

1 [India Basin Industrial Park, Planning Code Text Amendment.]

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3 **Ordinance amending the San Francisco Planning Code by adding section 249.42 to**
4 **create a new India Basin Industrial Park Special Use District; adopting findings,**
5 **including environmental findings and findings of consistency with the General Plan**
6 **and the Priority Policies of Planning Code Section 101.1.**

7 NOTE: Additions are single-underline italics Times New Roman;
8 deletions are ~~strike-through italics Times New Roman~~.
9 Board amendment additions are double-underlined;
Board amendment deletions are ~~strikethrough normal~~.

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

11 Section 1. Findings. The Board of Supervisors of the City and County of San Francisco
12 hereby finds and determines that:

13 (a) Pursuant to Planning Code Section 302, this Board of Supervisors finds that this
14 Ordinance will serve the public necessity, convenience and welfare for the reasons set forth in
15 Planning Commission Resolution No. 17817 and incorporates said Resolution herein by
16 reference. A copy of said resolution is on file with the Clerk of the Board of Supervisors in File
17 No. 081561.

18 (b) This Board of Supervisors finds that this Ordinance is consistent with the General
19 Plan Priorities of Section 101. 1 (b) of the Planning Code for the reasons set forth in Planning
20 Commission Resolution No. 17817 and incorporates said Resolution herein by reference. A
21 copy of said resolution is on file with the Clerk of the Board of Supervisors in File No. 081561.

22 (c) Environmental Findings. The Planning Department has determined that the actions
23 contemplated in this Ordinance are in compliance with the California Environmental Quality
24 Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file
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1 with the Clerk of the Board of Supervisors in File No⁰⁸¹⁵⁶¹ and is incorporated herein by
2 reference.

3 Section 2. The San Francisco Planning Code is hereby amended by adding Section
4 249.42 to read as follows:

5 SEC 249.42 INDIA BASIN INDUSTRIAL PARK SPECIAL USE DISTRICT

6 In order to provide continued enhancement and protection of certain retail, office, and social service
7 uses in the India Basin Industrial Park area, and to generally retain setback requirements previously
8 required under the India Basin Industrial Park Redevelopment Plan, there shall be an India Basin
9 Industrial Park Special Use District, the boundaries of which are shown on Sectional Map 8SU and
10 10SU of the Zoning Map. The following provisions shall apply within this Special Use District:

11 (a) Parcels in close proximity to Third Street. Parcel numbers ~~(5203/023, 5203/035, 5203/043,~~
12 5203/083, 5203/084, 5235/012, 5235/015, 5242/001, 5242/002, 5242/007 and 5242/031, are
13 excepted from the following provisions of this Code: subject to the provisions of the PDR-2
14 use district of this Code shall prevail except as provided below:

15 1. Office Uses. Office uses within the meaning of Section 219 shall not be subject to the use size
16 limits for office uses in the PDR-2 District set forth in Section 219 and the non-residential use size
17 limits in the PDR-2 District set forth in Section 121.8, however, a new or expanded office use is not
18 permitted if the total amount of office use on one of the parcels designated above would exceed 50,000
19 gross square feet.

20 2. Retail uses. Retail uses within the meaning of Section 218 shall not be subject to the use size
21 limits for retail uses in the PDR-2 District set forth in Section 218 and the non-residential use size
22 limits for the PDR-2 District set forth in Section 121.8, however, any individual new or expanded retail
23 use that contains a gross floor area greater than 5,999 square feet shall require Conditional Use
24 authorization pursuant to Section 303 and must comply with the criteria of Sections 121.2(a)(1)
25 through (3).

1 3. Institutional uses. Social service facilities within the meaning of Section 217(d) shall not be
2 subject to the use-size limit for the PDR-2 District set forth in Section 217(d). Child-care facilities
3 within the meaning of Section 217(e) shall be principally permitted.

4 (b) Front setbacks. All parcels within this Special Use District shall provide landscaped front
5 setbacks at depths and along frontages identified in this Subsection. The intent is to maintain and
6 reinforce existing landscaped front setbacks, including the landscaped berms, India Basin Industrial
7 Park signs, and tree hedges. Such setbacks shall be completely and appropriately landscaped and
8 shall remain unpaved and devoted to plant material, excepting reasonable space necessary for ingress
9 and egress to properties. Except as set forth in this Subsection for corner properties, only those
10 permitted obstructions identified in Section 132(f) shall be permitted within such front setback. Corner
11 Properties-properties with frontage along more than one street identified below shall provide the
12 required setback along all applicable frontages. In no case shall these frontages be less than the
13 following: with two exceptions: (1) the required setback along each frontage may be reduced
14 to the depth of the front setback of an existing building on an adjacent lot along the same
15 frontage, provided that the adjacent building occupies at least half of the width of the adjacent
16 lot, and (2) building elements may extend into portions of the required setback, resulting in an
17 irregular setback, provided that the total area of the resulting setback along each frontage is at
18 least equal to the total area of the setback that would otherwise be required. The required
19 front setbacks are as follows:

20 1. Third Street, east side, 45 feet north of Burke Avenue, 10 feet.

21 2. Third Street, east side, south of Burke Avenue, 15 feet.

22 23. Evans Avenue, north side, 15 feet.

23 34. Evans Avenue, south side between Third Street and Mendell Street, 15 feet.

24 45. Cargo Way, south side, 15 feet.

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

By: *Elaine C. Warren*
ELAINE C. WARREN
Deputy City Attorney



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 081561

Date Passed:

Ordinance amending the San Francisco Planning Code by adding Section 249.42 to create a new India Basin Industrial Park Special Use District; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

March 3, 2009 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

March 17, 2009 Board of Supervisors — RE-REFERRED: Land Use and Economic Development Committee

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

April 14, 2009 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

April 21, 2009 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell

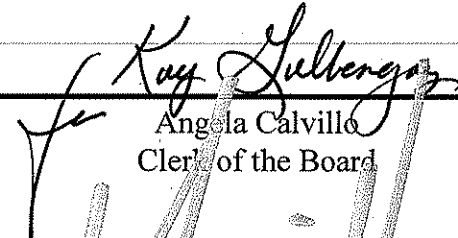
Excused: 1 - Mirkarimi

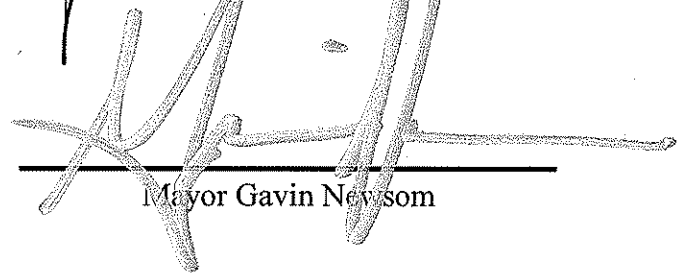
File No. 081561

I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on April 21, 2009 by
the Board of Supervisors of the City and
County of San Francisco.

5/1/09

Date Approved


Angela Calvillo
Clerk of the Board


Mayor Gavin Newsom