City and County of San Francisco

Land Use and Economic Development Committee

City Hall, Room 263

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<u>Meeting Agenda</u> Wednesday, August 2, 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. 060032 [Allowing certain medical cannabis dispensaries in Residential-House or Residential-Mixed districts to remain open during the 18-month application period and other amendments]

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 790.141, and 890.133 to allow certain medical cannabis dispensaries in Residential-House or Residential-Mixed districts to remain open during the 18-month grace period provided for obtaining a permit, to define community facility and recreation building as those that primarily serve persons under 18 years of age, and to provide certain notice to both owners and occupants within 300 feet of a proposed medical cannabis dispensary; amending the San Francisco Health Code by amending

Supervisor Mirkarimi

Sections 3303, 3304, 3305, 3306, 3307 and 3312 to amend the permitting process for medical cannabis dispensaries to conform to the California Fire Code, to eliminate the need for an employment background check, to provide for a provisional permit to be issued after a hearing but before construction work is performed, to provide for referral of permit applications to the Department of Building Inspection, and to require employees to wash hands and use sanitary utensils when handling cannabis; and making environmental findings and findings of consistency with the priority planning policies of Planning Code Section 101.1 and the General Plan.

1/10/06, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 2/9/2006.

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

1/24/06, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing same title.

1/24/06, ASSIGNED to Land Use Committee.

2/7/06, TRANSFERRED to Land Use and Economic Development Committee.

3/28/06, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing new title.

3/28/06, ASSIGNED to Land Use and Economic Development Committee.

4/4/06, REFERRED TO DEPARTMENT. Referred to Planning Commission, Small Business Commission and Building Inspection Commission. 4/13/06, Supervisor Ma requested that her name be removed as cosponsor.

6/28/06, RESPONSE RECEIVED. Planning Commission Resolution 17270 and Executive Summary; Planning Department Guidelines for New Medical Cannabis Dispensaries (Map).

2. 061076 [Urging SFUSD to track student mobility caused by residential evictions and report its findings, in an effort to help ameliorate the potential negative effects on students' school

Supervisors McGoldrick, Ammiano

Resolution urging the San Francisco Unified School District to track student mobility caused by residential evictions, and to report its findings to the Board of Supervisors so that the Board can consider possible legislative measures to help address the negative effects on students' school performance.

7/18/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

3. 061077 [Rent Ordinance: Evictions involving school-age children; Findings]

Supervisors McGoldrick, Mirkarimi, Ammiano

Ordinance amending the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) by amending Section 37.6(j) to identify and report data on evictions involving school-age children, include data on evictions during the school term; Findings.

7/18/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

7/21/06, REFERRED TO DEPARTMENT. Referred to Small Business Commission and Youth Commission.

7/26/06, ASSIGNED to Land Use and Economic Development Committee. Supervisor Peskin waived the 30-day rule.

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.

4. 061068 [Time limits for Landmarks Board and Planning Supervisor Maxwell Commission review of proposed landmarks and historic districts]

Ordinance amending Planning Code Sections 1004.2 and 1004.3 to provide for specific time limits for Landmarks Board and Planning Commission review of proposed landmark and historic district designations; and making General Plan and Planning Code Section 101(b) findings.

7/18/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/17/2009.

7/21/06, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comments.

7/25/06, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

7/25/06, ASSIGNED to Land Use and Economic Development Committee.

7/31/06, REFERRED TO DEPARTMENT. Referred substitute to Planning Commission.

8/1/06, RESPONSE RECEIVED. Exempt from CEQA, non-physical exemption.

5. 061069 [Planning Code--Use of Public Sidewalk Space by Nonconforming Uses]

Supervisors Mirkarimi, Maxwell, Alioto-Pier

Ordinance amending the San Francisco Planning Code by amending Sections 186 and 186.1 to allow certain nonconforming uses to occupy public sidewalk space with tables and chairs, when otherwise permitted; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

7/18/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/17/2006.

7/21/06, REFERRED TO DEPARTMENT. Referred to Planning Commission and Small Business Commission.

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 ESPA¥OL: 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.

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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