



# 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*

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**Monday, November 15, 2010**

**1:00 PM**

**City Hall, Committee Room 263**

### **Regular Meeting**

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*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. [101075](#) **[Building Code - Development Fee Collection Procedure and Administrative Fee]**

**Sponsor: Mayor**

Ordinance amending the San Francisco Building Code by amending Section 107A.13 to modify the method of calculating the development fee deferral surcharge rate and to clarify when a project sponsor may elect to defer the payment of development impact and in-lieu fees, adopting environmental finding.

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

[Comm Packet 111510](#)

8/3/10; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee. 10/31/10 - 14-Day Fee Ad published and posted.

8/9/10; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review.

8/10/10; RESPONSE RECEIVED. Planning Department advises that proposed legislation is exempt from environmental review.

8/12/10; REFERRED TO DEPARTMENT. Referred to Building Inspection Commission for public hearing.

10/21/10; RESPONSE RECEIVED. The Building Inspection Commission recommends approval of the legislation.

10/28/10; TRANSFERRED to the Land Use and Economic Development Committee.

**2. [101057](#) [Planning Code - Health Care Services Master Plan]****Sponsors: Campos; Mar, Maxwell, Mirkarimi, Avalos, Chiu and Daly**

Ordinance amending the San Francisco Planning Code by adding Sections 342 to 342.10 requiring the preparation of a Health Care Services Master Plan identifying the current and projected needs for, and locations of, health care services within San Francisco and recommending how to achieve and maintain appropriate distribution of, and equitable access to, such services; requiring that medical institutions applying for land use approvals obtain a consistency determination from the Planning Commission determining that the proposed use promotes the goals recommended in the Master Plan; providing fees for the consistency determination, and making findings, including findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1 and environmental findings.

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

[Leg Digest Ver1](#)

[Response PLN 092010](#)

[Comm Packet 110110](#)

[Comm Packet 111510](#)

8/3/10; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.  
10/17/10 - 14-Day Fee Ad published and posted.

8/27/10; REFERRED TO DEPARTMENT. Referred to the Planning Commission for public hearing and recommendation. Referred to the Planning Department for environmental review. Referred to Department of Public Health, Health Commission and the Board of Appeals for informational purposes.

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

10/29/10; RESPONSE RECEIVED. On October 28, 2010 the Planning Commission conducted a public hearing and adopted Resolution No. 18202 recommending approval with modifications.

11/1/10; CONTINUED. Heard in Committee. Speakers: Supervisor David Campos, Board of Supervisors; John Rahaim, Director, Planning Department; Bonnie Lew, Linda Liu, Diane Liu, Sam Lee, Jimmy Nguyen, Michelle Xiong, Un Un Che, Natalie Gee, and Alex Tom, Chinese Progressive Association; Linda Chapman; Nato Green, California Nurses Association; Marlayne Morgan, Neighborhood Network; Ron Smith, Hospital Council; Rob Black, SF Chamber of Commerce; Gerry Crowley, Neighborhood Network; Randy Winthorp, Kaiser Permanente; Abbie Yant, St. Frances/St. Mary's Hospitals; Elizabeth Ortega, Operations Manager, and Hamaseh Kianfar, Director of Senior Services, Bernal Heights Senior Center; Le Tim Ly and Emily Lee, Chinese Progressive Association; Joseph Smooke, Executive Director, and Kevin Kitchingham, Housing Director, Bernal Heights Neighborhood Center; Sue Hestor; Leon Chow.

Continued to November 15, 2010.

*The Chair will entertain a motion to send this item forward as a Committee Report to the full Board on November 16, 2010.*

3. [101193](#) **[Approving General Plan Amendments in Connection with the Better Streets Plan]**

**Sponsors:** Mayor; Mar

Ordinance amending the Urban Design and Transportation Elements of the San Francisco General Plan to incorporate the San Francisco Better Streets Plan by reference, and to make objectives and policies relating to pedestrian transportation consistent with the Better Streets Plan; making environmental findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1.

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

[Leg Digest Ver1](#)

[Response PLN 100410](#)

[Comm Packet 111510](#)

9/21/10; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.  
11/5/10 - 10-Day General Plan Notice was published, posted and mailed.

9/30/10; REFERRED TO DEPARTMENT. Referred to the Planning Commission for public hearing and recommendation; and the Planning Department for environmental review.

10/4/10; RESPONSE RECEIVED. Environmental review completed, per Mitigated Negative Declaration on the San Francisco Better Streets Plan finalized on September 17, 2010.

4. [101194](#) **[Administrative Code, Public Works Code and Subdivision Code - Better Streets Plan Implementation]**

**Sponsors: Mayor; Mar**

Ordinance adopting the Better Streets Plan; amending Chapter 98.1 of the Administrative Code to require street improvements to conform with the policies and guidance of the San Francisco Better Streets Plan (Better Streets Plan); amending various sections of the Planning Code to consolidate requirements for street improvements; to require street improvements to follow the policies and guidance of the Better Streets Plan; to expand and modify existing requirements for provision of street trees; to require specified projects to submit a streetscape plan with application submission; and to describe additional requirements for certain areas of the City subject to neighborhood streetscape plans, including Downtown and Rincon Hill; amending various sections of the Public Works Code to be consistent with the Better Streets Plan, including waiving public right-of-way occupancy fees for Better Streets Plan elements; amending Sections 1335, 1336, and 1337 of the Subdivision Code to require streetscape, pedestrian, and stormwater improvements consistent with the Better Streets Plan as part of subdivision approvals; and making findings, including environmental findings and findings that the Planning Code amendments and General Plan amendments are consistent, on balance, with the General Plan and Planning Code Section 101.1.

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

[Response\\_PLN\\_100410](#)

[Legislation\\_Ver1](#)

[Comm\\_Packet\\_111510](#)

9/21/10; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

9/30/10; REFERRED TO DEPARTMENT. Referred to the Planning Commission for public hearing and recommendation; Planning Department for environmental review; and the Department of Public Works for informational purposes.

10/4/10; RESPONSE RECEIVED. Environmental review completed, per Mitigated Negative Declaration on the San Francisco Better Streets Plan finalized on September 17, 2010.

5. [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](#)

[Comm\\_Packet\\_111510](#)

9/20/10; 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](#)

[Comm Packet 111510](#)

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.

10/25/10; CONTINUED. Speaker: David Glover.

Continued 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.*

#### 101309

#### **[Planning Code - 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](#)

[Leg Digest Ver1](#)

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

11/2/10; 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.

**101311 [Administrative Code - 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.

(Economic Impact.)

**Attachments:** [Legislation ver1](#)  
[Leg Digest Ver1](#)

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

10/27/10; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for comment and recommendation. Referred to the Planning Department, Youth Commission, San Francisco Office of Economic & Workforce Development, Department of Public Works, Human Rights Commission, Civil Service Commission, Public Utilities Commission, Office of the Controller, San Francisco Redevelopment Agency, and the Office of Labor Standards Enforcement for information purposes only.

**101313 [Zoning Map and Planning Code - 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.

10/27/10; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for review and recommendation; Planning Commission for review and response; and to CEQA for environmental review.



**101350****[Planning Code – Zoning – Parking in South of Market and Mission Bay Districts]****Sponsor: Daly**

Ordinance amending the San Francisco Planning Code by amending Sections 151, 151.1, 155, 161, 249.1, 249.23, and Part VII of Article 9 (1) to remove minimum parking requirements and establish maximum parking limits in M-1, C-M, and South of Market districts and the Folsom and Main Residential/Commercial and Fourth and Freelon Streets Special Use Districts to make them consistent with those of neighboring districts, (2) to require that non-residential and non-hotel parking in C-3 in the South of Market Mixed Use districts adjacent to Downtown maintain a fee structure which discourages long-term commuter parking, (3) to make parking controls in the Mission Bay Districts that are subject to the Planning Code consistent with requirements of neighboring districts; and (4) 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](#)

10/26/10; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

11/5/10; 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.

## 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)