

File No. 160799

Committee Item No. 2

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation

Date August 1, 2016

Board of Supervisors Meeting

Date _____

Cmte Board

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

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Completed by: Alisa Somera Date July 29, 2016

Completed by: _____ Date _____

1 [Planning Code - Interim Zoning Controls for Pharmacy and Medical Uses in Castro Street
2 Neighborhood Commercial District]

3 **Resolution imposing interim zoning controls for an 18-month period in the Castro**
4 **Street Neighborhood Commercial District to require a Conditional Use authorization by**
5 **the Planning Commission under Planning Code, Section 303 for a proposed pharmacy**
6 **or Medical Service use; and making environmental findings and findings of**
7 **consistency with the General Plan, and with the eight priority policies of Planning**
8 **Code, Section 101.1.**

9
10 WHEREAS, Planning Code Section 306.7 permits the imposition of interim zoning
11 controls that promote the public interest, including but not limited to (a) 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 (b)
14 preservation of neighborhoods and areas of mixed residential and commercial uses and their
15 existing character; and,

16 WHEREAS, Planning Code Section 715 regulates uses in the Castro Street
17 Neighborhood Commercial District (NCD), and the accompanying Zoning Control Table allows
18 as a permitted use on the first and second stories (a) a Retail Sales and Services Use not
19 specifically listed and (b) a Medical Service use, as defined in Planning Code Section
20 790.114; and,

21 WHEREAS, Pursuant to Planning Code Section 790.102(c), a use selling or providing
22 pharmaceutical drugs and personal toiletries is a Retail Sales and Services Use that is not
23 specifically listed in the Section 715 Zoning Control Table, and thus is a permitted use on the
24 first and second stories in the Castro Street NCD; and,

1 WHEREAS, The Castro Street NCD has special controls that are designed, among
2 other things, to promote a balanced mix of uses and to preserve the existing equilibrium of
3 neighborhood-serving convenience and specialty commercial uses; and,

4 WHEREAS, The City has invested considerable capital resources in improving Castro
5 Street within the NCD area to enhance pedestrian activities; and,

6 WHEREAS, The Planning Code Section 715(a) describes the physical form of the
7 District as “a crossing at Castro and 18th Streets, the arms of which contain many small, but
8 intensely active commercial businesses”; and,

9 WHEREAS, The Castro Street NCD has a problem with an over-concentration of
10 Medical Service and pharmacy uses with approximately three pharmacies and two Medical
11 Service uses within one block of the intersection of Castro Street and 18th Street; and,

12 WHEREAS, One of the aforementioned Medical Services is a recently-relocated large
13 use taking up almost three storefronts and its previous location in the Castro NCD is now
14 vacant and available; and,

15 WHEREAS, An over-concentration of Medical Service and pharmacy uses in the
16 Castro Street NCD undercuts the NCD’s goals of having a balanced mix of uses and
17 preserving the existing equilibrium of neighborhood-serving convenience and specialty
18 commercial uses; and,

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

21 WHEREAS, The Board of Supervisors (“Board”) has considered the impact on the
22 public health, safety, peace, and general welfare if the interim controls proposed herein for the
23 Castro Street NCD are not imposed; and,

24 WHEREAS, The Board has determined that the public interest will best be served by
25 imposition of these interim controls for the Castro Street NCD to ensure that the

1 comprehensive legislative scheme that may be ultimately adopted is not undermined during
2 the planning and legislative process for permanent controls; and,

3 WHEREAS, The Board makes the following findings of consistency with the Priority
4 Policies set forth in Planning Code Section 101.1: By requiring a Conditional Use
5 authorization for a new or relocated pharmacy use in the Castro Street NCD, these interim
6 controls advance Priority Policy 1 that existing neighborhood-serving retail uses be preserved
7 and enhanced and Priority Policy 2 that existing housing and neighborhood character be
8 conserved and protected to preserve the cultural and economic diversity of our
9 neighborhoods; further, these interim controls do not conflict with the other Priority Policies of
10 Section 101.1; and,

11 WHEREAS, The Planning Department has determined that the actions contemplated in
12 this Resolution are in compliance with the California Environmental Quality Act (California
13 Public Resources Code sections 21000 et seq.) and the Board hereby affirms that
14 determination. Said determination is on file with the Clerk of the Board of Supervisors in File
15 No. 160799 and is incorporated herein by reference; now, therefore, be it

16 RESOLVED, That in the Castro Street NCD, a Conditional Use authorization by the
17 Planning Commission is required under Planning Code Section 303 for a new or relocated (a)
18 use selling or providing pharmaceutical drugs and personal toiletries, defined herein as a
19 "pharmacy use," or (b) a Medical Service use defined in Planning Code Section 790.114; and,
20 be it

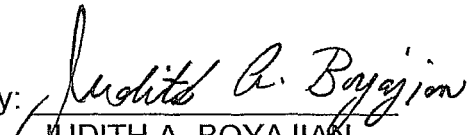
21 FURTHER RESOLVED, That any proposed use in the Castro Street NCD within the
22 scope of these interim controls that has not received a final decision on any required approval
23 action by any City department, board, commission, or agency, including the Board of Appeals
24 or other appellate body, shall be covered by these interim controls; and, be it

1 FURTHER RESOLVED, That upon imposition of these interim controls for the Castro
2 Street NCD, the Planning Department shall conduct a study and propose permanent
3 legislation to address the issue of an over-concentration of a pharmacy or Medical Service
4 use in the Castro NCD; and, be it

5 FURTHER RESOLVED, That these interim controls for the Castro Street NCD shall
6 remain in effect for a period of eighteen (18) months unless extended in accordance with
7 Planning Code Section 306.7(h) or until permanent controls are adopted; and, be it

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

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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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

July 19, 2016

File No. 160799

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

Dear Ms. Jones:

On July 12, 2016, Supervisor Wiener introduced the following proposed legislation:

File No. 160799

Resolution imposing interim zoning controls for an 18-month period in the Castro Street Neighborhood Commercial District to require a Conditional Use authorization by the Planning Commission under Planning Code, Section 303, for a proposed pharmacy use; and making environmental findings and 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

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

By: Andrea Ausberry, Assistant Clerk
Land Use and Transportation Committee

Attachment

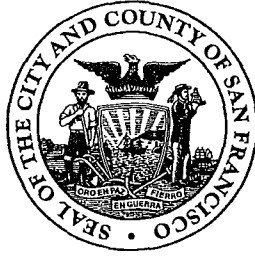
c: Joy Navarrete, Environmental Planning
Jeanie Poling, Environmental Planning

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

Joy
Navarrete

Digitally signed by Joy Navarrete
DN: cn=Joy Navarrete, o=Planning,
ou=Environmental Planning,
email=joy.navarrete@sfgov.org,
c=US
Date: 2016.07.21 10:25:25 -07'00'

BOARD of SUPERVISORS



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By: Andrea Ausberry, Assistant Clerk
Land Use and Transportation Committee

Attachment

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

BOARD of SUPERVISORS



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

July 19, 2016

File No. 160799

John Rahaim
Director
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Director Rahaim:

On July 12, 2016, Supervisor Wiener introduced the following proposed Interim Zoning Control:

File No. 160799

Resolution imposing interim zoning controls for an 18-month period in the Castro Street Neighborhood Commercial District to require a Conditional Use authorization by the Planning Commission under Planning Code, Section 303, for a proposed pharmacy use; and making environmental findings and 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, pursuant to Planning Code Section 306.7(c).

Angela Calvillo, Clerk of the Board

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

By: Andrea Ausberry, Assistant Clerk
Land Use and Transportation Committee

Attachment

c: Scott Sanchez, Zoning Administrator
Sarah Jones, Environmental Review Officer
Aaron Starr, Legislative Affairs Manager
AnMarie Rodgers, Senior Policy Advisor
Joy Navarrete, Environmental Planning
Jeanie Poling, Environmental Planning

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

MEMORANDUM

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

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

DATE: July 20, 2016

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

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

File No. 160799

Resolution imposing interim zoning controls for an 18-month period in the Castro Street Neighborhood Commercial District to require a Conditional Use authorization by the Planning Commission under Planning Code, Section 303, for a proposed pharmacy use; and making environmental findings and 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

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, August 1, 2016
- Time:** 1:30 p.m.
- Location:** Legislative Chamber, Room 250, located at City Hall
1 Dr. Carlton B. Goodlett Place, San Francisco, CA
- Subject:** **File No. 160799.** Resolution imposing interim zoning controls for an 18-month period in the Castro Street Neighborhood Commercial District to require a Conditional Use authorization by the Planning Commission under Planning Code, Section 303, for a proposed pharmacy use or Medical Service use; and making environmental findings and 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 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, July 29, 2016.


Angela Calvillo
Clerk of the Board

DATED: July 22, 2016
MAILED/POSTED: July 22, 2016
PUBLISHED: July 24, 2016

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

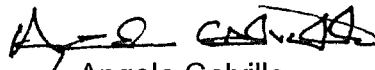
JUNTA DE SUPERVISORES DE LA CIUDAD Y CONDADO DE SAN FRANCISCO
COMITÉ DE USO DE TERRENOS Y TRANSPORTE

Fecha: Lunes, 1.º de agosto de 2016

Hora: 1:30 p.m.

Lugar: Cámara Legislativa, Sala 250 del Ayuntamiento
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Asunto: Expediente Núm. 160799. Resolución para imponer controles provisionales de zonificación por un período de 18 meses en el Distrito Comercial del Vecindario de la Calle Castro para requerir una autorización de Uso de Condicional de parte de la Comisión de Planificación según la Sección 303 del Código de Planificación, para un propuesto uso de farmacia; y realiza conclusiones medioambientales y conclusiones coherentes con el Plan General, y las ocho políticas prioritarias de la Sección 101.1 del Código de Planificación.


Angela Calvillo,
Secretaria de la Junta

FECHADO: 22 de julio 2016

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

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: 2016年8月1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 160799。決議擬對卡斯楚（Castro）街鄰里商業區施加為期18個月的臨時區劃管制，旨在要求規劃委員會依據規劃法規第303條予以建議藥房用途用地提供條件性使用授權；並作出環境性裁斷以及與總體計劃及規劃法規第101.1條的八項優先政策相一致的有關裁斷。


Angela Calvillo
市參事委員會書記

日期: July 22, 2016

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

COPY OF NOTICE

Notice Type: GPN GOVT PUBLIC NOTICE
Ad Description 08.01.16 LAND USE - 160799

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):

07/24/2016

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

EXM# 2907257

NOTICE OF PUBLIC HEARING BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE AND TRANSPORTATION COMMITTEE
MONDAY, AUGUST 1, 2016
- 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. 160799. Resolution Imposing interim zoning controls for an 18-month period in the Castro Street Neighborhood Commercial District to require a Conditional Use authorization by the Planning Commission under Planning Code, Section 303, for a proposed pharmacy use or Medical Service use; and making environmental findings and 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 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, July 29, 2016. Angela Calvillo Clerk of the Board



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RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2016 JUL 22 PM 12:57

BY _____



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. 160799 - Three-Language Hearing Notices:
[Planning Code - Interim Zoning Controls for Pharmacy and
Medical Uses in Castro Street Neighborhood Commercial
District]

Description of Items: **Resolution imposing interim zoning controls for an 18-month period in the Castro Street Neighborhood Commercial District to require a Conditional Use authorization by the Planning Commission under Planning Code, Section 303, for a proposed pharmacy or Medical Service use; and making environmental findings and findings of consistency with the General Plan and with the eight priority policies of Planning Code, Section 101.1.**

I, John Carroll, 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: July 22, 2016

Time: 12:55 p.m.

USPS Location: Clerk's office USPS pickup box 943 COPIES

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

Signature: _____

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

Print Form

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. [160799]
- 9. Request for Closed Session (attach written motion).
- 10. Board to Sit as A Committee of the Whole.
- 11. Question(s) submitted for Mayoral Appearance before the BOS on []

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

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

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

Sponsor(s):

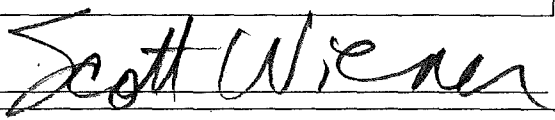
Supervisor Wiener

Subject:

Planning Code - Interim Zoning Controls for a Pharmacy and Medical Uses in Castro Street
Neighborhood Commercial District

The text is listed below or attached:

Resolution imposing interim zoning controls for an 18-month period in the Castro Street Neighborhood Commercial District to require a Conditional Use authorization by the Planning Commission under Planning Code, Section 303, for a proposed pharmacy use or Medical Service use; and making environmental findings and findings of consistency with the General Plan and with the eight priority policies of Planning Code, Section 101.1.

Signature of Sponsoring Supervisor: 

For Clerk's Use Only:

Print Form

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)
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- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

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Sponsor(s):

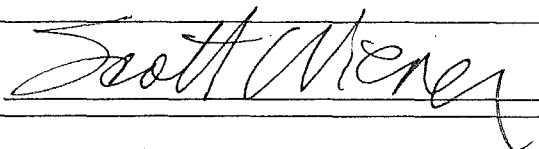
Wiener

Subject:

Planning Code -- Interim Zoning Controls for a Pharmacy Use in the Castro Street Neighborhood Commercial District

The text is listed below or attached:

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Signature of Sponsoring Supervisor: 

For Clerk's Use Only: