

**Amendment of the Whole  
December 6, 2006.**

FILE NO. 061493

RESOLUTION NO.

1 [Interim Zoning Requiring Conditional Use Authorization for Change in Use or Reduction of  
2 15,000 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 **15,000 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.**

8  
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 on 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 15,000 square feet or more to another use during the next eighteen  
20 (18) 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  
25

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 15,000 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"];  
16

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, if replacement recreational space is provided, the Planning  
24 Commission shall consider the extent to which such recreational space is of like-kind to that lost or  
25 replaced; and, be it

1            FURTHER RESOLVED, if replacement recreational space is provided, the Planning  
2            Commission may consider the extent to which any public or non-member access to the  
3            recreational space that existed in the prior project is maintained in the proposed project; and,  
4            be it

5            FURTHER RESOLVED, That for purposes of these interim controls, any project that  
6            includes as part of the project, a one-for-one *like-kind* replacement of each square foot of  
7            recreational space demolished with a new recreational space on-site, shall not require a  
8            conditional use authorization for purposes of this Resolution, unless a conditional use is  
9            otherwise required for the project; and be it

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

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

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20  
21           APPROVED AS TO FORM:  
22           DENNIS J. HERRERA, City Attorney

23           By: \_\_\_\_\_  
24           Susan Cleveland-Knowles  
25           Deputy City Attorney