

File No. 150037

Committee Item No. 1  
Board Item No. 6

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Land Use & Development

Date Feb. 2, 2015

Board of Supervisors Meeting

Date Feb. 10, 2015

#### Cmte Board

- |                                     |                                     |  |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution                                   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Ordinance                                    |
| <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 checked="" type="checkbox"/> | Introduction Form                            |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

OTHER (Use back side if additional space is needed)

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Completed by: Andrea Ausberry Date Jan. 29, 2015  
Completed by: \_\_\_\_\_ Date \_\_\_\_\_

1 [Interim Zoning Controls - Moderate Scale Neighborhood Commercial Transit (NCT-3) District  
2 - Parcels along Market Street West of Octavia Boulevard]

3 **Resolution imposing interim zoning controls for an 18-month period requiring**  
4 **Conditional Use authorization for Limited Financial Service and Business or**  
5 **Professional Service uses in the Moderate Scale Neighborhood Commercial Transit**  
6 **(NCT-3) District for parcels along Market Street, west of Octavia Boulevard; and making**  
7 **environmental findings, and findings of consistency with the General Plan, and with the**  
8 **eight priority policies of Planning Code, Section 101.1.**

9  
10 WHEREAS, Planning Code, Section 306.7 provides for the imposition of interim zoning  
11 controls that promote the public interest, including but not limited to development and  
12 conservation of the City's commerce and industry to maintain the City's economic vitality and  
13 maintain adequate services for its residents, visitors, businesses and institutions; and  
14 preservation of neighborhoods and areas of mixed residential and commercial uses and their  
15 existing character; and

16 WHEREAS, Maximizing active ground floor building street frontages and dynamic,  
17 pedestrian-friendly neighborhood commercial corridors is a recognized public purpose and  
18 promotes the public interest of the City and County of San Francisco; and

19 WHEREAS, The ground floor retail spaces along Market Street west of Octavia  
20 Boulevard in the Moderate Scale Neighborhood Commercial Transit (NCT-3) District already  
21 contain an over-concentration of financial and business services; and

22 WHEREAS, The area where the interim controls are imposed is currently regulated by  
23 Planning Code, Section 731.1 and the Zoning Control Table in Section 731. Section 731.50 of  
24 the Zoning Control allows Limited Financial Services, as defined by Planning Code, Section  
25 790.112, on any floor as a principally permitted use and Section 731.53 allows Business or

1 Professional Service, as defined by Planning Code, Section 790.108, as a principally  
2 permitted use on any floor; and

3 WHEREAS, These interim controls will allow time for the orderly completion of a  
4 planning study and for the adoption of appropriate legislation; and

5 WHEREAS, This Board of Supervisors ("Board") has considered the impact on the  
6 public health, safety, peace and general welfare if the interim controls proposed herein are not  
7 imposed; and

8 WHEREAS, The Board has determined that the public interest will best be served by  
9 imposition of these interim controls in order to ensure that the legislative scheme which may  
10 be ultimately adopted is not undermined during the planning and legislative process for  
11 permanent controls; and

12 WHEREAS, The Board makes the following findings of consistency with the Priority  
13 Policies set forth in Planning Code, Section 101.1: By requiring Conditional Use authorization  
14 for Limited Financial Service and Business or Professional Service uses, these interim  
15 controls advance Priority Policy 1 that existing neighborhood-serving retail uses be preserved  
16 and enhanced and Priority Policy 2 that existing housing and neighborhood character be  
17 conserved and protected in order to preserve the cultural and economic diversity of our  
18 neighborhoods; these interim controls do not conflict with the other Priority Policies of Section  
19 101.1; and

20 WHEREAS, The Planning Department has determined that the actions contemplated in  
21 this Resolution are in compliance with the California Environmental Quality Act (California  
22 Public Resources Code, Sections 21000 et seq.). Said determination is on file with the Clerk  
23 of the Board of Supervisors in File No. 150037 and is incorporated herein by reference; now,  
24 therefore, be it

5

1 RESOLVED, That pursuant to Planning Code Section 306.7, the Board hereby requires  
2 that a Conditional Use authorization pursuant to Planning Code Section 303 is required to  
3 establish a Limited Financial Service, as defined by Planning Code Section 790.112, or  
4 Business or Professional Service, as defined by Planning Code Section 790.108, for all  
5 parcels along Market Street west of Octavia Boulevard and located within the Moderate Scale  
6 Neighborhood Commercial Transit (NCT-3) District; and, be it

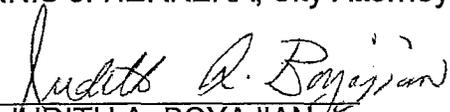
7 FURTHER RESOLVED, That upon imposition of these interim controls, the Planning  
8 Department shall conduct a study of the contemplated zoning proposal and propose  
9 permanent legislation to address the issues posed by a concentration of financial and  
10 business services along Market Street west of Octavia Boulevard and in the Moderate Scale  
11 Neighborhood Commercial Transit (NCT-3) District; and, be it

12 FURTHER RESOLVED, That these interim controls shall apply to all applications that  
13 seek to establish a Limited Financial Service or a Business or Professional Service use in the  
14 area covered by the controls that are filed on or after January 13, 2015; and,

15 FURTHER RESOLVED, That these interim controls shall remain in effect for a period  
16 of eighteen (18) months unless extended in accordance with Planning Code Section 306.7(h)  
17 or until permanent controls are adopted; and, be it

18 FURTHER RESOLVED, That the Planning Department shall provide reports to the  
19 Board pursuant to Planning Code Section 306.7(i).

20  
21 APPROVED AS TO FORM:  
22 DENNIS J. HERRERA, City Attorney

23 By:   
24 JUDITH A. BOYAJIAN  
25 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

January 26, 2015

File No. 150037

Sarah Jones  
Environmental Review Officer  
Planning Department  
1650 Mission Street, 4<sup>th</sup> Floor  
San Francisco, CA 94103

Dear Ms. Jones:

On January 13, 2015, Supervisor Wiener introduced the following legislation:

**File No. 150037**

**Resolution imposing interim zoning controls for an 18-month period requiring Conditional Use authorization for Limited Financial Service and Business or Professional Service uses in the Moderate Scale Neighborhood Commercial Transit (NCT-3) District for parcels along Market Street west of Octavia Boulevard; making environmental findings, and findings of consistency with the General Plan, and 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 "A. Ausberry".

By: Andrea Ausberry, Assistant Clerk  
Land Use & Economic Development Committee

Attachment

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

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

*Jeanie Poling 1/29/15*

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Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
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## MEMORANDUM

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

FROM: Andrea Ausberry, Assistant Clerk, Land Use and Economic Development  
Committee, Board of Supervisors

DATE: January 26, 2015

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS  
Land Use and Economic Development Committee

The Board of Supervisors' Land Use and Economic Development 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. 150037**

**Resolution imposing interim zoning controls for an 18-month period requiring Conditional Use authorization for Limited Financial Service and Business or Professional Service uses in the Moderate Scale Neighborhood Commercial Transit (NCT-3) District for parcels along Market Street west of Octavia Boulevard; making environmental findings, and findings of consistency with the General Plan, and 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:** \_\_\_\_\_

- No Comment
- Recommendation Attached

\_\_\_\_\_  
Chairperson, Small Business Commission

BOARD of SUPERVISORS



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1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
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## NOTICE OF PUBLIC HEARING

### BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE AND ECONOMIC DEVELOPMENT COMMITTEE

NOTICE IS HEREBY GIVEN THAT the Land Use and Economic Development 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:

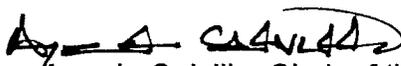
**Date:** Monday, February 2, 2015

**Time:** 1:30 p.m.

**Location:** Committee Room 263, located at City Hall  
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

**Subject:** File No. 150037. Resolution imposing interim zoning controls for an 18-month period requiring Conditional Use authorization for Limited Financial Service and Business or Professional Service uses in the Moderate Scale Neighborhood Commercial Transit (NCT-3) District for parcels along Market Street west of Octavia Boulevard; making environmental findings, and findings of consistency with the General Plan, and 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 as 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 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, January 30, 2015.

  
Angela Calvillo, Clerk of the Board

DATED: January 22, 2015

MAILED/POSTED/PUBLISHED: January 23, 2015

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Andrea A.  
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 Interim Zoning Control 150037

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):

01/23/2015

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.

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THE INTER-CITY EXPRESS, OAKLAND	(510) 272-4747

EXM 2710295

NOTICE OF  
PUBLIC HEARING  
LAND USE AND  
ECONOMIC DEVELOP-  
MENT COMMITTEE  
SF BOARD OF SUPERVI-  
SORS  
FEBRUARY 2, 2015  
4:30 PM  
COMMITTEE  
ROOM 263, CITY HALL  
1 DR. CARLTON B.  
GOODLETT PLACE,  
SF, CA

NOTICE IS HEREBY GIVEN THAT the Land Use and Economic Development 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: File No. 150037. Resolution imposing interim zoning controls for an 18-month period requiring Conditional Use authorization for Limited Financial Service and Business or Professional Service uses in the Moderate Scale Neighborhood Commercial Transit (NCT-3) District for parcels along Market Street west of Octavia Boulevard; making environmental findings, and findings of consistency with the General Plan, and 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 as 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 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, January 30, 2015. Angela Calvillo, Clerk of the Board



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BOARD of SUPERVISORS



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1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
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PROOF OF MAILING

Legislative File No. 150037

Description of Items:

Resolution imposing interim zoning controls for an 18-month period requiring Conditional Use authorization for Limited Financial Service and Business or Professional Service uses in the Moderate Scale Neighborhood Commercial Transit (NCT-3) District for parcels along Market Street west of Octavia Boulevard; making environmental findings, and findings of consistency with the General Plan, and with the eight priority policies of Planning Code, Section 101.1.

I, Monica Guzman, 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: 01/22/15

Time: 4:10 PM

USPS Location: Front Desk Rm 244

Mailbox/Mailslot Pick-Up Times (if applicable): \_\_\_\_\_

Signature: *Monica Guzman*

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

RECEIVED  
BOARD OF SUPERVISORS  
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JAN 22 PM 4:10  
373

President, District 5  
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San Francisco 94102-4689  
Tel. No. 554-7630  
Fax No. 554-7634  
TDD/TTY No. 544-5227

London Breed

**PRESIDENTIAL ACTION**

Date: January 16, 2015

To: Angela Calvillo, Clerk of the Board of Supervisors

Madam Clerk,

Pursuant to Board Rules, I am hereby:

Waiving 30-Day Rule (Board Rule No. 3.23)

File No. 150037 Wiener  
(Primary Sponsor)

Title. Interim Zoning Controls - NCT-3 District

Transferring (Board Rule No. 3.3)

File No. \_\_\_\_\_  
(Primary Sponsor)

Title. \_\_\_\_\_

From: \_\_\_\_\_ Committee

To: \_\_\_\_\_ Committee

Assigning Temporary Committee Appointment (Board Rule No. 3.1)

Supervisor \_\_\_\_\_

Replacing Supervisor \_\_\_\_\_

For: \_\_\_\_\_ Meeting  
(Date) (Committee)

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
JAN 16 PM 1:11

London Breed, President  
Board of Supervisors

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp  
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. Request for Closed Session (attach written motion).
- 10. Board to Sit as A Committee of the Whole.
- 11. 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**

**Sponsor(s):**

Supervisor Wiener

**Subject:**

Planning Code - Interim zoning controls for the Moderate Scale Neighborhood Commercial Transit (NCT-3) District for Parcels along Market Street West of Octavia Boulevard

**The text is listed below or attached:**

Resolution imposing interim zoning controls for an 18-month period requiring Conditional Use authorization for Limited Financial Service and Business or Professional Service uses in the Moderate Scale Neighborhood Commercial Transit (NCT-3) District for parcels along Market Street west of Octavia Boulevard; making environmental findings and findings of consistency with the General Plan and with the Priority Policies of Planning Code Section 101.1.

Signature of Sponsoring Supervisor:

*Scott Wiener*

For Clerk's Use Only:

