

City and County of San Francisco
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689



MEETING MINUTES

Monday, July 7, 2008

2:30 PM

City Hall, Room 263

Rescheduled Meeting

Land Use and Economic Development Committee

Members: Sophie Maxwell, Gerardo Sandoval, Aaron Peskin

Clerk: Linda Laws (415) 554-4441

Members Present: *Sophie Maxwell, Gerardo Sandoval, Aaron Peskin.*

Members Excused: *None.*

Members Absent: *None.*

MEETING CONVENED

The meeting convened at 2:37 p.m.

AGENDA

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.

Heard in Committee. Speaker: Craig Nikitas, Planning Department.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Sandoval, Peskin

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, Elsbernd

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.

Heard in Committee. Speakers: Supervisor Alioto-Pier; Laura Spanjian, SFPUC; Jared Blumenfeld, Department of the Environment; Bruce Alison, Senior Action Network; Jennifer Clary, Clean Water Action; Ernestine Weiss; Peter Fries; Francisco Da Costa; Ted Gulickson; Brook Turner, Coalition for Better Housing; John Roddy, Deputy City Attorney; Todd Rydstrom, SFPUC; John Malamut, Deputy City Attorney.

Continued to July 21, 2008.

CONTINUED by the following vote:

Ayes: 2 - Maxwell, Peskin

Noes: 1 - Sandoval

071009 [Construction Dust Control]

**Supervisors Maxwell, Peskin,
Ammiano, Dufty, Mirkarimi**

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.

Heard in Committee. Speakers: Rajiv Bhatia, M.D., Department of Public Health; Bill Wycko, Planning Department; Laurence Kornfield, Department of Building Inspection; Francisco Da Costa.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Sandoval, Peskin

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.

Heard in Committee. Speakers: Craig Nikitas, Planning Department; Wade Crowfoot, Mayor's Office; Phil Williams, Task Force on Green Buildings; Laurence Kornfield, Department of Building Inspection; Francisco Da Costa; Laura Tam, SPUR.

7/7/08 Amendment of the whole bearing new title.

Supervisor Sandoval requested to be added as a co-sponsor.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Ordinance amending the San Francisco Building Code by adding Chapter 13C to impose green building requirements on (1) newly constructed Group R occupancy residential buildings, (2) newly constructed commercial buildings of Group B or M occupancies that are 5,000 gross square feet or more, (3) new first-time build-outs of commercial interiors that are 25,000 gross square feet or more in area buildings of Group B or M occupancies, and (4) major alterations that are 25,000 gross square feet or more in area existing buildings of Group B, M, or R occupancies, where interior finishes are removed and significant upgrades to structural and mechanical, electrical and/or plumbing systems are proposed; exempting (1) City projects, which are subject to Chapter 7 of the San Francisco Environment Code, (2) any new building in which laboratory use of any occupancy classification is the primary use, and (3) any building undergoing renovation in which the area of renovation will be primarily for laboratory use of any occupancy classification, and to authorize the Director of Building Inspection to grant an exemption from some of

Continued to July 14, 2008.

CONTINUED AS AMENDED by the following vote:

Ayes: 3 - Maxwell, Sandoval, Peskin

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 Builders Association; Male Speaker; Yvonne Drucker, SFHAC; Joe Cassidy, Rich McCarthy, John O'Connor, Residential Builders Association; Sue Hestor; Phillip Lessner; Sean Keighran, Residential Builders Association. Continued to June 23, 2008.

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.

Heard in Committee. Speakers: Ken Rich, Steve Wertheim and Dan Sider, John Sway, Sarah Dennis, Planning Department; Philip Lessner; Francisco Da Costa; Sue Hestor.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Maxwell, Peskin

Absent: 1 - Sandoval

The meeting adjourned at 6:00 p.m.