

1 [Mission District Interim Controls – Community Service Use.]

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3 **Resolution amending the Mission District Interim Controls by amending subsection (a)**  
4 **to allow a “community service” office use in areas zoned M-1 and M-2 in the area**  
5 **bounded by Guerrero Street, Cesar Chavez Street, Potrero Avenue and the Central**  
6 **Freeway and to amend the definition of “community service” to include a nonprofit**  
7 **labor union organization.**

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9 WHEREAS, Interim zoning controls are now in effect in five subareas in the Mission  
10 District: (a) the area bounded by Guerrero Street, Cesar Chavez Street, Potrero Avenue and  
11 the Central Freeway, (b) the Valencia Street Neighborhood Commercial District, (c) the 24<sup>th</sup>  
12 Street Neighborhood Commercial District, (d) Mission Street from 15<sup>th</sup> Street to Cesar Chavez  
13 Street zoned NC-3, and (e) the Northeast Mission Industrial Zone; and

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15 WHEREAS, For purposes of the interim controls, the term “community service” is  
16 defined as “a nonretail use which includes executive, technical, management, clerical, and  
17 administrative support for the provision of social, health, housing, employment, legal, cultural,  
18 or arts services to the general public, principally to persons who earn 60% of the Area Mean  
19 Income (AMI)”; and,

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21 WHEREAS, A “community service” use is currently authorized as either a permitted or  
22 a conditional use in each of the subareas except subarea (a), the area bounded by Guerrero  
23 Street, Cesar Chavez Street, Potrero Avenue and the Central Freeway; and,

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25 WHEREAS, The Board of Supervisors wishes to allow a “community service” use in the  
area bounded by Guerrero Street, Cesar Chavez Street, Potrero Avenue and the Central  
Freeway and to expand the definition of “community service” to include a nonprofit labor union  
organization; now, therefore, be it

1           RESOLVED, That subsection (a) of the Mission District Interim Controls is hereby  
2 amended, to read as follows:

3           (a)     The Mission District in the Area Bounded by Guerrero Street, Cesar Chavez  
4 Street, Potrero Avenue, and the Central Freeway.

5           (i)     New tourist hotels are not permitted unless such hotels contain 9 or more single  
6 room occupancy rooms or apartments for rent of which at least 40% will be rented at below  
7 market rates under Mayor's Office of Housing Guidelines, and contain at least 1000 gross  
8 square feet of Administrative Services Space devoted to a non-profit tenant at a below market  
9 rental rate.

10          (ii)    Any demolition of a residential use is prohibited, except to construct an  
11 "affordable housing project" as defined in Planning Code Section 313.1.

12          (iii)   For any change of use, whether or not it is considered a change of use under  
13 the Building Code, a discretionary review hearing by the Planning Commission and posting of  
14 a sign on the property in compliance with the requirements of Planning Code Section 306.8  
15 are mandatory.

16          (iv)    All new market-rate housing projects or conversions of existing residential uses  
17 to market-rate housing shall require conditional use authorization, unless a new market rate  
18 housing project contains 10 or more group housing units, and contains 9 or more single room  
19 occupancy rooms or apartments of which at least 40% will be rented at below market rates  
20 under Mayor's Office of Housing Guidelines.

21          (v)     The following shall be a principal permitted use:

22           (A)    projects where at least 25% of the units are affordable to persons earning 60%  
23 of the area mean income (AMI);

24           (B)    senior housing projects in which all units are affordable to persons earning 60%  
25 of the AMI;

1 (C) limited equity cooperative projects; and

2 (D) community land trust.

3 (vi) In areas zoned M-1 and M-2, no office use (which includes an “information  
4 technology” use) in excess of 1,500 gross square feet is permitted unless it is a “community  
5 service” use as defined in these controls.

6 (vii) In areas zoned C-1, C-2, C-3-0, C-3-R, C-3-G, C-3-S, and C-M, a utility  
7 installation as defined in Planning Code Section 209.6(b) shall require a conditional use  
8 authorization; and be it

9 FURTHER RESOLVED, That for purposes of the Mission District Interim Controls, the  
10 term “community service” shall be amended to read as follows: The term “Community  
11 service” shall mean “a nonretail use which includes executive, technical, management,  
12 clerical, and administrative support for the provision of social, health, housing, employment,  
13 legal, cultural, or arts services to the general public, principally to persons who earn 60% of  
14 the Area Mean Income (AMI), and an office use by a nonprofit labor union organization.

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16 APPROVED AS TO FORM:

17 DENNIS J. HERRERA, City Attorney

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19 By \_\_\_\_\_  
20 JUDITH A. BOYAJIAN  
21 Deputy City Attorney

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