



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Zoning Map Amendment

HEARING DATE: DECEMBER 4, 2014

*Date:* November 24, 2014  
*Case No.:* 2014.1237Z  
*Project:* **Zoning Map Clean-Up (1600 Cortland Rezoning)**  
*Staff Contact:* Diego R Sánchez – (415) 575-9082  
[diego.sanchez@sfgov.org](mailto:diego.sanchez@sfgov.org)  
*Reviewed By:* Aaron Starr, Acting Manager of Legislative Affairs  
[aaron.starr@sfgov.org](mailto:aaron.starr@sfgov.org)  
*Recommendation:* **Recommend Approval**

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

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### ZONING MAP AMENDMENT

The proposed Ordinance would amend the Zoning Map to correct a minor omission that occurred during the implementation of the Bayshore Boulevard Home Improvement Special Use District (SUD), Board File 101313.<sup>1</sup> As part of that effort, properties adjacent to the SUD zoned C-M (Heavy Commercial) were rezoned to PDR-1-G (Production, Distribution and Repair: General) or RH-1 (Residential, House, One Family), as appropriate. 1600 Cortland Avenue (Lot 40 in Assessor's Block 5691) was inadvertently omitted from the rezoning and is currently zoned C-M.

#### The Way It Is Now:

The subject property (1600 Cortland Avenue, Lot 40 in Assessor's Block 5691) is currently zoned C-M (Heavy Commercial) and is within the Industrial Protection Zone Special Use District (IPZ SUD).

#### The Way It Would Be:

The subject property would be rezoned to PDR-1-G.

### ISSUES AND CONSIDERATIONS

**Department Sponsored Ordinance.** On October 9, 2014 the Planning Commission initiated this amendment to the Zoning Map. At that hearing, and pursuant to Planning Code Section 306.3, the Planning Commission authorized the Planning Department to provide notice for a hearing to consider the Zoning Map amendments contained in the Draft Ordinance.

**C-M Zoning.** The C-M Zoning District is intended to allow for certain heavy commercial uses not permitted in other C (Commercial) Zoning Districts, with an emphasis upon wholesaling and business

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<sup>1</sup> Supervisor Maxwell introduced the Bayshore Boulevard Home Improvement Special Use District on October 19, 2010. This ordinance was adopted by the Board of Supervisors on December 14, 2010 becoming Ordinance Number 331-10.

services and some light manufacturing and processing. The C-M Zoning district also allows for the development of housing and office uses. The subject property is the last property in the City that is zoned C-M. All other properties that were zoned C-M have been rezoned to other zoning districts, such as the PDR and Mixed Use Zoning Districts. The Article 2 Reorganization Ordinance<sup>2</sup>, which is scheduled to be heard by the Planning Commission on November 20<sup>th</sup>, will delete all references to C-M zoning in the Planning Code.

**IPZ SUD.** The IPZ SUD is intended to protect and preserve production, distribution and repair land uses and activities from competing higher priced land uses and activities such as housing and office uses. It is primarily found in the industrial areas of the Bayview district, east of Bayshore Boulevard and extending north along Cesar Chavez Street and south to Interstate 280.

**PDR-1-G Zoning.** This zoning district is intended to retain and encourage existing production, distribution, and repair activities and promote new business formation. It also prohibits housing or office development; however, Planning Code Section 219 allows office uses in the PDR-1-G zoning district if the subject building is a designated landmark building.

**Bayshore Boulevard Home Improvement SUD.** On October 19, 2010 Supervisor Maxwell introduced the Bayshore Boulevard Home Improvement SUD to promote businesses that are focused on home improvement, particularly businesses that emphasize the sustainable use of natural resources through products offered. It also seeks to promote businesses that are locally grown and provide employment opportunities at a wide range of levels for local residents. As part of this effort, over 100 properties were rezoned to districts that afford protections from economic and operational competition and conflict with housing and large office developments. Properties that were zoned M-1 (Light Industrial) and C-M were rezoned to PDR-2 (Core Production Distribution and Repair) and PDR-1-G depending on which zoning was most appropriate. The subject property at 1600 Cortland Avenue was included in this process and was supposed to be rezoned PDR-1-G, but due to a clerical error it was left out of the final Ordinance.

**Existing Building Type and Use.** The Assessor lists the original building type on the subject property as one for industrial uses and the current use, awning manufacturing, is recognized by the Planning Code as a light industrial use.<sup>3</sup> Because the PDR-1-G Zoning District is intended to accommodate light industrial uses (including awning manufacturing), the existing use and building type are appropriate for the proposed PDR-1-G zoning.

## **REQUIRED COMMISSION ACTION**

The proposed Resolution is before the Commission so that it may recommend approval or disapproval the proposed the Zoning Map amendments to the Board of Supervisors.

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<sup>2</sup> Case #2013.0647T: Article 2 Simplification and Definition Consolidation. Initiated by the Planning Commission on July 24, 2014.

<sup>3</sup> Planning Code Section 226, Manufacturing and Processing, recognizes awning manufacturing as a light industrial activity.

## RECOMMENDATION

The Department recommends that the Commission recommend *approval* of the proposed Ordinance and adopt the attached Draft Resolution to that effect.

## BASIS FOR RECOMMENDATION

The Department recommends that the Planning Commission recommend approval of the proposed Ordinance for the following reasons:

1. The subject property is the last property in the City that is zoned C-M. All other properties that were zoned C-M have been rezoned to either PDR or Mixed Use Districts.
2. The subject property was intended to be rezoned as part of the Bayshore Boulevard Home Improvement SUD, but due to a clerical error it was left out of the final Ordinance. This Ordinance will correct that error.
3. The Article 2 Reorganization Ordinance will remove all references to C-M zoning districts in the Planning Code.
4. Immediately across the street from the subject property there are six other properties zoned PDR-1-G that are used for light industrial purposes. The proposed rezoning would align the subject property with the same controls as these adjacent and similarly used properties.
5. The subject property is occupied by an awning manufacturer. This use is permitted in PDR-1-G zoning districts and is the type of economic activity that the City is trying to promote within PDR districts.
6. Unlike C-M districts, PRD zoning districts provide protections to manufacturing uses against displacement by office and housing development, which is consistent with Policy 4.5 of the General Plan.<sup>4</sup>
7. The PDR-1-G Zoning District generally affords the same protections to light industrial uses and activities as the IPZ SUD, making it unnecessary to extend the IPZ SUD to this property.

## ENVIRONMENTAL REVIEW

The proposal to amend the Planning Code would result in no physical impact on the environment. The proposed amendment is exempt from environmental review under Sections 15060(c)(2) and 15378 of the CEQA Guidelines.

## PUBLIC COMMENT

As of the date of this report, the Planning Department has received two email messages from the public in support of this legislation. In addition, Planning Department staff contacted the subject property owner as well as the office of Supervisor Campos regarding the proposal to initiate the Zoning Map amendments. Both the owner and the office of the Supervisor were in accord with the proposal.

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<sup>4</sup> Commerce and Industry Element, Policy 4.5: Control encroachment of incompatible land uses on viable industrial activity.

<b>RECOMMENDATION:</b> <b>Recommendation of Approval</b>
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**Attachments**

- Exhibit A:        Ordinance
- Exhibit B:        Draft Resolution
- Exhibit C:        Map of Subject Property
- Exhibit D:        Letters from the Public

1 [Planning Code, Zoning Map Amendment]  
2

3 **Ordinance amending the Zoning Map to rezone a parcel located at 1600 – 1612 Cortland**  
4 **Avenue from Heavy Commercial and Industrial Protection Zone Special Use District to**  
5 **Production Distribution & Repair - General; and making environmental findings**  
6 **pursuant to the California Environmental Quality Act, Planning Code Section 302**  
7 **findings, and findings of consistency with the General Plan and the Priority Policies of**  
8 **Planning Code Section 101.1.**

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

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

17 Section 1.

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

22 (b) On \_\_\_\_\_, the Planning Commission, in Resolution No. \_\_\_\_\_,  
23 adopted findings that the actions contemplated in this ordinance are consistent, on  
24 balance, with the City's General Plan and eight priority policies of Planning Code  
25 Section 101.1. The Board adopts these findings as its own. A copy of said Resolution  
is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_, and is  
incorporated herein by reference.

1 (c) Pursuant to Planning Code Section 302, the Board finds that the proposed  
2 ordinance will serve the public necessity, convenience and welfare for the reasons set  
3 forth in Planning Commission Resolution No. \_\_\_\_\_, and the Board  
4 incorporates such reasons herein by reference. A copy of said Resolution is on file with  
5 the Board of Supervisors in File No. \_\_\_\_\_.

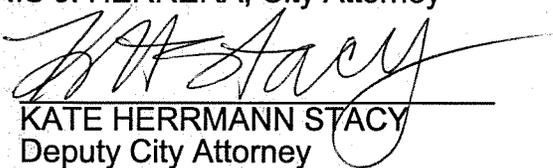
6  
7 Section 2. The San Francisco Planning Code is hereby amended by amending  
8 Sectional Maps ZN11 and SU11 of the Zoning Map of the City and County of San  
9 Francisco as follows:

<u>Description of Property</u>	<u>Zoning Designation to be Superseded</u>	<u>Zoning Designation Hereby Approved</u>
Block 5691, Lot 040	C-M, IPZ SUD	PDR-1-G

10  
11  
12  
13  
14 Section 3. Effective Date. This ordinance shall become effective 30 days after  
15 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns  
16 the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or  
17 the Board of Supervisors overrides the Mayor's veto of the ordinance.

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

21 By:

  
22 KATE HERRMANN STACY  
23 Deputy City Attorney

24 N: \Land\AS2014\9690392\00960154.doc



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Resolution

HEARING DATE: DECEMBER 4, 2014

*Date:* November 24, 2014  
*Case No.:* 2014.1237Z  
*Project:* Zoning Map Clean-Up (1600 Cortland Rezoning)  
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RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE THAT WOULD AMEND THE ZONING MAP TO REZONE A PARCEL FROM THE HEAVY COMMERCIAL (C-M) ZONING DISTRICT IN THE INDUSTRIAL PROTECTION ZONE SPECIAL USE DISTRICT (IPZ SUD) TO THE PRODUCTION, DISTRIBUTION AND REPAIR – GENERAL (PDR-1-G) ZONING DISTRICT; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.

### PREAMBLE

WHEREAS, in 2010 San Francisco adopted the Bayshore Boulevard Home Improvement Special Use District to encourage and promote businesses of varying types that are focused on home improvement, particularly those that emphasize sensitivity to the environment and sustainable use of natural resources through products offered; and

WHEREAS, as part of the adoption of the Bayshore Boulevard Home Improvement Special Use District, over one hundred lots were rezoned to either Production Distribution and Repair – General (PDR-1-G) or Core Production Distribution and Repair (PDR-2); and

WHEREAS, the rezoning of those lots was done to reflect contemporary zoning controls on light industrial uses, including the provision of space for a variety of production, distribution and repair and other non-residential activities in districts where these uses are free from economic and operational competition and conflicts with housing and large office developments; and

WHEREAS, this rezoning was also done to remove industrially used land from older commercial zoning districts that, while permitting a number of light industrial activities, did not afford the breadth of protections to light industrial uses that more contemporary Production, Distribution and Repair districts do;

WHEREAS, the proposed legislation is intended to resolve the aforementioned issues; and

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the initiation of the proposed Ordinance on December 4, 2014; and

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c)(2) and 15378; and

WHEREAS, the Commission has 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, the all pertinent documents may be found in the files of the Planning Department (hereinafter "Department"), as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Commission has reviewed the proposed Ordinance:

**MOVED**, that the Commission hereby adopts this Resolution to recommend approval of the draft Ordinance to the Board of Supervisors; and.

## **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:

1. **General Plan Compliance.** This Resolution is consistent with the following Objectives and Policies of the General Plan:

### **COMMERCE AND INDUSTRY ELEMENT**

#### **OBJECTIVE 1**

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT

#### **Policy 1.3**

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

*The proposed Ordinance reinforces the existing industrial land use plan by rezoning the subject property to a zoning district with the explicit purpose of permitting and protecting light industrial activity.*

#### **OBJECTIVE 2**

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

#### **Policy 2.1**

Seek to retain existing commercial and industrial activity and to attract new such activity to the city.

*The proposed Ordinance will retain existing industrial activity by rezoning the subject property to a zoning district that permits and protects light industrial uses.*

**OBJECTIVE 3**

PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

**Policy 3.1**

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

*The proposed Ordinance promotes the retention of industrial firms which provide employment opportunities for unskilled and semi-skilled workers by adopting land use controls that permit and protect light industrial activity.*

**OBJECTIVE 4**

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

**Policy 4.3**

Avoid public actions that displace existing viable industrial firms.

**Policy 4.5**

Avoid encroachment of incompatible land uses on viable industrial activity.

*By rezoning the subject property to a zoning district that permits and protects light industrial activity the proposed Ordinance constitutes a public action that retains a viable industrial firm and that does not allow the encroachment of incompatible land uses on viable industrial activity.*

2. The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.
3. This Resolution 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 concerns itself with maintaining land use controls for light industrial activities and does not affect neighborhood serving retail uses.*

- 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 will help to maintain the existing light industrial character of the neighborhood thereby preserving the economic diversity of the neighborhood.*

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

*The proposed Ordinance does not affect the City's supply of affordable housing as the proposed Ordinance concerns itself with the rezoning of property used for light industrial purposes.*

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

*The proposed Ordinance will not result in the overburdening of streets or neighborhood parking and will not impede MUNI transit.*

- 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 helps to maintain a diverse economic base through the adoption of a rezoning to a zoning district that principally permits industrial activities.*

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

*The proposed Ordinance will not hinder any efforts to prepare for and protect against injury and loss of life in an earthquake.*

- G) That landmark and historic buildings will be preserved.

*There are no landmarks or historic buildings that will be affected by the proposed Ordinance.*

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

*There are no parks or open spaces that will be affected by the proposed Ordinance.*

**Resolution No.**  
**Hearing Date: December 4, 2014**

**Case No 2014.1237Z**  
**Zoning Map Amendment (1600 Cortland Rezoning)**

I hereby certify that the foregoing Resolution was ADOPTED by the San Francisco Planning Commission on December 4, 2014.

Jonas P. Ionin  
Commission Secretary

AYES:

NOES:

ABSENT:



**From:** [amy.beinart](#)  
**To:** [Sue Hestor](#)  
**Cc:** [Sanchez, Diego \(CPC\)](#); [Rachel Eborá](#)  
**Subject:** Re: Cortland Street rezoning  
**Date:** Friday, August 29, 2014 9:15:08 AM

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Hi, Sue and Diego,  
Thanks for making sure that the Bayshore SUD work is complete! Believe me, it's NOT that nobody cares, just so much going on.  
Great work.  
Amy

On Aug 29, 2014 9:08 AM, <[hestor@earthlink.net](mailto:hestor@earthlink.net)> wrote:

YEAH! I was originally the one who pestered Planning to eliminate the remaining (I think 2) block stretch of C-M zoning along Cortland, along with a couple of LOTS along Mission near 10th. So that C-M zoning column could be eliminated from current planning Code.

I may be the only one who cares about this, but weirdly enough, I do.

Sue Hestor

-----Original Message-----

From: "Sanchez, Diego (CPC)"  
Sent: Aug 29, 2014 8:39 AM  
To: Sue Hestor , "Sanchez, Scott (CPC)"  
Subject: RE: Zoning map cleanup - 9.18.14 calendar

Ms Hestor,

It will be me, Diego Sanchez, as the case planner.

The proposed zoning map change is the following:

Lot 040 in Assessor's Block 5691 (1600 Cortland Avenue, between Peralta and Bayshore) was intended to be rezoned from C-M (heavy commercial) to PDR-1-G (General PDR) as part of the Bayshore Boulevard Home Improvement SUD. This property was omitted from that Bayshore Boulevard Home Improvement SUD Ordinance.

The proposed zoning map change is to rezone that property from CM to PDR-1-G.

Please let me know if you have any other questions about the case.

Thanks

Diego R Sánchez

Legislative Analyst / Urban Planner

San Francisco Planning Department

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**From:** Sue Hestor [mailto:[hestor@earthlink.net](mailto:hestor@earthlink.net)]  
**Sent:** Friday, August 29, 2014 8:29 AM  
**To:** Sanchez, Scott (CPC); Sanchez, Diego (CPC)  
**Subject:** Zoning map cleanup - 9.18.14 calendar

From advance calendar can't tell WHICH Sanchez has this item.

2014.1237Z is a Zoning Map cleanup. How may I get a copy of what is being proposed?

It is on Sep 18 advance calendar

Sue Hestor

**From:** [hestor@earthlink.net](mailto:hestor@earthlink.net)  
**To:** [Sanchez, Diego \(CPC\)](#)  
**Cc:** [Amy Beinhart](#); [rebor@bhnc.org](mailto:rebor@bhnc.org)  
**Subject:** Cortland Street rezoning  
**Date:** Friday, August 29, 2014 9:08:09 AM

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