



# City and County of San Francisco

## Meeting Agenda

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

### Land Use and Economic Development Committee

*Members: Eric Mar, Malia Cohen, Scott Wiener*

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

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Monday, March 26, 2012

1:00 PM

City Hall, Committee Room 263

### Regular Meeting

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## AGENDA CHANGES

## REGULAR AGENDA

1. [120244](#) **[Multifamily Housing Revenue Bonds - 1180 Fourth Street Family Housing]**  
**Sponsor: Kim**

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$48,155,000 for the purpose of providing financing for the acquisition and construction of a 150-unit multifamily rental housing project known as 1180 Fourth Street Family Housing; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters.

**Attachments:** [Legislation Ver1](#)  
[Comm Packet 032612](#)

3/13/12; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

*The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on March 27, 2012.*

2. [111337](#) **[Planning Code - Extension of Time for Legitimization of Existing Eastern Neighborhoods Uses]**

**Sponsor: Cohen**

Ordinance amending the San Francisco Planning Code Section 179.1(b) to: 1) extend through November 12, 2012, the period of time in which existing uses in the Eastern Neighborhoods area that have operated without permits may file an application for determination of eligibility for legitimization; 2) establish a deadline within which the applicant must proceed with the legitimization process; 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.

**Attachments:** [Legislation\\_Ver1](#)

[Leg\\_Digest\\_Ver1](#)

[Response\\_PLN\\_010512](#)

[Response\\_SBC\\_022811](#)

[Response\\_PLN\\_030112](#)

[Comm\\_Packet\\_031212](#)

[Legislation\\_Ver2](#)

[Leg\\_Digest\\_Ver2](#)

[Comm\\_Packet\\_032612](#)

12/13/11; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

12/21/11; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Planning Commission for public hearing and recommendation.

12/28/11; RESPONSE RECEIVED. 12/12/2011 - The Small Business Commission voted 5-0 to recommend approval with modifications.

1/5/12; RESPONSE RECEIVED. Exempt from CEQA per Guidelines Sections 15060(c)(2) and 15378, non-physical exemption.

3/1/12; RESPONSE RECEIVED. 2/23/2012 - The Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 18549.

3/12/12; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: AnMarie Rodgers (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing. Martin Gickhorn; spoke in support of the hearing matter. James Maerie; Angelo King; Kate Suffis; Dan Murphy; spoke in opposition to the hearing matter.

3/12/12; CONTINUED AS AMENDED. Continued as amended to March 26, 2012.

**3. [111374](#) [Planning Code - Creating a New Definition of Student Housing]****Sponsor: Wiener**

Ordinance amending the San Francisco Planning Code by: 1) adding a new Section 102.36 to create a definition of Student Housing; 2) amending Section 135(d)(2) to adjust the minimum open space requirements for dwelling units that do not exceed 350 square feet, plus a bathroom; 3) amending Section 207(b)(3) to exempt Student Housing from the unit mix requirement in RTO, NCT, DTR, and Eastern Neighborhoods Mixed Used Districts; 4) amending Section 307 to permit the conversion of Student Housing into residential uses, when certain conditions are met; 5) amending Section 312 to require notice for a change of use to Group Housing; 6) amending Section 317 to prohibit the conversion of residential units into Student Housing; 7) amending Section 401 to make conforming amendments and amend the definition of Qualified Student Housing; and 7) making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan. (Planning Department)

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

[Leg Digest Ver1](#)

[Response PLN 121311](#)

[Comm Packet 022712](#)

[Comm Packet 032612](#)

12/15/11; RECEIVED FROM DEPARTMENT.

1/10/12; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

2/2/12; RESPONSE RECEIVED. 10/27/2011 - The Planning Commission held a public hearing and recommended approval; Resolution No. 18485.

2/27/12; CONTINUED. Speakers: John Bardis; Espanola Jackson; Caroline Guibert; John Sanger; spoke in opposition to the hearing matter and in support of the continuance.

Continued to March 26, 2012.

4. [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 all non-residential projects that are within zoning districts MUG, MOU, MUR, UMU, SPD, RC-3, RC-4, RH-DTR, TB-DTR, SB-DTR, SLI, SLR, SSO, C-2, and C-M that involve construction of a new building or addition of floor area in excess of 25,000 square feet and that have submitted a complete Development Application on or after January 1, 2013; 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.

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

[Leg Digest Ver1](#)

[Response PLN 082311](#)

[Response PLN 103111](#)

[Legislation Ver2](#)

[Leg Digest Ver2](#)

[Comm Packet 010912](#)

[Legislation Ver3](#)

[Leg Digest Ver3](#)

[Comm Packet 013012](#)

[Legislation Ver4](#)

[Leg Digest Ver4](#)

[Comm Packet 022712](#)

[Legislation Ver5](#)

[Leg Digest Ver5](#)

[Comm Packet 030512](#)

[Comm Packet 032612](#)

7/19/11; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

8/15/11; 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.

8/23/11; 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 the 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.

1/9/12; 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.

1/9/12; CONTINUED AS AMENDED. Continued as amended to January 30, 2012.

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

1/30/12; AMENDED. 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.

1/30/12; CONTINUED AS AMENDED. Continued to February 27, 2012.

2/27/12; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor David Chiu (Board of Supervisors); AnMarie Rodgers (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing. Steve Huang; spoke in support of the hearing matter. Male Speaker; spoke neither in support nor against the hearing matter.

2/27/12; CONTINUED AS AMENDED. Continued to March 5, 2012.

3/5/12; CONTINUED. Heard in Committee. Speakers: Supervisor David Chiu (Board of Supervisors); Cheryl Adams (City Attorney's Office); presented information concerning the matter and answered questions raised throughout the hearing.

Continued to March 26, 2012.

3/7/12; NOTICED. 14-Day Fee Ad was submitted for publication on 3/12/12 & 3/19/12.

5. [120141](#) **[Permit of Northeast-Facing Wall Sign - Total Outdoor Corporation - 1650 Mission Street]**

Resolution authorizing the execution of a permit to enter and use property for installation and maintenance of a northeast-facing wall sign at 1650 Mission Street by and between the City and County of San Francisco and Total Outdoor Corporation, a Delaware Corporation, permittee. (Real Estate Department)

**Attachments:** [Legislation\\_Ver1](#)

[Comm\\_Packet\\_022912](#)

[Budget\\_Analyst\\_022912](#)

[Board\\_Packet\\_030612](#)

[Comm\\_Packet\\_031212](#)

[Response\\_PLN\\_030912](#)

[Response\\_PLN\\_030912](#)

[Response\\_Real\\_Estate\\_032212](#)

[Comm\\_Packet\\_032612](#)

2/13/12; RECEIVED FROM DEPARTMENT.

2/28/12; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

2/29/12; RECOMMENDED. Heard in Committee. Speakers: John Updike, Acting Director (Real Estate); Harvey Rose (Budget and Legislative Analyst); provided an overview and responded to questions raised throughout the discussion. Douglas Yep; Walter Paulson; spoke neither in support nor opposition on the matter.

3/6/12; RE-REFERRED to the Land Use and Economic Development Committee.

3/7/12; REFERRED TO DEPARTMENT. Referred to the Planning Department for review.

3/9/12; RESPONSE RECEIVED. Exempt from CEQA per Guidelines Section 15301, Existing Structures.

3/9/12; RESPONSE RECEIVED. The Planning Department provided comments on the proposed legislation.

3/12/12; CONTINUED. Heard in Committee. Speakers: John Updike, Director (Department of Real Estate); Cheryl Adams (City Attorney's Office); Dan Sider (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing. Milo Hanke; Kearstin Krehbiel; Tom Radulovich; spoke in opposition to the hearing matter.

Continued to March 26, 2012.

3/22/12; RESPONSE RECEIVED. 3/20/12 - The Real Estate Division held a community meeting. A fact sheet and public comments submitted to the Board for consideration.

*The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on March 27, 2012.*

## ADJOURNMENT

*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

*NOTE: The following legislation will not be considered at this meeting. Board 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.*

### 120138

#### **[Changing Official Sidewalk Width - Portions of Golden Gate Avenue, Polk Street, and Redwood Alley]**

Ordinance: 1) amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks by adding thereto Section 1593 to change the official sidewalk width of, a) Golden Gate Avenue starting at the southwest corner of the intersection of Golden Gate Avenue and Polk Street and continuing west 104 feet, b) Polk Street starting at the southwest corner of the intersection of Golden Gate Avenue and Polk Street and continuing south for 78 feet, and c) Redwood Alley starting at the northwest corner of the intersection of Polk Street and Redwood Alley and continuing west for 173 feet; 2) making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and 3) requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

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

[Leg Digest Ver1](#)

2/6/12; RECEIVED FROM DEPARTMENT.

2/28/12; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

### 120191

#### **[Building Code - Definition of Efficiency Unit]**

**Sponsor: Wiener**

Ordinance amending the San Francisco Building Code Section 1208.4 to reduce the square footage requirement for Efficiency Dwelling Units pursuant to Section 17958.1 of the California Health & Safety Code; and making environmental findings.

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

[Response PLN 030512](#)

2/28/12; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

3/5/12; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Building Inspection Commission for public hearing and recommendation.

3/5/12; RESPONSE RECEIVED. Not a project per CEQA Guidelines Sections 15060(c)(3) and 15378.



**120193** **[Public Works Code - Mobile Food Truck Locations]****Sponsors: Wiener; Olague**

Ordinance: 1) amending Public Works Code Section 184.85 to modify the permissible distance between mobile food facilities and school; and 2) adopting environmental findings.

**Attachments:** [Legislation Ver1](#)[Response PLN 030912](#)

2/28/12; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

3/6/12; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Small Business Commission and Youth Commission for review and recommendation; and Department of Public Works, Department of Public Health, Municipal Transportation Agency, and Fire Department for informational purposes.

3/9/12; RESPONSE RECEIVED. Exempt from CEQA per Guidelines Sections 15060(c)(3) and 15378; not a project.

**120220** **[Planning Code - Signage Requirements for Privately-Owned Publicly-Accessible Open Spaces]****Sponsor: Chiu**

Ordinance amending the San Francisco Planning Code by: 1) amending Sections 135(h) (4), 135.3(g), and 138(i) to impose additional signage requirements for privately-owned publicly-accessible open spaces; 2) amending Section 603(k) to make a conforming amendment; and 3) making environmental findings, Planning Code Section 302 findings, and findings of consistency with General Plan and Planning Code Section 101.1.

**Attachments:** [Legislation Ver1](#)[Leg Digest Ver1](#)[Response PLN 031512](#)

3/6/12; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

3/15/12; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Planning Commission for public hearing and recommendation.

3/15/12; RESPONSE RECEIVED. Not a project per CEQA Guidelines Sections 15060(c)(3) and 15378.

**120241****[Planning Code, Zoning Map - Establishing Three Outer Sunset Neighborhood Commercial Districts]****Sponsor: Chu**

Ordinance amending the San Francisco Planning Code by: 1) adding Section 739.1 to establish the Outer Sunset Commercial Cluster 1 Neighborhood Commercial District that includes currently zoned NC-2 Noriega Street from 19th through 27th and 30th through 33rd Avenues; 2) adding Section 740.1 to establish the Outer Sunset Commercial Cluster 2 Neighborhood Commercial District that includes currently zoned NC-1 Taraval Street from 40th through 41st Avenues and from 45th through 47th Avenues, Noriega Street from 38th through 39th and 44th through 47th Avenues, Judah Street from 27th through 29th, 38th through 40th, and 44th through 47th Avenues, and Irving Street from 40th through 41st and 45th through 46th Avenues; 3) adding Section 741.1 to establish the Outer Sunset Linear Streets Neighborhood Commercial District that includes currently zoned NC-2 Taraval Street from 19th through 36th Avenues, Judah Street from 29th through 33rd Avenues, and Irving Street from 19th through 27th Avenues; 4) amending Section 724.124 (trade shops) to allow catering, remove horsepower limitations, and allow wholesaling, manufacturing and processing as an accessory use for up to two-thirds of the gross floor area; 5) amending Zoning Map Sheet ZN05 to include the new Neighborhood Commercial Districts; and 6) making environmental findings, Planning Code Section 302 findings, and findings of consistency with General Plan and the Priority Policies of Planning Code Section 101.1.

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

[Leg Digest Ver1](#)

3/13/12; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

3/19/12; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; and Small Business Commission for review and recommendation.

### Agenda Item Information

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, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

### 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 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) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, 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.

**IMPORTANT INFORMATION:** The public is encouraged to testify at Committee meetings. 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. Written communications should be submitted to the Clerk of the Board, Clerk of a Committee or its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution.

**LAPTOP COMPUTER FOR PRESENTATIONS:** Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

**AGENDA PACKET:** Available for review in Clerk's Office, Room 244, City Hall, 1 Dr. Carlton B Goodlett Place, or on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

**LANGUAGE INTERPRETERS:** Requests 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 debe recibirse antes de mediodía 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, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. 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; phone at (415) 554-7724; 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 <http://www.sfgov.org/ethics>