



# City and County of San Francisco

## Meeting Minutes - Final

### 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, March 29, 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 1:07 p.m.*

## REGULAR AGENDA

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

Ordinance amending the San Francisco Planning Code by amending Sections 714.94, 722.94, 803.2, and Tables 810, 811, and 812, to require mandatory discretionary review by the Planning Commission to install a garage in an existing residential building of four or more units and Section 311 notice for a building of less than four units 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 mandatory discretionary review by the Planning Commission to install a garage in an existing residential building of four or more units and Section 311 notice for a building of less than four units; 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 Mason 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 mandatory discretionary review by the Planning Commission to install a garage in an existing residential building of four or more units and Section 311 notice for a building of less than four units; 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 of four or more units without prior authorization by the Planning Commission; 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.

02/01/10; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Tara Sullivan, Planning Department; Teng Chow; Male Speaker; Tom Radulovich, Executive Director, Livable City; Male Speaker; Gerry Crowley.

02/01/10; CONTINUED AS AMENDED.

02/08/10; DUPLICATED. Heard in Committee. Speakers: None.

Duplicated into File No. 100150.

02/08/10; RECOMMENDED AS COMMITTEE REPORT.

02/09/10; PASSED ON FIRST READING.

02/23/10; CONTINUED ON FINAL PASSAGE.

03/09/10; AMENDED.

03/09/10; PASSED ON FIRST READING AS AMENDED.

03/16/10; RE-REFERRED to Land Use and Economic Development Committee.

03/22/10; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee.  
Speaker: Female Speaker.

03/22/10; CONTINUED AS AMENDED. Continued to March 29, 2010.

*Heard in Committee. Speakers: None.*

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

Ayes: 3 - Maxwell, Mar, Chiu

**091476 [Zoning Map Amendments - Market and Octavia Area Plan Historic Resource Survey Integration]**

Ordinance amending the Zoning Map Sheets 7 and 7H of the City and County of San Francisco Planning Code to amend certain height and bulk districts within the Market and Octavia Area Plan to increase, decrease, or retain the heights of certain parcels, consistent with the findings of the Market and Octavia Area Plan Historic Resources Survey, specifically increasing or decreasing heights on some parcels in the Upper Market Street Historic District (an area generally described as Market Street between Church and Noe Streets) and decreasing heights on two parcels at the corner of Guerrero and Duboce Streets (also known as Assessors block and lot numbers 3501004 and 3501003); and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1. (Planning Department)

12/28/09; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/4/2010. Hearing notice mailed on March 5, 2010 for March 15, 2010 committee meeting. Hearing notice mailed on March 19, 2010 for March 29, 2010 committee meeting.

01/06/10; REFERRED TO DEPARTMENT. Referred to the Historic Preservation Commission for informational purposes.

03/15/10; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Kearstin Dischinger, Planning Department; Ted Olsson, MOP-CAC, MDNA; Peter Cohen and David Troup, Duboce Triangle Neighborhood Association; AnMarie Rodgers, Planning Department; Andrew Shen, Deputy City Attorney.

03/15/10; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

*Heard in Committee. Speakers: AnMarie Rodgers, Planning Department; Bill Jaeck; Kenneth M. Koehn; David Goldman; Chuck Benz; Tom Radulavich, Executive Director, Livable City.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**100093 [Housing Code – Residential Hotel Notice Posting Requirement]****Sponsors: Campos; Chiu and Maxwell**

Ordinance amending the San Francisco Housing Code by amending Section 1002 to add subsection (f) requiring residential hotel owners/operators to post a notice advising hotel occupants that they may telephone the City's Customer Service Center at 311 to report alleged violations of the Housing Code; adopting findings, including environmental findings.

01/26/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/25/2010.

02/01/10; REFERRED TO DEPARTMENT. Referred to the Building Inspection Commission for public hearing and recommendation.

03/24/10; RESPONSE RECEIVED. The Building Inspection Commission voted unanimously (7 - 0) to recommend approval.

*Heard in Committee. Speakers: Rosemary Bosque, Chief Housing Inspector, Department of Building Inspection; Nancy Alfaro, Director, 311 Customer Service Center; Cynthia Citizen, Josh Vining, and Kym Meadows, Mission SRO Collaborative; Walter Paulson; Supervisor David Campos.*

*Supervisor Maxwell requested to be added as a co-sponsor.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**100231 [Accept and Expend Grant - Buena Vista Park Project, Phase II - \$115,025]****Sponsor: Dufty**

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant for the Buena Vista Park Project, Phase II, in the amount of \$115,025 available under the Federal Land and Water Conservation Fund Program administered by the California Department of Parks and Recreation under the provisions of the Land and Water Conservation Fund Act of 1965.

03/02/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

*Heard in Committee. Speaker: Toni Moran, Recreation and Parks Department.*

**RECOMMENDED.. by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**100102 [Requiring the Development and Maintenance of Stormwater Management Controls]****Sponsors: Mayor; Maxwell, Mar and Chiu**

Ordinance amending the San Francisco Public Works Code by repealing Article 4.2, Sections 140 - 149.4, and adding Article 4.2, Sections 147 - 147.6, requiring the development and maintenance of stormwater management controls for specified activities that disturb 5,000 square feet or more of the ground surface, and are subject to building, planning and subdivision approvals.

01/26/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/25/2010.

02/01/10; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review. Referred to the Planning Department, Department of Public Works, Public Utilities Commission and Port Commission for informational purposes only.

02/25/10; RESPONSE RECEIVED. Exempt from CEQA Guidelines per Sections 15060(c)(3) and 15378; not a project.

*Heard in Committee. Speakers: Sara Minick, Public Utilities Commission; Jennifer Clary, Clean Water Action; Tom Radulavich, Executive Director, Livable City; Laura Tam, SF Planning & Urban Research Association.*

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

**RECOMMENDED by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**091453 [Planning Code Amendment – Green Landscaping Ordinance]****Sponsors: Mayor; Chu, Dufty, Mar and Maxwell**

Ordinance amending various sections of the Planning Code to address screening, greening, street tree, and permeability requirements; creating definitions for “vehicle use area,” “ornamental fencing,” and “permeable surface;” amending the Public Works Code Sections 805, 806 and 807 to create requirements for the establishment of new street trees, replacement of dead street trees, and removal of street trees and adding Section 802.1 to define climate appropriate standards for plantings in the public right-of-way; and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

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 Planning Department for environmental review. Referred to Planning Commission for review and recommendation. Referred to Department of Public Works for informational purposes.

12/28/09; RESPONSE RECEIVED. Not a project per CEQA Guidelines Section 15060(c)(2).

03/03/10; RESPONSE RECEIVED. Planning Commission Resolution No. 18033 recommends approval with modifications.

*Heard in Committee. Speakers: Supervisor Carmen Chu; Astrid Haryati, Director of Greening, Mayor’s Office; AnMarie Rodgers, Planning Department; Terry Milne, Urban Forestry Council; Jennifer Clary, Clean Water Action; Tom Radulavich, Executive Director, Livable City; Cheryl Adams, Deputy City Attorney.*

*Supervisors Mar and Maxwell requested to be added as co-sponsors.*

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

Ordinance amending various sections of the Planning Code to address screening, greening, street tree, and permeability requirements; creating definitions for "vehicle use area," "ornamental fencing," and "permeable surface;" amending the Public Works Code Sections 805, 806 and 807 to create requirements for the establishment of new street trees, replacement of dead street trees, and removal of street trees and adding Section 802.1 to define climate appropriate standards for plantings in the public right-of-way; and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

*Continued to April 5, 2010.*

**CONTINUED AS AMENDED to April 5, 2010 by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**091271 [Zoning – Street Frontages for Most Use Districts]**

**Sponsor: Mirkarimi**

Ordinance amending the San Francisco Planning Code by amending Sections 145.1, 201, 243, 261.1, and 270.2 to create a comprehensive and consistent set of street frontage controls for most use districts that allow a mix of uses; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

11/03/09; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/3/2009.

11/18/09; REFERRED TO DEPARTMENT. Referred to Planning Commission for public hearing and recommendation. Referred to Planning Department for environmental review.

12/07/09; RESPONSE RECEIVED. Not a project per CEQA Guidelines Section 15060(c)(2).

03/03/10; RESPONSE RECEIVED. Planning Commission Resolution No. 18034 recommends approval with modifications.

03/23/10; SUBSTITUTED. 3/23/10 - Supervisor Mirkarimi submitted a substitute ordinance bearing new title.

03/24/10; ASSIGNED to Land Use and Economic Development Committee.

*Heard in Committee. Speakers: Supervisor Ross Mirkarimi; Tom Radulavich, Executive Director, Livable City.*

**AMENDED by deleting 1) on page 24, lines 4-5, "except in the Western SoMa Planning Area Special Use District," and 2) on page 28, line 2, "except in the Western SoMa Planning Area Special Use District."**

Ordinance amending the San Francisco Planning Code by amending Sections 145.1, 201, 243, 261.1, and 270.2 to create a comprehensive and consistent set of street frontage controls for most use districts that allow a mix of uses; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

*Continued to April 5, 2010.*

**CONTINUED AS AMENDED to April 5, 2010 by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**100282 [Initiative Constitutional Amendment - Opposing Proposition 16, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers"]****Sponsors: Mirkarimi; Maxwell, Mar, Avalos, Campos and Dufty**

Resolution opposing Proposition 16, an Initiative Constitutional Amendment, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers."

03/09/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

03/16/10; CONTINUED.

03/23/10; REFERRED to Land Use and Economic Development Committee.

*Heard in Committee. Speakers: Supervisor Ross Mirkarimi; Dennis Mascofian; Tom Radulavich, BART.***RECOMMENDED AS COMMITTEE REPORT by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**ADJOURNMENT***The meeting adjourned at 2:57 p.m.*