



SMALL BUSINESS COMMISSION  
OFFICE OF SMALL BUSINESS



CITY AND COUNTY OF SAN FRANCISCO  
EDWIN M. LEE, MAYOR

April 17, 2013

Ms. Angela Calvillo, Clerk of the Board  
Board of Supervisors  
City Hall room 244  
1 Carlton B. Goodlett Place  
San Francisco, CA 94102-4694

**File No. 130084 [Planning Code, Zoning Map - Establishing Outer Mission Street Neighborhood Commercial District]**

Small Business Commission Recommendation: **Approval with modification**

Dear Ms. Calvillo:

On March 11, 2013 the Small Business Commission (SBC) voted 7-0 to recommend approval of BOS File No. 130084.

The Commission recognizes that the Outer Mission Street commercial corridor has matured over the past decade and an appropriate next step in furthering the development of the corridor is introducing individualized zoning controls. The SBC has reviewed the proposed changes, and finds that this ordinance will benefit the commercial corridor and small businesses along this part of Mission Street.

One of the most significant changes ordinance makes is the abolishment of the Excelsior Alcohol Restricted Use District. This district currently prohibits all off-sale liquor licenses. As controls are transitioned to the new Neighborhood Commercial District (NCD), language is being included to prohibit new liquor stores, while permitting off-sale alcohol at grocery stores and specialty grocery stores, under threshold limitations prescribed in the Planning Code. The Commission supports this policy decision by the Supervisor and recognizes that an outright ban of all off-sale liquor licenses does restrict desirable businesses, in this case grocery stores and specialty grocery stores from locating to the corridor. The SBC observes that there are additional processes that take place before off-sale liquor licenses are approved, including ABC approval and Board of Supervisor Public Necessity and Convenience authorization in areas of high license concentration and/or crime.

All named NC districts have operating hour restrictions, which require a Conditional Use Authorization for operating hours generally between 2a.m. and 6a.m. The Commission finds that this provision helps protect public safety and assists in attracting and retaining desirable businesses in our commercial corridors. Therefore, the SBC recommends that section 745.27 ordinance be amended to adopt operating hour restrictions to require a CU between 2a.m. and 6a.m.

The Commission, in recommending approval with modification, continues to support the creation of named NCD's and backs efforts to further create identities in our commercial corridors.

Moving forward, expect the SBC in future discussions on Alcohol Restricted Use Districts to note that some liquor stores may be desirable, including wine stores and boutique beer stores which may be



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prohibited from being considered under RUD's, while stores that have created the need for these types of restrictions will continue to operate without any competition or incentive to change business practices. In general, the Commission supports Conditional Use as a preferred option to control the creation of new liquor uses. This allows, on a case by case basis, for new uses to be considered, when appropriate.

Sincerely,

A handwritten signature in black ink, which appears to read "Regina Dick-Endrizzi". The signature is fluid and cursive.

Regina Dick-Endrizzi  
Director, Office of Small Business

Cc: Supervisor Avalos  
Aaron Starr, Planning Department  
Jason Elliot, Mayor's Office