

City and County of San Francisco

Land Use and Economic Development Committee

City Hall, Room 263



Meeting Agenda

Wednesday, April 12, 2006

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. 060298 [Street Encroachment at 1310 Stanyan Street]

Resolution granting revocable permission to Kieran J. Woods to occupy a portion of the public right-of-way to construct a privately maintained driveway, including a low retaining wall, a stepped entry path, landscaping and other related improvements within an existing unimproved portion of Stanyan Street between Clarendon and Mountain Spring Avenues, to provide vehicular access to a proposed new single family dwelling at 1310 Stanyan Street (Block 2706, Lot 035) conditioned upon the payment of an annual assessment fee of \$5,600 and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

3/9/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 2. 060142 [Public Works Code - sidewalk landscape permits] Mayor, Supervisor Alioto-Pier**
- Ordinance amending the Public Works Code by amending Sections 801, 811, and 812 to recognize sidewalk landscaping as an important contributor to the City's quality of life, to provide for fines and penalties for violating this Ordinance, and to include Arborist Technician in the list of designated employees that can enforce the Urban Forestry Ordinance, respectively; by adding Section 810B to establish a permit process for sidewalk landscape installation and removal, including permit fees and procedures to adjust fees on an annual basis; and making environmental findings.
- 1/31/06, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/2/2006.
- 2/7/06, TRANSFERRED to Land Use and Economic Development Committee.
- 2/14/06, REFERRED TO DEPARTMENT. Small Business for review and comments.
- 2/23/06, REFERRED TO DEPARTMENT. Planning Department for environmental review.
- 3/10/06, RESPONSE RECEIVED. Exempt from CEQA, non-physical exemption.
- 3/29/06, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Rob Black, Aide to Supervisor Alioto-Pier; Supervisor Sandoval; Marshall Foster, Mayor's Office; Supervisor McGoldrick; John Malamut, Deputy City Attorney; Terry Mills; Josephine Coffey; Keith, S. F. Tree Council. Amendment of the Whole.
- 3/29/06, CONTINUED AS AMENDED. Continued to April 12, 2006.
- 3. 051964 [Urging Planning Commission to Update Transportation Analyses under CEQA] Supervisor Mirkarimi**
- Resolution urging the Planning Commission to set policy directing the Environmental Review Officer to modify local environmental review criteria to assess transportation impacts more accurately in conformance with updated analytical methods.
- 12/6/05, RECEIVED AND ASSIGNED to Land Use Committee.
- 12/12/05, REFERRED TO DEPARTMENT. Referred to Planning for their information.
- 2/7/06, TRANSFERRED to Land Use and Economic Development Committee.
- 3/22/06, CONTINUED. Continued to April 5, 2006 at sponsor's request.
- 4/5/06, CONTINUED. Heard in committee. Speaker: Maureen Gavin. Continued to April 12, 2006 at request of sponsor.
- 4. 050601 [Better Neighborhoods Plus Planning and Implementation Process] Supervisors McGoldrick, Maxwell**
- Ordinance amending the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Plus Planning and Implementation Process"); amending Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plus Plan budget documents; amending Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plus Plan areas; and Section 312B to establish permit review procedures for certain projects within Better Neighborhoods Plus Plan areas; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

4/5/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 5/5/2005.

4/8/05, REFERRED TO DEPARTMENT. Referred to Planning Department for review and comments.

5/20/05, RESPONSE RECEIVED. Planning Department non-physical exemption per CEQA guidelines Sections 15060(c)(3) and 15378. 6/21/05, introduced extension of Planning Commission review period to July 28, 2005 in Board, see File 051214. Adopted in Board 6/28/05. 7/17/05, introduced extension of Planning Commission review period to August 12, 2005 in Board, see File 051345. Amended in Board 8/2/05 to extend time to September 15, 2005. 9/20/05, introduced extension of Planning Commission review period to October 7, 2005 in Board, see File 051621. Adopted in Board 9/27/05.

9/21/05, CONTINUED TO CALL OF THE CHAIR. Heard in committee. Speakers: Supervisor McGoldrick; Supervisor Maxwell; Marilyn Amini; Francisco da Costa.

10/25/05, RESPONSE RECEIVED. Planning Commission Resolution #17129 recommending modifications and Executive Summary. 10/26/05, Supervisor Mirkarimi requests his name be removed as cosponsor.

10/26/05, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor McGoldrick; Sara Dennis, Planning Department; Susan Cleveland-Knowles, Deputy City Attorney; Michael Yarne, Martin Building Company; Joe Voss; Marilyn Amini; Peter Cohen, Asian Neighborhood Design; David Bisho, West of Twin Peaks Central Council; Chris Durazo, Housing Justice; Tim Colen, Housing Action Coalition; Mark Solomon; Eileen Boken; Francisco da Costa; Mary Anne Miller; Bernie Choden; Kathy Devincenzi, Laurel Heights Improvement Association; Penelope Clark; Judith Berkowitz; Sarah Karlinsky, SPUR; Sue Hestor; Jeff Leaverwitz; David Wilbur, S. F. Green Party; John Bardis. Amendment of the Whole

10/26/05, CONTINUED AS AMENDED. Continued to November 16, 2005.

11/16/05, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in committee. Speakers: Supervisor McGoldrick; Susan Cleveland-Knowles, Deputy City Attorney; George Williams; Supervisor Maxwell; Joe Voss; Marilyn Amini; Cheryl Adams, Deputy City Attorney; Francisco da Costa; Marc Solomon; Bernie Choden; Emily Drennen, Walk San Francisco; Hiroshi Fukioa; Judy Junghans; Steven Currier; Peter Cohen; Nelka Julio, Local 21; Judy Berkowitz, Coalition for Better Neighborhoods; Charles Marstiller; Fernando Marti, Mission Anti-Displacement Coalition; Tim Colen, S. F. Housing Action Coalition; Ken Kruszka, Greater West Portal Neighborhood Association; Calvin Welch; Dennis Antanorie; Tony Kelly; Sue Hestor; John Bardis; Gee Gee Platt; Sara Dennis, Planning Department; Supervisor Sandoval; Supervisor Mirkarimi. Amendment of the Whole.

11/16/05, RECOMMENDED AS AMENDED. Recommended to Board meeting of December 13, 2005.

12/13/05, CONTINUED. Supervisor Ma, seconded by Supervisor Mirkarimi, moved to continue this matter to January 17, 2006 pending Board action on reinstating the January 17, 2006 Board meeting.

1/17/06, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

1/17/06, RE-REFERRED to Land Use Committee. Rereferred to Committee as amended.

1/18/06, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comment.

1/26/06, RESPONSE RECEIVED. Planning Commission has reviewed item in October, 2005 and passed resolution containing its recommendations to the Board.

2/1/06, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in

committee. Speakers: Supervisor McGoldrick; Mary Burns, Greater West Portal Neighborhood Association; Emily Drennen, Walk S. F.; Marc Solomon; Bruce Bouacher; Francisco da Costa; Hirushi Fukudo; Tim Colen, Executive Director, S. F. Housing Action Coalition; Sarah Karlinsky, SPUR; Judith Berkowitz, Coalition for S. F. Neighborhoods; Barbara Austin; Calvin Walsh; Joe Voss, Dennis Antaorie; Marilyn Amini; John Bardis; John Malamut, Deputy City Attorney. Amendment of the Whole. Supervisor Maxwell absent for vote.

2/1/06, REFERRED WITHOUT RECOMMENDATION.

2/7/06, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

2/7/06, CONTINUED ON FIRST READING. Continued to February 14, 2006.

2/14/06, CONTINUED. Continued to February 28, 2006

2/28/06, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved an amendment of the whole bearing same title. Further amended on page 7, by deleting "(D)" and on page 9, line 16, by adding "(d)".

2/28/06, RE-REFERRED to Land Use and Economic Development Committee. Re-Referred 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.

5. 060343 [Adopting the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project] Supervisor Maxwell

Ordinance approving and adopting the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law.

(Fiscal impact.)

(4/26/06 - Recommended subject to the following issues being resolved: periodic audit, timing of funding, historic resource survey issue, delegation agreement, longevity of the project area committee, appealing decisions from the Commission related to land use entitlement to the Board of Supervisors.)

3/14/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/13/2006. SUPPORTING DOCUMENTS: Proposed Bayview Hunters Point Redevelopment (BVHP) Plan Amendment; Color Map of the Proposed BVHP Project Area; BVHP Community Revitalization Concept Plan; Supplemental Report; Draft Environmental Impact Report (EIR) on BVHP Plan Amendments and Rezoning; Comments and Responses on the Draft EIR; Redevelopment Agency Resolutions 32-2006, 33-2006, 34-2006; Planning Commission Motions 17203, 17200, and 17201.

3/20/06, REFERRED TO DEPARTMENT. Referred to Small Business Commission for review and comment. 3/27/06 - Received copy of the notice for public hearing from Redevelopment Agency. The ad will be published on April 11, 18, 25 and May 2, 2006. 3/30/06, From Redevelopment Agency, corrected version of the Bayview Hunters Point Redevelopment Plan. 4/5/06, From Redevelopment Agency, copies of supporting documents given to each Supervisor.

6. 060345 [Zoning Jackson Square Special Use District] Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Section 249.25 (Jackson Square Special Use District) to require that ground floor institutional use be subject to conditional use authorization and by amending Sectional Map 1SU of the Zoning Map of the City and County of San Francisco to include Lot 4, Block 195 (site of City Landmark No. 237) within the boundaries of the Jackson Square Special Use District; adopting findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

3/14/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/13/2006.

3/20/06, REFERRED TO DEPARTMENT. Referred to Planning Commission and Small Business for review and comments.

3/31/06, RESPONSE RECEIVED. From Planning Department, exempt from CEQA, non-physical exemption.

7. 060346 [Zoning Map Amendment - 1401 Divisadero Street] Supervisor Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sheet 2 of the Zoning Map of the City and County of San Francisco to change the use classification of Block 1098, Lot 9 from Small-scale Neighborhood Commercial (NC-2) District to Moderate-scale Neighborhood Commercial (NC-3) District; adopting findings, including environmental findings and findings pursuant to Planning Code Sections 302 and 101.1.

3/14/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/13/2006.

3/20/06, REFERRED TO DEPARTMENT. Referred to Planning Commission and Small Business Commission for review and comments.

8. 060354 [Approving General Plan amendments to South Bayshore Area Plan] Supervisor Maxwell

Ordinance approving General Plan amendments to the South Bayshore Area Plan; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1.

3/14/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/13/2006. SUPPORTING DOCUMENTS: Planning Commission Motion 17200 certifying the EIR; Findings related to CEQA; Case Report; Planning Commission Motion 17201 adopting CEQA Findings; Case Report and Planning Commission Resolution No. 17202 adopting amendments to the South Bayshore Area Plan.

3/20/06, REFERRED TO DEPARTMENT. Referred to Small Business Commission for review and comments.

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.

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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