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Executive Summary
Planning Code Amendment
HEARING DATE: MAY 9TH, 2013

Date:	May 9th, 2013
Case No.:	2013.0402U
Project:	**Administrative Code Amendments to Establish the Bayview Hunters Point Citizens Advisory Committee**
Initiated by:	Supervisor Malia Cohen
Staff Contact:	Kimia Haddadan – (415) 575-9068 *kimia.haddadan@sfgov.org*
Reviewed by:	AnMarie Rodgers, Manager, Legislative Affairs anmarie.rodgers@sfgov.org
Recommendation:	Approval with Modifications.

CODE AMENDMENT

The proposed ordinance would amend the Administrative Code to establish the Bayview Hunters Point Citizens Advisory Committee to provide policy advice to the City and County of San Francisco on planning and land use matters for Zone 2 of the Bayview Hunters Point Redevelopment Project Area.

The Way It Is Now:

Per California State Law AB 26 all redevelopment agencies in California dissolved more than a year ago. In San Francisco, the established Redevelopment Areas, except for major approved development projects, were discarded and the City places no enforceable obligation in those areas. In such areas, the established community advisory bodies – known as Project Area Committees- no longer maintain a legal standing.

The Way It Would Be:

The proposed ordinance would amend the Administrative Code to establish a Bayview Hunters Point Citizens Advisory Committee. This CAC would perform as a community advisory body for Zone 2 of the Bayview Hunters Point Redevelopment Area (See Exhibit A) in order to provide input for development projects as well as rezoning and certain public improvement projects.

Background

The Bayview Hunters Point Project Area Committee (hereinafter "PAC") was established in 1997. The PAC functioned as the advisory body to the San Francisco Redevelopment Agency and the Planning Department regarding planning and development issues in the Bayview Hunters Point Project Area. The Redevelopment Agency and the PAC developed and adopted the Bayview Hunters Point Community Revitalization Concept Plan in 2000. The Redevelopment Agency continued to work with the PAC to

implement this Plan. In 2006, the Redevelopment Agency entered into a Delegation Agreement to delegate to the Planning Commission the land use decisions and administration of the Planning Code within the project area. This Agreement also established that the PAC would review certain development projects prior to their approval and provide the Planning Department with their input on such projects. Projects required the PAC's review per this Agreement included:

(a) Approval of a Significant Project in the Project Area;

(b) Approval of any Conditional Use permit in the Project Area;

(c) Approval of any new construction or substantial rehabilitation project on Third Street and other Neighborhood Commercial ("NC) districts in the Project Area;

(d) Approval of other significant land use proposals such as zoning amendments; and

(e) Any Planning Commission hearing on other projects, if requested by the PAC or its successor.

Planning staff then would describe the comments and recommendations of the PAC in their report to the Planning Commission for such projects.

Soon after this Delegation Agreement became effective, the national economic recession slowed down development in 2008. While Planning staff established a procedure to notify the PAC of such projects and gather their input, only a few projects were presented before the PAC. Subsequently, the Governor of the State of California proposed removal of all redevelopment agencies to help offset state funding deficit. In early 2012, all redevelopment agencies in California were dissolved. This in turn declassified the Bayview Hunters Point area as a Redevelopment Area and therefore deemed the Delegation Agreement moot. As a result the PAC disbanded and had no legal standing to continue their meetings.

Need for a Community Advisory Group

Without the Redevelopment Agency, traditional tools for economic development such as Tax Increment Financing cannot be utilized in former Redevelopment Areas. However, the need for community and economic development in these areas still exist. The Bayview Hunters Point Area has long suffered from economic downturn following the halt of large industries including the shipyard and other military services. Abandonment of such uses left these areas with adverse physical and environmental conditions resulting in many residents leaving these neighborhoods. Establishing these areas as Redevelopment Areas introduced a dedicated revenue stream for improving public infrastructures in these areas. Additionally, it also allowed the community to collaborate in making decisions in shaping the future of their neighborhoods. With the absence of the Redevelopment Agency, it is crucial for the City and successors of the Redevelopment Agency to continue collaborating with the community in forming decisions for this area.

The proposed Ordinance would re-establish the former PAC as a Citizen Advisory Committee. This Ordinance would replicate the terms of the Delegation Agreement for the CAC to review development projects as well as other land use and rezoning projects. The proposed CAC would establish a venue for project sponsors to interact with community representatives and present their projects. The CAC members would provide their input to the Planning Department staff with input on such projects (listed in the Background above)

Issues and Considerations

While the Planning Department established a process to notify the former PAC and gather their input on development projects, such process were never fully practiced and evaluated. This was due to the stagnant development market followed by the Redevelopment Agency being dissolved. Upon consulting with staff tasked with administration of the previous process, the Department found two major issues that at times created confusion to implement this process.

- *Types of Projects to be Reviewed by the CAC*- Staff found that the defined threshold for projects that the CAC need to review included some definitions that are not clearly defined in the Planning Code or the previous Agreement (See list of thresholds in the Background section above). For example, 'Substantial rehabilitation' does not define clear guidance for planners to determine which projects would meet such threshold. Staff proposes to use the existing clearly defined thresholds to streamline the process of identifying which projects need to be reviewed by the CAC.
- *Notification Process*- The proposed Ordinance calls for Planning Department to notify the CAC of projects on a "timely and regular basis." Staff believes that such terms do not provide clear requirements and can potentially create confusion and misunderstanding about when and how projects need to be reviewed.

Proposed Amendments and Basis for Recommendation

1) Types of Projects to be Reviewed by CAC

Project Size- Leveraging the existing defined project size thresholds as currently defined in the Planning Code can streamline the process of identifying which projects shall be reviewed by the proposed CAC. Since the establishment of the former Delegation Agreement, the Planning Department has instituted a successful process for project review early in the process of development, Preliminary Project Assessment (PPA)[1]. This process requires projects of certain size to be reviewed early in their process of drafting the proposal by planning staff. Project sponsors submit PPA applications and the Department reviews and issues a letter to the sponsor within 45 days. This letter contains a summary of the proposed project and the neighborhood context; relevant Planning Code and CEQA requirements, including outreach; and Planning Department staff comments on project's compliance with zoning, height and bulk, open space, setbacks, design. The thresholds of projects that need to submit a PPA application are:

- ✓ the creation of six or more residential units, and/or
- ✓ the construction of a new building or addition to an existing building of 10,000 square feet or more of non-residential space.

These thresholds would capture a wide spectrum of projects that may interest the community and as established in the former Delegation Agreement. A quick survey of the existing pipeline projects in the Zone 2 of the Bayview area shows that expanding the thresholds from residential projects of 10 units or more to projects of 6 units or more, and non-residential projects of 25,000 sq. ft. or more to 10,000 sq. ft. or more would only add a couple projects to what the PAC used to review. It would, however, streamline and regularize the process of identifying projects that would need the CAC

[1] Examples of PPA letters may be found at http://www.sf-planning.org/index.aspx?page=2786

review by linking the threshold to an already established and familiar threshold that is being practiced in the day-to-day work of the Planning Department. Most importantly, this document provides a thorough overview of the department's initial evaluation of the proposed project. As such, it provides a comprehensive document to assist the CAC in their own evaluation of the proposal.

Substantial Rehabilitation- Staff recommends aligning the concept of "substantial rehabilitation" to existing definitions and thresholds that are already being practiced. Existing requirements that target projects undergoing rehabilitation or alteration reside in Sections 311, 312, and 317 of the Code. These Sections require neighborhood notifications for certain projects. In addition, the Department's Pre-Application Meeting[2] policy also established thresholds for projects undergoing renovation. Considering these thresholds, staff recommends using the below thresholds to identify projects that would require CAC review:

- ✓ Projects subject to Section 311 that require vertical additions of 7' or more to the existing building height or 10' or more to the existing building depth at any level. This would include new construction, demolition, and alteration projects in the RH, RM, and RTO districts.
- ✓ Projects that propose changes of use in any zoning district. For this purpose change of use includes changes of use listed in Section 312[3];
- ✓ Projects subject to Section 317 of the Planning Code are those involving the loss of dwelling units.

Planning Department-led Infrastructure Improvement Projects- Public improvements projects such as streetscape improvements and public realm plans are developed with significant community collaboration. The Bayview CAC would serve as a suitable venue for Planning staff in their efforts with such projects to gather community input, consult and collaborate with community representatives to form and shape such projects. Staff recommends adding such projects to the list of project types that would require CAC review.

In summary, the Department recommends amending the types of projects within the Zone 2 of the Bayview Area that may be reviewed by the CAC to include the following:

- ✓ Residential projects that create six or more residential units, and/or projects that include construction of a new building or addition to an existing building of 10,000 square feet or more of non-residential space.
- ✓ Projects that include alteration or change of use that:

[2] The Department's existing pre-application meeting process is described in detail at: http://www.sf-planning.org/modules/showdocument.aspx?documentid=533.

[3] All building permit applications for a change of use to a bar, as defined in Section 790.22, a liquor store, as defined in Section 790.55, a walkup facility, as defined in Section 790.140, other large institutions, as defined in Section 790.50, other small institutions, as defined in Section 790.51, a limited restaurant, as defined in Section 790.90, a Restaurant, as defined in Section 790.91, a massage establishment, as defined in Section 790.60, an outdoor activity, as defined in Section 790.70, an adult or other entertainment use, as defined in Sections 790.36 and 790.38, a fringe financial service use, as defined in Section 790.111, or Group Housing as defined in Section 790.88(b) shall be subject to the provisions of Subsection 312(d); provided, however, that a change of use from a Restaurant to a Limited-Restaurant shall not be subject to the provisions of Subsection 312(d)

- Are subject to Section 311 that would include vertical additions of 7′ or more to the existing building height or 10′ or more to the existing building depth at any level. This would include new construction, demolition, and alteration projects in the RH, RM, and RTO districts.
- Are in any zoning district and meet the definition of change of use as listed in Section 312;
- are subject to Section 317 of the Planning Code (Loss of Dwelling Units)

✓ Approval of any Conditional Use permit;

✓ Any zoning amendment;

✓ Planning Department-led streetscape and public real plan projects;

2) Notification and Review Process

The goal of the proposed CAC is to ensure that community members would have a chance to provide input on development projects in the neighborhood in order to ensure such projects would overall enhance the area and serve the community needs. As a result it is essential for the CAC to be notified in a timely manner of all projects that the CAC would be interested in reviewing. The Department recommends defining a detailed timeline requirement and process to ensure that the notification occurs in a timely manner. Aligning the types of projects that require CAC review with existing established thresholds would also help clarify and streamline the notification process. Staff recommends the following procedure for notifying the CAC and gathering input:

- When a PPA letter is issued, staff notifies the CAC of the project and submits a copy of the letter to the CAC;
- For other projects, staff notifies the CAC once the project application is filed;
- The CAC should contact the developer within 30 days of said notification if the CAC would like the project sponsor to present the project at a CAC meeting.
- Upon request of the CAC, the Project Sponsor shall request a time to present before the CAC at least 60 days prior to the final Planning Commission hearing for adoption.
- Once the Project Sponsor presents before the CAC, the CAC has 60 days to provide their input to Planning staff. In cases of complicated projects where the CAC would need additional time for review, such additional time may be requested from the Planning Commission.
- The Project sponsor shall show a good faith effort to update the CAC of changes to the project after the CAC has issued their comments.
- In cases where the Planning Department has a limited time for review of projects due to State requirements (Example: SB4P Permits), the CAC and Project Sponsor shall schedule their meetings in a way to accommodate such timeline.

Such procedural requirements would help ensure that the CAC members are kept abreast of all projects in a timely manner. It would also establish a clear timeline for this process that helps define expectations from Project Sponsors, CAC members, and Planning Department staff.

POTENTIAL NEW AMENDMENT FROM THE SUPERVISOR

Since the Department position was developed, we received a request from Supervisor Cohen's office. The Supervisor is considering amending this proposed ordinance such that the CAC would also received notification of certain projects in the PDR-1B districts where the project sponsor would be required to hold a Pre-Application Meetings as described in another pending Ordinance sponsored by Supervisor Cohen. This other proposed Ordinance [BF 140180] will also be considered by the Planning Commission on May 9, 2013.

The Department will be able to develop a response to this new potential amendment at the Planning Commission hearing on May 9, 2013.

POTENTIAL COMMISSION ACTIONS

The proposed Resolution is before the Commission so that it may recommend adoption, rejection, or adoption with modifications to the Board of Supervisors. As this proposed ordinance does not amend the Planning Code, no action is required.

ENVIRONMENTAL REVIEW

The proposed amendment is exempt from environmental review and found 'not a project' under Section 15060(c)(2) and 15273 of the CEQA Guidelines.

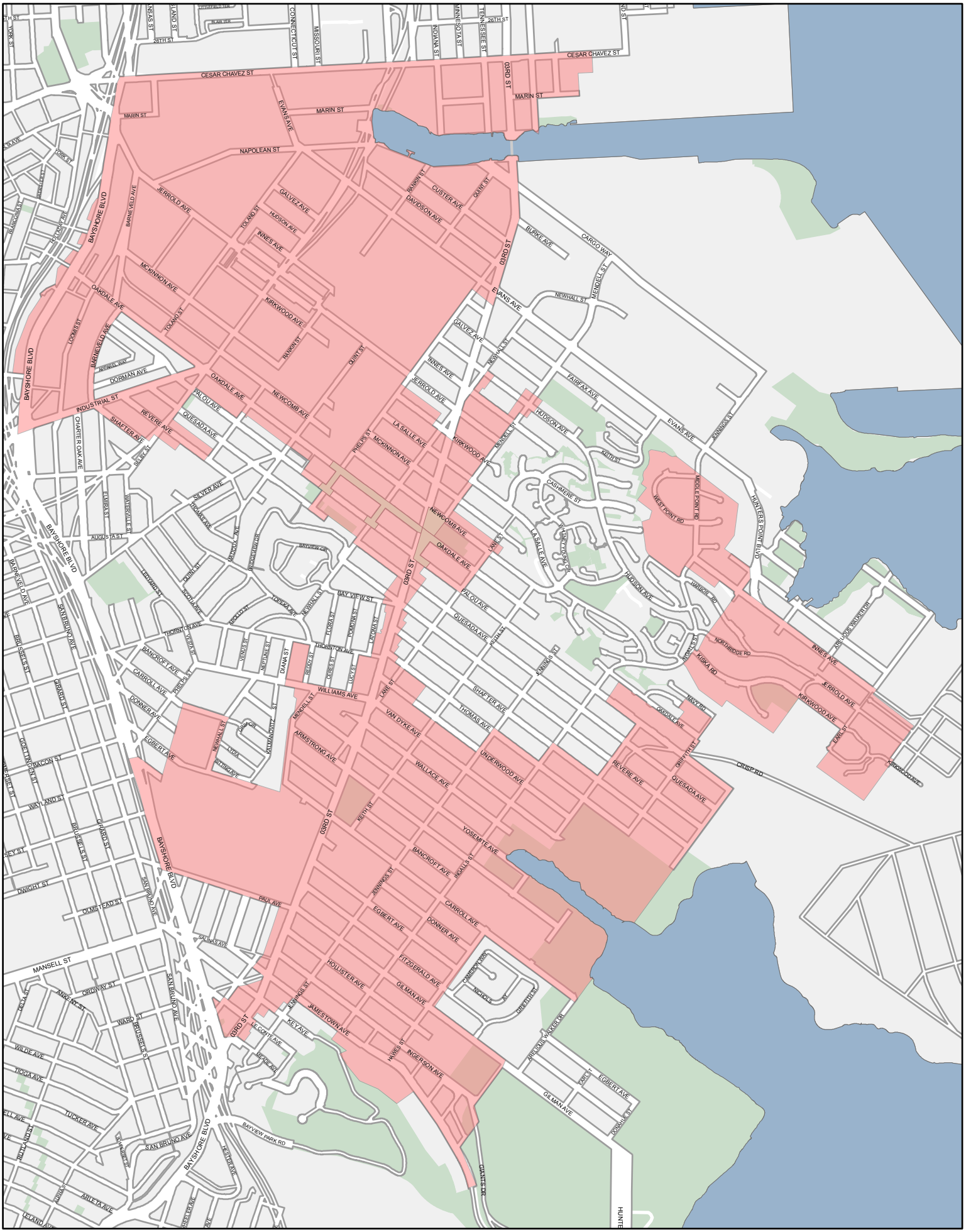
PUBLIC COMMENT

The Department has received no public comments regarding this legislation.

RECOMMENDATION:	**Recommendation of Approval with Modifications**

Attachments

Exhibit A: Map of Bayview Area Zone 2
Exhibit B: Draft Resolution
Exhibit C: Draft Board of Supervisor Ordinance [BF No. 130225]



Bayview Redevelopment Area Zone 2

Feet
0 650 1,300 1,950 2,600

SAN FRANCISCO
PLANNING DEPARTMENT

Draft Planning Commission Resolution No.

HEARING DATE: MAY 9TH, 2012

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Reviewed by:	AnMarie Rodgers, Manager, Legislative Affairs anmarie.rodgers@sfgov.org
Recommendation:	Approval with Modifications.

RECOMMENDING THAT THE BOARD OF SUPERVISORS PASS AN ORDINANCE WITH AMENDMENTS TO THE SAN FRANCISCO ADMINISTRATIVE CODE TO ESTABLISH THE BAYVIEW HUNTERS POINT CITIZENS ADVISORY COMMITTEE TO PROVIDE POLICY ADVICE TO THE CITY AND COUNTY OF SAN FRANCISCO ON PLANNING AND LAND USE MATTERS FOR ZONE 2 OF THE BAYVIEW HUNTERS POINT REDEVELOPMENT PROJECT AREA.

PREAMBLE

Whereas, on March 4, 2013 Supervisor Cohen introduced a proposed Ordinance under Board File Number 13-0225 that would amend the Administrative Code to establish the Bayview Hunters Point Citizens Advisory Committee to provide policy advice to the City and County of San Francisco on planning and land use matters for Zone 2 of the Bayview Hunters Point Redevelopment Project Area;

Whereas, since the introduction of the proposed Ordinance, the Planning Department recommended approval with modifications of the proposed Ordinance; and

Whereas, on May 9th, 2013 the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance and the proposed modification; and

Whereas, the proposed Ordinance have been found exempt from the California Environmental Quality Act per Section 15060(c)(2); and

Whereas, the Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented by Department staff, and other interested parties; and

Whereas, the all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

Whereas, the Commission has reviewed the proposed Ordinance; and

MOVED, that the Commission hereby recommends that the Board of Supervisors recommend ***approval with modifications*** of the proposed Ordinance.
These modifications include:

1) Amending the types of projects within the Zone 2 of the Bayview Area that may be reviewed by the CAC to include the following:
    - ✓ Residential projects that create six or more residential units, and/or projects that include construction of a new building or addition to an existing building of 10,000 square feet or more of non-residential space.
    - ✓ Projects that include alteration or change of use that:
        - Are subject to Section 311 that would include vertical additions of 7′ or more to the existing building height or 10′ or more to the existing building depth at any level. This would include new construction, demolition, and alteration projects in the RH, RM, and RTO districts.
        - Are in any zoning district and meet the definition of change of use as listed in Section 312;
        - are subject to Section 317 of the Planning Code (Loss of Dwelling Units)
    - ✓ Approval of any Conditional Use permit;
    - ✓ Any zoning amendment;
    - ✓ Planning Department-led streetscape and public real plan projects;
2) Establishing the following procedure for notifying the CAC and gathering input:
    - ✓ When a PPA letter is issued, staff notifies the CAC of the project and submits a copy of the letter to the CAC;
    - ✓ For other projects, staff notifies the CAC once the project application is filed;
    - ✓ The CAC should contact the developer within 30 days of said notification if the CAC would like the project sponsor to present the project at a CAC meeting.
    - ✓ Upon request of the CAC, the Project Sponsor shall request a time to present before the CAC at least 60 days prior to the final Planning Commission hearing for adoption.
    - ✓ Once the Project Sponsor presents before the CAC, the CAC has 60 days to provide their input to Planning staff. In cases of complicated projects where the CAC would need additional time for review, such additional time may be requested from the Planning Commission.
    - ✓ The Project sponsor shall show a good faith effort to update the CAC of changes to the project after the CAC has issued their comments.

- ✓ In cases where the Planning Department has a limited time for review of projects due to State requirements (Example: SB4P Permits), the CAC and Project Sponsor shall schedule their meetings in a way to accommodate such timeline.

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. Per California State Law AB 26 all redevelopment agencies in California dissolved more than a year ago. In San Francisco, the established Redevelopment Areas, except for major approved development projects, were discarded and the City places no enforceable obligation in those areas. In such areas, the established community advisory bodies – known as Project Area Committees (PAC)- no longer maintain a legal standing.
2. In 2006, the Redevelopment Agency entered into a Delegation Agreement to delegate to the Planning Commission the land use decisions and administration of the Planning Code within the Bayview Hunters Point Redevelopment Area. This Agreement also established that the PAC would review certain development projects prior to their approval and provide the Planning Department with their input on such projects.
3. Soon after this Delegation Agreement became effective, the national economic recession slowed down development in 2008. While Planning staff established a procedure to notify the PAC of such projects and gather their input, only a few projects were presented before the PAC. Subsequently, the Governor of the State of California proposed removal of all redevelopment agencies to help offset state funding deficit. In early 2012, all redevelopment agencies in California were dissolved. This in turn declassified the Bayview Hunters Point area as a Redevelopment Area and therefore deemed the Delegation Agreement moot. As a result the PAC disbanded and had no legal standing to continue their meetings.
4. With the absence of the Redevelopment Agency, it is crucial for the City and successors of the Redevelopment Agency to continue collaborating with the community in forming decisions for this area. The proposed Ordinance would re-establish the former PAC as a Citizen Advisory Committee. This Ordinance would replicate the terms of the Delegation Agreement for the CAC to review development projects as well as other land use and rezoning projects.
5. While the Planning Department established a process to notify the former PAC and gather their input on development projects, such process were never fully practiced and evaluated. This was due to the stagnant development market followed by the Redevelopment Agency being dissolved. Upon consulting with staff tasked with administration of the previous process, the Department found two major issues that at times created confusion to implement this process:
    a. Types of Projects to be Reviewed by the CAC- Staff found that the defined threshold for projects that the CAC need to review included some definitions that are not clearly defined in the Planning Code or the previous Agreement. For example, 'Substantial rehabilitation' does not define clear guidance for planners to determine which projects would meet such threshold.
    b. Notification Process- The proposed Ordinance calls for Planning Department to notify the CAC of projects on a "timely and regular basis." Staff believes that such terms do not

provide clear requirements and can potentially create confusion and misunderstanding about when and how projects need to be reviewed.

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on May 9, 2013.

Jonas P. Ionin
Acting Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED:

FILE NO. 130225 ORDINANCE NO.

[Administrative Code - Bayview Hunters Point Citizens Advisory Committee]

Ordinance amending the Administrative Code to establish the Bayview Hunters Point Citizens Advisory Committee to provide policy advice to the City and County of San Francisco on planning and land use matters for Zone 2 of the Bayview Hunters Point Redevelopment Project Area.

NOTE: Additions are *single-underline italics Times New Roman*; deletions are ~~*strike-through italics Times New Roman*~~. Board amendment additions are double-underlined; Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated herein by reference.

Section 2. The Administrative Code is hereby amended by adding Article VIII, entitled "Bayview Hunters Point Citizens Advisory Committee" and consisting of Sections 5.70 and 5.71 as follows:

SEC. 5.70. GENERAL FINDINGS.

(a) In 1995, the Board of Supervisors established the Bayview Hunters Point Redevelopment Survey Area. On May 23, 2006, the Board approved and adopted, by Ordinance No. 113-06, the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project ("Redevelopment Plan"), which expanded and renamed the Hunters Point Redevelopment Project Area. The Plan included an Area A, which had been in a 1969 Hunters Point Redevelopment Plan and

an Area B. Project Area A expired, and with its expiration, the area added by the 2006 expansion constitutes the Bayview Hunters Point Redevelopment Project Area (the "Project Area"). A portion of Area B was the Candlestick Point Activity Node.

(b) On August 3, 2010, this Board of Supervisors adopted an amended Redevelopment Plan (the "Amended Redevelopment Plan") by Ordinance No. 210-10. The Amended Redevelopment Plan designated the Candlestick Point Activity Node as Zone 1, and the balance of the Project Area as Zone 2. The Candlestick Point Activity Node is part of the Hunters Point Shipyard/Candlestick Point Project, a major approved development project that the Redevelopment Agency of the City and County of San Francisco (the "Redevelopment Agency") was charged with implementing. The Amended Redevelopment Plan is on file with the Clerk of the Board of Supervisors in File No. 100658, and is incorporated herein as if fully set forth. Map 1 of the Amended Redevelopment Plan identifies the Project Area and Map 2 identifies Zone 1 and Zone 2.

(c) Under the Amended Redevelopment Plan, the Redevelopment Agency retained land use authority within Zone 1. The Redevelopment Agency and the City, through its Planning Department, entered into a Planning Cooperative Agreement, dated for reference purposes as of June 3, 2010, to provide for cooperation between the City and the Redevelopment Agency in carrying out the development of Zone 1.

(d) On September 19, 2006, the Redevelopment Agency and the City, through its Planning Commission, entered into a delegation agreement that provided for implementation of the Redevelopment Plan in Zone 2. The Planning Cooperative Agreement of 2010 provided that development in Zone 2 would continue to be governed by the delegation agreeement. Zone 2 is a mixed residential, industrial and commercial area that has suffered from severe economic decline for many years with the closure of the Hunters Point Naval Shipyard, the shrinking of heavy and light industrial bases, and the lingering effects of long-term environmental pollution.

(e) The Bayview community was long involved in the planning process that brought about the Amended Redevelopment Plan. It has also previously engaged in a yet unfinished planning process for the area within India Basin Shoreline, not included in the Amended Redevelopment Plan, but referred to in the plan as Survey Area C. Survey Area C is shown on Map 3 of the Amended Redevelopment Plan. In the event that future planning efforts can be carried out in Zone 2 or Survey Area C, community involvement is desireable to help create a structured, and interactive relationship between City agencies, developers, and the community regarding land use and planning affairs in Zone 2 and Survey Area C.

SEC. 5.71. THE BAYVIEW HUNTERS POINT CITIZENS ADVISORY COMMITTEE.

(a) Establishment and Purpose. A Bayview Hunters Point Citizens Advisory Committee (the "CAC") is hereby established. The purpose of the CAC shall be to provide policy advice to the Board of Supervisors, City boards, commissions and departments, including the Planning Commission and Planning Department, on planning and land use matters in Zone 2. The CAC shall provide advice on the appropriateness of projects, and land use and zoning designations for projects in Zone 2 or Survey Area C, and provide community guidance on the extent to which a development project futhers General Plan policies in Zone 2.

The CAC shall serve for the duration of the Amended Redevelopment Plan, including any extensions of the plan by the Board of Supervisors. To perform its duties, the CAC may do the following:

(1) review proposed development projects, amendments to a redevelopment plan requiring approval of the Board of Supervisors and zoning changes, and advise the Planning Commission and Department and the Board of Supervisors on those matters;

(2) collaborate with the Planning Department on planning efforts; and

(3) collaborate with City boards, commissions and departments to (A) provide information to the community on planning efforts, development projects, amendments to a redevelopment plan requiring approval of the Board of Supervisors, and zoning changes, and (B) seek input from the community.

(b) Members of the Bayview Hunters Point Citizens Advisory Committee

(1) Appointments.

(A) Appointing Authorities. The CAC shall consist of 12 members. The Supervisor of District 10, the Mayor, and the City Administrator (the "appointing authorities") shall each appoint 4 members. Of the 4 members appointed by each of the appointing authorities, 3 shall have the power to vote on committee actions (voting members), and one shall not have the power to vote on committee actions (a non-voting member). An employee of the City may not be appointed as a voting member of the CAC but may be appointed as a non-voting member. Each appointing authority shall notify the Clerk of the Board of Supervisors in writing of each of its appoinments to the committee, including which appointees shall be voting members.

(B) Quorum. Five voting members shall constitute a quorum. The CAC shall approve matters by an affirmative vote of at least 5 voting-members.

(C) Compensation. Members of the CAC shall serve at the pleasure of their appointing authority without compensation or benefits.

(D) Terms. Each member shall serve a term of two years. The term of the 12 members first appointed to fill the seats on the committee shall commence on the effective date of Ordinance No. _____.

(2) Qualifications of Members. Each member shall have a capacity for volunteerism, and the ability to commit a minimum of 10 hours per week to the review of documents, meetings and planning sessions, and coordination with community members or City representatives. In addition, each member shall have one or more of the following qualifications:

(A) Experience working with multiple City boards, commissions, or department, or their representatives;

(B) A workman-like understanding of, or high level of interest in the land use policies and requirements, zoning issues for Zone 2, and a high level of interest in the review of projects in that area; or

(C) Familiarity with architecture, engineering, construction, historic preservation, public art, transportation and city planning, community benefits, low-income housing development or land use in San Francisco or other urban areas.

(3) Additional Qualifications of Non-voting Members. In addition to the qualifications stated in subparagraph (b)(2) (Qualifications of Members) above, non-voting members must have professional expertise or training that would be helpful to the CAC in the performance of its duties; such as in architecture, land use, or planning.

(4) Residency. A member must be at least one of the following: (A) a resident of the Project Area; (B) a person who owns a business with a fixed office in the City or real property in the City; (C) a representative of a neighborhood group in the Project Area; or (D) a resident of San Francisco who has experience working on architecture, planning, or land use issues in San Francisco.

(5) Conflicts.

(A) During his or her tenure, no member of the CAC shall receive income from, have any financial investments in, or be a party to any contracts with any person or entity who is seeking project approvals, or receives a project approval during the member's tenure regarding a property within Zone 2 or Survey Area C from the City. For the purpose of this Subsection, "project approvals" shall include conditional use authorizations, variances, certificates of appropriateness, and building permits.

(B) During his or her tenure, no member of the CAC shall enter, submit a bid for, negotiate for, or otherwise attempt to enter, any contract with the City, or obtain a subcontract of any

tier to a contract with the City for services, a real estate interest, or other benefits in Zone 2 or Survey Area C.

(C) Any member of the CAC who violates this Subsections shall be deemed to have thereby vacated his or her position on the CAC.

(6) Support. Subject to the budgetary and fiscal provisions of the Charter, the City Administrator's Office shall provide staff to assist the CAC to organize and conduct its public meetings and perform related responsibilities.

(7) Absences. If a member is absent from more than 3 scheduled meetings of the CAC in a twelve-month period, the chairperson shall notify the member's appointing authority of the absences. The appointing authority may exercise its authority over the member, including, without limitation, removing the member from the committee and electing a new member to serve out the term of the member that is removed.

(8) Bylaws. The CAC shall adopt bylaws, subject to the approval of the City Administrator, to ensure the orderly conduct of its meetings.

(c) Cooperation with the CAC. At the request of the CAC, City boards, commissions and department shall cooperate with the CAC in the performance of its duties by providing information within the scope of the body's jurisdiction, assisting in answering questions pertinent to the CAC's duties, referring matters under its jurisdiction to the CAC that are pertinent to the CAC's duties, and considering recommendations of the CAC.

(d) Interaction of Planning Department with the CAC. In addition to its duty to cooperate with the CAC under subsection (c) above, the Planning Department shall:

(1) On a regular and timely basis, notify the CAC of all permit applications that it has received for new construction or substantial rehabilitation in Zone 2, and work with the CAC to consider community input and guidance prior to:

(A) Approval of a commercial project of 25,000 square feet or greater or residential project consisting of 10 or more dwelling units;

(B) Approval of any conditional use permit in Zone 2;

(C) Approval of any new construction or substantial rehabilitation project on Third Street and other Neighborhood Commercial ("NC") districts in Zone 2;

(D) Approval of any significant land use proposals such as zoning amendments; and

(E) Any Planning Commission hearing on other projects, if requested by the CAC;

(2) When reviewing and considering approvals of a project in Zone 2, describe the comments and recommendations of the CAC in its report to the Planning Commission prior to approval of the project, which shall not preclude the CAC from presenting its views on the project in a separate report at a public hearing of the Planning Commission; and

(3) Provide information about permit applications and other proposed development activity in Zone 2 to the CAC as promptly as is reasonably feasible prior to any CAC meeting.

Section 3. Effective Date. This ordinance shall become effective 30 days from the date of passage.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
Robert A. Bryan
Deputy City Attorney

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