



MIRALOMA PARK IMPROVEMENT CLUB

May 10, 2021

District 7 Supervisor Myrna Melgar
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, Ca 94102-4689

Re: Deletion of Conditional Use Findings Related to Formula Retail in NCDs

Dear Supervisor Melgar,

I am writing on behalf of the Miraloma Park Improvement Club concerning Item 9 2021-002933PCA SIMPLIFY RESTRICTIONS ON SMALL BUSINESSES [BOARD FILE NO. 210285] on the April 22, 2021 Planning Commission Agenda, which includes the clause, "delete conditional use findings related to formula retail concentrations in certain districts..."*

This measure is of serious concern to us because it has the potential to eliminate protections of Neighborhood Commercial Districts by relaxing or eliminating the Conditional Use Authorization requirement for formula businesses in NCDs. In 2007, San Francisco voters passed Proposition G, which requires Conditional Use Authorization for all formula retail establishments within all Neighborhood Commercial Districts in an effort to "protect San Francisco's vibrant small business sector and create a supportive environment for new small business innovations."

[\[https://sfplanning.org/project/policy-basis-formula-retail-chain-stores\]](https://sfplanning.org/project/policy-basis-formula-retail-chain-stores)

Section 303.1 of the Planning Code is clear: (1) San Francisco is a city of diverse and distinct neighborhoods identified in large part by the character of their commercial areas. (2) One of the eight Priority Policies of the City's General Plan resolves that "existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced." (3) Retail uses are the land uses most critical to the success of the City's commercial districts. (4) Formula Retail businesses are increasing in number in San Francisco, as they are in cities and towns across the country. (5) San Francisco is one of a very few major urban centers in the State in which housing, shops, work places, schools, parks and civic facilities intimately co-exist to create strong identifiable neighborhoods. The neighborhood streets invite walking and bicycling and the City's mix of architecture contributes to a strong sense of neighborhood community within the larger City community. (6) Notwithstanding the marketability of a retailer's goods or services or the visual attractiveness of the storefront, the standardized architecture, color schemes, decor and signage of many Formula Retail businesses can detract from the distinctive character and aesthetics of certain Neighborhood Commercial Districts [etc.

https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_planning/0-0-0-48475].

Does any city commission have authority to reverse—and thus usurp—the will of the voters?



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The Board of Directors of the Miraloma Park Improvement Club urges the Board of Supervisors to preserve Planning Code Sec.303.1 without change and thus to continue to require formula businesses to be non-permitted in Neighborhood Commercial Districts without Conditional Use Authorization.

Sincerely,

Patti Moran
Acting President
Miraloma Park Improvement Club

Cc. President Walton; District Supervisors Chan, Stefani, Peskin, Mar, Preston, Haney, Mandelman, Ronen, Safai; Clerk of the Board.

***9. 2021-002933PCA**

SIMPLIFY RESTRICTIONS ON SMALL BUSINESSES [BOARD FILE NO. 210285] – Adoption of Planning Code Amendments to 1) delete separate definitions of “Cat Boarding,” “Gym,” “Trade Shop,” and “Services, Instructional”; 2) allow permitted conditional uses to continue after three years of abandonment; 3) allow the continuation of longstanding places of entertainment without requiring a permit; 4) allow outdoor activity areas on rooftops; 5) temporarily require a conditional use authorization for uses replacing Nighttime Entertainment uses; 6) allow accessory Catering uses in Restaurants; 7) allow accessory dwelling units on the ground floor in Neighborhood Commercial, Chinatown Business, and Chinatown Visitor districts; 8) allow temporary outdoor entertainment, arts and recreation activities; 9) delete certain conditional use finding requirements for nighttime entertainment use; 10) delete conditional use findings related to formula retail concentrations in certain districts; 11) require expedited permit processing for commercial uses on the ground floor; 12) shorten the time for the Historic Preservation Commission to request review of Minor Alteration Permits and Certificates Of Appropriateness, affirming the Planning Department’s determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302. Preliminary Recommendation: Approve with Modifications

https://sfplanning.org/sites/default/files/agendas/2021-04/20210422_cal.pdf