

1 [Zoning – Interim Moratorium on Institutional Uses in the Jackson Square Special Use District
2 and Imposing the provisions of this District on City Landmark No. 237.]

3 **Urgency Ordinance approving an interim zoning moratorium on the establishment or**
4 **expansion of Institutional uses in the Jackson Square Special Use District and**
5 **imposing the provisions of the Jackson Square Special Use District on City Landmark**
6 **No. 237 (Block 195, Lot 004) for a period of 45 days and making required findings,**
7 **including findings of consistency with the priority policies of Planning Code Section**
8 **101.1 and environmental findings.**

9 Note: Additions are *single-underline italics Times New Roman*;
10 deletions are ~~*strikethrough italics Times New Roman*~~.
11 Board amendment additions are double underlined.
12 Board amendment deletions are ~~strikethrough normal~~.

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

14 Section 1. Findings.

15 (a) General Findings.

16 (1) San Francisco has a proud tradition of historic neighborhoods and thriving
17 commercial districts that reflect the diverse character of the city, and often attract visitors from
18 around the world.

19 (2) Ordinance number 203-03 established the Jackson Square Special Use District
20 in order to provide for the protection and enhancement of specialty retail and antique store
21 uses in the Historic Jackson Square area.

22 (3) In recent years Block 195, a portion of which is in the Jackson Square Special
23 Use District, has experienced the establishment of several large institutional uses that
24 threaten to displace specialty retail and antique store uses throughout the District.
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1 (4) Ordinance number 177-02 designated the Drexler/Colombo Building, situated on
2 Lot 4 of Block 195, as City Landmark 237. This structure is adjacent to the Jackson Square
3 Special Use District, is a contributory structure to the Jackson Square Historic District, and
4 along with Landmarks Nos. 52 and 212, is one of three City Landmark structures at the
5 corners of Washington, Columbus, and Montgomery Streets that have traditionally marked the
6 entrance to the Jackson Square area from the Financial District to the south.

7 (5) City Landmark 237 was designed for and has traditionally housed specialty retail
8 uses similar to those found in the Jackson Square Special Use District, and it plays a
9 prominent role in the transition between the high-rise Financial District to the south, and the
10 smaller scale neighborhood serving uses of North Beach, Chinatown, and Jackson Square.

11 (b) Findings related to the imposition of an interim moratorium.

12 (1) Planning Code Section 306.7 provides for the imposition of interim zoning
13 controls to accomplish several objectives, including: preservation of historic and architecturally
14 significant buildings and areas as well as development and conservation of the City's
15 commerce and industry to maintain the City's economic vitality, provide its citizens with
16 adequate jobs and business opportunities, and maintain adequate services for its residents,
17 visitors, businesses, and institutions.

18 (2) These controls are intended and designed to deal with and ameliorate the
19 problems and conditions associated with conversion of historic structures, and historic
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1 districts, to institutional and office uses by placing a temporary moratorium on the
2 establishment of institutional uses in the Jackson Square Special Use District.

3 (3) This Board has considered the impact on the public health, safety, peace, and
4 general welfare if the interim controls proposed herein were not imposed.

5 (4) This Board has determined that the public interest will be best served by
6 imposition of these interim controls at this time in order to ensure that the legislative scheme
7 that may be ultimately adopted is not undermined during the planning and legislative process
8 for permanent controls, which process shall be conducted within a reasonable time.

9 (c) Planning Code section 101.1 findings.

10 This interim zoning moratorium advances and is consistent with Priority Policies 1, 2
11 and 5 of the Planning Code section 101.1 in that they attempt to conserve a diverse economic
12 base and existing neighborhood-serving retail and neighborhood character. This program
13 also supports Policy 7 to the extent it preserves landmarks or historic buildings. With respect
14 to Priority Policies 3, 4, 6 and 8 The Board finds that the interim zoning moratorium does not,
15 at this time, have an effect upon these policies, and thus, will not conflict with said policies.
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18 Section 2. The following interim zoning moratorium shall be adopted as an Urgency
19 Ordinance:

20 (a) City Landmark No. 237 shall be subject to all of the provisions of the Jackson
21 Square Special Use District.
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(b) No institutional use shall be permitted at the ground floor of any structure in the Jackson Square Special Use District or in any structure subject to the provisions of the Jackson Square Special Use District.

(c) This interim Zoning Moratorium shall remain in effect for 45 days unless extended in accordance with California Government Code section 65858 or until permanent controls are adopted, whichever first occurs.

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

By: JUDITH A. BOYAJIAN
Deputy City Attorney