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

Monday, October 21, 2013 **1:30 PM** **Legislative Chamber, Room 250, City Hall**

Regular Meeting

AGENDA CHANGES

REGULAR AGENDA

1. **130947** **[Hearing - Golden Gate National Recreation Area's Proposal to Limit Dog Access Within San Francisco]**

Sponsors: Wiener; Tang and Breed

Hearing from the Recreation and Park Department and Animal Care and Control discussing the current proposal by the Golden Gate National Recreation Area (GGNRA) to restrict dog access at various GGNRA properties, including the impact on San Francisco residents and San Francisco parks that may experience increases in dog usage if GGNRA dog access is restricted; and inviting the GGNRA officials to attend and participate in the hearing.

9/24/13; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

10/2/13; REFERRED TO DEPARTMENT.

2. **131002** **[Opposing Golden Gate National Recreation Area's Draft Dog Walking Access Policy]**

Sponsors: Wiener; Tang and Breed

Resolution opposing the Golden Gate National Recreation Area's (GGNRA) currently proposed preferred alternative for dog management; and urging the GGNRA to adopt a different approach.

10/8/13; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

10/15/13; REFERRED TO DEPARTMENT.

3. 130084 [Planning Code, Zoning Map - Establishing the Excelsior Outer Mission Street Neighborhood Commercial District]

Sponsor: Avalos

Ordinance amending the Planning Code to establish the Excelsior Outer Mission Street Neighborhood Commercial District (NCD) 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 NCD; amending various sections to make conforming and other technical changes; amending the Zoning Map to rezone specified properties to the new NCD; and making environmental findings, and findings of consistency with the General Plan, and the eight 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.

2/20/13; RESPONSE RECEIVED.

2/25/13; RESPONSE RECEIVED.

4/10/13; RESPONSE RECEIVED.

4/17/13; RESPONSE RECEIVED.

4/19/13; RESPONSE RECEIVED.

10/8/13; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.

10/11/13; NOTICED.

4. 130734 [Administrative Code - Planning Commission Review of Medical Cannabis Dispensary Location Regulations]

Sponsor: Avalos

Ordinance amending the Administrative Code, by adding Section 2A.54, to direct the Planning Commission to prepare and submit a report to the Board of Supervisors evaluating the provisions of the Planning Code related to the location of medical cannabis dispensaries.

7/16/13; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

8/1/13; REFERRED TO DEPARTMENT.

10/3/13; TRANSFERRED to the Land Use and Economic Development Committee.

5. 130836 [Building Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]

Ordinance repealing the 2010 Building Code in its entirety and enacting a 2013 Building Code consisting of the new model code, as amended by the State of California and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law. (Building Inspection Commission)

8/29/13; RECEIVED FROM DEPARTMENT.

9/10/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

9/16/13; REFERRED TO DEPARTMENT.

10/16/13; RESPONSE RECEIVED.

6. 130837 [Building Code - Residential Building Requirements]

Ordinance incorporating the provisions of the 2013 California Residential Code into various chapters of the Building Code with local amendments, and adding Chapter 36 to serve as a directory of where such provisions may be found in the Building Code; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law. (Building Inspection Commission)

8/29/13; RECEIVED FROM DEPARTMENT.

9/10/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

9/16/13; REFERRED TO DEPARTMENT.

10/16/13; RESPONSE RECEIVED.

7. 130838 [Electrical Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]

Ordinance repealing the 2010 Electrical Code in its entirety and enacting a 2013 Electrical Code consisting of the new model code, as amended by the State of California and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law. (Building Inspection Commission)

8/29/13; RECEIVED FROM DEPARTMENT.

9/10/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

9/16/13; REFERRED TO DEPARTMENT.

10/16/13; RESPONSE RECEIVED.

8. 130839 [Mechanical Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]

Ordinance repealing the 2010 Mechanical Code in its entirety and enacting a 2013 Mechanical Code consisting of the new model code, as amended by the State of California and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law. (Building Inspection Commission)

8/29/13; RECEIVED FROM DEPARTMENT.

9/10/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

9/16/13; REFERRED TO DEPARTMENT.

10/16/13; RESPONSE RECEIVED.

9. 130840 [Plumbing Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]

Ordinance repealing the 2010 Plumbing Code in its entirety and enacting a 2013 Plumbing Code consisting of the new model code, as amended by the State of California and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law. (Building Inspection Commission)

8/29/13; RECEIVED FROM DEPARTMENT.

9/10/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

9/16/13; REFERRED TO DEPARTMENT.

10/16/13; RESPONSE RECEIVED.

10. 130841 [Green Building Code - Enactment of New Code]

Ordinance enacting a 2013 San Francisco Green Building Code consisting of the 2013 California Green Building Standards Code, as amended by San Francisco; adopting environmental findings and findings required by the California Health and Safety Code, California Public Resources Code, and Title 24 of the California Code of Regulations; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law. (Building Inspection Commission)

8/29/13; RECEIVED FROM DEPARTMENT.

9/10/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

9/16/13; REFERRED TO DEPARTMENT.

10/16/13; RESPONSE RECEIVED.

11. 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; accepting a plaque in honor of Jack Balestreri as a gift to the City and County of San Francisco; waiving fees for the street naming process and plaque installation; 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.

7/17/13; RESPONSE RECEIVED.

9/25/13; RESPONSE RECEIVED.

9/25/13; NOTICED.

9/26/13; RESPONSE RECEIVED.

10/1/13; RESPONSE RECEIVED.

10/7/13; AMENDED.

10/7/13; CONTINUED AS AMENDED.

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.

130938 **[Planning Code - Transit Impact Development Fee Exemptions]**
Sponsor: Wiener

Ordinance amending the Planning Code to revise deadlines for certain Transit Impact Development Fee (TIDF) exemptions; eliminate project-specific references in exemptions applicable to redevelopment areas, and make such exemptions dependent on the terms of the controlling development agreement, redevelopment plan, interagency agreement or other contract entered into by the City; require that the TIDF be calculated based on the rate in effect and the time of issuance of the first construction document; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

9/24/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

10/2/13; REFERRED TO DEPARTMENT.

10/4/13; RESPONSE RECEIVED.

10/8/13; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.

10/10/13; REFERRED TO DEPARTMENT.

10/10/13; RESPONSE RECEIVED.

130968 **[Administrative, Planning Codes - Ellis Act Displaced Emergency Assistance Ordinance]**
Sponsors: Chiu; Campos, Kim, Mar and Breed

Ordinance amending the Administrative and Planning Codes to provide a preference in occupying units or receiving assistance under all affordable housing programs administered or funded by the City, including all former San Francisco Redevelopment Agency affordable housing programs administered or funded by the City, to certain tenants being evicted under the Ellis Act, California Government Code, Section 7060 et seq.; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

10/1/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

10/9/13; REFERRED TO DEPARTMENT.

10/10/13; RESPONSE RECEIVED.

130969 **[Planning Code, Zoning Map - 904-22nd Street]**
Sponsor: Cohen
Ordinance amending the Planning Code, Zoning Map, to re-zone the property located at 904-22nd Street (Assessor's Block No. 4106, Lot No. 015) from RH-3 (Residential, Housing, Three Family) to UMU (Urban Mixed Use); and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

10/1/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

10/8/13; REFERRED TO DEPARTMENT.

130998 **[Planning Code - Cottage Food Operation Controls]**
Sponsor: Chiu
Ordinance amending the Planning Code, by adding Section 102.37 and amending Section 204.1, to allow Cottage Food Operation as an accessory use for dwelling units and increase the allowable area for accessory uses in dwelling units; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

10/8/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

10/15/13; REFERRED TO DEPARTMENT.

10/16/13; RESPONSE RECEIVED.

130999 **[Zoning Map - Transferable Development Right Sale Eligibility - 133-135 Golden Gate Avenue (St. Boniface Church and Rectory)]**
Sponsor: Kim
Ordinance amending the Planning Code, Zoning Use District Map ZN01, to provide for eligibility to sell transferable development rights for property at 133-135 Golden Gate Avenue (St. Boniface Church and Rectory); and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

10/8/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

10/16/13; REFERRED TO DEPARTMENT.

131000 **[Street Acceptance for Lee Avenue (North of Ocean); Approval of a Sidewalk Easement for Brighton Avenue (North of Ocean)]**

Sponsor: Yee

Ordinance accepting an irrevocable offer for a public sidewalk easement on the Brighton Avenue extension, north of Ocean Avenue, and accepting an easement for these purposes; accepting an irrevocable offer for improvements and real property related to Lee Avenue, north of Ocean Avenue, and accepting a grant deed for these purposes; conditionally accepting an irrevocable offer for sidewalk improvements for Ocean Avenue, east of Lee Avenue; declaring such areas to be open public right-of-way and dedicating them for right-of-way and roadway purposes; accepting maintenance and liability for these areas subject to certain limitations; establishing public right-of-way width and sidewalk width for the Lee Avenue and Ocean Avenue sidewalks; approving an interdepartmental transfer of property for a portion of Lee Avenue and for a portion of Ocean Avenue; approving and making findings, including environmental findings, General Plan findings, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance.

10/8/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

10/17/13; 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

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