



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

September 4, 2009

Jen Wu
Butterflies and Hurricanes
1245 California Street, #408
San Francisco CA 94109

RE: Classification of Use for Zoning determination

Dear Ms. Wu:

This letter is in response to your request for a letter of determination regarding a proposed business and the zoning category which best fits the proposed use. You do not have a specific address for the proposed use, so you are inquiring about a general use classification by which to further refine your ability to locate spaces based on zoning districts which permit the activity you are proposing. Since uses in San Francisco may vary and are generally defined within each the zoning district, this letter would facilitate the site selection process.

Your business, dba Butterflies and Hurricanes, would offer a small event space designed specifically for personal dinner parties with the purpose of encouraging sustainability in agriculture, architecture, and energy. It will offer a kitchen and dining space designed to optimize events revolving around cooking and entertaining, for short-term use (fewer than 24 hours). Depending on the size of the space, it may seat 10-20 guests comfortably, 30 for a standing reception. The sliding scale rental fee includes use of all available cooking and serving tools and equipment. Clean-up will be an included service. Food shopping and delivery, which will prioritize sustainably-produced and local ingredients, will be offered as an optional service at an added cost.

Based on this description, your use would best fit the "Assembly" category as a use described in the Planning Code. Please refer to the City's Zoning Maps for the locations of the zoning districts described in this letter. The Zoning Maps can be found on the Planning Department website. Various zoning districts would allow this use as follows:

Commercial and Industrial (C, M and PDR) Districts.

Per Section 221 of the Planning Code, Assembly is a permitted use in the C, M and PDR Districts of the City, more generally described as the downtown commercial core and the industrial areas of the southeastern part of the City, including the area around the base of Potrero Hill.

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Eastern Neighborhoods Mixed Use Districts (MUG, MUR, MUO and UMU)

In the newly rezoned Eastern Neighborhoods Mixed Use Districts, more generally described as most of South of Market (SOMA) area, the Northern Mission industrial areas, and the Central Waterfront, and the northern base of Potrero Hill, Assembly is defined per Planning Code Section 890.50(a) [Institutions, Other, Assembly and Social Service] and is a permitted use in the MUG, MUR, MUO and UMU districts. In some cases, depending on the change in use category, a 30-day notification may apply.

SOMA Mixed Use Districts (SLR and SLI)

In the remaining SOMA Districts, generally referred to as East SOMA and West SOMA, Assembly is also defined per Planning Code Section 890.50(a) [Institutions, Other, Assembly and Social Service]. In these Districts, your project would be a Conditional Use and would require a public notice and hearing before the Planning Commission. The Conditional Use application, instructions and procedures can be found at <http://www.sfgov.org/site/uploadedfiles/planning/Applications/cuapp.pdf>

NC Districts (Article 7 of the Planning Code)

In the Neighborhood Commercial (NC) Districts, generally described as neighborhood commercial corridors along prominent streets such as Valencia, Castro, 24th in the Mission and Noe Valley, Clement, Haight, Fillmore, etc., Assembly is defined per Planning Code Section 790.50(a) [Institutions, Other, Large] and is generally a permitted use at ground level and a Conditional Use at the second level, the difference being that a Conditional Use would require a public hearing before the Planning Commission. Some NC districts prohibit the Assembly use. NC Districts require a 30-day notification for a change of use for Assembly uses.

You may also want to contact the Department of Building Inspection to inquire about Building Code requirements for changes in use. Be advised that if you plan on serving alcohol, some areas in the City have Alcohol Restricted Special Use Districts (ARSUD), most notably in the Mission District. The ARSUD's can generally be found in Planning Code Sections 781.8 thru 785.

If you believe this determination represents an error in interpretation of the Planning Code or abuse in discretion by the Zoning Administrator, an appeal may be filed with the Board of Appeals within 15 days of the date of this letter. For information regarding the appeals process, please contact the Board of Appeals located at 1650 Mission Street, Room 304, San Francisco, or call (415) 575-6880.

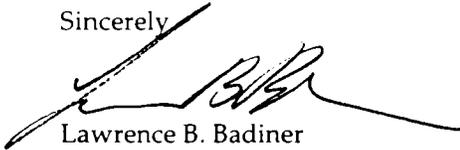
Please contact us about specific sites that you have under consideration, since there may be specific limitations that we can not anticipate in a general letter such as this.

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If you have further questions regarding this letter, please contact Julian Banales of my staff at (415) 558-6339.

Sincerely

A handwritten signature in black ink, appearing to read 'L. Badiner', with a long horizontal flourish extending to the right.

Lawrence B. Badiner
Zoning Administrator

cc: Julian Banales, Planner

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