



# 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: Scott Wiener, Jane Kim, David Chiu*

*Clerk: Alisa Miller (415) 554-4447*

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Monday, May 6, 2013

1:30 PM

City Hall, Committee Room 263

### Regular Meeting

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**Present:** 3 - Scott Wiener, Jane Kim, and David Chiu

## MEETING CONVENED

*The meeting convened at 1:40 p.m.*

## REGULAR AGENDA

**121019 [Administrative Code - California Environmental Quality Act Procedures]****Sponsor: Wiener**

Ordinance amending Administrative Code, Chapter 31, to reflect revisions in the California Environmental Quality Act (CEQA) and to update and clarify certain procedures provided for in Chapter 31, including without limitation: codifying procedures for appeals of exemptions and negative declarations; providing for the Board of Supervisors (Board) to make the final CEQA decision on projects requiring Board legislative action, negating the need to file formal CEQA appeals; revising noticing procedures for environmental impact reports and negative declarations for plan area projects exceeding 20 acres; expanding noticing requirements for certain exempt projects; clarifying existing noticing requirements for exempt projects; and making environmental findings.

10/16/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/15/2012.

10/29/12; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Planning Commission for review and recommendation.

11/13/12; RESPONSE RECEIVED. Non-physical exemption per CEQA Section 15060(c)(2).

11/20/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

12/03/12; RESPONSE RECEIVED. 11/29/2012 - The Planning Commission held a public hearing and made advisory recommendations to Supervisor Wiener.

01/29/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

02/06/13; REFERRED TO DEPARTMENT. Re-Referred substitute legislation to the Planning Department/Commission for public hearing and recommendation; and Department of Building Inspection, County Clerk, Department of Public Works, Department of Public Health, Fire Department, and Port for informational purposes.

03/18/13; RESPONSE RECEIVED. 3/14/2013 - The Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 18826.

03/27/13; RESPONSE RECEIVED. 3/14/2013 - The Historic Preservation Commission held a public hearing and recommended approval with modifications; Resolution No. 704.

04/02/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

04/04/13; REFERRED TO DEPARTMENT. Referred to the Planning Department/Commission, Department of Building Inspection, County Clerk, Department of Public Works, Department of Public Health, Fire Department, and Port for informational purposes.

04/05/13; RESPONSE RECEIVED. Non-physical exemption: Not a project per CEQA Guidelines Section 15060(c)(2).

04/08/13; AMENDED. Heard in Committee. Speakers: John Rahaim, Director, Sarah Jones, and AnMarie Rodgers (Planning Department); Elaine Warren, and Jon Givner (City Attorney's Office); presented information concerning the matter and answered questions raised throughout the hearing. Kristin Hansen; Sally Stephens; Po Bronson; Samuel Ball; Frank Noto; Robert Brust; Anthony Urbino; Michael Theriault; Nik Kestner; Elizabeth Stampe; Tomiquia Moss; Tim Colen; Steven Aiello; Evan Reeves; Robin Levitt; Mark English; Michael Rice; Female Speaker; Raymond Holland; Ron Miguel; Jim Lazarus; Fernando Marti; Matt Regan; Leah Shahum; Tom Tunny; Female Speaker; Michael Schulte; David Sternberg; Kiernan Buckley; Redmond Langs; Sean Kiegran; spoke in support of the hearing matter. Francisco Da Costa; Tes Welborn; Howard Wong; George Wooding; Dr. Espanola Jackson; Paul Page; Charlie Zhang; Hiroshi Fukuda; Michael Russom; Rose Hillson; Mark Bittner; Lynne Beeson; Denis Mosgofian; Bernie Choden; Judith Hoyer; Ms. Crowley; Dawn Trenner; Nancy Wuerfel; Edward Mata; David Osgood; Malana Moberg; Roland Salvato; Michelle Myers; Rebecca Evans; Karen Babbitt; Judy Berkowitz; Linda Chapman; Supervisor Jake McGoldrick; Mr. Welsh; Eric Brooks; Supervisor Aaron Peskin; spoke in opposition to the hearing matter. Steve Zeltzer; Mike Buhler; Judy Irving; Marlayne Morgan; John Rizzo; Mike Casey; Pilar Schiavo; Jonathan Goldberg; Raymond Castillo; Bradley Weedmeyer; Supervisor John Bardis; spoke neither in support nor against the hearing matter.

04/08/13; CONTINUED AS AMENDED.

04/22/13; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor David Campos (Board of Supervisors); Elaine Warren (City Attorney's Office); John Rahaim, Director, and Sarah Jones (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing. Robert Poole; Matt Regan; Evan Reeves; Julie Christensen; Matt O'Grady; Stephanie Greenburg; David Tse; Daniel Frattin; spoke in support of the proposed legislation in File No. 121019. Ron Miguel; Steven Aiello; Fernando Marti; Jim Lazarus; Supervisor Aaron Peskin; spoke in support of the amendments being proposed for File No. 121019. Aaron Goodman; George Wooding; Eric Brooks; Bernie Choden; Michael Russom; Tes Welborn; Hiroshi Fukuda; Gil Criswell; Dave Osgood; Angelica Cabande; Rose Hillson; Karen Babbitt; spoke in support of the proposed legislation in File No. 130248. Paul Wermer; Malana Moberg; Roland Salvato; Robert Woods; Howard Wong; Peter Cohen; Asa Monet; Andrew Resignato; Pastor Lynn Gavin; Cynthia Crews; Albert Sandoval; Eihway Su; spoke on various concerns regarding the proposed legislation.

04/22/13; CONTINUED AS AMENDED.

04/24/13; REFERRED TO DEPARTMENT. Re-referred amended legislation to the Planning Department for environmental review; Planning Commission and Historic Preservation Commission for public hearing and recommendation; and Department of Building Inspection, County Clerk, Department of Public Works, Department of Public Health, Fire Department, Port, and Municipal Transportation Agency for informational purposes.

05/02/13; RESPONSE RECEIVED. Non-physical exemption per CEQA Guidelines Section 15060(c)(2).

*Heard in Committee. Speakers: Elaine Warren (Office of the City Attorney); John Rahaim, Director (Planning Department); Rick Caldeira (Office of the Clerk of the Board); Sarah Jones (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing. Matt Regan; Tim Colen; spoke in support of the proposed legislation in File No. 121019. Jeffrey Leibovitz; Katy Lidell; Hiroshi Fukuda; Michael Russom; Sue Vaughan; Cecilia Lim; Rose Hillson; Howard Wong; Tes Welborn; Allan Craigie; spoke in support of the proposed legislation in File No. 130248. Pastor Lynn Gavin; Malana Moberg; Eric Brooks; Walter Paulson; Peter Cohen; Fernando Marti; Sue Hestor; spoke on various concerns regarding the proposed legislation in File Nos. 121019 and 130248.*

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE by the following vote:**

Ayes: 3 - Wiener, Kim, Chiu

Ordinance amending Administrative Code, Chapter 31, to reflect revisions in the California Environmental Quality Act and to update and clarify certain procedures provided for in Chapter 31, including without limitation: codifying procedures for appeals of exemptions and negative declarations; revising noticing procedures for environmental impact reports and negative declarations for plan area projects exceeding 20 acres; expanding noticing requirements for certain exempt projects; clarifying existing noticing requirements for exempt projects; and making environmental findings.

*Continued as amended to May 13, 2013.*

**CONTINUED AS AMENDED to May 13, 2013, by the following vote:**

Ayes: 2 - Wiener, Chiu

Noes: 1 - Kim

**130248 [Administrative Code - California Environmental Quality Act Procedures, Appeals, and Public Notice]****Sponsors: Kim; Campos, Avalos and Mar**

Ordinance amending Administrative Code, Chapter 31, to provide for appeals under the California Environmental Quality Act to the Board of Supervisors of environmental impact reports, negative declarations, exemption determinations, and determinations on modified projects; to clarify and update existing Chapter 31 procedures, including without limitation: to provide for the Planning Department or Planning Commission to approve all exemption determinations; to require the Planning Department to establish an electronic notification system; to expand noticing of exempt projects; to require new noticing when filing notices of exemption and notices of determination; to revise noticing of negative declarations and environmental impact reports for plans of 20 acres or more; to provide an expanded role for the Historic Preservation Commission; and making environmental findings.

03/12/13; ASSIGNED UNDER 30 DAY RULE PENDING APPROVAL AS TO FORM to Land Use and Economic Development Committee.

03/20/13; REFERRED TO DEPARTMENT. Referred to the City Attorney for approval as to form.

04/09/13; SUBSTITUTED, AND ASSIGNED to Land Use and Economic Development Committee. Approved as to form on 4/9/13, thereby starting the 30-Day Rule.

04/12/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission and Historic Preservation Commission for review and recommendation; and Department of Building Inspection, County Clerk, Department of Public Works, Department of Public Health, Fire Department, Port, and Recreation and Park Department for informational purposes.

04/17/13; RESPONSE RECEIVED. Non-physical exemption pursuant to CEQA Section 15060(c)(2).

04/22/13; RESPONSE RECEIVED. The Municipal Transportation Agency submitted their comments and recommendations.

04/22/13; CONTINUED. Heard in Committee. Speakers: Supervisor David Campos (Board of Supervisors); Elaine Warren (City Attorney's Office); John Rahaim, Director, and Sarah Jones (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing. Robert Poole; Matt Regan; Evan Reeves; Julie Christensen; Matt O'Grady; Stephanie Greenburg; David Tse; Daniel Frattin; spoke in support of the proposed legislation in File No. 121019. Ron Miguel; Steven Aiello; Fernando Marti; Jim Lazarus; Supervisor Aaron Peskin; spoke in support of the amendments being proposed for File No. 121019. Aaron Goodman; George Wooding; Eric Brooks; Bernie Choden; Michael Russom; Tes Welborn; Hiroshi Fukuda; Gil Criswell; Dave Osgood; Angelica Cabande; Rose Hillson; Karen Babbitt; spoke in support of the proposed legislation in File No. 130248. Paul Wermer; Malana Moberg; Roland Salvato; Robert Woods; Howard Wong; Peter Cohen; Asa Monet; Andrew Resignato; Pastor Lynn Gavin; Cynthia Crews; Albert Sandoval; Eihway Su; spoke on various concerns regarding the proposed legislation.

04/29/13; RESPONSE RECEIVED. 4/25/2013 - The Planning Commission held a public hearing and recommended approval of certain portions and disapproval of certain portions; Resolution No. 18852.

*Heard in Committee. Speakers: Elaine Warren (Office of the City Attorney); John Rahaim, Director (Planning Department); Rick Caldeira (Office of the Clerk of the Board); Sarah Jones (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing. Matt Regan; Tim Colen; spoke in support of the proposed legislation in File No. 121019. Jeffrey Leibovitz; Katy Lidell; Hiroshi Fukuda; Michael Russom; Sue Vaughan; Cecilia Lim; Rose Hillson; Howard Wong; Tes Welborn; Allan Craigie; spoke in support of the proposed legislation in File No. 130248. Pastor Lynn Gavin; Malana Moberg; Eric Brooks; Walter Paulson; Peter Cohen; Fernando Marti; Sue Hestor; spoke on various concerns regarding the proposed legislation in File Nos. 121019 and 130248.*

*Continued to May 13, 2013.*

**CONTINUED to May 13, 2013, by the following vote:**

Ayes: 2 - Wiener, Chiu

Noes: 1 - Kim

**130321 [Hearing - Golden State Warriors Development Project Design - Piers 30-32 and Seawall Lot 330]****Sponsor: Kim**

Hearing to consider the revised project design of the proposed Golden State Warriors development on Piers 30-32 and Seawall Lot 330.

04/09/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

04/25/13; REFERRED TO DEPARTMENT. Referred to the Port of San Francisco, and Office of Economic and Workforce Development for informational purposes.

*Heard in Committee. Speakers: Jennifer Matz (Office of Economic and Workforce Development); Craig Dykers (Snohetta); Joy Navarrete (Planning Department); Peter Albert (Municipal Transportation Agency); Jesse Blout (Golden State Warriors); presented information concerning the matter and answered questions raised throughout the hearing. Jeffrey Leibovitz; Katy Lidell; Matt Regan; Patrick Valentino; Dennis McKenzie (Round The Diamond); Sue Bushnell; Kevin Carroll (SF Hotel Council); Michael McKenna (IBEW Local 6); Buffy Martin Tarbox (SF Waterfront Alliance); Walter Paulson; Bob Graham; Katherine Webster (South Beach Mission Bay Merchants Association); Jim Lazarus (SF Chamber of Commerce); Tina Moylan; Myron Lee; Tom O'Connor (SF Firefighters); John Ballesteros (SF Travel); Janet Clyde; Allan Craigie; Pete Sitthick (Epic/Waterbar); Charley Lavery (Operating Engineers Local 3); Dave De La Torre (Laborers Local 261); Henry Karnilowicz (SOMBA); Nick Maloney; Ramona Atanacio (Brightline); John Cornwell; Randy Gordon; Evan Field (Warriors on the Waterfront); Manuel Flores (Local 22); Brandon Santiago (Youth Speaks); Steven Lee; Todd Wolferson; Joshua Arce (Brightline); Sue Hestor; spoke on various concerns regarding the hearing matter.*

**FILED by the following vote:**

Ayes: 3 - Wiener, Kim, Chiu

**ADJOURNMENT**

*The meeting adjourned at 5:14 p.m.*