



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, March 21, 2011

1:00 PM

City Hall, Legislative Chamber, Room 250

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. [110010](#) **[Planning Code - Zoning - NC-3 District of Fillmore Street between Bush and McAllister Streets]**

Sponsor: Mirkarimi

Ordinance (1) amending Section 145.4 of the San Francisco Planning Code to require active ground-floor commercial uses in properties fronting on Fillmore Street between Bush and McAllister Streets in the NC-3 District; and (2) 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.

Attachments: [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Response PLN 011411](#)

[Response PLN 030911](#)

[Legislation Ver2](#)

[Leg Digest Ver2](#)

[Comm Packet 032111](#)

1/4/11; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

1/12/11; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Planning Commission for public hearing and recommendation.

1/14/11; RESPONSE RECEIVED. Not a project per CEQA Guidelines Sections 15060(c)(3), and 15378.

3/9/11; RESPONSE RECEIVED. 3/3/11 - The Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 18288.

3/15/11; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.

2. [101053](#) **[Planning Code - Zoning - Establishing Consistent Setback, Street Frontage, Off-Street Parking, and Other Planning Code Requirements and Procedures Across Various Use Districts]**

Sponsor: Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sections 124, 132.2, 136, 144, 145, 145.1, 145.5, 150, 151.1, 155, 161, 186, 206.3, 209.8, 210.3, 212, 231, 243, 253, 253.2 and 307, and by repealing Sections 175.1, 175.2, 175.3, 175.4, 175.5, 209.10, and 249.26 to: (1) create comprehensive and consistent street frontage controls for residential districts; (2) create consistent ground floor controls for industrial districts; (3) permit certain small corner commercial uses in RM-3 and RM-4 districts; (4) modify floor area ratio controls in the Van Ness Special Use District; (5) modify conditional use requirements for buildings over 40 feet in RM and RC districts; (6) amend the procedure for granting exceptions from off-street parking and loading requirements; (7) allow parking and loading exceptions to preserve historic buildings and landmark trees; (8) make certain Planning Code controls consistent across C-3 Districts; and (9) streamline language and correct out-of-date Code references; 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.

Attachments: [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Response PLN 092010](#)

[Response SBC 120110](#)

[Comm Packet 121310](#)

[Response PLN 121310](#)

[Response PLN 012511](#)

[Legislation Ver2](#)

[Leg Digest Ver2](#)

[Response Fire 030911](#)

[Comm Packet 032111](#)

8/3/10; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

8/25/10; REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation, Planning Commission for public hearing and recommendation, to the Planning Department for environmental review, and to Department of Public Works, Planning Department, Department of Building Inspection, Chief Bureau of Fire Prevention and Public Safety and the San Francisco Parking Authority for information purposes only.

9/20/10; RESPONSE RECEIVED. Non-physical per CEQA Guidelines Section 15060 (c)(2).

12/1/10; RESPONSE RECEIVED. 11/8/10 - Small Business Commission heard and recommended approval of parts of ordinance that regulate commercial uses.

12/13/10; CONTINUED TO CALL OF THE CHAIR. Speakers: None.

12/13/10; RESPONSE RECEIVED. 12/9/10 - Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 18235.

1/25/11; RESPONSE RECEIVED. 01/13/11 - The Planning Commission recommended approval with modifications; Resolution No. 18250.

3/1/11; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.

3/9/11; REFERRED TO DEPARTMENT. Substitute legislation re-referred to the Planning Department, Small Business Commission, Department of Public Works, Department of Building Inspection, Fire Department, Police Department, and Municipal Transportation Agency for informational purposes.

3/9/11; RESPONSE RECEIVED. The Fire Department submitted comments and concerns.

3. [110114](#) **[Environment Code - Yellow Pages Distribution Pilot Program]**

Sponsors: Chiu; Mar, Mirkarimi and Wiener

Ordinance adding Chapter 20 to the San Francisco Environment Code to establish a three-year pilot program to reduce waste in the distribution of Yellow Pages Phone Directories to private residences and businesses in San Francisco and to reduce neighborhood blight, by restricting distribution to circumstances where: 1) there is personal delivery of the directory to a human being; 2) there has been a request for delivery of the directory to the residence or business; or 3) directories are maintained for pick-up at a distribution center or business open to the public; and 4) mandating a public outreach program to educate the public about the environmental harms associated with excessive distribution of Yellow Pages Phone Directories, develop and publicize alternatives to private possession of such directories, and inform the public of the option and means of obtaining such directories; and making environmental findings.

Attachments: [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Response PLN 021011](#)

[Response SBC 022811](#)

[Legislation Ver2](#)

[Leg Digest Ver2](#)

[Comm Packet 032111](#)

2/1/11; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

2/7/11; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Small Business Commission for review and recommendation; and Department of the Environment, City Administrator, Department of Public Works, Department of Technology, and Public Library for informational purposes.

2/10/11; RESPONSE RECEIVED. Not a project per CEQA Guidelines Sections 15060(c)(3) and 15278.

2/28/11; RESPONSE RECEIVED. 2/14/11 - The Small Business Commission recommended approval.

3/8/11; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.

4. [110313](#) **[Settlement Agreement and Lease Amendment - Forty Niners, Ltd.]**

Sponsors: Mayor; Chiu and Cohen

Ordinance authorizing a settlement agreement and related lease amendment with the San Francisco Forty Niners, Ltd. (the 49ers) to settle a claim made by the 49ers on June 18, 2010, against the City and County of San Francisco relating to the condition of Candlestick Stadium; exempting any new City policy requirements that the City's Administrative Code would otherwise require for a material amendment to the lease.

Attachments: [Legislation Ver1](#)

[Comm Packet 032111](#)

3/15/11; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

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.

110222

[Public Works Code - Declaring Illegal Dumping on Public Property a Nuisance, and Providing a Mechanism for Abating and Enforcing that Nuisance]

Sponsor: Cohen

Ordinance amending the San Francisco Public Works Code by adding Article 25, Sections 1500 through 1505 to: 1) declare the illegal dumping of debris and waste construction materials or industrial materials, or of more than 100 pounds of any other waste, refuse, or debris, on public property to be a public nuisance; 2) authorize enforcement by the City Attorney in a civil action; and 3) permit the City and County of San Francisco to collect civil penalties, costs of abatement, investigation, and attorneys' fees against the individuals or entities responsible for the dumping; and making environmental findings.

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

3/1/11; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

3/16/11; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Department of Public Works for informational purposes.

110224 [Planning Code - Zoning Map Amendment - 2301 Market Street]**Sponsor: Wiener**

Ordinance amending the San Francisco Planning Code by amending Sectional Map HT07 of the Zoning Map of the City and County of San Francisco to rezone the property located at 2301 Market Street on the corner of Market and Noe Streets from a 50-X height and bulk limit to a 65-X height and bulk limit; 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.

Attachments: [Legislation Ver1](#)

3/1/11; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

3/16/11; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Planning Commission for public hearing and recommendation.

110227 [Planning Code - Zoning Map Amendment - Treasure Island/Yerba Buena Island - Redevelopment Plan]**Sponsor: Mayor**

Ordinance amending the San Francisco Planning Code by adding new Sectional Map ZN14 of the Zoning Map of the City and County of San Francisco to show the zoning designations of Treasure Island and Yerba Buena Island; adding new Sectional Map HT14 to establish the Height and Bulk District for Treasure Island and Yerba Buena Island; adding new Sectional Map SU14 to establish the Treasure Island/Yerba Buena Island Special Use District; 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](#)

3/1/11; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

110228 [General Plan Amendments - Treasure Island/Yerba Buena Island Redevelopment Plan]**Sponsor: Mayor**

Ordinance amending the San Francisco General Plan by amending the Commerce and Industry Element, Community Facilities Element, Housing Element, Recreation and Open Space Element, Transportation Element, Urban Design Element, and Land Use Index, maps and figures in various elements, in order to facilitate the development of Treasure Island and Yerba Buena Island, as envisioned in the Treasure Island/Yerba Buena Island Redevelopment Plan, adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

Attachments: [Legislation Ver1](#)

3/1/11; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

110229 [Planning Code - Zoning - Treasure Island/Yerba Buena Island - Special Use District]**Sponsor: Mayor**

Ordinance amending the San Francisco Planning Code by amending Section 105 relating to height and bulk limits for Treasure Island and Yerba Buena Island; adding Section [249.50] to establish the Treasure Island/Yerba Buena Island Special Use District; adding Section [263.26] to establish Special Height Provisions for the Treasure Island/Yerba Buena Island Special Use District and TI Height and Bulk District; amending the bulk limits table associated with Section 270 to recognize this District; and adopting findings, including environmental findings, and findings of consistency with the General Plan and Planning Code Section 101.1.

Attachments: [Legislation Ver1](#)

3/1/11; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

110230 [Subdivision Code - Treasure Island/Yerba Buena Island]**Sponsor: Mayor**

Ordinance amending the San Francisco Subdivision Code to add Division 4 pertaining to the subdivision process applicable to development within the Treasure Island and Yerba Buena Island Development Plan Area described in the Redevelopment Plan for the Treasure Island/Yerba Buena Island Redevelopment Project, including the establishment of a procedure for reviewing and filing vesting tentative transfer maps; and making environmental findings.

3/1/11; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

110234 [Subdivision - Lot Merger Ordinance - 525-31 Greenwich Street and 15 Kramer Place]**Sponsor: Chiu**

Ordinance providing for the merger of Lot Nos. 71 and 72 of Assessor's Block No. 0088 (525-31 Greenwich Street and 15 Kramer Place, respectively) in the City and County of San Francisco pursuant to California Government Code Sections 66451.11 et seq.

3/1/11; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

110277 [Planning Code - Historic Signs]**Sponsor: Campos**

Ordinance amending the San Francisco Planning Code by amending Section 608.14 regarding the authorization of historic signs; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and Planning Code Section 101.1.

3/8/11; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

110279 [Planning Code - Zoning - Prohibiting Formula Retail Pet Supply Stores in the Geary Boulevard Fast Food Subdistrict]**Sponsor: Mar**

Ordinance amending the San Francisco Planning Code by amending Section 781.4 to: 1) prohibit formula retail pet supply stores, as defined, in the Geary Boulevard Fast-Food Subdistrict; 2) amending the name of the Subdistrict to reflect this new prohibited use; and 3) adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

3/8/11; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

110280 [Public Works Code - Posting of Signs on City Property, Increasing Penalty, and Enforcement]**Sponsors: Mirkarimi; Wiener**

Ordinance amending the San Francisco Public Works Code by amending Sections 184.62, 184.63, and 184.65 thereof, to: 1) increase the minimum criminal penalty for violations of Article 5.6 of the Public Works Code from \$50 to \$100; 2) amend the procedures for administrative enforcement of Article 5.6 of the Public Works Code and specify the amounts of administrative penalties; 3) provide that in any civil action or administrative proceeding to enforce Article 5.6 the City shall have the burden of proof; 4) provide that where an unlawfully posted sign proposes a commercial transaction, the fact that the sign identifies a person or entity may give rise to an inference that person or entity posted or caused the posting of the sign; and 5) amending the Police Code by amending Section 39-1 thereof, to provide that that Section shall not apply to administrative citations issued under Public Works Code Section 184.63.

3/8/11; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

110282 [Administrative Code - Large Tourist Hotel Conversion]**Sponsor: Mayor**

Ordinance amending the San Francisco Administrative Code Chapter 41F, Section 41F.3, to extend the deadline for Planning Commission approval of applications for conversion of large tourist hotels to condominium projects, subject to completion of project-specific milestones by November 1, 2010, and making required findings.

Attachments: [110282.DOC](#)

3/8/11; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

110312 [Zoning Map Amendment - 701 Lombard Street]**Sponsors: Mayor; Chiu**

Ordinance amending the San Francisco Zoning Map by amending the zoning designation for 701 Lombard Street (Assessor's Block No. 74, Lot No. 01) from North Beach Neighborhood Commercial District and 40-X Height and Bulk District to "P" (Public) and "OS" (Open Space) Height and Bulk District for the new North Beach Public Library or other public use and for purposes of consistency with the adjacent Public and Open Space zoning designation of the Joe DiMaggio Playground; amending the Zoning Map to remove 701 Lombard Street from the Telegraph Hill - North Beach Residential Special Use District and the North Beach Special Use District; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Attachments: [Legislation_Ver1](#)

3/15/11; 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, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. 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, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at 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