

1 [Adopting the Planning Department's Report on Interim Zoning Prohibition on Commercial  
2 Mergers - Proposed Calle 24 Special Use District]

3 **Motion adopting the Planning Department's report on the interim zoning prohibition on**  
4 **commercial storefront mergers of greater than 799 gross square feet in the proposed**  
5 **Calle 24 Special Use District, which generally includes all lots bounded by 22nd Street,**  
6 **Potrero Avenue, Cesar Chavez Street, Capp Street, and both sides of 24th Street from**  
7 **Capp Street to Bartlett Street, as well as certain additional adjacent lots.**

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9 WHEREAS, On July 28, 2015, the Board of Supervisors adopted Ordinance No. 133-  
10 15, imposing a 45-day prohibition on any merger of groundfloor commercial use space where  
11 the merger would result in groundfloor commercial use space greater than 799 gross square  
12 feet in the proposed Calle 24 Special Use District, which generally includes all lots bounded  
13 by 22nd Street, Potrero Avenue, Cesar Chavez Street, Capp Street, and both sides of 24th  
14 Street from Capp Street to Bartlett Street, as well as certain additional adjacent lots, subject to  
15 specified exemptions, in order to provide time for the City to determine if permanent zoning  
16 changes could be formulated that minimize the disruption associated with such mergers; a  
17 copy of this ordinance is on file with the Clerk of the Board in File No. 150584 and is available  
18 on the Board's website; and

19 WHEREAS, This ordinance and the State law on the adoption of interim moratoria,  
20 California Government Code, Sections 65858 et seq., require the Board of Supervisors to  
21 adopt a written report describing the measures taken to alleviate the conditions that led to the  
22 adoption of the ordinance; and,

23 WHEREAS, The Planning Department prepared such a report and submitted it to the  
24 Clerk of the Board of Supervisors on August 17, 2015, for the Board's consideration; a copy of  
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1 said report is on file with the Clerk of the Board of Supervisors in File No. 150584 and was  
2 adopted by this Board as its own by Motion No. M15-155 on October 6, 2015; and

3 WHEREAS, On November 3, 2015, the Board of Supervisors adopted Ordinance No.  
4 199-15, extending for an additional 10 months and 15 days this prohibition on the merger of  
5 groundfloor commercial use space in the proposed Calle 24 Special Use District, in order to  
6 provide additional time for the City to determine if permanent zoning changes could be  
7 formulated that minimize the disruption associated with such mergers; a copy of this  
8 ordinance is on file with the Clerk of the Board in File No. 150972 and is available on the  
9 Board's website; and

10 WHEREAS, This ordinance and the State law on the adoption of interim moratoria,  
11 California Government Code, Sections 65858 et seq., require the Board of Supervisors to  
12 adopt a second written report describing the measures taken to alleviate the conditions that  
13 led to the adoption of the ordinance; and,

14 WHEREAS, The Planning Department prepared such a report and submitted it to the  
15 Clerk of the Board of Supervisors on June 21, 2016, for the Board's consideration; a copy of  
16 said report is on file with the Clerk of the Board of Supervisors in File No. 150972 and is  
17 incorporated herein by reference;

18 WHEREAS, On September 13, 2016, the Board of Supervisors adopted Ordinance No.  
19 182-16, extending for an additional 12 months this prohibition on the merger of groundfloor  
20 commercial use space in the proposed Calle 24 Special Use District, in order to provide  
21 additional time for the City to determine if permanent zoning changes could be formulated that  
22 minimize the disruption associated with such mergers; a copy of this ordinance is on file with  
23 the Clerk of the Board in File No. 160788 and is available on the Board's website; and

24 WHEREAS, This ordinance and the State law on the adoption of interim moratoria,  
25 California Government Code, Sections 65858 et seq., require the Board of Supervisors to

1 adopt a third written report describing the measures taken to alleviate the conditions that led  
2 to the adoption of the ordinance; and,

3 WHEREAS, The Planning Department prepared such a report and submitted it to the  
4 Clerk of the Board of Supervisors on June 21, 2017, for the Board's consideration; a copy of  
5 said report is on file with the Clerk of the Board of Supervisors in File No. 160788 and is  
6 incorporated herein by reference; now, therefore, be it

7 MOVED, That the Board of Supervisors adopts the June 21, 2017, Planning  
8 Department report on the proposed Calle 24 Special Use District area interim prohibition as its  
9 own.