

**City and County of San Francisco**

**Land Use and Economic Development Committee**

*City Hall, Room 263*



**Meeting Agenda**

**Wednesday, July 12, 2006**

**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**

**REGULAR AGENDA**

- 1. 060627 [Zoning Map Amendment for 1327 7th Avenue]**  
Ordinance amending the San Francisco Planning Code by amending Sectional Map 6 of the Zoning Map of the City and County of San Francisco to change the use classification of the property located at 1327 – 7th Avenue, and identified as Assessor's Block No. 1762, Lot No. 006, from a zoning designation of RH-2 (Residential House, Two Family) to NC-2, Inner Sunset Neighborhood Commercial District; and adopting General Plan, Planning Code Section 101.1(b), and environmental findings. (Planning Department)

5/10/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/22/2006. (SUPPORTING DOCUMENTS - Executive Summary; CEQA Determination; and Planning Resolution 17237).

2. **060481** **[Zoning - Interim Moratorium on Formula Retail Uses in the Western South of Market Area]** **Supervisor Daly**
- Urgency Ordinance approving an interim zoning moratorium on the establishment of formula retail uses in the Western South of Market in the area generally bounded by Mission Street to the north, Townsend Street to the south, Division Street to the west and 4th Street to the east, and consisting of the blocks and lots specifically set forth; and adopting findings including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).
- 4/11/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.  
4/17/06 - Referred to the Small Business Commission for review and comment.
- 4/18/06, REFERRED TO DEPARTMENT. Referred to Planning Department for review and comment.
- 5/1/06, RESPONSE RECEIVED. Exempt from CEQA Guidelines.
3. **051668** **[Expand the Inclusionary Affordable Housing Program to include Buildings of 5 units or more]** **Supervisor McGoldrick**
- Ordinance amending the Planning Code by amending Sections 315.2, 315.3 and 315.6 to expand the application of the Inclusionary Affordable Housing Program to buildings of five units and more.
- 10/11/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 11/10/2005.  
10/18/05, CLERICAL CORRECTION. Insert the Code in title.
- 10/18/05, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comments.
- 1/26/06, RESPONSE RECEIVED. Planning Commission Resolution 17171, recommending deferred action on ordinance.
- 2/7/06, TRANSFERRED to Land Use and Economic Development Committee.
- 5/10/06, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Supervisor Sandoval; Supervisor McGoldrick; John Malamut, Deputy City Attorney; Rachel Redondiez, Aide to Supervisor Daly; Douglas Shoemaker, Deputy Director, Mayor's Office of Housing; Sara Dennis, Planning Department; Calvin Welch, CCHO; Tracy Perent, Mission Economic Development Association; Gisela Venegaz; Suzie Wong, Mercy Housing; David Schnur, Community Housing Partnership; Amy Beinart, Bernal Heights Neighborhood Center; Ann Connery, Coleman Advocates; Marna Swartz, MEDA; April Veneracion, SoMa Community Action Network; Bret Gladstone, Attorney at Law; Sara Shortt; Julie Leadbetter, Housing Justice Mission Neighborhood Resource Center; Bruce Wolf; Andrew Segal, LOWE Enterprises; James Tracy; Toby Levine; Talia Abrams, Local 2; Tan Chow, Chinatown Coalition for Better Housing; Supervisor Maxwell; Ron Miguel; John Schlesinger, AIA San Francisco; Sarah Karlinsky, SPUR; Tim Colen; Kate Walker; Terry Factora; Egon Terplan; Rosario Ramirez; Bill Lindstrom, Sunrise Senior Living; Jim Salinas, Local 22; Robert McCarthy; Peter Cohen; Michael Eiseman, MEDA; Charlie Shammas, PODER; Michael Van Every; Kim Diamond; Male speaker; Steve Vettel; Donald Faulk; Martha Brown, MOH.
- 5/10/06, CONTINUED AS AMENDED. Continued to July 12, 2006. Supervisor Sandoval absent for vote.
- 7/11/06, RESPONSE RECEIVED. Economic Impact Report.

**4. 051685 [Increasing the requirements of the Inclusionary Affordable Housing Program.] Supervisors Daly, Maxwell**

Ordinance amending Planning Code Sections 315.1, 315.2, 315.3, 315.4, and 315.5, 315.6, and 315.8 related to the Inclusionary Affordable Housing Program to increase the percentage of affordable housing required for all residential developments of 10 units or more; to adjust the way low and median income is calculated from a method using Metropolitan Statistical Area calculations to City and County of San Francisco calculations; to provide, with certain exceptions, that the amendments apply to any housing project that has not received a first site or building permit by the effective date of this legislation and applies to phased projects on separate but adjacent lots; to provide for mandatory lotteries to market new inclusionary units and the maintenance of a list generated from a lottery for units that become available; to require a project sponsor that elects an alternative to providing on-site inclusionary housing to make its election at the time of project approval; to allow project sponsors to use California Debt Limit Allocation Committee (CDLAC) tax-exempt bonds to finance inclusionary units under certain circumstances; to build all off-site inclusionary units within one mile of the principal project and to offer those units as rental housing or as ownership housing affordable to households earning no more than 80% of median income; requiring the Mayor's Office of Housing to adjust the in lieu fee annually and no later than July 1 and to report the adjustment to the Board of Supervisors; requiring the Mayor's Office of Housing to evaluate its monitoring procedures and those of the San Francisco Redevelopment Agency with the goal of establishing one monitoring system for all inclusionary units in the City and County of San Francisco; requiring the Planning Department to submit a completed impact study to the Board of Supervisors and Planning Commission no later than October 1, 2006; requesting that the Planning Department and Mayor's Office of Housing conduct certain additional studies described herein; and making findings including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

10/11/05, RECEIVED AND ASSIGNED to Land Use Committee.

10/14/05, REFERRED TO DEPARTMENT. Referred to City Attorney's Office to be approved as to form.

11/22/05, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance approved as to form, bearing new title.

11/22/05, ASSIGNED to Land Use Committee.

11/30/05, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comments.

12/9/05, RESPONSE RECEIVED. Exempt from CEQA, Non-physical exemption.

2/7/06, TRANSFERRED to Land Use and Economic Development Committee.

2/15/06, RESPONSE RECEIVED. Planning Commission Resolution No. 17187 recommending action be deferred on proposed ordinance; and Executive Summary.

5/10/06, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Supervisor Sandoval; Supervisor McGoldrick; John Malamut, Deputy City Attorney; Rachel Redondiez, Aide to Supervisor Daly; Douglas Shoemaker, Deputy Director, Mayor's Office of Housing; Sara Dennis, Planning Department; Calvin Welch, CCHO; Tracy Perent, Mission Economic Development Association; Gisela Venegaz; Suzie Wong, Mercy Housing; David Schnur, Community Housing Partnership; Amy Beinart, Bernal Heights Neighborhood Center; Ann Connery, Coleman Advocates; Marna Swartz, MEDA; April Veneracion, SoMa Community Action Network; Bret Gladstone, Attorney at Law; Sara Shortt; Julie Leadbetter, Housing Justice Mission Neighborhood Resource Center; Bruce Wolf; Andrew

Segal, LOWE Enterprises; James Tracy; Toby Levine; Talia Abrams, Local 2; Tan Chow, Chinatown Coalition for Better Housing; Supervisor Maxwell; Ron Miguel; John Schlesinger, AIA San Francisco; Sarah Karlinsky, SPUR; Tim Colen; Kate Walker; Terry Factora; Egon Terplan; Rosario Ramarez; Bill Lindstrom, Sunrise Senior Living; Jim Salinas, Local 22; Robert McCarthy; Peter Cohen; Michael Eiseman, MEDA; Charlie Shammas, PODER; Michael Van Every; Kim Diamond; Male speaker; Steve Vettel; Donald Faulk; Martha Brown, MOH.

5/10/06, CONTINUED AS AMENDED. Continued to July 12, 2006. Supervisor Sandoval absent for vote.

**5. 051844 [Planning Code-General Advertising Signs Enforcement Provisions] Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by amending Section 610 regarding the enforcement provisions for general advertising sign violations, by, among other things, deeming violations of this section a public nuisance, defining Responsible Party, amending the penalty accrual, amount and collection provisions, requiring building permits for compliance work, providing for reconsideration hearings before an administrative law judge, and establishing a hearing fee; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

11/8/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/8/2005.

11/16/05, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comments.

12/1/05, RESPONSE RECEIVED. Exempt from CEQA, Non-physical exemption CEQA guidelines & 15060(c)(2).

2/7/06, TRANSFERRED to Land Use and Economic Development Committee.

2/16/06, RESPONSE RECEIVED. Planning Commission Resolution 17183, recommend approval with certain amendments; Executive Summary.

## **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.*

**There are no items now pending under the 30-day Rule.**

### 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/bdsupvrs\\_index.asp?id=4383](http://www.sfgov.org/site/bdsupvrs_index.asp?id=4383)

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