



# 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 Miller (415) 554-4447*

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Monday, January 30, 2012

1:00 PM

City Hall, Committee Room 263

### Regular Meeting

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

## MEETING CONVENED

*The meeting convened at 1:11 p.m.*

## REGULAR AGENDA

**110853 [Planning, Administrative Codes - Public Art Fee and Public Artwork Trust Fund]****Sponsors: Mayor; Chiu**

Ordinance: 1) amending the San Francisco Planning Code Section 429 to provide that developers currently required to spend one percent (1%) of construction costs for public artwork on any new development project or addition to an existing building over 25,000 square feet located in a C-3 district have an option to contribute all or a portion of that fee to a City fund dedicated to support public art, and after January 1, 2013, imposing this requirement on any new development project or addition to an existing building over 75,000 square feet located in a zoning district other than C-3; 2) amending the San Francisco Administrative Code by adding Section 10.200-29 to establish a Public Artwork Trust Fund, funded through contributions and Public Art Fees, for the creation, installation, exhibition, conservation, preservation, and restoration of temporary and permanent public art and capital improvements to nonprofit art facilities within the C-3 district and within a half mile of the boundary of the C-3 district or, if the project is in another zoning district, within a half mile of the project boundary, to be administered and expended by the Arts Commission; and 3) making 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.

07/19/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/18/2011.

08/15/11; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; and Department of Building Inspection and Arts Commission for informational purposes.

08/23/11; RESPONSE RECEIVED. Exempt from CEQA per Article 18, Statutory Exemptions, Section 15273 (Rates, Tolls, Fares, and Charges).

10/31/11; RESPONSE RECEIVED. 10/27/11 - The Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 18477.

11/22/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

12/16/11; REFERRED TO DEPARTMENT. Re-Referred substitute legislation to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; and Department of Building Inspection and Arts Commission for informational purposes.

12/22/11; NOTICED. 14-Day Fee Ad was submitted for publication on 12/25/2011 & 1/2/2012.

01/09/12; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Jason Elliott (Mayor's Office); Supervisor David Chiu (Board of Supervisors); AnMarie Rodgers (Planning Department); Jill Manton, Director of Programs (Arts Commission); Tom DeCaigny, Director of Cultural Affairs (Arts Commission); Ron Miguel (Planning Commission); presented information concerning the matter and answered questions raised throughout the hearing. Debra Walker; Angelica Cabande; Tony Kelly; Male Speaker; Skot Kuiper; Sean Keigran; Joe Boss; spoke in support of the matter.

01/09/12; CONTINUED AS AMENDED. Continued as amended to January 30, 2012.

01/12/12; NOTICED. 14-Day Fee Ad was submitted for publication on 1/16/2012 & 1/23/2012.

*Heard in Committee. Speakers: Supervisor David Chiu (Board of Supervisors); presented information concerning the matter and answered questions raised throughout the hearing. Ray Hart; Francisco Da Costa; spoke in opposition to the matter. Walter Paulson; spoke neither in support nor against the matter.*

**AMENDED on Page 6, Line 6, by adding 'or (c) to expend a portion of the remainder on site and deposit the rest into the Public Artwork Trust Fund.'; and Page 12, Lines 14-16, and Page 15, Lines 13-15, by deleting 'as well as the services of the Department of Building Inspection in administering collection of the Public Art Fee pursuant to Chapter 107A.13 of the San Francisco Building Code.'**

Continued to February 27, 2012.

**CONTINUED AS AMENDED to February 27, 2012, by the following vote:**

Ayes: 3 - Mar, Cohen, Wiener

**111281 [Sidewalk Width Changes - Establishing a Streamlined Process for Certain Changes]**

**Sponsors: Mayor; Wiener**

Ordinance: 1) amending Ordinance No. 1061 to grant authorization to the Director of the Public Works Department to approve certain changes to official sidewalk widths, as specified herein, that would streamline reviews and approvals for such changes and ensure consistency with the General Plan; 2) establishing fees for processing administrative sidewalk width changes; 3) adopting environmental findings; and 4) authorizing official acts in connection with this Ordinance.

11/22/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

12/08/11; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Department of Public Works for review and action; and Planning Department for informational purposes.

01/05/12; RESPONSE RECEIVED. Non-physical activity not subject to CEQA per Guidelines Section 15060(c)(2).

01/12/12; NOTICED. 14-Day Fee Ad was submitted for publication on 1/16/2012 & 1/23/2012.

*Heard in Committee. Speakers: Steve Shotland (Planning Department); Nick Elsner (Department of Public Works); presented information concerning the matter and answered questions raised throughout the hearing. Ray Hart; spoke in opposition to the matter.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Mar, Cohen, Wiener

**111078 [Planning Code and Zoning Map Amendments - India Basin Industrial Park]****Sponsor: Cohen**

Ordinance: 1) amending the San Francisco Planning Code Section 249.42 to allow outpatient medical care clinics; 2) amending the San Francisco Planning Code Zoning Map Sheet 8 SU to add parcels in Assessor's Block No. 5211, Lot Nos. 29 through 54 to the India Basin Special Use District, and remove the parcel in Assessor's Block No. 5211, Lot No. 28 from the Design and Development Special Use District and add it to the India Basin Special Use District; and 3) making environmental findings and findings of consistency with general plan.

10/04/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/3/2011.

10/13/11; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Planning Commission for public hearing and recommendation.

12/07/11; RESPONSE RECEIVED. The Planning Department determined the project exemption per CEQA Guidelines Section 15061(b)(3).

12/21/11; RESPONSE RECEIVED. 12/15/11 - The Planning Commission held a public hearing and recommended approval of the proposed legislation; Resolution No. 18513.

01/12/12; NOTICED. 1/23/2012 Committee Hearing notice was mailed to property owners.

01/23/12; CONTINUED. Speaker: Francisco Da Costa; spoke neither in support nor against the matter.

Continued to January 30, 2012.

*Heard in Committee. Speakers: Mat Snyder (Planning Department); Irene Sung (Department of Public Health); Dr. Nadine Burke Harris (Center for Youth Wellness); Katie Albright (Child Abuse Prevention Center); Cheryl Adams (City Attorney's Office); Jim Maloney (Port); presented information concerning the matter and answered questions raised throughout the hearing. Eric Smith; Cynthia Williams; Neo Veavea; Linda Moore; Danielle Santinover; Markita Mays; Helena Edwards; Megan Sharrer; Mavis Pita; Sharon Ameperosa; Alison Francis; Michael Francis; Leona Hunter; Jim Abrams; spoke in support of the matter. Espanola Jackson; Francisco Da Costa; Ray Hart; Ruben Santana; Lance Burton; David Gavrach; spoke in opposition to the matter. Salau-Hag Uewah; Walter Paulson; spoke neither in support nor against the matter.*

**AMENDED on Page 3, Lines 5 and 9, by changing '15,000 square feet' to '7,000 square feet'.**

**RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:**

Ayes: 3 - Mar, Cohen, Wiener

**111305 [Planning Code Amendments - Glen Park Area Plan]****Sponsor: Wiener**

Ordinance amending the San Francisco Planning Code by: 1) adding and amending various sections to implement the Glen Park Area Plan, bounded generally by Chenery Street to the north, Roanoke Street to the east, San Jose Avenue and Bosworth Street to the south, and Elk Street to the west; 2) creating a new Section 738.1, establishing zoning controls for the Glen Park Neighborhood Commercial Transit district; and 3) making findings, including environmental findings and findings of consistency with General Plan and with the Priority Policies of Planning Code Section 101.1. (Planning Department)

11/28/11; RECEIVED FROM DEPARTMENT.

12/13/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/12/2012.

*Heard in Committee. Speakers: Jon Swae (Planning Department); Janet Martinsen (Municipal Transportation Agency); presented information concerning the matter and answered questions raised throughout the hearing. Nicholas Dewar; spoke in support of the matter.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Mar, Cohen, Wiener

**111306 [Zoning Map Amendments - Glen Park Area Plan]****Sponsor: Wiener**

Ordinance amending the City and County of San Francisco Zoning Map Sheets ZN11 and HT11 to: 1) create a new zoning district, and amend height and bulk districts within the Glen Park Area Plan, as proposed in the Glen Park Community Plan; and 2) making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

11/28/11; RECEIVED FROM DEPARTMENT.

12/13/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/12/2012.

01/20/12; NOTICED. Zoning Map Amendment hearing notice was sent to property owners.

*Heard in Committee. Speakers: Jon Swae (Planning Department); Janet Martinsen (Municipal Transportation Agency); presented information concerning the matter and answered questions raised throughout the hearing. Nicholas Dewar; spoke in support of the matter.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Mar, Cohen, Wiener

**111307 [General Plan Amendments - Glen Park Area Plan]**

Ordinance amending the San Francisco General Plan by adding the Glen Park Area Plan; and making findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

11/28/11; RECEIVED FROM DEPARTMENT.

12/13/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/12/2012.

01/18/12; NOTICED. General Plan Amendment notice was submitted for publication on 1/20/2012.

*Heard in Committee. Speakers: Jon Swae (Planning Department); Janet Martinsen (Municipal Transportation Agency); presented information concerning the matter and answered questions raised throughout the hearing. Nicholas Dewar; spoke in support of the matter.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Mar, Cohen, Wiener

**ADJOURNMENT**

*The meeting adjourned at 3:21 p.m.*