs within the District.~~

~~—(d) A Medical Cannabis Dispensary may only operate between the hours of 8 am and 10 pm.~~

~~—(e) A Medical Cannabis Dispensary may locate above the first floor only if it shall be accessible to persons with disabilities as required under the California Building Code.~~

## **(21) OFF-SALE LIQUOR ESTABLISHMENTS**

### **Controls:**



1 (a) New Liquor Store uses with Type 20 or Type 21 ABC licenses are not permitted  
2 in the district; provided, however, that any use within the District with an existing Type 20 or  
3 Type 21 ABC license may obtain a new license, if required by the ABC, after it has been  
4 closed temporarily for repair, renovation, remodeling, or reconstruction.

5 (b) Liquor Store uses may relocate within the district with Conditional Use  
6 authorization.

7 (c) General Grocery, Specialty Grocery, and Liquor Store uses with off-sale alcohol  
8 licenses shall observe the following good neighbor policies:

9 (i) Liquor establishments shall provide outside lighting in a manner sufficient  
10 to illuminate street and sidewalk areas and adjacent parking, as appropriate to maintain  
11 security, without disturbing area residences;

12 (ii) Advertisements in windows and clear doors are not permitted, and no  
13 more than 25% of the square footage of the windows and clear doors of liquor  
14 establishments shall bear signage of any sort, and all signage shall be placed and  
15 maintained in a manner that ensures that law enforcement personnel have a clear and  
16 unobstructed view of the interior of the premises, including the area in which the cash  
17 registers are maintained, from the exterior public sidewalk or entrance to the premises.

18 ~~(32)~~ FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD)

19 **Boundaries:** The FFSRUD and its 1/4 mile buffer includes, but is not limited to, properties  
20 within the Excelsior Outer Mission Street Neighborhood Commercial District.

21 **Controls:** Within the FFSRUD and its 1/4 mile buffer, fringe financial services are NP  
22 pursuant to Section 249.35. Outside the FFSRUD and its 1/4 mile buffer, fringe financial  
23 services are P subject to the restrictions set forth in Section 249.35(c)(3).

24 ~~(43)~~ C if a Macro WTS Facility; P if a Micro WTS Facility.  
25

SEC. 721. JAPANTOWN NEIGHBORHOOD COMMERCIAL DISTRICT.

\* \* \* \*

Table 721. JAPANTOWN NEIGHBORHOOD COMMERCIAL DISTRICT  
ZONING CONTROL TABLE

\* \* \* \*

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
Agricultural Use Category		Controls by Story		
		1 <sup>st</sup> (1)	2 <sup>nd</sup>	3 <sup>rd</sup> +
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Greenhouse Agriculture,</i> <i>Industrial</i>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	<i>NPDR</i>	<i>NPDR</i>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Cannabis Retail</i>	<i>§§ 102,</i> <i>202.2(a)</i>	<i>C</i>	<i>C</i>	<i>NP</i>
* * * *	* * * *	* * * *	* * * *	* * * *

\* \* \* \*

**SEC. 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT.**

\* \* \* \*

**Table 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<i><u>NPDR</u></i>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i><u>Cannabis Retail</u></i>	<i><u>§§ 102, 202.2(a)</u></i>	<i><u>C</u></i>	<i><u>C</u></i>	<i><u>NP</u></i>
* * * *	* * * *	* * * *	* * * *	* * * *

SEC. 723. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

\* \* \* \*

Table 723. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT  
ZONING CONTROL TABLE

\* \* \* \*

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse</del> <u>Agriculture</u> , <u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<del>NP</del> <u>DR</u>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102</u> , <u>202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>

* * * *	* * * *	* * * *	* * * *	* * * *
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## SEC. 724. SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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**Table 724. SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse</del> <u>Agriculture</u> , <u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<del>NP</del> <u>DR</u>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				

* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

\* \* \* \*

## SEC. 725. UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

\* \* \* \*

**Table 725. UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
	Controls by Story			
	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +	
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse</del> <u>Agriculture,</u> <u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<u>NPDR</u>	NP
* * * *	* * * *	* * * *	* * * *	* * * *

Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

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## SEC. 726. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT.

\* \* \* \*

**Table 726. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse</del> <u>Agriculture,</u> <u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Medical Cannabis Dispensary</u>	<u>§§ 102, 202.2(e)</u>	<u>DR</u>	<u>DR</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

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## SEC. 728. 24TH STREET – NOE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICT.

\* \* \* \*

**Table 728. 24TH STREET – NOE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse</del> <u>Agriculture,</u>				
<u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<del>NP</del> <u>DR</u>	NP



* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

\* \* \* \*

## SEC. 729. WEST PORTAL AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT.

\* \* \* \*

**Table 729. WEST PORTAL AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse</del> <u>Agriculture.</u>	§§ 102,			
<u>Industrial</u>	202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *

Medical Cannabis Dispensary	§§ 102, 202.2(e)	C	<u>NP</u>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

\* \* \* \*

## SEC. 730. INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT.

\* \* \* \*

**Table 730. INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse</del> <u>Agriculture,</u>  <u>Industrial</u>	§§ 102,  202.2(c)	NP	NP	NP
* * * *				

Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<u>NPDR</u>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

\* \* \* \*

## SEC. 731. NORIEGA STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

\* \* \* \*

**Table 731. NORIEGA STREET NEIGHBORHOOD COMMERCIAL DISTRICT  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse</del> <u>Agriculture,</u>  <u>Industrial</u>	§§102, 202.2(c)	NP	NP	NP

* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§102, 202.2(e)	C	<u>NPC</u>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

\* \* \* \*

## SEC. 732. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

\* \* \* \*

**Table 732. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls			
NON-RESIDENTIAL STANDARDS & USES					
* * * *					
		Controls by Story			
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +	
Agricultural Use Category					
* * * *	* * * *	* * * *	* * * *	* * * *	

<del>Greenhouse</del> <u>Agriculture</u> , <u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	C	<del>NP</del> C	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

\* \* \* \*

## SEC. 733. TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

\* \* \* \*

**Table 733. TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Agricultural Use Category				

* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse</del> Agriculture, Industrial	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	C	<del>NP</del> C	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

\* \* \* \*

**SEC. 734. JUDAH STREET NEIGHBORHOOD COMMERCIAL ~~NEIGHBORHOOD~~  
COMMERCIAL DISTRICT.**

\* \* \* \*

**Table 734. JUDAH STREET NEIGHBORHOOD COMMERCIAL DISTRICT  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls
NON-RESIDENTIAL STANDARDS & USES		
* * * *		
		Controls by Story

		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse Agriculture,</del> <del>Industrial</del>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	C	<del>NP</del>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Cannabis Retail</del>	<del>§§ 102, 202.2(a)</del>	<del>C</del>	<del>C</del>	<del>NP</del>
* * * *	* * * *	* * * *	* * * *	* * * *

\* \* \* \*

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

~~The Noriega Street Neighborhood Commercial District is located in the Outer Sunset neighborhood and includes the non-residential currently zoned NC 2 properties fronting both sides of Noriega Street between 19th and 27th and 30th through 33rd Avenues.~~

~~The District provides a selection of convenience goods and services for the residents of the Outer Sunset District. There are a high concentration of restaurants, drawing customers from throughout the City and the region. There are also a significant number of professional, realty, and business offices as well as financial institutions.~~

1 ~~—The Noriega Street Neighborhood Commercial District controls are designed to promote~~  
2 ~~development that is consistent with its existing land use patterns and to maintain a harmony of uses~~  
3 ~~that support the District's vitality. The building standards allow small-scale buildings and uses,~~  
4 ~~protecting rear yards above the ground story and at residential levels. In new development, most~~  
5 ~~commercial uses are permitted at the first two stories, although certain limitations apply to uses at~~  
6 ~~the second story. Special controls are necessary to preserve the equilibrium of neighborhood-serving~~  
7 ~~convenience and comparison shopping businesses and to protect adjacent residential livability. To~~  
8 ~~protect continuous frontage, drive-up uses are prohibited and active, pedestrian-oriented ground~~  
9 ~~floor uses generally must be provided, unless such uses are authorized by Conditional Use. These~~  
10 ~~controls are designed to encourage the street's active retail frontage, and local fabrication and~~  
11 ~~production of goods.~~

12 ~~—Accessory Dwelling Units are permitted within the district pursuant to subsection 207(c)(4) of this~~  
13 ~~Code.~~

14 **~~SEC. 740. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT.~~**

15 ~~The Irving Street Neighborhood Commercial District is located in the Outer Sunset neighborhood~~  
16 ~~and includes the non-residential currently-zoned NC-2 properties fronting both sides of Irving Street~~  
17 ~~between 19th and 27th Avenues. The District provides a selection of convenience goods and services~~  
18 ~~for the residents of the Outer Sunset District. There are a high concentration of restaurants, drawing~~  
19 ~~customers from throughout the City and the region. There are also a significant number of~~  
20 ~~professional, realty, and business offices as well as financial institutions.~~

21 ~~—The Irving Street Neighborhood Commercial District controls are designed to promote~~  
22 ~~development that is consistent with its existing land use patterns and to maintain a harmony of uses~~  
23 ~~that support the District's vitality. The building standards allow small-scale buildings and uses,~~  
24 ~~protecting rear yards above the ground story and at residential levels. In new development, most~~  
25 ~~commercial uses are permitted at the first two stories, although certain limitations apply to uses at~~



1 ~~the second story. Special controls are necessary to preserve the equilibrium of neighborhood-serving~~  
2 ~~convenience and comparison shopping businesses and to protect adjacent residential livability. These~~  
3 ~~controls are designed to encourage the street's active retail frontage, and local fabrication and~~  
4 ~~production of goods.~~

5 ~~—Accessory Dwelling Units are permitted within the district pursuant to subsection 207(c)(4) of this~~  
6 ~~Code.~~

7 **~~SEC. 741. TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT.~~**

8 ~~The Taraval Street Neighborhood Commercial District is located in the Outer Sunset neighborhood~~  
9 ~~and includes the non-residential currently zoned NC-2 properties fronting both sides of Taraval~~  
10 ~~Street from 19th through 36th Avenues. The District provides a selection of convenience goods and~~  
11 ~~services for the residents of the Outer Sunset District. There are a high concentration of restaurants,~~  
12 ~~drawing customers from throughout the City and the region. There are also a significant number of~~  
13 ~~professional, realty, and business offices as well as financial institutions.~~

14 ~~The Taraval Street Neighborhood Commercial District controls are designed to promote~~  
15 ~~development that is consistent with its existing land use patterns and to maintain a harmony of uses~~  
16 ~~that support the District's vitality. The building standards allow small-scale buildings and uses,~~  
17 ~~protecting rear yards above the ground story and at residential levels. In new development, most~~  
18 ~~commercial uses are permitted at the first two stories, although certain limitations apply to uses at~~  
19 ~~the second story. Special controls are necessary to preserve the equilibrium of neighborhood-serving~~  
20 ~~convenience and comparison shopping businesses and to protect adjacent residential livability. These~~  
21 ~~controls are designed to encourage the street's active retail frontage, and local fabrication and~~  
22 ~~production of goods.~~

23 ~~—Accessory Dwelling Units are permitted within the district pursuant to subsection 207(c)(4) of this~~  
24 ~~Code.~~

25 **~~SEC. 742. JUDAH STREET NEIGHBORHOOD COMMERCIAL DISTRICT.~~**

1 ~~The Judah Street Neighborhood Commercial District is located in the Outer Sunset neighborhood~~  
2 ~~and includes the non-residential currently zoned NC-2 properties fronting both sides of Judah Street~~  
3 ~~from 29th through 33rd Avenues. The District provides a selection of convenience goods and services~~  
4 ~~for the residents of the Outer Sunset District. There are a high concentration of restaurants, drawing~~  
5 ~~customers from throughout the City and the region. There are also a significant number of~~  
6 ~~professional, realty, and business offices as well as financial institutions.~~

7 ~~—The Judah Street Neighborhood Commercial District controls are designed to promote~~  
8 ~~development that is consistent with its existing land use patterns and to maintain a harmony of uses~~  
9 ~~that support the District's vitality. The building standards allow small-scale buildings and uses,~~  
10 ~~protecting rear yards above the ground story and at residential levels. In new development, most~~  
11 ~~commercial uses are permitted at the first two stories, although certain limitations apply to uses at~~  
12 ~~the second story. Special controls are necessary to preserve the equilibrium of neighborhood-serving~~  
13 ~~convenience and comparison shopping businesses and to protect adjacent residential livability. These~~  
14 ~~controls are designed to encourage the street's active retail frontage, and local fabrication and~~  
15 ~~production of goods.~~

16 ~~—Accessory Dwelling Units are permitted within the district pursuant to subsection 207(c)(4) of this~~  
17 ~~Code.~~

18 **~~SEC. 745. EXCELSIOR OUTER MISSION STREET NEIGHBORHOOD COMMERCIAL~~**  
19 **~~DISTRICT.~~**

20 ~~The Excelsior Outer Mission Street Neighborhood Commercial District is located along Mission~~  
21 ~~Street between Alemany Boulevard and the San Francisco-San Mateo county line. Outer Mission~~  
22 ~~Street is mixed use, combining street-fronting retail businesses on the ground floor and housing on~~  
23 ~~upper floors. The range of comparison goods and services offered is varied and often includes~~  
24 ~~specialty retail stores, restaurants, and neighborhood-serving offices. The area is transit-oriented~~  
25

1 ~~and the commercial uses serve residents of the area as well as residents and visitors from adjacent~~  
2 ~~and other neighborhoods.~~

3 ~~—The Excelsior Outer Mission Street Neighborhood Commercial District is intended to provide~~  
4 ~~convenience goods and services to the surrounding neighborhoods as well as limited comparison~~  
5 ~~shopping goods for a wider market. Housing development in new buildings is encouraged above the~~  
6 ~~second story. Existing residential units are protected by limitations on demolitions and upper-story~~  
7 ~~conversions. Parking for residential and commercial uses is not required. Buildings range in height,~~  
8 ~~with height limits generally allowing up to four stories. Lots vary in size, generally small or medium-~~  
9 ~~sized with some very large parcels. Accessory Dwelling Units are permitted within the district~~  
10 ~~pursuant to subsection 207(c)(4) of this Code.~~

11 **~~SEC. 748. JAPANTOWN NEIGHBORHOOD COMMERCIAL DISTRICT.~~**

12 ~~—The Japantown Neighborhood Commercial District extends between Geary Boulevard and Post~~  
13 ~~Street from Fillmore Street to Laguna Street, the north side of Post Street from Webster Street to~~  
14 ~~Laguna Street, and Buchanan Street from Post Street to midway between Sutter Street and Bush~~  
15 ~~Street. The character of these streets is largely commercial, including large malls, although there are~~  
16 ~~some residential units above the ground story. Buildings are typically two to four stories, although~~  
17 ~~there are two taller hotels. Geary Boulevard, Fillmore Street, and Sutter Street are important public~~  
18 ~~transit corridors. The commercial district provides convenience goods and services to the~~  
19 ~~surrounding neighborhoods as well as shopping, cultural, and entertainment uses that attract visitors~~  
20 ~~from near and far.~~

21 ~~—The Japantown Neighborhood Commercial District controls are designed to encourage and~~  
22 ~~promote development that enhances the walkable, commercial character of this area and to support~~  
23 ~~its local and regional role. New commercial development is required on the ground floor and~~  
24 ~~permitted above. Most neighborhood and visitor-serving businesses are strongly encouraged,~~  
25 ~~including eating, drinking, and retail uses, as long as they do not create a nuisance. Less active~~

~~commercial uses are encouraged above the ground floor, along with housing and institutional uses. Accessory Dwelling Units are permitted within the district pursuant to subsection 207(c)(4) of this Code.~~

**SEC. 750. NCT-1 – NEIGHBORHOOD COMMERCIAL TRANSIT CLUSTER DISTRICT.**

\* \* \* \*

**Table 750. NEIGHBORHOOD COMMERCIAL TRANSIT CLUSTER DISTRICT NCT-1  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse</del> Agriculture, <u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	<del>DRNP</del>	NP	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				

* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

\* \* \* \*

## SEC. 751. NCT-2 – SMALL-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

\* \* \* \*

**Table 751. SMALL-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT NCT-2 ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse</del> <u>Agriculture</u> , <u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<del>NP</del> <u>DR</u>	NP

* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

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## SEC. 752. NCT-3 – MODERATE-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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**Table 752. MODERATE-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT NCT-3 ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls			
NON-RESIDENTIAL STANDARDS & USES					
		Controls by Story			
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +	
Agricultural Use Category					
* * * *	* * * *	* * * *	* * * *	* * * *	
<del>Greenhouse Agriculture,</del> <u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP	
* * * *					
Institutional Use Category					
* * * *	* * * *	* * * *	* * * *	* * * *	

Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<del>NPDR</del>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

\* \* \* \*

## SEC. 753. SOMA NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

\* \* \* \*

**Table 753. SOMA NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse Agriculture,</del> <u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				

* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<del>NPDR</del>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

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## SEC. 754. MISSION STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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**Table 754. MISSION STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse Agriculture,</del> <u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				



Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<u>NPDR</u>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

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## SEC. 755. OCEAN AVENUE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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**Table 755. OCEAN AVENUE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls			
NON-RESIDENTIAL STANDARDS & USES					
* * * *					
		Controls by Story			
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +	
Agricultural Use Category					
* * * *	* * * *	* * * *	* * * *	* * * *	

<del><i>Greenhouse Agriculture,</i></del>	§§ 102,			
<del><i>Industrial</i></del>	202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§102,	DR	<del><i>NPDR</i></del>	NP
	202.2(e)			
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Cannabis Retail</i>	<del><i>§§ 102, 202.2(a)</i></del>	<del><i>C</i></del>	<del><i>C</i></del>	<del><i>NP</i></del>
* * * *	* * * *	* * * *	* * * *	* * * *

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## SEC. 756. GLEN PARK NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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**Table 756. GLEN PARK NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Agricultural Use Category				

* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse Agriculture,</del> <u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<del>NP</del> <u>DR</u>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 757. FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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Table 757. FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT  
ZONING CONTROL TABLE

\* \* \* \*

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse Agriculture,</del> <u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Medical Cannabis Dispensary</u>	<u>§§ 102, 202.2(e)</u>	<u>DR</u>	<u>DR</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 758. REGIONAL COMMERCIAL DISTRICT.

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Table 758. REGIONAL COMMERCIAL DISTRICT  
ZONING CONTROL TABLE

\* \* \* \*

Zoning Category	§ References	Controls			
NON-RESIDENTIAL STANDARDS & USES					
* * * *					
		Controls by Story			
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +	
Agricultural Use Category					
* * * *	* * * *	* * * *	* * * *	* * * *	
<del>Greenhouse Agriculture,</del> <u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP	
* * * *					
Institutional Use Category					
* * * *	* * * *	* * * *	* * * *	* * * *	
<u>Medical Cannabis</u> <u>Dispensary</u>	<u>§§ 102, 202.2(e)</u>	<u>DR</u>	<u>DR</u>	<u>NP</u>	
* * * *	* * * *	* * * *	* * * *	* * * *	
Sales and Service Use Category					
* * * *	* * * *	* * * *	* * * *	* * * *	
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>	
* * * *	* * * *	* * * *	* * * *	* * * *	

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**SEC. 759. DIVISADERO STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.**

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**Table 759. DIVISADERO STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse Agriculture,</del> <u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<del>NP</del> <u>DR</u>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				

* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

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## SEC. 760. FILLMORE STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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**Table 760. FILLMORE STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse</del> <u>Agriculture,</u> <u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<del>NP</del> <u>DR</u>	NP
* * * *	* * * *	* * * *	* * * *	* * * *

Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

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## SEC. 761. HAYES-GOUGH NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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**Table 761. HAYES-GOUGH NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse Agriculture,</del> <u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<del>NP</del> <u>DR</u>	NP



* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

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## SEC. 762. VALENCIA STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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**Table 762. VALENCIA STREET NEIGHBORHOOD TRANSIT DISTRICT  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<del>Greenhouse Agriculture,</del> <u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *

Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<u>NPDR</u>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

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## SEC. 763. 24TH STREET-MISSION NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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### Table 763. 24TH STREET -MISSION NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

\* \* \* \*

Zoning Category	§ References	Controls			
NON-RESIDENTIAL STANDARDS & USES					
* * * *					
		Controls by Story			
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +	
Agricultural Use Category					
* * * *	* * * *	* * * *	* * * *	* * * *	
<del>Greenhouse</del> <u>Agriculture</u> , <u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP	
* * * *					

Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<del>NPDR</del>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

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## SEC. 764. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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**Table 764. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls			
NON-RESIDENTIAL STANDARDS & USES					
		Controls by Story			
		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +	
Agricultural Use Category					
* * * *	* * * *	* * * *	* * * *	* * * *	

<u>Greenhouse Agriculture,</u>	§§ 102,			
<u>Industrial</u>	202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis	§§ 102,	DR	<u>NPDR</u>	NP
Dispensary	202.2(e)			
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

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## SEC. 803.2. USES PERMITTED IN CHINATOWN MIXED USE DISTRICTS.

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**TABLE 803.2 USE CATEGORIES PERMITTED IN THE  
CHINATOWN MIXED USE DISTRICTS**

<i>No.</i>	<i>Zoning Control Categories for Uses</i>	<i>Section Number of Use Definition</i>
* * * *	* * * *	* * * *
<u>803.2.75</u>	<u>Cannabis Retail</u>	<u>§ 890.125</u>
* * * *	* * * *	* * * *

(b) **Use Limitations.** Uses in Chinatown Mixed Use Districts are either permitted, conditional, accessory, temporary, or are not permitted.

(1) **Permitted Uses.** All permitted uses in Chinatown Mixed Use Districts shall be conducted within an enclosed building, unless otherwise specifically allowed in this Code. Exceptions from this requirement are: accessory off-street parking and loading; uses which, when located outside of a building, qualify as an outdoor activity area, as defined in Section 890.71 of this Code; Neighborhood Agriculture, as defined in Section 102 of this Code; Wireless Telecommunications Services Facility, as defined in Section 102 of this Code; and uses which by their nature are to be conducted in an open lot or outside a building, as described in Sections 890 through 890.140 of this Code. If there are two or more uses in a structure and none is classified under Section 803.2(b)(1)(C) of this Code as accessory, then each of these uses will be considered separately as an independent permitted, conditional, temporary, or not permitted use.

\* \* \* \*

(C) **Accessory Uses.** Subject to the limitations set forth below and in Sections 204.1 (Accessory Uses for Dwelling Units in R Districts) and 204.5 (Parking and Loading as Accessory Uses) of this Code, a related minor use which is either necessary to the operation or enjoyment of a lawful *p*Pincipal *#*Use or *e*Conditional *#*Use or is appropriate, incidental, and subordinate to any such use, shall be permitted in Chinatown Mixed Use Districts as an *a*Accessory *#*Use when located on the same lot. Any *#*Use not qualified as an *a*Accessory *#*Use shall only be allowed as a *p*Pincipal or *e*Conditional *#*Use, unless it qualifies as a temporary use under Sections 205 through 205.2 of this Code.

No use in a Chinatown Mixed Use District will be considered accessory to a *p*Pincipal *#*Use which involves or requires any of the following:

\* \* \* \*

*(vii) Cannabis Retail that does not meet the limitations set forth in Section 204.3(a)(3).*

1           \*   \*   \*   \*

2       **SEC. 803.3. USES PERMITTED IN EASTERN NEIGHBORHOODS MIXED USE**  
3       **DISTRICTS AND SOUTH OF MARKET MIXED USE DISTRICTS.**

4           \*   \*   \*   \*

5           (b) **Use Limitations.** Uses in Eastern Neighborhood Mixed Use Districts and South  
6 of Market Mixed Use Districts are either Principally ~~P~~ermitted, Conditional, Accessory,  
7 temporary, or are not permitted.

8           (1) **Permitted Uses.** If there are two or more uses in a structure, any use not  
9 classified below under Section 803.3(b)(1)(C) of this Code as ~~a~~Accessory will be considered  
10 separately as an independent permitted, ~~e~~Conditional, temporary or not permitted use.

11           \*   \*   \*   \*

12                               (C) **Accessory Uses.** Subject to the limitations set forth below and in  
13 Sections 204.1 (Accessory Uses for Dwelling Units in R and NC Districts), 204.2 (Accessory  
14 Uses for Uses Other Than Dwellings in R Districts), ~~204.3~~ 204.4 (Dwelling Units Accessory to  
15 Other Uses), and 204.5 (Parking and Loading as Accessory Uses) of this Code, an  
16 accessory use is a related minor use which is either necessary to the operation or  
17 enjoyment of a lawful ~~p~~Principal ~~u~~Use or Conditional Use, or is appropriate, incidental, and  
18 subordinate to any such use, and shall be permitted as an ~~a~~Accessory ~~u~~Use in an Eastern  
19 Neighborhoods Mixed Use District and South of Market Mixed Use District. In order to  
20 accommodate a ~~p~~Principal ~~u~~Use which is carried out by one business in multiple locations  
21 within the same general area, such ~~a~~Accessory ~~u~~Use need not be located in the same  
22 structure or lot as its ~~p~~Principal ~~u~~Use provided that (1) the ~~a~~Accessory ~~u~~Use is located within  
23 1,000 feet of the ~~p~~Principal ~~u~~Use; and (2) the multiple locations existed on April 6, 1990 ~~(the~~  
24 ~~effective date of this amendment)~~. ~~a~~Accessory ~~u~~Uses to non-office uses (as defined in Section  
25 890.70) may occupy space which is non-contiguous or on a different Story as the ~~p~~Principal

#Use so long as the #Accessory #Use is located in the same building as the #Principal #Use and complies with all other restrictions applicable to such #Accessory #Uses. Any use which does not qualify as an #Accessory #Use shall be classified as a #Principal #Use.

No use will be considered accessory to a #Principal #Use which involves or requires any of the following:

\* \* \* \*

(vii) Cannabis Retail that does not meet the limitations set forth in Section 204.3(a)(3).

\* \* \* \*

SEC. 810. CHINATOWN COMMUNITY BUSINESS DISTRICT.

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Table 810

CHINATOWN COMMUNITY BUSINESS DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	Chinatown Community Business Controls by Story		
			1st	2nd	3rd+
Retail Sales and Services					
* * *	* * * *	* * * *	* * * *	* * * *	* * * *
*					
<u>.75</u>	<u>Cannabis Retail</u>	<u>§§ 202.2(a), 890.125</u>	<u>C</u>	<u>C</u>	
	* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 811. CHINATOWN VISITOR RETAIL DISTRICT.

\* \* \* \*

Table 811

CHINATOWN VISITOR RETAIL DISTRICT ZONING CONTROL TABLE

\* \* \* \*

No.	Zoning Category	§ References	Chinatown Visitor Retail Controls by Story		
			1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Retail Sales and Services					
* *	* * * *	* * * *	* * * *	* * * *	* * * *
* *					
.75	Cannabis Retail	§§ 202.2(a), 890.125	C	C	
	* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 812. CHINATOWN RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 812

CHINATOWN RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT  
ZONING CONTROL TABLE

\* \* \* \*

No.	Zoning Category	§ References	Chinatown Residential Neighborhood Commercial Controls by Story		
			1st	2nd	3rd+



Retail Sales and Services					
* *					
* *	* * * *	* * * *	* * * *	* * * *	* * * *
*					
.75	<i>Cannabis Retail</i>	<i>§§ 202.2(a), 890.125</i>	<i>C</i>		
	* * * *	* * * *	* * * *	* * * *	* * * *

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## SEC. 813. RED – RESIDENTIAL ENCLAVE DISTRICT.

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Table 813			
RED – RESIDENTIAL ENCLAVE DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Residential Enclave Controls

\* \* \* \*

Other Uses			
* * * *	* * * *	* * * *	* * * *
813.71	<i>Greenhouse or Plant Nursery</i> <i>Industrial Agriculture</i>	§ <del>227(a)</del> 102	NP
* * * *	* * * *	* * * *	* * * *
813.74A	Neighborhood Agriculture	§ 102. <del>35(a)</del>	P
813.74B	Large-Scale Urban Agriculture	§ 102. <del>35(b)</del>	NP
* * * *	* * * *	* * * *	* * * *

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SEC. 814. SPD – SOUTH PARK DISTRICT.

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Table 814			
SPD – SOUTH PARK DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	South Park District Controls
* * * *	* * * *	* * * *	* * * *
<b>Retail Sales and Services</b>			
814.31	All Retail Sales and Services, Except for Bars, <del>and</del> Liquor Stores <u>and Cannabis Retail</u>	§§ <u>102</u> , 890.104, 890.116	P up to 5,000 sf per lot
* * * *	* * * *	* * * *	* * * *
<u>814.75</u>	<u>Cannabis Retail</u>	§§ <u>202.2(a)</u> , 890.125	<u>C up to 5,000 sf per lot</u>
* * * *	* * * *	* * * *	* * * *
<b>Other Uses</b>			
* * * *	* * * *	* * * *	* * * *
814.74A	<del>Greenhouse or Plant Nursery</del> <u>Industrial Agriculture</u>	§ <del>227(a)</del> <u>102</u>	NP

814.74B	Neighborhood Agriculture	§ 102. <del>35(a)</del>	P
814.74C	Large-Scale Urban Agriculture	§ 102. <del>35(b)</del>	C
* * * *	* * * *	* * * *	* * * *

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## SEC. 815. RSD – RESIDENTIAL/SERVICE MIXED USE DISTRICT.

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Table 815			
RSD – RESIDENTIAL/SERVICE MIXED USE DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Residential/Service Mixed Use District Controls
* * * *			
<b>Retail Sales and Services</b>			
815.31	All Retail Sales and Services which are not Office Uses or prohibited by § 803.4, including Bars, Limited-Restaurants, Restaurants, <u>Cannabis Retail</u> and Personal Services	§§ <u>102</u> , 890.104	P, pursuant to § 803.8(c)
	* * * *	* * * *	* * * *
<b>Other Uses</b>			
	* * * *	* * * *	* * * *
815.74A	<del>Greenhouse or Plant Nursery</del> <u>Industrial Agriculture</u>	§ <del>227(a)</del> <u>102</u>	NP
815.74B	Neighborhood Agriculture	§ 102. <del>35(a)</del>	P
815.74C	Large-Scale Urban Agriculture	§ 102. <del>35(b)</del>	C

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### SEC. 816. SLR – SERVICE/LIGHT INDUSTRIAL/RESIDENTIAL MIXED USE DISTRICT.

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<b>Table 816</b> <b>SLR – SERVICE/LIGHT INDUSTRIAL/RESIDENTIAL MIXED USED DISTRICT</b> <b>ZONING CONTROL TABLE</b>			
<b>No.</b>	<b>Zoning Category</b>	<b>§ References</b>	<b>Service/Light Industrial/ Residential Mixed Use District Controls</b>
* * * *			
<b>Retail Sales and Services</b>			
816.31	All Retail Sales and Services which are not Office Uses or prohibited by § 803.4, including Bars, Limited-Restaurants, Restaurants, <u>Cannabis Retail</u> , and Personal Services	§§ <u>102</u> , 890.104	P
	* * * *	* * * *	* * * *
<b>Other Uses</b>			
	* * * *	* * * *	* * * *
816.74A	<del>Greenhouse or Plant Nursery Industrial</del> <u>Agriculture</u>	§ <del>227(a)</del> <u>102</u>	NP
816.74B	Neighborhood Agriculture	§ <del>102.35(a)</del>	P

816.74C	Large-Scale Urban Agriculture	§ 102.35(b)	C
	* * * *	* * * *	* * * *

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## SEC. 817. SLI – SERVICE/LIGHT INDUSTRIAL DISTRICT.

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<p><b>Table 817</b></p> <p><b>SLI – SERVICE/LIGHT INDUSTRIAL DISTRICT ZONING CONTROL TABLE</b></p>			
<b>No.</b>	<b>Zoning Category</b>	<b>§ References</b>	<b>Service/Light Industrial District Controls</b>
* * * *	* * * *	* * * *	* * * *
<b>Retail Sales and Services</b>			
817.31	All Retail Sales and Services which are not Office Uses or prohibited by § 803.4, including Bars, Limited-Restaurants, Restaurants, <u>Cannabis Retail</u> , and Personal Services	§§ 102, 890.104P	
* * * *	* * * *	* * * *	* * * *
<b>Other Uses</b>			
* * * *	* * * *	* * * *	* * * *

817.74A	<del>Greenhouse or Plant Nursery-Industrial Agriculture</del>	<del>§ 227(a)102</del>	P
817.74B	Neighborhood Agriculture	§ 102.35(a)	P
817.74C	Large-Scale Urban Agriculture	§ 102.35(b)	C
* * * *	* * * *	* * * *	* * * *

\* \* \* \*

#### SEC. 818. SSO – SERVICE/SECONDARY OFFICE DISTRICT.

\* \* \* \*

Table 818			
SSO – SERVICE/SECONDARY OFFICE DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Service/Secondary Office District Controls
* * * *	* * * *	* * * *	* * * *
<b>Retail Sales and Services</b>			
818.31	All Retail Sales and Services which are not Office Uses or prohibited by § 803.4, including Bars, Limited-	§§ 102, 890.104	P

	Restaurants, Restaurants, <u>Cannabis</u> <u>Retail</u> , and Personal Services		
* * * *	* * * *	* * * *	* * * *
<b>Other Uses</b>			
* * * *	* * * *	* * * *	* * * *
818.74A	<del>Greenhouse or Plant</del> <del>Nursery-Industrial</del> <u>Agriculture</u>	§ <del>227(a)</del> 102	P
818.74B	Neighborhood Agriculture	§ 102. <del>35(a)</del>	P
818.74C	Large-Scale Urban Agriculture	§ 102. <del>35(b)</del>	C
* * * *	* * * *	* * * *	* * * *

\* \* \* \*

## SEC. 840. MUG – MIXED USE-GENERAL DISTRICT.

\* \* \* \*

Table 840

## MUG – MIXED USE-GENERAL DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	Mixed Use-General District Controls
* * * *			
<b>Institutions</b>			
* * * *	* * * *	* * * *	* * * *
840.36	Medical Cannabis Dispensary	§ 890.133	AP
* * * *	* * * *	* * * *	* * * *
<b>Retail Sales and Services</b>			
* * * *	* * * *	* * * *	* * * *
840.52	<i>Cannabis Retail</i>	§§ 202.2(a), 890.125	<i>C. Subject to size controls in Section 840.45.</i>
* * * *	* * * *	* * * *	* * * *
<b>Industrial, Home, and Business Service</b>			
* * * *	* * * *	* * * *	* * * *
840.87	<del>Non-Retail Greenhouse</del> <del>or Plant Nursery</del> <i>Industrial Agriculture</i>	§ 227(a) <u>102</u>	P
<b>Other Uses</b>			
* * * *	* * * *	* * * *	* * * *



840.97B	Neighborhood Agriculture	§ 102.35(a)	P
840.97C	Large-Scale Urban Agriculture	§ 102.35(b)	C
* * * *	* * * *	* * * *	* * * *

\* \* \* \*

## SEC. 841. MUR – MIXED USE-RESIDENTIAL DISTRICT.

\* \* \* \*

Table 841			
MUR – MIXED USE-RESIDENTIAL DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	<i>Mixed Use- Residential District Controls</i>
* * * *			
<b>Institutions</b>			
* * * *	* * * *	* * * *	* * * *
841.36	Medical Cannabis Dispensary	§ 890.133	AP
* * * *	* * * *	* * * *	* * * *
<b>Industrial, Home, and Business Service</b>			
* * * *	* * * *	* * * *	* * * *
841.87	<del>Non-Retail Greenhouse or Plant Nursery</del> <u>Industrial Agriculture</u>	§ 227(a)102	P
<b>Other Uses</b>			

* * * *	* * * *	* * * *	* * * *
841.97B	Neighborhood Agriculture	§ 102.35(a)	P
841.97C	Large-Scale Urban Agriculture	§ 102.35(b)	C
* * * *	* * * *	* * * *	* * * *

\* \* \* \*

## SEC. 842. MUO – MIXED USE-OFFICE DISTRICT.

\* \* \* \*

Table 842			
MUO – MIXED USE-OFFICE DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Mixed Use-Office District Controls
* * * *			
<b>Institutions</b>			
* * * *	* * * *	* * * *	* * * *
842.36	Medical Cannabis Dispensary	§ 890.133	AP
* * * *	* * * *	* * * *	* * * *
<b>Industrial, Home, and Business Service</b>			
* * * *	* * * *	* * * *	* * * *
842.87	<del>Non-Retail Greenhouse or Plant Nursery</del> <u>Industrial Agriculture</u>	§ 227(a)102	P
<b>Other Uses</b>			
* * * *	* * * *	* * * *	* * * *

842.97B	Neighborhood Agriculture	§ 102.35(a)	P
842.97C	Large-Scale Urban Agriculture	§ 102.35(b)	C
* * * *	* * * *	* * * *	* * * *

\* \* \* \*

## SEC. 843. UMU – URBAN MIXED USE DISTRICT.

\* \* \* \*

Table 843			
UMU – URBAN MIXED USE DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Urban Mixed Use District Controls
* * * *			
<b>Institutions</b>			
* * * *	* * * *	* * * *	* * * *
843.36	Medical Cannabis Dispensary	§ 890.133	AP
* * * *	* * * *	* * * *	* * * *
<b>Industrial, Home, and Business Service</b>			
* * * *	* * * *	* * * *	* * * *
843.87	<del>Non-Retail Greenhouse or Plant Nursery</del> <u>Industrial Agriculture</u>	§ 227(a)102	P
<b>Other Uses</b>			
* * * *	* * * *	* * * *	* * * *

843.97B	Neighborhood Agriculture	§ 102.35(a)	P
843.97C	Large-Scale Urban Agriculture	§ 102.35(b)	C
* * * *	* * * *	* * * *	* * * *

\* \* \* \*

#### SEC. 844. WMUG – WSOMA MIXED USE-GENERAL DISTRICT.

\* \* \* \*

Table 844			
WMUG – WSOMA MIXED USE-GENERAL DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	WSoMa Mixed Use-Residential District Controls
* * * *			
<b>Institutions</b>			
* * * *	* * * *	* * * *	* * * *
843.36	Medical Cannabis Dispensary	§ 890.133	AP
* * * *	* * * *	* * * *	* * * *
<b>Industrial, Home, and Business Service</b>			
* * * *	* * * *	* * * *	* * * *
844.87	<del>Non-Retail Greenhouse or</del> <del>Plant Nursery Industrial</del> <u>Agriculture</u>	§ 227(a)102	P

<b>Other Uses</b>			
* * * *	* * * *	* * * *	* * * *
844.97b	Neighborhood Agriculture	§ 102.35(a)	P
844.97c	Large-Scale Urban Agriculture	§ 102.35(b)	NP
* * * *	* * * *	* * * *	* * * *

\* \* \* \*

## SEC. 845. WMUO – WSOMA MIXED USE-OFFICE DISTRICT.

\* \* \* \*

Table 845			
WMUO – WSOMA MIXED USE-OFFICE DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	<del>WSOMA</del> <u>WSoMa</u> Mixed Use-Office District Controls
* * * *			
<b>Institutions</b>			
* * * *	* * * *	* * * *	* * * *
845.36	Medical Cannabis Dispensary	§ 890.133	NP
* * * *	* * * *	* * * *	* * * *
<b>Industrial, Home, and Business Service</b>			
* * * *	* * * *	* * * *	* * * *
845.87	<del>Non-Retail</del> <del>Greenhouse or Plant</del>	§ 227(a)102	P

	<u>Nursery Industrial</u>		
	<u>Agriculture</u>		
<b>Other Uses</b>			
* * * *	* * * *	* * * *	* * * *
845.97b	Neighborhood Agriculture	§ 102.35(a)	P
845.97c	Large-Scale Urban Agriculture	§ 102.35(b)	NP
* * * *	* * * *	* * * *	* * * *

\* \* \* \*

## **SEC. 890.52. LABORATORY.**

Laboratory shall mean space within any structure intended or primarily suitable for scientific research. The space requirements of uses within this category include specialized facilities and/or built accommodations that distinguish the space from office uses (as defined in Section 890.70), light manufacturing (as defined in Section 890.54(a)), or heavy manufacturing (including uses listed in Sections 226(g) through 226(w)). Examples of laboratories include the following:

\* \* \* \*

(h) Core laboratory; and

(i) Cannabis testing (License Type 8—Testing laboratory, as defined in California Business and Professions Code, Division 10).

## **SEC. 890.54. LIGHT MANUFACTURING, WHOLESALE SALES, STORAGE.**

A commercial use, including light manufacturing, wholesale sales, and storage, as defined in Subsections (a), (b), (c), and (d) below.

1 (a) **Light Manufacturing.** A nonretail use ~~which~~that provides for the fabrication or  
2 production of goods, by hand or machinery, for distribution to retailers or wholesalers for  
3 resale off the premises, primarily involving the assembly, packaging, repairing, or  
4 processing of previously prepared materials, when conducted in an enclosed building having  
5 no openings other than fixed windows or exits required by law located within 50 feet of any  
6 R District. Light manufacturing uses include production and custom activities usually  
7 involving individual or special design, or handiwork, such as the following fabrication or  
8 production activities as may be defined by the Standard Industrial Classification Code Manual  
9 as light manufacturing uses:

10 \* \* \* \*

11 (8) Measuring, analyzing, and controlling instruments; photographic, medical  
12 and optical goods; watches and clocks; and

13 (9) Manufacture of cannabis products or cannabis extracts that are derived without  
14 the use of volatile organic compounds (License Type 6—Manufacturer 1, as defined in California  
15 Business and Professions Code, Division 10).

16 \* \* \* \*

17 (b) **Wholesale Sales.** A nonretail use ~~which~~that exclusively provides goods or  
18 commodities for resale or business use, including accessory storage. This use includes  
19 cannabis distribution (License Type 11—Distributor, as defined in California Business and  
20 Professions Code, Division 10). It shall not include a nonaccessory storage warehouse.

21 \* \* \* \*

## 22 **SEC. 890.111. SERVICE, BUSINESS.**

23 A use ~~which~~that provides the following kinds of services to businesses and/or to the  
24 general public and does not fall under the definition of "office" pursuant to Section 890.70:  
25

1 radio and television stations; newspaper bureaus; magazine and trade publication  
2 publishing; microfilm recording; slide duplicating; bulk mail services; parcel shipping  
3 services; parcel labeling and packaging services; messenger delivery/courier services; sign  
4 painting and lettering services; building maintenance services; and cannabis delivery services.

5 **SEC. 890.125. CANNABIS RETAIL.**

6 A Retail Sales and Service Use that sells or otherwise provides cannabis and cannabis-related  
7 products for adult use, and that may also include the sale of cannabis for medicinal use. Cannabis  
8 may be consumed on site pursuant to authorization by the City's Office of Cannabis and Department  
9 of Public Health, as applicable. Cannabis Retail establishments may only be operated by the holder  
10 of (a) a valid license from the State of California (License Type 10—Retailer, as defined in California  
11 Business and Professions Code, Division 10) and (b) a valid permit from the City's Office of  
12 Cannabis. This use is subject to operating and location restrictions set forth in Section 202.2(a).

13  
14 Section 3. Repeal of Ordinance No. 186-17. The City enacted Ordinance No. 186-  
15 17 on September 15, 2017. That ordinance, a copy of which is in Board of Supervisors File  
16 No. 170516, is hereby repealed in its entirety.

17  
18 Section 4. Alphabetization. In Article 7 Zoning Control Tables, the publisher of the  
19 San Francisco Municipal Code, at the direction of the City Attorney, shall place uses in  
20 alphabetical order within their respective use categories.

21  
22 Section 5. Effective Date. This ordinance shall become effective 30 days after  
23 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
24 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the  
25 Board of Supervisors overrides the Mayor's veto of the ordinance.



1  
2           Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
3 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
4 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the  
5 Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board  
6 amendment additions, and Board amendment deletions in accordance with the "Note" that  
7 appears under the official title of the ordinance.

8  
9   APPROVED AS TO FORM:  
10   DENNIS J. HERRERA, City Attorney

11   By: \_\_\_\_\_  
12       VICTORIA WONG  
      Deputy City Attorney

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Exhibit C

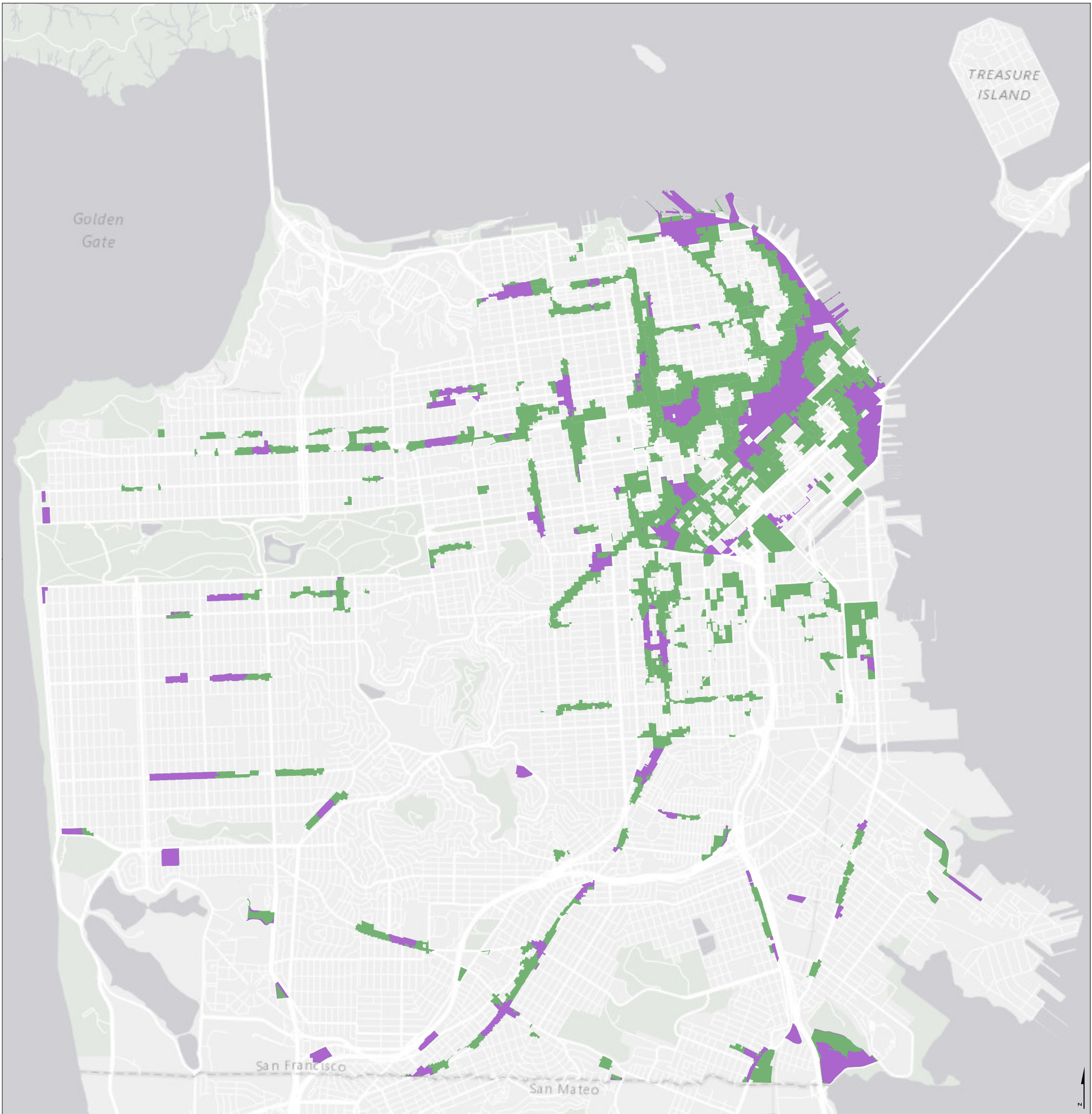
		Generally NE Waterfront	Downtown					Light Industrial (NEMIZ; Showplace)		Light Industrial (Bayview)	Heavy Industrial (Bayview)	Industrial (Port properties & Bayview)		SoMa & NEMIZ	South of Market										Residential			Residential - Commercial Combined		Neighborhood Commercial & Chinatown														
		C-2	C-3-0	C-3-O(SD)	C-3-R	C-3-G	C-3-S	PDR-1-G	PBR-1-D	PDR-1-B	PDR-2	M-1	M-2	UMU	SPD	RSD	SLR	SLI	SS0	MUG	MUR	MUO	WMUG	WMUO	SALI	RED-MX	RH	RM	RTO	RC-3	RC-4	NC-1	NCT-1	CR-NC	All Others									
Non-Retail	Manufacturing w/VOCs	NP	NP	NP	NP	NP	NP	C	C	NP	C	NP	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP				NP	NP	NP	NP	NP	NP								
	Manufacturing w/o VOCs	NP	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P																		
	Industrial Agriculture	P	NP	NP	NP	NP	P	P	P	P	P	P	P	P	NP	NP	NP	P	P	P	P	P	P	P	P	C																		
	Testing Lab	NP	P	P	P	P	P	P	P	P	P	P	P	P	NP	P	P	P	P	P	P	P	NP	P	P	NP																		
	Direct-to-Customer Distribution*	C	C	C	C	C	P	P	P	NP	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P																		
	B2B Distribution	NP	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C																		
Neighborhood Notice for Non-Retail		not required												required if prior use was non-industrial												n/a			required		n/a													
Retail		P						P***				P		P	C	P	P	P	P	P	C	P	P	P	P	P	P	P*	NP			P on 1st Fl; C above		NP	NP	C on 1st Fl; NP above	C on 2nd Fl and below; NP above							
Neighborhood Notice for Retail		not required												required												n/a			not required		required													

\* Non-storefront, delivery-only cannabis retailers  
\*\* Subject to size limits  
\*\*\* Subject to size limits and 2/3 of premises being used for cannabis PDR under State Microbusiness License

Existing and Proposed Medical Cannabis Dispensary (MCD) and Cannabis Retail (CR) "Green Zones"



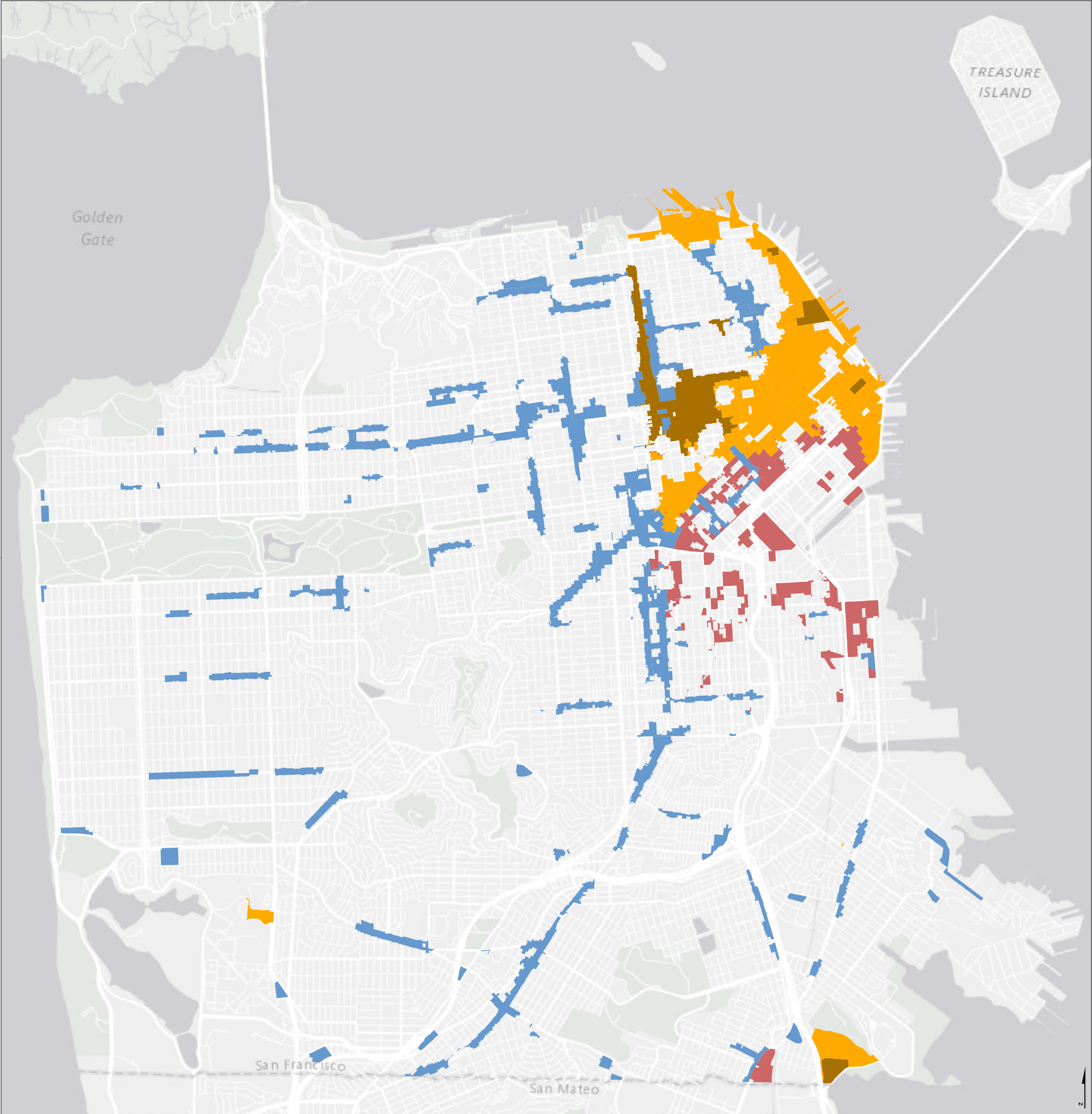
- Existing "Green Zone"
- Proposed Expansion to "Green Zone"



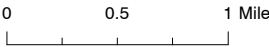
Generalized Proposed Land Use Controls for Cannabis Retailers



- NC & Chinatown Districts: Generally allowed on 2nd floor and below with CU
- RC Districts: Permitted as-of-right on the ground floor; CU above
- C, DTR & SoMa: Permitted as-of-right
- Eastern Neighborhoods: Generally permitted as-of-right along with neighborhood notice



Printed: 26 September, 2017



- NOTES
- Areas not shown in color are areas where Cannabis Retailers cannot locate.
  - This map does not depict retailers that are allowed in PDR Districts, which, while permitted, must operate in conjunction with a State Microbusiness License and must engage in on-site cannabis-related PDR activity.