SAN FRANCISCO
PLANNING DEPARTMENT

Mission 2016 Interim Zoning Controls
Planning Commission Resolution No. 19548

JANUARY 14, 2016

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Project Name:	COMMISSION-SPONSORED MISSION 2016 INTERIM CONTROLS RELATED TO THE MISSION ACTION PLAN (MAP) 2020
Case Number:	2015-000988CWP
Initiated by:	Planning Commission
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ADOPTING COMMISSION-SPONSORED MISSION 2016 INTERIM CONTROLS RELATED TO THE MISSION ACTION PLAN (MAP) 2020. THE INTERIM CONTROLS ARE INTENDED TO ALLOW TIME FOR STAFF ANALYSIS OF AFFORDABLE HOUSING NEEDS AND POTENTIAL DEVELOPMENT OF AFFORDABLE HOUSING PRODUCTION AND PRESERVE EXISTING INCOME PROTECTED UNITS WHILE MAINTAINING PRODUCTION, DISTRIBUTION, AND REPAIR (PDR) CAPACITY IN PDR ZONED LANDS AND VITAL COMMUNITY RESOURCES. THE PROPOSED CONTROLS WOULD REQUIRE A LARGE PROJECT AUTHORIZATION OR CONDITIONAL USE AUTHORIZATION FOR PROJECTS THAT PROPOSE THE FOLLOWING: 1) THE LOSS OF ONE OR MORE RENT-CONTROLLED DWELLING UNITS; 2) THE ADDITION OF MORE THAN 25,000 SQUARE FEET OF COMMERCIAL USE; OR 3) THE ADDITION OF MORE THAN 25 RESIDENTIAL UNITS. THE AREA PROPOSED FOR INTERIM CONTROLS IS GENERALLY DEFINED BY THE FOLLOWING BOUNDARIES: 13TH AND DIVISION STREET TO MISSION STREET, TO CESAR CHAVEZ AVENUE, TO POTRERO AVENUE, AND BACK TO DIVISION STREET. THE MISSION STREET BOUNDARY WOULD INCLUDE ANY PARCEL WITH A PROPERTY LINE ON EITHER SIDE OF MISSION STREET. THE INTERIM CONTROLS WOULD BE PROPOSED FOR A PERIOD OF NINE MONTHS.

PREAMBLE

WHEREAS, the same conditions observed in the Mission District over 15 years ago that justified enacting interim land use controls to reduce the displacement of PDR uses while rezoning some industrial land for housing production at higher affordable levels persist today; and

WHEREAS, the Planning Commission is obligated to continue to seek solutions, including new interim controls; and

WHEREAS, since 1994, the City has recognized the effect of market forces and changing land use patterns upon the viability of light industrial activity and residential affordability in the Mission District. For example the Planning Commission and/or Board of Supervisors found the following:

1995 Planning Commission Resolution Number 13794:

- Proposals for housing and live/work developments, both new construction and conversion of former industrial buildings are increasingly being proposed in industrially zoned districts.
- There are other strategies that could be explored to promote both appropriate housing locations and industrial stability and the opportunity for economic development, such as the "swapping" of opportunity sites.

1999 Planning Commission Resolution 14861:

- Interim controls [are required] to temporarily eliminate the threat to the supply of industrially zoned land and building space available to PDR businesses, while providing adequate space and direction for the location of residential and live/work development.

2001 Planning Commission Resolution 16202:

- Office and live/work housing uses began to compete with PDR uses for land and building space in large part because market pressures favored this type of development.
- As a result of this, the supply of industrially zoned land and building space available to PDR uses was expected to continue to diminish in the future unless protected.

2001 Board of Supervisors Resolution 518-01

- Construction of housing has not occurred in the North East Mission Industrial Zone because it is less favored than "artist live/work" use, skewing the production of new housing to upper-income, non-family, non-affordable housing in an area where low-income, family housing predominates.
- There was a 41% increase in average commercial lease rates in the Mission District between 1997-1999.
- It is necessary to create a "community service" use category, which allows nonprofits, arts activities and community-serving small businesses to be located where commercial uses, which do not provide direct services to Mission District residents, may be inappropriate.
- In recent years, construction of lower-income housing in the Mission District has fallen considerably short of demand.
- The largest amount of new housing in the Mission District has been in live/work units, which are not affordable, do not provide family housing, and occupy land that will never be available for affordable housing.

2002 Board of Supervisors Resolution 500-02:

- Construction of lower-income housing in the Mission District has fallen considerably short of demand.
- Lower-income households in the Mission District have become even more overcrowded, face ever escalating rents, and are being forced to leave the City.

2004 Planning Commission Resolution 16727:

- There is a constant need for new housing and new housing opportunity sites.
- The General Plan calls for a balanced economy in which good paying jobs are available for the widest breadth of the San Francisco labor force.
- Arts activities—a thriving element of San Francisco that contributes to tourism and attracting new businesses and new industries to this city—are also in need of attention/protection.

WHEREAS, in response to these findings, the Commission authorized the launching of the Eastern Neighborhoods Plans (EN Plan) in 2001 through Resolution Number 16201; and

WHEREAS, the EN Plan, a large scale community planning effort encompassing four neighborhoods including the Mission District, sought to balance the growth of residential and office development with the need to preserve land for PDR activities; and

WHEREAS, six years after the adoption of the EN Plan many of the same conditions observed in the past persist, without any indication of their easing. This situation compels new action on the part of the City. A fine grained analysis of opportunity sites for PDR use and affordable housing in the Mission District is required. This analysis should focus on preserving the land capacity for PDR uses as determined through the EN process while exploring whether increased affordable housing capacity is possible; and

WHEREAS, there are a number of sites where PDR activities could be preserved through changes in land use regulation or through mixed use projects containing both housing and PDR; and

WHEREAS, the preface to the Housing Element of the General Plan states, "San Francisco's share of the regional housing need for 2015 through 2022 has been pegged at 28,870 new units, with almost 60% to be affordable." Meaning, the need for housing production is high and the need for this housing to be affordable is severe.

WHEREAS, the City should explore where new affordable housing could be developed at an economically feasible scale; and

WHEREAS, the average annual decline of low-income and moderate-income households (those earning 30%-120% Area Median Income) in the Mission from 2009-2013 was 150 household per year and decline could accelerate to 180 households/year; and

WHEREAS, Approximately 900 low- and moderate-income households left the Mission District from 2010-2015; if this trend continues unabated about 900 additional low- and moderate-income households could be lost from 2016-2020; and

WHEREAS, within the Mission, an average of 160 evictions notices have been filed per year since 2009, of which about 50% were Ellis and No Fault evictions; and

WHEREAS, small businesses are facing lease expirations and substantial rent increases that often double or triple their rents;

WHEREAS, the Planning Code Section 306.7 authorizes the Planning Commission to impose interim controls temporarily heightening the scrutiny applied to projects to enable Planning Department study of the impacts and to propose permanent changes to the San Francisco Municipal Code;

WHEREAS, Planning Department and other City staff are currently working with the community on the Mission Action Plan (MAP) 2020;

WHEREAS, Mission Action Plan (MAP) 2020 is collaboration, initiated by the community, between community organizations and the City of San Francisco to create more housing and economic stability in the Mission;

WHEREAS, The purpose of the MAP 2020 Plan is to retain low to moderate income residents and community-serving businesses and nonprofits in order to preserve the socioeconomic diversity of the Mission neighborhood;

WHEREAS, on August 6, 2015, the Planning Commission adopted Resolution Number 19428, which formalized the Commission Policy for development during the time that the City is developing the Mission Action Plan 2020;

WHEREAS, the Commission requested a later hearing to consider potential interim controls during the August 6, 2015 hearing;

WHEREAS, potential interim controls have been calendared by the Planning Commission on July 9, 2015, July 23, 2015, August 6, 2015, September 24, 2015, and most recently November 19, 2015;

WHEREAS, at the November 19, 2015 hearing, the Commission asked staff to bring a simpler set of controls back to the Commission for consideration on or after January 14, 2015;

WHEREAS, the proposed controls are not defined as a project under the California Environmental Quality Act Sections 15378 and 15060(c)(2) because they do not result in a physical change in the environment; 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, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Commission has reviewed the proposed Interim Controls at a duly-noticed hearing on January 14, 2016.

RESOLVED, that pursuant to Planning Code Section 306.3, the Planning Commission adopts the following findings and the Interim Controls, approved as to form by the City Attorney.

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:

I. HOUSING ELEMENT

OBJECTIVE 1

IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

POLICY 1.1

Plan for the full range of housing needs in the City and County of San Francisco, especially affordable housing.

POLICY 1.3

Work proactively to identify and secure opportunity sites for permanently affordable housing.

POLICY 1.4

Ensure community based planning processes are used to generate changes to land use controls.

POLICY 1.7

Consider public health objectives when designating and promoting housing development sites.

POLICY 1.9

Require new commercial developments and higher educational institutions to meet the housing demand they generate, particularly the need for affordable housing for lower income workers and students.

POLICY 2.1

Discourage the demolition of sound existing housing, unless the demolition results in a net increase in affordable housing.

POLICY 3.1

Preserve rental units, especially rent controlled units, to meet the City's affordable housing needs.

POLICY 3.2

Promote voluntary housing acquisition and rehabilitation to protect affordability for existing occupants.

POLICY 3.5

Retain permanently affordable residential hotels and single room occupancy (SRO) units.

POLICY 3.4

Preserve "naturally affordable" housing types, such as smaller and older ownership units.

POLICY 4.4

Encourage sufficient and suitable rental housing opportunities, emphasizing permanently affordable rental units wherever possible.

POLICY 4.5

Ensure that new permanently affordable housing is located in all of the city's neighborhoods, and encourage integrated neighborhoods, with a diversity of unit types provided at a range of income

levels.

POLICY 4.6
Encourage an equitable distribution of growth according to infrastructure and site capacity.

POLICY 4.7
Consider environmental justice issues when planning for new housing, especially affordable housing.

POLICY 5.5
Minimize the hardships of displacement by providing essential relocation services.

POLICY 5.6
Offer displaced households the right of first refusal to occupy replacement housing units that are comparable in size, location, cost, and rent control protection.

POLICY 6.1
Prioritize permanent housing and service-enriched solutions while pursuing both short- and long-term strategies to eliminate homelessness.

POLICY 6.2
Prioritize the highest incidences of homelessness, as well as those most in need, including families and immigrants.

OBJECTIVE 7
SECURE FUNDING AND RESOURCES FOR PERMANENTLY AFFORDABLE HOUSING, INCLUDING INNOVATIVE PROGRAMS THAT ARE NOT SOLELY RELIANT ON TRADITIONAL MECHANISMS OR CAPITAL.

POLICY 7.1
Expand the financial resources available for permanently affordable housing, especially permanent sources.

POLICY 7.4
Facilitate affordable housing development through land subsidy programs, such as land trusts and land dedication.

POLICY 7.5
Encourage the production of affordable housing through process and zoning accommodations, and prioritize affordable housing in the review and approval processes.

OBJECTIVE 8
BUILD PUBLIC AND PRIVATE SECTOR CAPACITY TO SUPPORT, FACILITATE, PROVIDE AND MAINTAIN AFFORDABLE HOUSING.

POLICY 8.1
Support the production and management of permanently affordable housing.

POLICY 8.2
Encourage employers located within San Francisco to work together to develop and advocate for housing appropriate for employees.

POLICY 10.1
Create certainty in the development entitlement process, by providing clear community parameters for development and consistent application of these regulations.

POLICY 10.2
Implement planning process improvements to both reduce undue project delays and provide clear information to support community review.

OBJECTIVE 11
SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

POLICY 11.3
Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

POLICY 11.9
Foster development that strengthens local culture sense of place and history.

POLICY 12.2
Consider the proximity of quality of life elements, such as open space, child care, and neighborhood services, when developing new housing units.

II. COMMERCE AND INDUSTRY ELEMENT

POLICY 1.1
Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

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.

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.

POLICY 3.3
Emphasize job training and retraining programs that will impart skills necessary for participation in the San Francisco labor market.

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
Carefully consider public actions that displace existing viable industrial firms.

POLICY 4.4
When displacement does occur, attempt to relocate desired firms within the city.

POLICY 4.5
Control encroachment of incompatible land uses on viable industrial activity.

OBJECTIVE 6
MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

POLICY 6.1
Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

III. COMMUNITY FACILITIES ELEMENT
OBJECTIVE 3
ASSURE THAT NEIGHBORHOOD RESIDENTS HAVE ACCESS TO NEEDED SERVICES AND A FOCUS FOR NEIGHBORHOOD ACTIVITIES.

2. The Planning Commission finds from the facts presented that the impact on the public health, safety, peace and general welfare as set forth in Section 306.7(a) require the proposed Interim Controls.

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.

B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

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

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

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.

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

G) That landmark and historic buildings will be preserved.

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

4. The Planning Commission adopts the following Mission 2016 Interim Zoning Controls.

MISSION 2016 INTERIM ZONING CONTROLS

I. **BOUNDARIES.** The area proposed for interim controls is generally defined by the following boundaries: 13th and Division Street to Mission Street, to Cesar Chavez Avenue, to Potrero Avenue, and back to Division Street. The Mission Street boundary would include any parcel with a property line on either side of Mission Street. **See map attached hereto as Exhibit A.**

II. **DURATION.** The interim controls shall be in effect for fifteen (15) months from the date of this Motion.

III. **EXEMPTIONS:**

The following types of project are exempt from these interim controls, even if such project would otherwise be subject to them under the requirements of subsection (b) below:

1. Residential and mixed use projects that (A) provide at least 33% or more of the residential units as affordable for Households of Low and Moderate Income, all as defined in Planning Code Section 401; or (B) provide a dedication of land to the Mayor's Office of Housing and Community, in amount equal to the equivalent of 33% units or greater as described in Table 419.5 under Planning Code Section 419.5 or 419.6.

3. Production, distribution, and repair uses if exclusively PDR or that are mixed-use and include PDR uses and meet either of the two criteria above.

IV. CONTROLS.

A. Loss of Rent-Controlled Units. Any project that would result in the loss of one or more rent-controlled residential units shall require Conditional Use Authorization under Planning Code Section 303(c), or a Large Project Authorization under Planning Code Section 329, depending on the size of the project. In addition, any such project shall require the following:

1. **Application.** As part of the Conditional Use Permit or Large Project Authorization application, the applicant shall include in its application materials or in a supplement to its application:

(a) whether any of the new units in the Proposed Project:

(i) would be subject to the San Francisco Rent Stabilization and Arbitration Ordinance, San Francisco Administrative Code Section 37;

(ii) are qualified replacement units to be occupied by households of low or very low income, under the Government Code section 65915(c)(3) (the State Density Bonus Law); and;

(iii) are designated BMR units for the purposes of meeting the City's Inclusionary Housing requirements under Section 415 of the Planning Code; or

(b) Describe how the Project addresses the loss of the rent-controlled units, including but not limited to whether the project proposes to construct new rental units.

2. **Findings.** The Commission shall find in making a determination to approve the project that the project meets **the majority** of the following criteria:

(i) the property is free of a history of serious, continuing Code violations;

(ii) the housing has been maintained in a decent, safe, and sanitary condition;

(iii) that the project does not convert rental housing to other forms of tenure or occupancy.

(iv) the project conserves existing housing to preserve cultural and economic neighborhood diversity;

(v) the project conserves neighborhood character to preserve neighborhood cultural and economic diversity;

(vi) the project protects the relative affordability of existing housing;

(vii) the project increases the number of permanently affordable units as governed by Section 415;

(viii) the project increases the number of family-sized units on-site;

B. Medium Projects. Any residential or mixed use project that is between 25,000 and 75,000 gross square feet of non-residential use or has between 25-75 units shall require a Large Project Authorization under Planning Code Section 329, unless the project is already required to obtain a Conditional Use Authorization under Planning Code Section 329, in which case the additional required information shall be considered by the Planning Commission in its deliberation on the Conditional Use Authorization.

1. **Application Information:** The applicant shall include in its application for a Large Project or Conditional Use Authorization materials or in a supplement to its application information related to the following topics:

(a). Total Housing Production: The maximum allowable dwelling unit density the site could accommodate and ii) the density of the proposed project, and iii) evaluate how effectively the proposed project would house future residents – add or change the net supply of housing for all income levels and types of tenure.

(b). Affordable Housing Production: Discuss whether additional affordable housing could be provided on the site, through the availability of public financing or financial incentives, or through use of the State Density Bonus Law, Government Code Section 65915 or other applicable affordable housing incentive program, to provide an economic incentive or financial support for additional affordable units on the site.

(c). Housing Preservation: Existing housing on the project site that will be retained or demolished in terms of occupancy types, relative affordability, adaptability, rent-control and other tenant-features.

(d). Tenant Displacement: Whether the Rent Board has recorded a history of evictions or buyouts on the property and information on Ellis Act and Owner Move-In (OMI) evictions within a quarter mile from the project

(e). Nearby Development. Proposed and recent development in the project's vicinity, to be defined as within 1/4 mile radius of the project site. For the purposes of this review, past development projects shall include anything under construction or built within the last five (5) years and proposed development shall include any proposed project that has submitted an application or a preliminary project assessment (PPA) to the Planning Department.

2. **Additional Information for Displacement, Demolition or Conversion of Certain Uses.** If the project would displace, demolish or convert Assembly, Recreation, Arts and Entertainment, Light Manufacturing, Auto Repair, Trade Shops or Institutional uses[1] in any zoning district, the application shall include the following information:

[1] 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); Nighttime

(a). Relocation assistance in non-PDR zoning districts: In zoning districts other than PDR districts, discuss the existing or last-known Assembly, Recreation, Entertainment, PDR or Institutional tenants, for the last-known tenants the information required would be limited to uses that have been operating within three (3) years prior to the entitlement date of the project, and disclose whether the tenant has relocated or relocation benefits have been or will be provided.

(b). Findings for Businesses and Community Building-Uses. If the existing Assembly, Recreation, Entertainment, PDR or Institutional tenants have not been relocated or offered relocation benefits then the applicant shall provide the Planning Commission with additional information regarding potential impacts to the community and benefits of the project, including:

(c) Inventory of Similar Uses. Whether any other existing business similar to the use type being demolished or removed exists in the neighborhood; and

(d) Non-Residential Displacement. Discuss existing businesses or non-profit organizations that will not be retained in the proposed project, or offered an opportunity to lease space in the proposed project, in terms of length of lease, number of employees, whether the use is minority owned and a non-restaurant or bar use, and if a business is retail whether that business is formula retail. Discuss whether a commercial tenant has been displaced through rent increases or lack of lease renewal in the last 12 months.

C. **Large Projects.** Any residential or mixed-use project that would include the net addition or new construction of more than 75,000 gross square feet or includes more than 75 dwelling units shall require Conditional Use authorization under Planning Code Section 303(c). An application for conditional use shall include the following information:

1. **Demographic Changes:** Provide information about the socio-economic characteristics of the neighborhood and evaluate how the proposed project would affect existing and future residents, businesses and community-serving providers of the area.

2. **Economic Pressure:** Provide information about the additional housing supply provided by the project and evaluate how that may affect affordability of newly vacant units of housing (indirect displacement) and the rate of evictions (direct displacement) within the neighborhood.

3. **Total Housing Production:** Provide information about i) the maximum allowable dwelling unit density the site could accommodate and ii) the density of the proposed project, then iii) evaluate how effectively the proposed project would house future

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Entertainment, 102, 790.38, 890.37; 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).

residents – add or change the net supply of housing for all income levels and types of tenure.

4. **Affordable Housing Production:** Provide information about whether additional affordable housing could be provided on the site, through the availability of public financing or financial incentives, or through use of the State Density Bonus Law, Government Code Section 65915 or other applicable affordable housing incentive program to provide an economic incentive or financial support for additional affordable units on the site.

5. **Housing Preservation:** Provide information about existing housing on the project site in terms of occupancy types, relative affordability, adaptability, rent-control and other tenant-features.

6. **Tenant Displacement:** Provide information about whether the Rent Board has recorded a history of evictions or buyouts on the property and information on Ellis Act and Owner Move-In (OMI) evictions within a quarter mile from the project.

7. **Additional Information for Displacement, Demolition or Conversion of Certain Uses.** If the project would displace, demolish or convert Assembly, Recreation, Arts and Entertainment, Light Manufacturing, Auto Repair, Trade Shops or Institutional uses[2] in any zoning district in making its Conditional Use Authorization Application, the application shall include the following analysis:

(a) Relocation assistance in non-PDR zoning districts: In zoning districts other than PDR districts, provide information about the existing or last-known Assembly, Recreation, Entertainment, PDR or Institutional tenants, for the last-known tenant the information required would be limited to uses that have been operating within three (3) years prior to the entitlement date of the project, and disclose whether the tenant has relocated or relocation benefits have been or will be provided.

(b) Businesses and Community Building-Uses. If the existing Assembly, Recreation, Entertainment, PDR or Institutional tenants have not been relocated or offered relocation benefits then the applicant shall provide information regarding potential impacts to the community and benefits of the project as described below:

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[2] 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); Nighttime Entertainment, 102, 790.38, 890.37; 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).

(c) **Jobs & Economic Profile.** An analysis of the economic and fiscal impact of the proposed project. Towards this end, the application shall include an analysis of the loss of the existing use compared to the benefit of the proposed use, including an estimate, if known, of permanent job creation and/or job retention in the community of the proposed use compared to the existing use and associated wages and benefits for both;

(d) **Available Space in the Mission.** Discuss whether sufficient vacant space for the use type being demolished or removed exists in the neighborhood; and

(e) **Affordability of Community-Building Uses.** Provide an assessment of the affordability of community-building uses. Community-building uses shall include but not be limited to arts, nonprofit services and childcare uses. This assessment should discuss the nature of the community-building uses, the affordability of the uses and the amount of space provided for such uses on the existing site compared to similar uses associated with the proposed project, if any.

(f) **Non-Residential Displacement.** Discuss existing businesses or non-profit organizations that will not be retained in the proposed project, or offered an opportunity to lease space in the proposed project, in terms of length of lease, number of employees, whether the use is minority owned and a non-restaurant or bar use, and if a business is retail whether that business is formula retail. Discuss whether a commercial tenant has been displaced through rent increases or lack of lease renewal in the last 12 months.

V. ANALYSIS REQUIRED & STAFF REVIEW. The information required above shall be based upon independent study by a qualified professional. Studies that have been completed within 18 months from the date of the project's scheduled hearing at the Planning Commission and that are specific to San Francisco and Mission District conditions are preferable. Existing studies that may be used include but shall not be limited to "Potential Effects of Limiting Market-Rate Housing in the Mission" by the San Francisco Office of Economic Analysis, the "Housing Inventory," "Displacement in the Mission District" by the Budget and Legislative Analyst's Office or other publications by the San Francisco Planning Department or publications that are part of the "The Urban Displacement Project" a research and action initiative of UC Berkeley in collaboration with researchers at UCLA, community based organizations, regional planning agencies and the State of California's Air Resources Board.

Planning Department staff shall review the information provided by the applicant as described above and provide an assessment of the information. The Commission shall consider the staff analysis, where appropriate for the underlying entitlement. Specifically, for Large Project Authorizations subject to Section 329, Planning Department staff should use this information in the evaluation of Section 329(c)(9) and for a Conditional Use authorization, in the evaluation of Section 303(c).

VI. PRE-APPLICATION MEETINGS.

The Planning Director will encourage staff to attend required pre-application meetings, especially for large projects, in the area to review proposals early in the process and listen to comments made by the public about the project early on.

VII. EFFECTIVE DATE.

These Interim Controls shall apply to all projects that have not received a required entitlement or approval from the Planning Department, Zoning Administrator, or Planning Commission by January 14, 2016.

VIII. STAFF REPORT

The Planning Commission directs staff to follow up on the San Francisco Board Budget and Legislative Analyst's May 29, 2015 Report and, working with the Mayor's Office of Housing and Community Development and other City agencies as necessary, provide an informational report to the Commission as to:

A. Sites in the Interim Control area available for the development of 40 or more affordable units;
B. Whether any available sites could potentially be subdivided to produce a site for market rate housing and a site suitable for 100% affordable housing production;
C. Whether financing would be available to fund developments of 100% affordable housing on sites in the Interim Control area in the near or mid-term; and
D. Any other strategies for the City to develop, incentivize or facilitate the development of affordable housing projects in the Interim Control Area.

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

By: _____
KATE H. STACY
Deputy City Attorney

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on January 14, 2016.

Jonas P. Ionin
Commission Secretary

AYES: Antonini, Hillis, Johnson, Moore, Wu, Richards, Fong

NOES: None

ABSENT: None

Exhibit A: Map of Mission 2016 Interim Controls Area


Neighborhood
Interim Control
Division St
Potrero Ave
Mission St
Cesar Chavez St
N
0.5 Mile