

Requirements for Changing the Use of Certain Properties*

Digest by the Ballot Simplification Committee

Status: Draft for Consideration

On: Wednesday, August 10, 2016

Members: Packard, Anderson, Fasick, Fraps, Jorgensen

Deadline to Request Reconsideration: TBD

The Way It Is Now: The City's zoning laws generally control what property owners can build and how they may use their property. In 2008, the City adopted a plan changing the zoning in the Eastern Neighborhoods, which include the Mission, Potrero Hill, parts of the waterfront south of Mission Bay, and parts of the South of Market neighborhood. In addition to residential and commercial uses, other types of uses allowed in the Eastern Neighborhoods include:

- Production, distribution, and repair (PDR). PDR uses include a variety of light-industrial and craft uses, such as industrial, automotive, storage and wholesale; and small business uses, such as furniture makers, recording studios, auto repair shops, plumbing supply stores, art studios and lumber yards.
- Institutional Community (IC). IC uses include child care facilities, community facilities, job training, religious institutions, and social services.
- Arts Activities uses include the performance, exhibition, rehearsal, and production of visual, performance, and sound arts. Arts Activities uses also include art studios and art schools.

The City's Eastern Neighborhoods have a high concentration of property zoned for PDR use.

Changing the use of a property sometimes requires the City's Planning Commission to issue a conditional use authorization. The Planning Commission may do so if it makes certain findings, including whether the proposed new use is necessary or desirable for, and compatible with, the neighborhood or the community. Conditional use authorizations are appealable to the Board of Supervisors.

The Proposal: Proposition ____ would generally require developers of projects in parts of the Mission and South of Market neighborhoods that would remove PDR uses of 5,000 square feet or more, IC uses of 2,500 square feet or more, or Arts Activities uses of any size, to build replacement space for those uses in their new project. The amount and type of replacement space would depend on the site's zoning, and would be between 0.4 and one square foot for every square foot of the use that the project would replace.

The Board of Supervisors could allow developers to pay a fee or build off-site replacement space instead of on-site replacement space.

These projects would also be required to obtain a conditional use authorization before changing the property's use.

Exemptions from these requirements include projects that:

- the Planning Commission approved before June 14, 2016; and
- consist exclusively of affordable housing.

Proposition __ would allow the Board of Supervisors to change these requirements by a two-thirds vote.

A "YES" Vote Means: If you vote "yes," you want the City to require developers of projects in the Mission and South of Market neighborhoods that would remove PDR uses of 5,000 square feet or more, IC uses of 2,500 square feet or more, or

**Working title, for identification only. The Director of Elections determines the title of each local ballot measure; measure titles are not considered during Ballot Simplification Committee meetings.*

Arts Activities uses of any size to build replacement space for those uses in their new project and to obtain a conditional use authorization before changing the property's use.

A "NO" Vote Means: If you vote "no," you do not want to make these changes.