



# 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*

---

Monday, October 1, 2012

1:00 PM

City Hall, Legislative Chamber, Room 250

**Regular Meeting**

---

## AGENDA CHANGES

## REGULAR AGENDA

1. [120774](#) [Planning Code - Permitting a Five Feet Ground Floor Height Increase for Active Ground Floor Uses in the Castro Street and the 24th Street - Noe Valley Neighborhood Commercial Districts]

**Sponsor: Wiener**

Ordinance amending the San Francisco Planning Code by: 1) amending Section 263.20 to permit a five feet ground floor height increase for active ground floor uses in the Castro Street and the 24th Street - Noe Valley Neighborhood Commercial Districts; 2) replacing the figure in Section 263.20; 3) amending Sections 715.1 and 728.1 to make reference to this height exception; and 4) making findings including environmental findings and findings of consistency with Planning Code Section 101.1 and the General Plan.

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

[Leg Digest Ver1](#)

[Response SBC 091212](#)

[Response PLN 091712](#)

[Response PLN 092712](#)

[Comm Packet 100112](#)

7/17/12; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

7/27/12; REFERRED TO DEPARTMENT.

9/12/12; RESPONSE RECEIVED.

9/17/12; RESPONSE RECEIVED.

9/27/12; RESPONSE RECEIVED.

2. [120299](#) **[Administrative Code - Extending Restrictions of the Apartment Conversion Ordinance to Business-Sponsored Short Term Occupancies; Allowing Civil Actions by Certain Non-Profit Entities; Revising Enforcement Procedures]**

**Sponsor: Chiu**

Ordinance amending the San Francisco Administrative Code Chapter 41A to extend the restrictions against converting apartment units to short-term occupancies to tenants or guests of corporate entities that rent such apartments; allowing civil actions to be brought by certain non-profit entities; and making environmental findings.

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

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

[Response\\_PLN\\_040212](#)

[Legislation\\_Ver2](#)

[Comm\\_Packet\\_100112](#)

3/27/12; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

4/2/12; REFERRED TO DEPARTMENT.

4/2/12; RESPONSE RECEIVED.

9/25/12; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.

3. [120352](#) **[Administrative Code - Housing Preservation and Production]**  
**Sponsors: Olague; Kim, Campos and Mar**  
Ordinance amending the San Francisco Planning Code by: 1) adding Article 5 to implement San Francisco's housing preservation and production policies and goals; and 2) 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 071212](#)  
[Comm Packet 073012](#)  
[Comm Packet 091012](#)  
[Comm Packet 092412](#)  
[Legislation Ver2](#)  
[Leg Digest 2](#)  
[Comm Packet 100112](#)

4/10/12; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

4/16/12; REFERRED TO DEPARTMENT.

7/12/12; RESPONSE RECEIVED.

7/30/12; CONTINUED.

9/10/12; CONTINUED.

9/24/12; CONTINUED.

9/25/12; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.

4. [120812](#) **[Administrative Code - Public Housing Right to Return to Revitalized Housing]**  
**Sponsor: Olague**  
Ordinance amending the San Francisco Administrative Code, by adding Chapter 39, Sections 39.1 through 39.9, to establish the San Francisco Right to Revitalized Housing Ordinance and set City policy regarding the Right to Return to Revitalized Public Housing Units.

**Attachments:** [Legislation Ver1](#)  
[Leg Digest Ver1](#)  
[Response PLN 091812](#)  
[Response PLN 092712](#)  
[Comm Packet 100112](#)

7/31/12; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

8/9/12; REFERRED TO DEPARTMENT.

9/18/12; RESPONSE RECEIVED.

9/27/12; RESPONSE RECEIVED.

## 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.*

### 120880

#### **[Planning Code - Valencia Street Neighborhood Commercial Transit District]**

##### **Sponsor: Campos**

Ordinance amending the San Francisco Code, Section 726.52, of the Zoning Control Table, for the Valencia Street Neighborhood Commercial Transit District to: 1) permit a personal service use on the third story and above with a Conditional Use Authorization; and 2) 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](#)

9/4/12; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

9/11/12; REFERRED TO DEPARTMENT.

**120881 [Planning Code, Zoning Map - Uses, Conformity of Uses, Parking Requirements for Uses, and Special Use Districts]****Sponsor: Chiu**

Ordinance amending the San Francisco Planning Code by repealing Section 158 and amending various other Code Sections to: 1) modify controls for uses and accessory uses in C and RC Districts; 2) eliminate minimum parking requirements for the Chinatown Mixed Use Districts, RC Districts, the Broadway and North Beach NCDs, and the Washington-Broadway SUD; 3) make maximum residential parking permitted in C-3 and RC Districts consistent with NCT Districts; 4) make maximum non-residential parking in RC Districts, Chinatown Mixed Use Districts, and Broadway and North Beach NCDs consistent with NCT Districts; 5) make surface parking lots a non-conforming use in C-3 Districts; 6) modify conformity requirements in various use districts; 7) modify streetscape requirements, public open space requirements, floor-area ratio calculations, and transportation management requirements for various uses in certain districts; 8) permit certain exceptions from exposure and open space requirements for historic buildings; 9) remove references to deleted Sections of the Code; 10) amend Sheet SU01 of the Zoning Map to consolidate the two Washington-Broadway SUDs and revise the boundaries; and 11) making environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

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

9/4/12; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

9/17/12; REFERRED TO DEPARTMENT.

**120882 [Administrative Code - Board of Supervisors Review of Affordable Housing Trust Fund]****Sponsor: Chiu**

Ordinance amending the San Francisco Administrative Code by adding Section 1.60 to require the Mayor's Office of Housing and the Planning Department to report to the Board of Supervisors every five years on the implementation of Charter Section 16.110, the Affordable Housing Trust Fund Charter Amendment.

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

9/4/12; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

9/14/12; REFERRED TO DEPARTMENT.

**120883 [Planning Code - Establishing a Program to Monitor Student Housing Conversions]****Sponsors: Kim; Wiener**

Ordinance amending the San Francisco Planning Code by: 1) adding a new Section 102.36.1 to establish an annual monitoring requirement for student housing conversions; and 2) making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

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

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

9/4/12; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

9/17/12; REFERRED TO DEPARTMENT.

**120900** [Planning Code - Car Share Parking Spaces]**Sponsors: Wiener; Chiu**

Ordinance amending the San Francisco Planning Code Section 166 to: 1) authorize owners of projects with residential units to elect to provide additional parking spaces for car-share use which will not count against any parking maximums; 2) allow the car-share spaces to be used for other permitted uses other than parking a motorized vehicle if a car-share organization chooses not to use the space; 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](#)

9/11/12; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

9/18/12; REFERRED TO DEPARTMENT.

**120901** [Planning Code - Upper Market Zoning]**Sponsor: Wiener**

Ordinance amending the San Francisco Planning Code by amending Sections 721.1 and 733.1 to modify the explanation of the boundaries of the Upper Market Street Neighborhood Commercial District and the Upper Market Street Neighborhood Commercial Transit District, and 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](#)

9/18/12; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

9/19/12; REFERRED TO DEPARTMENT.

**120902** [Planning Code, Zoning Map - Upper Market Zoning]**Sponsor: Wiener**

Ordinance amending the San Francisco Planning Code Sectional Map Sheets ZN07 and HT07 to change the use classification of specified lots on Block No. 2623 and Block Nos. 3561 through 3565, now in the Upper Market Neighborhood Commercial District to the Upper Market Neighborhood Commercial Transit District, and to change the height and bulk classification of Block No. 3563, Lot No. 034 from 50-X to 65-B; and adopting findings, including environmental 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](#)

9/18/12; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

9/19/12; REFERRED TO DEPARTMENT.

**120966 [Administrative Code - Healthy Food Retailer Incentives Program]****Sponsors: Mar; Olague**

Ordinance amending the San Francisco Administrative Code by adding Chapter 59 (Sections 59.1-59.9) to establish a Healthy Food Retailer Incentives Program to oversee and coordinate the City's incentive and assistance programs for Healthy Food Retailers.

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

9/25/12; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

**120967 [Transportation, Police, and Business and Tax Regulations Codes - Motor Vehicles for Hire]****Sponsor: Wiener**

Ordinance amending the San Francisco Transportation Code, Division I, by: 1) adding Section 1.4 confirming the transfer of jurisdiction over taxicabs to the SFMTA as originally memorialized in former Police Code Section 1075; 2) adding Section 1.5, which is former Section 7.4 of the Transportation Code, requiring SFMTA to report quarterly to the Board of Supervisors on its progress increasing and improving taxi service; 3) adding Section 1.6 consisting of former Section 1135.1(d) of the Police Code; 4) amending Section 3.1(e) to clarify the authority of the Director of Transportation to designate staff who may enforce parking laws, and deleting Section 3.1(f), which makes such designations; 5) adding Section 3.5 granting the SFMTA authority to subpoena evidence and testimony relevant to its enforcement of motor vehicle for hire regulations; and 6) amending Article 7 by renumbering existing Sections 7.3.1 - 7.3.11, amending Section 7.3.50 to increase the penalty for driving or operating a taxi without a permit, adding Section 7.3.56 making it a misdemeanor to operate a taxi without a functioning taximeter, adding Section 7.3.57 making it a misdemeanor for an operator of a charter party carrier to refuse to produce a waybill, and deleting Section 7.4; amending the San Francisco Police Code by repealing Article 16 in its entirety; and amending the San Francisco Business and Tax Regulations Code by repealing Section 76.5.

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

9/25/12; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

### 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. Meetings are broadcast live on KPOO 89.5 FM. 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 Derek Evans (415) 554-7702.



**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>