



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 20030

HEARING DATE OCTOBER 19, 2017

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

<i>Project Name:</i>	Amendments to the Mission Street Neighborhood Commercial Transit District related to the Mission Action Plan 2020	Reception: 415.558.6378
<i>Case Number:</i>	2015-000988PCA-03	Fax: 415.558.6409
<i>Initiated by:</i>	Planning Commission	Planning Information: 415.558.6377
<i>Staff Contact:</i>	Pedro Peterson, Citywide Planning pedro.peterson@sfgov.org, 415-575-9163	
<i>Reviewed by:</i>	Joshua Switzky, Senior Planner joshua.switzky@sfgov.org, 415-575-6815	

RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE THAT WOULD REVISE THE CONTROLS IN THE MISSION STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT (MISSION NCT) TO REMOVE NON-RETAIL PROFESSIONAL SERVICE (PREVIOUSLY KNOWN AS ADMINISTRATIVE SERVICES) AS A PERMITTED USE, TO LIMIT THE MERGING OF LOTS, AND TO ALLOW ARTS ACTIVITIES AND CATERING USES; 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 the proposed Ordinance on October 19, 2017; and,

WHEREAS, the proposed Ordinance has been determined to be not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment; and

WHEREAS, the Commission authorized the launching of the Eastern Neighborhoods Plans (EN Plan) in 2001 through Resolution Number 16201; and

WHEREAS, the EN Plan established the Mission Street Neighborhood Commercial Transit (NCT) District, as a vibrant commercial corridor supported by medium density housing, served by multiple transit options, with a fine-grained pedestrian orientation; and

WHEREAS, since the adoption of the EN Plan and its associated zoning, the City has determined that the continued establishment, evolution, and adaptation of these uses demands a more responsive set of zoning controls in the Planning Code; and

WHEREAS, the characteristics of the commercial uses envisioned in the EN Plan are incompatible with business-to-business office uses that can increase land use pressures on retail activities serving the corridor; and

WHEREAS, the Non-Retail Professional Services (previously known as Administrative Services) use conditionally permitted in the Mission Street NCT District allows for such business-to-business office activities; and

WHEREAS, the EN Plan seeks to strike a balance between protecting the fine-grained pedestrian orientation of the Mission Street NCT District while promoting housing development opportunities that can accommodate significant amounts of below-market rate housing; and

WHEREAS, the City has engaged with members of the Mission neighborhood community under the guise of the Mission Action Plan 2020 (MAP 2020) to continue to address land use issues after the EN Plans; and

WHEREAS, the MAP 2020 process has identified the need to promote Arts Activities and Catering uses as a way to maintain economic diversity in the Mission neighborhood; and

WHEREAS, some Arts Activities and Catering uses may be compatible with and complement the neighborhood commercial uses in the Mission Street NCT; 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 hereby recommends that the Board of Supervisors **approve** the proposed ordinance;

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:

1. The proposed ordinance will move forward several of the objectives set forth in the MAP 2020 process.
2. **Mission Area Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the Mission Area Plan:

LAND USE

OBJECTIVE 1.1

STRENGTHEN THE MISSION'S EXISTING MIXED USE CHARACTER, WHILE MAINTAINING THE NEIGHBORHOOD AS A PLACE TO LIVE AND WORK.

Policy 1.1.6

Permit and encourage small and moderate size retail establishments in neighborhood commercial areas of the Mission, while allowing larger retail in the formerly industrial areas when part of a mixed-use development.

The proposed Ordinance would limit the merging of parcels into large lots that might provide only large commercial spaces that would be unsuitable and unaffordable to local small businesses, and require that certain lot mergers include small-scale commercial space fronting Mission Street. The Ordinance would also expand the range of uses in the Mission Street NCT by allowing compatible Arts Activities and Catering, while preserving active commercial uses on the ground floor.

OBJECTIVE 1.8

MAINTAIN AND STRENGTHEN THE MISSION'S NEIGHBORHOOD COMMERCIAL AREAS.

Policy 1.8.2

Ensure that the Mission's neighborhood commercial districts continue to serve the needs of residents, including immigrant and low-income households.

The proposed Ordinance would remove Non-retail Professional Services as a conditionally allowed use in the Mission Street NCT, therefore removing land use and economic pressure on local small businesses from business-to-business uses.

OBJECTIVE 3.2

PROMOTE AN URBAN FORM AND ARCHITECTURAL CHARACTER THAT SUPPORTS WALKING AND SUSTAINS A DIVERSE, ACTIVE AND SAFE PUBLIC REALM.

Policy 3.2.4

Strengthen the relationship between a building and its fronting sidewalk.

The proposed Ordinance would restrict the merging of lots resulting in large frontages along Mission Street, therefore helping to preserve the fine-grained pedestrian orientation of the corridor.

3. **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 have a positive effect on neighborhood serving retail uses and enhance opportunities for resident employment in and ownership of neighborhood-serving retail, as it would require that projects proposing lot mergers resulting in long frontages on Mission Street provide small retail spaces suitable to small scale, neighborhood-serving businesses. The restriction on business-to-business uses would also reduce economic pressure on 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. The limit on lot mergers—and conditional use criteria for projects above the limit—were selected so as to not create barriers for projects that could provide a substantial number of affordable units.

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.

4. **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 recommends that the Board ADOPT the proposed Ordinance described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on October 19, 2017.



Jonas P. Ionin
Commission Secretary

AYES: Fong, Koppel, Melgar, Richards

NOES: None

ABSENT: Hillis, Johnson, Moore

ADOPTED: October 19, 2017