

City and County of San Francisco
Land Use and Economic Development Committee
City Hall, Room 263



Meeting Agenda
Wednesday, September 20, 2006
1:00 PM
Regular Meeting

Members: Sophie Maxwell, Gerardo Sandoval, Jake McGoldrick

Clerk: Mary Red (415) 554-4442

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

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|----------------------|--|--|
| 1. 061183 | [Landlord passthrough to residential tenants, 50% of property tax increase for general obligation bonds; Controller's explanation of proposed bonds; passthroughs authorized in CCSF bonds; | Supervisors Ammiano, Alioto-Pier, Elsbernd, Dufty, McGoldrick, Ma, Maxwell, Mirkarimi |
| | Ordinance: (1) amending the San Francisco Municipal Elections Code by amending Section 520, to require that the Controller's financial analysis for a general obligation bond proposal include an explanation of the 50-percent passthrough of the change in a landlord's property tax under the proposed bond measure; (2) amending the San Francisco administrative Code by adding Section 2.40, to require that a proposal for bonded indebtedness of the City and county of San Francisco include a provision authorizing the 50-percent passthrough of the change in a landlord's property tax provided in Administrative Code Section 37.3(a)(6); and, (3) amending San Francisco | |

Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Sections 37.2(q) and 37.3 (a)(6) to provide that landlords may pass through to tenants 50-percent of the change in the landlord's property tax resulting from the repayment of San Francisco Unified School District or San Francisco Community College District general obligation bonds approved by the voters after November 1, 2006.

8/8/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/7/2006. 8/15/06, Supervisor McGoldrick requested to be added as cosponsor. 8/21/06, Supervisor Ma requested to be added as cosponsor.

2. 061032 [Mission Bay North Commons at Park P17 Improvements] Supervisor Daly

Ordinance designating a portion of State Trust Parcel adjacent to Park P17 for public right-of-way purposes; approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way Terry A. Francois Boulevard; designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public use and accepting for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 176,148 and authorizing official acts in connection with this Ordinance. (Public Works Department)

7/13/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

3. 061033 [Mission Bay - Parks NP1 & NP2 Improvements] Supervisor Daly

Ordinance designating a portion of State Trust Parcel 1 lying next to Channel for public open space and park purposes; naming the new park Mission Creek Park ; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public open space and park purposes and accepting for maintenance responsibilities and liability purposes; adopting findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 176,149 and authorizing official acts in connection with this Ordinance. (Public Works Department)

7/13/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

4. 061076 [Urging SFUSD to track student mobility caused by residential evictions and report its findings, in an effort to help ameliorate the potential negative effects on students' school] Supervisors McGoldrick, Ammiano

Resolution urging the San Francisco Unified School District to track student mobility caused by residential evictions, and to report its findings to the Board of Supervisors so that the Board can consider possible legislative measures to help address the negative effects on students' school performance.

7/18/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

8/2/06, CONTINUED. Heard in committee. Speakers: Supervisor McGoldrick; Gabriel Cabrera, Legislative Analyst; Supervisor Maxwell; Tim Lee, S. F. Rent Board; Matt Kellerman, SFUSD;

5. **061077** **[Rent Ordinance: Evictions involving school-age children; Findings]** **Supervisors McGoldrick, Mirkarimi, Ammiano**
- Ordinance amending the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) by amending Section 37.6(j) to identify and report data on evictions involving school-age children, include data on evictions during the school term; Findings.
- 7/18/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
- 7/21/06, REFERRED TO DEPARTMENT. Referred to Small Business Commission and Youth Commission.
- 7/26/06, ASSIGNED to Land Use and Economic Development Committee. Supervisor Peskin waived the 30-day rule.
- 8/2/06, CONTINUED. Heard in committee. Speakers: Supervisor McGoldrick; Gabriel Cabrera, Legislative Analyst; Supervisor Maxwell; Tim Lee, S. F. Rent Board; Matt Kellerman, SFUSD; Robert Pender; Ted Gullicksen, S. F. Tenants Union; Sean Pritchard, S. F. Apartment Association; John Malamut, Deputy City Attorney. Continued to September 20, 2006.
6. **061206** **[Community Improvements and the Eastern Neighborhoods]** **Supervisors McGoldrick, Maxwell**
- Ordinance amending the Administrative Code to add Chapter 36 to provide procedures and inter-agency cooperation in the preparation and implementation of community improvements plans and programs as part of the creation of new Area Plans of the General Plan in the Eastern Neighborhoods, defined as including the proposed Market and Octavia, East South of Market, West South of Market, Inner Mission, Lower Potrero/Showplace Square, and Central Waterfront plan areas.
- 8/15/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/14/2006. 8/17/06, Supervisor Maxwell requests to be added as cosponsor.
- 8/23/06, REFERRED TO DEPARTMENT. Referred to Planning Department for their information.
7. **061069** **[Planning Code--Use of Public Sidewalk Space by Nonconforming Uses]** **Supervisors Mirkarimi, Maxwell, Alioto-Pier**
- Ordinance amending the San Francisco Planning Code by amending Sections 186 and 186.1 to allow certain nonconforming uses to occupy public sidewalk space with tables and chairs, when otherwise permitted; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
- 7/18/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/17/2006.
- 7/21/06, REFERRED TO DEPARTMENT. Referred to Planning Commission and Small Business Commission.
- 8/7/06, RESPONSE RECEIVED. Planning Commission Executive Summary; Resolution 17289 and Planning Department CEQA determination.

8. 061212 [Board of Appeals: Legal Representation for Planning and Building Departments] Supervisor McGoldrick

Ordinance amending the San Francisco Business and Tax Regulations Code by adding Section 11(a) to establish a procedure for the City Attorney to provide legal representation for staff of the Planning Department and Department of Building Inspection appearing at hearings of the Board of Appeals with respect to certain matters.

8/15/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

8/23/06, REFERRED TO DEPARTMENT. Referred to Planning and Building Departments for their information.

9. 060609 [Preserve Civic Center Hotel] Supervisor Daly

Resolution urging the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry Local 38 Pension Trust Fund to seismically retrofit and preserve the Civic Center Hotel.

5/2/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

5/9/06, REFERRED to Land Use and Economic Development Committee. Supervisor Alioto-Pier requested that this matter be referred to Committee.

6/21/06, CONTINUED. Heard in committee. Speakers: Rachel Redondiez, Aide to Supervisor Daly; Supervisor McGoldrick; Christopher Dahl; Michael Goldstein; Martin Panniano; Sarah Sherburn-Zimmer; John Markham; Larry Pettit; David McIntire; Elizabeth Vanya; John Lewis Mark Crum; Bobby Dew; Emma Gerold; Jarman Michaels; Tommi Arcolli-Mecca; Earl Brown; Ted Gullicksen; Tony Robles; Sam Auroral; Jim Reuben, Attorney, Local 38 Pension Trust Fund; Terrie Frye. Continued to July 26, 2006.

7/26/06, CONTINUED. Heard in Committee. Speakers: Jim Reuben, attorney for Local 38 Pension Trust Fund; Pat Buscovich, structural engineer for Local 38 Pension Trust Fund; Christopher Dahl, Civic Center Hotel Tenants Association; Johnny Lewis; Dwight Saunders, Tenderloin Housing Clinic; Mark Crum; Emma Gerold, Central City SRO; Larry Pettit; Male Speaker; Martin Pagniano, CCROC; Rachel Redondiez, Legislative Aide to Supervisor Daly. Continued to 9/20/06.

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. 061237 [General Plan Amendment - 710 Market Street, Northwest Supervisor Daly
of the Intersection of Market, Kearny and Geary Streets,
Block 0312, Lot 003]**
- 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.
- 11. 061238 [Zoning Map Amendment - 710 Market Street, Northwest Supervisor Daly
of the Intersection of Market, Kearny and Geary Streets,
Block 0312, Lot 003]**
- 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.

- 12. 061260 [Replacement of a general grocery store with the same use is not formula retail] Supervisor Elsbernd**
Ordinance amending Planning Code Section 703.3 so that the formula retail requirements are not triggered when a general grocery store replaces a general grocery store, regardless of whether the former use is currently operating; and making environmental findings and findings of consistency with the General Plan and priority policies of the Planning Code Section 101.1.

11/3/2006 - Economic Impact
- 13. 061261 [Zoning - Conditional use for change in use or demolition of a general grocery store] Supervisor Elsbernd**
Ordinance amending the Planning Code to add Section 218.2 and to amend Sections 703.2, 803.2, and 803.3 to require conditional use authorization for any project involving the change in use or demolition of a general grocery store; amending Planning Code Section 790.102 to define general grocery store; amending Planning Code Section 303 to require specific findings as part of a conditional use authorization for a change in use or demolition of a general grocery store; making the legislation apply to specified applications and permits filed on or after September 12, 2006; and making environmental findings and findings of consistency with the General Plan and priority policies of the Planning Code Section 101.1.

9/12/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/12/2006.

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