



City and County of San Francisco

Meeting Minutes

Land Use and Economic Development Committee

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Members: Eric Mar, Malia Cohen, Scott Wiener

Clerk: Alisa Somera (415) 554-4447

Monday, March 7, 2011

1:00 PM

City Hall, Committee Room 263

Regular Meeting

Present: 3 - Eric Mar, Malia Cohen, and Scott Wiener

MEETING CONVENED

The meeting convened at 1:13 p.m.

REGULAR AGENDA

110024 [Planning Code - Zoning Map Amendment - Correction to Market and Octavia Area Plan Zoning]

Sponsor: Mirkarimi

Ordinance amending Zoning Map Sheet No. 2 of the San Francisco Planning Code to include parcels inadvertently excluded from the Zoning Map amendment adopted to implement the Market and Octavia Plan (Ordinance No. 72-08) affecting the area roughly bounded by a line beginning at the intersection of Buchanan and Fell Street, continuing northwest, thence northeast on Grove Street, continuing northwest at Laguna Street, thence heading northeast on Turk Street, continuing southeast at Franklin Street, thence continuing southwest at Fell Street to the starting point at the intersection of Buchanan Street, to eliminate use districts within the Market and Octavia Plan Area and replace them with revised use districts, consistent with those proposed in the Market and Octavia Area Plan; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1.

01/11/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/10/2011. 2/25/11 - 10-day notice was mailed and posted.

01/27/11; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Planning Commission for public hearing and recommendation.

02/19/11; RESPONSE RECEIVED. The Planning Commission previously recommended approval (Resolution No. 17410) on this matter.

Heard in Committee. Speakers: AnMarie Rodgers (Planning); presented information concerning the matter and answered questions raised during the hearing.

RECOMMENDED by the following vote:

Ayes: 3 - Mar, Cohen, Wiener

110070 [Planning Code - Zoning - Upper Fillmore Neighborhood Commercial District]**Sponsor: Farrell**

Ordinance amending the San Francisco Planning Code by amending Sections 703.3 and 718.1 and the Zoning Control Table for the Upper Fillmore NCD to: (1) allow as a conditional use on the first floor a new full-service restaurant, large fast food restaurant, small self-service restaurant or self-service specialty food establishment that is not defined as a formula retail use; and (2) add Specific Provisions to the Zoning Control Table to allow a bar associated with a full-service restaurant as a conditional use and require the Planning Commission to consider daytime usage on the block in conditionally approving a new restaurant; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

01/25/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/24/2011.

01/25/11; RESPONSE RECEIVED. The proposed legislation is in response to the Planning Commission's public hearing and recommendation made on 1/13/11 (received 1/25/11); Resolution No. 18251.

02/02/11; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; and Small Business Commission for review and recommendation.

02/04/11; RESPONSE RECEIVED. The Planning Department submitted an update on the Planning Commission's recommendation.

02/11/11; RESPONSE RECEIVED. Not a project per CEQA Guidelines Section 15060(c)(3) and 15378.

02/16/11; RESPONSE RECEIVED. 2/14/11 - The Small Business Commission recommended approval.

Heard in Committee. Speakers: Supervisor Mark Farrell (Board of Supervisors); AnMarie Rodgers (Planning); presented information concerning the matter and answered questions raised during the hearing. Denise Tran; Demtri; spoke in support of the matter. Walter Paulson; spoke neither in support or opposition on the matter.

AMENDED on Page 8, Lines 12-13, by replacing 'not associated with' with '(unless part of a full service', deleting 'a', and inserting ')' after 'restaurant'; **Page 10, Lines 10, 11, and 13, by inserting 'C#'; and Page 11, Line 8, by inserting 'C#'**.

Ordinance amending the San Francisco Planning Code by amending Sections 703.3 and 718.1 and the Zoning Control Table for the Upper Fillmore NCD to: 1) allow as a conditional use on the first floor a new full-service restaurant, large fast food restaurant, small self-service restaurant or self-service specialty food establishment that is not defined as a formula retail use; and 2) add Specific Provisions to the Zoning Control Table to allow a bar associated with a full-service restaurant as a conditional use and require the Planning Commission to consider daytime usage on the block in conditionally approving a new restaurant; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Mar, Cohen, Wiener

101523 [Planning Code, Administrative Code - Development Impact and In-Lieu Fees]**Sponsor: Mayor**

Ordinance amending the San Francisco Planning Code by amending Section 409 to clarify that the Annual Infrastructure Cost Inflation Adjustments to development fees authorized by the section do not need further action by the Board of Supervisors, to provide that the Planning Director be included in the annual fee reporting process, and to make other technical amendments to simplify the annual fee reporting process and ensure that the Controller's Office and the Capital Planning Program coordinate their efforts, and by amending other sections of Article 4 to clarify language, eliminate confusion as to when requirements must be met, and correct errors in cross-referencing; amending the San Francisco Administrative Code by repealing Section 38.14 (the Severability Clause) and moving it to Section 430; adopting environmental, Planning Code Section 302, and Planning Code Section 101.1 findings.

12/07/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/6/2011.

12/22/10; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Small Business Commission for review and recommendation; and Department of Building Inspection, City Controller, and City Administrator/Capital Planning Program for informational purposes only.

12/22/10; RESPONSE RECEIVED. Not a project per CEQA Guidelines Section 15060(c)(2).

12/28/10; RESPONSE RECEIVED. 12/16/10 - The Planning Commission recommended approval of the proposed legislation; Resolution No. 18240.

01/19/11; RESPONSE RECEIVED. 01/19/11 - The Small Business Commission had no comment on this matter.

02/28/11; CONTINUED. Speakers: None.

Heard in Committee. Speakers: Michael Yarne (Mayor's Office); AnMarie Rodgers (Planning); presented information concerning the matter and answered questions raised during the hearing.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ordinance amending the San Francisco Planning Code by: 1) amending Section 409 to clarify that the Annual Infrastructure Cost Inflation Adjustments to development fees authorized by the section do not need further action by the Board of Supervisors, to provide that the Planning Director be included in the annual fee reporting process, and to make other technical amendments to simplify the annual fee reporting process and ensure that the Controller's Office and the Capital Planning Program coordinate their efforts; 2) amending Sections 413.6 and 415.5 to provide that the annual adjustments to the Jobs-Housing Linkage and Affordable Housing fees shall be made at the same time as the cost inflation adjustments are made to the other development fees; 3) amending other sections of Article 4 to clarify language, eliminate confusion as to when requirements must be met, and correct errors in cross-referencing; and 4) adding an uncodified section providing that (a) if a development fee was evaluated in 2010 or 2011, it need not be included in the 2011 five-year evaluation and (b) authorizing the Controller to make the 2011 Infrastructure Cost Inflation Adjustments to the development fees in April rather than January; amending the San Francisco Administrative Code by repealing Section 38.14 (the Severability Clause) and moving it to Section 430; and adopting environmental, Planning Code Section 302, and Planning Code Section 101.1 findings.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Mar, Cohen, Wiener

ADJOURNMENT

The meeting adjourned at 1:39 p.m.