

City and County of San Francisco
Land Use and Economic Development Committee

City Hall, Room 263



Meeting Agenda
Monday, April 14, 2008
1:00 PM
Regular Meeting

Members: Sophie Maxwell, Gerardo Sandoval, Aaron Peskin

Clerk: Linda Laws (415) 554-4441

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.

REGULAR AGENDA

- 1. 080393 [Street Artist Winter Holiday Spaces]**
Resolution approving continuous designation of temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for each year's winter holiday season, beginning on November 15 and ending on January 15. (Arts Commission)

3/18/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 2. 080279 [Landmark Designation of 900 Innes Avenue (Shipwright's Cottage)]** **Supervisor Maxwell**

Ordinance designating 900 Innes Avenue (Shipwright's Cottage) as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

2/26/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
4/1/08 - Mailed and emailed notice of April 14, 2008 meeting to current and previous owners.

3/26/08, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review.

3/31/08, RESPONSE RECEIVED. Planning Department - Categorically exempt from environmental review.

3/31/08, CONTINUED. Heard in Committee. Speakers: Tara Sullivan-Lenane, Planning Department; Erin Farrell, India Basin Neighborhood Association; Ralieg Hatzberger; Melita Rines; Cheryl Schultz; Mary Edmonds; Chris VerPlanck; Brian Scott; Julie Lane; Dan Huff; Espanola Jackson; Jack Gold, SF Architectural Heritage; Nancy Wuerfel; Courtney Clarkson, Victorian Alliance; Penny Nilmeier; Al Williams, African American Historical Society; Joe Boss, Dogpatch Neighborhood Association; Meredith Thomas, Neighborhood Parks Council; Linda Richardson, PAR; Allen Martinez, Landmarks Preservation Advisory Board; Dan Dote, Bayview Historical Society; Tori Freeman and Kristine Enea, India Basin Neighborhood Association; Tony Kelley; Joe Butler; Michael Hammond; Gigi Platt; Stacy Salinger. Continued to April 14, 2008.

3. 071531 [Amending the Planning Code to include properties in the proposed Excelsior Alcohol Restricted Use District in the Fringe Financial Service Restricted Use District and making related Zoning Supervisor Sandoval

Ordinance amending San Francisco Planning Code Sections 249.35, 711, and 712 to include properties in the proposed Excelsior Alcohol Restricted Use District in the Fringe Financial Service Restricted Use District prohibiting new fringe financial services, as defined, with certain exceptions, including properties in the Assessor's Blocks fronting on both sides of Mission Street from Silver Avenue to the Daly City border; amending Special Use District Maps Numbers SU11 and SU12 of the Zoning Map of the City and County of San Francisco to define the boundaries of the Fringe Financial Service Restricted Use District; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

11/5/07, PREPARED IN COMMITTEE AS AN ORDINANCE. Heard in committee. Speakers: Supervisor Ammiano; Marlena Byrne, Deputy City Attorney; AnMarie Rodgers, Planning Department; David Augustine, Controller's Office; Dairo Romero, MEDA; Jaime Trejo; Marlon Mendieta, Dolores Street Community Services; Francisco da Costa; Kevin Stein; Arreola Guadalupe; Eric Quezada; Oscar Grande; Supervisor Sandoval.

11/5/07, CONTINUED TO CALL OF THE CHAIR.

11/5/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

11/13/07, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comments.

1/2/08, RESPONSE RECEIVED. Planning Department exemption/exclusion from Environmental Review.

2/26/08, RESPONSE RECEIVED. Planning Commission Resolution No. 17548 with recommendation to adopt with modifications.

3/31/08, CLERICAL CORRECTION. Per Deputy City Attorney, should be treated as a type/format

change.

4. **071431** **[Planning Code - Restoration of Movie Theater Projecting Signs and Marquees]** **Supervisor Mirkarimi**
Ordinance amending the San Francisco Planning Code by amending Sections 188, 603, and 604 and by adding Sections 602.25 and 602.26 in order to allow for the preservation, rehabilitation, restoration or reconstruction of noncomplying Historic Movie Theater Projecting Signs and Marquees, as defined; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
- 10/16/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/15/2007.
- 10/25/07, REFERRED TO DEPARTMENT. Referred to Planning Commission and Small Business Commission for review and comment.
- 11/2/07, RESPONSE RECEIVED. Planning Department, exempt from CEQA.
- 1/22/08, RESPONSE RECEIVED. Planning Commission Resolution 17527 and Executive Summary.
5. **080400** **[Bay Area's effort to link performance targets to Land Use]** **Supervisor Daly**
Hearing on the Bay Area's effort to link performance targets to Land Use.
- 3/25/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. Sponsor requests that the item be assigned to the April 7, 2008 Land Use & Economic Development Committee meeting.
6. **080232** **[Planning Code - Deadline Extension for Medical Cannabis Dispensary Permitting]** **Supervisor Daly**
Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 790.141, and 890.133 to extend the time period for certain Medical Cannabis Dispensaries to obtain a permit from March 1, 2008 to January 21, 2009; and making findings, including General Plan, Planning Code Section 101.1(b) and environmental findings.
- 2/12/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/13/2008.
- 2/20/08, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comment.
- 2/29/08, RESPONSE RECEIVED. Planning Department - non-physical exemption per CEQA Guidelines Section 15060(c)(2).
- 4/7/08, RESPONSE RECEIVED. Planning Commission - Adopted Resolution No. 17577 to recommend approval with one modification.

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.

7. 080338 [Zoning Map Amendments in connection with the Bayview Hunters Point Area Plan]

Ordinance amending Zoning Map Sheets 8, 9, 10, and 10 SU of the City and County of San Francisco Planning Code to replace various M-1 and M-2 zones with PDR-1, PDR-2, and special use district designations in the South Basin and Northern Industrial areas of the Bayview Hunters Point Study Area, consistent with the Bayview Hunters Point Area Plan; and adopting General Plan, Planning Code Section 101.1, and environmental findings. (Planning Department)

3/12/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/24/2008.

8. 080339 [Bayview Rezoning]

Ordinance amending the Planning Code by adding Sections 121.5, 121.7, 210.7, 210.8, 210.9, 230 and 249.32 and amending Sections 204.3, 204.4, 210, 210.6, and 213 through 227 to create a new Design and Development Special Use District and modify the existing M (Industrial) Districts to establish PDR-1 (Light Industrial Buffer) and PDR-2 (Production, Distribution and Repair) Districts and specify the use controls for activities in the PDR Districts, which generally will principally permit light manufacturing, wholesale and repair activities, prohibit or require a

conditional use permit for heavy industry, prohibit housing, limit the size of retail and office uses, place controls on subdivision of large lots, provide accessory use guidelines and regulate the demolition of industrial buildings. (Planning Department)

3/12/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/24/2008.

9. 080349 [Zoning Map Amendment - 5050 Mission Street, corner of Seneca Ave] Supervisor Sandoval

Ordinance amending the San Francisco Planning Code by amending Zoning Map ZN 12 of the Zoning Map of the City and County of San Francisco to change the use classification of Block 6969, Lot 11, located at the southwest corner of Mission and Seneca Streets, from RH-1 (Residential, House, One Family) District to NC-3 (Moderate-scale Neighborhood Commercial) District; adopting findings, including environmental findings and findings of consistency the General Plan and the Priority Policies of Planning Code Section 101.1.

3/11/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/10/2008.

3/17/08, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comment and Planning Department for environmental review. 6/17/08, Board adopted 70-day extension for Planning Commission review; see File 080834.

10. 080406 [Office Building After-Hours Lighting] Supervisor Peskin

Ordinance amending the San Francisco Environment Code by adding a new Chapter 9 to conserve electricity by prohibiting commercial buildings from lighting unoccupied interior spaces after business hours; and to make environmental findings.

(Economic Impact.)

3/25/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/24/2008.

4/3/08, REFERRED TO DEPARTMENT. Referred to the Small Business Commission for comment and recommendation. Referred to Planning Department for environmental review and Planning Commission for review and comment.

11. 080407 [Subdivision Code - definition of conversion] Supervisor Peskin

Ordinance amending the San Francisco Subdivision Code Section 1308 to modify the definition of conversion to include specified air space subdivisions of existing residential structures; and making environmental findings.

3/25/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/24/2008.

4/3/08, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review and Planning Commission for review and comment.

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