



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Meeting Agenda - Final

Land Use and Economic Development Committee

Members: Sophie Maxwell, Eric Mar, David Chiu

Clerk: Alisa Somera (415) 554-4447

Monday, March 29, 2010

1:00 PM

City Hall, Committee Room 263

Regular Meeting

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

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. 091165 [Zoning - Parking Requirements and Garage Installation in Existing Residential Buildings in Telegraph Hill, North Beach and Chinatown]

Sponsors: Chiu; Mar

Ordinance amending the San Francisco Planning Code by amending Sections 714.94, 722.94, 803.2, and Tables 810, 811 and 812 to require mandatory discretionary review by the Planning Commission to install a garage in an existing residential building of four or more units and Section 311 notice for a building of less than four units in the Broadway Neighborhood Commercial District (NCD), the North Beach NCD, and the Chinatown Mixed-Use Districts; adding Section 249.49 and amending Section SU01 of the Zoning Map to establish the Telegraph Hill - North Beach Residential Special Use District to include the residentially-zoned areas bounded by Bay Street to the North, Sansome Street and the Embarcadero to the East, Broadway to the South, and Columbus Avenue to the West, and require mandatory discretionary review by the Planning Commission to install a garage in an existing residential building of four or more units and Section 311 notice for a building of less than four units; amending Section 151 to reduce the minimum parking requirements in the Broadway and North Beach NCDs, the Telegraph Hill - North Beach Residential Special Use District, and the Chinatown Mixed-Use Districts; amending Section 155 to add Columbus Avenue between Washington and North Point Streets, Broadway from the Embarcadero on the east to Mason Street on the west, and all alleyways in the Chinatown Mixed-Use Districts to the list of streets where garage entries, driveways, or other vehicular access to off-street parking or loading are prohibited; amending Section 161 to require mandatory discretionary review by the Planning Commission to install a garage in an existing residential building of four or more units and Section 311 notice for a building of less than four units; amending the Public Works Code by amending Section 723.2 to prohibit the issuance of minor sidewalk encroachment permit that would facilitate the installation of parking in a residential structure of four or more units without prior authorization by the Planning Commission; 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.

(Fiscal Impact.)

10/6/09; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.
11/24/09, introduced extension of Planning Commission review period to February 14, 2010 in Board, see File No. 091366. Adopted in Board 12/8/09.

10/14/09; REFERRED TO DEPARTMENT. Referred to Planning Commission for public review and recommendation; referred to Planning Department for environmental review; referred to Department of Public Works for informational purposes.

1/27/10; RESPONSE RECEIVED. Pursuant to CEQA Guidelines Sections 15060(c)(3) and 15378 it is exempt from environmental review. Planning Commission Resolution No. 18011 recommends approval with modifications.

2/1/10; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee.
Speakers: Tara Sullivan, Planning Department; Teng Chow, Male Speaker; Tom Radulovich, Executive Director, Livable City; Male Speaker; Gerry Crowley.

2/1/10; CONTINUED AS AMENDED.

2/8/10; DUPLICATED. Heard in Committee. Speakers: None.

Duplicated into File No. 100150.

2/8/10; RECOMMENDED AS COMMITTEE REPORT.

2/9/10; PASSED ON FIRST READING.

2/23/10; CONTINUED ON FINAL PASSAGE.

3/9/10; AMENDED.

3/9/10; PASSED ON FIRST READING AS AMENDED.

3/16/10; RE-REFERRED to the Land Use and Economic Development Committee. Supervisor Mar requested to be added as a co-sponsor.

3/22/10; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speaker: Female Speaker.

3/22/10; CONTINUED AS AMENDED.

The Chair will entertain a motion to send this item forward as a Committee Report on March 30, 2010.

2. 091476 [Zoning Map Amendments - Market and Octavia Area Plan Historic Resource Survey Integration]

Ordinance amending the Zoning Map Sheets 7 and 7H of the City and County of San Francisco Planning Code to amend certain height and bulk districts within the Market and Octavia Area Plan to increase, decrease, or retain the heights of certain parcels, consistent with the findings of the Market and Octavia Area Plan Historic Resources Survey, specifically increasing or decreasing heights on some parcels in the Upper Market Street Historic District (an area generally described as Market Street between Church and Noe Streets) and decreasing heights on two parcels at the corner of Guerrero and Duboce Streets (also known as Assessors block and lot numbers 3501004 and 3501003); and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1. (Planning Department)

12/28/09; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee. Hearing notice mailed on March 5, 2010 for March 15, 2010 committee meeting. Hearing notice mailed on March 19, 2010 for March 29, 2010 committee meeting.

1/6/10; REFERRED TO DEPARTMENT. Referred to the Historic Preservation Commission for informational purposes.

3/15/10; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Kearstin Dischinger, Planning Department; Ted Olsson, MOP-CAC, MDNA; Peter Cohen and David Troup, Duboce Triangle Neighborhood Association; AnMarie Rodgers, Planning Department; Andrew Shen, Deputy City Attorney.

3/15/10; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

**3. 100093 [Housing Code – Residential Hotel Notice Posting Requirement]
Sponsors: Campos; Chiu**

Ordinance amending the San Francisco Housing Code by amending Section 1002 to add subsection (f) requiring residential hotel owners/operators to post a notice advising hotel occupants that they may telephone the City's Customer Service Center at 311 to report alleged violations of the Housing Code; adopting findings, including environmental findings.

1/26/10; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

2/1/10; REFERRED TO DEPARTMENT. Referred to the Building Inspection Commission for public hearing and recommendation.

3/24/10; RESPONSE RECEIVED. The Building Inspection Commission voted unanimously (7 - 0) to recommend approval.

4. **100231** **[Accept and Expend Grant - Buena Vista Park Project, Phase II - \$115,025]**
Sponsor: Dufty
Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant for the Buena Vista Park Project, Phase II, in the amount of \$115,025 available under the Federal Land and Water Conservation Fund Program administered by the California Department of Parks and Recreation under the provisions of the Land and Water Conservation Fund Act of 1965.

3/2/10; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.
5. **100102** **[Requiring the Development and Maintenance of Stormwater Management Controls]**
Sponsors: Mayor; Maxwell
Ordinance amending the San Francisco Public Works Code by repealing Article 4.2, Sections 140 - 149.4, and adding Article 4.2, Sections 147 - 147.6, requiring the development and maintenance of stormwater management controls for specified activities that disturb 5,000 square feet or more of the ground surface, and are subject to building, planning and subdivision approvals.

1/26/10; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

2/1/10; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review. Referred to the Planning Department, Department of Public Works, Public Utilities Commission and Port Commission for informational purposes only.

2/25/10; RESPONSE RECEIVED. Exempt from CEQA Guidelines per Sections 15060(c)(3) and 15378; not a project.
6. **091453** **[Planning Code Amendment – Green Landscaping Ordinance]**
Sponsors: Mayor; Chu and Dufty
Ordinance amending various sections of the Planning Code to address screening, greening, street tree, and permeability requirements; creating definitions for “vehicle use area,” “ornamental fencing,” and “permeable surface;” amending the Public Works Code Section 805 to create requirements for the establishment of new street trees and replacement of dead street trees; and 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.

12/15/09; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

12/22/09; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review. Referred to Planning Commission for review and recommendation. Referred to Department of Public Works for informational purposes.

12/28/09; RESPONSE RECEIVED. Not a project per CEQA Guidelines Section 15060(c)(2).

3/3/10; RESPONSE RECEIVED. Planning Commission Resolution No. 18033 recommends approval with modifications.

- 7. 091271 [Zoning – Street Frontages for Most Use Districts]**
Sponsor: Mirkarimi
Ordinance amending the San Francisco Planning Code by amending Sections 145.1, 201, 243, 253, 261.1, and 270.2 to create a comprehensive and consistent set of street frontage controls for most use districts that allow a mix of uses; 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.
- 11/3/09; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.
- 11/18/09; REFERRED TO DEPARTMENT. Referred to Planning Commission for public hearing and recommendation. Referred to Planning Department for environmental review.
- 12/7/09; RESPONSE RECEIVED. Not a project per CEQA Guidelines Section 15060(c)(2).
- 3/3/10; RESPONSE RECEIVED. Planning Commission Resolution No. 18034 recommends approval with modifications.
- 3/23/10; SUBSTITUTED. 3/23/10 - Supervisor Mirkarimi submitted a substitute ordinance bearing new title.
- 3/24/10; ASSIGNED to the Land Use and Economic Development Committee.
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- 8. 100282 [Initiative Constitutional Amendment - Opposing Proposition 16, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers"]**
Sponsors: Mirkarimi; Maxwell, Mar, Avalos, Campos and Dufty
Resolution opposing Proposition 16, an Initiative Constitutional Amendment, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers."
- 3/9/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING to the Board of Supervisors.
- 3/16/10; CONTINUED. Supervisors Maxwell, Mar, Avalos, and Campos requested to be added as co-sponsors.
- 3/23/10; REFERRED to the Land Use and Economic Development Committee. Supervisor Dufty requested to be added as a co-sponsor.
- The Chair will entertain a motion to send this item forward as a Committee Report on March 30, 2010.*

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 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.

100332 [Revisions to Integrated Project Delivery Construction Contracting Procedures]

Sponsor: Maxwell

Ordinance amending San Francisco Administrative Code Chapter 6 to revise Section 6.68 concerning integrated project delivery contracting procedures.

3/16/10; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

100333 [Bid Discount for Small and Micro-Local Business Enterprise that Joint Venture to Bid on Construction Contracts]

Sponsor: Maxwell

Ordinance amending Administrative Code Section 14B.7(F) to grant bid discounts to Small and Micro-Local Business Enterprise that joint venture with other firms to bid on construction contracts.

3/16/10; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

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.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719

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 F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

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 decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This 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 by mail 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 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 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics