

BOARD of SUPERVISORS



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

## MEMORANDUM

### LAND USE AND TRANSPORTATION COMMITTEE SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Mark Farrell, Chair  
Land Use and Transportation Committee

FROM:  Alisa Somera, Legislative Deputy Director

DATE: January 8, 2018

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**  
Tuesday, January 9, 2018

The following file should be presented as a **COMMITTEE REPORT** at the Board meeting, Tuesday, January 9, 2018. This item was acted upon at the Committee Meeting on Monday, January 8, 2018, at 1:30 p.m., by the votes indicated.

**Item No. 28            File No. 171290**

Resolution imposing interim zoning controls to require that for a 15-month period a Conditional Use authorization is required for a proposed restaurant use and for a commercial storefront merger resulting in a non-residential use size of 2,000 gross square feet or larger in the area generally defined by the following boundaries: 13th, Duboce, and Division Streets to the north, Mission Street to the west (including any parcel with a property line on either side of Mission Street), Cesar Chavez Street to the south, and Potrero Avenue to the east; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

### RECOMMENDED AS COMMITTEE REPORT

Vote: Supervisor Mark Farrell - Aye  
Supervisor Aaron Peskin - Aye  
Supervisor Katy Tang - Aye

c: Board of Supervisors  
Angela Calvillo, Clerk of the Board  
Jon Givner, Deputy City Attorney

File No. 171290

Committee Item No. 4

Board Item No. 20

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation

Date January 8, 2018

Board of Supervisors Meeting

Date January 9, 2018

### Cmte Board

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|-------------------------------------|-------------------------------------|--|
| <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"/>            | 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)

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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>CEQA Determination</u>                       |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Commission Resolution No. 19865</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Notice of Public Hearing</u>                 |
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Completed by: Alisa Somera Date January 4, 2018

Completed by: Alisa Somera Date January 8, 2018

1 [Interim Zoning Controls - Conditional Use for Restaurants and Storefront Mergers]

2

3 **Resolution imposing interim zoning controls to require that for a 15-month period a**  
4 **Conditional Use authorization is required for a proposed restaurant use and for a**  
5 **commercial storefront merger resulting in a non-residential use size of 2,000 gross**  
6 **square feet or larger in the area generally defined by the following boundaries: 13th,**  
7 **Duboce, and Division Streets to the north, Mission Street to the west (including any**  
8 **parcel with a property line on either side of Mission Street), Cesar Chavez Street to the**  
9 **south, and Potrero Avenue to the east; affirming the Planning Department's**  
10 **determination under the California Environmental Quality Act; and making findings of**  
11 **consistency with the General Plan, and the eight priority policies of Planning Code,**  
12 **Section 101.1.**

13

14 WHEREAS, Planning Code, Section 306.7 authorizes the Planning Commission or the  
15 Board of Supervisors to impose interim zoning controls to allow time for the orderly completion  
16 of a planning study and the adoption of appropriate legislation, and to ensure that the  
17 legislative scheme which may be ultimately adopted is not undermined during the planning  
18 and legislative process by changes of use or approval actions which will conflict with that  
19 scheme; and

20 WHEREAS, The Planning Department and other City staff are currently working with  
21 the community on the Mission Action Plan (MAP) 2020, which is a collaboration between  
22 community organizations and the City to create more housing and economic stability in the  
23 Mission; and

24 WHEREAS, The Mission District has seen a rapid increase in the number of new  
25 restaurant uses within its neighborhood commercial districts and light industrial areas; and

1           WHEREAS, The City's neighborhood commercial districts and light industrial areas are  
2 where existing neighborhood-serving retail uses are found and from where the neighborhood  
3 character is largely derived; and

4           WHEREAS, An overconcentration of restaurants may crowd out existing neighborhood-  
5 serving retail establishments, and adversely alter the existing neighborhood character and its  
6 cultural and economic diversity; and

7           WHEREAS, The neighborhood commercial districts feature many smaller-sized  
8 commercial tenant spaces which, owing to their size, are affordable to a greater number of  
9 merchants; and

10          WHEREAS, The smaller tenant spaces also lend to the character and economic  
11 diversity of the Mission District, as they provide opportunities for smaller and local merchants  
12 to own or operate businesses and employ local residents; and

13          WHEREAS, The Guidelines for Specific Uses contained in the Neighborhood  
14 Commerce section of the General Plan's Commerce and Industry Element recognizes that the  
15 balance of commercial uses may be threatened when eating and drinking establishments  
16 occupy too much commercial frontage; and

17          WHEREAS, On March 2, 2017, and amended on April 10, 2017, the Planning  
18 Commission adopted Resolution No. 19865, which, in the area bounded by 13th, Duboce, and  
19 Division Streets to the north, Mission Street to the west (including parcels with a property line  
20 on either side of Mission Street), Cesar Chavez Street to the south, and Potrero Avenue to the  
21 east, 1) imposed for nine months a new interim control requiring a Conditional Use  
22 authorization for any change of use to a restaurant from any other use and 2) extended  
23 previously-imposed interim controls for an additional nine months; and

1           WHEREAS, The interim controls imposed by the Planning Commission in Resolution  
2 No. 19865 expire on January 14, 2018, and the Board of Supervisors wishes to adopt an  
3 interim control that extends the existing control on restaurant uses for the remainder of the  
4 time allowed under Planning Code, Section 306.7 and imposes a new interim control on  
5 commercial storefront mergers; and

6           WHEREAS, In Resolution No. 19865, the Planning Commission found that the interim  
7 control on restaurant use was in conformity with the General Plan, and the eight priority  
8 policies of Planning Code, Section 101.1; and

9           WHEREAS, The Board of Supervisors finds that this interim control on restaurant uses  
10 is consistent with the General Plan, and with the eight priority policies of Planning Code,  
11 Section 101.1 for the reasons set forth in Planning Commission Resolution No. 19865, a copy  
12 of which is on file with the Clerk of the Board of Supervisors in File No. 171290 and is  
13 incorporated herein by reference, and the findings of which the Board adopts as its own; and

14           WHEREAS, The Board finds that this interim control on commercial storefront mergers  
15 is consistent with Policy 6.1 of the Neighborhood Commerce section of the General Plan's  
16 Commerce and Industry Element ["Ensure and encourage the retention and provision of  
17 neighborhood-serving goods and services in the city's neighborhood commercial districts,  
18 while recognizing and encouraging diversity among the districts"], with Policy 1 of the eight  
19 priority policies of Planning Code, Section 101.1 ["that existing neighborhood-serving retail  
20 uses be preserved and enhanced and future opportunities for resident employment in and  
21 ownership of such businesses enhanced"], and with Policy 2 of the eight priority policies of  
22 Planning Code, Section 101.1 ["that existing housing and neighborhood character be  
23 conserved and protected in order to preserve the cultural and economic diversity of our  
24 neighborhoods"], in that the interim control addresses the effects of the merger of commercial  
25

1 storefronts on neighborhood-serving retail, neighborhood character, and neighborhood  
2 economic diversity; and

3 WHEREAS, The Board further finds that these interim controls on restaurant uses and  
4 commercial storefront mergers do not have an effect on Policies 3 through 8 of Planning  
5 Code, Section 101.1; and

6 WHEREAS, The Board has considered the impact on the public health, safety, peace,  
7 and general welfare if these proposed interim controls are not imposed; and

8 WHEREAS, The Board has determined that the public interest will best be served by  
9 imposition of these interim controls at this time, to ensure that the legislative scheme that may  
10 ultimately be adopted to regulate new restaurants and the size of commercial uses in the  
11 Mission District is not undermined during the planning and legislative process; and

12 WHEREAS, The Planning Department has determined that the actions contemplated in  
13 this Resolution comply with the California Environmental Quality Act (California Public  
14 Resources Code, Sections 21000 et seq.), which determination is on file with the Clerk of the  
15 Board of Supervisors in File No. 171290, and the Board hereby affirms and incorporates said  
16 determination herein by reference; now, therefore, be it

17 RESOLVED, That as of the effective date of this Resolution, unless otherwise  
18 prohibited, any proposed Restaurant use (as defined in Planning Code, Section 102) in the  
19 area bounded by 13th, Duboce, and Division Streets to the north, Mission Street to the west  
20 (including parcels with a property line on either side of Mission Street), Cesar Chavez Street  
21 to the south, and Potrero Avenue to the east, must obtain Conditional Use authorization from  
22 the Planning Commission pursuant to Planning Code, Section 303; and, be it

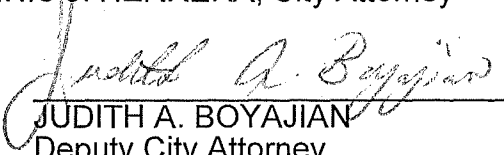
23 FURTHER RESOLVED, That as of the effective date of this Resolution, any proposed  
24 commercial storefront merger in the area bounded by 13th, Duboce, and Division Streets to  
25 the north, Mission Street to the west (including parcels with a property line on either side of

1 Mission Street), Cesar Chavez Avenue to the south, and Potrero Avenue to the east that  
2 would result in a Non-Residential Use Size (as defined in Planning Code Section 102) of  
3 2,000 square feet or larger must obtain Conditional Use authorization from the Planning  
4 Commission pursuant to Planning Code Section 303; and be it

5 FURTHER RESOLVED, That these interim controls shall remain in effect for 15  
6 months from the effective date of this Resolution, or until the adoption of permanent legislation  
7 regulating Restaurant uses and Commercial Use sizes in the area covered by these interim  
8 controls, whichever first occurs.

9

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

12 By:   
13 JUDITH A. BOYAJIAN  
14 Deputy City Attorney

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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

December 12, 2017

File No. 171290

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

Dear Ms. Gibson:

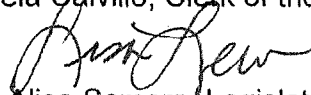
On December 5, 2017, Supervisor Ronen introduced the following proposed legislation:

**File No. 171290**

**Resolution imposing interim zoning controls to require that for a 15-month period a Conditional Use authorization is required for a proposed restaurant use and for a commercial storefront merger resulting in a non-residential use size of 2,000 gross square feet or larger in the area generally defined by the following boundaries: 13th, Duboce, and Division Streets to the north, Mission Street to the west (including any parcel with a property line on either side of Mission Street), Cesar Chavez Street to the south, and Potrero Avenue to the east; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and 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

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

Attachment

c: Joy Navarrete, Environmental Planning  
Laura Lynch, 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: 2017.12.27 10:27:57 -08'00'





# SAN FRANCISCO PLANNING DEPARTMENT

## Mission 2016 Interim Zoning Controls Planning Commission Resolution No. 19865

HEARING DATE: MARCH 2, 2017

AMENDED: APRIL 10, 2017

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

*Project Name:* EXTENSION AND MODIFICATION OF COMMISSION-SPONSORED MISSION 2016 INTERIM CONTROLS RELATED TO THE MISSION ACTION PLAN (MAP) 2020

*Case Number:* 2015-000988PCA-02

*Initiated by:* Planning Commission

*Staff Contact:* Claudia Flores, Sr. Community Development Specialist  
Claudia.flores@sfgov.org, 415-558-6473

*Reviewed by:* AnMarie Rodgers, Senior Policy Advisor  
anmarie@sfgov.org, 415-558-6395

EXTENDING FOR NINE MONTHS AND MODIFYING PLANNING COMMISSION-SPONSORED MISSION 2016 INTERIM CONTROLS RELATED TO THE MISSION ACTION PLAN (MAP) 2020 TO ALLOW ADDITIONAL TIME FOR ANALYSIS OF AFFORDABLE HOUSING NEEDS AND POTENTIAL DEVELOPMENT OF AFFORDABLE HOUSING PRODUCTION; TO PRESERVE EXISTING INCOME PROTECTED UNITS WHILE MAINTAINING PRODUCTION, DISTRIBUTION, AND REPAIR (PDR) CAPACITY IN PDR ZONED LANDS AND VITAL COMMUNITY RESOURCES; TO REQUIRE A LARGE PROJECT AUTHORIZATION OR CONDITIONAL USE AUTHORIZATION IN THE MISSION STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT (MISSION NCT) AND THE PROPOSED CALLE 24 SPECIAL USE DISTRICT 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 CERTAIN NON-RESIDENTIAL USES FOR NON-RESIDENTIAL OR MIXED-USE PROJECTS; 3) THE ADDITION OF 25 OR MORE RESIDENTIAL UNITS; OR 4) THE CHANGE OF USE TO A RESTAURANT USE FROM ANOTHER USE. THE AREA FOR INTERIM CONTROLS IS DEFINED BY THE FOLLOWING BOUNDARIES: 13<sup>TH</sup>, DUBOCE AND DIVISION STREET TO THE NORTH, MISSION STREET TO THE WEST, CESAR CHAVEZ AVENUE TO THE SOUTH, POTRERO AVENUE TO THE EAST, EXCEPT THE MISSION STREET BOUNDARY INCLUDES ANY PARCEL WITH A PROPERTY LINE ON EITHER SIDE OF MISSION STREET.

### 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 Plans) in 2001 through Resolution Number 16201; and

WHEREAS, The EN Plans, 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; and

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; and

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; and

WHEREAS, Planning Code Section 306.7 authorizes the Planning Commission to impose such interim controls for an initial period of no more than 18 months and to extend the controls for a total period not to exceed 24 months; and

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

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; and

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; and

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; and

WHEREAS, The Commission adopted the Mission 2015 Interim Controls on January 14, 2016, to apply for a period of fifteen months, expiring on April 14, 2017; and

WHEREAS, The 2016 Mission Interim Controls requires projects subject to the controls to provide additional information associated with each threshold that the project triggers as part of a Large Project Authorization (LPA) or Conditional Use (CU) authorization, depending on the size or type of project adds a new requirement for an LPA if the project is a medium size project (between 25-75 units or 25,000-75,000 gross square feet), unless the project is already subject to a Conditional Use Authorization, or CU if the project is a large project (more than 75 units or than 75,000 gross square feet); and

WHEREAS, Additional time is needed to finalize and legislate the permanent controls to balance affordable housing needs and potential development 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; and

WHEREAS, the proposed modification and extension of the 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 revised Interim Controls at a duly-noticed hearing on March 2, 2017.

**RESOLVED**, that pursuant to Planning Code Section 306.3, the Planning Commission adopts the following findings and modifies the Interim Controls, approved as to form by the City Attorney, as set forth below and extends them until January 14, 2018, or until permanent controls are adopted, whichever comes first.

## **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 extension of the 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 modifications to the Mission 2016 Interim Zoning Controls and extends their application until January 14, 2018 or until permanent controls are adopted, whichever comes first.

**MISSION 2016 INTERIM ZONING CONTROLS**

- I. **BOUNDARIES.** The area of the existing interim controls is generally defined by the following boundaries: 13<sup>th</sup>, Duboce and Division Street to the north, Mission Street to the west, Cesar Chavez Avenue to the south, and Potrero Avenue to the east, except the Mission Street boundary would include any parcel with a property line on either side of Mission Street. See map attached hereto as Exhibit E.

II. **MODIFICATION AND DURATION.** The interim controls shall be modified as set forth herein effective immediately and shall be additionally extended for nine (9) months from April 14, 2017, expiring on January 14, 2018 or until such date as permanent controls are adopted, whichever comes first.

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 an 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.
2. Production, distribution, and repair uses if exclusively PDR or that are mixed-use and include PDR uses and meet the 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 as set forth in Planning Code Section 317 shall require Conditional Use Authorization under Planning Code Section 303(c) or a Large Project Authorization under Planning Code Section 329. 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, either in the application materials or in a supplement to the application, information regarding:

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

- (i) would be subject to the residential rent-control provisions of 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:

- (a) the property is free of a history of serious, continuing Code violations;
- (b) the housing has been maintained in a decent, safe, and sanitary condition;
- (c) that the project does not convert rental housing to other forms of tenure or occupancy.
- (d) the project conserves existing housing to preserve cultural and economic neighborhood diversity;
- (e) the project conserves neighborhood character to preserve neighborhood cultural and economic diversity;
- (f) the project protects the relative affordability of existing housing;
- (g) the project increases the number of permanently affordable units as governed by Section 415;
- (h) the project increases the number of family-sized units on-site;

**B. Medium Projects.** Any project that is between 25,000 and 75,000 gross square feet of non-residential use or has between 25-75 residential 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 303, 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:** i) The maximum allowable dwelling unit density the site could accommodate, ii) the density of the proposed project, and iii) an evaluation of the approximate number of future residents the proposed project would house – 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:** 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 from properties directly adjacent to 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 non-PDR project would displace, demolish or convert Assembly, Recreation, Arts and Entertainment, Light Manufacturing, Auto Repair, Trade Shops or Institutional uses<sup>1</sup> in any zoning district, the application shall include the following information:

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<sup>1</sup> 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); 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).

**(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:

**(i) Inventory of Similar Uses.** Whether any other existing business similar to the use type being demolished or removed exist within a mile radius from the project; and

**(ii) Non-Residential Displacement.** Discuss whether any existing businesses or non-profit organizations 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 any such businesses are minority-owned or a non-restaurant or bar use, and whether the proposed new businesses on site will be 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 project that includes more than 75,000 gross square feet of non-residential uses 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 the types of residents and businesses the project will cater to (demographics and general price points of the businesses and housing).
2. **Economic Pressure:** Provide information about the additional housing supply provided by the project and evaluate how that may affect 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 the approximate number of future residents the proposed project would house – 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 from properties directly adjacent to 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<sup>2</sup> 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:
    - (i) **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

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<sup>2</sup> 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); 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).

of the proposed use compared to the existing use and associated wages and benefits for both;

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

**(iii) 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.

**(iv) 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 any such business is minority-owned or a non-restaurant or bar use, and whether the proposed new businesses on site will be formula retail. Discuss whether a commercial tenant has been displaced through rent increases or lack of lease renewal in the last 12 months.

**D. Restaurants.** If not otherwise prohibited, any change of use to a restaurant from any other use shall require a Conditional Use Authorization under Planning Code Section 303.

**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 24 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.**

This modification of the Interim Controls contained here shall apply immediately to all projects that have not received a required entitlement or approval from the Planning Department, Zoning Administrator, or Planning Commission by March 2, 2017.

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

By: \_\_\_\_\_  
MARLENA BYRNE  
Deputy City Attorney

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on March 2, 2017 and AMENDED on April 10, 2017.

  
Jonas P. Ionin  
Commission Secretary

AYES: Hillis, Richards, Fong, Johnson, Koppel, Melgar, Moore.

NOES: None

ABSENT: None

Exhibit E: Map of proposed revised Mission 2016 Interim Controls Area

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, January 8, 2018
- 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. 171290.** Resolution imposing interim zoning controls to require that for a 15-month period a Conditional Use authorization is required for a proposed restaurant use and for a commercial storefront merger resulting in a non-residential use size of 2,000 gross square feet or larger in the area generally defined by the following boundaries: 13th, Duboce, and Division Streets to the north, Mission Street to the west (including any parcel with a property line on either side of Mission Street), Cesar Chavez Street to the south, and Potrero Avenue to the east; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and 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, January 5, 2018.

  
for Angela Calvillo  
Clerk of the Board

DATED/POSTED: December 27, 2017  
PUBLISHED: December 29, 2017



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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 - 01.08.18 Land Use - 171290 Interim Zoning 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):

12/29/2017

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# 3084976

NOTICE OF PUBLIC HEARING  
BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO  
LAND USE AND TRANSPORTATION COMMITTEE  
MONDAY, JANUARY 8, 2018 - 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. 171290. Resolution imposing interim zoning controls to require that for a 15-month period a Conditional Use authorization is required for a proposed restaurant use and for a commercial storefront merger resulting in a non-residential use size of 2,000 gross square feet or larger in the area generally defined by the following boundaries: 13th, Duboce, and Division Streets to the north, Mission Street to the west (including any parcel with a property line on either side of Mission Street), Cesar Chavez Street to the south, and Potrero Avenue to the east; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and 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, January 5, 2018.

Angela Calvillo Clerk of the Board



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

December 12, 2017

File No. 171290

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

Dear Ms. Gibson:

On December 5, 2017, Supervisor Ronen introduced the following proposed legislation:

**File No. 171290**

**Resolution imposing interim zoning controls to require that for a 15-month period a Conditional Use authorization is required for a proposed restaurant use and for a commercial storefront merger resulting in a non-residential use size of 2,000 gross square feet or larger in the area generally defined by the following boundaries: 13th, Duboce, and Division Streets to the north, Mission Street to the west (including any parcel with a property line on either side of Mission Street), Cesar Chavez Street to the south, and Potrero Avenue to the east; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and 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

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

Attachment

c: Joy Navarrete, Environmental Planning  
Laura Lynch, Environmental Planning

BOARD of SUPERVISORS



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San Francisco 94102-4689  
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## 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: December 12, 2017

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. 171290**

**Resolution imposing interim zoning controls to require that for a 15-month period a Conditional Use authorization is required for a proposed restaurant use and for a commercial storefront merger resulting in a non-residential use size of 2,000 gross square feet or larger in the area generally defined by the following boundaries: 13th, Duboce, and Division Streets to the north, Mission Street to the west (including any parcel with a property line on either side of Mission Street), Cesar Chavez Street to the south, and Potrero Avenue to the east; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and 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**

c: Menaka Mahajan, 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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## MEMORANDUM

TO: John Rahaim, Director, Planning Department

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

DATE: December 12, 2017

SUBJECT: LEGISLATION INTRODUCED

---

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Ronen on December 5, 2017:

**File No. 171290**

**Resolution imposing interim zoning controls to require that for a 15-month period a Conditional Use authorization is required for a proposed restaurant use and for a commercial storefront merger resulting in a non-residential use size of 2,000 gross square feet or larger in the area generally defined by the following boundaries: 13th, Duboce, and Division Streets to the north, Mission Street to the west (including any parcel with a property line on either side of Mission Street), Cesar Chavez Street to the south, and Potrero Avenue to the east; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and 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](mailto: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  
Laura Lynch, Planning Department



# Introduction Form

By a Member of the Board of Supervisors or Mayor

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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 [ ] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attached 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 the Imperative Form.**

Sponsor(s):

Ronen

Subject:

[Planning Code - Interim Controls; Conditional Use for Restaurants and Storefront Mergers]

The text is listed:

Resolution imposing interim zoning controls to require that for a 15-month period a Conditional Use authorization is required for a proposed Restaurant use and for a commercial storefront merger resulting in a non-residential use size of 2,000 gross square feet or larger in the area generally defined by the following boundaries: 13th, Duboce, and Division Streets to the north, Mission Street to the west (including any parcel with a property line on either side of Mission Street), Cesar Chavez Avenue to the south, and Potrero Avenue to the east; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.

Signature of Sponsoring Supervisor:

