

File No. 130180

Committee Item No. 3

Board Item No. 28

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date May 20, 2013

Board of Supervisors Meeting Date June 4, 2013

### Cmte Board

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| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Resolution                                   |
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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                      |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form                            |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
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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>Environmental Review Determination, dtd 3/8/13</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Commission Resolution No. 18860</u>       |
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Completed by: Alisa Miller Date May 17, 2013  
Completed by: Alisa Miller Date May 20, 2013

1 [Planning Code - Pre-Application Meetings in Product/Distribution/Repair-1-B (Light Industrial  
2 Buffer) District]

3 **Ordinance amending the Planning Code, by adding Section 313, to require pre-**  
4 **application meetings for certain projects in the Product/Distribution/Repair -1-B (Light**  
5 **Industrial Buffer) District; and making environmental, General Plan, and Planning Code,**  
6 **Section 101(b), findings.**

7 NOTE: Additions are single-underline italics Times New Roman;  
8 deletions are ~~strike-through italics Times New Roman~~.  
9 Board amendment additions are double-underlined;  
10 Board amendment deletions are ~~strikethrough-normal~~.

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

12 Section 1. The Board of Supervisors of the City and County of San Francisco hereby  
13 finds and determines that:

14 (a) General Plan and Planning Code Findings.

15 (1) On May 9, 2013, at a duly noticed public hearing, the Planning Commission in  
16 Resolution No. 18860 found that the proposed Planning Code amendments contained in this  
17 ordinance were consistent with the City's General Plan and with Planning Code Section  
18 101.1(b) and recommended that the Board of Supervisors adopt the proposed Planning Code  
19 amendments. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in  
20 File No. 130180 and is incorporated herein by reference. The Board finds that the proposed  
21 Planning Code amendments contained in this ordinance are on balance consistent with the  
22 City's General Plan and with Planning Code Section 101.1(b) for the reasons set forth in said  
23 Resolution.

24 (2) Pursuant to Planning Code Section 302, the Board finds that the proposed  
25 ordinance will serve the public necessity, convenience and welfare for the reasons set forth in

1 Planning Commission Resolution No. 18860, which reasons are incorporated herein by  
2 reference as though fully set forth.

3 (b) Environmental Findings. The Planning Department has determined that the  
4 actions contemplated in this ordinance comply with the California Environmental Quality Act  
5 (California Public Resources Code Section 21000 et seq.). Said determination is on file with  
6 the Clerk of the Board of Supervisors in File No. 130180 and is hereby adopted by this Board,  
7 and incorporated herein by reference.

8  
9 Section 2. The Planning Code is hereby amended by adding Section 313, to read as  
10 follows:

11 SEC. 313. PDR-1-B (Light Industrial Buffer), PRE-APPLICATION MEETING.

12 (a) Purpose. In order to address neighborhood concerns about the potential effects of  
13 proposed projects early in the design process and to reduce the number of discretionary review hearing  
14 requests filed, a pre-application meeting shall be required for certain projects within the PDR-1-B  
15 (Light Industrial Buffer) District.

16 (b) Applicability. Prior to filing an application for new construction, demolition, or  
17 removal of 5,000 square feet or more on any parcel zoned all or in part PDR-1-B, a project sponsor  
18 shall conduct a minimum of one pre-application meeting. The Planning Department shall not accept an  
19 application for such a project without information demonstrating that at least one pre-application  
20 meeting conforming to the requirements of this section has been held.

21 (c) Requirements. In addition to the requirements set forth here, the Planning Department  
22 may establish additional reasonable procedures and requirements to administer this section. A pre-  
23 application meeting shall meet the following requirements:

24 (1) Invitations. At least 14 calendar days before the pre-application meeting, the  
25 project sponsor shall invite by mail:

1                   (A) Relevant neighborhood associations for the neighborhood(s) in which the  
2 proposed project is located. If the proposed project is on the border of two or more neighborhoods, all  
3 neighborhood organizations for the bordering neighborhoods shall be invited. The Planning  
4 Department shall maintain a list of neighborhood associations for each neighborhood and provide that  
5 list to project sponsors; and

6                   (B) Property owners and occupants within a 300 foot radius of the proposed  
7 project site, including any occupants of the subject property.

8                   (2) Location. The Pre-Application Meeting shall be conducted at:

9                   (A) The project site;

10                   (B) An alternate location within a one-mile radius of the project site; or

11                   (C) The Planning Department.

12                   (3) Information. At the pre-application meeting(s), the project sponsor, or his or her  
13 designee, shall describe the proposed project, respond to questions to the best of the sponsor's ability,  
14 and solicit comments from the attendees with the goal of addressing, to the extent feasible,  
15 neighborhood concerns regarding the proposed project prior to filing an application with the Planning  
16 Department.

17  
18                   Section 4. Other Uncodified Provisions.

19                   (a) Effective Date. This ordinance shall become effective 30 days after enactment.

20                   (b) Undertaking for the General Welfare. In enacting and implementing this  
21 ordinance, the City is assuming an undertaking only to promote the general welfare. It is not  
22 assuming, nor is it imposing on its officers and employees, an obligation for breach of which it  
23 would be liable in money damages to any person who claims that such breach proximately  
24 caused injury.


1 (c) No Conflict with State or Federal Law. Nothing in this ordinance shall be  
2 interpreted or applied so as to create any requirement, power, or duty in conflict with any  
3 State or federal law.

4 (d) Severability. If any of section, subsection, sentence, clause, phrase or word of  
5 this ordinance is for any reason held to be invalid or unconstitutional by a decision of any  
6 court of competent jurisdiction, such decision shall not affect the validity of the remaining  
7 portions of the ordinance. The Board of Supervisors hereby declares that it would have  
8 passed this ordinance and each and every section, subsection, sentence, clause, phrase, and  
9 word not declared invalid or unconstitutional without regard to whether any other portion of  
10 this ordinance would be subsequently declared invalid or unconstitutional.

11 (d) Scope of Ordinance. In enacting this ordinance, the Board intends to amend  
12 only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation,  
13 charts, diagrams, or any other constituent part of the Planning Code that are explicitly shown  
14 in this legislation as additions, deletions, Board amendment additions, and Board amendment  
15 deletions in accordance with the "Note" that appears under the official title of the ordinance.  
16

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

19 By:

  
20 MARLENA G. BYRNE  
21 Deputy City Attorney

22 n:\vegana\as2013\1300192\00830823.doc  
23  
24  
25

Supervisor Cohen  
BOARD OF SUPERVISORS

**REVISED LEGISLATIVE DIGEST**

(3/5/2013, Substituted)

[Planning Code - Pre-Application Meetings in Product/Distribution/Repair-1-B (Light Industrial Buffer) District]

**Ordinance amending the Planning Code, by adding Section 313, to require pre-application meetings for certain projects in the Product/Distribution/Repair -1-B (Light Industrial Buffer) District; and making environmental, General Plan, and Planning Code, Section 101(b), findings.**

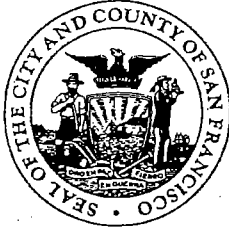
Existing Law

The Planning Code does not currently require any project sponsors to conduct a “pre-application meeting” with neighbors prior to submitting a project application. The Planning Department does require such meetings as a matter of Departmental policy for proposed projects that would trigger neighborhood notice under Sections 311 or 312 of the Planning Code.

Amendments to Current Law

The proposed legislation would require that project sponsors conduct at least one “pre-application meeting” with owners and occupants within a 300 feet radius of the proposed project and relevant neighborhood groups for projects that involve new construction, alteration, demolition, or removal of 5,000 square feet or more on any parcel zoned all or in part PDR-1-B (Light Industrial Buffer). At the pre-application meeting, the project sponsor would be required to describe the proposed project and solicit comments and questions from the attendees. The project sponsor would have to provide evidence that such a pre-application meeting has been conducted as part of its application for development.

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

March 5, 2013

File No. 130180

Sarah Jones  
Environmental Review Officer  
Planning Department  
1650 Mission Street, 4<sup>th</sup> Floor  
San Francisco, CA 94103

Dear Ms. Jones:

On February 26, 2013, Supervisor Cohen introduced the following proposed legislation:

**File No. 130180**

Ordinance amending the Planning Code, by adding Section 313, to require pre-application meetings for certain projects in the Product/Distribution/Repair-1-B Districts; and making environmental, General Plan, and Planning Code, Section 101(b), findings.

This legislation is being transmitted to you for environmental review, pursuant to Planning Code, Section 306.7(c).

Angela Calvillo, Clerk of the Board

Handwritten signature of Alisa Miller in cursive.

By: Alisa Miller, Committee Clerk  
Land Use & Economic Development Committee

Attachment

c: Monica Pereira, Environmental Planning  
Joy Navarrete, Environmental Planning

Non-physical exemption  
CEQA Section 15060(c)(2)

Handwritten signature of Joy Navarrete.  
3/8/13  
JOY NAVARRETE



# SAN FRANCISCO PLANNING DEPARTMENT

May 14, 2013

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

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

**Re: Transmittal of Planning Department Case Number 2013.0324T  
Require Pre-Application Meetings in PDR-1-B Districts  
Board File No. 13-0180  
Planning Commission Recommendation: Approval**

Dear Ms. Calvillo and Supervisor Cohen,

On May 9, 2013, the Planning Commission conducted a duly noticed public hearing at regularly scheduled meeting to consider the proposed Ordinance that would Require Pre-Application Meetings in PDR-1-B Districts introduced by Supervisor Cohen. At the hearing, the Planning Commission recommended approval.

The proposed amendment to the Planning Code was found to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c)(2).

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 "AM-Rodgers", followed by a horizontal line.

AnMarie Rodgers  
Manager of Legislative Affairs

cc:

Marlena G. Byrne, Deputy City Attorney  
Andrea Bruss, Aide to Supervisor Cohen  
Alisa Miller, Office of the Clerk of the Board

Attachments

Planning Commission Resolution  
Planning Department Executive Summary





# SAN FRANCISCO PLANNING DEPARTMENT

## Planning Commission Resolution No. 18860

HEARING DATE: MAY 9, 2013

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

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

*Project Name:* Require Pre-Application Meetings in PDR-1-B Districts  
*Case Number:* 2013.0324T [Board File No. 13-0180]  
*Initiated by:* Supervisor Cohen/ Introduced September 28, 2013  
*Staff Contact:* Aaron Starr, Legislative Affairs  
aaron.starr@sfgov.org, 415-558-6362  
*Reviewed by:* AnMarie Rodgers, Manager Legislative Affairs  
anmarie.rodgers@sfgov.org, 415-558-6395

RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE THAT WOULD AMEND THE SAN FRANCISCO PLANNING CODE BY ADDING SECTION 313, TO REQUIRE PRE-APPLICATION MEETINGS FOR CERTAIN PROJECTS IN THE PRODUCT/DISTRIBUTION/REPAIR -1-B (LIGHT INDUSTRIAL BUFFER) DISTRICT; AND MAKING ENVIRONMENTAL, GENERAL PLAN, AND PLANNING CODE, SECTION 101(B), FINDINGS.

### PREAMBLE

Whereas, on February 25, 2013, Supervisor Cohen introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 13-0180, which would amend the San Francisco Planning Code by adding Section 313, to require pre-application meetings for certain projects in the Product/Distribution/Repair -1-B (Light Industrial Buffer) District; and

Whereas, on March 5, 2013, Supervisor Cohen introduced a substitute Ordinance under Board File Number 13-0180; and

Whereas, on May 9, 2013, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance; and

Whereas, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c)(2); 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 the applicant, Department staff, and other interested parties; and

Whereas, the 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 the Commission hereby recommends that the Board of Supervisors recommends *approval of the proposed Ordinance* and adopts the attached Draft Resolution to that effect.

## 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. PDR-1-B zoning is currently only found in the Bay View/Hunters Point Neighborhood and is intended to provide a transition between industrial zoned land and single-family zoning, two zoning districts that are very different in intensity.
  2. Providing an opportunity to inform the community of upcoming projects and solicit community input prior to submitting the application is preferable to subjecting light industrial projects to a 311/312 type notification, which adds a 30-day noticing delay and the increases possibility of a Discretionary Review hearing.
  3. While PDR-1-B Districts are adjacent to residential neighborhoods, permitted uses are already limited to less intensive production, distribution, and repair activities that will not compromise the quality of life of nearby residents; therefore more extensive notification of projects in PDR-1-B Districts isn't necessary.
1. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

### I. COMMERCE & INDUSTRY ELEMENT

THE COMMERCE AND INDUSTRY ELEMENT OF THE GENERAL PLAN SETS FORTH OBJECTIVES AND POLICIES THAT ADDRESS THE BROAD RANGE OF ECONOMIC ACTIVITIES, FACILITIES, AND SUPPORT SYSTEMS THAT CONSTITUTE SAN FRANCISCO'S EMPLOYMENT AND SERVICE BASE.

#### OBJECTIVE 4

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

##### Policy 4.1

Maintain and enhance a favorable business climate in the city.

*The Ordinance maintains a favorable business climate in the City by instituting noticing requirements for projects in the PDR-1-B Districts that will not slow down the Planning Department's review of applications in these Districts.*

2. The proposed replacement project is consistent with the eight General Plan priority policies set forth in Section 101.1 in that:

- A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

*The proposed Ordinance will not have an adverse effect on neighborhood-serving businesses. The proposed Ordinance will only affect residential neighborhoods adjacent to PDR-1-B zoning districts and qualifying projects in PDR-1-B districts.*

- B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

*The proposed Ordinance will not displace existing housing nor will it have any effect on existing neighborhood character.*

- C) The City's supply of affordable housing will be preserved and enhanced:

*The proposed Ordinance will not adversely affect the City's supply of affordable housing.*

- D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

*The proposed Ordinance will not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.*

- E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

*The proposed Ordinance would not adversely affect the industrial or service sectors or future opportunities for resident employment or ownership in these sectors.*

- F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*Preparedness against injury and loss of life in an earthquake is unaffected by the proposed Ordinance. Any new construction or alteration associated with a use would be executed in compliance with all applicable construction and safety measures.*

- G) That landmark and historic buildings will be preserved:

*Landmarks and historic buildings would be unaffected by the proposed Ordinance. Should a proposed use be located within a landmark or historic building, such site would be evaluated under typical Planning Code provisions and comprehensive Planning Department policies.*

- H) Parks and open space and their access to sunlight and vistas will be protected from development:

*The City's parks and open space and their access to sunlight and vistas would be unaffected by the proposed Ordinance. It is not anticipated that permits would be such that sunlight access, to public or private property, would be adversely impacted.*

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on May 9, 2013.

Jonas P Ionin  
Commission Secretary

AYES: Commissioners Antonini, Fong, Hillis, Moore, Sugaya, Wu

NAYS: none

ABSENT: Commissioner Borden

ADOPTED: May 9, 2013



# SAN FRANCISCO PLANNING DEPARTMENT

## Executive Summary Zoning Map and Planning Code Text Change HEARING DATE: MAY 9, 2013

*Project Name:* Require Pre-Application Meetings in PDR-1-B Districts  
*Case Number:* 2013.0324T [Board File No. 130180]  
*Initiated by:* Supervisor Cohen/ Introduced 2/25/13, Substituted 3/5/13  
*Staff Contact:* Aaron Starr, Legislative Affairs  
aaron.starr@sfgov.org, 415-558-6362  
*Reviewed by:* AnMarie Rodgers, Manager Legislative Affairs  
anmarie.rodgers@sfgov.org, 415-558-6395  
*Recommendation:* **Recommend Approval**

1650 Mission St.  
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Planning  
Information:  
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### PLANNING CODE AMENDMENT

The proposed Ordinance would amend the San Francisco Planning Code by adding Section 313, to require pre-application meetings for certain projects in the Product/Distribution/Repair -1-B (Light Industrial Buffer) District; and making environmental, General Plan, and Planning Code, Section 101(b), findings.

#### The Way It Is Now:

- In the PDR-1-B District there are no notification requirements, such as Planning Code Section 311 or Section 312 neighborhood notification (hereinafter "311/312 notification"), which are required in Residential and Neighborhood Commercial Districts respectively.
- Per Planning Commission policy, pre-application meetings are required for projects subject to 311/312 notification (change of use, building expansion or demolition projects in R or NC Districts) and also meet one of the following criteria:
  - New Construction; or
  - Any vertical addition of 7 feet or more; or
  - Any horizontal addition of 10 feet or more; or
  - Decks over 10 feet above grade or within the required rear yard; or
  - All Formula Retail uses subject to a Conditional Use Authorization.
- Pre-application meeting requirements are not codified in the Planning Code; instead this requirement has been established by Commission policy.

#### The Way It Would Be:

- Pre-application meetings would be required for certain projects within the PDR-1-B (Light Industrial Buffer) District. Those projects include:
  - New construction,
  - Demolition, or
  - Removal of 5,000 square feet or more.
- Pre-application requirements for PDR-1-B Districts would be codified in the Planning Code.

## ISSUES AND CONSIDERATIONS

### Discretionary Review (DR) Reform and Pre-Application Meetings

As part of the DR reform effort in 2009, the Commission adopted a policy that required certain projects (see discussion above) to conduct pre-application meetings. Pre-application requirements include the establishment of standardized notices, forms and rules for meeting locations and times. The policy also required that the Department not accept the application until the meeting was properly conducted. The pre-application requirement was adopted as a Commission policy rather than a Planning Code amendment so that it could be modified should adjustments be needed.

The pre-application process provides a forum for early discussions about development proposals with neighboring property owners, tenants, and neighborhood organizations. The intent of the pre-application meeting is to provide an open discourse about the goals of the project and to vet any concerns of neighbors. Project sponsors are not required to modify a project in response to neighbor concerns; nonetheless, such early meetings provide all parties with the opportunity to discuss issues at the outset of the process and provide an opportunity for the project sponsor consider and respond to neighborhood comments.

The proposed Ordinance would codify requirements for PDR-1-B Districts that are currently required by Commission Policy in R and NC Districts. Examples of codification of current requirements include:

- prohibiting the Planning Department from accepting a qualifying application without information demonstrating that a pre-application meeting was held;
- requiring the invite to be sent by mail at least 14 calendar days before the pre-application meeting; and
- inviting all relevant neighborhood associations for the neighborhood(s) in which the proposed project is located.

The proposed Ordinance would expand who is to be notified about the pre-application meetings. The existing Planning Commission policy only requires adjacent property owners and occupants to be invited to the pre-application meeting. The proposed Ordinance would require property owners and occupants within a 300-foot radius of the proposed project site to be invited. The 300' radius is currently used for only for Conditional Use and Variance notifications and would be a significantly increased notification for pre-application meetings.

### PDR-1-B Districts

The intent of PDR-1-B Districts is to create a buffer area between residential neighborhoods and light industrial areas. These districts exist primarily in the Bayview Hunters Point neighborhood (See attached map). Thus, this district prohibits residential uses and limits office, retail, and institutional uses. Generally, all other uses are permitted. This zone allows for less intensive production, distribution, and repair activities that will not compromise the quality of life of nearby residents. These uses generate less external noise, odors, and vibrations and engage in fewer trucking activities than those permitted in PDR-2 districts. Uses in this district are generally conducted completely within enclosed structures. Small-scale retail and office uses are permitted, as are other activities that may serve well to buffer existing residential neighborhoods from areas of concentrated industrial operations.

### Planning Code Notification Requirements

The Planning Code has several noticing requirements that require mailed notification including Conditional Use applications, Variances, building expansions and changes of use. All of those

notifications are done after the application is submitted to the Department. These notices are intended to alert surrounding neighbors that a project is either going to be heard at a Planning Commission, or as in that case of 311 and 312 notification, that a Code complying project is going to be approved by the Planning Department after the notification period ends. Section 311/312 notifications provide neighbors and neighborhood groups the opportunity to review the proposed Planning Code complying project for one month. If someone objects to the proposal, that person can file a Discretionary Review request application within the 30-day review period and the project would be brought to the Planning Commission for review.

### REQUIRED COMMISSION ACTION

The proposed Ordinance is before the Commission so that it may recommend adoption, rejection, or adoption with modifications to the Board of Supervisors.

### RECOMMENDATION

The Department recommends that the Commission recommend *approval* of the proposed Ordinance and adopt the attached Draft Resolution to that effect.

### BASIS FOR RECOMMENDATION

The Department is cautious about codifying the pre-application meeting requirement in the Planning Code as it may set a precedent for other districts. That said the PDR-1-B District is unique in that this district provides spacing between small scale residential districts (including RH-1) and industrial districts. Further, the legislation allows the Department to establish additional procedures and requirements to administer the pre-application requirement. For these reasons, the Department is recommending that the Commission recommend approval of the proposed Ordinance.

PDR-1-B zoning is currently only found in the Bay View/Hunters Point Neighborhood and is intended to provide a transition between industrial zoned land and single-family zoning, two zoning districts that are very different in intensity. Providing an opportunity to inform the community of upcoming projects and solicit community input prior to submitting the application is different than subjecting light industrial projects to a 311/312 notification, which adds a 30-day noticing delay and the increases possibility of a DR hearing. While most projects under Planning Department review are technically subject to DRs, the 311/312 notification process provides a more clear opportunity for neighbors to apply for DR. While PDR-1-B Districts are adjacent to residential neighborhoods, permitted uses are already limited to less intensive production, distribution, and repair activities that will not compromise the quality of life of nearby residents.

### ENVIRONMENTAL REVIEW

The proposal ordinance would result in no physical impact on the environment. The proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c)(2).

### PUBLIC COMMENT

As of the date of this report, the Planning Department not received any comments on the proposed Ordinance.

<b>RECOMMENDATION:</b> Recommendation of Approval
---

**Attachments:**

Exhibit A: Draft Planning Commission Resolution

Exhibit B: Board of Supervisors File No. 130180

Exhibit C: Map of PDR-1-B Districts



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

March 11, 2013

Planning Commission  
Attn: Jonas Ionin  
1660 Mission Street, 5<sup>th</sup> Floor  
San Francisco, CA 94103

Dear Commissioners:

On March 5, 2013, Supervisor Cohen introduced the following substitute legislation:

**File No. 130180-2**

Ordinance amending the Planning Code, by adding Section 313, to require pre-application meetings for certain projects in the Product/Distribution/Repair -1-B (Light Industrial Buffer) District; and making environmental, General Plan, and Planning Code, Section 101(b), findings.

The proposed ordinance is being transmitted pursuant to Planning Code Section 302(b) for public hearing and recommendation. The ordinance is pending before the Land Use & Economic Development Committee and will be scheduled for hearing upon receipt of your response.

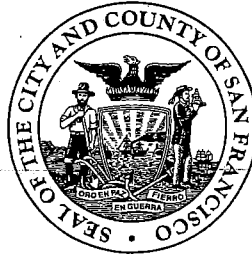
Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script that reads "Alisa Miller".

By: Alisa Miller, Committee Clerk  
Land Use & Economic Development Committee

- c: John Rahaim, Director of Planning  
Scott Sanchez, Zoning Administrator  
Sarah Jones, Chief, Major Environmental Analysis  
AnMarie Rodgers, Legislative Affairs  
Monica Pereira, Environmental Planning  
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

March 5, 2013

File No. 130180

Sarah Jones  
Environmental Review Officer  
Planning Department  
1650 Mission Street, 4<sup>th</sup> Floor  
San Francisco, CA 94103

Dear Ms. Jones:

On February 26, 2013, Supervisor Cohen introduced the following proposed legislation:

**File No. 130180**

Ordinance amending the Planning Code, by adding Section 313, to require pre-application meetings for certain projects in the Product/Distribution/Repair-1-B Districts; and making environmental, General Plan, and Planning Code, Section 101(b), findings.

This legislation is being transmitted to you for environmental review, pursuant to Planning Code, Section 306.7(c).

Angela Calvillo, Clerk of the Board

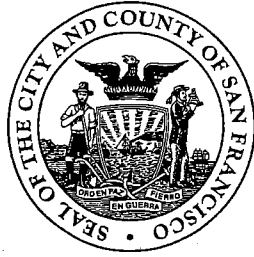
A handwritten signature in cursive script that reads "Alisa Miller".

By: Alisa Miller, Committee Clerk  
Land Use & Economic Development Committee

Attachment

c: Monica Pereira, Environmental Planning  
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

March 5, 2013

Planning Commission  
Attn: Jonas Ionin  
1660 Mission Street, 5<sup>th</sup> Floor  
San Francisco, CA 94103

Dear Commissioners:

On February 26, 2013, Supervisor Cohen introduced the following proposed legislation:

**File No. 130180**

Ordinance amending the Planning Code, by adding Section 313, to require pre-application meetings for certain projects in the Product/Distribution/Repair-1-B Districts; and making environmental, General Plan, and Planning Code, Section 101(b), findings.

The proposed ordinance is being transmitted pursuant to Planning Code Section 302(b) for public hearing and recommendation. The ordinance is pending before the Land Use & Economic Development Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script that reads "Alisa Miller".

By: Alisa Miller, Committee Clerk  
Land Use & Economic Development Committee

- c: John Rahaim, Director of Planning  
Scott Sanchez, Zoning Administrator  
Sarah Jones, Chief, Major Environmental Analysis  
AnMarie Rodgers, Legislative Affairs  
Monica Pereira, Environmental Planning  
Joy Navarrete, Environmental Planning

# Introduction Form

By a Member of the Board of Supervisors or the 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 [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [ 130180 ]
- 9. Request for Closed Session (attach written motion).
- 10. Board to Sit as A Committee of the Whole.
- 11. Question(s) 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 a Imperative**

**Sponsor(s):**

Cohen

**Subject:**

Pre-Application Meetings in PDR-1-B District

**The text is listed below or attached:**

Attached

Signature of Sponsoring Supervisor: *[Handwritten Signature]*

For Clerk's Use Only:

Print Form

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp  
or meeting date

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

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**Sponsor(s):**

Cohen

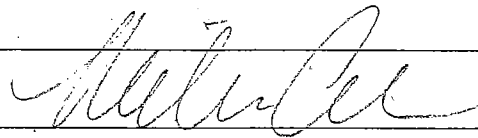
**Subject:**

Establishing a Pre Application Meeting Requirement in PDR1-B Districts

**The text is listed below or attached:**

Attached

Signature of Sponsoring Supervisor:



For Clerk's Use Only:

1-30-18

