



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Planning Code Text & Zoning Map Amendment

HEARING DATE: NOVEMBER 17, 2016  
EXPIRATION DATE: FEBRUARY 6, 2017

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*Project Name:* **Medical Service Use - Sacramento Street Neighborhood Commercial District**  
*Case Number:* 2016-007705PCA [Board File No. 160656]  
*Initiated by:* Supervisor Farrell / Introduced 5/31/16, Reintroduced 11/7/16  
*Staff Contact:* Menaka Mohan, Legislative Affairs  
menaka.mohan@sfgov.org, 415-575-9141  
*Reviewed by:* Aaron Starr, Manager of Legislative Affairs  
aaron.starr@sfgov.org, 415-558-6362  
*Recommendation:* **Recommend Approval**

### PLANNING CODE AMENDMENT

The proposed Ordinance would amend the Planning Code to provide that in the Sacramento Street Neighborhood Commercial District a Medical Service use, whether Principal or Accessory, requires Conditional Use (CU) authorization on the ground story and is principally permitted above the ground story;

#### The Way It Is Now:

1. Within the Sacramento NCD, new Medical Service<sup>1</sup> uses are prohibited at all stories except that a Business or Professional Service use may convert to a Medical Service use on the first story or below if no residential use or active street frontage is lost.
2. Medical Service is permitted as an Accessory Use within all Neighborhood Commercial Districts (NCDs).

#### The Way It Would Be:

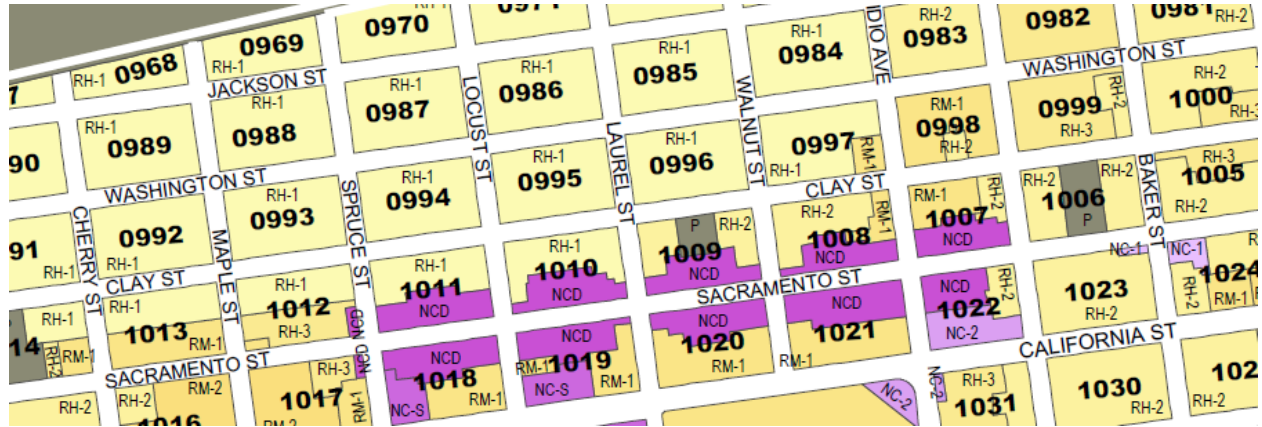
1. Medical Services on the ground floor and below would now require a CU authorization, and would be principally permitted on the second and above floors.
2. Medical Service as an Accessory Use would require a Conditional Use Authorization on the ground floor or below.

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<sup>1</sup>Medical Service is defined in Section 790.114 as "A retail use which provides medical and allied health services to the individual by physicians, surgeons, dentists, podiatrists, psychologists, psychiatrists, acupuncturists, chiropractors, or any other health-care professionals when licensed by a State-sanctioned Board overseeing the provision of medically oriented services. It includes a clinic, primarily providing outpatient care in medical, psychiatric or other health services, and not part of a hospital or medical center."

## BACKGROUND

### Sacramento NCD



*The Sacramento Street NCD runs about five linear blocks along Sacramento Street from Spruce Street east to Lyon Street. It includes lots located on blocks 1007-1012 and blocks 1017-1022.*

Established in 1987, the Sacramento Street Neighborhood Commercial District (NCD) is intended to promote growth that is compatible with a low-density residential neighborhood. While most new commercial uses are promoted at the ground floor and below, special controls are in place to preserve existing neighborhood serving retail uses and existing residential uses are protected on all stories. In fact existing residential uses are protected by Planning Code section 317 which requires a hearing for the removal of any residential unit including unauthorized units.

In 2013 legislation was introduced on Sacramento Street NCD that allowed a change of use from a Business or Professional Service to Medical Services use on the first floor or below to allow an existing legally permitted Business Professional Service use to change to a Medical Service. The current ordinance would require Medical Services apply for a CU authorization for the first floor and below, but permit Medical Services on the second and above-if the existing use is not residential. It will also require a Conditional Use Authorization for the Medical Services as Accessory Use on the ground floor or below.

## ISSUES AND CONSIDERATIONS

### Changes Since Introduction

When it was first introduced in May of this year, this legislation put back in place to the originally NCD controls- not permitting Medical Services on any story; however, after conversations between Supervisor Farrell's Office and local merchant leaders the ordinance was amended to reflect changes and future growth opportunities for the District. For example, California Pacific Medical Center (CPMC) is closing its California Campus, which is directly south of the Sacramento Street NCD. The closing of this large institution could provide opportunities along the corridor for future Medical Services. Requiring CU authorization on the first floor for Medical Services, while at the same time permitting the Medical Services on the second and above story provides a compromise of encouraging active uses on the ground floor and potentially more space for Medical Services above the first story. In general, the Department prefers CU authorization over out-right bans because it allows the Planning Commission to evaluate whether or not a business is necessary or desirable on a case-by-case basis. Furthermore, Medical Services

do not comprise a large number- currently only four percent- of the current uses along the corridor, so an outright ban doesn't seem to make sense.

Note, that although not included in this ordinance, the Planning Department did discuss with the project sponsor the possibility of removing the CUA for Restaurants on the ground floor in the corridor to attract more eating establishments and potentially changing the controls for Business and Personal services.

### **Existing Business Make-up**

A survey conducted by Planning Department staff on August 25, 2016 from Lyon Street to Spruce Street. A planner conducted a walking survey of ground floor business-note that the names were not recorded<sup>2</sup>.

**Table 2: Sacramento Street NCD-Business Mix as of August 25, 2016**

Business Type	Total	as %	Planning Code Section	Planning Code Definition
Clothing, Accessories	19	17%	790.102	Sales and Service-Other Retail
Personal Service	13	12%	790.116	Service, Personal
Vacant*	12	11%	-	-
Appliance, Home Furnishings	10	9%	790.102	Sales and Service-Other Retail
Business or Professional Service	10	9%	790.108	Service, Business or Professional
Jewelry	6	5%	790.102	Sales and Service-Other Retail
Antiques Shop	5	4%	791.102	Sales and Service-Other Retail
Dry Cleaners, Laundry	5	4%	792.102	Sales and Service-Other Retail
Galleries, Framing	5	4%	793.102	Sales and Service-Other Retail
Medical Service	4	4%	790.114	Service, Medical
Fast Food / Limited Restaurant	3	3%	790.90	Limited Restaurant
Restaurant, Full Service	3	3%	790.91	Restaurant
Fitness / Gym	2	2%	790.116	Service, Personal
Florist	2	2%	790.102	Sales and Service-Other Retail
Mailing Services	2	2%	791.102	Sales and Service-Other Retail
Trade Shop (with Retail Component)	2	2%	792.102	Sales and Service-Other Retail
Variety, Discount	2	2%	793.102	Sales and Service-Other Retail
Auto Repair	1	1%	790.16	Automotive Service
Gifts	1	1%	790.102	Sales and Service-Other Retail
Instructional Services	1	1%	790.116	Service, Personal
Liquor Store	1	1%	790.55	Liquor Store
Other Retail**	2	2%	790.102	Sales and Service-Other Retail

<sup>2</sup>This is a point in time survey; businesses may have changed since the date of the survey. Only the perceived land use is recorded to align with Planning Code definitions.

School	1	1%	790.50	Institutions, Other Large
Sporting Goods	1	1%	790.102	Sales and Service-Other Retail
TOTALS	113	100 %	-	-

*\*Vacant spaces include those currently undergoing tenant improvement construction \*\*Pet supply store and stroller store*

### **Proposed Accessory Use Controls**

The ordinance also proposes to require CU authorization for accessory Medical Service uses in the Sacramento Street NCD. The district is seeing some Medical Service uses come in as accessory uses to an existing or new retail establishment. With these businesses, the accessory use meets limits prescribed in the Code; however, the main focus of the business is not the primary use, but the accessory use. For example, a salon, which is a defined in the Code and a Personal Service use, will add a Botox station. Botox is considered a Medical Service use. Since Botox takes up a small footprint and is related to the primary use, it meets the accessory use controls in the Planning Code. Yet in actuality, the Botox use is the main focus of the store, likely bring in the most customers and revenue. The provision proposed in this Ordinance will close what is a potential loophole around the proposed controls for Medical Services.

### **Medical Service Uses in Other NCDs**

The following table demonstrates how other Neighborhood Commercial Districts govern Medical Services:

**Table 1: Medical Services in Neighborhood Commercial Districts**

Name	Code Section	Medical Service		
		1 <sup>st</sup> Story	2 <sup>nd</sup> Story	3 <sup>rd</sup> Story
NC-1	710	P	-	-
NC-2	711	P	P	-
NC-3	712	P	P	P
NCS	713	P	P	#
Broadway	714	P	P	-
Castro Street	715	P	P	C
Inner Clement Street	716	P	C	-
Outer Clement Street	717	P	-	-
Upper Fillmore Street	718	P	P	-
Haight Street	719	-	C	-
Hayes-Gough	720	C	P	C
Upper Market Street	721	P	P	C
North Beach	722	P	P	C
Polk Street	723	P	P	-
Sacramento Street	724	#	-	-
Union Street	725	P	P	C
Valencia Street	726	P	C	-
24th Street-Mission	727	P	C	-
24th Street-Noe Valley	728	C	P	-
West Portal Avenue	729	C	P	-
Inner Sunset	730	C	C	-

NCT-3	731	P	P	P
Pacific Avenue	732	C	C	-
Upper Market Street NCT	733	P	P	C
NCT-1	733A	P	-	-
NCT-2	734	P	-	-
SOMA NCT	735	P	P	-
Mission Street NCT	736	P	P	P
Ocean Avenue NCT	737	P	P	-
Glenn Park NCT	738	P	P	-
Noriega Street	739	P	P	-
Irving Street	740	P	P	-
Taraval Street	741	P	P	-
Judah Street	742	P	P	-
Folsom Street	743	P	-	-
Regional Commercial	744	P	-	-
Excelsior Outer Mission Street	745	P	P	P
Divisadero Street NCT	746	P	P	-
Fillmore Street NCT	747	P	P	P
Japan NCD	748	C	P	P

As the table demonstrates, Medical Services are governed differently depending on the NCD- the proposed changes to Medical Services in the Sacramento NCD are not unique or overly prohibitive as compared to other districts.

## RECOMMENDATION

The Department recommends that the Commission recommend *approval* the proposed Ordinance and adopt the attached Draft Resolution to that effect.

## BASIS FOR RECOMMENDATION

The Department supports the goals of this ordinance because it provides a path for Medical Services that is not overly restrictive and provides enough oversight on the ground floor by requiring CU authorization. Recognizing that the neighborhood is losing a large Institution (CPMC) proving more spaces for Medical Services could be beneficial. Further, the proposed ordinance closes a significant loophole and ineffective land use control in the Sacramento Street NCD created by the 2013 legislation, which allowed Business or Professional Service to convert to a Medical Service use.

## 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 determined that this ordinance will not impact our current implementation procedures.

## **ENVIRONMENTAL REVIEW**

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c)(2) and 15378 because they do not result in a physical change in the environment.

## **PUBLIC COMMENT**

As of the date of this report, the Planning Department has spoken to Traci Teraoke who manages the Sacramento Street Merchants website. She provided her own mix of business of the Sacramento NCD which is provided as Exhibit B.

<b>RECOMMENDATION:</b>	<b>Recommendation of Approval</b>
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### **Attachments:**

Exhibit A: Draft Planning Commission Resolution  
Exhibit B: Business Mix of Sacramento Street provided by Traci Teraoke  
Exhibit C: Board of Supervisors File No. 160656



Exhibit A

# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Resolution

HEARING DATE: NOVEMBER 17, 2016

*Project Name:* **Amendments relating to the Sacramento NCD:  
Medical Service Uses**

*Case Number:* 2016-007705PCA [Board File No. 160656]

*Initiated by:* Supervisor Farrell / Introduced May 31, 2016 and June 21, 2016

*Staff Contact:* Menaka Mohan, Legislative Affairs  
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*Reviewed by:* Aaron D Starr, Manager of Legislative Affairs  
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**RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE AMENDING THE PLANNING CODE TO PROVIDE THAT IN THE SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT A MEDICAL SERVICE USE, WHETHER PRINCIPAL OR ACCESSORY, REQUIRES A CONDITIONAL USE AUTHORIZATION ON THE GROUND STORY AND IS PERMITTED ABOVE THE GROUND STORY; 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 FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE UNDER PLANNING CODE SECTION 302.**

WHEREAS, on November 8, 2016 Supervisor Farrell introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 160656, which amend the Planning Code to provide that in the Sacramento Street Neighborhood Commercial District a Medical Service use, whether Principal or Accessory, requires a Conditional Use authorization on the ground story and is permitted above the ground story; and,

WHEREAS, The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on November 17, 2016; and,

WHEREAS, the proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c)(2) 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 recommends that the Board of Supervisors **approve** 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 closing of a large medical institution (California Pacific Medical Center or CPMC) near the Sacramento Neighborhood Commercial District could provide opportunities along the corridor for future Medical Services.
2. Requiring a Conditional Use authorization on the first floor for Medical Services while at the same time permitting the Medical Services on the second and above story provides a compromise of encouraging active uses on the ground floor and potentially more space for Medical Services above the first story.
3. The proposed ordinance closes a significant loophole and ineffective land use control in the Sacramento Street NCD created by the 2013 legislation, which allowed Business or Professional Service to convert to a Medical Service use.
4. **General Plan Compliance.** The proposed Ordinance and the Commission's recommended modifications are consistent with the following Objectives and Policies of the General Plan:

## COMMERCE AND INDUSTRY ELEMENT

### OBJECTIVE 1

IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.

#### Policy 4.2

Promote and attract those economic activities with potential benefit to the City.

*The proposed ordinance provides an avenue to attract new Medical Services to the Sacramento NCD.*

### OBJECTIVE 7

ENHANCE SAN FRANCISCO'S POSITION AS A NATIONAL AND REGIONAL CENTER FOR GOVERNMENTAL, HEALTH, AND EDUCATIONAL SERVICES.

#### Policy 7.2

Encourage the extension of needed health and educational services, but manage expansion to avoid or minimize disruption of adjacent residential areas.



*The proposed ordinance provides an avenue to attract new Medical Services to the Sacramento NCD while adding additional scrutiny in the form of a Conditional Use authorization for proposed Medical Services on the ground floor.*

**Policy 2.3**

Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

*The proposed Ordinance allows new commercial activity in districts where it once was largely prohibited. This added commercial activity will help maintain a favorable social and cultural climate in San Francisco as it adds to the number of recreational activities available to employees. This enhances San Francisco as a location for firms.*

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 recommends that the Board ADOPT the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on November 17, 2016

Jonas P. Ionin  
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED: November 17, 2016

**Exhibit B-Sacramento Street Merchant Comparison of Business Mix provided by Traci Taraoke**

<b>Business Type</b>	<b>Total</b>	<b>as %</b>	<b>SSMA</b>
Clothing, Accessories	19	17%	13
Personal Service	13	12%	11
Vacant	12	11%	8
Appliance, Home Furnishings	10	9%	8
Business or Professional Service	10	9%	
Jewelry	6	5%	3
Antiques Shop	5	4%	4
Dry Cleaners, Laundry	5	4%	4
Galleries, Framing	5	4%	4
Medical Service	4	4%	4
Fast Food / Limited Restaurant	3	3%	2
Restaurant, Full Service	3	3%	7
Fitness / Gym	2	2%	2
Florist	2	2%	3
Mailing Services	2	2%	2
Trade Shop (with Retail Component)	2	2%	
Variety, Discount ( consignment stores?)	2	2%	
Auto Repair	1	1%	1
Gifts ( the ribbon shop?)	1	1%	1
Instructional Services	1	1%	1
Liquor Store	1	1%	1
Other Retail*	2	2%	2
School	1	1%	1
Sporting Goods	1	1%	1
Movie Theater			1
<b>TOTALS</b>	<b>113</b>	<b>100%</b>	

*\*Vacant spaces include those currently undergoing tenant improvement construction*

*\*\*Pet supply store and stroller store*

## Exhibit C

1 [Planning Code - Medical Service Use - Sacramento Street Neighborhood Commercial  
2 District]

3 **Ordinance amending the Planning Code to provide that in the Sacramento Street**  
4 **Neighborhood Commercial District a Medical Service use, whether Principal or**  
5 **Accessory, requires a Conditional Use authorization on the ground story and is**  
6 **permitted above the ground story; affirming the Planning Department's determination**  
7 **under the California Environmental Quality Act; and making findings of consistency**  
8 **with the General Plan, and the eight priority policies of Planning Code, Section 101.1,**  
9 **and findings of public necessity, convenience, and welfare under Planning Code,**  
10 **Section 302.**

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

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

19 Section 1. Findings.

20 (a) The Planning Department has determined that the actions contemplated in this  
21 ordinance comply with the California Environmental Quality Act (California Public Resources  
22 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of  
23 Supervisors in File No. \_\_\_\_\_ and is incorporated herein by reference. The Board affirms  
24 this determination.

25 (b) On \_\_\_\_\_, the Planning Commission, in Resolution No. \_\_\_\_\_, adopted  
findings that the actions contemplated in this ordinance are consistent, on balance, with the

1 City’s General Plan and eight priority policies of Planning Code Section 101.1. The Board  
2 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the  
3 Board of Supervisors in File No. \_\_\_\_\_, and is incorporated herein by reference.

4 (c) Pursuant to Planning Code Section 302, this Board of Supervisors finds that  
5 these Planning Code amendments will serve the public necessity, convenience, and welfare  
6 for the reasons set forth in Planning Commission Resolution No. \_\_\_\_\_ and the Board  
7 hereby incorporates such reasons herein by reference. A copy of said Resolution is on file  
8 with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_, and is incorporated herein by  
9 reference.

10  
11 Section 2. The Planning Code is hereby amended by revising Sections 703.2 and 724,  
12 to read as follows:

13 **SEC. 703.2. USES PERMITTED IN NEIGHBORHOOD COMMERCIAL DISTRICTS.**

14 A #Use is defined in Section 102 of this Code as the ~~specific~~ purpose for which land or a  
15 structure ~~property~~ or both ~~building is~~ are legally designed, constructed, arranged, or intended, or for  
16 which they are legally used, occupied, maintained, or leased. Whether or not a use is permitted  
17 in a specific district is set forth or summarized and cross-referenced in Article 7 of this Code  
18 for each district class.

19 \* \* \* \*

20 (b) **Use Limitations.** The #Uses permitted in Neighborhood Commercial Districts are  
21 either ~~p~~PPrincipal, ~~e~~Conditional, ~~a~~Accessory, or temporary uses as stated in this Section 703.2,  
22 and include those #Uses set forth or summarized and cross-referenced in the zoning control  
23 categories as listed in this Code for each district class.

24 \* \* \* \*

1 (C) **Accessory Uses.** Except as prohibited in Section 728 and subject  
2 to the limitations set forth below and in Sections 204.1 (Accessory Uses for Dwelling Units in  
3 R and NC Districts), 204.4 (Dwelling Units Accessory to Other Uses), and 204.5 (Parking and  
4 Loading as Accessory Uses) of this Code, a related minor use which is either necessary to the  
5 operation or enjoyment of a lawful ~~p~~PPrincipal ~~use~~ or ~~e~~Conditional ~~#~~Use, or is appropriate,  
6 incidental and subordinate to any such use, shall be permitted as an ~~a~~Accessory ~~#~~Use when  
7 located on the same lot. Any ~~#~~Use which does not qualify as an ~~a~~Accessory ~~#~~Use shall be  
8 classified as a ~~p~~PPrincipal or ~~e~~Conditional ~~#~~Use, unless it qualifies as a temporary use under  
9 Sections 205 through 205.4 of this Code.

10 No ~~#~~Use will be considered accessory to a permitted ~~p~~PPrincipal or ~~e~~Conditional ~~#~~Use  
11 which involves or requires any of the following:

12 \* \* \* \*

13 (ix) A Medical Service use as an Accessory Use in the Sacramento  
14 Street Neighborhood Commercial District requires a Conditional Use authorization on the ground  
15 story and is permitted above the ground story pursuant to Section 724 of this Code.

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

17 Located in the Presidio Heights neighborhood in north-central San Francisco, the  
18 Sacramento Street Neighborhood Commercial District functions as a small-scale linear  
19 shopping area. It extends along Sacramento Street between Lyon and Spruce Streets.  
20 Interspersed among residential buildings and garages, the district's daytime-oriented retail  
21 stores provide a limited array of convenience goods to the immediate neighborhood.  
22 Sacramento Street also has many elegant clothing, accessory, and antique stores and  
23 services, such as hair salons, which attract customers from a wider trade area. Its numerous  
24 medical and business offices draw clients from throughout the City. Evening activity in the  
25

1 district is limited to one movie theater, a few restaurants, and some stores near Presidio  
2 Avenue.

3 The Sacramento Street District controls are designed to promote adequate growth  
4 opportunities for development that is compatible with the surrounding low-density residential  
5 neighborhood. The building standards monitor large-scale development and protect rear yards  
6 at the grade level and above. Most new commercial development is permitted at the first  
7 story; general retail uses are permitted at the second story only if such use would not involve  
8 conversion of any existing housing units. Special controls are designed to protect existing  
9 neighborhood-serving ground-story retail uses. New ~~m~~Medical ~~s~~Service uses, whether Principal  
10 or Accessory, require a Conditional Use authorization on the ground story and are permitted above the  
11 ground story ~~prohibited at all stories except a change of use is permitted on the first story or below~~  
12 ~~from a business or professional service use to medical service use under certain circumstances.~~

13 Personal and business services are restricted at the ground story and prohibited on upper  
14 stories. Limits on new ground-story eating and drinking uses, as well as new entertainment  
15 and financial service uses, are intended to minimize the environmental impacts generated by  
16 the growth of such uses. The daytime orientation of the district is encouraged by prohibiting  
17 bars and restricting late-night commercial activity. New hotels and parking facilities are limited  
18 in scale and operation to minimize disruption to the neighborhood. Most new automobile and  
19 drive-up uses are prohibited to promote continuous retail frontage.

20 Housing development in new buildings is encouraged above the second story. Existing  
21 residential units are protected by limitations on demolitions and prohibitions of upper-story  
22 conversions.

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

\* \* \* \*

No.	Zoning Category	§ References	Sacramento Street Controls by Story		
		§ 790.118	1st	2nd	3rd+
<b>Retail Sales and Services</b>					
* * * *					
724.51	Medical Service	§ 790.114	# <u>C</u>	<u>P</u>	<u>P</u>
* * * *					

**SPECIFIC PROVISIONS FOR THE SACRAMENTO STREET  
NEIGHBORHOOD COMMERCIAL DISTRICT**

Article 7 Code Section	Other Code Section	Zoning Controls
* * * *		
§ 724.51	<del>§§ 145.1, 145.1(2)(A), 790.88, 790.108, 790.114</del>	<b>Boundaries:</b> Sacramento Street Neighborhood Commercial District <b>Controls:</b> <i>A Medical Service use requires a Conditional use authorization on the ground story whether it is Principal or Accessory. A business or professional service use may be converted to a medical service use on the first story or below if no residential use or active street frontage is lost.</i>
* * * *		

Section 3. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.



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

7  
8 APPROVED AS TO FORM:  
9 DENNIS J. HERRERA, City Attorney

10 By: \_\_\_\_\_  
11 JUDITH A. BOYAJIAN  
12 Deputy City Attorney  
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