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**Legislative Review:** 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

**Name:** Sauter

**Date Introduced:** 6/17/2025

**Scheduled for BOS Committee:** Land Use and Transportation Committee

**Legislative Overview:** This 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.

**Legislative Intent:**

This legislation seeks to address ongoing commercial vacancies and encourage new business formation by expanding allowable commercial uses throughout District 3. It would also allow conditional use applications within the North Beach Commercial Use District to be eligible for priority permit processing (CB3P).

**Nob Hill SUD:**

- Arts activities would be conditionally permitted
- Eating and drinking uses would be permitted as a conditional use with the following exceptions:
  - o Limited restaurants would be principally permitted
  - o Formula Retail is not permitted

**Jackson Square SUD:**

- Restaurants and Bars larger than 4,000 square feet would be conditionally permitted on the first floor, unless the use remains the same as the prior authorized use in which case it would be principally permitted

**North Beach NCD:**

- Wholesaling, manufacturing, or processing foods/goods would be allowed as an accessory use within an establishment that also sells those goods for retail
- Use sizes would be principally permitted up to 3,000 sq feet; spaces 3,000-4,000 sq foot would be conditionally permitted, and uses greater than 4,000 square feet are not permitted.
- Storefront mergers would be principally permitted up to 3,000 sq. feet and conditionally permitted if more than 3,000 sq. feet

- Flexible retail would be principally permitted on the ground floor and conditionally permitted on second floor and above
- Limited restaurants would principally permitted on the ground floor
- Restaurants and bars would be conditionally permitted on the ground floor if the restaurant or bar use replaces an existing restaurant or bar use, it shall principally permitted
- Spaces previously occupied by a Legacy Business require a conditional use authorization unless the Legacy Business has been removed from the registry or unless the space has been vacant for three years
- Health services would be conditionally permitted on the ground floor
- Walk up facilities would be principally permitted except for ATM machines, which are not permitted.
- North Beach Special Use District would be repealed

#### Polk Street NCD

- Storefront mergers would be principally permitted up to 3,000 sq. feet and conditionally permitted if more than 3,000 sq. feet
- Use sizes would be principally permitted if up to 3,000 sq feet and conditionally permitted if more than 3,000 sq feet
- Health services would be conditionally permitted on the ground floor

#### Pacific Avenue NCD

- Bars would be conditionally permitted on the ground floor
- Flexible retail would be principally permitted on the ground floor and conditionally permitted on the second floor and above
- Health services would be conditionally permitted on all floor

### **Background, Issues, and Considerations**

Who benefits from or will be burdened by your proposal (geographically, ethnically, linguistically)? What are your strategies for advancing racial equity or mitigating unintended consequences?

- This legislation supports a variety of businesses that may want to open in District 3. It eliminates lengthy permitting requirements for several types of businesses, which can save them time and money.

What was the development process of this proposal? Whose input have you sought out? What feedback did you hear and did you incorporate it into this proposal? If not, why not?

- This legislation incorporates feedback from various stakeholders, including, for example, businesses who wanted to open a business in a certain location but couldn't because of zoning restrictions, or who spent significant time obtaining a permit to open.

Is this proposal punitive or enforcement based? What are the other alternatives for proactive compliance?

- This proposal is not punitive.

Given the diversity of San Francisco, how would this policy play out in different cultural settings? How does it accommodate cultural norms?

- By simplifying zoning controls, the permitting process is more straightforward for all new businesses. Having to navigate lengthy applications and public hearings is particularly challenging for non-native English speakers, so this proposal support their needs.