



# 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, February 28, 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. [110185](#) **[Reciprocal Easement Agreement - Property Located at 150 Otis Street and 170 Otis Street]**

**Sponsor: Chiu**

Resolution approving and authorizing a reciprocal easement agreement for the conveyance of easements over portions of City-owned property located at 150 Otis Street and 170 Otis Street, required as part of the long term ground lease to 150 Otis Associates, L.P., under San Francisco Charter Section 9.118, for the development and operation of affordable housing; adopting findings that the conveyance is in conformance with CEQA, the City's General Plan, and the priority policies of Planning Code Section 101.1; and authorizing City's Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this resolution.

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

[Comm Packet 022811](#)

2/15/11; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

*The Chair will entertain a motion to send this item forward as Committee Report to the full Board on March 1, 2011.*

2. [110115](#) **[Summary Vacation, Jurisdictional Transfer, and Sale of City Property - Ocean Avenue and Phelan Avenue]**

**Sponsors: Elsbernd; Avalos**

Ordinance: (1) ordering the summary vacation of an approximately 17,050 square foot portion of City property located near Ocean Avenue and Phelan Avenue pursuant to the California Streets and Highways Code Sections 8330 et seq.; (2) authorizing the jurisdictional transfer of such portion of City property from the Department of Public Works to the Municipal Transportation Agency; (3) authorizing the sale of an approximately 25,772 square foot portion of City property located near Ocean Avenue and Phelan Avenue to the San Francisco Redevelopment Agency for \$4,056,580 and the grant of a pedestrian access easement and an emergency fire apparatus access easement over a portion of adjacent City property; (4) adopting environmental findings and other findings that the actions set forth in this Ordinance are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; (5) adopting findings that Administrative Code Chapter 23A does not apply to the sale of such portion of City property; and (6) authorizing other actions in furtherance of this Ordinance.

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

[Comm Packet 022811](#)

2/1/11; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

3. [110009](#) **[Planning Code - Amending Area Plan Fee Waiver Criteria for Affordable Housing]**

**Sponsor: Cohen**

Ordinance amending the San Francisco Planning Code by amending Section 406 to revise the criteria for waiver of Area Plan fees, including the Rincon Hill Community Infrastructure Impact Fee, the Market and Octavia Community Improvements Impact Fee, the Eastern Neighborhoods Infrastructure Impact Fee, the Balboa Park Impact Fee, and the Visitacion Valley Community Facilities and Infrastructure Impact Fee, for affordable housing projects; and making findings, including environmental findings.

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

[Leg Digest Ver1](#)

[Response PLN 011411](#)

[Response PLN 021711](#)

[Comm Packet 022811](#)

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; Planning Commission for public hearing and recommendation; and Mayor's Office of Housing, Housing Authority, and Redevelopment Agency for informational purposes.

1/14/11; RESPONSE RECEIVED. Exempt per CEQA Guidelines Section 15273, Rates, Tolls, Fares and Changes.

2/17/11; RESPONSE RECEIVED. 12/9/10 - The Planning Commission considered the matter as part of File No. 101247; review is complete without recommendation.

4. [101523](#) **[Planning Code, Administrative Code - Development Impact and In-Lieu Fees]**

**Sponsor: Mayor**

Ordinance amending the San Francisco Planning Code by amending Section 409 to clarify that the Annual Infrastructure Cost Inflation Adjustments to development fees authorized by the section that do not need further action by the Board of Supervisors, to provide that the Planning Director be included in the annual fee reporting process, and to make other technical amendments to simplify the annual fee reporting process and ensure that the Controller's Office and the Capital Planning Program coordinate their efforts, and by amending other sections of Article 4 to clarify language, eliminate confusion as to when requirements must be met, and correct errors in cross-referencing; amending the San Francisco Administrative Code by repealing Section 38.14 (the Severability Clause) and moving it to Section 430; adopting environmental, Planning Code Section 302, and Planning Code Section 101.1 findings.

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

[Leg Digest Ver1](#)

[Response PLN 122210](#)

[Response PLN 122810](#)

[Response SBC 011911](#)

[Comm Packet 022811](#)

12/7/10; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

12/22/10; 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 Department of Building Inspection, City Controller, and City Administrator/Capital Planning Program for informational purposes only.

12/22/10; RESPONSE RECEIVED. Not a project per CEQA Guidelines Section 15060(c)(2).

12/28/10; RESPONSE RECEIVED. 12/16/10 - The Planning Commission recommended approval of the proposed legislation; Resolution No. 18240.

1/19/11; RESPONSE RECEIVED. 01/19/11 - The Small Business Commission had no comment on this matter.

5. [101325](#) **[Hearing - San Francisco Local Hiring Policy for Construction]**  
**Sponsor: Avalos**  
Informational hearing on the San Francisco Local Hiring Policy for construction and related matters.

**Attachments:** [Comm Packet 110810](#)

[Comm Packet 022811](#)

10/19/10; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

11/8/10; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Supervisor John Avalos, Board of Supervisors; Chris Iglesias, Office of Economic and Workforce Development; Dr. Laura Luster; Guillermo Rodriguez, SF City Build; Rhonda Simmons, Director of Workforce Development; Espanola Jackson; Patrick Quinlan, Quinlan Company; Macio Lyons, Osiris Coalition; Fei Yi Chen, Chinese Progressive Association; Ace Washington; Will Hall, Construction Systems; Dorothy Peterson, Shoreview Res Association; Alpha Buie, Inner City Adolescent Network; Zhang Ye Ching, Wu Xiu Chan, Chinese Progressive Association; Male Speaker; Male Speaker; Jeanine Cotter, Luminalt; Walter Paulson; Ivan Villalobos, Archi4Collaborative; Frances Carr; Andrew Krimstock, Construction Employers Association; Michael Theriault, SF Building Trades; Greg Doxey, Osiris Coalition; Un Un Che, Chinese Progressive Association; Jaron Brown, Power; Dashawn; Carl Augustine; Martin Espinoza, Carpenters; Paul Currier; Derek L. Toliver, Go2Strategy, LLC; Ed Dowlintin; Terry Anders, Anders & Anders Foundation; Gregory Hall; Chris Jackson; Gregory Reed, APRI; Manuel Flores, Local Carpenters 22; Al Norman, Al Norman Mechanical, Inc.; Alex Lantsberg, NCCRC/Carpenters Local 22; Eric Brooks; Oscar Grande; Mindy Kener, Anders & Anders Foundation.

6. [101572](#) **[Hearing - Local Hiring for Non-Public Work Projects]**  
**Sponsor: Mirkarimi**  
Hearing to review various avenues for increasing local hiring on non-public work projects including the following: 1) Private projects that the City subsidizes, which are covered by the First Source Hiring Ordinance; 2) Projects governed by the Redevelopment Agency and Port; 3) Non-public work jobs where the City directly hires workers to perform work for the City; 4) Incorporating local hire requirements into the City's Project Labor Agreement negotiations; and 5) Local hire policies for permanent jobs with the City, the Port, and Redevelopment Agency.

**Attachments:** [Comm Packet 022811](#)

12/14/10; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

12/22/10; REFERRED TO DEPARTMENT. Referred to the Small Business Commission, Human Rights Commission, Redevelopment Agency, and Port for informational purposes only.

## 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.*

#### 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 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](#)

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.

**110116 [Planning Code - Zoning Map - Presidio-Sutter Special Use District - 800 Presidio Avenue]****Sponsors: Farrell; Mar and Mirkarimi**

Ordinance amending the San Francisco Planning Code by adding Section 259.53 to establish the Presidio-Sutter Special Use District for property located at 800 Presidio Avenue (Assessor's Block No. 1073, Lot No. 13); amending Sheet HT03 of the Zoning Map to change the Height and Bulk District from 40-X to 55-X; and amending Sheet SU-03 of the Zoning Map to reflect the boundaries of the Presidio-Sutter 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](#)

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

2/9/11; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Youth Commission for review and recommendation; and Department of Building Inspection for informational purposes.

**110147 [General Plan Amendment - Mission District Streetscape Plan]**

Ordinance amending the San Francisco General Plan by amending Policy 5.3.7 of the Mission Area Plan to reflect the adoption of the Mission District Streetscape Plan; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Commission)

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

2/3/11; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.



**110152 [Planning Code - Zoning - Self-Service Restaurants, Retail Coffee Stores, and Video Stores]****Sponsor: Mirkarimi**

Ordinance amending the San Francisco Planning Code by amending Sections 710, 730, 733A, 733A.1, 790.90, 790.91, and 790.102 of the Planning Code to: (1) increase the maximum use size for Small Self-Service Restaurants in Neighborhood Commercial Districts to that of the non-residential use size limit for the district and eliminate the limit on the number of seats; (2) increase the minimum size for Large Self-Service Restaurants in Neighborhood Commercial Districts to that of the non-residential use size limit for the district; (3) principally permit Small Self-Service Restaurants and Video Stores in Neighborhood Commercial Cluster (NC-1) and Neighborhood Commercial Transit Cluster (NCT-1) Districts; (4) conditionally permit Large Self-Service Restaurants in the Inner Sunset Neighborhood Commercial District; (5) require that mechanical noise and vibration from Self-Service Restaurants be confined to the premises; and (6) remove the prohibition of on-site food preparation and cooking and reheating equipment in Retail Coffee Stores; 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 021811](#)

2/8/11; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

2/15/11; 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.

2/18/11; RESPONSE RECEIVED. Not a project per CEQA Guidelines Sections 15060(c)(3) and 15378.

**110153 [Administrative Code - Residential Rent Ordinance - Good Samaritan Base Rent Following Emergency Dislocation of Tenant]****Sponsors: Wiener; Farrell**

Ordinance amending Administrative Code Chapter 37 Residential Rent Arbitration and Stabilization Ordinance, by amending Section 37.2(a) to provide for temporary Good Samaritan base rent when a landlord and new tenant agree for the tenant to commence occupancy following an emergency such as fire or earthquake or landslide that required unexpected vacation of the tenant's previous unit, and the agreement includes a reduced rent rate for up to the first three hundred sixty-five (365) days of occupancy (Original Good Samaritan Status Period); initial base rent for purposes of calculating annual CPI increases per Section 37.3 shall be the rent payable upon expiration of the Original Good Samaritan Status Period, or upon expiration of any Extended Good Samaritan Status Period as agreed by the landlord and tenant in writing, for a total of no more than 730 days of Original and Extended Good Samaritan Status days combined; Good Samaritan status may be utilized only upon written certification by a specified City Official, that identifies the emergency and the resulting unit vacation on grounds of public health, safety, and habitability.

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

2/8/11; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

2/17/11; REFERRED TO DEPARTMENT. Referred to the Rent Board, Fire Department, Department of Building Inspection, and Department of Public Health for informational purposes.

## 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](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)