



# 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, November 25, 2013

1:30 PM

City Hall, Committee Room 263

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### Regular Meeting

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

## MEETING CONVENED

*The meeting convened at 1:45 p.m.*

## REGULAR AGENDA

### **131119 [Transportation Code - Inoperable/Broken Parking Meter Time Limits]**

**Sponsor: Chiu**

Ordinance amending the Transportation Code, Division I, to clarify the definition for "Parking Meter" to include electronic pay stations, and change the time limit for parking at inoperable or broken parking meters from two hours to the maximum time permitted for the parking meter; and making environmental findings.

11/19/13; ASSIGNED to Land Use and Economic Development Committee.

*Heard in Committee. Speaker: Janet Martinsen (Municipal Transportation Agency); presented information concerning the matter and answered questions raised throughout the hearing.*

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

Ayes: 3 - Wiener, Kim, Chiu

### **131131 [Street Encroachment - Operator Convenience Facilities - Terminus of Muni Transit Lines]**

**Sponsor: Wiener**

Resolution correcting Resolution No. 362-13, which granted revocable permission to the Municipal Transportation Agency to occupy portions of the public right-of-way to install and maintain two new operator convenience facilities at the terminus of various Muni bus routes; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

11/19/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

*Heard in Committee. Speakers: None.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Wiener, Kim, Chiu

**131069 [Construction Approval - West Garden Cafe Project - Academy of Sciences in Golden Gate Park]****Sponsors: Mar; Tang**

Resolution approving the construction of a cafe in the West Garden of the Academy of Sciences in Golden Gate Park pursuant to Charter, Section 4.113; adopting findings pursuant to the California Environmental Quality Act; and adopting findings of consistency with the Golden Gate Park Master Plan, the General Plan, and the eight priority policies of Planning Code, Section 101.1.

10/29/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

11/18/13; CONTINUED. Speakers: None.

*Heard in Committee. Speaker: Kevin Manalili, Director (California Academy of Sciences); presented information concerning the matter and answered questions raised throughout the hearing.*

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

Ayes: 3 - Wiener, Kim, Chiu

**130968 [Administrative, Planning Codes - Ellis Act Displaced Emergency Assistance Ordinance]****Sponsors: Chiu; Campos, Kim, Mar, Breed, Farrell and Cohen**

Ordinance amending the Administrative and Planning Codes to provide a preference in occupying units or receiving assistance under all affordable housing programs administered or funded by the City, including all former San Francisco Redevelopment Agency affordable housing programs administered or funded by the City, to certain tenants being evicted under the Ellis Act, California Government Code, Section 7060 et seq.; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

10/01/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/31/2013.

10/09/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; and Rent Board, Mayor's Office of Housing, and Department of Building Inspection for informational purposes.

10/10/13; RESPONSE RECEIVED. Exempt from environmental review per CEQA Guidelines Section 15060(c)(2).

10/30/13; REFERRED TO DEPARTMENT. Referred to the Youth Commission for review and recommendation.

11/05/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

11/07/13; RESPONSE RECEIVED. 11/5/2013 - The Youth Commission voted unanimously to support the proposed ordinance.

11/08/13; REFERRED TO DEPARTMENT. Re-referred substitute legislation (version 2) to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Youth Commission for review and recommendation; and Rent Board, Mayor's Office of Housing, and Department of Building Inspection for informational purposes.

*Heard in Committee. Speakers: Sophie Hayward (Planning Department); Brian Chu, Director (Mayor's Office of Housing); presented information concerning the matter and answered questions raised throughout the hearing. Elaine Turner; Teresa Flanrick; Marla Knight; Steve Collier; Beverly Upton; Al Sandoval; Male Speaker; Jane (San Francisco Apartment Association); Ted Gullickson; Male Speaker; Mrs. Lee; Male Speaker; Delene Wolf (Rent Board); spoke on various concerns regarding the hearing matter.*

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

Ayes: 3 - Wiener, Kim, Chiu

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

Ayes: 3 - Wiener, Kim, Chiu

**131068 [Interim Zoning – Building Permits for Commercial Uses in an Area Bounded by Market, Second, Brannan, Division, and South Van Ness Streets]****Sponsor: Kim**

Resolution imposing interim zoning controls to require that for a 12-month period in the area bounded by Market Street from Van Ness Street east to 5th Street on the north side and east to 2nd Street on the south side, 2nd Street south to Brannan Street, Brannan Street west to Division Street, and South Van Ness Street north to Market Street: 1) except for a permit to address life/safety issues, a building permit for a commercial building shall not be issued pending the Planning Department's determination that the commercial space has not been converted to any residential use; and 2) the reestablishment of a commercial use that has been converted to residential use shall require Planning Commission approval through either an authorization under Planning Code Section 320 et seq. or a conditional use authorization; to require the Planning and Building Departments to complete a study of the conversion of commercial spaces to residential uses in this area; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

10/29/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

10/31/13; REFERRED TO DEPARTMENT. Referred to the Planning Department, Planning Commission, Department of Building Inspection, and Small Business Commission for informational purposes.

11/01/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

11/05/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

11/07/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Planning Department, Planning Commission, Department of Building Inspection, and Small Business Commission for informational purposes.

11/19/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

11/20/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Planning Department, Planning Commission, Department of Building Inspection, and Small Business Commission for informational purposes (substitute).

*Heard in Committee. Speakers: John Rahaim, Director (Planning Department); AnMarie Rodgers (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing. Karina Zona; Male Speaker; Ben Kadie; Wilma Parker; Ted Galvin; Cash; Male Speaker; Male Speaker; Sarah Ferguson; spoke on various concerns regarding the hearing matter.*

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

Ayes: 3 - Wiener, Kim, Chiu

**RECOMMENDED AS AMENDED by the following vote:**

Ayes: 3 - Wiener, Kim, Chiu

**130041 [Planning Code - Conversion, Demolition, Merger, and Conformity of Residential Uses]****Sponsor: Avalos**

Ordinance amending the Planning Code to revise the criteria for residential demolition, conversion, and merger and to standardize those definitions across use districts; establish a strong presumption in favor of preserving dwelling units in enforcement of Code requirements; and making environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.

01/15/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/14/2013.

01/22/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Small Business Commission for review and recommendation; and Department of Building Inspection for informational purposes.

01/22/13; RESPONSE RECEIVED. Not a project pursuant to CEQA Guidelines Section 15060(c)(2). Individual projects will undergo physical environmental review.

03/12/13; REMAIN ACTIVE. 3/5/2013 - The Board approved by Resolution No. 67-13 a 60-day extension for Planning Commission consideration; 6/22/2013.

07/26/13; RESPONSE RECEIVED. 7/18/2013 - The Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 18927.

07/29/13; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Jeremy Pollock (Office of Supervisor John Avalos); presented information concerning the matter and answered questions raised throughout the hearing. David Elliott Lewis; spoke in support of the hearing matter.

07/30/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

08/06/13; REFERRED TO DEPARTMENT. Re-referred the substitute legislation (version 2) to the Planning Department for environmental review; Planning Commission for review and possible recommendation; Small Business Commission for review and recommendation; and Department of Building Inspection for informational purposes.

08/09/13; RESPONSE RECEIVED. Not a project per CEQA Guidelines Section 15060(c)(2), individual projects will undergo environmental review.

09/12/13; RESPONSE RECEIVED. The Small Business Commission provided "No Comment" on the proposed legislation.

10/25/13; RESPONSE RECEIVED. 10/24/13 - The Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 19009.

*Heard in Committee. Speakers: Jeremy Pollock (Office of Supervisor Avalos); Jon Givner (Office of the City Attorney); presented information concerning the matter and answered questions raised throughout the hearing.*

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

Ayes: 3 - Wiener, Kim, Chiu

**CONTINUED to December 9, 2013 AS AMENDED by the following vote:**

Ayes: 3 - Wiener, Kim, Chiu

**130783 [Planning Code - Nonconforming Uses: Enlargement, Alteration or Reconstruction]****Sponsor: Avalos**

Ordinance amending the Planning Code to permit the enlargement, alteration or reconstruction of a dwelling or other housing structure that exceeds the permitted density of the district if dwelling units are principally permitted in the district and the enlargement, alteration or reconstruction does not extend beyond the building envelope as it existed on January 1, 2013; and making environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.

07/30/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

08/07/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; and Department of Public Works and Department of Building Inspection for informational purposes.

08/14/13; RESPONSE RECEIVED. Non-physical exemption per CEQA Section 15060(c)(2).

09/23/13; RESPONSE RECEIVED. 9/19/2013 - The Planning Commission held a public hearing and recommended approval; Resolution No. 18967.

*Heard in Committee. Speakers: Jeremy Pollock (Office of Supervisor Avalos); Jon Givner (Office of the City Attorney); presented information concerning the matter and answered questions raised throughout the hearing.*

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

Ayes: 3 - Wiener, Kim, Chiu

**RECOMMENDED AS AMENDED by the following vote:**

Ayes: 3 - Wiener, Kim, Chiu

**131000 [Street Acceptance for Lee Avenue (North of Ocean); Approval of a Sidewalk Easement for Brighton Avenue (North of Ocean)]****Sponsor: Yee**

Ordinance accepting an irrevocable offer for a public sidewalk easement on the Brighton Avenue extension, north of Ocean Avenue, and accepting an easement for these purposes; accepting an irrevocable offer for improvements and real property related to Lee Avenue, north of Ocean Avenue, and accepting a grant deed for these purposes; conditionally accepting an irrevocable offer for sidewalk improvements for Ocean Avenue, east of Lee Avenue; declaring such areas to be open public right-of-way and dedicating them for right-of-way and roadway purposes; accepting maintenance and liability for these areas subject to certain limitations; establishing public right-of-way width and sidewalk width for the Lee Avenue and Ocean Avenue sidewalks; approving an interdepartmental transfer of property for a portion of Lee Avenue and for a portion of Ocean Avenue; approving and making findings, including environmental findings, General Plan findings, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance.

10/08/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/7/2013.

10/17/13; REFERRED TO DEPARTMENT. Referred to the Planning Department, Department of Public Works, Municipal Transportation Agency, and Real Estate Division for information and to request referenced documents.

*Heard in Committee. Speakers: Lisa Pagan (Office of Economic and Workforce Development); presented information concerning the matter and answered questions raised throughout the hearing.*

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

Ayes: 3 - Wiener, Kim, Chiu

**RECOMMENDED AS AMENDED by the following vote:**

Ayes: 3 - Wiener, Kim, Chiu

**ADJOURNMENT**

*The meetin adjourned at 3:19 p.m.*