



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

Monday, June 3, 2013

1:30 PM

City Hall, Committee Room 263

Regular Meeting

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

MEETING CONVENED

The meeting convened at 1:37 p.m.

REGULAR AGENDA

File Nos. 130252, 130255, 130253, 130256, and 130251 were heard together.

130252 [Administrative Code - Street Design Review Committee]**Sponsors: Wiener; Yee**

Ordinance amending the Administrative Code to establish a Street Design Review Committee.

03/12/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/11/2013.

03/20/13; REFERRED TO DEPARTMENT. Referred to the Mayor's Office, Department of Public Works, Municipal Transportation Agency, Planning Department, Public Utilities Commission, Office of Economic and Workforce Development, and Fire Department for informational purposes.

05/21/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

05/30/13; REFERRED TO DEPARTMENT. Re-referred the substitute legislation (version 2) to the Mayor's Office, Department of Public Works, Municipal Transportation Agency, Planning Department, Public Utilities Commission, Office of Economic and Workforce Development, and Fire Department for informational purposes.

Heard in Committee. Speakers: Supervisor David Campos (Board of Supervisors); Adam Barrett (Planning Department); Christina Lee (Controller's Office); Male Speaker and Fire Marshal Thomas Harvey (Fire Department); Patrick Seidman; Elizabeth Stampe (WalkSF); Gary McCoy (Pedestrian Safety Advisory Committee); presented information concerning the matter and answered questions raised throughout the hearing. Manish Champsee; Raul Hernandez Garcia (Urban Sprouts); Isabel Barraza (Mission Community Market); Kit Hodge (SF Bicycle Coalition); Tom Radulovich (Livable City); Emily Nathon; Paul Geffner; Audrey Roderick; Violeta Sandoval (Urban Sprouts); Jeremy Shaw; Bill McLeod; Zack Marks (Pedestrian Safety Advisory Committee); Howard Bloomberg (WalkSF/Pedestrian Safety Advisory Committee); spoke in support of the hearing matter.

AMENDED on Page 1, Line 23, by deleting ‘; and’; Page 1, Line 24, by changing ‘The San Francisco Fire Marshal’ to ‘The San Francisco Fire Chief; and,’; Page 1, Line 25, by adding ‘(8) other agencies that are involved in a specific project considered by the Street Design Committee may participate in the review of their projects, as necessary’; and Page 2, Line 18, by changing ‘twice a year’ to ‘once a year’ by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

130255 [Urging the Public Utilities Commission, Department of Public Works, Municipal Transportation Agency, and Planning Department to Ensure the Coordination of Street, Transit, and Utility Infrastructure]**Sponsors: Wiener; Yee**

Resolution urging the Public Utilities Commission, Department of Public Works, Municipal Transportation Agency, and Planning Department to develop a clear policy for reviewing street improvement projects that overlap the jurisdiction of various agencies and for those agencies to expeditiously modernize codes, standards, regulations, and other guidelines to ensure that the City's collective public policy interests are advanced.

03/12/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

03/22/13; REFERRED TO DEPARTMENT. Referred to the Public Utilities Commission, Department of Public Works, Municipal Transportation Agency, and Planning Department for informational purposes.

Heard in Committee. Speakers: Supervisor David Campos (Board of Supervisors); Adam Barrett (Planning Department); Christina Lee (Controller's Office); Male Speaker and Fire Marshal Thomas Harvey (Fire Department); Patrick Seidman; Elizabeth Stampe (WalkSF); Gary McCoy (Pedestrian Safety Advisory Committee); presented information concerning the matter and answered questions raised throughout the hearing. Manish Champsee; Raul Hernandez Garcia (Urban Sprouts); Isabel Barraza (Mission Community Market); Kit Hodge (SF Bicycle Coalition); Tom Radulovich (Livable City); Emily Nathon; Paul Geffner; Audrey Roderick; Violeta Sandoval (Urban Sprouts); Jeremy Shaw; Bill McLeod; Zack Marks (Pedestrian Safety Advisory Committee); Howard Bloomberg (WalkSF/Pedestrian Safety Advisory Committee); spoke in support of the hearing matter.

RECOMMENDED by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

130253 [Fire Code - Fire Apparatus Access Roads]**Sponsors: Wiener; Yee**

Ordinance amending the Fire Code, Chapter 5, Section 503.4, to clarify what does not constitute an obstruction of a Fire Apparatus Access Road.

03/12/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/11/2013.

03/22/13; REFERRED TO DEPARTMENT. Referred to the Building Inspection Commission for public hearing and recommendation; and Fire Department, and Planning Department for informational purposes.

Heard in Committee. Speakers: Supervisor David Campos (Board of Supervisors); Adam Barrett (Planning Department); Christina Lee (Controller's Office); Male Speaker and Fire Marshal Thomas Harvey (Fire Department); Patrick Seidman; Elizabeth Stampe (WalkSF); Gary McCoy (Pedestrian Safety Advisory Committee); presented information concerning the matter and answered questions raised throughout the hearing. Manish Champsee; Raul Hernandez Garcia (Urban Sprouts); Isabel Barraza (Mission Community Market); Kit Hodge (SF Bicycle Coalition); Tom Radulovich (Livable City); Emily Nathon; Paul Geffner; Audrey Roderick; Violeta Sandoval (Urban Sprouts); Jeremy Shaw; Bill McLeod; Zack Marks (Pedestrian Safety Advisory Committee); Howard Bloomberg (WalkSF/Pedestrian Safety Advisory Committee); spoke in support of the hearing matter.

RECOMMENDED by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

130256 [Urging the California State Legislature to Adopt Legislation Allowing Local Jurisdictions Greater Flexibility to Amend the Fire Code]**Sponsors: Wiener; Yee**

Resolution urging the California State Legislature to adopt legislation allowing local jurisdictions flexibility to amend local fire code street width standards in order to maximize pedestrian and bicyclist safety goals.

03/12/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

03/25/13; REFERRED TO DEPARTMENT. Referred to the Department of Public Works, Planning Department, and Fire Department for informational purposes.

Heard in Committee. Speakers: Supervisor David Campos (Board of Supervisors); Adam Barrett (Planning Department); Christina Lee (Controller's Office); Male Speaker and Fire Marshal Thomas Harvey (Fire Department); Patrick Seidman; Elizabeth Stampe (WalkSF); Gary McCoy (Pedestrian Safety Advisory Committee); presented information concerning the matter and answered questions raised throughout the hearing. Manish Champsee; Raul Hernandez Garcia (Urban Sprouts); Isabel Barraza (Mission Community Market); Kit Hodge (SF Bicycle Coalition); Tom Radulovich (Livable City); Emily Nathon; Paul Geffner; Audrey Roderick; Violeta Sandoval (Urban Sprouts); Jeremy Shaw; Bill McLeod; Zack Marks (Pedestrian Safety Advisory Committee); Howard Bloomberg (WalkSF/Pedestrian Safety Advisory Committee); spoke in support of the hearing matter.

RECOMMENDED by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

130251 [Public Works Code - Public Improvements as Gifts]**Sponsors: Wiener; Yee**

Ordinance amending the Public Works Code, by adding Section 791, to allow the Director of the Department of Public Works, subject to specified requirements, to accept certain public improvements as public gifts and dedicate such improvements to public use; and making environmental findings.

03/12/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/11/2013.

03/20/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Department of Public Works, and Municipal Transportation Agency for informational purposes.

03/20/13; TRANSFERRED to Budget and Finance Sub-Committee.

03/25/13; RESPONSE RECEIVED. Non-physical exemption per CEQA Section 15060(c)(2).

05/14/13; TRANSFERRED to Land Use and Economic Development Committee.

05/21/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

05/30/13; REFERRED TO DEPARTMENT. Re-referred substitute legislation (version 2) to the Department of Public Works, Municipal Transportation Agency, and Planning Department for informational purposes.

Heard in Committee. Speakers: Supervisor David Campos (Board of Supervisors); Adam Barrett (Planning Department); Christina Lee (Controller's Office); Male Speaker and Fire Marshal Thomas Harvey (Fire Department); Patrick Seidman; Elizabeth Stampe (WalkSF); Gary McCoy (Pedestrian Safety Advisory Committee); presented information concerning the matter and answered questions raised throughout the hearing. Manish Champsee; Raul Hernandez Garcia (Urban Sprouts); Isabel Barraza (Mission Community Market); Kit Hodge (SF Bicycle Coalition); Tom Radulovich (Livable City); Emily Nathon; Paul Geffner; Audrey Roderick; Violeta Sandoval (Urban Sprouts); Jeremy Shaw; Bill McLeod; Zack Marks (Pedestrian Safety Advisory Committee); Howard Bloomberg (WalkSF/Pedestrian Safety Advisory Committee); spoke in support of the hearing matter.

AMENDED on Page 4, Line 7, by adding ‘:(a)’ after ‘permits to’, Lines 9-11, by deleting ‘In such instances, the Director also may process the permitting and approval of such Public Improvements in accordance with applicable provisions of the Public Works Code and may issue a permit or permits to’, Line 11, by adding ‘;(b)’ after permits to’, and Lines 12-13, by adding ‘; or (c) both’; and Page 5, Lines 9-10, by adding ‘Said fund shall be a Category 8 fund in accordance with Administrative Code Section 10.100-1.’ by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

File Nos. 120669 and 130480 were heard together.

120669 [Subdivision Code - Condominium Conversion Impact Fee]**Sponsors: Farrell; Wiener, Chiu, Yee and Kim**

Ordinance amending the Subdivision Code, by adding Section 1396.4, to adopt a condominium conversion impact fee applicable to certain buildings that would be permitted to convert during a seven year period, and subject to specified requirements, including lifetime leases for non-purchasing tenants; adding Section 1396.5, to suspend the annual condominium conversion lottery until 2024 and resume said lottery under specified circumstances tied to permanently affordable rental housing production; amending Section 1396, to restrict future condominium lotteries to buildings of no more than four units with a specified number of owner occupied units for three years prior to the lottery; and adopting environmental findings.

(Economic Impact)

(Supervisor Wiener dissented in Committee.)

06/12/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/12/2012.

06/20/12; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Controller, Planning Department, Department of Building Inspection, and Department of Public Works for review and information.

01/04/13; RESPONSE RECEIVED. Statutory exemption per CEQA Section 15273 - Rates, Tolls, Fares and Charges.

01/09/13; NOTICED. The Fee Ad was submitted to the newspaper for publication on January 14 & 21, 2013.

01/15/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

01/28/13; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor Mark Farrell (Board of Supervisors); John Malamut (City Attorney's Office); Bruce Storrs (Department of Public Works); presented information concerning the matter and answered questions raised throughout the hearing. Chin Hoy Loh; Female Speaker; David Wallace; Mark Bridges; Xi Rong Zhoo; Jaime Alvarez; Marlene Tran; Male Speaker; Stacy Salvi; Male Speaker; Jake Block; Tina Moylin; Mike Moylin; Male Speaker; Fin Hatto; Jennifer Grant; Quitanne Ingalls; Jim Ingalls; Lance Wills; Ms. Taylor; Andy Creager; Brian Basinger; Tom; Marie Kuhns; Cheryl Power; Mike Sullivan; Bessie Tam; Darren Bridgett; Joanne Neidorf; Mark Bryan; Sandra Kazee; Julie Costanzo; Miro Brajenovic; Bryce Dille; Greg Efstratis; Brian; Lothar Schubert; Frank Triska; Sheila McLaughlin; Alex Ku; Bobbi Clemens; Female Speaker; Beth Palmer; Josephine Zhao; Male Speaker; Jennifer Lyon; Amy; Lavinia Turner; Cole Goepfinger; Paul Ron; Gabriela Mehner; Jeff; Elena Olzark; Female Speaker; Jake Sprall; spoke in support of the matter. Kenneth Laverne; Female Speaker; Jeremy Mykaels; Nancy McNally; Max Varazslo; Joe Donohoe; Kelly Meehan; Jane Fox; Renee Gibbons; Gypsy Taub; Karen Babbitt; Female Speaker; Cole Berggren; Elizabeth deYoung; Jazzie Collins; William Hannan; Sarah Sherburn-Zimmer; Amy; Jun Chang Tan; Male Speaker; Steve Woo; Hatty Lee; Ryan Thayer; Mitchell Omerberg; Terrie Frye; Sara Shortt; Jean Yaste; Dean Preston; Ted Gullickson; Fernando Marti; Peter Cohen; Eric Wu; Chester Zemini; Sue Vaughan; spoke in opposition to the matter. Walter Paulson; spoke neither in support nor against the matter.

01/28/13; CONTINUED AS AMENDED. Continued as amended to February 25, 2013.

02/14/13; REFERRED TO DEPARTMENT. Referred to the Youth Commission for informational purposes.

02/25/13; CONTINUED. Speakers: Kristen Henry; spoke in support of the matter. Chris Bollis; spoke in opposition to the matter.

02/27/13; RESPONSE RECEIVED. 2/19/2013 - The Youth Commission voted to take no position, but urged consideration of certain issues.

03/11/13; CONTINUED. Heard in Committee. Speakers: Kristin Henry; spoke in support of the hearing matter. Bruce Allison; Laura Cuzman; Marian Wallace; Ernestine Weiss; Michael Lyon; Gilbert Criswell; spoke in opposition to the hearing matter. Walter Paulson; spoke neither in support nor against the hearing matter.

Continued to March 25, 2013.

03/25/13; CONTINUED. Hearing in Committee. Speakers: Marlene Tran; Josephine Zhao; Alex Ku; spoke in support of the hearing matter. Marian Wallace; spoke in opposition to the matter.

Continued to April 15, 2013.

04/15/13; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisors Mark Farrell and Norman Yee (Board of Supervisors); John Malamut (Office of the City Attorney); presented information concerning the matter and answered questions raised throughout the hearing. Male Speaker; spoke in support of the hearing matter. Wing Hoo Leung; Gum Gee Lee; Ryan Thayer; Tina Cheung; Cynthia Crews; Gil Criswell; Steve Collier; Teresa Dulalas; Marti Dulalas; Sarah Sherburn-Zimmer; Sue Vaughan; Andre Lopez; Miguel Carrera; Jesus Perez; Brian Basinger; Ben Ng; Lori Liederman; Jennifer Friedenbach; Melly; Fernando Marti; Maria Zumuda; Peter Cohen; Sara Short; Ted Gullickson; Jason Hain; Eric Brooks; spoke in opposition to the hearing matter.

04/15/13; CONTINUED AS AMENDED.

04/17/13; RESPONSE RECEIVED. Non-physical exemption pursuant to CEQA Section 15060(c)(2).

04/22/13; RECOMMENDED. Heard in Committee. Speakers: Supervisors Mark Farrell and David Campos (Board of Supervisors); presented information concerning the matter and answered questions raised throughout the hearing. Susan Weisberg; Mervyn Wong; Wing Hoo Leung; Derek Zarda; Nella Manuel; Hatty Lee; Stephen Tennis; Lorenzo Listana; Mitchel Omerberg; Peter Cohen; Kathy Lipscomb; Gil Criswell; Steve Collier; Lori Liederman; Susan Vaughan; Fernando Marti; Ron Schmidt; Eihway Su; Layla Stanley; Gen Fujioka; Jessica Layman; Sara Short; Ted Gullickson; Joy Abounds; spoke in support of the hearing matter. Iris Biblowitz; Lizbeth Gordon; Peter Reitz; Tes Welborn; Josephine Zhao; Paul Utrecht; Cynthia Crews; Noni Richen; Carolyn Short-McKenna; spoke in opposition to the hearing matter. Tony Robles; Myriam Zamora; Ana Gutierrez; Female Speaker; spoke neither in support nor against the hearing matter.

05/07/13; RE-REFERRED to Land Use and Economic Development Committee.

05/13/13; CONTINUED. Speakers: None.

Continued to May 20, 2013.

05/20/13; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: John Malamut and Jon Givner (Office of the City Attorney); presented information concerning the matter and answered questions raised throughout the hearing. Gen Fujioka; spoke in support of the hearing matter. Eric Brooks; Steve Collier; spoke in opposition to the hearing matter.

Supervisor Kim requested to be added as a co-sponsor.

05/20/13; DUPLICATED AS AMENDED. Duplicated File No. 130480.

05/20/13; CONTINUED AS AMENDED. Continued as amended to June 3, 2013.

Heard in Committee. Speakers: John Malamut (City Attorney's Office); Supervisor London Breed (Board of Supervisors); presented information concerning the matter and answered questions raised throughout the hearing. Tommi Avicelli Mecca; Tony Robles; Kathy Lipscomb; Sandra Lee; Gen Fujioka; Steve Collier; Karen Babbitt; Maria Zamudio; Peter Cohen; Wing Hoo Leung; Mitchell Omerberg; Judy Golden; Ted Gullickson; spoke in support of the hearing matter. Male Speaker; David Fix; Lizbeth Gordon; Male Speaker; Peter Reitz; Female Speaker; Alex Ku; Lee Kuang; Male Speaker; Noni Richen; Carolyn McKenna; Howard Epstein; Mike Sullivan; Paul Utrecht; Becky Lee; Female Speaker; Steve Robinson; Gloria Leung; Hoe Leung; Winnie Kuang; Josephine Zhao; spoke in opposition to the hearing matter. Walter Paulson; spoke neither in support nor against the hearing matter.

RECOMMENDED by the following vote:

Ayes: 2 - Kim, Chiu

Noes: 1 - Wiener

130480 [Subdivision Code - Condominium Conversion Impact Fee]**Sponsors: Farrell; Wiener, Chiu, Yee and Kim**

Ordinance amending the Subdivision Code, by adding Section 1396.4, to adopt a condominium conversion impact fee applicable to certain buildings that would be permitted to convert during a seven year period, and subject to specified requirements, including lifetime leases for non-purchasing tenants; adding Section 1396.5, to suspend the annual condominium conversion lottery until 2024 and resume said lottery under specified circumstances tied to permanently affordable rental housing production; amending Section 1396, to restrict future condominium lotteries to buildings of no more than four units with a specified number of owner occupied units for three years prior to the lottery; and adopting environmental findings.

(Economic Impact)

05/20/13; DUPLICATED. See File No. 120669.

05/20/13; AMENDED.

05/20/13; CONTINUED AS AMENDED. Continued as amended to June 3, 2013.

Heard in Committee. Speakers: John Malamut (City Attorney's Office); Supervisor London Breed (Board of Supervisors); presented information concerning the matter and answered questions raised throughout the hearing. Tommi Avicelli Mecca; Tony Robles; Kathy Lipscomb; Sandra Lee; Gen Fujioka; Steve Collier; Karen Babbitt; Maria Zamudio; Peter Cohen; Wing Hoo Leung; Mitchell Omerberg; Judy Golden; Ted Gullickson; spoke in support of the hearing matter. Male Speaker; David Fix; Lizbeth Gordon; Male Speaker; Peter Reitz; Female Speaker; Alex Ku; Lee Kuang; Male Speaker; Noni Richen; Carolyn McKenna; Howard Epstein; Mike Sullivan; Paul Utrecht; Becky Lee; Female Speaker; Steve Robinson; Gloria Leung; Hoe Leung; Winnie Kuang; Josephine Zhao; spoke in opposition to the hearing matter. Walter Paulson; spoke neither in support nor against the hearing matter.

Continued to June 10, 2013.

CONTINUED to June 10, 2013, by the following vote:

Ayes: 2 - Kim, Chiu

Noes: 1 - Wiener

ADJOURNMENT

The meeting adjourned at 4:32 p.m.