



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Zoning Map Amendment Initiation HEARING DATE: FEBRUARY 13, 2020

Project Name: M-1 & M-2 Rezoning
Case Number: 2018-001443MAP PCA [Board File No. TBD]
Staff Contact: **Diego Sanchez**, Legislative Affairs
diego.sanchez@sfgov.org, 415-575-9082
Reviewed by: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362
Recommendation: **Initiate and Schedule for Adoption on or After May 13, 2020**

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The action before this Commission is initiation of the Planning Code and Zoning Map amendments described below. Initiation does not involve a decision on the substance of the amendments; it merely begins the required 20-day notice period, after which the Commission may hold a hearing and act on the proposed amendments.

PLANNING CODE AND ZONING MAP AMENDMENT

The Ordinance would amend the Planning Code and Zoning Map to rezone certain parcels in Industrial Use Districts to Production, Distribution, and Repair and other Use Districts.

The Way It Is Now:

Many properties in the Rincon Hill, Potrero Hill, Bayview, Portola, Visitacion Valley and Little Hollywood neighborhoods are in the Light Industrial (M-1) and Heavy Industrial (M-2) zoning districts. (see Exhibit B)

The Way It Would Be:

Properties not owned by the San Francisco Port in the Rincon Hill, Potrero Hill, Bayview, Portola, Visitacion Valley and Little Hollywood neighborhoods and in the M-1 and M-2 zoning districts would be rezoned to other districts. These districts include the Production, Distribution and Repair: Core Production, Distribution, and Repair (PDR-2), and the Public Use (P) zoning districts. In addition, other properties that are split zoned M-1 and Residential House, One-Family (RH-1), Rincon Hill Downtown Residential (RH-DTR) or P would be rezoned to no longer be split zoned. (see Exhibit B)

ISSUES AND CONSIDERATIONS

Zoning Map Maintenance and Relevance

The Planning Code and Zoning Map are continually amended to harmonize with actual land uses, accommodate new economic activities or address community needs, including the general health and welfare. For example, the Urban Mixed Use (UMU) and PDR districts arose from the effort to balance two on-going and competing needs in eastern San Francisco. One is to appropriately accommodate new

housing in industrial or formerly industrial areas. The other is to preserve existing industrial uses and land zoned for those uses. These new districts arose, in part, from the realization that the M-1 and M-2 zoning districts were outdated and no longer satisfied the City's needs.

Another example of this is the current collaboration between Department Staff and the Office of Shamann Walton, District 10 Supervisor. Staff and Supervisor Walton are currently revisiting the existing zoning along Third Street in the Bayview neighborhood. Many of the properties under consideration are zoned M-1 or M-2. The goal is to rezone these properties to zoning districts that better reflect actual or desired land uses with the aim of revitalizing that corridor.

M Districts

The M Districts are the City's oldest industrially oriented districts still in use. For decades most of the City's industrial activities occurred in these districts and these districts were found throughout the City's eastern half. This was the case, at least partially, because of the wide array of uses that are allowed within the M Districts. These districts allow the gamut of industrial uses, including those involving heavy truck traffic, noise generation or noxious emissions. They also allow less-intensive uses such as retail, office and housing.

The utility of this permissibility, however, has been in question for some time. As the City's economy has changed over the last three decades sensitive uses like housing and office have located within or adjacent to the M Districts. This has raised concerns about compatibility and quality of life, in addition to preservation of industrially used land. It is important to note that generally there are no policies or requirements to retain industrial activities in the M Districts and that, owing to current market conditions, industrial activities are often outbid for the use of property. Further, in the process of long-range planning it is often the case that more prescriptive zoning districts better serve community needs and aspirations.

Accepted Applications on M-zoned properties

The Department receives development applications on a continuous basis, including prior to the rezoning of property. Often the project sponsor is unaware of the proposed rezoning and has already made a set of financial, programmatic and design commitments that conflict with the forthcoming zoning change. In these cases, it is reasonable to afford proposed projects many of the privileges under the former zoning district.

On January 23, 2020 the Department surveyed the properties proposed for rezoning for open or pending applications. The survey found an open application on the property at 800 Cesar Chavez Street that could be affected by the rezoning away from an M district designation.

Senate Bill 330

Governor Gavin Newsom signed Senate Bill 330, Housing Crisis Act of 2019, (SB330) into law on October 9, 2019. Among other regulations, SB330 would alter several procedural regulations for how cities permit new housing, including limiting the number of hearings and the rate of development impact fees on housing projects. SB330 also requires that cities, when reducing housing capacity on property, expand it elsewhere at a commensurate level.

The M zoning districts generally allow housing, with Conditional Use authorization, based on lot area. Some of the proposed zoning districts, such as the PDR districts, do not allow housing. To comply with SB330 Staff will evaluate possible housing development potential of each property proposed for rezoning and quantify the possible lost housing capacity. Any reduction in zoning capacity from the proposed Ordinance will be offset by an increase in capacity elsewhere in the City through a separate ordinance.

RECOMMENDATION

The Department recommends that the Commission recommend approval of the resolution to initiate the Planning Code and Zoning Map amendments for consideration on or after May 13, 2020.

BASIS FOR RECOMMENDATION

The Department recommends that the Commission initiate the proposed Ordinance because it will allow for the rezoning effort to commence. This is important because the City must continually amend the Planning Code and Zoning Map to reflect actual land uses as well as aspirational ones that align with community needs. The Department believes the May 13, 2020 adoption hearing date will provide additional time for the community to review the proposed Planning Code and Zoning Map changes and for the Department to respond.

REQUIRED COMMISSION ACTION

The proposed Ordinance is before the Commission so that it may initiate the proposed Ordinance and schedule a time for the ordinance to be heard for adoption.

ENVIRONMENTAL REVIEW

The proposal to amend the Planning Code is anticipated to result in no physical impact on the environment. Evaluation under CEQA will be complete prior to the adoption hearing.

PUBLIC COMMENT

As of the date of this report, the Planning Department has not received any public comment regarding the proposed Ordinance.

RECOMMENDATION:	Initiate and Consider Adoption on or after May 13, 2020
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Attachments:

Exhibit A: Draft Planning Commission Resolution
Exhibit B: Maps of Properties for Rezoning
Exhibit C: Proposed Ordinance



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Resolution

HEARING DATE FEBRUARY 13, 2020

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INITIATING AMENDMENTS TO THE PLANNING CODE AND ZONING MAP TO REZONE CERTAIN PARCELS IN INDUSTRIAL USE DISTRICTS TO PRODUCTION, DISTRIBUTION AND REPAIR AND OTHER USE DISTRICTS; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.

WHEREAS, The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider initiation of the proposed Ordinance on February 13, 2020; and,

WHEREAS, the proposed amendments would amend the Planning Code and Zoning Map to rezone certain parcels in Industrial Use Districts to Production, Distribution, and Repair and other Use Districts; and

WHEREAS, the proposed amendments are intended to be corrective, meant to match actual land uses and aspirational ones with community needs, or address larger policy goals around the location, creation and compatibility of housing, office and light industrial uses; and

WHEREAS, the Environmental Review will be completed prior to the Commission taking action on this Ordinance; and

WHEREAS, the 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 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Commission has reviewed the proposed Ordinance; and

MOVED, that pursuant to Planning Code Section 302(b), the Commission adopts a Resolution to initiate amendments to the Planning Code and Zoning Map;

AND BE IT FURTHER RESOLVED, that pursuant to Planning Code Section 306.3, the Commission authorizes the Department to provide appropriate notice for a public hearing to consider the above referenced Planning Code and Zoning Map amendments contained in the draft ordinance, approved as to form by the City Attorney in Exhibit A, to be considered at a publicly noticed hearing on or after **May 13, 2020**.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on February 13, 2020.

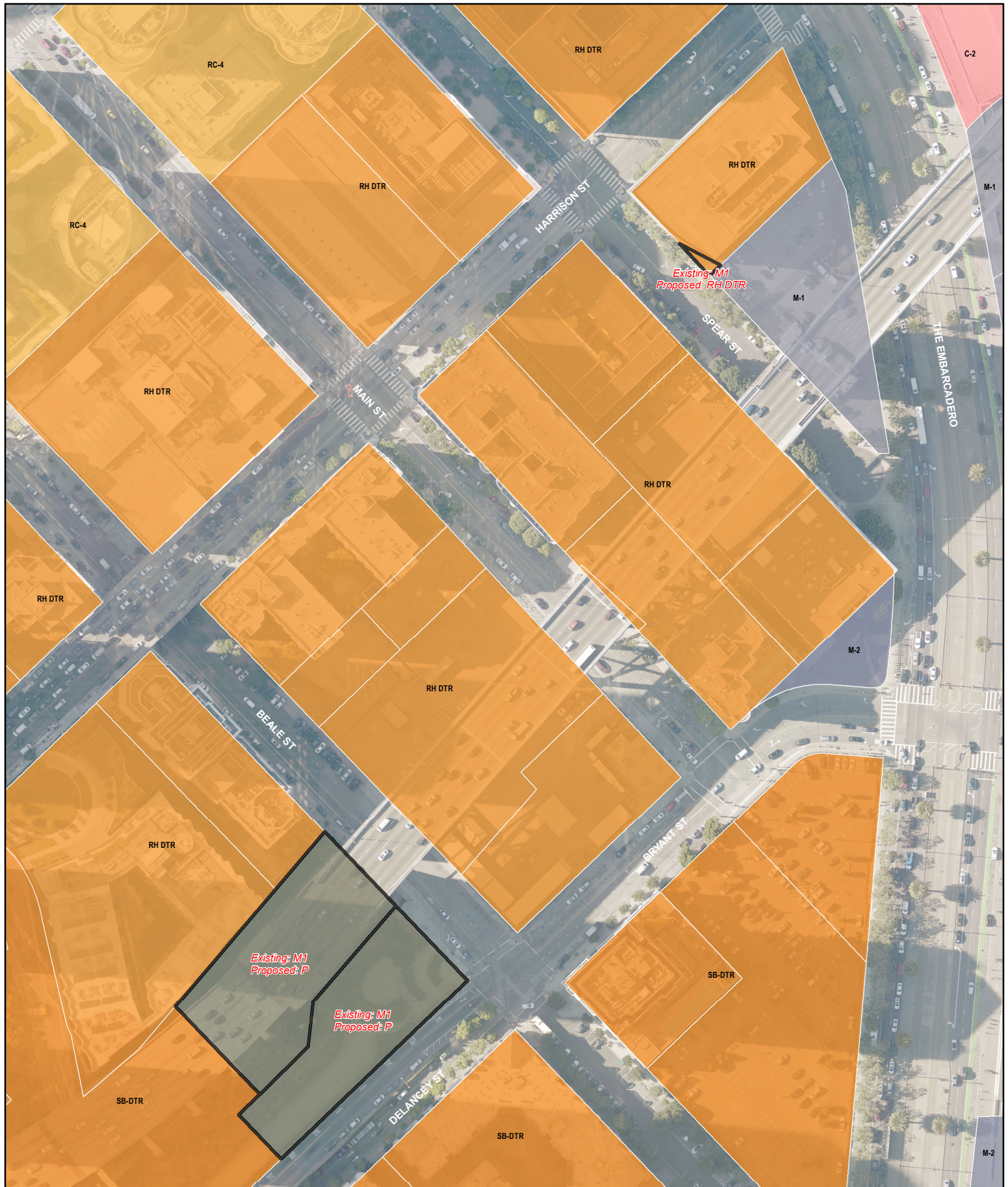
Jonas P. Ionin
Commission Secretary


AYES:

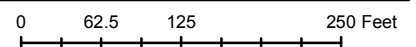
NOES:

ABSENT:

ADOPTED: February 13, 2020

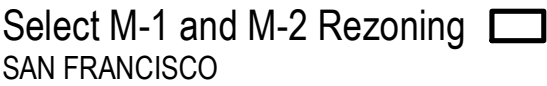


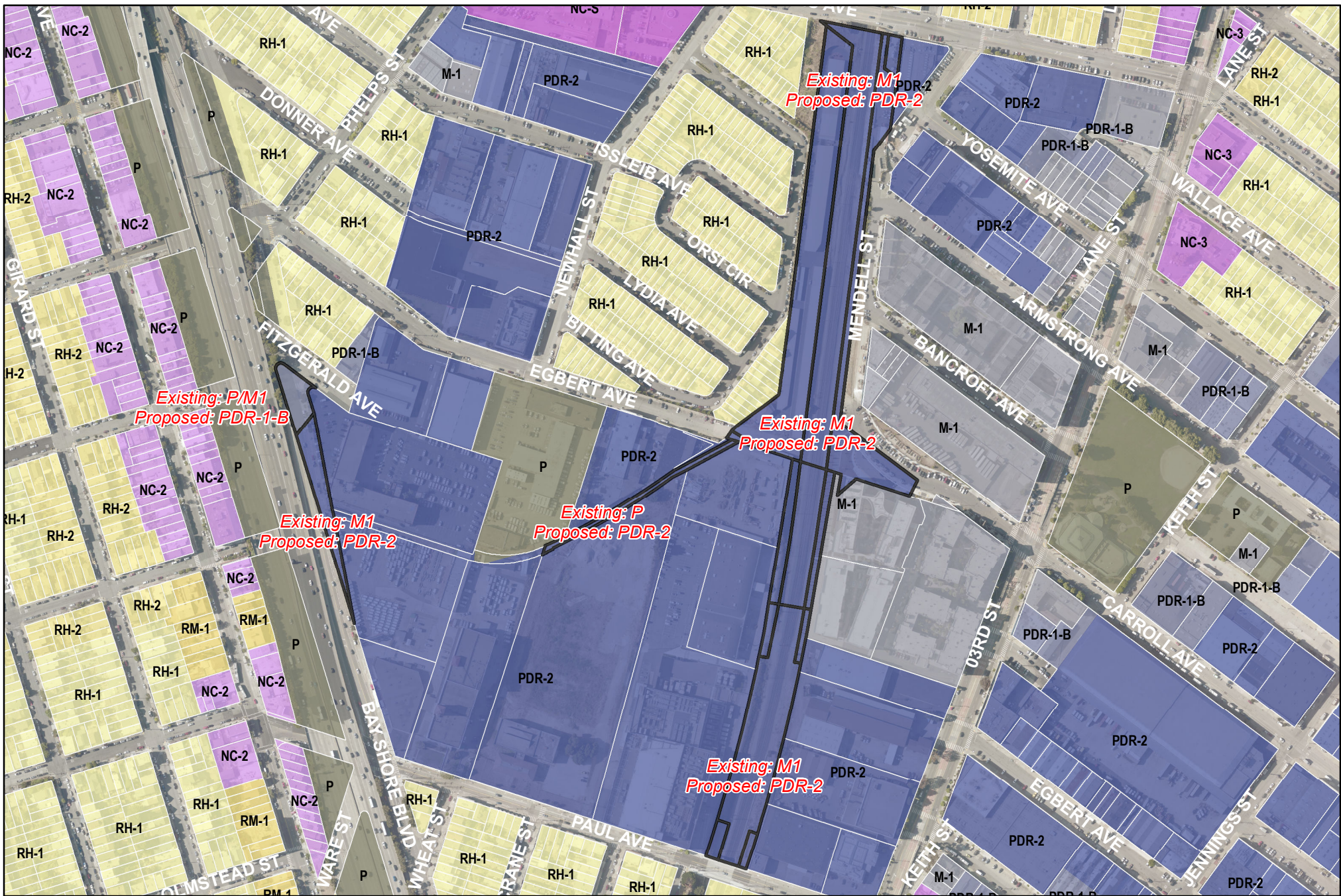
Select M-1 and M-2 Rezoning 
 SAN FRANCISCO





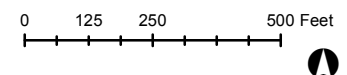
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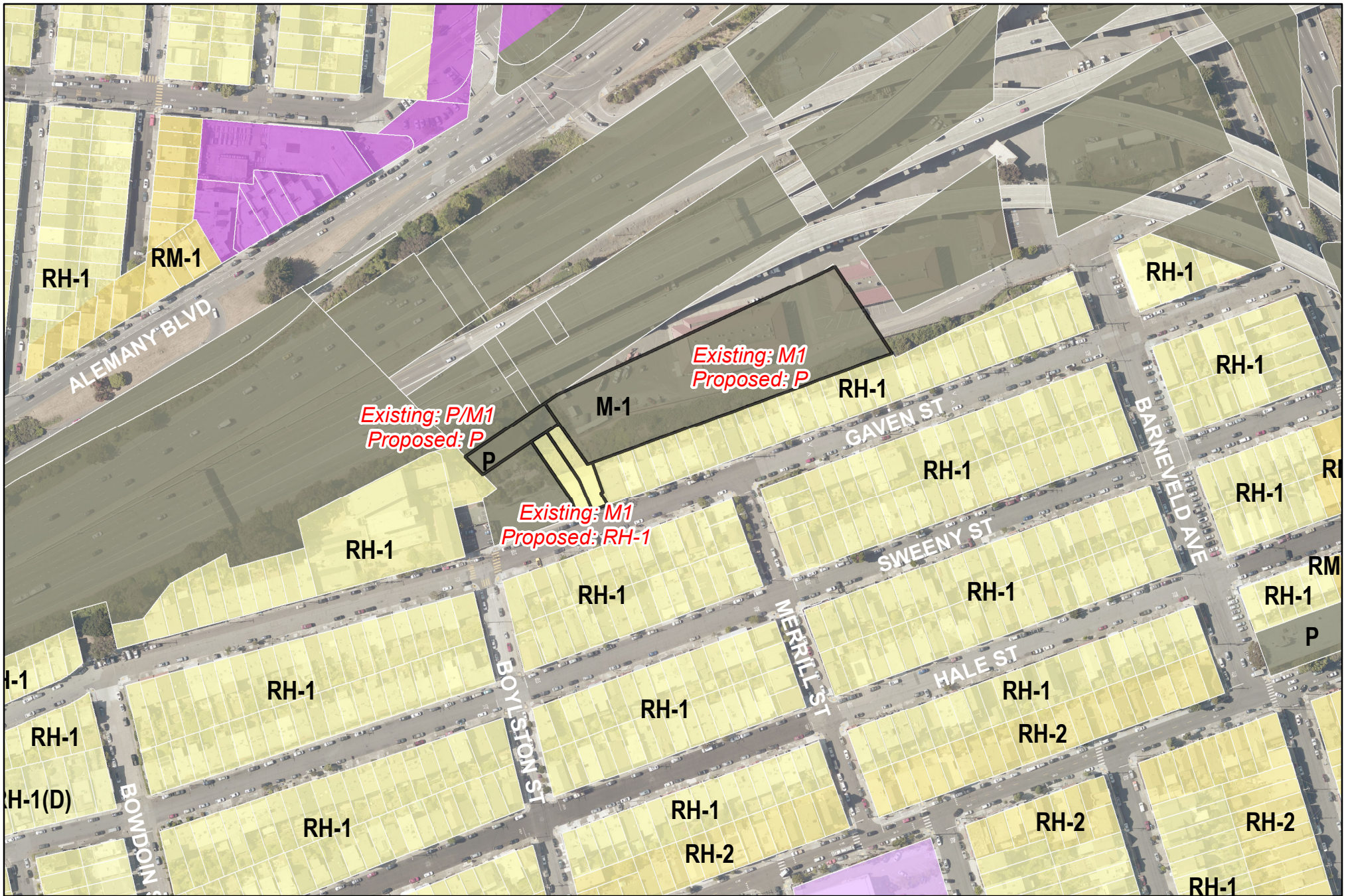




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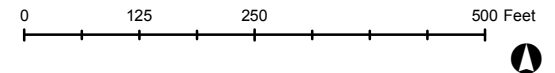
SAN FRANCISCO

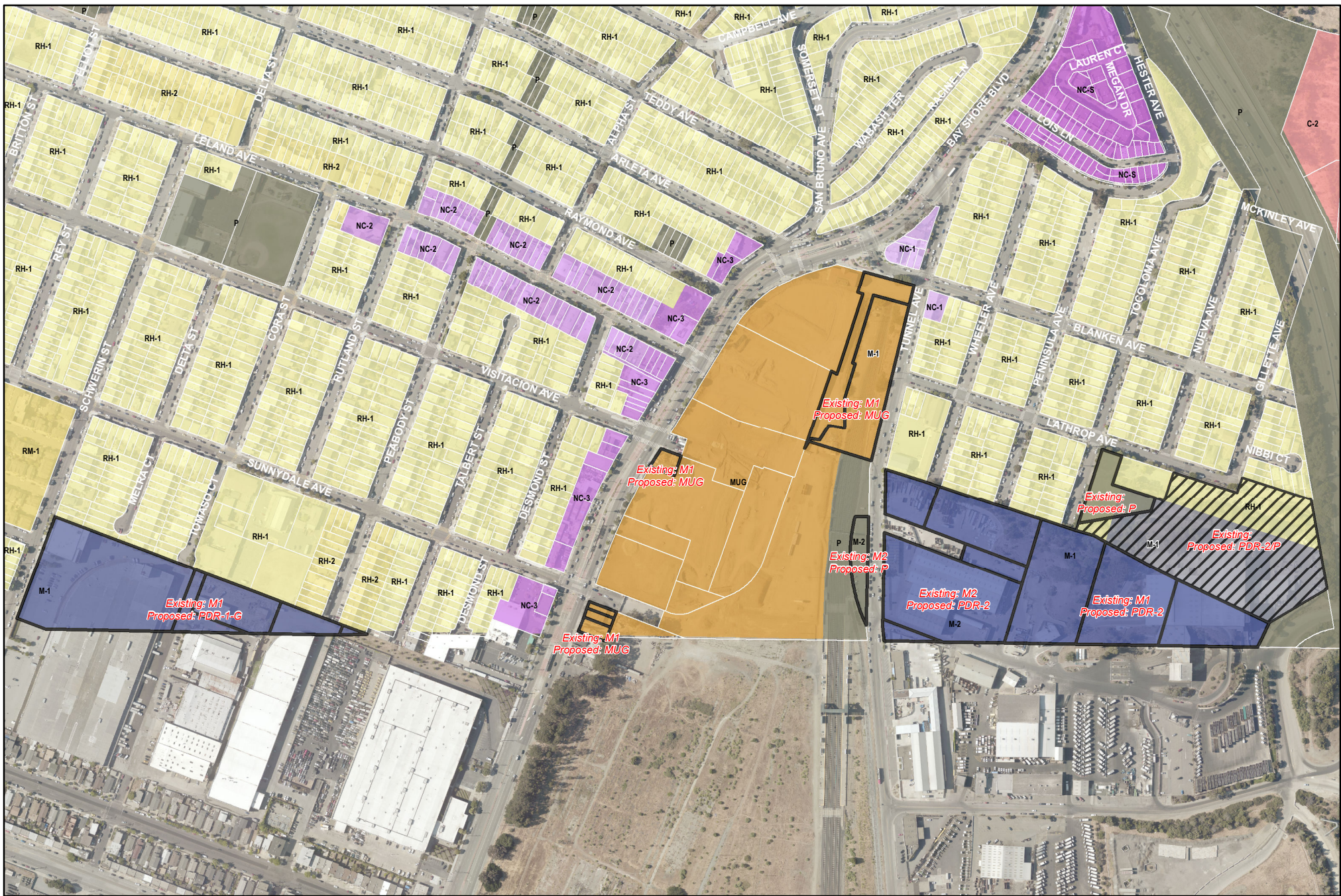




Select M-1 and M-2 Rezoning ☐

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Select M-1 and M-2 Rezoning ☐

SAN FRANCISCO

[Planning Code, Zoning Map - Rezone Certain Industrial Parcels]

Ordinance amending the Planning Code and Zoning Map to rezone certain parcels in Industrial Use Districts to Production, Distribution, and Repair and other Use Districts; 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 uncoded 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 Planning Code 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. _____, recommended the Planning Code and Zoning Map amendments in this ordinance for approval and 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 Planning Code and Zoning Map amendments in this ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission Resolution No. _____, and the Board incorporates such reasons herein by reference.

Section 2. The Planning Code is hereby amended by revising Zoning Use District Maps ZN01, ZN08, and ZN10, as follows:

<u>Description of Property</u>		<u>Use Districts to be</u>	<u>Use Districts</u>
<u>Assessor's</u>	<u>Lot</u>	<u>Superseded</u>	<u>Hereby Approved</u>
<u>Block</u>			
3766	010	RH-DTR/M-1	P
	011	M-1	P
3769	002	M-1	RH-DTR
4280	025	M-1	UMU
4290	018	M-1 / M-2	PDR-2
4291	017, 018	M-2	PDR-2
4310	003	M-2	PDR-2
4324	003, 004	M-1 / RM-2	PDR-2 / RM-2
4327A	020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039,	M-1	PDR-2

	040, 041, 042, 043, 044, 045, 046, 047, 048, 049, 050, 051, 052, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 068, 069, 070, 071, 072, 073, 074, 075		
4329	010, 011, 012	M-1	P
	008, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028	M-1	PDR-2
4346	001	M-2	PDR-2
4347B	005, 007	M-2	PDR-2
4349	001, 002, 002A, 003A, 003B, 004, 004A, 012, 013, 014	M-2	PDR-2
4356	001A	M-2	PDR-2
4382	003, 005	M-2	PDR-2
4991	007	M-1	PDR-2
	008, 009	M-1 / M-2	PDR-2
	953	RH-1 / M-1	P
	954	RH-1 / M-1	PDR-2
5087	004, 005	M-1	MUG
5091	010	M-1	PDR-2

	011	M-2	PDR-2
5099	002	M-1	PDR-2
5100	007	M-1	MUG
5102	010	M-2	P
5104	001, 004, 005	M-2	PDR-2
5107	003, 004, 005	M-1	MUG
5214	001, 004	M-2	PDR-2
5215	020	M-2	PDR-2
5228	012	M-2	PDR-2
5232	004, 008, 012	M-2	PDR-2
	011	M-1 / M-2	PDR-2
5250	019, 020, 026	M-2	PDR-2
	024	M-1 / M-2 / PDR-2	PDR-2
5262	002	M-1 / M-2	PDR-2
	010, 011	M-1	PDR-2
	009	P / M-1 / M-2	P
5280	003, 004, 005	M-1	PDR-2
5281	007, 008, 009, 010, 011	M-1	PDR-2
5303	004	M-1	PDR-2
5304	015, 031, 032	M-1	PDR-2
5313	033, 034	M-1	PDR-2
5415	004, 006, 007, 008, 011, 012, 013, 014, 015	M-1	PDR-2

5431A	010, 019, 021, 022, 026, 027, 028, 029, 031	M-1	PDR-2
5451	019	P / M-1	PDR-1-B
5853	042, 043	M-1 / RH-1	RH-1
	046	M-1	P
	047	P / M-1	P
6309	004A, 056, 057, 102, 103	M-1	PDR-1-G

Section 3. Article 2 of the Planning Code is hereby amended by revising Sections 210.3 and 210.3A, to read as follows:

SEC. 210.3. PDR DISTRICTS.

* * * *

Table 210.3

ZONING CONTROL TABLE FOR PDR DISTRICTS

Zoning Category	§ References	PDR-1-B	PDR-1-D	PDR-1-G	PDR-2
* * * *					
NON-RESIDENTIAL STANDARDS AND USES					
* * * *					
Sales and Service Category					

Retail Sales and Service Uses*	§§ 102, 202.2(a)	P (1)	P (10)	P (9)	P (1)
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
Storage, Self	§§ 102	NP	NP	NP	NP <u>(22)</u>
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *

* * * *

(22) NP except that a proposed Self Storage use is Principally Permitted on a lot adjacent to an M-2 District if a Development Application, as defined in Section 401, for the establishment of such use was submitted to the City by October 31, 2019.

SEC. 210.3A. NON-ACCESSORY USE SIZE LIMITS FOR CERTAIN RETAIL AND OFFICE USES IN PDR-1-B AND PDR-2 DISTRICTS.

In order to preserve land and building space for light industrial activities, certain non-accessory Retail and Office Uses that exceed the square footage stated in the table below shall not be permitted in PDR-1-B and PDR-2 Districts. The use area shall be measured as the Occupied Floor Area of all retail or offices activities on a lot that have a (1) or (2) in the respective zoning district's use control column in Table 210.3 (Zoning Control Table for PDR Districts). Additionally, a cumulative use size maximum applies in PDR-1-B and PDR-2 Districts, such that the combined floor area of any and all uses permitted by Table 210.3 with a (1) or (2) in the respective zoning district's use control column may not exceed the limits stated in the table below for any given lot. The size limits in this Section 210.3A shall not apply to uses permitted by Table 210.3 that do not have a (1) or (2) in the respective zoning district's use control column.

* * * *

1 Section 4. Effective Date. This ordinance shall become effective 30 days after
2 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
3 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
4 of Supervisors overrides the Mayor's veto of the ordinance.

5
6 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
7 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
8 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
9 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
10 additions, and Board amendment deletions in accordance with the "Note" that appears under
11 the official title of the ordinance.

12
13 APPROVED AS TO FORM:
14 DENNIS J. HERRERA, City Attorney

15 By:


16 PETER R. MILJANICH
17 Deputy City Attorney

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