

City and County of San Francisco
Land Use and Economic Development Committee
City Hall, Room 263



Meeting Agenda
Monday, June 15, 2009
1:00 PM
Regular Meeting

Members: Sophie Maxwell, Eric Mar, David Chiu

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. 090574 [Hunters View - Resolution of Intent for Street Vacation]**
Resolution declaring the intention of the Board of Supervisors to vacate portions of Fairfax Avenue and West Point Road and various public service easements in the Hunters View Project; setting a hearing date for all persons interested in the proposed vacation of said street areas. (Public Works Department)

5/5/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 2. 090575 [Hunters View - Street Vacation Order]**

Ordinance ordering the vacation of portions of Fairfax Avenue and West Point Road and various public service easements; making environmental findings and findings of consistency with the City's General Plan and the priority policies of Planning Code Section 101.1; quitclaiming the City's interest in the vacation areas; reserving easement rights for various utilities, including AT&T, Pacific Gas and Electric Company, and the City; reserving temporary private access easement to adjacent owner; accepting Department of Public Works Order No. 178,144; and authorizing official acts in connection with this Ordinance. (Public Works Department)

5/5/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

3. 090022 [Streamlining the regulation of small businesses] Supervisors Chiu, Chu, Maxwell

Hearing on streamlining the regulation of small businesses: a review of the roles and responsibilities of the fifteen City departments that interface with small businesses, pursuant to Administrative Code Section 2A.241 as enacted by Proposition I in November 2007.

1/13/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

4/6/09, CONTINUED. Heard in Committee. Speakers: Diane Wesley Smith; Francisco Da Costa; Steven Cornell; Jim Lazarus; Espanola Jackson; Ann Garrison; Willie Ratcliff. Continued to May 4, 2009.

5/4/09, CONTINUED. Heard in Committee. Speaker: Francisco Da Costa, EJA. Continued to May 11, 2009.

5/11/09, CONTINUED TO CALL OF THE CHAIR. Speakers: None.

6/8/09, CONTINUED. Heard in Committee. Speakers: Fire Marshal Barbara Schultheis, SFFD; Barbara Moy, Department of Public Works; Officer Stewart and Lt. Jeanne Schlotz, SFPD; Richard Lee, Department of Public Works; Regina Dick-Endrizzi, Small Business Commission; Howard Duffee; Steven Cornell, Small Business Advocates. Continued to June 15, 2009.

4. 081251 [Planning Code--Appendix K to Article 10, Bush Street-Cottage Row Historic District] Supervisor Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Appendix K to Article 10, "Bush Street-Cottage Row Historic District," by adding a new Section 7 to set forth additional requirement for Certificates of Appropriateness; and making findings, including findings of consistency with the General Plan and priority policies of Planning Code Section 101.1 and environmental findings.

9/23/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

2/9/09, CONTINUED TO CALL OF THE CHAIR. Speakers: None.

2/12/09, REFERRED TO DEPARTMENT. Referred to Historic Preservation Commission for public hearing and recommendation.

6/1/09, RESPONSE RECEIVED. Planning Commission Resolution No. 17888 recommending approval; Historic Preservation Commission Resolution No. 634 recommending approval with modifications.

5. 090141 [Zoning - Ordinance Making Tobacco Paraphernalia Establishments a Non-Permitted Use in the Haight Street Neighborhood Commercial District and in the newly created] Supervisor Mirkarimi

Lower Haight Street Tobacco

Ordinance amending the Planning Code to amend Section 227(v), to create a special definition for Tobacco Paraphernalia Establishments applicable in the Haight Street Neighborhood Commercial District and in the Lower Haight Street Tobacco Paraphernalia Restricted Use District, as defined; amending Section 790.123 to refer to this special definition; amending Section 719.1 and the Table at Section 719, to make Tobacco Paraphernalia Establishments, as defined, not permitted in the Haight Street Neighborhood Commercial District; adding new Section 786, to create the Lower Haight Street Tobacco Paraphernalia Restricted Use Subdistrict; amending Section 186.1, to change the period of non-use for a nonconforming Tobacco Paraphernalia Establishment use to be deemed discontinued in the Haight Street Neighborhood Commercial District and in the newly created Lower Haight Street Tobacco Paraphernalia Restricted Use Subdistrict from three years to eighteen months; amending Special Use District Map SU 07 of the Zoning Map of the City and County of San Francisco, to reflect the new Lower Haight Street Tobacco Paraphernalia Restricted Use Subdistrict, and making findings, including findings of consistency with the Priority policies of Planning Code Section 101.1 and environmental findings.

2/3/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/5/2009.

2/10/09, REFERRED TO DEPARTMENT. Referred to Planning Commission for public hearing and recommendation. Referred to Planning Department for environmental review. Referred to Small Business Commission for review and comment. 02/07/09 - Response received from Planning, CEQA exempt.

5/15/09, RESPONSE RECEIVED. Planning Commission Resolution No. 17872 recommending approval.

6. 090327 [First Source Hiring Program - expand definitions of "entry level position" and "economically disadvantaged individual"] Supervisor Mirkarimi

Ordinance amending Section 83.4 of the San Francisco Administrative Code by expanding the definitions of "economically disadvantaged individual" and "entry level position."

3/17/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/16/2009.

3/24/09, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation.

7. 090367 [Planning Code Amendment - Philanthropic Administrative Service Use; Zoning Map Amendment - 2503 Clay Street] Supervisor Alioto-Pier

Ordinance amending the San Francisco Planning Code by adding Section 790.107 to define a Philanthropic Administrative Service Use and by adding 718.85 to the Zoning Control Table in Section 718 to authorize a Philanthropic Administrative Service Use as a permitted use in the Upper Fillmore Street Neighborhood Commercial District; amending Sheet ZN02 of the Zoning Maps of the City and County of San Francisco to change the zoning for Assessor's Block 0630, Lot 032 (2503 Clay Street) from RH-2 to NCD; adopting findings, including environmental findings, Section 301 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

3/24/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/24/2009.

6/1/09, RESPONSE RECEIVED. Planning Commission Resolution No. 17889 recommending approval with modifications.

8.	090318	[Planning Code-Landmark Designation of 2055 Union Street (Metro Theater)]	Supervisor Alioto-Pier
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3/31/09, RESPONSE RECEIVED. The Historic Preservation Commission failed to pass a resolution approving the proposed landmark designation. Failure to pass a resolution constitutes a procedural approval of the proposed designation. The landmark designation is now before the Board of Supervisors without recommendation by the Commission.

IMPORTANT INFORMATION

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.

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(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.

There are no items pending under the 30-day rule.

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