



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution 19497

HEARING DATE: OCTOBER 22, 2015

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Project Name: Planning Code and Zoning Map Amendments relating to creation of a Japantown Neighborhood Commercial District
Case Number: 2013.0735TZ
Initiated by: Planning Department
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Reviewed by: Joshua Switzky, Manager of Community Planning
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Recommendation: **Recommend Approval**

RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO ESTABLISH THE JAPANTOWN NEIGHBORHOOD COMMERCIAL DISTRICT FOR THE AREA BETWEEN GEARY BOULEVARD AND POST STREET FROM FILLMORE STREET TO LAGUNA STREET, THE NORTH SIDE OF POST STREET FROM WEBSTER STREET TO LAGUNA STREET, AND BUCHANAN STREET FROM POST STREET TO MID-WAY BETWEEN SUTTER STREET AND BUSH STREET, REVISE VARIOUS PLANNING CODE SECTIONS TO MAKE CONFORMING AND OTHER TECHNICAL CHANGES, REVISE THE ZONING MAP TO ADD THE JAPANTOWN NCD, 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.

PREAMBLE

WHEREAS, on September 19, 2013 the Planning Commission has adopted Resolution No. 18965 in support of the Japantown Cultural Heritage and Economic Sustainability Strategy (JCHES); and

WHEREAS, the JCHES includes a number of recommendations intended to fulfill the vision that Japantown will thrive as a culturally rich, authentic, and economically vibrant neighborhood, which will serve as the cultural heart of the Japanese and Japanese American communities for generations to come; and

WHEREAS, one of the recommendations of the JCHES is to create a Japantown Neighborhood Commercial District (NCD) to help reflect the particular characteristics of the neighborhood and community goals; and

WHEREAS, staff has drafted an ordinance amending the Planning Code to create the proposed Japantown NCD ("the Ordinance"), created in collaboration with the Japantown community and as a first step in fulfilling the recommendation and vision of the JCHES; and

WHEREAS, the proposed Japantown NCD controls are designed to encourage and promote development that enhances the walkable, commercial character of this area and to support its local and regional role. New commercial development is required on the ground floor and permitted above. Most neighborhood- and visitor-serving businesses are strongly encouraged, including eating, drinking, and retail uses. Less active commercial uses are encouraged above the ground floor, along with housing and institutional uses; and

WHEREAS, the Planning Department (hereinafter "Department"), determined that the Project is not subject to CEQA, per the General Rule Exclusion (State CEQA Guidelines, Section 15061(b)(3)) that state states that CEQA applies only to projects that have the potential to cause a significant effect on the environment; and

WHEREAS, the Planning Commission (hereinafter "Commission"), after a duly noticed public hearing at a regularly scheduled meeting as required by Planning Code Section 302(b), initiated the Ordinance through Resolution 18966 on September 19, 2013; and

WHEREAS, the Commission has reviewed the proposed Ordinance, and heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all the pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and now therefore be it:

RESOLVED, that the Commission hereby recommends that the Board of Supervisors recommends approval of the proposed Ordinance, as amended to require the five foot bonus along the full retail street frontage for a minimum depth of 25 feet, and adopts the attached Resolution to that effect.

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

- Individually named neighborhood commercial districts help to preserve and enhance the character of a neighborhood and a sense of identity.
- The Japantown NCD has been contemplated for a number of years by the Japantown community, which is interested in tailoring the zoning of their commercial district in a way that is not possible with the current NC-2 and NC-3 zoning.
- The Commission supports the rezoning of the NC-2 and NC-3 zoning in Japantown to the Japantown NC District because the creation of a Japantown NCD is a recommendation of the Japantown Cultural Heritage and Economic Sustainability Strategy (JCHESS), whose policy recommendations were adopted by the Planning Commission, Historic Preservation Commission, and Board of Supervisors in September and October of 2013.

1. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

COMMERCE & INDUSTRY ELEMENT

THE COMMERCE AND INDUSTRY ELEMENT OF THE GENERAL PLAN SETS FORTH OBJECTIVES AND POLICIES THAT ADDRESS THE BROAD RANGE OF ECONOMIC ACTIVITIES, FACILITIES AND SUPPORT SYSTEMS THAT CONSTITUTE SAN FRANCISCO'S EMPLOYMENT AND SERVICE BASE.

OBJECTIVE 4

IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.

Policy 6.2

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to economic and technological innovation in the marketplace and society.

The proposed legislation would create an individually named Neighborhood Commercial Districts in Japantown, which helps to preserve and enhance the character of a neighborhood and create a sense of identity. The proposed changes will also allow these areas to more easily respond to economic and technological innovation in the marketplace and society.

Policy 6.6

Adopt specific zoning districts, which conform to a generalized neighborhood commercial land use and density plan.

The Ordinance involves the creation of a zoning district that conforms to the neighborhood commercial land use and density.

2. The proposed project is consistent with the eight General Plan priority policies set forth in Section 101.1 in that:
 - A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

The proposed Ordinance is intended to help preserve and enhance Japantown's neighborhood-serving retail uses. It will not have a negative impact on future opportunities for resident employment in and ownership of such businesses.

- B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

The proposed Ordinance is intended to conserve and protect the neighborhood character by preserving the cultural and economic diversity of the neighborhood.

- C) The City's supply of affordable housing will be preserved and enhanced:

The proposed Ordinance will have no adverse effect on the City's supply of affordable housing.

- D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

The proposed Ordinance will not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

The proposed Ordinance would not adversely affect the industrial or service sectors or future opportunities for resident employment or ownership in these sectors.

F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

Preparedness against injury and loss of life in an earthquake is unaffected by the proposed Ordinance. Any new construction or alteration associated with a use would be executed in compliance with all applicable construction and safety measures.

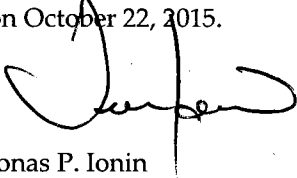
G) That landmark and historic buildings will be preserved:

Landmarks and historic buildings would be unaffected by the proposed Ordinance. Should a proposed use be located within a landmark or historic building, such site would be evaluated under typical Planning Code provisions and comprehensive Planning Department policies.

H) Parks and open space and their access to sunlight and vistas will be protected from development:

The City's parks and open space and their access to sunlight and vistas would be unaffected by the proposed Ordinance. It is not anticipated that permits would be such that sunlight access, to public or private property, would be adversely impacted.

I hereby certify that the foregoing Resolution was ADOPTED by the San Francisco Planning Commission on October 22, 2015.



Jonas P. Ionin
Commission Secretary

AYES: Fong, Antonini, Hillis, Johnson, Wu

NOES:

ABSENT: Moore, Richards