



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: Sophie Maxwell, Eric Mar, David Chiu

Clerk: Alisa Somera (415) 554-4447

Monday, October 25, 2010

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. [101216](#) **[Mission Bay South - Fourth Street, Channel Street, and Third Street Public Infrastructure Improvements]**
Ordinance accepting the Irrevocable Offers of property along portions of Channel Street and Third Street and the irrevocable offers of improvements of public infrastructure improvements, including acquisition facilities on Channel Street, Fourth Street, and Third Street; dedicating such improvements for public use; declaring such areas as shown on Department of Public Works maps as open public right-of-way; designating such areas and improvements for street and roadway purposes; establishing street grades and sidewalk widths; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,869; and authorizing official acts in connection with this Ordinance. (Public Works Department)

Attachments: [Legislation Ver1](#)

[Comm Packet 102510](#)

9/20/10; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

2. [101217](#) **[Mission Bay South - Blocks 10-10A Public Infrastructure Improvements]**
Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay South Blocks 10-10A including acquisition facilities on China Basin Street, Terry A. Francois Boulevard and Mission Bay Boulevard North; declaring City property as shown on official Department of Public Works maps as open public right-of-way; dedicating such improvements for public use and designating such areas and improvements for street and roadway purposes; establishing street grades and sidewalk widths; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,870; and authorizing official acts in connection with this Ordinance. (Public Works Department)

Attachments: [Legislation Ver1](#)

[Comm Packet 102510](#)

9/20/10; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

3. [101218](#) **[Mission Bay South - Storm Water Pump Station No. 6 Public Infrastructure Improvements]**
Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay Storm Water Pump Station No. 6 including acquisition facilities located on and under Bayfront Park along Terry A. Francois Boulevard; accepting said facilities for City maintenance and liability purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,871; and authorizing official acts in connection with this Ordinance. (Public Works Department)

Attachments: [Legislation Ver1](#)

[Comm Packet 102510](#)

9/20/10; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

4. [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.

Attachments: [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Response PLN 012010](#)

[Legislation Ver2](#)

[Leg Digest Ver2](#)

[Response PLN 040210](#)

[Comm Packet 100410](#)

[Comm Packet 101810](#)

[Legislation Ver3](#)

[Legislation Ver4](#)

[Leg Digest Ver4](#)

[Comm Packet 102510](#)

1/12/10; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.
9/17/10 - 14-Day Fee Ad published.

1/19/10; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.
Referred to the Planning Commission for public hearing and recommendation.

1/20/10; RESPONSE RECEIVED. Not a project per CEQA Guidelines Sections 15060(c)(3) and 15378.

1/26/10; SUBSTITUTED. Mayor Newsom submitted a substitute ordinance bearing new title.

1/26/10; ASSIGNED to the Land Use and Economic Development Committee.

1/29/10; REFERRED TO DEPARTMENT. Re-referred the substitute legislation to the Planning Commission for public hearing and recommendation.

4/2/10; RESPONSE RECEIVED. Planning Commission Resolution No. 18056 recommended approval with modifications.

7/27/10; SUBSTITUTED. Mayor Newsom submitted a substitute ordinance bearing new title.

7/27/10; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.

8/4/10; REFERRED TO DEPARTMENT. Re-referred th substitute legislation (version 3) to the Planning Department for informational purposes.

10/4/10; CONTINUED. Speakers: None.
Continued to October 18, 2010.

10/18/10; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee.
Speakers: Tara Sullivan, Planning Department; Chandra Egan and Myrna Melgar, Mayor's Office of Housing;
Ace Washington; Amalia Aboitiz.

10/18/10; CONTINUED AS AMENDED. Continued to October 25, 2010.

5. [100829](#) **[Planning Code - Car-Share Controls]**

Sponsor: Chiu

Ordinance amending the San Francisco Planning Code, including Section 151.1 to enable the Planning Commission to require the provision of annual memberships to certified car-share organizations to residents of certain new development projects when certain findings are made; Section 163 to promote car-share services as a component of transportation management programs and transportation brokerage services; and Section 166 to permit car-share spaces in the same manner as residential accessory parking and require that car-sharing requirements for non-residential uses apply to all zoning districts; adopting findings, including findings under Section 302 of the Planning Code, environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

Attachments: [Legislation_Ver1](#)

[Leg_Digest_Ver1](#)

[Comm_Packet_102510](#)

8/24/10; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

6. [100495](#) **[California Environmental Quality Act Procedures, Appeals, and Public Notice]**

Sponsor: Alioto-Pier

Ordinance amending Administrative Code Chapter 31 to provide for appeals to the Board of Supervisors of certain environmental documents and determinations under the California Environmental Quality Act, to clarify procedures and to provide public notice of environmental documents and determinations.

Attachments: [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Response PLN 050410](#)

[Legislation Ver2](#)

[Leg Digest Ver2](#)

[Response PLN 071410](#)

[Budget Analyst 080410](#)

[Legislation Ver3](#)

[Leg Digest Ver3](#)

[Comm Packet 092710](#)

[Comm Packet 102510](#)

4/20/10; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

4/27/10; REFERRED TO DEPARTMENT. Referred to the Planning Department for review and recommendation.

5/4/10; RESPONSE RECEIVED. Not a project per CEQA Guidelines Section 15060(c)(2).

7/14/10; RESPONSE RECEIVED. Planning Commission Resolution No. 18116 and Historic Preservation Commission Resolution No. 649 recommended approval with modifications.

7/20/10; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.

7/20/10; SUBSTITUTED. Supervisor Alioto-Pier submitted a substitute ordinance bearing new title.

7/26/10; REFERRED TO DEPARTMENT. Referred the substitute legislation to the Planning Department for review and comment.

9/21/10; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee. Supervisor Alioto-Pier submitted a substitute ordinance bearing same title.

9/23/10; REFERRED TO DEPARTMENT. Referred the substitute legislation (version 3) to the Planning Department for review and comment.

9/27/10; CONTINUED. Heard in Committee. Speakers: Bill Barnes, Legislative Aide to Supervisor Alioto-Pier; AnMarie Rodgers and Bill Wycko, Planning Department; Zach Stewart, Canessa; Sue Vaughan, Sierra Club; David Tornheim; Nan Roth, Telegraph Hill Dwellers; Paul Wermer; Bret Gladstone; Tom Radulavich, Livable City; David Pilpel; David Glover.
Continued to October 25, 2010.

The Chair will entertain a motion to continue the matter to November 15, 2010.

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.

101219

[Relocation Impact Study and Last Resort Housing Plan for Central Subway Project]

Ordinance approving the San Francisco Municipal Transportation Agency's Relocation Impact Study and Last Resort Housing Plan for the Central Subway Project. (Municipal Transportation Agency)

Attachments: [Legislation Ver1](#)

9/20/10; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

101247 [Planning Code Amendments - Update the Visitacion Valley Community Facilities and Infrastructure Fee and Fund]**Sponsor: Maxwell**

Ordinance amending the San Francisco Planning Code by amending Sections 420.1 through 420.5 to update the Visitacion Valley Community Facilities and Infrastructure Fee and Fund and to conform the program with other Area Plan fee programs; making conforming changes to Sections 401 (definitions) and 406 (waiver, reduction, or adjustment of development project requirements); and making findings, including environmental findings.

Attachments: [Legislation_VER1](#)

9/28/10; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

10/6/10; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review and the Planning Commission and the Planning Department for information purposes only.

101309 [Planning Code Amendments - 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.

Attachments: [Legislation_VER1](#)

10/19/10; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

101311 [Administrative Code Amendment - 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.

Attachments: [Legislation_VER1](#)

10/19/10; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

101313**[Zoning Map and Planning Code Amendments - 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.

Attachments: [Legislation_Ver1](#)

[Leg_Digest_Ver1](#)

10/19/10; 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