



SAN FRANCISCO PLANNING DEPARTMENT

New Planning Code Summary:

Health Care Services Master Plan

Code Changes: Sections 342 to 342.10
Case Number: Board File No. 10-1057
Initiated by: Supervisor Campos
Effective Date: January 3, 2011

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The Way It Was:

San Francisco lacked a comprehensive document that analyzed the needs for, and locations of, health care services throughout San Francisco. Previously, medically-related institutions were only required to undergo a health planner analysis as part of the Institutional Master Plan (IMP) process. The health planner analysis associated with the IMP review is conducted by the Department of Public Health and seeks to analyze the relationship between the City's long-term health care needs and facility planning for medical institutions but does not include all medical facilities.

The Way It Is Now:

This Ordinance now establishes the following requirements:

(1) **Creation of a Health Care Services Master Plan (HCSMP).** This plan shall be created by January 3, 2012, as a joint effort between Planning and the Department of Public Health(DPH); and

(2) **Determination of Consistency.** After the creation of this Master Plan or January 02, 2013, whichever is later, the following circumstances shall require a "Consistency Determination" from either the Planning Department or Commission, indicating whether the project is, or is not, on balance, consistent with the HCSMP before the approval of any associated permit or entitlement:

- (a) any change of use to a "Medical Use" (as defined by those uses listed under Planning Code Sections 209.3(a), 217(a) and (c), 790.44, 890.44, 790.114, and 890.114, excluding any housing operated by a medical provider or any massage use), that occupies 10,000gsf, or
- (b) any expansion of an existing "Medical Use" by 5,000gsf.

Consistency Determinations by the Department. Applications found by the Planning Department (in consultation with DPH) to be consistent with the HCSMP would receive a written determination by Planning, which would be posted on the Department's

website for 15 days. If no “substantive arguments” were made, as determined by the Director of Planning, the decision would become final.

Consistency Determinations by the Commission. Applications found by the Planning Department (in consultation with DPH) to be inconsistent with the HCSMP, or applications that were deemed consistent by the Department but that received substantive arguments during the 15-day posting, would be forwarded to the Health Commission. The Health Commission would issue findings to the Planning Commission within 30 days. The Planning Commission would then hold a public hearing to consider making a Consistency Determination within 30 days of the transmittal from the Health Commission, or at the same time that any associated entitlements were being heard by the Planning Commission. The Planning Commission could approve an associated entitlement for which it did not issue a Consistency Determination only if countervailing public policy considerations justified its approval.

Appeals of Planning Commission Consistency Determinations: If an underlying entitlement can be appealed to the Board of Supervisors, then an appeal of the Consistency Determination shall be made to the Board of Supervisors. If the Board of Supervisors does not have the authority to review any underlying entitlement on appeal, the Consistency Determination shall be appealed to the Board of Appeals.

Link to signed legislation:

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| Board File No. 101057 | Ord. No. <u>300-10</u> | Health Care Services Master Plan: http://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances10/o0300-10.pdf |
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