

1 [Interim Zoning Requiring Conditional Use Authorization for Change in Use or Reduction of
2 5,000 square feet or more of Recreational Space]

3 **Resolution imposing interim zoning controls establishing a requirement for conditional**
4 **use authorization for a change in use or reduction in size of any recreational space of**
5 **5,000 square feet or more including indoor or outdoor facilities, for an eighteen (18)**
6 **month period and making a determination of consistency with the priority policies of**
7 **Planning Code Section 101.1.**

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9 WHEREAS, Planning Code Section 306.7 provides for the imposition of interim zoning
10 controls to accomplish several objectives, including control of uses which generate an
11 adverse impact open space and other recreational areas and facilities; preservation of the
12 existing character of neighborhoods; and development and conservation of the commerce and
13 industry of the City in order to maintain adequate services for its residents, visitors,
14 businesses and institutions; and,

15 WHEREAS, San Francisco has experienced a significant diminishment of recreational
16 space and further loss of such space is contemplated; and,

17 WHEREAS, These controls are intended and designed to deal with and ameliorate the
18 problems and conditions associated with the change in use or reduction in size of existing
19 recreational spaces of 5,000 square feet or more to another use during the next eighteen (18)
20 months; and,

21 WHEREAS, This Board has considered the impact on the public health, safety, peace,
22 and general welfare, including, but not limited to adverse impacts on open space and other
23 recreational areas, facilities, and spaces; the impacts on the existing character of
24 neighborhoods; and development and conservation of the commerce and industry of the City

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1 in order to maintain adequate services for its residents, visitors, businesses and institutions;
2 and,

3 WHEREAS, This Board has determined that the public interest will be best served by
4 imposition of these interim controls at this time in order to ensure that the legislative scheme
5 which may be ultimately adopted is not undermined during the planning and legislative
6 process for permanent controls; now, therefore, be it

7 RESOLVED, Pursuant to Planning Code Section 306.7, the Board of Supervisors, by
8 this resolution, hereby requires conditional use authorization prior to a change in use or
9 reduction in size of any recreational space of 5,000 square feet or more; and, be it

10 FURTHER RESOLVED, That for purposes of these interim controls "recreational
11 space", shall include uses defined under Planning Code Sections 209.4 ["community
12 facilities"]; 209.5 ["Open recreation and horticulture"]; 218 ["Personal services"]; 221.4(a)
13 ["clubhouse"]; 221.4(b) ["Lodge Building"]; 221.4(e) ["Recreational building"]; 221.4(g) ["private
14 noncommercial recreational open use"]; 221.4(h) ["Amusement park, and related commercial
15 amusement enterprises not conducted in completely enclosed buildings"];
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17 FURTHER RESOLVED, That for purposes of these interim controls "conditional use"
18 shall have the meaning given to such terms in Planning Code Section 303; and, be it

19 FURTHER RESOLVED, That for purposes of these interim controls, the Planning
20 Commission, as part of its decision on a conditional use application for any use subject to
21 these controls, shall consider the criteria for a conditional use articulated in Planning Code
22 Section 303; and, be it

23 FURTHER RESOLVED, That for purposes of these interim controls, any project that
24 includes as part of the project, a one-for-one replacement of each square foot of recreational
25 space demolished with a new recreational space on-site, shall not require a conditional use

1 authorization for purposes of this Resolution, unless a conditional use is otherwise required
2 for the project; and be it

3 FURTHER RESOLVED, That these interim controls shall remain in effect for eighteen
4 (18) months or until the adoption of permanent legislation regulating change in use or
5 reduction of recreational space, whichever first occurs; and, be it

6 FURTHER RESOLVED, That these interim controls advance and are consistent with
7 Priority Policies 2 and 8 of the Planning Code section 101.1 in that they attempt to preserve
8 the character and quality of our neighborhoods and protect our parks and open space from
9 development. With respect to Priority Policies 1, 3, 4, 5, 6, and 7, the Board finds that the
10 interim zoning controls will have no effect upon these policies, and thus, will not conflict with
11 said policies.

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APPROVED AS TO FORM:

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DENNIS J. HERRERA, City Attorney

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16 By:

Susan Cleveland-Knowles
Deputy City Attorney

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