File No. 250682 **Committee Item No.** 15
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

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Prepared by: John Carroll **Date:** October 3, 2025
Prepared by: John Carroll **Date:** October 24, 2025
Prepared by: _____ **Date:** _____
Prepared by: _____ **Date:** _____

[Planning Code; Zoning Map - Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts]

Ordinance amending the Planning Code to: 1) eliminate the North Beach Special Use District and consolidate certain controls into the North Beach Neighborhood Commercial District, expand allowable uses and increase use size limits in the North Beach Neighborhood Commercial District, 2) expand allowable uses and increase use size limits in the Polk Street Neighborhood Commercial District, 3) expand allowable uses in the Pacific Avenue Neighborhood Commercial District, 4) expand allowable uses and increase use size limits in the Nob Hill Special Use District, and 5) reduce limitations on Restaurants and Bars in the Jackson Square Special Use District; amending the Zoning Map to reflect removal of the North Beach Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under 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. 250682 and is incorporated herein by reference. The Board affirms this determination.

(b) On September 25, 2025, the Planning Commission, in Resolution No. 21822, 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. 250682, and is incorporated herein by reference.

(c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that the actions contemplated in this ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission Resolution No.21822, and adopts such reasons by this reference thereto. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File No. 250682, and is incorporated herein by reference.

Section 2. Article 1 of the Planning Code is hereby amended by revising Section 102, to read as follows:

SEC. 102. DEFINITIONS.

For the purposes of this Code, certain words and terms used herein are defined as set forth in this and the following sections. Additional definitions applicable to Signs are set forth in Section 602. Additional definitions applicable to development impact fees and requirements that authorize the payment of in-lieu fees are set forth in Section 401. Additional definitions applicable only to Downtown Residential Districts are set forth in Section 890. ~~*Additional definitions applicable only to the North Beach Neighborhood Commercial District and the North Beach Special Use District are set forth in Section 780.3.*~~ Additional definitions applicable only to the Bernal Heights Special Use District are set forth in Section 242. Additional definitions

applicable only to Article 9, Mission Bay Districts, are set forth in Section 996. All words used in the present tense shall include the future. All words in the plural number shall include the singular number, and all words in the singular number shall include the plural number, unless the natural construction of the wording indicates otherwise. The word "shall" is mandatory and not directory. Whenever any of the following terms is used it shall mean the corresponding officer, department, board or commission or its successor of the City and County of San Francisco, State of California, herein referred to as the City: Assessor, Board of Supervisors, Planning Department, Department of Public Works, Director of Planning, Planning Commission, or Zoning Administrator. In each case, the term shall be deemed to include an employee of any such officer or department of the City who is lawfully authorized to perform any duty or exercise any power as a representative or agent of that officer or department.

* * * *

Restaurant, Limited. A Retail Sales and Service Use that serves ready-to-eat foods and/or drinks to customers for consumption on or off the premises, that may or may not have seating. It may include wholesaling, manufacturing, or processing of foods, goods, or commodities on the premises as an Accessory Use as set forth in Sections 204.3 or 703(d), 803.2(d), 803.3(b)(1)(C) and 825(c)(1)(C) depending on the zoning district in which it is located. It includes, but is not limited to, foods provided by sandwich shops, coffee houses, pizzerias, ice cream shops, bakeries, delicatessens, and confectioneries meeting the above characteristics, but is distinct from a Specialty Grocery, Restaurant, and Bar. ~~*Within the North Beach SUD, it is also distinct from Specialty Food Manufacturing, as defined in Section 780.3(b).*~~ It shall not provide on-site beer and/or wine sales for consumption on the premises, but may sell beer and/or wine for consumption off the premises with a California Alcoholic Beverage Control Board License type 20 (off-sale beer and wine), if all areas devoted to the display and

sale of alcoholic beverages occupy less than 15% of the Occupied Floor Area of the establishment. Such businesses shall operate with the specified conditions in Section 202.2(a)(1).

Section 3. Article 1.2 of the Planning Code is hereby amended by revising Sections 121.2 and 145.4, to read as follows:

SEC. 121.2. NON-RESIDENTIAL USE SIZE LIMITS IN NEIGHBORHOOD COMMERCIAL AND NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICTS.

(a) In order to protect and maintain a scale of development appropriate to each district, Non-Residential Use Sizes larger than the square footage stated in the table below may be permitted only as Conditional Uses, subject to the exception in Section 121.2(b). The Non-Residential Use Size shall be measured as the Gross Floor Area for each individual Non-Residential Use.

District	**Use Size Limits**
Castro Street	2,000 sq. ft.
~~*North Beach*~~	
Pacific Avenue	
~~*Polk Street*~~**	
* * * *	
NC-1, NCT-1	3,000 sq. ft.
Broadway	
Hayes-Gough	
North Beach	
*Polk Street***	

Upper Market Street	
Valencia Street	
* * * *	

* * * *

SEC. 145.4. REQUIRED GROUND FLOOR COMMERCIAL USES.

(a) **Purpose.** To support active, pedestrian-oriented commercial uses on important commercial streets.

(b) **Applicability.** The requirements of this Section 145.4 apply to the following street frontages.

* * * *

(27) The entirety of the North Beach Neighborhood Commercial District ~~*and North Beach Special Use District*~~;

* * * *

Section 4. Article 1.7 of the Planning Code is hereby amended by revising Section 186, to read as follows:

SEC. 186. EXEMPTION OF LIMITED COMMERCIAL AND INDUSTRIAL NONCONFORMING USES IN RH, RM, RTO, AND RED DISTRICTS.

* * * *

(a) Exemption from Termination Provisions. The following nonconforming uses in R Districts shall be exempt from the termination provisions of Section 185, provided such uses comply with all the conditions specified in subsection (b) below:

* * * *

(3) Subsections (a)(1) and (a)(2) above apply to the following Restricted Use Subdistricts: the Geary Boulevard Formula Retail Pet Supply Store and Formula Retail Eating

and Drinking Subdistrict set forth in Section 781.4 of this Code; the North Beach Financial Service, Limited Financial Service, and Business or Professional Service Subdistrict set forth in Section 781.6 of this Code; ~~the North Beach *Special Use*Neighborhood Commercial District set forth in Section *780.3*722 of this Code;~~ and the Third Street Formula Retail Restricted Use District set forth in Section 786 of this Code.

* * * *

Section 5. Article 2 of the Planning Code is hereby amended by revising Sections 201, 238, and 249.25 to read as follows:

SEC. 201. CLASSES OF USE DISTRICTS.

* * * *

Neighborhood Commercial Special Use Districts

(Defined in Sec. 702.2)

Lakeshore Plaza Special Use District (Defined in Sec. 780.1)
Bayshore-Hester Special Use District (Defined in Sec. 780.2)
Mission-Harrington Special Use District (Defined in Sec. 780.4)
~~*North Beach Special Use District (Defined in Sec. 780.3)*~~
1800 Market Community Center Project Special Use District (Defined in Sec. 787)

* * * *

SEC. 238. NOB HILL SPECIAL USE DISTRICT.

(a) A Hotel, as defined in Section 102 of this Code, may be permitted by the Planning Commission as a ~~c~~*C*onditional ~~u~~*U*se under Section 303 of this Code.

(b) In connection with any permitted ~~p~~*P*rincipal *Use* or ~~c~~*C*onditional ~~u~~*U*se located in such Special Use District, incidental ~~c~~*C*ommercial ~~u~~*U*ses may be permitted by the Planning Commission as a ~~c~~*C*onditional ~~u~~*U*se under Section 303 of this Code, if designed primarily for

occupants of and visitors to the use to which they are incidental, accessible to the general public only from within the building, and not identified outside the building by means of any sign or signs.

(c) A Private Community Facility as defined in Section 102 of this Code, and that is not operated as a gainful (for-profit) business may be permitted by the Planning Commission as a ~~c~~*C*onditional ~~u~~*U*se under Section 303 of this Code.

(d) Eating and Drinking uses as defined in Section 102 of this Code~~*, with the exception of Eating and Drinking uses that are also defined as Formula Retail*~~ may be permitted by the Planning Commission as a ~~c~~*C*onditional ~~u~~*U*se under Section 303 of this Code*, except that Limited Restaurant uses as defined in Section 102 of this Code shall be permitted as Principal Uses and any Eating and Drinking uses that are also defined as Formula Retail are not permitted*. The limitations on design, accessibility, and identification set forth in ~~S~~*s*ubsection (b) above shall not apply to such uses hereby permitted.

(e) *Arts Activities uses as defined in Section 102 of this Code shall be* principally *permitted* on the first floor and *as a Conditional Use under Section 303 of this Code* on the second floor and above.

(f) Signage for ~~p~~*P*rincipal ~~*permitted u*~~*U*ses or for Eating and Drinking uses within the Nob Hill Special Use District shall be limited as per Section 606 of this Code, with the exception that projecting ~~s~~*S*igns in the form of sign copy on ~~c~~*C*anopies and ~~a~~*A*wnings shall be permitted for Eating and Drinking uses in lieu of ~~w~~*W*all ~~s~~*S*igns unless otherwise limited as a condition of approval of a ~~c~~*C*onditional ~~u~~*U*se authorization.

(~~f~~*g*) An existing Retail Professional Service, as defined in Section 102 of this Code, that has operated without the benefit of a permit prior to June 17, 2025, may be principally permitted and allowed to expand into another commercial space within the same structure. Such use shall not be required to be incidental to a Principal or Conditionally Permitted use on

the site. Additionally, such use shall be exempt from the signage and public access restrictions of this SUD.

(h) The various uses provided for in Subsections 238(a) through 238(~~e~~f) above are not permitted in any portion of a building that is devoted to a Dwelling Unit or to Group Housing as defined in Section 102 of this Code.

SEC. 249.25. JACKSON SQUARE SPECIAL USE DISTRICT.

In order to provide for the protection and enhancement of specialty retail and antique store uses in the Jackson Square area, there shall be established the Jackson Square Special Use District as designated on Sectional Map No. SU01 of the Zoning Map. The boundaries of this Special Use District shall be coterminous with the boundaries of the Jackson Square Historic District as established by Appendix B to Article 10 of this Code and further described in Section 3 of that Appendix, and shall also include Lot 4 of Block 195. The following provisions shall apply within the Jackson Square Special Use District:

(a) **Purposes.** These controls are intended to protect and enhance the unique retail character of the Special Use District. All decisions of the Planning Commission and Department for the establishment of ground floor use shall be guided by the following factors:

(1) Continuation and enhancement of existing ground floor retail uses are of critical importance to the character of the District and displacement of such uses should be discouraged;

(2) Attraction and retention of similar new retail establishments that conform with the character of this District should be encouraged; and

(3) Uses that greatly intensify the density of employment have a negative impact on the provision of neighborhood services, traffic circulation, and limited on- and off-street parking.

(b) **Controls.**

(1) **General.** The provisions of the C-2 ~~use d~~District ~~as established in~~ (Section 210.~~2~~1) and applicable provisions of the Washington-Broadway Special Use District~~s~~ (Section 239)~~,~~ and the Chinatown Community Business District (Section 810)~~,~~ shall prevail except as provided in *subsections* ~~*paragraphs*~~ *(b)*(2) and *(b)*(3) *of this Section 249.25* ~~*below*~~.

(2) **Conditional Uses.**

(A) **Office Uses, Business Services, and Institutional Uses.** Office Uses, Business Services, and Institutional Uses, as defined in Section 102 of this Code, at the ground floor are subject to Conditional Use authorization pursuant to Section 303 of this Code;~~,~~ provided, however, that building lobbies, entrances, and exits to and from the basement, ground floor, or upper floors, and other reasonably-sized common areas at the ground floor shall be permitted without Conditional Use authorization. In addition to the findings required under Section 303(c) for Conditional Use authorization, the Commission shall make the following findings:

(i) The use shall be necessary to preserve the historic resource and no other use can be demonstrated to preserve the historic resource.

(ii) The use shall be compatible with, and shall enhance, the unique retail character of the District.

(B) **Restaurants**~~*, Limited Restaurants,*~~ **and Bars.** Restaurant uses larger than 4,000 square feet~~*, Limited Restaurant,*~~ and Bar uses ~~larger than 4,000 square feet~~ may be permitted as a Conditional Use on the First Story through the procedures set forth in Section 303. ~~*only if the Zoning Administrator first determines that the proposed new Restaurant, Limited Restaurant, or Bar would occupy a space that is currently or was last legally occupied by one of the uses described below; provided that its last use has not been discontinued or abandoned pursuant to Sections 186.1(d) or 178(d) of this Code and that the proposed new use will not enlarge the space; and*~~

provided ~~*further*~~ that no Conditional Use *authorization* shall be required if the use remains the same as the prior authorized use, with no enlargement or intensification of use.~~:~~

~~*(i) A Bar may occupy a space that is currently or last legally occupied by a Bar;*~~

~~*(ii) A Restaurant may occupy a space that is currently or was last legally occupied by a Restaurant or Bar; and*~~

~~*(iii) A Limited Restaurant may occupy a space that is currently or was last legally occupied by a Limited Restaurant, Restaurant, or Bar.*~~

~~*(iv) Except as provided herein, no other use shall be allowed to convert to a Limited Restaurant, Restaurant, or Bar.*~~

~~*(C)* **Exception for Certain Proposed Limited Restaurant Uses.** *A proposed Limited Restaurant use is Principally Permitted, shall not be required to obtain a Conditional Use authorization pursuant to subsection (b)(2)(B) above, and shall not be subject to the limitation of subsection (b)(2)(B)(iii) above if an application for a building permit necessary for the establishment of such use was filed with the City by July 19, 2018.*~~

(3) **Prohibited Uses.** Adult Businesses, as defined in Section 102 of this Code, are prohibited.

Section 6. Article 3 of the Planning Code is hereby amended by revising Sections 303.2 and 304, to read as follows:

SEC. 303.2. PRIORITY PROCESSING FOR CERTAIN USES IN COMMERCIAL SPACE: EXPEDITED CONDITIONAL USE REVIEW AND APPROVAL PROCESS AND REDUCED APPLICATION FEE.

* * * *

(c) **Eligibility for Priority Processing.** An application for a Conditional Use authorization qualifies for priority processing ("eligible application") pursuant to this Section 303.2 if it is seeking to establish, alter, enlarge, or intensify a commercial use on the first story or below, or on the second story where the commercial use would operate on both the first and second stories, in the subject building and if it complies with all of the following requirements:

* * * *

~~*(9) It is not within the North Beach Neighborhood Commercial District, as described and set forth in Section 722, or the North Beach Special Use District, as described and set forth in Section 780.3.*~~

* * * *

SEC. 304. PLANNED UNIT DEVELOPMENTS.

In districts other than C-3, the Eastern Neighborhoods Mixed Use Districts, the DTR Districts, or the North Beach ~~*Special Use*~~*Neighborhood Commercial* District, the Planning Commission may authorize as Conditional Uses, in accordance with the provisions of Section 303, Planned Unit Developments subject to the further requirements and procedures of this Section 304. After review of any proposed development, the Planning Commission may authorize such development as submitted or may modify, alter, adjust or amend the plan before authorization, and in authorizing it may prescribe other conditions as provided in Section 303(d). The development as authorized shall be subject to all conditions so imposed and shall be excepted from other provisions of this Code only to the extent specified in the authorization.

* * * *

Section 7. Article 7 of the Planning Code is hereby amended by revising Sections 703, 722, 723, 726, and 780.3, to read as follows:

SEC. 703. NEIGHBORHOOD COMMERCIAL DISTRICT REQUIREMENTS.

* * * *

(d) Accessory Uses. Subject to the limitations set forth below and in Sections 204.1 (Accessory Uses for Dwellings in All 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. Notwithstanding the foregoing, a Retail Workspace, as defined in Section 102, shall be permitted as an Accessory Use in connection with any Eating and Drinking Use regardless of the floor area occupied by such Accessory Use, so long as (1) the hours of operation for the accessory Retail Workspace use are limited to 9 a.m. to 5 p.m. and (2) such Eating and Drinking Use is also open for business to the general public on each day during which the accessory Retail Workspace use is open. 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. Parcel Delivery Service, as defined in Section 102 of the Planning Code, for merchandise or products other than cannabis and cannabis products is not allowed as an accessory use to any other principal use.

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

* * * *

(3) The wholesaling, manufacturing, or processing of foods, goods, or commodities on the premises of an establishment that does not also use or provide for retail sale of such foods, goods, or commodities at the same location where such wholesaling, manufacturing, or processing takes place, ~~*with the following exceptions:*~~

~~*(A) In the North Beach Special Use District where such activities are limited to 15% of the total floor area occupied by the Principal or Conditional Use to which it is accessory unless the Principal or Conditional Use is Specialty Foods Manufacturing as defined in Section 780.3 of this Code; and*~~

~~*(B)*~~ *except that* ~~N~~n otwithstanding the floor area limitation in subsection (d)(1), a Catering Use limited to food and beverage Catering shall be permitted as an Accessory Use to Restaurants and Limited Restaurants if the following requirements are met:

(~~i~~A) The Catering Use does not operate more than 75% of the total time within the Restaurant's or Limited Restaurant's Hours of Operation on any given day; and

(~~ii~~B) The Catering Use does not distribute or deliver individual meals to customers directly from the subject lot, either by its own means, or through a third-party delivery service.

* * * *

SEC. 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT.

The North Beach Neighborhood Commercial District is a nonlinear district centered on Columbus Avenue, located in the valley between Telegraph Hill and Russian Hill north of Broadway. North Beach functions as a neighborhood-serving marketplace, citywide specialty shopping, and dining district, and a tourist attraction, as well as an apartment and residential hotel zone. Traditionally, the district has provided most convenience goods and services for residents of North Beach and portions of Telegraph and Russian Hills. North Beach's eating, drinking, and entertainment establishments remain open into the evening to serve a much wider trade area and attract many tourists. The balance between neighborhood-serving convenience stores and Citywide specialty businesses has shifted, as convenience stores have been replaced by restaurants and bars. The proliferation of financial services, limited

financial services, and professional services has also upset the district's balance of uses. The relocation of business and professional offices from downtown to North Beach threatens the loss of upper-story residential units.

The North Beach District controls are designed to ensure the livability and attractiveness of North Beach. The protection and enhancement of the unique architectural, cultural, and historic character of North Beach shall be prioritized. Building standards limit new development to a small to moderate scale. Rear yards are protected above the ground story and at residential levels. Active commercial uses shall be required at the ground floor. Special controls limit Health Services to small neighborhood-serving medical and dental services, while large-scale medical facilities are prohibited. Small-scale, neighborhood-serving businesses are strongly encouraged and formula retail uses are prohibited. To preserve and maintain the district's small-scale, fine grain storefronts, the consolidation or merger of existing retail or commercial spaces or storefronts ~~*are prohibited*~~*is restricted*, and Use Sizes are controlled to encourage ~~conversion back to the~~ traditional small-scale commercial spaces. Special controls are necessary because an over-concentration of food and beverage service establishments limits neighborhood-serving retail sales and personal services in an area that needs them to thrive as a neighborhood. To honor the importance of Legacy Businesses in the success of the neighborhood, special controls are in place to prevent the replacement of an active Legacy Business with a non-Legacy Business. In order to maintain neighborhood-serving retail sales and personal services and to protect residential livability, additional ~~*eating and drinking establishments*~~*Restaurants and Bars* are prohibited in spaces that have been occupied by neighborhood-serving retail sales and personal services. ~~*Special controls prohibit new walk-up facilities.*~~ Financial services, limited financial services, and ground-story business and professional office uses are prohibited from locating in the portion of the district south of Greenwich Street, while new financial services locating in the portion of the district north of

Greenwich Street are limited. Restrictions on automobile and drive-up uses are intended to promote continuous retail frontage and maintain residential livability.

In keeping with the district's existing mixed-use character, housing development in new buildings is encouraged above the ground floor. Existing residential units are protected by prohibitions of upper-story conversions, mergers, removals, and demolitions. Per Section 207.1 of this Code, Accessory Dwelling Units are permitted within the existing building envelope, but may not eliminate or reduce ground-story retail or commercial space.

Table 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		North Beach NCD
Zoning Category	**§ References**	**Controls**
BUILDING STANDARDS *(17)*		
* * * *		
Street Frontage and Public Realm		
* * * *		
Ground Floor Commercial	§~~§~~ 145.4~~, *780.3*~~	Required within the entire District. ~~*Consolidation of ground floor Retail or Commercial spaces is prohibited.*~~
* * * *		

RESIDENTIAL STANDARDS AND USES				
* * * *				
Loss of Dwelling Units		**Control by Story**		
		1st	**2nd**	**3rd+**
Residential Conversion	§~~§~~ 317~~, *780.3(c)(4)*~~	C	NP	NP

Residential Demolition and Merger	§~~§~~ 317~~, *780.3(c)(4)*~~	C	NP	NP

NON-RESIDENTIAL STANDARDS AND USES *(18)*				
Development Standards				
Floor Area Ratio	§§ 102, 123, 124	1.8 to 1		
Use Size	§§ 102, 121.2~~, *780.3(c)(3)*~~, 121.5	P up to ~~2,000~~3,000 square feet; C ~~2,001~~3,001 square feet and above. (10) (5) Division of large use sizes per § 121.5.		
* * * *				
Storefront Mergers	~~*§ 780.3(c)(3)*~~	~~*Storefront mergers N*~~ ~~P~~C *up to 3,000 square feet;* ~~C~~NP *3,001 square feet and above* ~~*and Specialty Grocery use shall not exceed a Use Size of 1,000 square feet within the North Beach Special Use District*~~.		
Commercial Use Characteristics				
* * * *				
Walk-up Facility	§ 102	~~N~~P (2)		
		Controls by Story		
		1st	**2nd**	**3rd+**
* * * *				
Sales and Service Use Category				
Retail Sales and Service Uses*	§§ 102, 202.2(a), 202.3	P(10)	P(10)	NP
* * * *				
Bar	§§ 102, 202.2(a)~~, *780.3*~~	C(5)~~*(6)*~~	NP	NP
* * * *				
Flexible Retail	§§ 102, 202.9	~~N~~P	~~*NP*~~C~~NP~~	~~*NP*~~C~~NP~~
* * * *				
Restaurant	§§ 102, 202.2(a)~~, *780.3*~~	C(5)~~*(6)*~~	NP	NP

Restaurant, Limited	§§ 102, 202.2(a)~~, *780.3*~~	~~*CP(5)*~~	NP	NP
* * * *				
Services, Health	§ 102	~~*NP*C~~NP(19)	C	C
* * * *				

* Not listed below

* * * *

(2) NORTH BEACH WALK UP FACILITIES: Walk-up facilities are ~~N~~P in the District, ~~*including*~~ *except* automated bank teller machines (ATMs)*, which are NP*.

(3) [Note deleted.]

(4) [Note deleted.]

(5) ~~*NORTH BEACH SPECIAL USE DISTRICT (Section 780.3):*~~ Restaurants~~*, Limited Restaurants*~~ and Bars may be permitted as a Conditional Use on the First Story through the procedures set forth in Section 303 only if the Zoning Administrator first determines that the proposed new Restaurant~~*, Limited Restaurant,*~~ or Bar would occupy a space that is currently or was last legally occupied by one of the uses described below; provided that its last use has not been discontinued or abandoned pursuant to Sections 186.1(d) or 178(d) of this Code and that the proposed new use will not enlarge the space; and provided further that no Conditional Use shall be required if the use remains the same as the prior authorized use, with no enlargement or intensification of use:

(A) A Bar may occupy a space that is currently or last legally occupied by a Bar;

(B) A Restaurant may occupy a space that is currently or was last legally occupied by a Limited Restaurant, Restaurant or Bar; ~~*and*~~

(C) ~~*A Limited Restaurant may occupy a space that is currently or was last legally occupied by a Limited Restaurant, Restaurant or Bar.*~~

~~(D)~~ Except as provided herein, no other use shall be allowed to convert to a ~~*Limited Restaurant,*~~ Restaurant or Bar

(6) ~~*NORTH BEACH LIQUOR LICENSES FOR RESTAURANTS (Section 780.3): A Restaurant Use may only add ABC license types 02, 23, 41, 47, 49, 59 or 75 as a Conditional Use on the First Story if, in addition to the criteria set forth in Section 303, the Planning Commission finds that the Restaurant is operating as a Bona Fide Eating Place as defined in Section 102. Should a Restaurant fail to operate as a Bona Fide Eating Place for any length of time, the Conditional Use authorization shall be subject to immediate revocation. To verify that the Restaurant is continuing to operate as a Bona Fide Eating Place, records of the Restaurant's gross receipts or gross sales shall be provided to the Department upon request. All records and information shall be submitted to the Department under penalty of perjury.*~~*[Note deleted.]*

* * * *

(10) ~~*Per the North Beach Special Use District in Section 780.3(c)(3) of this Code, Specialty Grocery use shall not exceed a Use Size of 1,000 square feet in order to preserve and maintain the district's small-scale, fine grain storefronts.*~~*[Note deleted.]*

(11) GROUND FLOOR COMMERCIAL USES REQUIRED

Boundaries: North Beach NCD

Controls: Unless otherwise prohibited or limited by ~~*Section 780.3,*~~ Section 722, or any other section of this Code, to promote active, pedestrian-oriented streetscape, Active Commercial uses shall be required at the Ground Floor pursuant to Section 145.4. Per Section 145.4(c)(1), "active commercial uses" shall not include Automotive Uses except for Automobile Sale or Rental uses where curb-cuts, garage doors, or loading access are not utilized or proposed and such sales or rental activity is entirely within an enclosed building and does not encroach on surrounding sidewalks or open spaces.

* * * *

(17) Architectural and Cultural Heritage of North Beach. Section 101.1 of the Planning Code includes the priority policy that historic buildings be preserved. The architectural and cultural character and features of ~~existing h~~*Historic* ~~b~~*Buildings shall be preserved and enhanced. The Historic Preservation Commission or its staff shall review any proposed alterations to* ~~h~~*Historic* ~~b~~*Buildings, as defined in section 102, and must determine that such alterations comply with the Secretary of Interior's Standards for the Treatment of Historic Properties before the City approves any permits to alter such buildings.*

(18) Legacy Business: Where an immediately prior use was a Legacy Business, as defined under Administrative Code Section 2A.242, the controls require any new Non-Residential use to obtain Conditional Use authorization; provided, however, that this requirement shall not apply where: (A) the subject non-residential space has had no occupant and has not been open to the public for three or more years from the date the application for the new use is filed, or (B) the Legacy Business has removed itself or has been otherwise removed from the Legacy Business Registry.

(19) Health Services permitted as a Conditional Use on the First Story up to 3,000 square feet; not permitted 3,001 square feet and above.

SEC. 723. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

* * * *

(b) **Controls**.

* * * *

(3) **Merger of Storefronts** ~~***Prohibited***~~**.** To preserve and maintain the district's small-scale, fine grain storefronts, the consolidation or merger of existing ground floor retail or commercial spaces or storefronts shall be *principally permitted up to 3,000 square feet and conditionally permitted at 3,001 square feet and above*~~*prohibited, except that two adjacent storefronts*~~

~~*may be consolidated or merged if: (A) the storefronts are for a Legacy Business on a corner lot within the same building and Block and Lot number, and provided that the consolidation or merger of storefronts would not result in a use size in excess of the principally permitted use size within the Polk Street NCD, (B) the storefronts are merged by a General Grocery use in association with the replacement of a Legacy Business that is also a General Grocery use, and the expansion of the General Grocery use is within a building on the same Lot, and is consistent with the size limitations in Section 121.2, or (C) the storefronts are merged by a Limited Restaurant use that relocates within the Polk Street NCD, and is designated as a Legacy Business as of the effective date of the ordinance in Board File No. 240411*~~.

* * * *

Table 723. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Polk Street NCD		
Zoning Category	**§ References**	**Controls**		
* * * *				
NON-RESIDENTIAL STANDARDS AND USES (7)				
Development Standards				
* * * *				
Use Size	§§ 102, 121.2, 121.5	P up to ~~2,000~~3,000 square feet; C ~~2,001~~3,001 square feet and above. (2) Division of large use sizes per § 121.5.		
* * * *				
Storefront Mergers	*§ 102*	*Storefront mergers P up to 3,000 square feet; C 3,001 square feet and above.*		
* * * *				
		Controls by Story		
		1st	2nd	3rd

* * * *				
Sales and Service Use Category				
Retail Sales and Service Uses*	§§ 102, 202.2(a), 202.3	P	P	NP
* * * *				
Services, Health	§ 102	~~*NP*~~*C*(3)	C	C
* * * *				

* Not listed below

(1) Temporary closures of existing liquor establishments located within the Lower Polk Alcohol Restricted Use District for repair, renovation, or remodeling that meet the requirements of Section 788(d)(2)(B) shall not be considered enlargement, alteration, intensification, abandonment, or a change of use of a conditional use permit pursuant to Section 178 of this Code, provided that any demolition permits required for the repair, renovation, or remodeling work have been submitted by January 1, 2018.

(2) USE SIZE EXEMPTION: Per Planning Code Section 121.2(a), a Conditional Use Authorization is not required for any Limited Restaurant use that relocates within the Polk Street NCD, and is designated as a Legacy Business as of the effective date of the ordinance in Board File No. 240411. ~~*Per Planning Code Section 121.2(b), Use Size shall generally not exceed 4,000 square feet except that a Movie Theater as defined in Section 102 may exceed 4,000 square feet. In addition, the enlargement of an existing General Grocery use on the same Lot, and in association with the replacement of a Legacy Business that is also a General Grocery use, may exceed 4,000 square feet.*~~

(3) Principally permitted on properties that do not have any frontage on Polk Street, California Street, or Hyde Street.

* * * *

(7) REPLACEMENT OF LEGACY BUSINESSES REQUIRES CONDITIONAL USE AUTHORIZATION. Where an immediately prior use was a Legacy Business, as defined under Administrative Code Section 2A.242, the controls require any new Non-Residential Use to obtain Conditional Use authorization; this requirement shall not apply where: (A) the subject non-residential space has had no occupant and has not been open to the public for three or more years from the date the application for the new use is filed, or (B) where the Legacy Business has removed itself or has been otherwise removed from the Legacy Business Registry.

* * * *

SEC. 726. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT.

* * * *

Table 726. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Pacific Avenue NCD		
Zoning Category	**§ References**	**Controls**		
* * * *				
NON-RESIDENTIAL STANDARDS AND USES (6)				
* * * *				
		Controls by Story		
		1st	**2nd**	**3rd+**
* * * *				
Sales and Service Use Category				
Retail Sales and Service Uses*	§§ 102, 202.2(a), 202.3	P	C	NP
* * * *				
Bar	§§ 102, 202.2(a)	~~*NPC*~~NP	NP	NP
* * * *				

Flexible Retail	§§ 102, 202.9	~~*N*~~P	~~*NP*C~~NP	~~*NP*C~~NP
* * * *				
Services, Health	§ 102	~~*NP*~~*C*	C	~~*NP*~~*C*
* * * *				

* * * *

SEC. 780.3. ~~***NORTH BEACH SPECIAL USE DISTRICT.***~~***[REPEALED.]***

~~*(a) **Purposes.** In order to (1) preserve and maintain the mix and variety of neighborhood-serving retail sales and personal services of a type that supplies commodities or offers personal services to residents of North Beach and nearby neighborhoods; (2) preserve and maintain the District's small-scale, fine grain storefronts; (3) protect and encourage upper-story Residential Uses; (4) preserve and enhance the architectural and cultural heritage of North Beach; and (5) preserve the contributions of Legacy Businesses to the history and identity of North Beach, there shall be a North Beach Special Use District applicable to the North Beach Neighborhood Commercial District, as designated on the Sectional Map SU01 of the Zoning Map of the City and County of San Francisco.*~~

~~*(b) **Definitions.** The following definitions shall apply only to the North Beach Special Use District:*~~

~~*(1) Specialty Food Manufacturing. A Commercial Use that includes the manufacturing and processing of foods on the premises for retail and/or wholesale sales and also provides a customer service counter for sale of such manufactured or processed food directly to the consumer. It may have seating as a minor and incidental use that occupies less than 15% of the Occupied Floor Area of the establishment. It includes, but is not limited to, bakeries, coffee roasters, confectionaries, chocolatiers, makers of homemade ice cream and handmade gelato or sorbet. It shall not provide any alcohol sales for consumption on or off the premises.*~~

~~*(2) Legacy Business. A business as defined under Administrative Code Section 2A.242 and included in the Legacy Business registry.*~~

~~*(3)* ***Historic Buildings.*** *"Historic buildings" shall include Planning Code Article 10 Landmarks and buildings located within Article 10 Historic Districts, buildings and districts identified by surveys adopted by the City, buildings listed or potentially eligible for individual listing on the National or California Registers, and buildings located within listed or potentially eligible National Register or California Register historic districts. The Planning Department shall also consult materials available through the California Historical Resources Information System (CHRIS) and Inventory to determine eligibility.*~~

~~*(c)* ***Controls.*** *The following provisions shall apply within such District:*~~

~~*(1)* ***Restaurants, Limited Restaurants, and Bars.*** *Restaurant, Limited Restaurant, and Bar uses may be permitted as a Conditional Use on the First Story through the procedures set forth in Section 303 only if the Zoning Administrator first determines that the proposed new Restaurant, Limited Restaurant, or Bar would occupy a space that is currently or was last legally occupied by one of the uses described below; provided that its last use has not been discontinued or abandoned pursuant to Sections 186.1(d) or 178(d) of this Code and that the proposed new use will not enlarge the space; and provided further that no Conditional Use shall be required if the use remains the same as the prior authorized use, with no enlargement or intensification of use:*~~

~~*(A) A Bar may occupy a space that is currently or last legally occupied by a Bar;*~~

~~*(B) A Restaurant may occupy a space that is currently or was last legally occupied by a Restaurant or Bar; and*~~

~~*(C) A Limited Restaurant may occupy a space that is currently or was last legally occupied by a Limited Restaurant, Restaurant or Bar.*~~

~~*(D) Except as provided herein, no other use shall be allowed to convert to a Limited Restaurant, Restaurant or Bar.*~~

~~*(2)* ***Alcohol Licenses.***~~

~~*(A) A Restaurant may provide on-site beer, wine, and/or liquor sales for drinking on the premises (with ABC license types 02, 23, 41, 47, 49, 59 or 75) as a Conditional Use on the First Story if, in addition to the criteria set forth in Section 303, the Planning Commission finds, based on information submitted to the Department by the applicant, that the Restaurant is and will continue to operate as a Bona-Fide Eating Place as defined in Section 102. Should a Restaurant fail to operate as a Bona-Fide Eating Place for any length of time, the Conditional Use authorization shall be subject to immediate revocation per Planning Code Section 303(f). To verify that the Restaurant is continuing to operate as a Bona-Fide Eating Place, records of the Restaurant's gross receipts or gross sales shall be provided to the Department upon request. All records and information shall be submitted to the Department under penalty of perjury.*~~

~~*(B)* ***Music Entertainment Facility.*** *A music entertainment facility with a Type 90 ABC license shall be permitted to serve alcoholic beverages in this SUD.*~~

~~*(C)* ***Non-Profit Theaters.*** *A non-profit theater shall be permitted to serve alcoholic beverages in this SUD. A "non-profit theater" shall mean a building or part of a building intended to be used for the specific purposes of presenting any act, play, revue, pantomime, scene, song, dance act, or song and dance act, conducted or participated in by one or more persons, whether or not such person or persons are compensated for such performance, and which is exempted from payment of income tax under Section 23701d of the California Revenue and Taxation Code and Section 501(c)(3) of the Internal Revenue Code of the United States. A "non-profit theater" shall not include any dance hall, as defined in Section 1022.*~~

~~*(3)* ***Storefronts.*** *To preserve and maintain the District's small-scale, fine grain storefronts, (A) the consolidation or merger of existing retail or commercial spaces or storefronts is prohibited, and (B) Specialty Groceries shall not exceed a Non-Residential Use Size of 1,000 square feet.*~~

~~*(4)* ***Loss of Residential Units.*** *To prevent the loss of existing Residential Units within the district, the removal, demolition, merger, or conversion of Residential Units above the First Story are prohibited.*~~

~~*(5)* ***Specialty Food Manufacturing.*** *Within the North Beach SUD a Specialty Food Manufacturing use, as defined in subsection (b)(1), may only be permitted with a Conditional Use authorization on the Ground Floor or below.*~~

~~*(6)* ***Legacy Business.*** *Unless otherwise prohibited by this Section 780.3, Section 722, or any other section of this Code, any new Non-Residential Use proposed where the immediately prior Commercial Use was a Legacy Business shall require Conditional Use authorization pursuant to Section 303 of this Code.*~~

~~*(7)* ***Architectural and Cultural Heritage of North Beach.*** *Section 101.1 of the Planning Code includes the priority policy that historic buildings be preserved. The architectural and cultural character and features of existing historic buildings shall be preserved and enhanced. The Historic Preservation Commission or its staff shall review any proposed alterations to historic buildings, as defined in subsection 780.3(b)(3), and must determine that such alterations comply with the Secretary of Interior's Standards for the Treatment of Historic Properties before the City approves any permits to alter such buildings.*~~

~~*(8)* ***Additional Controls:*** *The following additional controls shall apply in the North Beach Special Use District. (1) A Planned Unit Development shall not be permitted; (2) Large-Scale Urban Agriculture uses shall not be permitted; (3) Hours of Operation shall not be permitted from 2 a.m. to 6 a.m.; (4) Unless otherwise prohibited or limited by this Section 780.3, Section 722, or any other section of this Code, active commercial uses, as defined in Planning Code Section 145.4(c), shall be required at the Ground Floor; and (5) A Health Service use, as defined in Section 102 of this Code, shall be prohibited on the ground floor. On the second floor and above, a Health Service use shall require Conditional Use authorization pursuant to Section 303 of this Code.*~~

~~*(9)* ***Conditional Use Authorizations.*** *In addition to the findings required under Section 303 of this Code, for any use or project within the District that is subject to Conditional Use authorization under this Section 780.3, Section 722, or any other section of this Code, the Planning Commission shall find that the proposed project supports the purposes of the North Beach SUD set forth in this Section 780.3.*~~

Section 8. Zoning Map Amendment. Pursuant to Sections 106 and 302(c) of the Planning Code, the following change is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco: Sectional Map SU01 shall delete all reference to the North Beach Special Use District, Planning Code Section 780.3.

Section 9. On September 2, 2025, the Board of Supervisors finally passed Ordinance No. 173-25 (Board File No. 250634), which was signed by the Mayor on September 5, 2025, and became effective 30 days later. Ordinance No. 173-25 amended Planning Code Section 121.2 and the Non-Residential Standards for Use Size in the North Beach Neighborhood Commercial District, Section 722, and the Polk Street Neighborhood Commercial District, Section 723. In light of Ordinance No. 173-25 being finally passed and approved, at the regular meeting of the Land Use and Transportation Committee on October 6, 2025, the Committee amended this ordinance to reflect the existing law as amended by Ordinance No. 173-25. To clearly understand the proposed amendments to existing law contained in this ordinance, this ordinance shows in “existing text” font (plain Arial) the law currently in effect (Planning Code Sections 121.2(a), 722, and 723, as enacted by Ordinance No. 173-25). The ordinance shows in “Board amendment” font (double-underlined Arial for additions, and strikethrough Arial for deletions) the amendments to existing law that the Committee adopted on October 6, 2025.

Ordinance No. 173-25 also amended Planning Code Section 121.2(b) to remove subsections (1) through (4). In light of Ordinance No. 173-25 being finally passed and approved, and the more limited amendment to Planning Code Section 121.2(b)(3) proposed in this ordinance as introduced, at the regular meeting of the Land Use and Transportation Committee on October 6, 2025, the Committee amended this ordinance to remove the proposed amendments to Section 121.2(b)(3), such that this ordinance no longer includes that Section.

Section 10. 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

Section 11~~0~~. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board

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///

///

amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

APPROVED AS TO FORM:

DAVID CHIU, City Attorney

By: /s/ BRIAN CROSSMAN
BRIAN CROSSMAN
Deputy City Attorney

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FILE NO. 250682

REVISED LEGISLATIVE DIGEST

(Amended in Committee – October 6, 2025)

[Planning Code; Zoning Map - Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts]

Ordinance amending the Planning Code to: 1) eliminate the North Beach Special Use District and consolidate certain controls into the North Beach Neighborhood Commercial District, expand allowable uses and increase use size limits in the North Beach Neighborhood Commercial District, 2) expand allowable uses and increase use size limits in the Polk Street Neighborhood Commercial District, 3) expand allowable uses in the Pacific Avenue Neighborhood Commercial District, 4) expand allowable uses and increase use size limits in the Nob Hill Special Use District, and 5) reduce limitations on Restaurants and Bars in the Jackson Square Special Use District; amending the Zoning Map to reflect removal of the North Beach Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Existing Law

The Planning Code regulates Non-Residential Uses, and the sizes at which such uses may be principally or conditionally permitted, in zoning districts throughout the City, including special use districts ("SUDs") and neighborhood commercial districts ("NCDs"). The North Beach SUD and NCD set forth the Non-Residential Uses that are permitted as either a Principal Use or Conditional Use. Additionally, the North Beach SUD currently has some uses that are defined and exist only in the SUD. The SUD's development controls substantially overlap with the development controls for the existing North Beach NCD. Planned Unit Developments (section 304) are prohibited in the North Beach SUD.

In the Nob Hill SUD, Eating and Drinking uses, including Limited Restaurants, require Conditional Use Authorization. Arts Activities are currently not permitted in the SUD.
In the Jackson Square Special Use District, Restaurant, Limited Restaurant, and Bar uses require a Conditional Use Authorization, which requires the Zoning Administrator to first determine that the Restaurant, Limited Restaurant, or Bar use would occupy a space that is currently or last legally occupied by a similar use. In the Pacific Avenue NCD, Bars and Flexible Retail are not currently permitted. Health Services are permitted as a Conditional Use on the second story only.

Amendments to Current Law

This ordinance would eliminate the North Beach SUD by repealing section 780.3 and removing references to the SUD throughout the Planning Code and on the Zoning Map. Generally, those controls in the North Beach SUD that aren't already part of the North Beach NCD (section 722), would be incorporated into the North Beach NCD, including controls for historic buildings and Legacy Businesses. This change would eliminate some of the use definitions that are currently only applicable in the North Beach SUD, such as Specialty Food Manufacturing, and the specific controls that only apply to those unique uses. Instead, the use definitions in section 102 would apply in the North Beach NCD. Certain exemptions that apply to the North Beach SUD, such as the exemption for limited commercial and industrial nonconforming uses in certain residential districts in proximity to the SUD, would apply based on proximity to the North Beach NCD instead. Similarly, the prohibition on Planned Unit Developments (section 304) in the North Beach SUD would apply to the North Beach NCD under the ordinance.

Conditional Use applications to establish, alter, enlarge, or intensify a commercial use within the North Beach NCD would be eligible for priority processing under section 303.2(c). The ordinance would conditionally permit storefront mergers up to 3,000 square feet and not permit such mergers that are 3,001 square feet and above. The ordinance would expand principally and conditionally permitted Non-Residential Uses in the North Beach NCD, including the following: walk up facilities (except ATMs) would be permitted as a Principal Use; Flexible Retail would permitted as a Principal Use on the first story; Limited Restaurant would be permitted as Principal Use on the first story; and on the first story, Health Services would be permitted as a Conditional Use up to 3,000 square feet and not permitted above 3,001 square feet.

The ordinance would increase the threshold at which Non-Residential Uses in the both North Beach NCD and Polk Street NCD require a Conditional Use Authorization from 2,000 square feet to 3,000 square feet. For the Polk Street NCD, the ordinance would also eliminate the maximum use size limit for Non-Residential Uses and allow storefront mergers to be principally permitted up to 3,000 square feet and conditionally permitted at 3,001 square feet and above. The ordinance would also make Health Services a Conditional Use on the first story in the Polk Street NCD.

In the Nob Hill SUD, the ordinance would authorize Limited Restaurants as a Principal Use. Arts Activities would be principally permitted on the first story and permitted as a Conditional Use on upper stories. Existing Retail Professional Services that operated in the Nob Hill SUD without the benefit of a permit prior to June 17, 2025, may be principally permitted and allowed to expand into another commercial space within the same structure. These uses would be exempt from the signage and public access restrictions of the SUD. In the Jackson Square SUD, Restaurant uses greater than 4,000 square feet and Bar uses would require a Conditional Use Authorization. No Conditional Use Authorization would be required if the use remains the same as the prior authorized use without any enlargement or intensification.

Restaurant and Bar Uses below this threshold, and Limited Restaurant Uses, would be permitted as Principal Uses pursuant to the underlying controls for the C-2. The ordinance would remove the requirement in the Jackson Square SUD that a Restaurant, Limited Restaurant, or Bar Use occupy a space that is currently or last legally occupied by a similar use.

In the Pacific Avenue NCD, the ordinance would make Flexible Retail a Permitted Use on the first story and Health Services a Conditional Use on all stories.

Background Information

This legislation is intended to facilitate establishment and operation of small businesses in certain special use and neighborhood commercial districts in San Francisco by generally increasing use size limits and expanding the Non-Residential Uses that may be principally or conditionally permitted in such districts. The legislation is also intended to streamline controls in the North Beach area by removing the North Beach SUD and consolidating its controls into the existing North Beach NCD.

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San Francisco Planning

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October 2, 2025

Ms. Angela Calvillo, Clerk
Honorable Supervisor Sauter
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: **Transmittal of Planning Department Case Number 2025-005989PCAMAP:**
Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts
Board File No. 250682

Planning Commission Recommendation: Approval with Modification

Dear Ms. Calvillo and Supervisor Sauter,

On September 25, 2025, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance, introduced by Supervisor Sauter that would amend the Planning Code to: 1) eliminate the North Beach Special Use District (SUD) and consolidate certain controls into the North Beach Neighborhood Commercial District (NCD) and 2) expand allowable uses and increase use size limits in the North Beach and Polk Street NCDs and the Nob Hill SUDs, 3) expand allowable uses in the Pacific Avenue NCD, and 4) reduce limitations on Restaurants and Bars in the Jackson Square SUD. The proposed Ordinance would also amend the Zoning Map to reflect removal of the North Beach SUD. At the hearing the Planning Commission adopted a recommendation for approval with anticipated amendments

The anticipated amendments were as follows:

1. Technical Amendments:

    a. Strike reference to North Beach NCD in Section 186.

    b. Within North Beach NCD, capitalize “Historic Buildings”.

2. Amend the Nob Hill SUD to principally permit Arts Activities on the first floor.
3. Amend the Nob Hill SUD to permit certain Retail Professional uses and exempt them from general public access and signage requirements.
4. Allow commercial spaces that were previously occupied by a Limited Restaurant to become a Restaurant in the North Beach NCD.
5. Amend the North Beach and Pacific Avenue NCDs to prohibit Flexible Retail on the second floor and above.
6. Update the Non-Residential Use Size limit standards to reflect the amendments adopted under Board File No. 250634.
7. Amend the North Beach NCD introductory paragraphs to include language about Legacy Businesses, historic character, smaller storefront mergers, and neighborhood-serving smaller health services.
8. Amend the storefront merger controls within North Beach NCD to conditionally permit mergers up to 3,000 square feet and prohibit anything greater.
9. Amend the North Beach NCD to conditionally permit Health Service uses on the first floor up to 3,000 square feet and prohibit anything greater.
10. Amend the Jackson Square SUD to conditionally permit Bars.
11. Amend the Pacific Avenue NCD to prohibit Bars on all floors.

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.

Supervisor, please advise the City Attorney at your earliest convenience if you wish to incorporate the changes recommended by the Commission.

Please find attached documents relating to the actions of the Commission. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

Veronica Flores

Veronica Flores for Aaron D. Starr
Manager of Legislative Affairs

cc: Brian Crossman, Deputy City Attorney
Michelle Andrews, Aide to Supervisor Sauter
John Carroll, Office of the Clerk of the Board

ATTACHMENTS :

Planning Commission Resolution
Planning Department Executive Summary

San Francisco Planning

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PLANNING COMMISSION RESOLUTION NO. 21822

HEARING DATE: September 25, 2025

Project Name: Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts
Case Number: 2025-005989PCAMAP [Board File No. 250682]
Initiated by: Supervisor Sauter / Introduced June 17, 2025
Staff Contact: Veronica Flores Legislative Affairs
veronica.flores@sfgov.org, 628-652-7525
Reviewed by: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 628-652-7533

RESOLUTION ADOPTING A RECOMMENDATION FOR APPROVAL WITH ANTICIPATED AMENDMENTS OF A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO: 1) ELIMINATE THE NORTH BEACH SPECIAL USE DISTRICT AND CONSOLIDATE CERTAIN CONTROLS INTO THE NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT, EXPAND ALLOWABLE USES AND INCREASE USE SIZE LIMITS IN THE NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT, 2) EXPAND ALLOWABLE USES AND INCREASE USE SIZE LIMITS IN THE POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT, 3) EXPAND ALLOWABLE USES IN THE PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT, 4) EXPAND ALLOWABLE USES AND INCREASE USE SIZE LIMITS IN THE NOB HILL SPECIAL USE DISTRICT, AND 5) REDUCE LIMITATIONS ON RESTAURANTS AND BARS IN THE JACKSON SQUARE SPECIAL USE DISTRICT; AMENDING THE ZONING MAP TO REFLECT REMOVAL OF THE NORTH BEACH SPECIAL USE DISTRICT; AFFIRMING THE PLANNING DEPARTMENT'S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; MAKING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN, AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE, SECTION 101.1; AND MAKING FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE UNDER PLANNING CODE, SECTION 302.

WHEREAS, on June 17, 2025 Supervisor Melgar introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 250682, which would amend the Planning Code to: 1) eliminate the North Beach Special Use District and consolidate certain controls into the North Beach Neighborhood Commercial District, expand allowable uses and increase use size limits in the North Beach Neighborhood Commercial District, 2) expand allowable uses and increase use size limits in the Polk Street Neighborhood Commercial District, 3) expand allowable uses in the Pacific Avenue Neighborhood Commercial District, 4) expand allowable uses and increase use size limits in the Nob Hill Special Use District, and 5) reduce limitations on Restaurants and Bars in the Jackson Square Special Use District. The proposed Ordinance would also amend the Zoning Map to reflect removal of the North Beach Special Use District;

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on September 18, 2025; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c)(2) and 15378; 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 49 South Van Ness Avenue, Suite 1400, San Francisco; and

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

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Planning Commission hereby adopts a **recommendation for approval with anticipated amendments** of the proposed ordinance. The anticipated amendments are as follows:

1. Technical Amendments:
    a. Strike reference to North Beach NCD in Section 186.
    b. Within North Beach NCD, capitalize "Historic Buildings".
2. Amend the Nob Hill SUD to principally permit Arts Activities on the first floor.
3. Amend the Nob Hill SUD to permit certain Retail Professional uses and exempt them from general public access and signage requirements.
4. Allow commercial spaces that were previously occupied by a Limited Restaurant to become a Restaurant in the North Beach NCD.
5. Amend the North Beach and Pacific Avenue NCDs to prohibit Flexible Retail on the second floor and above.
6. Update the Non-Residential Use Size limit standards to reflect the amendments adopted under Board File No. 250634.
7. Amend the North Beach NCD introductory paragraphs to include language about Legacy Businesses, historic character, smaller storefront mergers, and neighborhood-serving smaller health services.
8. Amend the storefront merger controls within North Beach NCD to conditionally permit mergers

up to 3,000 square feet and prohibit anything greater.

9. Amend the North Beach NCD to conditionally permit Health Service uses on the first floor up to 3,000 square feet and prohibit anything greater.
10. Amend the Jackson Square SUD to conditionally permit Bars.
11. Amend the Pacific Avenue NCD to prohibit Bars on all floors.

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:

The proposed Ordinance will reduce process, streamline review, and save business owners valuable time and money. It also makes the Planning Code clearer and more transparent for the public. Additionally, the Ordinance would bring the District 3 NCDs into greater alignment with most other NCDs citywide.

General Plan Compliance

The proposed Ordinance and anticipated amendments are 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.

OBJECTIVE 2
MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1
Seek to retain existing commercial and industrial activity and to attract new such activity to the city.

Policy 2.3
Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

HOUSING ELEMENT

Policy 26
Streamline and simplify permit processes to provide more equitable access to the application process, improve certainty of outcomes, and ensure meeting State- and local-required timelines, especially for 100% affordable housing and shelter projects.

The proposed Ordinance supports Objective 1 of the Commerce and Industry Element, which seeks to maintain and promote economic growth in San Francisco. By expanding business opportunities in District 3 and strengthening the NCDs, the proposed Ordinance helps foster a more vibrant local economy. It also introduces greater flexibility for small businesses to co-locate, reducing individual operating costs and attracting a broader customer base. This directly aligns with Policy 2.1, which aims to retain existing businesses and attract new commercial activity to the city.

In addition, the proposed Ordinance addresses storefront vacancies and supports Objective 2 of the Commerce and Industry Element by encouraging a more diverse and resilient economic base through expanded Use allowances and permitting flexibility.

Finally, the proposed Ordinance advances Policy 26 of the Housing Element, which calls for streamlining and simplifying the permit process to ensure more equitable access and greater predictability in outcomes. While this policy is housed within the Housing Element, the proposed Ordinance applies these same principles—transparency and efficiency—to businesses seeking to open or expand within District 3 NCDs.

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.

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 ADOPTS A RECOMMENDATION FOR APPROVAL WITH ANTICIPATED AMENDMENTS the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on September 25, 2025.

Jonas P Ionin Digitally signed by Jonas P Ionin
Date: 2025.10.02 15:16:02 -07'00'

Jonas P. Ionin
Commission Secretary

AYES: Campbell, McGarry, Braun, So

NOES: Williams, Imperial, Moore

ABSENT: None

ADOPTED: September 25, 2025

San Francisco Planning

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EXECUTIVE SUMMARY
PLANNING CODE TEXT & ZONING MAP AMENDMENT

HEARING DATE: September 18, 2025

90-Day Deadline: September 23, 2025

Project Name:	Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts
Case Number:	2025-005989PCAMAP [Board File No. 250682]
Initiated by:	Supervisor Sauter / Introduced June 17, 2025
Staff Contact:	Veronica Flores Legislative Affairs veronica.flores@sfgov.org, 628-652-7525
Reviewed by:	Aaron Starr, Manager of Legislative Affairs aaron.starr@sfgov.org, 628-652-7533
Environmental Review:	Not a Project Under CEQA

RECOMMENDATION: Adopt a Recommendation for Approval with Anticipated Amendments

Planning Code Amendment

The proposed Ordinance would amend the Planning Code to: 1) eliminate the North Beach Special Use District (SUD) and consolidate certain controls into the North Beach Neighborhood Commercial District (NCD) and 2) expand allowable uses and increase use size limits in the North Beach and Polk Street NCDs and the Nob Hill SUDs, 3) expand allowable uses in the Pacific Avenue NCD, and 4) reduce limitations on Restaurants and Bars in the Jackson Square SUD. The proposed Ordinance would also amend the Zoning Map to reflect removal of the North Beach SUD.

The Way It Is Now:	The Way It Would Be:
There is both a North Beach NCD and North Beach SUD.	The North Beach SUD would be eliminated and references to it would be deleted from the Code. The following provisions from the SUD would be incorporated into the NCD and other relevant sections of the Code: 1. Planned Unit Developments would still not be allowed. 2. The Architectural and Cultural Heritage provisions would still apply. 3. A Conditional Use authorization (CUA) would still be triggered if the immediately prior use was a Legacy Business. However, this CUA would not be required if the prior use was closed for at least three years, vacates on their own, or is no longer on the Legacy Business Register.
ZONING CONTROL AMENDMENTS	
Within the **Nob Hill SUD**: 1. All eating and drinking establishments require a CUA, except for Formula Retail establishments which are prohibited. 2. The SUD is silent on Arts Activities uses.	1. Limited Restaurants would be principally permitted and all other eating and drinking establishments would still require a CUA. All Formula Retail establishments would still be prohibited. 2. Arts Activities uses would be allowed with CUA.
Within the **Jackson Square SUD**: 1. Restaurants, Limited Restaurants, and Bars are allowed with a CUA on the first floor. 2. There are also other requirements such as whether the space must currently or last legally occupied by a Restaurant, Limited Restaurant, or Bar.	1. Limited Restaurants would not be restricted under the Jackson Square SUD. Therefore, Limited Restaurants would rely on the underlying zoning controls which principally permits Limited Restaurants within the C-2 Zoning District. Restaurants and Bars would be allowed up to 4,000 square feet and require a CUA if the use is larger than 4,000 square feet. The proposal would be exempt from a CUA if the Use remains the same and is not enlarged. 2. The additional restrictions related to the prior Use would be eliminated.
Within the **North Beach NCD**: 1. Storefront mergers are prohibited. 2. Use Sizes up to 2,000 square feet are principally permitted. Larger Use Sizes require CUA, except that anything greater than 4,000 square feet is prohibited. 3. Walk-up Facilities are not permitted. 4. Limited Restaurants are conditionally permitted on the first floor.	1. Storefront mergers would be allowed up to 3,000 square feet and require a CUA for mergers of 3,001 square feet or greater. 2. The principally permitted Use Size limits would be increased to 3,000 square feet. Use Sizes between 3,001-4,000 square feet would require

5. Health Services are prohibited on the first floor. 6. Flexible Retail is prohibited. 7. Projects are not eligible for the Priority Processing Program.	a CUA. Anything greater than 4,000 square feet is still prohibited.[1] 3. Walk-up Facilities would be allowed, except that ATMs would be prohibited. 4. Limited Restaurants would be principally permitted on the first floor. 5. Health Services would be conditionally permitted on the first floor. 6. Flexible Retail would be principally permitted on the first floor and conditionally permitted on the second floor and above. 7. Projects would be eligible for the Priority Processing Program.
Within the **Polk Street NCD**: 1. Store front mergers are generally prohibited with some exceptions. 2. Health Services are prohibited on the first floor, with some exceptions that principally permit Health Services. 3. Use Sizes up to 2,000 square feet are principally permitted. Use Sizes between 2,001-4,000 square feet require a CUA. Anything greater than 4,000 square feet is prohibited.	1. Storefront mergers would be allowed up to 3,000 square feet and require a CUA for mergers of 3,001 square feet or greater. 2. Health Services would generally be conditionally permitted on the first floor. The same exceptions for principally permitted Health Services on the first floor would still apply. 3. The principally permitted Use Size limits within Polk Street NCD would be increased to 3,000 square feet. Larger Use Sizes would require a CUA. The hard cap of 4,000 square feet would be removed.
Within the **Pacific Avenue NCD**: 1. Bars are prohibited. 2. Health Services are conditionally permitted on the second floor and prohibited on all other floors. 3. Flexible Retail is prohibited.	1. Bars would be conditionally permitted on the first floor. 2. Health Services would be conditionally permitted on all floors. 3. Flexible Retail would be principally permitted on the first floor and conditionally permitted on the second floor and above.

Anticipated Amendments

Supervisor Sauter intends to introduce the following amendments:

- **Technical Amendments:**
  - Section 186 references North Beach NCD instead of the SUD. The anticipated amendment is to strike reference to North Beach altogether because controls could be revised through North Beach NCD itself, not through Section 186.

[1] Board File 250634 proposes to eliminate the hard cap on Non-Residential Use Size limits within North Beach NCD.

  - Within North Beach NCD, capitalize "Historic Buildings" because it is a defined term in Section 102. The Ordinance also already references Section 102.

- **Amend the Nob Hill SUD to principally permit Arts Activities on the first floor.** The proposed Ordinance conditionally permits Arts Activities on all floors. This anticipated amendment aligns with efforts to better support the arts, particularly on the first floor.
- **Amend the Nob Hill SUD to permit certain Retail Professional uses and exempt them from general public access and signage requirements.** One of the goals of the Nob Hill SUD is to allow incidental commercial uses through a CUA. These incidental uses are intended to serve the needs of building occupants and their visitors. Recently, a real estate brokerage that has operated in the area for over 30 years inquired about expanding its office. However, the Department determined the use was unpermitted, as the original CUA filed in 1984 had been withdrawn. The proposed amendment seeks to align the long-standing presence of such businesses with the SUD's objectives, while providing a practical path forward for continued operation.
- **Allow commercial spaces that were previously occupied by a Limited Restaurant to become a Restaurant in the North Beach NCD.** Currently, Restaurants are conditionally permitted in the North Beach NCD, but only in commercial spaces where the last legally established use was a Restaurant or Bar. The anticipated amendment would add ***Limited Restaurant*** to this list of required prior Uses. This would expand the number of sites eligible to be a Restaurant.
- **Amend the North Beach and Pacific Avenue NCDs to prohibit Flexible Retail on the second floor and above.** Currently, the proposed Ordinance principally permits Flexible Retail on the first floor and requires Conditional Use authorization on the second floor and above. The proposed amendment would probit Flexible Retail on the second floor and above. This anticipated amendment aligns with the controls under Ordinance No. 249.23.
- **Update the Non-Residential Use Size limit standards to reflect the amendments adopted under Board File No. 250634**. The subject Ordinance was drafted before BF 250634 was adopted and as a result has outdated code language.

Background

In recent years, there have been a few Ordinances to provide extra support to small businesses opening or expanding within the city. These generally removed barriers for businesses and provided more flexibility in the zoning controls. A quick summary list is included below for reference.

- Small Business Permit Streamlining Ordinance, Board File No. 181211, effective on October 11, 2019,[2]
- Proposition H (Prop. H), initiated under Board File No. 200650, effective on December 18, 2020,[3]
- Small Business Recovery Act (SBRA), Board File No. 210285, effective September 3, 2021,[4] and
- Citywide Expansion of Allowable Commercial, Restaurant, and Retail Uses, Board File No. 230701,

[2] Ordinance 205-19.
[3] November 3, 2020 Election Results.
[4] Ordinance No. 111-21.

effective January 13, 2024.[5]

Supervisor Sauter aims to build on ongoing efforts by extending key regulatory relief measures to businesses in District 3. The proposed Ordinance would eliminate certain restrictions, many of which are unique to District 3, to better align local controls with those in other parts of the city. This proposal is also informed by extensive community engagement, reflecting input from local business owners, residents, and neighborhood organizations about their priorities and vision for the area. In addition, Supervisor Sauter proposes consolidating the North Beach Neighborhood Commercial District (NCD) and Special Use District (SUD) to improve clarity and ensure consistent regulations.

Issues and Considerations

Zoning Controls

Since the 1980s when the City established its current NCDs, the trends have been to pass more restrictive zoning controls. This is possible because of individualized or named NCDs that enable the creation of bespoke land use controls for each neighborhood. Many of the more restrictive controls were done in response to specific concerns in each neighborhood. For example, one neighborhood might have concerns about an overconcentration of Restaurants, so they petitioned to have Restaurants prohibited or made contingent upon Conditional Use approval. Zoning Controls also includes Non-Residential Standards such as Use Size limits, which can be amended for each Named NCD also. Over time, these individualized controls have made it more difficult to open new businesses, potentially prolonging storefront vacancies. They have also resulted in a complicated Planning Code that is difficult to implement and confusing for the public to understand. More recently, the City has passed legislation to simplify the Code and make Uses more permissible. This has been particularly helpful for small and emerging businesses and helps address storefront vacancies. The amendments proposed in this Ordinance seek to further simplify the Code to make it easier to open or expand businesses in these District 3 neighborhoods.

Proposed Zoning Changes

The proposed Ordinance generally makes things more permissible and removes bureaucratic barriers throughout District 3. This loosens restrictions within **North Beach, Polk, and Pacific NCDs and the Nob Hill and Jackson Square SUDs** (see map in Exhibit C). Some uses with more permissive controls include but not limited to: *Restaurants, Limited Restaurants, Bars, Health Services, and Flexible Retail*. Some of these Uses and the rationale are described below.

<u>Restaurants</u>
Restaurants and other eating and drinking establishments are an essential part of San Francisco's neighborhood vitality, supporting small business activity and contributing to the city's broader economic base. In many commercial districts, there is growing demand from communities to allow Restaurants more easily.

[5] Ordinance 249-23.

However, in the North Beach and Jackson Square SUDs, zoning regulations impose additional restrictions on Restaurants, Limited Restaurants, and Bars, making them more difficult to establish. For example:

- A new Restaurant may be conditionally permitted only if the space was previously occupied by a Restaurant or Bar — a requirement not found most other zoning districts.[6]
- Similarly, Limited Restaurants on the ground floor are only conditionally permitted if the previous use was a Limited Restaurant, Restaurant, or Bar.

By contrast, this proposed Ordinance would principally permit Limited Restaurants on the first floor, aligning the North Beach NCD and Jackson Square SUD with most other NCDs where this use is already allowed by right.

Due to the current restrictions, several entrepreneurs have been unable to open Restaurants in these districts — even though their proposals would be fully compliant elsewhere. These controls were originally intended to limit the number and concentration of eating and drinking establishments. However, there is now growing support—from both the community and local businesses—to modernize these rules and encourage new restaurant activity.

The proposed Ordinance responds to this shift by eliminating the additional restrictions, making it easier for Restaurants and Limited Restaurants to establish in North Beach and Jackson Square. These changes will streamline the permitting process, reduce unnecessary barriers for small businesses, and reflect updated neighborhood goals.

Health Services

Health Services are defined in the Planning Code as a Retail Sales and Service use that provides medical and allied health care, including services by physicians, surgeons, dentists, podiatrists, psychologists, and other licensed health professionals. While Health Services meet the Code's active use requirements, they generally do so to a lesser degree than other Retail Sales and Services Uses, due to their reliance on appointments and the nature of patient care.

Under current zoning, Health Services are restricted in several districts despite their role as essential community services. For example:

- In the Polk Street NCD, Health Services are generally prohibited on the first floor, where active ground-floor uses are typically prioritized. However, the district is located near two major hospitals, making Health Services a logical complementary use in the area.
- Recognizing this, Ordinance No. 142-23 amended the Polk Street NCD to principally permit Health Services on the first floor for properties *without* frontage on Polk or California Streets. Ordinance No. 85-24 expanded this further to also include properties without frontage on Hyde Street. These exceptions have created more flexibility, but the current structure remains restrictive and difficult to navigate.

The proposed ordinance expands on these efforts by:

[6] This provision is outlined within the North Beach SUD and currently replicated as a footnote to the North Beach NCD. The draft Ordinance proposes to amend the footnote within the North Beach NCD.

- Making Health Services conditionally permitted on the first floor in both Polk Street and North Beach, where they were previously not permitted (aside from the limited exceptions which were principally permitted on side streets within the Polk Street NCD); and
- Allowing Health Services on all floors in the Pacific Avenue NCD, where they were previously conditionally permitted only on the ground floor and prohibited above.

In Polk Street specifically, principally permitting Health Services on side-street frontages only helps ensure that the primary commercial corridors along Polk, California, and Hyde Streets retain their retail character, while still allowing vital services to fill vacant storefronts in less active locations. Under this proposed Ordinance, Health Services proposed on the main commercial corridors within the Polk Street NCD or within the Pacific and North Beach NCDs would be vetted through the Conditional Use authorization process.

These changes strike a balance between preserving active ground-floor uses and supporting neighborhood-serving services, particularly in areas where access to health care is a community priority. By broadening the permissibility of Health Services, this proposed Ordinance helps reduce vacancies, increases neighborhood convenience, and supports a more complete range of small business and service providers within commercial districts.

Flexible Retail

Flexible Retail is a type of Retail Sales and Service Use that combines the following existing Uses: Arts Activities, Limited Restaurants, General Retail Sales and Services, Personal Services, Professional Services, and Trade Shops. Flexible Retail allows these Uses to be operated by one or more businesses within the same space. Once an establishment changes their Use to Flexible Retail, they are not required to obtain additional Use permits from the Planning Department if they develop one or more additional Use(s) that falls under the Flexible Retail Use category. However, Flexible Retail must still comply with underlying zoning for each of the individual categories. This eliminates some land use and permitting requirements and allows retail businesses to co-locate within the same space, attracting more customers to increase revenue streams.

The Flexible Retail Use definition became effective January 7, 2019 to support small businesses within NCDs in two geographic zones[7] and then later made principally permitted throughout most of the city.[8] The proposed Ordinance would also allow the Flexible Retail Use within these District 3 neighborhoods, aligning with the rest of the city.

Other Zoning Modifications

The proposed Ordinance would also amend other Non-Residential Development Standards of Use Size limits and Storefront Merger controls. Amending these standards provides more flexibility for businesses and also reduces process as described below.

Use Size Limits

Section 121.2 outlines Non-Residential Use Size limits in NCDs. Uses exceeding district-specific thresholds typically require a CUA. A small number of NCDs — including Castro Street, North Beach, Pacific Avenue, and

[7] Ordinance 285-18.
[8] Ordinance 249-23.

Polk Street — maintain a relatively low principally permitted use size limit of 2,000 square feet, while most other NCDs allow 2,500 square feet or more by right. This proposed Ordinance proposes increasing the principally permitted Use Size to 3,000 square feet in both the North Beach and Polk Street NCDs.

Currently, both North Beach and Polk Street NCDs also impose a 4,000 square foot hard cap, which prohibits Non-Residential Uses above that size. This proposed Ordinance would eliminate the hard cap for the Polk Street NCD, but not for Noth Beach. However, Board File No. 250634, which was heard by the Planning Commission on July 17, 2025, and will become effective on October 6, 2025, deletes these hard caps. So, while this proposed Ordinance only removes the hard cap from the Polk Street NCD, both have already been removed by a previous Ordinance. These changes are intended to better align with the space needs of modern small businesses while preserving the fine-grain character of these historic commercial corridors.

Storefront Mergers

Storefront mergers are generally allowed throughout the city, provided the resulting Use Size is permitted within the applicable Zoning District. This approach supports the retention of fine-grain, small-scale storefronts while still allowing some flexibility for growth. In most commercial districts, this goal is achieved through Non-Residential Use Size limits rather than a direct prohibition on Storefront mergers. Currently, however, the Polk Street NCD and the North Beach NCD/SUD are the only remaining districts that entirely prohibit storefront mergers.

Two other districts impose a more nuanced approach by requiring CUAs for storefront mergers above certain thresholds:

- The Calle 24 SUD requires a CUA for storefront mergers that would result in a first-floor commercial space greater than 799 gross square feet.
- The Mission Street Neighborhood Commercial Transit (NCT) District requires a CUA for mergers resulting in a combined storefront over 1,500 square feet.

The proposed Ordinance would adopt a similar framework for the North Beach and Polk Street NCDs, allowing storefront mergers up to 3,000 square feet by right. Mergers resulting in more than 3,000 square feet would require a CUA. This amendment, along with the proposed increases to principally permitted Use Size limits, is intended to provide additional flexibility for small businesses in these districts while maintaining the neighborhood's historic commercial scale and character.

Recent Legislative Amendments

Over the past several years, Use Size and storefront merger restrictions in the North Beach and Polk Street NCDs have created barriers for small businesses. These rules have led to multiple cases where otherwise desirable businesses were unable to open or expand without separate legislative action. In particular, community-supported projects that exceeded existing Use Size limits or required minor storefront combinations required legislative remedies to move forward. For example, Bob's Donuts required legislative relief through Ordinance No. 169-24 to merge storefronts and expand operations. Similarly, Bi-Rite required an amendment (Ordinance No. 11-23) to expand their commercial footprint. Bob's Donuts is a beloved donut-shop and Bi-Rite was a desired larger grocer in the neighborhood, but neither project was allowed under past zoning controls. Such proposals are principally permitted within most other NCDs. However, these examples required legislation to make the plans come into fruition.

This piecemeal legislative approach has proven inefficient and burdensome for both applicants and City staff. It has also been ineffective to review controls for individual parcels, rather than taking a wholistic approach. The proposed Ordinances would create a more predictable and transparent framework, reduce the need for case-by-case legislation, and better support small business viability in these neighborhood districts.

North Beach Consolidation

> The North Beach NCD and SUD share nearly identical boundaries but have different regulations, leading to confusion and regulatory inconsistencies.

The North Beach NCD and SUD almost completely overlap (see map in Exhibit D). There are only seven parcels that are located within the NCD but not the SUD. This has created confusion on what is allowed or not allowed, and which rules apply. The proposed Ordinance would eliminate the North Beach SUD and all references to it. Most of the extra restrictions in the SUD would be lifted, but some controls would be integrated into North Beach NCD and other sections of the Code. This change simplifies the regulations and makes them easier for the public to understand by removing duplicated language between the North Beach NCD and SUD. When the SUD was updated in the past, those changes weren't always mirrored in the NCD, leading to inconsistencies. Consolidating the regulations helps ensure accuracy and consistency going forward.

Future Considerations

As part of ongoing efforts to refine land use controls and improve zoning clarity, the Department has identified two areas that may benefit from further review in the future:

<u>Arts Activities Definition</u>
Staff has encountered recurring challenges in determining what qualifies as an Arts Activity under the current Planning Code definition. The lack of clarity creates uncertainty for both applicants and staff when evaluating proposed uses, especially those that blend artistic, retail, or instructional components. A future review of the definition — with the goal of making it clearer and more adaptable to contemporary business models — could help reduce confusion and streamline permitting.

<u>Effectiveness of Flexible Retail</u>
Flexible Retail was initially intended to reduce permitting burdens by allowing businesses to operate multiple compatible uses without needing a new permit each time they shift operations. However, the tool has seen limited uptake — with only **two** applications submitted to date. In practice, Flexible Retail appears to be most beneficial when business owners are proposing multiple uses that are already principally permitted in their zoning district. For example, if Arts Activities are conditionally permitted in a given district, a business owner must first obtain a CUA for that use before it can be incorporated into a Flexible Retail operation. Once that CUA is secured, the business may then switch between other qualifying uses on the Flexible Retail list more easily — but the need for initial entitlement process may still deter participation. Future efforts should examine why there has been limited interest in Flexible Retail, and what potential amendments could be made to make Flexible Retail more practical.

General Plan Compliance

The proposed Ordinance supports Objective 1 of the Commerce and Industry Element, which seeks to maintain and promote economic growth in San Francisco. By expanding business opportunities in District 3 and strengthening the NCDs, the proposed Ordinance helps foster a more vibrant local economy. It also introduces greater flexibility for small businesses to co-locate, reducing individual operating costs and attracting a broader customer base. This directly aligns with Policy 2.1, which aims to retain existing businesses and attract new commercial activity to the city.

In addition, the proposed Ordinance addresses storefront vacancies and supports Objective 2 of the Commerce and Industry Element by encouraging a more diverse and resilient economic base through expanded Use allowances and permitting flexibility.

Finally, the proposed Ordinance advances Policy 26 of the Housing Element, which calls for streamlining and simplifying the permit process to ensure more equitable access and greater predictability in outcomes. While this policy is housed within the Housing Element, the proposed Ordinance applies these same principles—transparency and efficiency—to businesses seeking to open or expand within District 3 NCDs.

Racial and Social Equity Analysis

The proposed Ordinance is designed to reduce regulatory barriers for small businesses in the North Beach, Polk Street, and Pacific NCDs, as well as the Nob Hill and Jackson Square SUDs. These areas host a diverse range of immigrant-owned businesses and community-serving enterprises that often face disproportionate challenges navigating San Francisco's complex land use regulations.

By expanding the range of principally and conditionally permitted Uses — such as Restaurants, Limited Restaurants, Bars, Health Services, and Flexible Retail — the proposed Ordinance responds to evolving retail trends and supports a broader variety of neighborhood-serving business models. Additionally, amendments to Use Size limits and storefront merger rules will allow entrepreneurs to adapt existing spaces more efficiently without triggering unnecessary zoning barriers.

Time and cost savings for small business owners are a key outcome of these changes. Currently, businesses seeking to exceed Use Size limits or combine storefronts may be required to go through a CUA. This processes can add three to six months of delays and cost thousands of dollars in fees, professional services, and lost operating time — resources that small or undercapitalized businesses often cannot afford. By streamlining approvals and eliminating duplicative or overly restrictive controls, this proposed Ordinance reduces both financial and procedural burdens, lowering the barrier to market entry and business expansion.

These changes also promote greater equity in the local economy. The current system often favors well-resourced applicants with access to land use consultants, attorneys, and the time to navigate prolonged hearings. By contrast, small businesses — especially those owned by immigrants, BIPOC entrepreneurs, and legacy operators — are more likely to be deterred or excluded under the status quo. Streamlined, predictable zoning rules will enable these business owners to invest with more confidence, creating more inclusive opportunities across commercial corridors.

Finally, the legislation aligns with broader City goals around economic recovery and neighborhood vitality, as outlined in the San Francisco General Plan and initiatives such as the Economic Recovery Task Force recommendations. Reducing storefront vacancy, preserving commercial diversity, and supporting walkable, mixed-use neighborhoods are essential to ensuring a resilient post-pandemic future for San Francisco's local economy.

Implementation

The Department has determined that this Ordinance will impact current implementation procedures; however, the proposed changes can be carried out without increasing permit costs or review time. Most of the revisions — including expanded Use permissions, adjustments to Use Size limits, and the consolidation of overlapping zoning districts — will streamline internal review processes and improve clarity for both applicants and staff.

The expansion of Flexible Retail to additional districts may present some tracking challenges, particularly if a minimum of two distinct uses must be maintained on-site at all times. That said, the Department has received only two applications to date for Flexible Retail uses and does not anticipate a significant increase in applications as a result of this proposed Ordinance, given its limited geographic expansion.

Finally, the consolidation of the North Beach NCD and SUD will simplify the Planning Code, eliminate duplicative regulations, and reduce the risk of conflicting provisions. This streamlining is expected to provide clearer guidance to the public, improve customer service, and reduce inconsistencies across zoning controls.

Recommendation

The Department recommends that the Commission ***adopt a recommendation for approval with anticipated amendments*** of the proposed Ordinance and adopt the attached Draft Resolution to that effect.

Basis for Recommendation

The Department supports the overall goals of this Ordinance, as it reduces process, streamlines review, and saves business owners valuable time and money. It also makes the Planning Code clearer and more transparent for the public. Additionally, the Ordinance would bring the District 3 NCDs into greater alignment with most other NCDs citywide. Removing the additional restrictions in these districts could also reduce the need for future legislative fixes to accommodate individual projects. Furthermore, consolidating the North Beach NCD and SUD into a single set of controls would create a more consistent Code for North Beach and eliminate the risk of updates being made to one section but not the other. The Department is in full support of the anticipated amendments described starting on page 3. These anticipated amendments are either technical in nature or make controls more permissive within these District 3 NCDs.

Required Commission Action

The proposed Ordinance is before the Commission so that it may adopt a recommendation of approval, disapproval, or approval with modifications.

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

Public feedback on the proposed Ordinance was mixed, with two letters expressing support, four in opposition, and one offering a combination of support and concerns. Supporters, including Russian Hill Neighbors and the Nob Hill Association/Nob Hill Compass, emphasized the need to modernize zoning regulations, citing benefits such as increased flexibility for businesses, reduced vacancies, and streamlined permitting processes. Opponents, including the Jackson Square Historic District Association and the Pacific Avenue Neighborhood Association, argued that existing controls—particularly in the Jackson Square SUD—have been effective and should not be weakened. Concerns included a high concentration of bars and restaurants, potential negative impacts on neighborhood character, and a lack of public outreach. The North Beach Business Association submitted a letter expressing conditional support: backing changes related to Flexible Retail and food production uses but opposing elements such as the removal of Use Size limits, the expansion of certain Uses, and permitting Walk-Up Facilities. The full correspondence can be found in Exhibit E.

ATTACHMENTS:

Exhibit A:	Draft Planning Commission Resolution
Exhibit B:	Board of Supervisors File No. 250682
Exhibit C:	Map of Impacted Zoning Districts
Exhibit D:	Map Comparing the North Beach NCD to the North Beach SUD
Exhibit E:	Letters of Support/Opposition

San Francisco Planning

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EXHIBIT A

PLANNING COMMISSION
DRAFT RESOLUTION

HEARING DATE: September 18, 2025

Project Name:	Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts
Case Number:	2025-005989PCAMAP [Board File No. 250682]
Initiated by:	Supervisor Sauter / Introduced June 17, 2025
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Reviewed by:	Aaron Starr, Manager of Legislative Affairs aaron.starr@sfgov.org, 628-652-7533

RESOLUTION ADOPTING A RECOMMENDATION FOR APPROVAL WITH ANTICIPATED AMENDMENTS OF A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO: 1) ELIMINATE THE NORTH BEACH SPECIAL USE DISTRICT AND CONSOLIDATE CERTAIN CONTROLS INTO THE NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT, EXPAND ALLOWABLE USES AND INCREASE USE SIZE LIMITS IN THE NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT, 2) EXPAND ALLOWABLE USES AND INCREASE USE SIZE LIMITS IN THE POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT, 3) EXPAND ALLOWABLE USES IN THE PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT, 4) EXPAND ALLOWABLE USES AND INCREASE USE SIZE LIMITS IN THE NOB HILL SPECIAL USE DISTRICT, AND 5) REDUCE LIMITATIONS ON RESTAURANTS AND BARS IN THE JACKSON SQUARE SPECIAL USE DISTRICT; AMENDING THE ZONING MAP TO REFLECT REMOVAL OF THE NORTH BEACH SPECIAL USE DISTRICT; AFFIRMING THE PLANNING DEPARTMENT'S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; MAKING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN, AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE, SECTION 101.1; AND MAKING FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE UNDER PLANNING CODE, SECTION 302.

WHEREAS, on June 17, 2025 Supervisor Melgar introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 250682, which would amend the Planning Code to: 1) eliminate the North Beach Special Use District and consolidate certain controls into the North Beach Neighborhood Commercial District, expand allowable uses and increase use size limits in the North Beach

Neighborhood Commercial District, 2) expand allowable uses and increase use size limits in the Polk Street Neighborhood Commercial District, 3) expand allowable uses in the Pacific Avenue Neighborhood Commercial District, 4) expand allowable uses and increase use size limits in the Nob Hill Special Use District, and 5) reduce limitations on Restaurants and Bars in the Jackson Square Special Use District. The proposed Ordinance would also amend the Zoning Map to reflect removal of the North Beach Special Use District;

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on September 18, 2025; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c)(2) and 15378; 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 49 South Van Ness Avenue, Suite 1400, San Francisco; and

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

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Planning Commission hereby adopts a **recommendation for approval with anticipated amendments** of the proposed ordinance. The anticipated amendments are as follows:

1. Technical Amendments:

    a. Strike reference to North Beach NCD in Section 186.

    b. Within North Beach NCD, capitalize "Historic Buildings".

2. Amend the Nob Hill SUD to principally permit Arts Activities on the first floor.

3. Amend the Nob Hill SUD to permit certain Retail Professional uses and exempt them from general public access and signage requirements.

4. Allow commercial spaces that were previously occupied by a Limited Restaurant to become a Restaurant in the North Beach NCD.

5. Amend the North Beach and Pacific Avenue NCDs to prohibit Flexible Retail on the second floor and above.

6. Update the Non-Residential Use Size limit standards to reflect the amendments adopted under

Board File No. 250634.

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:

The proposed Ordinance will reduce process, streamline review, and save business owners valuable time and money. It also makes the Planning Code clearer and more transparent for the public. Additionally, the Ordinance would bring the District 3 NCDs into greater alignment with most other NCDs citywide.

General Plan Compliance

The proposed Ordinance and anticipated amendments are 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.

OBJECTIVE 2
MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1
Seek to retain existing commercial and industrial activity and to attract new such activity to the city.

Policy 2.3
Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

HOUSING ELEMENT

Policy 26
Streamline and simplify permit processes to provide more equitable access to the application process, improve certainty of outcomes, and ensure meeting State- and local-required timelines, especially for 100% affordable housing and shelter projects.

The proposed Ordinance supports Objective 1 of the Commerce and Industry Element, which seeks to maintain and promote economic growth in San Francisco. By expanding business opportunities in District 3

and strengthening the NCDs, the proposed Ordinance helps foster a more vibrant local economy. It also introduces greater flexibility for small businesses to co-locate, reducing individual operating costs and attracting a broader customer base. This directly aligns with Policy 2.1, which aims to retain existing businesses and attract new commercial activity to the city.

In addition, the proposed Ordinance addresses storefront vacancies and supports Objective 2 of the Commerce and Industry Element by encouraging a more diverse and resilient economic base through expanded Use allowances and permitting flexibility.

Finally, the proposed Ordinance advances Policy 26 of the Housing Element, which calls for streamlining and simplifying the permit process to ensure more equitable access and greater predictability in outcomes. While this policy is housed within the Housing Element, the proposed Ordinance applies these same principles—transparency and efficiency—to businesses seeking to open or expand within District 3 NCDs.

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.

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 ADOPTS A RECOMMENDATION FOR APPROVAL WITH ANTICIPATED AMENDMENTS the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on September 18, 2025.

Jonas P. Ionin
Commission Secretary

AYES:
NOES:
ABSENT:
ADOPTED: September 18, 2025

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EXHIBIT B

[Planning Code; Zoning Map - Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts]

Ordinance amending the Planning Code to: 1) eliminate the North Beach Special Use District and consolidate certain controls into the North Beach Neighborhood Commercial District, expand allowable uses and increase use size limits in the North Beach Neighborhood Commercial District, 2) expand allowable uses and increase use size limits in the Polk Street Neighborhood Commercial District, 3) expand allowable uses in the Pacific Avenue Neighborhood Commercial District, 4) expand allowable uses and increase use size limits in the Nob Hill Special Use District, and 5) reduce limitations on Restaurants and Bars in the Jackson Square Special Use District; amending the Zoning Map to reflect removal of the North Beach Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under 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, the Board of Supervisors finds that the actions contemplated in this ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission Resolution No. _____, and adopts such reasons by this reference thereto. 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.

Section 2. Article 1 of the Planning Code is hereby amended by revising Section 102, to read as follows:

SEC. 102. DEFINITIONS.

For the purposes of this Code, certain words and terms used herein are defined as set forth in this and the following sections. Additional definitions applicable to Signs are set forth in Section 602. Additional definitions applicable to development impact fees and requirements that authorize the payment of in-lieu fees are set forth in Section 401. Additional definitions applicable only to Downtown Residential Districts are set forth in Section 890. ~~*Additional*~~

~~*definitions applicable only to the North Beach Neighborhood Commercial District and the North Beach Special Use District are set forth in Section 780.3.*~~ Additional definitions applicable only to the Bernal Heights Special Use District are set forth in Section 242. Additional definitions applicable only to Article 9, Mission Bay Districts, are set forth in Section 996. All words used in the present tense shall include the future. All words in the plural number shall include the singular number, and all words in the singular number shall include the plural number, unless the natural construction of the wording indicates otherwise. The word "shall" is mandatory and not directory. Whenever any of the following terms is used it shall mean the corresponding officer, department, board or commission or its successor of the City and County of San Francisco, State of California, herein referred to as the City: Assessor, Board of Supervisors, Planning Department, Department of Public Works, Director of Planning, Planning Commission, or Zoning Administrator. In each case, the term shall be deemed to include an employee of any such officer or department of the City who is lawfully authorized to perform any duty or exercise any power as a representative or agent of that officer or department.

* * * *

Restaurant, Limited. A Retail Sales and Service Use that serves ready-to-eat foods and/or drinks to customers for consumption on or off the premises, that may or may not have seating. It may include wholesaling, manufacturing, or processing of foods, goods, or commodities on the premises as an Accessory Use as set forth in Sections 204.3 or 703(d), 803.2(d), 803.3(b)(1)(C) and 825(c)(1)(C) depending on the zoning district in which it is located. It includes, but is not limited to, foods provided by sandwich shops, coffee houses, pizzerias, ice cream shops, bakeries, delicatessens, and confectioneries meeting the above characteristics, but is distinct from a Specialty Grocery, Restaurant, and Bar. ~~*Within the North Beach SUD, it is also distinct from Specialty Food Manufacturing, as defined in Section 780.3(b).*~~ It shall not provide on-site beer and/or wine sales for consumption on the premises, but may sell

beer and/or wine for consumption off the premises with a California Alcoholic Beverage Control Board License type 20 (off-sale beer and wine), if all areas devoted to the display and sale of alcoholic beverages occupy less than 15% of the Occupied Floor Area of the establishment. Such businesses shall operate with the specified conditions in Section 202.2(a)(1).

Section 3. Article 1.2 of the Planning Code is hereby amended by revising Sections 121.2 and 145.4, to read as follows:

SEC. 121.2. NON-RESIDENTIAL USE SIZE LIMITS IN NEIGHBORHOOD COMMERCIAL AND NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICTS.

(a) In order to protect and maintain a scale of development appropriate to each district, Non-Residential Uses of the same size or larger than the square footage stated in the table below may be permitted only as Conditional Uses. The use area shall be measured as the Gross Floor Area for each individual Non-Residential Use.

District	**Use Size Limits**
Castro Street	2,000 sq. ft.
~~*North Beach*~~	
Pacific Avenue	
~~*Polk Street**~~	
* * * *	
NC-1, NCT-1	3,000 sq. ft.
Broadway	
Hayes-Gough	
North Beach	

*Polk Street**	
Upper Market Street	
Valencia Street	
* * * *	

* * * *

(b) In order to protect and maintain a scale of development appropriate to each district, Non-Residential uses that exceed the square footage stated in the table below shall not be permitted, except in the following circumstances:

(1) In the Castro Street Neighborhood Commercial District, a Child Care Facility, School, Post-Secondary Educational Institution, Religious Institution, Social Service or Philanthropic Facility, Community Facility, or a Residential Care Facility as defined in Section 102 of this Code that is operated by a non-profit and is neighborhood-serving may exceed this subsection 121.2(b) with Conditional Use authorization.

(2) In the Regional Commercial District, Schools and Childcare Facilities as defined in Section 102 may exceed this subsection 121.2(b) with Conditional Use authorization.

(3) ~~*In the Polk Street Neighborhood Commercial District, this subsection 121.2(b) shall not apply to a Movie Theater use, or the expansion of an existing General Grocery Use, as defined in Section 102 of this Code, and pursuant to the controls of Section 723.*~~

~~*(4)*~~ In the West Portal Neighborhood Commercial District, Health Services Uses located at Assessor's Parcel Block No. 2989B, Lot 17 may exceed the limit in the table below, but shall not have a Gross Floor Area great*er* than 5,000 square feet.

The use area shall be measured as the Gross Floor Area for each individual Non-Residential use.

District	Use Size Limits
West Portal Avenue	4,000 square feet
North Beach	
Castro Street	
~~*Polk Street*~~	
Pacific Avenue	
Regional Commercial District	25,000 square feet

* * * *

SEC. 145.4. REQUIRED GROUND FLOOR COMMERCIAL USES.

(a) **Purpose.** To support active, pedestrian-oriented commercial uses on important commercial streets.

(b) **Applicability.** The requirements of this Section 145.4 apply to the following street frontages.

* * * *

(27) The entirety of the North Beach Neighborhood Commercial District~~ *and North Beach Special Use District*~~;

* * * *

Section 4. Article 1.7 of the Planning Code is hereby amended by revising Section 186, to read as follows:

SEC. 186. EXEMPTION OF LIMITED COMMERCIAL AND INDUSTRIAL NONCONFORMING USES IN RH, RM, RTO, AND RED DISTRICTS.

* * * *

(a) Exemption from Termination Provisions. The following nonconforming uses in R Districts shall be exempt from the termination provisions of Section 185, provided such uses comply with all the conditions specified in subsection (b) below:

* * * *

(3) Subsections (a)(1) and (a)(2) above apply to the following Restricted Use Subdistricts: the Geary Boulevard Formula Retail Pet Supply Store and Formula Retail Eating and Drinking Subdistrict set forth in Section 781.4 of this Code; the North Beach Financial Service, Limited Financial Service, and Business or Professional Service Subdistrict set forth in Section 781.6 of this Code; the North Beach ~~*Special Use*~~*Neighborhood Commercial* District set forth in Section ~~*780.3*~~*722* of this Code; and the Third Street Formula Retail Restricted Use District set forth in Section 786 of this Code.

* * * *

Section 5. Article 2 of the Planning Code is hereby amended by revising Sections 201, 238, and 249.25 to read as follows:

SEC. 201. CLASSES OF USE DISTRICTS.

* * * *

Neighborhood Commercial Special Use Districts

(Defined in Sec. 702.2)

Lakeshore Plaza Special Use District (Defined in Sec. 780.1)
Bayshore-Hester Special Use District (Defined in Sec. 780.2)
Mission-Harrington Special Use District (Defined in Sec. 780.4)
~~*North Beach Special Use District (Defined in Sec. 780.3)*~~
1800 Market Community Center Project Special Use District (Defined in Sec. 787)

* * * *

SEC. 238. NOB HILL SPECIAL USE DISTRICT.

(a) A Hotel, as defined in Section 102 of this Code, may be permitted by the Planning Commission as a ~~c~~*C*onditional ~~u~~*U*se under Section 303 of this Code.

(b) In connection with any permitted ~~p~~*P*rincipal *Use* or ~~c~~*C*onditional ~~u~~*U*se located in such Special Use District, incidental ~~c~~*C*ommercial ~~u~~*U*ses may be permitted by the Planning Commission as a ~~c~~*C*onditional ~~u~~*U*se under Section 303 of this Code, if designed primarily for occupants of and visitors to the use to which they are incidental, accessible to the general public only from within the building, and not identified outside the building by means of any sign or signs.

(c) A Private Community Facility as defined in Section 102 of this Code, and that is not operated as a gainful (for-profit) business may be permitted by the Planning Commission as a ~~c~~*C*onditional ~~u~~*U*se under Section 303 of this Code.

(d) Eating and Drinking uses as defined in Section 102 of this Code~~*, with the exception of Eating and Drinking uses that are also defined as Formula Retail*~~ may be permitted by the Planning Commission as a ~~c~~*C*onditional ~~u~~*U*se under Section 303 of this Code*, except that Limited Restaurant uses as defined in Section 102 of this Code shall be permitted as Principal Uses and any Eating and Drinking uses that are also defined as Formula Retail are not permitted*. The limitations on design, accessibility, and identification set forth in ~~S~~*s*ubsection (b) above shall not apply to such uses hereby permitted.

(e) *Arts Activities uses as defined in Section 102 of this Code shall be permitted as a Conditional Use under Section 303 of this Code.*

(f) Signage for ~~p~~*P*rincipal ~~*permitted u*~~*U*ses or for Eating and Drinking uses within the Nob Hill Special Use District shall be limited as per Section 606 of this Code*,* with the exception that projecting ~~s~~*S*igns in the form of sign copy on ~~c~~*C*anopies and ~~a~~*A*wnings shall be

permitted for Eating and Drinking uses in lieu of ~~w~~*W*all ~~s~~*S*igns unless otherwise limited as a condition of approval of a ~~c~~*C*onditional ~~u~~*U*se authorization.

(~~f~~*g*) The various uses provided for in Subsections 238(a) through 238(~~e~~*f*) above are not permitted in any portion of a building that is devoted to a Dwelling Unit or to Group Housing as defined in Section 102 of this Code.

SEC. 249.25. JACKSON SQUARE SPECIAL USE DISTRICT.

In order to provide for the protection and enhancement of specialty retail and antique store uses in the Jackson Square area, there shall be established the Jackson Square Special Use District as designated on Sectional Map No. SU01 of the Zoning Map. The boundaries of this Special Use District shall be coterminous with the boundaries of the Jackson Square Historic District as established by Appendix B to Article 10 of this Code and further described in Section 3 of that Appendix, and shall also include Lot 4 of Block 195. The following provisions shall apply within the Jackson Square Special Use District:

(a) **Purposes.** These controls are intended to protect and enhance the unique retail character of the Special Use District. All decisions of the Planning Commission and Department for the establishment of ground floor use shall be guided by the following factors:

(1) Continuation and enhancement of existing ground floor retail uses are of critical importance to the character of the District and displacement of such uses should be discouraged;

(2) Attraction and retention of similar new retail establishments that conform with the character of this District should be encouraged; and

(3) Uses that greatly intensify the density of employment have a negative impact on the provision of neighborhood services, traffic circulation, and limited on- and off-street parking.

(b) **Controls.**

(1) **General.** The provisions of the C-2 ~~use d~~District ~~as established in~~ (Section 210.~~2~~*1)* and applicable provisions of the Washington-Broadway Special Use District~~s~~ (Section 239)~~,~~ and the Chinatown Community Business District (Section 810)~~,~~ shall prevail except as provided in *subsections* ~~*paragraphs*~~ *(b)*(2) and *(b)*(3) *of this Section 249.25* ~~*below*~~.

(2) **Conditional Uses.**

(A) **Office Uses, Business Services, and Institutional Uses.** Office Uses, Business Services, and Institutional Uses, as defined in Section 102 of this Code, at the ground floor are subject to Conditional Use authorization pursuant to Section 303 of this Code;~~,~~ provided, however, that building lobbies, entrances, and exits to and from the basement, ground floor, or upper floors, and other reasonably-sized common areas at the ground floor shall be permitted without Conditional Use authorization. In addition to the findings required under Section 303(c) for Conditional Use authorization, the Commission shall make the following findings:

(i) The use shall be necessary to preserve the historic resource and no other use can be demonstrated to preserve the historic resource.

(ii) The use shall be compatible with, and shall enhance, the unique retail character of the District.

(B) **Restaurants~~, *Limited Restaurants,*~~ and Bars.** Restaurant~~, *Limited Restaurant,*~~ and Bar uses *larger than 4,000 square feet* may be permitted as a Conditional Use on the First Story through the procedures set forth in Section 303, ~~*only if the Zoning Administrator first determines that the proposed new Restaurant, Limited Restaurant, or Bar would occupy a space that is currently or was last legally occupied by one of the uses described below; provided that its last use has not been discontinued or abandoned pursuant to Sections 186.1(d) or 178(d) of this Code and that the proposed new use will not enlarge the space; and*~~ provided ~~*further*~~

that no Conditional Use *authorization* shall be required if the use remains the same as the prior authorized use, with no enlargement or intensification of use.~~:~~

~~*(i) A Bar may occupy a space that is currently or last legally occupied by a Bar;*~~

~~*(ii) A Restaurant may occupy a space that is currently or was last legally occupied by a Restaurant or Bar; and*~~

~~*(iii) A Limited Restaurant may occupy a space that is currently or was last legally occupied by a Limited Restaurant, Restaurant, or Bar.*~~

~~*(iv) Except as provided herein, no other use shall be allowed to convert to a Limited Restaurant, Restaurant, or Bar.*~~

~~*(C)* ***Exception for Certain Proposed Limited Restaurant Uses.*** *A proposed Limited Restaurant use is Principally Permitted, shall not be required to obtain a Conditional Use authorization pursuant to subsection (b)(2)(B) above, and shall not be subject to the limitation of subsection (b)(2)(B)(iii) above if an application for a building permit necessary for the establishment of such use was filed with the City by July 19, 2018.*~~

(3) **Prohibited Uses.** Adult Businesses, as defined in Section 102 of this Code, are prohibited.

Section 6. Article 3 of the Planning Code is hereby amended by revising Sections 303.2 and 304, to read as follows:

SEC. 303.2. PRIORITY PROCESSING FOR CERTAIN USES IN COMMERCIAL SPACE: EXPEDITED CONDITIONAL USE REVIEW AND APPROVAL PROCESS AND REDUCED APPLICATION FEE.

* * * *

(c) **Eligibility for Priority Processing.** An application for a Conditional Use authorization qualifies for priority processing ("eligible application") pursuant to this Section 303.2 if it is seeking to establish, alter, enlarge, or intensify a commercial use on the first story or below, or on the second story where the commercial use would operate on both the first and second stories, in the subject building and if it complies with all of the following requirements:

* * * *

~~*(9) It is not within the North Beach Neighborhood Commercial District, as described and set forth in Section 722, or the North Beach Special Use District, as described and set forth in Section 780.3.*~~

* * * *

SEC. 304. PLANNED UNIT DEVELOPMENTS.

In districts other than C-3, the Eastern Neighborhoods Mixed Use Districts, the DTR Districts, or the North Beach ~~*Special Use*~~*Neighborhood Commercial* District, the Planning Commission may authorize as Conditional Uses, in accordance with the provisions of Section 303, Planned Unit Developments subject to the further requirements and procedures of this Section 304. After review of any proposed development, the Planning Commission may authorize such development as submitted or may modify, alter, adjust or amend the plan before authorization, and in authorizing it may prescribe other conditions as provided in Section 303(d). The development as authorized shall be subject to all conditions so imposed and shall be excepted from other provisions of this Code only to the extent specified in the authorization.

* * * *

Section 7. Article 7 of the Planning Code is hereby amended by revising Sections 703, 722, 723, 726, and 780.3, to read as follows:

SEC. 703. NEIGHBORHOOD COMMERCIAL DISTRICT REQUIREMENTS.

* * * *

(d) Accessory Uses. Subject to the limitations set forth below and in Sections 204.1 (Accessory Uses for Dwellings in All 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. Notwithstanding the foregoing, a Retail Workspace, as defined in Section 102, shall be permitted as an Accessory Use in connection with any Eating and Drinking Use regardless of the floor area occupied by such Accessory Use, so long as (1) the hours of operation for the accessory Retail Workspace use are limited to 9 a.m. to 5 p.m. and (2) such Eating and Drinking Use is also open for business to the general public on each day during which the accessory Retail Workspace use is open. 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. Parcel Delivery Service, as defined in Section 102 of the Planning Code, for merchandise or products other than cannabis and cannabis products is not allowed as an accessory use to any other principal use.

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

* * * *

(3) The wholesaling, manufacturing, or processing of foods, goods, or commodities on the premises of an establishment that does not also use or provide for retail sale of such foods, goods, or commodities at the same location where such wholesaling, manufacturing, or processing takes place, ~~*with the following exceptions:*~~

~~*(A) In the North Beach Special Use District where such activities are limited to 15% of the total floor area occupied by the Principal or Conditional Use to which it is accessory unless the Principal or Conditional Use is Specialty Foods Manufacturing as defined in Section 780.3 of this Code; and*~~

~~*(B)*~~ *except that* ~~*N*~~*n*otwithstanding the floor area limitation in subsection (d)(1), a Catering Use limited to food and beverage Catering shall be permitted as an Accessory Use to Restaurants and Limited Restaurants if the following requirements are met:

(~~*i*~~*A*) The Catering Use does not operate more than 75% of the total time within the Restaurant's or Limited Restaurant's Hours of Operation on any given day; and

(~~*ii*~~*B*) The Catering Use does not distribute or deliver individual meals to customers directly from the subject lot, either by its own means, or through a third-party delivery service.

* * * *

SEC. 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT.

The North Beach Neighborhood Commercial District is a nonlinear district centered on Columbus Avenue, located in the valley between Telegraph Hill and Russian Hill north of Broadway. North Beach functions as a neighborhood-serving marketplace, citywide specialty shopping, and dining district, and a tourist attraction, as well as an apartment and residential hotel zone. Traditionally, the district has provided most convenience goods and services for residents of North Beach and portions of Telegraph and Russian Hills. North Beach's eating, drinking, and entertainment establishments remain open into the evening to serve a much wider trade area and attract many tourists. The balance between neighborhood-serving convenience stores and Citywide specialty businesses has shifted, as convenience stores have been replaced by restaurants and bars. The proliferation of financial services, limited

financial services, and professional services has also upset the district's balance of uses. The relocation of business and professional offices from downtown to North Beach threatens the loss of upper-story residential units.

The North Beach District controls are designed to ensure the livability and attractiveness of North Beach. Building standards limit new development to a small to moderate scale. Rear yards are protected above the ground story and at residential levels. Active commercial uses shall be required at the ground floor. Small-scale, neighborhood-serving businesses are strongly encouraged and formula retail uses are prohibited. To preserve and maintain the district's small-scale, fine grain storefronts, the consolidation or merger of existing retail or commercial spaces or storefronts ~~*are prohibited*~~*is restricted*, and Use Sizes are controlled to encourage conversion back to the traditional small-scale commercial spaces. Special controls are necessary because an over-concentration of food and beverage service establishments limits neighborhood-serving retail sales and personal services in an area that needs them to thrive as a neighborhood. In order to maintain neighborhood-serving retail sales and personal services and to protect residential livability, additional ~~*eating and drinking establishments*~~*Restaurants and Bars* are prohibited in spaces that have been occupied by neighborhood-serving retail sales and personal services. ~~*Special controls prohibit new walk-up facilities.*~~ Financial services, limited financial services, and ground-story business and professional office uses are prohibited from locating in the portion of the district south of Greenwich Street, while new financial services locating in the portion of the district north of Greenwich Street are limited. Restrictions on automobile and drive-up uses are intended to promote continuous retail frontage and maintain residential livability.

In keeping with the district's existing mixed-use character, housing development in new buildings is encouraged above the ground floor. Existing residential units are protected by prohibitions of upper-story conversions, mergers, removals, and demolitions. Per Section

207.1 of this Code, Accessory Dwelling Units are permitted within the existing building envelope, but may not eliminate or reduce ground-story retail or commercial space.

Table 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		North Beach NCD
Zoning Category	**§ References**	**Controls**
BUILDING STANDARDS *(17)*		
* * * *		
Street Frontage and Public Realm		
* * * *		
Ground Floor Commercial	§~~§~~ 145.4~~, *780.3*~~	Required within the entire District. ~~*Consolidation of ground floor Retail or Commercial spaces is prohibited.*~~
* * * *		

RESIDENTIAL STANDARDS AND USES				
* * * *				
Loss of Dwelling Units		**Control by Story**		
		1st	**2nd**	**3rd+**
Residential Conversion	§~~§~~ 317~~, *780.3(c)(4)*~~	C	NP	NP
Residential Demolition and Merger	§~~§~~ 317~~, *780.3(c)(4)*~~	C	NP	NP

NON-RESIDENTIAL STANDARDS AND USES *(18)*		
Development Standards		
Floor Area Ratio	§§ 102, 123, 124	1.8 to 1

Use Size	§§ 102, 121.2~~, *780.3(c)(3)*~~	P up to ~~*1,999*~~*2,999* square feet; C ~~*2,000*~~*3,000* square feet to 3,999 square feet; NP 4,000 square feet and above. ~~*Specialty Grocery use shall not exceed a Use Size of 1,000 square feet within the North Beach Special Use District.(5)*~~		
* * * *				
Storefront Mergers	~~*§ 780.3(c)(3)*~~	~~*Storefront mergers N*~~ P *up to 3,000 square feet; C 3,001 square feet and above* ~~*and Specialty Grocery use shall not exceed a Use Size of 1,000 square feet within the North Beach Special Use District*~~.		
Commercial Use Characteristics				
* * * *				
Walk-up Facility	§ 102	~~*N*~~P (2)		
		Controls by Story		
		1st	**2nd**	**3rd+**
* * * *				
Sales and Service Use Category				
Retail Sales and Service Uses*	§§ 102, 202.2(a), 202.3	P(10)	P(10)	NP
* * * *				
Bar	§§ 102, 202.2(a)~~*, 780.3*~~	C(5)~~*(6)*~~	NP	NP
* * * *				
Flexible Retail	§§ 102, 202.9	~~*N*~~P	~~*NP*~~*C*	~~*NP*~~*C*
* * * *				
Restaurant	§§ 102, 202.2(a)~~*, 780.3*~~	C(5)~~*(6)*~~	NP	NP
Restaurant, Limited	§§ 102, 202.2(a)~~*, 780.3*~~	~~*C*~~*P*~~*(5)*~~	NP	NP
* * * *				
Services, Health	§ 102	~~*NP*~~*C*	C	C
* * * *				

* Not listed below

* * * *

(2) NORTH BEACH WALK UP FACILITIES: Walk-up facilities are ~~N~~P in the District, ~~*including*~~ *except* automated bank teller machines (ATMs), *which are NP*.

(3) [Note deleted.]

(4) [Note deleted.]

(5) ~~*NORTH BEACH SPECIAL USE DISTRICT (Section 780.3):*~~ Restaurants~~*, Limited Restaurants*~~ and Bars may be permitted as a Conditional Use on the First Story through the procedures set forth in Section 303 only if the Zoning Administrator first determines that the proposed new Restaurant~~*, Limited Restaurant,*~~ or Bar would occupy a space that is currently or was last legally occupied by one of the uses described below; provided that its last use has not been discontinued or abandoned pursuant to Sections 186.1(d) or 178(d) of this Code and that the proposed new use will not enlarge the space; and provided further that no Conditional Use shall be required if the use remains the same as the prior authorized use, with no enlargement or intensification of use:

(A) A Bar may occupy a space that is currently or last legally occupied by a Bar;

(B) A Restaurant may occupy a space that is currently or was last legally occupied by a Restaurant or Bar; ~~*and*~~

(C) ~~*A Limited Restaurant may occupy a space that is currently or was last legally occupied by a Limited Restaurant, Restaurant or Bar.*~~

~~*(D)*~~ Except as provided herein, no other use shall be allowed to convert to a ~~*Limited Restaurant,*~~ Restaurant or Bar

(6) ~~*NORTH BEACH LIQUOR LICENSES FOR RESTAURANTS (Section 780.3): A Restaurant Use may only add ABC license types 02, 23, 41, 47, 49, 59 or 75 as a Conditional Use on the First Story*~~

~~*if, in addition to the criteria set forth in Section 303, the Planning Commission finds that the Restaurant is operating as a Bona Fide Eating Place as defined in Section 102. Should a Restaurant fail to operate as a Bona Fide Eating Place for any length of time, the Conditional Use authorization shall be subject to immediate revocation. To verify that the Restaurant is continuing to operate as a Bona Fide Eating Place, records of the Restaurant's gross receipts or gross sales shall be provided to the Department upon request. All records and information shall be submitted to the Department under penalty of perjury.*~~*[Note deleted.]*

* * * *

(10) ~~*Per the North Beach Special Use District in Section 780.3(c)(3) of this Code, Specialty Grocery use shall not exceed a Use Size of 1,000 square feet in order to preserve and maintain the district's small-scale, fine grain storefronts.*~~*[Note deleted.]*

(11) GROUND FLOOR COMMERCIAL USES REQUIRED

Boundaries: North Beach NCD

Controls: Unless otherwise prohibited or limited by ~~*Section 780.3,*~~ Section 722, or any other section of this Code, to promote active, pedestrian-oriented streetscape, Active Commercial uses shall be required at the Ground Floor pursuant to Section 145.4. Per Section 145.4(c)(1), "active commercial uses" shall not include Automotive Uses except for Automobile Sale or Rental uses where curb-cuts, garage doors, or loading access are not utilized or proposed and such sales or rental activity is entirely within an enclosed building and does not encroach on surrounding sidewalks or open spaces.

* * * *

(17) Architectural and Cultural Heritage of North Beach. Section 101.1 of the Planning Code includes the priority policy that historic buildings be preserved. The architectural and cultural character and features of existing historic buildings shall be preserved and enhanced. The Historic

Preservation Commission or its staff shall review any proposed alterations to historic buildings, as defined in section 102, and must determine that such alterations comply with the Secretary of Interior's Standards for the Treatment of Historic Properties before the City approves any permits to alter such buildings.

(18) Legacy Business: Where an immediately prior use was a Legacy Business, as defined under Administrative Code Section 2A.242, the controls require any new Non-Residential use to obtain Conditional Use authorization; provided, however, that this requirement shall not apply where: (A) the subject non-residential space has had no occupant and has not been open to the public for three or more years from the date the application for the new use is filed, or (B) the Legacy Business has removed itself or has been otherwise removed from the Legacy Business Registry.

SEC. 723. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

* * * *

(b) **Controls**.

* * * *

(3) **Merger of Storefronts** ~~***Prohibited***~~**.** To preserve and maintain the district's small-scale, fine grain storefronts, the consolidation or merger of existing ground floor retail or commercial spaces or storefronts shall be *principally permitted up to 3,000 square feet and conditionally permitted at 3,001 square feet and above*~~*prohibited, except that two adjacent storefronts may be consolidated or merged if: (A) the storefronts are for a Legacy Business on a corner lot within the same building and Block and Lot number, and provided that the consolidation or merger of storefronts would not result in a use size in excess of the principally permitted use size within the Polk Street NCD, (B) the storefronts are merged by a General Grocery use in association with the replacement of a Legacy Business that is also a General Grocery use, and the expansion of the General Grocery use is within a building on the same Lot, and is consistent with the size limitations in Section*~~

~~*121.2, or (C) the storefronts are merged by a Limited Restaurant use that relocates within the Polk Street NCD, and is designated as a Legacy Business as of the effective date of the ordinance in Board File No. 240411*~~.

* * * *

Table 723. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Polk Street NCD		
Zoning Category	**§ References**	**Controls**		
* * * *				
NON-RESIDENTIAL STANDARDS AND USES (7)				
Development Standards				
* * * *				
Use Size	§§ 102, 121.2	P up to ~~*1,999*~~*2,999* square feet; C *3,000*~~*2,000 to 3,999 square feet; NP 4,000*~~ square feet and above (2)		
* * * *				
Storefront Mergers	*§ 102*	*Storefront mergers P up to 3,000 square feet; C 3,001 square feet and above.*		
* * * *				
		Controls by Story		
		1st	2nd	3rd
* * * *				
Sales and Service Use Category				
Retail Sales and Service Uses*	§§ 102, 202.2(a), 202.3	P	P	NP
* * * *				
Services, Health	§ 102	~~*NP*~~*C*(3)	C	C

* * * *

* Not listed below

(1) Temporary closures of existing liquor establishments located within the Lower Polk Alcohol Restricted Use District for repair, renovation, or remodeling that meet the requirements of Section 788(d)(2)(B) shall not be considered enlargement, alteration, intensification, abandonment, or a change of use of a conditional use permit pursuant to Section 178 of this Code, provided that any demolition permits required for the repair, renovation, or remodeling work have been submitted by January 1, 2018.

(2) USE SIZE EXEMPTION: Per Planning Code Section 121.2(a), a Conditional Use Authorization is not required for any Limited Restaurant use that relocates within the Polk Street NCD, and is designated as a Legacy Business as of the effective date of the ordinance in Board File No. 240411. ~~*Per Planning Code Section 121.2(b), Use Size shall generally not exceed 4,000 square feet except that a Movie Theater as defined in Section 102 may exceed 4,000 square feet. In addition, the enlargement of an existing General Grocery use on the same Lot, and in association with the replacement of a Legacy Business that is also a General Grocery use, may exceed 4,000 square feet.*~~

(3) Principally permitted on properties that do not have any frontage on Polk Street, California Street, or Hyde Street.

* * * *

(7) REPLACEMENT OF LEGACY BUSINESSES REQUIRES CONDITIONAL USE AUTHORIZATION. Where an immediately prior use was a Legacy Business, as defined under Administrative Code Section 2A.242, the controls require any new Non-Residential Use to obtain Conditional Use authorization; this requirement shall not apply where: (A) the subject non-residential space has had no occupant and has not been open to the public for

three or more years from the date the application for the new use is filed, or (B) where the Legacy Business has removed itself or has been otherwise removed from the Legacy Business Registry.

* * * *

SEC. 726. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT.

* * * *

Table 726. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Pacific Avenue NCD		
Zoning Category	**§ References**	**Controls**		
* * * *				
NON-RESIDENTIAL STANDARDS AND USES (6)				
* * * *				
		Controls by Story		
		1st	**2nd**	**3rd+**
* * * *				
Sales and Service Use Category				
Retail Sales and Service Uses*	§§ 102, 202.2(a), 202.3	P	C	NP
* * * *				
Bar	§§ 102, 202.2(a)	~~NP~~C	NP	NP
* * * *				
Flexible Retail	§§ 102, 202.9	~~N~~P	~~NP~~C	~~NP~~C
* * * *				
Services, Health	§ 102	~~NP~~C	C	~~NP~~C
* * * *				

* * * *

SEC. 780.3. ~~***NORTH BEACH SPECIAL USE DISTRICT.***~~***[REPEALED.]***

~~*(a)* ***Purposes.*** *In order to (1) preserve and maintain the mix and variety of neighborhood-serving retail sales and personal services of a type that supplies commodities or offers personal services to residents of North Beach and nearby neighborhoods; (2) preserve and maintain the District's small-scale, fine grain storefronts; (3) protect and encourage upper-story Residential Uses; (4) preserve and enhance the architectural and cultural heritage of North Beach; and (5) preserve the contributions of Legacy Businesses to the history and identity of North Beach, there shall be a North Beach Special Use District applicable to the North Beach Neighborhood Commercial District, as designated on the Sectional Map SU01 of the Zoning Map of the City and County of San Francisco.*~~

~~*(b)* ***Definitions.*** *The following definitions shall apply only to the North Beach Special Use District:*~~

~~*(1) Specialty Food Manufacturing. A Commercial Use that includes the manufacturing and processing of foods on the premises for retail and/or wholesale sales and also provides a customer service counter for sale of such manufactured or processed food directly to the consumer. It may have seating as a minor and incidental use that occupies less than 15% of the Occupied Floor Area of the establishment. It includes, but is not limited to, bakeries, coffee roasters, confectionaries, chocolatiers, makers of homemade ice cream and handmade gelato or sorbet. It shall not provide any alcohol sales for consumption on or off the premises.*~~

~~*(2) Legacy Business. A business as defined under Administrative Code Section 2A.242 and included in the Legacy Business registry.*~~

~~*(3)* ***Historic Buildings.*** *"Historic buildings" shall include Planning Code Article 10 Landmarks and buildings located within Article 10 Historic Districts, buildings and districts identified by surveys adopted by the City, buildings listed or potentially eligible for individual listing on the National or California Registers, and buildings located within listed or potentially eligible National Register or California Register historic districts. The Planning Department shall also consult materials*~~

~~*available through the California Historical Resources Information System (CHRIS) and Inventory to determine eligibility.*~~

~~*(c)* ***Controls.*** *The following provisions shall apply within such District:*~~

~~*(1)* ***Restaurants, Limited Restaurants, and Bars.*** *Restaurant, Limited Restaurant, and Bar uses may be permitted as a Conditional Use on the First Story through the procedures set forth in Section 303 only if the Zoning Administrator first determines that the proposed new Restaurant, Limited Restaurant, or Bar would occupy a space that is currently or was last legally occupied by one of the uses described below; provided that its last use has not been discontinued or abandoned pursuant to Sections 186.1(d) or 178(d) of this Code and that the proposed new use will not enlarge the space; and provided further that no Conditional Use shall be required if the use remains the same as the prior authorized use, with no enlargement or intensification of use:*~~

~~*(A) A Bar may occupy a space that is currently or last legally occupied by a Bar;*~~

~~*(B) A Restaurant may occupy a space that is currently or was last legally occupied by a Restaurant or Bar; and*~~

~~*(C) A Limited Restaurant may occupy a space that is currently or was last legally occupied by a Limited Restaurant, Restaurant or Bar.*~~

~~*(D) Except as provided herein, no other use shall be allowed to convert to a Limited Restaurant, Restaurant or Bar.*~~

~~*(2)* ***Alcohol Licenses.***~~

~~*(A) A Restaurant may provide on-site beer, wine, and/or liquor sales for drinking on the premises (with ABC license types 02, 23, 41, 47, 49, 59 or 75) as a Conditional Use on the First Story if, in addition to the criteria set forth in Section 303, the Planning Commission finds, based on information submitted to the Department by the applicant, that the Restaurant is and will continue to operate as a Bona-Fide Eating Place as defined in Section 102. Should a Restaurant fail to operate as a Bona-Fide Eating Place for any length of time, the Conditional Use authorization shall be subject to*~~

~~*immediate revocation per Planning Code Section 303(f). To verify that the Restaurant is continuing to operate as a Bona-Fide Eating Place, records of the Restaurant's gross receipts or gross sales shall be provided to the Department upon request. All records and information shall be submitted to the Department under penalty of perjury.*~~

~~*(B) **Music Entertainment Facility.** A music entertainment facility with a Type 90 ABC license shall be permitted to serve alcoholic beverages in this SUD.*~~

~~*(C) **Non-Profit Theaters.** A non-profit theater shall be permitted to serve alcoholic beverages in this SUD. A "non-profit theater" shall mean a building or part of a building intended to be used for the specific purposes of presenting any act, play, revue, pantomime, scene, song, dance act, or song and dance act, conducted or participated in by one or more persons, whether or not such person or persons are compensated for such performance, and which is exempted from payment of income tax under Section 23701d of the California Revenue and Taxation Code and Section 501(c)(3) of the Internal Revenue Code of the United States. A "non-profit theater" shall not include any dance hall, as defined in Section 1022.*~~

~~*(3) **Storefronts.** To preserve and maintain the District's small-scale, fine grain storefronts, (A) the consolidation or merger of existing retail or commercial spaces or storefronts is prohibited, and (B) Specialty Groceries shall not exceed a Non-Residential Use Size of 1,000 square feet.*~~

~~*(4) **Loss of Residential Units.** To prevent the loss of existing Residential Units within the district, the removal, demolition, merger, or conversion of Residential Units above the First Story are prohibited.*~~

~~*(5) **Specialty Food Manufacturing.** Within the North Beach SUD a Specialty Food Manufacturing use, as defined in subsection (b)(1), may only be permitted with a Conditional Use authorization on the Ground Floor or below.*~~

~~*(6) **Legacy Business.** Unless otherwise prohibited by this Section 780.3, Section 722, or any other section of this Code, any new Non-Residential Use proposed where the immediately prior*~~

~~*Commercial Use was a Legacy Business shall require Conditional Use authorization pursuant to Section 303 of this Code.*~~

~~*(7) **Architectural and Cultural Heritage of North Beach.** Section 101.1 of the Planning Code includes the priority policy that historic buildings be preserved. The architectural and cultural character and features of existing historic buildings shall be preserved and enhanced. The Historic Preservation Commission or its staff shall review any proposed alterations to historic buildings, as defined in subsection 780.3(b)(3), and must determine that such alterations comply with the Secretary of Interior's Standards for the Treatment of Historic Properties before the City approves any permits to alter such buildings.*~~

~~*(8) **Additional Controls:** The following additional controls shall apply in the North Beach Special Use District. (1) A Planned Unit Development shall not be permitted; (2) Large-Scale Urban Agriculture uses shall not be permitted; (3) Hours of Operation shall not be permitted from 2 a.m. to 6 a.m.; (4) Unless otherwise prohibited or limited by this Section 780.3, Section 722, or any other section of this Code, active commercial uses, as defined in Planning Code Section 145.4(c), shall be required at the Ground Floor; and (5) A Health Service use, as defined in Section 102 of this Code, shall be prohibited on the ground floor. On the second floor and above, a Health Service use shall require Conditional Use authorization pursuant to Section 303 of this Code.*~~

~~*(9) **Conditional Use Authorizations.** In addition to the findings required under Section 303 of this Code, for any use or project within the District that is subject to Conditional Use authorization under this Section 780.3, Section 722, or any other section of this Code, the Planning Commission shall find that the proposed project supports the purposes of the North Beach SUD set forth in this Section 780.3.*~~

Section 8. Zoning Map Amendment. Pursuant to Sections 106 and 302(c) of the Planning Code, the following change is hereby adopted as an amendment to the Zoning Map

of the City and County of San Francisco: Sectional Map SU01 shall delete all reference to the North Beach Special Use District, Planning Code Section 780.3.

Section 9. 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

Section 10. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: /s/ Brian Crossman
BRIAN CROSSMAN
Deputy City Attorney

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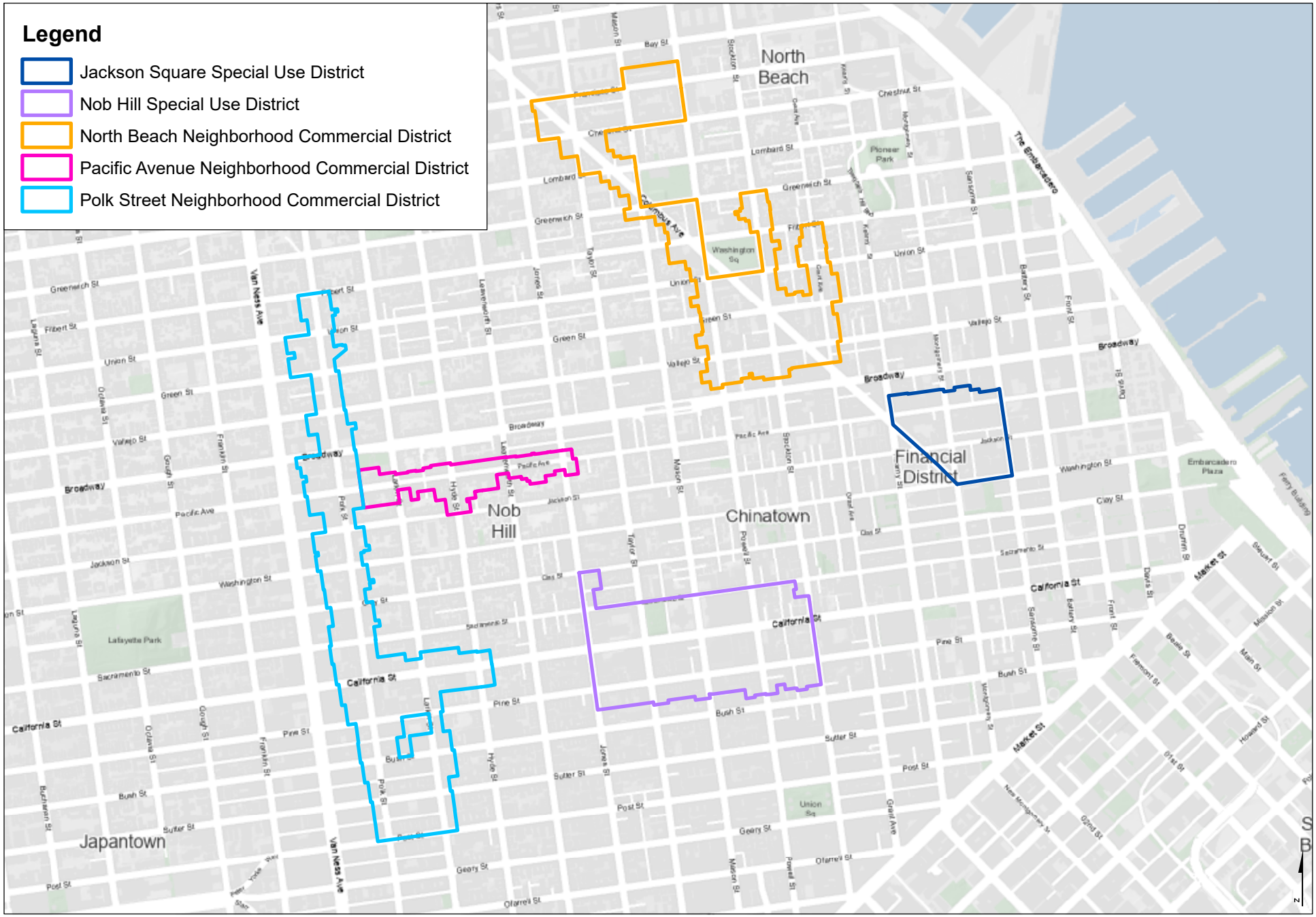
EXHIBIT C

Zoning Districts Impacted by Board File 250682

San Francisco Planning



26 August 2025

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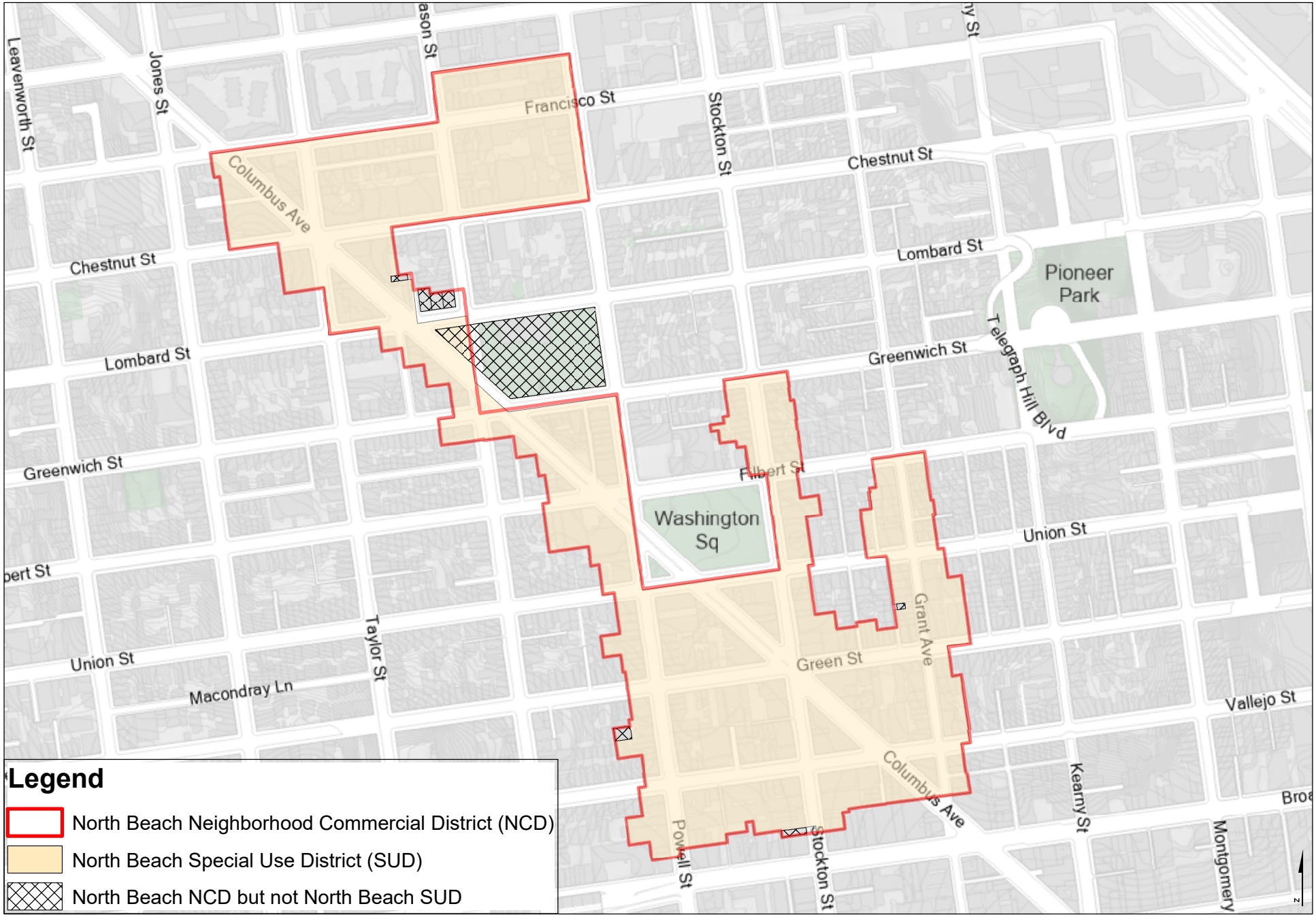
Map Comparing the North Beach NCD to the North Beach SUD

EXHIBIT D

San Francisco Planning



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15 July 2025

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EXHIBIT E

Jackson Square
HISTORIC DISTRICT ASSOC.

September 4, 2025
Via Email

Lydia So, President & Members
San Francisco Planning Commission
49 S Van Ness Ave., Suite 1400
San Francisco, CA 94103

RE: BOS File No. 250682 Letter of Opposition

Dear President So and Members of the Planning Commission:

The Jackson Square Historic Association (JSHDA), founded in 1998, is devoted to bettering Jackson Square for residents, businesses, visitors, and the many tour groups that visit daily. We aim to foster a sense of community, ensuring Jackson Square remains a unique, historic mixed use neighborhood. Pursuant to that mission, we are writing to request that the successful land use controls for the Jackson Square Special Use District set forth in Section 249.25 NOT be deleted or amended as proposed in Supervisor Sauter's legislation (File no. 250682).

Two years ago we wrote a data driven letter opposing a similar proposal by Mayor Breed (File no. 230701). Fortunately, Mayor Breed and the BOS made a data driven, evidence-based decision to maintain our successful zoning mix. We are disheartened and disappointed to be fighting this issue again, and adamantly oppose this new proposal as a misguided and unnecessary dismantling of the framework underpinning historic Jackson Square's widely acknowledged success as one of the few thriving downtown districts.

A Unique Historic District known for SF's only surviving brick and ornate cast iron buildings dating back to the 1850's-1870's, Jackson Square offers a tiny, preserved one-of-a-kind atmosphere that attracts locals and many aforementioned tour groups to our beautiful enclave, including lighting and greenscapes funded privately by residential owners over the last 20+ years.

Currently, there are SEVENTEEN bars and restaurants within our tiny 2 block x 1.5 block historic district, five more on adjacent sides of the JSHD border streets, and literally dozens more within a 5 minute walk. As you can imagine, many of them bring an attendant negative impact on adjacent historic properties and streetscapes. Residents already contend with bars and restaurants that frequently ignore codes, and inconsistent City enforcement places the compliance burden on residential constituents.

The Lack of Outreach is alarming. We're dismayed that Supervisor Sauter's proposal would allow new restaurants and bars to be permitted *as of right* and even allow restaurants and bars over 4,000 square feet with a Conditional Use Authorization (massively out of scale for the tiny historic district).

His proposal will erode the current mixed-use balance that we've worked to achieve. Unfortunately, there was NO outreach to key stakeholders for this proposal other than (according to Supervisor Sauter's aides) to an owner of multiple restaurants in the district seeking to expand. The lack of constituent engagement, lack of transparency and lack of any data supporting how an oversaturation of liquor licenses would improve an already successful mixed use neighborhood is alarming and betrays common sense, even for a first year Supervisor.

The Current Data-informed Section 249.25 controls were enacted with support from diverse community stakeholders, unanimously endorsed by the City's Small Business Commission, and unanimously approved by the Board of Supervisors on March 6, 2018. They were designed to preserve a balanced mix of commercial uses and a sustainable residential community aligned with the City's goal of attracting residents to invest in living downtown. These controls were informed by voluminous data from other cities and planners, and have proven remarkably successful both pre and post-pandemic, as evidenced by simply walking the district, as well as numerous articles in local media highlighting Jackson Square as a downtown success story. And again by contrast, the proposed destructive legislation is not supported by any data showing how it will improve the tiny district.

A healthy neighborhood requires the 24/7 "I live here" commitment, community stewardship, and preservation efforts of dedicated Jackson Square residents and businesses. Jackson Square residents invest their own money in streetscaping and encouraging all property owners to maintain their historic properties. In fact, it was only residential stakeholders who worked with the City and property owners to obtain approval for the extra tax to fund a Community Benefits District in 2018 for services that many felt the City should already be providing. The CBD provides benefits to all district stakeholders including clean-up of the ongoing trash, vomit, urination (and worse), graffiti, broken beer/liquor bottles, property damage, and broken trees, not to mention vandalism and noise we face as City residents every day. Many of these challenges are attributable to current oversaturation of bars & restaurants in this barely 4-square-block district.

The Jackson Square Special Use District has successfully achieved a balanced mix and favorable retail climate for long-term commercial and residential stakeholders. Jackson Square currently hosts a high commercial occupancy of boutique retail & services including *Aesop, Zimmerman, Postscript Specialty Market, Bentley Mills, Isabel Marant, John Velasquez Salon, Japonesque Gallery, Filson, Schott, Atelier Lan Jaenicke, Lucifer Lighting, Polo, Anine Bing, William Stout Architectural Books (the last of its kind in Bay Area), Fjällräven, diPietro Todd Salon, Shinola, Goldwin, Spoke & Weal Salon, Gallery Wendi Norris, Paul Smith* and more. They enhance variety, limit vacancies, and inhibit the type of real estate speculation that often cannibalizes the most unique, community-serving establishments in our neighborhoods.

We deeply value Jackson Square as one of SF's few successful downtown districts - a neighborhood that has preserved livability, architectural character, and a healthy mix of residential, commercial, and cultural uses. Our concern is not opposition to change, but ensuring that any proposals are data-driven, balanced, and respectful of what is already working well.

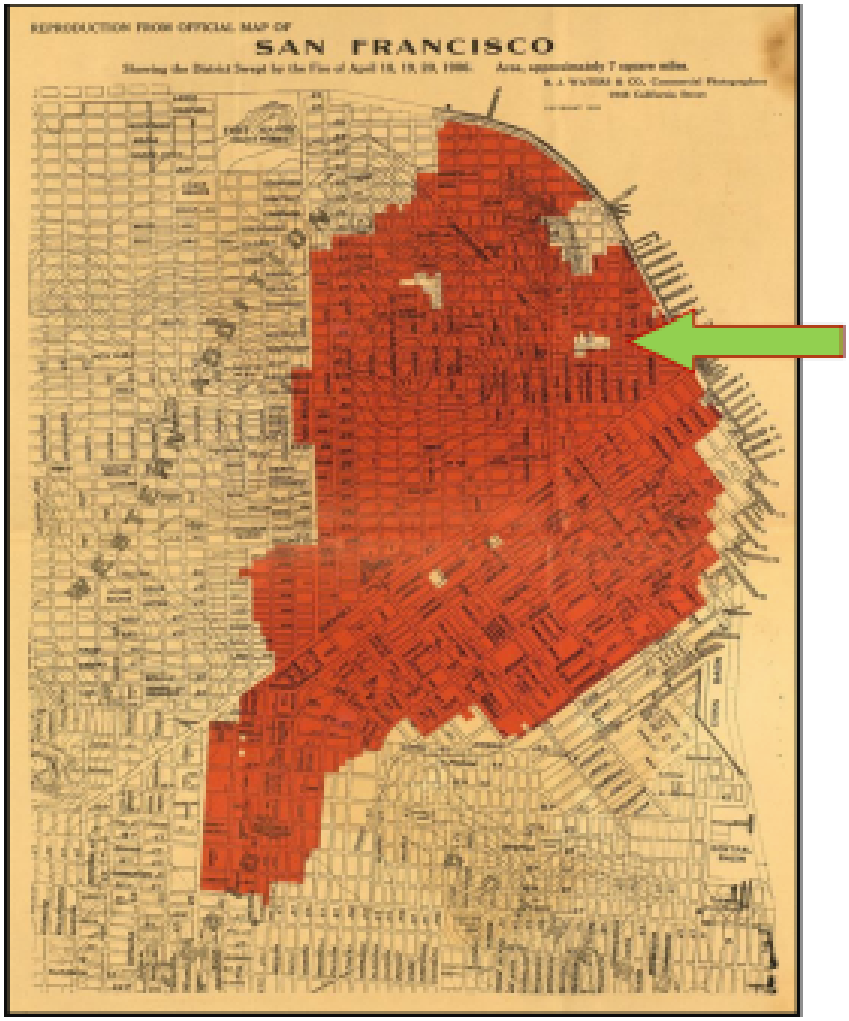
Therefore, we request that the Section 249.25 language NOT be deleted and be maintained as is currently set forth in the Planning Code. Please don't destroy our current success with misguided, uninformed legislation lacking any data to support how it will improve an already successful

community. The City has real problems to work on in other neighborhoods vs.creating a new one that doesn't currently exist in the Jackson Square Historic District.

We appreciate the Planning Department and BOS consideration of our mixed use protection needs in this tiny district (see map below) and look forward to your support.

Sincerely,
Matthew Stegman
Jackson Square Historic District Association
JacksonSqHDA@gmail.com

Cc: Veronica Flores, Planner <*Veronica.Flores@sfgov.org*>
Danny Sauter, District 3 Supervisor <*Danny.Sauter@sfgov.org*>
Angela Calvillo, Clerk, Board of Supervisors <*Angela.Calvillo@sfgov.org*>
Katy Tang, Small Business Commission <*Katy.Tang@sfgov.org*>



The tiny Jackson Square Historic District comprises the City's only remaining historic 1850's-1880's building assets and physical reminders of our beginnings as a great Pacific port.

(Red Areas destroyed in '06 Quake & Fire).

September 4, 2025

Lydia So, President & Members
San Francisco Planning Commission
49 S Van Ness Ave., Suite 1400
San Francisco, CA 94103

RE: Opposition to BOS File No. 250682

Dear President So and Commissioners,

I respectfully write to you as both a resident and HOA president of a mixed-use building in Jackson Square, where I also practice law. I am strongly opposed to Supervisor Sauter's proposal to weaken Section 249.25, which has been essential in maintaining the character and balance of this unique neighborhood.

The success of Jackson Square is not accidental. Since 2018, the current land use protections - crafted with broad input and unanimous City support - have preserved historic buildings while sustaining a healthy mix of shops, galleries, bars & restaurants, offices, services, and homes. This stability has encouraged investment from residents and businesses alike, making Jackson Square one of the few Downtown districts to thrive even through the pandemic.

The proposed legislation threatens to unravel that success. Our small district already has more than its share of bars and restaurants. While these uses bring activity, they also create serious impacts on retail and residential: noise, vandalism, trash and worse, and constant enforcement challenges. Allowing additional saturation without careful review would tip the balance further, undermining the very qualities that make this district livable. Driving working residents out of Downtown seems backwards.

Process matters, too. None of the Jackson Square business and residential friends I asked said they were aware of this proposal, and were against it once informed. How does oversaturating bar & restaurants vs balanced mixed use improve a district that is already working well?

As someone who lives and works here, I see daily how much residents and businesses invest in Jackson Square - through the Community Benefit District, streetscape and historic building upkeep, and more. Weakening the current zoning protections would undo years of progress and create unnecessary problems for the City to manage.

I respectfully urge you to reject File No. 250682 and keep Section 249.25 intact. The framework is working, and there is no justification for dismantling it.

Sincerely,
Charles Carbone, Esq.
25 Hotaling & 580 Washington HOA President, Jackson Square

September 5, 2025
Via Email

Lydia So, President & Members
San Francisco Planning Commission
49 S Van Ness Ave., Suite 1400
San Francisco, CA 94103

RE: BOS File No. 250682 – Letter of Opposition

Dear President So and Members of the Planning Commission,

I am writing as a concerned Jackson Square residential property manager/owner regarding the proposed deletion of the Jackson Square Special Use District land use controls (Planning Code Section 249.25) contained in Supervisor Sauter's legislation (File No. 250682). Two years ago, with the support of the Jackson Square Historic District Association, I spoke out against a similar effort led by Mayor Breed (File No. 230701), and was relieved when that proposal was ultimately rejected in favor of preserving the existing balance that has made Jackson Square such a vibrant and livable downtown neighborhood. The former Belli Building, currently owned and managed by our group, is a testament to why we should maintain the current controls absent new data or input from the community. These controls have helped make Jackson Square such a great place to live and for small businesses to thrive.

Thus, I am troubled to see the same issue resurface so soon, and I must once again urge you to protect what has been proven to work. Jackson Square is unlike anywhere else in San Francisco, with its rare collection of 1850s–1870s brick and cast-iron buildings, narrow streetscapes, and privately funded lighting and greenscapes supported by residents and stakeholders alike for decades. This historic fabric is fragile. The neighborhood already contains seventeen bars and restaurants within its tiny two-block by one-and-a-half-block area, with many more just steps away. Our residents and retail tenants routinely bear the burden of the excess noise, trash, vandalism, broken bottles, and other side effects of nightlife activity. Allowing new bars and restaurants "as of right" — and even larger venues of over 4,000 square feet by conditional approval — would likely overwhelm the character and charm of this district.

What is most concerning is that this proposal seems to have been brought forth with little to no outreach to residents or other key stakeholders. As I understand it, the only direct consultation was with a restaurant owner seeking to expand operations. Such a narrow consultation process ignores the residents and small businesses who live with the daily consequences of land use decisions in this neighborhood. Thus, we should inquire as to why such a change to the controls has been proposed.

The current controls in Section 249.25 were created with broad community input, earned unanimous support from the City's Small Business Commission, and were unanimously adopted by the Board of Supervisors in 2018. These controls have encouraged a diverse mix of businesses — boutique retail, galleries, services, and cultural institutions — while sustaining a stable residential community. This balance has kept Jackson Square healthy both before and after the pandemic, something that few downtown districts can claim.

I've personally walked the neighborhood numerous times, invested money in the neighborhood, including supporting the extra taxes that fund the Community Benefits District, which helps cover

clean-up, tree maintenance, and security. Those services are not luxuries — they have become necessities due to the existing oversaturation of nightlife uses. Weakening the controls now would undo years of hard work and investment by those of us who have committed to making Jackson Square a vibrant, functional, and most importantly, a livable neighborhood for both commercial and residential tenants. Thus, I ask you to please maintain the protections in Section 249.25 as they are. This is not about resisting change but about ensuring that any changes are thoughtful, data-driven, and respectful of the delicate balance that has made Jackson Square one of San Francisco's success stories.

Thank you for considering the perspective of a property owner who cares deeply about the future of Jackson Square.

Sincerely,

Steven Tsang
Manager, San Francisco 722 Montgomery LLC
and a concerned Jackson Square Residential Property Owner

Cc: Veronica Flores, Planner Veronica.Flores@sfgov.org
Danny Sauter, District 3 Supervisor Danny.Sauter@sfgov.org
Angela Calvillo, Clerk, Board of Supervisors
Angela.Calvillo@sfgov.org
Katy Tang, Small Business Commission Katy.Tang@sfgov.org

September 9, 2025

San Francisco Planning Commission
commissions.secretary@sfgov.org

Regarding: **District 3 Thrives, File No. 250682** for Planning Commission Hearing on September 18, 2025

Dear Members of the San Francisco Planning Commission:

Russian Hill Neighbors has reviewed this proposal and is generally highly supportive of this effort to enhance the vibrancy of our commercial districts. We endorse such measures as increasing the flexibility of businesses to grow into adjacent spaces, allowing a greater range of uses and streamlining administrative processes. Had provisions of this kind been enacted earlier, they might have facilitated the recent storefront mergers on Polk St. to accommodate Bob's Donuts and Bi-Rite Market and the change of use for WOW Kids Playground.

One qualification regarding the Pacific Ave. area is that we would support, as a conditional use, a neighborhood-serving wine bar concept similar to Café Meuse that includes food. However, because of Pacific Ave.'s more quiet, residential character, we do not favor a strictly bar use in this area, even as a conditional use.

As most of the North Beach commercial district is outside RHN's boundaries, we defer to our sister neighborhood organizations in this area. We are hopeful that the multiple, chronic vacancies along the west side of Columbus Ave. between Greenwich and Chestnut Streets, which are within RHN's boundary, can be addressed with the help of this legislation, including 757 Lombard (the former Lombard French Cleaners), 801 Columbus, 947 Columbus and 800 Greenwich.

We greatly appreciate your support for this effort.

Sincerely,

Stephanie Falkenstein, President
Russian Hill Neighbors
president@rhnsf.org

cc:
lydia.so@sfgov.org
kathrin.moore@sfgov.org
derek.braun@sfgov.org

amy.campbell@sfgov.org
theresa.imperial@sfgov.org
sean.mcgarry@sfgov.org
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235 Montgomery Street, Suite 870, San Francisco, California 94104 Tel: 415.346.8720 www.nobhillassociation.org

NOB HILL ASSOCIATION

San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

September 8, 2025

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Dear Planning Commissioners,

On behalf of the Nob Hill Association and Nob Hill Compass we are writing in strong support of **District 3 Thrives, File No. 250682**, which is scheduled to be heard by the Planning Commission on **September 18th**.

As a neighborhood resident and the President of the Nob Hill Association and as an owner of Nob Hill Compass and a director of the Nob Hill Association, located in District 3, we care deeply about the vitality and future of our neighborhood.

Through this work, we've seen firsthand the challenges our commercial corridors face from high vacancy rates to outdated zoning that makes it harder for new businesses to open and thrive.

We support this legislation because it's a necessary and long-overdue step toward revitalizing our neighborhood. By modernizing zoning regulations and streamlining permitting, *District 3 Thrives* will make it easier for small businesses to fill empty storefronts and for existing businesses like mine to grow. I have considered expanding [or adapting] my business to better meet community needs, and these changes would make that a more realistic possibility.

Above all, our organization wants to see a vibrant, walkable neighborhood with thriving local businesses that serve both residents and visitors. This legislation offers a path forward that balances economic opportunity with thoughtful community development.

Thank you for your consideration, and for your continued work to support the future of San Francisco's neighborhoods.

Sincerely,

Alison Fogg
Nob Hill Association, President

Ted Bartlett
Nob Hill Compass

From:	Robyn Tucker
To:	So, Lydia (CPC); Moore, Kathrin (CPC); Braun, Derek (CPC); Campbell, Amy (CPC); Imperial, Theresa (CPC); Mcgarry, Sean (CPC); Williams, Gilbert A (CPC); Ionin, Jonas (CPC); CPC-Commissions Secretary
Cc:	Flores, Veronica (CPC); Sauter, Danny (BOS); Calvillo, Angela (BOS); Tang, Katy (ECN)
Subject:	BOS File No. 250682 Letter of Opposition
Date:	Tuesday, September 9, 2025 2:56:20 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

September 10, 2025
Via Email

Lydia So, President & Members
San Francisco Planning Commission
49 S Van Ness Ave., Suite 1400
San Francisco, CA 94103

RE: BOS File No. 250682 Letter of Opposition

Dear President So and Members of the Planning Commission:

On behalf of the Pacific Avenue Neighborhood Association (PANA) I write to strongly oppose the proposed amendments to the Pacific Avenue Neighborhood Commercial District proposed by Supervisor Danny Sauter in File No. 250682. The Pacific Avenue NCD was originally established in 1987 and has been amended several times over the years with our support and involvement. Supervisor Sauter never reached out to us or consulted us in any way about this proposal. Specifically we oppose Supervisor Sauter's proposal to:

• Allow Health Service uses at the ground floor with Conditional Use Authorization which are currently prohibited;

• Allow Bars at the ground floor with Conditional Use Authorization which are currently prohibited

• Allow Flexible Retail on the second and third floors which could lead to residential conversion and displacement.

Thank you for your consideration.

Sincerely,

-

Robyn Tucker

Cc: Veronica Flores, Planner <*Veronica.Flores@sfgov.org*>
Danny Sauter, District 3 Supervisor <*Danny.Sauter@sfgov.org*>
Angela Calvillo, Clerk, Board of Supervisors <*Angela.Calvillo@sfgov.org*>
Katy Tang, Small Business Commission <*Katy.Tang@sfgov.org*>

North Beach Business Association

September 9, 2025
Via Email

Supervisor Danny Sauter, District 3
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

RE: FILE NO. 250682 [Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts]

Dear Supervisor Sauter,

Thank you for taking the time to brief me regarding the legislation you introduced that proposes significant changes to the North Beach Neighborhood Commercial District (NBNCD) and the elimination of the North Beach Special Use District (NBSUD). As the organization that has long represented the North Beach business community, we continue to advocate for the needs of our community in our shared goal of seeing our neighbors and neighborhoods thrive. We note that the North Beach Commercial District has led the post-pandemic recovery, and while there is always room for improvement, it is doing exceptionally well. We want to maintain the unique historic characteristics and "vibe" that make North Beach so special by preserving small storefronts and a diverse range of businesses.

As we shared with you during our meeting, while we are supportive of some aspects of your proposed legislation, like Flexible Retail and Specialty/Limited Food Manufacturing, we are quite concerned about other provisions. We cannot support the legislation in its current form. We seek to work with you collaboratively to craft amendments so that the legislation matches the positive intentions that you expressed to us at our meeting. We hope you will consider our suggestions, which are based on objective data and the organization's decades of experience protecting North Beach's unique character.

Storefront Mergers and Use Size Limits
First, we strongly urge you to retain the protections on storefront mergers. We oppose the amendments to allow such mergers without even a conditional use authorization. Discouraging storefront mergers has preserved our vibrant neighborhood, minimized commercial vacancies, and retained small and Legacy Businesses that would have otherwise disappeared. These provisions have been key to protecting our celebrated neighborhood-serving businesses by incentivizing landlords to maintain existing small business spaces that command lower

per-square-foot rents than larger storefronts. Not only do these small-scale diverse businesses serve our community, but they also attract more small businesses, tourists, and visitors. Ground floor commercial vacancies in the NBNCD are at an all-time low, and respectfully, we request that this provision be eliminated from your proposal.

Similarly, we see no need for the proposed increase in Non-Residential Use Size Limits from 2,000 square feet to 3,000 square feet in the NBNCD. The existing 2,000 square feet use size, with a Conditional Use Authorization required for use sizes between 2,000 and 4,000 square feet, has been instrumental in protecting and maintaining a scale of use and development appropriate to North Beach. This proposed change is not necessary or warranted. We don't think that Conditional Use Authorization should be required for demising spaces and making them smaller, but Supervisor Melgar already addressed this matter in previous legislation. We are also compelled to add that we once again respectfully urge you to restore the Use Size Caps in the NBNCD, which was removed in Supervisor Melgar's legislation. A Use Size Cap is crucial for maintaining the culture and small business character of North Beach. We are still open to meeting in the middle and discussing a Use Size Cap increase instead of a complete removal.

Limited Restaurant Use

As to your proposal to allow Limited Restaurant Use as principally permitted, we suggest that this provision apply only to the portion of the NBNCD north of Greenwich Street, where we believe it would be most appropriate.

The existing legislation was enacted to stem the proliferation of new restaurants and bars that had replaced so many neighborhood-serving businesses, achieving a more stable balance of diverse businesses. It has proven to be a helpful tool in retaining and welcoming non-restaurant uses that make North Beach so special, such as Biordi's, Jeffrey's, Paparazzi, Knits and Leather, 101 Records, Locali, Macchiarini Creative Designs, and many more. It has also helped reduce vacancy rates. When a space formerly occupied by a Limited Restaurant, Restaurant, or Bar becomes vacant, it has been quickly re-filled because the conversion of other non-eating and drinking spaces is not allowed in the NBNCD.

Objective surveys of the NBNCD conducted at intervals over the past 40 years show that once a retail space is converted to an eating and drinking use, it rarely, if ever, reverts back, given the expense of converting the space and the resulting increased rent. However, the portions of the NBNCD north of Greenwich Street have a higher vacancy rate and would be more appropriate for allowing Limited Restaurants as a principally permitted use. For these reasons, we urge you to maintain the existing controls for Limited Restaurants south of Greenwich Street. We would

welcome further discussion about this idea, given the fact that the northern reaches of the Commercial District have significantly different issues from those in the heart of the District.

Health Care Uses
We strongly believe that Health Care uses on the ground floor should continue to be prohibited. These office-type uses detract from our active ground-floor uses and don't belong in North Beach. This prohibition has worked as intended, maintaining the lively ground-floor ambiance of the neighborhood by keeping out large healthcare facilities, such as One Medical, and preventing the proliferation of other Urgent Care facilities. We note that we already have Northeast Medical Services (NEMS) as a preexisting use in the heart of the District, as well as One Medical, located just south of the District on Columbus Avenue, and Chinese Hospital nearby. These facilities are established nearby, outside the NBNCD, in more suitable locations.

North Beach Special Use District
The NBSUD was designed to protect and enhance the special character of one of San Francisco's most important, historic, and celebrated neighborhoods. It has been successful in safeguarding commercial uses and use sizes, Legacy Businesses, and our renowned architectural and cultural heritage. We strongly oppose its elimination unless you can incorporate the same protections in the NBNCD as currently exist in the NBSUD. As written, your proposed legislation can significantly diminishes protections for recognized historic resources and storefront mergers.

Additional Considerations
Regarding Priority Processing, we support this change, provided that it ensures early public notice is always provided and that interested parties, including the NBBA, can always request an additional 60 days if they have concerns about a particular proposal.

Finally, while we generally don't object to permitting walk-up windows, they have been a meaningful way to regulate unwanted "Ghost Kitchens" in North Beach. We suggest that the legislation be amended to specifically define and prohibit Ghost Kitchens, which are detrimental to the small business character of North Beach.

Moving Forward
We would love to see the changes to the NBNCD legislation be data-driven. We are currently involved in an effort to update the commercial survey of the NBNCD to collect accurate, up-to-date information that will inform better decisions. We believe the data will support what we are experiencing: North Beach is thriving and has led the City in our post-pandemic recovery. Let's work together to utilize the objective results of this survey to come up with the best amendments to our current laws.

North Beach Business Association

We appreciate your well-meaning efforts and look forward to working with you collaboratively to improve this legislation to a point where we can be supportive of it.

Sincerely,

Stuart Watts
President, North Beach Business Association

cc: Michelle Andrews, District 3 Legislative Assistant
Veronica Flores, Planner, SF Planning Department
Jonas Ionan, Secretary, SF Planning Commission Board Members

PO BOX 330144, San Francisco, CA 94133 | info@sfnbba.org | www.sfnbba.org

SAN FRANCISCO
OFFICE OF SMALL BUSINESS

CITY AND COUNTY OF SAN FRANCISCO
DANIEL L. LURIE, MAYOR

OFFICE OF SMALL BUSINESS
DIRECTOR KATY TANG

August 8, 2025

Ms. Angela Calvillo, Clerk of the Board
City Hall Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

RE: BOS File No. 250682 – Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts- Support

Dear Ms. Calvillo,

On July 29, 2025, the Small Business Commission (the Commission) heard BOS File No. 250682 – Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts. The legislation simplifies zoning controls by consolidating the North Beach Special Use District into the North Beach Commercial District, and expanding allowable commercial uses in Nob Hill Special Use District, Polk Street Neighborhood Commercial District, and Jackson Square Special Use Districts. Commissioners emphasized the need for ongoing engagement with community stakeholders about the proposed changes.

The Commission supported the legislation with a 6-0 vote, with one Commissioner absent. Thank you for considering the Commission's recommendations. Please feel free to contact me should you have any questions.

Sincerely,

Katy Tang
Director, Office of Small Business

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

Date: June 25, 2025

To: Planning Department/Planning Commission

From: John Carroll, Assistant Clerk, Land Use and Transportation Committee

Subject: Board of Supervisors Legislation Referral - File No. 250682
Planning Code; Zoning Map - Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts

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☒ California Environmental Quality Act (CEQA) Determination
(California Public Resources Code, Sections 21000 et seq.)
☒ Ordinance / Resolution
☐ Ballot Measure

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.

7/3/2025

Joy Navarrete

☒ Amendment to the Planning Code, including the following Findings:
(Planning Code, Section 302(b): 90 days for Planning Commission review)
☒ General Plan ☒ Planning Code, Section 101.1 ☒ Planning Code, Section 302

☐ Amendment to the Administrative Code, involving Land Use/Planning
(Board Rule 3.23: 30 days for possible Planning Department review)

☐ General Plan Referral for Non-Planning Code Amendments
(Charter, Section 4.105, and Administrative Code, Section 2A.53)
(Required for legislation concerning the acquisition, vacation, sale, or change in use of City property; subdivision of land; construction, improvement, extension, widening, narrowing, removal, or relocation of public ways, transportation routes, ground, open space, buildings, or structures; plans for public housing and publicly-assisted private housing; redevelopment plans; development agreements; the annual capital expenditure plan and six-year capital improvement program; and any capital improvement project or long-term financing proposal such as general obligation or revenue bonds.)

☐ Historic Preservation Commission
☐ Landmark *(Planning Code, Section 1004.3)*
☐ Cultural Districts *(Charter, Section 4.135 & Board Rule 3.23)*
☐ Mills Act Contract *(Government Code, Section 50280)*
☐ Designation for Significant/Contributory Buildings *(Planning Code, Article 11)*

Please send the Planning Department/Commission recommendation/determination to John Carroll at john.carroll@sfgov.org.

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
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M E M O R A N D U M

TO: Anne Taupier, Executive Director, Office of Economic and Workforce Development

FROM: John Carroll, Assistant Clerk, Land Use and Transportation Committee

DATE: June 25, 2025

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Sauter on June 17, 2025.

File No. 250682

Ordinance amending the Planning Code to: 1) eliminate the North Beach Special Use District and consolidate certain controls into the North Beach Neighborhood Commercial District, expand allowable uses and increase use size limits in the North Beach Neighborhood Commercial District, 2) expand allowable uses and increase use size limits in the Polk Street Neighborhood Commercial District, 3) expand allowable uses in the Pacific Avenue Neighborhood Commercial District, 4) expand allowable uses and increase use size limits in the Nob Hill Special Use District, and 5) reduce limitations on Restaurants and Bars in the Jackson Square Special Use District; amending the Zoning Map to reflect removal of the North Beach Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: john.carroll@sfgov.org.

cc:
Offices of Chair Melgar and Supervisor Sauter
Alesandra Lozano, Office of Economic and Workforce Development

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
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NOTICE OF PUBLIC HEARING

LAND USE AND TRANSPORTATION COMMITTEE

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco's Land Use and Transportation Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: **Monday, October 6, 2025**

Time: **1:30 p.m.**

Location: **Legislative Chamber, Room 250, located at City Hall**
1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

Subject: **File No. 250682.** Ordinance amending the Planning Code to: 1) eliminate the North Beach Special Use District and consolidate certain controls into the North Beach Neighborhood Commercial District, expand allowable uses and increase use size limits in the North Beach Neighborhood Commercial District, 2) expand allowable uses and increase use size limits in the Polk Street Neighborhood Commercial District, 3) expand allowable uses in the Pacific Avenue Neighborhood Commercial District, 4) expand allowable uses and increase use size limits in the Nob Hill Special Use District, and 5) reduce limitations on Restaurants and Bars in the Jackson Square Special Use District; amending the Zoning Map to reflect removal of the North Beach Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302.

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments. These comments will be added to the official public record in this matter and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA, 94102 or sent via email (bos@sfgov.org). Information relating to this matter is available with the Office of the Clerk of the Board or the Board of Supervisors' Legislative Research Center (https://sfbos.org/legislative-research-center-lrc). Agenda information relating to this matter will be available for public review on Friday, October 3, 2025.

DATED ~ POSTED~ PRINTED: September 26, 2025

For any questions about this hearing, please contact the Assistant Clerk for the Land Use and Transportation Committee:

John Carroll (john.carroll@sfgov.org ~ (415) 554-4445)

Angela Calvillo
Clerk of the Board of Supervisors
City and County of San Francisco

jec:ams

San Francisco Examiner

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GOVERNMENT

NOTICE OF REGULAR MEETING SAN FRANCISCO BOARD OF SUPERVISORS LAND USE AND TRANSPORTATION COMMITTEE CITY HALL, LEGISLATIVE CHAMBER, ROOM 250 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA 94102 MONDAY, SEPTEMBER 29, 2025 - 1:30 PM

The agenda packet and legislative files are available for review at https://sfbos.org/legislative-research-center-lrc, in Room 244 at City Hall, or by calling (415) 554-5184.

EXM-3971744#

NOTICE OF PUBLIC HEARING BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE AND TRANSPORTATION COMMITTEE MONDAY OCTOBER 6, 2025 - 1:30 PM Legislative Chamber, Room 250, City Hall 1 Dr. Carlton B. Goodlett Place, San Francisco. CA 94102

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco's Land Use and Transportation Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard: **File No. 250682.** Ordinance amending the Planning Code to: 1) eliminate the North Beach Special Use District and consolidate certain controls into the North Beach Neighborhood Commercial District, expand allowable uses and increase use size limits in the North Beach Neighborhood Commercial District, 2) expand allowable uses and increase use size limits in the Polk Street Neighborhood Commercial District, 3) expand allowable uses in the Pacific Avenue Neighborhood Commercial District, 4) expand allowable uses and increase use size limits in the Nob Hill Special Use District, and 5) reduce limitations on Restaurants and Bars in the Jackson Square Special Use District; amending the Zoning Map to reflect removal of the North Beach Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302.

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments. These comments will be added to the official public record in this matter and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA, 94102 or sent via email (bos@sfgov.org). Information relating to this matter is available with the Office of the Clerk of the Board or the Board of Supervisors' Legislative Research Center (https://sfbos.org/legislative-research-center-lrc).

Agenda information relating to this matter will be available for public review on Friday, October 3, 2025. For any questions about this hearing, please contact the Assistant Clerk for the Land Use and Transportation Committee: John Carroll (john.carroll@sfgov.org ~ (415) 554-4445)

EXM-3971604#

NOTICE OF REGULAR MEETING SAN FRANCISCO BOARD OF SUPERVISORS RULES COMMITTEE CITY HALL, LEGISLATIVE CHAMBER, ROOM 250 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA 94102 September 29, 2025 – 10:00 AM

The agenda packet and legislative files are available for review at https://sfbos.org/legislative-research-center-lrc, in Room 244 at City Hall, or by calling (415) 554-5184.

EXM-3971541#

NOTICE OF PUBLIC HEARING BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO GOVERNMENT AUDIT AND OVERSIGHT COMMITTEE Monday, October 6, 2025 12:00 p.m. Committee Room 263 City Hall 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco's Government Audit and Oversight Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard: File No. 250698. Ordinance approving a Development Agreement between the City and County of San Francisco and EQX Jackson SQ Holdco LLC for the development of a project on certain real property known as 425 Washington Street, 439-445 Washington Street, 530 Sansome Street, and 447 Battery Street, and generally bounded by Sansome Street to the west, Washington Street to the north, Battery Street to the east, and Merchant Street to the south; approving certain impact fees and accepting and appropriating a $4,310,710 additional affordable housing payment; confirming compliance with or waiving certain provisions of the Administrative Code, Planning Code, Public Works Code, Labor and Employment Code, and Health Code; ratifying past actions and authorizing future actions in furtherance of this Ordinance, as defined herein; adopting findings under the California Environmental Quality Act; making findings of conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b); and making findings of public necessity, convenience, and general welfare under Planning Code, Section 302. In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments. These comments will be added to the official public record in this matter and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA, 94102 or sent via email (bos@sfgov.org). Information relating to this matter is available with the Office of the Clerk of the Board or the Board of Supervisors' Legislative Research Center (https://sfbos.org/legislative-research-center-lrc). Agenda information relating to this matter will be available for public review on Friday, October 3, 2025. For any questions about this hearing, please contact the Assistant Clerk for the Government Audit and Oversight Committee: Monique Crayton (monique.crayton@sfgov.org ~ (415) 554-7750)

EXM-3971517#

CIVIL

ORDER TO SHOW CAUSE FOR CHANGE OF NAME
Case No. 25CIV06662
Superior Court of California, County of SAN MATEO
Petition of: AI ZHEN XIAN AKA JANE AIZHEN XIAN AKA AIZHEN XIAN for Change of Name
TO ALL INTERESTED PERSONS:
Petitioner AI ZHEN XIAN AKA JANE AIZHEN XIAN AKA AIZHEN XIAN filed a petition with this court for a decree changing names as follows:
AI ZHEN XIAN AKA JANE AIZHEN XIAN AKA AIZHEN XIAN to JANE AIZHEN XIAN
The Court orders that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.
Notice of Hearing:
Date: 11/18/2025, Time: 9:00 A.M., Dept.: MC, Room: N/A
The address of the court is 400 COUNTY CENTER, REDWOOD CITY, CA 94063
(To appear remotely, check in advance of the hearing for information about how to do so on the court's website. To find your court's website, go to www.courts.ca.gov/find-my-court.htm.)
A copy of this Order to Show Cause must be published at least once each week for four successive weeks before the date set for hearing on the petition in a newspaper of general circulation, printed in this county: EXAMINER REDWOOD CITY TRIBUNE
Date: 9/15/2025

Judge of the Superior Court
9/26, 10/3, 10/10, 10/17/25
SPEN-3971404#
EXAMINER - REDWOOD CITY TRIBUNE

ORDER TO SHOW CAUSE FOR CHANGE OF NAME
Case No. CNC-25-56120
Superior Court of California, County of San Francisco
Petition of: Azar Saeidi for Change of Name
TO ALL INTERESTED PERSONS:
Petitioner Azar Saeidi filed a petition with this court for a decree changing names as follows:
Azar Saeidi to Azar Sona Saeidi
The Court orders that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.
Notice of Hearing:
Date: 11/04/2025, Time: 9 am, Dept.: 103, Room: 103
The address of the court is 400 McAllister Street San Francisco, CA-94102
A copy of this Order to Show Cause shall be published at least once each week for four successive weeks prior to the date set for hearing on the petition in the following newspaper of general circulation, printed in this county: - SAN FRANCISCO EXAMINER
Date: 09/18/2025
Michelle Tong
Judge of the Superior Court
9/26, 10/3, 10/10, 10/17/25
CNS-3971228#

ORDER TO SHOW CAUSE FOR CHANGE OF NAME
Case No. CNC-25-560088
Superior Court of California, County of SAN FRANCISCO
Petition of: MIA ROSE HAYNES for Change of Name
TO ALL INTERESTED PERSONS:
Petitioner MIA ROSE HAYNES filed a petition with this court for a decree changing names as follows:
MIA ROSE HAYNES to MIA ROSE OUSSET
The Court orders that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.
Notice of Hearing:
Date: OCTOBER 21, 2025, Time: 9:00 A.M., Dept.: 103N, Room: 103N
The address of the court is 400 MCALLISTER STREET, SAN FRANCISCO, CA 94102
(To appear remotely, check in advance of the hearing for information about how to do so on the court's website. To find your court's website, go to www.courts.ca.gov/find-my-court.htm.)
A copy of this Order to Show Cause must be published at least once each week for four successive weeks before the date set for hearing on the petition in a newspaper of general circulation, printed in this county: SAN FRANCISCO EXAMINER
Date: SEPTEMBER 5, 2025
MICHELLE TONG
Judge of the Superior Court
9/12, 9/19, 9/26, 10/3/25
CNS-3966299#
SAN FRANCISCO EXAMINER

ORDER TO SHOW CAUSE FOR CHANGE OF NAME
Case No. 25-CIV-06388
Superior Court of California, County of SAN MATEO
Petition of: SANDRA MYRIAM SHPILBERG for Change of Name
TO ALL INTERESTED PERSONS:
Petitioner SANDRA MYRIAM SHPILBERG filed a petition with this court for a decree changing names as follows:
SANDRA MYRIAM SHPILBERG to SANDRA MYRIAM BEKERMAN
The Court orders that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.
Notice of Hearing:
Date: 10/28/2025, Time: 9:00 A.M., Dept.: M/C, Room: N/A
The address of the court is 400 COUNTY CENTER, REDWOOD CITY, CA 94063
(To appear remotely, check in advance of the hearing for information about how to do so on the court's website. To find your court's website, go to www.courts.ca.gov/find-my-court.htm.)
A copy of this Order to Show Cause must be published at least once each week for four successive weeks before the date set for hearing on the petition in a newspaper of general circulation, printed in this county: THE EXAMINER - REDWOOD CITY TRIBUNE
Date: 8/26/2025

Judge of the Superior Court
9/5, 9/12, 9/19, 9/26/25
SPEN-3963977#
EXAMINER - REDWOOD CITY TRIBUNE

ORDER TO SHOW CAUSE FOR CHANGE OF NAME
Case No. 25-CIV-06389
Superior Court of California, County of SAN MATEO
Petition of: ELIJAH MALIK PERSAD-PAISLEY for Change of Name
TO ALL INTERESTED PERSONS:
Petitioner ELIJAH MALIK PERSAD-PAISLEY filed a petition with this court for a decree changing names as follows:
ELIJAH MALIK PERSAD-PAISLEY to ELIJAH MALIK PERSAD
The Court orders that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.
Notice of Hearing:
Date: 10/28/2025, Time: 9:00 A.M., Dept.: M/C, Room: N/A
The address of the court is 400 COUNTY CENTER, REDWOOD CITY, CA 94063
(To appear remotely, check in advance of the hearing for information about how to do so on the court's website. To find your court's website, go to www.courts.ca.gov/find-my-court.htm.)
A copy of this Order to Show Cause must be published at least once each week for four successive weeks before the date set for hearing on the petition in a newspaper of general circulation, printed in this county: THE EXAMINER - REDWOOD CITY TRIBUNE
Date: 8/26/2025

Judge of the Superior Court
9/5, 9/12, 9/19, 9/26/25
SPEN-3963976#
EXAMINER - REDWOOD CITY TRIBUNE

FICTITIOUS BUSINESS NAMES

FICTITIOUS BUSINESS NAME STATEMENT
File No. 2025-0407351
Fictitious Business Name(s)/Trade Name (DBA):
SHINE FACILITY SERVICES, 970 FOLSOM ST, SAN FRANCISCO, CA 94107
County of SAN FRANCISCO
Registered Owner(s):
GREEN LIVING PLANET LLC, (CA), 970 FOLSOM ST, SAN FRANCISCO, CA 94107
This business is conducted by: A LIMITED LIABILITY COMPANY
The registrant commenced to transact business under the fictitious business name or names listed above on 1/1/2014.
I declare that all information in this statement is true and correct. (A registrant who declares as true any material matter pursuant to Section 17913 of the Business and Professions code that the registrant knows to be false is guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars ($1,000).)
S/ YUNHEE LEE, VICE PRESIDENT
This statement was filed with the County Clerk of San Francisco County on 09/18/2025.
NOTICE-In accordance with Subdivision (a) of Section 17920, a Fictitious Name Statement generally expires at the end of five years from the date on which it was filed in the office of the County Clerk, except, as provided in Subdivision (b) of Section 17920, where it expires 40 days after any change in the facts set forth in the statement pursuant to Section 17913 other than a change in the residence address of a registered owner. A new Fictitious Business Name Statement must be filed before the expiration. The filing of this statement does not of itself authorize the use in this state of a Fictitious Business Name in violation of the rights of another under federal, state, or common law (See Section 14411 et seq., Business and Professions Code).
9/26, 10/3, 10/10, 10/17/25
CNS-3970477#
SAN FRANCISCO EXAMINER

FICTITIOUS BUSINESS NAME STATEMENT
File No. M-301653
The following person(s) is (are) doing business as:
1. Cesar Garcia General Contractor Inc., 2. SF Handyman, 3. South City Handyman, 4. SF/Marin Handyman, 5. Marin Handyman, 410 , Hemlock Avenue, South San Francisco, CA 94080 County of CA
Mailing Address: 410 , Hemlock Avenue, South San Francisco, CA 94080
Cesar Garcia General Contractor Inc., 410 Hemlock Ave., South San Francisco, CA 94080
This business is conducted by a Corporation
The registrant(s) commenced to transact business under the fictitious business name or names listed above on 10/17/2020.
I declare that all information in this statement is true and correct. (A registrant who declares as true information which he or she knows to be false is guilty of a crime.)
Cesar Garcia General Contractor Inc.
S/ Carla Chu, Assistant Chief Financial Officer
This statement was filed with the County Clerk of San Mateo County on 09/15/2025.
Mark Church, County Clerk
[Deputy], Deputy
Original
9/26, 10/3, 10/10, 10/17/25
NPEN-3970433#
EXAMINER - BOUTIQUE & VILLAGER

FICTITIOUS BUSINESS NAME STATEMENT
File No. M-301519
The following person(s) is (are) doing business as:
JUAN RODRIGUEZ LANDSCAPE, 405 DAISY LANE, EAST PALO ALTO, CA 94303 County of SAN MATEO
JOSE JUAN RODRIGUEZ-OROZCO, 405 DAISY LANE, EAST PALO ALTO, CA 94303
This business is conducted by an Individual
The registrant(s) commenced to transact business under the fictitious business name or names listed above on 02/02/2025.
I declare that all information in this statement is true and correct. (A registrant who declares as true information which he or she knows to be false is guilty of a crime.)
S/ JOSE JUAN RODRIGUEZ-OROZCO,
This statement was filed with the County Clerk of San Mateo County on 09/02/2025.
Mark Church, County Clerk
[Deputy], Deputy
Original
9/26, 10/3, 10/10, 10/17/25
NPEN-3970421#
EXAMINER - BOUTIQUE & VILLAGER

FICTITIOUS BUSINESS NAME STATEMENT
File No. M-301610
The following person(s) is (are) doing business as:
MONARCH CLEANING SOLUTIONS, 1765 MICHIGAN AVE., EAST PALO ALTO, CA 94303
County of SAN MATEO
MAURA L JACKSON, 1765 MICHIGAN AVE., EAST PALO ALTO, CA 94303
This business is conducted by AN INDIVIDUAL
The registrant(s) commenced to transact business under the fictitious business name or names listed above on N/A.
I declare that all information in this statement is true and correct. (A registrant who declares as true information which he or she knows to be false is guilty of a crime.)
S/ MAURA JACKSON - OWNER
This statement was filed with the County Clerk of San Mateo County on 09/10/2025.
Mark Church, County Clerk
9/19, 9/26, 10/3, 10/10/25
NPEN-3969312#
EXAMINER - BOUTIQUE & VILLAGER

FICTITIOUS BUSINESS NAME STATEMENT
File No. M-301566
The following person(s) is (are) doing business as:
BLUE WATER CANVAS WORKS, 101 WESTPOINT HARBOR DR, REDWOOD CITY, CA 94063 County of SAN MATEO
KAREN L. GITTER, 101 WESTPOINT HARBOR DR, REDWOOD CITY, CA 94063
This business is conducted by AN INDIVIDUAL
The registrant(s) commenced to transact business under the fictitious business name or names listed above on 05/01/2025
I declare that all information in this statement is true and correct. (A registrant who declares as true information which he or she knows to be false is guilty of a crime.)
S/ KAREN L. GITTER
This statement was filed with the County Clerk of San Mateo County on 09/05/2025
Mark Church, County Clerk
HENRY SALGADO, Deputy
Renewal Filing
9/19, 9/26, 10/3, 10/10/25
NPEN-3968870#
EXAMINER - BOUTIQUE & VILLAGER

FICTITIOUS BUSINESS NAME STATEMENT
File No. M-301567
The following person(s) is (are) doing business as:
CJE HEATING AND AIR CONDITIONING, 1165 PALOMAR DR, REDWOOD CITY, CA 94062 County of SAN MATEO
CJ EINSPAHR, 1165 PALOMAR DR, REDWOOD CITY, CA 94062
This business is conducted by AN INDIVIDUAL
The registrant(s) commenced to transact business under the fictitious business name or names listed above on 06/09/2020
I declare that all information in this statement is true and

CALIFORNIA NEWSPAPER SERVICE BUREAU

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1 DR CARLTON B GOODLETT PL #244
SAN FRANCISCO, CA 94102

EXM# 3971604

COPY OF NOTICE

Notice Type: GPN GOVT PUBLIC NOTICE

Ad Description
JEC - LUT HEARING - OCTOBER 6, 2025 - FILE NOS. 250682

To the right is a copy of the notice you sent to us for publication in the SAN FRANCISCO EXAMINER. Thank you for using our newspaper. Please read this notice carefully and call us with ny corrections. The Proof of Publication will be filed with the County Clerk, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

09/26/2025

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an invoice.

Publication	$648.90
Set aside for CCSF Outreach Fund	$72.10
Total	$721.00

NOTICE OF PUBLIC HEARING BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE AND TRANSPORTATION COMMITTEE MONDAY OCTOBER 6, 2025 - 1:30 PM Legislative Chamber, Room 250, City Hall 1 Dr. Carlton B. Goodlett Place, San Francisco. CA 94102

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco's Land Use and Transportation Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard: **File No. 250682.** Ordinance amending the Planning Code to: 1) eliminate the North Beach Special Use District and consolidate certain controls into the North Beach Neighborhood Commercial District, expand allowable uses and increase use size limits in the North Beach Neighborhood Commercial District, 2) expand allowable uses and increase use size limits in the Polk Street Neighborhood Commercial District, 3) expand allowable uses in the Pacific Avenue Neighborhood Commercial District, 4) expand allowable uses and increase use size limits in the Nob Hill Special Use District, and 5) reduce limitations on Restaurants and Bars in the Jackson Square Special Use District; amending the Zoning Map to reflect removal of the North Beach Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302.

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments. These comments will be added to the official public record in this matter and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA, 94102 or sent via email (bos@sfgov.org). Information relating to this matter is available with the Office of the Clerk of the Board or the Board of Supervisors' Legislative Research Center (https://sfbos.org/legislative-research-center-lrc).

Agenda information relating to this matter will be available for public review on Friday, October 3, 2025. For any questions about this hearing, please contact the Assistant Clerk for the Land Use and Transportation Committee: John Carroll (john.carroll@sfgov.org ~ (415) 554-4445)

EXM-3971604#

A00000721952

Member, Board of Supervisors
District 7

City and County of San Francisco

MYRNA MELGAR

DATE: October 22, 2025

TO: Angela Calvillo
Clerk of the Board of Supervisors

FROM: Supervisor Myrna Melgar, Chair, Land Use and Transportation Committee

RE: Land Use and Transportation Committee
COMMITTEE REPORT

Pursuant to Board Rule 4.20, as Chair of the Land Use and Transportation Committee, I have deemed the following matter is of an urgent nature and request it be considered by the full Board on Tuesday, October 28, 2025:

File No. 250682 **Planning Code; Zoning Map - Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts**
Sponsor: Sauter

This matter will be heard in the Land Use and Transportation Committee at a Regular Meeting on Monday, October 27, 2025.

City Hall · 1 Dr. Carlton B. Goodlett Place, Room 244 · San Francisco, California 94102-4689 · (415) 554-6516
TDD/TTY (415) 554-5227 · E-mail: Myrna.Melgar@sfgov.org

From:	North Beach Business Association
To:	MelgarStaff (BOS); ChenStaff; MahmoodStaff
Cc:	Carroll, John (BOS)
Subject:	Updated Submission: BOS File No. 250682 - Amendment and Continuance Request
Date:	Thursday, October 23, 2025 9:57:47 AM
Attachments:	NBBA Amendment Requests - Business Legislation for North Beach - Update 10_17_25.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Good morning, Land Use Committee members,

I am resubmitting our amendments and continuance request for BOS File No. 250682. This updated submission, dated October 17, 2025, reflects additional North Beach businesses that have joined in support of our request since our original filing.

Please don't hesitate to contact us if you have any questions or need additional information. I appreciate your consideration, and I look forward to Monday's hearing.

Regards,

Stuart Watts
President, North Beach Business Association

NBBA Requested Amendment Priorities:

1. Restore the Use Size Cap for North Beach Retail

The Use Size Cap is a critical tool that has helped North Beach maintain its unique character as a vibrant mixed-use neighborhood. Its removal during recent Land Use and Board of Supervisors meetings occurred without consultation with the very businesses it affects. This cap ensures that no single type of business dominates our streetscape, preserving the diverse ecosystem of shops, services, and dining that makes North Beach a destination for both residents and visitors. We respectfully request this provision be reinstated to protect the economic diversity that has made our neighborhood thrive for generations.

2. Establish Two Distinct Commercial Districts: Upper North Beach and Central North Beach

North Beach faces different challenges above and below Greenwich Street. **Upper North Beach** currently struggles with multiple vacant storefronts that could benefit from more flexible zoning and incentives for new businesses. Meanwhile, **Central North Beach** maintains a delicate but successful balance of businesses that serves both tourists and longtime residents. By creating two districts with tailored regulations, we can revitalize struggling areas while preserving what works. This targeted approach allows for innovation where needed without disrupting established success.

3. Preserve Central North Beach's Accessible Retail Character

Exclude Health Services from Central North Beach: While we value healthcare access, medical facilities operate on fundamentally different economics than retail businesses. With substantially higher funding and revenue per square foot, health services can outbid traditional retailers, driving up rents across the district. Moreover, medical facilities typically restrict public access, creating dead zones in our walkable shopping district. Imagine if beloved community gathering spots became clinical spaces, the character of our neighborhood would fundamentally change. The neighborhood already greatly benefits from the resources of NEMS and UCSF’s urgent care clinic.

Strengthen Restaurant Density Controls: North Beach already has the highest concentration of restaurants and bars per capita of any residential neighborhood in San Francisco. Our existing regulation preventing restaurants from replacing non-restaurant businesses has successfully maintained affordability and diversity. However, with 5 of 8 current vacant storefronts being former restaurants, we risk further concentration. Restaurant spaces require costly infrastructure that makes conversion difficult and expensive, potentially locking in uses that limit future flexibility. We need measured controls to ensure residents can still access essential services like hardware stores, markets, and specialty shops within walking distance.

Supervisor is Proposing the Following Amendments:

1. **Added language** to intro about Legacy Businesses, historic character, smaller storefront mergers, and neighborhood-serving smaller health services
2. **Restaurants** can occupy space last used as a Limited Restaurants
3. **Flexible Retail** permitted on first floor only, back to ***Not Permitted*** on upper floors
4. **Storefront Mergers need a Conditional Use** for all square footage OR Conditional Use for up to 3k square feet, Not Permitted above 3k square feet.
5. **All Health Services allowed** on the ground floor, CU up to 3k sqft, NP above 3k sqft'

Call to Action for North Beach Businesses

Your Voice Matters – Act Now Before Final Approval

Dear North Beach Businesses,

The business legislation moving through City Hall for D3 will fundamentally reshape our neighborhood's commercial landscape. With only a few meetings remaining, this is our critical window to ensure North Beach businesses have a say in our future.

We Need Your Support

By signing below, you're joining North Beach businesses in requesting these amendments:

1. **Restore the Use Space Cap for North Beach Retail**: Protect the neighborhood from big business and maintain our character by reinstating a cap on storefront sizes.
2. **Establish Two Distinct Commercial Districts**: Support struggling Upper North Beach while preserving the thriving Central North Beach, create two commercial districts.
3. **Preserve Central North Beach's Accessible Retail Character**
    - Exclude new Health Services from Central North Beach
    - Strengthen restaurant density controls to maintain business diversity
4. **Include Businesses in the Process**: North Beach businesses request meaningful consultation with Supervisor Sauter's office before Board approval.

This isn't about opposing change, it's about ensuring changes work for the businesses that have invested everything in this community. We want to collaborate with city officials to create legislation that helps businesses thrive while preserving what makes North Beach special.

Fellow North Beach Small Businesses,

Thank you for taking the time to review this critical legislation, **which is heading to the Board of Supervisors soon**.

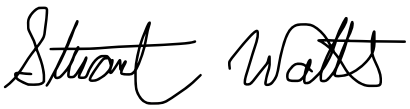
I've poured my heart into North Beach, just like you. Every morning when I open my doors, I see more than just a business district; I see locals visiting a variety of small business types, tourists discovering our hidden gems, regulars who've become friends, and the intricate tapestry of small businesses that make this neighborhood irreplaceable. North Beach is a neighborhood built by generations of small business owners who took risks, invested everything, and created something special.

Right now, decisions are being made about our future, often without your input. However, when North Beach businesses come together, we're a powerful force. Your voice, combined with your neighbors', can ensure these changes strengthen rather than diminish what we've built together.

I'm writing to you as someone who genuinely loves this community and believes in its future. Whether you need help understanding the legislation, want to discuss concerns, or simply need someone to ensure your perspective is heard at City Hall, I'm here.

North Beach has always been about community. Let's honor that tradition by standing together now, when it matters most.

With deep gratitude,



Stuart Watts
President, North Beach Business Association

North Beach Business in Support of the NBBA's proposed amendments and would like a continuance:

1. 101 Music
2. Al's Attire
3. Alimanto
4. April Jean
5. Barbary Coast Barber Shop
6. Belle Cora
7. Biordi Art Imports
8. Blandina Tours
9. Buster Cheese Steak
10. Caffe Greco
11. Caffe Sport
12. City Lights Booksellers & Publishers
13. Club Fugazi Experiences
14. Coit Liquors
15. Columbus Cafe
16. Capo's
17. Da Flora
18. Dago Bagel
19. Ebiko
20. Elena Bread
21. Giovanni Italian Specialties
22. Golden Sardine
23. Grant & Green Market
24. Happy House
25. Jeffery's Natural Pets
26. Jessica Loos Presents
27. La Mediterranee
28. Le Sandwich
29. Legacy North Beach Bar
30. Locali Visitor Center
31. Luke's Local
32. Macchiarini Creative Design
33. Mashka Jewelry
34. Next Door
35. North Beach Parking
36. North Beach Pipeline
37. P.F. Candles Co.
38. Palermo Deli

39. Peña Pachamama
40. Rambo Security
41. Risiorante Ideale
42. Seaplane
43. SFOG North Beach
44. Sotto Mare Restaurant
45. Specs’ Twelve Adler Museum Cafe
46. The Showdown
47. Tony's Pizza Napoletana
48. Toscano Brothers
49. Tupelo
50. Work
51. Yarsa Nepalese Cuisine
52. Z Cioccolato

From:	Blair Helsing
To:	Carroll, John (BOS)
Subject:	Re: North Beach Neighbors continuance request: "District 3 Thrives" hearing on 10/27/2025 - BOS File No. 250682
Date:	Tuesday, October 21, 2025 12:27:00 PM
Attachments:	image001.png

Hello John,

Subsequent to my email to you last night I've had further conversation with Supervisor Sauter to understand the community outreach which has already occurred.
In this conversation I also learned of the extent of already-processed continuances and of legislation modifications to date in negotiation with the North Beach neighborhood.

Based on this new information we wish to withdraw the request for further continuance.

Please feel free to contact me with any questions. Thank you.

Blair Helsing

On Tue, Oct 21, 2025 at 12:02 PM Carroll, John (BOS) <john.carroll@sfgov.org> wrote:

> Thank you for your comment letter.
>
> I am forwarding your comments to the members of the Land Use and Transportation committee, and I will include your comments in the file for this ordinance matter.
>
> I invite you to review the entire matter on our Legislative Research Center by following the link below:
>
> Board of Supervisors File No. 250682
>
> **John Carroll**
>
> **Assistant Clerk**
>
> Board of Supervisors
>
> San Francisco City Hall, Room 244
>
> San Francisco, CA 94102

(415)554-4445

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From: Blair Helsing <blairhelsing@gmail.com>
Sent: Monday, October 20, 2025 11:17 PM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Subject: North Beach Neighbors continuance request: "District 3 Thrives" hearing on 10/27/2025

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

c/o Clerk, John Carroll

The Land Use and Transportation Committee, City Hall:

On behalf of the North Beach Neighbors Board of Directors, this message is to request a continuance beyond 10/27 (but no later than 11/17) for the next hearing of the "District 3 Thrives" legislation.

This will allow more time for community engagement and input. We share this interest in a continuance with two other community groups in North Beach.

Thank you.

Blair Helsing

--

President
North Beach Neighbors

A 501(c)(3) all-volunteer nonprofit neighborhood organization
northbeachneighbors.org
Building community and improving quality of life
at San Francisco's historic crossroads

Event calendar for North Beach Neighbors
linkedin.com/in/blairhelsing
415-425-2653 mobile

--
415-425-2653 mobile

From:	Carroll, John (BOS)
To:	"blairhelsing@gmail.com"
Cc:	Sauter, Danny (BOS); Melgar, Myrna (BOS); Low, Jen (BOS); Chen, Chyanne (BOS); Sciammas, Charlie (BOS); Mahmood, Bilal (BOS); Cooper, Raynell (BOS)
Subject:	RE: North Beach Neighbors continuance request: "District 3 Thrives" hearing on 10/27/2025 - BOS File No. 250682
Date:	Tuesday, October 21, 2025 12:01:00 PM
Attachments:	image001.png

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I invite you to review the entire matter on our Legislative Research Center by following the link below:

-

Board of Supervisors File No. 250682

John Carroll
Assistant Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415)554-4445

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Event calendar for North Beach Neighbors
linkedin.com/in/blairhelsing
415-425-2653 mobile

From:	North Beach Business Association
To:	Sauter, Danny (BOS)
Cc:	Andrews, Michelle (BOS); Carroll, John (BOS); MelgarStaff (BOS); ChenStaff; MahmoodStaff
Subject:	North Beach Business Community Input on Proposed Legislation - Request for Collaboration
Date:	Thursday, October 9, 2025 12:12:38 PM
Attachments:	NBBA Amendment Requests - Business Legislation for North Beach.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Sauter and Land Use Committee Members,

Thank you for the opportunity to speak at Monday's Land Use Committee hearing. I've been gathering additional community input and signatures since then, and I'm following up with the written amendments and business support we've gathered so far from the North Beach business community.

From the beginning, we've sought to collaborate on finding a middle ground that works for everyone. We recognize some current regulations may be too restrictive,
but completely eliminating restaurant limits and the use size cap swings too far in the opposite direction. There's a balanced solution here, and we'd love to work with you to find it.

Our core requests are straightforward:

- **Reinstate a use size cap** to prevent large businesses from displacing small businesses and reshaping North Beach
- **Exclude new health services** from Central North Beach (our existing providers serve us well in the community)
- **Maintain some limits** on restaurant density to preserve business diversity and affordability
- **Reinstate historic building** definitions and protections as provided for in the SUD

We're proposing two commercial districts: **Central and Upper North Beach (divided at Greenwich Street)**, similar to Upper/Lower Polk or Inner/Outer Richmond. This distinction would allow for more flexibility where needed while preserving what works in our commercial district.

What concerns us most is that most businesses affected by these changes felt that they were not consulted before District 3's office drafted the legislation. Despite the limited time I have as a small business owner juggling multiple businesses, nearly every business I've spoken with has signed our petition, and none were aware that the use size cap had already been removed. The list below represents just a few blocks' worth of outreach, but the response has been unanimous: a balanced and comprehensive approach to the legislation.

We're not opposing change; we're asking to help shape it. Many of us have been here for decades and understand what makes North Beach work. We've even agreed to provisions with which we're not entirely comfortable because we believe in compromise.

Could we schedule a meeting before the Board vote to ensure the
business community's voice is properly heard? We want to support legislation that helps new

businesses while preserving the unique ecosystem that makes North Beach special.

Thank you for your consideration and your work on behalf of our neighborhood.

Sincerely,

Stuart Watts
President, North Beach Business Association

P.S. I have several more pending businesses that want to sign on and will continue gathering support over the next couple weeks. If you need any additional information or have questions about specific concerns, please don't hesitate to reach out.

NBBA Requested Amendment Priorities:

1. Restore the Use Size Cap for North Beach Retail

The Use Size Cap is a critical tool that has helped North Beach maintain its unique character as a vibrant mixed-use neighborhood. Its removal during recent Land Use and Board of Supervisors meetings occurred without consultation with the very businesses it affects. This cap ensures that no single type of business dominates our streetscape, preserving the diverse ecosystem of shops, services, and dining that makes North Beach a destination for both residents and visitors. We respectfully request this provision be reinstated to protect the economic diversity that has made our neighborhood thrive for generations.

2. Establish Two Distinct Commercial Districts: Upper North Beach and Central North Beach

North Beach faces different challenges above and below Greenwich Street. **Upper North Beach** currently struggles with multiple vacant storefronts that could benefit from more flexible zoning and incentives for new businesses. Meanwhile, **Central North Beach** maintains a delicate but successful balance of businesses that serves both tourists and longtime residents. By creating two districts with tailored regulations, we can revitalize struggling areas while preserving what works. This targeted approach allows for innovation where needed without disrupting established success.

3. Preserve Central North Beach's Accessible Retail Character

Exclude Health Services from Central North Beach: While we value healthcare access, medical facilities operate on fundamentally different economics than retail businesses. With substantially higher funding and revenue per square foot, health services can outbid traditional retailers, driving up rents across the district. Moreover, medical facilities typically restrict public access, creating dead zones in our walkable shopping district. Imagine if beloved community gathering spots became clinical spaces, the character of our neighborhood would fundamentally change. The neighborhood already greatly benefits from the resources of NEMS and UCSF’s urgent care clinic.

Strengthen Restaurant Density Controls: North Beach already has the highest concentration of restaurants and bars per capita of any residential neighborhood in San Francisco. Our existing regulation preventing restaurants from replacing non-restaurant businesses has successfully maintained affordability and diversity. However, with 5 of 8 current vacant storefronts being former restaurants, we risk further concentration. Restaurant spaces require costly infrastructure that makes conversion difficult and expensive, potentially locking in uses that limit future flexibility. We need measured controls to ensure residents can still access essential services like hardware stores, markets, and specialty shops within walking distance.

Supervisor is Proposing the Following Amendments:

1. **Added language** to intro about Legacy Businesses, historic character, smaller storefront mergers, and neighborhood-serving smaller health services
2. **Restaurants** can occupy space last used as a Limited Restaurants
3. **Flexible Retail** permitted on first floor only, back to ***Not Permitted*** on upper floors
4. **Storefront Mergers need a Conditional Use** for all square footage OR Conditional Use for up to 3k square feet, Not Permitted above 3k square feet.
5. **All Health Services allowed** on the ground floor, CU up to 3k sqft, NP above 3k sqft'

Call to Action for North Beach Businesses

Your Voice Matters – Act Now Before Final Approval

Dear North Beach Businesses,

The business legislation moving through City Hall for D3 will fundamentally reshape our neighborhood's commercial landscape. With only a few meetings remaining, this is our critical window to ensure North Beach businesses have a say in our future.

We Need Your Support

By signing below, you're joining North Beach businesses in requesting these amendments:

1. **Restore the Use Space Cap for North Beach Retail**: Protect the neighborhood from big business and maintain our character by reinstating a cap on storefront sizes.
2. **Establish Two Distinct Commercial Districts**: Support struggling Upper North Beach while preserving the thriving Central North Beach, create two commercial districts.
3. **Preserve Central North Beach's Accessible Retail Character**
    - Exclude new Health Services from Central North Beach
    - Strengthen restaurant density controls to maintain business diversity
4. **Include Businesses in the Process**: North Beach businesses request meaningful consultation with Supervisor Sauter's office before Board approval.

This isn't about opposing change, it's about ensuring changes work for the businesses that have invested everything in this community. We want to collaborate with city officials to create legislation that helps businesses thrive while preserving what makes North Beach special.

Fellow North Beach Small Businesses,

Thank you for taking the time to review this critical legislation, **which is heading to the Board of Supervisors soon**.

I've poured my heart into North Beach, just like you. Every morning when I open my doors, I see more than just a business district; I see locals visiting a variety of small business types, tourists discovering our hidden gems, regulars who've become friends, and the intricate tapestry of small businesses that make this neighborhood irreplaceable. North Beach is a neighborhood built by generations of small business owners who took risks, invested everything, and created something special.

Right now, decisions are being made about our future, often without your input. However, when North Beach businesses come together, we're a powerful force. Your voice, combined with your neighbors', can ensure these changes strengthen rather than diminish what we've built together.

I'm writing to you as someone who genuinely loves this community and believes in its future. Whether you need help understanding the legislation, want to discuss concerns, or simply need someone to ensure your perspective is heard at City Hall, I'm here.

North Beach has always been about community. Let's honor that tradition by standing together now, when it matters most.

With deep gratitude,

Stuart Watts
President, North Beach Business Association

North Beach Business in Support of the NBBA's proposed amendments and would like a continuance:

1. 101 Music
2. Al's Attire
3. Alimanto
4. April Jean
5. Barbary Coast Barber Shop
6. Belle Cora
7. Biordi Art Imports
8. Blandina Tours
9. Buster Cheese Steak
10. Caffe Greco
11. Caffe Sport
12. Coit Liquors
13. Columbus Cafe
14. Ebiko
15. Elena Bread
16. Golden Sardine
17. Grant & Green Market
18. Happy House
19. Jeffery's Natural Pets
20. Jessica Loos Presents
21. Legacy North Beach Bar
22. Locali Visitor Center
23. Luke's Local
24. Macchiarini Creative Design
25. Mashka Jewelry
26. Next Door
27. North Beach Pipeline
28. P.F. Candles Co.
29. Palermo Deli
30. Rambo Security
31. Risiorante Ideale
32. Seaplane
33. SFOG North Beach
34. Sotto Mare Restaurant
35. The Showdown
36. Tupelo
37. Work

38. Yarsa Nepalese Cuisine
39. Z Cioccolato

RUSSIAN HILL COMMUNITY ASSOCIATION

October 6, 2025

Chair Myrna Melgar and Members of the Land Use Committee

Re: File No. 250682, Consolidating the North Beach special Use and Neighborhood Commercial District and Expanding Allowable Uses and use Size Limits in Certain Zoning Districts

Chair Melgar and Members of the Land Use Committee:

The Russian Hill Community Association joins with other District 3 neighborhood and merchant associations in opposing the consolidation of the North Beach Special Use and Neighborhood Commercial Districts.

While each D3 community has its own specific concerns and challenges, we are all aware that North Beach is the nexus of our Russian Hill and Nob Hill commercial energy. North Beach generates the vitality, spirit, drive, vigor that comes up Union, Green, Vallejo, Broadway, Pacific – and connects with the Restauranteurs around Hyde and Green and the Merchants on Polk Street.

The commercial success of North Beach that allows it to exert its influence on our surrounding communities is due in large measure to the protections inherent in the Special Use District.

With the Mayor's upzoning plan on the horizon, with its development pressures, why are we removing protection that will impact the surrounding communities as well?

The Russian Hill Community Association strongly urges you to oppose this legislation.

Cordially,

Kathleen Courtney

Chair, Russian Hill Community Association

Cc: District 3 Supervisor Danny Sauter; Robyn Tucker, President Pacific Avenue Neighborhood Association; RHCA Team Leaders Jamie Cherry, Notara Lum, John Borrusco

I haven't come here to support Rep. Sauters initiative, I have come here to potentially save someone's life! I almost killed myself about 3 months ago as the result of reaching out to the City of San Francisco for help to open my wine bar! I had planned to write a note that read, "City of San Francisco! Treat people better than you have treated me!" and then hang myself inside the wine bar! How did it get to that point of total loss of hope and faith? Well the letter that I wrote and the mailed and emailed to Mayer Lurie can shed some light! The letter reads,

"Dear Mayor Lurie,

How is it that I invited the Health Department to my small storefront that is being converted to a wine bar to help me get ready for inspection, and the agent who came obviously filed an anonymous complaint against me to the Plumbing Department?

That is exactly what happened! I invited the Heath inspector to my "NOT OPEN" wine bar to help me prepare for inspection and the very next day while I was in a meeting at the wine bar with the Department of Building Inspection (I had invited them also to help me prepare for inspection) a plumbing inspector suddenly knocks on the door! I open the door and the inspector with badge displayed on his waist says, "I have come here because of a complaint about a bathroom." I responded, "A complaint. My business is not even open. Who could have complained?" He replied, "It was an anonymous complaint." I then said, "It could only have been the Health inspector who was here yesterday." Mayor Lurie, my storefront is a live-work space and I never, I repeat never let anyone visiting the storefront, go into my personal living area! The only person who un-invited, not following the architectural drawings, which were twice reviewed and approved by the Planning Department, opened the closed door to my personal bathroom was the Health inspector! Note, the wine bar of course has its own public bathroom!

An anonymous complaint about a bathroom, not for public use, in a separated area from the actual place of business, filed against a business that is not even open for business and that has paper covering the windows! And the owner was in a meeting at that very moment with a Building Inspector to review all the things he needs to do to successfully pass inspection and open his business!

The Plumbing Department inspector demanded that I get a permit for that and additional plumbing work within 2 days. I then presented the plumbing inspector with the blue plumbing permit application that I had gotten more than 2 or 3 weeks earlier! I told him I had obviously planned to do the work and even can show him text messages between me and the plumber

discussing when the plumber could come to do the work! I have tried Mayor Lurie! I am still seeking a plumber who will actually show up and get permit and do the work! In any case no one should expect me to find a plumber who is available to turn around a permit that quickly! Remember, the business isn't even open yet, so why only 48 hours to get a permit?

But even more Mayor Lurie! I received this message in an email from the Health Department Inspector who visited my wine bar and obviously made the anonymous complaint, "Please see the attached Inspection report dated 06/03/25 and let me know if you have any questions. After speaking with my supervisor, it has been determined that a revision to the previously approved plans is required to include the back restroom, the basement/cellar, and any additional changes since your plans were approved on 7/14/22. Submit this revision to SFDBI located at the 49 South Van Ness Permit Center. Ensure this revision is routed to HEALTH at Station 82 and all relevant City agencies."

Mayor Lurie, I made no changes to the original plans that the City provided architect submitted! He came and we went through my entire place, both addresses 775 Filbert Street (The wine bar Chez Brando) and 1854 Mason Street (the attached living space and the downstairs area). Everything was shown to the architect and he submitted the plans and they were approved! Furthermore, due to my depression and absence for 2.5 years, when I returned to San Francisco this February, I had to renew all the plans and permits as they had expired! So 2 times the City Planning Office reviewed the plans and no objections were raised. Why is this person on what I can only describe as a destruction mission?

Mayor Lurie what makes this worse is that I had just come out of a 2.5 year battle with depression. I thought it was over, but I was wrong! The depression has returned with greater darkness than ever, I feel myself slipping back into the dark void! How did this happen you might ask? I guess I should start at the beginning! You see, in 2022 I was lucky enough to be awarded a grant to assist with architectural design and permits to make my little storefront into a French based wine bar. I had previously sublet the space to others for use as a grocery store (they were not successful and left owing me thousands of dollars). As part of the grant The City of San Francisco assigned an architect and the project began. (In fact the only grant I received was for the architect and he received the money directly, I have not received 1 dollar from the city in grants otherwise) Shortly after beginning the project my brother suddenly died! Then only 6 months later my other brother suddenly died, but I kept working on opening the bar! My only brothers, both dying back to back! However, I had to leave the US and go to the country of Turkey to deal with problems concerning the home I had purchased with my life savings! There I discovered that I had been scammed! The home, which I had used my life savings to purchase and renovate, was destroyed by the government of Turkey! I fell into a deep depression and for

2.5 years I struggled to get out of bed each day! Finally I was able to snap out of it! I returned to San Francisco this February to finish the work, open the wine bar, and most importantly save my legacy! You see, I am the longest continuously in business African-American in North Beach! In fact one day in 2022, early in the process of working on the bar, a young African American saw me and asked if I was the owner and what business I would open! He then said something to the effect of, "You must open this bar! When I see you doing this it gives me the hope that one day I can do the same.".

Mayor Lurie, my funds were very low when I returned to try to save this project but I was full of energy, drive and faith that with the help of the City I would somehow be able to do it! Unfortunately every grant that I applied for closed before I could get the estimates from the contractors or it seems I was not prepared enough with document and plan wise as I was told when I applied for the "SF Shines Facade Improvement Grant"! Still I had been continuing to hope that maybe another grant would become available, but none have! I have been maxing out my credit cards and struggling to find a way to save things! But since this event with the Health department my energy, faith, and hope have faded!

Since last Friday when the plumber inspector showed up about an anonymous complaint I have been devastated! I am fighting the depression that I feel coming and I have reached out to my doctor under the healthy SF medical plan and I wait a reply!"

The medical appointment would be the next week and I had to pass the weekend and Monday alone and hopeless! That is when the thoughts started coming and coming and coming! Suicide, suicide, suicide! Then the plan of how to commit suicide! Write a note to the city and kill yourself, maybe it will help someone else!
When I arrived at the doctors office I was suffering from confusion, my thinking was scrambled! I cried as I explained what this person from the health department had initiated! I went from a person who was waking up at 7am each morning and working until 2am each day, with pleasure as I was full steam ahead to open my bar to someone who would not get out of bed until noon, someone who would not answer calls or messages! Someone who was astonished that the same thing that happened in Turkey was happening again and there is only 1 way out! Only after taking antidepressants, which I am still taking and took this morning, was I able to not kill myself! I can't watch moving like The Lost Weekend, which climaxes with the character deciding suicide was his only option! I tried and I had to leave the room! Permanently scarred because I asked for help from the city of San Francisco!!!!!

I am only here today because in 2006 I started a suicide prevention plan to stop people from jumping off the golden gate bridge! Im my many years of preventing others from committing suicide I knew well the signs and I knew that if I did not reach out I would follow through with my plan!

My wine bar still is not open! But thanks to God for having inspired me to put others first and help with Bridgewatch (my valuing the life of others SAVED MY OWN LIFE!

Please help us small business people who put our hearts, souls, and lifesavings into viable business that will employ people and in the case of people like me help to continue fading minority legacies that empower and inspire future generations!

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BY E-MAIL AND HAND DELIVERY

October 6, 2025

Chair Myrna Melgar
Supervisors Chyanne Chen, Bilal Mahmood,
San Francisco Board of Supervisors
Land Use and Transportation Committee
c/o Clerk John Carroll
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
MelgarStaff@sfgov.org
ChenStaff@sfgov.org
MahmoodStaff@sfgov.org
John.Carroll@sfgov.org

RE: Planning Code; Zoning Map - Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts.
Objection to CEQA Exemption.
Land Use and Transportation Committee
Agenda Item 19, October 6, 2025, File No. 250682

Dear Chair Melgar and Supervisors Chen and Mahmood:

I submit this comment on behalf of Small Business Forward, the Jackson Square Historic District Association, Telegraph Hill Dwellers, and Thad Carhart, a San Francisco resident, concerning the proposed action Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts; Case Number: 2025-005989PCAMAP [Board File No. 250682]. Agenda Item 19, October 6, 2025 Land Use and Transportation ("LUT") Committee. ("Rezone").

The Rezone will entirely eliminate the North Beach Special Use District ("SUD"). In so doing, the Rezone will eliminate important protections for historic resources and displacement of residents and legacy businesses. The Rezone will also allow larger storefronts (up to 3,000 square feet rather than 2,000), will allow storefront mergers, will remove restrictions on restaurants in Jackson Square and North Beach, and will allow uses in North Beach that are currently prohibited, including walk-up facilities, first floor health services, and flexible retail. On Pacific Avenue, the Rezone would allow first floor health services, and flexible retail, all of which are currently prohibited. All of these changes will have potentially significant environmental impacts that must be analyzed and mitigated under the California Environmental Quality Act ("CEQA").

We request that the LUT decline to act on the proposed Rezone until the City prepares an environmental review document under CEQA to analyze the project's impacts and to consider mitigation measures and alternatives to reduce those impacts. The Staff Report contains a single sentence stating that the Rezone is not a "project" within the meaning of CEQA because it will not have direct environmental impacts. (Planning Commission Staff Report, p. 12; CEQA determination). This is incorrect. The Rezone is a "project" because it is an essential step that may lead to direct or indirect environmental impacts.

The proposed Rezone is legally indistinguishable from the Ordinance addressed by the Supreme Court in the case of *Union of Med. Marijuana Patients, Inc. v. City of San Diego,* 7 Cal. 5th 1171, 1199 (2019) ("*Marijuana Patients*"). In that case, the City of San Diego argued that the rezoning of a certain commercial district to allow marijuana dispensaries was not a "project" under CEQA because any environmental impacts were speculative. The Supreme Court rejected this argument and held that the rezoning was a CEQA "project" because it could result in new construction and additional traffic. As such CEQA review was required. The Supreme Court stated:

> we conclude the City erred in determining that the adoption of the Ordinance was not a project. Prior to the Ordinance, no medical marijuana dispensaries were legally permitted to operate in the City. The Ordinance therefore amended the City's zoning regulations to permit the establishment of a sizable number of retail businesses of an entirely new type. Although inconsistency with prior permissible land uses is not necessary for an activity to constitute a project (see *Muzzy Ranch, supra*, 41 Cal.4th at p. 388), establishment of these new businesses is capable of causing indirect physical changes in the environment. At a minimum, such a policy change could foreseeably result in new retail construction to accommodate the businesses. In addition, as UMMP suggests, the establishment of new stores could cause a citywide change in patterns of vehicle traffic from the businesses' customers, employees, and suppliers. The necessary causal connection between the Ordinance and these effects is present because adoption of the Ordinance was "an essential step culminating in action [the establishment of new businesses] which may affect the environment." (*Fullerton Joint Union High School Dist. v. State Board of Education* (1982) 32 Cal.3d 779, 797 (*Fullerton*).) The theoretical effects mentioned above are sufficiently plausible to raise the possibility that the Ordinance "may cause ... a reasonably foreseeable indirect physical change in the environment" (§ 21065), warranting its consideration as a project.

(*Marijuana Patients,* 7 Cal. 5th at 1199)[1]. Likewise the proposed Rezone will allow larger commercial operations and new commercial uses that were previously prohibited or allowed only with a Conditional Use Authorization. As in *Marijuana Patients*, this is likely to result in indirect physical changes to the environment through construction and additional traffic.

---

[1]Similarly, the Supreme Court held in *Bozung v. Local Agency Formation Com.* (1975) 13 Cal.3d 263, 284 n.28) that CEQA review is required for an annexation of land, "at a point in the planning process where genuine flexibility remains." (*Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 307). In *Bozung*, the decision to annex property was a CEQA "project" despite the fact that there was no immediate plan to develop the project.

The Rezone proposes to entirely eliminate Municipal Code Section 780.3, the North Beach Special Use District. In so doing, the Rezone will eliminate important protections for historic resources, including Section (c)(7):

> Architectural and Cultural Heritage of North Beach. Section 101.1 of the Planning Code includes the priority policy that historic buildings be preserved. The architectural and cultural character and features of existing historic buildings shall be preserved and enhanced. The Historic Preservation Commission or its staff shall review any proposed alterations to historic buildings, as defined in subsection 780.3(b)(3), and must determine that such alterations comply with the Secretary of Interior's Standards for the Treatment of Historic Properties before the City approves any permits to alter such buildings.

Also, the Rezone will eliminate the broader definition of historic resources contained in the North Beach SUD. Section (b)(3) defines "historic resources" as follows:

> Historic Buildings. "Historic buildings" shall include Planning Code Article 10 Landmarks and buildings located within Article 10 Historic Districts, buildings and districts identified by surveys adopted by the City, buildings listed or potentially eligible for individual listing on the National or California Registers, and buildings located within listed or potentially eligible National Register or California Register historic districts. The Planning Department shall also consult materials available through the California Historical Resources Information System (CHRIS) and Inventory to determine eligibility.

By eliminating these important protections for historic resources, the Rezone clearly may have adverse impacts on historic resources. This impact must be analyzed and mitigated in a CEQA document.[2] If mitigation is not feasible, then a statement of overriding considerations will be required.

The Rezone will also eliminate important protections against displacement contained in the North Beach SUD. Section (c)(4) and (6) of the North Beach SUD provides:

> Loss of Residential Units. To prevent the loss of existing Residential Units within the district, the removal, demolition, merger, or conversion of Residential Units above the First Story are prohibited.
>
> Legacy Business. Unless otherwise prohibited by this Section 780.3, Section 722, or any other section of this Code, any new Non-Residential Use proposed where the immediately prior Commercial Use was a Legacy Business shall require Conditional Use authorization pursuant to Section 303 of this Code.

---

[2] "The fair argument standard applies to the question whether the proposed project 'may cause a substantial adverse change in the significance of an historical resource' . . .and thereby have a significant effect on the environment." (*Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, 1117, quoting *Valley Advocates v. City of Fresno* (2008) 160 Cal.App.4th 1039, 1072.)

By eliminating the North Beach SUD, the Rezone will eliminate these important protections against displacement. A CEQA document is required to analyze and mitigate the Rezone's impacts on displacement.[3]

Furthermore, the Rezone will have cumulative impacts together with the so-called Family Zoning Plan currently being considered by the Board of Supervisors. The Family Zoning Plan will upzone massive swaths of the City to allow taller buildings and greater density – including allowing 5,200 additional residential units in the North Beach area. The Rezone and the Family Zoning Plan will clearly have cumulatively significant impacts on North Beach.

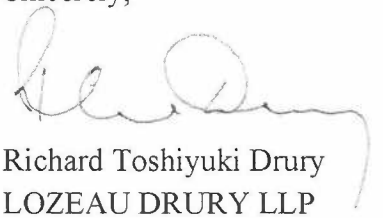
A CEQA document must discuss significant cumulative impacts. (CEQA Guidelines section 15130(a).) This requirement flows from CEQA section 21083, which requires a finding that a project may have a significant effect on the environment if "the possible effects of a project are individually limited but cumulatively considerable. . . . 'Cumulatively considerable' means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." "Cumulative impacts" are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." CEQA Guidelines section 15355(a). "[I]ndividual effects may be changes resulting from a single project or a number of separate projects." CEQA Guidelines section 15355(a). "The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time." (*Communities for a Better Environment v. Cal. Resources Agency ("CBE v. CRA")*, (2002) 103 Cal.App.4th 98, 117.) A legally adequate cumulative impacts analysis views a particular project over time and in conjunction with other related past, present, and reasonably foreseeable probable future projects whose impacts might compound or interrelate with those of the project at hand. "Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time." CEQA Guidelines § 15355(b). The City's one-sentence CEQA analysis fails even to mention cumulative impacts.

---

[3] Displacement is a significant impact under CEQA. (*Save Berkeley Neighborhoods v. Regents* (2020) 51 Cal.App.5th 226). CEQA requires the lead agency to determine whether the "environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly," (PRC § 21083(b)(3), (d)), and to "take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached." (See PRC §21000 et seq.; CEQA Guidelines Appendix G, Section XII).

We urge the Board of Supervisors to refrain from considering this Rezone until a CEQA document is prepared. The Rezone is clearly a "project" within the meaning of CEQA, and CEQA review is therefore required.

Sincerely,



Richard Toshiyuki Drury
LOZEAU DRURY LLP

Cc: Environmental Review Officer Lisa Gibson, lisa.gibson@sfgov.org

City Attorney David Chiu, cityattorney@sfcityatty.org

Supervisor Danny Sauter, SauterStaff@sfgov.org

From: J. Powkatz
To: Carroll, John (BOS)
Subject: Fwd: Opposition to BOS File No. 250682 (Supervisor Danny Sauter)
Date: Monday, October 6, 2025 1:46:21 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

---------- Forwarded message ---------
From: **J. Powkatz** <japkatz@gmail.com>
Date: Mon, Oct 6, 2025 at 11:57 AM
Subject: Opposition to BOS File No. 250682 (Supervisor Danny Sauter)
To: <Myrna.Melgar@sfgov.org>, <Chyanne.Chen@sfgov.org>, <Bilal.Mahmood@sfgov.org>, <John.Carroll@sfgov.org>
CC: <Danny.Sauter@sfgov.org>

Dear Supervisors,

I am writing as a long-time resident of North Beach to strongly oppose the proposed zoning changes under BOS File No. 250682, introduced by Supervisor Danny Sauter. These changes would erode the qualities that make North Beach a unique and vibrant neighborhood that draws local residents and tourists from all over the world.

The proposed elimination of the North Beach Special Use District (NBSUD) threatens the preservation of our small storefronts, historic character, and community balance. For decades, the NBSUD has safeguarded our neighborhood from over-commercialization and uncontrolled development, and removing it would open the door to demolitions and speculative development that would forever change the fabric of North Beach.

The plan to allow storefront mergers and increase the size of new businesses to 3,000 square feet would lead to the displacement of our small businesses, raising rents and attracting high-end, corporate retailers that have no place in our community. The loss of affordable retail space would further erode the neighborhood's charm and character. Tourists come to North Beach for its small-scale European and Bohemian style, not for the types of businesses that can afford a 3,000 space.

The proposed changes to allow more restaurant conversions would also unbalance our neighborhood. North Beach thrives on diversity, with a healthy mix of shops, services, and eateries. A major complaint of North Beach residents has been the loss of neighborhood serving businesses, and the neighborhood has worked hard to attract and keep businesses like hardware and grocery stores. Flooding the area with more bars and restaurants would further deplete non-restaurant spaces. Once these spaces are converted, they rarely revert to retail, permanently altering the neighborhood's dynamic.

The proposal to allow retail on upper floors would contribute to the loss of housing and lead to the eviction of residents. Rushing this anti-tenant change while at the same time making

sweeping historic City-wide zoning changes in the name of more housing is mind-boggling. Why?

I strongly urge you to reject these rushed proposals to negatively and permanently impact the diversity, character, and small-scale charm that make North Beach such a beloved place and a popular tourist destination.

Thank you for your time and consideration.

Sincerely,

Judith Powell

From:	Carroll, John (BOS)
To:	"verb@sonic.net"
Cc:	Sauter, Danny (BOS); Melgar, Myrna (BOS); Low, Jen (BOS); Chen, Chyanne (BOS); Sciammas, Charlie (BOS); Mahmood, Bilal (BOS); Cooper, Raynell (BOS)
Subject:	RE: Oppose Danny Sauter"s plan to sell off (& sell out) D3 - BOS File No. 250682
Date:	Tuesday, October 7, 2025 3:57:00 PM
Attachments:	image001.png image002.png

Thank you for your comment letter.

I am forwarding your comments to the members of the Land Use and Transportation committee, and I will include your comments in the file for this ordinance matter.

I invite you to review the entire matter on our Legislative Research Center by following the link below:

-

Board of Supervisors File No. 250682

John Carroll
Assistant Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415)554-4445

Click here to complete a Board of Supervisors Customer Service Satisfaction form.

The Legislative Research Center provides 24-hour access to Board of Supervisors legislation and archived matters since August 1998.

Disclosures: *Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*

From: CJ Verburg <verb@sonic.net>
Sent: Monday, October 6, 2025 12:10 PM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Cc: Sauter, Danny (BOS) <Danny.Sauter@sfgov.org>
Subject: Oppose Danny Sauter's plan to sell off (& sell out) D3

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Dear Clerk Carroll:

As a 30-year District 3 resident, I urge you to protect San Francisco's most distinctive and irreplaceable set of neighborhoods (Chinatown, North Beach, Telegraph Hill, parts of Russian Hill & Fisherman's Wharf) by **opposing** Supervisor Sauter's plans to prioritize developers' profits, carpetbaggers' convenience, & tourists' entertainment over local occupants' ability to enjoy our beloved homes.

In particular, please join me and the Telegraph Hill Dwellers in honoring these priorities of local residents, guests, & businesses:

1. Don't Eliminate the North Beach Special Use District (NBSUD)

2. Stop Storefront Mergers

3. Protect Small-Scale Use Size Limits

4. Preserve Balance — Limit Conversions of Housing & Local Retail to Restaurants & Bars

5. Protect Housing — Ban the Conversion of Residential Units to Retail on Upper Floors

6. Keep Health Care Uses Off the Ground Floor

Thank you,

Carol Verburg

cjverburg.net

From: Marc Bruno
To: Melgar, Myrna (BOS); Mahmood, Bilal (BOS); Carroll, John (BOS); Chen, Chyanne (BOS)
Cc: Mary
Subject: I"m opposed to the changes to our SUD. It seems to be a solution looking for a problem that doesn"t exist.
Date: Monday, October 6, 2025 12:48:05 PM

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I'm opposed to the changes to our SUD. It seems to be a solution looking for a problem that doesn't exist.

My name is Mary Bugarin and I've lived in North Beach for 30 years. As a substitute teacher in San Francisco, I have worked in every neighborhood in our city.

No business district is as vibrant and diverse as the North Beach business district. The legislation being proposed by Supervisor Sauter is a solution looking for a problem that does not exist. The changes being suggested will do more harm than good.

As a longtime resident, I'm familiar with the businesses in my neighborhood. I believe in shopping locally.

Small business owners in North Beach have dedicated their lives and resources to making our neighborhood liveable and diverse. In fact, many of my acquaintances who have small businesses here are multilingual speakers whose first language is not English. These include business owners and managers from Palestine, Asia, Europe, the Caribbean and Central and South America.

These small businesses will be harmed by the changes being proposed. For this reason, I am asking you to vote against it.

Allowing a 3,000 square foot store in North Beach means inviting large businesses to compete with small businesses that already make our neighborhood vibrant and diverse. Equally harmful

would be allowing second story retail. This will diminish the vibrancy of our streets and sidewalks and may even take away living spaces from the residents who currently patronize our small businesses.

For all these reasons, I ask the Land Use Committee not to recommend the legislation before you to the full Board of Supervisors.

Thank you,

Mary Bugarin
1130 Filbert Street
San Francisco CA 94109
(415) 710-6358

From:	Jackson Square
To:	Melgar, Myrna (BOS); Mahmood, Bilal (BOS); Chen, Chyanne (BOS); Carroll, John (BOS); Sauter, Danny (BOS)
Cc:	Andrews, Michelle (BOS)
Subject:	BOS File No. 250682: Jackson Square Letter of Opposition
Date:	Monday, October 6, 2025 12:44:06 PM
Attachments:	BOS File No. 250682 Jackson Sq Letter of Opposition.pdf

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October 3, 2025

Chair Melgar & Members
San Francisco Land Use Committee
City Hall 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: BOS File No. 250682 Letter of Opposition

Dear Chair Melgar, Supervisor Chen, Supervisor Mahmood, and Supervisor Sauter,

The Jackson Square Historic District Association, founded in 1998, is devoted to the success of this tiny, one-of-a-kind enclave. As SF's first historic district, it includes the only surviving brick and ornate cast iron buildings from the 1850's-1880's along with lighting and greenscapes funded privately and a CBD enacted by residential owners. We attract residents, businesses, visitors, and many tour groups that visit our thriving small neighborhood daily.

The current success of Jackson Square is based on balanced mixed use. Our existing land use protections - *crafted with broad input and unanimous City support* - have preserved historic buildings while sustaining a healthy mix of retail shops, galleries, design firms, bars/restaurants, residential homes & apartments, offices, and services. This stability has encouraged investment from residents and businesses alike, making Jackson Square one of the few Downtown districts to thrive, throughout the pandemic and beyond.

For these reasons and the data supporting them, we oppose changing Bar/Restaurant Use from from the current "no net new" (new ones must occupy one of the existing bar/restaurant spaces) **to permitting more bars/restaurants with Conditional Use.** We also oppose allowing uses larger than 4,000 square feet with a Conditional Use Authorization - massively out of scale for this tiny historic district. The data shows that CU is essentially a rubber stamp that puts the burden on the neighborhood to maintain the existing Section 249.25 framework that has been essential in maintaining the character and balance of this unique historic neighborhood. Once a property converts to

bar/restaurant use, it typically stays that way (even if it becomes vacant).

There are currently SEVENTEEN bars and restaurants within our tiny 2 block x 1.5 block historic district, five more on adjacent sides of the JSHD borders, and literally dozens more within a 3-5 minute walk. Many of them generate negative impacts on adjacent historic properties and streetscapes including property damage, broken glass, noise and trash. Retail shops, offices, and residents already contend with bars and restaurants that frequently ignore codes, and inconsistent City enforcement places the compliance burden on neighbors.

Our current SUD framework was informed by voluminous data from other cities and planners in Boston, New Orleans (Vieux Carré), New York and Los Angeles, and have proven remarkably successful both pre and post-pandemic, as evidenced by simply walking the district, as well as numerous articles in local media highlighting Jackson Square as a downtown success story. The SUD enhances variety, limits vacancies, and inhibits the type of real estate speculation that often cannibalizes the most unique, community-serving establishments in our neighborhoods. The data shows that we do not need more bars and restaurants adding to the existing saturation. We are thriving with high neighborhood occupancy rates.

The City has real problems to work on in other neighborhoods vs. creating a new one that doesn't currently exist in the Jackson Square Historic District. We urge you to exclude Jackson Square from this proposed legislation.

Sincerely,
Matthew Stegman, Jackson Square Historic District Association
JacksonSqHDA@gmail.com

[Letter attached]

Jackson Square
HISTORIC DISTRICT ASSOC.

October 6, 2025

Chair Melgar & Members
San Francisco Land Use Committee
City Hall 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: BOS File No. 250682 Letter of Opposition

Dear Chair Melgar, Supervisor Chen, Supervisor Mahmood, and Supervisor Sauter,

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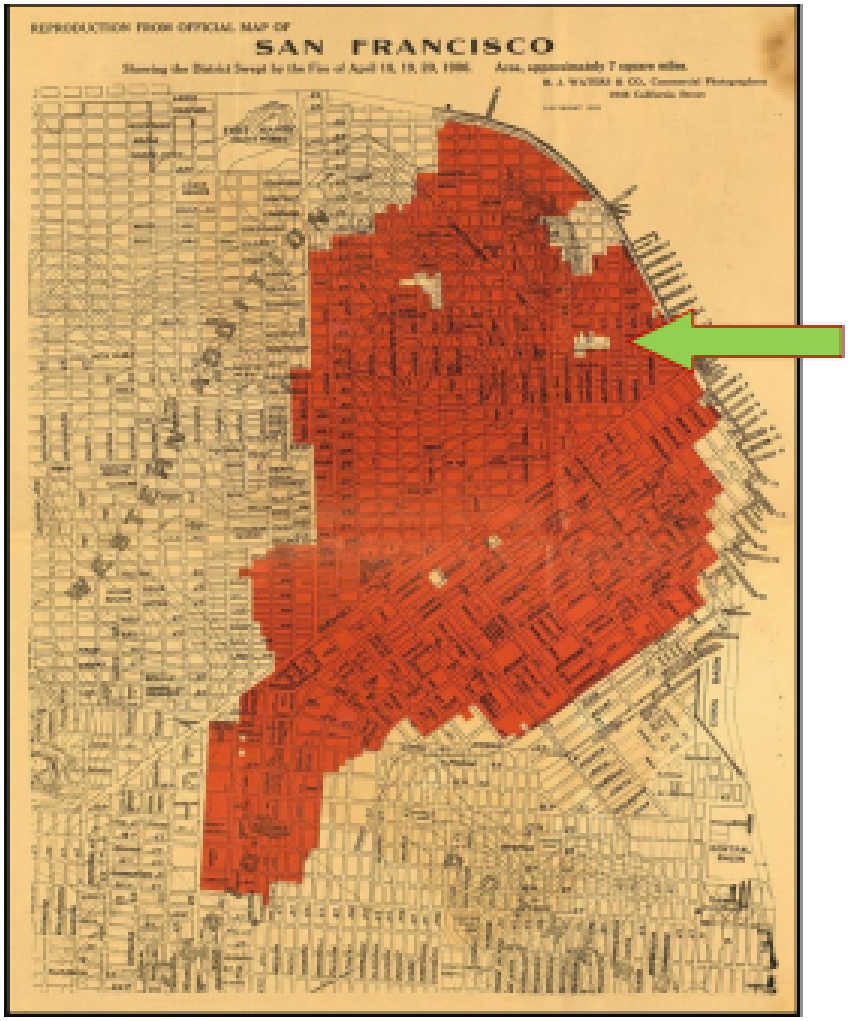
The City has real problems to work on in other neighborhoods vs. creating a new one that doesn't currently exist in the Jackson Square Historic District. We urge you to exclude Jackson Square from this proposed legislation.

Sincerely,
Matthew Stegman, Jackson Square Historic District Association
JacksonSqHDA@gmail.com



The tiny Jackson Square Historic District comprises the City's only remaining historic 1850's-1880's building assets and physical reminders of our beginnings as a great Pacific port.

(Red Areas destroyed in '06 Quake & Fire).

From: Joe Butler
To: Melgar, Myrna (BOS)
Cc: Chen, Chyanne (BOS); Mahmood, Bilal (BOS); Carroll, John (BOS); Sauter, Danny (BOS)
Subject: Proposed Commercial District Zoning Changes
Date: Monday, October 6, 2025 12:08:58 PM

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6 October 2025

Supervisor Myrna Melgar, Chair
Land Use and Transportation Committee
City Hall
1 Dr. Carlton B Goodlett Place
SF CA 94133

Dear Chair Melgar:

My name is F. Joseph Butler, I am an architect living in North Beach for 42 years, a new-comer one might say.

Today your committee will consider changing legislation to upend decades of balanced zoning, and fair protections, that have kept our economically diverse neighborhood successful and stable. The North Beach Special Use District is responsible for the success of our neighborhood on the commercial side, while respecting second floor housing (why would we legislate the loss of affordable housing?). The North Beach Special Use District, provides entrepreneurial opportunities for small business neighborhood serving retail, amid the plethora of existing restaurants and bars.

The North Beach Special Use District offers all of the necessities of a complete urban neighborhood. Dry cleaners, laundries, restaurants, cafes, Post Office, Banks, hardware and grocery stores. Schools, Churches, funeral homes, doctors and dentists, and two hospitals within a mile. With Commercial vacancies at an all time low, the only rationale for Supervisor $auter's legislative change is more Profit$. But for whom? He is $hilling for the corporate chains that: demand more space, drive up other commercial rents and displace local small businesses out of North Beach, resulting in a "super-size" erosion of our distinct character, and the loss of a variety and character of stores as unique as San Franciscans, and the tourist draw they create. Please vote NO.

We don't want the sameness of Corporate America with its many chains that profit by taking money out of the neighborhoods in which they locate. Neither a Wendy's, nor an Olive Garden on Washington Square are on our list of neighborhood improvements! But we will get all of that and the loss of local businesses, and affordable tenant housing.

Ten years ago North Beach was disrupted by our tech booms, and the arrival on Valencia Street of new places to play, eat and live. Our neighborhood was eclipsed, however briefly, until Covid 19 shut down life as we knew it. North Beach recovered well post covid; its walkable scale, small storefronts for neighbor serving, neighbor owned businesses, has roared back. While some commercial landlords still hold out for gouging rents, most storefronts are occupied and the night life of live music, artists' shows and lectures persists in drawing people from all over the Bay Area, the nation and the world.

Neighbors have fought for 42 years that I have lived here, for all the things that this legislation would undo in 40 days.There were no neighborhood meetings to explain these ideas. These changes are not required, nor an improvement. Do not befooled by these reflexively opportunistic cure$ for a problem that does not exist. Reject these changes.

Sincerely,

F. Joseph Butler, AIA Emeritus

Cc. Supervisor Chyanne Chen
Supervisor Bilal Mahmoud
Clerk John Carroll
Supervisor Danny Sauter

--
F. Joseph Butler, AIA Emeritus
324 Chestnut Street
San Francisco, CA
94133
(415) 990 6021

From:	Andy Katz
To:	Melgar, Myrna (BOS); Chen, Chyanne (BOS); Mahmood, Bilal (BOS); Carroll, John (BOS); Sauter, Danny (BOS); Andy Katz
Subject:	REJECT Supervisor Sauter"s changes to the North Beach Special Use District (NBSUD) before the Land Use and Transportation Committee Today
Date:	Monday, October 6, 2025 12:08:19 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors Land Use and Transportation Committee:

I am writing to you to ask you to reject Supervisor Sauter's changes to the North Beach Special Use District (NBSUD) before your committee today 10/6 for many important reasons.

The NBSUD has protected our small storefronts, historic character, and neighborhood balance here in North Beach for many decades. This is an important reason why our neighborhood is so unique and treasured by locals and visitors alike. Eliminating it **strips away safeguards that prevent building demolitions**, **over-commercialization**, **historic displacement, and speculation**. We, the residents, do not want to turn North Beach into yet another Hayes Valley with over development that looks like modern prisons.

Please Stop Storefront Mergers. Why would we destroy our small storefronts in favor of 3,000 square foot businesses? This just points to greed and speculation and, again, is not what lifetime residents of North Beach like myself want for the neighborhood we call home. We are made up of small scale legacy businesses which form the beating heart of North Beach. These have to be protected not replaced with chains or other generic businesses which will kill our neighborhood character.

Preserve Balance — Limit Conversions to Restaurants. Neighborhoods which become overly saturated with restaurants and bars cease to be true functioning neighborhoods. This is true the world over. We cherish our diversity of current shops and restaurants. Once a business converts to a restaurant, it almost never converts back and thus precious retail spaces will be lost forever.

Ban the Conversion of Residential Units to Retail on Upper Floors. It is essential that we protect our existing rent controlled and affordable housing. Allowing retail on upper floors would lead to evictions and the loss of precious existing housing stock as realtors and speculators only care about maximizing their profits.

Decades of protections lovingly crafted by the residents of North Beach will be lost if Sauter's misguided
legislation is allowed to pass. Vote NO.

Sincerely,

Andy Katz
andywkatz@gmail.com

From:	J. Powkatz
To:	Melgar, Myrna (BOS); Chen, Chyanne (BOS); Mahmood, Bilal (BOS); Carroll, John (BOS)
Cc:	Sauter, Danny (BOS)
Subject:	Opposition to BOS File No. 250682 (Supervisor Danny Sauter)
Date:	Monday, October 6, 2025 11:58:28 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

I am writing as a long-time resident of North Beach to strongly oppose the proposed zoning changes under BOS File No. 250682, introduced by Supervisor Danny Sauter. These changes would erode the qualities that make North Beach a unique and vibrant neighborhood that draws local residents and tourists from all over the world.

The proposed elimination of the North Beach Special Use District (NBSUD) threatens the preservation of our small storefronts, historic character, and community balance. For decades, the NBSUD has safeguarded our neighborhood from over-commercialization and uncontrolled development, and removing it would open the door to demolitions and speculative development that would forever change the fabric of North Beach.

The plan to allow storefront mergers and increase the size of new businesses to 3,000 square feet would lead to the displacement of our small businesses, raising rents and attracting high-end, corporate retailers that have no place in our community. The loss of affordable retail space would further erode the neighborhood's charm and character. Tourists come to North Beach for its small-scale European and Bohemian style, not for the types of businesses that can afford a 3,000 space.

The proposed changes to allow more restaurant conversions would also unbalance our neighborhood. North Beach thrives on diversity, with a healthy mix of shops, services, and eateries. A major complaint of North Beach residents has been the loss of neighborhood serving businesses, and the neighborhood has worked hard to attract and keep businesses like hardware and grocery stores. Flooding the area with more bars and restaurants would further deplete non-restaurant spaces. Once these spaces are converted, they rarely revert to retail, permanently altering the neighborhood's dynamic.

The proposal to allow retail on upper floors would contribute to the loss of housing and lead to the eviction of residents. Rushing this anti-tenant change while at the same time making sweeping historic City-wide zoning changes in the name of more housing is mind-boggling. Why?

I strongly urge you to reject these rushed proposals to negatively and permanently impact the diversity, character, and small-scale charm that make North Beach such a beloved place and a popular tourist destination.

Thank you for your time and consideration.

Sincerely,

Judith Powell

From:	paul erickson
To:	Melgar, Myrna (BOS); Chen, Chyanne (BOS); Mahmood, Bilal (BOS); Carroll, John (BOS); Sauter, Danny (BOS); paul erickson
Subject:	Subject: Protect North Beach's Character — Reject BOS File No. 250682
Date:	Monday, October 6, 2025 11:57:37 AM

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October 6, 2025

From: Paul Erickson, North Beach Resident

To: Chair Myrna Melgar
Supervisors Chyanne Chen, Bilal Mahmood,
San Francisco Board of Supervisors
Land Use and Transportation Committee
c/o Clerk John Carroll

myrna.melgar@sfgov.org
chyanne.chen@sfgov.org
bilal.mahmood@sfgov.org
John.Carroll@sfgov.org
Danny.Sauter@sfgov.org

Subject: Protect North Beach's Character — Reject BOS File No. 250682

Dear Chair Melgar and Supervisors Chen and Mahmood:

As a resident of North Beach, I write urging you not to advance Supervisor Sauter's "District Three Thrives" legislation.

Its clandestine nature has sown distrust into our community when our business district is already thriving. We have a 5% vacancy rate (2% in Jackson Square), which is to be celebrated. Other districts look to us as an example to be followed.

Far too many businesses have been excluded from the process and are uninformed or barely informed about it, and the ones who are aware of it generally oppose losing the North Beach Special Use District.

If the majority of our local businesses are not invited to provide input into this plan, then it's not a democratic plan.

Please maintain our democracy by rejecting this plan and asking our supervisor to meet us fair and square at the table, where this belongs. It's not ready for the Board of Supervisors.

Thank you,

Paul Erickson,
North Beach Resident

From: linda ray
To: Melgar, Myrna (BOS); Chen, Chyanne (BOS); Mahmood, Bilal (BOS)
Cc: Carroll, John (BOS); Sauter, Danny (BOS)
Subject: Do not Eliminate the North Beach Special Use District
Date: Monday, October 6, 2025 11:53:17 AM

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Dear Members of the Board of Supervisors Land Use and Transportation Committee:

My name is Linda Ray and I have lived in San Francisco for 52 years and currently reside in District 3 and I oppose Supervisor Sauter's Legislation BOS 250682 which among other things, calls for the elimination of the North Beach Special Use District. Every day I see and hear visitors from here in the United States to International tourists who are charmed by this vibrant and historic neighborhood that has kept it's authentic character due to the work of residents over many years to keep it's human scale and quirky retail and art spaces. There has been no input by the residents or businesses in this district to this legislation and it is being rushed to be voted upon and approved. Since it's passage would have irreparable damage for years to come, I urge you to vote no. When Democracy itself is under attack by the Trump administration, one way to resist these authoritarian moves is to insist on democratic functioning at the local and state level. I know that all things change and I am for affordable housing and prudent, deliberate planning that takes into account the voices of the people affected by policy and law and this current legislation is the opposite of that process and again I urge you to reject it. Sincerely,
Linda Ray dadaray2002@yahoo.com

From:	Marc Bruno
To:	Melgar, Myrna (BOS); Mahmood, Bilal (BOS); Carroll, John (BOS); Sauter, Danny (BOS); Chen, Chyanne (BOS)
Cc:	Marc Bruno
Subject:	The Current S.U.D. in North Beach Encourages Enhances and Protects Small Businesses. Please do not Substantially Alter It.
Date:	Monday, October 6, 2025 11:49:45 AM

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The Current S.U.D. in North Beach Encourages Enhances and Protects Small Businesses. Please do not Substantially Alter It.

Dear Members of the Land Use Committee, Supervisors Melgar, Chen and Mahmood:

SUD Protects Enhnc & Encrges

My name is Marc Bruno. I've lived in North Beach for 35 years. The current SUD encourages and protects small business, one of the reasons people from all over the world are motivated to visit North Beach.

I do not believe the legislation by Supervisor Sauter regarding the North Beach SUD should be recommended to the full Board by your committee unless major amendments are made to it.

For instance, changing the current 2,000 square foot commercial limit to 3,000 square feet seems reckless. It's well-known that larger stores push out smaller ones due to economies of scale. They also raise land values and make rents untenable for small businesses.

Under the current SUD, North Beach is thriving. For this reason alone, there is no real need for this legislation.

The 49 ground floor venues on Grant from Columbus to Filbert are all occupied with the exception of one storefront. (And this one seems to have a lessor lined up as work is being done inside.) The cross streets of Vallejo and Green, another 26 spaces, are 100% full.

In addition, it should be noted that 50% of those on Grant and Columbus are retail stores, all of them neighborhood serving.

We have 7 clothing stores, 3 seamstresses, 5 barber shops, 4 nail salons, 6 laundromats, 3 bodegas, 2 chocolate stores, a hardware store, 2 grocers and the city's most famous pet shop.

Of the barbers, you can get a haircut in the Special Use District for $65. You also can get one for $25 and even $12. That's where I go. The people at the $12 dollar salon, their Mirst language is not English. Not everyone can afford a $65 haircut. Diversity is good on so many levels, both for the businesses and the customers.

Adding a 3,000 square foot limit hurts immigrant communities and small businesses holding onto their independence while serving the residents of our City. These small businesses will be driven out.

Isn't there a place in North Beach both for a $65 haircut and a $12 haircut? I believe there is, but the legislation before you seems to say the opposite. Please save small businesses that make North Beach and our city a unique place to live. Don't allow the maximum store size to become 3,000 square feet.

Thank you.

Marc Bruno

15 Nobles Alley, Apartment 3 / San Francisco, CA 94133

From: Romalyn Schmaltz
To: Sauter, Danny (BOS); Melgar, Myrna (BOS); Chen, Chyanne (BOS); Mahmood, Bilal (BOS); Carroll, John (BOS)
Subject: BOS File No. 250682
Date: Monday, October 6, 2025 11:40:12 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

October 6, 2025

From: Romalyn Schmaltz, North Beach Resident/Small Business Owner
Chair Myrna Melgar
Supervisors Chyanne Chen, Bilal Mahmood,
San Francisco Board of Supervisors
Land Use and Transportation Committee
c/o Clerk John Carroll

myrna.melgar@sfgov.org
chyanne.chen@sfgov.org
bilal.mahmood@sfgov.org
John.Carroll@sfgov.org
Danny.Sauter@sfgov.org

Subject: Protect North Beach's Character — Reject BOS File No. 250682

Dear Chair Melgar and Supervisors Chen and Mahmood:

I've lived and worked in North Beach for 20 years and have owned two retail spaces and art galleries there on both Green Street and Columbus Avenue, in addition to being past director of our monthly art & small business festival, North Beach First Fridays. Over those two decades I've become enmeshed in my community's art and business culture, and I interact with dozens of our small business owners every week. I'm thrilled that they report that while owning a small business is always a challenge, the consensus is that North Beach *is* thriving.

I know you've received numerous letters from them urging you not to remove our Special Use District or adopt Sauter's "District 3 Thrives" deregulation package at the whim of our new supervisor—for myriad important reasons which you'll also hear in comment today: no notification or input, losing all our hard-won protections, inevitable rent increases, bigger businesses moving in, lack of essential CEQA review, etc.

Like my North Beach neighbors, I've got a lot of questions for our Supervisor, but here's the one burning me the most today:

Why am I doing my District Supervisor's Due Diligence?

I've spent the last weekend dropping into dozens of local shops, and many of our business owners *still* hadn't heard any details of Sauter's plan as of yesterday, and many still hadn't heard of it at all. They have the right to conclude two things from this lack of outreach:

1. Sauter doesn't care about their informed input as small business owners; or
2. Sauter *doesn't want them to know about it in advance of its passing.*

Businesses opposed to this plan include our largest, oldest, and most influential businesses, like Tony's Pizza, Caffè Trieste, Café Greco, Mario's Cigar Bar, Coit Liquors, Tattoo Boogaloo, Savoy Tivoli, and SFOG, just to name a few.

Local artist of international acclaim Jeremy Fish designed a poster opposing Sauter's legislation and Lurie's upzoning, and our businesses couldn't get it into their windows fast enough in solidarity. You'll see them in dozens of shop windows because of our efforts to inform our community where Sauter's fell short. Each poster is a business saying "NO" to this plan. Owners wanted them in their windows so much, we actually ran out of the 50 posters printed.

But it's embarrassing and enraging to hear so many of them ask me why no one's informed them—much less included them—about decisions that directly impact their lives and livelihoods. Many of them are legacy, generational businesses. They are the ones who got us to the citywide record-low vacancy rates we enjoy today. They know what works best for our very special segment of our district. And they're insulted that someone who's never owned a business here would waltz in and begin these major overhauls without their expertise.

In the words of the third-generation owner of the oldest and arguably most famous Italian coffee shop on the West Coast—Caffè Trieste—"North Beach cannot truly thrive without the voices of the people who built it."

That's what the business owners of North Beach are asking for—that their voices be included in local business legislation. If Sauter's lack of outreach means that 1. He doesn't care about him, then that's a big problem for us and for him. But if option 2 is true, and he *does* care about their input—so much that he avoids it because it will interrupt his agenda—then Supervisors, we have an even bigger, and these days too-familiar a problem: the disappearance of our democratic process.

Please don't silence so many voices by approving Supervisor Sauter's undemocratic plan. At the very least, it needs to be returned to the table, and this time, there needs to be far more chairs seated at it.

Thank you,

Romalyn Schmaltz
North Beach Resident

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Somera, Alisa (BOS); Ng, Wilson (BOS); De Asis, Edward (BOS); Mchugh, Eileen (BOS); BOS-Operations; BOS Legislation, (BOS); Carroll, John (BOS)
Subject:	FW: BOS File No. 250682 - LETTER OF OPPOSITION: Consolidating the North Beach SUD and NCD and Expanding Allowable Uses and Use Size Limits
Date:	Monday, October 6, 2025 11:16:02 AM
Attachments:	THD Letter to Land Use Committee NBNCD 10.4.25.pdf

Hello,

Please see below and attached for communication from Telegraph Hill Dwellers regarding File No. 250682, which is Item No. 19 on today's Land Use and Transportation meeting agenda.

> **File No. 250682:** Ordinance amending the Planning Code to: 1) eliminate the North Beach Special Use District and consolidate certain controls into the North Beach Neighborhood Commercial District, expand allowable uses and increase use size limits in the North Beach Neighborhood Commercial District, 2) expand allowable uses and increase use size limits in the Polk Street Neighborhood Commercial District, 3) expand allowable uses in the Pacific Avenue Neighborhood Commercial District, 4) expand allowable uses and increase use size limits in the Nob Hill Special Use District, and 5) reduce limitations on Restaurants and Bars in the Jackson Square Special Use District; amending the Zoning Map to reflect removal of the North Beach Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302. (Sauter)

Sincerely,

Joe Adkins
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Phone: (415) 554-5184 | Fax: (415) 554-5163
board.of.supervisors@sfgov.org | www.sfbos.org

From: Nick Ferris <nicholashferris@gmail.com>
Sent: Saturday, October 4, 2025 6:55 PM
To: Chen, Chyanne (BOS) <Chyanne.Chen@sfgov.org>; Mahmood, Bilal (BOS) <bilal.mahmood@sfgov.org>; Melgar, Myrna (BOS) <myrna.melgar@sfgov.org>
Cc: Carroll, John (BOS) <john.carroll@sfgov.org>; Sauter, Danny (BOS) <Danny.Sauter@sfgov.org>; Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>

Subject: BOS File No. 250682 - LETTER OF OPPOSITION: Consolidating the North Beach SUD and NCD and Expanding Allowable Uses and Use Size Limits

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Dear Chair Melgar and Members of the Committee:

On behalf of the Telegraph Hill Dwellers, we are writing in STRONG OPPOSITION to the above-cited legislation. The proposed legislation, as currently drafted, would reverse decades of preservation and zoning efforts by dedicated residents and businesses and greatly diminish our neighborhood.

The Telegraph Hill Dwellers, a neighborhood organization founded in 1954 representing over 500 members in North Beach, Telegraph Hill, and the Northeastern Waterfront, has long been devoted to supporting and protecting small businesses, protecting tenants and existing affordable housing, and seeing that our neighborhood commercial corridors continue to balance tourism with community-serving businesses.

Legislation we have championed over the many years has enhanced variety, limited vacancies, and inhibited the type of real estate speculation that could have cannibalized the most unique, community-serving establishments in our neighborhood.

Request for Continuance

We join with other business and community organizations in requesting that this item be continued to the call of the chair.

This legislation would reverse decades of zoning efforts by our organization. In a joint letter dated September 15, 2025, we asked Supervisor Sauter to continue the Planning Commission hearing on the legislation, scheduled on September 18, to allow THD and the other organizations time to work collaboratively with him to address the concerns our organizations had raised about various aspects of the proposed legislation. He continued the item for only one week.

Although a rough outline of potential amendments to the legislation was provided to us on September 30, 2025, we were advised that the legislation was scheduled for consideration by the Land Use and Transportation Committee just six days later on the following Monday. The legislation has not been drafted by the City Attorney, so has not been available for our

meaningful review and comment to this Committee. We seek a continuance to allow for such review and further discussion with Supervisor Sauter concerning potential amendments.

Comments Should Continuance Not Be Granted

Should our request for a continuance not be granted, we ask the Committee to recommend against the proposed legislation, as currently drafted, for reasons set forth below.

Maintain the North Beach Special Use District (SUD).

We strongly oppose the elimination of the North Beach Special Use District (SUD) and its "consolidation" with the North Beach Neighborhood Commercial District (NCD). The North Beach SUD, set forth in Planning Code Section 780.3, was carefully designed by the North Beach Merchants Association working with THD to protect and enhance the special character of one of San Francisco's most important, historic and celebrated neighborhoods. It was enacted to protect residential and commercial uses and use sizes, Legacy Businesses, and the renowned architectural and cultural heritage of North Beach.

Supervisor Sauter's legislative proposal to eliminate the North Beach SUD -- and to "consolidate" it into the NCD chart in Section 722 – significantly diminishes the intended protections embodied in the NBSUD. We therefore urge the Committee to please reject the proposed elimination of the North Beach SUD.

Retain the Existing Prohibition on Storefront Mergers.

We oppose the proposed amendment to conditionally allow mergers up to 3,000 square feet with a Conditional Use Authorization. Preventing storefront mergers has helped to preserve our vibrant neighborhood, minimize commercial vacancies, and retain small businesses, including our numerous Legacy Businesses, that would have disappeared without these controls. These provisions have long proven successful in protecting the delicate ecosystem of our celebrated neighborhood-serving businesses by incentivizing landlords to retain existing small business spaces that command lower per square foot rents than larger storefronts.

Not only do these small-scale diverse businesses serve our community, but they also attract more small businesses, tourists, and visitors from throughout San Francisco, the region, nationally and internationally, maintaining a healthy balance between tourist-serving and neighborhood-serving businesses. Supervisor Sauter's proposal to allow storefront mergers is a solution looking for a problem insofar as commercial vacancies in the NBNCD are at an all-time low. For these reasons, we urge the Committee to please retain the prohibition on storefront mergers and reject the proposal to allow storefront mergers in the North Beach

NCD.

Keep the Existing Non-Residential Use Size Limits.

We also strongly oppose Supervisor Sauter's proposed increases in the Non-Residential Use Size Limits in the North Beach NCD from the existing 2,000 square feet to 3,000 square feet. One size does not fit all neighborhoods commercial districts. North Beach has always been characterized by small scale commercial spaces.

Given the small storefronts in North Beach, existing Non-Residential Use Size limit of 2,000 square feet, with a required Conditional Use Authorization for use sizes between 2,000 and 4,000 square feet, has worked and been instrumental in protecting and maintaining a scale of uses and development appropriate to North Beach. The existing use sizes are also largely responsible for the successes of our commercial corridors by preventing the incursion of larger retail uses likely to catalyze rent increases that would result in displacement of our existing businesses. We do not believe this proposed change is necessary or warranted. We respectfully urge the Committee to please reject the proposed increase in the Non-Residential Use Size limit and maintain the upper Use Size limit of 4,000 square feet.

Maintain the Existing Controls for Limited Restaurants.

We also oppose Supervisor Sauter's proposal to allow Limited Restaurant Use as principally permitted for the reasons that follow. The existing legislation was enacted to stem the proliferation of new restaurants and bars that had replaced so many neighborhood-serving businesses in order to achieve a more stable balance of diverse businesses. It has proven a helpful tool in retaining and welcoming non-restaurant uses that make North Beach so special like Biordi's, Jeffrey's, Paparazzi, Knits and Leather, 101 Records, Locali, Macchiarini Creative Designs, and so many more.

The existing NBNCD controls have also helped reduce vacancy rates. Under the existing ordinance, when a space formerly occupied by a Limited Restaurant, Restaurant, or Bar has become vacant, it has been quickly re-filled because it is allowed as of right, while the conversion of other non-eating and drinking spaces is not allowed. Objective surveys of the NBNCD conducted at intervals over the past 40 years show that once a retail space is converted to an eating and drinking use, it rarely if ever reverts back given the expense of converting the space and the resulting increased rent the converted space commands. For these reasons, we respectfully urge the Committee to please maintain the existing controls for Limited Restaurants and reject the proposal to make Limited Restaurants a principally permitted use.

Prohibit the Conversion of Residential to Retail Uses on Upper Floors.

The North Beach SUD currently prohibits the conversion of residential uses to retail uses above the ground floor to protect tenants from eviction and displacement. We oppose the elimination of this control which reflects our long-standing commitment to "no loss of residential units" on our densely populated commercial corridors.

Supervisor Sauter's amendment, as proposed, was to allow Flexible Retail uses to be principally permitted on all floors in the North Beach NCD. While THD supports allowing Flexible Retail uses on the first floor *only* as principally permitted, we strongly oppose allowing Flexible Retail uses on the upper floors where conversion to retail uses should continue to be prohibited. We therefore urge the Committee to please recommend retaining the prohibition on the conversion of residential uses to retail above the ground floor, including the prohibition on Flexible Retail uses on upper floors.

Maintain Existing Prohibition on Health Care Uses On Ground Floor.

We strongly oppose the proposed amendment to permit new Health Care uses on the ground floor. Supervisor Sauter's current proposal is to allow Health Care uses up to 3,000 square feet with a Conditional Use authorization, which would permit large facilities such as Urgent Care that would deaden our lively commercial corridors. Under the existing NBNCD controls, these

Health Care uses are now conditionally allowed above the first floor *provided no residential units or tenants are displaced.* We believe our existing prohibition of these uses on the ground floor has worked as intended to maintain our active commercial district. We ask the Committee to please recommend maintaining the existing prohibition on ground floor Health Care uses in the North Beach NCD.

Retain the Requirement for Conditional Use Authorization for Walk Up Uses.

Our opposition to the proposed amendment to change Walk Up Uses from Conditional Use to principally permitted is based on two issues. First, given the mixed-use nature of the North Beach NCD characterized by dense residential uses above ground floor commercial uses, public input is important and Walk-Up uses should continue to be subject to Conditional Use authorization instead of being principally permitted as proposed. Second, we are concerned about the proliferation of "ghost kitchens" and would support an amendment to the Planning Code to define and prohibit "ghost kitchens" in the North Beach NCD and in other NCDs, which are not a beneficial use in any NCD. We ask the Committee to please recommend maintaining the existing Conditional Use Authorization for Walk Up Uses in the North Beach

NCD. In addition, please consider asking the Planning Department to create a new definition and controls for "Ghost Kitchen" Use.

Continue to Exclude the North Beach Neighborhood Commercial District from the Priority Processing Program.

Finally, as we stated in our joint letter to the Planning Commission of June 25, 2025, we strongly oppose Supervisor Sauter's proposed inclusion of the North Beach NCD in the Priority Processing Program from which North Beach, along with the Calle 24 Latino Cultural District SUD, have long been exempted. We are deeply concerned that there is no longer any guarantee that Conditional Use authorizations will be publicly noticed or even receive a public hearing. Planning Department staff explained to the Planning Commission on June 26, 2025, that Priority Processing does not require public notice and may not even need to appear on the Planning Commission agenda as a consent item if the Commission delegates its authority to Planning Department staff. As stated by Planner Aaron Starr to the Commission: *". . . these projects would no longer be required to be on the consent calendar, so it allows for scheduling flexibility. However, our default would continue to be to have these on the consent calendar unless directed otherwise by this Commission."* We urge the Committee to please recommend that the North Beach NCD continue to be excluded from the Priority Processing Program.

* * * * * * *

Thank you very much for your attention. We ask that you consider our comments in your deliberation.

Sincerely,
Telegraph Hill Dwellers
Nick Ferris, President

October 4, 2025
Via Email

Myrna Melgar, Chair
Chyanne Chen, Vice-Chair
Bilal Mahmood, Member
Land Use and Transportation Committee
San Francisco Board of Supervisors
City Hall
San Francisco, CA 94102

RE: **BOS File No. 250682 - LETTER OF OPPOSITION**
Consolidating the North Beach SUD and NCD and Expanding Allowable Uses and Use Size Limits

Dear Chair Melgar and Members of the Committee:

On behalf of the Telegraph Hill Dwellers, we are writing in STRONG OPPOSITION to the above-cited legislation. The proposed legislation, as currently drafted, would reverse decades of preservation and zoning efforts by dedicated residents and businesses and greatly diminish our neighborhood.

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* * * * * * *

Thank you very much for your attention. We ask that you consider our comments in your deliberation.

Sincerely,

Telegraph Hill Dwellers

Nick Ferris, President

cc: Myrna Melgar - *Myrna.Melgar@afgov.org*
Chyanne Chen - *Chyanne.Chen@sfgov.org*
Bilal Mahmood - *Bilal.Mahmood@sfgov.org*
Clerk John Carroll - *John.Carroll@sfgov.org*
Supervisor Danny Sauter, District 3 *danny.sauter@sfgov.org*
Angela Cavillo, Clerk *Board.of.Supervisors@sfgov.org*

From: Lynnet Spiegel
To: Carroll, John (BOS); MelgarStaff (BOS); MahmoodStaff; ChenStaff
Subject: Statement in Opposition to the "North Beach Thrives" Legislation
Date: Monday, October 6, 2025 11:09:46 AM
Attachments: Statement in Opposition to the "North Beach Thrives" Legislation.pdf

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Lynnet Spiegel
Owner, Jeffrey's Natural Pet Foods
1841 Powell Street
San Francisco, CA 94133
Email: lynnet@jeffreyspets.com
Date: October 6, 2025

Statement in Opposition to the "North Beach Thrives" Legislation

Submitted to: San Francisco Board of Supervisors – Land Use Committee

Dear Chair and Members of the Committee,

My name is Lynnet Spiegel, and I own Jeffrey's Natural Pet Foods, a long-standing small business located in the heart of North Beach. Over the years, I have witnessed how much our neighborhood depends on the balance between locally owned shops, restaurants, and residents who care deeply about maintaining North Beach's unique character.

The "North Beach Thrives" legislation, as written, raises serious concerns for small business owners like myself. The proposed changes to Small-Scale Use Size Limits, the North Beach Special Use District, Storefront Mergers, and Restaurant Conversions could have lasting consequences on the diversity and accessibility of neighborhood retail spaces.

Local business owners should have a voice in shaping policies that directly affect how we operate and how our commercial spaces evolve. Any changes to zoning or use regulations should be developed collaboratively — with meaningful participation from those who have invested their livelihoods and years of service in this community.

I respectfully ask the Committee to delay action on this legislation until there is a genuine opportunity for small business input. North Beach's success depends on partnership and listening to those who know its challenges and strengths best.

Thank you for your time and consideration.

Sincerely,

Lynnet Spiegel
Owner, Jeffrey's Natural Pet Foods

photo

LYNNET SPIEGEL
Owner, Jeffrey's Natural Pet Foods

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lynnet@jeffreyspets.com

TEXT: 415-244-5096

North Beach: 1841 Powell Street, San Francisco CA 94133

Lynnet Spiegel
Owner, Jeffrey's Natural Pet Foods
1841 Powell Street
San Francisco, CA 94133
Email: lynnet@jeffreyspets.com
Date: October 6, 2025

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Submitted to: San Francisco Board of Supervisors – Land Use Committee

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Thank you for your time and consideration.

Sincerely,

Lynnet Spiegel
Owner, Jeffrey's Natural Pet Foods

From:	Julie Herrod
To:	Melgar, Myrna (BOS); Chen, Chyanne (BOS); Mahmood, Bilal (BOS); Carroll, John (BOS)
Cc:	Sauter, Danny (BOS)
Subject:	DO NOT ELIMINATE THE NBSUD
Date:	Monday, October 6, 2025 11:08:34 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

As a 35-year resident of North Beach and a retired employee of Coit Tower, I urge you to REJECT ANY AND ALL OF SAUTER'S CHANGES TO THE NBSUD.

Thousands of tourists from all around the world have told me over the years at Coit Tower that the architectural charm, colorful cultural history, and friendly neighborhood community—the "village feeling"—of North Beach was what drew them to San Francisco in the first place.

Why do you want to destroy that?

DO NOT ELIMINATE OR CHANGE THE NBSUD.

Sincerely,
Julie Herrod-Lumsden
Retired Coit Tower Employee
553A Greenwich Street
North Beach
San Francisco, CA 94133

Sent from my iPhone

From:	Marios Bohemian Cigar Store Cafe
To:	Sauter, Danny (BOS); myrna.melgaar@sfgov.org; Mahmood, Bilal (BOS); Chen, Chyanne (BOS); Carroll, John (BOS)
Cc:	Debbie; Paul Crismani
Subject:	Protect North Beach Small Businesses and Community
Date:	Monday, October 6, 2025 11:04:10 AM

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Dear Supervisors,

My name is Daniella Crismani, and I am the third-generation owner of **Mario's Bohemian Cigar Store Cafe**. My grandparents opened our café in 1971, and we are proud to have been recognized as a **San Francisco Legacy Business**. For over 54 years, my family has devoted our lives to maintaining this beloved establishment in the heart of North Beach—a neighborhood that welcomes visitors from around the world and enjoys the daily support of our loyal community and neighbors.

We take great pride in seeing North Beach thrive, but we **cannot** support the elimination of the Special Use District or the proposed amendments to the North Beach Neighborhood Commercial District legislation. These changes would drastically alter the character and charm of our historic neighborhood—qualities that make North Beach such a unique and treasured destination.

Our family and many others in the community are committed to preserving small, independent storefronts and protecting the historic identity of North Beach. Allowing large chain stores or overdevelopment would risk displacing local businesses and eroding the very atmosphere that has made this district flourish for decades.

We urge you to help us preserve the integrity and authenticity of North Beach—a community that has thrived precisely because of its individuality, cultural richness, and deep historical roots.

Thank you for your time and consideration.

Warm regards,
Daniella Crismani
Mario's Bohemian Cigar Store Cafe

From:	Judy Irving
To:	Melgar, Myrna (BOS); Chen, Chyanne (BOS); Mahmood, Bilal (BOS); Carroll, John (BOS)
Cc:	Sauter, Danny (BOS)
Subject:	Reject the elimination of the North Beach Special Use District
Date:	Monday, October 6, 2025 10:55:32 AM

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For the life of me, I cannot fathom why Danny Sauter would want to remove protections for small businesses, which are the lifeblood of North Beach. Every day when I walk to and from work, I pass by one-of-a-kind shops that wouldn't be here were it not for the Special Use District:

Savvy Nursery
Frenzy Faire
Flute World
Little Vine
Macchiarini Creative Design
Barbery Coast

The NBSUD prevents demolitions, historic displacement, and speculation. Without it, we would turn into another bland retail corridor, and tourists would stop coming to eat, drink, and browse shops in this very special place.

Thank you for your consideration,

Judy Irving
Pelican Media (another small North Beach business)

From:	Toyer Grear
To:	MelgarStaff (BOS); ChenStaff; MahmoodStaff; Carroll, John (BOS)
Cc:	Drury, Richard; SauterStaff; Cityattorney; Gibson, Lisa (CPC)
Subject:	Re: Planning Code; Zoning Map - Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts. Objection to CEQA Exemption. Land Use and Transportation Commi...
Date:	Monday, October 6, 2025 10:52:56 AM
Attachments:	2025.10.06.SFBOS LTC North Beach SUD ComLtr-FINAL-updated.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Chair Melgar and Supervisors Chen and Mahmood,

Attached please find our updated comments submitted on behalf of Small Business Forward, the Jackson Square Historic District Association, Telegraph Hill Dwellers, and Thad Carhart, a San Francisco resident, concerning the proposed action Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts.

Should you have any questions or concerns, please do not hesitate to contact us.

Sincerely,
Toyer Grear
Office Administrator / Paralegal
Lozeau Drury, LLP
1939 Harrison Street, Suite 150
Oakland, CA 94612
510-836-4200 ofc
510-607-8237 cell
510-836-4205 fax
email: toyer@lozeaudrury.com

On Mon, Oct 6, 2025 at 10:05 AM Toyer Grear <toyer@lozeaudrury.com> wrote:

> Dear Chair Melgar and Supervisors Chen and Mahmood,
>
> Attached please find comments submitted on behalf of Small Business Forward, the Jackson Square Historic District Association, Telegraph Hill Dwellers, and Thad Carhart, a San Francisco resident, concerning the proposed action Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning
> Districts; Case Number: 2025-005989PCAMAP [Board File No. 250682]. Agenda Item 19, October 6, 2025 Land Use and Transportation ("LUT") Committee. ("Rezone").
>
> Should you have any questions, please do not hesitate to contact our office.
>
> Sincerely,
> Toyer Grear
> Office Administrator / Paralegal
> Lozeau Drury, LLP

1939 Harrison Street, Suite 150
Oakland, CA 94612
510-836-4200 ofc
510-607-8237 cell
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Oakland, CA 94612
www.lozeaudrury.com
richard@lozeaudrury.com

BY E-MAIL AND HAND DELIVERY

October 6, 2025

Chair Myrna Melgar
Supervisors Chyanne Chen, Bilal Mahmood,
San Francisco Board of Supervisors
Land Use and Transportation Committee
c/o Clerk John Carroll
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
MelgarStaff@sfgov.org
ChenStaff@sfgov.org
MahmoodStaff@sfgov.org
John.Carroll@sfgov.org

RE: Planning Code; Zoning Map - Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts.
Objection to CEQA Exemption.
Land Use and Transportation Committee
Agenda Item 19, October 6, 2025, File No. 250682

Dear Chair Melgar and Supervisors Chen and Mahmood:

I submit this comment on behalf of Small Business Forward, the Jackson Square Historic District Association, Telegraph Hill Dwellers, and Thad Carhart, a San Francisco resident, concerning the proposed action Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts; Case Number: 2025-005989PCAMAP [Board File No. 250682]. Agenda Item 19, October 6, 2025 Land Use and Transportation ("LUT") Committee. ("Rezone").

The Rezone will entirely eliminate the North Beach Special Use District ("SUD"). In so doing, the Rezone will eliminate important protections for historic resources and displacement of residents and legacy businesses. The Rezone will also allow larger storefronts (up to 3,000 square feet rather than 2,000), will allow storefront mergers, will remove restrictions on restaurants in Jackson Square and North Beach, and will allow uses in North Beach that are currently prohibited, including walk-up facilities, first floor health services, and flexible retail. On Pacific Avenue, the Rezone would allow first floor health services, and flexible retail, all of which are currently prohibited. All of these changes will have potentially significant environmental impacts that must be analyzed and mitigated under the California Environmental Quality Act ("CEQA").

We request that the LUT decline to act on the proposed Rezone until the City prepares an environmental review document under CEQA to analyze the project's impacts and to consider mitigation measures and alternatives to reduce those impacts. The Staff Report contains a single sentence stating that the Rezone is not a "project" within the meaning of CEQA because it will not have direct environmental impacts. (Planning Commission Staff Report, p. 12; CEQA determination). This is incorrect. The Rezone is a "project" because it is an essential step that may lead to direct or indirect environmental impacts.

The proposed Rezone is legally indistinguishable from the Ordinance addressed by the Supreme Court in the case of *Union of Med. Marijuana Patients, Inc. v. City of San Diego,* 7 Cal. 5th 1171, 1199 (2019) ("*Marijuana Patients*"). In that case, the City of San Diego argued that the rezoning of a certain commercial district to allow marijuana dispensaries was not a "project" under CEQA because any environmental impacts were speculative. The Supreme Court rejected this argument and held that the rezoning was a CEQA "project" because it could result in new construction and additional traffic. As such CEQA review was required. The Supreme Court stated:

> we conclude the City erred in determining that the adoption of the Ordinance was not a project. Prior to the Ordinance, no medical marijuana dispensaries were legally permitted to operate in the City. The Ordinance therefore amended the City's zoning regulations to permit the establishment of a sizable number of retail businesses of an entirely new type. Although inconsistency with prior permissible land uses is not necessary for an activity to constitute a project (see *Muzzy Ranch, supra*, 41 Cal.4th at p. 388), establishment of these new businesses is capable of causing indirect physical changes in the environment. At a minimum, such a policy change could foreseeably result in new retail construction to accommodate the businesses. In addition, as UMMP suggests, the establishment of new stores could cause a citywide change in patterns of vehicle traffic from the businesses' customers, employees, and suppliers. The necessary causal connection between the Ordinance and these effects is present because adoption of the Ordinance was "an essential step culminating in action [the establishment of new businesses] which may affect the environment." (*Fullerton Joint Union High School Dist. v. State Board of Education* (1982) 32 Cal.3d 779, 797 (*Fullerton*).) The theoretical effects mentioned above are sufficiently plausible to raise the possibility that the Ordinance "may cause ... a reasonably foreseeable indirect physical change in the environment" (§ 21065), warranting its consideration as a project.

(Marijuana Patients, 7 Cal. 5th at 1199)[1]. Likewise the proposed Rezone will allow larger commercial operations and new commercial uses that were previously prohibited or allowed only with a Conditional Use Authorization. As in *Marijuana Patients*, this is likely to result in indirect physical changes to the environment through construction and additional traffic.

---

[1]Similarly, the Supreme Court held in *Bozung v. Local Agency Formation Com.* (1975) 13 Cal.3d 263, 284 n.28) that CEQA review is required for an annexation of land, "at a point in the planning process where genuine flexibility remains." (*Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 307). In *Bozung*, the decision to annex property was a CEQA "project" despite the fact that there was no immediate plan to develop the project.

The Rezone proposes to entirely eliminate Municipal Code Section 780.3, the North Beach Special Use District. In so doing, the Rezone will eliminate important protections for historic resources, including Section (c)(7):

> Architectural and Cultural Heritage of North Beach. Section 101.1 of the Planning Code includes the priority policy that historic buildings be preserved. The architectural and cultural character and features of existing historic buildings shall be preserved and enhanced. The Historic Preservation Commission or its staff shall review any proposed alterations to historic buildings, as defined in subsection 780.3(b)(3), and must determine that such alterations comply with the Secretary of Interior's Standards for the Treatment of Historic Properties before the City approves any permits to alter such buildings.

Also, the Rezone will eliminate the broader definition of historic resources contained in the North Beach SUD. Section (b)(3) defines "historic resources" as follows:

> Historic Buildings. "Historic buildings" shall include Planning Code Article 10 Landmarks and buildings located within Article 10 Historic Districts, buildings and districts identified by surveys adopted by the City, buildings listed or potentially eligible for individual listing on the National or California Registers, and buildings located within listed or potentially eligible National Register or California Register historic districts. The Planning Department shall also consult materials available through the California Historical Resources Information System (CHRIS) and Inventory to determine eligibility.

By eliminating these important protections for historic resources, the Rezone clearly may have adverse impacts on historic resources. This impact must be analyzed and mitigated in a CEQA document.[2] If mitigation is not feasible, then a statement of overriding considerations will be required.

The Rezone will also eliminate important protections against displacement contained in the North Beach SUD. Section (c)(4) and (6) of the North Beach SUD provides:

> Loss of Residential Units. To prevent the loss of existing Residential Units within the district, the removal, demolition, merger, or conversion of Residential Units above the First Story are prohibited.
>
> Legacy Business. Unless otherwise prohibited by this Section 780.3, Section 722, or any other section of this Code, any new Non-Residential Use proposed where the immediately prior Commercial Use was a Legacy Business shall require Conditional Use authorization pursuant to Section 303 of this Code.

---

[2] "The fair argument standard applies to the question whether the proposed project 'may cause a substantial adverse change in the significance of an historical resource' . . .and thereby have a significant effect on the environment." (*Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, 1117, quoting *Valley Advocates v. City of Fresno* (2008) 160 Cal.App.4th 1039, 1072.)

By eliminating the North Beach SUD, the Rezone will eliminate these important protections against displacement. A CEQA document is required to analyze and mitigate the Rezone's impacts on displacement.[3]

Furthermore, the Rezone will have cumulative impacts together with the so-called Family Zoning Plan currently being considered by the Board of Supervisors. The Family Zoning Plan will upzone massive swaths of the City to allow taller buildings and greater density – including allowing 5,200 additional residential units in the North Beach area. The Rezone and the Family Zoning Plan will clearly have cumulatively significant impacts on North Beach.

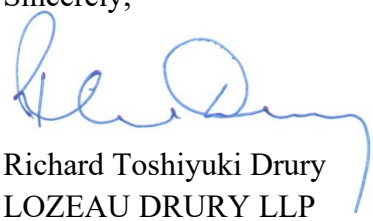
A CEQA document must discuss significant cumulative impacts. (CEQA Guidelines section 15130(a).) This requirement flows from CEQA section 21083, which requires a finding that a project may have a significant effect on the environment if "the possible effects of a project are individually limited but cumulatively considerable. . . . 'Cumulatively considerable' means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." "Cumulative impacts" are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." CEQA Guidelines section 15355(a). "[I]ndividual effects may be changes resulting from a single project or a number of separate projects." CEQA Guidelines section 15355(a). "The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time." (*Communities for a Better Environment v. Cal. Resources Agency ("CBE v. CRA"),* (2002) 103 Cal.App.4th 98, 117.) A legally adequate cumulative impacts analysis views a particular project over time and in conjunction with other related past, present, and reasonably foreseeable probable future projects whose impacts might compound or interrelate with those of the project at hand. "Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time." CEQA Guidelines § 15355(b). The City's one-sentence CEQA analysis fails even to mention cumulative impacts.

---

[3] Displacement is a significant impact under CEQA. (*Save Berkeley Neighborhoods v. Regents* (2020) 51 Cal.App.5th 226). CEQA requires the lead agency to determine whether the "environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly," (PRC § 21083(b)(3), (d)), and to "take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached." (See PRC §21000 et seq.; CEQA Guidelines Appendix G, Section XII).

We urge the Board of Supervisors to refrain from considering this Rezone until a CEQA document is prepared. The Rezone is clearly a "project" within the meaning of CEQA, and CEQA review is therefore required.

Sincerely,



Richard Toshiyuki Drury
LOZEAU DRURY LLP

Cc: Environmental Review Officer Lisa Gibson, lisa.gibson@sfgov.org

City Attorney David Chiu, cityattorney@sfcityatty.org

Supervisor Danny Sauter, SauterStaff@sfgov.org

From: 25 Hotaling HOA
To: Melgar, Myrna (BOS); Mahmood, Bilal (BOS); Chen, Chyanne (BOS); Carroll, John (BOS); Sauter, Danny (BOS)
Cc: Andrews, Michelle (BOS)
Subject: Fwd: Opposition to BOS File No. 250682
Date: Monday, October 6, 2025 10:37:20 AM

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October 6, 2025

Chair Melgar & Members
San Francisco Land Use Committee
City Hall 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: Opposition to BOS File No. 250682

Hello Chair Melgar, Supervisor Chen, Supervisor Mahmood, and Supervisor Sauter:

We respectfully write to you as both residents and HOA of a mixed-use building containing bars/restaurants in Jackson Square, where I also practice law. **We are strongly opposed to Supervisor Sauter's proposal to weaken our existing Section 249.25 framework, which has been essential in maintaining the character and balance of this unique historic neighborhood.**

The current success of Jackson Square is based on balance mixed use. Since 2018, the current land use protections - crafted with broad input and unanimous City support - have preserved historic buildings while sustaining a healthy mix of retail shops, galleries, bars/restaurants, homes, offices, and services. This stability has encouraged investment from residents and businesses alike, making Jackson Square one of the few Downtown districts to thrive even through the pandemic.

We oppose the changing Bar/Restaurant Use from from the current "no net new" on-for-one (new ones limited to occupying one of the existing 17 bar/restaurant spaces already in this tiny historic district) to permitting unlimited bars/restaurants with Conditional Use. This is the key and critically destructive element in this legislation proposal for Jackson Square and undermines the currently successful mixed use balance we've worked hard to achieve. Having worked for many years with the City, we all know that CU is often pure "optics", and puts the burden on the neighborhood to simply maintain existing successful frameworks. We also know that once a property has been converted to bar/restaurant use, it often stays that way in near perpetuity due to several factors. The proposed

legislation dismantle the foundation of Jackson Square's success, and data supports that. **Our small district already saturated with bars and restaurants (with several inside and adjacent to our building, and a dozen more within a 90 second walk).** They create serious impacts on retail environment and residential livability: noise, vandalism/property damage, broken windows and bottles, trash (and *worse)*, and constant enforcement challenges. Allowing additional saturation would tip us over the edge and make this district unlivable. Driving working residents out of an historic district that already enjoys extremely high commercial occupancy seems backwards given the City's priorities.

Process matters, too. None of the Jackson Square business and residential friends we asked said they were aware of this proposal, and were against it once informed. How does oversaturating bar & restaurant vs balanced mixed use strengthen a unique hsitoric district that is already working well?

As neighborhood stakeholders who live and work here, we see daily how much residents and businesses invest in Jackson Square - through the Community Benefit District (enacted only through the effort of *residents*), streetscape and historic building upkeep, and more. Weakening the current zoning protections would undo years of progress and create unnecessary problems for the City to manage.

We respectfully urge you to reject File No. 250682 and keep "no net new" in Section 249.25 intact. The framework is working, and there is no data that supports dismantling it.

Sincerely,
Charles Carbone, Esq.
25 Hotaling & 580 Washington HOA President, Jackson Square

From:	Richard Grosboll
To:	Melgar, Myrna (BOS); Chen, Chyanne (BOS); Mahmood, Bilal (BOS)
Cc:	Danny.Sauter@sfgove.org; Carroll, John (BOS)
Subject:	Item 19: Special Order (File: 250682) Do not Eliminate the North Beach Special Use District.
Date:	Monday, October 6, 2025 10:21:02 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Chair Melgar, Vice-Chair Chen and Supervisor Mahmood:

I urge you to reject the proposed legislation to eliminate the North Beach Special Use District status. North Beach's Special Use District status has not harmed North Beach or the City. Our charming and historic neighborhood continues to be vibrant in large part because of its unique location, historic buildings and architecture, diverse businesses and residences, many small businesses (many of which are unique)—some of which are Legacy businesses. The proposal is too broad in any event, encouraging much different type and larger businesses. Contrary to some arguments being made, housing can be built in North Beach under the current system. Some changes can be made to address different situations. But his proposal is too broad. Thank you. Dick

Dick Grosboll
745 Chestnut Street, 301 (near Columbus Avenue)
San Francisco, CA 94133
415-279-5411 cell

From:	Toyer Grear
To:	MelgarStaff (BOS); ChenStaff; MahmoodStaff; Carroll, John (BOS)
Cc:	Drury, Richard; SauterStaff; Cityattorney; Gibson, Lisa (CPC)
Subject:	Planning Code; Zoning Map - Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts. Objection to CEQA Exemption. Land Use and Transportation Committee...
Date:	Monday, October 6, 2025 10:06:30 AM
Attachments:	2025.10.06.SFBOS LTC North Beach SUD ComLtr-FINAL-PDF.pdf

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Dear Chair Melgar and Supervisors Chen and Mahmood,

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Districts; Case Number: 2025-005989PCAMAP [Board File No. 250682]. Agenda Item 19, October 6, 2025 Land Use and Transportation ("LUT") Committee. ("Rezone").

Should you have any questions, please do not hesitate to contact our office.

Sincerely,

Toyer Grear
Office Administrator / Paralegal
Lozeau Drury, LLP
1939 Harrison Street, Suite 150
Oakland, CA 94612
510-836-4200 ofc
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510-836-4205 fax
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T 510.836.4200
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1939 Harrison Street, Ste. 150
Oakland, CA 94612
www.lozeaudrury.com
richard@lozeaudrury.com

BY E-MAIL AND HAND DELIVERY

October 6, 2025

Chair Myrna Melgar
Supervisors Chyanne Chen, Bilal Mahmood,
San Francisco Board of Supervisors
Land Use and Transportation Committee
c/o Clerk John Carroll
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
MelgarStaff@sfgov.org
ChenStaff@sfgov.org
MahmoodStaff@sfgov.org
John.Carroll@sfgov.org

RE: Planning Code; Zoning Map - Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts.
Objection to CEQA Exemption.
Land Use and Transportation Committee
Agenda Item 19, October 6, 2025, File No. 250682

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We request that the LUT decline to act on the proposed Rezone until the City prepares an environmental review document under CEQA to analyze the project's impacts and to consider mitigation measures and alternatives to reduce those impacts. The Staff Report contains a single sentence stating that the Rezone is not a "project" within the meaning of CEQA because it will not have direct environmental impacts. (Planning Commission Staff Report, p. 12; CEQA determination). This is incorrect. The Rezone is a "project" because it is an essential step that may lead to direct or indirect environmental impacts.

The proposed Rezone is legally indistinguishable from the Ordinance addressed by the Supreme Court in the case of *Union of Med. Marijuana Patients, Inc. v. City of San Diego,* 7 Cal. 5th 1171, 1199 (2019) ("*Marijuana Patients*"). In that case, the City of San Diego argued that the rezoning of a certain commercial district to allow marijuana dispensaries was not a "project" under CEQA because any environmental impacts were speculative. The Supreme Court rejected this argument and held that the rezoning was a CEQA "project" because it could result in new construction and additional traffic. As such CEQA review was required. The Supreme Court stated:

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(Marijuana Patients, 7 Cal. 5th at 1199)[1]. Likewise the proposed Rezone will allow larger commercial operations and new commercial uses that were previously prohibited or allowed only with a Conditional Use Authorization. As in *Marijuana Patients*, this is likely to result in indirect physical changes to the environment through construction and additional traffic.

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[1]Similarly, the Supreme Court held in *Bozung v. Local Agency Formation Com.* (1975) 13 Cal.3d 263, 284 n.28) that CEQA review is required for an annexation of land, "at a point in the planning process where genuine flexibility remains." (*Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 307). In *Bozung*, the decision to annex property was a CEQA "project" despite the fact that there was no immediate plan to develop the project.

The Rezone proposes to entirely eliminate Municipal Code Section 780.3, the North Beach Special Use District. In so doing, the Rezone will eliminate important protections for historic resources, including Section (c)(7):

> Architectural and Cultural Heritage of North Beach. Section 101.1 of the Planning Code includes the priority policy that historic buildings be preserved. The architectural and cultural character and features of existing historic buildings shall be preserved and enhanced. The Historic Preservation Commission or its staff shall review any proposed alterations to historic buildings, as defined in subsection 780.3(b)(3), and must determine that such alterations comply with the Secretary of Interior's Standards for the Treatment of Historic Properties before the City approves any permits to alter such buildings.

Also, the Rezone will eliminate the broader definition of historic resources contained in the North Beach SUD. Section (b)(3) defines "historic resources" as follows:

> Historic Buildings. "Historic buildings" shall include Planning Code Article 10 Landmarks and buildings located within Article 10 Historic Districts, buildings and districts identified by surveys adopted by the City, buildings listed or potentially eligible for individual listing on the National or California Registers, and buildings located within listed or potentially eligible National Register or California Register historic districts. The Planning Department shall also consult materials available through the California Historical Resources Information System (CHRIS) and Inventory to determine eligibility.

By eliminating these important protections for historic resources, the Rezone clearly may have adverse impacts on historic resources. This impact must be analyzed and mitigated in a CEQA document.[2] If mitigation is not feasible, then a statement of overriding considerations will be required.

The Rezone will also eliminate important protections against displacement contained in the North Beach SUD. Section (c)(4) and (6) of the North Beach SUD provides:

> Loss of Residential Units. To prevent the loss of existing Residential Units within the district, the removal, demolition, merger, or conversion of Residential Units above the First Story are prohibited.
>
> Legacy Business. Unless otherwise prohibited by this Section 780.3, Section 722, or any other section of this Code, any new Non-Residential Use proposed where the immediately prior Commercial Use was a Legacy Business shall require Conditional Use authorization pursuant to Section 303 of this Code.

---

[2] "The fair argument standard applies to the question whether the proposed project 'may cause a substantial adverse change in the significance of an historical resource' . . .and thereby have a significant effect on the environment." (*Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, 1117, quoting *Valley Advocates v. City of Fresno* (2008) 160 Cal.App.4th 1039, 1072.)

By eliminating the North Beach SUD, the Rezone will eliminate these important protections against displacement. A CEQA document is required to analyze and mitigate the Rezone's impacts on displacement.[3]

Furthermore, the Rezone will have cumulative impacts together with the so-called Family Zoning Plan currently being considered by the Board of Supervisors. The Family Zoning Plan will upzone massive swaths of the City to allow taller buildings and greater density – including allowing 5,200 additional residential units in the North Beach area. The Rezone and the Family Zoning Plan will clearly have cumulatively significant impacts on North Beach.

A CEQA document must discuss significant cumulative impacts. (CEQA Guidelines section 15130(a).) This requirement flows from CEQA section 21083, which requires a finding that a project may have a significant effect on the environment if "the possible effects of a project are individually limited but cumulatively considerable. . . . 'Cumulatively considerable' means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." "Cumulative impacts" are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." CEQA Guidelines section 15355(a). "[I]ndividual effects may be changes resulting from a single project or a number of separate projects." CEQA Guidelines section 15355(a). "The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time." (*Communities for a Better Environment v. Cal. Resources Agency ("CBE v. CRA"),* (2002) 103 Cal.App.4th 98, 117.) A legally adequate cumulative impacts analysis views a particular project over time and in conjunction with other related past, present, and reasonably foreseeable probable future projects whose impacts might compound or interrelate with those of the project at hand. "Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time." CEQA Guidelines § 15355(b). The City's one-sentence CEQA analysis fails even to mention cumulative impacts.

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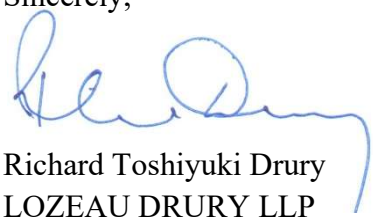
[3] Displacement is a significant impact under CEQA. (*Save Berkeley Neighborhoods v. Regents* (2020) 51 Cal.App.5th 226). CEQA requires the lead agency to determine whether the "environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly," (PRC § 21083(b)(3), (d)), and to "take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached." (See PRC §21000 et seq.; CEQA Guidelines Appendix G, Section XII).

We urge the Planning Commission to refrain from considering this Rezone until a CEQA document is prepared. The Rezone is clearly a "project" within the meaning of CEQA, and CEQA review is therefore required.

Sincerely,



Richard Toshiyuki Drury
LOZEAU DRURY LLP

Cc: Environmental Review Officer Lisa Gibson, lisa.gibson@sfgov.org

City Attorney David Chiu, cityattorney@sfcityatty.org

Supervisor Danny Sauter, SauterStaff@sfgov.org

From:	Carroll, John (BOS)
To:	"Don Russo"
Cc:	Melgar, Myrna (BOS); Low, Jen (BOS); Chen, Chyanne (BOS); Sciammas, Charlie (BOS); Mahmood, Bilal (BOS); Cooper, Raynell (BOS)
Subject:	RE: The elimination of North Beach is a special use district - BOS File No. 250682
Date:	Monday, October 6, 2025 10:03:00 AM
Attachments:	image001.png

Thank you for your comment letter.

I am forwarding your comments to the members of the Land Use and Transportation committee, and I will include your comments in the file for this ordinance matter.

I invite you to review the entire matter on our Legislative Research Center by following the link below:

-

Board of Supervisors File No. 250682

John Carroll
Assistant Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415)554-4445

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From: Don Russo <donrussosffd@aol.com>
Sent: Sunday, October 5, 2025 3:42 PM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Subject: The elimination of North Beach is a special use district

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I am against the elimination of North Beach as a special use district. I wanted to remain the same as it is. I've talked to my neighbors in my tenants and I'm a property owner there and I want it to continue to be a restricted special use neighborhood or district thank you Don Russo.

Don Russo
415.309.0705
donrussosffd@aol.com

[*Sent from iPhone*]

From:	Carroll, John (BOS)
To:	"Marilee Gaffney"
Cc:	Sauter, Danny (BOS); Melgar, Myrna (BOS); Low, Jen (BOS); Chen, Chyanne (BOS); Sciammas, Charlie (BOS); Mahmood, Bilal (BOS); Cooper, Raynell (BOS)
Subject:	RE: Rezoning North Beach - BOS File No. 250682
Date:	Monday, October 6, 2025 10:03:00 AM
Attachments:	image001.png

Thank you for your comment letter.

I am forwarding your comments to the members of the Land Use and Transportation committee, and I will include your comments in the file for this ordinance matter.

I invite you to review the entire matter on our Legislative Research Center by following the link below:

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From: Marilee Gaffney <marilee@marileegaffneydesign.com>
Sent: Sunday, October 5, 2025 6:00 PM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Cc: Sauter, Danny (BOS) <Danny.Sauter@sfgov.org>
Subject: Rezoning North Beach

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear John,

I am writing to strongly oppose Supervisor Danny Sauter's proposed zoning changes that threaten the unique character, balance, livability of North Beach. These sweeping measures undermine decades of careful planning and put at risk the businesses, residents, and cultural identity that make our neighborhood thrive.

Respectfully

Marilee Gaffney

From:	Carroll, John (BOS)
To:	Raymond Isola
Cc:	Sauter, Danny (BOS); Danny Sauter; Melgar, Myrna (BOS); Low, Jen (BOS); Chen, Chyanne (BOS); Sciammas, Charlie (BOS); Mahmood, Bilal (BOS); Cooper, Raynell (BOS)
Subject:	RE: Please reject the elimination of the North Beach Special Use District: at the Board of Supervisors' Land Use Committee this Monday October 6th at 2:00 pm - BOS File No. 250682
Date:	Monday, October 6, 2025 10:03:00 AM
Attachments:	image001.png

Thank you for your comment letter.

I am forwarding your comments to the members of the Land Use and Transportation committee, and I will include your comments in the file for this ordinance matter.

I invite you to review the entire matter on our Legislative Research Center by following the link below:

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Board of Supervisors File No. 250682

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From: Raymond Isola <raymondrisola@gmail.com>
Sent: Sunday, October 5, 2025 6:26 AM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Cc: Sauter, Danny (BOS) <Danny.Sauter@sfgov.org>; Danny Sauter <danny@dannyd3.com>
Subject: Please reject the elimination of the North Beach Special Use District: at the Board of Supervisors' Land Use Committee this Monday October 6th at 2:00 pm

This message is from outside the City email system. Do not open links or attachments from untrusted

sources.

Dear Clerk Carroll:
Please ***reject*** the elimination of the North Beach Special Use District for so many obvious and well grounded reasons at the Board of Supervisors' Land Use Committee this *Monday October 6th at 2:00 pm*. Being a third generation North Beach resident and business operator, this is an incredibly important decision related to protecting not only our historic architecture and scale, but also our commercial district zoning that supports small and legacy businesses that are currently thriving. I am very proud to include a photograph of my mother (Ada Pellegrini who was born in North Beach in 1918) when she was crowned Queen of North Beach by Mayor Angelo Rossi at the Italian Heritage Parade in 1935. Please contact me if you would like to discuss this matter in greater depth.
Thank you in advance for your careful consideration of this request.
In community,
Raymond
Raymond R. Isola, Ed.D.
408 Columbus Avenue, Suites 4 & 6
San Francisco, CA.
94133
USA (415) 710-9706
Italia 3487223161
"L'insegnante è il cuore del processo educativo e gli insegnanti devono avere l'opportunità di insegnare e dedicarsi con tutto il cuore a questo lavoro nelle migliori circostanza. La battaglia per un mondo meglio sarà vinta o persa nelle nostre scuole."
Il Signor Leonardo Covello ha trascorso più di mezzo secolo a insegnare nei quartieri più difficili di New York City.
http://isolaleadership.com

From:	Carroll, John (BOS)
To:	"Esther Marks"; Chen, Chyanne (BOS)
Cc:	Melgar, Myrna (BOS); Low, Jen (BOS); Chen, Chyanne (BOS); Sciammas, Charlie (BOS); Mahmood, Bilal (BOS); Cooper, Raynell (BOS)
Subject:	RE: Please vote NO elimination North Beach Special Use District - BOS File No. 250682
Date:	Monday, October 6, 2025 10:03:00 AM
Attachments:	image001.png

Thank you for your comment letter.

I am forwarding your comments to the members of the Land Use and Transportation committee, and I will include your comments in the file for this ordinance matter.

I invite you to review the entire matter on our Legislative Research Center by following the link below:

-

Board of Supervisors File No. 250682

John Carroll
Assistant Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415)554-4445

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From: Esther Marks <esthermk@pacbell.net>
Sent: Sunday, October 5, 2025 7:28 AM
To: Chen, Chyanne (BOS) <Chyanne.Chen@sfgov.org>
Cc: Carroll, John (BOS) <john.carroll@sfgov.org>
Subject: Please vote NO elimination North Beach Special Use District

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi:

I will be out of town Monday and so unable to attend Land Use Committee meeting.

I urge you to vote against elimination North Beach Special Use District.

The Special Use District is needed to protect small storefronts, historic character of North Beach, prevent building demolitions, and over commercialization.

Thank you.

Virus-free.www.avast.com

From:	Carroll, John (BOS)
To:	Rita Pisciotta
Cc:	Melgar, Myrna (BOS); Low, Jen (BOS); Chen, Chyanne (BOS); Sciammas, Charlie (BOS); Mahmood, Bilal (BOS); Cooper, Raynell (BOS)
Subject:	RE: North Beach special - BOS File No. 250682
Date:	Monday, October 6, 2025 10:03:00 AM
Attachments:	image001.png

Thank you for your comment letter.

I am forwarding your comments to the members of the Land Use and Transportation committee, and I will include your comments in the file for this ordinance matter.

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-----Original Message-----
From: Rita Pisciotta <rbinsf@earthlink.net>
Sent: Sunday, October 5, 2025 8:46 PM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Subject: North Beach special

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I am urging you to reject the elimination of the North Beach special use district.
Rita Pisciotta
Sent from my iPhone

From:	Carroll, John (BOS)
To:	Ron Fein
Cc:	Melgar, Myrna (BOS); Low, Jen (BOS); Chen, Chyanne (BOS); Sciammas, Charlie (BOS); Mahmood, Bilal (BOS); Cooper, Raynell (BOS)
Subject:	RE: North Beach Historic District - BOS File No. 250682
Date:	Monday, October 6, 2025 10:03:00 AM
Attachments:	image001.png

Thank you for your comment letter.

I am forwarding your comments to the members of the Land Use and Transportation committee, and I will include your comments in the file for this ordinance matter.

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From: Ron Fein <ronfeinron@gmail.com>
Sent: Sunday, October 5, 2025 1:13 PM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Subject: North Beach Historic District

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Vesuvio
255 Columbus Ave

San Francisco Ca 94133

Oct. 5, 2025

Dear John,

This letter is in support of the North Beach Historic District.

For decades the North Beach Special Use District (NBSUD)

● has protected our small storefronts, historic character, and neighborhood balance.
● has prevented building demolitions, over-commercialization, historic displacement, and speculation.
● Without it, North Beach risks losing its unique identity and becoming just another generic retail corridor.

We continue to advocate to have the North Beach Historic District nomination heard by the State Historic Resources Commission.

At Vesuvio, which has been a cornerstone of the North Beach community for 77 years, we understand the value of keeping history and heritage at the center of community planning.

Sincerely,

Ron Fein
CEO, Vesuvio, Inc.

From:	Carroll, John (BOS)
To:	David Dean
Cc:	Melgar, Myrna (BOS); Low, Jen (BOS); Chen, Chyanne (BOS); Sciammas, Charlie (BOS); Mahmood, Bilal (BOS); Cooper, Raynell (BOS)
Subject:	RE: NBSUD - BOS File No. 250682
Date:	Monday, October 6, 2025 10:03:00 AM
Attachments:	image001.png

Thank you for your comment letter.

I am forwarding your comments to the members of the Land Use and Transportation committee, and I will include your comments in the file for this ordinance matter.

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-----Original Message-----
From: David Dean <dave.dean.mail@gmail.com>
Sent: Sunday, October 5, 2025 2:52 PM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Subject: NBSUD

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I am a long-term resident and homeowner in North Beach. I fully support the proposal put forth by Supervisor Sauter to update the outdated, antiquated North Beach Special Use District. We need our community to thrive with strong businesses that serve our community and our visitors. Thank you.

David Dean

From:	Carroll, John (BOS)
To:	L Johns
Cc:	Sauter, Danny (BOS); Melgar, Myrna (BOS); Low, Jen (BOS); Chen, Chyanne (BOS); Sciammas, Charlie (BOS); Mahmood, Bilal (BOS); Cooper, Raynell (BOS)
Subject:	RE: elimination of the North Beach Special Use District BOS File No. 250682 - BOS File No. 250682
Date:	Monday, October 6, 2025 10:03:00 AM
Attachments:	image001.png image002.png

Thank you for your comment letter.

I am forwarding your comments to the members of the Land Use and Transportation committee, and I will include your comments in the file for this ordinance matter.

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From: L Johns <ljohns@metacosmos.org>
Sent: Sunday, October 5, 2025 4:24 PM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Cc: Sauter, Danny (BOS) <Danny.Sauter@sfgov.org>
Subject: elimination of the North Beach Special Use District BOS File No. 250682

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Sup. D. Sauter's proposed elimination of the North Beach Special Use District is not an evidence-based policy advance. It seems customized to undermine, if not outrightly destroy, the organically grown, commercially successful collection of small businesses that define and constantly enhance the quality of North Beach commerce. North Beach businesses serve a local, city-wide, and international clientele. People who live, work, and travel here delight in the variety, small-scale intimacy, ever-evolving character of this neighborhood's "marketplace." (People line up for it! Been to Stockton and Union on a recent evening?) It's unique, affordable, and interesting. It's not broke(n), what is to be "fixed" here?!

Please reject this ill-conceived invitation to speculation, stereotypical stores (Uniqlo in North Beach, anyone?), money-making for its own sake.

Thank you for opposing this unrooted, insensitive, abusive, really, imposition on neighborhood character, tradition, unique mystique among many worthy SF neighborhoods.

Regret cannot attend Oct. 6 hearing. Hope members of the Board of Supervisors' Land Use and Transportation Committee will read their emails about this issue. Regards, Lucy Johns

--

Lucy Johns, North Beach-Telegraph Hill resident of decades

DirectTrust
INTEROP
HERO

From:	Carroll, John (BOS)
To:	"Phil Lumsden"
Cc:	Melgar, Myrna (BOS); Low, Jen (BOS); Chen, Chyanne (BOS); Sciammas, Charlie (BOS); Mahmood, Bilal (BOS); Cooper, Raynell (BOS)
Subject:	RE: BOS Land Use Committee #250682 - BOS File No. 250682
Date:	Monday, October 6, 2025 10:03:00 AM
Attachments:	image001.png

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From: Phil Lumsden <phil.lumsden999@gmail.com>
Sent: Sunday, October 5, 2025 10:46 AM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Subject: BOS Land Use Committee #250682

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I am writing to OPPOSE this legislation. I urge you to vote NO on BOS Land Use

Committee # 250682 when it comes to a vote on Monday, October 6, 2025.

Respectfully,

Phil Lumsden
553A Greenwich Street
San Francisco, CA 94133

From:	Carroll, John (BOS)
To:	"Paula Mc Cabe"
Cc:	Sauter, Danny (BOS); Melgar, Myrna (BOS); Low, Jen (BOS); Chen, Chyanne (BOS); Sciammas, Charlie (BOS); Mahmood, Bilal (BOS); Cooper, Raynell (BOS)
Subject:	RE: BOS File No. 250682 - BOS File No. 250682
Date:	Monday, October 6, 2025 10:03:00 AM
Attachments:	image001.png

Thank you for your comment letter.

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From: Paula Mc Cabe <paulamccabe64@gmail.com>
Sent: Monday, October 6, 2025 9:36 AM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Cc: Sauter, Danny (BOS) <Danny.Sauter@sfgov.org>
Subject: BOS File No. 250682

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Carroll,

Please oppose Supervisor Sauter's legislation, BOS File No. 250682, it is a cure in search of a disease. North Beach is thriving - we're the bellwether of post-pandemic economic recovery in the San Francisco city, with a 5% vacancy rate and 2% in Jackson Square.

For decades the North Beach Special Use District (NBSUD)

● has protected our small storefronts, historic character, and neighborhood balance.
● has prevented building demolitions, over-commercialization, historic displacement, and speculation.
● Without it, North Beach risks losing its unique identity and becoming just another generic retail corridor.

I have lived in North Beach for 35 years and love that I can support small mom and pop stores and know that the money goes straight into their pockets and no one else is taking a cut. It makes the neighborhood more of a community where we support and look out for each other and those in need.

Sincerely,

Paula Mc Cabe

From: John Meyer
To: Melgar, Myrna (BOS); Chen, Chyanne (BOS); Mahmood, Bilal (BOS); Carroll, John (BOS)
Cc: Sauter, Danny (BOS); Northeast San Francisco Conservancy
Subject: North Beach Historic District - Setback for Historic Preservation?
Date: Monday, October 6, 2025 7:23:46 AM

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Via Email
October 6, 2025

Myrna Melgar -
Chyanne Chen –
Bilal Mahmood -
Clerk John Carroll -

Cc: Supervisor Danny Sauter
Cc: Northeast San Francisco Conservancy

Re: Sauter Legislation Proposed – File 250682

Dear Members of the Land Use and Transportation Committee:

I am an avid supporter of historic preservation for North Beach and have written in support of efforts to do that. I believe the creation of the Miami Beach Art Deco historic district is a good example of how that can work in real life. It's unfortunate that effort for San Francisco has been stalled.

But things seem to be getting worse in front of our eyes. If I understand today's vote correctly, Danny Sauter is proposing legislation - BOS File No. 250682 - that, if passed, will delete certain legislative provisions already in place that protect historic preservation of North Beach. The provisions shown below in red to be deleted should cause pause on your part as they are of serious concern to the future of historic protection measures in North Beach that protect the very fabric of our city have long been in place. So you are aware exactly, those protective provisions which will be deleted are these:

SEC.780.3. *NORTH BEACH SPECIAL USE DISTRICT BEING REPEALED BY* BOS File No 250682

(3) **Historic Buildings.** "Historic buildings" shall include Planning Code Article 10
Landmarks and buildings located within Article 10 Historic Districts, buildings and districts identified by surveys adopted by the City, buildings

listed or potentially eligible for individual listing on the National or California Registers, and buildings located within listed or potentially eligible National Register or California Register historic districts. The Planning Department shall also consult materials available through the California Historical Resources Information System (CHRIS) and Inventory to determine eligibility.

(7) Architectural and Cultural Heritage of North Beach.

Section 101.1 of the Planning Code includes the priority policy that historic buildings be preserved. The architectural and cultural character and features of existing historic buildings shall be preserved and enhanced. The Historic Preservation Commission or its staff shall review any proposed alterations to historic buildings, as defined in subsection 780.3(b)(3), and must determine that such alterations comply with the Secretary of Interior's Standards for the Treatment of Historic Properties before the City approves any permits to alter such buildings.

While Danny Sauter's proposed legislation may have many positive new steps, it makes little sense to approve new legislation unintentionally reverse progress and protections over decades that are part of the North Beach Special Use District (NBSUD). The benefits of these historic efforts are many:

- they have protected our small storefronts, historical character, and neighborhood balance.
- they have prevented building demolitions, over-commercialization, historic displacement, and speculation.
- Without them, North Beach risks losing its unique identity and becoming just another generic
retail corridor.

Enacting legislation that removes protective and effective existing legislation is unnecessary and would be a major step backwards for historic preservation in a city that prides itself on its rich history. Sauter's bill should be rejected, or at a minimum amended to include those two provisions.

John Meyer
1130 Filbert St.
San Francisco, CA
jkm@caretrust.us

From: patricia <pasmada662@gmail.com>
Sent: Sunday, October 5, 2025 11:42 AM
To: John Meyer <jkm@caretrust.us>
Subject: Re: FW: North Beach Historic District Call to Action

Who's Nancy?
Yes Theresa is very involved in all this.
Tflandrich@yahoo.com.
Thank you for weighing in!

CONFIDENTIALITY NOTICE: This e-mail and the attached documents (if any) are intended only for the use of the individual or entity to whom or to which it is addressed. De Larios Peyton Investigations CA PI # 21901 P.O. Box 330291 San Francisco, California 94133 510.915.4358

On Sun, Oct 5, 2025 at 11:39 AM John Meyer <jkm@caretrust.us> wrote:

> Don't worry about it. Nancy got back to me and clarified what's going on. Sauter's bill voids another bill already law that has two clauses that protect historic structures in North Beach. I wrote her back asking if the solution would be to get Sauer's bill amended to keep those two provisions. Waiting to hear back. I plan to submit public comment later today.
>
> **From:** patricia <pasmada662@gmail.com>
> **Sent:** Sunday, October 5, 2025 9:59 AM
> **To:** John Meyer <jkm@caretrust.us>
> **Subject:** Re: FW: North Beach Historic District Call to Action
>
> Thanks I get all the news about the historic district and the detested Sauter.
> I will check out the chatgpt if you insist- but later
>
> CONFIDENTIALITY NOTICE: This e-mail and the attached documents (if any) are intended only for the use of the individual or entity to whom or to which it is addressed. De Larios Peyton Investigations CA PI # 21901 P.O. Box 330291 San Francisco,

California 94133 510.915.4358

On Sat, Oct 4, 2025 at 8:49 PM John Meyer <jkm@caretrust.us> wrote:

> Patricia,
>
> I thought you might want to see this. I don't support Sauter or what I remember to be the failure of the effort to get historic designation status for North Beach. But this seems to be a different issue, and I can't tell from the chat analysis what the real issue is. I'm way out of my pay grade on dealing with local politics, so apologize if this is not helpful to the cause.
> John
>
> ---
>
> **From:** John Meyer
> **Sent:** Saturday, October 4, 2025 8:42 PM
> **To:** 'Northeast San Francisco Conservancy' <outreach@nesfc.org>
> **Subject:** RE: North Beach Historic District Call to Action
>
> Hi folks,
> I am an avid supporter of historic preservation for North Beach and have written in support of efforts to do that. I believe the creation of the Miami Beach Art Deco historic district is a good example of how that can work in real life.
>
> To address your email, I asked Chat GPT what was really going on here, and on a quick read, Sauter's proposal seems nuanced to the point of not creating a threat. So is the real issue the failure to get approval for a historic designation, which I understand was stymied.
>
> I really appreciate your efforts. Thanks for sending this update.
> John Meyer
> 1130 Filbert St.
>
> Here's what ChatGPT has to say:
>
> Here's what **BOS File No. 250682 (Supervisor Danny Sauter)** actually does, and how it intersects with historic-preservation goals in North Beach.
>
> # What the ordinance does (in plain

English)

- **Eliminates the North Beach Special Use District (SUD)** and folds its rules into the **North Beach Neighborhood Commercial District (NCD)** while also tweaking rules in nearby districts (Polk Street NCD, Pacific Ave NCD, Nob Hill SUD, Jackson Square SUD). SF Media+2SF Media+2
- **Expands/streamlines allowed commercial uses and sizes in North Beach**, for example:
    - Allows **production/wholesaling** as an accessory to on-site retail.
    - **Use size**: principally permitted up to **3,000 sq ft**; **3,000–4,000 sq ft** needs Conditional Use; **>4,000 sq ft** not permitted.
    - **Storefront mergers**: principally permitted up to **3,000 sq ft** (larger requires Conditional Use).
    - **Limited restaurants** principally permitted on the ground floor; **restaurants/bars** conditionally permitted (but *principally* permitted if replacing an existing restaurant/bar).
    - **Flexible retail** principally permitted on the ground floor (conditional above).
    - Legacy Business locations need Conditional Use before the space can change hands (unless off the registry or vacant 3+ years). SF Media+1
- Keeps area-specific constraints in adjacent districts (e.g., **no formula retail in Nob Hill SUD**, etc., per the summary), and sets size/permission tweaks in **Polk Street** and **Pacific Ave**. SF Media
- This package is framed as a **"cut red tape / fill vacancies"** measure from the Small Business Office perspective. SF Media

How this touches historic preservation in North Beach

1) It doesn't change landmark protections or a potential federal historic district on its own.

- Local landmark/designation protections live in **Article 10** of the Planning Code (separate from use/zoning rules). File 250682 is a **Planning Code text/zoning** change; it doesn't rewrite Article 10. (The City's own summary presents it purely as zoning/use reform.) SF Media
- The **federal historic district** nomination (separate process) triggers different

standards and incentives; Sauter's office also posted a FAQ noting that state "streamlining" housing laws (SB 35/SB 423) **do not apply to demolishing contributors** to a listed historic district. That is, the historic overlay has its own guardrails. San Francisco Board of Supervisors

2) The biggest preservation-relevant change is how it treats *storefront scale and use sizes*.

- North Beach's preservation goals have long emphasized **small storefronts/fine-grain fabric** and **anti-chain (formula retail) controls**. (Formula retail is **not permitted** in the North Beach NCD under existing Code.) American Legal Publishing
- This bill would **principally allow storefront mergers up to 3,000 sq ft** and **permit non-residential use sizes up to 3,000 sq ft as-of-right** (with 3–4k sq ft by Conditional Use). Supporters say that cap still **limits "big box" scale** while giving small businesses room to survive. Critics worry that more **mergers/scale creep** could erode the small-bay rhythm that defines historic North Beach storefronts. SF Media+1

3) Restaurants/bars & "flexible retail": activation vs. character drift.

- Allowing **limited restaurants** by right and **restaurant/bar** uses by Conditional Use (or by right if it's a replacement) plus **flexible retail** as-of-right on the ground floor can help fill vacancies and keep streets active. The preservation question is whether **more uniform, hospitality-heavy ground floors** gradually **displace unique legacy uses** or alter the sound/traffic profile in a way that undermines historic character. The bill adds a **Conditional Use checkpoint for former Legacy Business spaces**, which partly acknowledges this concern. SF Media

4) Repealing the SUD vs. consolidating into the NCD.

- The move is pitched as **consolidation and simplification**—not stripping protections—since North Beach's **core anti-formula retail rule** resides in the NCD and remains a hard ban. The risk skeptics point to is that **bespoke SUD language** crafted over decades to support small storefronts/neighborhood fabric can get **lost or weakened** when folded into generalized NCD rules. (This is exactly why some neighborhood groups have objected to broader streamlining measures recently.) SF Media+1

So, why would someone call it "a cure in search of a disease"?

- Opponents argue North Beach has **strong existing protections** (e.g., **no formula retail**; many tailored controls) and **healthy commercial corridors**, so **loosening/streamlining** won't "fix" anything but **could** chip away at what preservation seeks to protect—fine-grain storefronts, legacy uses, and a diverse, non-formula mix. American Legal Publishing+1
- Supporters counter that the ordinance **keeps the anti-chain rule**, sets **upper size caps**, **requires CU** for bigger shifts (and Legacy spaces), and **reduces process** only enough to help small business formation while still blocking big-box-scale changes—i.e., **activation without sacrificing character**. (That is the thrust of the City's legislative review framing.) SF Media

Bottom line for preservation goals

- **What it clearly preserves:** the **formula-retail ban** (a major character safeguard) and **upper size limits** that prevent large-format retail. American Legal Publishing+1
- **What could be at risk:** a gradual **increase in bay widths** and **use uniformity** from **storefront mergers to 3,000 sq ft** and easier restaurant/bar or flexible-retail conversions—changes that, over time, might **erode the small-scale commercial fabric** that preservation advocates value. SF Media+1
- **What it doesn't touch:** designation/listing mechanics for the **proposed North Beach Historic District** (that's a state/federal process) or **Article 10 landmarks**. The active debate over the federal district—and how it interfaces with housing policy—remains separate but underscores why any zoning liberalization gets extra scrutiny in North Beach. San Francisco Chronicle+1

If you want, I can pull the **exact redline language** (when the final committee version posts) and show a side-by-side of which SUD clauses get preserved verbatim in the NCD vs. which are altered—useful for pinpointing any **net loss** of small-storefront protections.

From: Northeast San Francisco Conservancy <outreach@nesfc.org>
Sent: Saturday, October 4, 2025 6:23 PM
To: NB Historic District Supporters 3 <outreach@nesfc.org>
Subject: North Beach Historic District Call to Action

Dear Friends of the North Beach Historic District,

Update: While we continue to advocate to have the North Beach Historic District nomination heard by the State Historic Resources Commission, sadly it remains stalled since Mayor Lurie and Supervisor Danny Sauter intervened 9 months ago. Even more troubling is the introduction of **two pieces of legislation that threaten to undermine our existing historic protections** and alter our cherished and internationally celebrated historic neighborhood forever.

We need everyone's immediate action and voices loudly raised to defend not only our historic architecture and scale, but also our commercial district zoning that supports small and legacy businesses. Supervisor Sauter's pending legislation would completely eliminate the North Beach Special Use District that has long protected historic buildings and the small-scale independent business environment that makes North Beach so special and vibrant. It is being heard by the Board of Supervisors' Land Use Committee this **Monday October 6th at 2:00 pm and the Supervisors need to hear from you**!

Sauter's legislation, BOS File No. 250682, is a cure in search of a disease. North Beach *is* thriving - we're the bellwether of post-pandemic economic recovery in the City, with a 5% vacancy rate and 2% in Jackson Square (which is also resisting his reckless deregulation).

We need everyone to write emails to Sauter and the Committee, *and if possible, also* ***show up in person for public comment. See the below talking points for emails and public comment. This is how our dissent is counted and recorded.***

Please email the Land Use and Transportation Committee Members, urging them to reject the elimination of the North Beach Special Use District:

Myrna Melgar - Myrna.Melgar@sfgov.org
Chyanne Chen - Chyanne.Chen@sfgov.org
Bilal Mahmood - Bilal.Mahmood@sfgov.org
Clerk John Carroll - John.Carroll@sfgov.org

Please copy Supervisor Danny Sauter to express your opposition to his legislation: ***Danny.Sauter@sfgov.org***

Remind them that for decades the North Beach Special Use District (NBSUD)

- ***has protected our small storefronts, historic character, and neighborhood balance.***
- ***has prevented building demolitions, over-commercialization, historic displacement, and speculation.***
- ***Without it, North Beach risks losing its unique identity and becoming just another generic retail corridor.***

Later this month on October 20 the Land Use Committee will be considering Mayor Lurie's so called "Family Zoning Plan" that portends significant adverse impacts to the proposed North Beach Historic District. Originally billed in 2022 by Mayor Breed as a west-side of the City rezoning effort, the Zoning Plan was amended in July to add North Beach, Fisherman's Wharf,

and Telegraph Hill with the approval of Supervisor Sauter without any resident or business input. Given the urgency of sending emails about the first matter we will send you a separate email later this week with more information about what you can do about their wrongheaded upzoning plan.

Sincerely,

Northeast San Francisco Conservancy
P.O. Box 330083
San Francisco, CA 94133
(415) 336-0626
www.nesfc.org
Tax exempt donations are greatly appreciated.

From:	Rhoda Schneiderman
To:	Sauter, Danny (BOS); Melgar, Myrna (BOS); Mahmood, Bilal (BOS); Carroll, John (BOS)
Subject:	Fwd: BOS file 250682
Date:	Monday, October 6, 2025 4:27:09 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I strongly disagree with the proposed ordinance including Jackson Sq. With a 2 % vacancy rate it is unnecessary and will only be detrimental to the neighborhood. It will increase crime, noise and trash in a unique and delicately balanced neighborhood. Either vote NO or remove Jackson Sq. from the proposal.

Once again Danny Sauter has rushed another meeting without giving residents a chance to weigh in. No sun shining on this process.

Rhoda Schneiderman
550 Battery Apt. 1520
San Francisco, CA 94111

---------- Forwarded message ---------
From: **Rhoda Schneiderman** <rhodas1952@gmail.com>
Date: Fri, Sep 5, 2025, 6:03 PM
Subject: BOS file 250682
To: <danny.sauter@sfgov.org>, <Lydia.so@sfgov.org>

I wanted to register my opposition to the above file. Please vote NO.

Rhoda Schneiderman
550 Battery St Apt 1520
San Francisco, CA 94111
970-390-7265

From: Raymond Isola
To: Sauter, Danny (BOS)
Cc: Chen, Chyanne (BOS); Carroll, John (BOS); Mahmood, Bilal (BOS); Melgar, Myrna (BOS)
Subject: Re: Please reject the elimination of the North Beach Special Use District: at the Board of Supervisors' Land Use Committee this Monday October 6th at 2:00 pm
Date: Monday, October 6, 2025 8:51:35 AM

Dear Danny:
As always, thank you for your thoughtful communication related to key issues impacting District 3. Because I know District 3 like the back of my hand, please provide me the specific names of the small business owners that this proposed legislation would allow to open or grow their businesses in District 3. I have not received that kind of feedback from the business community of District 3 like the North Beach Business Association, the Jackson Square Historic District Association and the Telegraph Hill Dwellers Association as well as residents and small business owners of District 3. This a troubling indication, because there is a lack of cohesion around this proposal. We all understand unification is a key ingredient to the success of any initiative across District 3 and San Francisco. I believe further analysis and input is required at this time that will ultimately be reflected in the proposal.
Thank you in advance for your consideration of this recommendation.
In unity there is strength.
Raymond
Raymond R. Isola, Ed.D.
408 Columbus Avenue, Suites 4 & 6
San Francisco, CA.
94133
USA (415) 710-9706
Italia 3487223161
"L'insegnante è il cuore del processo educativo e gli insegnanti devono avere l'opportunità di insegnare e dedicarsi con tutto il cuore a questo lavoro nelle migliori circostanza. La battaglia per un mondo meglio sarà vinta o persa nelle nostre scuole."
Il Signor Leonardo Covello ha trascorso più di mezzo secolo a insegnare nei quartieri più difficili di New York City.
http://isolaleadership.com

On Oct 5, 2025, at 10:53 AM, Sauter, Danny (BOS) <Danny.Sauter@sfgov.org> wrote:

Hi Raymond,

Thanks for taking the time to write in. I know how much you care about San Francisco, especially North Beach. I hope you know I do too, not only as our Supervisor, but as a 10+ year renter in the neighborhood who is raising their family here (and has started two small businesses here).

It seems like you've seen some of the inaccurate information floating around. The North Beach Special Use District is not being eliminated, but is instead being combined with the North Beach Neighborhood Commercial District. Currently, our neighborhood has two sets of rules that govern our planning codes. This has proved extremely confusing to anyone hoping to open or grow a small business here. Instead, we are combining the rules into one layer. This does NOT change anything related to legacy businesses, formula retail, housing, or historic landmarks.

Our changes simply make it easier for small businesses to open and grow in District 3. Because of this, we have support from a dozen organizations for our legislation, including North Beach Neighbors, Nob Hill Association, SF Chamber of Commerce, Russian Hill Neighbors, Discover Polk, Golden Gate Restaurant Association, Jackson Square Merchants Association and the Chinese Chamber of Commerce. We've heard opposition from only a few organizations and have worked hard to make amendments to address their concerns.

We've already heard from almost a dozen different small business owners that our legislation would allow them to open or grow their business. One story was profiled by CBS here, about a young couple who wants to open a cafe in a space on Lombard Street that has been empty for 8 years. Without our legislation, they will not be allowed to open and that space will stay empty.

Our legislation also fixes many outdated rules. We've made a short video here to showcase some of those.

I would be happy to answer any specific questions or concerns you have. Thanks again for taking the time to write in.

Danny Sauter
District 3 Supervisor

Sign up for our newsletter!

From: Raymond Isola <raymondrisola@gmail.com>
Sent: Sunday, October 5, 2025 6:32 AM
To: Chen, Chyanne (BOS) <Chyanne.Chen@sfgov.org>
Cc: Sauter, Danny (BOS) <Danny.Sauter@sfgov.org>; Danny Sauter <danny@dannyd3.com>
Subject: Please reject the elimination of the North Beach Special Use District: at the Board of Supervisors' Land Use Committee this Monday October 6th at 2:00 pm

> This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Chen:
Please ***reject*** the elimination of the North Beach Special Use District for so many obvious and well grounded reasons at the Board of Supervisors' Land Use Committee this *Monday October 6th at 2:00 pm*. Being a third generation North Beach resident and business operator, this is an incredibly important decision related to protecting not only our historic architecture and scale, but also our commercial district zoning that supports small and legacy businesses that are currently thriving. I am very proud to include a photograph of my mother (Ada Pellegrini who was born in North Beach in 1918) when she was crowned Queen of North Beach by Mayor Angelo Rossi at the Italian Heritage Parade in 1935. Please contact me if you would like to discuss this matter in greater depth.
Thank you in advance for your careful consideration of this request.
In community,
Raymond
Raymon d R. Isola, Ed.D.
408 Columbus Avenue, Suites 4 & 6
San Francisco, CA.
94133

USA (415) 710-9706
Italia 3487223161
“L’insegnante è il cuore del processo educativo e gli insegnanti devono avere l’opportunità di insegnare e dedicarsi con tutto il cuore a questo lavoro nelle migliori circostanza. La battaglia per un mondo meglio sarà vinta o persa nelle nostre scuole.”
Il Signor Leonardo Covello ha trascorso più di mezzo secolo a insegnare nei quartieri più difficili di New York City.
http://isolaleadership.com

From: Lance Carnes
To: Carroll, John (BOS)
Cc: Sauter, Danny (BOS); Melgar, Myrna (BOS); Mahmood, Bilal (BOS); Chen@sfgov.org
Subject: Reject proposed changes at the Land Use and Transportation hearing today at 2
Date: Monday, October 6, 2025 9:13:37 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

We, the citizens of North Beach and members of Telegraph Hill Dwellers (THD), reject the below changes to be heard at Land Use and Transportation hearing today at 2.

District 3 Supervisor Danny Sauter proposed these changes without consulting with THD and other neighborhood groups.

Supe Sauter has touted his appreciation of District 4 Supervisor Engardio, who was recalled by his constituents last month for **not** listening to them.

Respectfully,
Lance Carnes

Danny Sauter proposed these District 3 changes:

1. Eliminate the North Beach Special Use District (NBSUD)

● For decades, the **NBSUD has protected our small storefronts**, historic character, and neighborhood balance.

● Eliminating it **strips away safeguards that prevent building demolitions**, **over-commercialization**, **historic displacement, and speculation**.

● Without it, **North Beach risks losing its unique identity** and becoming just another generic retail corridor.

2. Allow Storefront Mergers

● The proposal allows landlords to merge our small storefronts into larger ones **up to 3,000 square feet**

● That means **small spaces** — the heart of our neighborhood economy — **could disappear overnight.**

● Small shops, cafes, and legacy businesses could be replaced by high-rent shops **150% bigger** than are currently allowed.

● Vacancy rates are already at record lows — **this solution is a cure in search of a disease.**

3. Increase Small-Scale Use Size Limits

● Increasing the allowed size of new businesses from 2,000 to 3,000 sq. ft. will push **rents even higher. This will attract high-end boutique stores because of their ability to pay higher rents, and they will displace longtime small businesses**

● Larger retail spaces open the door to attracting stores that can pay more rent, driving out independent operators.

● Existing size limits keep storefronts affordable and maintain the charming, **small-scale fabric of our 'hood that is our main tourist draw. Economically, it's a time bomb.**

4. Allow Conversions to Restaurant use

● Current law keeps a **healthy mix** of shops, services, and restaurants.

● Sauter's "plan" would **flood the neighborhood with more bars and eateries — many of which never revert to retail.**

● North Beach thrives on diversity. We must protect the non-restaurant spaces that give our streets character. Once a space converts to a restaurant, it almost never goes back.

5. Allow Conversion of Residential Units to Retail on Upper Floors

● Allowing **retail on upper floors leads to evictions** and the loss of much-needed housing.

● Our community stands for no loss of residential units — and this change risks violating that principle.

6. Allow Health Care Uses On the Ground Floor

● **Medical offices deaden street life** and push out dynamic, people-serving businesses.

● These services already exist nearby - **ground-floor space should stay lively and**

community-oriented.

From:	Merle Goldstone
To:	Melgar, Myrna (BOS); Chen, Chyanne (BOS); Mahmood, Bilal (BOS); Carroll, John (BOS)
Cc:	Sauter, Danny (BOS)
Subject:	Do not eliminate the North Beach Special Use District
Date:	Monday, October 6, 2025 9:32:26 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Land Use and Transportation Committee Members: :

I am writing as a resident of North Beach for more than 30 years to urge you to vote against the proposal to eliminate the North Beach Special Use District, which protects our small storefront businesses and prevents building demolitions, over commercialization, storefront mergers, displacements and speculation.

I love living in North Beach because of its unique identity, which draws visitors from all over the world. Our. Upper Grant Avenue and Columbus Avenue businesses are thriving and most of the storefronts are filled, most recently with vintage shops that have increased foot traffic and sales. Eliminating the Special Use District that has protected the character of our business district makes no sense..

Why reverse these successes? Whose interests does it serve? Certainly not the neighborhood merchants or the customers that rely upon their services..

Thank you for listening to the community that the North Beach Special Use District affects.

Sincerely,

Merle Goldstone
289A Union Street
415-336-1031

From:	Larry Habegger
To:	Melgar, Myrna (BOS); Chen, Chyanne (BOS); Mahmood, Bilal (BOS); Carroll, John (BOS)
Cc:	Sauter, Danny (BOS)
Subject:	please reject BOS File No. 250682
Date:	Monday, October 6, 2025 9:41:28 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Land Use and Transportation Committee Members:

I have lived in District 3 since 1976 and love this neighborhood. I'm writing to urge you to reject the plan to eliminate the North Beach Special Use District. For decades, the NBSUD has served our community, supporting small businesses, reducing speculation, and keeping out corporate chain stores to preserve the character of this special neighborhood.

Supervisor Sauter, I know you have good intentions here, but you can achieve your goals in ways that also help North Beach retain its unique nature. The neighborhood deserves careful study and thoughtful development. Meet with neighborhood groups and take their input. You will find them willing partners.

Larry

Larry Habegger
Executive Editor, Travelers' Tales
TravelersTales.com | LarryHabegger.com | ProseDoctors.com

From: Steven Tsang
To: Melgar, Myrna (BOS); Mahmood, Bilal (BOS); Chen, Chyanne (BOS); Carroll, John (BOS)
Cc: Sauter, Danny (BOS)
Subject: File No. 250682 – Letter of Opposition
Date: Sunday, October 5, 2025 11:57:54 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Members of the Land Use Committee,

I am writing once again as a concerned Jackson Square residential property manager/owner regarding the proposed deletion of the Jackson Square Special Use District land use controls (Planning Code Section 249.25) contained in Supervisor Sauter's proposed legislation (File No. 250682). Two years ago, with the support of the Jackson Square Historic District Association, I spoke out against a similar effort led by Mayor Breed (File No. 230701), and was relieved when that proposal was ultimately rejected in favor of preserving the existing balance that has made Jackson Square such a vibrant and livable downtown neighborhood. The former Belli Building, currently owned and managed by our group, is a testament to why we should maintain the current controls absent new data or input from the community. These controls have helped make Jackson Square such a great place to live and for small businesses to thrive.

Thus, I am troubled to see the same issue resurface so soon, and I must once again urge you to protect what has been proven to work. Jackson Square is unlike anywhere else in San Francisco, with its rare collection of 1850s–1870s brick and cast-iron buildings, narrow streetscapes, and privately funded lighting and greenscapes supported by residents and stakeholders alike for decades. This historic fabric is fragile. The neighborhood already contains seventeen bars and restaurants within its tiny two-block by one-and-a-half-block area, with many more just steps away. Our residents and retail tenants routinely bear the burden of the excess noise, trash, vandalism, broken bottles, and other side effects of nightlife activity. Allowing new bars and restaurants "as of right" — and even larger venues of over 4,000 square feet by conditional approval — would likely overwhelm the character and charm of this district.

What is most concerning is that this proposal seems to have been brought forth with little or no outreach to residents, businesses or other key stakeholders. Such a narrow consultation process ignores the residents and small businesses who live with the daily consequences of land use decisions in this neighborhood. I would really like to understand the rush to push this change through. I've personally walked the neighborhood numerous times, invested money in the neighborhood, including supporting the extra taxes that fund the Community Benefits District, which helps cover clean-up, tree maintenance, and security. Those services are not luxuries — they have become necessities due to the existing oversaturation of nightlife uses.

Weakening the controls now would undo years of hard work and investment by those of us who have committed to making Jackson Square a vibrant, functional, and most importantly, a livable neighborhood for both commercial and residential tenants. The current controls in Section 249.25 were created with broad community input, earned unanimous support from the City's Small

Business Commission, and were unanimously adopted by the Board of Supervisors in 2018. These controls have encouraged a diverse mix of businesses — boutique retail, galleries, services, and cultural institutions — while sustaining a stable residential community. This balance has kept Jackson Square healthy both before and after the pandemic, something that few downtown districts can claim.

Thus, I ask you to please maintain the protections in Section 249.25 as they are until more information has been gathered and more input from the community has been solicited. Let's not rush into anything and start making broad changes without fully thinking things through. This is not about resisting change but about ensuring that any changes are thoughtful, data-driven, and respectful of the delicate balance that has made Jackson Square one of San Francisco's success stories. Thank you for considering the perspective of an owner who cares deeply about the future of Jackson Square.

Sincerely,

Steven Tsang

Manager, San Francisco 722 Montgomery LLC
and a concerned Jackson Square Residential Property Owner

From: Sam Woodworth
To: Melgar, Myrna (BOS); Chen, Chyanne (BOS); Mahmood, Bilal (BOS); Carroll, John (BOS)
Subject: Opposition to Eliminating North Beach Special Use District
Date: Sunday, October 5, 2025 10:25:55 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Land Use and Transportation Committee Members,

As a North Beach / Russian Hill homeowner who is extremely dedicated to this unique, world-class neighborhood, I am writing to strongly oppose the elimination of the North Beach Special Use District. This district protects the vibrancy and fine-grained urban texture of our neighborhoods, and was the work of extensive community input and detailed planning over the course of decades. It was approved *unanimously* by the Board of Supervisors a mere 7 years ago.

At a time when North Beach is thriving perhaps more than ever before, with vacancies at record lows, this legislation is a solution in search of a problem. Yet it could greatly damage beloved neighborhood character. The mechanisms provided for under the Special Use District allow for careful, community-driven review of proposed projects -- from requiring evaluation of storefront mergers, to limiting tenancy sizes to deter big-box tenants, to disfavoring street-deadening health care functions when there's plenty of room for them just down Montgomery & Kearny.

It is utterly baffling why such a carefully crafted regime should just be tossed to the wayside -- especially with minimal community input. Indeed, the proposal to add North Beach to the Priority Processing Program seems specifically intended to circumvent community input, in an effort to radically transform the area in ways not supported by the community.

I urge you to reject this rash and perplexing assault on the protections that make North Beach one of the most exquisite neighborhoods on earth.

Thank you,
Sam Woodworth
2 Fallon Pl. Apt 55
Russian Hill/North Beach

From:	Don du Bain
To:	Melgar, Myrna (BOS); Mahmood, Bilal (BOS); Chen, Chyanne (BOS); Sauter, Danny (BOS)
Cc:	Carroll, John (BOS)
Subject:	BOS File No. 250682 - Hearing tomorrow by Land Use Committee
Date:	Sunday, October 5, 2025 10:24:14 PM
Attachments:	BOS File No. 250682.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors Melgar, Mahmood, Chen and Sauter:

As a 25-year resident of District 3, I oppose Supervisor Sauter's proposed legislation because I do not believe that his bill has been adequately vetted with his constituents in District 3. (See my previous letter to Supervisor Sauter, which is attached.)

The email below, co-signed by seven (7) neighborhood associations, demonstrates a disturbing lack of attention to the constituents of District 3 by Supervisor Sauter.

I urge you to continue tomorrow's hearing by the Land Use Committee in order to give these seven neighborhood associations an opportunity to provide their input on the final draft of the proposed legislation to Supervisor Sauter.

Best regards,
Donald du Bain

EMAIL FROM SEVEN NEIGHBORHOOD ASSOCIATIONS:

---------- Forwarded message ---------
From: **Nick Ferris** <nicholashferris@gmail.com>
Date: Thu, Oct 2, 2025 at 11:33 PM
Subject: Joint Request for Continuance (File No. 250682)
To: Danny Sauter <danny.sauter@sfgov.org>, <Myrna.Melgar@sfgov.org>, <Bilal.Mahmood@sfgov.org>, <Chyanne.Chen@sfgov.org>
Cc: <John.Carroll@sfgov.org>, Andrews, Michelle (BOS) <michelle.andrews@sfgov.org>

Hi Supervisor Sauter, Chair Melgar, Supervisor Chen, and Supervisor Mahmood,

Thank you for sharing the draft amendments Tuesday evening. We're concerned they are more for "optics" and not addressing the key issues. The rushed process has not allowed time to review them. The turnaround is simply too quick with the Land Use Committee scheduled for Monday and the Mayor's upzoning proposal advancing at the same time. Expecting meaningful engagement on multiple major items within just a few days is not realistic. We all have demanding jobs and this fire-drill approach doesn't allow reasonable time for real dialogue. As we heard from several Planning Commissioners last week this process seems rushed and would benefit from meaningful, collaborative work with the neighborhoods.

We are asking for a continuance so that we have the reasonable opportunity to review the yet to be finalized amendments once they have been approved by the City Attorney. As Michelle emphasized, what we have now are still drafts (with no teeth). It would be far more productive to review the final language before discussion.

We've raised this before but want to stress again: this request is about the short timeline and lack of a reasonable opportunity to engage. Please put yourself in the shoes of your constituents who care deeply about our neighborhooods but can't move around schedules to meet within just 2 days notice. Why sideline your constituents? Why the rush?

We believe we can work together constructively if given the time to do so, and we really want to.

Our proposal:

- Extend the timeline by 2 weeks.
- Share the legislation once approved by the City Attorney, so we are working with the real language do you understand if the amendments are even meaningful.
- Meet October 7, 8, or 9 to review the amendments, their impacts, and our suggestions.
- Meet again October 14, 15, or 16 to identify areas of agreement and disagreement.

Our long-established organizations have championed legislation over many years that has successfully enabled our commercial corridors to thrive with a balance of business types, low vacancy rates, and residential protections for livability, while maintaining the unique character of our neighborhoods.

These controls are even more important today in the face of the proposed upzoning legislation advancing at the same time which include many other, perhaps conflicting changes to our Neighborhood Commercial Districts and Special Use Districts.

We all care greatly about our neighborhoods, and want to work with you, but the current timeline and your resistance to community engagement makes that impossible.

Thank you,

Nick Ferris, Telegraph Hill Dwellers
Stuart Watts, North Beach Business Association
Robyn Tucker, Pacific Avenue Neighborhood Association
Matt Stegman, Jackson Square Historic District Association
Theresa Flandrich, North Beach Tenants Committee
Kathleen Courtney, Russian Hill Community Association
Hanmin Liu, Upper Chinatown Neighborhood Association

September 5, 2025

Supervisor Danny Sauter
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: BOS File No. 250682

Dear Supervisor Sauter:

Since seeing you at Dion Lim's celebration at Harborview restaurant, I have learned that you have sponsored legislation that would alter the current composition and size of restaurants and bars in Jackson Square. As a resident on the border of Jackson Square and one who spends much of my leisure time there, I am very concerned that your legislation has not been adequately vetted in our community.

Jackson Square has always been a beautiful neighborhood in our City and has been improving more than most neighborhoods since the pandemic subsided. The mix and quality of restaurants, bars, shops and homes in the area have been a critical reason why the neighborhood has thrived and what motivated me to move into this District twenty five years ago.

I am opposed to any change to this successful balance due to an increased number and size of restaurants and bars proposed by your legislation, especially without having the opportunity to express my views as a concerned resident. As far as I can tell, I have had no such opportunity prior to the introduction of your legislation.

I urge you to withdraw your legislation until it can be properly vetted among your constituents and would look forward to contributing to the discussion on how to maintain, if not improve, the quality of life in our District.

Sincerely,

Donald du Bain

cc: Lydia So, President, San Francisco Planning Commission
Katy Tang, Small Business Commission
Angela Calvillo, Clerk, Board of Supervisors
Veronica Flores, Planner

From:	judith zimrin
To:	Melgar, Myrna (BOS); Chen, Chyanne (BOS); Mahmood, Bilal (BOS); Carroll, John (BOS)
Cc:	Sauter, Danny (BOS)
Subject:	Don't Eliminate the North Beach Special Use District (NBSUD)
Date:	Sunday, October 5, 2025 7:12:10 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello,
This is in response to all the strange activities happening that will damage North Beach and surrounding areas due to Supervisor Sauter's misguided actions to ignore the residents and follow the developers, money and bad CA. politics. As Jackson Square proves, a historic district assignation does not prevent expansion but allows a vibrant ever changing neighborhood to thrive.

Supervisor Sauter's pending legislation would completely eliminate the North Beach Special Use District that has long protected historic buildings and the small-scale independent business environment that makes North Beach so special and vibrant. We need to defend not only our historic architecture and scale, but also our commercial district zoning that supports small and legacy businesses. Supervisor Sauter's pending legislation, BOS File No. 250682 would completely eliminate the North Beach Special Use District that has long protected historic buildings and the small-scale independent business environment that makes North Beach so special and vibrant. It has prevented building demolitions, over commercialization, historic displacement and speculation. North Beach has a unique identity as does Jackson Square. We don't want to risk becoming just another generic retail corridor.
Also as far as the mayors Family Zoning Plan, it was amended in July to add North Beach, Fisherman's Wharf, and Telegraph Hill with the approval of Supervisor Sauter without any resident or business input.

Thanks for your time,
Judith Zimrin
a resident since the 70's

From:	martin zanfardino
To:	Melgar, Myrna (BOS); Chen, Chyanne (BOS); Mahmood, Bilal (BOS); Carroll, John (BOS)
Cc:	Sauter, Danny (BOS)
Subject:	Fw: Don't Eliminate the North Beach Special Use District (NBSUD)
Date:	Sunday, October 5, 2025 10:14:24 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Subject: Don't Eliminate the North Beach Special Use District (NBSUD)

Hello,
This is in regard to NSBU, I am unable to be there in person. I am a long term resident of North Beach, worried about our neighborhood and surrounding areas due to Supervisor Sauter's misguided actions as far as trying to eliminate the NBSUD.He seems to ignore the residents and follow the developers, money and bad CA. politics. As Jackson Square proves, a historic district assignation does not prevent expansion but allows a vibrant ever changing neighborhood to thrive. For decades, the NBSU has protected our small store fronts, historic character, and neighborhood balance.
Please prevent the merging of our small business spaces which are the heart of our local neighborhood economy. They could disappear overnight. There is no need to attract chain stores or small well funded national boutiques that can pay more rent driving out the more diverse small independent operators. The balance in North Beach is and has been a wide range of ever changing small boutiques which attract people from around the world.
Sauter's plan would flood the neighborhood with mostly more bars and eateries. We must protect the non-restaurant spaces that give our streets character. Once a space converts to a restaurant, it almost never goes back. Also we must protect housing. Ban the conversion of residential units to retail on upper floors.
Our community stands for no loss of residential units — and this change risks violating that principle. We should also keep health care and medical offices off the street level spaces. Street level ground floor spaces should remain lively and community oriented.
Please do not consider the elimination of the NBSUD.
Thank you,
Martin Zanfardino

From:	Courtney Damkroger
To:	Melgar, Myrna (BOS); Mahmood, Bilal (BOS); ChenStaff; SauterStaff; Carroll, John (BOS)
Subject:	File No. 250682, Consolidating the North Beach Special Use &Neighborhood Commercial Districts
Date:	Sunday, October 5, 2025 6:37:23 PM
Attachments:	2025 10 6 LU NB Spec Use Dis.docx

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Members of the Land Use Committee and Supervisor Sauter

Attached please find my comment letter regarding the North Beach Special use District.

Thank you
Courtney Damkroger

October 5, 2025

Supervisor Danny Sauter
Supervisor Myrna Melgar
Supervisor Chyanne Chen
Supervisor Bilal Mahmood
San Francisco City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: File No. 250682, Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts

Dear Members of the Land Use Committee and Supervisor Sauter:

As a District 3 resident, I write to oppose the consolidation of the North Beach Special Use and Neighborhood Commercial Districts. San Francisco's North Beach is admired at home and around the world for its small-scale, historic and diverse character. It is a flourishing center of business, entertainment, art and culture for residents and tourists alike.

The commercial success of North Beach pre-pandemic and its ability to thrive post-pandemic are largely due to the protections inherent in the Special Use District. This tool protected North Beach from the rampant commercialization and formulaic retail that has rendered cities around the country generic. North Beach is the epitome of a healthy, community serving neighborhood, situated in one of the most beautiful, varied, and dense locations in the United States.

Soon the Mayor's upzoning plan may be adopted by the Board of Supervisors. The plan greatly incentivizes development in North Beach and throughout the northern and western neighborhoods. Why weaken the protections that have supported the neighborhood's success just as it will be subjected to greater development pressure? I urge you to oppose the legislation.

Sincerely,
Courtney Damkroger

From: T Flandrich
To: Melgar, Myrna (BOS); Chen, Chyanne (BOS); Mahmood, Bilal (BOS)
Cc: MelgarStaff (BOS); ChenStaff; bilal.mahmoodstaff@sfgov.org; Carroll, John (BOS)
Subject: 19. 250682 [Planning Code; Zoning Map - Consolidating the North Beach Special Use and Neighborhood Commercial Districts - OPPOSITION
Date: Sunday, October 5, 2025 6:29:17 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

5 October 2025 Item# 19 250682 Consolidating the NBSUD & NCD
Dear Land Use Chair Melgar and Committee Members,

I am a 40+ years resident of North Beach & the co-founder of the North Beach Tenants Committee. I am also a co-signer along with 5 other neighborhood organizations asking for a continuance on this legislation.
For those of us who have lived in North Beach long enough to have experienced/been impacted by the waives of speculation that have decimated our housing and small businesses through evictions, exorbitant rent increases and a decrease in neighborhood serving businesses, we are truly frightened about losing our existing safeguards. This is not a data-driven plan nor was it designed in collaboration with us, residents & small business owners. We, those who will be most impacted, were not invited to the table. We can't support this legislation.

North Beach alone has a population of 37,000 per square mile vs San Francisco 13,000 per square mile. Given our walkable neighborhood, yet hilly terrain, it is especially important for our large population of carless seniors, that our shops are located within close walking proximity.
Protecting our existing small businesses means not only maintaining access to their goods, our necessities, but also protecting our social connections we have built with them. We can't afford to lose more laundromats, child care spaces, corner stores; we need help in retaining these services. The existing NCD & SUD controls ensure that our needs will continue to be met, as well as maintain a balance in also serving visitors, tourists now and well into the future. This proposal to eliminate the SUD, together with the proposed family-upzoning plan, will allow demolitions of small businesses & rent controlled housing, and encourage mergers, and conversions. This is a prescription for destruction of our community. In anticipation of both proposals local & foreign speculators are again buying up our multi-use buildings today. This is NOT the time to remove existing safeguards!

This legislation is not based on a study of the facts. Where is the data showing the number & types of businesses that exist here and what are their various needs. What do residents need. Where is the recognition of our low 5% vacancy rate, and a discussion of the reasons for those vacancies today. These questions need answers before moving the Sauter proposal forward. A survey based on these questions is being conducted. To date, Supervisor Sauter has chosen not to allow time for completion of the survey. Neighborhood organizations are asking for a continuance,

to allow completion of the survey and for meaningful discussions with the supervisor.

What has been sadly missing is proper outreach to our communities during the legislative process. There has been a misrepresentation of facts. When the D3 legislative aide presented this legislation at the 7/28/25 Small Business Commission hearing she stated that, "Supervisor Sauter reached out to every major neighborhood association & merchant group within these impacted areas before we introduced this legislation. Since then we've had constructive conversations with these organizations and have found our legislation to be well received thus far." The fact is that our sole merchants/ small businesses' organization, **the North Beach Business Association (NBBA), was NOT informed at any point prior to the introduction** of this legislation. They were not included in the creation of this legislation. Much later, the NBBA reached out to the D3 supervisor, but the supervisor had no time for meaningful conversations about his SUD proposal. No where in this process was any outreach conducted to the general public & organizations including my own, the North Beach Tenant Committee. Residential tenants as well as small businesses will be placed in jeopardy if this Sauter NCD & SUD proposal is approved. Indeed, in my own neighborhood travels this week, I asked 45 residents whether they had any knowledge of this legislation and none of them knew a thing about it.

In conclusion, due to the lack of outreach to those of us most impacted, the lack of a solid data, and the crucial need to keep effective existing safeguards in place, I urge you to reject this legislation, or, at the very least issue a one-month continuance
Thank you for your consideration.
Theresa Flandrich, North Beach Tenants Committee

From:	Sarah Shrader
To:	Chen, Chyanne (BOS); Sauter, Danny (BOS); Melgar, Myrna (BOS); Mahmood, Bilal (BOS); Carroll, John (BOS)
Subject:	Opposition to Item #19
Date:	Sunday, October 5, 2025 5:32:56 PM
Attachments:	Planning Hearing North Beach.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Here are my comments opposing number 19, that were previously submitted to planning commissioners.

Thank you,
Sarah Shrader
415 756 4587

Attention:
Planning Commission
Land Use and Transportation Committee
San Francisco Board of Supervisors
Mayor of San Francisco

Emailed to:
Planner: Veronica Flores
veronica.flores@sfgov.org
Planning Department
49 South Van Ness Avenue Suite 1400
San Francisco, Ca 94013

Regarding Public Hearing: Thursday September 18, 2025 at Noon
City Hall, Room 400
Item #12: Planning & Zoning Amendment: Consolidating the North Beach Special Use and Neighborhood Commercial Districts…
Case Number: 2025-005989PCAMP

September 15, 2025

Dear San Francisco Planning Commission,

My name is Sarah Shrader, and I was born and raised in San Francisco. I am writing today regarding the *Consolidation of the North Beach Special Use and Neighborhood Commercial Districts.*

As a San Francisco resident for over 40 years, I have seen tremendous change in many San Francisco neighborhoods, however North Beach seems to be an exception. Many of the businesses I frequented in my youth are still thriving here. While most of San Francisco has slowly been recovering from COVID, North Beach has bounced back with foot traffic from locals, Bay Area visitors, and international tourists.

Without “chain” businesses I have seen many small independent businesses thrive in this area, including deli’s, bakeries, liquor stores, and restaurants. Bringing in commercial businesses will directly impact dozens of established small businesses that have served the neighborhood for decades.

It is one of the few neighborhoods in San Francisco, where people know each other's names, and cafe customers have been frequenting the same locations for decades. City Lights Bookstore, Stinking Rose Restaurant, Cafe Triste, and The Saloon are highlights of historical and independent businesses representing North Beach, making a name for San Francisco. My concern is voting in favor of this proposal is going to have a devastating financial effect, driving money outside the community, will likely close more small local businesses, and change the atmosphere that makes North Beach one of a kind.

Please vote against the *Consolidation of the North Beach Special Use and Neighborhood Commercial Districts.*

Thank you for your consideration,

Sarah Shrader, Lifelong San Francisco Resident
sarahshrader519@gmail.com
415 756 4587

From:	Ida Zoubi
To:	Sauter, Danny (BOS); Chen, Chyanne (BOS); Dorsey, Matt (BOS); Engardio, Joel (BOS); Fielder, Jackie (BOS); Mahmood, Bilal (BOS); Mandelman, Rafael (BOS); Melgar, Myrna (BOS); Sherrill, Stephen (BOS); Walton, Shamann (BOS); Carroll, John (BOS); Chan, Connie (BOS)
Subject:	Opposition to "North Beach Thrives" Legislation (as written) – Caffè Trieste
Date:	Sunday, October 5, 2025 5:17:30 PM
Attachments:	Ida_Zoubi_North_Beach_Thrives_Letter_.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Chair and Members of the Land Use Committee,

Please find attached a letter from Caffe Trieste expressing opposition to the *North Beach Thrives* legislation as currently written.
We respectfully request that this letter be included in the official record for the Committee's consideration.

Thank you for your time and attention.

Warm regards,
Ida Pantaleo Zoubi
CEO, President

Caffe Trieste Inc.
601 Vallejo Street
San Francisco, CA 94133

(415)246-8449

Ida Zoubi
Caffè Trieste
601 Vallejo Street
San Francisco, CA 94133
Email: caffeida@yahoo.com
Date: October 6, 2025

Written Statement in Opposition to the “North Beach Thrives” Legislation

Submitted to: San Francisco Board of Supervisors – Land Use Committee

Dear Chair and Members of the Committee,

My name is Ida Zoubi, and I am the third-generation owner of Caffè Trieste, a San Francisco Legacy Business that has proudly served North Beach since 1956.

I am writing to express my opposition to the “North Beach Thrives” legislation as currently written. While I appreciate the intent to support our neighborhood, the proposal has been developed without meaningful input from the small business community most directly affected by it.

North Beach’s small businesses are the foundation of its identity and economy. We deserve to be included in decisions that shape proposed changes to Small-Scale Use Size Limits, the North Beach Special Use District, Storefront Mergers, and Restaurant Conversions — all of which directly impact the character, affordability, and long-term survival of neighborhood businesses. Caffè Trieste and other long-standing establishments have endured decades of change through collaboration and resilience — not exclusion.

I respectfully urge the Committee to pause this legislation and bring North Beach business owners, residents, and community organizations into the process before moving forward. North Beach cannot truly thrive without the voices of the people who built it.

Thank you for your time and consideration.

Respectfully submitted,

Ida Zoubi
Caffè Trieste

From: San Francisco Vintage
To: Melgar, Myrna (BOS); Chen, Chyanne (BOS); Mahmood, Bilal (BOS); Carroll, John (BOS)
Cc: Sauter, Danny (BOS)
Subject: Protect North Beach's Character — Reject BOS File No. 250682
Date: Saturday, October 4, 2025 10:51:14 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Land Use and Transportation Committee Members,

My name is Krystyl Baldwin, and I am a North Beach resident and small business owner who works closely with the independent shops and creative spaces that define this neighborhood. I am writing to urge you to **reject Supervisor Sauter's proposal (BOS File No. 250682)** to eliminate the North Beach Special Use District (NBSUD).

The NBSUD is not just about preservation; it is a tested economic model that has balanced growth, livability, and small business success for over four decades. This framework is exactly what the City's recovery strategy calls for: equitable development that supports local entrepreneurship and cultural vitality.

The argument that deregulation is needed to restore vibrancy is inconsistent with current data. North Beach has one of San Francisco's lowest vacancy rates and one of its strongest recovery trajectories. This proposal is a solution in search of a problem, and if enacted, it would undermine a functioning urban ecosystem in the name of change.

Expanding allowable storefront sizes and use limits would invite speculation, displace independent operators, and accelerate the homogenization of a neighborhood that still works. North Beach's success is rooted in its human scale, a mix of legacy businesses, new ventures, and authenticity that cannot be legislated back once lost.

If San Francisco loses North Beach, it loses one of the last functioning examples of community-based urban economics, and one of the last pieces of its soul.

Good policy strengthens what is working and protects the city's living heritage. Eliminating a framework that is already working is not revitalization; it is regression disguised as progress. History will remember who chose to protect San Francisco's identity and who voted to erase it. I urge the Committee to **vote NO on BOS File No. 250682** and uphold the North Beach Special Use District as a model for how San Francisco can grow responsibly.

Thank you for your leadership and your commitment to the future of this city.

photo

Krystyl (She/Her)
San Francisco Vintage
Shop Sustainably www.sfvintagemaps.com
Web www.sanfranciscovintage.com
Instagram @san.franciscovintage
By APPT Only

From:	Kitty Margolis
To:	Melgar, Myrna (BOS); Chen, Chyanne (BOS); Mahmood, Bilal (BOS); Carroll, John (BOS)
Cc:	danny@dannyd3.com; Kitty Margolis
Subject:	Please reject the elimination of the North Beach Special Use District
Date:	Saturday, October 4, 2025 7:08:55 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors-

As a lifelong resident of and homeowner in D3, and an international Jazz touring and recording artist who cut her teeth in the thriving N. Beach cultural scene, I am writing in vehement opposition of eliminating the North Beach Special Use District.

This short sighted power grab, which would eliminate years of thoughtful city planning, is a terrible idea and will result in irreparable changes to the crown jewel of San Francisco neighborhoods, a magnet to visitors worldwide, that brings immeasurable cultural cachet and financial rewards to the City.

North Beach is healthy and thriving, just as it is. Once our history is erased, it can never be replaced.

Please reject **BOS File No. 250682 .**

Sincerely,
Kitty Margolis

From:	LISA AMBROSIANI
To:	Melgar, Myrna (BOS); Chen, Chyanne (BOS); Mahmood, Bilal (BOS); Carroll, John (BOS)
Subject:	BOS File No. 250682 - Reject elimination of the North Beach Special Use District
Date:	Sunday, October 5, 2025 8:17:24 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello All,

Please reject the elimination of the North Beach Special Use District because it has protected our small storefronts, our historic character and neighborhood balance. The Special Use District prevented building demolition, over-commercialization, historic displacement and speculation. Without this designated North Beach risks losing its unique identity and being just another generic retail corridor.

Your good help with this is much appreciated.

Sincrerely,
Lisa Ambrosiani

From: Emma
To: Melgar, Myrna (BOS); hyanne.Chen@sfgov.org; Mahmood, Bilal (BOS); Carroll, John (BOS)
Cc: Sauter, Danny (BOS); Georges Bikahi; Lucy Bikahi; Joe Bikahi
Subject: District 3 Voters Oppose BOS File No. 250682 - Vote No
Date: Sunday, October 5, 2025 10:42:26 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors Melgar, Chen, Mahmood, and Clerk Carroll,

We are writing in strong opposition to District 3 Supervisor Sauter's proposed legislation to destroy small and legacy businesses in the internationally celebrated neighborhood of North Beach.

For decades, the North Beach Special Use District
● has protected our small storefronts, historic character, and neighborhood balance.
● has prevented building demolitions, over-commercialization, historic displacement, and speculation.
● Without it, North Beach risks losing its unique identity and becoming just another generic retail corridor.

As a city largely dependent on tourism, maintaining the unique character and identity of North Beach makes good financial sense; people come to our city because of what makes it special, not what makes it a cookie cutter version of anytown USA. If you have visited North Beach recently you will see that it is packed with visitors and the scene is vibrant. As a city that champions small businesses, family run businesses, and created a legacy business program, passing this proposed legislation runs contrary to any of those values and invites soulness chains disconnected from the generations of chefs, artists, musicians, writers, fisherman, and others who make this neighborhood a community with a history and a soul.

We are deeply disappointed in Supervisor Sauter's move here and appeal to him to reconsider and withdraw this proposed legislation. We appeal to you to vote against it and defeat it.

We will be watching for updates. Thank you for looking out for us, the residents and families and small business owners of San Francisco; not the large corporations and deep pockets seeking to destabilize and damage our hometown.

Sincerely yours, San Francisco District 3 voters,

Emma Dunbar
Lucy Bikahi
Joseph Bikahi
Georges Bikahi

From:	blandina farley
To:	Melgar, Myrna (BOS); Chen, Chyanne (BOS); Mahmood, Bilal (BOS); Carroll, John (BOS); Danny Sauter; Mayor, MYR (MYR); Dorsey, Matt (BOS); Chan, Connie (BOS)
Subject:	Reject the elimination of North Beach as Special Use Distrct
Date:	Sunday, October 5, 2025 10:58:37 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Mayor Lurie, Supervisors & Committee members

As a longtime resident and tour guide who lives in the heart of North Beach, I am writing to strongly urge you to **reject the elimination of the North Beach Special Use District.**

This district has long protected what makes North Beach so special — our small storefronts, historic character, and the community spirit that has shaped San Francisco's cultural identity for generations. These protections have helped prevent over-commercialization, demolition of historic buildings, and the displacement of the local businesses and artists who give North Beach its soul.

Without these safeguards, North Beach risks losing its unique identity and becoming just another generic retail corridor. Visitors come here not for chain stores or sterile developments, but for the neighborhood's authentic flavor — its history, charm, and creative energy. That character is not only priceless, it's also economically vital: it draws tourism and brings significant revenue to the city.

If we erase what makes North Beach distinct, we risk diminishing one of San Francisco's greatest cultural and economic assets. I ask you to please stand with the community and preserve the integrity and identity of North Beach by maintaining the Special Use District.... I also include the Jackson Square area & the efforts to destroy our historic buildings there that can never be replaced

With respect and gratitude,
Blandina Farley
North Beach Resident, Artist & Tour Guide

415-902-2521

From:	Phil Lumsden
To:	Melgar, Myrna (BOS)
Cc:	Chen, Chyanne (BOS); Mahmood, Bilal (BOS); Carroll, John (BOS)
Subject:	Fwd: BOS Land Use Committee #250682
Date:	Sunday, October 5, 2025 11:37:33 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

---------- Forwarded message ---------
From: **Phil Lumsden** <phil.lumsden999@gmail.com>
Date: Sun, Oct 5, 2025, 11:27 AM
Subject: BOS Land Use Committee #250682
To: <Danny.Sauter@sfgov.org>

Supervisor Sauter:

I am writing to inform you that I have emailed each member of the BOS' Land Use Committee to OPPOSE Bill #250682.

I both live and work in North Beach. I have lived here for 35 years, and have worked here since my retirement 9 years ago (at Coit Tower.) I have seen the ebb and flow of the tourist trade from its high point in the late 1990s-mid 2000s, through the devastation we all experienced during the pandemic, into our slow but steady recovery we are currently experiencing. As a tour guide at Coit Tower, I have the opportunity to speak with thousands of visitors from around the world, many of whom specifically come to SF just to visit North Beach. The character and charm of this neighborhood is known worldwide.

To tinker with the wonderment that is North Beach is a fool's game. Why gamble with proven success? Why not simply give businesses in North Beach the same helping hand they've had for years, and keep this gem of a neighborhood thriving? This does NOT mean increasing building heights (which will block views to our Bay and hillsides), or allowing larger storefronts, which will only invite larger, less specialized businesses to invade our very diverse neighborhood.

North Beach has worked for years to put protections in place that this legislation would destroy.

When you ran for Supervisor, you did not talk about doing any of the neighborhood-changing proposals you have churned out since you took office. As a North Beach resident, I feel betrayed. Additionally, when asked to discuss and/or negotiate these proposals, you either do not respond or outright refuse. This is the lowest form of democracy, bordering on authoritarianism.

Is this the kind of supervisor for which you want to be remembered?

Listen to the citizens of North Beach, Supervisor Sauter. Urge the members of the BOS Land

Use Committee to vote NO on Bill #250682. The future of North Beach (and tangentially, San Francisco) depends on it.)

Respectfully,

Philip Lumsden
553A Greenwich Street
San Francisco, CA 94133

From:	Gregory Chiampou
To:	Melgar, Myrna (BOS); Chen@sfgov.org; Mahmood, Bilal (BOS); Carroll, John (BOS)
Cc:	Sauter, Danny (BOS)
Subject:	Land Use and Transportation Comm. Members
Date:	Sunday, October 5, 2025 1:08:10 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Committee members for the the San Francisco Land Use and Transportation Committees:

I have lived in and enjoyed North Beach for the past 25+ years, and have seen many business cycles and local changes to our neighborhood's business corridors. I also pay property taxes and vote. Please do not approve the proposed changes to the North Beach Special Use District this week.

For starters, I cannot think any business services "consumers" who are asking for his change. North Beach's commercial sector actually did well and bounced high both during and since the Covid pandemic, unlike "big footprint" business corridors like downtown, the San Francisco Mall, the Crocker Galleria, the Metreon, etc. So why is this proposal now seeking to, among other measures, greatly expand the footprint of North Beach's commercial spaces AND turn the existing mix of local business services/shops/eateries and bars as newly subject to a free for all that's best suited for the highest bidders?

As a long time resident, I cannot fathom why this proposal surfaced … Why mess with something that works not only for residents but apparently works for visitors too, as well as the existing businesses? Are landlords asking for this proposal? "Big box" and deep pocketed retailers who feel unfairly excluded are demanding this proposal? Medical providers demanding storefront space?

Surprised too that our newly elected Supervisor, Danny Sauter, keeps springing for proposals (this plus the Family Zoning Plan) without doing community outreach and historically did not present such sweeping, and very detailed, initiatives as part of his election platform.

Please do not approve the pending proposal's that would change the North Beach Special Use District. Thank you.

Greg Chiampou
345 Filbert St.
San Francisco, CA

From: K.P. Scarr
To: Melgar, Myrna (BOS); Chen, Chyanne (BOS); Mahmood, Bilal (BOS); Carroll, John (BOS)
Cc: Sauter, Danny (BOS)
Subject: Please reject proposed changes to North Beach commercial district zoning
Date: Sunday, October 5, 2025 1:47:26 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To the Members of the Land Use and Transportation Committee:

I write to ask you to reject the proposed changes to the North Beach neighborhood's commercial district zoning proposed by Supervisor Sauter:

1. Don't Eliminate the North Beach Special Use District (NBSUD)

● For decades, the **NBSUD has protected our small storefronts**, historic character, and neighborhood balance.
● Eliminating it **strips away safeguards that prevent building demolitions**, **over-commercialization**, **historic displacement, and speculation**.
● Without it, **North Beach risks losing its unique identity** and becoming just another generic retail corridor.

2. Stop Storefront Mergers

● The proposal allows landlords to merge our small storefronts into larger ones **up to 3,000 square feet.**
● That means **small spaces** — the heart of our neighborhood economy — **could disappear overnight.**
● Small shops, cafes, and legacy businesses could be replaced by high-rent shops **150% bigger** than are currently allowed.
● Vacancy rates are already at record lows — **this is a "solution" in search of a non-existent problem.**

3. Protect Small-Scale Use Size Limits

● Increasing the allowed size of new businesses from 2,000 to 3,000 sq. ft. will push **rents even higher. This will attract high-end boutique stores because of their ability to pay higher rents, and they will displace longtime small**

businesses.
● Larger retail spaces open the door to attracting stores that can pay more rent, driving out independent operators.
● Existing size limits keep storefronts affordable and maintain the charming, **small-scale fabric of our neighborhood that is our main tourist draw. Economically, it's a time bomb.**

4. Preserve Balance — Limit Conversions to Restaurant

● Current law keeps a **healthy mix** of shops, services, and restaurants.
● Supervisor Sauter's "plan" would **flood the neighborhood with more bars and eateries — many of which never revert to retail.**
● North Beach thrives on diversity. We must protect the non-restaurant spaces that give our streets character. Once a space converts to a restaurant, it almost never goes back.

5. Protect Housing — Ban the Conversion of Residential Units to Retail on Upper Floors

● Allowing **retail on upper floors leads to evictions** and the loss of much-needed housing.
● Our community stands for no loss of residential units — and this change risks violating that principle.

6. Keep Health Care Uses Off the Ground Floor

● **Medical offices deaden street life** and push out dynamic, people-serving businesses.
● These services already exist nearby - **ground-floor space should stay lively and community-oriented.**

Thank you for your attention.
Karen Scarr
San Francisco District 3 resident

From:	V Hines
To:	Melgar, Myrna (BOS); Mahmood, Bilal (BOS); Chen, Chyanne (BOS); Carroll, John (BOS); Sauter, Danny (BOS)
Subject:	Land Use Committee consideration of BOS File No. 250682
Date:	Sunday, October 5, 2025 4:12:15 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Committee Members:

As a 17-year resident of Jackson Square I am deeply concerned about the lack of collaboration with those of us who call the area home with respect to the big changes contained in the Jackson Square rezoning proposal. This is a unique and historic part of the city, as evidenced by all the people and businesses that want to call our neighborhood home these days. San Francisco doesn't need another once-distinctive district turned into a cookie cutter by big money. We can afford to be thoughtful, strategic, and inclusive as we plan for the future. Change is happening, no one denies it, but I'm looking to the city for leadership and stewardship over San Francisco's resources, not simply caving to the whim of the deepest pockets.

Unfortunately I'm traveling and can't attend tomorrow's hearing, but I wanted you to hear the point of view of this resident and voter.

Sincerely,
Virginia Hines

From:	Thomas Schuttish
To:	Chen, Chyanne (BOS); Mahmood, Bilal (BOS); Melgar, Myrna (BOS); Carroll, John (BOS)
Cc:	Sauter, Danny (BOS)
Subject:	Board File No. 250682. Item No. 19 October 6, 2025 LUT
Date:	Sunday, October 5, 2025 4:24:59 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Chair Melgar, and Supervisors Chen and Mahmood and Mr. Carroll:

Please do not forward this to the full Board.

Here are my points:

1. North Beach is vibrant. I lived in North Beach from 1979 to 1986. It has retained the same vitality and wonderful neighborhood quality that it had over 40 years ago. That can be attributed to the care and concern given by the City and the SUD that not only protects North Beach but pushes it into the future.

2. What is the point of this legislation if the SUD is working? What is that expression about "if it is not broke don't fix it?" Seems very applicable to this legislation which could "break" North Beach.

3. Please recognize that the three Planning Commissioners who voted "no" are all Board appointees. They have a point of view that should be honored by the LUT and the full Board.

4. All of this is true for Jackson Square as well.

5. North Beach and Jackson Square are not the Financial District. If the City is concerned about vitality, the focus should be on the C-3 core, not the vital areas that are thriving in spite of the issues in the downtown.

From:	Thomas Schuttish
To:	Melgar, Myrna (BOS); Chen, Chyanne (BOS); Mahmood, Bilal (BOS); Carroll, John (BOS)
Cc:	Sauter, Danny (BOS)
Subject:	Fwd: Board File No. 250682. Item No. 19 October 6, 2025 LUT
Date:	Sunday, October 5, 2025 4:28:52 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I sent it accidentally without signing it.
Sorry for the duplicate. Here is the full email.

Begin forwarded message:

From: <schuttishtr@sbcglobal.net>
Subject: Board File No. 250682. Item No. 19 October 6, 2025 LUT
Date: October 5, 2025 at 4:24:33 PM PDT
To: Chyanne.Chen@sfgov.org, Bilal.Mahmood@sfgov.org, "myrna.melgar@sfgov.org" <myrna.melgar@sfgov.org>, John Carroll <john.carroll@sfgov.org>
Cc: danny.sauter@sfgov.org

Dear Chair Melgar, and Supervisors Chen and Mahmood and Mr. Carroll:

Please do not forward this to the full Board.

Here are my points:

1. North Beach is vibrant. I lived in North Beach from 1979 to 1986. It has retained the same vitality and wonderful neighborhood quality that it had over 40 years ago. That can be attributed to the care and concern given by the City and the SUD that not only protects North Beach but pushes it into the future.

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4. All of this is true for Jackson Square as well.

5. North Beach and Jackson Square are not the Financial District. If the City is concerned about vitality, the focus should be on the C-3 core, not the historic areas that are thriving in spite of the issues in Downtown San Francisco.

Sincerely,
Georgia Schuttish

From:	Nick Ferris
To:	Chen, Chyanne (BOS); Mahmood, Bilal (BOS); Melgar, Myrna (BOS)
Cc:	Carroll, John (BOS); Sauter, Danny (BOS); Board of Supervisors (BOS)
Subject:	BOS File No. 250682 - LETTER OF OPPOSITION: Consolidating the North Beach SUD and NCD and Expanding Allowable Uses and Use Size Limits
Date:	Saturday, October 4, 2025 6:55:28 PM
Attachments:	THD Letter to Land Use Committee NBNCD 10.4.25.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Chair Melgar and Members of the Committee:

On behalf of the Telegraph Hill Dwellers, we are writing in STRONG OPPOSITION to the above-cited legislation. The proposed legislation, as currently drafted, would reverse decades of preservation and zoning efforts by dedicated residents and businesses and greatly diminish our neighborhood.

The Telegraph Hill Dwellers, a neighborhood organization founded in 1954 representing over 500 members in North Beach, Telegraph Hill, and the Northeastern Waterfront, has long been devoted to supporting and protecting small businesses, protecting tenants and existing affordable housing, and seeing that our neighborhood commercial corridors continue to balance tourism with community-serving businesses.

Legislation we have championed over the many years has enhanced variety, limited vacancies, and inhibited the type of real estate speculation that could have cannibalized the most unique, community-serving establishments in our neighborhood.

Request for Continuance

We join with other business and community organizations in requesting that this item be continued to the call of the chair.

This legislation would reverse decades of zoning efforts by our organization. In a joint letter dated September 15, 2025, we asked Supervisor Sauter to continue the Planning Commission hearing on the legislation, scheduled on September 18, to allow THD and the other organizations time to work collaboratively with him to address the concerns our organizations had raised about various aspects of the proposed legislation. He continued the item for only one week.

Although a rough outline of potential amendments to the legislation was provided to us on September 30, 2025, we were advised that the legislation was scheduled for consideration by the Land Use and Transportation Committee just six days later on the following Monday. The legislation has not been drafted by the City Attorney, so has not been available for our meaningful review and comment to this Committee. We seek a continuance to allow for such review and further discussion with Supervisor Sauter concerning potential amendments.

Comments Should Continuance Not Be Granted

Should our request for a continuance not be granted, we ask the Committee to recommend

against the proposed legislation, as currently drafted, for reasons set forth below.

Maintain the North Beach Special Use District (SUD).

We strongly oppose the elimination of the North Beach Special Use District (SUD) and its "consolidation" with the North Beach Neighborhood Commercial District (NCD). The North Beach SUD, set forth in Planning Code Section 780.3, was carefully designed by the North Beach Merchants Association working with THD to protect and enhance the special character of one of San Francisco's most important, historic and celebrated neighborhoods. It was enacted to protect residential and commercial uses and use sizes, Legacy Businesses, and the renowned architectural and cultural heritage of North Beach.

Supervisor Sauter's legislative proposal to eliminate the North Beach SUD -- and to "consolidate" it into the NCD chart in Section 722 – significantly diminishes the intended protections embodied in the NBSUD. We therefore urge the Committee to please reject the proposed elimination of the North Beach SUD.

Retain the Existing Prohibition on Storefront Mergers.

We oppose the proposed amendment to conditionally allow mergers up to 3,000 square feet with a Conditional Use Authorization. Preventing storefront mergers has helped to preserve our vibrant neighborhood, minimize commercial vacancies, and retain small businesses, including our numerous Legacy Businesses, that would have disappeared without these controls. These provisions have long proven successful in protecting the delicate ecosystem of our celebrated neighborhood-serving businesses by incentivizing landlords to retain existing small business spaces that command lower per square foot rents than larger storefronts.

Not only do these small-scale diverse businesses serve our community, but they also attract more small businesses, tourists, and visitors from throughout San Francisco, the region, nationally and internationally, maintaining a healthy balance between tourist-serving and neighborhood-serving businesses. Supervisor Sauter's proposal to allow storefront mergers is a solution looking for a problem insofar as commercial vacancies in the NBNCD are at an all-time low. For these reasons, we urge the Committee to please retain the prohibition on storefront mergers and reject the proposal to allow storefront mergers in the North Beach NCD.

Keep the Existing Non-Residential Use Size Limits.

We also strongly oppose Supervisor Sauter's proposed increases in the Non-Residential Use Size Limits in the North Beach NCD from the existing 2,000 square feet to 3,000 square feet. One size does not fit all neighborhoods commercial districts. North Beach has always been characterized by small scale commercial spaces.

Given the small storefronts in North Beach, existing Non-Residential Use Size limit of 2,000 square feet, with a required Conditional Use Authorization for use sizes between 2,000 and 4,000 square feet, has worked and been instrumental in protecting and maintaining a scale of uses and development appropriate to North Beach. The existing use sizes are also largely responsible for the successes of our commercial corridors by preventing the incursion of larger retail uses likely to catalyze rent increases that would result in displacement of our existing businesses. We do not believe this proposed change is necessary or warranted. We respectfully

urge the Committee to please reject the proposed increase in the Non-Residential Use Size limit and maintain the upper Use Size limit of 4,000 square feet.

Maintain the Existing Controls for Limited Restaurants.

We also oppose Supervisor Sauter's proposal to allow Limited Restaurant Use as principally permitted for the reasons that follow. The existing legislation was enacted to stem the proliferation of new restaurants and bars that had replaced so many neighborhood-serving businesses in order to achieve a more stable balance of diverse businesses. It has proven a helpful tool in retaining and welcoming non-restaurant uses that make North Beach so special like Biordi's, Jeffrey's, Paparazzi, Knits and Leather, 101 Records, Locali, Macchiarini Creative Designs, and so many more.

The existing NBNCD controls have also helped reduce vacancy rates. Under the existing ordinance, when a space formerly occupied by a Limited Restaurant, Restaurant, or Bar has become vacant, it has been quickly re-filled because it is allowed as of right, while the conversion of other non-eating and drinking spaces is not allowed. Objective surveys of the NBNCD conducted at intervals over the past 40 years show that once a retail space is converted to an eating and drinking use, it rarely if ever reverts back given the expense of converting the space and the resulting increased rent the converted space commands. For these reasons, we respectfully urge the Committee to please maintain the existing controls for Limited Restaurants and reject the proposal to make Limited Restaurants a principally permitted use.

Prohibit the Conversion of Residential to Retail Uses on Upper Floors.

The North Beach SUD currently prohibits the conversion of residential uses to retail uses above the ground floor to protect tenants from eviction and displacement. We oppose the elimination of this control which reflects our long-standing commitment to "no loss of residential units" on our densely populated commercial corridors.

Supervisor Sauter's amendment, as proposed, was to allow Flexible Retail uses to be principally permitted on all floors in the North Beach NCD. While THD supports allowing Flexible Retail uses on the first floor *only* as principally permitted, we strongly oppose allowing Flexible Retail uses on the upper floors where conversion to retail uses should continue to be prohibited. We therefore urge the Committee to please recommend retaining the prohibition on the conversion of residential uses to retail above the ground floor, including the prohibition on Flexible Retail uses on upper floors.

Maintain Existing Prohibition on Health Care Uses On Ground Floor.

We strongly oppose the proposed amendment to permit new Health Care uses on the ground floor. Supervisor Sauter's current proposal is to allow Health Care uses up to 3,000 square feet with a Conditional Use authorization, which would permit large facilities such as Urgent Care that would deaden our lively commercial corridors. Under the existing NBNCD controls, these

Health Care uses are now conditionally allowed above the first floor *provided no residential units or tenants are displaced.* We believe our existing prohibition of these uses on the ground floor has worked as intended to maintain our active commercial district. We ask the Committee to please recommend maintaining the existing prohibition on ground floor Health

Care uses in the North Beach NCD.

Retain the Requirement for Conditional Use Authorization for Walk Up Uses.

Our opposition to the proposed amendment to change Walk Up Uses from Conditional Use to principally permitted is based on two issues. First, given the mixed-use nature of the North Beach NCD characterized by dense residential uses above ground floor commercial uses, public input is important and Walk-Up uses should continue to be subject to Conditional Use authorization instead of being principally permitted as proposed. Second, we are concerned about the proliferation of "ghost kitchens" and would support an amendment to the Planning Code to define and prohibit "ghost kitchens" in the North Beach NCD and in other NCDs, which are not a beneficial use in any NCD. We ask the Committee to please recommend maintaining the existing Conditional Use Authorization for Walk Up Uses in the North Beach NCD. In addition, please consider asking the Planning Department to create a new definition and controls for "Ghost Kitchen" Use.

Continue to Exclude the North Beach Neighborhood Commercial District from the Priority Processing Program.

Finally, as we stated in our joint letter to the Planning Commission of June 25, 2025, we strongly oppose Supervisor Sauter's proposed inclusion of the North Beach NCD in the Priority Processing Program from which North Beach, along with the Calle 24 Latino Cultural District SUD, have long been exempted. We are deeply concerned that there is no longer any guarantee that Conditional Use authorizations will be publicly noticed or even receive a public hearing. Planning Department staff explained to the Planning Commission on June 26, 2025, that Priority Processing does not require public notice and may not even need to appear on the Planning Commission agenda as a consent item if the Commission delegates its authority to Planning Department staff. As stated by Planner Aaron Starr to the Commission: *". . . these projects would no longer be required to be on the consent calendar, so it allows for scheduling flexibility. However, our default would continue to be to have these on the consent calendar unless directed otherwise by this Commission."* We urge the Committee to please recommend that the North Beach NCD continue to be excluded from the Priority Processing Program.

* * * * * * *

Thank you very much for your attention. We ask that you consider our comments in your deliberation.

Sincerely,
Telegraph Hill Dwellers
Nick Ferris, President

October 4, 2025
Via Email

Myrna Melgar, Chair
Chyanne Chen, Vice-Chair
Bilal Mahmood, Member
Land Use and Transportation Committee
San Francisco Board of Supervisors
City Hall
San Francisco, CA 94102

RE: **BOS File No. 250682 - LETTER OF OPPOSITION**
Consolidating the North Beach SUD and NCD and Expanding Allowable Uses and Use Size Limits

Dear Chair Melgar and Members of the Committee:

On behalf of the Telegraph Hill Dwellers, we are writing in STRONG OPPOSITION to the above-cited legislation. The proposed legislation, as currently drafted, would reverse decades of preservation and zoning efforts by dedicated residents and businesses and greatly diminish our neighborhood.

The Telegraph Hill Dwellers, a neighborhood organization founded in 1954 representing over 500 members in North Beach, Telegraph Hill, and the Northeastern Waterfront, has long been devoted to supporting and protecting small businesses, protecting tenants and existing affordable housing, and seeing that our neighborhood commercial corridors continue to balance tourism with community-serving businesses.

Legislation we have championed over the many years has enhanced variety, limited vacancies, and inhibited the type of real estate speculation that could have cannibalized the most unique, community-serving establishments in our neighborhood.

Request for Continuance

We join with other business and community organizations in requesting that this item be continued to the call of the chair.

This legislation would reverse decades of zoning efforts by our organization. In a joint letter dated September 15, 2025, we asked Supervisor Sauter to continue the Planning Commission hearing on the legislation, scheduled on September 18, to allow THD and the other organizations time to work collaboratively with him to address the concerns our organizations had raised about various aspects of the proposed legislation. He continued the item for only one week.

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Supervisor Sauter's legislative proposal to eliminate the North Beach SUD -- and to "consolidate" it into the NCD chart in Section 722 – significantly diminishes the intended protections embodied in the NBSUD. We therefore urge the Committee to please reject the proposed elimination of the North Beach SUD.

Retain the Existing Prohibition on Storefront Mergers.

We oppose the proposed amendment to conditionally allow mergers up to 3,000 square feet with a Conditional Use Authorization. Preventing storefront mergers has helped to preserve our vibrant neighborhood, minimize commercial vacancies, and retain small businesses, including our numerous Legacy Businesses, that would have disappeared without these controls. These provisions have long proven successful in protecting the delicate ecosystem of our celebrated neighborhood-serving businesses by incentivizing landlords to retain existing small business spaces that command lower per square foot rents than larger storefronts.

Not only do these small-scale diverse businesses serve our community, but they also attract more small businesses, tourists, and visitors from throughout San Francisco, the region, nationally and internationally, maintaining a healthy balance between tourist-serving and neighborhood-serving businesses. Supervisor Sauter's proposal to allow storefront mergers is a solution looking for a problem insofar as commercial vacancies in the NBNCD are at an all-time low. For these reasons, we urge the Committee to please retain the prohibition on storefront mergers and reject the proposal to allow storefront mergers in the North Beach NCD.

Keep the Existing Non-Residential Use Size Limits.

We also strongly oppose Supervisor Sauter's proposed increases in the Non-Residential Use Size Limits in the North Beach NCD from the existing 2,000 square feet to 3,000 square feet. One size does not fit all neighborhoods commercial districts. North Beach has always been characterized by small scale commercial spaces.

Given the small storefronts in North Beach, existing Non-Residential Use Size limit of 2,000 square feet, with a required Conditional Use Authorization for use sizes between 2,000 and 4,000 square feet, has worked and been instrumental in protecting and maintaining a scale of uses and

development appropriate to North Beach. The existing use sizes are also largely responsible for the successes of our commercial corridors by preventing the incursion of larger retail uses likely to catalyze rent increases that would result in displacement of our existing businesses. We do not believe this proposed change is necessary or warranted. We respectfully urge the Committee to please reject the proposed increase in the Non-Residential Use Size limit and maintain the upper Use Size limit of 4,000 square feet.

Maintain the Existing Controls for Limited Restaurants.

We also oppose Supervisor Sauter's proposal to allow Limited Restaurant Use as principally permitted for the reasons that follow. The existing legislation was enacted to stem the proliferation of new restaurants and bars that had replaced so many neighborhood-serving businesses in order to achieve a more stable balance of diverse businesses. It has proven a helpful tool in retaining and welcoming non-restaurant uses that make North Beach so special like Biordi's, Jeffrey's, Paparazzi, Knits and Leather, 101 Records, Locali, Macchiarini Creative Designs, and so many more.

The existing NBNCD controls have also helped reduce vacancy rates. Under the existing ordinance, when a space formerly occupied by a Limited Restaurant, Restaurant, or Bar has become vacant, it has been quickly re-filled *because* it is allowed as of right, while the conversion of other non-eating and drinking spaces is not allowed. Objective surveys of the NBNCD conducted at intervals over the past 40 years show that once a retail space is converted to an eating and drinking use, it rarely if ever reverts back given the expense of converting the space and the resulting increased rent the converted space commands. For these reasons, we respectfully urge the Committee to please maintain the existing controls for Limited Restaurants and reject the proposal to make Limited Restaurants a principally permitted use.

Prohibit the Conversion of Residential to Retail Uses on Upper Floors.

The North Beach SUD currently prohibits the conversion of residential uses to retail uses above the ground floor to protect tenants from eviction and displacement. We oppose the elimination of this control which reflects our long-standing commitment to "no loss of residential units" on our densely populated commercial corridors.

Supervisor Sauter's amendment, as proposed, was to allow Flexible Retail uses to be principally permitted on all floors in the North Beach NCD. While THD supports allowing Flexible Retail uses on the first floor *only* as principally permitted, we strongly oppose allowing Flexible Retail uses on the upper floors where conversion to retail uses should continue to be prohibited. We therefore urge the Committee to please recommend retaining the prohibition on the conversion of residential uses to retail above the ground floor, including the prohibition on Flexible Retail uses on upper floors.

Maintain Existing Prohibition on Health Care Uses On Ground Floor.

We strongly oppose the proposed amendment to permit new Health Care uses on the ground floor. Supervisor Sauter's current proposal is to allow Health Care uses up to 3,000 square feet with a Conditional Use authorization, which would permit large facilities such as Urgent Care that would deaden our lively commercial corridors. Under the existing NBNCD controls, these

Health Care uses are now conditionally allowed above the first floor *provided no residential units or tenants are displaced.* We believe our existing prohibition of these uses on the ground floor has worked as intended to maintain our active commercial district. We ask the Committee to please recommend maintaining the existing prohibition on ground floor Health Care uses in the North Beach NCD.

Retain the Requirement for Conditional Use Authorization for Walk Up Uses.

Our opposition to the proposed amendment to change Walk Up Uses from Conditional Use to principally permitted is based on two issues. First, given the mixed-use nature of the North Beach NCD characterized by dense residential uses above ground floor commercial uses, public input is important and Walk-Up uses should continue to be subject to Conditional Use authorization instead of being principally permitted as proposed. Second, we are concerned about the proliferation of "ghost kitchens" and would support an amendment to the Planning Code to define and prohibit "ghost kitchens" in the North Beach NCD and in other NCDs, which are not a beneficial use in any NCD. We ask the Committee to please recommend maintaining the existing Conditional Use Authorization for Walk Up Uses in the North Beach NCD. In addition, please consider asking the Planning Department to create a new definition and controls for "Ghost Kitchen" Use.

Continue to Exclude the North Beach Neighborhood Commercial District from the Priority Processing Program.

Finally, as we stated in our joint letter to the Planning Commission of June 25, 2025, we strongly oppose Supervisor Sauter's proposed inclusion of the North Beach NCD in the Priority Processing Program from which North Beach, along with the Calle 24 Latino Cultural District SUD, have long been exempted. We are deeply concerned that there is no longer any guarantee that Conditional Use authorizations will be publicly noticed or even receive a public hearing. Planning Department staff explained to the Planning Commission on June 26, 2025, that Priority Processing does not require public notice and may not even need to appear on the Planning Commission agenda as a consent item if the Commission delegates its authority to Planning Department staff. As stated by Planner Aaron Starr to the Commission: ". . . *these projects would no longer be required to be on the consent calendar, so it allows for scheduling flexibility. However, our default would continue to be to have these on the consent calendar unless directed otherwise by this Commission."* We urge the Committee to please recommend that the North Beach NCD continue to be excluded from the Priority Processing Program.

* * * * * * *

Thank you very much for your attention. We ask that you consider our comments in your deliberation.

Sincerely,

Telegraph Hill Dwellers

Nick Ferris, President

cc: Myrna Melgar - *Myrna.Melgar@afgov.org*
Chyanne Chen - *Chyanne.Chen@sfgov.org*
Bilal Mahmood - *Bilal.Mahmood@sfgov.org*
Clerk John Carroll - *John.Carroll@sfgov.org*
Supervisor Danny Sauter, District 3 *danny.sauter@sfgov.org*
Angela Cavillo, Clerk *Board.of.Supervisors@sfgov.org*

From:	Nick Ferris
To:	Sauter, Danny (BOS); Melgar, Myrna (BOS); Mahmood, Bilal (BOS); Chen, Chyanne (BOS)
Cc:	Carroll, John (BOS); Andrews, Michelle (BOS)
Subject:	Joint Request for Continuance (File No. 250682)
Date:	Thursday, October 2, 2025 11:33:58 PM
Attachments:	Joint Request for Continuance (File No. 250682) 10.2.25.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Supervisor Sauter, Chair Melgar, Supervisor Chen, and Supervisor Mahmood,

Thank you for sharing the draft amendments Tuesday evening. Candidly, we have not had time to review them and our organizations need more time. The turnaround is simply too quick with the Land Use Committee scheduled for Monday and the Mayor's upzoning proposal advancing at the same time. Expecting meaningful engagement on multiple major items within just a few days is not realistic. We all have demanding jobs and while we want to participate, this fire-drill approach doesn't allow for real dialogue. As we heard from several Planning Commissioners last week this process seems rushed and would benefit from more meaningful, collaborative work with the community.

We are asking for a continuance so that we have the reasonable opportunity to review the yet to be finalized amendments once they have been approved by the City Attorney. As Michelle emphasized, what we have now are still drafts and the language may change. It would be far more productive to review the final language before discussion.

I've raised this before but want to stress again: this request is not about delay for its own sake. It's about the short timeline and lack of a reasonable opportunity to engage. Please put yourself in the shoes of your constituents who care deeply about our neighborhooods but can't move around schedules to meet within just a few days. We feel like we're being sidelined. Why the rush?

I know your goal isn't to exclude voices, but the reality is that's how it feels. I believe we can work together constructively if given the time to do so, and we really want to.

Our proposal:

- Extend the timeline by 2 weeks.
- Share the legislation once approved by the City Attorney, so we are working with the real language.
- Meet October 7, 8, or 9 to review the amendments, their impacts, and our suggestions.
- Meet again October 14, 15, or 16 to identify areas of agreement and disagreement.

Our long-established organizations have championed legislation over many years that has successfully enabled our commercial corridors to thrive with a balance of business types, low vacancy rates, and tenant protections, while maintaining the unique character of our neighborhoods. The size and use limitations that have been in place have inhibited the type of speculation that could have displaced our small community-serving establishments.

These controls are even more important today in the face of the proposed upzoning legislation

advancing at the same time which include many other, perhaps conflicting changes to our Neighborhood Commercial Districts and Special Use Districts.

It's fine if we disagree and I'm sure we will in some areas, but we all care greatly about our neighborhoods, and can at least find common ground or understand our differences. We want to work with you, but the current timeline makes that impossible.

Thank you,

Nick Ferris, President, Telegraph Hill Dwellers
Stuart Watts, President, North Beach Business Association
Robyn Tucker, President, Pacific Avenue Neighborhood Association
Matt Stegman, President, Jackson Square Historic District Association
Theresa Flandrich, Chair, North Beach Tenants Committee
Kathleen Courtney, Chair, Russian Hill Community Association
Hanmin Liu, Chair, Upper Chinatown Neighborhood Association

October 2, 2025
Via Email

Supervisor Danny Sauter
San Francisco Board of Supervisors
City Hall 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Subject: Joint Request for Continuance (File No. 250682)

Hi Supervisor Sauter, Chair Melgar, Supervisor Chen, and Supervisor Mahmood,

Thank you for sharing the draft amendments Tuesday evening. Candidly, we have not had time to review them and our organizations need more time. The turnaround is simply too quick with the Land Use Committee scheduled for Monday and the Mayor's upzoning proposal advancing at the same time. Expecting meaningful engagement on multiple major items within just a few days is not realistic. We all have demanding jobs and while we want to participate, this fire-drill approach doesn't allow for real dialogue. As we heard from several Planning Commissioners last week this process seems rushed and would benefit from more meaningful, collaborative work with the community.

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Matt Stegman, President, Jackson Square Historic District Association
Theresa Flandrich, Chair, North Beach Tenants Committee
Kathleen Courtney, Chair, Russian Hill Community Association
Hanmin Liu, Chair, Upper Chinatown Neighborhood Association

Cc:
John Carroll, John.Carroll@sfgov.org
Michelle Andrews, michelle.andrews@sfgov.org

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Somera, Alisa (BOS); Ng, Wilson (BOS); De Asis, Edward (BOS); Mchugh, Eileen (BOS); BOS-Operations; BOS Legislation, (BOS); Carroll, John (BOS)
Subject:	FW: File No. 250682 - Concerns and Recommendations
Date:	Thursday, October 2, 2025 11:49:29 AM
Attachments:	Local Logo.png File No. 250682 - North Beach Concerns and Recommendations.pdf

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Hello,

Please see below and attached for communication from the North Beach Business Association regarding File No. 250682.

> **File No. 250682:** Ordinance amending the Planning Code to: 1) eliminate the North Beach Special Use District and consolidate certain controls into the North Beach Neighborhood Commercial District, expand allowable uses and increase use size limits in the North Beach Neighborhood Commercial District, 2) expand allowable uses and increase use size limits in the Polk Street Neighborhood Commercial District, 3) expand allowable uses in the Pacific Avenue Neighborhood Commercial District, 4) expand allowable uses and increase use size limits in the Nob Hill Special Use District, and 5) reduce limitations on Restaurants and Bars in the Jackson Square Special Use District; amending the Zoning Map to reflect removal of the North Beach Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302. (Sauter)

Sincerely,

Joe Adkins
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Phone: (415) 554-5184 | Fax: (415) 554-5163
board.of.supervisors@sfgov.org | www.sfbos.org

From: Stuart Watts <stuart@localfriends.co>
Sent: Thursday, September 25, 2025 3:11 PM
To: Sauter, Danny (BOS) <Danny.Sauter@sfgov.org>
Cc: Andrews, Michelle (BOS) <michelle.andrews@sfgov.org>; Snyder, Mathew (CPC) <mathew.snyder@sfgov.org>; Switzky, Joshua (CPC) <joshua.switzky@sfgov.org>; Spycher, Dakota (CPC) <dakota.spycher@sfgov.org>; Vimr, Jonathan (CPC) <Jonathan.Vimr@sfgov.org>; Feeney, Claire (CPC) <Claire.Feeney@sfgov.org>; Langlie, Michelle (CPC) <Michelle.Langlie@sfgov.org>; Liang, Xinyu (CPC) <xinyu.liang@sfgov.org>; So, Lydia (CPC) <lydia.so@sfgov.org>; Williams, Gilbert A

(CPC) <gilbert.a.williams@sfgov.org>; Moore, Kathrin (CPC) <kathrin.moore@sfgov.org>; Mcgarry, Sean (CPC) <sean.mcgarry@sfgov.org>; Braun, Derek (CPC) <derek.braun@sfgov.org>; Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>; CPC-Commissions Secretary <commissions.secretary@sfgov.org>
Subject: File No. 250682 - Concerns and Recommendations

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Sauters and San Francisco Planning Department members,

I hope this finds you well. As President of the North Beach Business Association and a small business owner deeply invested in our neighborhood's success, I'm writing regarding the File No. 250682 legislation being considered today.

I am attaching my detailed letter outlining both my support for several aspects of this legislation and my specific concerns about provisions that could impact North Beach's thriving small business ecosystem.

We've seen remarkable success in North Beach, with only eight vacant storefronts on the market in "downtown" North Beach, and I believe we can work together to ensure this legislation promotes growth while preserving the balance that makes our neighborhood work.

I stand ready to collaborate with your offices to refine these proposals and would welcome the opportunity to discuss these recommendations further.

Thank you for your consideration and for your continued efforts to support
San Francisco's small businesses.

Best regards,

Stuart Watts
President, North Beach Business Association

--

Stuart Watts
Owner | Locali Visitor Center

M: (415) 309-1925
P: (415) 234-0540
E: stuart@localfriends.co

www.visitlocali.com

September 25, 2025
Via Email

Supervisor Danny Sauter, District 3
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Re: BOS File No. 250682 – Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts - Concerns and Recommendations

Dear Danny Sauter and San Francisco Planning Department,

My name is Stuart Watts, and I am a small business owner and the President of the North Beach Business Association. I am writing to express both my support for aspects of *File No. 250682 - Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts* legislation and my deep concerns about provisions that could fundamentally alter the character of our neighborhood's small business ecosystem.

A Legacy of Small Business in San Francisco

As a fifth-generation San Franciscan, my family's entrepreneurial roots run deep in this city. Our first business, Blake, Moffitt & Towne Co., opened on Commercial Street in the 1850s, just six blocks from where my shop, Locali Visitor Center, stands today. My father continued this tradition, opening the Assay Office (now Bix) on Gold Street in 1976, only four blocks away. This legacy isn't just history to me; it's a living commitment to nurturing the small businesses that make San Francisco extraordinary.

When I launched my first tour company in 2014, my mission was simple: to connect visitors and locals to the multi-generational businesses I grew up alongside. Through food and beverage experiences, guests don't just taste San Francisco; they hear the personal stories of the families behind these establishments. Now, with Locali, I've created a unique platform that supports independent tour guides, small businesses, and local artists.

As President of the North Beach Business Association, I've gone above and beyond the traditional scope of this role. From modernizing board protocols to organizing night markets and festivals, from personally funding vandalism repairs to securing grants, every action stems from one truth: I am deeply in love with San Francisco and utterly obsessed with preserving what makes our small business community special.

Supporting Smart Growth While Preserving What Works

I share this background because I want you to understand that my involvement with File No. 250682 stems from a genuine care for our city's healthy and thoughtful growth. I support many aspects of this legislation, including permitted walk-up windows, limited food manufacturing, flexible retail, priority processing with proper public notification, and more. These provisions will help our businesses adapt and thrive.

However, I cannot in good conscience support the legislation in its current form due to three critical concerns that could irreversibly damage what makes North Beach successful:

1. Use Space Expansion: Protecting Our Micro-Business Ecosystem

North Beach thrives because of its small, almost micro-sized business spaces. This unique characteristic enables businesses that you won't find in most other places; a multi-generational jewelry-making shop, a flute store, an Italian bookstore, and more. These exist precisely because our small retail spaces keep rents accessible to independent operators.
Recent policy changes have already removed retail space size limits entirely. Now, allowing expansion to much larger retail spaces without community input effectively rolls out the red carpet for big businesses that can afford higher per-square-foot costs. North Beach led the post-pandemic recovery precisely because our small-scale model works.

I respectfully request that Supervisor Sauters' office establish usage size limits and maintain protections against exessive storefront mergers in North Beach.

2. Converting Commercial Uses: Maintaining Our Vital Balance

North Beach leads San Francisco's dining and entertainment scene, with one of the highest concentrations of restaurants and bars per capita. But what makes us special and livable is the careful balance of business types, especially in downtown North Beach.

Our existing protections for commercial retail spaces have enabled us to open a neighborhood grocery store, maintain a local hardware store, and support unique businesses like that flute store. When any retail space can convert to a restaurant, it drives up square footage costs across the board and makes it nearly impossible to convert back to non-restaurant use later.

With very few vacancies in downtown North Beach, but an abundance of restaurants and bars, **I ask that Supervisor Sauters' office maintain retail-type restrictions within downtown North Beach (Broadway to Greenwich, Powell to Grant) while allowing conversion flexibility north of Greenwich on Columbus, where vacant storefronts need activation.**

3. Health Services on the Ground Floor: Keeping Streets Vibrant

North Beach remains vibrant because our ground-floor businesses, restaurants, bars, and retail shops are accessible and welcoming to everyone. Allowing health services on the ground floor would fundamentally change this dynamic. If an X-ray clinic were to replace Luke's Local, our neighborhood grocery store, that would have had a ripple effect on Green Street's foot traffic and economic vitality, which would have been devastating.

We already have excellent health services, including NEMS Hospital, located in the heart of our neighborhood, and a 365-day urgent care clinic. **I request that Supervisor Sauters' office maintain the ground-floor prohibition on health services within downtown North Beach to preserve our accessible, vibrant streetscape.**

4. The Missing Ingredient: Community Collaboration

Perhaps most concerning is how this legislation was crafted without meaningful community input. No town halls preceded the drafting. No surveys gauged support for these specific policies. When a dozen community groups requested an extension to review amendments, we received only a 72-hour notice. This feels like legislation composed behind closed doors, without the voice of the small business community.

A Success Story Worth Protecting

Downtown North Beach has only eight vacant storefronts currently on the market. This is a resounding success, demonstrating that our balanced approach is effective. We're being asked to fix problems that don't exist while risking the very formula that made us successful.
Before this legislation advances to the Land Use Committee, I urge the District 3 office to add protections for downtown North Beach, including preserving retail use size limits, preventing unlimited restaurant conversions, and maintaining ground-floor restrictions on health services.

Moving Forward Together

I want to emphasize that we deeply appreciate the efforts to support small businesses in our community. Many provisions in File No. 250682 will genuinely help our merchants adapt and grow. However, without addressing these three critical concerns, this legislation risks unraveling the delicate balance that has made North Beach an economic success story and a beloved neighborhood.

I stand ready to collaborate with Supervisor Sauters' office and the Planning Department to craft legislation that promotes growth while preserving what works. Our small businesses aren't just economic engines; they're the soul of San Francisco. Let's work together to ensure they thrive for generations to come.

Thank you for considering these perspectives from the front lines of San Francisco's small business community.

Sincerely,

Stuart Watts
President, North Beach Business Association
Owner, Locali Visitor Center

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS); Carroll, John (BOS)
Subject:	File No. 250682 - North Beach Neighborhood Commercial District - 4 letters
Date:	Thursday, September 25, 2025 12:39:18 PM
Attachments:	4 letters.pdf

Dear Supervisors,

Please see the attached 4 letters, from members of the public and various organizations, regarding:

> **File No. 250682** - Ordinance amending the Planning Code to: 1) eliminate the North Beach Special Use District and consolidate certain controls into the North Beach Neighborhood Commercial District, expand allowable uses and increase use size limits in the North Beach Neighborhood Commercial District, 2) expand allowable uses and increase use size limits in the Polk Street Neighborhood Commercial District, 3) expand allowable uses in the Pacific Avenue Neighborhood Commercial District, 4) expand allowable uses and increase use size limits in the Nob Hill Special Use District, and 5) reduce limitations on Restaurants and Bars in the Jackson Square Special Use District; amending the Zoning Map to reflect removal of the North Beach Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Richard Lagunte
Office of the Clerk of the Board – Operations Division
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-7709 | Fax (415) 554-5163
richard.lagunte@sfgov.org | www.sfbos.org

Pronouns: he, him, his

Disclosures: *Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.*

From: Karim Salgado
To: Lurie, Daniel (MYR); Sauter, Danny (BOS); Dennis Phillips, Sarah (CPC); rachel.tanner@sfgov.org; Chen, Lisa (CPC); So, Lydia (CPC); Moore, Kathrin (CPC); Imperial, Theresa (CPC); Braun, Derek (CPC); Campbell, Amy (CPC); Mcgarry, Sean (CPC); Williams, Gilbert A (CPC); CPC-Commissions Secretary; Board of Supervisors (BOS)
Subject: Protecting the Cultural and Economic Integrity of North Beach Amid Zoning Redevelopment Proposals
Date: Thursday, September 11, 2025 2:15:37 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Mayor Lurie and Supervisor Sauter and Planning Commision,

As the owner of **Legacy North Beach Bar**, that has called North Beach home since 2024, I am writing to express my deep concern—and cautious hope—regarding the proposed redevelopment and rezoning plans for District 3.

North Beach is not simply a neighborhood. It is a living, breathing cultural landmark. It is one of the last enclaves in San Francisco where history, small businesses, and a true sense of community are still palpable. And while I fully recognize the urgent need to meet our city's state-mandated housing goals, I urge you—and our city leadership—to adopt a strategy that does not sacrifice our soul in the process.

We are at an inflection point. If we are not deliberate and inclusive, this plan could permanently alter the character of North Beach, displace the very businesses and families that make it unique, and erode the economic and cultural ecosystem that has taken generations to build.

Priority Concerns to Address

To protect our neighborhood while advancing housing goals, I respectfully ask that you champion the following provisions:

- **Developer-Funded Relocation Assistance**: Require all new development that displaces existing businesses to provide **meaningful relocation assistance** funded by developers—not by taxpayers or small businesses.
- **"Warm Shell" Standards for Returning Tenants**: Ensure that returning businesses can operate in **ready-to-use commercial spaces**, not raw concrete boxes that require $100,000+ buildouts. Without this, return is not a real option.
- **Base Height Limits for North Beach & Waterfront Areas**: Maintain a firm base height of **40 feet** in historic corridors like Columbus Avenue, with any bonuses subject to **design review and step-back requirements** to preserve the scale and skyline.

  Preservation of Historically Registered Buildings: Codify protections for all

buildings with architectural or cultural significance. Incentivize adaptive reuse rather than demolition.

- **Protection of Columbus Avenue Commercial Corridor**: This iconic artery is the beating heart of North Beach. Overdevelopment or glass monoliths will forever damage the character and walkability of this corridor.
- **Equitable Distribution of Density**: Do not overburden North Beach. Housing targets must be met **equitably across all neighborhoods**, including those with greater available space and fewer historic constraints.
- **Affordable Housing for Working Families**: Require that a **meaningful percentage of units** are set aside for **working- and middle-class renters**—not just market-rate or luxury buyers. Our restaurant workers, artists, teachers, and small business staff must be able to live where they work.

A Path Forward: Bridging Growth and Preservation

As a business owner and community member, I do not stand in the way of growth. I stand in favor of **smart, inclusive, and culturally sensitive development**.

That's why I am asking not just for policy changes—but for collaboration. I propose the creation of a **North Beach Roundtable**, a working group of residents, small business owners, developers, cultural leaders, and city planners to co-design this transformation **together**, rather than in conflict.

Let us pilot a **community-first development** that meets housing mandates while uplifting the identity of North Beach. Let us be a model for the rest of the city—and state—in how growth and preservation can coexist.

I appreciate your time and leadership, and I would welcome the opportunity to speak further about how we can preserve the legacy of North Beach while embracing its future.

Respectfully,--

Karim Salgado
Legacy North Beach Bar
1326 Grant Ave. S.F. Ca. 94133
415-533-7033

Follow us on Facebook and Instagram

www.facebook.com/LegacyNorthBeach

www.instagram.com/legacynorthbeach

From:	Barry SFOG
To:	Lurie, Daniel (MYR); Sauter, Danny (BOS); Dennis Phillips, Sarah (CPC); rachel.tanner@sfgov.org; Chen, Lisa (CPC); So, Lydia (CPC); Moore, Kathrin (CPC); Imperial, Theresa (CPC); Braun, Derek (CPC); Campbell, Amy (CPC); Mcgarry, Sean (CPC); Williams, Gilbert A (CPC); CPC-Commissions Secretary; Board of Supervisors (BOS)
Subject:	North Beach Concerns
Date:	Thursday, September 11, 2025 4:38:57 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Mayor Lurie and Supervisor Sauter and Planning Commision,

As the owner of SFOG North Beach, that has called North Beach home since 2022, as well as operating the same space 15 years ago. I am writing to express my deep concern—and cautious hope—regarding the proposed redevelopment and rezoning plans for District 3.

North Beach is not simply a neighborhood. It is a living, breathing cultural landmark. It is one of the last enclaves in San Francisco where history, small businesses, and a true sense of community are still palpable. And while I fully recognize the urgent need to meet our city's state-mandated housing goals, I urge you—and our city leadership—to adopt a strategy that does not sacrifice our soul in the process.

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buildings with architectural or cultural significance. Incentivize adaptive reuse rather than demolition.

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Let us pilot a **community-first development** that meets housing mandates while uplifting the identity of North Beach. Let us be a model for the rest of the city—and state—in how growth and preservation can coexist.

I appreciate your time and leadership, and I would welcome the opportunity to speak further about how we can preserve the legacy of North Beach while embracing its future.

Respectfully,

Barry Tickler

Owner SFOG North Beach

1314 Grant Ave

San Francisco, CA. 94133

415-828-7463

From:	Nancy Shanahan
To:	So, Lydia (CPC); Moore, Kathrin (CPC); Braun, Derek (CPC); Campbell, Amy (CPC); Imperial, Theresa (CPC); Mcgarry, Sean (CPC); Williams, Gilbert A (CPC)
Cc:	CPC-Commissions Secretary; Carroll, John (BOS); Board of Supervisors (BOS)
Subject:	BOS File No. 250682 - LETTER OF OPPOSITION: Consolidating the North Beach SUD and NCD and Expanding Allowable Uses and Use Size Limits
Date:	Monday, September 15, 2025 3:09:49 PM
Attachments:	THD Letter to Planning Commission NBNCD 9.4.25.pdf Attachment 1 - Joint Letter Opposing Priority Ordinance 6.25.25.pdf Attachment 2 - THD Ltr to Supervisor Sauter FILE NO. 250682.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear President So and Members of the Planning Commission:

The attached letter and was set via email to the Commission on September 8, 2025 (with a copy to the Commission Secretary) per the email below. We are sending it again as it was, unfortunately, not included in the Commission's packet for the hearing on this item scheduled this week, on September 18.

Thank you.

From: Nick Ferris <nicholashferris@gmail.com>
Date: Monday, September 8, 2025 at 1:53 PM
To: <lydia.so@sfgov.org>, <kathrin.moore@sfgov.org>, <derek.braun@sfgov.org>, <amy.campbell@sfgov.org>, <theresa.imperial@sfgov.org>, <sean.mcgarry@sfgov.org>, <gilbert.a.williams@sfgov.org>
Cc: <commissions.secretary@sfgov.org>, <John.Carroll@sfgov.org>, Angela Callvillo <Board.of.Supervisors@sfgov.org>
Subject: BOS File No. 250682 - LETTER OF OPPOSITION: Consolidating the North Beach SUD and NCD and Expanding Allowable Uses and Use Size Limits

Dear President So and Members of the Planning Commission:

The Telegraph Hill Dwellers, a neighborhood organization founded in 1954 representing over 500 members in North Beach and Telegraph Hill, has long been devoted to supporting and protecting small businesses, protecting tenants and existing affordable housing, and seeing that our neighborhood commercial corridors continue to balance tourism with community-serving businesses. Legislation we have championed over the many years has enhanced variety, limited vacancies, and inhibited the type of real estate speculation that could have cannibalized the most unique, community-serving establishments in our neighborhood. The proposed legislation would reverse decades of

preservation and zoning efforts by dedicated residents and businesses and greatly diminish our neighborhood.

We are writing in strong opposition to Supervisor Sauter's proposed legislation and to ask the Commission to please consider recommending against the amendments as set forth below.

Maintain the North Beach Special Use District (NBSUD).
We strongly oppose the proposed legislation to eliminate the North Beach Special Use District (SUD) and "consolidate" it with the North Beach Neighborhood Commercial District (NCD). The North Beach SUD, set forth in Planning Code Section 780.3, was carefully designed to protect and enhance the special character of one of San Francisco's most important, historic and celebrated neighborhoods. It was enacted to protect residential and commercial uses and use sizes, Legacy Businesses, and our renowned architectural and cultural heritage. Supervisor Sauter's legislative proposal to eliminate the North Beach SUD -- and to "consolidate" it into the NCD chart in Section 722 – would significantly diminish the intended protections embodied in the NBSUD. We therefore urge the Commission to please reject the proposed elimination of the North Beach SUD.

Retain the Existing Prohibition on Storefront Mergers.
We oppose the proposed amendment to allow mergers without even a Conditional Use Authorization. Discouraging storefront mergers has helped to preserve our vibrant neighborhood, minimize commercial vacancies, and retain small businesses, including our numerous Legacy Businesses, that would have long disappeared without these controls. These provisions have long proven successful in protecting the delicate ecosystem of our celebrated neighborhood-serving businesses by incentivizing landlords to retain existing small business spaces that command lower per square foot rents than larger storefronts. Not only do these small-scale diverse businesses serve our community, but they also attract more small businesses, tourists, and visitors from throughout San Francisco, the region, nationally and internationally, maintaining a healthy balance between tourist-serving and neighborhood-serving businesses. Supervisor Sauter's proposal to allow storefront mergers is a solution looking for a problem insofar as commercial vacancies in the NBNCD are at an all-time low. For these reasons, we urge the Commission to please retain the prohibition on storefront mergers and reject the proposal to allow storefront mergers in the North Beach NCD.

Keep the Existing Non-Residential Use Size Limits.
We also strongly also oppose Supervisor Sauter's proposed increases in the Non-

Residential Use Size Limits in the North Beach NCD from the existing 2,000 square feet to 3,000 square feet. The existing Non-Residential Use Size limit of 2,000 square feet, with a required Conditional Use Authorization for use sizes between 2,000 and 4,000 square feet, has been instrumental in protecting and maintaining a scale of uses and development appropriate to North Beach. The existing use sizes are also largely responsible for the successes of our commercial corridors by preventing the incursion of larger retail uses likely to catalyze rent increases that would result in displacement of our existing businesses. We do not believe this proposed change is necessary or warranted. We respectfully urge the Commission to please reject the proposed increase in the Non-Residential Use Size limit and maintain the upper Use Size limit of 4,000 square feet.

Maintain the Existing Controls for Limited Restaurants.

We also oppose Supervisor Sauter's proposal to allow Limited Restaurant Use as principally permitted for the reasons that follow. The existing legislation was enacted to stem the proliferation of new restaurants and bars that had replaced so many neighborhood-serving businesses in order to achieve a more stable balance of diverse businesses. It has proven a helpful tool in retaining and welcoming non-restaurant uses that make North Beach so special like Biordi's, Jeffrey's, Paparazzi, Knits and Leather, 101 Records, Locali, Macchiarini Creative Designs, and so many more. It also has helped reduce vacancy rates. Under the existing ordinance, when a space formerly occupied by a Limited Restaurant, Restaurant, or Bar has become vacant, it has been quickly re-filled because the conversion of other non-eating and drinking spaces is not allowed in the NBNCD. Objective surveys of the NBNCD conducted at intervals over the past 40 years show that once a retail space is converted to an eating and drinking use, it rarely if ever reverts back given the expense of converting the space and the resulting increased rent the converted space commands. For these reasons, we respectfully urge the Commission to please maintain the existing controls for Limited Restaurants and reject the proposal to make Limited Restaurants a principally permitted use.

Prohibit Flexible Retail Uses on Upper Floors.

We oppose the amendment proposed by Supervisor Sauter to allow Flexible Retail uses to be principally permitted on all floors in the North Beach NCD. While THD can support allowing Flexible Retail uses on the first floor only as principally permitted, we strongly oppose allowing Flexible Retail uses on the upper floors where conversion to retail uses should continue to be prohibited in order maintain upper floor housing units and to protect tenants from eviction and displacement. We believe the Supervisor shares our long-standing commitment to preserve residential uses above the ground floor with the goal of "no loss of residential units" and will agree to this change in his proposed

legislation. We therefore urge the Commission to please recommend prohibiting Flexible Retail uses on upper floors in the North Beach NCD.

Maintain Existing Prohibition on Health Care Uses On Ground Floor.
We strongly oppose the proposed amendment to allow new Health Care uses on the ground floor. Health care uses are currently allowed and should continue to be allowed with a Conditional Use authorization above the first floor *provided no residential units or tenants are displaced.* We believe the existing prohibition of these uses on the ground floor has worked as intended to keep out healthcare facilities including such facilities as One Medical and other Urgent Care facilities that would have deadened our lively commercial corridors. Such health care facilities are located nearby outside of the North Beach NCD where they are more appropriate. Health care uses are allowed and should continue to be allowed with a Conditional Use authorization above the first floor provided no residential units are lost and not tenants are displaced. We ask the Commission to please recommend maintaining the existing prohibition on ground floor Health Care uses.

Retain the Requirement for Conditional Use Authorization for Walk Up Uses.
Our opposition to the proposed amendment to change Walk Up Uses from Conditional Use to principally permitted is based on two issues. First, given the mixed use nature of the North Beach NCD characterized by dense residential uses above ground floor commercial uses, public input is important and Walk-Up uses should continue to be subject to Conditional Use authorization instead of being principally permitted as proposed. Second, we are concerned about the proliferation of "ghost kitchens" and would support an amendment to the Planning Code to define and prohibit "ghost kitchens" in the North Beach NCD and in other NCDs, which are not a beneficial use in any NCD. We ask the Commission to please recommend maintaining the existing Conditional Use Authorization for Walk Up Uses in the North Beach NCD. In addition, consider asking the Planning Department to create a new definition and controls for "Ghost Kitchen" Use.

Continue to Exclude the North Beach Neighborhood Commercial District from the Priority Processing Program.
Finally, as we stated in our joint letter to the Commission of June 25, 2025 (see attached), we strongly oppose Supervisor Sauter's proposed inclusion of the North Beach NCD in the Priority Processing Program from which North Beach, along with the Calle 24 Latino Cultural District SUD, have long been exempted. We are deeply concerned that there is no longer any guarantee that Conditional Use authorizations will be publicly noticed or even receive a public hearing. Planning Department staff

explained to the Planning Commission on June 26, 2025, that Priority Processing does not require public notice and may not even need to appear on the Planning Commission agenda as a consent item if the Commission delegates its authority to Planning Department staff. As stated by Planner Aaron Starr to the Commission: *". . . these projects would no longer be required to be on the consent calendar, so it allows for scheduling flexibility. However, our default would continue to be to have these on the consent calendar unless directed otherwise by this Commission."* We urge the Commission to please recommend that the North Beach NCD continue to be excluded from the Priority Processing Program.

* * * * * * *

We met with Supervisor Sauter regarding the above matters and conveyed our comments to him by letter dated August 19, 2025 (see attached).

Thank you very much for your attention. We ask that you consider our comments in your deliberation.

Sincerely,

Telegraph Hill Dwellers
Nick Ferris, President
Stan Hayes, Co-Chair, Planning & Zoning
Sarah Goldsmith, Board Member

September 4, 2025
Via Email

Lydia So, President & Members
San Francisco Planning Commission
49 S Van Ness Ave., Suite 1400
San Francisco, CA 94103

RE: **BOS File No. 250682 - LETTER OF OPPOSITION**
Consolidating the North Beach SUD and NCD and Expanding Allowable Uses and Use Size Limits

Dear President So and Members of the Planning Commission:

The Telegraph Hill Dwellers, a neighborhood organization founded in 1954 representing over 500 members in North Beach and Telegraph Hill, has long been devoted to supporting and protecting small businesses, protecting tenants and existing affordable housing, and seeing that our neighborhood commercial corridors continue to balance tourism with community-serving businesses. Legislation we have championed over the many years has enhanced variety, limited vacancies, and inhibited the type of real estate speculation that could have cannibalized the most unique, community-serving establishments in our neighborhood. The proposed legislation would reverse decades of preservation and zoning efforts by dedicated residents and businesses and greatly diminish our neighborhood.

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We oppose the proposed amendment to allow mergers without even a Conditional Use Authorization. Discouraging storefront mergers has helped to preserve our vibrant neighborhood, minimize commercial vacancies, and retain small businesses, including our numerous Legacy

Businesses, that would have long disappeared without these controls. These provisions have long proven successful in protecting the delicate ecosystem of our celebrated neighborhood-serving businesses by incentivizing landlords to retain existing small business spaces that command lower per square foot rents than larger storefronts. Not only do these small-scale diverse businesses serve our community, but they also attract more small businesses, tourists, and visitors from throughout San Francisco, the region, nationally and internationally, maintaining a healthy balance between tourist-serving and neighborhood-serving businesses. Supervisor Sauter's proposal to allow storefront mergers is a solution looking for a problem insofar as commercial vacancies in the NBNCD are at an all-time low. For these reasons, we urge the Commission to please retain the prohibition on storefront mergers and reject the proposal to allow storefront mergers in the North Beach NCD.

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Our opposition to the proposed amendment to change Walk Up Uses from Conditional Use to principally permitted is based on two issues. First, given the mixed use nature of the North Beach NCD characterized by dense residential uses above ground floor commercial uses, public input is important and Walk-Up uses should continue to be subject to Conditional Use authorization instead of being principally permitted as proposed. Second, we are concerned about the proliferation of "ghost kitchens" and would support an amendment to the Planning Code to define and prohibit "ghost kitchens" in the North Beach NCD and in other NCDs, which are not a beneficial use in any NCD. We ask the Commission to please recommend maintaining the existing Conditional Use Authorization for Walk Up Uses in the North Beach NCD. In addition, consider asking the Planning Department to create a new definition and controls for "Ghost Kitchen" Use.

Continue to Exclude the North Beach Neighborhood Commercial District from the Priority Processing Program.

Finally, as we stated in our joint letter to the Commission of June 25, 2025 (see attached), we strongly oppose Supervisor Sauter's proposed inclusion of the North Beach NCD in the Priority Processing Program from which North Beach, along with the Calle 24 Latino Cultural District SUD,

have long been exempted. We are deeply concerned that there is no longer any guarantee that Conditional Use authorizations will be publicly noticed or even receive a public hearing. Planning Department staff explained to the Planning Commission on June 26, 2025, that Priority Processing does not require public notice and may not even need to appear on the Planning Commission agenda as a consent item if the Commission delegates its authority to Planning Department staff. As stated by Planner Aaron Starr to the Commission: "*. . . these projects would no longer be required to be on the consent calendar, so it allows for scheduling flexibility. However, our default would continue to be to have these on the consent calendar unless directed otherwise by this Commission.*" We urge the Commission to please recommend that the North Beach NCD continue to be excluded from the Priority Processing Program.

* * * * * * *

We met with Supervisor Sauter regarding the above matters and conveyed our comments to him by letter dated August 19, 2025 (see attached).

Thank you very much for your attention. We ask that you consider our comments in your deliberation.

Sincerely,

Telegraph Hill Dwellers

Nick Ferris, President
Stan Hayes, Co-Chair, Planning & Zoning
Sarah Goldsmith, Board Member

Cc: Lydia So, President *lydia.so@sfgov.org*
Kathrin Moore, Vice President *kathrin.moore@sfgov.org*
Derek W. Braun, Commissioner *derek.braun@sfgov.org*
Amy Campbell, Commissioner *amy.campbell@sfgov.org*
Theresa Imperial, Commissioner *theresa.imperial@sfgov.org*
Sean McGarry, Commissioner *sean.mcgarry@sfgov.org*
Gilbert Williams, Commissioner *gilbert.a.williams@sfgov.org*
Jonas Ionin, Director of Commission Affairs *commissions.secretary@sfgov.org*
John Carroll, Clerk, LUTC *John.Carroll@sfgov.org*
Angela Cavillo, Clerk *Board.of.Supervisors@sfgov.org*

June 25, 2025

Lydia So, President
San Francisco Planning Commission
49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103
(Via email: lydia.so@sfgov.org)

RE: STRONG OPPOSITION TO PRIORITY PROCESSING ORDINANCE
Item 21: Case No. 2025-004740PCA [Board File No. 250538]

Dear President So and Commissioners,

On behalf of Calle 24 Latino Cultural District (Calle 24), the North Beach Business Association (NBBA), the Chinatown Community Development Center (CCDC), and the Telegraph Hill Dwellers (THD), we are writing to express our strong opposition to the addition of the Calle 24 Latino Cultural District SUD, the North Beach Neighborhood Commercial District (NCD), and the North Beach Special Use District (SUD) to the Planning Code's Priority Processing Program.

Historically, in recognition of the special nature of Calle 24 and North Beach, their long-standing mix of community-serving businesses at risk of displacement, including Legacy Businesses, murals, festivals, and architectural design and character, they have long been exempted from the Planning Code's Priority Processing Program, ensuring that Conditional Use Authorizations (CUA) require public notice, thorough review prior to approval, and time for the community to gather and provide input.

The proposed legislation before you would include for the first time Calle 24 and North Beach within the Planning Code's Priority Processing Program. The proposed amendments to the Priority Processing Program would also for the first time include formula retail uses and streamline the conditional use process for larger retailers rather than the small businesses it was intended to serve. We believe the program has worked as it is – to accelerate the review of certain small business crucial to the city and our communities' economic vitality, while providing protection for the existing small businesses in Calle 24 and North Beach. **We strongly oppose the proposed legislation and the inclusion of Calle 24 and North Beach within the Priority Processing Program**.

Contrary to the Planning Department's claims in its staff report that these changes "support economic recovery and advance the City's broader objectives related to racial equity, neighborhood vitality, and small business retention," the proposed changes to Calle 24 and North Beach would have the opposite effect.

These neighborhoods have been leading the way to economic recovery as evidenced by the vitality of our commercial corridors today. In both Calle 24 and North Beach our retail spaces have a lower vacancy rate today than before the pandemic. Our neighborhoods celebrate the cultural and

racial composition of our businesses, and strive to retain our existing thriving small business, many of them Legacy Businesses, many owned by immigrant and low-income entrepreneurs sustaining their businesses. Further, the existing controls to prevent the incursion of formula retail uses has protected these small businesses from the likely rent increases chain stores and restaurants could catalyze.

We believe that the elimination of these protections would threaten our small businesses with displacement, especially given the proposed massive upzoning of the City's commercial corridors.

Through the protections long enjoyed by Calle 24 and North Beach, including their exemption from the Priority Processing Program, our commercial districts exemplify today the City's stated objectives of economic recovery, neighborhood vitality, and small business retention. These protections have been working. **Please do not undermine the success of these neighborhoods. The proposed legislation is a solution looking for a problem that doesn't exist. One size does not fit all.**

CCDC respects the wishes of Calle 24 and North Beach organizations to continue to be excluded from the Priority Processing Program and joins in this letter because we strongly believe neighborhoods should have the right to self-determination. We understand that the Priority Processing Program already includes Chinatown districts and works as it is for small business owners. We believe in clearer pathways for community serving businesses but maintain that formula retail establishments should not be given this level of streamlining. Historically, Chinatown has fought to conserve the independent retail ecosphere despite the proliferation of bank branches, McDonalds, etc. The proposed streamlining for formula retail establishments would reduce opportunities for businesses that are reflective of the community, such as affordable grocery stores, restaurants, and businesses that embody the heart and soul of our communities.

Please reject the Planning Department's recommendations to add the Calle 24 Latino Cultural District SUD, the North Beach NCD, and the North Beach SUD to the Planning Code's Priority Processing Program and reject the proposed streamlining of formula retail uses.

Thank you very much for your consideration.

Sincerely,

Erick Arguello, President
Calle 24 Latino Cultural District

Stuart Watts, President
North Beach Business Association

Rosa Chen, Director of Planning & Policy
Chinatown Community Development Center

Nick Ferris, President
Telegraph Hill Dwellers

cc: Kathrin Moore, Vice President kathrin.moore@sfgov.org
Theresa Imperial, Commissioner theresa.imperial@sfgov.org
Derek Braun, Commissioner commissions.secretary@sfgov.org
Amy Campbell, Commissioner amy.campbell@sfgov.org
Sean McGarry, Commissioner sean.mcgarry@sfgov.org
Gilbert Williams, Commissioner gilbert.a.williams@sfgov.org
Jonas Ionin, Secretary commissions.secretary@sfgov.org
Supervisor Danny Sauter danny.sauter@sfgov.org
Supervisor Jackie Fielder Jackie.fielder@sfgov.org

August 19, 2025
Via Email

Supervisor Danny Sauter, District 3
Michelle Andrews, Legislative Aide
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

RE: FILE NO. 250682
[Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts]

Dear Supervisor Sauter and Ms. Andrews,

Thank you for taking the time to meet with members of the Telegraph Hill Dwellers Board to discuss your proposed changes to North Beach Neighborhood Commercial District (NBNCD) legislation. As an organization representing over 500 members of our community, these conversations are crucial to our work to advocate for our community's needs in our shared goal of seeing our neighbors and neighborhoods thrive.

As we shared with you during our meeting, the Telegraph Hill Dwellers cannot support your legislation as currently written. We urge you to make amendments to the legislation so that the legislation matches the positive intentions that you expressed to us at our meeting.

First, we urge you to retain the prohibition on storefront mergers and to oppose the amendments that would allow such mergers without even a conditional use authorization. Further, we do not support storefront mergers even if they were limited based on some maximum size cutoff. However, in very special individual circumstances (e.g., eviction of a legacy business, fire displacement such as happened to Coit Liquors), we would be willing to support a special legislative exception allowing a storefront merger on a limited case-by-case basis.

Discouraging storefront mergers has helped preserve our vibrant neighborhood, minimize commercial vacancies and retain small and Legacy Businesses that would have long disappeared without these controls. These provisions have long proven successful in protecting the delicate ecosystem of our celebrated neighborhood-serving businesses by incentivizing landlords to retain existing small business spaces that command lower per square foot rents than larger storefronts. Not only do these small-scale diverse businesses serve our community, but they also attract more small businesses, tourists, and visitors from throughout San Francisco, the region, nationally and internationally. This helps maintain the balance between tourist-serving and neighborhood-serving businesses, a value we share in common. Moreover, as we said in our conversation, this feels like a solution looking for a problem insofar as ground floor commercial vacancies in the NBNCD are at an all-time low.

Respectfully, we also oppose your proposed increase in Non-Residential Use Size Limits from 2,000 square feet to 3,000 square feet in the NBNCD. The existing 2,000 square feet use size, with a Conditional Use Authorization required for use sizes between 2,000 and 4,000 square feet, has been instrumental in protecting and maintaining a scale of use and development appropriate to North Beach. We do not believe this proposed change is necessary or warranted.

The North Beach Special Use District (NBSUD) set forth in Planning Code Section 780.3 was specifically designed to protect and enhance the special character of one of San Francisco's most important, historic and celebrated neighborhoods. It protects residential and commercial uses and use sizes, Legacy Businesses, and our renowned architectural and cultural heritage. We strongly oppose its elimination. As written your proposed legislation significantly diminishes protections for recognized historic resources, storefront mergers and residential protections. If, however, you insist on consolidating the NBSUD with the NBNCD, the amended Section 722 must fully capture the NBSUD's intentions and protections and incorporate all definitions and controls in the zoning chart and footnotes. We do not believe your proposed amendments adequately accomplish this. If you are committed to eliminating the NBSUD, we are happy to work with you to craft acceptable language and changes. Please let us know if we can help.

We also must oppose your proposal to allow Limited Restaurant Use as principally permitted for the reasons that follow. The existing legislation was enacted to stem the proliferation of new restaurants and bars that had replaced so many neighborhood-serving businesses in order to achieve a more stable balance of diverse businesses. It has proven a helpful tool in retaining and welcoming non-restaurant uses that make North Beach so special like Biordi's, Jeffrey's, Paparazzi, Knits and Leather, 101 Records, Locali, Macchiarini Creative Designs and so many more. It also has helped reduce vacancy rates. Under the existing legislation, when a space formerly occupied by a Limited Restaurant, Restaurant, or Bar has become vacant, it has been quickly re-filled because the conversion of other non-eating and drinking spaces is not allowed in the NBNCD. Objective surveys of the NBNCD conducted at intervals over the past 40 years show that once a retail space is converted to an eating and drinking use, it rarely if ever reverts back given the expense of converting the space and the resulting increased rent the space commands. For these reasons, we urge you to maintain the existing controls for Limited Restaurants.

We appreciate that we have a strong shared commitment to preserving residential uses above the ground floor and we share the goal of "no loss of residential units." With this in mind, THD supports allowing Flexible Retail uses only on the first floor as principally permitted, but opposes Flexible Retail uses on the upper floors in the NBNCD where it should be prohibited in order to maintain the existing housing units in the floors above our businesses and protect tenants from eviction and displacement. In our meeting we were pleased that you agreed with us on this issue.

As to your proposed changes to Walk-Up uses, we have two issues. First, given the mixed-use nature of our commercial district characterized by dense residential uses above ground floor commercial, public input is important and Walk-Up uses must be subject to conditional use authorization and not be as a principally permitted use as you propose. Second, we are pleased that you share our concern about the proliferation of “ghost kitchens” and support an amendment to your legislation to define and prohibit “ghost kitchens” in the NBNCD which we both agreed are not beneficial for North Beach. We are happy to work with you to draft language that would create a new definition for “ghost kitchens,” to include food preparation facilities designed for delivery-only or takeout orders, without a traditional dine-in space. Health Care uses on the ground floor should continue to be prohibited. These office-type uses deaden our active ground floor uses and don’t belong in North Beach. This prohibition has worked as intended, maintaining the lively ground floor ambiance of the neighborhood by keeping out large healthcare facilities such as One Medical and the proliferation of other Urgent Care facilities. These facilities are established nearby outside of the NBNCD where they are more appropriate. Such uses should be allowed with conditional use above the first floor provided no residential tenants are displaced.

Finally, as we stated in our joint letter of June 30, 2025, attached, we request that the NBNCD continue to not be included in the Priority Processing Program. We are deeply concerned that there is no longer any guarantee that conditional use authorizations will be publicly noticed or even receive a public hearing. Planning Department staff explained to the Planning Commission on June 13, 2025, that Priority Processing does not require public notice and does not even need to appear on the Planning Commission agenda as a consent item if the Commission delegates its authority to Planning Department staff. As stated by Planner Aaron Starr at the Commission meeting:

> *“. . . these projects would no longer be required to be on the consent calendar, so it allows for scheduling flexibility. However, our default would continue to be to have these on the consent calendar unless directed otherwise by this Commission.”*

At our meeting you seemed to indicate that there is legislation which will restore the longstanding guarantees of public notice and a public hearing. We are unaware of such legislation, but if you have it, please provide a copy or a link. Otherwise, please continue to exclude North Beach from the Priority Processing Program.

We agree that changes to the NBNCD should be data driven, and in collaboration with the North Beach Business Association, we are in the midst of updating the commercial survey of the NBNCD to collect accurate, up-to-date information to better inform decisions. We believe the data will support what we are experiencing. Namely, that North Beach is thriving and has led the City in our post-pandemic recovery. Let’s work together to utilize the objective results of this survey to come up with the best amendments to our current laws.

We share your stated values of protecting tenants, supporting affordable housing, maintaining rent-control units, supporting small businesses, and seeing that our neighborhood

continues to balance tourism with community-serving businesses.

We look forward to continuing to work with you on this evolving legislation.

Telegraph Hill Dwellers

Nick Ferris
Stan Hayes
Sarah Goldsmith

From:	Kathy Howard
To:	So, Lydia (CPC); Moore, Kathrin (CPC); Braun, Derek (CPC); Campbell, Amy (CPC); Imperial, Theresa (CPC); Mcgarry, Sean (CPC); Mcgarry, Sean (CPC); CPC-Commissions Secretary
Cc:	Carroll, John (BOS); Board of Supervisors (BOS)
Subject:	Regarding proposals for North Beach - oppose
Date:	Wednesday, September 24, 2025 9:41:06 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Planning Commissioners,

It constantly amazes me how people keep bringing up ideas to ruin the unique qualities that so many of us moved to San Francisco to enjoy and that tourists come to experience. North Beach is one of the many special neighborhoods in San Francisco that are vibrant, fascinating, and always fun to visit. This is because of the physical character of the area which supports small, local businesses in affordable spaces.

To keep North Beach vibrant, please support the reasonable recommendations from the Telegraph Hill Dwellers, that is:

- maintain the North Beach Special Use District;
- retain the existing prohibition on storefront mergers;
- keep the existing non-residential use size limits;
- maintain the existing control for limited restaurants, prohibit flexible retail uses on upper floors;
- maintain existing prohibition on health care uses on ground floors;
- retain the requirement for conditional authorization for walk up uses; and
- continue to exclude the North Beach neighborhood commercial district from the priority processing program.

Developers, large businesses, and corporations with unlimited money want larger spaces – but is this what we want in our neighborhoods? I propose that local businesses, which often operate on a shoe-string budget,
are what give our successful commercial districts their appeal and vigor. If there is any question about this, just go downtown where the large storefronts remain empty – while neighborhoods like North Beach, with small, unique businesses, are thriving.

Katherine Howard
Outer Sunset

From:	Kathy Howard
To:	So, Lydia (CPC); Moore, Kathrin (CPC); Braun, Derek (CPC); Campbell, Amy (CPC); Imperial, Theresa (CPC); Mcgarry, Sean (CPC); Mcgarry, Sean (CPC); CPC-Commissions Secretary
Cc:	Carroll, John (BOS); Board of Supervisors (BOS)
Subject:	Regarding proposals for North Beach - oppose
Date:	Wednesday, September 24, 2025 9:41:06 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Planning Commissioners,

It constantly amazes me how people keep bringing up ideas to ruin the unique qualities that so many of us moved to San Francisco to enjoy and that tourists come to experience. North Beach is one of the many special neighborhoods in San Francisco that are vibrant, fascinating, and always fun to visit. This is because of the physical character of the area which supports small, local businesses in affordable spaces.

To keep North Beach vibrant, please support the reasonable recommendations from the Telegraph Hill Dwellers, that is:

- maintain the North Beach Special Use District;
- retain the existing prohibition on storefront mergers;
- keep the existing non-residential use size limits;
- maintain the existing control for limited restaurants, prohibit flexible retail uses on upper floors;
- maintain existing prohibition on health care uses on ground floors;
- retain the requirement for conditional authorization for walk up uses; and
- continue to exclude the North Beach neighborhood commercial district from the priority processing program.

Developers, large businesses, and corporations with unlimited money want larger spaces – but is this what we want in our neighborhoods? I propose that local businesses, which often operate on a shoe-string budget,
are what give our successful commercial districts their appeal and vigor. If there is any question about this, just go downtown where the large storefronts remain empty – while neighborhoods like North Beach, with small, unique businesses, are thriving.

Katherine Howard
Outer Sunset

From:	Nancy Shanahan
To:	So, Lydia (CPC); Moore, Kathrin (CPC); Braun, Derek (CPC); Campbell, Amy (CPC); Imperial, Theresa (CPC); Mcgarry, Sean (CPC); Williams, Gilbert A (CPC)
Cc:	CPC-Commissions Secretary; Carroll, John (BOS); Board of Supervisors (BOS)
Subject:	BOS File No. 250682 - LETTER OF OPPOSITION: Consolidating the North Beach SUD and NCD and Expanding Allowable Uses and Use Size Limits
Date:	Monday, September 15, 2025 3:09:49 PM
Attachments:	THD Letter to Planning Commission NBNCD 9.4.25.pdf Attachment 1 - Joint Letter Opposing Priority Ordinance 6.25.25.pdf Attachment 2 - THD Ltr to Supervisor Sauter FILE NO. 250682.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear President So and Members of the Planning Commission:

The attached letter and was set via email to the Commission on September 8, 2025 (with a copy to the Commission Secretary) per the email below. We are sending it again as it was, unfortunately, not included in the Commission's packet for the hearing on this item scheduled this week, on September 18.

Thank you.

From: Nick Ferris <nicholashferris@gmail.com>
Date: Monday, September 8, 2025 at 1:53 PM
To: <lydia.so@sfgov.org>, <kathrin.moore@sfgov.org>, <derek.braun@sfgov.org>, <amy.campbell@sfgov.org>, <theresa.imperial@sfgov.org>, <sean.mcgarry@sfgov.org>, <gilbert.a.williams@sfgov.org>
Cc: <commissions.secretary@sfgov.org>, <John.Carroll@sfgov.org>, Angela Callvillo <Board.of.Supervisors@sfgov.org>
Subject: BOS File No. 250682 - LETTER OF OPPOSITION: Consolidating the North Beach SUD and NCD and Expanding Allowable Uses and Use Size Limits

Dear President So and Members of the Planning Commission:

The Telegraph Hill Dwellers, a neighborhood organization founded in 1954 representing over 500 members in North Beach and Telegraph Hill, has long been devoted to supporting and protecting small businesses, protecting tenants and existing affordable housing, and seeing that our neighborhood commercial corridors continue to balance tourism with community-serving businesses. Legislation we have championed over the many years has enhanced variety, limited vacancies, and inhibited the type of real estate speculation that could have cannibalized the most unique, community-serving establishments in our neighborhood. The proposed legislation would reverse decades of preservation and zoning efforts by dedicated

residents and businesses and greatly diminish our neighborhood.

We are writing in strong opposition to Supervisor Sauter's proposed legislation and to ask the Commission to please consider recommending against the amendments as set forth below.

Maintain the North Beach Special Use District (NBSUD).
We strongly oppose the proposed legislation to eliminate the North Beach Special Use District (SUD) and "consolidate" it with the North Beach Neighborhood Commercial District (NCD). The North Beach SUD, set forth in Planning Code Section 780.3, was carefully designed to protect and enhance the special character of one of San Francisco's most important, historic and celebrated neighborhoods. It was enacted to protect residential and commercial uses and use sizes, Legacy Businesses, and our renowned architectural and cultural heritage. Supervisor Sauter's legislative proposal to eliminate the North Beach SUD -- and to "consolidate" it into the NCD chart in Section 722 – would significantly diminish the intended protections embodied in the NBSUD. We therefore urge the Commission to please reject the proposed elimination of the North Beach SUD.

Retain the Existing Prohibition on Storefront Mergers.
We oppose the proposed amendment to allow mergers without even a Conditional Use Authorization. Discouraging storefront mergers has helped to preserve our vibrant neighborhood, minimize commercial vacancies, and retain small businesses, including our numerous Legacy Businesses, that would have long disappeared without these controls. These provisions have long proven successful in protecting the delicate ecosystem of our celebrated neighborhood-serving businesses by incentivizing landlords to retain existing small business spaces that command lower per square foot rents than larger storefronts. Not only do these small-scale diverse businesses serve our community, but they also attract more small businesses, tourists, and visitors from throughout San Francisco, the region, nationally and internationally, maintaining a healthy balance between tourist-serving and neighborhood-serving businesses. Supervisor Sauter's proposal to allow storefront mergers is a solution looking for a problem insofar as commercial vacancies in the NBNCD are at an all-time low. For these reasons, we urge the Commission to please retain the prohibition on storefront mergers and reject the proposal to allow storefront mergers in the North Beach NCD.

Keep the Existing Non-Residential Use Size Limits.
We also strongly also oppose Supervisor Sauter's proposed increases in the Non-Residential Use Size Limits in the North Beach NCD from the existing 2,000 square feet to 3,000 square feet. The existing Non-Residential Use Size limit of 2,000 square feet, with a required Conditional Use Authorization for use sizes between 2,000 and 4,000 square feet, has been instrumental in protecting and maintaining a scale of uses and development appropriate to

North Beach. The existing use sizes are also largely responsible for the successes of our commercial corridors by preventing the incursion of larger retail uses likely to catalyze rent increases that would result in displacement of our existing businesses. We do not believe this proposed change is necessary or warranted. We respectfully urge the Commission to please reject the proposed increase in the Non-Residential Use Size limit and maintain the upper Use Size limit of 4,000 square feet.

Maintain the Existing Controls for Limited Restaurants.

We also oppose Supervisor Sauter's proposal to allow Limited Restaurant Use as principally permitted for the reasons that follow. The existing legislation was enacted to stem the proliferation of new restaurants and bars that had replaced so many neighborhood-serving businesses in order to achieve a more stable balance of diverse businesses. It has proven a helpful tool in retaining and welcoming non-restaurant uses that make North Beach so special like Biordi's, Jeffrey's, Paparazzi, Knits and Leather, 101 Records, Locali, Macchiarini Creative Designs, and so many more. It also has helped reduce vacancy rates. Under the existing ordinance, when a space formerly occupied by a Limited Restaurant, Restaurant, or Bar has become vacant, it has been quickly re-filled because the conversion of other non-eating and drinking spaces is not allowed in the NBNCD. Objective surveys of the NBNCD conducted at intervals over the past 40 years show that once a retail space is converted to an eating and drinking use, it rarely if ever reverts back given the expense of converting the space and the resulting increased rent the converted space commands. For these reasons, we respectfully urge the Commission to please maintain the existing controls for Limited Restaurants and reject the proposal to make Limited Restaurants a principally permitted use.

Prohibit Flexible Retail Uses on Upper Floors.

We oppose the amendment proposed by Supervisor Sauter to allow Flexible Retail uses to be principally permitted on all floors in the North Beach NCD. While THD can support allowing Flexible Retail uses on the first floor only as principally permitted, we strongly oppose allowing Flexible Retail uses on the upper floors where conversion to retail uses should continue to be prohibited in order maintain upper floor housing units and to protect tenants from eviction and displacement. We believe the Supervisor shares our long-standing commitment to preserve residential uses above the ground floor with the goal of "no loss of residential units" and will agree to this change in his proposed legislation. We therefore urge the Commission to please recommend prohibiting Flexible Retail uses on upper floors in the North Beach NCD.

Maintain Existing Prohibition on Health Care Uses On Ground Floor.

We strongly oppose the proposed amendment to allow new Health Care uses on the ground floor. Health care uses are currently allowed and should continue to be allowed with a Conditional Use authorization above the first floor *provided no residential units or tenants*

are displaced. We believe the existing prohibition of these uses on the ground floor has worked as intended to keep out healthcare facilities including such facilities as One Medical and other Urgent Care facilities that would have deadened our lively commercial corridors. Such health care facilities are located nearby outside of the North Beach NCD where they are more appropriate. Health care uses are allowed and should continue to be allowed with a Conditional Use authorization above the first floor provided no residential units are lost and not tenants are displaced. We ask the Commission to please recommend maintaining the existing prohibition on ground floor Health Care uses.

Retain the Requirement for Conditional Use Authorization for Walk Up Uses.
Our opposition to the proposed amendment to change Walk Up Uses from Conditional Use to principally permitted is based on two issues. First, given the mixed use nature of the North Beach NCD characterized by dense residential uses above ground floor commercial uses, public input is important and Walk-Up uses should continue to be subject to Conditional Use authorization instead of being principally permitted as proposed. Second, we are concerned about the proliferation of "ghost kitchens" and would support an amendment to the Planning Code to define and prohibit "ghost kitchens" in the North Beach NCD and in other NCDs, which are not a beneficial use in any NCD. We ask the Commission to please recommend maintaining the existing Conditional Use Authorization for Walk Up Uses in the North Beach NCD. In addition, consider asking the Planning Department to create a new definition and controls for "Ghost Kitchen" Use.

Continue to Exclude the North Beach Neighborhood Commercial District from the Priority Processing Program.
Finally, as we stated in our joint letter to the Commission of June 25, 2025 (see attached), we strongly oppose Supervisor Sauter's proposed inclusion of the North Beach NCD in the Priority Processing Program from which North Beach, along with the Calle 24 Latino Cultural District SUD, have long been exempted. We are deeply concerned that there is no longer any guarantee that Conditional Use authorizations will be publicly noticed or even receive a public hearing. Planning Department staff explained to the Planning Commission on June 26, 2025, that Priority Processing does not require public notice and may not even need to appear on the Planning Commission agenda as a consent item if the Commission delegates its authority to Planning Department staff. As stated by Planner Aaron Starr to the Commission: *". . . these projects would no longer be required to be on the consent calendar, so it allows for scheduling flexibility. However, our default would continue to be to have these on the consent calendar unless directed otherwise by this Commission."* We urge the Commission to please recommend that the North Beach NCD continue to be excluded from the Priority Processing Program.

* * * * * * *

We met with Supervisor Sauter regarding the above matters and conveyed our comments to him by letter dated August 19, 2025 (see attached).

Thank you very much for your attention. We ask that you consider our comments in your deliberation.

Sincerely,

Telegraph Hill Dwellers
Nick Ferris, President
Stan Hayes, Co-Chair, Planning & Zoning
Sarah Goldsmith, Board Member

September 4, 2025
Via Email

Lydia So, President & Members
San Francisco Planning Commission
49 S Van Ness Ave., Suite 1400
San Francisco, CA 94103

RE: **BOS File No. 250682 - LETTER OF OPPOSITION**
Consolidating the North Beach SUD and NCD and Expanding Allowable Uses and Use Size Limits

Dear President So and Members of the Planning Commission:

The Telegraph Hill Dwellers, a neighborhood organization founded in 1954 representing over 500 members in North Beach and Telegraph Hill, has long been devoted to supporting and protecting small businesses, protecting tenants and existing affordable housing, and seeing that our neighborhood commercial corridors continue to balance tourism with community-serving businesses. Legislation we have championed over the many years has enhanced variety, limited vacancies, and inhibited the type of real estate speculation that could have cannibalized the most unique, community-serving establishments in our neighborhood. The proposed legislation would reverse decades of preservation and zoning efforts by dedicated residents and businesses and greatly diminish our neighborhood.

We are writing in strong opposition to Supervisor Sauter's proposed legislation and to ask the Commission to please consider recommending against the amendments as set forth below.

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We oppose the proposed amendment to allow mergers without even a Conditional Use Authorization. Discouraging storefront mergers has helped to preserve our vibrant neighborhood, minimize commercial vacancies, and retain small businesses, including our numerous Legacy

Businesses, that would have long disappeared without these controls. These provisions have long proven successful in protecting the delicate ecosystem of our celebrated neighborhood-serving businesses by incentivizing landlords to retain existing small business spaces that command lower per square foot rents than larger storefronts. Not only do these small-scale diverse businesses serve our community, but they also attract more small businesses, tourists, and visitors from throughout San Francisco, the region, nationally and internationally, maintaining a healthy balance between tourist-serving and neighborhood-serving businesses. Supervisor Sauter's proposal to allow storefront mergers is a solution looking for a problem insofar as commercial vacancies in the NBNCD are at an all-time low. For these reasons, we urge the Commission to please retain the prohibition on storefront mergers and reject the proposal to allow storefront mergers in the North Beach NCD.

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We strongly oppose the proposed amendment to allow new Health Care uses on the ground floor. Health care uses are currently allowed and should continue to be allowed with a Conditional Use authorization above the first floor *provided no residential units or tenants are displaced*. We believe the existing prohibition of these uses on the ground floor has worked as intended to keep out healthcare facilities including such facilities as One Medical and other Urgent Care facilities that would have deadened our lively commercial corridors. Such health care facilities are located nearby outside of the North Beach NCD where they are more appropriate. Health care uses are allowed and should continue to be allowed with a Conditional Use authorization above the first floor provided no residential units are lost and not tenants are displaced. We ask the Commission to please recommend maintaining the existing prohibition on ground floor Health Care uses.

Retain the Requirement for Conditional Use Authorization for Walk Up Uses.

Our opposition to the proposed amendment to change Walk Up Uses from Conditional Use to principally permitted is based on two issues. First, given the mixed use nature of the North Beach NCD characterized by dense residential uses above ground floor commercial uses, public input is important and Walk-Up uses should continue to be subject to Conditional Use authorization instead of being principally permitted as proposed. Second, we are concerned about the proliferation of "ghost kitchens" and would support an amendment to the Planning Code to define and prohibit "ghost kitchens" in the North Beach NCD and in other NCDs, which are not a beneficial use in any NCD. We ask the Commission to please recommend maintaining the existing Conditional Use Authorization for Walk Up Uses in the North Beach NCD. In addition, consider asking the Planning Department to create a new definition and controls for "Ghost Kitchen" Use.

Continue to Exclude the North Beach Neighborhood Commercial District from the Priority Processing Program.

Finally, as we stated in our joint letter to the Commission of June 25, 2025 (see attached), we strongly oppose Supervisor Sauter's proposed inclusion of the North Beach NCD in the Priority Processing Program from which North Beach, along with the Calle 24 Latino Cultural District SUD,

have long been exempted. We are deeply concerned that there is no longer any guarantee that Conditional Use authorizations will be publicly noticed or even receive a public hearing. Planning Department staff explained to the Planning Commission on June 26, 2025, that Priority Processing does not require public notice and may not even need to appear on the Planning Commission agenda as a consent item if the Commission delegates its authority to Planning Department staff. As stated by Planner Aaron Starr to the Commission: "*. . . these projects would no longer be required to be on the consent calendar, so it allows for scheduling flexibility. However, our default would continue to be to have these on the consent calendar unless directed otherwise by this Commission.*" We urge the Commission to please recommend that the North Beach NCD continue to be excluded from the Priority Processing Program.

* * * * * * *

We met with Supervisor Sauter regarding the above matters and conveyed our comments to him by letter dated August 19, 2025 (see attached).

Thank you very much for your attention. We ask that you consider our comments in your deliberation.

Sincerely,

Telegraph Hill Dwellers

Nick Ferris, President
Stan Hayes, Co-Chair, Planning & Zoning
Sarah Goldsmith, Board Member

Cc: Lydia So, President *lydia.so@sfgov.org*
Kathrin Moore, Vice President *kathrin.moore@sfgov.org*
Derek W. Braun, Commissioner *derek.braun@sfgov.org*
Amy Campbell, Commissioner *amy.campbell@sfgov.org*
Theresa Imperial, Commissioner *theresa.imperial@sfgov.org*
Sean McGarry, Commissioner *sean.mcgarry@sfgov.org*
Gilbert Williams, Commissioner *gilbert.a.williams@sfgov.org*
Jonas Ionin, Director of Commission Affairs *commissions.secretary@sfgov.org*
John Carroll, Clerk, LUTC *John.Carroll@sfgov.org*
Angela Cavillo, Clerk *Board.of.Supervisors@sfgov.org*

June 25, 2025

Lydia So, President
San Francisco Planning Commission
49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103
(Via email: lydia.so@sfgov.org)

RE: STRONG OPPOSITION TO PRIORITY PROCESSING ORDINANCE
Item 21: Case No. 2025-004740PCA [Board File No. 250538]

Dear President So and Commissioners,

On behalf of Calle 24 Latino Cultural District (Calle 24), the North Beach Business Association (NBBA), the Chinatown Community Development Center (CCDC), and the Telegraph Hill Dwellers (THD), we are writing to express our strong opposition to the addition of the Calle 24 Latino Cultural District SUD, the North Beach Neighborhood Commercial District (NCD), and the North Beach Special Use District (SUD) to the Planning Code's Priority Processing Program.

Historically, in recognition of the special nature of Calle 24 and North Beach, their long-standing mix of community-serving businesses at risk of displacement, including Legacy Businesses, murals, festivals, and architectural design and character, they have long been exempted from the Planning Code's Priority Processing Program, ensuring that Conditional Use Authorizations (CUA) require public notice, thorough review prior to approval, and time for the community to gather and provide input.

The proposed legislation before you would include for the first time Calle 24 and North Beach within the Planning Code's Priority Processing Program. The proposed amendments to the Priority Processing Program would also for the first time include formula retail uses and streamline the conditional use process for larger retailers rather than the small businesses it was intended to serve. We believe the program has worked as it is – to accelerate the review of certain small business crucial to the city and our communities' economic vitality, while providing protection for the existing small businesses in Calle 24 and North Beach. **We strongly oppose the proposed legislation and the inclusion of Calle 24 and North Beach within the Priority Processing Program**.

Contrary to the Planning Department's claims in its staff report that these changes "support economic recovery and advance the City's broader objectives related to racial equity, neighborhood vitality, and small business retention," the proposed changes to Calle 24 and North Beach would have the opposite effect.

These neighborhoods have been leading the way to economic recovery as evidenced by the vitality of our commercial corridors today. In both Calle 24 and North Beach our retail spaces have a lower vacancy rate today than before the pandemic. Our neighborhoods celebrate the cultural and

racial composition of our businesses, and strive to retain our existing thriving small business, many of them Legacy Businesses, many owned by immigrant and low-income entrepreneurs sustaining their businesses. Further, the existing controls to prevent the incursion of formula retail uses has protected these small businesses from the likely rent increases chain stores and restaurants could catalyze.

We believe that the elimination of these protections would threaten our small businesses with displacement, especially given the proposed massive upzoning of the City's commercial corridors.

Through the protections long enjoyed by Calle 24 and North Beach, including their exemption from the Priority Processing Program, our commercial districts exemplify today the City's stated objectives of economic recovery, neighborhood vitality, and small business retention. These protections have been working. **Please do not undermine the success of these neighborhoods. The proposed legislation is a solution looking for a problem that doesn't exist. One size does not fit all.**

CCDC respects the wishes of Calle 24 and North Beach organizations to continue to be excluded from the Priority Processing Program and joins in this letter because we strongly believe neighborhoods should have the right to self-determination. We understand that the Priority Processing Program already includes Chinatown districts and works as it is for small business owners. We believe in clearer pathways for community serving businesses but maintain that formula retail establishments should not be given this level of streamlining. Historically, Chinatown has fought to conserve the independent retail ecosphere despite the proliferation of bank branches, McDonalds, etc. The proposed streamlining for formula retail establishments would reduce opportunities for businesses that are reflective of the community, such as affordable grocery stores, restaurants, and businesses that embody the heart and soul of our communities.

Please reject the Planning Department's recommendations to add the Calle 24 Latino Cultural District SUD, the North Beach NCD, and the North Beach SUD to the Planning Code's Priority Processing Program and reject the proposed streamlining of formula retail uses.

Thank you very much for your consideration.

Sincerely,

Erick Arguello, President
Calle 24 Latino Cultural District

Stuart Watts, President
North Beach Business Association

Rosa Chen, Director of Planning & Policy
Chinatown Community Development Center

Nick Ferris, President
Telegraph Hill Dwellers

cc: Kathrin Moore, Vice President kathrin.moore@sfgov.org
Theresa Imperial, Commissioner theresa.imperial@sfgov.org
Derek Braun, Commissioner commissions.secretary@sfgov.org
Amy Campbell, Commissioner amy.campbell@sfgov.org
Sean McGarry, Commissioner sean.mcgarry@sfgov.org
Gilbert Williams, Commissioner gilbert.a.williams@sfgov.org
Jonas Ionin, Secretary commissions.secretary@sfgov.org
Supervisor Danny Sauter danny.sauter@sfgov.org
Supervisor Jackie Fielder Jackie.fielder@sfgov.org

August 19, 2025
Via Email

Supervisor Danny Sauter, District 3
Michelle Andrews, Legislative Aide
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

RE: FILE NO. 250682
[Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts]

Dear Supervisor Sauter and Ms. Andrews,

Thank you for taking the time to meet with members of the Telegraph Hill Dwellers Board to discuss your proposed changes to North Beach Neighborhood Commercial District (NBNCD) legislation. As an organization representing over 500 members of our community, these conversations are crucial to our work to advocate for our community's needs in our shared goal of seeing our neighbors and neighborhoods thrive.

As we shared with you during our meeting, the Telegraph Hill Dwellers cannot support your legislation as currently written. We urge you to make amendments to the legislation so that the legislation matches the positive intentions that you expressed to us at our meeting.

First, we urge you to retain the prohibition on storefront mergers and to oppose the amendments that would allow such mergers without even a conditional use authorization. Further, we do not support storefront mergers even if they were limited based on some maximum size cutoff. However, in very special individual circumstances (e.g., eviction of a legacy business, fire displacement such as happened to Coit Liquors), we would be willing to support a special legislative exception allowing a storefront merger on a limited case-by-case basis.

Discouraging storefront mergers has helped preserve our vibrant neighborhood, minimize commercial vacancies and retain small and Legacy Businesses that would have long disappeared without these controls. These provisions have long proven successful in protecting the delicate ecosystem of our celebrated neighborhood-serving businesses by incentivizing landlords to retain existing small business spaces that command lower per square foot rents than larger storefronts. Not only do these small-scale diverse businesses serve our community, but they also attract more small businesses, tourists, and visitors from throughout San Francisco, the region, nationally and internationally. This helps maintain the balance between tourist-serving and neighborhood-serving businesses, a value we share in common. Moreover, as we said in our conversation, this feels like a solution looking for a problem insofar as ground floor commercial vacancies in the NBNCD are at an all-time low.

Respectfully, we also oppose your proposed increase in Non-Residential Use Size Limits from 2,000 square feet to 3,000 square feet in the NBNCD. The existing 2,000 square feet use size, with a Conditional Use Authorization required for use sizes between 2,000 and 4,000 square feet, has been instrumental in protecting and maintaining a scale of use and development appropriate to North Beach. We do not believe this proposed change is necessary or warranted.

The North Beach Special Use District (NBSUD) set forth in Planning Code Section 780.3 was specifically designed to protect and enhance the special character of one of San Francisco's most important, historic and celebrated neighborhoods. It protects residential and commercial uses and use sizes, Legacy Businesses, and our renowned architectural and cultural heritage. We strongly oppose its elimination. As written your proposed legislation significantly diminishes protections for recognized historic resources, storefront mergers and residential protections. If, however, you insist on consolidating the NBSUD with the NBNCD, the amended Section 722 must fully capture the NBSUD's intentions and protections and incorporate all definitions and controls in the zoning chart and footnotes. We do not believe your proposed amendments adequately accomplish this. If you are committed to eliminating the NBSUD, we are happy to work with you to craft acceptable language and changes. Please let us know if we can help.

We also must oppose your proposal to allow Limited Restaurant Use as principally permitted for the reasons that follow. The existing legislation was enacted to stem the proliferation of new restaurants and bars that had replaced so many neighborhood-serving businesses in order to achieve a more stable balance of diverse businesses. It has proven a helpful tool in retaining and welcoming non-restaurant uses that make North Beach so special like Biordi's, Jeffrey's, Paparazzi, Knits and Leather, 101 Records, Locali, Macchiarini Creative Designs and so many more. It also has helped reduce vacancy rates. Under the existing legislation, when a space formerly occupied by a Limited Restaurant, Restaurant, or Bar has become vacant, it has been quickly re-filled because the conversion of other non-eating and drinking spaces is not allowed in the NBNCD. Objective surveys of the NBNCD conducted at intervals over the past 40 years show that once a retail space is converted to an eating and drinking use, it rarely if ever reverts back given the expense of converting the space and the resulting increased rent the space commands. For these reasons, we urge you to maintain the existing controls for Limited Restaurants.

We appreciate that we have a strong shared commitment to preserving residential uses above the ground floor and we share the goal of "no loss of residential units." With this in mind, THD supports allowing Flexible Retail uses only on the first floor as principally permitted, but opposes Flexible Retail uses on the upper floors in the NBNCD where it should be prohibited in order to maintain the existing housing units in the floors above our businesses and protect tenants from eviction and displacement. In our meeting we were pleased that you agreed with us on this issue.

As to your proposed changes to Walk-Up uses, we have two issues. First, given the mixed-use nature of our commercial district characterized by dense residential uses above ground floor commercial, public input is important and Walk-Up uses must be subject to conditional use authorization and not be as a principally permitted use as you propose. Second, we are pleased that you share our concern about the proliferation of “ghost kitchens” and support an amendment to your legislation to define and prohibit “ghost kitchens” in the NBNCD which we both agreed are not beneficial for North Beach. We are happy to work with you to draft language that would create a new definition for “ghost kitchens,” to include food preparation facilities designed for delivery-only or takeout orders, without a traditional dine-in space. Health Care uses on the ground floor should continue to be prohibited. These office-type uses deaden our active ground floor uses and don’t belong in North Beach. This prohibition has worked as intended, maintaining the lively ground floor ambiance of the neighborhood by keeping out large healthcare facilities such as One Medical and the proliferation of other Urgent Care facilities. These facilities are established nearby outside of the NBNCD where they are more appropriate. Such uses should be allowed with conditional use above the first floor provided no residential tenants are displaced.

Finally, as we stated in our joint letter of June 30, 2025, attached, we request that the NBNCD continue to not be included in the Priority Processing Program. We are deeply concerned that there is no longer any guarantee that conditional use authorizations will be publicly noticed or even receive a public hearing. Planning Department staff explained to the Planning Commission on June 13, 2025, that Priority Processing does not require public notice and does not even need to appear on the Planning Commission agenda as a consent item if the Commission delegates its authority to Planning Department staff. As stated by Planner Aaron Starr at the Commission meeting:

> *“. . . these projects would no longer be required to be on the consent calendar, so it allows for scheduling flexibility. However, our default would continue to be to have these on the consent calendar unless directed otherwise by this Commission.”*

At our meeting you seemed to indicate that there is legislation which will restore the longstanding guarantees of public notice and a public hearing. We are unaware of such legislation, but if you have it, please provide a copy or a link. Otherwise, please continue to exclude North Beach from the Priority Processing Program.

We agree that changes to the NBNCD should be data driven, and in collaboration with the North Beach Business Association, we are in the midst of updating the commercial survey of the NBNCD to collect accurate, up-to-date information to better inform decisions. We believe the data will support what we are experiencing. Namely, that North Beach is thriving and has led the City in our post-pandemic recovery. Let’s work together to utilize the objective results of this survey to come up with the best amendments to our current laws.

We share your stated values of protecting tenants, supporting affordable housing, maintaining rent-control units, supporting small businesses, and seeing that our neighborhood

continues to balance tourism with community-serving businesses.

We look forward to continuing to work with you on this evolving legislation.

Telegraph Hill Dwellers

Nick Ferris
Stan Hayes
Sarah Goldsmith

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Somera, Alisa (BOS); Ng, Wilson (BOS); De Asis, Edward (BOS); Mchugh, Eileen (BOS); BOS-Operations; BOS Legislation, (BOS); Carroll, John (BOS)
Subject:	3 Letters regarding File No. 250682
Date:	Thursday, September 11, 2025 1:45:26 PM
Attachments:	3 Letters regarding File No. 250682.pdf

Hello,

Please see attached for 3 letters regarding File No. 250682.

> **File No. 250682:** Ordinance amending the Planning Code to: 1) eliminate the North Beach Special Use District and consolidate certain controls into the North Beach Neighborhood Commercial District, expand allowable uses and increase use size limits in the North Beach Neighborhood Commercial District, 2) expand allowable uses and increase use size limits in the Polk Street Neighborhood Commercial District, 3) expand allowable uses in the Pacific Avenue Neighborhood Commercial District, 4) expand allowable uses and increase use size limits in the Nob Hill Special Use District, and 5) reduce limitations on Restaurants and Bars in the Jackson Square Special Use District; amending the Zoning Map to reflect removal of the North Beach Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302. (Sauter)

Sincerely,

Joe Adkins
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Phone: (415) 554-5184 | Fax: (415) 554-5163
board.of.supervisors@sfgov.org | www.sfbos.org

From:	Nick Ferris
To:	So, Lydia (CPC); Moore, Kathrin (CPC); Braun, Derek (CPC); Campbell, Amy (CPC); Imperial, Theresa (CPC); Mcgarry, Sean (CPC); Williams, Gilbert A (CPC)
Cc:	CPC-Commissions Secretary; Carroll, John (BOS); Board of Supervisors (BOS)
Subject:	BOS File No. 250682 - LETTER OF OPPOSITION: Consolidating the North Beach SUD and NCD and Expanding Allowable Uses and Use Size Limits
Date:	Monday, September 8, 2025 1:54:42 PM
Attachments:	THD Letter to Supervisor Sauter_ FILE NO. 250682 (1).pdf Joint Letter Opposing Priority Ordinance 6.25.25.pdf THD Letter to Planning Commission NBNCD 9.4.25.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear President So and Members of the Planning Commission:

The Telegraph Hill Dwellers, a neighborhood organization founded in 1954 representing over 500 members in North Beach and Telegraph Hill, has long been devoted to supporting and protecting small businesses, protecting tenants and existing affordable housing, and seeing that our neighborhood commercial corridors continue to balance tourism with community-serving businesses. Legislation we have championed over the many years has enhanced variety, limited vacancies, and inhibited the type of real estate speculation that could have cannibalized the most unique, community-serving establishments in our neighborhood. The proposed legislation would reverse decades of preservation and zoning efforts by dedicated residents and businesses and greatly diminish our neighborhood.

We are writing in strong opposition to Supervisor Sauter's proposed legislation and to ask the Commission to please consider recommending against the amendments as set forth below.

Maintain the North Beach Special Use District (NBSUD).
We strongly oppose the proposed legislation to eliminate the North Beach Special Use District (SUD) and "consolidate" it with the North Beach Neighborhood Commercial District (NCD). The North Beach SUD, set forth in Planning Code Section 780.3, was carefully designed to protect and enhance the special character of one of San Francisco's most important, historic and celebrated neighborhoods. It was enacted to protect residential and commercial uses and use sizes, Legacy Businesses, and our renowned architectural and cultural heritage. Supervisor Sauter's legislative proposal to eliminate the North Beach SUD -- and to "consolidate" it into the NCD chart in Section 722 – would significantly diminish the intended protections embodied in the NBSUD. <u>We therefore urge the Commission to please reject the proposed elimination of the North Beach SUD.</u>

Retain the Existing Prohibition on Storefront Mergers.
We oppose the proposed amendment to allow mergers without even a Conditional Use Authorization. Discouraging storefront mergers has helped to preserve our vibrant neighborhood, minimize commercial vacancies, and retain small businesses, including our numerous Legacy Businesses, that would have long disappeared without these controls. These provisions have long proven successful in protecting the delicate ecosystem of our celebrated neighborhood-serving businesses by incentivizing landlords to retain existing small business spaces that command lower per square foot rents than larger storefronts. Not only do these small-scale diverse businesses serve our community, but they also attract more small businesses, tourists, and visitors from throughout San Francisco, the region, nationally and

internationally, maintaining a healthy balance between tourist-serving and neighborhood-serving businesses. Supervisor Sauter's proposal to allow storefront mergers is a solution looking for a problem insofar as commercial vacancies in the NBNCD are at an all-time low. For these reasons, we urge the Commission to please retain the prohibition on storefront mergers and reject the proposal to allow storefront mergers in the North Beach NCD.

Keep the Existing Non-Residential Use Size Limits.
We also strongly also oppose Supervisor Sauter's proposed increases in the Non-Residential Use Size Limits in the North Beach NCD from the existing 2,000 square feet to 3,000 square feet. The existing Non-Residential Use Size limit of 2,000 square feet, with a required Conditional Use Authorization for use sizes between 2,000 and 4,000 square feet, has been instrumental in protecting and maintaining a scale of uses and development appropriate to North Beach. The existing use sizes are also largely responsible for the successes of our commercial corridors by preventing the incursion of larger retail uses likely to catalyze rent increases that would result in displacement of our existing businesses. We do not believe this proposed change is necessary or warranted. We respectfully urge the Commission to please reject the proposed increase in the Non-Residential Use Size limit and maintain the upper Use Size limit of 4,000 square feet.

Maintain the Existing Controls for Limited Restaurants.
We also oppose Supervisor Sauter's proposal to allow Limited Restaurant Use as principally permitted for the reasons that follow. The existing legislation was enacted to stem the proliferation of new restaurants and bars that had replaced so many neighborhood-serving businesses in order to achieve a more stable balance of diverse businesses. It has proven a helpful tool in retaining and welcoming non-restaurant uses that make North Beach so special like Biordi's, Jeffrey's, Paparazzi, Knits and Leather, 101 Records, Locali, Macchiarini Creative Designs, and so many more. It also has helped reduce vacancy rates. Under the existing ordinance, when a space formerly occupied by a Limited Restaurant, Restaurant, or Bar has become vacant, it has been quickly re-filled because the conversion of other non-eating and drinking spaces is not allowed in the NBNCD. Objective surveys of the NBNCD conducted at intervals over the past 40 years show that once a retail space is converted to an eating and drinking use, it rarely if ever reverts back given the expense of converting the space and the resulting increased rent the converted space commands. For these reasons, we respectfully urge the Commission to please maintain the existing controls for Limited Restaurants and reject the proposal to make Limited Restaurants a principally permitted use.

Prohibit Flexible Retail Uses on Upper Floors.
We oppose the amendment proposed by Supervisor Sauter to allow Flexible Retail uses to be principally permitted on all floors in the North Beach NCD. While THD can support allowing Flexible Retail uses on the first floor only as principally permitted, we strongly oppose allowing Flexible Retail uses on the upper floors where conversion to retail uses should continue to be prohibited in order maintain upper floor housing units and to protect tenants from eviction and displacement. We believe the Supervisor shares our long-standing commitment to preserve residential uses above the ground floor with the goal of "no loss of residential units" and will agree to this change in his proposed legislation. We therefore urge the Commission to please recommend prohibiting Flexible Retail uses on upper floors in the North Beach NCD.

Maintain Existing Prohibition on Health Care Uses On Ground Floor.
We strongly oppose the proposed amendment to allow new Health Care uses on the ground

floor. Health care uses are currently allowed and should continue to be allowed with a Conditional Use authorization above the first floor *provided no residential units or tenants are displaced.* We believe the existing prohibition of these uses on the ground floor has worked as intended to keep out healthcare facilities including such facilities as One Medical and other Urgent Care facilities that would have deadened our lively commercial corridors. Such health care facilities are located nearby outside of the North Beach NCD where they are more appropriate. Health care uses are allowed and should continue to be allowed with a Conditional Use authorization above the first floor provided no residential units are lost and not tenants are displaced. We ask the Commission to please recommend maintaining the existing prohibition on ground floor Health Care uses.

Retain the Requirement for Conditional Use Authorization for Walk Up Uses.
Our opposition to the proposed amendment to change Walk Up Uses from Conditional Use to principally permitted is based on two issues. First, given the mixed use nature of the North Beach NCD characterized by dense residential uses above ground floor commercial uses, public input is important and Walk-Up uses should continue to be subject to Conditional Use authorization instead of being principally permitted as proposed. Second, we are concerned about the proliferation of "ghost kitchens" and would support an amendment to the Planning Code to define and prohibit "ghost kitchens" in the North Beach NCD and in other NCDs, which are not a beneficial use in any NCD. We ask the Commission to please recommend maintaining the existing Conditional Use Authorization for Walk Up Uses in the North Beach NCD. In addition, consider asking the Planning Department to create a new definition and controls for "Ghost Kitchen" Use.

Continue to Exclude the North Beach Neighborhood Commercial District from the Priority Processing Program.
Finally, as we stated in our joint letter to the Commission of June 25, 2025 (see attached), we strongly oppose Supervisor Sauter's proposed inclusion of the North Beach NCD in the Priority Processing Program from which North Beach, along with the Calle 24 Latino Cultural District SUD, have long been exempted. We are deeply concerned that there is no longer any guarantee that Conditional Use authorizations will be publicly noticed or even receive a public hearing. Planning Department staff explained to the Planning Commission on June 26, 2025, that Priority Processing does not require public notice and may not even need to appear on the Planning Commission agenda as a consent item if the Commission delegates its authority to Planning Department staff. As stated by Planner Aaron Starr to the Commission: *". . . these projects would no longer be required to be on the consent calendar, so it allows for scheduling flexibility. However, our default would continue to be to have these on the consent calendar unless directed otherwise by this Commission."* We urge the Commission to please recommend that the North Beach NCD continue to be excluded from the Priority Processing Program.

* * * * * * *

We met with Supervisor Sauter regarding the above matters and conveyed our comments to him by letter dated August 19, 2025 (see attached).

Thank you very much for your attention. We ask that you consider our comments in your deliberation.

Sincerely,

Telegraph Hill Dwellers
Nick Ferris, President
Stan Hayes, Co-Chair, Planning & Zoning
Sarah Goldsmith, Board Member

June 25, 2025

Lydia So, President
San Francisco Planning Commission
49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103
(Via email: lydia.so@sfgov.org)

RE: STRONG OPPOSITION TO PRIORITY PROCESSING ORDINANCE
Item 21: Case No. 2025-004740PCA [Board File No. 250538]

Dear President So and Commissioners,

On behalf of Calle 24 Latino Cultural District (Calle 24), the North Beach Business Association (NBBA), the Chinatown Community Development Center (CCDC), and the Telegraph Hill Dwellers (THD), we are writing to express our strong opposition to the addition of the Calle 24 Latino Cultural District SUD, the North Beach Neighborhood Commercial District (NCD), and the North Beach Special Use District (SUD) to the Planning Code's Priority Processing Program.

Historically, in recognition of the special nature of Calle 24 and North Beach, their long-standing mix of community-serving businesses at risk of displacement, including Legacy Businesses, murals, festivals, and architectural design and character, they have long been exempted from the Planning Code's Priority Processing Program, ensuring that Conditional Use Authorizations (CUA) require public notice, thorough review prior to approval, and time for the community to gather and provide input.

The proposed legislation before you would include for the first time Calle 24 and North Beach within the Planning Code's Priority Processing Program. The proposed amendments to the Priority Processing Program would also for the first time include formula retail uses and streamline the conditional use process for larger retailers rather than the small businesses it was intended to serve. We believe the program has worked as it is – to accelerate the review of certain small business crucial to the city and our communities' economic vitality, while providing protection for the existing small businesses in Calle 24 and North Beach. **We strongly oppose the proposed legislation and the inclusion of Calle 24 and North Beach within the Priority Processing Program**.

Contrary to the Planning Department's claims in its staff report that these changes "support economic recovery and advance the City's broader objectives related to racial equity, neighborhood vitality, and small business retention," the proposed changes to Calle 24 and North Beach would have the opposite effect.

These neighborhoods have been leading the way to economic recovery as evidenced by the vitality of our commercial corridors today. In both Calle 24 and North Beach our retail spaces have a lower vacancy rate today than before the pandemic. Our neighborhoods celebrate the cultural and

racial composition of our businesses, and strive to retain our existing thriving small business, many of them Legacy Businesses, many owned by immigrant and low-income entrepreneurs sustaining their businesses. Further, the existing controls to prevent the incursion of formula retail uses has protected these small businesses from the likely rent increases chain stores and restaurants could catalyze.

We believe that the elimination of these protections would threaten our small businesses with displacement, especially given the proposed massive upzoning of the City's commercial corridors.

Through the protections long enjoyed by Calle 24 and North Beach, including their exemption from the Priority Processing Program, our commercial districts exemplify today the City's stated objectives of economic recovery, neighborhood vitality, and small business retention. These protections have been working. **Please do not undermine the success of these neighborhoods. The proposed legislation is a solution looking for a problem that doesn't exist. One size does not fit all.**

CCDC respects the wishes of Calle 24 and North Beach organizations to continue to be excluded from the Priority Processing Program and joins in this letter because we strongly believe neighborhoods should have the right to self-determination. We understand that the Priority Processing Program already includes Chinatown districts and works as it is for small business owners. We believe in clearer pathways for community serving businesses but maintain that formula retail establishments should not be given this level of streamlining. Historically, Chinatown has fought to conserve the independent retail ecosphere despite the proliferation of bank branches, McDonalds, etc. The proposed streamlining for formula retail establishments would reduce opportunities for businesses that are reflective of the community, such as affordable grocery stores, restaurants, and businesses that embody the heart and soul of our communities.

Please reject the Planning Department's recommendations to add the Calle 24 Latino Cultural District SUD, the North Beach NCD, and the North Beach SUD to the Planning Code's Priority Processing Program and reject the proposed streamlining of formula retail uses.

Thank you very much for your consideration.

Sincerely,

Erick Arguello, President
Calle 24 Latino Cultural District

Stuart Watts, President
North Beach Business Association

Rosa Chen, Director of Planning & Policy
Chinatown Community Development Center

Nick Ferris, President
Telegraph Hill Dwellers

cc: Kathrin Moore, Vice President kathrin.moore@sfgov.org
Theresa Imperial, Commissioner theresa.imperial@sfgov.org
Derek Braun, Commissioner commissions.secretary@sfgov.org
Amy Campbell, Commissioner amy.campbell@sfgov.org
Sean McGarry, Commissioner sean.mcgarry@sfgov.org
Gilbert Williams, Commissioner gilbert.a.williams@sfgov.org
Jonas Ionin, Secretary commissions.secretary@sfgov.org
Supervisor Danny Sauter danny.sauter@sfgov.org
Supervisor Jackie Fielder Jackie.fielder@sfgov.org

September 4, 2025
Via Email

Lydia So, President & Members
San Francisco Planning Commission
49 S Van Ness Ave., Suite 1400
San Francisco, CA 94103

RE: **BOS File No. 250682 - LETTER OF OPPOSITION**
Consolidating the North Beach SUD and NCD and Expanding Allowable Uses and Use Size Limits

Dear President So and Members of the Planning Commission:

The Telegraph Hill Dwellers, a neighborhood organization founded in 1954 representing over 500 members in North Beach and Telegraph Hill, has long been devoted to supporting and protecting small businesses, protecting tenants and existing affordable housing, and seeing that our neighborhood commercial corridors continue to balance tourism with community-serving businesses. Legislation we have championed over the many years has enhanced variety, limited vacancies, and inhibited the type of real estate speculation that could have cannibalized the most unique, community-serving establishments in our neighborhood. The proposed legislation would reverse decades of preservation and zoning efforts by dedicated residents and businesses and greatly diminish our neighborhood.

We are writing in strong opposition to Supervisor Sauter's proposed legislation and to ask the Commission to please consider recommending against the amendments as set forth below.

Maintain the North Beach Special Use District (NBSUD).

We strongly oppose the proposed legislation to eliminate the North Beach Special Use District (SUD) and "consolidate" it with the North Beach Neighborhood Commercial District (NCD). The North Beach SUD, set forth in Planning Code Section 780.3, was carefully designed to protect and enhance the special character of one of San Francisco's most important, historic and celebrated neighborhoods. It was enacted to protect residential and commercial uses and use sizes, Legacy Businesses, and our renowned architectural and cultural heritage. Supervisor Sauter's legislative proposal to eliminate the North Beach SUD -- and to "consolidate" it into the NCD chart in Section 722 – would significantly diminish the intended protections embodied in the NBSUD. We therefore urge the Commission to please reject the proposed elimination of the North Beach SUD.

Retain the Existing Prohibition on Storefront Mergers.

We oppose the proposed amendment to allow mergers without even a Conditional Use Authorization. Discouraging storefront mergers has helped to preserve our vibrant neighborhood, minimize commercial vacancies, and retain small businesses, including our numerous Legacy

Businesses, that would have long disappeared without these controls. These provisions have long proven successful in protecting the delicate ecosystem of our celebrated neighborhood-serving businesses by incentivizing landlords to retain existing small business spaces that command lower per square foot rents than larger storefronts. Not only do these small-scale diverse businesses serve our community, but they also attract more small businesses, tourists, and visitors from throughout San Francisco, the region, nationally and internationally, maintaining a healthy balance between tourist-serving and neighborhood-serving businesses. Supervisor Sauter's proposal to allow storefront mergers is a solution looking for a problem insofar as commercial vacancies in the NBNCD are at an all-time low. For these reasons, we urge the Commission to please retain the prohibition on storefront mergers and reject the proposal to allow storefront mergers in the North Beach NCD.

Keep the Existing Non-Residential Use Size Limits.

We also strongly also oppose Supervisor Sauter's proposed increases in the Non-Residential Use Size Limits in the North Beach NCD from the existing 2,000 square feet to 3,000 square feet. The existing Non-Residential Use Size limit of 2,000 square feet, with a required Conditional Use Authorization for use sizes between 2,000 and 4,000 square feet, has been instrumental in protecting and maintaining a scale of uses and development appropriate to North Beach. The existing use sizes are also largely responsible for the successes of our commercial corridors by preventing the incursion of larger retail uses likely to catalyze rent increases that would result in displacement of our existing businesses. We do not believe this proposed change is necessary or warranted. We respectfully urge the Commission to please reject the proposed increase in the Non-Residential Use Size limit and maintain the upper Use Size limit of 4,000 square feet.

Maintain the Existing Controls for Limited Restaurants.

We also oppose Supervisor Sauter's proposal to allow Limited Restaurant Use as principally permitted for the reasons that follow. The existing legislation was enacted to stem the proliferation of new restaurants and bars that had replaced so many neighborhood-serving businesses in order to achieve a more stable balance of diverse businesses. It has proven a helpful tool in retaining and welcoming non-restaurant uses that make North Beach so special like Biordi's, Jeffrey's, Paparazzi, Knits and Leather, 101 Records, Locali, Macchiarini Creative Designs, and so many more. It also has helped reduce vacancy rates. Under the existing ordinance, when a space formerly occupied by a Limited Restaurant, Restaurant, or Bar has become vacant, it has been quickly re-filled *because* the conversion of other non-eating and drinking spaces is not allowed in the NBNCD. Objective surveys of the NBNCD conducted at intervals over the past 40 years show that once a retail space is converted to an eating and drinking use, it rarely if ever reverts back given the expense of converting the space and the resulting increased rent the converted space commands. For these reasons, we respectfully urge the Commission to please maintain the existing controls for Limited Restaurants and reject the proposal to make Limited Restaurants a principally permitted use.

Prohibit Flexible Retail Uses on Upper Floors.

We oppose the amendment proposed by Supervisor Sauter to allow Flexible Retail uses to be principally permitted on all floors in the North Beach NCD. While THD can support allowing Flexible Retail uses on the first floor *only* as principally permitted, we strongly oppose allowing Flexible Retail uses on the upper floors where conversion to retail uses should continue to be prohibited in order maintain upper floor housing units and to protect tenants from eviction and displacement. We believe the Supervisor shares our long-standing commitment to preserve residential uses above the ground floor with the goal of "no loss of residential units" and will agree to this change in his proposed legislation. We therefore urge the Commission to please recommend prohibiting Flexible Retail uses on upper floors in the North Beach NCD.

Maintain Existing Prohibition on Health Care Uses On Ground Floor.

We strongly oppose the proposed amendment to allow new Health Care uses on the ground floor. Health care uses are currently allowed and should continue to be allowed with a Conditional Use authorization above the first floor *provided no residential units or tenants are displaced*. We believe the existing prohibition of these uses on the ground floor has worked as intended to keep out healthcare facilities including such facilities as One Medical and other Urgent Care facilities that would have deadened our lively commercial corridors. Such health care facilities are located nearby outside of the North Beach NCD where they are more appropriate. Health care uses are allowed and should continue to be allowed with a Conditional Use authorization above the first floor provided no residential units are lost and not tenants are displaced. We ask the Commission to please recommend maintaining the existing prohibition on ground floor Health Care uses.

Retain the Requirement for Conditional Use Authorization for Walk Up Uses.

Our opposition to the proposed amendment to change Walk Up Uses from Conditional Use to principally permitted is based on two issues. First, given the mixed use nature of the North Beach NCD characterized by dense residential uses above ground floor commercial uses, public input is important and Walk-Up uses should continue to be subject to Conditional Use authorization instead of being principally permitted as proposed. Second, we are concerned about the proliferation of "ghost kitchens" and would support an amendment to the Planning Code to define and prohibit "ghost kitchens" in the North Beach NCD and in other NCDs, which are not a beneficial use in any NCD. We ask the Commission to please recommend maintaining the existing Conditional Use Authorization for Walk Up Uses in the North Beach NCD. In addition, consider asking the Planning Department to create a new definition and controls for "Ghost Kitchen" Use.

Continue to Exclude the North Beach Neighborhood Commercial District from the Priority Processing Program.

Finally, as we stated in our joint letter to the Commission of June 25, 2025 (see attached), we strongly oppose Supervisor Sauter's proposed inclusion of the North Beach NCD in the Priority Processing Program from which North Beach, along with the Calle 24 Latino Cultural District SUD,

have long been exempted. We are deeply concerned that there is no longer any guarantee that Conditional Use authorizations will be publicly noticed or even receive a public hearing. Planning Department staff explained to the Planning Commission on June 26, 2025, that Priority Processing does not require public notice and may not even need to appear on the Planning Commission agenda as a consent item if the Commission delegates its authority to Planning Department staff. As stated by Planner Aaron Starr to the Commission: "*. . . these projects would no longer be required to be on the consent calendar, so it allows for scheduling flexibility. However, our default would continue to be to have these on the consent calendar unless directed otherwise by this Commission.*" We urge the Commission to please recommend that the North Beach NCD continue to be excluded from the Priority Processing Program.

* * * * * * *

We met with Supervisor Sauter regarding the above matters and conveyed our comments to him by letter dated August 19, 2025 (see attached).

Thank you very much for your attention. We ask that you consider our comments in your deliberation.

Sincerely,

Telegraph Hill Dwellers

Nick Ferris, President
Stan Hayes, Co-Chair, Planning & Zoning
Sarah Goldsmith, Board Member

Cc: Lydia So, President *lydia.so@sfgov.org*
Kathrin Moore, Vice President *kathrin.moore@sfgov.org*
Derek W. Braun, Commissioner *derek.braun@sfgov.org*
Amy Campbell, Commissioner *amy.campbell@sfgov.org*
Theresa Imperial, Commissioner *theresa.imperial@sfgov.org*
Sean McGarry, Commissioner *sean.mcgarry@sfgov.org*
Gilbert Williams, Commissioner *gilbert.a.williams@sfgov.org*
Jonas Ionin, Director of Commission Affairs *commissions.secretary@sfgov.org*
John Carroll, Clerk, LUTC *John.Carroll@sfgov.org*
Angela Cavillo, Clerk *Board.of.Supervisors@sfgov.org*

August 19, 2025
Via Email

Supervisor Danny Sauter, District 3
Michelle Andrews, Legislative Aide
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

RE: FILE NO. 250682
[Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts]

Dear Supervisor Sauter and Ms. Andrews,

Thank you for taking the time to meet with members of the Telegraph Hill Dwellers Board to discuss your proposed changes to North Beach Neighborhood Commercial District (NBNCD) legislation. As an organization representing over 500 members of our community, these conversations are crucial to our work to advocate for our community's needs in our shared goal of seeing our neighbors and neighborhoods thrive.

As we shared with you during our meeting, the Telegraph Hill Dwellers cannot support your legislation as currently written. We urge you to make amendments to the legislation so that the legislation matches the positive intentions that you expressed to us at our meeting.

First, we urge you to retain the prohibition on storefront mergers and to oppose the amendments that would allow such mergers without even a conditional use authorization. Further, we do not support storefront mergers even if they were limited based on some maximum size cutoff. However, in very special individual circumstances (e.g., eviction of a legacy business, fire displacement such as happened to Coit Liquors), we would be willing to support a special legislative exception allowing a storefront merger on a limited case-by-case basis.

Discouraging storefront mergers has helped preserve our vibrant neighborhood, minimize commercial vacancies and retain small and Legacy Businesses that would have long disappeared without these controls. These provisions have long proven successful in protecting the delicate ecosystem of our celebrated neighborhood-serving businesses by incentivizing landlords to retain existing small business spaces that command lower per square foot rents than larger storefronts. Not only do these small-scale diverse businesses serve our community, but they also attract more small businesses, tourists, and visitors from throughout San Francisco, the region, nationally and internationally. This helps maintain the balance between tourist-serving and neighborhood-serving businesses, a value we share in common. Moreover, as we said in our conversation, this feels like a solution looking for a problem insofar as ground floor commercial vacancies in the NBNCD are at an all-time low.

Respectfully, we also oppose your proposed increase in Non-Residential Use Size Limits from 2,000 square feet to 3,000 square feet in the NBNCD. The existing 2,000 square feet use size, with a Conditional Use Authorization required for use sizes between 2,000 and 4,000 square feet, has been instrumental in protecting and maintaining a scale of use and development appropriate to North Beach. We do not believe this proposed change is necessary or warranted.

The North Beach Special Use District (NBSUD) set forth in Planning Code Section 780.3 was specifically designed to protect and enhance the special character of one of San Francisco's most important, historic and celebrated neighborhoods. It protects residential and commercial uses and use sizes, Legacy Businesses, and our renowned architectural and cultural heritage. We strongly oppose its elimination. As written your proposed legislation significantly diminishes protections for recognized historic resources, storefront mergers and residential protections. If, however, you insist on consolidating the NBSUD with the NBNCD, the amended Section 722 must fully capture the NBSUD's intentions and protections and incorporate all definitions and controls in the zoning chart and footnotes. We do not believe your proposed amendments adequately accomplish this. If you are committed to eliminating the NBSUD, we are happy to work with you to craft acceptable language and changes. Please let us know if we can help.

We also must oppose your proposal to allow Limited Restaurant Use as principally permitted for the reasons that follow. The existing legislation was enacted to stem the proliferation of new restaurants and bars that had replaced so many neighborhood-serving businesses in order to achieve a more stable balance of diverse businesses. It has proven a helpful tool in retaining and welcoming non-restaurant uses that make North Beach so special like Biordi's, Jeffrey's, Paparazzi, Knits and Leather, 101 Records, Locali, Macchiarini Creative Designs and so many more. It also has helped reduce vacancy rates. Under the existing legislation, when a space formerly occupied by a Limited Restaurant, Restaurant, or Bar has become vacant, it has been quickly re-filled because the conversion of other non-eating and drinking spaces is not allowed in the NBNCD. Objective surveys of the NBNCD conducted at intervals over the past 40 years show that once a retail space is converted to an eating and drinking use, it rarely if ever reverts back given the expense of converting the space and the resulting increased rent the space commands. For these reasons, we urge you to maintain the existing controls for Limited Restaurants.

We appreciate that we have a strong shared commitment to preserving residential uses above the ground floor and we share the goal of "no loss of residential units." With this in mind, THD supports allowing Flexible Retail uses only on the first floor as principally permitted, but opposes Flexible Retail uses on the upper floors in the NBNCD where it should be prohibited in order to maintain the existing housing units in the floors above our businesses and protect tenants from eviction and displacement. In our meeting we were pleased that you agreed with us on this issue.

As to your proposed changes to Walk-Up uses, we have two issues. First, given the mixed-use nature of our commercial district characterized by dense residential uses above ground floor commercial, public input is important and Walk-Up uses must be subject to conditional use authorization and not be as a principally permitted use as you propose. Second, we are pleased that you share our concern about the proliferation of “ghost kitchens” and support an amendment to your legislation to define and prohibit “ghost kitchens” in the NBNCD which we both agreed are not beneficial for North Beach. We are happy to work with you to draft language that would create a new definition for “ghost kitchens,” to include food preparation facilities designed for delivery-only or takeout orders, without a traditional dine-in space. Health Care uses on the ground floor should continue to be prohibited. These office-type uses deaden our active ground floor uses and don’t belong in North Beach. This prohibition has worked as intended, maintaining the lively ground floor ambiance of the neighborhood by keeping out large healthcare facilities such as One Medical and the proliferation of other Urgent Care facilities. These facilities are established nearby outside of the NBNCD where they are more appropriate. Such uses should be allowed with conditional use above the first floor provided no residential tenants are displaced.

Finally, as we stated in our joint letter of June 30, 2025, attached, we request that the NBNCD continue to not be included in the Priority Processing Program. We are deeply concerned that there is no longer any guarantee that conditional use authorizations will be publicly noticed or even receive a public hearing. Planning Department staff explained to the Planning Commission on June 13, 2025, that Priority Processing does not require public notice and does not even need to appear on the Planning Commission agenda as a consent item if the Commission delegates its authority to Planning Department staff. As stated by Planner Aaron Starr at the Commission meeting:

> *“. . . these projects would no longer be required to be on the consent calendar, so it allows for scheduling flexibility. However, our default would continue to be to have these on the consent calendar unless directed otherwise by this Commission.”*

At our meeting you seemed to indicate that there is legislation which will restore the longstanding guarantees of public notice and a public hearing. We are unaware of such legislation, but if you have it, please provide a copy or a link. Otherwise, please continue to exclude North Beach from the Priority Processing Program.

We agree that changes to the NBNCD should be data driven, and in collaboration with the North Beach Business Association, we are in the midst of updating the commercial survey of the NBNCD to collect accurate, up-to-date information to better inform decisions. We believe the data will support what we are experiencing. Namely, that North Beach is thriving and has led the City in our post-pandemic recovery. Let’s work together to utilize the objective results of this survey to come up with the best amendments to our current laws.

We share your stated values of protecting tenants, supporting affordable housing, maintaining rent-control units, supporting small businesses, and seeing that our neighborhood

continues to balance tourism with community-serving businesses.

We look forward to continuing to work with you on this evolving legislation.

Telegraph Hill Dwellers

Nick Ferris
Stan Hayes
Sarah Goldsmith

From:	Deborah Baldini
To:	Sauter, Danny (BOS); Dennis Phillips, Sarah (CPC); rachel.tanner@sfgov.org; Chen, Lisa (CPC); So, Lydia (CPC); Moore, Kathrin (CPC); Braun, Derek (CPC); Campbell, Amy (CPC); Mcgarry, Sean (CPC); Williams, Gilbert A (CPC); CPC-Commissions Secretary; Board of Supervisors (BOS); Lurie, Daniel (MYR); Imperial, Theresa (CPC)
Subject:	URGENT: Northbeach Redevelopment
Date:	Thursday, September 11, 2025 1:37:01 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Deborah Baldini
Owner, Biordi Art Imports
412 Columbus Ave.
San Francisco, CA 94133
deborah@biordi.com
415 392 8096

September 11, 2025

To:
Mayor Daniel Lurie
Supervisor Danny Sauter
Sarah Dennis-Phillips, Director of Planning
Rachel Tanner, Director, Citywide Planning
Lisa Chen, Planner

CC: Planning Commission:
Lydia So, President
Kathrin Moore, Vice President
Theresa Imperial
Derek Braun
Amy Campbell
Sean McGarry
Gilbert Williams
Jonas Ionin, Secretary
Board of Supervisors

Re: Protecting the Cultural and Economic Integrity of North Beach Amid Zoning Redevelopment Proposals

Dear Mayor Lurie and Supervisor Sauter and Planning Commision,

As the owner of **Biordi Art Imports**, a proud, multi-generational **legacy business** that has called North Beach home since 1946, I am writing to express my deep concern—and

cautious hope—regarding the proposed redevelopment and rezoning plans for District 3.

North Beach is not simply a neighborhood. It is a living, breathing cultural landmark. It is one of the last enclaves in San Francisco where history, small businesses, and a true sense of community are still palpable. And while I fully recognize the urgent need to meet our city's state-mandated housing goals, I urge you—and our city leadership—to adopt a strategy that does not sacrifice our soul in the process.

We are at an inflection point. If we are not deliberate and inclusive, this plan could permanently alter the character of North Beach, displace the very businesses and families that make it unique, and erode the economic and cultural ecosystem that has taken generations to build.

Priority Concerns to Address

To protect our neighborhood while advancing housing goals, I respectfully ask that you champion the following provisions:

- **Developer-Funded Relocation Assistance**: Require all new development that displaces existing businesses to provide **meaningful relocation assistance** funded by developers—not by taxpayers or small businesses.
- **"Warm Shell" Standards for Returning Tenants**: Ensure that returning businesses can operate in **ready-to-use commercial spaces**, not raw concrete boxes that require $100,000+ buildouts. Without this, return is not a real option.
- **Base Height Limits for North Beach & Waterfront Areas**: Maintain a firm base height of **40 feet** in historic corridors like Columbus Avenue, with any bonuses subject to **design review and step-back requirements** to preserve the scale and skyline.
- **Preservation of Historically Registered Buildings**: Codify protections for all buildings with architectural or cultural significance. Incentivize adaptive reuse rather than demolition.
- **Protection of Columbus Avenue Commercial Corridor**: This iconic artery is the beating heart of North Beach. Overdevelopment or glass monoliths will forever damage the character and walkability of this corridor.
- **Equitable Distribution of Density**: Do not overburden North Beach. Housing targets must be met **equitably across all neighborhoods**, including those with greater available space and fewer historic constraints.
- **Affordable Housing for Working Families**: Require that a **meaningful percentage**

of units are set aside for **working- and middle-class renters**—not just market-rate or luxury buyers. Our restaurant workers, artists, teachers, and small business staff must be able to live where they work.

A Path Forward: Bridging Growth and Preservation

As a business owner and community member, I do not stand in the way of growth. I stand in favor of **smart, inclusive, and culturally sensitive development**.

That's why I am asking not just for policy changes—but for collaboration. I propose the creation of a **North Beach Roundtable**, a working group of residents, small business owners, developers, cultural leaders, and city planners to co-design this transformation **together**, rather than in conflict.

Let us pilot a **community-first development** that meets housing mandates while uplifting the identity of North Beach. Let us be a model for the rest of the city—and state—in how growth and preservation can coexist.

I appreciate your time and leadership, and I would welcome the opportunity to speak further about how we can preserve the legacy of North Beach while embracing its future.

Respectfully,
Deborah Baldini
Owner, Biordi Art Imports
deborah@biordi.com

415 392 8096

From: Amy B
To: Board of Supervisors (BOS)
Subject: Please oppose North Beach proposal
Date: Thursday, September 11, 2025 9:03:13 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello, my name is Amy Blumenthal. I have lived in North Beach since 1994.

I strongly oppose this rezoning proposal. North Beach is a historic and cultural district, a major tourist destination, and home to long-standing small businesses and residents. Upzoning here would mean demolition, displacement, and permanent loss of the character that makes this neighborhood unique.

Please, please, please reject or significantly revise this plan to protect the community and its history.

Thank you.
AmyB.

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Somera, Alisa (BOS); Ng, Wilson (BOS); De Asis, Edward (BOS); Entezari, Mehran (BOS); Carroll, John (BOS)
Subject:	FW: BOS File No. 250682 Letter of Opposition
Date:	Monday, September 8, 2025 3:19:00 PM
Attachments:	722 Montgomery - Letter Supporting Special Use District - Sauter (9-5-25).pdf

Dear Supervisors,

Pleas see the attached communication regarding File No. 250682.

File No. 250682 - Ordinance amending the Planning Code to: 1) eliminate the North Beach Special Use District and consolidate certain controls into the North Beach Neighborhood Commercial District, expand allowable uses and increase use size limits in the North Beach Neighborhood Commercial District, 2) expand allowable uses and increase use size limits in the Polk Street Neighborhood Commercial District, 3) expand allowable uses in the Pacific Avenue Neighborhood Commercial District, 4) expand allowable uses and increase use size limits in the Nob Hill Special Use District, and 5) reduce limitations on Restaurants and Bars in the Jackson Square Special Use District; amending the Zoning Map to reflect removal of the North Beach Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Thank you,

Eileen McHugh
Executive Assistant
Office of the Clerk of the Board
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102-4689
Phone: (415) 554-7703 | Fax: (415) 554-5163
eileen.e.mchugh@sfgov.org| www.sfbos.org

From: Steven Tsang <steven@skylineam.com>
Sent: Saturday, September 6, 2025 5:39 PM
To: Sauter, Danny (BOS) <Danny.Sauter@sfgov.org>
Cc: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Tang, Katy (ECN) <katy.tang@sfgov.org>
Subject: Re: BOS File No. 250682 Letter of Opposition

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Please reference the attached letter for your consideration.

September 5, 2025
Via Email

Supervisor Danny Sauter, District 3
Michelle Andrews, Legislative Aide
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: BOS File No. 250682 – Letter of Opposition

Dear Supervisor Sauter and Members of the Board of Supervisors,

I am writing as a concerned Jackson Square residential property manager/owner regarding the proposed deletion of the Jackson Square Special Use District land use controls (Planning Code Section 249.25) contained in Supervisor Sauter's legislation (File No. 250682). Two years ago, with the support of the Jackson Square Historic District Association, I spoke out against a similar effort led by Mayor Breed (File No. 230701), and was relieved when that proposal was ultimately rejected in favor of preserving the existing balance that has made Jackson Square such a vibrant and livable downtown neighborhood. The former Belli Building, currently owned and managed by our group, is a testament to why we should maintain the current controls absent new data or input from the community. These controls have helped make Jackson Square such a great place to live and for small businesses to thrive.

Thus, I am troubled to see the same issue resurface so soon, and I must once again urge you to protect what has been proven to work. Jackson Square is unlike anywhere else in San Francisco, with its rare collection of 1850s–1870s brick and cast-iron buildings, narrow streetscapes, and privately funded lighting and greenscapes supported by residents and stakeholders alike for decades. This historic fabric is fragile. The neighborhood already contains seventeen bars and restaurants within its tiny two-block by one-and-a-half-block area, with many more just steps away. Our residents and retail tenants routinely bear the burden of the excess noise, trash, vandalism, broken bottles, and other side effects of nightlife activity. Allowing new bars and restaurants "as of right" — and even larger venues of over 4,000 square feet by conditional approval — would likely overwhelm the character and charm of this district.

What is most concerning is that this proposal seems to have been brought forth with little or no outreach to residents, businesses or other key stakeholders. Such a narrow consultation process ignores the residents and small businesses who live with the daily consequences of land use decisions in this neighborhood. I've personally walked the neighborhood numerous times, invested money in the neighborhood, including supporting the extra taxes that fund the Community Benefits District, which helps cover clean-up, tree maintenance, and security. Those services are not luxuries — they have become necessities due to the existing oversaturation of nightlife uses.

Weakening the controls now would undo years of hard work and investment by those of us who have committed to making Jackson Square a vibrant, functional, and most importantly, a livable neighborhood for both commercial and residential tenants. The current controls in Section 249.25 were created with broad community input, earned unanimous support from the City's Small Business Commission, and were unanimously adopted by the Board of Supervisors in 2018. These controls have encouraged a diverse mix of businesses — boutique retail, galleries, services, and cultural institutions — while sustaining a stable residential community. This balance has kept

Jackson Square healthy both before and after the pandemic, something that few downtown districts can claim.

Thus, I ask you to please maintain the protections in Section 249.25 as they are. This is not about resisting change but about ensuring that any changes are thoughtful, data-driven, and respectful of the delicate balance that has made Jackson Square one of San Francisco's success stories. Thank you for considering the perspective of an owner who cares deeply about the future of Jackson Square.

Sincerely,

Steven Tsang
Manager, San Francisco 722 Montgomery LLC
and a concerned Jackson Square Residential Property Owner

Cc: Veronica Flores, Planner Veronica.Flores@sfgov.org
Danny Sauter, District 3 Supervisor Danny.Sauter@sfgov.org
Angela Calvillo, Clerk, Board of Supervisors
Angela.Calvillo@sfgov.org
Katy Tang, Small Business Commission Katy.Tang@sfgov.org

From:	Nick Ferris
To:	So, Lydia (CPC); Moore, Kathrin (CPC); Braun, Derek (CPC); Campbell, Amy (CPC); Imperial, Theresa (CPC); Mcgarry, Sean (CPC); Williams, Gilbert A (CPC)
Cc:	CPC-Commissions Secretary; Carroll, John (BOS); Board of Supervisors (BOS)
Subject:	BOS File No. 250682 - LETTER OF OPPOSITION: Consolidating the North Beach SUD and NCD and Expanding Allowable Uses and Use Size Limits
Date:	Monday, September 8, 2025 1:54:43 PM
Attachments:	THD Letter to Supervisor Sauter_ FILE NO. 250682 (1).pdf Joint Letter Opposing Priority Ordinance 6.25.25.pdf THD Letter to Planning Commission NBNCD 9.4.25.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear President So and Members of the Planning Commission:

The Telegraph Hill Dwellers, a neighborhood organization founded in 1954 representing over 500 members in North Beach and Telegraph Hill, has long been devoted to supporting and protecting small businesses, protecting tenants and existing affordable housing, and seeing that our neighborhood commercial corridors continue to balance tourism with community-serving businesses. Legislation we have championed over the many years has enhanced variety, limited vacancies, and inhibited the type of real estate speculation that could have cannibalized the most unique, community-serving establishments in our neighborhood. The proposed legislation would reverse decades of preservation and zoning efforts by dedicated residents and businesses and greatly diminish our neighborhood.

We are writing in strong opposition to Supervisor Sauter's proposed legislation and to ask the Commission to please consider recommending against the amendments as set forth below.

Maintain the North Beach Special Use District (NBSUD).
We strongly oppose the proposed legislation to eliminate the North Beach Special Use District (SUD) and "consolidate" it with the North Beach Neighborhood Commercial District (NCD). The North Beach SUD, set forth in Planning Code Section 780.3, was carefully designed to protect and enhance the special character of one of San Francisco's most important, historic and celebrated neighborhoods. It was enacted to protect residential and commercial uses and use sizes, Legacy Businesses, and our renowned architectural and cultural heritage. Supervisor Sauter's legislative proposal to eliminate the North Beach SUD -- and to "consolidate" it into the NCD chart in Section 722 – would significantly diminish the intended protections embodied in the NBSUD. We therefore urge the Commission to please reject the proposed elimination of the North Beach SUD.

Retain the Existing Prohibition on Storefront Mergers.
We oppose the proposed amendment to allow mergers without even a Conditional Use Authorization. Discouraging storefront mergers has helped to preserve our vibrant neighborhood, minimize commercial vacancies, and retain small businesses, including our numerous Legacy Businesses, that would have long disappeared without these controls. These provisions have long proven successful in protecting the delicate ecosystem of our celebrated neighborhood-serving businesses by incentivizing landlords to retain existing small business spaces that command lower per square foot rents than larger storefronts. Not only do these small-scale diverse businesses serve our community, but they also attract more small businesses, tourists, and visitors from throughout San Francisco, the region, nationally and

internationally, maintaining a healthy balance between tourist-serving and neighborhood-serving businesses. Supervisor Sauter's proposal to allow storefront mergers is a solution looking for a problem insofar as commercial vacancies in the NBNCD are at an all-time low. For these reasons, we urge the Commission to please retain the prohibition on storefront mergers and reject the proposal to allow storefront mergers in the North Beach NCD.

Keep the Existing Non-Residential Use Size Limits.
We also strongly also oppose Supervisor Sauter's proposed increases in the Non-Residential Use Size Limits in the North Beach NCD from the existing 2,000 square feet to 3,000 square feet. The existing Non-Residential Use Size limit of 2,000 square feet, with a required Conditional Use Authorization for use sizes between 2,000 and 4,000 square feet, has been instrumental in protecting and maintaining a scale of uses and development appropriate to North Beach. The existing use sizes are also largely responsible for the successes of our commercial corridors by preventing the incursion of larger retail uses likely to catalyze rent increases that would result in displacement of our existing businesses. We do not believe this proposed change is necessary or warranted. We respectfully urge the Commission to please reject the proposed increase in the Non-Residential Use Size limit and maintain the upper Use Size limit of 4,000 square feet.

Maintain the Existing Controls for Limited Restaurants.
We also oppose Supervisor Sauter's proposal to allow Limited Restaurant Use as principally permitted for the reasons that follow. The existing legislation was enacted to stem the proliferation of new restaurants and bars that had replaced so many neighborhood-serving businesses in order to achieve a more stable balance of diverse businesses. It has proven a helpful tool in retaining and welcoming non-restaurant uses that make North Beach so special like Biordi's, Jeffrey's, Paparazzi, Knits and Leather, 101 Records, Locali, Macchiarini Creative Designs, and so many more. It also has helped reduce vacancy rates. Under the existing ordinance, when a space formerly occupied by a Limited Restaurant, Restaurant, or Bar has become vacant, it has been quickly re-filled because the conversion of other non-eating and drinking spaces is not allowed in the NBNCD. Objective surveys of the NBNCD conducted at intervals over the past 40 years show that once a retail space is converted to an eating and drinking use, it rarely if ever reverts back given the expense of converting the space and the resulting increased rent the converted space commands. For these reasons, we respectfully urge the Commission to please maintain the existing controls for Limited Restaurants and reject the proposal to make Limited Restaurants a principally permitted use.

Prohibit Flexible Retail Uses on Upper Floors.
We oppose the amendment proposed by Supervisor Sauter to allow Flexible Retail uses to be principally permitted on all floors in the North Beach NCD. While THD can support allowing Flexible Retail uses on the first floor only as principally permitted, we strongly oppose allowing Flexible Retail uses on the upper floors where conversion to retail uses should continue to be prohibited in order maintain upper floor housing units and to protect tenants from eviction and displacement. We believe the Supervisor shares our long-standing commitment to preserve residential uses above the ground floor with the goal of "no loss of residential units" and will agree to this change in his proposed legislation. We therefore urge the Commission to please recommend prohibiting Flexible Retail uses on upper floors in the North Beach NCD.

Maintain Existing Prohibition on Health Care Uses On Ground Floor.
We strongly oppose the proposed amendment to allow new Health Care uses on the ground

floor. Health care uses are currently allowed and should continue to be allowed with a Conditional Use authorization above the first floor *provided no residential units or tenants are displaced.* We believe the existing prohibition of these uses on the ground floor has worked as intended to keep out healthcare facilities including such facilities as One Medical and other Urgent Care facilities that would have deadened our lively commercial corridors. Such health care facilities are located nearby outside of the North Beach NCD where they are more appropriate. Health care uses are allowed and should continue to be allowed with a Conditional Use authorization above the first floor provided no residential units are lost and not tenants are displaced. We ask the Commission to please recommend maintaining the existing prohibition on ground floor Health Care uses.

Retain the Requirement for Conditional Use Authorization for Walk Up Uses.
Our opposition to the proposed amendment to change Walk Up Uses from Conditional Use to principally permitted is based on two issues. First, given the mixed use nature of the North Beach NCD characterized by dense residential uses above ground floor commercial uses, public input is important and Walk-Up uses should continue to be subject to Conditional Use authorization instead of being principally permitted as proposed. Second, we are concerned about the proliferation of "ghost kitchens" and would support an amendment to the Planning Code to define and prohibit "ghost kitchens" in the North Beach NCD and in other NCDs, which are not a beneficial use in any NCD. We ask the Commission to please recommend maintaining the existing Conditional Use Authorization for Walk Up Uses in the North Beach NCD. In addition, consider asking the Planning Department to create a new definition and controls for "Ghost Kitchen" Use.

Continue to Exclude the North Beach Neighborhood Commercial District from the Priority Processing Program.
Finally, as we stated in our joint letter to the Commission of June 25, 2025 (see attached), we strongly oppose Supervisor Sauter's proposed inclusion of the North Beach NCD in the Priority Processing Program from which North Beach, along with the Calle 24 Latino Cultural District SUD, have long been exempted. We are deeply concerned that there is no longer any guarantee that Conditional Use authorizations will be publicly noticed or even receive a public hearing. Planning Department staff explained to the Planning Commission on June 26, 2025, that Priority Processing does not require public notice and may not even need to appear on the Planning Commission agenda as a consent item if the Commission delegates its authority to Planning Department staff. As stated by Planner Aaron Starr to the Commission: *". . . these projects would no longer be required to be on the consent calendar, so it allows for scheduling flexibility. However, our default would continue to be to have these on the consent calendar unless directed otherwise by this Commission."* We urge the Commission to please recommend that the North Beach NCD continue to be excluded from the Priority Processing Program.

* * * * * * *

We met with Supervisor Sauter regarding the above matters and conveyed our comments to him by letter dated August 19, 2025 (see attached).

Thank you very much for your attention. We ask that you consider our comments in your deliberation.

Sincerely,

Telegraph Hill Dwellers
Nick Ferris, President
Stan Hayes, Co-Chair, Planning & Zoning
Sarah Goldsmith, Board Member

August 19, 2025
Via Email

Supervisor Danny Sauter, District 3
Michelle Andrews, Legislative Aide
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

RE: FILE NO. 250682
[Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts]

Dear Supervisor Sauter and Ms. Andrews,

Thank you for taking the time to meet with members of the Telegraph Hill Dwellers Board to discuss your proposed changes to North Beach Neighborhood Commercial District (NBNCD) legislation. As an organization representing over 500 members of our community, these conversations are crucial to our work to advocate for our community's needs in our shared goal of seeing our neighbors and neighborhoods thrive.

As we shared with you during our meeting, the Telegraph Hill Dwellers cannot support your legislation as currently written. We urge you to make amendments to the legislation so that the legislation matches the positive intentions that you expressed to us at our meeting.

First, we urge you to retain the prohibition on storefront mergers and to oppose the amendments that would allow such mergers without even a conditional use authorization. Further, we do not support storefront mergers even if they were limited based on some maximum size cutoff. However, in very special individual circumstances (e.g., eviction of a legacy business, fire displacement such as happened to Coit Liquors), we would be willing to support a special legislative exception allowing a storefront merger on a limited case-by-case basis.

Discouraging storefront mergers has helped preserve our vibrant neighborhood, minimize commercial vacancies and retain small and Legacy Businesses that would have long disappeared without these controls. These provisions have long proven successful in protecting the delicate ecosystem of our celebrated neighborhood-serving businesses by incentivizing landlords to retain existing small business spaces that command lower per square foot rents than larger storefronts. Not only do these small-scale diverse businesses serve our community, but they also attract more small businesses, tourists, and visitors from throughout San Francisco, the region, nationally and internationally. This helps maintain the balance between tourist-serving and neighborhood-serving businesses, a value we share in common. Moreover, as we said in our conversation, this feels like a solution looking for a problem insofar as ground floor commercial vacancies in the NBNCD are at an all-time low.

Respectfully, we also oppose your proposed increase in Non-Residential Use Size Limits from 2,000 square feet to 3,000 square feet in the NBNCD. The existing 2,000 square feet use size, with a Conditional Use Authorization required for use sizes between 2,000 and 4,000 square feet, has been instrumental in protecting and maintaining a scale of use and development appropriate to North Beach. We do not believe this proposed change is necessary or warranted.

The North Beach Special Use District (NBSUD) set forth in Planning Code Section 780.3 was specifically designed to protect and enhance the special character of one of San Francisco's most important, historic and celebrated neighborhoods. It protects residential and commercial uses and use sizes, Legacy Businesses, and our renowned architectural and cultural heritage. We strongly oppose its elimination. As written your proposed legislation significantly diminishes protections for recognized historic resources, storefront mergers and residential protections. If, however, you insist on consolidating the NBSUD with the NBNCD, the amended Section 722 must fully capture the NBSUD's intentions and protections and incorporate all definitions and controls in the zoning chart and footnotes. We do not believe your proposed amendments adequately accomplish this. If you are committed to eliminating the NBSUD, we are happy to work with you to craft acceptable language and changes. Please let us know if we can help.

We also must oppose your proposal to allow Limited Restaurant Use as principally permitted for the reasons that follow. The existing legislation was enacted to stem the proliferation of new restaurants and bars that had replaced so many neighborhood-serving businesses in order to achieve a more stable balance of diverse businesses. It has proven a helpful tool in retaining and welcoming non-restaurant uses that make North Beach so special like Biordi's, Jeffrey's, Paparazzi, Knits and Leather, 101 Records, Locali, Macchiarini Creative Designs and so many more. It also has helped reduce vacancy rates. Under the existing legislation, when a space formerly occupied by a Limited Restaurant, Restaurant, or Bar has become vacant, it has been quickly re-filled because the conversion of other non-eating and drinking spaces is not allowed in the NBNCD. Objective surveys of the NBNCD conducted at intervals over the past 40 years show that once a retail space is converted to an eating and drinking use, it rarely if ever reverts back given the expense of converting the space and the resulting increased rent the space commands. For these reasons, we urge you to maintain the existing controls for Limited Restaurants.

We appreciate that we have a strong shared commitment to preserving residential uses above the ground floor and we share the goal of "no loss of residential units." With this in mind, THD supports allowing Flexible Retail uses only on the first floor as principally permitted, but opposes Flexible Retail uses on the upper floors in the NBNCD where it should be prohibited in order to maintain the existing housing units in the floors above our businesses and protect tenants from eviction and displacement. In our meeting we were pleased that you agreed with us on this issue.

As to your proposed changes to Walk-Up uses, we have two issues. First, given the mixed-use nature of our commercial district characterized by dense residential uses above ground floor commercial, public input is important and Walk-Up uses must be subject to conditional use authorization and not be as a principally permitted use as you propose. Second, we are pleased that you share our concern about the proliferation of “ghost kitchens” and support an amendment to your legislation to define and prohibit “ghost kitchens” in the NBNCD which we both agreed are not beneficial for North Beach. We are happy to work with you to draft language that would create a new definition for “ghost kitchens,” to include food preparation facilities designed for delivery-only or takeout orders, without a traditional dine-in space. Health Care uses on the ground floor should continue to be prohibited. These office-type uses deaden our active ground floor uses and don’t belong in North Beach. This prohibition has worked as intended, maintaining the lively ground floor ambiance of the neighborhood by keeping out large healthcare facilities such as One Medical and the proliferation of other Urgent Care facilities. These facilities are established nearby outside of the NBNCD where they are more appropriate. Such uses should be allowed with conditional use above the first floor provided no residential tenants are displaced.

Finally, as we stated in our joint letter of June 30, 2025, attached, we request that the NBNCD continue to not be included in the Priority Processing Program. We are deeply concerned that there is no longer any guarantee that conditional use authorizations will be publicly noticed or even receive a public hearing. Planning Department staff explained to the Planning Commission on June 13, 2025, that Priority Processing does not require public notice and does not even need to appear on the Planning Commission agenda as a consent item if the Commission delegates its authority to Planning Department staff. As stated by Planner Aaron Starr at the Commission meeting:

> *“. . . these projects would no longer be required to be on the consent calendar, so it allows for scheduling flexibility. However, our default would continue to be to have these on the consent calendar unless directed otherwise by this Commission.”*

At our meeting you seemed to indicate that there is legislation which will restore the longstanding guarantees of public notice and a public hearing. We are unaware of such legislation, but if you have it, please provide a copy or a link. Otherwise, please continue to exclude North Beach from the Priority Processing Program.

We agree that changes to the NBNCD should be data driven, and in collaboration with the North Beach Business Association, we are in the midst of updating the commercial survey of the NBNCD to collect accurate, up-to-date information to better inform decisions. We believe the data will support what we are experiencing. Namely, that North Beach is thriving and has led the City in our post-pandemic recovery. Let’s work together to utilize the objective results of this survey to come up with the best amendments to our current laws.

We share your stated values of protecting tenants, supporting affordable housing, maintaining rent-control units, supporting small businesses, and seeing that our neighborhood

continues to balance tourism with community-serving businesses.

We look forward to continuing to work with you on this evolving legislation.

Telegraph Hill Dwellers

Nick Ferris
Stan Hayes
Sarah Goldsmith

June 25, 2025

Lydia So, President
San Francisco Planning Commission
49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103
(Via email: lydia.so@sfgov.org)

RE: STRONG OPPOSITION TO PRIORITY PROCESSING ORDINANCE
Item 21: Case No. 2025-004740PCA [Board File No. 250538]

Dear President So and Commissioners,

On behalf of Calle 24 Latino Cultural District (Calle 24), the North Beach Business Association (NBBA), the Chinatown Community Development Center (CCDC), and the Telegraph Hill Dwellers (THD), we are writing to express our strong opposition to the addition of the Calle 24 Latino Cultural District SUD, the North Beach Neighborhood Commercial District (NCD), and the North Beach Special Use District (SUD) to the Planning Code's Priority Processing Program.

Historically, in recognition of the special nature of Calle 24 and North Beach, their long-standing mix of community-serving businesses at risk of displacement, including Legacy Businesses, murals, festivals, and architectural design and character, they have long been exempted from the Planning Code's Priority Processing Program, ensuring that Conditional Use Authorizations (CUA) require public notice, thorough review prior to approval, and time for the community to gather and provide input.

The proposed legislation before you would include for the first time Calle 24 and North Beach within the Planning Code's Priority Processing Program. The proposed amendments to the Priority Processing Program would also for the first time include formula retail uses and streamline the conditional use process for larger retailers rather than the small businesses it was intended to serve. We believe the program has worked as it is – to accelerate the review of certain small business crucial to the city and our communities' economic vitality, while providing protection for the existing small businesses in Calle 24 and North Beach. **We strongly oppose the proposed legislation and the inclusion of Calle 24 and North Beach within the Priority Processing Program**.

Contrary to the Planning Department's claims in its staff report that these changes "support economic recovery and advance the City's broader objectives related to racial equity, neighborhood vitality, and small business retention," the proposed changes to Calle 24 and North Beach would have the opposite effect.

These neighborhoods have been leading the way to economic recovery as evidenced by the vitality of our commercial corridors today. In both Calle 24 and North Beach our retail spaces have a lower vacancy rate today than before the pandemic. Our neighborhoods celebrate the cultural and

racial composition of our businesses, and strive to retain our existing thriving small business, many of them Legacy Businesses, many owned by immigrant and low-income entrepreneurs sustaining their businesses. Further, the existing controls to prevent the incursion of formula retail uses has protected these small businesses from the likely rent increases chain stores and restaurants could catalyze.

We believe that the elimination of these protections would threaten our small businesses with displacement, especially given the proposed massive upzoning of the City's commercial corridors.

Through the protections long enjoyed by Calle 24 and North Beach, including their exemption from the Priority Processing Program, our commercial districts exemplify today the City's stated objectives of economic recovery, neighborhood vitality, and small business retention. These protections have been working. **Please do not undermine the success of these neighborhoods. The proposed legislation is a solution looking for a problem that doesn't exist. One size does not fit all.**

CCDC respects the wishes of Calle 24 and North Beach organizations to continue to be excluded from the Priority Processing Program and joins in this letter because we strongly believe neighborhoods should have the right to self-determination. We understand that the Priority Processing Program already includes Chinatown districts and works as it is for small business owners. We believe in clearer pathways for community serving businesses but maintain that formula retail establishments should not be given this level of streamlining. Historically, Chinatown has fought to conserve the independent retail ecosphere despite the proliferation of bank branches, McDonalds, etc. The proposed streamlining for formula retail establishments would reduce opportunities for businesses that are reflective of the community, such as affordable grocery stores, restaurants, and businesses that embody the heart and soul of our communities.

Please reject the Planning Department's recommendations to add the Calle 24 Latino Cultural District SUD, the North Beach NCD, and the North Beach SUD to the Planning Code's Priority Processing Program and reject the proposed streamlining of formula retail uses.

Thank you very much for your consideration.

Sincerely,

Erick Arguello, President
Calle 24 Latino Cultural District

Stuart Watts, President
North Beach Business Association

Rosa Chen, Director of Planning & Policy
Chinatown Community Development Center

Nick Ferris, President
Telegraph Hill Dwellers

cc: Kathrin Moore, Vice President kathrin.moore@sfgov.org
Theresa Imperial, Commissioner theresa.imperial@sfgov.org
Derek Braun, Commissioner commissions.secretary@sfgov.org
Amy Campbell, Commissioner amy.campbell@sfgov.org
Sean McGarry, Commissioner sean.mcgarry@sfgov.org
Gilbert Williams, Commissioner gilbert.a.williams@sfgov.org
Jonas Ionin, Secretary commissions.secretary@sfgov.org
Supervisor Danny Sauter danny.sauter@sfgov.org
Supervisor Jackie Fielder Jackie.fielder@sfgov.org

September 4, 2025
Via Email

Lydia So, President & Members
San Francisco Planning Commission
49 S Van Ness Ave., Suite 1400
San Francisco, CA 94103

RE: **BOS File No. 250682 - LETTER OF OPPOSITION**
Consolidating the North Beach SUD and NCD and Expanding Allowable Uses and Use Size Limits

Dear President So and Members of the Planning Commission:

The Telegraph Hill Dwellers, a neighborhood organization founded in 1954 representing over 500 members in North Beach and Telegraph Hill, has long been devoted to supporting and protecting small businesses, protecting tenants and existing affordable housing, and seeing that our neighborhood commercial corridors continue to balance tourism with community-serving businesses. Legislation we have championed over the many years has enhanced variety, limited vacancies, and inhibited the type of real estate speculation that could have cannibalized the most unique, community-serving establishments in our neighborhood. The proposed legislation would reverse decades of preservation and zoning efforts by dedicated residents and businesses and greatly diminish our neighborhood.

We are writing in strong opposition to Supervisor Sauter's proposed legislation and to ask the Commission to please consider recommending against the amendments as set forth below.

Maintain the North Beach Special Use District (NBSUD).

We strongly oppose the proposed legislation to eliminate the North Beach Special Use District (SUD) and "consolidate" it with the North Beach Neighborhood Commercial District (NCD). The North Beach SUD, set forth in Planning Code Section 780.3, was carefully designed to protect and enhance the special character of one of San Francisco's most important, historic and celebrated neighborhoods. It was enacted to protect residential and commercial uses and use sizes, Legacy Businesses, and our renowned architectural and cultural heritage. Supervisor Sauter's legislative proposal to eliminate the North Beach SUD -- and to "consolidate" it into the NCD chart in Section 722 – would significantly diminish the intended protections embodied in the NBSUD. We therefore urge the Commission to please reject the proposed elimination of the North Beach SUD.

Retain the Existing Prohibition on Storefront Mergers.

We oppose the proposed amendment to allow mergers without even a Conditional Use Authorization. Discouraging storefront mergers has helped to preserve our vibrant neighborhood, minimize commercial vacancies, and retain small businesses, including our numerous Legacy

Businesses, that would have long disappeared without these controls. These provisions have long proven successful in protecting the delicate ecosystem of our celebrated neighborhood-serving businesses by incentivizing landlords to retain existing small business spaces that command lower per square foot rents than larger storefronts. Not only do these small-scale diverse businesses serve our community, but they also attract more small businesses, tourists, and visitors from throughout San Francisco, the region, nationally and internationally, maintaining a healthy balance between tourist-serving and neighborhood-serving businesses. Supervisor Sauter's proposal to allow storefront mergers is a solution looking for a problem insofar as commercial vacancies in the NBNCD are at an all-time low. For these reasons, we urge the Commission to please retain the prohibition on storefront mergers and reject the proposal to allow storefront mergers in the North Beach NCD.

Keep the Existing Non-Residential Use Size Limits.

We also strongly also oppose Supervisor Sauter's proposed increases in the Non-Residential Use Size Limits in the North Beach NCD from the existing 2,000 square feet to 3,000 square feet. The existing Non-Residential Use Size limit of 2,000 square feet, with a required Conditional Use Authorization for use sizes between 2,000 and 4,000 square feet, has been instrumental in protecting and maintaining a scale of uses and development appropriate to North Beach. The existing use sizes are also largely responsible for the successes of our commercial corridors by preventing the incursion of larger retail uses likely to catalyze rent increases that would result in displacement of our existing businesses. We do not believe this proposed change is necessary or warranted. We respectfully urge the Commission to please reject the proposed increase in the Non-Residential Use Size limit and maintain the upper Use Size limit of 4,000 square feet.

Maintain the Existing Controls for Limited Restaurants.

We also oppose Supervisor Sauter's proposal to allow Limited Restaurant Use as principally permitted for the reasons that follow. The existing legislation was enacted to stem the proliferation of new restaurants and bars that had replaced so many neighborhood-serving businesses in order to achieve a more stable balance of diverse businesses. It has proven a helpful tool in retaining and welcoming non-restaurant uses that make North Beach so special like Biordi's, Jeffrey's, Paparazzi, Knits and Leather, 101 Records, Locali, Macchiarini Creative Designs, and so many more. It also has helped reduce vacancy rates. Under the existing ordinance, when a space formerly occupied by a Limited Restaurant, Restaurant, or Bar has become vacant, it has been quickly re-filled *because* the conversion of other non-eating and drinking spaces is not allowed in the NBNCD. Objective surveys of the NBNCD conducted at intervals over the past 40 years show that once a retail space is converted to an eating and drinking use, it rarely if ever reverts back given the expense of converting the space and the resulting increased rent the converted space commands. For these reasons, we respectfully urge the Commission to please maintain the existing controls for Limited Restaurants and reject the proposal to make Limited Restaurants a principally permitted use.

Prohibit Flexible Retail Uses on Upper Floors.

We oppose the amendment proposed by Supervisor Sauter to allow Flexible Retail uses to be principally permitted on all floors in the North Beach NCD. While THD can support allowing Flexible Retail uses on the first floor *only* as principally permitted, we strongly oppose allowing Flexible Retail uses on the upper floors where conversion to retail uses should continue to be prohibited in order maintain upper floor housing units and to protect tenants from eviction and displacement. We believe the Supervisor shares our long-standing commitment to preserve residential uses above the ground floor with the goal of "no loss of residential units" and will agree to this change in his proposed legislation. We therefore urge the Commission to please recommend prohibiting Flexible Retail uses on upper floors in the North Beach NCD.

Maintain Existing Prohibition on Health Care Uses On Ground Floor.

We strongly oppose the proposed amendment to allow new Health Care uses on the ground floor. Health care uses are currently allowed and should continue to be allowed with a Conditional Use authorization above the first floor *provided no residential units or tenants are displaced*. We believe the existing prohibition of these uses on the ground floor has worked as intended to keep out healthcare facilities including such facilities as One Medical and other Urgent Care facilities that would have deadened our lively commercial corridors. Such health care facilities are located nearby outside of the North Beach NCD where they are more appropriate. Health care uses are allowed and should continue to be allowed with a Conditional Use authorization above the first floor provided no residential units are lost and not tenants are displaced. We ask the Commission to please recommend maintaining the existing prohibition on ground floor Health Care uses.

Retain the Requirement for Conditional Use Authorization for Walk Up Uses.

Our opposition to the proposed amendment to change Walk Up Uses from Conditional Use to principally permitted is based on two issues. First, given the mixed use nature of the North Beach NCD characterized by dense residential uses above ground floor commercial uses, public input is important and Walk-Up uses should continue to be subject to Conditional Use authorization instead of being principally permitted as proposed. Second, we are concerned about the proliferation of "ghost kitchens" and would support an amendment to the Planning Code to define and prohibit "ghost kitchens" in the North Beach NCD and in other NCDs, which are not a beneficial use in any NCD. We ask the Commission to please recommend maintaining the existing Conditional Use Authorization for Walk Up Uses in the North Beach NCD. In addition, consider asking the Planning Department to create a new definition and controls for "Ghost Kitchen" Use.

Continue to Exclude the North Beach Neighborhood Commercial District from the Priority Processing Program.

Finally, as we stated in our joint letter to the Commission of June 25, 2025 (see attached), we strongly oppose Supervisor Sauter's proposed inclusion of the North Beach NCD in the Priority Processing Program from which North Beach, along with the Calle 24 Latino Cultural District SUD,

have long been exempted. We are deeply concerned that there is no longer any guarantee that Conditional Use authorizations will be publicly noticed or even receive a public hearing. Planning Department staff explained to the Planning Commission on June 26, 2025, that Priority Processing does not require public notice and may not even need to appear on the Planning Commission agenda as a consent item if the Commission delegates its authority to Planning Department staff. As stated by Planner Aaron Starr to the Commission: "*. . . these projects would no longer be required to be on the consent calendar, so it allows for scheduling flexibility. However, our default would continue to be to have these on the consent calendar unless directed otherwise by this Commission.*" We urge the Commission to please recommend that the North Beach NCD continue to be excluded from the Priority Processing Program.

* * * * * * *

We met with Supervisor Sauter regarding the above matters and conveyed our comments to him by letter dated August 19, 2025 (see attached).

Thank you very much for your attention. We ask that you consider our comments in your deliberation.

Sincerely,

Telegraph Hill Dwellers

Nick Ferris, President
Stan Hayes, Co-Chair, Planning & Zoning
Sarah Goldsmith, Board Member

Cc: Lydia So, President *lydia.so@sfgov.org*
Kathrin Moore, Vice President *kathrin.moore@sfgov.org*
Derek W. Braun, Commissioner *derek.braun@sfgov.org*
Amy Campbell, Commissioner *amy.campbell@sfgov.org*
Theresa Imperial, Commissioner *theresa.imperial@sfgov.org*
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Jonas Ionin, Director of Commission Affairs *commissions.secretary@sfgov.org*
John Carroll, Clerk, LUTC *John.Carroll@sfgov.org*
Angela Cavillo, Clerk *Board.of.Supervisors@sfgov.org*

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Somera, Alisa (BOS); Ng, Wilson (BOS); De Asis, Edward (BOS); Entezari, Mehran (BOS); Carroll, John (BOS)
Subject:	FW: Opposition to BOS File No. 250682
Date:	Friday, September 5, 2025 5:00:36 PM
Attachments:	Jackson Sq Legislation Opposition.pdf

Dear Supervisors,

Please see the attached communication regarding File No. 250682.

Thank you,

Eileen McHugh
Executive Assistant
Office of the Clerk of the Board
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102-4689
Phone: (415) 554-7703 | Fax: (415) 554-5163
eileen.e.mchugh@sfgov.org| www.sfbos.org

From: 25 Hotaling HOA <25hotalinghoa@gmail.com>
Sent: Friday, September 5, 2025 4:31 PM
To: So, Lydia (CPC) <lydia.so@sfgov.org>
Cc: Sauter, Danny (BOS) <Danny.Sauter@sfgov.org>; Tang, Katy (ECN) <katy.tang@sfgov.org>; Flores, Veronica (CPC) <Veronica.Flores@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>
Subject: Opposition to BOS File No. 250682

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

September 5, 2025

Lydia So, President & Members
San Francisco Planning Commission
49 S Van Ness Ave., Suite 1400
San Francisco, CA 94103

RE: Opposition to BOS File No. 250682

Dear President So and Commissioners,

I respectfully write to you as both a resident and HOA president of a mixed-use building in

Jackson Square, where I also practice law. I am strongly opposed to Supervisor Sauter's proposal to weaken Section 249.25, which has been essential in maintaining the character and balance of this unique neighborhood.

The success of Jackson Square is not accidental. Since 2018, the current land use protections - crafted with broad input and unanimous City support - have preserved historic buildings while sustaining a healthy mix of shops, galleries, bars & restaurants, offices, services, and homes. This stability has encouraged investment from residents and businesses alike, making Jackson Square one of the few Downtown districts to thrive even through the pandemic.

The proposed legislation threatens to unravel that success. Our small district already has more than its share of bars and restaurants. While these uses bring activity, they also create serious impacts on retail and residential: noise, vandalism, trash and worse, and constant enforcement challenges. Allowing additional saturation without careful review would tip the balance further, undermining the very qualities that make this district livable. Driving working residents out of Downtown seems backwards.

Process matters, too. None of the Jackson Square business and residential friends I asked said they were aware of this proposal, and were against it once informed. How does oversaturating bar & restaurant vs balanced mixed use strengthen a district that is already working well?

As someone who lives and works here, I see daily how much residents and businesses invest in Jackson Square - through the Community Benefit District, streetscape and historic building upkeep, and more. Weakening the current zoning protections would undo years of progress and create unnecessary problems for the City to manage.

I respectfully urge you to reject File No. 250682 and keep Section 249.25 intact. The framework is working, and there is no justification for dismantling it.

Sincerely,
Charles Carbone, Esq.
25 Hotaling & 580 Washington HOA President, Jackson Square

September 4, 2025

Lydia So, President & Members
San Francisco Planning Commission
49 S Van Ness Ave., Suite 1400
San Francisco, CA 94103

RE: Opposition to BOS File No. 250682

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Sincerely,
Charles Carbone, Esq.
25 Hotaling & 580 Washington HOA President, Jackson Square

Introduction Form

(by a Member of the Board of Supervisors or the Mayor)

I hereby submit the following item for introduction (select only one):

- [x] 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- [ ] 2. Request for next printed agenda (For Adoption Without Committee Reference)
  (Routine, non-controversial and/or commendatory matters only)
- [ ] 3. Request for Hearing on a subject matter at Committee
- [ ] 4. Request for Letter beginning with "Supervisor _____ inquires…"
- [ ] 5. City Attorney Request
- [ ] 6. Call File No. _____ from Committee.
- [ ] 7. Budget and Legislative Analyst Request (attached written Motion)
- [ ] 8. Substitute Legislation File No. _____
- [ ] 9. Reactivate File No. _____
- [ ] 10. Topic submitted for Mayoral Appearance before the Board on _____

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission

■ Planning Commission ☐ Building Inspection Commission ☐ Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

☐ Yes ☐ No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Sauter

Subject:

Planning Code; Zoning Map - Consolidating the North Beach Special Use and Neighborhood Commercial Districts and Expanding Allowable Uses and Use Size Limits in Certain Zoning Districts

Long Title or text listed:

Ordinance amending the Planning Code to: 1) eliminate the North Beach Special Use District and consolidate certain controls into the North Beach Neighborhood Commercial District, expand allowable uses and increase use size limits in the North Beach Neighborhood Commercial District, 2) expand allowable uses and increase use size limits in the Polk Street Neighborhood Commercial District, 3) expand allowable uses in the Pacific Avenue Neighborhood Commercial District, 4) expand allowable uses and increase use size limits in the Nob Hill Special Use District, and 5) reduce limitations on Restaurants and Bars in the Jackson Square Special Use District; amending the Zoning Map to reflect removal of the North Beach Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Signature of Sponsoring Supervisor: [signature]