

City and County of San Francisco
Land Use and Economic Development Committee
City Hall, Room 263



Meeting Agenda
Monday, July 16, 2007
1:00 PM
Regular Meeting

Members: Sophie Maxwell, Gerardo Sandoval, Jake McGoldrick

Clerk: Mary Red (415) 554-4442

Note: Each item on the Consent or Regular agenda may include the following documents: 1) Legislation 2) Budget Analyst report 3) Legislative Analyst report

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, 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.

AGENDA CHANGES

REGULAR AGENDA

- 1. 070679 [Residential Rental Units: Lock Replacements by Landlord When Tenants Vacate] Supervisor McGoldrick**
Ordinance amending the Administrative Code by adding Chapter 49B to provide that when a rental unit is permanently vacated by all tenants the landlord must re-key or replace all door locks that are exclusive to that unit, including doors to storage units and garages.

5/15/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/14/2007.

2. 070444 [Residential Inclusionary Affordable Housing Requirements] Supervisor Sandoval

Ordinance approving changes to the Residential Inclusionary Affordable Housing Requirements by amending Section 315 to clarify the regulations in effect for particular projects; amending Section 315.1 to modify certain definitions related to income and sale price calculation; amending Section 315.2 to update findings; amending Section 315.3 to conform the legislation to the requirement that the ordinance apply to all projects of 5 units or more; amending Sections 315.4 and 315.5 to establish separate requirements for buildings of 120 feet in height or greater, to clarify the requirements related to the type of on- and off-site housing required, to require the Mayor's Office of Housing to establish minimum qualifications for firms that market below market-rate units; and to establish a preference in the lottery for on- and off-site units for people who live and work in San Francisco; amending Section 315.6 to provide updated guidelines for the calculation of the in lieu fee and to allow MOH to expend funds for a study to periodically update the fee; amending Section 315.7 to change the amount of time an ownership unit shall remain affordable; amending Section 315.8 to amend certain monitoring and study obligations; making a related change to the Jobs-Housing Linkage Program by amending Section 313.6 to make annual adjustments in the in lieu fee for that program correspond to the method used for the Residential Inclusionary Affordable Housing Program; and making findings, including findings under the California Environmental Quality Act.

4/9/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

4/9/07, PREPARED IN COMMITTEE AS AN ORDINANCE. Heard in committee. Speakers: Supervisor McGoldrick; Doug Shoemaker, Mayor's Office of Housing (MOH); Chandra Egan; Supervisor Maxwell; Supervisor Sandoval; Francisco da Costa; Cheryl Adams, Deputy City Attorney.

4/9/07, CONTINUED TO CALL OF THE CHAIR.

4/12/07, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comments.

5/1/07, RESPONSE RECEIVED. Planning Department exemption from CEQA.

7/10/07, RESPONSE RECEIVED. Planning Commission Resolution 17455 and Planning Department Case Report.

3. 070463 [Requesting additional analysis on the Trans Bay Cable Project and deferring further approvals to permit consideration of alternatives to the project] Supervisor Maxwell

Resolution deferring further action on the Trans Bay Cable Project to permit the City to analyze more fully alternatives to the Trans Bay Cable Project and the implications of the Trans Bay Cable Project on City electric reliability, energy policy, development of renewables and energy efficiency; and requesting the Public Utilities Commission to provide such analysis so that it can be discussed at a hearing to be scheduled 45 days from the effective date of this resolution.

4/10/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

7/13/07, CLERICAL CORRECTION. Clerical corrections to page 4, lines 3,7 and 11, deleted "further"; and on line 15, added "and, be it".

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: 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. Any written comments should be sent to: Committee Clerk of the Land Use and Economic Development Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

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

(Not to be considered at this meeting)

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.

- 4. 070904 [Permits for communications companies and equipment] Supervisor McGoldrick**
Ordinance amending Chapter 11, Article 1 of the San Francisco Administrative Code by amending Sections 11.1 and 11.9 to authorize state video franchise holders and personal wireless service carriers to obtain utility conditions permits, requiring persons installing personal wireless service facilities in the public rights-of-way to obtain personal wireless service facilities site permits, imposing fees for personal wireless service facilities site permits, and making environmental findings. (Public Works Department)
- 6/18/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/26/2007.
- 6/28/07, REFERRED TO DEPARTMENT. Planning Department for environmental review.
- 6/29/07, RESPONSE RECEIVED. Planning Department exemption from CEQA.

5. 070925 [Green Building Construction Requirements] Supervisor Peskin

Ordinance amending the San Francisco Building Code by adding Chapter 13C to require new or added construction over 20,000 square feet to comply with the Leadership in Energy and Environmental Design (LEED) Gold rating or an equivalent green building standard except for City projects, which are covered by Chapter 7 of the San Francisco Environment Code, to authorize the Director of Building Inspection to grant an exemption from some of the requirements on the grounds of hardship or infeasibility, to require the Director to grant an exemption if compliance would compromise the historical integrity of an historic structure, and to encourage projects not within the scope of the ordinance to incorporate as many green building standards into their construction as is feasible; adopting findings, including environmental findings and findings required by California Health & Safety Code Section 17958.5.

Economic Impact

6/19/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/19/2007.

6/26/07, REFERRED TO DEPARTMENT. Building Inspection Commission for review and comments and Planning Department for environmental review.

6/29/07, RESPONSE RECEIVED. Planning Department exemption from CEQA.

7/2/07, RESPONSE RECEIVED. Advising that legislation was forwarded to Alan Tokugawa, Chair, Code Advisory Committee for review. The CAC will make recommendation to the Building Inspection Commission and then the item will be placed on the BIC agenda.

6. 070947 [Exempting Wind Turbines from Bernal Heights Special Use District Height Limits] Supervisor Ammiano

Ordinance amending the San Francisco Planning Code by amending Section 242 (e)(1)(D) to allow certain wind power generators within the Bernal Heights Special Use District subject to height limitations set forth in Section 260(b)(1)(A), making environmental findings, general plan findings, and other required findings.

6/26/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/26/2007. Sponsor requests that the item be referred to Rules Committee for public hearing.

6/28/07, REFERRED TO DEPARTMENT. Planning Commission for review and comments.

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 at a Committee meeting 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) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-

4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

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Requests for language interpreters at a meeting 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 en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.



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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 J, K, L, M, N, and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

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 decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine 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 Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.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 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics