



# 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 Somera (415) 554-4447*

---

**Monday, July 25, 2011**

**1:00 PM**

**City Hall, Committee Room 263**

### **Regular Meeting**

---

*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. [110008](#) **[Planning Code - Amending Inclusionary Housing Ordinance to Add New Alternative in Market and Octavia Plan Area]**  
**Sponsor: Wiener**  
Ordinance amending Planning Code Section 415.5 to provide for a new land dedication alternative in the Market and Octavia Plan Area in lieu of payment of the Affordable Housing Fee; and adding Section 415.10 to provide for the requirements of such land dedication; making findings including environmental findings and findings of consistency with the Priority Policies and the General Plan.  
**Attachments:** [Legislation Ver1](#)  
[Leg Digest Ver1](#)  
[Response PLN 011411](#)  
[Response SBC 013111](#)  
[Response PLN 070611](#)  
[Comm Packet 072511](#)  
  
1/4/11; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee. 3/8/11 - Introduced extension of Planning Commission review period (File No. 110295). Adopted in Board on 3/15/11; Resolution No. 132-11.  
  
1/10/11; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Small Business Commission for review and recommendation; and Market and Octavia Citizens Advisory Committee for informational purposes.  
  
1/14/11; RESPONSE RECEIVED. Not a project per CEQA Guidelines Sections 15060(c)(3), and 15378.  
  
1/31/11; RESPONSE RECEIVED. The Small Business Commission had no comment on the matter.  
  
7/6/11; RESPONSE RECEIVED. 6/23/11 - Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 18393.
  
2. [110804](#) **[Hearing - Municipal Transportation Agency Regarding Efficiency Improvements to J-Church Light Rail Vehicle Line Service]**  
**Sponsor: Wiener**  
Hearing to follow-up with the San Francisco Municipal Transportation Agency (SFMTA) regarding efficiency improvements to J-Church Light Rail Vehicle Line Service, and discussion with SFMTA and the Recreation and Park Department regarding the MUNI right-of-way in Dolores Park.  
**Attachments:** [Comm Packet 072511](#)  
  
6/28/11; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.  
  
7/1/11; REFERRED TO DEPARTMENT. Referred to the Municipal Transportation Agency and Recreation and Park Department for informational purposes.

3. [110813](#) **[CEQA Findings for Firehouse Improvements]**  
**Sponsors: Mayor; Chiu**  
Resolution of the Board of Supervisors of the City and County of San Francisco determining and making certain findings under the California Environmental Quality Act relating to the construction and improvement of certain firehouses and determining other matters related thereto.  
**Attachments:** [Legislation Ver1](#)  
[Comm Packet 072511](#)  
  
6/28/11; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.  
  
7/1/11; REFERRED TO DEPARTMENT. Referred to the Planning Department for review and response.  
  
*The Chair will entertain a motion to send this item forward as a Committee Report to the full Board on July 26, 2011.*
4. [110855](#) **[Street Vacation - Resolution of Intention - Portion of Cayuga Avenue]**  
**Sponsors: Mayor; Avalos**  
Resolution declaring the intention of the Board of Supervisors to vacate an approximately 8,490 square foot portion of public right-of-way located on Cayuga Avenue, west of Naglee Avenue; and setting the hearing date for all persons interested in the proposed vacation of said public right-of-way.  
**Attachments:** [Legislation Ver1](#)  
[Comm Packet 072511](#)  
  
7/19/11; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.
5. [110857](#) **[Street Vacation Order and Jurisdictional Transfer - Mandan Avenue and a Portion of Cayuga Avenue]**  
**Sponsors: Mayor; Avalos**  
Ordinance: 1) ordering the vacation of an approximately 8,490 square foot portion of public right-of-way located on Cayuga Avenue, west of Naglee Avenue; 2) approving the jurisdictional transfer of such portion of public right-of-way from the Department of Public Works to the Recreation and Park Department; 3) approving the jurisdictional transfer of Mandan Avenue and portion of Cayuga Avenue, previously vacated by Board of Supervisors Resolution No. 5468, from the Department of Public Works to the Recreation and Park Department; 4) adopting environmental findings and findings that the actions contemplated herein are consistent with the City's General Plan and Planning Code Section 101.1; and 5) authorizing official acts in connection with this Ordinance.  
**Attachments:** [Leg Digest Ver1](#)  
[Legislation Ver1](#)  
[Comm Packet 072511](#)  
  
7/19/11; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

**6. [110769](#) [Transportation Code - Car Share Vehicle Parking Restrictions]****Sponsors: Mayor; Chiu**

Ordinance amending the San Francisco Transportation Code, Division I, Articles 7 and 8, Division I, by: 1) adding Section 7.2.52 to establish a violation for unauthorized vehicles to park in a designated car share parking space; and 2) amending Section 8.1 to permit the removal of vehicles parked in violation of Section 7.2.52.

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

[Leg Digest Ver1](#)

[Response PLN 070711](#)

[Comm Packet 072511](#)

6/21/11; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

6/30/11; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Police Department and Municipal Transportation Agency for informational purposes.

7/7/11; RESPONSE RECEIVED. Statutory exempt per CEQA Guidelines Section 15273: Rates, Tolls, Fares and Charges.

*The Chair will entertain a motion to send this item forward as a Committee Report to the full Board on July 26, 2011.*

7. [110592](#) **[Planning Code - Inner Clement, Outer Clement, and Geary Neighborhood Commercial Controls]**

**Sponsor: Mar**

Ordinance amending the San Francisco Planning Code Sections 263.20, 712.1, 716.1, and 781.4 to: 1) allow one additional eating and drinking use as principally permitted in the Inner Clement Neighborhood Commercial Districts and allow any additional eating and drinking use in that district as conditionally permitted; 2) allow eating and drinking uses in the Outer Clement Neighborhood Commercial District with a conditional use permit; 3) remove the prohibition on large fast-food restaurants and prohibit formula retail pet supply stores and formula retail eating and drinking uses in the Geary Boulevard Fast-Food Subdistrict; 4) make video stores a principally permitted use on the ground floor in the NC-3 and the Inner Clement and Outer Clement Neighborhood Commercial Districts; and 5) 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\\_071511](#)

[Comm\\_Packet\\_071811](#)

[Legislation\\_Ver2](#)

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

[Comm\\_Packet\\_072511](#)

6/14/11; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

6/28/11; 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.

7/15/11; RESPONSE RECEIVED. 7/14/11 - The Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 18409.

7/18/11; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: AnMarie Rodgers (Planning Department); Regina Dick-Endrizzi, Executive Director (Office of Small Business); presented information concerning the matter and answered questions raised throughout the hearing. Kathleen Dooley; John Tojua; Susan Leddy; Bobby Wise; Richard Chu; Anna Teal; Lynnette Spiegel; Male Speaker; Mitchell Berg; Male Speaker; spoke in support of the matter. Andrew Junius; Taylor Jordan; Debbie Learman; spoke in opposition to the matter. Walter Paulson; spoke neither in support nor against the matter.

7/18/11; CONTINUED AS AMENDED. Continued as amended to July 25, 2011.

*The Chair will entertain a motion to send this item forward as a Committee Report to the full Board on July 26, 2011.*

8. [110506](#) **[Police, Planning, and Business and Tax Regulations Codes - Limited Live Performance Permits]**

**Sponsors: Mirkarimi; Wiener, Mar and Campos**

Ordinance amending the San Francisco Police Code Sections 2.26, 2.27, 1060, 1060.1, 1060.1-1, 1060.7.1, 1060.9, 1060.19, 1060.20.4, 1060.24, 1060.35, 2901, 2909, and 2916; adding to the San Francisco Police Code Sections 1060.2.1, 1060.3.1, 1060.5.1, 1060.38, and 1060.38.1; amending the San Francisco Planning Code Sections 102.17, 703.2, 790.38, 803.2, 803.3, and 890.37; and amending the San Francisco Business and Tax Regulations Code Section 8 to 1) create a Limited Live Performance Permit for indoor locales whose primary function is not presentation of live performances, said permit to include noise and hours restrictions but not necessarily security plan requirements; 2) to specify application and license fees and hearing requirements for said permit; and 3) making 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.

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

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

[Legislation\\_Ver2](#)

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

[Comm\\_Packet\\_071811](#)

[Response\\_SBC\\_062111](#)

[Response\\_PLN\\_071311](#)

[Legislation\\_Ver3](#)

[Leg\\_Digest\\_Ver3](#)

[Comm\\_Packet\\_072511](#)

4/26/11; ASSIGNED UNDER 30 DAY RULE to the City Operations and Neighborhood Services Committee. Fee Ad was published on 7/8/2011 and 7/13/2011.

5/12/11; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Small Business Commission and Youth Commission for review and recommendation; and Entertainment Commission and Police Department for information.

6/21/11; RESPONSE RECEIVED. 6/13/11 - Small Business Commission recommended approval with modifications.

7/6/11; TRANSFERRED to the Land Use and Economic Development Committee.

7/12/11; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.

7/13/11; RESPONSE RECEIVED. 7/7/11 - The Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 18395.

7/18/11; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor Ross Mirkarimi (Board of Supervisors); Sophie Hayward (Planning Department); Regina Dick-Endrizzi, Executive Director (Office of Small Business); Jocelyn Kane, Executive Director (Entertainment Commission); presented information concerning the matter and answered questions raised throughout the hearing. Alex Walsh; Michael Winger; Kevin Casey; Stefano Cassolato; Elliott Wagner; Henry Callahan; Shawn Manchester; spoke in support of the matter. Walter Paulson; spoke neither in support nor against the matter.

7/18/11; CONTINUED AS AMENDED. Continued as amended to July 25, 2011.

*The Chair will entertain a motion to send this item forward as a Committee Report to the full Board on July 26, 2011.*

**9. [110731](#) [Electricity Resource Plan Update]****Sponsors: Mayor; Cohen**

Resolution endorsing an updated Electricity Resource Plan to provide a long-term vision of San Francisco's electricity future, to serve as a policy guide to be used in proposing and implementing specific actions related to electric energy programs and usage in San Francisco, and to identify potential steps toward achievement of San Francisco's goal of having zero greenhouse gas emissions from its electric usage by 2030.

**Attachments:** [Legislation Ver1](#)[Comm Packet 071811](#)[Comm Packet 072511](#)

7/12/11; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

7/18/11; CONTINUED. Heard in Committee. Speakers: Manuel Ramirez (Public Utilities Commission); Bart Broome (Public Utilities Commission); presented information concerning the matter and answered questions raised throughout the hearing. Joe Boss; spoke in support of the matter. Walter Paulson; spoke neither in support nor against the matter.

Continued to July 25, 2011.

## 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.*

**110845 [Zoning Map - Rezoning of 312 Connecticut Street]****Sponsor: Cohen**

Ordinance amending Sheet No. ZN08 of the Zoning Map of the City and County of San Francisco to: 1) rezone Block No. 4035, Lot No. 003 (312 Connecticut Street) from RH-2 to NC-2; 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](#)

7/20/11; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

**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 1% of construction costs for public artwork on any development project 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; 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 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](#)

7/20/11; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

**110854 [Environment Code - Green Building Requirements for City Buildings]****Sponsors: Mayor; Mar**

Ordinance amending the San Francisco Environment Code, Chapter 7, Sections 700 through 713, to update the green building requirements for the design, construction, and operation of City buildings.

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

7/20/11; 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 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; 4) standing in the meeting room.

The public is encouraged to testify at Committee meetings and to write letters to the Clerk of the Board or to Supervisors: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

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, and 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. The Sunshine 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 the 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)