

File No. 101313

Committee Item No. 3

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date November 22, 2010

Board of Supervisors Meeting

Date _____

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
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| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
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OTHER

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Completed by: Alisa Somera Date November 19, 2010

Completed by: _____ Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

1 [Zoning Map and Planning Code - Bayshore Boulevard Home Improvement Special Use
2 District]

3
4 **Ordinance amending the San Francisco Planning Code by adding Section 249.65 to**
5 **establish the Bayshore Boulevard Home Improvement Special Use District for the**
6 **properties on lots fronting Bayshore Boulevard from Jerrold Avenue to the 1-280**
7 **Freeway, the west side of Loomis Street from Jerrold Avenue to the 1-280 Freeway,**
8 **Oakdale Avenue from Loomis Street to Bayshore Boulevard, Marengo Street from**
9 **Bayshore Boulevard to Waterloo Street and the west side of Boutwell Street from**
10 **Industrial Street to the 1-280 Freeway, and also including some lots on Cortland**
11 **Avenue; amending the Zoning Map of the City and County of San Francisco to rezone**
12 **the designated blocks and lots from the current M-1 and P/M-1 zoning to PDR-2, P/PDR-**
13 **2 and the Bayshore Boulevard Home Improvement Special Use District; adopting**
14 **findings, including environmental findings, Section 302 findings, and findings of**
15 **consistency with the General Plan and the priority policies of Planning Code Section**
16 **101.1.**

17 NOTE: Additions are single-underline italics Times New Roman;
18 deletions are ~~strike-through italics Times New Roman~~.
19 Board amendment additions are double-underlined;
20 Board amendment deletions are ~~strikethrough normal~~.

21 Be it ordained by the People of the City and County of San Francisco:

22 Section 1. Findings. The Board of Supervisors of the City and County of San Francisco
23 hereby finds and determines that:

24 (a) The Planning Department has determined that the actions contemplated in this
25 ordinance comply with the California Environmental Quality Act (California Public Resources

1 Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of
2 Supervisors in File No. _____ and is incorporated herein by reference.

3 (b) Pursuant to Planning Code Section 302, this Board finds that these Planning
4 Code amendments will serve the public necessity, convenience, and welfare for the reasons
5 set forth in Planning Commission Resolution No. _____, and the Board incorporates such
6 reasons herein by reference. A copy of Planning Commission Resolution No. _____ is on file
7 with the Clerk of the Board of Supervisors in File No. _____.

8 (c) The Board finds that these Planning Code amendments are consistent with the
9 General Plan and with the priority policies of Planning Code Section 101.1 for the reasons set
10 forth in Planning Commission Resolution No. _____, and the Board hereby incorporates such
11 reasons herein by reference.

12 Section 2. The San Francisco Planning Code is hereby amended by adding Section
13 249.65, to read as follows:

14 SEC. 249.65. BAYSHORE BOULEVARD HOME IMPROVEMENT SPECIAL USE DISTRICT.

15 (a) General. A Special Use District entitled the Bayshore Boulevard Home Improvement
16 Special Use District, the boundaries of which are designated on Sectional Maps SU08 and SU10 of the
17 Zoning Map of the City and County of San Francisco, is hereby established for the purposes set forth
18 below. The Bayshore Boulevard Home Improvement Special Use District consists of properties on lots
19 fronting Bayshore Boulevard from Jerrold Avenue to the 1-280 Freeway, the west side of Loomis Street
20 from Jerrold Avenue to the 1-280 Freeway, Oakdale Avenue from Loomis Street to Bayshore
21 Boulevard, Marengo Street from Bayshore Boulevard to Waterloo Street and the west side of Boutwell
22 Street from Industrial Street to the 1-280 Freeway, and also include some lots on Cortland Avenue; the
23 blocks and lots included in the Bayshore Boulevard Home Improvement Special Use District are
24 designated in amendments to Sectional Maps SU08 and SU010 of the Zoning Map of the City and
25 County of San Francisco.

1 **(b) Purpose.** *The purpose of the Bayshore Boulevard Home Improvement Special Use*
2 *District is to encourage and promote businesses of varying types that are focused on home*
3 *improvement, particularly those that emphasize sensitivity to the environment and sustainable use of*
4 *natural resources through products offered and/or treatment of the site and building. The Bayshore*
5 *Boulevard Home Improvement Special Use District intends to create a mixed commercial district and*
6 *enable synergies between retail and other businesses dedicated to the physical improvement of property*
7 *and related home furnishing. The intent of this district is also to retain and promote locally grown*
8 *businesses and to provide employment opportunities at a wide range of levels for local residents. This*
9 *Special Use District was created in conjunction with other Citywide initiatives to physically improve*
10 *the project area and create a coherent and identifiable place in San Francisco for shoppers to find*
11 *home improvement related businesses and services.*

12 **(c) Controls.** *The following controls shall apply in the Bayshore Boulevard Home*
13 *Improvement Special Use District:*

14 **(1)** *Notwithstanding the underlying controls, a retail use as defined by Section 218 of this*
15 *Code shall be permitted:*

16 **(2)** *Notwithstanding the underlying controls, the following uses shall require conditional*
17 *use authorization under Section 303 of this Code:*

18 **(A)** *establishment of a new formula retail use as defined by Section 703.3(b) of this Code*
19 *that is 10,000 square feet or larger;*

20 **(B)** *establishment of a new liquor store as defined by Section 790.55 of this Code;*

21 **(C)** *establishment of a new drive up facility as defined by Section 790.30 of this Code;*

22 **(D)** *establishment of a new adult entertainment establishment as defined by Section 221(k) of*
23 *this Code;*

24 **(E)** *establishment of a new automotive use as defined by Section 223 of this Code; and*

25 **(F)** *establishment of a new fringe financial use as defined by Section 249.35 of this Code.*

1 (3) Except for the conditional use square footage threshold for formula retail, the other
2 controls of Section 121.6 of this Code shall apply to Large Scale Retail Uses;

3 (4) Notwithstanding the underlying controls, no off-street parking spaces shall be required.
4 The maximum number of accessory off-street parking spaces permitted shall be as specified in Section
5 151.1 of this Code.

6 (5) New construction projects and major alterations shall follow the Bayshore Boulevard
7 Home Improvement District Design Guidelines adopted by the Planning Commission.

8 (6) The provisions for demolition of PDR buildings set forth in Section 231A of this Code
9 shall not apply.

10 (7) Enhanced requirements for street trees as required by Section 143(i) of this Code shall
11 apply.

12 (d) Conditional Use Criteria. In evaluating any conditional use application pursuant to
13 these controls, the Planning Commission shall consider the following criteria in addition to the criteria
14 of Section 303(c) of this Code as well as Section 303(i) for formula retail uses:

15 (1) The proposed use and/or building is in conformity with the purpose and intent of the
16 Bayshore Boulevard Home Improvement Special Use District;

17 (2) The proposed use and/or building demonstrates leadership in sustainability;

18 (3) Any new, reconfigured, or reconstructed building complies with the Bayshore Boulevard
19 Home Improvement District Design Guidelines.

20 Section 3. The San Francisco Planning Code is hereby amended by amending
21 Sectional Maps ZN08, ZN10, SU08, and SU10 of the Zoning Map of the City and County of
22 San Francisco, as follows:

<u>Description of Property</u>	<u>Use Districts to be Superseded</u>	<u>Use Districts Hereby Approved</u>
Block 5371, Lots 018 and 019; Block 5372, Lots 006, 008, and 009;	M-1, IPZ SUD	PDR-2; Bayshore Boulevard Home

Supervisor Maxwell
BOARD OF SUPERVISORS

1	Block 5533, Lots 047 and 048.		Improvement SUD
2	Block 5375, Lot 059 and 061	M-1	PDR-2; Bayshore Boulevard Home Improvement SUD
3			
4	Block 5533, Lot 049	P/M-1, IPZ SUD	P/PDR-2; Bayshore Boulevard Home Improvement SUD
5			
6	Block 5559, Lots 002, 004, 005, 006, 008, 009, 015, 016, 018, 019, 020, 021; Block 5560, Lots 001, 003, 010, 058, 059, 065, 066, 093, 095, 096, 098, 099 through 108; Block 5573, Lots 001 and 005; Block 5576, Lot 001; Block 5582, Lots 001, 002, 001A; Block 5594, Lots 012 through 015; Block 5595, Lot 001; Block 5596, Lots 001, 012 through 015, 017B, 017D, 038, 039, 041, 042, 043, 050, 052, 053, and 054.	M-1, IPZ SUD	PDR-2; Bayshore Boulevard Home Improvement SUD
7			
8			
9			
10			
11	Block 5573, Lot 023	P/M-1	P/PDR-2; Bayshore Boulevard Home Improvement SUD
12			
13			
14	Block 5596, Lot 051	P/M-1, IPZ SUD	P/PDR-2; Bayshore Boulevard Home Improvement SUD
15			
16	Block 5598, Lots 006, 008, 009, 011, 013, 015, 016, 018, 021, 028, 029, 030, and 031; Block 5607, Lots 001, 005, 006, 038, and 039;	M-1, IPZ SUD	PDR-2; Bayshore Boulevard Home Improvement SUD
17			
18	Block 5607, Lot 047.	M-1	PDR-2; Bayshore Boulevard Home Improvement SUD
19			
20	Block 5693, Lots 003A and 036. 037, 038, 041, and 042.	M-1	PDR-2; Bayshore Boulevard Home Improvement SUD
21			
22	Block 5657, Lots 008B, 008C, 009, 009A, 009D, and 052.	C-M, IPZ SUD	PDR-1-G
23			
24	Block 5657, Lot 51.	C-M/RH-1, IPZ SUD	RH-1, Bernal Heights SUD
25			

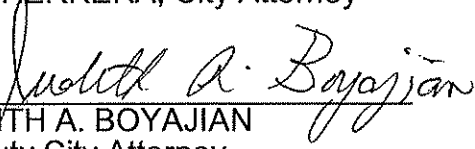
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Block 5657, Lot 40.

C-M

PDR-I-G

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

By: 
JUDITH A. BOYAJIAN
Deputy City Attorney

LEGISLATIVE DIGEST

[Zoning Map and Planning Code – Bayshore Boulevard Home Improvement Special Use District]

Ordinance amending the San Francisco Planning Code by adding Section 249.65 to establish the Bayshore Boulevard Home Improvement Special Use District for the properties on lots fronting Bayshore Boulevard from Jerrold Avenue to the 1-280 Freeway, the west side of Loomis Street from Jerrold Avenue to the 1-280 Freeway, Oakdale Avenue from Loomis Street to Bayshore Boulevard, Marengo Street from Bayshore Boulevard to Waterloo Street and the west side of Boutwell Street from Industrial Street to the 1-280 Freeway, and also including some lots on Cortland Avenue; amending the Zoning Map of the City and County of San Francisco to rezone the designated blocks and lots from the current M-1 and P/M-1 zoning to PDR-2, P/PDR-2 and the Bayshore Boulevard Home Improvement Special Use District; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Existing Law

Section 249.1 et seq. of the Planning Code contains a number of special use districts with special controls.

Amendments to Current Law

This ordinance will add Section 249.65 to the Planning Code to establish the Bayshore Boulevard Home Improvement Special Use District (SUD) for designated properties fronting Bayshore Boulevard and on Cortland Avenue to rezone the designated blocks and lots from the current M-1, P/M-1, C-M, C-M/RH-1, and IPZ SUD zoning to PDR-2, P/PDR-2, PDR-1-G, the Bernal Heights SUD, and the Bayshore Boulevard Home Improvement SUD.

Within the Bayshore Boulevard Home Improvement SUD, a retail use is a permitted use and no off-street parking spaces are required. Establishment of a new use in the following categories requires a conditional use authorization: formula retail 10,000 square feet or more, a liquor store, a drive up facility, adult entertainment, automotive, and fringe financial. New construction and major alteration projects shall follow the Bayshore Boulevard Home Improvement District Design Guidelines adopted by the Planning Commission. The Planning Code provisions for street trees will apply; existing provisions for demolition of PDR buildings will not apply.

Background Information

The purpose of the Bayshore Boulevard Home Improvement SUD is to encourage and promote businesses of varying types that are focused on home improvement, particularly those that emphasize sensitivity to the environment and sustainable use of natural resources through products offered and/or treatment of the site and building. The SUD intends to create a mixed commercial district and enable synergies between retail and other businesses dedicated to the physical improvement of property and related home furnishing. This SUD was created in conjunction with other Citywide initiatives to physically improve the project area and create a coherent and identifiable place in San Francisco for shoppers to find home improvement related businesses and services.