

1 [Administrative Code - Additional Pre-Approval Notice for Certain City Projects]

2
3 **Ordinance amending the San Francisco Administrative Code by adding Chapter 79A to**
4 **expand upon the minimum notice requirements prior to approval of a City project that**
5 **are mandated by the Citizens' Right-to-Know Act of 1998.**

6 NOTE: Additions are *single-underline italics Times New Roman*;
7 deletions are ~~*strike-through italics Times New Roman*~~.
8 Board amendment additions are double-underlined;
9 Board amendment deletions are ~~strike through normal~~.

9 Be it ordained by the People of the City and County of San Francisco:

10 Section 1. The San Francisco Administrative Code is hereby amended by adding
11 Chapter 79A, to read as follows:

12 **CHAPTER 79A**

13 **ADDITIONAL PREAPPROVAL NOTICE FOR CERTAIN CITY PROJECTS**

14 **SEC. 79A.1. Findings.**

15 1. On June 2, 1998, the San Francisco voters adopted Proposition I, the Citizens' Right-to-
16 Know Act of 1998. Proposition I was codified as Chapter 79 of the San Francisco Administrative
17 Code.

18 2. Chapter 79 establishes minimum notice requirements prior to the Approval of a City Project
19 by any city officer, department, board or commission. This Chapter 79A expands upon those notice
20 requirements.

21 3. In order to make a fully informed decision on projects requiring public notice under this
22 Chapter, the Board should have information about the nature and extent of the notice provided to the
23 public by the sponsoring officer, department, board or commission prior to the Board's action on a
24 proposed City Project.

25 **SEC. 79A.2. Scope.**

1 The notice requirements of this Chapter 79A shall apply to any City Project that is within the
2 scope of Chapter 79. The exemptions of Section 79.3 and the requirements applicable to a change in
3 the project set forth in Section 79.4 shall apply.

4 **SEC. 79A.3. Definitions.**

5 The definitions of "Approve or Approval" and "City Project" shall be as set forth in Section
6 79.2.

7 "Proposed Project" shall mean any project within the scope of Chapter 79 and this Chapter
8 where a City department, board, commission, or official makes any decision to potentially fund directly
9 or administer the project through the use of federal, state, or other funding sources.

10 **SEC. 79A.4. Signposting Requirements.**

11 The signposting requirements of Section 79.5 shall apply, except that the sign shall be posted at
12 least thirty (30) days prior to consideration of Approval of a City Project.

13 **SEC. 79A.5. Website Notice.**

14 Each city officer, department, board or commission shall post on its official website and
15 maintain an updated list of all Proposed Projects. At a minimum, the list shall contain a description
16 and the property address of each Proposed Project. The officer, department, board or commission shall
17 add a Proposed Project to the list at the earliest time when the following events may occur:

18 (1) either the private sponsor of the Proposed Project or the city officer, department, board or
19 commission that is considering funding directly or administering the Proposed Project submits an
20 application for environmental review for the Proposed Project to the Planning Department; or

21 (2) the city officer, department, board or commission decides to fund a pre-development study
22 for the Proposed Project; or

23 (3) a project has applied to the Mayor's Office of Housing or other City department for funding
24 in response to a Notice of Funding Availability; or

1 (4) the city officer, department, board or commission takes any step towards potentially funding
2 or administering a Proposed Project.

3 **SEC. 79A.6. Written Notice.**

4 A city officer, department, board or commission shall promptly provide notice of any action on
5 a Proposed Project that is posted on a city website as provided in Section 79.5A to any individual or
6 neighborhood organization that has indicated, in writing or by e-mail, an interest in a specific property
7 or geographic area. Such notice may be given either by mail or electronically if the individual or
8 neighborhood organization has provided electronic contact information. The notice shall be provided
9 at least 30 days prior to the date of any public hearing or action on the Proposed Project, or within five
10 days after receipt of the request if the request is made less than 30 days prior to the hearing.

11 **SEC. 79.A7. Information to be Provided to Board of Supervisors by Sponsoring Officer,**
12 **Department, Board or Commission.**

13 Any sponsoring officer, department, board or commission seeking Board approval of a project
14 within the scope of this Chapter shall provide to the Clerk of the Board, upon introduction of the
15 approval action, a description of the notice provided to the public pursuant to Sections 79A.4, 79A.5,
16 and 79A.6 above.

17
18 Section 2. Effective Date. This ordinance shall become effective 30 days from the
19 date of passage.

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21 APPROVED AS TO FORM:
22 DENNIS J. HERRERA, City Attorney

23 By: _____
24 JUDITH A. BOYAJIAN
25 Deputy City Attorney