



# 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, April 22, 2013

1:30 PM

City Hall, Committee Room 263

### Regular Meeting

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## AGENDA CHANGES

## REGULAR AGENDA

- 1. 121019 [Administrative Code - California Environmental Quality Act Procedures]**  
**Sponsor: Wiener**  
Ordinance amending Administrative Code, Chapter 31, to reflect revisions in the California Environmental Quality Act (CEQA) and to update and clarify certain procedures provided for in Chapter 31, including without limitation: codifying procedures for appeals of exemptions and negative declarations; providing for the Board of Supervisors (Board) to make the final CEQA decision on projects requiring Board legislative action, negating the need to file formal CEQA appeals; revising noticing procedures for environmental impact reports and negative declarations for plan area projects exceeding 20 acres; expanding noticing requirements for certain exempt projects; clarifying existing noticing requirements for exempt projects; and making environmental findings.  
  
10/16/12; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.  
10/29/12; REFERRED TO DEPARTMENT.  
11/13/12; RESPONSE RECEIVED.  
11/20/12; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.  
12/3/12; RESPONSE RECEIVED.  
1/29/13; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.  
2/6/13; REFERRED TO DEPARTMENT.  
3/18/13; RESPONSE RECEIVED.  
3/27/13; RESPONSE RECEIVED.  
4/2/13; SUBSTITUTED AND ASSIGNED to the Land Use and Economic Development Committee.  
4/4/13; REFERRED TO DEPARTMENT.  
4/5/13; RESPONSE RECEIVED.  
4/8/13; AMENDED.  
4/8/13; CONTINUED AS AMENDED.

**2. 130248 [Administrative Code - California Environmental Quality Act Procedures, Appeals, and Public Notice]**

**Sponsors: Kim; Campos, Avalos and Mar**

Ordinance amending Administrative Code, Chapter 31, to provide for appeals under the California Environmental Quality Act to the Board of Supervisors of environmental impact reports, negative declarations, exemption determinations, and determinations on modified projects; to clarify and update existing Chapter 31 procedures, including without limitation: to provide for the Planning Department or Planning Commission to approve all exemption determinations; to require the Planning Department to establish an electronic notification system; to expand noticing of exempt projects; to require new noticing when filing notices of exemption and notices of determination; to revise noticing of negative declarations and environmental impact reports for plans of 20 acres or more; to provide an expanded role for the Historic Preservation Commission; and making environmental findings.

3/12/13; ASSIGNED UNDER 30 DAY RULE PENDING APPROVAL AS TO FORM to the Land Use and Economic Development Committee.

3/20/13; REFERRED TO DEPARTMENT.

4/9/13; SUBSTITUTED, AND ASSIGNED.

4/12/13; REFERRED TO DEPARTMENT.

4/17/13; RESPONSE RECEIVED.

*Because this matter has not been considered by the Planning Commission nor the Historic Preservation Commission, this is for informational purposes only and the Committee will not take any action other than continuing the item.*

**3. 120669 [Subdivision Code - Condominium Conversion Impact Fee]**

**Sponsors: Farrell; Wiener, Chiu and Yee**

Ordinance amending the Subdivision Code, by adding Section 1396.4, to adopt a condominium conversion impact fee applicable to certain buildings that would be permitted to convert during a six year period, and subject to specified requirements, including lifetime leases for non-purchasing tenants; adding Section 1396.5, to suspend the annual condominium conversion lottery until 2024 and resume said lottery under specified circumstances tied to permanently affordable rental housing production; amending Section 1396, to restrict future condominium lotteries to buildings of no more than four units with a specified number of owner occupied units for three years prior to the lottery; 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.

3/25/13; CONTINUED.

4/15/13; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

4/15/13; CONTINUED AS AMENDED.

4/17/13; RESPONSE RECEIVED.

**4. 130286 [Term Sheet Endorsement - Development of Seawall Lot 337 and Pier 48 and Finding of Fiscal Feasibility]**

**Sponsors: Mayor; Kim, Chiu and Wiener**

Resolution finding the proposed development of Seawall Lot 337 and Pier 48, bounded by China Basin Channel, Third Street, Mission Rock Street, and San Francisco Bay and adjacent to AT&T Park, fiscally feasible under Administrative Code, Chapter 29, and endorsing the Term Sheet between Seawall Lot 337 Associates, LLC and the Port Commission.

(Fiscal Impact)

3/26/13; ASSIGNED to the Land Use and Economic Development Committee.

4/3/13; REFERRED TO DEPARTMENT.

**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.*

### **130272 [Zoning Map - Rezoning of 909 Tennessee Street]**

Ordinance amending Zoning Map, Sheet No. ZN08, to rezone Assessor's Block No. 4108, Lot No. 036 (909 Tennessee Street) from Public to Urban Mixed Use; 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)

3/18/13; RECEIVED FROM DEPARTMENT.

3/26/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

### **130296 [Improvements - Mission Bay South Park P10]**

Ordinance dedicating City property, within portions of State Trust Parcel 2, known as Mission Bay Park P10, lying along Mission Bay Circle and Mission Bay Drive as open public right-of-way and naming the new park Mission Bay Park P10; accepting the irrevocable offer for the acquisition facilities; designating said facilities for open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the General Plan, priority policy findings of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Department of Public Works Order; and authorizing official acts in connection with this Ordinance. (Public Works Department)

4/1/13; RECEIVED FROM DEPARTMENT.

4/9/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

**130297 [Improvements - Mission Bay Drive Extension Public Infrastructure]**  
Ordinance accepting the irrevocable offer of public infrastructure improvements associated with the Mission Bay Drive Extension, including acquisition facilities on Mission Bay Drive, Mission Bay Circle, and a portion of Owens Street; accepting additional property on a portion of Owens Street; declaring City property and additional property as shown on official Department of Public Works maps as open public right-of-way; dedicating such improvements for public use and designating such areas and improvements for street and roadway purposes; establishing street grades and sidewalk widths; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the General Plan, eight priority policy findings of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Department of Public Works Order; and authorizing official acts in connection with this Ordinance. (Public Works Department)

4/1/13; RECEIVED FROM DEPARTMENT.

4/9/13; 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>