

File No. 161024

Committee Item No. 9

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation

Date October 31, 2016

Board of Supervisors Meeting

Date _____

Cmte Board

- | | | |
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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Resolution |
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| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Memorandum of Understanding (MOU) |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
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| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 - Ethics Commission |
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OTHER

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>CEQA Determination</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Small Business Commission Response</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Notice of Public Hearing</u> |
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Completed by: Alisa Somera Date October 27, 2016

Completed by: _____ Date _____

1 [Extending Interim Zoning Controls - New Ground Floor Office Uses Facing 2nd Street - King
2 and Folsom Streets]

3 **Resolution extending interim zoning controls that require conditional use authorization**
4 **for new office uses facing 2nd Street, from King to Folsom Streets, for specified**
5 **Assessor's Parcel Block and Lot Nos. listed herein, for six months; and making**
6 **environmental findings, including findings of consistency with the eight priority**
7 **policies of Planning Code, Section 101.1.**

8
9 WHEREAS, Planning Code, Section 306.7, provides for the imposition of interim
10 zoning controls to accomplish several objectives, including preservation of residential and
11 mixed residential and commercial areas in order to preserve the existing character of such
12 neighborhoods and areas, and development and conservation of the commerce and industry
13 of the City in order to maintain the economic vitality of the City, to provide its citizens with
14 adequate jobs and business opportunities, and to maintain adequate services for its residents,
15 visitors, businesses and institutions; and

16 WHEREAS, San Francisco needs to promote its vibrant small neighborhood-serving
17 retail sector and create a supportive environment for small neighborhood businesses and
18 retail. One of the eight Priority Policies of the City's General Plan resolves that "existing
19 neighborhood-serving retail uses be preserved and enhanced and future opportunities for
20 resident employment in and ownership of such businesses enhanced"; and

21 WHEREAS, Neighborhood-serving commercial uses are the land uses most critical to
22 the success of the City's commercial districts, and ground floor neighborhood-serving retail is
23 critical to maintain vibrant mixed used districts; and

1 WHEREAS, In 2011, the Planning Department began the process to develop an
2 integrated community vision for the southern portion of the Central Subway rail corridor,
3 located generally from 2nd to 6th Streets, and between Townsend and Market Streets (the
4 “Central SoMa Plan”); and

5 WHEREAS, The Central SoMa Plan proposes to build off the neighborhood's success,
6 while addressing many of its challenges, with a comprehensive strategy that will address such
7 issues as land use, building size and heights, transportation, the public realm, preservation of
8 historic buildings and environmental sustainability; and

9 WHEREAS, In recent years, there has been high development demand within the
10 Central SoMa Plan area, and in the South of Market area more generally; and

11 WHEREAS, This demand is mostly for residential and office uses; and

12 WHEREAS, As part of the Central SoMa Plan, the Planning Department and the
13 community will consider how can the City best accommodate this growing development
14 demand while preserving and enhancing the neighborhood qualities and character that make
15 the area the dynamic place that it is today; and

16 WHEREAS, As part of that effort, the Department will consider how to preserve and
17 enhance ground-floor neighborhood-serving retail; and

18 WHEREAS, On October 28, 2014, the Board of Supervisors adopted Resolution No.
19 402-14 (File No. 140016), which imposed interim controls intended to address the pressure to
20 develop new, non-neighborhood-serving office uses in a particular subsection of the Central
21 SoMa Plan area and the area immediately adjacent to it: the area close to South Park, on 2nd
22 Street, between King and Folsom Streets, by requiring conditional use authorization for such
23 establishments uses for a period of eighteen months; and

24 WHEREAS, The circumstances that led to the adoption of Resolution No. 402-14,
25 namely, the intense development demand that exists in the area, still persist today; and

1 WHEREAS, This Board has considered the impact on the public health, safety, peace,
2 and general welfare if the interim controls proposed herein were not extended; and

3 WHEREAS, This Board has determined that the public interest will be best served by
4 extension of these interim controls at this time, in order to ensure that the planning and
5 legislative scheme which may be ultimately adopted is not undermined during the planning
6 and legislative process for permanent controls; and

7 WHEREAS, The Planning Department has determined that the actions contemplated in
8 this Resolution are in compliance with the California Environmental Quality Act (California
9 Public Resources Code, Section 21000 et. seq.); and

10 WHEREAS, Said determination is on file with the Clerk of the Board of Supervisors in
11 File No. 161024 and is incorporated here by reference; now, therefore, be it

12 RESOLVED, Pursuant to Planning Code, Section 306.7, the Board of Supervisors, by
13 this Resolution, hereby prohibits any City agency, board, commission, officer or employee
14 from approving any site permit, building permit or any other permit or license authorizing the
15 establishment of any new office uses, as defined herein, on the ground floor on properties
16 facing 2nd Street, between King and Folsom Streets, unless the action would conform both to
17 the existing provisions of the Planning Code and this Resolution; and, be it

18 FURTHER RESOLVED, That for the purpose of these interim controls "office uses"
19 shall be defined in Planning Code, Section 890.70 , but shall not include Neighborhood-
20 Serving Businesses as defined in Planning Code, Section 890.68; and, be it

21 FURTHER RESOLVED, That as of the effective date of this Resolution, the
22 establishment of new office uses on the ground floor facing 2nd Street, between King and
23 Folsom Streets, shall be subject to a conditional use authorization; and, be it

24 FURTHER RESOLVED, That these interim zoning controls shall apply to properties
25 facing 2nd Street, between King and Folsom Streets, or more specifically, to the following

1 Assessor's Parcel Block and Lot Nos.: Block No. 3774, Lot Nos. 045, 067, 123, 031, 044, 191;
2 Block No. 3788, Lot Nos. 006, 037, 043, 049, 038, 002, 044; Block No. 3775, Lot Nos. 008,
3 181, 002, 005, 001, 004; Block No. 3764, Lot Nos. 068, 067, 014, 071; Block No. 3794, Lot
4 Nos. 015, 002, 002B, 291; Block No. 3749, Lot No. 062; Block No. 3763, Lot Nos. 006, 007,
5 113, 001, 112; Block No. 3789, Lot Nos. 858, 007, 008; Block No. 3750, Lot Nos. 003, 073,
6 087; and Block No. 3793, Lot No. 005; and, be it

7 FURTHER RESOLVED, That any office use on the ground floor lawfully existing prior
8 to the effective date of Resolution No. 402-14 is exempt from these interim controls, unless it
9 ceases to operate or discontinues operation for 90 days or longer, in which event the use shall
10 be deemed abandoned; and, be it

11 FURTHER RESOLVED, These controls shall not apply to buildings with more than
12 1,500 square footage of ground floor retail, as long as a minimum of 1,500 square footage of
13 retail is preserved; and, be it

14 FURTHER RESOLVED, That for purposes of these interim controls, the Planning
15 Commission shall consider, in addition to the criteria listed in Planning Code, Section 303, the
16 effect of the proposed new offices on the ground floor. In so doing, the Commission shall take
17 into consideration the effect of the proposed office on existing neighborhood-serving retail
18 uses, as directed by Planning Code, Section 101.1; and, be it

19 FURTHER RESOLVED, That these interim controls shall remain in effect for six
20 months from the expiration of the interim zoning controls established by Resolution No. 402-
21 14, or until the adoption of permanent legislation regarding the Central SoMa Plan, whichever
22 first occurs; and, be it

23 FURTHER RESOLVED, That these interim zoning controls advance and are consistent
24 with the eight priority policies of Planning Code, Section 101.1, particularly Policies 1 and 2,
25

1 in that they attempt to preserve and enhance the character and vitality of one of the City's
2 neighborhoods; and, be it

3 FURTHER RESOLVED, With respect to Priority Policies 3, 4, 5, 6, 7, and 8, the Board
4 finds that these interim zoning controls do not have an effect and will not conflict with said
5 policies.

6
7

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

10 By:



11 ANDREA RUIZ-ESQUIDE
12 Deputy City Attorney

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BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

September 27, 2016

File No. 161024

Lisa Gibson
Acting Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On September 20, 2016, Supervisor Kim introduced the following proposed legislation:

File No. 161024

Resolution extending interim zoning controls that require conditional use authorization for new office uses facing 2nd Street, from King to Folsom Streets, for specified Assessor's Parcel Block and Lot Nos. listed herein, for six months; and making environmental findings, including findings of consistency with the eight priority policies of Planning Code, Section 101.1.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Alisa Somera".

By: Alisa Somera, Legislative Deputy Director
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Jeanie Poling, Environmental Planning

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

Joy
Navarrete

Digitally signed by Joy Navarrete
DN: cn=Joy Navarrete, o=Planning,
ou=Environmental Planning,
email=joy.navarrete@sfgov.org,
c=US
Date: 2016.10.20 14:54:56 -0700'

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Regina Dick-Endrizzi, Director
Small Business Commission, City Hall, Room 448

FROM: *ll* Alisa Somera, Legislative Deputy Director
Land Use and Transportation Committee

DATE: September 27, 2016

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Land Use and Transportation Committee

The Board of Supervisors' Land Use and Transportation Committee has received the following legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 161024

Resolution extending interim zoning controls that require conditional use authorization for new office uses facing 2nd Street, from King to Folsom Streets, for specified Assessor's Parcel Block and Lot Nos. listed herein, for six months; and making environmental findings, including findings of consistency with the eight priority policies of Planning Code, Section 101.1.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

RESPONSE FROM SMALL BUSINESS COMMISSION - Date: 10/13/16

- No Comment
- Recommendation Attached

[Signature]
Chairperson, Small Business Commission

c: Menaka Mahajan, Small Business Commission

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE AND TRANSPORTATION COMMITTEE

NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: Monday, October 31, 2016

Time: 1:30 p.m.

Location: Legislative Chamber, Room 250, located at City Hall
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Subject: File No. 161024. Resolution extending interim zoning controls that require conditional use authorization for new office uses facing 2nd Street, from King to Folsom Streets, for specified Assessor's Parcel Block and Lot Nos. listed herein, for six months; and making environmental findings, including findings of consistency with the eight priority policies of Planning Code, Section 101.1.

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official public record in this matter, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, October 28, 2016.


Angela Calvillo
Clerk of the Board

DATED: October 20, 2016

PUBLISHED/MAILED/POSTED: October 21, 2016

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Alisa Somera
CCSF BD OF SUPERVISORS (OFFICIAL NOTICES)
1 DR CARLTON B GOODLETT PL #244
SAN FRANCISCO, CA 94102

COPY OF NOTICE

Notice Type: GPN GOVT PUBLIC NOTICE
Ad Description AS - 10.31.2016 Land Use - 161024 Extending Interim Controls

To the right is a copy of the notice you sent to us for publication in the SAN FRANCISCO EXAMINER. Thank you for using our newspaper. Please read this notice carefully and call us with ny corrections. The Proof of Publication will be filed with the County Clerk, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

10/21/2016

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an invoice.

EXM# 2938467
NOTICE OF PUBLIC HEARING
BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO
LAND USE AND TRANSPORTATION COMMITTEE
MONDAY, OCTOBER 31, 2016 - 1:30 PM
CITY HALL, LEGISLATIVE CHAMBER, ROOM 250
1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA

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BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

PROOF OF MAILING

Legislative File No. 161024

Description of Item(s):

Resolution extending interim zoning controls that require conditional use authorization for new office uses facing 2nd Street, from King to Folsom Streets, for specified Assessor's Parcel Block and Lot Nos. listed herein, for six months; and making environmental findings, including findings of consistency with the eight priority policies of Planning Code, Section 101.1.

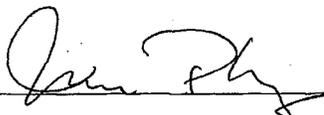
I, JAMES PAUNG, an employee of the City and County of San Francisco, mailed the above described document(s) by depositing the sealed items with the United States Postal Service (USPS) with the postage fully prepaid as follows:

Date: Friday, October 21, 2016

Time: 6:30 PM

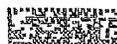
USPS Location: Repro Pick-up Box in the Clerk of the Board's Office (Rm 244)

Mailbox/Mailslot Pick-Up Times (if applicable): N/A

Signature: 

Instructions: Upon completion, original must be filed in the above referenced file.

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1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

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BOARD of SUPERVISORS



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San Francisco 94102-4689
Tel. No. 554-5184
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TDD/TTY No. 554-5227

MEMORANDUM

TO: Regina Dick-Endrizzi, Director
Small Business Commission, City Hall, Room 448

FROM: *AS* Alisa Somera, Legislative Deputy Director
Land Use and Transportation Committee

DATE: September 27, 2016

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Land Use and Transportation Committee

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File No. 161024

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Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

RESPONSE FROM SMALL BUSINESS COMMISSION - Date: _____

- _____ **No Comment**
- _____ **Recommendation Attached**

Chairperson, Small Business Commission

c: Menaka Mahajan, Small Business Commission

BOARD of SUPERVISORS



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Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
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TDD/TTY No. 554-5227

September 27, 2016

File No. 161024

Lisa Gibson
Acting Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

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File No. 161024

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Angela Calvillo, Clerk of the Board

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By: Alisa Somera, Legislative Deputy Director
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Jeanie Poling, Environmental Planning

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TDD/TTY No. 554-5227

MEMORANDUM

TO: John Rahaim, Director, Planning Department
Tom Hui, Director, Department of Building Inspection

FROM:  Alisa Somera, Legislative Deputy Director
Land Use and Transportation Committee

DATE: September 27, 2016

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Kim on September 20, 2016:

File No. 161024

Resolution extending interim zoning controls that require conditional use authorization for new office uses facing 2nd Street, from King to Folsom Streets, for specified Assessor's Parcel Block and Lot Nos. listed herein, for six months; and making environmental findings, including findings of consistency with the eight priority policies of Planning Code, Section 101.1.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: alisa.somera@sfgov.org.

c: Scott Sanchez, Planning Department
Lisa Gibson, Planning Department
AnMarie Rodgers, Planning Department
Aaron Starr, Planning Department
Joy Navarrete, Planning Department
Jeanie Poling, Planning Department
William Strawn, Department of Building Inspection
Carolyn Jayin, Department of Building Inspection

Print Form

Introduction Form

By a Member of the Board of Supervisors or the Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2016 SEP 20 10:25:52
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or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

Supervisor Kim

Subject:

Extending Interim Zoning Controls-New Ground Floor Office Uses Facing 2nd Street, from King and Folsom Streets

The text is listed below or attached:

See attached.

Signature of Sponsoring Supervisor: _____



For Clerk's Use Only: