

1 [India Basin Industrial Park, Special Use District Amendment.]

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3 **Ordinance amending the San Francisco Planning Code by amending Section 249.42 to**
4 **exempt the India Basin Industrial Park Special Use District from minimum off-street**
5 **parking requirements; adopting findings, including environmental findings and**
6 **findings of consistency with the General Plan and the Priority Policies of Planning**
7 **Code Section 101.1.**

8 NOTE: Additions are *single-underline italics Times New Roman*;
9 deletions are *strike through italics Times New Roman*.
10 Board amendment additions are double-underlined;
11 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. The Board of Supervisors of the City and County of San
14 Francisco hereby finds and determines that:

15 (a) Pursuant to Planning Code Section 302, this Board of Supervisors finds that this
16 Ordinance will serve the public necessity, convenience and welfare for the reasons set forth in
17 Planning Commission Resolution No. 17883 and incorporates said Resolution herein by
18 reference. A copy of said resolution is on file with the Clerk of the Board of Supervisors in File
19 No. 090420.

20 (b) This Board of Supervisors finds that this Ordinance is consistent with the General
21 Plan Priorities of Section 101.1(b) of the Planning Code for the reasons set forth in Planning
22 Commission Resolution No. 17883 and incorporates said Resolution herein by reference. A
23 copy of said resolution is on file with the Clerk of the Board of Supervisors in File No. 090420

24 (c) Environmental Findings. The Planning Department has determined that the actions
25 contemplated in this Ordinance are in compliance with the California Environmental Quality
Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file

Supervisor Maxwell
BOARD OF SUPERVISORS

1 with the Clerk of the Board of Supervisors in File No. 090420 and is incorporated herein by
2 reference.

3 Section 2. The San Francisco Planning Code is hereby amended by amending Section
4 249.42 to read as follows:

5 SEC. 249.42 INDIA BASIN INDUSTRIAL PARK SPECIAL USE DISTRICT

6 In order to provide continued enhancement and protection of certain retail, office, and
7 social service uses in the India Basin Industrial Park area, and to generally retain setback
8 requirements previously required under the India Basin Industrial Park Redevelopment Plan,
9 there shall be an India Basin Industrial Park Special Use District, the boundaries of which are
10 shown on Sectional Map 8SU and 10SU of the Zoning Map. The following provisions shall
11 apply within this Special Use District:

12 (a) Parcels in close proximity to Third Street. Parcels numbers 5203/035, 5203/043,
13 5203/083, 5203/084, 5235/012, 5235/015, 5242/001, 5242/002, 5242/007 and 5242/031, are
14 subject to the provisions of the PDR-2 District except as provided below:

15 1. Office Uses. Office uses within the meaning of Section 219 shall not be subject
16 to the use size limits for office uses in the PDR-2 District set forth in Section 219 and the non-
17 residential use size limits in the PDR-2 District set forth in Section 121.8, however, a new or
18 expanded office use is not permitted if the total amount of office use on one of the parcels
19 designated above would exceed 50,000 gross square feet.

20 2. Retail uses. Retail uses within the meaning of Section 218 shall not be subject
21 to the use size limits for retail uses in the PDR-2 District set forth in Section 218 and the non-
22 residential use size limits for the PDR-2 District set forth in Section 121.8, however, any
23 individual new or expanded retail use that contains a gross floor area greater than 5,999
24 square feet shall require Conditional Use authorization pursuant to Section 303 and must
25 comply with the criteria of Sections 121.2(a)(1) through (3).

1 3. Institutional uses. Social service facilities within the meaning of Section 217(d)
2 shall not be subject to the use-size limit for the PDR-2 District set forth in Section 217(d).
3 Child-care facilities within the meaning of Section 217(e) shall be principally permitted.

4 4. Off-Street Parking. The minimum off-street parking requirements set forth in Section
5 151 shall not apply. However, for the purpose of determining the maximum amount of parking allowed
6 as an accessory use under Section 204.5, the amount of parking required by this Code shall be the
7 amount set forth in Section 151.

8 (b) Front setbacks. All parcels within this Special Use District shall provide
9 landscaped front setbacks at depths and along frontages identified in this Subsection. The
10 intent is to maintain and reinforce existing landscaped front setbacks, including the
11 landscaped berms, India Basin Industrial Park signs, and tree hedges. Such setbacks shall
12 be completely and appropriately landscaped and shall remain unpaved and devoted to plant
13 material, excepting reasonable space necessary for ingress and egress to properties. Except
14 as set forth in this Subsection for corner properties, only those permitted obstructions
15 identified in Section 132(f) shall be permitted within such front setback. Corner properties with
16 frontage along more than one street identified below shall provide the required setback along
17 all applicable frontages with two exceptions: (1) the required setback along each frontage
18 may be reduced to the depth of the front setback of an existing building on an adjacent lot
19 along the same frontage, provided that the adjacent building occupies at least half of the width
20 of the adjacent lot, and (2) building elements may extend into portions of the required setback,
21 resulting in an irregular setback, provided that the total area of the resulting setback along
22 each frontage is at least equal to the total area of the setback that would otherwise be
23 required. The required front setbacks are as follows:

- 24 1. Third Street, east side, north of Burke Avenue, 10 feet.
25 2. Third Street, east side, south of Burke Avenue, 15 feet.

- 1 3. Evans Avenue, north side, 15 feet.
- 2 4. Evans Avenue, south side between Third Street and Mendell Street, 15 feet.
- 3 5. Cargo Way, south side, 15 feet.

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

By: *Elaine C. Warren*
ELAINE C. WARREN
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: 090420

Date Passed:

Ordinance amending the San Francisco Planning Code by amending Section 249.42 to exempt the India Basin Industrial Park Special Use District from minimum off-street parking requirements; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

June 16, 2009 Board of Supervisors — PASSED ON FIRST READING

Ayes: 9 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell, Mirkarimi

Absent: 1 - Alioto-Pier

Excused: 1 - Elsbernd

June 23, 2009 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090420

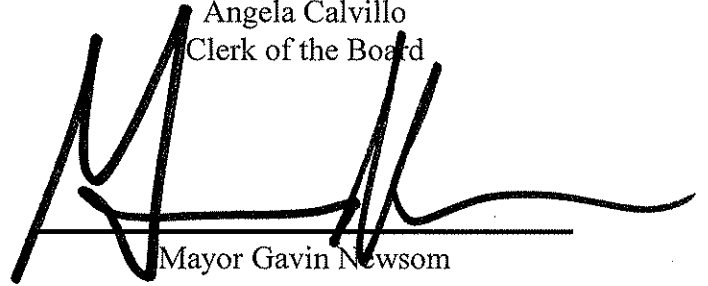
I hereby certify that the foregoing Ordinance was **FINALLY PASSED** on June 23, 2009 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board

7-2-09

Date Approved



Mayor Gavin Newsom