File No	171122	Committee Item No	6
		Board Item No	

## **COMMITTEE/BOARD OF SUPERVISORS**

AGENDA PACKET CONTENTS LIST

AGENDA PACKET CONTENTS LIST				
Committee:	Land Use and Transportation	Date January 8, 2018		
Board of Supervisors Meeting		Date		
Cmte Boar	Motion Resolution Ordinance Legislative Digest Budget and Legislative Analyst Report Introduction Form Department/Agency Cover Letter and Memorandum of Understanding (MO) Grant Information Form Grant Budget Subcontract Budget Contract/Agreement Form 126 - Ethics Commission Award Letter Application Form 700 Vacancy Notice Information Sheet	/or Report		
OTHER (Use back side if additional space is needed)				
	CEQA Determination  Notice of Public Hearing			
	by:Alisa Somera by:	Date January 4, 2018 Date		

[Interim Zoning Controls - Supervisorial District 11 - Institutional Uses, Certain Personal

Service Uses, and Conversion of Commercial to Residential Use]

Resolution imposing interim zoning controls for an 18-month period in the Excelsior Outer Mission Neighborhood Commercial District and areas in Supervisorial District 11 zoned Small-Scale Neighborhood Commercial District (NC-2), Moderate-Scale Neighborhood Commercial District (NC-3), Neighborhood Commercial Shopping Center District (NC-S), Small-Scale Neighborhood Commercial Transit District (NCT-2), and Moderate-Scale Neighborhood Commercial Transit District (NCT-3), to require a Conditional Use authorization for the following new Uses (or existing Uses operating without proper approvals and permits) in areas where such Uses currently are permitted: all Institutional Uses located on the First Story, certain categories of Institutional Uses located on any Story, and a Personal Service Use operating as a salon and/or providing cosmetic services and located on the First Story; to require a Conditional Use authorization for the conversion of any Commercial Use to a Residential Use; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and priority policies in Planning Code, Section 101.1.

WHEREAS, On October 15, 2015, the Public Safety and Neighborhood Services Committee of the Board of Supervisors held a hearing on the efforts by City agencies to address persistently blighted residential and commercial properties, vacant buildings and commercial storefronts, unauthorized businesses, and illegal activity in Supervisorial District 11 ("District 11"); and

WHEREAS, At the public hearing, there was testimony that in addition to illegal uses and activities, District 11 had one of the highest numbers of vacant buildings and commercial storefronts in the City; and

WHEREAS, In April, 2017, the Planning Department and Office of Economic and Workforce Development, together with the Office of the District 11 Supervisor, began the process of outreach to neighborhood stakeholders in order to develop a vision for improving and enhancing the Excelsior, Outer Mission, Mission Terrace, Crocker Amazon, and Cayuga neighborhoods; and

WHEREAS, The Planning Department and Office of Economic and Workforce

Development are conducting a Neighborhood Strategy planning study to review the existing
zoning and diversity of uses in the neighborhoods named above and to propose appropriate
changes; and

WHEREAS, Planning Code, Section 306.7 provides for the imposition of interim zoning controls to allow for the orderly completion of a planning study and to ensure that the legislative scheme which may ultimately be adopted is not undermined during the planning and legislative process by the approval or issuance of permits authorizing the establishment or change of uses which will conflict with that scheme; and

WHEREAS, Prior to the orderly completion of the Neighborhood Strategy planning study and adoption of appropriate legislation, the Board of Supervisors ("Board") wishes to address the existing problems in District 11 of Institutional Uses operating without required permits or controls, the proliferation of certain Personal Service Uses in commercial corridors, and the unauthorized conversion of Commercial Use to Residential Use; and

WHEREAS, The Board has considered the impact of the public health, safety, peace, and general welfare if the interim controls proposed herein are not imposed; and

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

WHEREAS, The Planning Department has determined that the actions contemplated by this Resolution are in compliance with the California Environmental Quality Act (California Public Resources Code, Sections 21000 et seq.), which determination is on file with the Clerk of the Board of Supervisors in File No. 171122 and is incorporated herein by reference, and the Board hereby affirms that determination; and

WHEREAS, The Board has determined that these interim controls are not in conflict with and hence are consistent with the Priority Policies of Planning Code, Section 101.1 and the General Plan; now, therefore, be it

RESOLVED, That in the Excelsior Outer Mission Neighborhood Commercial District and the areas within the boundaries of Supervisorial District 11 that are zoned NC-2, NC-3, NC-S, NCT-2, and NCT-3:

- (1) all new Institutional Uses and any existing Institutional Use operating without the required approvals and permits shall obtain a Conditional Use authorization from the Planning Commission for a location on the First Story in those areas where they currently are permitted; and
- (2) a new Institutional Use (or existing Institutional Use operating without the required approvals and permits) in the following categories shall obtain a Conditional Use authorization from the Planning Commission for a location on any Story in areas where they currently are permitted: Community Facility, Private Community Facility, Job Training, Medical Cannabis Dispensary, Religious Institution, and Social Service or Philanthropic Facility; and

- (3) all new Personal Service Uses operating as a salon and/or providing cosmetic services, and any such use operating without the required approvals and permits, shall obtain a Conditional Use authorization from the Planning Commission for a location on the First Story in those areas where they currently are permitted; and
- (4) a Conditional Use authorization from the Planning Commission is required for the conversion of any Commercial Use to a Residential Use; and, be it

FURTHER RESOLVED, That the above Uses and other terms shall be as defined in Section 102 of the Planning Code; and, be it

FURTHER RESOLVED, That these interim controls shall remain in effect for a period of 18 months unless extended in accordance with Planning Code Section 306.7(h) or until permanent controls are adopted, whichever shall first occur.

APPROVED AS TO FORM: Dennis J, Herrera, City Attorney

By JUDITH A. BOYAJIAN

Deputy City Attorney
n:\legana\as2017\1700656\01238200.docx



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

October 26, 2017

File No. 171122

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

Dear Ms. Gibson:

On October 17, 2017, Supervisor Safai introduced the following proposed legislation:

File No. 171122

Resolution imposing interim zoning controls for an 18-month period in the Excelsior Outer Mission Neighborhood Commercial District and areas in Supervisorial District 11 zoned Small-Scale Neighborhood Commercial District (NC-2), Moderate-Scale Neighborhood Commercial District (NC-3), Neighborhood Commercial Shopping Center District (NC-S), Small-Scale Neighborhood Commercial Transit District (NCT-2), and Moderate-Scale Neighborhood Commercial Transit District (NCT-3), to require a Conditional Use authorization for the following new Uses (or existing Uses operating without proper approvals and permits) in areas where such Uses currently are permitted: all Institutional Uses located on the First Story, certain categories of Institutional Uses located on any Story, and a Personal Service Use operating as a salon and/or providing cosmetic services and located on the First Story; to require a Conditional Use authorization for the conversion of any Commercial Use to a Residential Use: affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and priority policies in Planning Code, Section 101.1.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

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

#### Attachment

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

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

Joy

Digitally signed by Joy Navarrete
DN: cn=Joy Navarrete, o=Planning,
ou=Environmental Planning,
enallyo,navarrete@sfgov.org,
calls
Date: 2017.11.30 15:18:14-08'00'



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. 171122. Resolution imposing interim zoning controls for an 18-month period in the Excelsior Outer Mission Neighborhood Commercial District and areas in Supervisorial District 11 zoned Small-Scale Neighborhood Commercial District (NC-2), Moderate-Scale Neighborhood Commercial District (NC-3), Neighborhood Commercial Shopping Center District (NC-S), Small-Scale Neighborhood Commercial Transit District (NCT-2), and Moderate-Scale Neighborhood Commercial Transit District (NCT-3), to require a Conditional Use authorization for the following new Uses (or existing Uses operating without proper approvals and permits) in areas where such Uses currently are permitted: all Institutional Uses located on the First Story, certain categories of Institutional Uses located on any Story, and a Personal Service Use operating as a salon and/or providing cosmetic services and located on the First Story; to require a Conditional Use authorization for the conversion of any Commercial Use to a Residential Use; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and priority policies in 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

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

## CALIFORNIA NEWSPAPER SERVICE BUREAU DAILY JOURNAL CORPORATION

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

#### **COPY OF NOTICE**

Notice Type:

GPN GOVT PUBLIC NOTICE

Ad Description

AS - 01.08.18 Land Use - 171122 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# 3084969

EXM# 3084969

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE AND TRANS-PORTATION COMMITTEE MONDAY, JANUARY 8, 2018 - 1:30 PM LEGISLATIVE CHAMBER, ROOM 250, CITY HALL 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CAN OTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a public hearing to consider the following proposal and said 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. 171122. Resolution imposing Interim zonling controls for an 18-month period in the Excelsion Outer Mission Neighborhood Commercial planter and areas in Excelsior Outer Mission Neighborhood Commercial District and areas in Supervisorial District 11 zoned Small-Scale Neighborhood Commercial District (NC-2), Moderate-Neighborhood Commercial District (NC-3), Neighborhood Commercial District (NC-3), Neighborhood Commercial Shopping Center District (NC-3), Small-Scale Neighborhood Commercial Transit District (NCT-2), and Moderate-Scale Neighborhood Commercial Transit District (NCT-3), to require a conditional Use authorization for the following new Uses (or existing Uses operating without proper approvals and permits) in areas where such Uses our existing Uses operating without proper approvals and permits in areas where such Uses currently are permitted: all institutional Uses located on the First Story, certain categories of Institutional Uses located on the First Story, and a Personal Service Use operating as a salon and/or providing cosmetic services and located on the First Story, to require a Conditional Use authorization for the conversion of any Commercial Use to a Residential Use; affirming the Planning Department's determination under the California Environmental Fundings of consistency with He General Plan, and priority policies in Planning Code, Section 10.1.1 in accordance with Administrative Code, Section 10.1.1 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.

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, 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





City Hall
Dr. Carlton B. Goodlett Place, Room 244
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Fax No. 554-5163
TDD/TTY No. 554-5227

October 26, 2017

File No. 171122

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

Dear Ms. Gibson:

On October 17, 2017, Supervisor Safai introduced the following proposed legislation:

File No. 171122

Resolution imposing interim zoning controls for an 18-month period in the Excelsior Outer Mission Neighborhood Commercial District and areas in Supervisorial District 11 zoned Small-Scale Neighborhood Commercial District (NC-2), Moderate-Scale Neighborhood Commercial District (NC-3), Neighborhood Commercial Shopping Center District (NC-S), Small-Scale Neighborhood Commercial Transit District (NCT-2), and Moderate-Scale Neighborhood Commercial Transit District (NCT-3), to require a Conditional Use authorization for the following new Uses (or existing Uses operating without proper approvals and permits) in areas where such Uses currently are permitted: all Institutional Uses located on the First Story, certain categories of Institutional Uses located on any Story, and a Personal Service Use operating as a salon and/or providing cosmetic services and located on the First Story; to require a Conditional Use authorization for the conversion of any Commercial Use to a Residential Use; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and priority policies in Planning Code, Section 101.1.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

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

## Attachment

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



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

## MEMORANDUM

TO:

Regina Dick-Endrizzi, Director

Small Business Commission, City Hall, Room 448

Alisa Somera, Legislative Deputy Director Land Use and Transportation Committee

DATE:

October 26, 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. 171122

Resolution imposing interim zoning controls for an 18-month period in the Excelsior Outer Mission Neighborhood Commercial District and areas in Supervisorial District 11 zoned Small-Scale Neighborhood Commercial District (NC-2), Moderate-Scale Neighborhood Commercial District (NC-3), Neighborhood Commercial Shopping Center District (NC-S), Small-Scale Neighborhood Commercial Transit District (NCT-2), and Moderate-Scale Neighborhood Commercial Transit District (NCT-3), to require a Conditional Use authorization for the following new Uses (or existing Uses operating without proper approvals and permits) in areas where such Uses currently are permitted: all Institutional Uses located on the First Story, certain categories of Institutional Uses located on any Story, and a Personal Service Use operating as a salon and/or providing cosmetic services and located on the First Story; to require a Conditional Use authorization for the conversion of any Commercial Use to a Residential Use; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and priority policies in Planning Code, Section 101.1.

	ommission's response to me at the Board of arlton B. Goodlett Place, San Francisco, CA
**************	***************
RESPONSE FROM SMALL BUSINESS CO	OMMISSION - Date:
No Comment Recommendation Attached	
Cł	nairperson, Small Business Commission
c: Menaka Mahajan Small Business C	ommission



City Hall
1 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

TO:

John Rahaim, Director, Planning Department

FROM:

Alisa Somera, Legislative Deputy Director Land Use and Transportation Committee

DATE:

October 26, 2017

SUBJECT:

LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Safai on October 17, 2017:

File No. 171122

Resolution imposing interim zoning controls for an 18-month period in the Excelsior Outer Mission Neighborhood Commercial District and areas in Supervisorial District 11 zoned Small-Scale Neighborhood Commercial District (NC-2), Moderate-Scale Neighborhood Commercial District (NC-3), Neighborhood Commercial Shopping Center District (NC-S), Small-Scale Neighborhood Commercial Transit District (NCT-2), and Moderate-Scale Neighborhood Commercial Transit District (NCT-3), to require a Conditional Use authorization for the following new Uses (or existing Uses operating without proper approvals and permits) in areas where such Uses currently are permitted: all Institutional Uses located on the First Story, certain categories of Institutional Uses located on any Story, and a Personal Service Use operating as a salon and/or providing cosmetic services and located on the First Story; to require a Conditional Use authorization for the conversion of any Commercial Use to a Residential Use; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and priority policies in 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: <a href="mailto:alisa.somera@sfgov.org">alisa.somera@sfgov.org</a>.

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 **Print Form** 

# **Introduction Form**

By a Member of the Board of Supervisors or the Mayor

I hereby submit the following item for introduction (select only one):

Time stamp or meeting date

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. 171122
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 a Imperative Form.
Sponsor(s):
Safai
Subject:
Interim Zoning Controls - Supervisorial District 11 - Institutional Uses, Certain Personal Service Uses, and Conversion of Commercial to Residential Use

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

Resolution imposing interim zoning controls for an 18-month period in the Excelsior Outer Mission Neighborhood Commercial District and areas in Supervisorial District 11 zoned Small-Scale Neighborhood Commercial District (NC-2), Moderate-Scale Neighborhood Commercial District (NC-3), Neighborhood Commercial Shopping Center District (NC-S), Small-Scale Neighborhood Commercial Transit District (NCT-2), and Moderate-Scale Neighborhood Commercial Transit District (NCT-3), to require a Conditional Use authorization for the following new Uses (or existing Uses operating without proper approvals and permits) in areas where such Uses currently are permitted: all Institutional Uses located on the First Story, certain categories of Institutional Uses located on any Story, and a Personal Service Use operating as a salon and/or providing cosmetic services and located on the First Story; to require a Conditional Use authorization for the conversion of any Commercial Use to a Residential Use; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and priority policies in Planning Code, Section 101.1.

Signature	of Sponsoring	Supervisor:
_		•

Pille A

For Clerk's Use Only:

# **Introduction Form**

By a Member of the Board of Supervisors or Mayor

I hereby submit the following item for introduction (select only one):

BOARD OF SUPERVISORS

Time stamp 2: 17

BY
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):
Supervisor Ahsha Safai
Subject:
Planning Code Interim Controls in Supervisorial District 11 for Institutional Uses, Certain Personal Service Uses, and Conversion of Commercial to Residential Use.
The text is listed:
Resolution imposing interim zoning controls for an 18-month period in the Excelsior Outer Mission Neighborhood Commercial District and areas in Supervisorial District 11 zoned NC-2, NC-3, NC-S, NCT-2, and NCT-3, to require a Conditional Use authorization for the following new Uses (or existing Uses operating without proper approvals and permits) in areas where such Uses currently are permitted: all Institutional Uses located on the First Story, certain categories of Institutional Uses located on any Story, and a Personal Service Use operating as a salon and/or providing cosmetic services and located on the First Story; to require a Conditional Use authorization for the conversion of any Commercial Use to a Residential Use; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and priority policies in Planning Code Section 101.1.

Signature of Sponsoring Supervisor: