

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

May 12, 2021

Planning Commission
Attn: Jonas Ionin
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Commissioners:

On May 4, 2021, Supervisor Walton introduced the following legislation:

File No. 210497

Ordinance amending the Planning Code and Zoning Map to eliminate the Life Science and Medical Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

The proposed ordinance is being transmitted for review. The ordinance is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

c: Rich Hillis, Director
Scott Sanchez, Deputy Zoning Administrator
Corey Teague, Zoning Administrator
Lisa Gibson, Environmental Review Officer
Devyani Jain, Deputy Environmental Review Officer
Adam Varat, Acting Director of Citywide Planning
AnMarie Rodgers, Legislative Affairs
Dan Sider, Director of Executive Programs
Aaron Starr, Manager of Legislative Affairs
Joy Navarrete, Environmental Planning

1 [Planning Code and Zoning Map - Delete Life Science and Medical Special Use District]

2

3 **Ordinance amending the Planning Code and Zoning Map to eliminate the Life Science**
 4 **and Medical Special Use District; affirming the Planning Department’s determination**
 5 **under the California Environmental Quality Act; making findings of consistency with**
 6 **the General Plan, and the eight priority policies of Planning Code, Section 101.1; and**
 7 **adopting findings of public necessity, convenience, and welfare under Planning Code,**
 8 **Section 302.**

9

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
 10 **Additions to Codes** are in *single-underline italics Times New Roman font*.
 11 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
 12 **Board amendment additions** are in double-underlined Arial font.
 13 **Board amendment deletions** are in ~~strikethrough Arial font~~.
 14 **Asterisks (* * * *)** indicate the omission of unchanged Code
 15 subsections or parts of tables.

13

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

15

16 Section 1. Findings.

17

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

22

(b) On _____, 2021, the Planning Commission, in Resolution No. _____, adopted
 23 findings that the actions contemplated in this ordinance are consistent, on balance, with the
 24 City’s General Plan and eight priority policies of Planning Code Section 101.1. The Board
 25

1 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
2 Board of Supervisors in File No. _____, and is incorporated herein by reference.

3 (c) This Board finds that this ordinance will serve the public necessity, convenience,
4 and welfare, pursuant to Planning Code Section 302, for the reasons set forth in Planning
5 Commission Resolution No. _____ and the Board incorporates such reasons herein by
6 reference. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in
7 File No. _____.

8 (d) The Life Science and Medical Special Use District does not serve the
9 neighborhood and is not consistent with the policy of the Eastern Neighborhoods Plan,
10 specifically Policy 1.1.5, to create a buffer around the Dogpatch Neighborhood to protect
11 against encroachment of larger office and life science research uses. There are office and life
12 science uses that have located in this Special Use District that do not serve or contribute in a
13 positive way to the neighborhood. These businesses also locate in spaces that may
14 otherwise be available as PDR and maker spaces, resulting in a less diverse set of uses in an
15 eclectic and vibrant community that has included car repair, artists, fish mongers, metal
16 smiths, and yoga studios, to name a few. The neighborhood would like to encourage more
17 neighborhood-serving uses such as a grocery store, dry cleaner, or a pharmacy open to the
18 neighborhood. The Dogpatch community seeks to reduce the loss of its historical integrity
19 and the destruction of the character of the neighborhood. Uses related to the UCSF campus
20 nearby have displaced - and could continue to displace - some of the more diverse
21 businesses, opportunities for these uses, as well as housing opportunities, in this area.

22
23 Section 2. The Planning Code is hereby amended by deleting Section 249.36, as
24 follows:

25 ~~**SEC. 249.36. LIFE SCIENCE AND MEDICAL SPECIAL USE DISTRICT.**~~

1 ~~(a) Purpose. The Life Science and Medical Special Use District is intended to support uses~~
2 ~~that benefit from proximity to the University of California, San Francisco (UCSF) campus at Mission~~
3 ~~Bay. These uses include medical office and life science (biotechnology) uses.~~

4 ~~(b) Geography. The boundaries of the Life Science and Medical Special Use District are~~
5 ~~shown on Sectional Map No. 8SU of the Zoning Map. Generally, the area borders Mariposa St. on the~~
6 ~~north, 23rd St. on the south, I-280 to the west, and 3rd St. to the east. Within this area, the Dogpatch~~
7 ~~Historic District is generally excluded.~~

8 ~~(c) Controls. All provisions of the Planning Code currently applicable shall continue to apply,~~
9 ~~except as otherwise provided in this Section 249.36:~~

10 ~~—— (1) Medical Services. Medical services, including medical offices and clinics, as~~
11 ~~defined in Section 890.114, are a Principally Permitted Use and are exempted from use size limitations,~~
12 ~~PDR replacement requirements (Sec. 202.7), and vertical (floor-by-floor) zoning controls (Sec.~~
13 ~~803.9(f)). For the purposes of this Section, a medical service use may be affiliated with a hospital or~~
14 ~~medical center as defined in 890.44.~~

15 ~~—— (2) Life Science Offices. Office uses that contain Life Science facilities, as defined in~~
16 ~~Section 890.53, are a Principally Permitted Use and are exempted from use size limitations, PDR~~
17 ~~replacement requirements (Sec. 202.7), and vertical (floor-by-floor) zoning controls (Sec. 210.3C and~~
18 ~~803.9(f)).~~

19 ~~—— (3) Life Science Laboratories. Laboratories that engage in life science research and~~
20 ~~development, as defined in Section 890.52, are a Principally Permitted Use and are exempted from use~~
21 ~~size limitations, PDR replacement requirements (Sec. 202.7), and vertical (floor-by-floor) zoning~~
22 ~~controls (Sec. 210.3C and 803.9(f)).~~

23
24 Section 2. The San Francisco Zoning Map, Sheet SU 08, is hereby amended by
25 deleting the “Life Science and Medical SUD” from Zoning Map Sheet SU 08.

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Section 3. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor’s veto of the ordinance.

Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the “Note” that appears under the official title of the ordinance.

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

By: /s/ _____
KATE H. STACY
Deputy City Attorney

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LEGISLATIVE DIGEST

[Planning Code and Zoning Map - Delete Life Science and Medical Special Use District]

Ordinance amending the Planning Code and Zoning Map to eliminate the Life Science and Medical Special Use District; and affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Existing Law

The Planning Code, Section 249.36, established the Life Science and Medical Special Use District, to allow medical services, life science laboratories, and life science offices as principally permitted uses in this Special Use District. Section 249.36 also exempts these uses from Production, Distribution and Repair (PDR) replacement requirements, use size limitations and vertical zoning controls.

Amendments to Current Law

The proposed legislation deletes this Section 249.36, which would eliminate the exemptions from PDR replacement requirements, use size limitations and vertical controls. The medical services, life science laboratories, and life science office uses would be subject to the underlying zoning in the area, which is zoned Urban Mixed Use (UMU) for most of the area, and a small portion is zoned PDR-1-G.

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Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor inquiries"
- 5. City Attorney Request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Walton

Subject:

Planning Code and Zoning Map – Delete Life Science and Medical Special Use District

The text is listed:

Ordinance amending the Planning Code and Zoning Map to eliminate the Life Science and Medical Special Use District; and affirming the Planning Department’s determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Signature of Sponsoring Supervisor: /s/ Shamann Walton