

**City and County of San Francisco**

**Land Use and Economic Development Committee**

*City Hall, Room 263*



**Meeting Agenda**

**Monday, June 4, 2007**

**1:00 PM**

**Regular Meeting**

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*Members: Sophie Maxwell, Gerardo Sandoval, Jake McGoldrick*

*Clerk: Mary Red (415) 554-4442*

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*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**

**CONSENT AGENDA**

*All matters listed hereunder constitute a Consent Agenda, are considered to be routine and will be acted upon by a single roll call vote of the Committee. There will be no separate discussion of these items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.*

**1. 070570 [Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET (NORTHBOUND) - ESTABLISH

Craut Street, between Silver Avenue and Trumbull Street (Parking and Traffic Department)

(4/24/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic

and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 3349)

4/26/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**2. 070569 [STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

**STOP SIGNS – ESTABLISH**

18th Street at Illinois Street, stopping the stem of this T-intersection;

Piedmont Street at Masonic Avenue, stopping Piedmont Street, making this T-intersection an All-Way STOP;

Noriega and 21st Avenue, stopping Noriega Street, making this intersection an All-Way STOP;

Detroit Street and Staples Avenue, stopping Detroit Street, making this intersection an All-Way STOP; and,

Lisbon Street and Silver Avenue, making this T-intersection an All-Way STOP.

**STOP SIGNS - RESCIND**

Craut Street and Silver Avenue intersection (rescind the 3-Way Stop);

Craut Street and Maynard Street (rescind the southbound Craut Street STOP); and,

Craut Street and Ney Street (rescind the southbound Ney Street STOP). (Parking and Traffic Department)

(4/24/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 3349)

4/26/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**REGULAR AGENDA**

**3. 070564 [Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

**NO PARKING ANYTIME – ESTABLISH**

Eucalyptus Drive, south side, from the Junipero Serra Boulevard Service Road to 33 feet westerly.

**TOW-AWAY, NO PARKING ANYTIME – ESTABLISH**

Vicente Street, south side, from Portola Drive to 49 feet westerly, (approved for a 60 day trial; further approval subject to review and approval of a report by the Department of Parking and Traffic). (Parking and Traffic Department)

(4/24/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 3349)

4/26/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

4. 070656

**[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

**TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH**

Market Street, north side, from 64 feet to 143 feet west of Castro Street (a 79-foot zone);  
Mason Street, west side, from Jefferson Street to 40 feet southerly (removes two parking meter spaces to accommodate buses turning left onto Mason Street); and,  
Geneva Avenue, south side, from Carter Street to 100 feet westerly.

**UNMETERED MOTORCYCLE PARKING - ESTABLISH**

Minnesota Street side of 1415 Indiana Street, from 2 feet to 9 feet north of the Minnesota Street driveway for 1415 Indiana Street (accommodating two unmetered motorcycle parking spaces).

**RESIDENTIAL PERMIT PARKING AREA "H" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**

Beachmont Drive, both sides, between Sloat Boulevard and Lagunitas Drive (unit block).

**RESIDENTIAL PERMIT PARKING AREA "R" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**

Grove Street, both sides, between Buchanan and Webster Streets (700 block).

**DIAGONAL (60-DEGREE ANGLE) PARKING - ESTABLISH**

Stanyan Street, east side, from Fulton Street to McAllister Street (legalizing existing conditions)  
(Parking and Traffic Department)

(5/3/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street. DPW Order No. 3356)

5/9/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

5. 070179

**[Parking Regulations]**

**Supervisor Dufty**

Resolution enacting and rescinding parking regulations at various locations.

**RESIDENTIAL PERMIT PARKING AREA "D", 4-HOUR TIME LIMIT, 9 AM to 5 PM, MONDAY THROUGH FRIDAY - ESTABLISH**

Bosworth Street, north side, from Chilton Avenue to Elk Street.

**2-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND**

Bosworth Street, north side, from Chilton Avenue to Elk Street.

(2/5/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

2/6/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

3/30/07, TRANSFERRED to Land Use and Economic Development Committee.

6. 070406

**[Parking Regulations]**

**Supervisor Daly**

Resolution enacting and rescinding parking regulations at various locations.

**RESIDENTIAL PERMIT PARKING – AREA U – RESCIND**

1 South Park (excludes lot 7 of block 3775 from the permit area)

(Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

3/27/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

5/4/07, REFERRED TO DEPARTMENT. Referred to Department of Parking and Traffic for environmental review.

5/10/07, RESPONSE RECEIVED. Department of Parking and Traffic, exemption from environmental review.

**7. 070178 [Street encroachment for Little Saigon neighborhood entrance at Larkin and Eddy Streets] Supervisor Daly**

Ordinance granting revocable permission to the Vietnamese Elderly Mutual Assistance Association to occupy a portion of the public right-of-way to construct sidewalk bulb-outs with two (2) 24 x 31 concrete and granite pillars at the northeast and northwest corners of Larkin and Eddy Streets to mark the entry to the Little Saigon neighborhood; waiving permit and right-of-way occupancy assessment fees and General Plan Referral fees; deleting two parking meter zones on Larkin Street to accommodate the encroachment; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

2/6/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

2/9/07, REFERRED TO DEPARTMENT. Referred for review and comments to Department of Public Works and Department of Parking and Traffic; and Planning Department for environmental review.

2/20/07, REFERRED TO DEPARTMENT. Referred to Director of Planning for review and comment.

2/23/07, RESPONSE RECEIVED. Planning Department response, categorically exempt from environmental review.

4/5/07, RESPONSE RECEIVED. Planning Department General Plan Referral and priority policy findings.

5/4/07, REFERRED TO DEPARTMENT. Referred to Department of Parking and Traffic for environmental review.

5/10/07, RESPONSE RECEIVED. DPT recommendation, Exempt from Environmental Review.

5/10/07, RESPONSE RECEIVED. Department of Public Works Order No. 176,838 recommending approval.

**8. 070133 [Limiting exemptions from, and clarifying the scope and collection of, the Transit Impact Development Fee] Supervisor McGoldrick**

Ordinance (1) amending Chapter 38 of the Administrative Code by (a) amending Sections 38.1 and 38.3, and adding a new Section 38.3-1 to limit the exemption from the current Transit Impact Development Fee (TIDF) for projects for which an application for environmental review or a categorical exemption was submitted on or before April 1, 2004, to instances in which a building or

site permit is issued on or before September 4, 2008 and requiring that such exempt projects that would otherwise have been subject to the former TIDF pay a fee on new office space only equivalent to the amount that would have been due under the former TIDF ordinance; (b) amending Section 38.1 to clarify the definitions of "Gross Floor Area" and "Retail/Entertainment;" (c) amending Section 38.3 to correct an unintended exclusion for art spaces; (d) amending Section 38.5 to specify that the TIDF due for a project is based on the fee in effect on the date of payment; and (e) amending Section 38.6 to clarify the circumstances in which a credit for prior eliminated uses is available and make clear that any credit against the amount of the TIDF based on prior use cannot exceed the amount of the TIDF due; and (2) making environmental findings.

1/30/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/1/2007.

2/7/07, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review for fees, and to Small Business Commission.

2/13/07, SUBSTITUTED. Supervisor McGoldrick submitted a substitute ordinance bearing new title.

2/16/07, RESPONSE RECEIVED. Planning Department exemption from CEQA.

3/7/07, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental findings.

3/8/07, RESPONSE RECEIVED. Planning Department exemption from CEQA, non-physical exemption.

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

4/24/07, SUBSTITUTED to Land Use and Economic Development Committee. Supervisor McGoldrick submitted a substitute ordinance bearing new title.

**9. 070474 [Supporting SB 464 to discourage abuse of the Ellis Act by real estate speculators] Supervisor Peskin**

Resolution supporting SB 464 to discourage abuse of the Ellis Act by real estate speculators.

4/10/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

4/17/07, REFERRED to Land Use and Economic Development Committee.

*The Chair intends to entertain a motion to send this item out as a Committee Report to the Board meeting of June 5, 2007.*

## **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.*

- 10. 070617 [Zoning - modifying the definition of liquor store to remove prohibitions on grocery stores and similar uses] Supervisor Alioto-Pier**
- Ordinance amending Planning Code Sections 790.55, 790.102, 249.5, 781.8, 781.9, 782, 783, and 784 to remove grocery stores and other similar uses from prohibitions placed on the establishment of liquor stores in certain districts; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.
- 5/8/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/7/2007.
- 5/18/07, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comment.
- 5/25/07, RESPONSE RECEIVED. Planning Department exemption from CEQA. 8/7/07, Board adopted an extension of 45-days for review by Planning Commission; see File 071140.
- 11. 070623 [Inclusionary Housing Program - New Alternative to Meet Requirements] Supervisor Daly**
- Ordinance amending Section 315.4 to provide for a new alternative to meeting the requirements of the Residential Inclusionary Affordable Housing Ordinance; adding Section 315.6A. to provide that a project sponsor may pay the amount of the in lieu fee to a qualifying nonprofit entity to acquire and rehabilitate units as permanently affordable rental housing if the number of resulting units will be 25% higher than the amount provided under the existing off-site alternative; and making findings, including findings under the California Environmental Quality Act.
- 5/8/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/7/2007.

5/18/07, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comments.

5/25/07, RESPONSE RECEIVED. Planning Department exemption from CEQA. 9/25/07, Board adopted an extension of 45-days for review by Planning Commission; see File 071355.

**12. 070628 [Describing the Limits on the Redevelopment Agency's Use of Eminent Domain to Acquire Real Property in Existing Redevelopment Plan Project Areas] Mayor, Supervisor Peskin**

Ordinance describing the limits in existing redevelopment plans on acquisition of real property by the Redevelopment Agency of the City and County of San Francisco through the use of eminent domain, in compliance with a new requirement of the California Community Redevelopment Law.

5/8/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/7/2007.

**13. 070671 [Amending the Planning Code to Create the Fringe Financial Service Restricted Use District and Making Related Zoning Map Amendments] Supervisor Ammiano**

Ordinance amending San Francisco Planning Code Sections 249.5, 781.8, 781.9, 782, and 783 and adding Section 249.35 to the San Francisco Planning Code to create a noncontiguous Fringe Financial Service Restricted Use District prohibiting new fringe financial services, as defined, with certain exceptions; amending San Francisco Planning Code Section 312 to require certain notice in Neighborhood Commercial Districts; amending San Francisco Planning Code Section 227 to add Fringe Financial Service Use to the Commercial District Zoning Control Table; amending San Francisco Planning Code Sections 702.4, 703.2 and 710 through 730 to add Fringe Financial Service Use to the Neighborhood Commercial District Zoning Control Tables; adding Section 790.111 and 890.113 to the San Francisco Planning Code to define a Fringe Financial Service Use; amending San Francisco Planning Code Sections 790.110, 790.112, 890.110, and 890.112 to require that use applications for Financial Services and Limited Financial Services include a copy of any state-issued license; amending San Francisco Planning Code Sections 803.2, 810, 811, and 812 to add Fringe Financial Service Use to the Chinatown Zoning Control Tables; amending San Francisco Planning Code Sections 814 through 818 to add Fringe Financial Service Use to certain Zoning Control Tables in the South of Market area; amending San Francisco Planning Code Section 827 to add Fringe Financial Service Use to the Rincon Hill Downtown Residential Mixed Use District Zoning Control Table; amending Zoning Maps Numbers SU01, SU02, SU06, SU07, SU08, and SU10 of Zoning Map of the City and County of San Francisco to indicate the boundaries of the Fringe Financial Service Restricted Use District, and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

(5/23/07 - Economic Impact.)

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

5/23/07, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comments.

5/30/07, RESPONSE RECEIVED. Planning Department, exemption from CEQA findings. 7/24/07, Supervisor Ammiano introduced an extension of Planning Commission review period for 30 days; see File 071094 adopted 7/31/07.

- 14. 070678 [Planning - institutional master plan review for medical institutions] Supervisors Maxwell, Ammiano, Alioto-Pier**
- Ordinance amending Planning Code Section 304.5, Institutional Master Plans, to require a qualified health planner retained by the Department of Public Health to analyze the relationship between the City's long-term health care needs and facility planning for medical institutions as part of the Institutional Master Plan and revisions process; clarifying and updating the Institutional Master Plan process through minor changes to generally applicable institutional master plan requirements, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.
- 5/15/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/14/2007.
- 5/23/07, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comments.
- 5/30/07, RESPONSE RECEIVED. Planning Department, exemption from CEQA findings. 8/7/07, Board adopted an extension of 60-days for review by Planning Commission; see File 071142.
- 9/11/07, Supervisor Ammiano requested to be added as cosponsor.
- 15. 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.
- 16. 070681 [Zoning - Pacific Avenue Individual Area Neighborhood Commercial District] Supervisor Peskin**
- Ordinance adding Planning Code Sections 732 et seq. to establish the Pacific Avenue Individual Area Neighborhood Commercial District, as specifically defined herein and generally encompassing the length of Pacific Avenue from Polk Street to Taylor Street; deleting Section 236, the Garment Shop Special Use District; amending the City's Zoning Map Sectional Maps 1, 1H, 2, and 2H to reflect the boundaries of the Pacific Avenue Neighborhood Commercial District, other associated zoning changes, and related changes to height and bulk districts and amending Zoning Map Sectional Map 1 SU to delete the Garment Shop Special Use District; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.
- 5/15/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/14/2007. SUPPORTING DOCUMENTS: Planning Commission Resolution 17413 and Executive Summary.

### 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.

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### **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](mailto:sotf@sfgov.org)

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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](http://www.sfgov.org/ethics)