

File No. 110925

Committee Item No. \_\_\_\_\_

Board Item No. 40

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Board of Supervisors Meeting

Date September 6, 2011

Cmte Board

<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)

<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 August 15, 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 30 Day Extension for Planning Commission Review]

2  
3 Resolution extending by 30 days the prescribed time within which the Planning  
4 Commission may render its decision on a proposed Ordinance that would amend  
5 Sections 710, 730, 733A, 733A.1, 790.90, 790.91, and 790.102 of the Planning Code to: 1)  
6 increase the maximum use size for Small Self-Service Restaurants in Neighborhood  
7 Commercial Districts to that of the non-residential use size limit for the district and  
8 eliminate the limit on the number of seats; 2) increase the minimum size for Large Self-  
9 Service Restaurants in Neighborhood Commercial Districts to that of the non-  
10 residential use size limit for the district; 3) principally permit Small Self-Service  
11 Restaurants and Video Stores in Neighborhood Commercial Cluster (NC-1) and  
12 Neighborhood Commercial Transit Cluster (NCT-1) Districts; 4) conditionally permit  
13 Large Self- Service Restaurants in the Inner Sunset Neighborhood Commercial District;  
14 5) require that mechanical noise and vibration from Self-Service Restaurants be  
15 confined to the premises; 6) remove the prohibition of on-site food preparation and  
16 cooking and reheating equipment in Retail Coffee Stores; and 7) making environmental  
17 findings and findings of consistence with the General Plan and priority policies of  
18 Planning Code Section 101.1.

19  
20 WHEREAS, On March 1, 2011, Supervisor Mirkarimi introduced legislation that would  
21 amend Sections 710, 730, 733A, 733A.1, 790.90, 790.91, and 790.102 of the Planning Code  
22 to: (1) increase the maximum use size for Small Self-Service Restaurants in Neighborhood  
23 Commercial Districts to that of the non-residential use size limit for the district and eliminate  
24 the limit on the number of seats; (2) increase the minimum size for Large Self-Service  
25 Restaurants in Neighborhood Commercial Districts to that of the non-residential use size limit

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

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

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

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

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

23 WHEREAS, Supervisor Mirkarimi requested additional time for the Planning  
24 Commission to review the proposed ordinance; and to allow for more public outreach; and,  
25

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

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

7 WHEREAS, The Board of Supervisors deems it appropriate in this instance to grant to  
8 the Planning Commission additional time to review the proposed ordinance and render its  
9 decision; now therefore be it

10 RESOLVED, That by this resolution, the Board hereby extends the prescribed time  
11 within which the Planning Commission may render its decision on the proposed ordinance for  
12 approximately 30 additional days, until October 13, 2011.

## INTRODUCTION FORM

By a member of the Board of Supervisors or the Mayor

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2011 AUG -3 AM 11:48

BY \_\_\_\_\_  
Time Stamp or  
Meeting Date

AK

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 Committee Hearing on a subject matter
- ☐ 4. Request for letter beginning "Supervisor \_\_\_\_\_ inquires..."
- ☐ 5. City Attorney request
- ☐ 6. Call matter from Committee (File Number: \_\_\_\_\_)
- ☐ 7. Budget Analyst request (attach written Motion)
- ☐ 8. Substitute Legislation (File Number: \_\_\_\_\_)
- ☐ 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: Approval of a 30 day extension for Planning Commission review of small self-service restaurant ordinance

The text is listed below or attached:

Attached

Signature of Sponsoring Supervisor: \_\_\_\_\_

*Rollikainen*

For Clerk's Use Only:

Common/Supervisors Form

Revised 05/19/11

