

1 [Extension of Planning Commission Review Period.]

2

3 **Resolution extending for 45 additional days the prescribed time within which the**
4 **Planning Commission may render its decision on a proposed ordinance to amend the**
5 **San Francisco Planning Code by adding section 703.3 and by amending section 182 to**
6 **make findings as to the need to regulate formula retail uses, to define formula retail**
7 **uses, prohibit formula retail uses in the Hayes-Gough Neighborhood Commercial**
8 **District and in the Neighborhood Commercial Cluster Districts at Cole and Carl Streets**
9 **and Parnassus and Stanyan Streets, to require any building permit application for a**
10 **formula retail use to comply with the notice and design review procedures of section**
11 **312 of the Planning Code, to provide that the burden to prove that a use is not a**
12 **formula retail use rests with the building permit applicant or holder, and to provide that**
13 **nonconforming uses in Residential Districts which are seeking to change in use to**
14 **retail sales activity or retail sales establishment which is also a formula retail use must**
15 **comply with the provisions of Section 703.3, and making findings of consistency with**
16 **the priority policies of Planning Code Section 101.1 and the General Plan.**

17

18 WHEREAS, On August 26, 2003, Supervisor Matt Gonzalez introduced legislation to
19 amend the San Francisco Planning Code by adding section 703.3 and by amending section
20 182 to make findings as to the need to regulate formula retail uses, to define formula retail
21 uses, prohibit formula retail uses in the Hayes-Gough Neighborhood Commercial District and
22 in the Neighborhood Commercial Cluster Districts at Cole and Carl Streets and Parnassus
23 and Stanyan Streets, to require any building permit application for a formula retail use to
24 comply with the notice and design review procedures of section 312 of the Planning Code, to
25 provide that the burden to prove that a use is not a formula retail use rests with the building

1 permit applicant or holder, and to provide that nonconforming uses in Residential Districts
2 which are seeking to change in use to retail sales activity or retail sales establishment which is
3 also a formula retail use must comply with the provisions of Section 703.3, and making
4 findings of consistency with the priority policies of Planning Code Section 101.1 and the
5 General Plan; and,

6 WHEREAS, On August 29, 2003, the Clerk of the Board of Supervisors transmitted a
7 copy of the proposed legislation to the Planning Commission for public hearing pursuant to
8 Planning Code Section 302(b); and,

9 WHEREAS, Planning Code Section 306.4(d)(3) provides that the Planning Commission
10 must render its decision on the proposed legislation within 90 days of the date of referral and
11 that failure to act within the prescribed time shall constitute disapproval; and,

12 WHEREAS, Planning Code Section 306.4(d)(3) authorizes the Board of Supervisors to
13 extend by resolution the prescribed time within which the Commission is to render its decision
14 on legislation initiated by the Board; and,

15 WHEREAS, The Board deems it appropriate in this instance to grant the Planning
16 Commission an additional 45 days within which to render its decision; now, therefore, be it

17 RESOLVED, That the Board hereby extends the prescribed time within which the
18 Planning Commission may review and render its decision on the proposed legislation
19 concerning formula retail uses for an additional 45 days from November 27, 2003.

20
21
22
23
24
25