

1 [Planning Code - Pre-Application Meetings in Product/Distribution/Repair-1-B (Light Industrial  
2 Buffer) District]

3 **Ordinance amending the Planning Code, by adding Section 313, to require pre-**  
4 **application meetings for certain projects in the Product/Distribution/Repair -1-B (Light**  
5 **Industrial Buffer) District; and making environmental, General Plan, and Planning Code,**  
6 **Section 101(b), findings.**

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

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

12 Section 1. The Board of Supervisors of the City and County of San Francisco hereby  
13 finds and determines that:

14 (a) General Plan and Planning Code Findings.

15 (1) On May 9, 2013, at a duly noticed public hearing, the Planning Commission in  
16 Resolution No. 18860 found that the proposed Planning Code amendments contained in this  
17 ordinance were consistent with the City's General Plan and with Planning Code Section  
18 101.1(b) and recommended that the Board of Supervisors adopt the proposed Planning Code  
19 amendments. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in  
20 File No. 130180 and is incorporated herein by reference. The Board finds that the proposed  
21 Planning Code amendments contained in this ordinance are on balance consistent with the  
22 City's General Plan and with Planning Code Section 101.1(b) for the reasons set forth in said  
23 Resolution.

24 (2) Pursuant to Planning Code Section 302, the Board finds that the proposed  
25 ordinance will serve the public necessity, convenience and welfare for the reasons set forth in

1 Planning Commission Resolution No. 18860, which reasons are incorporated herein by  
2 reference as though fully set forth.

3 (b) Environmental Findings. The Planning Department has determined that the  
4 actions contemplated in this ordinance comply with the California Environmental Quality Act  
5 (California Public Resources Code Section 21000 et seq.). Said determination is on file with  
6 the Clerk of the Board of Supervisors in File No. 130180 and is hereby adopted by this Board,  
7 and incorporated herein by reference.

8  
9 Section 2. The Planning Code is hereby amended by adding Section 313, to read as  
10 follows:

11 SEC. 313. PDR-1-B (Light Industrial Buffer), PRE-APPLICATION MEETING.

12 (a) Purpose. In order to address neighborhood concerns about the potential effects of  
13 proposed projects early in the design process and to reduce the number of discretionary review hearing  
14 requests filed, a pre-application meeting shall be required for certain projects within the PDR-1-B  
15 (Light Industrial Buffer) District.

16 (b) Applicability. Prior to filing an application for new construction, demolition, or  
17 removal of 5,000 square feet or more on any parcel zoned all or in part PDR-1-B, a project sponsor  
18 shall conduct a minimum of one pre-application meeting. The Planning Department shall not accept an  
19 application for such a project without information demonstrating that at least one pre-application  
20 meeting conforming to the requirements of this section has been held.

21 (c) Requirements. In addition to the requirements set forth here, the Planning Department  
22 may establish additional reasonable procedures and requirements to administer this section. A pre-  
23 application meeting shall meet the following requirements:

24 (1) Invitations. At least 14 calendar days before the pre-application meeting, the  
25 project sponsor shall invite by mail:

1                                    (A) Relevant neighborhood associations for the neighborhood(s) in which the  
2 proposed project is located. If the proposed project is on the border of two or more neighborhoods, all  
3 neighborhood organizations for the bordering neighborhoods shall be invited. The Planning  
4 Department shall maintain a list of neighborhood associations for each neighborhood and provide that  
5 list to project sponsors; and

6                                    (B) Property owners and occupants within a 300 foot radius of the proposed  
7 project site, including any occupants of the subject property.

8                                    (2) Location. The Pre-Application Meeting shall be conducted at:

9                                    (A) The project site;

10                                   (B) An alternate location within a one-mile radius of the project site; or

11                                   (C) The Planning Department.

12                                   (3) Information. At the pre-application meeting(s), the project sponsor, or his or her  
13 designee, shall describe the proposed project, respond to questions to the best of the sponsor's ability,  
14 and solicit comments from the attendees with the goal of addressing, to the extent feasible,  
15 neighborhood concerns regarding the proposed project prior to filing an application with the Planning  
16 Department.

17  
18                   Section 4. Other Uncodified Provisions.

19                   (a) Effective Date. This ordinance shall become effective 30 days after enactment.

20                   (b) Undertaking for the General Welfare. In enacting and implementing this  
21 ordinance, the City is assuming an undertaking only to promote the general welfare. It is not  
22 assuming, nor is it imposing on its officers and employees, an obligation for breach of which it  
23 would be liable in money damages to any person who claims that such breach proximately  
24 caused injury.

1 (c) No Conflict with State or Federal Law. Nothing in this ordinance shall be  
2 interpreted or applied so as to create any requirement, power, or duty in conflict with any  
3 State or federal law.

4 (d) Severability. If any of section, subsection, sentence, clause, phrase or word of  
5 this ordinance is for any reason held to be invalid or unconstitutional by a decision of any  
6 court of competent jurisdiction, such decision shall not affect the validity of the remaining  
7 portions of the ordinance. The Board of Supervisors hereby declares that it would have  
8 passed this ordinance and each and every section, subsection, sentence, clause, phrase, and  
9 word not declared invalid or unconstitutional without regard to whether any other portion of  
10 this ordinance would be subsequently declared invalid or unconstitutional.

11 (d) Scope of Ordinance. In enacting this ordinance, the Board intends to amend  
12 only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation,  
13 charts, diagrams, or any other constituent part of the Planning Code that are explicitly shown  
14 in this legislation as additions, deletions, Board amendment additions, and Board amendment  
15 deletions in accordance with the "Note" that appears under the official title of the ordinance.

16 APPROVED AS TO FORM:  
17 DENNIS J. HERRERA, City Attorney

18 By: \_\_\_\_\_  
19 MARLENA G. BYRNE  
20 Deputy City Attorney

21 n:\legana\as2013\1300192\00830823.doc