



# City and County of San Francisco

## Meeting Minutes

### Land Use and Economic Development Committee

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

*Members: Scott Wiener, Jane Kim, David Chiu*

*Clerk: Alisa Miller (415) 554-4447*

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Monday, July 15, 2013

1:30 PM

City Hall, Committee Room 263

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### Regular Meeting

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**Present:** 3 - Scott Wiener, Jane Kim, and David Chiu

## MEETING CONVENED

*The meeting convened at 1:38 p.m.*

## REGULAR AGENDA

### 130661 [Police Code - Aerial Signs and Advertising]

Ordinance amending the Police Code to prohibit the use of aircraft, self-propelled, or buoyant objects to display any sign or advertising device in the airspace over the 34th America's Cup course area; and making environmental findings. (Department of Economic and Workforce Development)

06/19/13; RECEIVED FROM DEPARTMENT.

07/09/13; ASSIGNED to Land Use and Economic Development Committee.

07/11/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Port and Police Department for informational purposes.

07/11/13; RESPONSE RECEIVED. Non-physical exemption per CEQA Section 15060(c)(2).

*Heard in Committee. Speakers: Mark Martin (Office of Economic and Workforce Development); Jon Givner (Office of the City Attorney); presented information concerning the matter and answered questions raised throughout the hearing. David Elliott Lewis; spoke in opposition to the hearing matter.*

*Duplicated File No. 130744.*

**DUPLICATED by the following vote:**

Ayes: 3 - Wiener, Kim, Chiu

**RECOMMENDED by the following vote:**

Ayes: 3 - Wiener, Kim, Chiu

**130744 [Police Code - Aerial Signs and Advertising]**

Ordinance amending the Police Code to prohibit the use of aircraft, self-propelled, or buoyant objects to display any sign or advertising device in airspace over the 34th America's Cup course area; and making environmental findings.

See File No. 130661.

**DUPLICATED by the following vote:**

Ayes: 3 - Wiener, Kim, Chiu

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE by the following vote:**

Ayes: 3 - Wiener, Kim, Chiu

Ordinance amending the Police Code to prohibit the use of aircraft, self-propelled, or buoyant objects to display any sign or advertising device in airspace over the City and County of San Francisco; and making environmental findings.

Continued as Amended to July 22, 2013.

**CONTINUED AS AMENDED to July 22, 2013, by the following vote:**

Ayes: 3 - Wiener, Kim, Chiu

File Nos. 130527 and 130528 were heard together.

**130527 [General Plan - San Francisco Bicycle Transportation Plan]****Sponsors: Avalos; Chiu and Wiener**

Ordinance re-adopting the 2009 San Francisco Bicycle Transportation Plan; rescinding Ordinance No. 0109-05 in its entirety; amending the General Plan in connection with the San Francisco Bicycle Plan; adopting modified environmental findings, and findings that the General Plan amendment is consistent with the General Plan and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection thereto.

05/30/13; RECEIVED FROM DEPARTMENT.

06/11/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

07/03/13; NOTICED. 10-Day Mailed Notice was emailed to the list provided by the Planning Department.

07/05/13; NOTICED. 10-Day Publication Notice was submitted to the newspaper on 7/2/2013.

*Heard in Committee. Speakers: Supervisor John Avalos (Board of Supervisors); AnMarie Rodgers and Kimia Haddadan (Planning Department); Rob Malone (Municipal Transportation Agency); presented information concerning the matter and answered questions raised throughout the hearing. David Elliott Lewis; Leah Shahum; spoke in support of the hearing matter. Walter Paulson; spoke neither in support nor opposition to the hearing matter.*

*Supervisors Chiu and Wiener requested to be added as co-sponsors.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Wiener, Kim, Chiu

**130528 [Planning, Environment Codes - Bicycle Parking Standards; In Lieu Fee]****Sponsors: Avalos; Chiu and Wiener**

Ordinance amending the Planning Code to revise the bicycle parking standards, allow a portion of the bicycle parking requirements to be satisfied by payment of an in lieu fee, allow automobile parking spaces to be reduced and replaced by bicycle parking spaces, and authorize the Zoning Administrator to waive or modify required bicycle parking; amending the Environment Code to revise cross-references to the Planning Code and make technical amendments; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

05/30/13; RECEIVED FROM DEPARTMENT.

06/11/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

07/01/13; NOTICED. First Published Notice: 6/27/2013 - Submitted 14-Day Fee Ad for the July 15, 2013 Land Use hearing.

07/08/13; NOTICED. Second Published Notice: 6/27/2013 - Submitted 14-Day Fee Ad for the July 15, 2013 Land Use hearing.

07/09/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

*Heard in Committee. Speakers: Supervisor John Avalos (Board of Supervisors); AnMarie Rodgers and Kimia Haddadan (Planning Department); Rob Malone (Municipal Transportation Agency); presented information concerning the matter and answered questions raised throughout the hearing. David Elliott Lewis; Leah Shahum; spoke in support of the hearing matter. Walter Paulson; spoke neither in support nor opposition to the hearing matter.*

*Supervisors Chiu and Wiener requested to be added as co-sponsors.*

**AMENDED on Page 34, Lines 9-15, by adding 'are required. However, if Class 1 spaces that can be rented on an hourly basis are provided, they may count toward the garage's requirement for Class 2 spaces.' after 'None'; and Page 52, Line 3, by changing 'circumstance' to 'circumstances', Line 4, by adding '(i)' before 'For', Line 8, by changing 'an' to 'this', Lines 14-22, by adding '(ii) For required bicycle parking in non-accessory automobile garages or lots with 500 or more spaces. In order to obtain this exemption, the Responsible City Official shall provide to the Zoning Administrator in writing an analysis demonstrating that the demand for bicycle parking in that location is less than the amount required by Section 155.3 of this Code. This exemption may only be provided for any required bicycle parking above fifty Class 2 spaces. The exemption for these garages may be issued for up to one year. The Responsible City Official shall provide the required bicycle parking within one year of the issuance of such exemption, or shall obtain a new exemption for each year until such bicycle parking is provided.', Line 23, by adding 'Temporary exemptions,', and Lines 24-25, by adding 'Temporary exemptions for Class 2 bicycle parking shall be granted as allowed in subsection 1(B) above.' after 'Parking.' by the following vote:**

Ayes: 3 - Wiener, Kim, Chiu

**RECOMMENDED AS AMENDED by the following vote:**

Ayes: 3 - Wiener, Kim, Chiu

**130570 [Planning Code, Zoning Map - Yerba Buena Center Mixed-Use Special Use District]**

Ordinance amending the Planning Code and Zoning Map, by adding Section 249.71, to create the Yerba Buena Center Mixed-Use Special Use District (SUD) located at 706 Mission Street, Assessor's Block No. 3706, Lot No. 093 and portions of Lot No. 277, to facilitate the development of the 706 Mission Street, The Mexican Museum and Residential Tower Project, by modifying specific Planning Code regulations related to permitted uses, the provision of a cultural/museum use within the SUD, floor area ratio limitations, dwelling unit exposure, height of rooftop equipment, bulk limitations, and curb cut locations; amending the Zoning Map to add the SUD and increase the height of property in the SUD from 400 feet to 480 feet; and making environmental findings and findings of consistency with the General Plan. (Planning Commission)

06/03/13; RECEIVED FROM DEPARTMENT.

06/11/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/11/2013.

07/05/13; NOTICED. 10-Day Publication Notice was submitted to the newspaper on 7/2/2013.

*Heard in Committee. Speakers: Kevin Guy and John Rahaim, Director (Planning Department); Tiffany Bohee, Executive Director (Successor Agency); Sean Jeffries (Millennium Partners); Tim Kelly (Keyser Marston Associates); Jon Givner (Office of the City Attorney); presented information concerning the matter and answered questions raised throughout the hearing. Ricardo Padilla (Latino Comics Expo); Michael Theriault (SF Building Trades); Arturo Riera (Yerba Buena Gardens Festival); Nora Wagner and David de la Torre (Mexican Museum); Arturo Taboada (Mexican Museum); Luz Maria Rodriguez and Michael McKenna (IBEW Local 6); Benjamin Bac Sierra; Don Marcos (Filipino Cultural Center); Stefano Cassolato (Citywide Permit Consulting); Mary McCue (MGM Management/Yerba Buena Gardens); Ken Pilgrim (Westin Hotel); Virginia Grandi (Yerba Buena Alliance); Cameron Deal; Helen Sause; Manuel Flores; Mely Saavedra; Aurora Grajeda; Dave Gonzales; Alex Finkelstein; David Elliott Lewis; Rosario Anaya; Victor Marquez; Robert Dendos; spoke in support of the hearing matter. Thomas Lippe (Lippe Gaffney Wagner); Joe Fang; Ronald Wornick; Margaret Lin Collins; Edward Collins; Tim Kochis; Lynn Sedway; Paul Sedway; Rick Smith; Andrew Bryant; Matthew Shoenberg; Desmond Whitchurch; spoke in opposition to the hearing matter. Denise Childs (Contemporary Jewish Museum); Walter Paulson; spoke neither in support nor opposition to the hearing matter.*

*Continued to July 22, 2013.*

**CONTINUED to July 22, 2013, by the following vote:**

Ayes: 3 - Wiener, Kim, Chiu

**130647 [Approving Inclusionary Affordable Housing Program Ordinance]**

Ordinance amending the Planning Code to add a definition of "significant increase in residential development potential" consistent with the Housing Trust Fund provisions in Charter, Section 16.110; and making environmental findings, and findings of consistency with the General Plan. (Land Use and Economic Development Committee)

06/13/13; RECEIVED FROM DEPARTMENT.

06/25/13; ASSIGNED to Land Use and Economic Development Committee.

*Heard in Committee. Speakers: Dan Adams (Mayor's Office of Housing); Jon Givner (Office of the City Attorney); presented information concerning the matter and answered questions raised throughout the hearing.*

**PREPARED IN COMMITTEE AS A MOTION by the following vote:**

Ayes: 3 - Wiener, Kim, Chiu

Motion approving the Inclusionary Affordable Housing Program Ordinance recommending a standard to determine what constitutes a “significant increase in residential development potential” under Charter Section 16.110(h)(1)(B)(iv). (Land Use and Economic Development Committee)

**RECOMMENDED by the following vote:**

Ayes: 3 - Wiener, Kim, Chiu

## **ADJOURNMENT**

*The meeting adjourned at 4:54 p.m.*