

BOARD of SUPERVISORS



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September 21, 2020

File No. 201060

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On September 15, 2020, Supervisor Ronen submitted the following legislation:

File No. 201060

Ordinance amending the Planning Code to allow Light Manufacturing and Wholesale Storage uses in the 24th Street-Mission Street Neighborhood Commercial Transit District, in specific circumstances; 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 findings of public necessity, convenience, and welfare under Planning Code, Section 302.

This legislation is being transmitted to you for environmental review.

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

Attachment

c: Joy Navarrete, Environmental Planning
Don Lewis, Environmental Planning

1 [Planning Code - Light Manufacturing and Wholesale Storage Uses in the 24th Street-Mission
2 Street Neighborhood Commercial Transit District]

3 **Ordinance amending the Planning Code to allow Light Manufacturing and Wholesale**
4 **Storage uses in the 24th Street-Mission Street Neighborhood Commercial Transit**
5 **District, in specific circumstances; affirming the Planning Department’s determination**
6 **under the California Environmental Quality Act, and making findings of consistency**
7 **with the General Plan, and the eight priority policies of Planning Code, Section 101.1,**
8 **and findings of public necessity, convenience, and welfare under Planning Code,**
9 **Section 302.**

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

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

18 Section 1. Findings.

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

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

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

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

8

9 Section 2. The Planning Code is hereby amended by revising Section 763, to read as
10 follows:

11 **SEC. 763. 24TH STREET – MISSION NEIGHBORHOOD COMMERCIAL TRANSIT**
12 **DISTRICT.**

13 The 24th Street – Mission Neighborhood Commercial Transit District is situated in the
14 Inner Mission District on 24th Street between Bartlett Street and San Bruno Avenue. This
15 mixed-use district provides convenience goods to its immediate neighborhood as well as
16 comparison shopping goods and services to a wider trade area. The street has a great
17 number of Latin American restaurants, grocery stores, and bakeries as well as other gift and
18 secondhand stores. Most commercial businesses are open during the day while the district's
19 bars and restaurants are also active in the evening. Dwelling Units are frequently located
20 above the ground-story commercial uses.

21 The 24th Street – Mission Neighborhood Commercial Transit District controls are
22 designed to provide potential for new development consistent with the existing scale and
23 character. Small-scale buildings and neighborhood-serving uses are encouraged, and rear
24 yard corridors above the ground story and at residential levels are protected. Most commercial
25 uses are encouraged at the ground story, while service uses are permitted with some

1 limitations at the second story. Special controls are necessary to preserve the unique mix of
 2 convenience and specialty commercial uses. In order to maintain convenience stores and
 3 protect adjacent livability, new bars are prohibited, and limitations apply to the development
 4 and operation of ground-story restaurants and entertainment uses. Continuous retail frontage
 5 along 24th Street is maintained and encouraged by prohibiting most automobile and drive-up
 6 uses, banning curb cuts, and requiring active, pedestrian-oriented ground floor uses. Parking
 7 is not required, and any new parking required to be set back or below ground.

8 Housing development in new buildings is encouraged above the ground story. Housing
 9 density is not controlled by the size of the lot but by requirements to supply a high percentage
 10 of larger units and by physical envelope controls. Existing housing units are protected by
 11 prohibitions on upper-story conversions and limitations on demolitions, mergers, and
 12 subdivisions. Given the area’s central location and accessibility to the City’s transit network,
 13 accessory parking for Residential Uses is not required.

14
 15 **Table 763. 24TH STREET – MISSION NEIGHBORHOOD COMMERCIAL TRANSIT**
 16 **DISTRICT**
 17 **ZONING CONTROL TABLE**

18 **Table 763. 24TH STREET – MISSION NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT**
 19 **ZONING CONTROL TABLE**

20 * * * *

Zoning Category	§ References	Controls		
* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
Industrial Use Category				
Industrial Uses	§§ <u>102</u> , <u>202.2(d)</u>	NP	NP	NP

<u>Light Manufacturing</u>	<u>§ 102</u>	<u>NP (7)</u>	<u>NP (7)</u>	<u>NP</u>
<u>Wholesale Storage</u>	<u>§ 102</u>	<u>NP (7)</u>	<u>NP (7)</u>	<u>NP</u>
Institutional Use Category				
* * * *				
<u>(7) Permitted within buildings where (1) the subject lot has no frontage on 24th Street and (2) the subject building was originally constructed for a Production, Distribution or Repair Use. The requirements of Section 145.1 shall not apply to a use permitted under this Section 763.</u>				

* Not listed below

* * * *

(7) Permitted within buildings where (1) the subject lot has no frontage on 24th Street and (2) the subject building was originally constructed for a Production, Distribution or Repair Use. The requirements of Section 145.1 shall not apply to a use permitted under this Section 763.

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.

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Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles,

1 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
2 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
3 additions, and Board amendment deletions in accordance with the “Note” that appears under
4 the official title of the ordinance.

5

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

8 By: /s/ Andrea Ruiz-Esquide
9 ANDREA RUIZ-ESQUIDE
Deputy City Attorney

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LEGISLATIVE DIGEST

[Planning Code - Light Manufacturing and Wholesale Storage Uses in the 24th Street - Mission Street Neighborhood Commercial Transit District]

Ordinance amending the Planning Code to allow Light Manufacturing and Wholesale Storage uses in the 24th Street - Mission Street Neighborhood Commercial Transit District, in specific circumstances; 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 findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Existing Law

The 24th Street - Mission Street Neighborhood Commercial Transit District is situated in the Inner Mission District on 24th Street between Bartlett Street and San Bruno Avenue. This mixed-use district provides convenience goods to its immediate neighborhood as well as comparison shopping goods and services to a wider trade area. The street has a great number of Latin American restaurants, grocery stores, and bakeries as well as other gift and secondhand stores. Most commercial businesses are open during the day while the district's bars and restaurants are also active in the evening. Dwelling Units are frequently located above the ground-story commercial uses. The District controls are designed to provide potential for new development consistent with the existing scale and character. Small-scale buildings and neighborhood-serving uses are encouraged, and rear yard corridors above the ground story and at residential levels are protected. Most commercial uses are encouraged at the ground story, while service uses are permitted with some limitations at the second story.

Amendments to Current Law

This ordinance would establish that Light Manufacturing and Wholesale Storage uses, as defined in the Planning Code, are not permitted in the Mission - 24th Street Neighborhood Commercial Transit District, with the exception of in buildings where (1) the subject lot has no frontage on 24th Street and (2) the subject building was originally constructed for a Production, Distribution or Repair Use. It further establishes that Section 145.1, regarding ground floor standards in industrial districts, shall not apply to a use permitted in this District.

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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):

Ronen

Subject:

[Planning Code – Light Manufacturing and Wholesale Storage Uses in the 24th Street - Mission Street Neighborhood Commercial Transit District]

The text is listed:

Ordinance amending the Planning Code to allow Light Manufacturing and Wholesale Storage uses in the 24th Street - Mission Street Neighborhood Commercial Transit District, in specific circumstances; 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 findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Signature of Sponsoring Supervisor: /s/ Hillary Ronen

For Clerk's Use Only