Ordinance amending the Planning Code by adding Section 249.22 to create Industrial Protection Zone Special Use District that prohibits residential, live/work and office uses and adopting findings pursuant to Section 101.1.

Note: additions are italic, Times New Roman; deletions are indicated by strike through italic, Times New Roman.

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

Section 1.

(a) General Findings.

(1) Industrially zoned land and building space available and suitable for production, distribution and repair businesses constitute a small portion of the City’s total supply of land and is well-utilized at present; and

(2) Industrially zoned land presently allows all types of land use activity, including residential and live/work development. Residential activity within the City’s industrially zoned land, primarily in the form of live/work applications and development, has increased dramatically in the past several years. This residential activity is now in competition and has resulted in conflicts with the production, distribution and repair business sectors, because of the juxtaposition of some incompatible uses; and

(3) Industrially zoned land presently allows all types of land use activity, including office, business service and information technology uses. These office related activities within the City’s industrially zoned land have increased dramatically in the past several years. These office activities are now in competition and has resulted in conflicts and economic competition with the production, distribution and repair business sectors; and
(4) Competition for land and building space in the City's industrially zoned land greatly favors office type uses and residential and live/work uses, because they can afford higher rent and land costs than can production, distribution and repair businesses; and

(5) As a result of the competition between office and residential uses and production, distribution and repair businesses, and the market pressures favoring residential and office activities, including live/work, the supply of industrially zoned land and building space available to production, distribution and repair businesses is diminishing, and is expected to continue to diminish in the future unless protected; and

(6) These zoning controls are necessary to protect and preserve the City's diminishing supply of industrially zoned land and building space, and to alleviate the threat to that limited supply of industrially zoned land and building space caused by office, residential and live/work activity; and

(7) These zoning controls are intended to eliminate the threat to the supply of industrially zoned land and building space available to production, distribution and repair businesses, while providing adequate space and direction for the location of office, residential and live/work development;

(b) Priority Policy Findings. The proposed amendment would conform to the Priority Policies of Planning Code Section 101.1.

(1) The legislation is consistent with Priority Policy 1 in that it would encourage the conservation of neighborhood-serving retail uses by retaining industrial uses that provide goods and services to neighborhood-serving retail uses.

(2) The legislation is consistent with Priority Policy 2 that it would encourage the conservation of housing and neighborhood character by preserving industrial portions of San Francisco and thereby preserving the economic diversity of the
City.

(3) The legislation is consistent with Priority Policy 3 in that it would have no detrimental impact on the City's supply of affordable housing.

(4) The legislation is consistent with Priority Policy 4 in that it would not effect commuter traffic or Muni transit service.

(5) The legislation is consistent with Priority Policy 5 in that it would help preserve industrial land uses by protecting this sector from displacement due to commercial office development and opportunities for resident employment and ownership in these industrial sectors of the local economy.

(6) The legislation is consistent with Priority Policy 6 in that the proposal would not effect seismic safety standards.

(7) The legislation is consistent with Priority Policy 7 in that it would not change the rules regarding landmarks and historic buildings.

(8) The legislation is consistent with Priority Policy 8 in that it would not effect the environment for open spaces.

Section 2. Article of the San Francisco Planning Code is hereby amended by adding Section 249.22 as follows:

SEC. 249.22. Industrial Protection Zone Special Use District.

A Special Use District entitled the "Industrial Protection Zone Special Use District," the boundaries of which are shown on the Zoning Maps 8 and 10 is hereby established for the purposes set forth below. The following provisions shall apply within the Industrial Protection Zone Special Use District:

(a) Purposes. In order to protect and preserve production, distribution and repair land uses and activities from competing higher priced land uses and activities an Industrial Protection Zone

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Special Use District zoning is established that:

1. Will enhance commercial and industrial land use diversity in San Francisco;
2. Will be geographically close to other San Francisco land uses that require the goods and services provided by industrial land uses in the City;
3. Will be conveniently served by street and highway systems and San Francisco Port related waterfront access;

(b) Controls.

1. General. The provisions of the M-1 and M-2 use districts established by Section 201 of this Code shall prevail except as provided in paragraphs (2) and (3) below.
2. Housing. In recognition of the need to preserve and protect production, distribution and repair land uses and facilities from competition from housing development, no residential or live/work development or conversion to such uses shall be allowed in the Industrial Protection Zone Special Use District.
3. Office. In recognition of the need to preserve and protect production, distribution and repair land uses and facilities from competition from office development, no new office development or conversion to office shall be allowed in the Industrial Protection Zone Special Use District except where such office space is determined to be accessory to a permitted industrial use.

APPROVED AS TO FORM:

LOUISE H. RENNE, CITY ATTORNEY

By: JUDITH A. BOYAJIAN

Deputy City Attorney
Ordinance amending the Planning Code by adding Section 249.22 to create Industrial Protection Zone Special Use District that prohibits residential, live/work and office uses and adopting findings pursuant to Section 101.1.

January 7, 2002 Board of Supervisors — PASSED ON FIRST READING
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval, Yee
Absent: 1 - McGoldrick
Excused: 1 - Newsom

January 14, 2002 Board of Supervisors — FINALLY PASSED
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Excused: 1 - Newsom
I hereby certify that the foregoing Ordinance was FINALLY PASSED on January 14, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Date Approved

Mayor Willie L. Brown Jr.