

City and County of San Francisco
Land Use and Economic Development Committee

City Hall, Room 263



Meeting Agenda
Monday, July 7, 2008
2:30 PM
Rescheduled Meeting

Members: Sophie Maxwell, Gerardo Sandoval, Aaron Peskin

Clerk: Linda Laws (415) 554-4441

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the Land Use and Economic Development Committee on Monday, July 7, 2008, at 1:00 p.m. HAS BEEN RESCHEDULED TO Monday, July 7, 2008, at 2:30 p.m.

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. 080850 [Zoning - 901 Bush Street Special Use District] Supervisor Peskin**
Ordinance amending the San Francisco Planning Code by adding Section 249.36 and amending Sheet SU01 of the Zoning Map of the City and County of San Francisco to establish the 901 Bush Street Special Use District in the area generally bounded by Bush Street to the north, Taylor Street to the East, and Assessor's Block 0282 Lots 017 and 022 to the west and south, respectively; and adopting environmental findings and findings of consistency with the General Plan and the Priority

Policies of Planning Code Section 101.1(b).

6/24/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

2. **080436** **[Authorizing the passthrough from landlord to residential tenant of specified percentages of water and sewer services cost increases imposed through adoption of water and sewer rates after** **Supervisors Alioto-Pier, Chu**

Ordinance amending the San Francisco Administrative Code to encourage water conservation by authorizing landlords to pass through to tenants fifty percent of increased water and sewer bill charges resulting from the adoption of water and sewer rates after July 1, 2002, and the passthrough to tenants of seventy percent of increased water and sewer bill charges resulting from the adoption of water and sewer rates after July 1, 2002, where specified water conservation devices have been installed in all rental units and common areas of a building; and providing for passthrough administration, noticing and enforcement procedures.

4/1/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/1/2008.

4/3/08, REFERRED TO DEPARTMENT. Referred to the Small Business Commission for comment and recommendation.

6/9/08, CONTINUED. Heard in Committee. Speakers: Charles Rudyear; Espanola Jackson. Continued to June 30, 2008.

3. **071009** **[Construction Dust Control]** **Supervisors Maxwell, Peskin, Ammiano, Dufty**

Ordinance amending the San Francisco Building Code by adding Section 106.3.2.6 to require that all site preparation work, demolition, or other construction activities within the City and County of San Francisco that have the potential to create dust or will expose or disturb more than 10 cubic yards or 500 square feet of soil must comply with specified dust control measures whether or not the activity requires a permit from the Department of Building Inspection, with provision for waiver by the Director for activities on sites less than one half acre that are unlikely to result in any visible windblown dust; amending the San Francisco Health Code by adding Article 22B to require, for projects over one half acre, that the project sponsor obtain approval of a dust control plan from the Director of Public Health unless the Director waives these requirements or the project qualifies for an interior only tenant improvement project exemption, and enacting fees to defray the costs of implementation; adopting environmental and general findings.

7/10/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/9/2007.

7/18/07, REFERRED TO DEPARTMENT. Referred to City Attorney to be approved as to form.

8/7/07, ASSIGNED to Land Use and Economic Development Committee.

8/7/07, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

8/13/07, REFERRED TO DEPARTMENT. Building Inspection Commission, Planning Department and Department of Public Health for review and comment.

8/21/07, RESPONSE RECEIVED. Planning Department, categorically exempt from environmental review.

12/28/07, RESPONSE RECEIVED. Building Inspection Commission voted not to support this

ordinance.

2/27/08, RESPONSE RECEIVED. Health Commission Resolution No. 05-08 with recommendation supporting the dust control ordinance.

6/24/08, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

6/24/08, ASSIGNED to Land Use and Economic Development Committee. 6/27/08, 7/4/08 Publication of fee ad.

6/25/08, RESPONSE RECEIVED. Planning Department - Categorically exempt from environmental review. Class 8 - actions by regulatory agencies for protection of the environment.

4. 080063 [Green Building Requirements] Mayor

Ordinance amending the San Francisco Building Code by adding Chapter 13C to impose green building requirements on newly constructed residential buildings, newly constructed commercial buildings that are 5,000 gross square feet or more, alterations to new or existing commercial interiors that are 25,000 gross square feet or more in area, and major alterations to existing buildings that are 25,000 gross square feet or more in area, where interior finishes are removed and significant upgrades to structural and mechanical, electrical and/or plumbing systems are proposed; exempting City projects, which are covered by Chapter 7 of the San Francisco Environment Code; providing that the requirements become effective 90 days after enactment of the ordinance and increase over the following five-year period; adopting findings, including environmental findings and findings required by California Health and Safety Code Section 17958.5.

Economic Impact

1/8/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/7/2008.

1/17/08, REFERRED TO DEPARTMENT. Department of Environment for review; Planning Department for environmental review; and Building Inspection Commission for comments and review.

2/21/08, RESPONSE RECEIVED. Planning Department categorically exemption from environmental review.

4/7/08, RESPONSE RECEIVED. Building Inspection Commission - All Commissioners were presented and voted unanimously to support the ordinance.

5/21/08, RESPONSE RECEIVED. Office of Economic Analysis - Economic Impact Report dated May 21, 2008.

5. 070535 [Status of the Eastern Neighborhoods Plan] Supervisor Maxwell

Hearing before the Land Use Committee by the Planning Department regarding the status of the Eastern Neighborhoods Plan.

4/24/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

5/7/07, CONTINUED TO CALL OF THE CHAIR. Heard in committee. Speaker: Amit Ghosh, Planning Department; Ken Rich, Planning Department; Supervisor Maxwell; Doug Shoemaker, Mayor's Office of Housing; Jessie Blout, Mayor's Office of Economic Workforce Development; Francisco Da Costa; Joe Boss; Charles Clary; Silvia Johnson.

7/30/07, CONTINUED TO CALL OF THE CHAIR. Heard in committee. Speakers: Supervisor Maxwell; Ken Rich, Planning Department; Supervisor McGoldrick; Peter Albert, Municipal

Transportation Authority; Sarah Dennis, Planning Department; Espanola Jackson; Francisco Da Costa; Sylvia Johnson; Tony Kelly; Robin T.; Calvin Welch; Dennis A.; Katherine Williams; Peter Cohen; Joe Boss.

9/17/07, CONTINUED TO CALL OF THE CHAIR. Heard in committee. Speakers: Ken Rich, Planning Department; Supervisor Sandoval; Supervisor McGoldrick; Doug Shoemaker, Mayor's Office of Housing (MOH); Myrna Melgar, MOH; Francisco Da Costa; Judy West, Project Artaud; Espanola Jackson; Charles Brannigan; Shamus Busbey; Frank Schndier; Lew; Greg Markonlis, American Industrial Center; Gary Gee; Sean McArdle, Bay West Group; Tony Kelly; Sue Hestor; Eric; Grace Shanahan, Residential Builders; male speaker; Corinne Woods, Neighborhood Parks Council; Mat Regan, Bay Area Council; John O'Connor; Leo Cassidy; Sean Keeghrein; Dave O'Keefe; Supervisor Maxwell. Supervisor Sandoval absent for the vote.

4/21/08, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: John Rahaim, Director of Planning; Ken Rich and Amit Ghosh, Planning Department.

5/19/08, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: John Rahaim, Planning Director; Steve Wertheim, Planning Department; Ken Kirkey, ABAG; Ken Rich, Planning Department; John Malamut, Deputy City Attorney; Espanola Jackson; Ariel Braunstein, Jamie Guarrero, Kate Sofis, Antje Kann, NEMRA; April Veneracion, SOMCAN; Tony Kelly, Potrero Boosters; Beth Weintraub, NEMRA and Weintraub Studios; Fred Snyder, David Allen Trust; Bill Lightner, Lightner Property Group; Tim Colen, SF Housing Action Coalition; John Tedesco; Alexis McNulty; Glenn McNulty; Robert Meyers; Kapa Askenasy; Ingrid Aquino; Carolyn Polikoff, NEMRA; Philip Lessner, Mission Miracle Mile; Sue Hestor; Chris Durazo, SOMCAN; Joe Boss.

6/2/08, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Ken Rich, Planning Department; Michael Yarne and Rhonda Simmons, Office of Economic Workforce Development; Francisco Da Costa; Jazzie Collins, SOMCAN; Ingrid Aquino; Espanola Jackson; Tony Kelly, Potrero Boosters; Kapa Askenasy; Male Speaker; Bill Lightner, Lightner Property Group; John O'Brien, O'Brien Mechanical; Philip Lessner, Mission Miracle Mile; Eric Acosta; Sue Hestor.

6/9/08, CONTINUED. Heard in Committee. Speakers: Ken Rich, Planning Department; Douglas Shoemaker, Mayor's Office of Housing; Sarah Dennis, Planning Department; Alek Felstiner, Unite Here Local 2; Gillian Gillett, Dan Murphy, Jim Salinas, Steve Aiello, SF Housing Action Coalition (SFHAC); Beth Weintraub, Ariel Braunstein, Antje Kann, NEMRA; David Sternberg, Sternberg Benjamin Architects; Jazzie Collins, SOMCAN; Robert Meyers; Mai Doan, Angelica Cabande, SOMCAN; Brett Gladstone, Gladstone & Associates; Rob Black, SF Chamber of Commerce; Jaime Trejo, MEDA/MAC; Meredyth Skemp, SFHAC; Reuben Hechonova, Mission Housing Development Corp.; Joe Olla, Nibbi Brothers; Joseph Chance, SFHAC; Evan Reeves, Center for Creative Land Recycling; Ali Warner, Urban Housing Group; Tracy Zill, Reuben & Junius; Paul Olsen, Hayes Valley Neighborhood Association; Jon Braun, Hausu Architects; Tom Radulovich, Livable City; Matt Regan, Bay Area Council; Maherah Silmi, Cathedral Hill Plaza; Fred Synder; Tony Kelly, Potrero Boosters; Kapa Askensay; Charles Rightenger; Elizabeth Moore, Shamrock Real Estate; Jerry Acosto; Bryan McGee; Fergus O'Sullivan; Angus McCarthy, Residential Builders Association; Maureen Byrne; Gerald O'Keefe; Steve Rooney; Kiernan Buckley, Dan Kerley, John Kerley, Grace Shanahan, Jeff Rocka, Residential

6/23/08, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Ken Rich, Planning Department; Julie Kirshbaum, Municipal Transportation Agency; Sue Exline, Andres Power, Pilar Lavaley, Claudia Flores, Planning Department; Lili Farhang, Department of Public Health; Espanola Jackson; Francisco Da Costa; Corinne Woods, Neighborhood Parks Council; Tony Kelly; Potrero Boosters; Juan Calaf and Diane Wu, Asian Neighborhood Design; Judy West, Project Artaud; Chris Durazo, SOMCAN; Janet Carpinelli, Dogpatch Neighborhood Association; Fernando Marti, Asian Neighborhood Design; Dan Murphy, Urban Green Devco; Sue Hestor; Sean Keighran, Residential Builders Association; Joe Boss.

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.

6. 080822 [Residential Rent Ordinance: Tenant Rights for Victims of Domestic Violence or Stalking] Supervisors Chu, Maxwell, Alioto-Pier

Draft ordinance amending Chapter 37 Residential Rent Stabilization and Arbitration Ordinance by making Findings and amending Sections 37.2 and 37.9 to provide protections for tenants who are victims of domestic violence or stalking, including protection from evictions based on the actions of abusers or stalkers, rental agreement termination rights where personal safety is at substantial risk, and confidentiality protections.

6/10/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/10/2008.

6/13/08, REFERRED TO DEPARTMENT. Referred to City Attorney to approve as to form.

7. **080823** **[Establishment of floodplain management programs and designation of floodplain administrator]** **Supervisor Elsbernd**
Ordinance establishing a floodplain management program by adding Article XX, sections 2A.280 - 2A.285 to the San Francisco Administrative Code; designating the City Administrator as the floodplain administrator; and providing requirements for designating floodplains and for construction and development in floodplains.

6/10/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/10/2008.

6/16/08, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review.
8. **080872** **[Planning - Union Street Neighborhood Commercial District - Full-Service Restaurants]** **Supervisor Alioto-Pier**
Ordinance amending Planning Code Sections 725.1 and 725.42 of the Union Street Neighborhood Commercial District to provide for a limited number of new full-service restaurant uses that satisfy specific requirements and obtain conditional use authorization, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

6/17/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/17/2008.

6/27/08, REFERRED TO DEPARTMENT. Referred to the Small Business Commission for comment and recommendation. Referred to Planning Department for environmental review and Planning Commission for review and comment.
9. **080883** **[Zoning - Creating the New Mission-Harrington Special Use District]** **Supervisor Sandoval**
Ordinance amending the San Francisco Planning Code by adding new Section 780.3, creating the Mission-Harrington Special Use District, located at 4550 Mission Street at the intersection with Harrington Street; amending the Table at Section 712, to refer to this new Special Use District; amending the Special Use District Map SU11 of the Zoning Map of the City and County of San Francisco, to refer to this new Special Use District; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

6/24/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/24/2008.

6/27/08, REFERRED TO DEPARTMENT. Referred to the Small Business Commission for comment and recommendation. Referred to Planning Department for environmental review and Planning Commission for review and comment.

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.

Agendas are available on the internet at www.sfgov.org/site/bos_meetings

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

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.



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 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