



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: Scott Wiener, Jane Kim, David Chiu

Clerk: Alisa Miller (415) 554-4447

Monday, October 21, 2013

1:30 PM

Legislative Chamber, Room 250, City Hall

Regular Meeting

Present: 3 - Scott Wiener, John Avalos, and Katy Tang

Excused: 2 - Jane Kim, and David Chiu

The President appointed Supervisor John Avalos, in place of Supervisor Jane Kim, and Supervisor Katy Tang (until 3:00 p.m.), in place of Supervisor David Chiu, to the Land Use and Economic Development Committee for the meeting of October 21, 2013.

Supervisor Tang, seconded by Supervisor Avalos, moved to excuse Supervisors Kim and Chiu from the October 21, 2013, Land Use and Economic Development Committee meeting. The motion carried by the following vote:

Ayes: 3 - Wiener, Avalos, Tang

Excused: 2 - Kim, Chiu

MEETING CONVENED

The meeting convened at 1:40 p.m.

REGULAR AGENDA

Supervisor Tang was noted absent at 3:06 p.m. and for the remainder of the meeting.

File Nos. 130947 and 131002 were heard together.

130947 [Hearing - Golden Gate National Recreation Area's Proposal to Limit Dog Access Within San Francisco]

Sponsors: Wiener; Tang and Breed

Hearing from the Recreation and Park Department and Animal Care and Control discussing the current proposal by the Golden Gate National Recreation Area (GGNRA) to restrict dog access at various GGNRA properties, including the impact on San Francisco residents and San Francisco parks that may experience increases in dog usage if GGNRA dog access is restricted; and inviting the GGNRA officials to attend and participate in the hearing.

09/24/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

10/02/13; REFERRED TO DEPARTMENT. Referred to the Recreation and Park Department, and Animal Care and Control for informational purposes.

Heard in Committee. Speakers: Samantha Rojas (Office of Congresswoman Jackie Speier); Sally Stephens, Chair (Animal Control and Welfare Commission); Alex Randolph (Recreation and Park Department); Rebecca Katz, Director (Animal Care and Control); Brandy Kuentzel (San Francisco SPCA); Rob Gurman (Crissy Field Dog Group); Conor Johnston (Office of Supervisor London Breed); presented information concerning the matter and answered questions raised throughout the hearing. Claire Mills; Judith D. Kucera; Susan Adams (SF Dog); Felicia Aron; Teal Good Heise; Douglas C. Morgan; Vicki Tiernan; Thomas Roop; Female Speaker; Beverly Ulbrich (The Pooch Coach); Delia Boore; Margaret Best; Lindsay Kefauver; Todd Barren; Tom Jagger; Samir Ghosh (SaveOffLeash.com); M. Rocket (Bay Woof); Julie Christensen; Bill Bechtell; Patricia LaCava; Steve Hooker (Hooker's Hounds); Carla Eagleton; Jill Inderdohnen (Dolores Park Dogs); Linda Belden; Shelby Watkins; Lisa Watkins; David Emanuel; David Nail; Michael Lesser; Linda Blondis; Male Speaker; Russell Alray; Andrea Buffa; Nancy Stafford (SF Dog Walker Association); Gregory Ledbetter; Amad Demetrious; Susan Obayashi (Point Isabel Dog Owners & Friends Association); Titi Naguri; Kathy Reichardt; Male Speaker; Male Speaker; Laurie Adamson (Dolores Park Dogs); John Keleher; Daniela Boer; Lisa Vittori (SF Dog); Claus Schlund; Andrea Patterson; Ruben Garcia; Elizabeth Licauco; Gwen MacKellen; Susan Atwood; spoke in support of the proposed legislation. Michael Cronbach; spoke in opposition to the proposed legislation.

FILED by the following vote:

Ayes: 2 - Wiener, Avalos

Excused: 2 - Kim, Chiu

131002 [Opposing Golden Gate National Recreation Area's Draft Dog Walking Access Policy]**Sponsors: Wiener; Tang, Breed and Avalos**

Resolution opposing the Golden Gate National Recreation Area's (GGNRA) currently proposed preferred alternative for dog management; and urging the GGNRA to adopt a different approach.

10/08/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

10/15/13; REFERRED TO DEPARTMENT. Referred to the Recreation and Park Department/Commission and Animal Care and Control for informational purposes.

Heard in Committee. Speakers: Samantha Rojas (Office of Congresswoman Jackie Speier); Sally Stephens, Chair (Animal Control and Welfare Commission); Alex Randolph (Recreation and Park Department); Rebecca Katz, Director (Animal Care and Control); Brandy Kuentzel (San Francisco SPCA); Rob Gurman (Crissy Field Dog Group); Conor Johnston (Office of Supervisor London Breed); presented information concerning the matter and answered questions raised throughout the hearing. Claire Mills; Judith D. Kucera; Susan Adams (SF Dog); Felicia Aron; Teal Good Heise; Douglas C. Morgan; Vicki Tiernan; Thomas Roop; Female Speaker; Beverly Ulbrich (The Pooch Coach); Delia Boore; Margaret Best; Lindsay Kefauver; Todd Barren; Tom Jagger; Samir Ghosh (SaveOffLeash.com); M. Rocket (Bay Woof); Julie Christensen; Bill Bechtell; Patricia LaCava; Steve Hooker (Hooker's Hounds); Carla Eagleton; Jill Inderdohnen (Dolores Park Dogs); Linda Belden; Shelby Watkins; Lisa Watkins; David Emanuel; David Nail; Michael Lesser; Linda Blondis; Male Speaker; Russell Alray; Andrea Buffa; Nancy Stafford (SF Dog Walker Association); Gregory Ledbetter; Amad Demetrious; Susan Obayashi (Point Isabel Dog Owners & Friends Association); Titi Naguri; Kathy Reichardt; Male Speaker; Male Speaker; Laurie Adamson (Dolores Park Dogs); John Keleher; Daniela Boer; Lisa Vittori (SF Dog); Claus Schlund; Andrea Patterson; Ruben Garcia; Elizabeth Licauco; Gwen MacKellen; Susan Atwood; spoke in support of the proposed legislation. Michael Cronbach; spoke in opposition to the proposed legislation.

RECOMMENDED by the following vote:

Ayes: 2 - Wiener, Avalos

Excused: 2 - Kim, Chiu

File Nos. 130084 and 130734 were heard together.

130084 [Planning Code, Zoning Map - Establishing the Excelsior Outer Mission Street Neighborhood Commercial District]

Sponsor: Avalos

Ordinance amending the Planning Code to establish the Excelsior Outer Mission Street Neighborhood Commercial District (NCD) along Mission Street between Alemany Boulevard and the San Francisco-San Mateo County line; repealing the Excelsior Alcohol Restricted Use District and adding controls on liquor establishments to the new NCD; amending various sections to make conforming and other technical changes; amending the Zoning Map to rezone specified properties to the new NCD; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

01/29/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/1/2013.

02/06/13; 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, Municipal Transportation Agency, Police Department, and Neighborhood Services for informational purposes.

02/20/13; RESPONSE RECEIVED. The Police Department submitted their recommendation and comments on the proposed legislation.

02/25/13; RESPONSE RECEIVED. Non-physical exemption per CEQA Section 15060(c)(2).

04/10/13; RESPONSE RECEIVED. General Rule Exclusion (State CEQA Guidelines, Section 15061(b)(3))

04/17/13; RESPONSE RECEIVED. 3/11/2013 - The Small Business Commission voted 7-0 to recommend approval of the proposed legislation with modifications.

04/19/13; RESPONSE RECEIVED. 4/18/2013 - The Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 18846.

10/08/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

10/11/13; NOTICED. 10-Day Newspaper Publication Notice was submitted on 10/9/2013.

Heard in Committee. Speakers: Aaron Starr (Planning Department); Jon Givner (Office of the City Attorney); presented information concerning the matter and answered questions raised throughout the hearing. Lisa Duba; Laura Rose-Fernandez; Nancy Houdre; Henry Houdre; Patricia DeFonte; Barbara Fugate; Sean Ingram; Andrea Ferrucci; Nicole Agbayani; Joelle Kenealey; Gwen MacKellen; spoke in support of the hearing matter. James Ford; Shona Gochenam; Kenneth Lima; David Crane; Penny Ghram; Gregory Ledbetter; Female Speaker; Denise Dorey; Zach Risner; Male Speaker; Jason Bennett; Albert Blais; A. Jon Martinelle; Domoreque Johnson; Hector Torres, Jr.; Archie M. Hinkle; Barbara Nunez; Rahid Razabe; Tom Bernheim; Michael Woldmen; Ben Bossiclick; Theresa Cooper; Terence Allen; Nicholas Smilgys; Kevin Brown; Male Speaker; Matt Kumin; Gary Tabachnik; George Robert; John Snow; Brian Webster; Kevin Johnson; spoke in opposition to the hearing matter.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE by the following vote:

Ayes: 2 - Wiener, Avalos

Excused: 2 - Kim, Chiu

Duplicated File No. 131023.

DUPLICATED AS AMENDED by the following vote:

Ayes: 2 - Wiener, Avalos

Excused: 2 - Kim, Chiu

RECOMMENDED AS AMENDED to November 5, 2013, by the following vote:

Ayes: 2 - Wiener, Avalos

Excused: 2 - Kim, Chiu

131023 [Planning Code, Zoning Map - Establishing the Excelsior Outer Mission Street Neighborhood Commercial District]**Sponsor: Avalos**

Ordinance amending the Planning Code to establish the Excelsior Outer Mission Street Neighborhood Commercial District (NCD) along Mission Street between Alemany Boulevard and the San Francisco-San Mateo County line; repealing the Excelsior Alcohol Restricted Use District and adding controls on liquor establishments to the new NCD; amending various sections to make conforming and other technical changes; amending the Zoning Map to rezone specified properties to the new NCD; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Heard in Committee. Speakers: Aaron Starr (Planning Department); Jon Givner (Office of the City Attorney); presented information concerning the matter and answered questions raised throughout the hearing. Lisa Duba; Laura Rose-Fernandez; Nancy Houdre; Henry Houdre; Patricia DeFonte; Barbara Fugate; Sean Ingram; Andrea Ferrucci; Nicole Agbayani; Joelle Kenealey; Gwen MacKellen; spoke in support of the hearing matter. James Ford; Shona Gochenam; Kenneth Lima; David Crane; Penny Ghram; Gregory Ledbetter; Female Speaker; Denise Dorey; Zach Risner; Male Speaker; Jason Bennett; Albert Blais; A. Jon Martinelle; Domoreque Johnson; Hector Torres, Jr.; Archie M. Hinkle; Barbara Nunez; Rahid Razabe; Tom Bernheim; Michael Woldmen; Ben Bossiclick; Theresa Cooper; Terence Allen; Nicholas Smilgys; Kevin Brown; Male Speaker; Matt Kumin; Gary Tabachnik; George Robert; John Snow; Brian Webster; Kevin Johnson; spoke in opposition to the hearing matter.

Duplicated from File No. 130084.

DUPLICATED by the following vote:

Ayes: 2 - Wiener, Avalos

Excused: 2 - Kim, Chiu

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE by the following vote:

Ayes: 2 - Wiener, Avalos

Excused: 2 - Kim, Chiu

CONTINUED TO CALL OF THE CHAIR AS AMENDED by the following vote:

Ayes: 2 - Wiener, Avalos

Excused: 2 - Kim, Chiu

130734 [Administrative Code - Planning Commission Review of Medical Cannabis Dispensary Location Regulations]**Sponsor: Avalos**

Ordinance amending the Administrative Code, by adding Section 2A.54, to direct the Planning Commission to prepare and submit a report to the Board of Supervisors evaluating the provisions of the Planning Code related to the location of medical cannabis dispensaries.

07/16/13; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/15/2013.

08/01/13; REFERRED TO DEPARTMENT. Referred to the Planning Commission for comment and recommendation.

10/03/13; TRANSFERRED to Land Use and Economic Development Committee.

Heard in Committee. Speakers: Aaron Starr (Planning Department); Jon Givner (Office of the City Attorney); presented information concerning the matter and answered questions raised throughout the hearing. Lisa Duba; Laura Rose-Fernandez; Nancy Houdre; Henry Houdre; Patricia DeFonte; Barbara Fugate; Sean Ingram; Andrea Ferrucci; Nicole Agbayani; Joelle Kenealey; Gwen MacKellen; spoke in support of the hearing matter. James Ford; Shona Gochenam; Kenneth Lima; David Crane; Penny Ghram; Gregory Ledbetter; Female Speaker; Denise Dorey; Zach Risner; Male Speaker; Jason Bennett; Albert Blais; A. Jon Martinelle; Domoreque Johnson; Hector Torres, Jr.; Archie M. Hinkle; Barbara Nunez; Rahid Razabe; Tom Bernheim; Michael Woldmen; Ben Bossiclick; Theresa Cooper; Terence Allen; Nicholas Smilgys; Kevin Brown; Male Speaker; Matt Kumin; Gary Tabachnik; George Robert; John Snow; Brian Webster; Kevin Johnson; spoke in opposition to the hearing matter.

RECOMMENDED to the November 5, 2013, by the following vote:

Ayes: 2 - Wiener, Avalos

Excused: 2 - Kim, Chiu

File Nos. 130836 - 130841 were heard together.

130836 [Building Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]

Ordinance repealing the 2010 Building Code in its entirety and enacting a 2013 Building Code consisting of the new model code, as amended by the State of California, and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law. (Building Inspection Commission)

08/29/13; RECEIVED FROM DEPARTMENT.

09/10/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/10/2013.

09/16/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

10/16/13; RESPONSE RECEIVED. Exempt from environmental review under the General Rule Exclusion (CEQA Guidelines Section 15061(b)(3)).

Heard in Committee. Speakers: Kirk Means (Department of Building Inspection); presented information concerning the matter and answered questions raised throughout the hearing.

RECOMMENDED by the following vote:

Ayes: 2 - Wiener, Avalos

Excused: 2 - Kim, Chiu

130837 [Building Code - Residential Building Requirements]

Ordinance incorporating the provisions of the 2013 California Residential Code into various chapters of the Building Code with local amendments, and adding Chapter 36 to serve as a directory of where such provisions may be found in the Building Code; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law. (Building Inspection Commission)

08/29/13; RECEIVED FROM DEPARTMENT.

09/10/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/10/2013.

09/16/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

10/16/13; RESPONSE RECEIVED. Exempt from environmental review under the General Rule Exclusion (CEQA Guidelines Section 15061(b)(3)).

Heard in Committee. Speakers: Kirk Means (Department of Building Inspection); presented information concerning the matter and answered questions raised throughout the hearing.

RECOMMENDED by the following vote:

Ayes: 2 - Wiener, Avalos

Excused: 2 - Kim, Chiu

130838 [Electrical Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]

Ordinance repealing the 2010 Electrical Code in its entirety and enacting a 2013 Electrical Code consisting of the new model code, as amended by the State of California and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law. (Building Inspection Commission)

08/29/13; RECEIVED FROM DEPARTMENT.

09/10/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/10/2013.

09/16/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

10/16/13; RESPONSE RECEIVED. Exempt from environmental review under the General Rule Exclusion (CEQA Guidelines Section 15061(b)(3)).

Heard in Committee. Speakers: Kirk Means (Department of Building Inspection); presented information concerning the matter and answered questions raised throughout the hearing.

RECOMMENDED by the following vote:

Ayes: 2 - Wiener, Avalos

Excused: 2 - Kim, Chiu

130839 [Mechanical Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]

Ordinance repealing the 2010 Mechanical Code in its entirety and enacting a 2013 Mechanical Code consisting of the new model code, as amended by the State of California, and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law. (Building Inspection Commission)

08/29/13; RECEIVED FROM DEPARTMENT.

09/10/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/10/2013.

09/16/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

10/16/13; RESPONSE RECEIVED. Exempt from environmental review under the General Rule Exclusion (CEQA Guidelines Section 15061(b)(3)).

Heard in Committee. Speakers: Kirk Means (Department of Building Inspection); presented information concerning the matter and answered questions raised throughout the hearing.

RECOMMENDED by the following vote:

Ayes: 2 - Wiener, Avalos

Excused: 2 - Kim, Chiu

130840 [Plumbing Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]

Ordinance repealing the 2010 Plumbing Code in its entirety and enacting a 2013 Plumbing Code consisting of the new model code, as amended by the State of California, and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law. (Building Inspection Commission)

08/29/13; RECEIVED FROM DEPARTMENT.

09/10/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/10/2013.

09/16/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

10/16/13; RESPONSE RECEIVED. Exempt from environmental review under the General Rule Exclusion (CEQA Guidelines Section 15061(b)(3)).

Heard in Committee. Speakers: Kirk Means (Department of Building Inspection); presented information concerning the matter and answered questions raised throughout the hearing.

RECOMMENDED by the following vote:

Ayes: 2 - Wiener, Avalos

Excused: 2 - Kim, Chiu

130841 [Green Building Code - Enactment of New Code]

Ordinance enacting a 2013 San Francisco Green Building Code consisting of the 2013 California Green Building Standards Code, as amended by San Francisco; adopting environmental findings and findings required by the California Health and Safety Code, California Public Resources Code, and Title 24 of the California Code of Regulations; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law. (Building Inspection Commission)

08/29/13; RECEIVED FROM DEPARTMENT.

09/10/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/10/2013.

09/16/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

10/16/13; RESPONSE RECEIVED. Exempt from environmental review under the General Rule Exclusion (CEQA Guidelines Section 15061(b)(3)).

Heard in Committee. Speakers: Kirk Means (Department of Building Inspection); presented information concerning the matter and answered questions raised throughout the hearing.

RECOMMENDED by the following vote:

Ayes: 2 - Wiener, Avalos

Excused: 2 - Kim, Chiu

130673 [Naming a Portion of the Carolina Street Stairway as Jack Balestreri Way - Carolina and 20th Streets]**Sponsor: Cohen**

Ordinance establishing the name for a portion of the Carolina Street stairway, at Carolina and 20th Streets, that connects the Carolina Street cul-de-sac, as "Jack Balestreri Way;" commemorating this location under Public Works Code, Sections 789, et seq., the Commemorative Street Plaque Ordinance, in honor of Mr. Balestreri; accepting a plaque in honor of Jack Balestreri as a gift to the City and County of San Francisco; waiving fees for the street naming process and plaque installation; and directing official acts in furtherance of this Ordinance.

06/25/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/25/2013.

07/03/13; REFERRED TO DEPARTMENT. Referred to the Department of Public Works, Police Department, Fire Department, and Municipal Transportation Agency for review and recommendation.

07/17/13; RESPONSE RECEIVED. The Fire Department had no objections and is in support of the proposed legislation.

09/25/13; RESPONSE RECEIVED. The Police Department does not have any issues/concerns regarding the proposed stairway name change.

09/25/13; NOTICED. The October 7, 2013, Land Use and Economic Development Committee hearing was noticed on-site and posted.

09/26/13; RESPONSE RECEIVED. The Municipal Transportation Agency has no concerns or recommendations regarding the proposed name change.

10/01/13; RESPONSE RECEIVED. The Department of Public Works had no comment on proposed name change.

10/07/13; AMENDED. Heard in Committee. Speakers: Andrea Bruss (Office of Supervisor Malia Cohen); Nick Elsner (Department of Public Works); presented information concerning the matter and answered questions raised throughout the hearing. John Gallagher; David Glober (Potrero Boosters); spoke in support of the hearing matter.

10/07/13; CONTINUED AS AMENDED.

Heard in Committee. Speakers: None.

RECOMMENDED by the following vote:

Ayes: 2 - Wiener, Avalos

Excused: 2 - Kim, Chiu

ADJOURNMENT

The meeting adjourned at 5:43 p.m.