

1 [Planning Code - Japantown Special Use District Provisions]

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3 **Ordinance amending the San Francisco Planning Code Section 249.31 to: 1) prohibit a**
 4 **Medical Service Use or a Business or Professional Service Use on the Ground Floor in**
 5 **the Area Zoned NC-2 in the Japantown Special Use District; and 2) making**
 6 **environmental findings, Planning Code Section 302 findings, and findings of**
 7 **consistency with the General Plan and the Priority Policies of Planning Code Section**
 8 **101.1.**

9 NOTE: Additions are *single-underline italics Times New Roman*;
 10 deletions are ~~*strike-through italics Times New Roman*~~.
 11 Board amendment additions are double-underlined;
 Board amendment deletions are ~~strike through normal~~.

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

13 Section 1. Findings.

14 (a) The Planning Department has determined that the actions contemplated in this
 15 ordinance comply with the California Environmental Quality Act (California Public Resources
 16 Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of
 17 Supervisors in File No. _____ and is incorporated herein by reference.

18 (b) Pursuant to Planning Code Section 302, this Board finds that these Planning Code
 19 amendments will serve the public necessity, convenience, and welfare for the reasons set
 20 forth in Planning Commission Resolution No. _____ and the Board incorporates such
 21 reasons herein by reference. A copy of Planning Commission Resolution No. _____ is
 22 on file with the Board of Supervisors in File No. _____.

23 (c) This Board finds that these Planning Code amendments are consistent with the
 24 General Plan and with the Priority Policies of Planning Code Section 101.1 for the reasons set
 25

1 forth in Planning Commission Resolution No. _____ and the Board hereby
2 incorporates such reasons herein by reference.

3
4 Section 2. The San Francisco Planning Code is hereby amended by amending Section
5 249.31, to read as follows:

6 **SEC. 249.31. JAPANTOWN SPECIAL USE DISTRICT.**

7 A Special Use District entitled "Japantown Special Use District," the boundaries of
8 which are shown on Sectional Map 2SU of the Zoning Map of the City and County of San
9 Francisco is hereby established for the purposes set forth below.

10 (a) **Purposes.** In order to maintain the cultural and historic integrity and neighborhood
11 character of Japantown, the Japantown Special Use District is established to:

12 (1) Preserve and develop Japantown as a viable neighborhood by revitalizing its
13 commercial, recreational, cultural, and spiritual identity as a local, regional, statewide,
14 national, and international resource;

15 (2) Enhance the distinctive image and unique character of Japantown to passing
16 motorists, transit riders, and pedestrians through architectural design, streetscape
17 enhancements, signage, and other elements of the built environment;

18 (3) Strengthen and support Japantown's identity through recognition of its planning
19 subdistricts including the Geary Boulevard corridor; Japantown Center; Post Street
20 commercial core; Sutter Street community/cultural core; Buchanan Mall; Fillmore Street
21 corridor; and surrounding residential districts; and

22 (4) Encourage the representational expression of Japanese architectural design and
23 aesthetic for commercial, cultural, and institutional uses.

24 (b) **Controls.** The following provisions, in addition to all other applicable provisions of
25 the Planning Code, shall apply within such Special Use District:

1 (1) **Conditional Use Authorization.** The following activities, if not otherwise
2 prohibited, shall require conditional use authorization from the Planning Commission pursuant
3 to Section 303.

4 (i) **Use Size.** The establishment of a new use or any change in use in excess of 4,000
5 gross square feet.

6 (ii) **Merger.** The merger of one or more existing uses into a use in excess of 2,500
7 gross square feet.

8 (iii) **Formula Retail.** The establishment of any formula retail use, as defined in Section
9 703.3(b).

10 (2) **Additional Conditional Use Findings.** For any use subject to conditional use
11 authorization and for any activity that the Planning Commission considers under its
12 discretionary review power, the Planning Commission shall make the following additional
13 findings:

14 (i) The use is not incompatible with the cultural and historic integrity, neighborhood
15 character, development pattern, and design aesthetic of the Special Use District; and

16 (ii) The use supports one or more of the purposes for establishing the Japantown
17 Special Use District.

18 (3) **Prohibited Uses.** *The following uses are prohibited on the ground floor in the area zoned*
19 *NC-2:*

20 (i) *a Medical Service, as defined in Section 790.114 of this Code; or*

21 (ii) *a Business or Professional Service, as defined in Section 790.108 of this Code.*

22 (3) (4) **Notice.** Any change in use or establishment of a new use in the neighborhood
23 commercial zones within this Special Use District shall require notice. Such notice shall conform
24 to the standards and procedures of ~~pursuant to s~~ Section 312 of this Code and shall include the
25 following:

1 (i) **Posted Notice.** Posted notice shall be in locations that the Zoning Administrator
2 designates. Said locations shall be easily visible to members of the public and shall be
3 posted, at a minimum, on Geary Boulevard, Post Street, and Webster Street, Fillmore Street,
4 or Laguna Street.

5
6 Section 3. Effective Date. This ordinance shall become effective 30 days from the
7 date of passage.

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

10 By: _____
11 JUDITH A. BOYAJIAN
12 Deputy City Attorney