

File No. 210497 Committee Item No. 1
Board Item No. 32

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date October 18, 2021

Board of Supervisors Meeting Date October 26, 2021

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OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>PLN Reso No. 20943</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>PLN Transmittal 080521</u> |
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Completed by: Erica Major Date October 14, 2021
Completed by: Erica Major Date October 20, 2021

1 [Planning Code and Zoning Map - Delete Life Science and Medical Special Use District]

2

3 **Ordinance amending the Planning Code and Zoning Map to eliminate the Life Science**
 4 **and Medical Special Use District; affirming the Planning Department’s determination**
 5 **under the California Environmental Quality Act; making findings of consistency with**
 6 **the General Plan, and the eight priority policies of Planning Code, Section 101.1; and**
 7 **adopting findings of public necessity, convenience, and welfare under Planning Code,**
 8 **Section 302.**

9

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
 10 **Additions to Codes** are in *single-underline italics Times New Roman font*.
 11 **Deletions to Codes** are in ~~*strikethrough italics Times New Roman font*~~.
 12 **Board amendment additions** are in double-underlined Arial font.
 13 **Board amendment deletions** are in ~~strikethrough Arial font~~.
 14 **Asterisks (* * * *)** indicate the omission of unchanged Code
 15 subsections or parts of tables.

13

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

15

16 Section 1. Findings.

17

(a) The Planning Department has determined that the actions contemplated in this
 18 ordinance comply with the California Environmental Quality Act (California Public Resources
 19 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
 20 Supervisors in File No. 210497 and is incorporated herein by reference. The Board affirms
 21 this determination.

22

(b) On July 22, 2021, the Planning Commission, in Resolution No. 20943, adopted
 23 findings that the actions contemplated in this ordinance are consistent, on balance, with the
 24 City’s General Plan and eight priority policies of Planning Code Section 101.1. The Board

25

1 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
2 Board of Supervisors in File No. 210497, and is incorporated herein by reference.

3 (c) This Board finds that this ordinance will serve the public necessity, convenience,
4 and welfare, pursuant to Planning Code Section 302, for the reasons set forth in Planning
5 Commission Resolution No. 20943 and the Board incorporates such reasons herein by
6 reference. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in
7 File No. 210497.

8 (d) The Life Science and Medical Special Use District does not serve the
9 neighborhood and is not consistent with the policy of the Eastern Neighborhoods Plan,
10 specifically Policy 1.1.5, to create a buffer around the Dogpatch Neighborhood to protect
11 against encroachment of larger office and life science research uses. There are office and life
12 science uses that have located in this Special Use District that do not serve or contribute in a
13 positive way to the neighborhood. These businesses also locate in spaces that may
14 otherwise be available as PDR and maker spaces, resulting in a less diverse set of uses in an
15 eclectic and vibrant community that has included car repair, artists, fish mongers, metal
16 smiths, and yoga studios, to name a few. The neighborhood would like to encourage more
17 neighborhood-serving uses such as a grocery store, dry cleaner, or a pharmacy open to the
18 neighborhood. The Dogpatch community seeks to reduce the loss of its historical integrity
19 and the destruction of the character of the neighborhood. Uses related to the UCSF campus
20 nearby have displaced - and could continue to displace - some of the more diverse
21 businesses, opportunities for these uses, as well as housing opportunities, in this area.

22
23 Section 2. The Planning Code is hereby amended by deleting Section 249.36, as
24 follows:

25 ~~**SEC. 249.36. LIFE SCIENCE AND MEDICAL SPECIAL USE DISTRICT.**~~

1 ~~(a) Purpose. The Life Science and Medical Special Use District is intended to support uses~~
2 ~~that benefit from proximity to the University of California, San Francisco (UCSF) campus at Mission~~
3 ~~Bay. These uses include medical office and life science (biotechnology) uses.~~

4 ~~(b) Geography. The boundaries of the Life Science and Medical Special Use District are~~
5 ~~shown on Sectional Map No. 8SU of the Zoning Map. Generally, the area borders Mariposa St. on the~~
6 ~~north, 23rd St. on the south, I-280 to the west, and 3rd St. to the east. Within this area, the Dogpatch~~
7 ~~Historic District is generally excluded.~~

8 ~~(c) Controls. All provisions of the Planning Code currently applicable shall continue to apply,~~
9 ~~except as otherwise provided in this Section 249.36:~~

10 ~~—— (1) Medical Services. Medical services, including medical offices and clinics, as~~
11 ~~defined in Section 890.114, are a Principally Permitted Use and are exempted from use size limitations,~~
12 ~~PDR replacement requirements (Sec. 202.7), and vertical (floor-by-floor) zoning controls (Sec.~~
13 ~~803.9(f)). For the purposes of this Section, a medical service use may be affiliated with a hospital or~~
14 ~~medical center as defined in 890.44.~~

15 ~~—— (2) Life Science Offices. Office uses that contain Life Science facilities, as defined in~~
16 ~~Section 890.53, are a Principally Permitted Use and are exempted from use size limitations, PDR~~
17 ~~replacement requirements (Sec. 202.7), and vertical (floor-by-floor) zoning controls (Sec. 210.3C and~~
18 ~~803.9(f)).~~

19 ~~—— (3) Life Science Laboratories. Laboratories that engage in life science research and~~
20 ~~development, as defined in Section 890.52, are a Principally Permitted Use and are exempted from use~~
21 ~~size limitations, PDR replacement requirements (Sec. 202.7), and vertical (floor-by-floor) zoning~~
22 ~~controls (Sec. 210.3C and 803.9(f)).~~

23
24 Section 2. The San Francisco Zoning Map, Sheet SU 08, is hereby amended by
25 deleting the “Life Science and Medical SUD” from Zoning Map Sheet SU 08.

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

6
7 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
8 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
9 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
10 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
11 additions, and Board amendment deletions in accordance with the "Note" that appears under
12 the official title of the ordinance.

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

16
17 By: /s/
KATE H. STACY
18 Deputy City Attorney

19
20 n:\legana\as2021\2100384\01529791.docx

LEGISLATIVE DIGEST

[Planning Code and Zoning Map - Delete Life Science and Medical Special Use District]

Ordinance amending the Planning Code and Zoning Map to eliminate the Life Science and Medical Special Use District; and 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Existing Law

The Planning Code, Section 249.36, established the Life Science and Medical Special Use District, to allow medical services, life science laboratories, and life science offices as principally permitted uses in this Special Use District. Section 249.36 also exempts these uses from Production, Distribution and Repair (PDR) replacement requirements, use size limitations and vertical zoning controls.

Amendments to Current Law

The proposed legislation deletes this Section 249.36, which would eliminate the exemptions from PDR replacement requirements, use size limitations and vertical controls. The medical services, life science laboratories, and life science office uses would be subject to the underlying zoning in the area, which is zoned Urban Mixed Use (UMU) for most of the area, and a small portion is zoned PDR-1-G.

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August 5, 2021

Ms. Angela Calvillo, Clerk
Honorable Supervisor Walton
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: Transmittal of Planning Department Case Number 2021-005030PCAMAP :
Life Science and Medical Special Use District
Board File No. 210497

Planning Commission Recommendation: Approval with Modification

Dear Ms. Calvillo and Supervisor Walton,

On July 22, 2021, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance, introduced by Supervisor Walton that would amend the Planning Code to eliminate the Life Science and Medical Special Use District from Section 249.36 and Zoning Map SU08. At the hearing the Planning Commission recommended approval with modification.

The Commission's proposed modifications include:

- Eliminating the "Industrial Protection Zone Special Use District," with a grandfathering clause for projects with applications on file by July 22, 2021.

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

Supervisor Walton, please advise the City Attorney at your earliest convenience if you wish to incorporate the changes recommended by the Commission.

Please find attached documents relating to the actions of the Commission. If you have any questions or require further information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron D. Starr". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Aaron D. Starr
Manager of Legislative Affairs

cc: Kristen Jensen, Deputy City Attorney
Percy Burch, Aide to Supervisor Walton
Erica Major, Office of the Clerk of the Board

Attachments :

Planning Commission Resolution

Planning Department Executive Summary



PLANNING COMMISSION RESOLUTION NO. 20943

HEARING DATE: JULY 22, 2021

Project Name: Life Science and Medical Special Use District
Case Number: 2021-005030PCAMAP [Board File No. 210497]
Initiated by: Supervisor Walton / Introduced May 4, 2021
Staff Contact: Jeremy Shaw Citywide Division
jeremy.shaw@sfgov.org (628) 652-7449
Reviewed by: Joshua Switzky, Land Use & Community Planning Manager
joshua.switzky@sfgov.org (628) 652-7464

RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND THE SAN FRANCISCO PLANNING CODE TO ELIMINATE THE LIFE SCIENCE AND MEDICAL SPECIAL USE DISTRICT; 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, on May 4, 2021 President Walton introduced a proposed Ordinance under Board of Supervisors (hereinafter “Board”) File Number 210497, which would eliminate the Life Science and Medical Special Use District, Planning Code Section 249.36, and delete the “Life Science and Medical SUD” from Special Use District Zoning Map Sheet SU 08; and,

WHEREAS, The Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on July 22, 2021; and,

WHEREAS, the proposed Ordinance is not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment; and,

WHEREAS, the Planning 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 49 South Van Ness Avenue, Suite 1400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Planning Commission hereby **approves with modifications** the proposed ordinance. The modifications include:

- Eliminating the "Industrial Protection Zone Special Use District," with a grandfathering clause applying the Industrial Protection Zone SUD to building permit applications filed on or before July 22, 2021.

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:

The Commission finds the proposed Ordinance is in accordance with the General Plan as it will maintain and enhance a sound and diverse economic base and fiscal structure for the city. The Ordinance supports the retention of PDR businesses and jobs in the Dogpatch Neighborhood, Central Waterfront Plan Area and Bayview.

General Plan Compliance

The proposed Ordinance and the Commission's recommended modifications are consistent with the following Objectives and Policies of the General Plan:

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 2

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1

Seek to retain existing commercial and industrial activity and to attract new such activity to the city.

OBJECTIVE 3

PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

Policy 3.1

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

OBJECTIVE 4

IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.

Policy 4.2

Promote and attract those economic activities with potential benefit to the City.

Policy 4.3

Carefully consider public actions that displace existing viable industrial firms.

Policy 4.5

Control encroachment of incompatible land uses on viable industrial activity.

Policy 4.11

Maintain an adequate supply of space appropriate to the needs of incubator industries.

By removing exemptions from ground floor requirements, by supporting protections against displacement due to office development, and by ensuring PDR replacement requirements, the proposed Ordinance helps: maintain a sound and diverse economic base; expand employment opportunities, particularly for the economically disadvantaged; and improve the viability of existing industry and the attractiveness of the City for new industry.

CENTRAL WATERFRONT AREA PLAN

OBJECTIVE 1.1

ENCOURAGE THE TRANSITION OF PORTIONS OF THE CENTRAL WATERFRONT TO A MORE MIXED-USE CHARACTER, WHILE PROTECTING THE NEIGHBORHOOD'S CORE OF PDR USES AS WELL AS THE HISTORIC DOGPATCH NEIGHBORHOOD

Policy 1.1.2

Revise land use controls in formerly industrial areas outside the core central waterfront industrial area, to create new mixed-use areas, allowing mixed-income housing as a principal use, as well as limited amounts of retail, office, and research and development, while protecting against the wholesale displacement of PDR uses.

Policy 1.1.5

Create a buffer around the Dogpatch neighborhood to protect against encroachment of larger office and life science research uses.

Policy 1.1.6

Permit and encourage small and moderate size retail establishments in neighborhood commercial areas of Central Waterfront, while allowing larger retail in the new Urban Mixed-Use districts only when part of a mixed-use development.

OBJECTIVE 1.7

RETAIN THE CENTRAL WATERFRONT'S ROLE AS AN IMPORTANT LOCATION FOR PRODUCTION, DISTRIBUTION, AND REPAIR (PDR) ACTIVITIES

Policy 1.7.1

In areas designated for PDR, protect the stock of existing buildings used by, or appropriate for, PDR businesses by restricting conversions of industrial buildings to other building types.

Policy 1.7.3

Require development of flexible buildings with generous floor-to-ceiling heights, large floor plates, and other features that will allow the structure to support various businesses.

The proposed Ordinance helps protect the stock of existing PDR buildings in PDR districts; and helps protect design features that support various businesses, including PDR.

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 not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of 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 a negative effect on the City's supply of affordable housing.

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.

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 APPROVES WITH MODIFICATIONS the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on July 22, 2021.



Jonas P. Ionin
Commission Secretary

AYES: Tanner, Diamond, Fung, Imperial, Johnson, Moore, Koppel

NOES: None

ABSENT: Chan

ADOPTED: July 22, 2021



EXECUTIVE SUMMARY

PLANNING CODE TEXT & ZONING MAP AMENDMENT

HEARING DATE: July 22, 2021

90-Day Deadline: August 15th, 2021

Project Name: Life Science and Medical Special Use District
Case Number: 2021-005030PCAMAP [Board File No. 210497]
Initiated by: Supervisor Walton / Introduced May 4, 2021
Staff Contact: Jeremy Shaw, Citywide Division
jeremy.shaw@sfgov.org, (628) 652-7449
Reviewed by: Joshua Switzky, Land Use & Community Planning Program Manager
joshua.switzky@sfgov.org, (628) 652-7464

Recommendation: Approval with Modifications

Planning Code Amendment

The proposed Ordinance would amend the Planning Code Section 249.36 and Zoning Map Sheet SU 08 to eliminate the Life Science and Medical Special Use District; make and adopt environmental findings; and make findings of consistency with the general plan and the priority policies of planning code section 101.1.

The Way It Is Now:

1. Within the Life Science and Medical SUD, Medical Services, Life Science Offices, and Life Science Laboratories are principally permitted and exempt from use size limitations, PDR replacement requirements, and vertical (floor-by-floor) zoning controls. With these exceptions, all other provisions of the Planning code and underlying zoning apply.

The Way It Would Be:

1. The SUD would be eliminated, and all provisions of the Planning code and underlying zoning would apply.

Background

Adopted in 2009, the Central Waterfront Plan was part of an overall strategy for the Eastern Neighborhoods to protect industrial uses while accommodating growth and creating complete neighborhoods. The Central Waterfront Plan struck this balance with policies to preserve core Production, Distribution and Repair (PDR) areas in the southern part of the Plan Area, while transitioning to Urban Mixed Use (UMU) – including new residential, life science and medical uses - in the north. Accordingly, the Life Science and Medical SUD was established in the northern part of the Plan Area to support the creation and expansion of life science and medical uses, given the proximity to the University of California, San Francisco (UCSF) campus at Mission Bay.

The Urban Mixed Use (UMU) District is intended to promote mixed-use neighborhoods and the industrial character of formerly industrially zoned areas in the Eastern Neighborhoods. It is also intended to serve as a buffer between residential districts and PDR districts. Within the UMU, allowed uses include housing, neighborhood and business services, arts activities, light manufacturing, and laboratory (other than life science laboratory). Office uses are allowed on upper floors, within the maximum limits on the number of designated office stories per Section 803.9(f).

PDR Districts protect production, distribution, repair businesses from the inherent economic and operational competition and conflicts with housing, large office, large-scale retail, self-storage, and other uses that are not permitted in these Districts. Despite not permitting these uses, the PDR-1-G district does allow for related uses like business services, laboratory, and health services; trade office, small enterprise workspace (SEW) and accessory offices; and small-scale retail. Life Science uses are not permitted in PDR districts.

The Life Science and Medical SUD is generally bounded by Mariposa Street to the north, 3rd Street to the east, 23rd Street to the south and Iowa Street to the west. The Dogpatch Historic District and Neighborhood Commercial District are generally excluded from the boundaries of the SUD. Of the 93 parcels in the SUD, almost all parcels are classified as Urban Mixed Use (UMU) zoning, two parcels are classified as general Production, Distribution and Repair (PDR-1-G), and three parcels are classified as Public (P).

The SUD principally permits medical services, life science offices, life science laboratories. (The terms “life science offices” and “life science laboratories” are unique from, but refer to, the land uses “life science” and “laboratory” defined in Sections 102, 809.52, and 809.53.) Within the SUD, all three uses are exempt from:

- Use size limitations (e.g. health services in PDR, per Sec. [210.3](#))
- PDR replacement requirements (applicable when demolishing industrial buildings in PDR districts, per Sec. [202.7](#)), and
- Vertical (floor-by-floor) zoning controls (applicable to ground floor controls in PDR districts, per Sec. [210.3C](#) and limits on the number of stories with office, per [803.9\(f\)](#)).

Issues and Considerations

Preserving Neighborhood Character and Economic Diversity

The General Plan is primarily concerned with neighborhood-serving businesses, character, and economic diversity. Priority Policy One in Planning Code Section 101.1 seeks to preserve and enhance “existing neighborhood-serving retail uses,” while promoting “future opportunities for resident employment in and ownership of such businesses.” Priority Policy Two calls for conserving neighborhood character “in order to preserve the cultural and economic diversity of our neighborhoods.” Additionally, the Central Waterfront Area Plan seeks to support economic diversity through policies that prioritize the well-being of small businesses, as well as those in the PDR and knowledge sectors.

The Life Science and Medical SUD exempts life science offices, life science laboratories and medical services from certain controls meant to support these Policy goals. The proposed ordinance removes these exemptions. As with other UMU parcels, the ordinance would subject UMU parcels within the Life Science and Medical SUD to the following requirements:

- Limits on the number of stories containing office uses. (Section 803.9)
- Ground floor ceiling heights of at least 17' (Section 145.1)
- Active use requirements (Section 145.1)

Protection of San Francisco’s PDR Sector

The General Plan is also concerned with the availability and affordability of the City’s PDR stock, while the Department supports PDR businesses and workforce development in service of the city’s economic recovery. Priority Policy Five in Planning Code Section 101.1 seeks to protect the City’s “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 Eastern Neighborhoods plans created PDR districts to preserve PDR industries and the opportunities they provide. PDR businesses have served as a supply and distribution lifeline to small businesses during the pandemic. They also serve as a source of employment for workers who may not have a college degree and at a salary that is higher than the retail sector.

The SUD exempts life science offices, life science laboratories and medical services from certain controls meant to protect PDR. The proposed ordinance removes these exemptions. The proposed ordinance would subject PDR parcels to the following related requirements:

- Replacement requirements (Section 202.7). For demolition of industrial buildings greater than 0.4 FAR, replacing Industrial Uses at a ratio of at least 1:1. For demolition of industrial buildings 0.4 FAR or less, replacing Industrial Uses at a ratio of at least 2:1.
- Conditional use requirement for health services larger than 5,000 square feet. (Section 210.3)
- Ground floor ceiling heights of at least 17' (Section 145.5)
- Active use requirements (Section 145.1)

These requirements were created in 2008 to support the industrial character and affordability of industrial land in PDR districts. More recently, the Planning Department has been analyzing opportunities to protect, stabilize and incentivize San Francisco’s production, distribution and repair uses more effectively. Related to this work, staff recommend a modification to the proposed Ordinance (see below).

Laboratory Supply

While limited compared to other Bay Area cities, San Francisco's supply of laboratory and life science space has increased since the establishment of the SUD in 2008. San Francisco currently has an estimated total of 1.2 million square feet of laboratory space inventory. Since 2008, two life science projects, totaling approximately 30,000 square feet, have been identified within the Life Science and Medical SUD.

Since 2008, the landscape of potential supply of lab space in the city has substantially changed. Several projects in large development agreements (including Pier 70, Potrero Power Station, and Mission Rock), SoMa (including Central SoMa), and Mission Bay include plans to accommodate significant space that is designated as or could be designed to include laboratory space. Within the Showplace Square/Potrero Hill and Central Waterfront Plan Areas (but distinct from the large development areas listed above), three laboratory projects totaling approximately 450,000 gsf are currently under review or recently approved. In 2021, three PPAs including laboratory space have been submitted in the same Plan Areas, totaling approximately 400,000 gsf of additional lab space. A fourth PPA proposing 25,000 gsf of life science laboratory was the only recent application within the Life Science and Medical SUD. Altogether, these projects could accommodate a variety of office, medical services, "life science laboratory," or other laboratory uses.

Planning Code Clarity

The Life Science and Medical SUD permits "life science laboratories" and "life science offices," which refer to but are not consistent with the definitions of "laboratory" and "life science" in Sections 102, 890.52 and 890.53. Additionally, these Planning Code definitions of "laboratory" and "life science" conflict with industry standards, overlap, and are unique among California cities. These factors have contributed to uncertainty for project sponsors, an increased need for letters of determination, and the departure of businesses of all sizes wishing to locate, remain or grow in SF. Smaller businesses and firms leaving the incubator stage are disproportionately impacted from letters of determination or related delays.

Given these confusing definitions related to laboratories, changes in the life science and PDR industries, and San Francisco's economic recovery goals, Planning Department staff are studying a more comprehensive code update to clarify controls related to laboratory uses and better protect PDR uses. This proposed ordinance would be the first step in this larger effort. Staff look forward to bringing a more comprehensive analysis and legislation to the Planning Commission in the coming months.

General Plan Compliance

This legislation is supported by the city's General Plan, which lists priorities, goals, and policies that aim to continue San Francisco's economic vitality, social equity, and environmental quality. General Plan Priority Policy Five seeks to maintain a diverse economic base by protecting industrial and service sectors from displacement due to commercial office development. The Commerce and Industry Element includes specific policies that seek to retain and attract diverse commercial and industrial activity; promote employment for a range of skill levels; maintain space for incubator activity; and control the encroachment of incompatible uses on viable industrial activity. Finally, the Central Waterfront Area Plan includes policies that seek to protect PDR building stock and ensure building designs that are compatible with PDR uses.

Racial and Social Equity Analysis

Part of the Department's Racial and Social Equity Initiative is to understand how the proposed Planning Code and Zoning Map amendments provide benefits, burdens, and opportunities toward advancing racial and social equity. This is also consistent with the Mayor's Citywide Strategic Initiatives for equity and accountability and will soon be required by the Office of Racial Equity.

The proposed Planning Code amendments further racial and social equity in multiple ways. PDR businesses serve as a source of employment for workers who may not have a college degree and at a salary that is higher than the retail sector. Replacing industrial uses and better protection from displacement due to office development will support opportunities for this kind of employment and for small PDR businesses in the Dogpatch and Central Waterfront neighborhoods. Simplifying definitions and conflicts in the Planning Code can also lower the barriers to entitlement, which often disproportionately impact smaller businesses or business owners who speak English as a second language.

Additionally, while the Dogpatch and Central Waterfront neighborhoods have higher incomes relative to other neighborhoods, the build out of Potrero HOPE SF, Pier 70, and Potrero Power Station will bring thousands of new units, including affordable units for low-income households. Reducing the pressure from office or laboratory uses in the area may allow for more opportunities to serve these future residents with neighborhood services, retail, and facilities.

Implementation

The Department has determined that this ordinance will impact our current implementation procedures, without increasing permit costs or review time, in the following ways:

- Future implementation may require project sponsors and staff to identify any life science or medical uses permitted within the SUD. Such uses may be determined to be legal and nonconforming.
- The ordinance would reduce the potential for letters of determination related to determining "life science laboratory" or "life science office" uses in proposed projects.

Recommendation

The Department recommends that the Commission *approve with modifications* the proposed Ordinance and adopt the attached Draft Resolution to that effect. The Department's proposed recommendations are as follows:

1. Add to the Ordinance the deletion of Section 249.22, the Industrial Protection Zone Special Use District (IPZ).

Basis for Recommendation

- The Department supports the overall goals of the proposed Ordinance due to its support by General Plan Priority Policy 5; Commerce and Industry Element Policies 2.1, 3.1, 4.2, 4.3, 4.5 and 4.11; and Central Waterfront Area Plan Policies 1.7.1 and 1.7.3.
- The proposed Ordinance is consistent with industrial protection ordinances adopted by the Planning Commission and the Board of Supervisors in the past. On June 3, 2008, the Board of Supervisors adopted

PDR zoning use districts. December 9, 2008, the Board of Supervisors adopted the Eastern Neighborhoods Program, which applied the PDR controls to the majority of areas previously zoned M-1 or M-2 in the East Soma, Mission, Showplace Square Potrero Hill and the Central Waterfront neighborhoods.

- The Ordinance would eliminate an SUD that does not effectively support the policies of increasing life science and medical uses near UCSF.
- The Ordinance would ensure all PDR parcels are subject to the same industrial replacement requirements.
- The Ordinance would remove the terms “life science laboratory” and “life science office” from Article 2, helping to increase certainty and reduce delays in entitlement and enforcement processes related to life science.
- The ordinance is consistent with staff efforts to support economic recovery through Planning Code which better protects PDR, while facilitating growth in the health sciences and research.

Recommendation 1: Modify the ordinance to also delete the Industrial Protection Zone Special Use District

The Life Science and Medical SUD was adopted as part of the large Eastern Neighborhoods Plans rezoning package, which applied PDR controls broadly to support and protect PDR businesses. Prior to the Eastern Neighborhoods Plans 20 years ago, an Industrial Protection Zone Special Use District (IPZ) was created as a stopgap measure to protect vulnerable industrial areas from higher-paying uses like office and residential (see Exhibit C). The IPZ consists of a large area in the Bayshore and Bayview neighborhoods now classified as PDR-2.

While the IPZ made sense at the time – as a means of protecting vulnerable industrial areas from higher-paying uses like housing and office – it was intended to be replaced by the stronger PDR districts that came later. The IPZ was developed when industrial lands were zoned M-1 or M-2. In 2008, these areas were rezoned as PDR, which provides a more robust set of controls to protect PDR uses. Outside of Port property, M-zones have generally been phased out. Yet the IPZ still refers to the antiquated M-1 and M-2 zoning, undermining the underlying PDR-2 controls. The IPZ leaves a loophole that allows self-storage, big box retail, or heavy industrial uses that are inappropriate for active and thriving PDR neighborhoods.

It was an oversight to not remove the IPZ during the complex Eastern Neighborhoods rezoning. To correct this oversight, staff recommend amending the proposed ordinance to also eliminate the IPZ.

Required Commission Action

The proposed Ordinance is before the Commission so that it may approve it, reject it, or approve it with modifications.

Environmental Review

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

Public Comment

As of the date of this report, the Planning Department has received verbal public input from the Dogpatch Neighborhood Association and the Potrero Hill Boosters in support of the proposed Ordinance.

Attachments:

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: Board of Supervisors File No. 210497
- Exhibit C: Map of Life Science and Medical SUD and Industrial Protection Zone SUD



PLANNING COMMISSION DRAFT RESOLUTION

HEARING DATE: July 22, 2021

Project Name: Life Science and Medical Special Use District
Case Number: 2021-005030PCAMAP [Board File No. 210497]
Initiated by: Supervisor Walton / Introduced May 4, 2021
Staff Contact: Jeremy Shaw, Citywide Division
jeremy.shaw@sfgov.org (628) 652-7449
Reviewed by: Joshua Switzky, Land Use & Community Planning Manager
joshua.switzky@sfgov.org (628) 652-7464

RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND THE SAN FRANCISCO PLANNING CODE TO ELIMINATE THE LIFE SCIENCE AND MEDICAL SPECIAL USE DISTRICT; 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, on May 4, 2021 President Walton introduced a proposed Ordinance under Board of Supervisors (hereinafter “Board”) File Number 210497, which would eliminate the Life Science and Medical Special Use District, Planning Code Section 249.36, and delete the “Life Science and Medical SUD” from Special Use District Zoning Map Sheet SU 08; and,

WHEREAS, The Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on July 22, 2021; and,

WHEREAS, the proposed Ordinance is not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment; and,

WHEREAS, the Planning 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 49 South Van Ness Avenue, Suite 1400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Planning Commission hereby **approves with modifications** 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:

The Commission finds the proposed Ordinance is in accordance with the General Plan as it will maintain and enhance a sound and diverse economic base and fiscal structure for the city. The Ordinance supports the retention of PDR businesses and jobs in the Dogpatch Neighborhood, Central Waterfront Plan Area and Bayview.

General Plan Compliance

The proposed Ordinance and the Commission's recommended modifications are consistent with the following Objectives and Policies of the General Plan:

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 2

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1

Seek to retain existing commercial and industrial activity and to attract new such activity to the city.

OBJECTIVE 3

PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

Policy 3.1

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

OBJECTIVE 4

IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.

Policy 4.2

Promote and attract those economic activities with potential benefit to the City.

Policy 4.3

Carefully consider public actions that displace existing viable industrial firms.

Policy 4.5

Control encroachment of incompatible land uses on viable industrial activity.

Policy 4.11

Maintain an adequate supply of space appropriate to the needs of incubator industries.

By removing exemptions from ground floor requirements, by supporting protections against displacement due to office development, and by ensuring PDR replacement requirements, the proposed Ordinance helps: maintain a sound and diverse economic base; expand employment opportunities, particularly for the economically disadvantaged; and improve the viability of existing industry and the attractiveness of the City for new industry.

CENTRAL WATERFRONT AREA PLAN

OBJECTIVE 1.1

ENCOURAGE THE TRANSITION OF PORTIONS OF THE CENTRAL WATERFRONT TO A MORE MIXED-USE CHARACTER, WHILE PROTECTING THE NEIGHBORHOOD'S CORE OF PDR USES AS WELL AS THE HISTORIC DOGPATCH NEIGHBORHOOD

Policy 1.1.2

Revise land use controls in formerly industrial areas outside the core central waterfront industrial area, to create new mixed-use areas, allowing mixed-income housing as a principal use, as well as limited amounts of retail, office, and research and development, while protecting against the wholesale displacement of PDR uses.

Policy 1.1.5

Create a buffer around the Dogpatch neighborhood to protect against encroachment of larger office and life science research uses.

Policy 1.1.6

Permit and encourage small and moderate size retail establishments in neighborhood commercial areas of Central Waterfront, while allowing larger retail in the new Urban Mixed-Use districts only when part of a mixed-use development.

OBJECTIVE 1.7

RETAIN THE CENTRAL WATERFRONT'S ROLE AS AN IMPORTANT LOCATION FOR PRODUCTION, DISTRIBUTION, AND REPAIR (PDR) ACTIVITIES

Policy 1.7.1

In areas designated for PDR, protect the stock of existing buildings used by, or appropriate for, PDR businesses by restricting conversions of industrial buildings to other building types.

Policy 1.7.3

Require development of flexible buildings with generous floor-to-ceiling heights, large floor plates, and other features that will allow the structure to support various businesses.

The proposed Ordinance helps protect the stock of existing PDR buildings in PDR districts; and helps protect design features that support various businesses, including PDR.

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 not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of 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 a negative effect on the City's supply of affordable housing.

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.

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 APPROVES WITH MODIFICATIONS the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on July 22, 2021.

Jonas P. Ionin
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED: July 22, 2021

1 [Planning Code and Zoning Map - Delete Life Science and Medical Special Use District]

2

3 **Ordinance amending the Planning Code and Zoning Map to eliminate the Life Science**
4 **and Medical Special Use District; affirming the Planning Department’s determination**
5 **under the California Environmental Quality Act; making findings of consistency with**
6 **the General Plan, and the eight priority policies of Planning Code, Section 101.1; and**
7 **adopting findings of public necessity, convenience, and welfare under Planning Code,**
8 **Section 302.**

9 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
10 **Additions to Codes** are in *single-underline italics Times New Roman font*.
11 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
12 **Board amendment additions** are in double-underlined Arial font.
13 **Board amendment deletions** are in ~~strikethrough Arial font~~.
14 **Asterisks (* * * *)** indicate the omission of unchanged Code
15 subsections or parts of tables.

13

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

15

16 Section 1. Findings.

17 (a) The Planning Department has determined that the actions contemplated in this
18 ordinance comply with the California Environmental Quality Act (California Public Resources
19 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
20 Supervisors in File No_____ and is incorporated herein by reference. The Board affirms this
21 determination.

22 (b) On _____, 2021, the Planning Commission, in Resolution No. _____, adopted
23 findings that the actions contemplated in this ordinance are consistent, on balance, with the
24 City’s General Plan and eight priority policies of Planning Code Section 101.1. The Board

25

EXHIBIT B

1 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
2 Board of Supervisors in File No. _____, and is incorporated herein by reference.

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

8 (d) The Life Science and Medical Special Use District does not serve the
9 neighborhood and is not consistent with the policy of the Eastern Neighborhoods Plan,
10 specifically Policy 1.1.5, to create a buffer around the Dogpatch Neighborhood to protect
11 against encroachment of larger office and life science research uses. There are office and life
12 science uses that have located in this Special Use District that do not serve or contribute in a
13 positive way to the neighborhood. These businesses also locate in spaces that may
14 otherwise be available as PDR and maker spaces, resulting in a less diverse set of uses in an
15 eclectic and vibrant community that has included car repair, artists, fish mongers, metal
16 smiths, and yoga studios, to name a few. The neighborhood would like to encourage more
17 neighborhood-serving uses such as a grocery store, dry cleaner, or a pharmacy open to the
18 neighborhood. The Dogpatch community seeks to reduce the loss of its historical integrity
19 and the destruction of the character of the neighborhood. Uses related to the UCSF campus
20 nearby have displaced - and could continue to displace - some of the more diverse
21 businesses, opportunities for these uses, as well as housing opportunities, in this area.

22
23 Section 2. The Planning Code is hereby amended by deleting Section 249.36, as
24 follows:

25 ~~**SEC. 249.36. LIFE SCIENCE AND MEDICAL SPECIAL USE DISTRICT.**~~

EXHIBIT B

1 ~~(a) Purpose. The Life Science and Medical Special Use District is intended to support uses~~
2 ~~that benefit from proximity to the University of California, San Francisco (UCSF) campus at Mission~~
3 ~~Bay. These uses include medical office and life science (biotechnology) uses.~~

4 ~~(b) Geography. The boundaries of the Life Science and Medical Special Use District are~~
5 ~~shown on Sectional Map No. 8SU of the Zoning Map. Generally, the area borders Mariposa St. on the~~
6 ~~north, 23rd St. on the south, I-280 to the west, and 3rd St. to the east. Within this area, the Dogpatch~~
7 ~~Historic District is generally excluded.~~

8 ~~(c) Controls. All provisions of the Planning Code currently applicable shall continue to apply,~~
9 ~~except as otherwise provided in this Section 249.36:~~

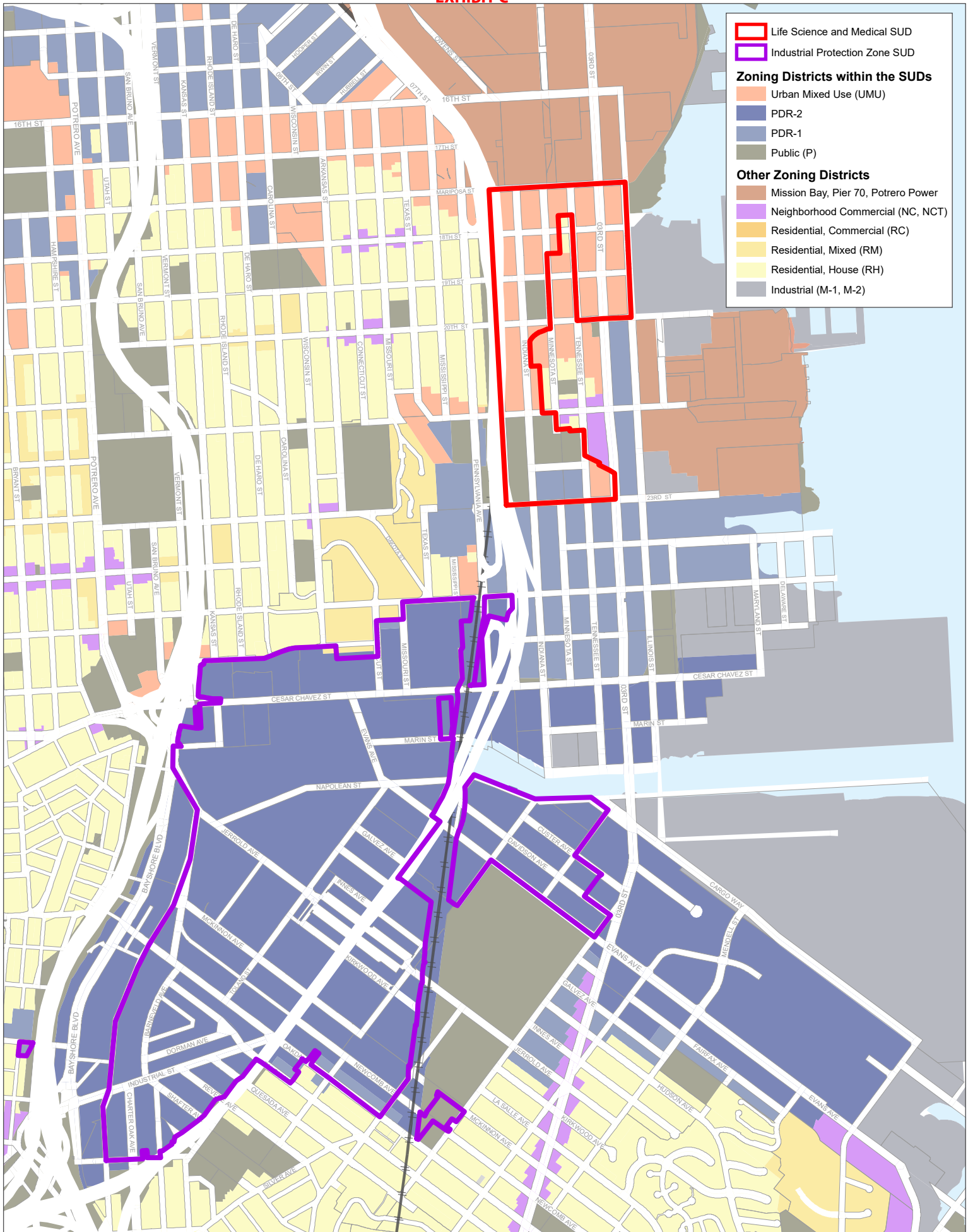
10 ~~—— (1) Medical Services. Medical services, including medical offices and clinics, as~~
11 ~~defined in Section 890.114, are a Principally Permitted Use and are exempted from use size limitations,~~
12 ~~PDR replacement requirements (Sec. 202.7), and vertical (floor-by-floor) zoning controls (Sec.~~
13 ~~803.9(f)). For the purposes of this Section, a medical service use may be affiliated with a hospital or~~
14 ~~medical center as defined in 890.44.~~

15 ~~—— (2) Life Science Offices. Office uses that contain Life Science facilities, as defined in~~
16 ~~Section 890.53, are a Principally Permitted Use and are exempted from use size limitations, PDR~~
17 ~~replacement requirements (Sec. 202.7), and vertical (floor-by-floor) zoning controls (Sec. 210.3C and~~
18 ~~803.9(f)).~~

19 ~~—— (3) Life Science Laboratories. Laboratories that engage in life science research and~~
20 ~~development, as defined in Section 890.52, are a Principally Permitted Use and are exempted from use~~
21 ~~size limitations, PDR replacement requirements (Sec. 202.7), and vertical (floor-by-floor) zoning~~
22 ~~controls (Sec. 210.3C and 803.9(f)).~~

23
24 Section 2. The San Francisco Zoning Map, Sheet SU 08, is hereby amended by
25 deleting the “Life Science and Medical SUD” from Zoning Map Sheet SU 08.

EXHIBIT C



BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

May 12, 2021

Planning Commission
Attn: Jonas Ionin
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Commissioners:

On May 4, 2021, Supervisor Walton introduced the following legislation:

File No. 210497

Ordinance amending the Planning Code and Zoning Map to eliminate the Life Science and Medical Special Use District; 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

The proposed ordinance is being transmitted for review. The ordinance is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

c: Rich Hillis, Director
Scott Sanchez, Deputy Zoning Administrator
Corey Teague, Zoning Administrator
Lisa Gibson, Environmental Review Officer
Devyani Jain, Deputy Environmental Review Officer
Adam Varat, Acting Director of Citywide Planning
AnMarie Rodgers, Legislative Affairs
Dan Sider, Director of Executive Programs
Aaron Starr, Manager of Legislative Affairs
Joy Navarrete, Environmental Planning

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

May 13, 2021

File No. 210497

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On May 4, 2021, Supervisor Walton submitted the following legislation:

File No. 210497

Ordinance amending the Planning Code and Zoning Map to eliminate the Life Science and Medical Special Use District; 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Don Lewis, Environmental Planning

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
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**NOTICE OF PUBLIC HEARING
LAND USE AND TRANSPORTATION COMMITTEE
BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO**

NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee of the City and County of San Francisco will hold a remote public hearing to consider the following hearing matter and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: October 18, 2021

Time: 1:30 p.m.

Location: REMOTE MEETING VIA VIDEOCONFERENCE

Watch: www.sfgovtv.org

Watch: SF Cable Channel 26, 78, or 99 (*depending on your provider*) once the meeting starts, the telephone number and Meeting ID will be displayed on the screen.

Public Comment Call-In: <https://sfbos.org/remote-meeting-call>

Subject: File No. 210497. Ordinance amending the Planning Code and Zoning Map to eliminate the Life Science and Medical Special Use District; 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

On March 17, 2020, the Board of Supervisors (Board) authorized their Board and Committee meetings to convene remotely and allow remote public comment via teleconference. Effective June 29, 2021, full Board meetings began to reconvene for in-person Board proceedings. Committee meetings will continue to convene remotely until further notice. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings, or to watch meetings on demand.

PUBLIC COMMENT CALL-IN

WATCH: SF Cable Channel 26, 78, or 99, (*depending on your provider*) once the meeting starts, and the telephone number and Meeting ID will be displayed on the screen; or

VISIT: <https://sfbos.org/remote-meeting-call>

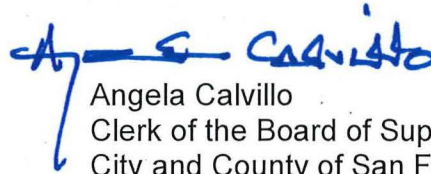
Please visit the Board's website (<https://sfbos.org/city-board-response-covid-19>) regularly to be updated on the City's response to COVID-19 and how the legislative process may be impacted.

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments prior to the time the hearing begins. These comments will be made as part of the official public record in this matter and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA, 94102 or sent via email (board.of.supervisors@sfgov.org). Information relating to this matter is available in the Office of the Clerk of the Board or the Board of Supervisors' Legislative Research Center (<https://sfbos.org/legislative-research-center-lrc>). Agenda information relating to this matter will be available for public review on Friday, October 15, 2021.

For any questions about this hearing, please contact the Assistant Clerk for the Land Use and Transportation Committee:

Erica Major (Erica.Major@sfgov.org) ~ (415) 554-4441)

Please Note: *The Department is open for business, but employees are working from home. Please allow 48 hours for us to return your call or email.*



Angela Calvillo
Clerk of the Board of Supervisors
City and County of San Francisco

em:jec:ams

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ERICA MAJOR
CCSF BD OF SUPERVISORS (OFFICIAL NOTICES)
1 DR CARLTON B GOODLETT PL #244
SAN FRANCISCO, CA 94102

EXM# 3518577

COPY OF NOTICE

Notice Type: GPN GOVT PUBLIC NOTICE

Ad Description

EDM 10.18.2021 Land Use Agenda - REMOTE

To the right is a copy of the notice you sent to us for publication in the SAN FRANCISCO EXAMINER. Thank you for using our newspaper. Please read this notice carefully and call us with ny corrections. The Proof of Publication will be filed with the County Clerk, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

10/08/2021

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an invoice.

Publication	\$344.25
Total	\$344.25

NOTICE OF PUBLIC HEARING SAN FRANCISCO BOARD OF SUPERVISORS LAND USE AND TRANSPORTATION COMMITTEE MONDAY, OCTOBER 18, 2021 - 1:30 PM NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a remote public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard: File No. 210497. Ordinance amending the Planning Code and Zoning Map to eliminate the Life Science and Medical Special Use District, 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302. On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely and allow for remote public comment. Therefore, Board of Supervisors meetings that are held through videoconferencing will allow remote public comment. Visit the SFGovTV website (www.sfgovtv.org) to stream the live meetings or watch them on demand. **PUBLIC COMMENT CALL-IN:** WATCH: SF Cable Channel 26, 78, or 99, once the meeting starts, and the telephone number and Meeting ID will be displayed on the screen; or VISIT: <https://sfbos.org/remotemeeting-call>. In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments prior to the time the hearing begins. These comments will be made as part of the official public record in this matter and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA, 94102 or sent via email (board.of.supervisors@sfgov.org). Information relating to this matter is available in the Office of the Clerk of the

Board or the Board of Supervisors' Legislative Research Center (<https://sfbos.org/legislative-research-center-lrc>). Agenda information relating to this matter will be available for public review on Friday, October 15, 2021. For any questions about this hearing, please contact the Assistant Clerk for the Land Use and Transportation Committee Erica Major (Erica.Major@sfgov.org - (415) 554-4441). Please Note: The Department is open for business, but employees are working from home. Please allow 48 hours for us to return your call or email.



* A 0 0 0 0 0 5 8 4 3 3 2 1 *

REUBEN, JUNIUS & ROSE, LLP

John Kevlin
jkevin@reubenlaw.com

October 16, 2021

Delivered Via Email (Erica.Major@sfgov.org)

Supervisor Myrna Melga, Chair
San Francisco Board of Supervisors, Land Use Committee
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94103

**Re: Life Science and Medical Special Use District Planning Code Amendment
Board File No. 210497
Hearing Date: October 18, 2021
Our File No.: 10208.09**

Dear Chair Melgar and Supervisors:

We are writing regarding the proposed modification to the Life Science and Medical Special Use District (“SUD”) Planning Code Amendment (Case No. 2021-005030PCAMAP and Board File No. 210497). Planning Department staff recommended that the Planning Commission add the deletion of the Industrial Protection Zone SUD (the “IPZ”) to the proposed legislation. The Planning Commission ultimately adopted the amendment to eliminate the IPZ from the Planning Code, along with grandfathering clause exempting projects in the IPZ that had applications on file by July 22, 2021 (the date of the Planning Commission hearing). We are writing to the Land Use Committee in support of the IPZ amendment with the grandfathering clause.

We represent a current project at 2270 McKinnon Avenue, which would be undermined by the removal of the IPZ. The project sponsor purchased the property in reliance on the applicability of the Industrial Protection Zone SUD, received a Preliminary Project Assessment from the Planning Department, and submitted a Project Application in early July of this year. The project sponsor has incurred substantial costs up to this point in the process, and the project will no longer be permitted should the proposed modification pass. There is another project that relied upon the IPZ and the Planning Commission approved earlier this year which would not be able to move forward without the grandfathering clause.

In the interest of equity and fairness, if the Land Use Committee elects to incorporate the deletion of the IPZ, we ask that the Committee also include the grandfathering clause into the legislation, consistent with the Planning Commission’s unanimous recommendation. Thank you.

Chair Melgar and Supervisors
BOS Land Use Committee
October 16, 2021
Page 2

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

A handwritten signature in blue ink, appearing to read "John Kevlin". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

John Kevlin

cc: Supervisor Aaron Peskin
Supervisor Dean Preston
Committee Clerk Erica Major
Jeremy Shaw, Case Planner

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor inquiries"
- 5. City Attorney Request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Walton

Subject:

Planning Code and Zoning Map – Delete Life Science and Medical Special Use District

The text is listed:

Ordinance amending the Planning Code and Zoning Map to eliminate the Life Science and Medical Special Use District; and 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Signature of Sponsoring Supervisor: /s/ Shamann Walton