



# 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: Sophie Maxwell, Eric Mar, David Chiu*

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

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Monday, October 18, 2010

1:00 PM

City Hall, Committee Room 263

### Regular Meeting

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**Present:** 3 - Sophie Maxwell, Eric Mar and David Chiu

## MEETING CONVENED

*The meeting convened at 1:07 p.m.*

## REGULAR AGENDA

### **100878 [Fire Code - Repealing and Replacing]**

Ordinance repealing the San Francisco Fire Code in its entirety and replacing that code with a new 2010 San Francisco Fire Code consisting of the 2010 California Fire Code and portions of the 2009 International Fire Code together with San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments to the California Building Standards Commission and State Fire Marshal; and making environmental findings. (Fire Department)

08/27/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/14/2010.

*Heard in Committee. Speakers: Barbara Schultheis, Fire Marshal, SF Fire Department; Laurence Kornfield and Vivian Day, Director, Department of Building Inspection.*

### **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**

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

Ayes: 3 - Maxwell, Mar, Chiu

**100946 [Building Code - Repealing and Replacing]**

Ordinance repealing the 2007 San Francisco Building Code in its entirety and replacing that Code with a new 2010 San Francisco Building Code that consists of the 2010 California Building Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

08/26/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/14/2010.

*Heard in Committee. Speakers: Barbara Schultheis, Fire Marshal, SF Fire Department; Laurence Kornfield and Vivian Day, Director, Department of Building Inspection.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**100950 [Building Code - Residential Building - Repealing and Replacing]**

Ordinance incorporating the provisions of the 2010 California Residential Code into various chapters of the San Francisco Building Code with local amendments, and adding Chapter 36 to serve as a directory of where such provisions may be found in the San Francisco Building Code; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

08/26/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/14/2010.

*Heard in Committee. Speakers: Barbara Schultheis, Fire Marshal, SF Fire Department; Laurence Kornfield and Vivian Day, Director, Department of Building Inspection.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**100952 [Electrical Code - Repealing and Replacing]**

Ordinance repealing the 2007 San Francisco Electrical Code in its entirety and replacing that code with a new 2010 San Francisco Electrical Code that consists of the 2010 California Electrical Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

08/26/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/14/2010.

*Heard in Committee. Speakers: Barbara Schultheis, Fire Marshal, SF Fire Department; Laurence Kornfield and Vivian Day, Director, Department of Building Inspection.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**101126 [Mechanical Code - Repealing and Replacing]**

Ordinance repealing the 2007 San Francisco Mechanical Code in its entirety and replacing that code with a new 2010 San Francisco Mechanical Code that consists of the 2010 California Mechanical Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

08/26/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/14/2010.

*Heard in Committee. Speakers: Barbara Schultheis, Fire Marshal, SF Fire Department; Laurence Kornfield and Vivian Day, Director, Department of Building Inspection.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**101127 [Plumbing Code - Repealing and Replacing]**

Ordinance repealing the 2007 San Francisco Plumbing Code in its entirety and replacing that code with a new 2010 San Francisco Plumbing Code that consists of the 2010 California Plumbing Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

08/26/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/14/2010.

*Heard in Committee. Speakers: Barbara Schultheis, Fire Marshal, SF Fire Department; Laurence Kornfield and Vivian Day, Director, Department of Building Inspection.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**101128 [Building Code - Green Building - Repealing and Replacing]**

Ordinance repealing Chapter 13C of the San Francisco Building Code in its entirety and enacting a new Chapter 13C that consists of the 2010 California Green Building Standards Code with local amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and Public Resources Code Section 25402.1(h)(2), and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

08/26/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/14/2010.

*Heard in Committee. Speakers: Barbara Schultheis, Fire Marshal, SF Fire Department; Laurence Kornfield and Vivian Day, Director, Department of Building Inspection.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**101115 [Directing the Director of the Office of Economic and Workforce Development to Prepare an Infrastructure Financing Plan]****Sponsor: Mayor**

Resolution authorizing and directing the Director of the Office of Economic and Workforce Development to prepare a report for Infrastructure Financing District No. 1 (Rincon Hill Area) and determining other matters related thereto.

08/10/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

08/27/10; REFERRED TO DEPARTMENT. Referred to the City Controller and Office of Public Finance for informational purposes.

10/04/10; CONTINUED. Speakers: None.  
Continued to October 18, 2010.

*Heard in Committee. Speaker: Michael Yarne, Mayor's Office of Economic and Workforce Development.*

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**

Resolution authorizing and directing the Director of the Office of Economic and Workforce Development to prepare a report for Infrastructure Financing District No. 1 (Rincon Hill Area) and determining other matters related thereto.

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

Ayes: 3 - Maxwell, Mar, Chiu

**101116 [Resolution of Intention to Establish an Infrastructure Financing District]****Sponsor: Mayor**

Resolution of Intention to establish an Infrastructure Financing District No. 1 (Rincon Hill Area) to finance the construction and/or acquisition of capital improvements in the Rincon Hill area; to schedule a public hearing on January 25, 2011 at 3:00 p.m. on the formation of the district and to provide public notice thereof and other matters related thereto.

08/10/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

08/27/10; REFERRED TO DEPARTMENT. Referred to the City Controller and Office of Public Finance for informational purposes.

10/04/10; CONTINUED. Speakers: None.  
Continued to October 18, 2010.

*Heard in Committee. Speaker: Michael Yarne, Mayor's Office of Economic and Workforce Development.*

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**

Resolution of Intention to establish an Infrastructure Financing District No. 1 (Rincon Hill Area) to finance the construction and/or acquisition of capital improvements in the Rincon Hill area; to schedule a public hearing on January 25, 2011 at 3:00 p.m. on the formation of the district and to provide public notice thereof and other matters related thereto.

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

Ayes: 3 - Maxwell, Mar, Chiu

**100046 [Planning Code, Administrative Code - Amending Inclusionary Housing Ordinance]****Sponsors: Mayor; Chiu**

Ordinance amending the Planning Code and Administrative Code by amending the Inclusionary Affordable Housing Program, Planning Code Section 415 et seq. (formerly Code Section 315, et seq.) (Program) and to require all project applicants to pay the Affordable Housing Fee unless they are eligible for an alternative; making other amendments to the Program including expanding the uses of the Citywide Affordable Housing Fund, deleting provisions relating to certain requirements for off-site units, and deleting provisions requiring a refund of fees after issuance of certificate of occupancy; amending Sections 416 and 417 to make conforming amendments to the Inclusionary Affordable Housing Program; amending Section 827 to delete the requirement that 50% of on- or off-site affordable housing units provided under Section 415 et seq. in the Rincon Hill Area Plan be provided as rental; amending the Administrative Code by amending Chapter 56 related to Development Agreements to create certain exceptions from its requirements for rental housing developments with on-site inclusionary units; and making findings including findings under the California Environmental Quality Act.

01/12/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/12/2010. 9/17/10 - 14-Day Fee Ad published.

01/19/10; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review. Referred to the Planning Commission for public hearing and recommendation.

01/20/10; RESPONSE RECEIVED. Not a project per CEQA Guidelines Sections 15060(c)(3) and 15378.

01/26/10; SUBSTITUTED. Mayor Newsom submitted a substitute ordinance bearing new title.

01/26/10; ASSIGNED to Land Use and Economic Development Committee.

01/29/10; REFERRED TO DEPARTMENT. Re-referred the substitute legislation to the Planning Commission for public hearing and recommendation.

04/02/10; RESPONSE RECEIVED. Planning Commission Resolution No. 18056 recommended approval with modifications.

07/27/10; SUBSTITUTED. Mayor Newsom submitted a substitute ordinance bearing new title.

07/27/10; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

08/04/10; REFERRED TO DEPARTMENT. Re-referred th substitute legislation (version 3) to the Planning Department for informational purposes.

10/04/10; CONTINUED. Speakers: None.  
Continued to October 18, 2010.

*Heard in Committee. Speakers: Tara Sullivan, Planning Department; Chandra Egan and Myrna Melgar, Mayor's Office of Housing; Ace Washington; Amalia Aboitiz.*

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**

Ordinance amending the Planning Code and Administrative Code by amending the Inclusionary Affordable Housing Program, Planning Code Section 415 et seq. (formerly Code Section 315, et seq.) (Program) and to require all project applicants to pay the Affordable Housing Fee unless they are eligible for an alternative; making other amendments to the Program including expanding the uses of the Citywide Affordable Housing Fund, deleting provisions relating to certain requirements for off-site units, and deleting provisions requiring a refund of fees after issuance of certificate of occupancy; amending Sections 416 and 417 to make conforming amendments to the Inclusionary Affordable Housing Program; amending Section 827 to delete the requirement that 50% of on- or off-site affordable housing units provided under Section 415 et seq. in the Rincon Hill Area Plan be provided as rental; amending the Administrative Code by amending Chapter 56 related to Development Agreements to create certain exceptions from its requirements for rental housing developments with on-site inclusionary units; and making findings including findings under the California Environmental Quality Act.

*Continued to October 25, 2010.*

**CONTINUED AS AMENDED to October 25, 2010 by the following vote:**

Ayes: 2 - Maxwell, Chiu

Absent: 1 - Mar

**101258 [Functional Classification Change for Local Streets]**

Resolution approving the Department of Public Works recommended changes to the Functional Classification of local streets and roads and directing the Department to submit this resolution to the State of California, Department of Transportation. (Public Works Department)

09/23/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

*Heard in Committee. Speakers: Female Speaker, Department of Public Works; Espanola Jackson.*

**RECOMMENDED.. by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**101283 [San Francisco Public Utilities Commission's Community Benefits Program]**

**Sponsor: Maxwell**

Hearing on the status of the San Francisco Public Utilities Commission's Community Benefits Program.

10/05/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

*Heard in Committee. Speakers: Ed Harrington, General Manager, Public Utilities Commission; Rhonda Simmons, Mayor's Office of Economic and Workforce Development; Juliet Ellis, Public Utilities Commission; Darolyn Davis and Bernida Reagan, Davis & Associates Communications; Tommy Moala, Assistant General Manager – Wastewater Enterprise, Public Utilities Commission; Espanola Jackson; Eric Brooks; Deidje Gipson; Terry Anders; Joshua Arce.*

**CONTINUED TO CALL OF THE CHAIR by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

## ADJOURNMENT

*The meeting adjourned at 3:39 p.m.*

**101309 [Planning Code - Upper Fillmore Neighborhood Commercial District]****Sponsor: Alioto-Pier**

Ordinance amending the San Francisco Planning Code by amending Section 718.1 and Sections 718.42, 718.44, and 718.69A of the Zoning Control Table to allow new full-service restaurants, small self-service restaurants, and self-service specialty food establishments with conditional use authorization and to amend Section 718.41 and add a specific provision for full-service restaurants to allow a bar in conjunction with a full-service restaurant with conditional use authorization; adopting findings, including 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.

**101311 [Administrative Code - San Francisco Local Hiring Policy for Construction]****Sponsor: Avalos**

Ordinance amending the San Francisco Administrative Code Chapter 6, Public Works Contracting Policies and Procedures, Subsection 6.22(G) to: 1) establish a local hiring policy for City public work or improvement projects requiring contractors and their subcontractors to perform certain percentages of project work hours using San Francisco residents and disadvantaged San Francisco residents; 2) making findings in support of the policy; 3) providing incentives for contractors and subcontractors who exceed local hiring requirements; 4) mandating assessment of liquidated damages against contractors and subcontractors who fail to meet minimum local hiring requirements; and 5) establishing monitoring, enforcement, and administrative procedures in support of the policy.

**101313 [Zoning Map and Planning Code - Bayshore Boulevard Home Improvement Special Use District]****Sponsor: Maxwell**

Ordinance amending the San Francisco Planning Code by adding Section 249.65 to establish the Bayshore Boulevard Home Improvement Special Use District for the properties on lots fronting Bayshore Boulevard from Jerrold Avenue to the 1-280 Freeway, the west side of Loomis Street from Jerrold Avenue to the 1-280 Freeway, Oakdale Avenue from Loomis Street to Bayshore Boulevard, Marengo Street from Bayshore Boulevard to Waterloo Street and the west side of Boutwell Street from Industrial Street to the 1-280 Freeway, and also including some lots on Cortland Avenue; amending the Zoning Map of the City and County of San Francisco to rezone the designated blocks and lots from the current M-1 and P/M-1 zoning to PDR-2, P/PDR-2 and the Bayshore Boulevard Home Improvement Special Use District; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.