



# 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*

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Monday, October 6, 2014

1:30 PM

City Hall, Committee Room 263

### Regular Meeting

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## AGENDA CHANGES

## REGULAR AGENDA

1. [140952](#) **[Administrative Code - Better Streets Policy - Including the National Association of City Transportation Officials Urban Design Guides]**  
**Sponsor: Wiener**  
Ordinance amending the Administrative Code to include the National Association of City Transportation Officials Urban Street Design Guide and Urban Bikeway Design Guide as an additional reference in City transportation planning and design projects and programs.  
  
9/9/14; ASSIGNED to the Land Use and Economic Development Committee.  
  
9/19/14; 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 October 7, 2014.*

2. [140806](#) **[Health, Building Codes - Ventilation Requirement for Urban Infill Development and Establishing Fees]**  
**Sponsor: Cohen**  
Ordinance amending the Health Code, Article 38, to require an enhanced ventilation system for sensitive use projects within the Air Pollutant Exposure Zone and establishing document review fees; amending the Building Code to correspond to the Health Code changes; making environmental findings, and findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.
- 7/15/14; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.
- 7/29/14; REFERRED TO DEPARTMENT.
- 8/14/14; RESPONSE RECEIVED.
- 9/2/14; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.
- 9/16/14; REFERRED TO DEPARTMENT.
- 9/22/14; NOTICED.
- 9/24/14; RESPONSE RECEIVED.
- 9/28/14; NOTICED.
3. [140889](#) **[Hearing - Reduction of Water Usage In San Francisco]**  
**Sponsor: Wiener**  
Hearing with the Public Utilities Commission, Department of Public Works, Recreation and Park Department, and the Department of the Environment to report on San Francisco's overall strategy to reduce water usage, and each department's efforts to reduce water usage, to determine whether or not to move forward with legislation 1) to require that multi-unit buildings be separately metered for water, and 2) to require increased water recycling/reuse through City recycling plants, other means of recycling and code changes to require that new construction have the capacity to have separate new and recycled water systems.
- 7/29/14; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.
- 8/13/14; REFERRED TO DEPARTMENT.
4. [130412](#) **[Public Works Code - Installation of Communications Infrastructure in Excavation Projects]**  
**Sponsors: Chiu; Wiener**  
Ordinance amending the Public Works Code to require the installation of City-owned telecommunications and electricity infrastructure in excavation projects where the City has determined that it is both financially feasible and consistent with the City's long-term goals to develop the City's electrical and communications infrastructure; and to coordinate the installation of the infrastructure with municipal and utility excavators.
- 5/7/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.
- 5/31/13; REFERRED TO DEPARTMENT.
- 6/2/14; REMAIN ACTIVE.
- 9/30/14; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.

5. [130442](#) **[Hearing - City Fiber Network]**  
**Sponsor: Chiu**  
Hearing into the vision and strategy of the Department of Technology and other City agencies regarding the expansion and uses, including support for public WiFi, of the City's fiber network.
- 5/7/13; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.
- 5/13/13; REFERRED TO DEPARTMENT.
- 6/2/14; REMAIN ACTIVE.
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6. [140804](#) **[Planning Code - Arcades in the Haight Street Neighborhood Commercial District]**  
**Sponsors: Breed; Wiener**  
Ordinance amending the Planning Code to permit arcades in the Haight Street Neighborhood Commercial 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.
- 7/15/14; ASSIGNED to the Land Use and Economic Development Committee.
- 7/28/14; REFERRED TO DEPARTMENT.
- 7/31/14; RESPONSE RECEIVED.
- 9/19/14; RESPONSE RECEIVED.
- 9/30/14; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.

7. [140844](#) **[Planning Code - Formula Retail and Large-Scale Retail Controls]**  
Ordinance amending the Planning Code to amend the definition of Formula Retail to include businesses that have 19 or more outlets worldwide; expand the applicability of Formula Retail controls to other types of uses; require Conditional Use authorization for Formula Retail establishments in the C-3-G district with facades facing Market Street, between 6th Street and the intersection of Market Street, 12th Street and Franklin Street; delete the requirement for Conditional Use authorization when a Formula Retail establishment changes operator but remains the same size and use category; define intensification and abandonment for Formula Retail uses; require Formula Retail uses to comply with performance guidelines; amend the Conditional Use criteria for Large-Scale Retail Uses except for General and Specialty Grocery stores, to require an economic impact study and establish new fees for said study; amend Neighborhood Commercial Districts that required Conditional Use for Financial and Limited Financial Services to principally permit Financial and Limited Financial Services; delete the Conditional Use requirement for Walk-Up Facilities that are not set back 3 feet; and adopting findings, including environmental findings, Planning Code, Section 302 findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

6/30/14; RESPONSE RECEIVED.

7/18/14; RESPONSE RECEIVED.

7/21/14; RECEIVED FROM DEPARTMENT.

7/29/14; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

8/19/14; REFERRED TO DEPARTMENT.

9/18/14; RESPONSE RECEIVED.

9/22/14; NOTICED.

9/28/14; NOTICED.

*The Chair intends to entertain a motion to continue this item to October 27, 2014.*

**8. [130788](#) [Planning Code - Expanding Formula Retail Controls]****Sponsor: Mar**

Ordinance amending the Planning Code to expand the definition of formula retail to include businesses that have eleven or more outlets worldwide, and to include businesses 50% or more owned by formula retail businesses; expand the applicability of formula retail controls to other types of retail uses; expand the notification procedures for formula retail applications; require an economic impact study as part of the formula retail conditional use application; charge administrative fees to pay for staff review time of such studies; and making environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.

(5/13/14 - Supervisor Mar submitted a substitute ordinance bearing a new title.)

7/26/13; RESPONSE RECEIVED.

7/30/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

8/8/13; REFERRED TO DEPARTMENT.

8/14/13; RESPONSE RECEIVED.

10/22/13; REACTIVATED PURSUANT TO RULE 3.42 to the Land Use and Economic Development Committee.

5/13/14; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.

5/21/14; REFERRED TO DEPARTMENT.

5/21/14; RESPONSE RECEIVED.

7/18/14; RESPONSE RECEIVED.

9/22/14; NOTICED.

9/28/14; NOTICED.

*The Chair intends to entertain a motion to continue this item to October 27, 2014.*

## 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.*

### 140954

#### **[Planning Code - Exceptions from Dwelling Unit Density Limits and from Other Specified Code Requirements]**

##### **Sponsors: Wiener; Breed**

Ordinance amending the Planning Code to permit exceptions from dwelling unit density limits and other requirements of the Code when adding Dwelling Units to existing buildings undergoing seismic retrofitting; deleting the requirement that a new In-Law Unit constructed in and near the Castro Street Neighborhood Commercial District be limited to 750 square feet; correcting outdated cross-references and 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.

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

9/19/14; REFERRED TO DEPARTMENT.

### 140970

#### **[Administrative Code - Calculating Interest on Residential Rental Security Deposits]**

Ordinance amending the Administrative Code to provide a new method for calculating the interest on residential rental security deposits beginning March 1, 2015. (Rent Stabilization and Arbitration Board)

9/9/14; RECEIVED FROM DEPARTMENT.

9/23/14; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

**140980****[Summary Street Vacation - Portion of Raccoon Drive]****Sponsor: Wiener**

Ordinance ordering the summary street vacation of a portion of Raccoon Drive, between Twin Peaks Boulevard and Saint Germain Avenue; approving a quitclaim of the City's interest in the vacation area; approving a public access easement over a portion of the vacation area; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this legislation are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance.

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

**140981****[Administrative Code - Street Light Policy]****Sponsors: Wiener; Cohen and Breed**

Ordinance amending the Administrative Code to provide a Street Light Policy; and to make relevant findings.

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

**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.

**141022****[Consent to Provisions of a Variation Decision - On-Site Affordable Housing Requirement - 181 Fremont Street - Transbay Redevelopment Project Area]****Sponsor: Kim**

Resolution of the Board of Supervisors, acting in its capacity as the legislative body to the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, approving provisions of a variation decision by the Commission on Community Investment and Infrastructure, modifying the on-site affordable housing requirement for 181 Fremont Street in the Transbay Redevelopment Project Area.

9/30/14; RECEIVED AND ASSIGNED to the Board of Supervisors.

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### 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](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 <http://www.sfgov.org/ethics>