

BOARD of SUPERVISORS



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August 3, 2018

File No. 180644-2

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

Dear Ms. Gibson:


On July 31, 2018, Supervisor Cohen introduced the following substitute legislation:

File No. 180644-2

Ordinance amending the Planning Code and Zoning Map to create the Design Professional Special Use District at 2 Henry Adams Street, Assessor's Parcel Block No. 3910, Lot No. 001, to allow for Design Professional uses above the second story in a PDR-1-D (Production, Distribution, and Repair Design) zoning district with a Conditional Use Authorization; affirming the Planning Commission'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 findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

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

Attachment

c: Joy Navarrete, Environmental Planning
Laura Lynch, Environmental Planning

1 [Planning Code, Zoning Map - Design Professional Special Use District]

2
3 **Ordinance amending the Planning Code and Zoning Map to create the Design**
4 **Professional Special Use District at 2 Henry Adams Street, Assessor's Parcel Block No.**
5 **3910, Lot No. 001, to allow for Design Professional uses above the second story in a**
6 **PDR-1-D (Production, Distribution, and Repair Design) zoning district with a**
7 **Conditional Use Authorization; affirming the Planning Commission's determination**
8 **under the California Environmental Quality Act; making findings of consistency with**
9 **the General Plan, and the eight priority policies of Planning Code, Section 101.1, and**
10 **making findings of public necessity, convenience, and general welfare under Planning**
11 **Code, Section 302.**

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

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

18 Section 1. Findings.

19 (a) Assessor's Parcel Block No. 3910, Lot 001, also known as 2 Henry Adams Street,
20 is generally bounded by Alameda, Vermont, Division, and Henry Adams Streets. The area is
21 located in San Francisco's Showplace Square Plan Area, which serves a local and national
22 market. Uses in this District provide City residents and visitors with furniture making and
23 interior design services, among other uses.

24 (b) The Board of Supervisors intends to preserve these services, but also recognizes
25 the need to allow for additional services to encourage the growth of new development that

1 occupies critical locations within this District. In the absence of providing flexibility to
2 accommodate additional services, existing uses and zoning controls could stifle the
3 development of new growth and business in this area. A revision to the current land use
4 controls is necessary to expand the regulated types of use and ensure that the many furniture
5 showrooms and other types of design businesses are not subsequently priced out of the
6 area's PDR (Production, Distribution, and Repair Design) activity.

7 (c) On _____, the Planning Commission, in Resolution No. _____,
8 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
9 with the City's General Plan and eight priority policies of Planning Code Section 101.1. In this
10 resolution, the Planning Commission also found that the Planning Code and Zoning Map
11 amendments will serve the public necessity, convenience, and general welfare under
12 Planning Code Section 302. The Board adopts each of these findings as its own. A copy of
13 said Resolution is on file with the Clerk of the Board of Supervisors in File No. _____,
14 and is incorporated herein by reference.

15 Section 2. Environmental Findings.

16 (a) On August 7, 2008, after a duly noticed public meeting, the Planning Commission
17 in Motion No. 17659 certified the Final Environmental Impact Report (Final EIR) for the
18 Eastern Neighborhoods Area Plans, including various General Plan, Planning Code, and
19 Zoning Map amendments (the "Project") in accordance with the California Environmental
20 Quality Act ("CEQA") (California Public Resources Code Sections 21000 et seq.), the CEQA
21 Guidelines (14 Cal. Code Regs. Sections 15000 et seq.), and Chapter 31 of the San
22 Francisco Administrative Code. Copies of the Planning Commission Motion and Final EIR are
23 on file with the Clerk of the Board of Supervisors in File No. 081152 and are incorporated
24 herein by reference.
25

1 (b) At the same hearing during which the Planning Commission certified the Final EIR,
2 the Planning Commission in Motion No. 17661 adopted CEQA Findings with respect to the
3 approval of the proposed Project and other actions. The CEQA Findings adopted by the
4 Planning Commission with respect to the approval of the Project, including the rejection of
5 alternatives, a statement of overriding considerations, and a mitigation monitoring and
6 reporting program among other administrative record documents are on file with the Clerk of
7 the Board in File No. 081152. The Board of Supervisors in Ordinance No. 297-08 adopted
8 these environmental findings as its own. These and any and all other documents referenced
9 in Ordinance No. 297-08 were made available to the Board of Supervisors and may be found
10 in either the files of the Planning Department, as its custodian of records, at 1650 Mission
11 Street in San Francisco, or in File No. 081152 with the Clerk of the Board of Supervisors at 1
12 Dr. Carlton B. Goodlett Place, San Francisco, and are incorporated herein by reference.

13 (c) At a duly notice public hearing on _____, 2018, the Planning Commission
14 in Resolution No. _____ found that no substantial changes have occurred in the
15 Project proposed for amendment under this ordinance that will require revisions in the Final
16 EIR due to the involvement of new significant environmental effects or a substantial increase
17 in the severity of previously identified significant effects, no substantial changes have
18 occurred with respect to the circumstances under which the Project proposed for amendment
19 under this ordinance are undertaken which will require major revisions to the Final EIR due to
20 the involvement of new environmental effects or a substantial increase in the severity of
21 effects identified in the Final EIR, and no new information of substantial importance to the
22 Project as proposed for amendment in this ordinance has become available which indicates
23 that (1) the Project will have significant effects not discussed in the Final EIR, (2) significant
24 environmental effects will be substantially more severe, (3) mitigation measure or alternatives
25 found not feasible which would reduce one or more significant effects have become feasible

1 or (4) mitigation measures or alternatives which are considerably different from those in the
2 Final EIR would substantially reduce one or more significant effects on the environment.
3 Consequently, the Board of Supervisors relies on the CEQA findings it adopted in Ordinance
4 No. 297-08 and the environmental findings of the Planning Commission in Resolution No.
5 _____ for purposes of the actions in this ordinance and adopts these findings as its
6 own. A copy of Planning Commission Resolution No. _____ is on file with the Clerk
7 of the Board of Supervisors in File No. _____ and is incorporated herein by
8 reference.

9
10 Section 3. The San Francisco Planning Code is hereby amended by adding Planning
11 Code Section 249.2, to read as follows:

12 **SEC 249.2. DESIGN PROFESSIONAL SPECIAL USE DISTRICT.**

13 (a) **General.** A Special Use District entitled the "Design Professional Special Use District"
14 (Design Professional SUD or SUD) shall apply to Assessor's Parcel Block No. 3910, Lot 001, also
15 known as 2 Henry Adams Street. The boundaries of the Design Professional SUD are designated on
16 Sectional Map 8SU of the Zoning Map.

17 (b) **Purpose.** The purpose of the SUD is to facilitate the development of 2 Henry Adams Street
18 by allowing for Design Professional Uses above the second story in this portion of the PDR-1 zoning
19 district.

20 (c) **Use Controls.** The following provisions shall apply to the SUD:

21 (1) This SUD is subject to all requirements of the PDR-1-D zoning district except as
22 provided under subsection (c)(2).

23 (2) **Design Professional Uses.** Design Professional Uses, as defined in Planning Code
24 Section 102, are allowed above the second story with a Conditional Use Authorization pursuant to

1 Planning Code Section 303. Any Design Professional Use that meets the definition of "Office Space"
2 in Section 320 shall comply with the applicable provisions of Sections 320 through 325.

3
4 Section 4. The Planning Code is hereby amended in accordance with Planning Code
5 Section 106 by revising Sectional Map 8SU of the Zoning Map, as follows:

6

Description of Property	Special Use District Hereby Approved
Assessor's Parcel Block No. 3910, Lot 001	Design Professional Special Use District

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

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

19 By:



20 JOHN D. MALAMUT
21 Deputy City Attorney

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REVISED LEGISLATIVE DIGEST

(Substituted, 7/31/2018)

[Planning Code, Zoning Map - Design Professional Special Use District]

Ordinance amending the Planning Code and Zoning Map to create the Design Professional Special Use District at 2 Henry Adams Street, Assessor's Parcel Block No. 3910, Lot No. 001, to allow for Design Professional uses above the second story in a PDR-1-D (Production, Distribution, and Repair Design) zoning district with a Conditional Use Authorization; affirming the Planning Commission'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 making findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

Existing Law

2 Henry Adams Street is generally bounded by Alameda, Vermont, Division, and Henry Adams Streets. The property is located in San Francisco's Showplace Square Plan Area and is subject to the PDR-1-D (Production, Distribution, and Repair Design) zoning district. Design Professional Use is defined in Planning Code Section 102 and covers non-retail sales and services uses that provide professional design services to the general public or other businesses. Design Professional Uses include such services as architecture, landscape architecture, engineering, interior design, and industrial design. Any Design Professional Use that meets the definition of "Office Space" in Section 320 is required to comply with the applicable provisions of Sections 320 through 325 (Proposition M 1986).

Amendments to Current Law

This ordinance would amend the Planning Code and the Zoning Map to create the Design Professional Special Use District at 2 Henry Adams Street. This Special Use District would allow Design Professional Uses above the second story with a Conditional Use Authorization. The legislation would adopt environmental findings, findings of consistency with the General Plan and eight priority policies of Planning Code Section 101.1, and the public necessity findings of Planning Code Section 302.