

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

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3 **Resolution extending, for an additional six-month period, interim zoning controls**
4 **requiring conditional use authorization for limited financial service and business or**
5 **professional service uses in the Upper Market Neighborhood Commercial Transit**
6 **District; and affirming the Planning Department's California Environmental Quality Act**
7 **determination.**

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

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

18 WHEREAS, On July 16, 2013, the Board of Supervisors adopted Resolution No. 254-
19 13, which was signed by the Mayor on July 25, 2013; and

20 WHEREAS, Resolution No. 254-13 imposed interim controls for an 18-month period
21 that required Conditional Use authorization for Limited Financial Service and Business or
22 Professional Service uses in the Upper Market Neighborhood Commercial Transit District for
23 the reasons set forth in said Resolution; and

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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
7 that determination. Said determination is on file with the Clerk of the Board of Supervisors in
8 File 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 the interim controls imposed by Resolution No. 254-13 for an additional six-
11 month period that begins on January 25, 2015, or until permanent controls are enacted,
12 whichever shall first occur; and, be it

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

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

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

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