



# SAN FRANCISCO PLANNING DEPARTMENT

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## New Planning Code Summary: Mission 2016 Interim Zoning Controls

<b>Amended Sections:</b>	None, new interim controls established
<b>Case Number:</b>	2015-000988CWP
<b>Resolution #:</b>	19548
<b>Initiated by:</b>	Planning Commission
<b>Effective Date:</b>	January 14, 2016

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The interim controls stipulate that certain projects within the boundaries of the Mission Interim Controls areas (Exhibit A) require additional application information, analysis and staff review as detailed in the table below. Staff shall review the information provided by the applicant and provide an assessment of the information and the Commission shall consider the analysis where applicable for the underlying entitlement, either Conditional Use authorization or Large Project Authorization. The Commission also encouraged the Director to send staff to pre-application meetings especially for large projects, as staffing allows.

### The Way It Was:

Proposed projects in the Mission District were reviewed under Planning Code requirements. Some projects required a variety of land use entitlements and/or public hearing, while others could be approved administratively following public notification.

### The Way It Is Now:

**Boundaries:** Generally, 13<sup>th</sup> and Division Street to Mission Street, to Cesar Chavez Avenue, to Potrero Avenue and back to Division Street. The Mission Street boundary includes any parcel with a property line on either side of Mission Street. See Exhibit A.

**Exemptions:** The following project types are exempt from the Mission Interim Controls.

1. Projects that provide at least 33% or more units or equivalent through land dedication affordable to low and moderate income households.
2. Exclusive PDR uses **or** mixed-use projects that include PDR uses **and** meet the affordability criteria above.

**Controls:**

Threshold	New Requirements / Additional Information
<p><b>Loss of one or more rent-controlled dwelling unit.</b></p>	<p>Projects <i>must meet</i> a majority (at least four) of the following 317 criteria:</p> <ul style="list-style-type: none"> <li>• Free of serious, continuing Code violations;</li> <li>• Maintained as decent, safe and sanitary housing;</li> <li>• Does not convert rental to other forms of tenure;</li> <li>• Conserves existing housing to preserve neighborhood diversity;</li> <li>• Protects relative affordability of existing housing;</li> <li>• Increases permanent affordable housing stock; and</li> <li>• Increases family-sized housing stock.</li> </ul>
<p><b>Medium Projects.</b></p> <p>Projects which provide either :</p> <ul style="list-style-type: none"> <li>• between 25,000 and 75,000 gross square feet (if non-residential), or</li> <li>• Between 25 and 75 dwelling units.</li> </ul>	<p>The applicant is required to submit the additional information:</p> <ul style="list-style-type: none"> <li>• <b>Housing Production:</b> Maximum allowable density, proposed density or project, and evaluation of project’s ability to effectively house future residents;</li> <li>• <b>Affordable Housing Production:</b> Analysis of project alternatives and feasibility of additional affordable housing;</li> <li>• <b>Housing Preservation:</b> Discussion of existing housing on site;</li> <li>• <b>Tenant Displacement:</b> Disclosure of eviction and buyout history at the site and within a quarter mile for Ellis and Owner Move-In evictions; and</li> <li>• <b>Proximal Development:</b> Discuss proposed and recent projects within ¼ mile radius of the site.</li> </ul>
<p><b>Medium Projects that displace PDR – including certain</b></p>	<p>In addition to the above, the following information will also <i>be required</i> if PDR displacement is</p>

<p>institutional, recreation, arts and entertainment uses<sup>1</sup>.</p>	<p>proposed:</p> <ul style="list-style-type: none"> <li>• <b>Relocation Assistance:</b> In non-PDR zoning districts, discuss last know use and relocation benefits provided to previous tenant; or</li> <li>• <b>Business &amp; Community Building-Uses:</b> If no relocation benefits were offered, discuss potential impacts to the community; and</li> <li>• <b>Inventory of Similar Uses:</b> Discussion of existing businesses within the neighborhood that are similar to the use being displaced.</li> <li>• <b>Non-Residential Displacement:</b> Discuss existing businesses and non-profit organizations that will be displaced by the project and within the last 12 months.</li> </ul>
<p><b>Large Projects.</b></p> <p>Projects that are greater than 75,000 gross square feet (if non-residential) or more than 75 dwelling units.</p>	<p>The applicant is required to submit the additional information:</p> <ul style="list-style-type: none"> <li>• <b>Demographic Changes:</b> Discussion and evaluation of socio-economic characteristics and effects of the project on the neighborhood;</li> <li>• <b>Economic Pressure:</b> Discussion and evaluation of additional housing supply provided by the project and resulting indirect and direct displacement;</li> <li>• <b>Housing Production:</b> Maximum allowable density, proposed density and evaluation of projects ability to effectively house future residents (the additional net supply of housing units);</li> <li>• <b>Affordable Housing Production:</b> Analysis of project alternatives and feasibility of additional affordable housing; and</li> <li>• <b>Tenant Displacement:</b> Eviction and buyout history at the site and within a quarter mile for</li> </ul>

<sup>1</sup> As defined for each use respectively in the Planning Code: Arts Activity Section 102, Amusement Arcade 790.4 and 890.4, Movie Theater 102, 790.64 and 890.64, Community Facility 102, 790.50, 890.50; Auto Repair 890.15 and 790.15; Child Care Facility 102, 790.50, 790.51, 890.50 (b); Entertainment General & Other 102, 790.4, 890.4, 790.38, 890.37; Light Manufacturing 890.54(a); Nighttime Entertainment, 102, 790.38, 890.37; Recreation Building 843.62; Educational Services 790.50 (c) and 890.50(c), Religious Institution or Facility 102, 790.50(d), 890.50(a&d); Entertainment, other 890.37; Entertainment, General, 102; Entertainment, Arts and Recreation Uses, 102; Trade Shops 890.124 and 790.124; and Institution, other (Job Training) 890.50(f).

	Ellis and Owner Move-In evictions.
<b>Large Projects that displace PDR</b> – including certain institutional, recreation, arts and entertainment <sup>2</sup> .	<p>In addition to the above, the following information will also <i>be required</i> if PDR displacement is proposed:</p> <ul style="list-style-type: none"> <li>• <b>Relocation Assistance:</b> In non-PDR zoning districts, discuss last know use and relocation benefits provided to previous tenant; or</li> <li>• <b>Business &amp; Community Building-Uses:</b> If no relocation benefits were offered, discuss potential impacts to the community;</li> <li>• <b>Jobs &amp; Economic Profile:</b> Discuss economic and fiscal impacts and their benefits to area residents;</li> <li>• <b>Available Space in the Mission:</b> Discuss availability of vacant space to replace use type being lost;</li> <li>• <b>Affordability of Community Building Uses:</b> Assess affordability of community-building uses;</li> <li>• <b>Non-Residential Displacement:</b> Discuss existing businesses and non-profit organizations that will be displaced by the project and within the last 12 months.</li> </ul>

### Additional Direction of the Commission

#### 1. Staff Report:

Separate from the project-by-project analysis, Planning Department policy staff is directed to follow up on the Budget and Legislative Analyst’s May 29, 2015 Report and, working with the Mayor’s Office of Housing and Community Development and other City agencies as necessary, provide an informational report to the Commission as to:

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<sup>2</sup> As defined for each use respectively in the Planning Code: Arts Activity Section 102, Amusement Arcade 790.4 and 890.4, Movie Theater 102, 790.64 and 890.64, Community Facility 102, 790.50, 890.50; Auto Repair 890.15 and 790.15; Child Care Facility 102, 790.50, 790.51, 890.50 (b); Entertainment General & Other 102, 790.4, 890.4, 790.38, 890.37; Light Manufacturing 890.54(a); Nighttime Entertainment, 102, 790.38, 890.37; Recreation Building 843.62; Educational Services 790.50 (c) and 890.50(c), Religious Institution or Facility 102, 790.50(d), 890.50(a&d); Entertainment, other 890.37; Entertainment, General, 102; Entertainment, Arts and Recreation Uses, 102; Trade Shops 890.124 and 790.124; and Institution, other (Job Training) 890.50(f).

- a. Sites in the Interim Control area available for the development of 40+ affordable units;
- b. Whether any available sites could potentially be subdivided to produce a site for market rate housing and a site suitable for 100% affordable housing production;
- c. Whether financing would be available to fund developments of 100% affordable housing on sites in the Interim Control area in the near or mid-term; and
- d. Any other strategies for the City to develop, incentivize or facilitate the development of affordable housing projects in the Interim Control Area.

**2. Staff Review:**

Planning Department staff shall review the information provided by the applicant as described above and provide an assessment of the information for the Commission to consider in their deliberations.

**3. Staff Participation in Pre-Application Meetings:**

The Commission encouraged the Director to send staff to pre-application meetings especially for large projects, as staffing allows.

**Exhibit A – Interim Controls Map:**

