



# City and County of San Francisco

## Meeting Agenda

### 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, February 25, 2013

10:00 AM

Legislative Chamber, Room 250

#### Rescheduled Meeting

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The Chair will entertain a motion to recess the meeting until 1:30 p.m. and File Nos. 130019, 130001, 130002, 130003, and 130004 will be heard at that time.

## AGENDA CHANGES

## REGULAR AGENDA

- 1. 120669 [Subdivision Code - Condominium Conversion Impact Fee]**  
**Sponsors: Farrell; Wiener**  
Ordinance amending the Subdivision Code, by adding Section 1396.4, to adopt a condominium conversion impact fee applicable to buildings participating but not being selected in the 2012 or 2013 condominium conversion lotteries only, subject to specified requirements, including lifetime leases for non-purchasing tenants; and adopting environmental findings.  
  
(Economic Impact)  
  
6/12/12; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.  
  
6/20/12; REFERRED TO DEPARTMENT.  
  
1/4/13; RESPONSE RECEIVED.  
  
1/9/13; NOTICED.  
  
1/15/13; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.  
  
1/28/13; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.  
  
1/28/13; CONTINUED AS AMENDED.  
  
2/14/13; REFERRED TO DEPARTMENT.  
  
*The Chair will entertain a motion to continue this matter to March 11, 2013.*

## SPECIAL ORDER - 1:30 PM

2.     **130019**     **[Planning Code, Zoning Map - Central Subway Tunnel Boring Machine Extraction Site Special Use District]**  
          **Sponsor: Chiu**  
          Ordinance amending the Planning Code, by adding Section 249.70, to create the Central Subway Tunnel Boring Machine Extraction Site Special Use District for the property located at Assessor's Block No. 0101, Lot No. 004, known as 1731-1741 Powell Street, to facilitate the removal of the tunnel boring machines used in the construction of the Central Subway Project and allow the construction of a previously approved mixed-use residential/retail building; amending Sectional Zoning Maps HT 01 and SU 01 to reflect the Central Subway Tunnel Boring Machine Extraction Site Special Use District; adopting findings, including environmental findings, and findings of consistency with the General Plan.
- 1/8/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.
- 1/16/13; REFERRED TO DEPARTMENT.
- 1/29/13; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.
- 1/30/13; REFERRED TO DEPARTMENT.
- 1/30/13; NOTICED.
- 2/11/13; CONTINUED.
- 2/15/13; RESPONSE RECEIVED.
- The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on February 26, 2013.*
3.     **130001**     **[General Plan Amendments - Western South of Market Area Plan]**  
          Ordinance amending the General Plan, by adding the Western South of Market (SoMa) Area Plan, generally bounded on its western portion by 7th Street, Mission Street, Division Street, and Bryant Street, and on its eastern portion by 7th Street, Harrison Street, 4th Street, and Townsend Street; making conforming amendments to the Housing, Commerce and Industry, and Recreation and Open Space Elements, the Land Use Index, and the SoMa, East SoMa, Mission, Showplace Square/Potrero, and Central Waterfront Area Plans; and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1. (Planning Department)
- 1/4/13; RECEIVED FROM DEPARTMENT.
- 1/15/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.
- 2/15/13; NOTICED.

4. **130002 [Planning Code - Implementing the Western South of Market Area Plan]**  
Ordinance amending the Planning Code, by adding and amending various sections to implement the goals, objectives, and policies of the Western South of Market Area Plan, bounded generally by 7th Street, Mission Street, Division Street, and Bryant Street on the western portion of the plan area, and 7th Street, Harrison Street, 4th Street, and Townsend Street on the eastern portion of the plan area; and making findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1. (Planning Department)
- 1/4/13; RECEIVED FROM DEPARTMENT.
- 1/15/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.
- 2/7/13; NOTICED.
5. **130003 [Zoning Map - Height and Bulk Revisions to the Western South of Market Area Plan]**  
Ordinance amending Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, and HT08 to revise use districts and height and bulk districts within the Western South of Market Plan Area; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and Planning Code, Section 101.1. (Planning Department)
- 1/4/13; RECEIVED FROM DEPARTMENT.
- 1/15/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.
- 2/15/13; NOTICED.
6. **130004 [Administrative Code - Adding Western South of Market Area Plan to Eastern Neighborhoods Area Plan Monitoring Program]**  
Ordinance amending the Administrative Code, Section 10E.2, to integrate the Western South of Market (SoMa) Area Plan into the Eastern Neighborhoods Monitoring Program for purposes of reviewing the effectiveness of the Western SoMa Area Plan and inclusion of the Western SoMa Area Plan into the Eastern Neighborhoods reporting requirement, Eastern Neighborhoods capital expenditures plan, and the Eastern Neighborhoods Citizens Advisory Committee; and making environmental findings. (Planning Department)
- 1/4/13; RECEIVED FROM DEPARTMENT.
- 1/15/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

## 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 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.*

### **130062 [Planning, Administrative Codes - Miscellaneous Technical Amendments, Fee Changes, Clarifications, and Corrections]**

**Sponsor: Chu**

Ordinance amending the Planning and Administrative Codes, to correct errors, and make language revisions and updates; revise graphics to be consistent with text; amend fees to be charged for certain kinds of applications and appeals; clarify the meaning of certain Planning Code sections; and adopt findings, including findings under the California Environmental Quality Act and Planning Code, Section 302, and findings of consistency with the General Plan and Planning Code, Section 101.1. (Planning Commission)

1/17/13; RECEIVED FROM DEPARTMENT.

1/29/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

### **130070 [Planning Code - Duboce Park Historic District]**

Ordinance amending the Planning Code, by adding a new Appendix N to Article 10, Preservation of Historical, Architectural, and Aesthetic Landmarks, to create the Duboce Park Historic District; and making findings, including environmental findings, and findings of consistency with the General Plan, and Planning Code, Section 101.1(b). (Planning Department)

1/18/13; RECEIVED FROM DEPARTMENT.

2/5/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

### **130084 [Planning Code, Zoning Map - Establishing Outer Mission Street Neighborhood Commercial District]**

**Sponsor: Avalos**

Ordinance amending the Planning Code, by adding a new section, to establish the Outer Mission Street Neighborhood Commercial District along Mission Street between Alemany Boulevard and the San Francisco-San Mateo County line; repealing the Excelsior Alcohol Restricted Use District and adding controls on liquor establishments to the new Neighborhood Commercial District; amending various sections to make conforming and other technical changes; amending the Zoning Map to rezone specified properties to the new Neighborhood Commercial District; and making 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.

1/29/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

2/6/13; REFERRED TO DEPARTMENT.

2/6/13; RESPONSE RECEIVED.

**130119 [Building Code - Mandatory Seismic Retrofit Program - Wood-Frame Buildings]**

**Sponsors: Mayor; Chiu, Wiener, Yee, Farrell, Breed and Mar**

Ordinance amending the Building Code, to establish a Mandatory Seismic Retrofit Program for wood-frame buildings of three or more stories and containing five or more dwelling units where the permit to construct was applied for prior to January 1, 1978, and the building has not been seismically strengthened; establishing a fee for administering the program; adopting environmental findings, and findings of local conditions under California Health and Safety Code, Section 17958.7; establishing an operative date; and directing the Clerk of the Board to forward the legislation to specified State agencies.

2/5/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

2/19/13; REFERRED TO DEPARTMENT.

2/20/13; RESPONSE RECEIVED.

**130146 [Health Code - Commercial Dog Walking Regulations]**

**Sponsor: Wiener**

Ordinance amending the Health Code to correct numbering and clarify provisions of the Commercial Dog Walking Ordinance.

2/12/13; ASSIGNED to the Land Use and Economic Development Committee.

2/20/13; REFERRED TO DEPARTMENT.

### 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 SF Cable 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 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 Derek Evans (415) 554-7702.

**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, 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>