



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: Scott Wiener, Jane Kim, Malia Cohen

Clerk: Andrea Ausberry (415) 554-4442

Monday, January 12, 2015

1:30 PM

City Hall, Committee Room 263

Regular Meeting

AGENDA CHANGES

REGULAR AGENDA

- 141271** **[Real Property Acquisition - 66 Raymond Avenue - Bridgeway Vista II, LP - \$1]**
Sponsor: Cohen
Resolution authorizing the acquisition of real property at 66 Raymond Avenue (Assessor's Block No. 6237, Lot Nos. 014, 015, 016, and 017) from Bridgeway Vista II, LP, for the nominal cost of \$1.

12/9/14; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.
1/6/15; REFERRED TO DEPARTMENT.

The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on January 13, 2015.
- 141231** **[Interim Zoning Controls - New Massage Establishments]**
Sponsor: Tang
Resolution imposing interim zoning controls requiring conditional use authorization for any new massage establishments, for eighteen months; and making findings, including environmental findings, and findings of consistency with the eight priority policies of Planning Code, Section 101.1.

11/25/14; ASSIGNED to the Land Use and Economic Development Committee.
12/16/14; REFERRED TO DEPARTMENT.
12/16/14; RESPONSE RECEIVED.
1/2/15; NOTICED.

The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on January 13, 2015.

3. [141192](#) **[Interim Zoning Controls Six-Month Extension - Upper Market Street Neighborhood Commercial Transit District]**
Sponsor: Wiener
Resolution extending, for an additional six-month period, interim zoning controls requiring conditional use authorization for limited financial service and business or professional service uses in the Upper Market Neighborhood Commercial Transit District; and affirming the Planning Department's California Environmental Quality Act determination.

11/18/14; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

12/3/14; REFERRED TO DEPARTMENT.

12/9/14; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.

12/18/14; RESPONSE RECEIVED.

12/30/14; REFERRED TO DEPARTMENT.

1/2/15; NOTICED.

The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on January 13, 2015.

4. [140982](#) **[Planning Code - Arcades in the Upper Market Street Neighborhood Commercial Transit District]**
Sponsor: Wiener
Ordinance amending the Planning Code to permit arcades in the Upper Market Street Neighborhood Commercial Transit District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

9/16/14; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

9/29/14; REFERRED TO DEPARTMENT.

10/17/14; RESPONSE RECEIVED.

11/18/14; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.

1/7/15; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.

5. [141265](#) **[Police Code - Property Services Contractors at Formula Retail Establishments]**
Sponsor: Breed
Ordinance amending the Police Code to require Formula Retail Establishments that have entered into contracts with Property Services Contractors that are in effect between April 1, 2015, and July 3, 2015, to provide such contractors with copies of Police Code, Articles 33F, and 33G, which establish certain rights of employees of such contractors.

12/9/14; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

12/30/14; REFERRED TO DEPARTMENT.

1/6/15; REFERRED TO DEPARTMENT.

ADJOURNMENT

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

NOTE: The following legislation will not be considered at this meeting. Board Rule 3.22 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.

141253

[Planning Code - Consolidate Definitions, Reorganize Article 2, and Make Other Nonsubstantive Changes to Update, Clarify, and Simplify Code Language]

Sponsor: Wiener

Ordinance amending the Planning Code to consolidate definitions into Section 102, reorganize Article 2 to create Zoning Control Tables, and make nonsubstantive changes to various sections in Articles 1, 2, 3, 4, 6, 7, and 8, in order to update, clarify, and simplify Code language; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

12/1/14; RECEIVED FROM DEPARTMENT.

12/16/14; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

141264

[General Plan Amendments - Urban Forest Plan (Phase 1: Street Trees)]

Sponsor: Wiener

Ordinance amending the General Plan by amending Policy 3.6 of the Recreation and Open Space Element to reflect the adoption by reference of the Urban Forest Plan (Phase 1: Street Trees); affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

12/9/14; RECEIVED FROM DEPARTMENT.

12/16/14; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

141298 [Various Codes - Noise Regulations Relating to Residential Uses Near Places of Entertainment]**Sponsors: Breed; Wiener**

Ordinance amending the Building, Administrative, Planning, and Police Codes to require attenuation of exterior noise for new residential structures and acoustical analysis and field testing in some circumstances; to provide that a Place of Entertainment (POE) permitted for 12 months not become a public or private nuisance on the basis of noise for nearby residents of newly constructed or converted residential structures; to authorize the Entertainment Commission to hold a hearing on a proposed residential use near a POE, and require the project sponsor's participation in the hearing; to authorize the Entertainment Commission to measure noise conditions at such project sites and provide comments and recommendations regarding noise to the Planning Department and Department of Building Inspection; to require lessors and sellers of residential property to disclose to lessees and purchasers potential noise and other inconveniences associated with nearby POE's and authorize civil penalties for not providing disclosure; to require that such disclosure requirements be recorded against a residential property in a Notice of Special Restrictions; to require the Planning Department and Commission to consider noise issues when reviewing proposed residential projects; and to specify factors concerning noise for the Entertainment Commission to review when considering granting a POE permit; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of local conditions under California Health and Safety Code, Section 17958.7; and directing the Clerk of the Board of Supervisors to forward the Ordinance to specified state agencies upon final passage.

12/16/14; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

1/5/15; TRANSFERRED to the Government Audit and Oversight Committee.

141300 [Police Code - Rights of Formula Retail Employees in Hotels]**Sponsor: Mar**

Ordinance amending the Police Code to allow collective bargaining agreements covering employees of Formula Retail Establishments in hotels to waive the protections of Articles 33F and 33G, which, among other things, require employers to offer additional hours of work, when available, to current part-time employees; require successor employers to retain employees for 90 days upon a change in control of the business; provide employees with certain rights regarding notice of and changes to their work schedules; and provide part-time employees with the same starting rate of hourly pay, access to time off, and eligibility for promotions, as provided to full-time employees.

12/16/14; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

141302 [Health Code - Massage Practitioners, Establishments, and Associated Fees]**Sponsor: Tang**

Ordinance amending the Health Code to comprehensively revise regulation of massage practitioners and establishments by, among other things; 1) eliminating the exemption of massage establishments employing only State-certified massage practitioners from the permitting and regulatory authority of the Department of Public Health; 2) increasing the number of instructional hours required for general and advanced massage practitioner permits; 3) denying massage establishment permits to applicants who have been convicted of or are currently charged with criminal acts related to human trafficking; 4) aligning massage practitioner attire requirements with State law; 5) incorporating State human trafficking information posting requirements into local law for enforcement purposes; 6) revising the timing and criteria for granting, denying, suspending, and revoking general and advanced massage practitioner permits, massage establishment permits, outcall massage service permits, and sole practitioner massage establishment permits; 7) specifying massage practitioner permit application and annual license fees; 8) updating the application and annual license fee amounts for massage establishments, outcall massage services, and sole practitioner massage establishments to reflect the currently authorized amounts; and 9) grouping related requirements and making other changes to enhance clarity and promote compliance.

12/16/14; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

141303 [Planning Code - Massage Establishments]**Sponsor: Tang**

Ordinance amending the Planning Code to require that massage establishments, as defined, obtain a Conditional Use permit; listing exceptions to that requirement; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

12/16/14; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

141304 [Supporting the San Francisco 2024 Olympic Bid]**Sponsors: Mayor; Farrell, Breed, Kim, Tang, Wiener and Cohen**

Resolution supporting the efforts of San Francisco 2024 (SF2024) to bring the 2024 Olympic and Paralympic Games to the San Francisco Bay Area and encouraging the United States Olympic Committee to select San Francisco as the official U.S. Candidate City for the 2024 Olympic and Paralympic Games; authorizing the Mayor to execute an Agreement with SF2024; authorizing the Mayor to execute the Joinder Agreement with the United States Olympic Committee; and authorizing the Mayor to execute the Host City Contract.

12/16/14; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

Agenda Item Information

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, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

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; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, 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.

IMPORTANT INFORMATION: The public is encouraged to testify at Committee meetings. 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. Written communications should be submitted to the Clerk of the Board, Clerk of a Committee or its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution.

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, 1 Dr. Carlton B Goodlett Place, or on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SFGovTV, the Government Channel 26. Meetings are broadcast live on KPOO 89.5 FM. 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 Peggy Nevin at (415) 554-5184. **AVISO EN ESPAÑOL:** La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Derek Evans (415) 554-7702. **Paunawa:** Ang mga kahilingan ay kailangang matanggap sa loob ng 48 oras bago mag miting upang matiyak na matutugunan ang mga hiling. Mangyaring tumawag kay Joy Lamug sa (415) 554-7712.

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 SFGovTV, the Government Channel 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 Wilson Ng at (415) 554-5184 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. 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; phone at (415) 554-7724; 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 <http://www.sfgov.org/ethics>