

1 [Interim Zoning Controls - Six-Month Extension of Interim Controls in the Upper Market Street
2 Neighborhood Commercial Transit District]

3 **Resolution extending for an additional six-month period interim controls that require**
4 **Conditional Use authorization for Limited Financial Service and Business or**
5 **Professional Service uses in the Upper Market Neighborhood Commercial Transit**
6 **District; affirming the Planning Department’s California Environmental Quality Act**
7 **determination; and making findings of consistency with the General Plan, and with the**
8 **eight priority policies of Planning Code, Section 101.1.**

9
10 WHEREAS, Planning Code Section 306.7 provides for the imposition of interim zoning
11 controls that promote the public interest, including but not limited to development and
12 conservation of the City’s commerce and industry to maintain the City’s economic vitality and
13 maintain adequate services for its residents, visitors, businesses and institutions; and the
14 preservation of neighborhoods and areas of mixed residential and commercial uses and their
15 existing character; and

16 WHEREAS, Planning Code Section 306.7(h) authorizes imposition of interim controls
17 for a period of 18 months, which may be extended by the body imposing the controls for an
18 additional six months; and

19 WHEREAS, On July 16, 2013, the Board of Supervisors adopted Resolution No. 254-
20 13, which imposed interim controls for an 18-month period requiring Conditional Use
21 authorization for Limited Financial Service and Business or Professional Service uses in the
22 Upper Market Neighborhood Commercial Transit District for the reasons set forth in
23 Resolution No. 254-13; and

1 WHEREAS, It is necessary to extend the interim controls in the Upper Market
2 Neighborhood Commercial Transit District for an additional six-month period to allow time for
3 permanent legislation to be enacted; and

4 WHEREAS, The Planning Department has determined that the actions contemplated in
5 this Resolution are in compliance with the California Environmental Quality Act (California
6 Public Resources Code sections 21000 et seq.). The Board of Supervisors hereby affirms that
7 determination. Said determination is on file with the Clerk of the Board of Supervisors in File
8 No. _____ and is incorporated herein by reference; now, therefore, be it

9 RESOLVED, That pursuant to Planning Code Section 306.7, the Board of Supervisors
10 hereby extends for an additional six-month period the interim controls imposed by Resolution
11 No. 254-13; and be it

12 FURTHER RESOLVED, That, as required by said interim controls, a Conditional Use
13 authorization under Planning Code Section 303 is required to establish a Limited Financial
14 Service, as defined by Planning Code Section 790.112, or a Business or Professional Service,
15 as defined by Planning Code Section 790.108, for all parcels located within the Upper Market
16 Neighborhood Commercial Transit District.

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

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21 By: _____
22 JUDITH A. BOYAJIAN
23 Deputy City Attorney

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