



# 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*

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**Monday, July 19, 2010**

**1:00 PM**

**City Hall, Committee Room 263**

### **Regular Meeting**

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

- 1) Legislation*
- 2) Budget and Legislative Analyst report*
- 3) Department or Agency cover letter and/or report*
- 4) 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. [100693](#) **[Mission Bay North-Block N1 Public Infrastructure Improvements]**  
Ordinance accepting of the irrevocable offer of additional property along Townsend Street, King Street, and Fourth Street and the irrevocable offer of public infrastructure improvements associated with Mission Bay North Block N1, including acquisition facilities on Third Street, Townsend Street, King Street, and Fourth Street; declaring such areas as shown on official Department of Public Works maps as open public right-of-way; designating such areas and improvements for street and roadway purposes; designating street grades and sidewalk widths; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 178,676; and authorizing official acts in connection with this Ordinance. (Public Works Department)

**Attachments:** [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Comm Packet 071910](#)

5/28/10; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

2. [100852](#) **[Mission Bay South - Park P17 Improvements]**  
Ordinance dedicating a portion of State Trust Parcel 5, known as Park P17, lying along Mission Bay Boulevard North, Mission Bay Boulevard South and Terry A. Francois Boulevard for public use and naming the new park "Commons Park;" accepting the irrevocable offer for the acquisition facilities; designating said facilities for open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,716 and authorizing official acts in connection with this Ordinance. (Planning Department)

**Attachments:** [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Comm Packet 071910](#)

6/17/10; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

3. [100853](#) **[Mission Bay South - Park P18 Improvements]**  
Ordinance dedicating a portion of State Trust Parcel 5, known as Park P18, lying along Terry A. Francois Boulevard between Mission Bay Boulevard North and China Basin Street for public use and naming the new park "Bayfront Park;" accepting the irrevocable offer for the acquisition facilities; designating said facilities for open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,715 and authorizing official acts in connection with this Ordinance. (Public Works Department)

**Attachments:** [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Comm Packet 071910](#)

6/17/10; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

4. [100883](#) **[Agreement Regarding the Exchange of Fire Station No. 1 Located at 676 Howard Street and Portions of Hunt Street for 935 Folsom Street and a Replacement Fire Station]**  
**Sponsor: Mayor**  
Ordinance authorizing the Director of Property to execute a conditional land disposition and acquisition agreement with the San Francisco Museum of Modern Art and its affiliate (collectively, Museum) for the proposed future conveyance by the City and County of San Francisco (City) to Museum of real property located at 676 Howard Street, San Francisco (Fire Station No. 1) and all of that portion of Hunt Street within Block No. 3722, collectively, in exchange for conveyance by Museum to City of a parcel of real property located at 935 Folsom Street, a new fire station to be constructed by or on behalf of Museum on such parcel, and an easement for parking purposes adjacent to such parcel; exempting from the competitive bidding and contract requirements of Chapter 6 of City's Administrative Code all contracts to be entered into by Museum for the design and construction of the new fire station and the improvement of such parcel and parking easement; and making findings, including findings of consistency with the General Plan and Planning Code Section 101.1(b).

**Attachments:** [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Response PLN\\_071310](#)

[Comm Packet 071910](#)

6/29/10; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

7/13/10; RESPONSE RECEIVED. The Planning Department submitted the General Plan Case Report stating that the project is consistent with Planning Code Section 101.1 and in conformance with the General Plan.

7/14/10; REFERRED TO DEPARTMENT. Referred to the Planning Department, Fire Department, Arts Commission, Department of Public Works, Department of Building Inspection, and Real Estate Department for informational purposes.

5. [100804](#) **[Interim Zoning - Requiring Conditional Use Authorization for Change in Use or Reduction of Child Care Facilities]**

**Sponsors: Alioto-Pier; Dufty and Daly**

Resolution imposing interim zoning controls establishing a requirement for conditional use authorization for a change in use or reduction in size of any child care facility that serves more than 13 children, for an 18 month period and making a determination of consistency with the priority policies of Planning Code Section 101.1.

**Attachments:** [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Response PLN 061810](#)

[Response Small 071310](#)

[Comm Packet 071910](#)

6/15/10; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee. Notice posted on July 8, 2010; published in newspaper on July 9, 2010.

6/17/10; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

6/18/10; REFERRED TO DEPARTMENT. Referred to the Youth Commission and Small Business Commission for review and recommendation.

6/18/10; RESPONSE RECEIVED. Exempt from environmental review per CEQA Guidelines Section 15060(c) (2); not a project.

7/13/10; RESPONSE RECEIVED. The Small Business Commission recommended approval.

6. [100639](#) **[Permits for Commercial Parking Garages and Lots]**

**Sponsor: Alioto-Pier**

Ordinance amending sections of the San Francisco Police Code, Business and Tax Regulations Code and Fire Code to: (1) transfer responsibility for parking garage and parking lot permits from the Fire Department to the Police Department; (2) require a commercial parking permit to operate a garage or lot where members of the public can park for a charge; set fees; establish permit issuance, suspension and revocation procedures; establish requirements for permit holders and individuals working at parking garages and lots; and (3) limit the term of a commercial parking permit to one year and require annual application for a commercial parking permit.

**Attachments:** [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Response Small 071310](#)

[Comm Packet 071910](#)

5/18/10; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee. Fee Ad posted on July 8, 2010; published in newspaper on July 9, 2010.

5/26/10; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for comment and recommendation; and to the Police Department, Fire Department, Office of the Treasurer Tax Collector, Planning Department, and Risk Manager for informational purposes.

7/13/10; RESPONSE RECEIVED. The Small Business Commission recommended approval.

7. [100467](#) **[Zoning Map Amendment for One Capitol Avenue]**  
Ordinance amending Section Maps ZN12 of the Zoning Maps of the City and County of San Francisco for the real property at One Capitol Avenue (Assessor's Block No. 7148/Lot No. 040), to reclassify the property from a P (Public) Zoning District to an RH-1 (Residential, House, One-Family) Zoning District; and adopting General Plan, Planning Code Section 101.1, and environmental findings. (Planning Department)

**Attachments:** [Legislation\\_Ver1](#)  
[Comm Packet 071910](#)

6/1/10; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

## 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.*

**100871 [Formation of a Community Facilities District and Approving Related Agreements]****Sponsors: Mayor; Dufty**

Resolution approving the formation of a community facilities district and the issuance of special tax bonds by the Association of Bay Area Governments Finance Authority for nonprofit corporations related to City fees and charges applicable to new development projects; making certain findings; approving the form of Joint Community Facilities Agreement; and granting general authority to City officials to take actions necessary or desirable to implement the purposes of this resolution.

**Attachments:** [Legislation Ver1](#)

6/22/10; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

**100881 [Zoning Map Amendment - 1717-17th Street to Conform with Lot Line Adjustment]****Sponsor: Maxwell**

Ordinance amending the San Francisco Zoning Map by amending the lot reference applicable to 1717-17th Street, and an adjacent property, referred to as 495 DeHaro Street, so that the height district applicable to each lot in its entirety is 48-X and 45-X, respectively, in conformance with a lot line adjustment between the subject properties; and making various findings, including environmental findings, and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

**Attachments:** [Legislation Ver1](#)

6/29/10; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

**100917 [Planning Code - Area Plan Impact Fee and Jobs-Housing Linkage Program Modifications]**

Ordinance amending the San Francisco Planning Code sections related to Area Plan Impact Fees (Rincon Hill, Market and Octavia, Eastern Neighborhoods, and Balboa Park) and Jobs-Housing Linkage Fee to improve Planning Code readability and ease of application with regard to impact fees; to create consistent definitions and application across the Area Plan Impact Fee and Jobs-Housing Linkage Fee provisions; to better recognize and account for the impact of existing conditions of development sites affected by the Area Plan Impact Fees and the Jobs-Housing Linkage Fee; to promote adaptive re-use of existing buildings in the Eastern Neighborhoods; to clarify the impact fees associated with the Eastern Neighborhoods' on-going "legitimization" program; and adopting findings, including Section 302, environmental findings, and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Department)

**Attachments:** [Legislation VER1](#)

7/8/10; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

**100921**

**[San Francisco Public Housing Tenant Protection Ordinance]**

**Sponsors: Mirkarimi; Campos**

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 39 to establish the San Francisco Public Housing Tenant Protection Ordinance and set City policy regarding Financial Assistance to development projects that involve the demolition, disposition, rehabilitation, and/or conversion of Public Housing Units and/or the relocation of tenants from Public Housing Units.

**Attachments:** [Legislation\\_VER1](#)

7/13/10; 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.sfbos.org/meetings](http://www.sfbos.org/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](mailto: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.sfbos.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](http://www.sfgov.org/ethics)