



# 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: Sophie Maxwell, Eric Mar, David Chiu*

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

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Monday, February 1, 2010

1:00 PM

City Hall, Committee Room 263

#### Regular Meeting

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**Present:** 3 - Sophie Maxwell, Eric Mar and David Chiu

## MEETING CONVENED

*The meeting convened at 1:05 p.m.*

## REGULAR AGENDA

### 100047 [Planning Code - Interim Controls Related to Affordable Housing Requirements]

**Sponsors:** Mayor; Chiu

Resolution approving interim controls providing that the alternatives provided to project applicants of residential development under Planning Code Section 315 et seq. shall, except for certain eligible projects, be suspended and replaced by an interim affordable housing fee that is equivalent to the current in lieu fee and amending the housing requirements for residential projects in the Rincon Hill Area Plan for 18 months or until a permanent ordinance amending Planning Code Section 315 et seq. is adopted; and making findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

01/12/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. Notice of 1/25/10 public hearing in committee; published on 1/16/2010.

01/14/10; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

01/20/10; RESPONSE RECEIVED. Not a project per CEQA Guidelines Section 15378(b)(4).

01/25/10; CONTINUED. Speaker: Aaron Goodman.

Continued to February 1, 2010.

*Heard in Committee. Speakers: Chandra Egan, Mayor's Office of Housing; Tara Sullivan, Planning Department; Steve Vettel.*

**RECOMMENDED AS COMMITTEE REPORT by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**091165 [Zoning - Parking Requirements and Garage Installation in Existing Residential Buildings in Telegraph Hill, North Beach, and Chinatown]****Sponsor: Chiu**

Ordinance amending the San Francisco Planning Code by amending Sections 714.94, 722.94, 803.2, and Table 810 to require a conditional use to install a garage in an existing residential structure in the Broadway NCD, the North Beach NCD, and the Chinatown Mixed Use and Community Business Districts; adding Section 249.46 and amending Section SU01 of the Zoning Map to establish the Telegraph Hill - North Beach Residential Special Use District to include the residentially-zoned areas bounded by Bay Street to the North, Sansome Street and the Embarcadero to the East, Broadway to the South, and Columbus Avenue to the West, and require a conditional use to install a garage in a residential structure; amending Section 151 to reduce the minimum parking requirements in the Broadway and North Beach NCDs and the Telegraph Hill - North Beach Residential Special Use District; amending Section 155 to add Columbus Avenue between Washington and North Point Streets to the list of streets where garage entries, driveways or other vehicular access to offstreet parking or loading are prohibited; amending the Public Works Code by amending Section 723.2 to prohibit the issuance of minor sidewalk encroachment permit that would facilitate the installation of parking in a residential structure; 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.

(Fiscal Impact.)

10/06/09; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/6/2009. 11/24/09, introduced extension of Planning Commission review period to February 14, 2010 in Board, see File No. 091366. Adopted in Board 12/8/09.

10/14/09; REFERRED TO DEPARTMENT. Referred to Planning Commission for public review and recommendation; referred to Planning Department for environmental review; referred to Department of Public Works for informational purposes.

01/27/10; RESPONSE RECEIVED. Pursuant to CEQA Guidelines Sections 15060(c)(3) and 15378 it is exempt from environmental review. Planning Commission Resolution No. 18011 recommends approval with modifications.

*Heard in Committee. Speakers: Tara Sullivan, Planning Department; Teng Chow; Male Speaker; Tom Radulovich, Executive Director, Livable City; Male Speaker; Gerry Crowley.*

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**

Ordinance amending the San Francisco Planning Code by amending Sections 714.94, 722.94, 803.2, and Tables 810, 811 and 812 to require a conditional use to install a garage in an existing residential structure in the Broadway Neighborhood Commercial District (NCD), the North Beach NCD, and the Chinatown Mixed-Use Districts; adding Section 249.49 and amending Section SU01 of the Zoning Map to establish the Telegraph Hill - North Beach Residential Special Use District to include the residentially-zoned areas bounded by Bay Street to the North, Sansome Street and the Embarcadero to the East, Broadway to the South, and Columbus Avenue to the West, and require a conditional use to install a garage in an existing residential structure; amending Section 151 to reduce the minimum parking requirements in the Broadway and North Beach NCDs, the Telegraph Hill - North Beach Residential Special Use District, and the Chinatown Mixed-Use Districts; amending Section 155 to add Columbus Avenue between Washington and North Point Streets, Broadway from the Embarcadero on the east to Polk Street on the west, and all alleyways in the Chinatown Mixed-Use Districts to the list of streets where garage entries, driveways, or other vehicular access to off-street parking or loading are prohibited; amending Section 161 to require a conditional use to install a garage in an existing residential structure; amending the Public Works Code by amending Section 723.2 to prohibit the issuance of minor sidewalk encroachment permit that would facilitate the installation of parking in a residential structure; 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.

(Fiscal Impact.)

**CONTINUED AS AMENDED to February 8, 2010 by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**091443 [Prohibiting Smoking in Enclosed Areas, Certain Unenclosed Areas, and Sports Stadiums]****Sponsors: Mar; Avalos**

Ordinance amending Articles 19F and 19G of the San Francisco Health Code by amending Sections 1009.20, 1009.21, 1009.22, 1009.23, 1009.25, and 1009.81, adding Sections 1009.26, 1009.27, 1009.29, 1009.30, 1009.31, and 1009.32, and repealing Section 1009.24, to update findings and prohibit smoking in: 1) business establishments and bars regardless of whether owner-operated, 2) common areas of multi-unit housing complexes, 3) tourist lodging facilities, 4) tobacco shops, 5) charity bingo games, 6) unenclosed dining areas of restaurants, 7) service waiting areas, 8) areas outside entrances, exits and operable windows and vents of all buildings except at the curb of the nearest street, sidewalk or alley, 9) farmers markets, and 10) vehicles owned by the City and County of San Francisco; establishing obligations for property owners and managers to prevent smoking in prohibited areas; adding administrative procedures and penalties; deleting criminal penalties; adding provisions for cost recovery and liens; and making conforming changes in the Health Code.

12/15/09; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/14/2010.

12/22/09; REFERRED TO DEPARTMENT. Referred to the Department of Public Health and the Rent Board for informational purposes.

01/05/10; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for review and recommendation.

01/14/10; REFERRED TO DEPARTMENT. Referred to the Youth Commission for review and recommendation.

*Heard in Committee. Speakers: Dr. Mitch Katz, Director, Department of Public Health; Karen Licavoli, BREATHE California; Luisa Sicairos, Youth Leadership Institute; Jul Lynn Parsons, Mayor's Disability Council; Carol McGruder; Male Speaker; Dr. Steven Fugaro, President, San Francisco Medical Society; Tonya Williams; Marshon Smith, Girls After School Academy; Bob Gordon; Dr. John Maa, American Heart Association; Brian Davis, Tobacco Free Coalition; Michelle Xiong; Bob Planthold; Lily Wu; Suki Wen, Chinese Progressive Association; Mr. Deng; Dave Burnett; Keisha Nzeni, American Heart Association; Don Alan and Alex Rooney, Hemlock Tavern; Derek Burke, Vertigo Bar; Chris Schulman, OEWD; Michael Nulty, Alliance for a Better District 6; Steven Lewis; Naphtali Offen, UCSF; Kiana Evans, GASA Tobacco Free Project; Lanette Day; Teresita Maalihan; Lisa Hagerty, American Heart Association; Brian Spiers, Lucky 13; Jeffrey Beck, Lone Star Saloon; Paul Miller, Truck; Klaus Burmeister, Zeitgeist; Bob Lafroos, Occidental Cigar Bar; Tim Eicher, CAD; Michael Ege; Joe Barron, Grant's Pipe Shop; Vijay Rao; Lin Gan; Alex Tom, Chinese Progressive Association; Richard Robinson; Steve Black; Gerry Crowley; Ileana Russo.*

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE****CONTINUED AS AMENDED to February 22, 2010 by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**ADJOURNMENT**

*The meeting adjourned at 3:14 p.m.*