

1 [Zoning - Potrero Center Mixed-Use Special Use District.]

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3 Ordinance amending the San Francisco Planning Code by adding Section 249.40 and
4 amending Sheet SU08 of the Zoning Map of the City and County of San Francisco to
5 establish the Potrero Center Mixed-Use Special Use District for the existing shopping
6 center at 2300 16th Street between Bryant Street and Potrero Avenue (Assessor's Block
7 3930A Lot 002); and adopting environmental findings and findings of consistency with
8 the General Plan and the Priority Policies of Planning Code Section 101.1(b).

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.
Board amendment deletions are ~~strikethrough-normal~~.

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

13 Section 1. Findings.

14 (a) Pursuant to Planning Code Section 302, this Board of Supervisors finds that this
15 ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in
16 Planning Commission Resolution No. 17752, and incorporates those reasons herein
17 by reference. A copy of said Planning Commission Resolution is on file with the Clerk of the
18 Board of Supervisors in File No. 081334.

19 (b) The Board of Supervisors finds that this ordinance is, on balance, consistent with
20 the General Plan and the Priority Policies of Planning Code Section 101.1(b) for the reasons
21 set forth in Planning Commission Resolution No. 17752, and incorporates those
22 reasons herein by reference.

23 (c) In accordance with the actions contemplated herein, this Board adopted Ordinance
24 No. 297-08, concerning findings pursuant to the California Environmental Quality Act
25 (California Public Resources Code sections 21000 et seq.). A copy of said Ordinance is on

1 file with the Clerk of the Board of Supervisors in File No. 081152 and is incorporated by
2 reference herein.

3 Section 2. The San Francisco Planning Code is hereby amended by adding Section
4 249.40, to read as follows:

5 **SEC. 249.40. POTRERO CENTER MIXED-USE SPECIAL USE DISTRICT.**

6 (a) Purpose. The Potrero Center Mixed-Use Special Use District is intended to facilitate the
7 continued operation of the shopping center located at 2300 16th Street, which is characterized by large
8 formula retail sales and services, while providing an appropriate regulatory scheme for a potential
9 phased mixed-use redevelopment of the shopping center in the future.

10 (b) Geography. The boundaries of the Potrero Center Mixed-Use Special Use District shall
11 consist of Assessor's Block 3930A, Lot 002 as designated on the Zoning Map of the City and County of
12 San Francisco and generally bound by Bryant Street to the west, 16th Street to the south, Potrero
13 Avenue to the east, and Assessor's Blocks 3931A, 3921A and 3922A to the north.

14 (c) Controls. All provisions of the Planning Code shall continue to apply, except for the following:

15 (1) Floor Area Ratio. The maximum floor area ratio (FAR) set forth in Section 124 shall not
16 apply to Retail Sales and Services uses or to Gym uses. The maximum FAR for Retail Sales and
17 Service uses and Gym uses shall not exceed 3.0:1.

18 (2) Retail Sales and Services Uses Size Limitations for Retail Sales and Services and
19 Gyms. The Retail Sales and Services Uses use size limitations and ratio requirements applicable
20 to Retail Sales and Service uses and Gym uses of Sections 121.6(a), 803.9(i) and 843.45 and
21 843.51 shall not apply. Retail Sales and Service uses and Gym uses are a principally permitted
22 use, and the replacement of one such use or tenant by another such use or tenant in an existing store
23 or gym, regardless of its size, is permitted. Newly constructed space for Retail Sales and Services
24 uses and or Gym uses spaces larger than 25,000 gross square feet per use or the expansion of an
25

1 existing Retail Sales and Services use or Gym use space by more than 25,000 new gross square feet
2 per use shall require conditional use authorization pursuant to the provisions of Section 303.

3 (3) Formula Retail. The Formula Retail requirements of Sections 803.6 and 843.46 shall not
4 apply. Formula Retail uses shall be permitted, unless the use is otherwise prohibited or requires
5 conditional use authorization pursuant to other subsections of Section 843.

6 (4) Housing Requirements. The Potrero Center is one of the largest properties in the UMU
7 zoning district that provides a unique opportunity for a mixed-use project with the provision of a
8 significant amount of affordable housing, through either on-site inclusionary units, a dedication of a
9 portion of the land or the air rights of the property to the City. This would enable the City (or another
10 affordable housing developer) to develop affordable housing on such dedicated portion or provide for a
11 combination of both on-site inclusionary housing and land dedication. The City supports such
12 affordable housing production in this location, rather than in an off-site location or locations. The
13 provisions of Sections 319.4(a)(3)(A) and 319.4(a)(3)(B) shall be modified to increase the off-site
14 affordable unit election and in lieu fee election requirements from 27 percent to 30 percent of the total
15 number of units produced in the principal project. The findings of Section 319.1 concerning the
16 provision of affordable housing are incorporated herein by reference.

17 (5) Land Dedication Election. The Land Dedication Alternative for the provision of
18 inclusionary housing units specified in Section 319.4(b)(2) may be satisfied incrementally over time in
19 the event that portions of the SUD are redeveloped in phases and may be satisfied through the
20 dedication to the City of air space parcels above or adjacent to retail, parking or other uses, as well as
21 through dedications of land, upon the approval of the Mayor's Office of Housing or a successor entity,
22 and provided the requirements of Section 319.4(b)(2)(A)-(I) are otherwise satisfied.

23 Section 3. Under Sections 106 and 302(c) of the Planning Code, Sheet SU08 of the
24 Zoning Map of the City and County of San Francisco is amended as follows:
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Description of Property

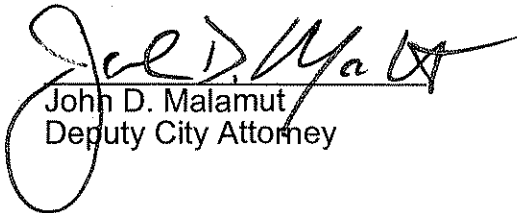
Special Use District
Hereby Approved

Assessor's Block 3930A, Lot 002

Potrero Center Mixed-
Use SUD

Section 4. This Section is uncodified. This legislation is companion legislation to the Eastern Neighborhoods Planning Code and Zoning Map amendments (the "Eastern Neighborhoods Amendments"), copies of which are in Clerk of the Board of Supervisors File Nos. 081153 and 081154 and are incorporated herein by reference. This Ordinance relies on Planning Code Sections and Zoning Map changes contained in the Eastern Neighborhoods Amendments. Consequently, the Board of Supervisors would not adopt this legislation without adoption of the Eastern Neighborhoods Amendments. Therefore, this Ordinance will not be effective unless and until the Eastern Neighborhoods Amendments are effective. Further, the zoning provisions set forth in this Ordinance shall prevail over any contrary provisions in the Eastern Neighborhoods Amendments.

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

By: 
John D. Malamut
Deputy City Attorney



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 081334

Date Passed:

Ordinance amending the San Francisco Planning Code by adding Section 249.40 and amending Sheet SU08 of the Zoning Map of the City and County of San Francisco to establish the Potrero Center Mixed-Use Special Use District for the existing shopping center at 2300 16th Street between Bryant Street and Potrero Avenue (Assessor's Block 3930A Lot 002); and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

November 18, 2008 Board of Supervisors — PASSED ON FIRST READING

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Daly

November 25, 2008 Board of Supervisors — CONTINUED ON FINAL PASSAGE

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Daly

December 9, 2008 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Alioto-Pier, Campos, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Daly

File No. 081334

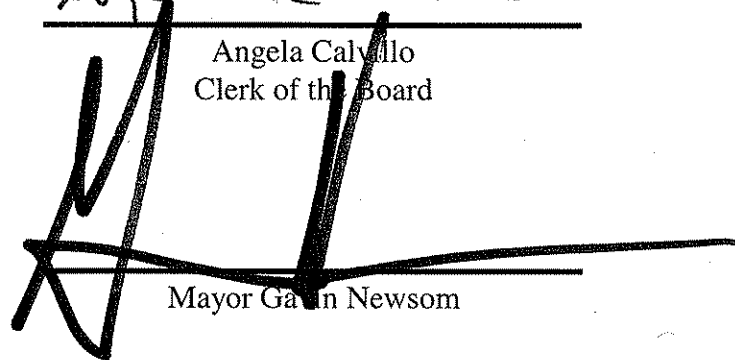
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on December 9,
2008 by the Board of Supervisors of the City
and County of San Francisco.



Angela Calvillo
Clerk of the Board

12/19/2008

Date Approved



Mayor Gavin Newsom