



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, November 18, 2013

1:30 PM

City Hall, Committee Room 263

Regular Meeting

AGENDA CHANGES

REGULAR AGENDA

1. **131069 [Construction Approval - West Garden Cafe Project - Academy of Sciences in Golden Gate Park]**
Sponsors: Mar; Tang
Resolution approving the construction of a cafe in the West Garden of the Academy of Sciences in Golden Gate Park pursuant to Charter, Section 4.113; adopting findings pursuant to the California Environmental Quality Act; and adopting findings of consistency with the Golden Gate Park Master Plan, the General Plan, and the eight priority policies of Planning Code, Section 101.1.

10/29/13; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.
2. **130970 [Changes to Special Tax District No. 2009-1 - San Francisco Sustainable Financing]**
Sponsors: Mayor; Chiu, Tang and Wiener
Resolution making changes to City and County of San Francisco Special Tax District No. 2009-1 (San Francisco Sustainable Financing) to authorize seismic safety standard retrofits to certain privately owned buildings or real property; and directing the Clerk of the Board to publish a notice of public hearing and other matters related thereto.

10/1/13; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

11/7/13; NOTICED. Notice of Public Hearing - Special Tax District- published
3. **130971 [Amended and Restated Local Goals and Policies - Community Facilities Districts and Special Tax Districts]**
Sponsors: Mayor; Chiu, Tang and Wiener
Resolution adopting amended and restated Local Goals and Policies to provide financial flexibility in connection with the formation of Special Tax Districts, pursuant to Administrative Code, Chapter 43, Article X.

10/1/13; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

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.

131059 [Planning Code - Allowing Certain Non-Conforming Structures to be Rebuilt Under Certain Conditions]

Sponsors: Mayor; Chiu and Cohen

Ordinance amending the Planning Code to allow non-conforming secondary structures in a C-3-R (Downtown Retail) Zoning District to be demolished and rebuilt to the prior non-conforming size under certain conditions; making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

10/29/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

11/13/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Small Business Commission for comment and recommendation; and Department of Building Inspection for informational purposes.

131061 [Administrative Code - Hearings on Tenant Allegations of Landlord Harassment to Recover Possession of the Tenant's Unit]

Sponsors: Campos; Avalos, Mar, Chiu, Cohen and Kim

Ordinance amending Administrative Code, Chapter 37, "Residential Rent Stabilization and Arbitration Ordinance," by providing for hearings at the Rent Board on tenant allegations of landlord harassment constituting a wrongful endeavor to recover possession of the tenant's unit.

10/29/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

11/12/13; REFERRED TO DEPARTMENT. Referred to the Department of Building Inspection; Mayor's Office of Housing; and Rent Board for informational purposes.

131063 [Planning and Administrative Codes - Construction of In-Law Units in Existing Residential Buildings or Auxiliary Structures on the Same Lot; Rent Control]**Sponsors: Wiener; Cohen**

Ordinance amending the Planning Code to allow the construction of an additional dwelling unit or units within the existing envelope of a residential building or auxiliary structure on the same lot (In-Law Units) on any parcel in the Castro Street Neighborhood Commercial District and within 1,750 feet of the District boundaries, excluding any lot within 500 feet of Block No. 2623, Lot Nos. 116 through 154; and authorizing the Zoning Administrator to waive density and other Planning Code requirements in order to create the In-Law Units; amending the Administrative Code to provide that an In-Law Unit constructed with a waiver of code requirements shall be subject to the provisions of the San Francisco Residential Rent Stabilization and Arbitration Ordinance if the existing building, or any existing dwelling unit, is already subject to the Rent Ordinance; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and directing the Clerk of the Board to send a copy of this Ordinance to the California Department of Housing and Community Development, in accordance with State law.

10/29/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

11/12/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Rent Board; Mayor's Office of Housing; and Building Inspection Department for informational purposes.

131064 [Planning Code - Definition of Bona Fide Eating Place]**Sponsor: Wiener**

Ordinance amending the Planning Code to expand the definition of "bona fide eating place" to include a definition based on food sales per occupant; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

10/29/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

11/14/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Small Business Commission for comment and recommendation; Department of Building Inspection; Building Inspection Commission; and Fire Department for informational purposes.

131085 [Planning Code, Zoning Map - Fulton Street Grocery Store Special Use District]**Sponsor: Breed**

Ordinance amending the Planning Code, Section 249.35A to allow a grocery store that may be defined as a formula retail use; making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

11/5/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

131086 [Planning Code - 1500 Page Street Affordable Housing Special Use District]

Sponsor: Breed

Ordinance amending the Planning Code to establish the 1500 Page Street Affordable Housing Special Use District (SUD) for the property located at 1500 Page Street (Assessor's Block No. 1223, Lot No. 004) and repeal the provisions establishing the 1500 Page Street Residential Care SUD; amending the Zoning Map to add the 1500 Page Street Affordable Housing SUD, delete the 1500 Page Street Residential Care SUD, and modify the height and bulk limit for the lot; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

11/5/13; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

131087 [Park Code - Rights in Permits]

Sponsor: Wiener

Ordinance amending the Park Code to distinguish rights in permits for areas and facilities open to the public and rights in permits for events closed to the public; and making environmental findings.

11/5/13; 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>