

BOARD of SUPERVISORS



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March 6, 2018

Planning Commission  
Attn: Jonas Ionin  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Commissioners:

On February 27, 2018, Supervisor Peskin introduced the following legislation:

**File No. 180190**

**Ordinance amending the Planning Code to extend the Lower Polk Street Alcohol Restricted Use District for five years; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.**

The proposed ordinance is being transmitted pursuant to Planning Code, Section 302(b), for public hearing and recommendation. The ordinance is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

*for* By:  Alisa Somera, Legislative Deputy Director  
Land Use and Transportation Committee

- c: John Rahaim, Director of Planning
- Aaron Starr, Acting Manager of Legislative Affairs
- Scott Sanchez, Zoning Administrator
- Lisa Gibson, Environmental Review Officer
- AnMarie Rodgers, Senior Policy Advisor
- Laura Lynch, Environmental Planning
- Joy Navarrete, Environmental Planning

[Planning Code - Extending Lower Polk Street Alcohol Restricted Use District for Five Years]

**Ordinance amending the Planning Code to extend the Lower Polk Street Alcohol Restricted Use District for five years; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.**

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
**Additions to Codes** are in *single-underline italics Times New Roman font*.  
**Deletions to Codes** are in ~~*strikethrough italics Times New Roman font*~~.  
**Board amendment additions** are in double-underlined Arial font.  
**Board amendment deletions** are in ~~Arial font~~.  
**Asterisks (\* \* \* \*)** indicate the omission of unchanged Code subsections or parts of tables.

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

Section 1. Environmental and Land Use Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and is incorporated herein by reference. The Board affirms this determination.

(b) On \_\_\_\_\_, the Planning Commission, in Resolution No. \_\_\_\_\_, adopted findings that the actions contemplated in this ordinance are consistent, on balance, with the City's General Plan and eight priority policies of Planning Code Section 101.1. The

1 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of  
2 the Board of Supervisors in File No. \_\_\_\_\_, and is incorporated herein by reference.

3 (c) On \_\_\_\_\_, the Planning Commission, in Resolution No. \_\_\_\_\_,  
4 approved this ordinance, recommended it for adoption by the Board of Supervisors, and  
5 adopted findings that it will serve the public necessity, convenience, and welfare. Pursuant to  
6 Planning Code Section 302, the Board adopts these findings as its own. A copy of said  
7 Resolution is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_, and is  
8 incorporated herein by reference.

9  
10 Section 2. The Planning Code is hereby amended by revising Section 788, to read as  
11 follows:

12 **SEC. 788. LOWER POLK STREET ALCOHOL RESTRICTED USE DISTRICT.**

13 \* \* \* \*

14 (e) Sunset ~~Provision~~Date. This Section 788 shall expire by operation of law on June 1,  
15 2023 ~~be repealed five (5) years after its initial Effective Date~~ unless the Board of Supervisors, on  
16 or before that date, extends or re-enacts it. Following its expiration, the City Attorney shall cause  
17 this Section to be removed from the Municipal Code.

18  
19 Section 3. Effective Date. This ordinance shall become effective 30 days after  
20 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
21 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
22 of Supervisors overrides the Mayor's veto of the ordinance.

23  
24 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
25 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,

1 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
2 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
3 additions, and Board amendment deletions in accordance with the "Note" that appears under  
4 the official title of the ordinance.

5  
6 APPROVED AS TO FORM:  
DENNIS J. HERRERA, City Attorney

7  
8 By:

  
\_\_\_\_\_  
ANDREA RUIZ-ESQUIDE  
Deputy City Attorney

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**LEGISLATIVE DIGEST**

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**Existing Law**

Section 788 of the Planning Code creates the Lower Polk Street Restricted Use District. The District was created for five years since its effective date, and will expire on May 30, 2018.

**Amendments to Current Law**

This Ordinance extends the duration of the Lower Polk Street Restricted Use District by another five years, until June 1, 2023.

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