



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: Eric Mar, Malia Cohen, Scott Wiener

Clerk: Alisa Somera (415) 554-4447

Monday, March 21, 2011

1:00 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

Present: 3 - Eric Mar, Malia Cohen, and Scott Wiener

MEETING CONVENED

The meeting convened at 1:09 p.m.

REGULAR AGENDA

110010 [Planning Code - Zoning - NC-3 District of Fillmore Street between Bush and McAllister Streets]

Sponsor: Mirkarimi

Ordinance (1) amending Section 145.4 of the San Francisco Planning Code to require active ground-floor commercial uses in properties fronting on Fillmore Street between Bush and McAllister Streets in the NC-3 District; and (2) adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

01/04/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/3/2011.

01/12/11; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Planning Commission for public hearing and recommendation.

01/14/11; RESPONSE RECEIVED. Not a project per CEQA Guidelines Sections 15060(c)(3), and 15378.

03/09/11; RESPONSE RECEIVED. 3/3/11 - The Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 18288.

03/15/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

Heard in Committee. Speakers: Robert Selna (Supervisor Ross Mirkarimi's Office); AnMarie Rodgers (Planning); Andrea Baker (Mayor's Office); presented information concerning the matter and answered questions raised throughout the hearing. Daniel Landry; Tom Radulovich; Floyd Trammell; spoke in support of the matter. Walter Paulson; Ace Washington; spoke neither in support nor against the matter.

RECOMMENDED by the following vote:

Ayes: 3 - Mar, Cohen, Wiener

101053 [Planning Code - Zoning - Establishing Consistent Setback, Street Frontage, Off-Street Parking, and Other Planning Code Requirements and Procedures Across Various Use Districts]**Sponsor: Mirkarimi**

Ordinance amending the San Francisco Planning Code by amending Sections 124, 132.2, 136, 144, 145, 145.1, 145.5, 150, 151.1, 155, 161, 186, 206.3, 209.8, 210.3, 212, 231, 243, 253, 253.2 and 307, and by repealing Sections 175.1, 175.2, 175.3, 175.4, 175.5, 209.10, and 249.26 to: 1) create comprehensive and consistent street frontage controls for residential districts; 2) create consistent ground floor controls for industrial districts; 3) permit certain small corner commercial uses in RM-3 and RM-4 districts; 4) modify floor area ratio controls in the Van Ness Special Use District; 5) modify conditional use requirements for buildings over 40 feet in RM and RC districts; 6) amend the procedure for granting exceptions from off-street parking and loading requirements; 7) allow parking and loading exceptions to preserve historic buildings and landmark trees; 8) make certain Planning Code controls consistent across C-3 Districts; and 9) streamline language and correct out-of-date Code references; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

08/03/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

08/25/10; REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation, Planning Commission for public hearing and recommendation, to the Planning Department for environmental review, and to Department of Public Works, Planning Department, Department of Building Inspection, Chief Bureau of Fire Prevention and Public Safety and the San Francisco Parking Authority for information purposes only.

09/20/10; RESPONSE RECEIVED. Non-physical per CEQA Guidelines Section 15060 (c)(2).

12/01/10; RESPONSE RECEIVED. 11/8/10 - Small Business Commission heard and recommended approval of parts of ordinance that regulate commercial uses.

12/13/10; RESPONSE RECEIVED. 12/9/10 - Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 18235.

12/13/10; CONTINUED TO CALL OF THE CHAIR. Speakers: None.

01/25/11; RESPONSE RECEIVED. 01/13/11 - The Planning Commission recommended approval with modifications; Resolution No. 18250.

03/01/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

03/09/11; REFERRED TO DEPARTMENT. Substitute legislation re-referred to the Planning Department, Small Business Commission, Department of Public Works, Department of Building Inspection, Fire Department, Police Department, and Municipal Transportation Agency for informational purposes.

03/09/11; RESPONSE RECEIVED. The Fire Department submitted comments and concerns.

Heard in Committee. Speakers: Robert Selna (Supervisor Ross Mirkarimi's Office); AnMarie Rodgers (Planning); presented information concerning the matter and answered questions raised throughout the hearing. Elizabeth Stampe; Andy Thornley; Tom Radulovich; spoke in support of the matter. Walter Paulson; spoke neither in support nor against the matter.

RECOMMENDED by the following vote:

Ayes: 3 - Mar, Cohen, Wiener

110114 [Environment Code - Yellow Pages Distribution Pilot Program]**Sponsors: Chiu; Mar, Mirkarimi, Wiener and Cohen**

Ordinance adding Chapter 20 to the Environment Code to establish a three-year pilot program to reduce waste in the distribution of Yellow Pages phone directories to private residences and businesses in San Francisco, and to reduce neighborhood blight, by restricting distribution to circumstances where: 1) there is personal delivery of the directory to a human being, 2) there has been a request for delivery of the directory to the residence or business, or 3) directories are maintained for pick-up at a distribution center or business open to the public; mandating a public outreach program to educate the public about the environmental harms associated with excessive distribution of Yellow Pages phone directories, develop and publicize alternatives to private possession of such directories, and inform the public of the option and means of obtaining such directories; and making environmental findings.

02/01/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/3/2011.

02/07/11; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Small Business Commission for review and recommendation; and Department of the Environment, City Administrator, Department of Public Works, Department of Technology, and Public Library for informational purposes.

02/10/11; RESPONSE RECEIVED. Not a project per CEQA Guidelines Sections 15060(c)(3) and 15278.

02/28/11; RESPONSE RECEIVED. 2/14/11 - The Small Business Commission recommended approval.

03/08/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

Heard in Committee. Speakers: Supervisor David Chiu (Board of Supervisors); Melanie Nutter, Director, Kevin Drew, Calla Ostrander, and Mark Westlund (Department of the Environment); Regina Dick-Endrizzi (Small Business); presented information concerning the matter and answered questions raised throughout the hearing. Paul Giusti; Chris Hoofnagle; Sharmila Singh; Wade Crowfoot; Alexia Marcous; Ken Newman; Benjamin Osgood; Brett Vaughn; Kelsey Schnack; Emily Utter; Jazzie Collins; Dan Macchiarini; Arthur Boone; Alicia Riss; Michelle Myers; Brittany Russell; Rebecca Evans; Ursula McGuire; Roland Carlos; Jonathan Goldberg; Janet Pameroy; James Ruggieri; Sean Millis; Michelle Mattera; Male Speaker; Teresa Bui; Carla Wilson; Judy Laws; Anthony Tsai; Tina Moylan; Nancy Roberts; Patrick Foster; Michael Schmitz; Chuck Teller; David Tam; Ed Dunn; Justin Morgan; Aaron Burke; Male Speaker; spoke in support of the matter. Oliver Wilson; Neg Norton; Jason Hamm; Dominic Dinnocenti; Chris Scranton; Mindy Spatt; Larry Angove; Jim Lazarus; Emma Acero; Peter Pusateri; Ben Swiggett; Scarlett Yen; Gail Usilton; Mark Griffin; Dina Kourumalos; Janice Gough; Nicolas Colfax; Terry Fowler; Sandy Kivowitz; Tedi Vriheas; Sieg Fischer; Chris Edison; spoke in opposition to the matter.

Supervisor Cohen requested to be added as a co-sponsor.

AMENDED on Page 10, Lines 13-20, by changing Section 20.4(f) to read: 'The content of the public outreach program is within the City's discretion and any alleged insufficiency of the program in meeting its objectives shall not invalidate this Chapter. The content of the public outreach program may evolve during the three-year duration of the Pilot Program.'; Page 11, Lines 14-23, by changing Section 20.8(a) to read: 'This Chapter shall become operative on May 1, 2012.'; and Page 12, Lines 1-3, by changing Section 20.8(b) to read: 'This Chapter shall remain operative through June 30, 2016. This Chapter shall "sunset" on July 1, 2016 and no longer have the force of law as of that date.'

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Mar, Cohen, Wiener

110313 [Settlement Agreement and Lease Amendment - Forty Niners, Ltd.]

Sponsors: Mayor; Chiu and Cohen

Ordinance authorizing a settlement agreement and related lease amendment with the San Francisco Forty Niners, Ltd. (the 49ers) to settle a claim made by the 49ers on June 18, 2010, against the City and County of San Francisco relating to the condition of Candlestick Stadium; exempting any new City policy requirements that the City's Administrative Code would otherwise require for a material amendment to the lease.

03/15/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Speakers: None.

CONTINUED to March 28, 2011, by the following vote:

Ayes: 3 - Mar, Cohen, Wiener

ADJOURNMENT

The meeting adjourned at 4:39 p.m.