

City and County of San Francisco

Land Use and Economic Development Committee

City Hall, Room 263



Meeting Agenda

Monday, February 12, 2007

1:00 PM

Regular Meeting

Members: Sophie Maxwell, Gerardo Sandoval, Jake McGoldrick

Clerk: Mary Red (415) 554-4442

Note: Each item on the Consent or Regular agenda may include the following documents: 1) Legislation 2) Budget Analyst report 3) Legislative Analyst report

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

AGENDA CHANGES

REGULAR AGENDA

- 1. 061539 [Planning Code Enforcement Penalties, Fees, and Costs] Supervisor Peskin**
Ordinance amending the San Francisco Planning Code by amending Section 176 to provide for penalties for violation of the Planning Code of not less than \$200 per day, to specify that the City Attorney may seek attorneys' fees and costs for all enforcement actions, and to provide that all such fees and costs collected shall be deposited in the Planning Code Enforcement Fund; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

11/7/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/6/2006.

11/17/06, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comments; and to Environmental Review Officer for fee increase impact.

12/1/06, RESPONSE RECEIVED. Exempt from CEQA non-physical exemption.

1/18/07, RESPONSE RECEIVED. Planning Department Executive Summary and Planning Commission Resolution 17355.

2. 051844 [Planning Code-General Advertising Signs Enforcement Provisions] Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Section 610 regarding the enforcement provisions for general advertising sign violations, by, among other things, deeming violations of this section a public nuisance, defining Responsible Party, amending the penalty accrual, amount and collection provisions, requiring building permits for compliance work, providing for reconsideration hearings before an administrative law judge, and establishing a hearing fee; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

11/8/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/8/2005.

11/16/05, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comments.

12/1/05, RESPONSE RECEIVED. Exempt from CEQA, Non-physical exemption CEQA guidelines & 15060(c)(2).

2/7/06, TRANSFERRED to Land Use and Economic Development Committee.

2/16/06, RESPONSE RECEIVED. Planning Commission Resolution 17183, recommend approval with certain amendments; Executive Summary.

7/12/06, CONTINUED. Continued to August 9, 2006.

8/9/06, CONTINUED TO CALL OF THE CHAIR.

11/7/06, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

11/7/06, ASSIGNED to Land Use and Economic Development Committee.

11/13/06, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comment, also environmental review for fee.

12/1/06, RESPONSE RECEIVED. Exempt from CEQA, non physical exemption.

1/18/07, RESPONSE RECEIVED. Planning Department Executive Summary and Planning Commission Resolution 17356.

SPECIAL ORDER - 2:00 P.M.

3. 061682 [Redevelopment Agency] Supervisor Mirkarimi

Hearing on the A2 Redevelopment Project Area as it pertains to the status of the remaining developments yet to be assigned, contracted or built; request a report at said hearing on the certificate of preference system applied by the Redevelopment Agency.

12/12/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Land Use and Economic Development Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

NOTE: Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the general plan amendments or planning code and zoning map amendments described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

- 4. 070126 [Wild parrots of Telegraph Hill - Tree preservation adjacent to 233 Greenwich Street] Supervisor Dufty**

Ordinance waiving certain provisions of Public Works Code Section 809 to assume responsibility for the preservation of two (2) Monterey Cypress trees adjacent to 233 Greenwich Street (Assessor's Block 85, Lot 32) that provide habitat for the wild parrots of Telegraph Hill, including pruning and removal as set forth herein; imposing specified tree replanting requirements on the property owner of 233 Greenwich Street in furtherance of Public Works Code Section 809's tree replacement provisions; authorizing the Director of Public Works to enter into a sole source agreement with Ted Kipping, Tree Shapers, LLC, for professional services relating to the pruning of the trees; accepting a gift from the Northeast San Francisco Conservancy to offset the cost of pruning the trees; and authorizing official acts in connection thereto.

1/30/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/1/2007. Sponsor requests that the item be sent to Land Use Committee.

5. 070133 [Limiting exemptions from, and clarifying the scope and collection of, the Transit Impact Development Fee]

Supervisor McGoldrick

Ordinance (1) amending Chapter 38 of the Administrative Code by (a) amending Sections 38.1 and 38.3, and adding a new Section 38.3-1 to limit the exemption from the current Transit Impact Development Fee (TIDF) for projects for which an application for environmental review or a categorical exemption was submitted on or before April 1, 2004, to instances in which a building or site permit is issued on or before September 4, 2008 and requiring that such exempt projects that would otherwise have been subject to the former TIDF pay a fee on new office space only equivalent to the amount that would have been due under the former TIDF ordinance; (b) amending Section 38.1 to clarify the definitions of "Gross Floor Area" and "Retail/Entertainment;" (c) amending Section 38.3 to correct an unintended exclusion for art spaces; (d) amending Section 38.5 to specify that the TIDF due for a project is based on the fee in effect on the date of payment; and (e) amending Section 38.6 to clarify the circumstances in which a credit for prior eliminated uses is available and make clear that any credit against the amount of the TIDF based on prior use cannot exceed the amount of the TIDF due; and (2) making environmental findings.

1/30/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/1/2007.

2/7/07, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review for fees, and to Small Business Commission.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Agendas are available on the internet at www.sfgov.org/site/bos_meetings

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.



Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening

devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N, and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics