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

City Hall, Room 263



**Meeting Agenda
Wednesday, October 15, 2008
1:00 PM
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

- [081052](#)** [Street Encroachment, Various Locations]
Resolution granting revocable permission to Fisherman's Wharf Community Benefit District to

occupy a portion of the public right-of-way to install and maintain a way-finding sign (a total of 10 signs) at the following locations: a) on the north side of Beach Street between Powell and Mason Streets, b) on the north side of Beach Street between Mason and Taylor Streets, c) on the north side of Beach Street between Jones and Leavenworth Streets, d) on the north side of Beach Street between Leavenworth and Hyde Streets, e) on the north side of Beach Street at Larkin Street, f) on the west side of Taylor Street between Jefferson and Beach Streets, g) on the west side of Taylor Street between Beach and North Point Streets, h) on the west side of Taylor Street between North Point and Bay Streets, i) on the east side of Leavenworth Street between Jefferson and Beach Streets, and j) on the east side of Hyde Street between Beach and North Point Streets conditioned upon the payment of an annual assessment fee, 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)

7/25/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

2. [081152](#) **[Approving General Plan Amendments Related to the Eastern Neighborhoods Area Plans - the Mission, East SoMa, Showplace Square/Potrero Hill and Central Waterfront Area Plans]**

Ordinance amending the San Francisco General Plan by adding four new area plans, entitled the Mission Area Plan, the East South of Market (East SoMa) Area Plan, the Showplace Square/Potrero Hill Area Plan and the Central Waterfront Area Plan and approving General Plan amendments to implement the four aforementioned Eastern Neighborhoods Area Plans by amending the Commerce and Industry and Recreation and Open Space Elements, the Land Use Index, and the South of Market, Northeastern Waterfront, and Central Waterfront Area Plans; 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. (Planning Department)

8/22/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

9/19/08, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation.

9/29/08, CONTINUED. Heard in Committee. Speakers: Ken Rich, Larry Badiner, Steve Wertheim, Andres Powers; Pilar Lavaley, Sarah Bennett, Planning Department; John Malamut, Deputy City Attorney; Aaron Goodman, Parkmerced Residents Organization; David Maltz, Friends of Franklin Square; Ariel Braunstein, NEMRA; Sam Ruiz, Mission Neighborhood Centers; Erick Arguello; Steve Vettel, Farella, Braun, Martel; Janet Carpinelli, Dogpatch Neighborhood Association; Hiroshi Fukoda; Andrew Junius and Tuija Catalano, Reuben & Junius; Toby Morris, Kerman Morris Architects; Gus Murod; Jazzie Collins, Angelica Cabande, Chris Durazo, SOMCAN; Tom Gilberti; Sandra Hernandez; Steven Koch; Kepa Askenasy; Oz Erickson, Potrero Center; Lydia Tan, Bridge Housing; Jeffrey Liebowitz; Debra Walker; Sue Hestor; Joe Boss. Continued to October 1, 2008.

10/1/08, CONTINUED. Heard in Committee. Speakers: John Rahaim and Ken Rich, Planning Department; Amit Ghosh, Peter Albert, Julie Kirschbaum, Municipal Transportation Agency; Dawn Kamalanathan, Recreation and Park Department; Sarah Dennis, Planning Department; Marisa Craven, Association of Bay Area Governments; Doug Johnson, Metropolitan Transportation Commission; Claudia Tucker, Municipal Transportation Agency; Brett Gladstone; Annie Chandler, Mark Ross Foundation; Joan Libman, Jewish Home; Camille Johnson; Coleen Forbes; Dave Snyder, SPUR; Al Steins, Carpenters, Local 22; Tony Kelly, Potrero Boosters; Ann, SFPUC; Mike Tario; Tim Colen, SF Housing Action Coalition; Kate Leibovitz; Skot Kuiper; Eric Quesada, People's Plan; Mai Doan, Chris Durazo, Jazzie Collins, SOMCAN; Marilyn Duran and Teresa

Almagoran, PODER; Angelica Cabande, SOMCAN; Cinthya Munoz, St. Peter's Housing; Oscar Grande, PODER; Marti Dulalas, SOMCAN; Jamie Spector; Nick Pagoulatos, MAC; Eric Tao; Female Speaker; Angus McCarthy, Residential Builders Association; Mana Jose Lopez, St. Peters Housing Committee; Kieran Buckley; Mike Cassidy; Fergus O'Sullivan; Noreen Bryne; Jeff Rocca; Louis Ravano; Grace Shanahan; Richie Hart; John Kerley; Redmond Lyons; Leo Cassidy; Jerry Agosta; Sean Keighran.

10/6/08, CONTINUED. Heard in Committee. Speakers: Ken Rich and Steve Wertheim, Planning Department; Michael Yarne, Office of Economic and Workforce Development; John Schlinger, American Institute of Architects; Debra Walker; Nick Pagoulatos, Mission Anti-Displacement Coalition; Jazzie Collins, SOMCAN; Tony Kelly, Potrero Boosters; Kepa Askenasy; Calvin Welch; Tom Gilberti; Tim Colen, SF Housing Action Coalition; Brett Gladstone, Gladstone & Associates; Fred Schneider; Sue Hestor; Philip Lessner; Continued to October 8, 2008.

10/8/08, CONTINUED. Heard in Committee. Speakers: John Rahaim and Ken Rich, Planning Department; Ted Eagan, Office of Economic Analysis; Bernie Choden; Marilyn Amini; Tim Colen, Barry Shotts, Hadley Hall, SFHAC; Sue Hestor, San Franciscans for Reasonable Growth; Dan Deibel, Matt Regan, Brendan Dunnigan, Ken Tray, Kate Leftkowitz, SFHAC; Tony Kelly, Potrero Boosters; Dan Murphy; Menka Sethi, Hauser Architects; Sarah Karlinsky, SPUR; Jazzie Collins, SOMCAN; Henry Karnilowicz, Western SoMa Citizens' Planning Task Force; Kepa Askenasy; Marc Slutzkin, John Stewart Company; Tom Gilberti; Bob Meyers; Sarah Zahn, AF Evans; Fred Snyder; Hiroshi Fukuda; Sean Keighran, Residential Builders Association; Brett Gladstone. Continued to October 15, 2008.

3. [081153](#) [Planning Code amendments for the Eastern Neighborhoods Area Plans]

Ordinance amending the San Francisco Planning Code by adding and amending various sections to implement the four Eastern Neighborhood Area Plans comprised of the East SoMa, the Mission, the Showplace Square/Potrero Hill, and the Central Waterfront Area Plans; adopting in-lieu fees for on-site open space, trees, and affordable housing; adopting the Eastern Neighborhoods impact fee subject to certain restrictions; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Planning Department)

8/22/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
9/11/08 - Submitted fee ad for publication on 9/13 and 9/20/08.

9/19/08, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation.

9/29/08, CONTINUED. Heard in Committee. Speakers: Ken Rich, Larry Badiner, Steve Wertheim, Andres Powers; Pilar Lavaley, Sarah Bennett, Planning Department; John Malamut, Deputy City Attorney; Aaron Goodman, Parkmerced Residents Organization; David Maltz, Friends of Franklin Square; Ariel Braunstein, NEMRA; Sam Ruiz, Mission Neighborhood Centers; Erick Arguello; Steve Vettel, Farella, Braun, Martel; Janet Carpinelli, Dogpatch Neighborhood Association; Hiroshi Fukuda; Andrew Junius and Tuija Catalano, Reuben & Junius; Toby Morris, Kerman Morris Architects; Gus Murod; Jazzie Collins, Angelica Cabande, Chris Durazo, SOMCAN; Tom Gilberti; Sandra Hernandez; Steven Koch; Kepa Askenasy; Oz Erickson, Potrero Center; Lydia Tan, Bridge Housing; Jeffrey Liebowitz; Debra Walker; Sue Hestor; Joe Boss. Continued to October 1, 2008.

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Commission; Claudia Tucker, Municipal Transportation Agency; Brett Gladstone; Annie Chandler, Mark Ross Foundation; Joan Libman, Jewish Home; Camille Johnson; Coleen Forbes; Dave Snyder, SPUR; Al Steins, Carpenters, Local 22; Tony Kelly, Potrero Boosters; Ann, SFPUC; Mike Tario; Tim Colen, SF Housing Action Coalition; Kate Leibovitz; Skot Kuiper; Eric Quesada, People's Plan; Mai Doan, Chris Durazo, Jazzie Collins, SOMCAN; Marilyn Duran and Teresa Almagoran, PODER; Angelica Cabande, SOMCAN; Cinthya Munoz, St. Peter's Housing; Oscar Grande, PODER; Marti Dulalas, SOMCAN; Jamie Spector; Nick Pagoulatos, MAC; Eric Tao; Female Speaker; Angus McCarthy, Residential Builders Association; Mana Jose Lopez, St. Peters Housing Committee; Kieran Buckley; Mike Cassidy; Fergus O'Sullivan; Noreen Bryne; Jeff Rocca; Louis Ravano; Grace Shanahan; Richie Hart; John Kerley; Redmond Lyons; Leo Cassidy; Jerry Agosta; Sean Keighran.

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4. [081154](#) [Zoning Map Amendments in connection with the Eastern Neighborhoods Area Plans]

Ordinance amending Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, HT08 and SU08 of the City and County of San Francisco Planning Code with revised use districts and height and bulk districts within the four Eastern Neighborhoods Planning Areas comprised of the East South of Market, Mission, Showplace Square/Potrero Hill and Central Waterfront Area Plans; and creating three special use districts for Life Science and Medical Special Use District bounded generally by Mariposa Street to the north, Illinois Street to the West, Iowa Street to the East, and 23rd Street to the South, for Innovative Industries Incubator Special Use District bounded generally by 3rd Street to the West, Illinois Street to the east, 20th Street to the north and 23rd Street to the South, for 16th Street Retail Special Use District bounded generally by Capp Street to the East, San Bruno Avenue to the West, 15th Street to the North and 17th Street to the South; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Department)

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9/19/08, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation.

9/29/08, CONTINUED. Heard in Committee. Speakers: Ken Rich, Larry Badiner, Steve Wertheim, Andres Powers; Pilar Lavaley, Sarah Bennett, Planning Department; John Malamut, Deputy City Attorney; Aaron Goodman, Parkmerced Residents Organization; David Maltz, Friends of Franklin Square; Ariel Braunstein, NEMRA; Sam Ruiz, Mission Neighborhood Centers; Erick Arguello; Steve Vettel, Farella, Braun, Martel; Janet Carpinelli, Dogpatch Neighborhood Association; Hiroshi

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5. [081155](#) [Eastern Neighborhoods Area Plans - monitoring program]

Ordinance amending the Administrative Code Chapter 10E to establish the Eastern Neighborhoods Monitoring Program for purposes of reviewing the effectiveness of the Eastern Neighborhoods Area Plans and implementation of specified improvements; and adopting environmental findings. (Planning Department)

8/22/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

9/19/08, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation.

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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.

081232

[Zoning - Requiring a Conditional Use Permit for Formula Retail Uses in the Residential-Commercial Combined Medium Density (RC-3) and Residential-Commercial Combined High Density (RC-4)]

Supervisor McGoldrick

Ordinance amending the Planning Code by amending Section 209.9, to require a conditional use permit for formula retail uses in the Residential-Commercial Combined Medium Density (RC-3) and Residential-Commercial Combined High Density (RC-4) Districts; and adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

9/16/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/16/2008.

9/23/08, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comment; and Planning Department for environmental review.

081235

[Subdivision Code - notice and appeal procedures, DBI review fee]

Supervisor Peskin

Ordinance amending the Subdivision Code Section 1313 to modify noticing procedures for subdivision applications and delete the Department of Public Works appeal hearing on engineering and surveying matters; amending Section 1314 concerning appellants so that it conforms with the California Subdivision Map Act; amending Section 1359 to conform with the abovementioned amendments; amending Section 1315 to include a processing fee for all subdivisions that the Department of Building Inspection reviews; and making environmental findings.

9/16/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/16/2008.

9/23/08, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental

review and determination if the proposed fee will impact the environment.

9/24/08, REFERRED TO DEPARTMENT. Referred to Building Inspection Commission for informational purposes.

9/29/08, RESPONSE RECEIVED. Planning Department - Not a project per Section 15378(b)(5) of the CEQA Guidelines. Fees are statutorily exempt from CEQA per Section 15273 of the CEQA Guidelines.

081247

[Zoning - Conditional use authorization for new development in the Bernal South Slope Area]

Supervisor Ammiano

Ordinance amending Planning Code Section 242 to require conditional use authorization for new development in the Bernal South Slope Area, and making findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

9/23/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/23/2008.

10/3/08, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comment; and Planning Department for environmental review.

081249

[Inclusionary In Lieu Fees For Small Site Acquisition and Rehabilitation]

Supervisor Daly

Ordinance amending Planning Code Section 315.6 of the Residential Inclusionary Affordable Housing Program to provide that ten percent (10%) of in lieu fees paid under Section 315.6, not to exceed a maximum of \$15 million at any one time, be designated exclusively for the acquisition and/or rehabilitation of affordable housing sites consisting of less than 25 units.

9/23/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/23/2008.

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