

File No. 151198

Committee Item No. 2

Board Item No. \_\_\_\_\_

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation

Date December 14, 2015

Board of Supervisors Meeting

Date \_\_\_\_\_

### Cmte Board

- |                                     |                          |                                              |
|-------------------------------------|--------------------------|----------------------------------------------|
| <input type="checkbox"/>            | <input type="checkbox"/> | Motion                                       |
| <input checked="" type="checkbox"/> | <input 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 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                                 |
| <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"/> | Form 700                                     |
| <input type="checkbox"/>            | <input type="checkbox"/> | Vacancy Notice                               |
| <input type="checkbox"/>            | <input type="checkbox"/> | Information Sheet                            |
| <input type="checkbox"/>            | <input type="checkbox"/> | Public Correspondence                        |

### OTHER (Use back side if additional space is needed)

- |                                     |                          |                                        |
|-------------------------------------|--------------------------|----------------------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>CEQA Determination, dtd 12/8/15</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Notice of Public Hearing</u>        |
| <input type="checkbox"/>            | <input type="checkbox"/> | _____                                  |
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Completed by: Alisa Somera Date December 10, 2015

Completed by: \_\_\_\_\_ Date \_\_\_\_\_

1 [Interim Zoning Controls Six-Month Extension - Formula Retail Uses in the Castro Street  
2 Neighborhood Commercial District]

3 **Resolution extending, for an additional six-month period, interim zoning controls in the**  
4 **Castro Street Neighborhood Commercial District to require a Conditional Use**  
5 **authorization under Planning Code, Section 303.1, for a proposed use that has been**  
6 **determined to be Formula Retail, even if a project sponsor subsequently removes one**  
7 **or more distinguishing Formula Retail Use features from the project proposal; and**  
8 **affirming the Planning Department’s determination under the California Environmental**  
9 **Quality Act.**

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

17 WHEREAS, Planning Code, Section 306.7(h), authorizes imposition of interim controls  
18 for a period of 18 months, which may be extended by the body imposing the controls for an  
19 additional six months; and

20 WHEREAS, On July 8, 2014, the Board of Supervisors adopted Resolution No. 238-14,  
21 which was signed by the Mayor on July 18, 2014; and

22 WHEREAS, Resolution No. 238-14 imposed interim controls for an 18-month period  
23 that required Conditional Use authorization in the Castro Street NCD under Planning Code,  
24 Section 303(i), in circumstances where there has been a determination by Planning  
25 Department staff or a City board, commission, or agency that a proposed project is a Formula

1 Retail Use, including circumstances when the project sponsor subsequently removes one or  
2 more of the Formula Retail Use features formerly listed in Planning Code, Sections 703.3(b)  
3 and 303(i), and now listed in Planning Code, Section 303.1, as defining a Formula Retail Use,  
4 and applied this requirement to any proposed use in the Castro Street NCD that has not  
5 received a final decision on any required approval action by any City department, board,  
6 commission, or agency; and

7 WHEREAS, It is necessary to extend the interim controls in the Castro Street NCD for  
8 an additional six-month period to allow time for further study and possibly permanent  
9 legislation to be enacted; and

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

13 WHEREAS, The Board of Supervisors hereby affirms that determination on file with the  
14 Clerk of the Board of Supervisors in File No. 140736 and incorporated herein by reference;  
15 now, therefore, be it

16 RESOLVED; That pursuant to Planning Code, Section 306.7, the Board of Supervisors  
17 hereby extends the interim controls imposed by Resolution No. 238-14 for an additional six-  
18 month period that begins on January 16, 2016, or until permanent controls are enacted,  
19 whichever shall first occur; and, be it

20 FURTHER RESOLVED, That, as required by said interim controls, a Conditional Use  
21 authorization under Planning Code, Section 303.1, is required to establish a formula retail use  
22 as defined in Planning Code, Section 303.1, even where the project sponsor subsequently  
23 removes one or more of the Formula Retail Use features listed in Planning Code, Section

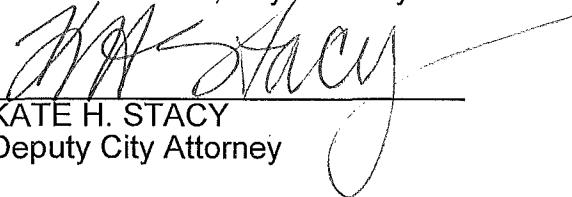
24 //

25 //

1 303.1, for all parcels located within the Castro Street Neighborhood Commercial District.

2

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

5 By:   
6 KATE H. STACY  
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

November 25, 2015

**File No. 151198**

Sarah Jones  
Environmental Review Officer  
Planning Department  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Ms. Jones:

On November 17, 2015, Supervisor Wiener introduced the following proposed legislation extending the existing Interim Zoning Controls (original File No. 140736):

**File No. 151198**

Resolution extending, for an additional six-month period, interim zoning controls in the Castro Street Neighborhood Commercial District to require a Conditional Use authorization under Planning Code, Section 303.1, for a proposed use that has been determined to be Formula Retail, even if a project sponsor subsequently removes one or more distinguishing Formula Retail Use features from the project proposal; and affirming the Planning Department's determination under the California Environmental Quality Act.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script that reads "Alisa Somera".

By: Alisa Somera, Assistant Clerk  
Land Use and Transportation Committee

Attachment

c: John Rahaim, Director  
Scott Sanchez, Zoning Administrator  
AnMarie Rodgers, Senior Policy Advisory  
Aaron Starr, Legislative Affairs Manager  
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: 2015.12.08 12:31:32 -08'00'

BOARD of SUPERVISORS



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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:

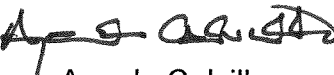
**Date:** Monday, December 14, 2015

**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. 151198.** Resolution extending, for an additional six-month period, interim zoning controls in the Castro Street Neighborhood Commercial District to require a Conditional Use authorization under Planning Code, Section 303.1, for a proposed use that has been determined to be Formula Retail, even if a project sponsor subsequently removes one or more distinguishing Formula Retail Use features from the project proposal; and affirming the Planning Department's determination under the California Environmental Quality Act.

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 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, December 11, 2015.

  
Angela Calvillo  
Clerk of the Board

DATED: December 3, 2015  
POSTED/PUBLISHED/MAILED: December 4, 2015

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  
TTD/TTY No. 5545227

## NOTIFICACIÓN DE AUDIENCIA PÚBLICA

JUNTA DE SUPERVISORES DE LA CIUDAD Y CONDADO DE SAN FRANCISCO


COMITÉ SOBRE USO DE TERRENOS Y TRANSPORTE

**Fecha:** Lunes, 14 de diciembre de 2015

**Hora:** 1:30 p.m.

**Lugar:** Cámara Legislativa, Alcaldía, Sala 250  
1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

**Expediente Núm. 151198.** Resolución que prorroga los controles de zonificación provisionales por un plazo de seis meses adicionales en el Distrito Comercial del Vecindario de la Calle Castro para exigir una autorización de Uso Condicional conforme con la Sección 303.1 del Código de Planificación, para un uso propuesto que se ha establecido como Fórmula Comercial, incluso si un patrocinador del proyecto, posteriormente, elimina una, o más, de las características distintivas relacionadas al Uso de Fórmula Comercial del proyecto propuesto; y afirma la determinación del Departamento de Planificación conforme con la Ley de Calidad Medioambiental de California.

  
Angela Calvillo  
Secretaria de la Junta

FECHADO: 3 de diciembre de 2015

PUBLICADO/ANUNCIADO/ENVIADO: 4 de diciembre de 2015



公聽會通知

三藩市市及縣市參事委員會  
土地使用與交通運輸委員會

- 日期: 2015年12月14日星期一
- 時間: 下午1時30分
- 地點: 市政廳，立法會議廳250室，1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102
- 議題: 檔案號碼 151198。決議延長卡斯楚街（Castro Street）鄰里商業區的臨時區域劃分管制的期限額外6個月，依據規劃法規第303.1條要求一項條件性使用授權，就其建議用途而言，已定為連鎖店（Formula Retail），即使計劃保薦人繼而刪除計劃提案上的一項或多項不同的連鎖店用途特點；並依據「加州環境質量法」（California Environmental Quality Act）明確規劃局的決定。

  
Angela Calvillo  
市參事委員會書記



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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 - 12.14.15 Land Use Committee - 151198 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):

12/04/2015

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.

Table with 2 columns: Description (Publication, Publication, Total) and Amount (\$277.50, \$-27.75, \$249.75)

EXM# 2822438
NOTICE OF PUBLIC HEARING
BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO
LAND USE AND TRANSPORTATION COMMITTEE
MONDAY, DECEMBER 14, 2015 - 1:30 PM
LEGISLATIVE CHAMBER, ROOM 250, CITY HALL
1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA

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: File No. 151198. Resolution extending, for an additional six-month period, interim zoning controls in the Castro Street Neighborhood Commercial District to require a Conditional Use authorization under Planning Code, Section 303.1, for a proposed use that has been determined to be Formula Retail, even if a project sponsor subsequently removes one or more distinguishing Formula Retail Use features from the project proposal; and affirming the Planning Department's determination under the California Environmental Quality Act. 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 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, December 11, 2015. - Angela Calvillo, Clerk of the Board



BOARD of SUPERVISORS



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San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 544-5227

**PROOF OF MAILING**

Legislative File No. 151198

Description of Items:

**Resolution extending, for an additional six-month period, interim zoning controls in the Castro Street Neighborhood Commercial District to require a Conditional Use authorization under Planning Code, Section 303.1, for a proposed use that has been determined to be Formula Retail, even if a project sponsor subsequently removes one or more distinguishing Formula Retail Use features from the project proposal; and affirming the Planning Department's determination under the California Environmental Quality Act.**


I, Alisa Somera, 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: December 4, 2015

Time: 1:30 p.m.

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.

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

November 25, 2015

**File No. 151198**

Sarah Jones  
Environmental Review Officer  
Planning Department  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Ms. Jones:

On November 17, 2015, Supervisor Wiener introduced the following proposed legislation extending the existing Interim Zoning Controls (original File No. 140736):

**File No. 151198**

Resolution extending, for an additional six-month period, interim zoning controls in the Castro Street Neighborhood Commercial District to require a Conditional Use authorization under Planning Code, Section 303.1, for a proposed use that has been determined to be Formula Retail, even if a project sponsor subsequently removes one or more distinguishing Formula Retail Use features from the project proposal; and affirming the Planning Department's determination under the California Environmental Quality Act.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script that reads "Alisa Somera".

By: Alisa Somera, Assistant Clerk  
Land Use and Transportation Committee

Attachment

c: John Rahaim, Director  
Scott Sanchez, Zoning Administrator  
AnMarie Rodgers, Senior Policy Advisory  
Aaron Starr, Legislative Affairs Manager  
Joy Navarrete, Environmental Planning  
Jeanie Poling, Environmental Planning

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**M E M O R A N D U M**

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

FROM: *AS* Alisa Somera, Assistant Clerk  
Land Use and Transportation Committee

DATE: November 25, 2015

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 extending the existing Interim Zoning Controls (original File No. 140736), 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. 151198**

Resolution extending, for an additional six-month period, interim zoning controls in the Castro Street Neighborhood Commercial District to require a Conditional Use authorization under Planning Code, Section 303.1, for a proposed use that has been determined to be Formula Retail, even if a project sponsor subsequently removes one or more distinguishing Formula Retail Use features from the project proposal; and affirming the Planning Department's determination under the California Environmental Quality Act.

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**

# 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):**

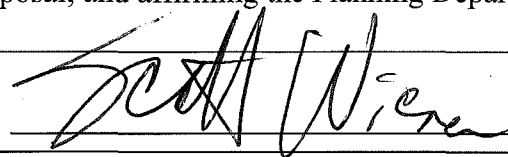
Supervisor Wiener

**Subject:**

Interim Zoning Controls Six Month Extension - Formula Retail Uses in the Castro Street Neighborhood Commercial District

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

Resolution extending, for an additional six-month period, interim zoning controls in the Castro Street Neighborhood Commercial District to require a Conditional Use authorization under Planning Code Section 303.1 for a proposed use that has been determined to be Formula Retail, even if a project sponsor subsequently removes one or more distinguishing Formula Retail Use features from the project proposal; and affirming the Planning Department's determination under the California Environmental Quality Act.

Signature of Sponsoring Supervisor: 

For Clerk's Use Only: