Resolution imposing interim zoning controls establishing a requirement for conditional use authorization for a change in use or reduction in size of any recreational space of 15,000 square feet or more including indoor or outdoor facilities for a six (6) month period and making a determination of consistency with the priority policies of Planning Code Section 101.1.

WHEREAS, Planning Code Section 306.7 provides for the imposition of interim zoning controls to accomplish several objectives, including control of uses which generate an adverse impact on open space and other recreational areas and facilities, preservation of the existing character of neighborhoods, and development and conservation of the commerce and industry of the City in order to maintain adequate services for its residents, visitors, businesses and institutions; and,

WHEREAS, San Francisco has experienced a significant diminishment of recreational space and further loss of such space is contemplated; and,

WHEREAS, On December 21, 2006, interim controls intended and designed to deal with and ameliorate the problems and conditions associated with the change in use or reduction in size of existing recreational spaces of 15,000 square feet or more to another use went into effect for a period of eighteen (18) months and have now expired; and,

WHEREAS, Pursuant to Section 306.7(h), interim controls may remain in place for up to twenty-four months; and

WHEREAS, This Board has considered the impact on the public health, safety, peace and general welfare, including, but not limited to, adverse impacts on open space and other

Supervisor Daly
BOARD OF SUPERVISORS
recreational areas, facilities and spaces; the impacts on the existing character of
neighborhoods; and development and conservation of the commerce and industry of the City
in order to maintain adequate services for its residents, visitors, businesses and institutions;
and,

WHEREAS, This Board has determined that the public interest will best be served by
imposition of these interim controls for an additional six (6) months in order to ensure that the
legislative scheme which may ultimately be adopted is not undermined during the planning
and legislative process for permanent controls; now, therefore, be it

RESOLVED, That, pursuant to Planning Code Section 306.7, the Board of Supervisors
hereby requires conditional use authorization prior to a change in use or reduction in size of
any recreational space of 15,000 square feet or more; and, be it

FURTHER RESOLVED, That a remodel of existing recreational space is allowed
provided that the total amount of recreational space is not decreased in size or shifted in
location; and, be it

FURTHER RESOLVED, That for purposes of these interim controls, "recreational
space" shall include uses defined under Planning Code Sections 209.4 ["community
facilities"], 209.5 ["open recreation and horticulture"], 218 ["personal services"], 221.4(a)
["clubhouse"], 221.4(b) ["lodge buildings"], 221.4(e) ["recreational buildings"], 221.4(g)
["private noncommercial recreational open use"], 221.4(h) ["recreational building"], 221.4(h)
["amusement park, and related commercial amusement enterprises not conducted in
completely enclosed buildings"]; and, be it

FURTHER RESOLVED, That for purposes of these interim controls, "conditional use"
shall have the meaning given to such terms in Planning Code Section 303; and, be it

Supervisor Daly
BOARD OF SUPERVISORS
FURTHER RESOLVED, That for purposes of these interim controls, the Planning Commission, as part of its decision on a conditional use application for any use subject to these controls, shall consider the criteria for a conditional use articulated in Planning Code Section 303; and, be it

FURTHER RESOLVED, That if replacement recreational space is provided, the Planning Commission shall consider the extent to which such recreational space is of like-kind to that lost or replaced; and, be it

FURTHER RESOLVED, That if replacement recreational space is provided, the Planning Commission may consider the extent to which any public or non-member access to the recreational space that existed in the prior project is maintained in the proposed project; and, be it

FURTHER RESOLVED, That for purposes of these interim controls, any project that includes as part of the project a one-for-one like-kind replacement of each square foot of recreational space demolished with a new recreational space on-site, shall not require a conditional use authorization for purposes of this Resolution, unless a conditional use is otherwise required for the project; and, be it

FURTHER RESOLVED, That these interim controls shall remain in effect for six (6) months or until the adoption of permanent legislation regulating change in use or reduction of recreational space, whichever first occurs; and, be it

FURTHER RESOLVED, That these interim controls advance and are consistent with Priority Policies 2 and 8 of Planning Code Section 101.1 in that they attempt to preserve the character and quality of our neighborhoods and protect our parks and open space from development. With respect to Priority Policies 1, 3, 4, 5, 6, and 7, the Board finds that the
interim zoning controls will have no effect upon these policies and thus will not conflict with said policies.

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

By: JUDITH A. BOYAJIAN
Deputy City Attorney

Supervisor Daly
BOARD OF SUPERVISORS

11/20/2008
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Resolution imposing interim zoning controls establishing a requirement for conditional use authorization for a change in use or reduction in size of any recreational space of 15,000 square feet or more including indoor or outdoor facilities for a six (6) month period and making a determination of consistency with the priority policies of Planning Code Section 101.1.

December 9, 2008  Board of Supervisors — ADOPTED
Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
I hereby certify that the foregoing Resolution was ADOPTED on December 9, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Date: December 22, 2008

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Angela Calvillo
Clerk of the Board