



# SAN FRANCISCO PLANNING DEPARTMENT

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

<b>Amended Sections:</b>	None, existing interim controls <i>extended and modified</i>
<b>Case Number:</b>	2015-000988PCA-02
<b>Resolution #:</b>	First enacted by Reso. No 19548, Extended by Reso. No. 19865
<b>Initiated by:</b>	Planning Commission
<b>Effective Date:</b>	January 14, 2016
<b>Extension Date:</b>	March 2, 2017
<b>Expiration Date:</b>	January 14, 2018 (or when permanent controls are in effect, whichever is first)

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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, and that Restaurant uses require a Conditional Use Authorization. For the projects that require additional information 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 Way It Was:

The Planning Commission established the Mission 2016 Interim Controls on January 14, 2017 as enabled under Planning Code Section 306.7(e). After passage of this resolution, the action was forwarded to the Board of Supervisors for ratification or disapproval as required by Planning Code Section 306.7(f) on January 20, 2016. The Clerk forwarded the matter to the Full Board of Supervisors, which declined the opportunity to overturn the Mission 2016 Interim Controls. The interim controls became effective on January 14, 2016 for a period of 15 months thereafter (until April 14, 2017) or until the Commission approves the Mission Action Plan 2020. Prior to the expiration of these controls, the Commission voted to extend the controls for a period of nine (9) months (until January 14, 2018 or until permanent controls are in place, whichever is earlier).

**The Way It Is Now:**

The Commission’s action was to extend the controls as previously enacted, with the following additional modifications:

- Simplifying some information required from project sponsors that was difficult to collect in the ways required by the original version; and
- Requiring a Conditional Use for changes of use to a Restaurant use

Inclusive of these new changes, the current Mission 2016 Interim Controls can be summarized as follows:

**Boundaries:** Generally, Duboce, 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 land dedication for low and moderate income households.
2. Exclusive PDR uses or mixed-use projects that include PDR uses and meet one of the two above criteria.

**Controls:**

Threshold	New Requirements / Additional Information
<b>Loss of one or more rent-controlled dwelling unit.</b>	Projects <i>must meet</i> a majority (at least four) of the following 317 criteria: <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>
<b>Medium Projects.</b> Projects which are: <ul style="list-style-type: none"> <li>• Between 25,000 and 75,000 gross square feet (if non-residential), or</li> </ul>	The applicant is required to submit the additional information: <ul style="list-style-type: none"> <li>• <b>Housing Production:</b> Maximum allowable density, proposed density or project, and discussion project’s housing of future residents;</li> <li>• <b>Affordable Housing Production:</b> Analysis of project</li> </ul>

<ul style="list-style-type: none"> <li>• Between 25 and 75 dwelling units.</li> </ul>	<p>alternatives and feasibility of additional affordable housing;</p> <ul style="list-style-type: none"> <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</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</b> – including certain institutional, recreation, arts and entertainment uses<sup>1</sup>.</p>	<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; and</li> <li>• <b>Inventory of Similar Uses:</b> Discussion of existing businesses near the project 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:  Larger 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 of expected socio-economic characteristics of the project;</li> <li>• <b>Economic Pressure:</b> Discussion and evaluation of additional housing supply provided by the project and resulting 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.</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); 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).

<p><b>Large Projects that displace PDR</b> – including certain institutional, recreation, arts and entertainment<sup>2</sup>.</p>	<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>
<p><b>Changes of Use to a Restaurant Use</b></p>	<p>A Conditional Use Authorization is required for changing any use to a Restaurant Use.</p>

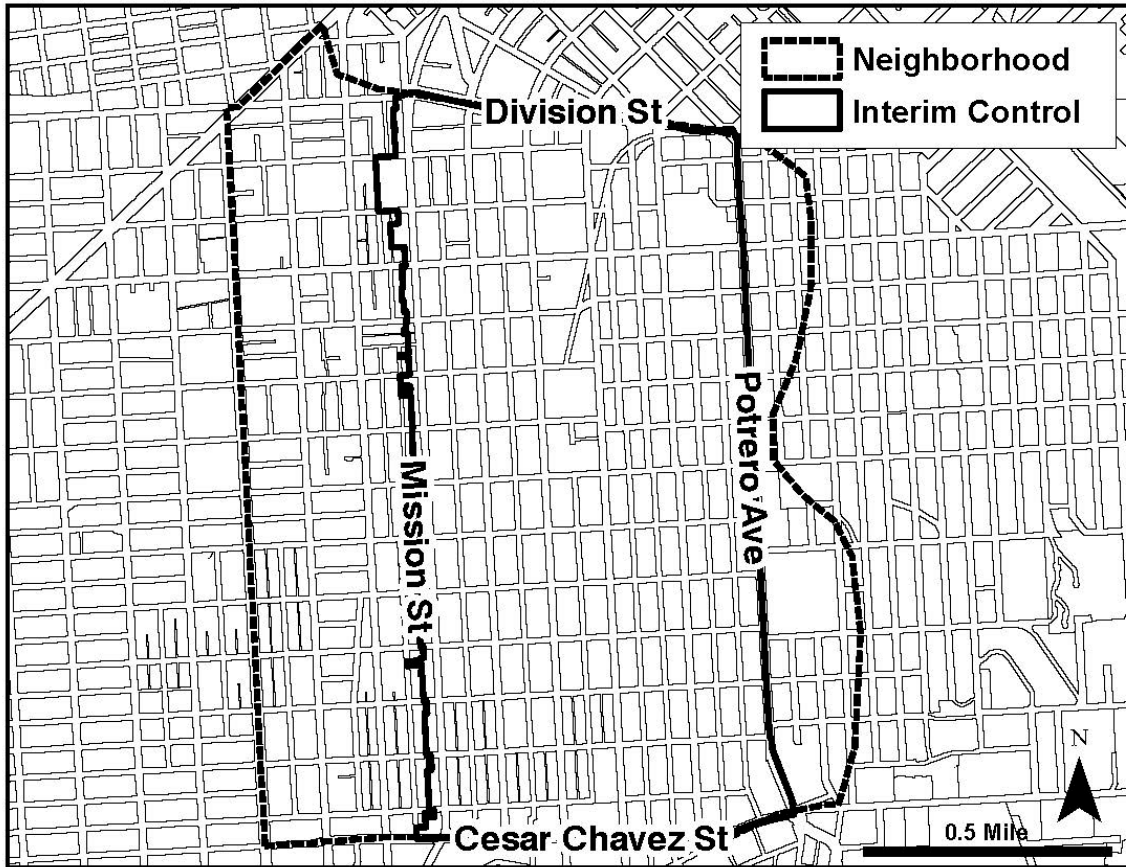
**Additional Direction of the Commission**

1. **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.
  
2. **Staff Participation in Pre-Application Meetings.** The Commission encouraged the Director to send staff to pre-application meetings for large projects, as staffing allows.

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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); 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).

Exhibit A – Interim Controls Map



Link to the final Planning Commission motion:  
[http://sfplanninggis.org/docs/PlanningProvisions/MissionIntCont2017MGB\\_FINAL.pdf](http://sfplanninggis.org/docs/PlanningProvisions/MissionIntCont2017MGB_FINAL.pdf)