

File No. 141192

Committee Item No. 3
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: Land Use & Development

Date Jan. 12, 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 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"/> | 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)

<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____

Completed by: Andrea Ausberry Date Jan. 7, 2015

Completed by: _____ Date _____

1 [Interim Zoning Controls Six-Month Extension - Upper Market Street Neighborhood
2 Commercial Transit District]

3 **Resolution extending, for an additional six-month period, interim zoning controls**
4 **requiring conditional use authorization for limited financial service and business or**
5 **professional service uses in the Upper Market Neighborhood Commercial Transit**
6 **District; and affirming the Planning Department's California Environmental Quality Act**
7 **determination.**

8
9 WHEREAS, Planning Code, Section 306.7 provides for the imposition of interim zoning
10 controls that promote the public interest, including but not limited to development and
11 conservation of the City's commerce and industry to maintain the City's economic vitality and
12 maintain adequate services for its residents, visitors, businesses and institutions; and the
13 preservation of neighborhoods and areas of mixed residential and commercial uses and their
14 existing character; and

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

18 WHEREAS, On July 16, 2013, the Board of Supervisors adopted Resolution No. 254-
19 13, which was signed by the Mayor on July 25, 2013; and

20 WHEREAS, Resolution No. 254-13 imposed interim controls for an 18-month period
21 that required Conditional Use authorization for Limited Financial Service and Business or
22 Professional Service uses in the Upper Market Neighborhood Commercial Transit District for
23 the reasons set forth in said Resolution; and

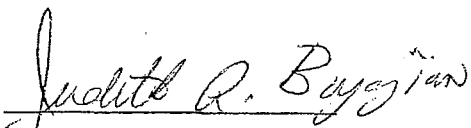
1 WHEREAS, It is necessary to extend the interim controls in the Upper Market
2 Neighborhood Commercial Transit District for an additional six-month period to allow time for
3 permanent legislation to be enacted; and

4 WHEREAS, The Planning Department has determined that the actions contemplated in
5 this Resolution are in compliance with the California Environmental Quality Act (California
6 Public Resources Code sections 21000 et seq.). The Board of Supervisors hereby affirms that
7 determination. Said determination is on file with the Clerk of the Board of Supervisors in File
8 No. 141192 and is incorporated herein by reference; now, therefore, be it

9 RESOLVED, That pursuant to Planning Code Section 306.7, the Board of Supervisors
10 hereby extends the interim controls imposed by Resolution No. 254-13 for an additional six-
11 month period that begins on January 25, 2015, or until permanent controls are enacted,
12 whichever shall first occur; and be it

13 FURTHER RESOLVED, That, as required by said interim controls, a Conditional Use
14 authorization under Planning Code Section 303 is required to establish a Limited Financial
15 Service, as defined by Planning Code Section 790.112, or a Business or Professional Service,
16 as defined by Planning Code Section 790.108, for all parcels located within the Upper Market
17 Neighborhood Commercial Transit District.

18
19 APPROVED AS TO FORM:
20 DENNIS J. HERRERA, City Attorney

21 By: 
22
23 JUDITH A. BOYAJIAN
24 Deputy City Attorney

25 n:\legana\as2014\1500331\00971997.doc

1 [Interim Zoning Controls in the Planning Code - Upper Market Street Neighborhood
2 Commercial Transit District]

3
4 **Resolution imposing interim zoning controls for an 18-month period requiring**
5 **Conditional Use authorization for Limited Financial Service and Business or**
6 **Professional Service uses in the Upper Market Neighborhood Commercial Transit**
7 **District; making environmental findings and findings of consistency with the General**
8 **Plan and with the 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 in the Upper Market Street Neighborhood
20 Commercial Transit District (NCT) already contain an over-concentration of financial and
21 business services; and

22 WHEREAS, The area where the interim controls are imposed is currently regulated by
23 Planning Code Section 733.1 and the Zoning Control Table in Section 733. Section 733.50 of
24 the Zoning Control allows Limited Financial Services, as defined by Planning Code Section
25 790.112, only on the ground floor as a principally permitted use and Section 733.53 allows

1 Business or Professional Service, as defined by Planning Code Section 790.108, as a
2 principally permitted use on the ground floor and second story and as a conditional use on the
3 third story and above; and

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

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

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

13 WHEREAS, The Board makes the following findings of consistency with the Priority
14 Policies set forth in Planning Code Section 101.1: By requiring Conditional Use authorization
15 for Limited Financial Service and Business or Professional Service uses, these interim
16 controls advance Priority Policy 1 that existing neighborhood-serving retail uses be preserved
17 and enhanced and Priority Policy 2 that existing housing and neighborhood character be
18 conserved and protected in order to preserve the cultural and economic diversity of our
19 neighborhoods; these interim controls do not conflict with the other Priority Policies of Section
20 101.1; and

21 WHEREAS, The Planning Department has determined that the actions contemplated in
22 this Resolution are in compliance with the California Environmental Quality Act (California
23 Public Resources Code sections 21000 et seq.). Said determination is on file with the Clerk of
24 the Board of Supervisors in File No. 130677 and is incorporated herein by
25 reference; now, therefore, be it

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 located with the Upper Market Street NCT; and, be it

6 FURTHER RESOLVED, That upon imposition of these interim controls, the Planning
7 Department shall conduct a study of the contemplated zoning proposal and propose
8 permanent legislation to address the issues posed by a concentration of financial and
9 business services in the Upper Market Street NCT; and, be it

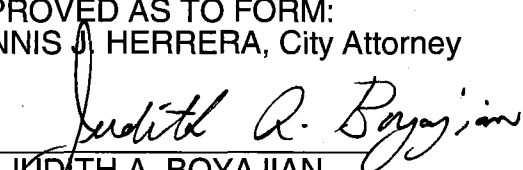
10 FURTHER RESOLVED, That these interim controls shall apply to all applications that
11 seek to establish a Limited Financial Service or a Business or Professional Service use in the
12 area covered by the controls that are filed on or after June 25, 2013; and,

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

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

18
19 APPROVED AS TO FORM:
20 DENNIS J. HERRERA, City Attorney

21 By:


22 JUDITH A. BOYAJIAN
23 Deputy City Attorney

24 n:\legana\as2013\1300511\00856349.doc



City and County of San Francisco

Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130677

Date Passed: July 16, 2013

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 Upper Market Neighborhood Commercial Transit District; making environmental findings and findings of consistency with the General Plan and with the priority policies of Planning Code, Section 101.1.

July 08, 2013 Land Use and Economic Development Committee - RECOMMENDED

July 16, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130677

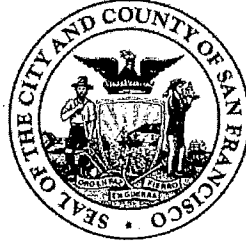
I hereby certify that the foregoing Resolution was ADOPTED on 7/16/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

Date Approved

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 3, 2014

File No. 141192

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

Dear Ms. Jones:

On November 18, 2014, the Supervisor Wiener introduced the following legislation:

File No. 141192

Resolution extending for an additional six-month period interim controls that require Conditional Use authorization for Limited Financial Service and Business or Professional Service uses in the Upper Market Neighborhood Commercial Transit District; affirming the Planning Department's California Environmental Quality Act determination; and making 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.

Joy Navarrete

Digitally signed by Joy Navarrete
DN: cn=Joy Navarrete, o=Planning,
ou=Environmental Planning,
email=joy.navarrete@sfgov.org, c=US
Date: 2014.12.18 17:13:03 -08'00'

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 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, January 12, 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. 141192. Resolution extending, for an additional six-month period, interim controls that require Conditional Use authorization for Limited Financial Service and Business or Professional Service uses in the Upper Market Neighborhood Commercial Transit District; and affirming the Planning Department's California Environmental Quality Act determination.

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 9, 2015.

A handwritten signature in black ink, appearing to read "Angela Calvillo".

Angela Calvillo, Clerk of the Board

DATED: December 29, 2014
MAILED: January 2, 2015
POSTED/PUBLISHED: January 3, 2015

CALIFORNIA NEWSPAPER SERVICE BUREAU

DAILY JOURNAL CORPORATION

Mailing Address : 915 E FIRST ST, LOS ANGELES, CA 90012
Telephone (213) 229-5300 / Fax (213) 229-5481
Visit us @ WWW.LEGALADSTORE.COM

Andrea A.
SF 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 141192 Interim Zoning Control Ext

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):

01/02/2015

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.

Publication	\$202.12
NetTotal	\$181.91

Daily Journal Corporation

Serving your legal advertising needs throughout California. Call your local

BUSINESS JOURNAL, RIVERSIDE	(951) 784-0111
DAILY COMMERCE, LOS ANGELES	(213) 229-5300
LOS ANGELES DAILY JOURNAL, LOS ANGELES	(213) 229-5300
ORANGE COUNTY REPORTER, SANTA ANA	(714) 543-2027
SAN DIEGO COMMERCE, SAN DIEGO	(619) 232-3486
SAN FRANCISCO DAILY JOURNAL, SAN FRANCISCO	(800) 640-4829
SAN JOSE POST-RECORD, SAN JOSE	(408) 287-4866
THE DAILY RECORDER, SACRAMENTO	(916) 444-2355
THE INTER-CITY EXPRESS, OAKLAND	(510) 272-4747

EXM 2700842

NOTICE OF PUBLIC HEARING LAND USE AND ECONOMIC DEVELOPMENT COMMITTEE SF BOARD OF SUPERVISORS JANUARY 12, 2015 - 1:30 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. 141192. Resolution extending, for an additional six-month period, interim controls that require Conditional Use authorization for Limited Financial Service and Business or Professional Service uses in the Upper Market Neighborhood Commercial Transit District; and affirming the Planning Department's California Environmental Quality Act determination. 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 9, 2015. Angela Calvillo, Clerk of the Board



* A 0 0 0 0 0 3 6 3 0 2 7 5 *

BOARD of SUPERVISORS



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

PROOF OF MAILING

Legislative File No. 141192

Description of Items:

Resolution extending, for an additional six-month period, interim zoning controls requiring conditional use authorization for limited financial service and business or professional service uses in the Upper Market Neighborhood Commercial Transit District; and affirming the Planning Department's California Environmental Quality Act determination.

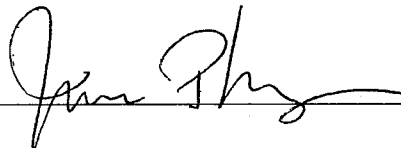
I, JAMES PHUNG, an employee of the City and County of San Francisco, mailed the above described document(s) by depositing the sealed items with the United States Postal Service (USPS) with the postage fully prepaid as follows:

Date: 1/02/2015

Time: 6:15 PM

USPS Location: 101 SOUTH VANNESSE AVE BY USPS TRUCK

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

Signature: 

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

Member, Board of Supervisors
District 8




City and County of San Francisco

SCOTT WIENER

威善高

DATE: January 6, 2015

TO: Angela Calvillo
Clerk of the Board of Supervisors

FROM: Supervisor Scott Wiener
Chairperson 

RE: Land Use and Economic Development Committee
COMMITTEE REPORT

Pursuant to Board Rule 4.20, as Chair of the Land Use and Economic Development Committee, I have deemed the following matter is of an urgent nature and request it be considered by the full Board on January 13, 2015, as a Committee Report:

141192 Interim Zoning Controls – Six-Month Extension – Upper Market Street Neighborhood Commercial Transit District

Resolution extending, for an additional six-month period, interim zoning controls requiring conditional use authorization for limited financial service and business or professional service uses in the Upper Market Neighborhood Commercial Transit District; and affirming the Planning Department's California Environmental Quality Act determination.

This matter will be heard in the Land Use and Economic Development Committee on January 12, 2015, at 1:30 p.m.

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. [141192]
- 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 of Interim Controls in the Upper Market Street Neighborhood Commercial Transit District

The text is listed below or attached:

Resolution extending for an additional six-month period interim controls that require Conditional Use authorization for Limited Financial Service and Business or Professional Service uses in the Upper Market Neighborhood Commercial Transit District; and affirming the Planning Department's California Environmental Quality Act determination.

Signature of Sponsoring Supervisor: *Scott Wiener*

For Clerk's Use Only:

