

BOARD of SUPERVISORS




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MEMORANDUM

Date: November 30, 2022

To: Joaquín Torres, Assessor-Recorder, Office of the Assessor-Recorder

From:  Angela Calvillo, Clerk of the Board, Office of the Clerk of the Board

Subject: Planning Code, Zoning Map - Production, Distribution, and Repair Uses
(File No. 220041)

On October 18, 2022, the Board of Supervisors finally passed Ordinance No. 215-22, sponsored by Supervisor Walton and approved by Mayor London N. Breed on October 28, 2022.

A copy of the Ordinance is being forwarded to you, pursuant to Administrative Code, Section 34.1.

If you have any questions or concerns, please contact Erica Major, Assistant Clerk, at (415) 554-4441 or by email at: Erica.Major@sfgov.org.

c: Kurt Fuchs, Office of the Assessor-Recorder
Holly Lung, Office of the Assessor-Recorder

1 [Planning Code, Zoning Map - Production, Distribution, and Repair Uses]

2
3 **Ordinance amending the Planning Code and Zoning Map to eliminate the Industrial**
4 **Protection Zone Special Use District, and allow Social Service or Philanthropic**
5 **Facilities Uses greater than 5,000 gross square feet subject to a conditional use**
6 **authorization in PDR-2 districts; allowing Self Storage in PDR-2 Districts, subject to**
7 **certain conditions; affirming the Planning Department’s determination under the**
8 **California Environmental Quality Act; making findings of consistency with the General**
9 **Plan, and the eight priority policies of Planning Code, Section 101.1; and making**
10 **findings of public necessity, convenience, and welfare pursuant to Planning Code,**
11 **Section 302.**

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

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

19 Section 1. Land Use and Environmental Findings.

20 (a) The Planning Department has determined that the actions contemplated in this
21 ordinance comply with the California Environmental Quality Act (California Public Resources
22 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
23 Supervisors in File No. 220041 and is incorporated herein by reference. The Board affirms
24 this determination.
25

1 (b) On March 24, 2022, the Planning Commission, in Resolution No. 21088,
2 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
3 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The
4 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of
5 the Board of Supervisors in File No. 220041, and is incorporated herein by reference.

6 (c) Pursuant to Planning Code Section 302, the Board of Supervisors find that this
7 ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in
8 Planning Commission Resolution No. 21088, and incorporates such reasons by this reference
9 thereto. A copy of said resolution is on file with the Clerk of the Board of Supervisors in File
10 No. 220041.

11
12 Section 2. General Findings.

13 (a) The Industrial Protection Zone Special Use District (IPZ) was created in 2001 to
14 protect M-1 and M-2 industrial areas from the economic pressure of higher-rent uses like
15 residential, retail, and office. The IPZ is premised upon Manufacturing (M-1 and M-2) zoning,
16 and is predominantly located in the Bayshore and Bayview neighborhoods.

17 (b) The IPZ was intended to be removed when stronger Production, Distribution,
18 and Repair (PDR) zoning controls generally replaced M-1 and M-2 zoning in 2008. However,
19 the IPZ still remains and continues to refer to the outdated M-1 and M-2 zoning. This causes
20 undue confusion, and undermines the PDR-2 controls that apply to neighborhoods located in
21 the IPZ.

22 (c) Under the M-1 and M-2 zoning, self-storage, big box retail, or heavy industrial
23 uses are permitted in areas that are more appropriately characterized as PDR, which would
24 not allow those uses.

1 (d) It is in the public interest to amend the zoning controls, and delete the IPZ to
2 better support San Francisco's PDR businesses.

3 (e) Social services and philanthropic facilities that conduct activities of a charitable
4 or public service nature that inherently involve PDR space or activities (e.g., distribution,
5 warehousing) may require locating their general operations or offices near such PDR spaces
6 or facilities.

7
8 Section 3. Article 2 of the Planning Code is hereby amended by deleting Section
9 249.22 in its entirety, as follows:

10 ~~**SEC. 249.22. INDUSTRIAL PROTECTION ZONE SPECIAL USE DISTRICT.**~~

11 ~~*—A Special Use District entitled the "Industrial Protection Zone Special Use District," the*~~
12 ~~*boundaries of which are shown on the Zoning Maps 8 and 10, is hereby established for the purposes set*~~
13 ~~*forth below. The following provisions shall apply within the Industrial Protection Zone Special Use*~~
14 ~~*District:*~~

15 ~~*—(a) Purposes. In order to protect and preserve production, distribution and repair land uses*~~
16 ~~*and activities from competing higher priced land uses and activities an Industrial Protection Zone*~~
17 ~~*Special Use District zoning is established that:*~~

18 ~~*—(1) Will enhance commercial and industrial land use diversity in San Francisco;*~~

19 ~~*—(2) Will be geographically close to other San Francisco land uses that require the goods*~~
20 ~~*and services provided by industrial land uses in the City;*~~

21 ~~*—(3) Will be conveniently served by street and highway systems and San Francisco Port*~~
22 ~~*related waterfront access.*~~

23 ~~*—(b) Controls.*~~

24 ~~*—(1) General. The provisions of the M 1 and M 2 use districts established by Section 201 of*~~
25 ~~*this Code shall prevail except as provided in paragraphs (2) and (3) below.*~~

1 — ~~(2) Housing. In recognition of the need to preserve and protect production, distribution~~
2 ~~and repair land uses and facilities from competition from housing development, no residential or~~
3 ~~live/work development or conversion to such uses shall be allowed in the Industrial Protection Zone~~
4 ~~Special Use District.~~

5 — ~~(3) Office. In recognition of the need to preserve and protect production, distribution and~~
6 ~~repair land uses and facilities from competition from office development, no new office development or~~
7 ~~conversion to office shall be allowed in the Industrial Protection Zone Special Use District except~~
8 ~~where such office space is determined to be accessory to a permitted industrial use.~~

9
10 Section 4. Article 2 of the Planning Code is hereby amended by revising Section
11 210.3, to read as follows:

12 **SEC. 210.3. PDR DISTRICTS.**

13 * * * *

14 **Table 210.3**

15 **ZONING CONTROL TABLE FOR PDR DISTRICTS**

Zoning Category	§ References	PDR-1-B	PDR-1-D	PDR-1-G	PDR-2
* * * *					
NON-RESIDENTIAL STANDARDS AND USES					
* * * *					
<i>Institutional Use Category</i>					
* * * *					
Social Service or Philanthropic Facility	§ 102	P (5)	P (8)	P (8)	P (5) (8)
* * * *					
<i>Sales and Service Category</i>					

Retail Sales and Service Uses*					
<u>* * * *</u>					
Storage, Self	§ 102	NP	NP	NP	NP(22)

(5) NP above 5,000 Gross Square Feet.

* * * *

(8) ~~C if above 5,000 Gross Square Feet, provided that any Social Service and Philanthropic Facility Use greater than 5,000 Gross Square Feet that submitted a development application on or before December 31, 2021 shall be Principally Permitted. This exception for Social Service and Philanthropic Facilities Uses greater than 5,000 Gross Square Feet in this note (8) shall expire by operation of law on December 31, 2026, unless the City enacts an ordinance with an effective date on or before that date that extends or re-enacts this exception. Any authorizations granted under this exception for Social Service and Philanthropic Facility Uses greater than 5,000 Gross Square Feet shall be valid for such period of time as the conditions of approval of such authorization provide, notwithstanding the expiration of this exception. Following the expiration of this exception, the City Attorney shall cause this exception to be removed from note (8), which will henceforth denote that Uses greater than 5,000 Gross Square Feet are permitted subject to a Conditional Use Authorization.~~

* * * *

(22) NP except that any Self Storage use that submitted a development application on or before December 31, 2021 shall be is Principally Permitted, and is exempt from the retail limits of Section 210.3A, provided that no less than 50% of the parcel area consists of ground floor Industrial, Agricultural, Automotive Repair, Catering, Trade Shop, Institutional Community use, or Arts Activities uses the Self Storage use also includes at least 0.8 Floor

1 Area Ratio of ground floor PDR uses, on any lot in the Eastern Neighborhoods Plan Area that
2 was in an M-2 District on October 31, 2019 and was rezoned to a PDR-2 District by the
3 ordinance in Board File No. 200852. This note shall expire by operation of law on December
4 31, 2026 ~~June 1, 2030~~, unless the Board of Supervisors, on or before that date, extends or re-
5 ~~enacts it~~ City enacts an ordinance with an effective date on or before that date that extends or
6 re-enacts this note, provided that any authorization granted hereunder shall be valid for such
7 period of time as the conditions of approval of such authorization provides, notwithstanding
8 the expiration of this ~~note~~ section. Following the expiration of this ~~note~~ section, the City
9 Attorney shall cause this ~~note~~ Section to be removed from the Municipal Code.

10 * * * *

11
12 Section 5. The San Francisco Zoning Map is hereby amended by deleting the
13 “Industrial Protection Zone Special Use District” from Zoning Map Sheets SU 08, SU 10 and
14 SU 11.

15
16 Section 6. Effective Date. This ordinance shall become effective 30 days after
17 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
18 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
19 of Supervisors overrides the Mayor’s veto of the ordinance.

20
21 Section 7. Scope of Ordinance. Except as stated in Section 5 of this ordinance
22 regarding amendment of the Zoning Map, in enacting this ordinance, the Board of Supervisors
23 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
24 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
25 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment

1 additions, and Board amendment deletions in accordance with the "Note" that appears under
2 the official title of the ordinance.

3

4 APPROVED AS TO FORM:
5 DAVID CHIU, City Attorney

6 By: /s/ Austin Yang
7 AUSTIN M. YANG
8 Deputy City Attorney

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City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 220041

Date Passed: October 18, 2022

Ordinance amending the Planning Code and Zoning Map to eliminate the Industrial Protection Zone Special Use District, and allow Social Service or Philanthropic Facilities Uses greater than 5,000 gross square feet subject to a conditional use authorization in PDR-2 districts; allowing Self Storage in PDR-2 Districts, subject to certain conditions; 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 making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

September 12, 2022 Land Use and Transportation Committee - CONTINUED

September 19, 2022 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

September 19, 2022 Land Use and Transportation Committee - RECOMMENDED AS AMENDED

September 27, 2022 Board of Supervisors - PASSED ON FIRST READING

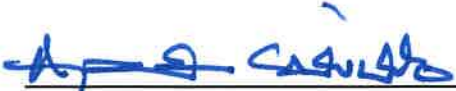
Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

October 18, 2022 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 220041

I hereby certify that the foregoing
Ordinance was FINALLY PASSED on
10/18/2022 by the Board of Supervisors of
the City and County of San Francisco.



Angela Calvillo
Clerk of the Board



London N. Breed
Mayor

10/28/22

Date Approved