

**City and County of San Francisco**

**Land Use and Economic Development Committee**

*City Hall, Room 263*



**Meeting Agenda**

**Wednesday, November 1, 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. 061376 [Rent Ordinance: applies to units where a tenant's occupancy predates federal low income housing tax credits] Supervisors Peskin, Maxwell, McGoldrick**

Ordinance amending Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37, "Rent Ordinance") by amending the Section 37.2(r)(4) definition of "rental units" covered by the ordinance to include units in buildings for which tax credits are reserved or obtained pursuant to the federal low income housing tax credit program (LIHTC, Section 42 Internal Revenue Code, 26 U.S.C. Section 42), where: a tenant's occupancy pre-dates recordation of the LIHTC regulatory agreement; and, the rent is not otherwise controlled or regulated by any use restrictions imposed by the San Francisco Redevelopment Agency, the State of California Office of Housing and Community Development, the United States Department of Housing and Urban Development or the City. This change will encompass rental units where the qualifying tenant is in

possession of the unit on or after the effective date of this ordinance, including any unit where the tenant has been served with a notice to quit but has not vacated the unit and there is no final judgment against the tenant for possession of the unit prior to the effective date of this ordinance, including any unit where the tenant has been served with a notice to quit but has not vacated the unit and there is no final judgment against the tenant for possession of the unit prior to the effective date of this ordinance.

10/3/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

10/25/06, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Supervisor Peskin; Matthew Franklin, Mayor's Office of Housing; Marie Blitz, Deputy City Attorney; Bruce Allison; Dean Preston, Tenderloin Housing Clinic; Brenda Hunter; Cary Barlow; Arthur H.; Male Speaker; Barbara and James Pohley; Millicent Mays; Raquel Fox; Silvia Johnson. Amendment of Whole.

10/25/06, CONTINUED AS AMENDED. Continued to November 1, 2006.

**2. 061342 [Establishing City and County of San Francisco Policy for the Eastern Neighborhoods Rezoning and Community Plans Area] Supervisors Maxwell, Ammiano, Peskin, McGoldrick**

Resolution establishing City and County of San Francisco policy for the Eastern Neighborhoods Rezoning and Community Plans Area.

9/26/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. Sponsor requests the item be placed before the Land Use and Economic Development Committee on October 11, 2006 agenda.

10/2/06, REFERRED TO DEPARTMENT. Referred to Planning Department.

10/11/06, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in committee. Speakers: Supervisor Maxwell; Supervisor McGoldrick; Amit Ghosh, Planning Department; Supervisor Sandoval; Michael Jacinto, Environmental Review, Planning Department; Jasper Rubin, Planning Department; Steven Vettel; Marc Salomon; Gabriel Metcalf, SPUR; Chris Durazo; Jazzie Collins; Mike Eiseman; Angelica Cabande; Robert Pender; April Venerauz; Peter Cohen; Amar Azvaena Ciel, Clark University; Johanna Walczak, CU; Evan Wilson, CU; Miriam Chion, CU; Sean Keighran, Residential Builders Association; Angus McCarthy; Calvin Welch; Dennis; Marilyn Amini; Sue Hestor, Robert McCarthy; John Bardis; Joe boss; Tony Kelley; John Malamut, Deputy City Attorney. Amendment of the Whole. At the direction of the Committee, the legislation was referred to the Planning Commission.

10/11/06, CONTINUED AS AMENDED. Continued to November 1, 2006.

10/23/06, RESPONSE RECEIVED. Exempt from CEQA, Non physical exemption.

**3. 061237 [General Plan Amendment - 710 Market Street, Northwest of the Intersection of Market, Kearny and Geary Streets, Block 0312, Lot 003] Supervisor Daly**

Ordinance amending the General Plan of the City and County of San Francisco by amending Map 1 (Downtown Land Use and Density Plan) and Map 5 (Proposed Height and Bulk Districts) of the Downtown Area Plan to change the land use designation of Assessor's Block 0312, Lot 003 from Downtown Retail to Downtown Office and the height and bulk district classification from 80-130-F to a 150-X; adopting findings pursuant to the California Environmental Quality Act and findings of consistency with the Priority Policies of Planning Code Section 101.1. (Planning Department)

8/31/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/2/2006. SUPPORTING DOCUMENTS: Planning Commission Executive Summary; Resolutions 17279 and 17280; Motions 17278, 17282 and 17281.

**4. 061238 [Zoning Map Amendment - 710 Market Street, Northwest of the Intersection of Market, Kearny and Geary Streets, Block 0312, Lot 003] Supervisor Daly**

Ordinance amending the San Francisco Planning Code by amending Sheet 1 of the Zoning Map of the City and County of San Francisco to change the use district designation of Assessor's Block 0312, Lot 003 from C-3-R 3 (Downtown Retail) to C-3-O (Downtown Office), and amending Sheet 1H of the Zoning Map to change the height and bulk district classification of Assessor's Block 0312, Lot 003 from 80-130-F to 150-X; adopting findings pursuant to the California Environmental Quality Act and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)

8/31/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/2/2006. SUPPORTING DOCUMENTS: Planning Commission Executive Summary; Resolutions 17279 and 17280; Motions 17278, 17282 and 17281.

**5. 061311 [Amendment of Administrative Code Chapter 31 to provide for appeals of certain environmental determinations and providing public notice]**

Ordinance amending Administrative Code Chapter 31 to provide for appeals to the Board of Supervisors of environmental documents and determinations under the California Environmental Quality Act, and providing public notice of such determinations and environmental documents.

9/19/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/19/2006.

10/2/06, REFERRED TO DEPARTMENT. Referred to Planning Department.

10/30/06, RESPONSE RECEIVED. Planning Department requesting continuation of item.

10/31/06, RESPONSE RECEIVED. Planning Department providing information and suggestions.

## **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. 061371 [Prohibition on demolition of residential buildings without approval of the replacement structure] Supervisors Maxwell, Daly, McGoldrick**

Ordinance amending the Planning Code by adding Section 317 to make findings as to the need to preserve affordable housing in San Francisco and to prohibit the demolition of residential buildings unless the Planning Commission issues conditional use authorization for a replacement structure; making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

10/3/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/2/2006.

10/17/06, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comment.

10/27/06, RESPONSE RECEIVED. Exempt from CEQA, Non-physical exemption. 1/9/07, Supervisor Maxwell introduced an extension of Planning Commission review period to March 5, 2007; see File 070023.

### **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](http://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](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)