



# SAN FRANCISCO PLANNING DEPARTMENT

---

## Planning Commission Resolution 17631 HEARING DATE JUNE 19, 2008

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

*Date:* June 19, 2008  
*Case No.:* **DIRECTOR'S REPORT**  
*Project:* **Commission on the Environment Charter Amendment**  
*Project Sponsor:* Supervisors Mirkarimi  
*From:* John Rahaim, Director, Planning Department  
*Staff Contact:* Tara Sullivan-Lenane, Legislative Affairs, 558-6295

**RECOMMENDING THAT THE BOARD OF SUPERVISORS BOARD MODIFY THE PROPOSED COMMISSION ON THE ENVIRONMENT CHARTER AMENDMENT AS DESCRIBED IN THIS RESOLUTION AND THEN VOTE IN FAVOR OF PLACING THE MODIFIED CHARTER AMENDMENT ON THE BALLOT TO BE BEFORE THE VOTERS OF SAN FRANCISCO THE NOVEMBER 3, 2008.**

WHEREAS, on May 13, 2008, Supervisors Mirkarimi introduced a proposed Charter Amendment under Board of Supervisors (hereinafter "Board") File Number 080647 which would to clarify the authority of the Commission on the Environment to consider environmental justice issues and to review City building and land use policies for environmental sustainability.

The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on June 12, 2008; and,

The Commission adopted the resolution on June 12, 2008 with modifications to:

- Explicitly state that the Commission's authority is limited to larger policy issues only.
- Clarify that the Planning Department shall notify the Department of the Environment about community planning efforts and that the Commission on the Environment shall request Planning Staff attendance to their hearings as needed to assist in their review of these planning efforts or other larger policy issues.

City Charter Section 4.118 establishes the Commission on the Environment ("Commission"), along with its duties and functions. The Commission may investigate & make recommendations to all City agencies on any policy proposed for adoption regarding the long-term plans for environmental sustainability "except for those regarding building and land use."

The proposed Charter Amendment explicitly states that the powers of the Planning Commission and the Building Inspection Commission will be limited or abridged.

The proposed Charter Amendment gives the Commission advisory status with regard to policy proposals. As mentioned above, it clearly states that the expanded scope of areas where the Commission can comment on does not in any way infringe upon the Planning Commission's powers. The Planning Department is satisfied with the explicit language proposed and believes that it clearly delineates the authority granted to both Commissions.

However, the proposed Charter Amendment does not state exactly what type of building and land use issues the Commission on the Environment is able to comment upon, and the Planning Department believes that this new advisory authority should focus solely larger policies that have environmental and sustainability issues, not on smaller individual projects. The proposed Charter Amendment should be amended to explicitly state that the Commission's authority is limited to larger policy issues only.

Another issue to consider is how the Commission will investigate building and land use policies that the Planning Commission is reviewing. The Planning Department strives to ensure interagency cooperation and communication and will work to forward larger policy issues and proposals to the Commission on the Environment for their review and comment. If the Charter Amendment is broadened or interpreted to include all individual planning projects, the sheer bulk of individual projects reviewed by the Department may dominate the Commission for the Environment's agendas and prevent them from hearing both items under their current jurisdiction and the larger policy issues discussed in the Charter Amendment. Some issues may not of interest to the Commission.

To avoid problems such as the transmittal of unnecessary materials are forwarded to the Commission on the Environment; scheduling difficulties to ensure timeliness of review in relation to Planning Commission hearings and; increasing burdens on permit applicants in preparing for multiple commission hearings, the Department recommends amending the Charter Amendment to clarify how the Planning Department and Commission shall engage the Commission for the Environment on items of interest.

NOW THEREFORE BE IT RESOLVED that the Commission hereby recommends that the Board MODIFY the proposed Charter Amendment as follows then VOTE IN FAVOR of placing the modified Charter Amendment on the ballot to be before the voters of San Francisco on November 3, 2008.

The Commission recommends the following MODIFICATIONS to the Charter Amendment:

1. Explicitly state that the Commission's authority is limited to larger policy issues only.
2. Clarify that the Planning Department shall notify the Department of the Environment about community planning efforts and that the Commission on the Environment shall request Planning Staff attendance to their hearings as needed to assist in their review of these planning efforts or other larger policy issues.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on June 19, 2008.

**Resolution 17631**  
**June 12, 2008**

**COMMISSION ON THE ENVIRONMENT**  
**CHARTER AMENDMENT**

Linda Avery

Commission Secretary

AYES: Olague, Miguel, Lee, Antonini, Moore, Sugaya

NOES: none

ABSENT: none

ADOPTED: June 19, 2008