

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

City Hall, Room 263



**Meeting Agenda
Wednesday, September 24, 2008
11:00 AM
Special 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.

AGENDA CHANGES

REGULAR AGENDA

- 1. 080845 [Changing the official sidewalk width - Golden Gate Avenue]**
Ordinance amending Ordinance No. 1061 entitled Regulating the Width of Sidewalks by adding thereto Section 1580 to change the official sidewalk width on the southerly side of Golden Gate Avenue between Larkin and Hyde Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

6/23/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 2. 080873 [Naming the alleys behind the 2200 block of Fillmore Street** **Supervisor Alioto-Pier**

Goldberg Lane]

Resolution bestowing the new name of Goldberg Lane on the alleys behind the 2200 block of Fillmore Street, currently known as Unnamed Streets 110 and 111, in honor of the late Faye Goldberg.

6/17/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

7/9/08, REFERRED TO DEPARTMENT. Referred to Police and Fire Departments; Parking and Traffic; and Public Works for review and comment.

7/11/08, RESPONSE RECEIVED. Fire Department has no objections to the proposal and in support of resolution.

7/15/08, RESPONSE RECEIVED. Department of Public Works has no issues with the proposed renaming.

8/15/08, RESPONSE RECEIVED. Police Department has no objections.

9/8/08, REFERRED TO DEPARTMENT. Referred to Municipal Transportation Agency for review and comment.

9/9/08, RESPONSE RECEIVED. Municipal Transportation Agency has no objections and will install necessary street name signs.

3. 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.

4/14/08, CONTINUED. Heard in Committee. Speakers: Supervisor Mirkarimi; Tara Sullivan-Lenane, Planning Department; Male Speaker, owner of Harding Theater; Female Speaker; Mark Topping. Continued to April 21, 2008.

4/21/08, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speaker: Tara Sullivan-Lenane, Planning Department.

4/21/08, CONTINUED AS AMENDED. Continued to April 28, 2008.

4/28/08, CONTINUED. Speakers: None. Continued to May 12, 2008.

5/12/08, CONTINUED TO CALL OF THE CHAIR. Speakers: None.

4. 080778 [Initiating amendments to Appendix K of Article 10 of the Planning Code regarding the Bush Street-Cottage Row] Supervisor Mirkarimi

Historic District]

Resolution initiating amendments to Appendix K of Article 10 of the Planning Code regarding the Bush Street-Cottage Row Historic District.

6/3/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

6/11/08, REFERRED TO DEPARTMENT. Referred to Landmarks Preservation Advisory Board for review and comment; and Planning Commission for informational purposes only.

6/30/08, RESPONSE RECEIVED. Planning Department - Categorically exempt from environmental review. Class 8 -Actions by Regulatory Agencies for Protection of the Environment: designation of landmarks and historic districts, and other such preservation efforts.

9/5/08, RESPONSE RECEIVED. Planning Commission Resolution 17689 recommending approval.

5. 070546 [Zoning Map Amendment - Northwest corner of Divisadero and O'Farrell Streets, Block 1098, Lot 9] Supervisor Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sectional Map 2 of the Zoning Map of the City and County of San Francisco to change the use classification of Block 1098, Lot 9, located at the northwest corner of Divisadero and O'Farrell Streets, from Small-scale Neighborhood Commercial (NC-2) District to Moderate-scale Neighborhood Commercial (NC-3) District; adopting findings, including environmental findings and findings of consistency the General Plan and the Priority Policies of Planning Code Section 101.1.

4/24/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/24/2007.

4/26/07, REFERRED TO DEPARTMENT. Referred to Planning Commission for public hearing and recommendation. 10/2/07, Board adopted 90-day extension for Planning Commission review; see File 071382. 11/20/07, Board adopted 120-day extension for Planning Commission review; see File 071566. 02/26/08, Board adopted 90-day extension for Planning Commission review; see File 080248.

6/13/08, RESPONSE RECEIVED. Planning Commission Resolution No. 17593 recommending approval of zoning map amendment.

8/11/08, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor Mirkarimi; Fred Blackwell, SF Redevelopment Agency; Arnold Townsend; Alice Barkley; Sandy Mori, Western Addition CAC; James McCray, Jr., Tabernacle Community Development Corporation, Male Speaker. 8/11/08 Amendment of the whole bearing same title.

8/11/08, CONTINUED TO CALL OF THE CHAIR AS AMENDED.

6. 081192 [Accept-Expend Federal Grant - \$2,280,000] Supervisor Maxwell

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of \$2,280,000 from the United States Department of Commerce, Economic Development Administration, for environmental investigation and hazardous materials abatement at the Port of San Francisco, Pier 70.

9/9/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

7. 080567 [Zoning - Ordinance creating a Conditional Use] Supervisor Sandoval

requirement for establishments that sell Tobacco Paraphernalia]

Ordinance amending the Planning Code to add a new Section 227(v), to define Tobacco Paraphernalia Establishments, and to impose a conditional use requirement on the establishment of such new enterprises in all Commercial and Industrial districts; amending Section 303 of the Planning Code to refer to this requirement, and to require consideration of additional criteria when analyzing a conditional use application; adding a new Section 790.123, to define Tobacco Paraphernalia Establishments in the Neighborhood Commercial districts; amending sections 710.1, 711.1, 712.1, 713.1, 714.1, 715.1, 716.1, 717.1, 718.1, 719.1, 720.1, 721.1, 722.1, 723.1, 724.1, 725.1, 726.1, 727.1, 728.1, 729.1, 730.1, and 732.1, to refer to this definition and conditional use requirement; adding a new Section 890.89 to define Tobacco Paraphernalia Establishments in the Mixed Use districts; amending sections 803.1, 810.1, 811.1, 812.1, 814, 815, 816, 817, 818, and 827 to refer to this definition and conditional use requirement; and making findings, including findings of consistency with the Priority Policies of Planning Code Section 101.1 and environmental findings.

4/22/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/22/2008.

4/29/08, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Planning Commission for public hearing and recommendation; and Small Business Commission for review and recommendation.

5/6/08, RESPONSE RECEIVED. Planning Department - non-physical per Section 15060(c)(2) of the CEQA Guidelines.

8/5/08, RESPONSE RECEIVED. Planning Commission failed to pass a resolution, therefore no recommendation was made to the Board of Supervisors.

8. 080652 [Rental Subsidy Program for Low-Income Families] Supervisors Daly, Ammiano, Sandoval

Ordinance adding Sections 48.1 through 48.7 to the San Francisco Administrative Code creating the Rental Subsidy Program for Low-Income Families that establishes a need-based local housing subsidy for homeless families subject to the fiscal and budgetary provisions of the Charter.

5/13/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/12/2008.

7/21/08, REFERRED WITHOUT RECOMMENDATION. Heard in Committee. Speakers: Supervisor Daly; Cindy Ward, Human Services Agency; Jennifer Friendbach, Coalition on Homelessness; Zhang Rui Ni, SRO Families Collaborative; Libah Sheppard; Female Speakers (children); Francisca Flota; Lidia Cerralta; Nora Calderon, POWER; Zhi Hui Ma and Xiu Oin Yu, SRO Families Collaborative; Yolanda Interian; Marcia Aviles, COH; Judy Martinez; Magdalena Macias; Margurita Mena; Female Speaker; Jenise Standfield, COH; Alex Tom, Chinese Progressive Association; Angelica Cabande, SOMCAM; Chelsea Boilard, Coleman Advocates; Frank Sanchez and Jesus Perez, SOMCAN; Angela Chu, Chinatown CDC; Miguel Cabrera, COH; Bobbie Lopez, LAVOZ; King Chan, Chinese Progressive Association; Hilary Klein, SRO Families Collaborative; Alysabeth Alexander, LAVOZ; Francisco Da Costa; Beth Stokes, Hamilton Family Center. Supervisor Sandoval requested to be added as a co-sponsor.

7/29/08, AMENDED.

7/29/08, PASSED ON FIRST READING AS AMENDED.

7/29/08, AMENDED.

7/29/08, PASSED ON FIRST READING AS AMENDED.

7/29/08, RE-REFERRED to Land Use and Economic Development Committee. Supervisor Daly withdrew his motion and moved to refer to Committee. Referred to Committee as amended.

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.

071649 [Zoning - Entertainment Uses]

Supervisor Peskin

Ordinance amending Sections Tables 810, 811 and 812 102.17, 790.38, and Section 890.37 of the San Francisco Planning Code to define three types of entertainment use based upon size and other factors; amending Sections 1060, 1060.1, 1060.3, 1070, 1070.1 and 1070.3 of the San Francisco Police Code to define the three types of entertainment use authorized by the Planning Code and to require an application and the permit for a place of entertainment or extended-hours activity to specify one of the three types of entertainment use; adopting findings, including environmental findings and findings required by Section 302 of the Planning Code.

(9/09/08 - Supervisor Peskin submitted a substitute ordinance bearing new title.)

12/4/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/4/2008.

12/12/07, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comments. 3/11/08, Board adopted 30-day extension for Planning Commission review; see File 080330.

12/14/07, REFERRED TO DEPARTMENT. Referred to Small Business Commission and Entertainment Commission.

1/11/08, RESPONSE RECEIVED. Planning Department non-physical exemption.

4/28/08, RESPONSE RECEIVED. Planning Commission Resolution No. 17580 with recommendation to adopt with modifications.

9/9/08, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

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