



# 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, David Chiu*

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

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Monday, July 22, 2013

1:30 PM

City Hall, Committee Room 263

### Regular Meeting

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## AGENDA CHANGES

## REGULAR AGENDA

1. **130703 [Sale of Easement - Public Utilities Commission to Pacific Gas and Electric Company - Watershed Lands Near the Caltrans I-280 Crystal Springs Rest Stop - Unincorporated San Mateo County - \$15,400]**

Resolution approving and authorizing the sale of an easement on the City and County of San Francisco's property, consisting of approximately 23,000 square feet of watershed lands in unincorporated San Mateo County near the Caltrans I-280 Crystal Springs Rest Stop (the Easement Area or Crystal Springs Station) by the San Francisco Public Utilities Commission, for the price of \$15,400; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan and eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Real Estate Department)

7/8/13; RECEIVED FROM DEPARTMENT.

7/16/13; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.
  
2. **130631 [Hearing - City's Plan to Ensure Transit Service Keeps Pace with Current and Future Development]**

**Sponsor: Wiener**

Hearing directed to the Mayor's Office, Planning Department, Municipal Transportation Agency (MTA), Transportation Authority, Office of Economic and Workforce Development, the Office of the Controller, and the Port of San Francisco to report on how the City is planning to expand Muni's service capacity, including how that expansion will be paid for on an on-going basis, in light of significant planned development, population growth, and job growth, as well as Muni's current lack of sufficient, reliable service capacity; the departments will be asked to discuss how they evaluate the need for additional transit service, what increase in service levels are needed, how the increase will occur, and how it will be paid for on an ongoing basis to accommodate growth projections associated with planned and future development projects and population and job increases; and the departments also will analyze whether MTA's baselines budget should be increased in light of development and population trends.

6/11/13; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

6/28/13; REFERRED TO DEPARTMENT.

- 3. 130459 [Planning Code - Mission Alcoholic Beverage Special Use District and Valencia Street Neighborhood Commercial Transit District]**  
**Sponsors: Campos; Wiener**  
Ordinance amending the Planning Code, Mission Alcoholic Beverage Special Use District controls, to allow the transfer of liquor licenses and relocation of uses under specified circumstances, to restrict the sale of alcohol for off-site consumption, and to exempt from the controls grocery stores and certain institutional, arts, and other uses; establishing operating conditions for certain establishments with a liquor license; amending the Valencia Street Neighborhood Commercial Transit District controls to restrict the conversion of existing ground floor retail uses to restaurants; 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.
- 5/14/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.
- 5/31/13; REFERRED TO DEPARTMENT.
- 6/7/13; RESPONSE RECEIVED.
- 6/25/13; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.
- 7/2/13; REFERRED TO DEPARTMENT.
- 7/17/13; RESPONSE RECEIVED.
- The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on July 23, 2013.*
- 4. 130437 [Hearing - Reviewing the Proliferation of Parklets]**  
**Sponsor: Mar**  
Hearing to look at how parklets have spread in certain parts of the City, examine their impact, and consider the benefits they may provide to merchant corridors.
- 5/7/13; RECEIVED AND ASSIGNED to the Neighborhood Services and Safety Committee.
- 7/16/13; TRANSFERRED to the Land Use and Economic Development Committee.
- 5. 120966 [Administrative Code - Healthy Food Retailer Incentives Program]**  
**Sponsors: Mar; Kim and Cohen**  
Ordinance amending the Administrative Code, by adding Chapter 59, Sections 59.1-59.9, to establish a Healthy Food Retailer Incentives Program to oversee and coordinate the City's incentive and assistance programs for Healthy Food Retailers.
- 9/25/12; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.
- 10/10/12; REFERRED TO DEPARTMENT.
- 5/13/13; REMAIN ACTIVE.
- 6/18/13; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.
- 6/28/13; REFERRED TO DEPARTMENT.
- 7/15/13; RESPONSE RECEIVED.

- 6. 130712 [Interim Zoning Controls - Formula Retail Uses on Market Street, from 6th Street to Van Ness Avenue]**  
**Sponsor: Kim**  
Resolution imposing interim zoning controls requiring conditional use authorization for formula retail uses, as defined, on Market Street, from 6th Street to Van Ness Avenue, subject to specified exceptions, for 18 months; and making findings, including findings of consistency with the priority policies of Planning Code, Section 101.1, and environmental findings.
- 7/9/13; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.
- 7/11/13; REFERRED TO DEPARTMENT.
- 7/12/13; NOTICED.
- 7/17/13; RESPONSE RECEIVED.
- 7. 130744 [Police Code - Aerial Signs and Advertising]**  
**Sponsors: Kim; Avalos**  
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.
- 7/15/13; DUPLICATED.
- 7/15/13; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
- 7/15/13; CONTINUED AS AMENDED.
- 7/17/13; REFERRED TO DEPARTMENT.
- 7/17/13; RESPONSE RECEIVED.
- 8. 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)
- 6/3/13; RECEIVED FROM DEPARTMENT.
- 6/11/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.
- 7/5/13; NOTICED.
- 7/15/13; CONTINUED.
- The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on July 23, 2013.*

- 9. 130186 [Environment Code - Repealing Yellow Pages Distribution Pilot Program]**  
**Sponsor: Chiu**  
Ordinance amending the Environment Code by repealing Yellow Pages Distribution Pilot Program.
- 2/27/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.
- 3/6/13; 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 July 23, 2013.*
- 10. 130464 [Administrative Code - California Environmental Quality Act Procedures, Appeal of Exempt Project Modification]**  
**Sponsors: Kim; Chiu, Campos, Avalos, Mar and Yee**  
Ordinance amending Administrative Code, Chapter 31, to provide for appeal to the Environmental Review Officer to reconsider a determination of the Environmental Review Officer that an exempt project modification does not require a new decision under the California Environmental Quality Act; and making environmental findings.
- 5/14/13; ASSIGNED to the Land Use and Economic Development Committee.
- 5/16/13; REFERRED TO DEPARTMENT.
- 5/20/13; CONTINUED TO CALL OF THE CHAIR.
- 5/24/13; RESPONSE RECEIVED.
- 6/17/13; CONTINUED TO CALL OF THE CHAIR.
- 7/16/13; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.
- The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on July 23, 2013.*

## 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.*

**130646****[Planning Code - Mixed Use Office District]**

Ordinance amending the Planning Code, Section 842 and 842.49, of the Zoning Control Table, to permit a tourist hotel without a specified room limit in a Mixed Use Office District in height districts that are 105 feet and above with a Conditional Use authorization; 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. (Planning Commission)

6/13/13; RECEIVED FROM DEPARTMENT.

6/25/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

6/28/13; REFERRED TO DEPARTMENT.

**130672****[Transportation Code - Disabled Parking Placard or License Plate Restrictions]****Sponsor: Chiu**

Ordinance amending the Transportation Code, Division I, to prohibit, on any street, alley, or portion of a street or alley, or in any municipal or private parking facility, the parking of a vehicle displaying a disabled parking placard or special license plate, in order to obtain special parking privileges, that has been reported as lost, stolen, surrendered, canceled, revoked, or expired, or issued to a person who has been reported as deceased for a period exceeding sixty days; is not being used to transport, and is not in the reasonable proximity of, the person to whom the license plate or placard was issued or a person who is authorized to be transported in the vehicle displaying that placard or license plate; or is counterfeit, forged, altered, or mutilated.

6/25/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

7/3/13; REFERRED TO DEPARTMENT.

**130673****[Naming a Portion of the Carolina Street Stairway at Carolina and 20th Streets as Jack Balestreri Way]****Sponsor: Cohen**

Ordinance establishing the name for a portion of the Carolina Street stairway at Carolina and 20th Streets, that connects the Carolina Street cul-de-sac, as "Jack Balestreri Way," commemorating this location under Public Works Code, Sections 789 et seq., the Commemorative Street Plaque Ordinance, in honor of Mr. Balestreri; waiving fees for the street naming process; and directing official acts in furtherance of this Ordinance.

6/25/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

7/3/13; REFERRED TO DEPARTMENT.

**130706 [Administrative Code - Residential Rent Ordinance, Tenant Financial Hardship Applications for Relief from Landlord Passthrough of Capital Improvement Costs]**

**Sponsors: Mayor; Chiu, Kim, Mar and Campos**

Ordinance amending the Administrative Code to provide standards for Residential Tenant Financial Hardship Applications seeking relief from landlord passthrough of capital improvement costs to a tenant, and procedures for reviewing and deciding the applications; and to require landlord notice to tenants regarding financial hardship application procedures when a landlord applies for certification of capital improvement costs.

7/9/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

**130735 [Planning Code - Definition of Formula Retail Use for Upper Fillmore Street Neighborhood Commercial District]**

**Sponsor: Farrell**

Ordinance amending the Planning Code, Section 703.3, to expand the definition of formula retail uses in the Upper Fillmore Street 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.

7/16/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

### 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>