



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

Monday, March 25, 2013

1:30 PM

City Hall, Committee Room 263

Regular Meeting

AGENDA CHANGES

REGULAR AGENDA

1. 121162 **[Planning Code - Inclusionary Affordable Housing Program, Updates, and Clarifications]**

Sponsor: Mayor

Ordinance amending the San Francisco Planning Code, Section 401, and provisions of the Inclusionary Affordable Housing Ordinance, Sections 415 et seq., to update and clarify provisions of the Inclusionary Affordable Housing Program by providing a cap on rent increases; clarifying the timing of off-site developments; requiring rental units that convert to ownership to sell at less than the price for ownership units under certain circumstance; establishing pricing for affordable Single Room Occupancy units; changing the status of projects using California Debt Limit Allocation Committee tax exempt bonds so that such projects are subject to the Program, but that units may qualify as on or off-site units under certain circumstances; allowing income levels of qualifying households to exceed those specified in certain situations; authorizing the Mayor's Office of Housing to charge a monitoring fee to verify occupancy of affordable units; making technical clarifications and corrections; and making environmental findings and findings of consistency with the General Plan.

(Economic Impact)

12/4/12; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

12/6/12; RESPONSE RECEIVED.

12/13/12; REFERRED TO DEPARTMENT.

12/20/12; RESPONSE RECEIVED.

3/19/13; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.

3/20/13; 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 March 26, 2013.

- 2. 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.
- 2/25/13; CONTINUED.
- 2/27/13; RESPONSE RECEIVED.
- 3/11/13; CONTINUED.
- 3. 121084 [Freeway Agreement - California Department of Transportation - State Highway Route 101, South Van Ness Avenue to Golden Gate Avenue]**
Resolution adopting a freeway agreement with the California Department of Transportation (Caltrans) for a portion of State Highway Route 101 from South Van Ness Avenue to Golden Gate Avenue; and authorizing official acts related thereto. (Public Works Department)
- 11/2/12; RECEIVED FROM DEPARTMENT.
- 11/20/12; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.
- 11/28/12; REFERRED TO DEPARTMENT.
- 12/6/12; RESPONSE RECEIVED.
- 4. 121004 [Planning Code - Market Street Masonry Historic District]**
Sponsors: Kim; Breed
Ordinance amending the Planning Code, by adding a new Appendix M to Article 10 (Preservation of Historical, Architectural, and Aesthetic Landmarks), to create the Market Street Masonry Historic District, a discontinuous landmark historic district; and making findings, including environmental findings, and findings of consistency with the General Plan, and Planning Code, Section 101.1(b).
- 10/10/12; RECEIVED FROM DEPARTMENT.
- 10/23/12; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.
- 3/13/13; NOTICED.

- 5. 130119 [Building Code - Mandatory Seismic Retrofit Program - Wood-Frame Buildings; Optional Evaluation Form Fee]**
Sponsors: Mayor; Chiu, Wiener, Yee, Farrell, Breed, Mar and Tang
Ordinance amending the Building Code to establish a Mandatory Seismic Retrofit Program for wood-frame buildings of three or more stories or two stories over a basement or underfloor area that has any portion extending above grade, 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.
- 2/25/13; RESPONSE RECEIVED.
- 2/26/13; NOTICED.
- 3/12/13; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.
- 3/13/13; REFERRED TO DEPARTMENT.
- 3/18/13; CONTINUED.

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.

**130180 [Planning Code - Pre-Application Meetings in Production/Distribution/Repair-1-B (Light Industrial Buffer) District]
Sponsor: Cohen**

Ordinance amending the Planning Code, by adding Section 313, to require pre-application meetings for certain projects in the Product/Distribution/Repair -1-B (Light Industrial Buffer) District; and making environmental, General Plan, and Planning Code, Section 101(b), findings.

2/26/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

3/5/13; REFERRED TO DEPARTMENT.

3/5/13; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.

3/8/13; RESPONSE RECEIVED.

3/11/13; REFERRED TO DEPARTMENT.

**130182 [Police, Administrative Codes - Entertainment-Related Permits]
Sponsor: Wiener**

Ordinance amending the Police Code to clarify permit requirements and procedures, as well as to expand suspension, citation, and enforcement provisions regarding Entertainment Commission permits, including Place of Entertainment Permits, Limited Live Performance Permits, Temporary Place of Entertainment Permits, Temporary Limited Live Performance Permits, Extended-Hours Premises Permits, and Temporary Extended-Hours Premises Permits, and noise limits and standards; amending the Administrative Code to clarify fee setting and reporting procedures; and making environmental findings.

2/26/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

3/5/13; REFERRED TO DEPARTMENT.

3/8/13; RESPONSE RECEIVED.

**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.

- 130226 [Park Code - South of Market West Skatepark and Dog Park]**
Sponsor: Kim
Ordinance amending the Park Code to designate portions of the property (Assessor's Block No. 3513, Lot Nos. 071 and 074) leased by the City and County of San Francisco from the State of California, immediately under and adjacent to the portions of the Central Freeway located between Otis and Stevenson Streets and between Valencia and Stevenson Streets and partially bounded by Duboce Avenue and referred to as "South of Market (SoMa) West Skatepark and Dog Park," as a "park" within the meaning of the Park Code and to authorize the Recreation and Park Department's Park Patrol to patrol those portions of the leased property; and making environmental findings, and findings of consistency with the General Plan.
- 3/5/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.
- 3/8/13; REFERRED TO DEPARTMENT.
- 130252 [Administrative Code - Street Design Review Committee]**
Sponsors: Wiener; Yee
Ordinance amending the Administrative Code, by adding Section 98.2, to establish a Street Design Review Committee.
- 3/12/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.
- 3/20/13; REFERRED TO DEPARTMENT.
- 130253 [Fire Code - Fire Apparatus Access Roads]**
Sponsors: Wiener; Yee
Ordinance amending the Fire Code, Chapter 5, Section 503.4, to clarify what does not constitute an obstruction of a Fire Apparatus Access Road.
- 3/12/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.
- 130263 [Planning Code - Castro Street Neighborhood Commercial District Use Size Limits]**
Sponsor: Wiener
Ordinance amending the SF Planning Code, Sections 121.2 and 715.1, the Castro Street Neighborhood Commercial District controls to allow a neighborhood-serving nonprofit institution to exceed the use size limits with a Conditional Use Authorization; 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.
- 3/19/13; 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

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>