

File No. 111091

Committee Item No. _____

Board Item No. 31

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Board of Supervisors Meeting

Date October 18, 2011

Cmte Board

- | | | |
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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input 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 Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input 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"/> | Ethics Form 126 |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Correspondence |

OTHER

(Use back side if additional space is needed)

| | | |
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| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Completed by: Andrea Ausberry Date October 5, 2011

Completed by: _____ Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document is in the file.

1 [Approval of a 60-Day Extension for Planning Commission Review of Self-Service
2 Restaurants, Retail Coffee Stores, and Video Stores (File No. 110152)]

3
4 **Resolution extending by 60 days the prescribed time within which the Planning**
5 **Commission may render its decision on a proposed Ordinance (File No. 110152) that**
6 **would amend Sections 710, 730, 733A, 733A.1, 790.90, 790.91, and 790.102 of the**
7 **Planning Code to: 1) increase the maximum use size for Small Self-Service Restaurants**
8 **in Neighborhood Commercial Districts to that of the non-residential use size limit for**
9 **the district and eliminate the limit on the number of seats; 2) increase the minimum**
10 **size for Large Self-Service Restaurants in Neighborhood Commercial Districts to that**
11 **of the non-residential use size limit for the district; 3) principally permit Small Self-**
12 **Service Restaurants and Video Stores in Neighborhood Commercial Cluster (NC-1) and**
13 **Neighborhood Commercial Transit Cluster (NCT-1) Districts; 4) conditionally permit**
14 **Large Self- Service Restaurants in the Inner Sunset Neighborhood Commercial District;**
15 **5) require that mechanical noise and vibration from Self-Service Restaurants be**
16 **confined to the premises; 6) remove the prohibition of on-site food preparation and**
17 **cooking and reheating equipment in Retail Coffee Stores; and 7) making environmental**
18 **findings and findings of consistence with the General Plan and priority policies of**
19 **Planning Code Section 101.1.**

20
21 WHEREAS, On March 1, 2011, Supervisor Mirkarimi introduced legislation that would
22 amend Sections 710, 730, 733A, 733A.1, 790.90, 790.91, and 790.102 of the Planning Code
23 to: (1) increase the maximum use size for Small Self-Service Restaurants in Neighborhood
24 Commercial Districts to that of the non-residential use size limit for the district and eliminate
25 the limit on the number of seats; (2) increase the minimum size for Large Self-Service

1 Restaurants in Neighborhood Commercial Districts to that of the non-residential use size limit
2 for the district; (3) principally permit Small Self-Service Restaurants and Video Stores in
3 Neighborhood Commercial Cluster (NC-1) and Neighborhood Commercial Transit Cluster
4 (NCT-1) Districts; (4) conditionally permit Large Self- Service Restaurants in the Inner Sunset
5 Neighborhood Commercial District; (5) require that mechanical noise and vibration from Self-
6 Service Restaurants be confined to the premises; (6) remove the prohibition of on-site food
7 preparation and cooking and reheating equipment in Retail Coffee Stores; and making
8 environmental findings and findings of consistence with the General Plan and priority policies
9 of Planning Code Section 101.1. A copy of said legislation is on file with the Clerk of the
10 Board of Supervisors in File No. 110152 and is incorporated herein by reference; and,

11 WHEREAS, On or about February 15, 2011, the Clerk of the Board of Supervisors
12 referred the proposed ordinance to the Planning Commission, which currently is reviewing the
13 proposed ordinance; and,

14 WHEREAS, The Board, in accordance with Planning Code Section 306.4(d) may, by
15 resolution, extend the prescribed time within which the Planning Commission is to render its
16 decision on proposed amendments to the Planning Code that the Board of Supervisors
17 initiates; and,

18 WHEREAS, On or about March 29, 2011 the Board of Supervisors extended the time
19 within which the Planning Commission may render its decision on the proposed legislation for
20 an additional 30 days, or until June 15, 2011 under Resolution Number 0149-11; and,

21 WHEREAS, On or about May 26, 2011 the Planning Commission held a public hearing
22 and heard testimony on the proposed legislation and continued the item until August 4, 2011
23 in order to allow for more public outreach; and,
24
25

1 WHEREAS, Supervisor Mirkarimi requested additional time for the Planning
2 Commission to review the proposed ordinance; and to allow for more public outreach; and,

3 WHEREAS, On June 21, 2011, the Board extended the prescribed time within which
4 the Planning Commission could render its decision on the proposed ordinance for
5 approximately 90 additional days, until September 15, 2011, under Resolution Number
6 110571; and,

7 WHEREAS, Supervisor Mirkarimi and the Planning Department conducted more
8 outreach, but recognized a need for further discussions with community stakeholders; and

9 WHEREAS, the Board extended the prescribed time within which the Planning
10 Commission could render its decision on the proposed ordinance for approximately 30 days,
11 until October 13, under Resolution Number 110925; and,

12 WHEREAS, Supervisor Mirkarimi and the Planning Department conducted more
13 outreach, but recognize a need for further discussions with community stakeholders; and

14 The Board of Supervisors deems it appropriate in this instance to grant to the Planning
15 Commission additional time to review the proposed ordinance and render its decision; now
16 therefore be it

17 RESOLVED, That by this resolution, the Board hereby extends the prescribed time
18 within which the Planning Commission may render its decision on the proposed ordinance for
19 approximately 60 additional days, until December 15, 2011.

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:

- 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 from Committee
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File Nos.
- 9. Request for Closed Session
- 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:

- | | |
|---|--|
| <input type="checkbox"/> Small Business Commission | <input type="checkbox"/> Youth Commission |
| <input type="checkbox"/> Ethics Commission | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Building Inspection Commission | |

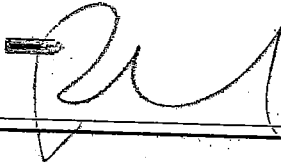
Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.]

Sponsor(s): Mirkarimi

Subject: Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance related to Self-Service Restaurants

The text is listed below or attached:

Attached

Signature of Sponsoring Supervisor: 

For Clerk's Use Only:

