

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

2  
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. 160656 and is incorporated herein by reference. The Board affirms  
24 this determination.

25 (b) On November 17, 2016, the Planning Commission, in Resolution No. 19777,  
adopted findings that the actions contemplated in this ordinance are consistent, on balance,

1 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The  
2 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of  
3 the Board of Supervisors in File No. 160656, 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. 19777 and the Board hereby  
7 incorporates such reasons herein by reference. A copy of said Resolution is on file with the  
8 Clerk of the Board of Supervisors in File No. 160656, and is incorporated herein by reference.

9  
10 Section 2. The Planning Code is hereby amended by revising Sections 703.2 and 724,  
11 to read as follows:

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

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

18 \* \* \* \*

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

23 \* \* \* \*

24 (C) **Accessory Uses.** Except as prohibited in Section 728 and subject  
25 to the limitations set forth below and in Sections 204.1 (Accessory Uses for Dwelling Units in

1 R and NC Districts), 204.4 (Dwelling Units Accessory to Other Uses), and 204.5 (Parking and  
2 Loading as Accessory Uses) of this Code, a related minor use which is either necessary to the  
3 operation or enjoyment of a lawful *p*Principal *use* or *e*Conditional *Use*, or is appropriate,  
4 incidental and subordinate to any such use, shall be permitted as an *a*Accessory *Use* when  
5 located on the same lot. Any *Use* which does not qualify as an *a*Accessory *Use* shall be  
6 classified as a *p*Principal or *e*Conditional *Use*, unless it qualifies as a temporary use under  
7 Sections 205 through 205.4 of this Code.

8 No *Use* will be considered accessory to a permitted *p*Principal or *e*Conditional *Use*  
9 which involves or requires any of the following:

10 \* \* \* \*

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

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

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

25

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

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

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

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

3 \* \* \* \*

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>
* * * *					

9

10 **SPECIFIC PROVISIONS FOR THE SACRAMENTO STREET**  
 11 **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>
* * * *		

19

20 Section 3. Effective Date. This ordinance shall become effective 30 days after

21 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the

22 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board

23 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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