



City and County of San Francisco

Meeting Minutes

Land Use and Economic Development Committee

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

Members: Scott Wiener, Jane Kim, David Chiu

Clerk: Alisa Miller (415) 554-4447

Monday, May 20, 2013

1:30 PM

City Hall, Committee Room 263

Regular Meeting

Present: 3 - Scott Wiener, Jane Kim, and David Chiu

MEETING CONVENED

The meeting convened at 1:40 p.m.

REGULAR AGENDA

130359 [Sale of Easement - Public Utilities Commission to Pacific Gas & Electric Company - Watershed Lands Near Edgewood Road, Unincorporated San Mateo County - \$2,200]

Resolution approving and authorizing the sale of an easement on the City and County of San Francisco's property, consisting of approximately 7,800 square feet of watershed lands in unincorporated San Mateo County, near Edgewood Road, by the Public Utilities Commission, for the price of \$2,200; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan and the priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Real Estate Department)

04/19/13; RECEIVED FROM DEPARTMENT.

05/07/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Heard in Committee. Speaker: John Updike, Director (Real Estate Division); presented information concerning the matter and answered questions raised throughout the hearing.

RECOMMENDED.. by the following vote:

Ayes: 2 - Wiener, Chiu

Absent: 1 - Kim

120488 [Environment Code - Bottle Filling Stations]**Sponsor: Chiu**

Ordinance amending the Environment Code, by adding Chapter 23, to require new buildings that have drinking fountains to provide bottle filling stations; setting an operative date; and making environmental and other findings.

06/26/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/26/2012.

07/11/12; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Planning Department, Department of Building Inspection, Public Utilities Commission, and Department of the Environment for informational purposes.

07/13/12; RESPONSE RECEIVED. Not a project per CEQA Section 15060(c)(3).

04/02/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

04/10/13; REFERRED TO DEPARTMENT. Referred to the Department of the Environment, Planning Department, Department of Building Inspection, and Public Utilities Commission for informational purposes.

Heard in Committee. Speakers: Radhika Fox (Public Utilities Commission); Guillermo Rodriguez (Department of the Environment); presented information concerning the matter and answered questions raised throughout the hearing.

AMENDED on Page 1, Lines 4-5, by deleting 'setting an operative date'; Page 3, Lines 8-9, by changing 'the Underwriters Laboratory' to 'an approved listing agency'; Page 3, Line 18, by changing 'provide' to 'include' and 'in lieu of a separate drinking fountain' to 'with each such fixture installation'; and Page 4, Lines 20-21, by deleting 'Section 2306 - Operative Date' in its entirety, by the following vote:

Ayes: 2 - Wiener, Chiu

Absent: 1 - Kim

Ordinance amending the Environment Code, by adding Chapter 23, to require new buildings that have drinking fountains to provide bottle filling stations; and making environmental and other findings.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Wiener, Chiu

Absent: 1 - Kim

130180 [Planning Code - Pre-Application Meetings in Production/Distribution/Repair-1-B (Light Industrial Buffer) District]**Sponsor: Cohen**

Ordinance amending the Planning Code, by adding Section 313, to require pre-application meetings for certain projects in the Product/Distribution/Repair -1-B (Light Industrial Buffer) District; and making environmental, General Plan, and Planning Code, Section 101(b), findings.

02/26/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/28/2013.

03/05/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Planning Commission for public hearing and recommendation.

03/05/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

03/08/13; RESPONSE RECEIVED. Non-physical exemption per CEQA Section 15060(c)(2).

03/11/13; REFERRED TO DEPARTMENT. Re-referred the substitute legislation to the Planning Commission for public hearing and recommendation.

05/14/13; RESPONSE RECEIVED. 5/9/2013 - The Planning Commission held a public hearing and recommended approval; Resolution No. 18860.

Heard in Committee. Speakers: Supervisor Malia Cohen (Board of Supervisors); Aaron Starr (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing. Dick Millet; spoke in support of the hearing matter.

RECOMMENDED by the following vote:

Ayes: 2 - Wiener, Chiu

Absent: 1 - Kim

111278 [Planning Code, Zoning Map - Establishing the Art and Design Educational Special Use District - 1111 Eighth Street]**Sponsor: Cohen**

Ordinance amending the Planning Code, by adding Section 249.67, and the Zoning Map, Section Map SU08, to establish the Art and Design Educational Special Use District at 1111 Eighth Street to facilitate the continued operation of the California College of the Arts, and provide a regulatory scheme for a potential future phased expansion of the campus; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

11/22/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

12/08/11; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; and Youth Commission for review and recommendation.

01/31/12; REMAIN ACTIVE. Board approved a 90-day extension for Planning Commission review to June 8, 2012 (File No. 120052); Resolution No. 034-12.

05/10/12; REMAIN ACTIVE. Board approved a 90-day extension for Planning Commission review to September 8, 2012 (File No. 120444).

10/09/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

10/18/12; REFERRED TO DEPARTMENT. Re-referred substitute legislation to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; and Youth Commission for review and recommendation.

12/04/12; REMAIN ACTIVE. Board approved a 90-day extension for Planning Commission review to April 18, 2013 (File No. 121129 / Resolution No. 444-12).

04/30/13; RESPONSE RECEIVED. 4/25/2013 - The Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 18850.

05/08/13; NOTICED. 10-Day notice was submitted to the newspaper for the 5/20/2013 hearing; published on 5/10/2013.

Heard in Committee. Speakers: Supervisor Malia Cohen (Board of Supervisors); Diego Sanchez (Planning Department); David Meckel (California College of the Arts); presented information concerning the matter and answered questions raised throughout the hearing. Dick Millet; Corine Woods; spoke in support of the hearing matter.

AMENDED on Page 2, Line 13, and Page 3, Line 13, by changing Assessor's Block No. '3912' to '3913' by the following vote:

Ayes: 2 - Wiener, Chiu

Absent: 1 - Kim

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Wiener, Chiu

Absent: 1 - Kim

Supervisor Kim was noted present at 2:07 p.m.

File Nos. 121019, 130248, and 130464 were heard together.

121019 [Administrative Code - California Environmental Quality Act Procedures, Appeals, and Public Notice Requirements]**Sponsor: Wiener**

Ordinance amending Administrative Code, Chapter 31, to reflect revisions in the California Environmental Quality Act and to update and clarify certain procedures provided for in Chapter 31, including without limitation: codifying procedures for appeals of exemptions and negative declarations; revising noticing procedures for environmental impact reports and negative declarations for plan area projects exceeding 20 acres; expanding noticing requirements for certain exempt projects; clarifying existing noticing requirements for exempt projects; and making environmental findings.

10/16/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/15/2012.

10/29/12; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Planning Commission for review and recommendation.

11/13/12; RESPONSE RECEIVED. Non-physical exemption per CEQA Section 15060(c)(2).

11/20/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

12/03/12; RESPONSE RECEIVED. 11/29/2012 - The Planning Commission held a public hearing and made advisory recommendations to Supervisor Wiener.

01/29/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

02/06/13; REFERRED TO DEPARTMENT. Re-Referred substitute legislation to the Planning Department/Commission for public hearing and recommendation; and Department of Building Inspection, County Clerk, Department of Public Works, Department of Public Health, Fire Department, and Port for informational purposes.

03/18/13; RESPONSE RECEIVED. 3/14/2013 - The Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 18826.

03/27/13; RESPONSE RECEIVED. 3/14/2013 - The Historic Preservation Commission held a public hearing and recommended approval with modifications; Resolution No. 704.

04/02/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

04/04/13; REFERRED TO DEPARTMENT. Referred to the Planning Department/Commission, Department of Building Inspection, County Clerk, Department of Public Works, Department of Public Health, Fire Department, and Port for informational purposes.

04/05/13; RESPONSE RECEIVED. Non-physical exemption: Not a project per CEQA Guidelines Section 15060(c)(2).

04/08/13; AMENDED. Heard in Committee. Speakers: John Rahaim, Director, Sarah Jones, and AnMarie Rodgers (Planning Department); Elaine Warren, and Jon Givner (City Attorney's Office); presented information concerning the matter and answered questions raised throughout the hearing. Kristin Hansen; Sally Stephens; Po Bronson; Samuel Ball; Frank Noto; Robert Brust; Anthony Urbino; Michael Theriault; Nik Kestner; Elizabeth Stampe; Tomiquia Moss; Tim Colen; Steven Aiello; Evan Reeves; Robin Levitt; Mark English; Michael Rice; Female Speaker; Raymond Holland; Ron Miguel; Jim Lazarus; Fernando Marti; Matt Regan; Leah Shahum; Tom Tunny; Female Speaker; Michael Schulte; David Sternberg; Kiernan Buckley; Redmond Langs; Sean Kiegran; spoke in support of the hearing matter. Francisco Da Costa; Tes Welborn; Howard Wong; George Wooding; Dr. Espanola Jackson; Paul Page; Charlie Zhang; Hiroshi Fukuda; Michael Russom; Rose Hillson; Mark Bittner; Lynne Beeson; Denis Mosgofian; Bernie Choden; Judith Hoyen; Ms. Crowley; Dawn Trennert; Nancy Wuerfel; Edward Mata; David Osgood; Malana Moberg; Roland Salvato; Michelle Myers; Rebecca Evans; Karen Babbitt; Judy Berkowitz; Linda Chapman; Supervisor Jake McGoldrick; Mr. Welsh; Eric Brooks; Supervisor Aaron Peskin; spoke in opposition to the hearing matter. Steve Zeltzer; Mike Buhler; Judy Irving; Marlayne Morgan; John Rizzo; Mike Casey; Pilar Schiavo; Jonathan Goldberg; Raymond Castillo; Bradley Weedmeyer; Supervisor John Bardis; spoke neither in support nor against the hearing matter.

04/08/13; CONTINUED AS AMENDED.

04/22/13; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor David Campos (Board of Supervisors); Elaine Warren (City Attorney's Office); John Rahaim, Director, and Sarah Jones (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing. Robert Poole; Matt Regan; Evan Reeves; Julie Christensen; Matt O'Grady; Stephanie Greenburg; David Tse; Daniel Frattin; spoke in support of the proposed legislation in File No. 121019. Ron Miguel; Steven Aiello; Fernando Marti; Jim Lazarus; Supervisor Aaron Peskin; spoke in support of the amendments being proposed for File No. 121019. Aaron Goodman; George Wooding; Eric Brooks; Bernie Choden; Michael Russom; Tes Welborn; Hiroshi Fukuda; Gil Criswell; Dave Osgood; Angelica Cabande; Rose Hillson; Karen Babbitt; spoke in support of the proposed legislation in File No. 130248. Paul Wermer; Malana Moberg; Roland Salvato; Robert Woods; Howard Wong; Peter Cohen; Asa Monet; Andrew Resignato; Pastor Lynn Gavin; Cynthia Crews; Albert Sandoval; Eihway Su; spoke on various concerns regarding the proposed legislation.

04/22/13; CONTINUED AS AMENDED.

04/24/13; REFERRED TO DEPARTMENT. Re-referred amended legislation to the Planning Department for environmental review; Planning Commission and Historic Preservation Commission for public hearing and recommendation; and Department of Building Inspection, County Clerk, Department of Public Works, Department of Public Health, Fire Department, Port, and Municipal Transportation Agency for informational purposes.

05/02/13; RESPONSE RECEIVED. Non-physical exemption per CEQA Guidelines Section 15060(c)(2).

05/06/13; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Elaine Warren (Office of the City Attorney); John Rahaim, Director (Planning Department); Rick Caldeira (Office of the Clerk of the Board); Sarah Jones (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing. Matt Regan; Tim Colen; spoke in support of the proposed legislation in File No. 121019. Jeffrey Leibovitz; Katy Lidell; Hiroshi Fukuda; Michael Russom; Sue Vaughan; Cecilia Lim; Rose Hillson; Howard Wong; Tes Welborn; Allan Craigie; spoke in support of the proposed legislation in File No. 130248. Pastor Lynn Gavin; Malana Moberg; Eric Brooks; Walter Paulson; Peter Cohen; Fernando Marti; Sue Hestor; spoke on various concerns regarding the proposed legislation in File Nos. 121019 and 130248.

05/06/13; CONTINUED AS AMENDED. Continued as amended to May 13, 2013.

05/13/13; AMENDED. Heard in Committee. Speakers: Sarah Jones, John Rahaim, Director, and AnMarie Rodgers (Planning Department); Elaine Warren (Office of the City Attorney); presented information concerning the matter and answered questions raised throughout the hearing. Hiroshi Fukuda; Gil Crisswell; spoke in support of the proposed legislation in File No. 130248. Bernie Choden; Eric Brooks; Pastor Lynn Gavin; Howard Wong; Tes Welborn; Rose Hillson; Mark Aaronson; Roland Salvato; Former Supervisor Aaron Peskin; Larry Juicye Edmond; spoke on various concerns regarding the proposed legislation in File Nos. 121019 and 130248.

05/13/13; CONTINUED AS AMENDED. Continued as amended to May 20, 2013.

05/15/13; REFERRED TO DEPARTMENT. Re-referred amended legislation (version 8) to the Planning Department, Department of Building Inspection, County Clerk, Department of Public Works, Department of Public Health, Fire Department, Port, and Municipal Transportation Agency for informational purposes.

Heard in Committee. Speakers: Rick Caldeira (Office of the Clerk of the Board); AnMarie Rodgers (Planning Department); Elaine Warren (Office of the City Attorney); presented information concerning the matter and answered questions raised throughout the hearing. Bernie Choden; Eric Brooks; Calvin Welsh; spoke on various concerns regarding the proposed legislation in File Nos. 121019, 130248, and 130464.

AMENDED on Page 32, Line 8, by adding 'of the CEQA decision, whether rendered by the Planning Department or another City commission, department, agency or official'; Page 34, Lines 4-6, by changing 'agree' to 'each submits a formal request in writing to the Clerk of the Board, on official letterhead, with the Board member's original signature'; Page 34, Line 7, by inserting 'official file and considered as part of' after 'in the'; and Page 34, Lines 15-17, by adding 'or at the next regularly scheduled Board meeting should such deadline fall within a Board recess' by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

CONTINUED TO CALL OF THE CHAIR AS AMENDED by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

130248 [Administrative Code - California Environmental Quality Act Procedures, Appeals, and Public Notice]**Sponsors: Kim; Campos, Avalos and Mar**

Ordinance amending Administrative Code, Chapter 31, to provide for appeals under the California Environmental Quality Act to the Board of Supervisors of environmental impact reports, negative declarations, exemption determinations, and determinations on modified projects; to clarify and update existing Chapter 31 procedures, including without limitation: to provide for the Planning Department or Planning Commission to approve all exemption determinations; to require the Planning Department to establish an electronic notification system; to expand noticing of exempt projects; to require new noticing when filing notices of exemption and notices of determination; to revise noticing of negative declarations and environmental impact reports for plans of 20 acres or more; to provide an expanded role for the Historic Preservation Commission; and making environmental findings.

03/12/13; ASSIGNED UNDER 30 DAY RULE PENDING APPROVAL AS TO FORM to Land Use and Economic Development Committee.

03/20/13; REFERRED TO DEPARTMENT. Referred to the City Attorney for approval as to form.

04/09/13; SUBSTITUTED, AND ASSIGNED to Land Use and Economic Development Committee. Approved as to form on 4/9/13, thereby starting the 30-Day Rule.

04/12/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission and Historic Preservation Commission for review and recommendation; and Department of Building Inspection, County Clerk, Department of Public Works, Department of Public Health, Fire Department, Port, and Recreation and Park Department for informational purposes.

04/17/13; RESPONSE RECEIVED. Non-physical exemption pursuant to CEQA Section 15060(c)(2).

04/22/13; RESPONSE RECEIVED. The Municipal Transportation Agency submitted their comments and recommendations.

04/22/13; CONTINUED. Heard in Committee. Speakers: Supervisor David Campos (Board of Supervisors); Elaine Warren (City Attorney's Office); John Rahaim, Director, and Sarah Jones (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing. Robert Poole; Matt Regan; Evan Reeves; Julie Christensen; Matt O'Grady; Stephanie Greenburg; David Tse; Daniel Frattin; spoke in support of the proposed legislation in File No. 121019. Ron Miguel; Steven Aiello; Fernando Marti; Jim Lazarus; Supervisor Aaron Peskin; spoke in support of the amendments being proposed for File No. 121019. Aaron Goodman; George Wooding; Eric Brooks; Bernie Choden; Michael Russom; Tes Welborn; Hiroshi Fukuda; Gil Crisswell; Dave Osgood; Angelica Cabande; Rose Hillson; Karen Babbitt; spoke in support of the proposed legislation in File No. 130248. Paul Wermer; Malana Moberg; Roland Salvato; Robert Woods; Howard Wong; Peter Cohen; Asa Monet; Andrew Resignato; Pastor Lynn Gavin; Cynthia Crews; Albert Sandoval; Eihway Su; spoke on various concerns regarding the proposed legislation.

04/29/13; RESPONSE RECEIVED. 4/25/2013 - The Planning Commission held a public hearing and recommended approval of certain portions and disapproval of certain portions; Resolution No. 18852.

05/06/13; CONTINUED. Heard in Committee. Speakers: Elaine Warren (Office of the City Attorney); John Rahaim, Director (Planning Department); Rick Caldeira (Office of the Clerk of the Board); Sarah Jones (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing. Matt Regan; Tim Colen; spoke in support of the proposed legislation in File No. 121019. Jeffrey Leibovitz; Katy Lidell; Hiroshi Fukuda; Michael Russom; Sue Vaughan; Cecilia Lim; Rose Hillson; Howard Wong; Tes Welborn; Allan Craigie; spoke in support of the proposed legislation in File No. 130248. Pastor Lynn Gavin; Malana Moberg; Eric Brooks; Walter Paulson; Peter Cohen; Fernando Marti; Sue Hestor; spoke on various concerns regarding the proposed legislation in File Nos. 121019 and 130248.

Continued to May 13, 2013.

05/13/13; CONTINUED. Heard in Committee. Speakers: Sarah Jones, John Rahaim, Director, and AnMarie Rodgers (Planning Department); Elaine Warren (Office of the City Attorney); presented information concerning the matter and answered questions raised throughout the hearing. Hiroshi Fukuda; Gil Crisswell; spoke in support of the proposed legislation in File No. 130248. Bernie Choden; Eric Brooks; Pastor Lynn Gavin; Howard Wong; Tes Welborn; Rose Hillson; Mark Aaronson; Roland Salvato; Former

Supervisor Aaron Peskin; Larry Juicye Edmond; spoke on various concerns regarding the proposed legislation in File Nos. 121019 and 130248.

Continued to May 20, 2013.

05/14/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

05/15/13; REFERRED TO DEPARTMENT. Re-referred substitute legislation (Version 3) to the Planning Department, Municipal Transportation Agency, Department of Building Inspection, County Clerk, Department of Public Works, Department of Public Health, Fire Department, Port, and Recreation and Park Department for informational purposes.

Heard in Committee. Speakers: Rick Caldeira (Office of the Clerk of the Board); AnMarie Rodgers (Planning Department); Elaine Warren (Office of the City Attorney); presented information concerning the matter and answered questions raised throughout the hearing. Bernie Choden; Eric Brooks; Calvin Welsh; spoke on various concerns regarding the proposed legislation in File Nos. 121019, 130248, and 130464.

AMENDED on Page 2, Line 2, by adding '31.09'; Page 15, Lines 2-12, by adding 'By law, the City is allowed 30 days to review for completeness applications for permits or other entitlements for use. While conducting this review for completeness, the Environmental Review Officer should be alert for environmental issues that might require preparation of an environmental impact report or that may require additional explanation by the applicant. As provided for in CEQA Sections 21080.1 and 21080.2. in the case of a project that involves an application for a permit or other entitlement for use, the Environmental Review Officer shall determine, within 30 days from the date on which an application for the project is accepted as complete, whether an environmental impact report, a negative declaration, or a mitigated negative declaration shall be required for the project. That determination shall be final and conclusive on all persons, including responsible agencies, unless challenged as provided in CEQA Section 21167.'; Page 32, line 22, by adding 'An appeal shall be accepted by the Clerk of the Board with notice given to the appellant that the acceptance is conditioned upon the Planning Department determining that the appeal of the CEQA decision, whether rendered by the Planning Department or another City commission, department, agency or official, has been filed in a timely manner, and the Clerk otherwise determining that the appeal complies with the requirements of this section. The Planning Department shall make such determination within three working days of receiving the Clerk's request for review. Within seven working days of the filing of the appeal, the Clerk shall mail notice to the appellants of the acceptance or rejection of the appeal.'; Page 34, Lines 20-21, by adding 'to the Clerk of the Board, on official letterhead, with the Board member's original signature' after 'in writing'; Page 34, Line 22, by adding ' official file and considered as part of the' after 'materials in the'; and Page 34, Line 24-25, by adding 'official file and considered as part of the' after 'materials in the' by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

CONTINUED TO CALL OF THE CHAIR AS AMENDED by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

130464 [Administrative Code - California Environmental Quality Act Procedures, Appeal of Exempt Project Modification]**Sponsors: Kim; Campos, Avalos and Mar**

Ordinance amending Administrative Code, Chapter 31, to provide for appeal to the Planning Commission of a Planning Department determination that an exempt project modification does not require a new decision under the California Environmental Quality Act; and making environmental findings.

05/14/13; ASSIGNED to Land Use and Economic Development Committee.

05/16/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission and Historic Preservation Commission for public hearing and recommendation; and Municipal Transportation Agency, Department of Building Inspection, County Clerk, Department of Public Works, Department of Public Health, Fire Department, Port, and Recreation and Park Department for informational purposes.

Heard in Committee. Speakers: Rick Caldeira (Office of the Clerk of the Board); AnMarie Rodgers (Planning Department); Elaine Warren (Office of the City Attorney); presented information concerning the matter and answered questions raised throughout the hearing. Bernie Choden; Eric Brooks; Calvin Welsh; spoke on various concerns regarding the proposed legislation in File Nos. 121019, 130248, and 130464.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

120669 [Subdivision Code - Condominium Conversion Impact Fee]**Sponsors: Farrell; Wiener, Chiu, Yee and Kim**

Ordinance amending the Subdivision Code, by adding Section 1396.4, to adopt a condominium conversion impact fee applicable to certain buildings that would be permitted to convert during a six year period, and subject to specified requirements, including lifetime leases for non-purchasing tenants; adding Section 1396.5, to suspend the annual condominium conversion lottery until 2024 and resume said lottery under specified circumstances tied to permanently affordable rental housing production; amending Section 1396, to restrict future condominium lotteries to buildings of no more than four units with a specified number of owner occupied units for three years prior to the lottery; and adopting environmental findings.

(Economic Impact)

(Supervisor Wiener dissented in Committee.)

06/12/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/12/2012.

06/20/12; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Controller, Planning Department, Department of Building Inspection, and Department of Public Works for review and information.

01/04/13; RESPONSE RECEIVED. Statutory exemption per CEQA Section 15273 - Rates, Tolls, Fares and Charges.

01/09/13; NOTICED. The Fee Ad was submitted to the newspaper for publication on January 14 & 21, 2013.

01/15/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

01/28/13; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor Mark Farrell (Board of Supervisors); John Malamut (City Attorney's Office); Bruce Storrs (Department of Public Works); presented information concerning the matter and answered questions raised throughout the hearing. Chin Hoy Loh; Female Speaker; David Wallace; Mark Bridges; Xi Rong Zhou; Jaime Alvarez; Marlene Tran; Male Speaker; Stacy Salvi; Male Speaker; Jake Block; Tina Moylin; Mike Moylin; Male Speaker; Fin Hatto; Jennifer Grant; Quitanne Ingalls; Jim Ingalls; Lance Wills; Ms. Taylor; Andy Creager; Brian Basinger; Tom; Marie Kuhns; Cheryl Power; Mike Sullivan; Bessie Tam; Darren Bridgett; Joanne Neidorf; Mark Bryan; Sandra Kazee; Julie Costanzo; Miro Brajenovic; Bryce Dille; Greg Efstratis; Brian; Lothar Schubert; Frank Triska; Sheila McLaughlin; Alex Ku; Bobbi Clemens; Female Speaker; Beth Palmer; Josephine Zhao; Male Speaker; Jennifer Lyon; Amy; Lavinia Turner; Cole Goepfinger; Paul Ron; Gabriela Mehner; Jeff; Elena Olzark; Female Speaker; Jake Sprall; spoke in support of the matter. Kenneth Laverne; Female Speaker; Jeremy Mykaels; Nancy McNally; Max Varazslo; Joe Donohoe; Kelly Meehan; Jane Fox; Renee Gibbons; Gypsy Taub; Karen Babbitt; Female Speaker; Cole Berggren; Elizabeth deYoung; Jazzie Collins; William Hannan; Sarah Sherburn-Zimmer; Amy; Jun Chang Tan; Male Speaker; Steve Woo; Hatty Lee; Ryan Thayer; Mitchell Omerberg; Terrie Frye; Sara Shortt; Jean Yaste; Dean Preston; Ted Gullickson; Fernando Marti; Peter Cohen; Eric Wu; Chester Zemini; Sue Vaughan; spoke in opposition to the matter. Walter Paulson; spoke neither in support nor against the matter.

01/28/13; CONTINUED AS AMENDED. Continued as amended to February 25, 2013.

02/14/13; REFERRED TO DEPARTMENT. Referred to the Youth Commission for informational purposes.

02/25/13; CONTINUED. Speakers: Kristen Henry; spoke in support of the matter. Chris Bollis; spoke in opposition to the matter.

02/27/13; RESPONSE RECEIVED. 2/19/2013 - The Youth Commission voted to take no position, but urged consideration of certain issues.

03/11/13; CONTINUED. Heard in Committee. Speakers: Kristin Henry; spoke in support of the hearing matter. Bruce Allison; Laura Cuzman; Marian Wallace; Ernestine Weiss; Michael Lyon; Gilbert Criswell; spoke in opposition to the hearing matter. Walter Paulson; spoke neither in support nor against the hearing matter.

Continued to March 25, 2013.

03/25/13; CONTINUED. Hearing in Committee. Speakers: Marlene Tran; Josephine Zhao; Alex Ku; spoke in support of the hearing matter. Marian Wallace; spoke in opposition to the matter.

Continued to April 15, 2013.

04/15/13; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisors Mark Farrell and Norman Yee (Board of Supervisors); John Malamut (Office of the City Attorney); presented information concerning the matter and answered questions raised throughout the hearing. Male Speaker; spoke in support of the hearing matter. Wing Hoo Leung; Gum Gee Lee; Ryan Thayer; Tina Cheung; Cynthia Crews; Gil Criswell; Steve Collier; Teresa Dulalas; Marti Dulalas; Sarah Sherburn-Zimmer; Sue Vaughan; Andre Lopez; Miguel Carrera; Jesus Perez; Brian Basinger; Ben Ng; Lori Liederman; Jennifer Friedenbach; Melly; Fernando Marti; Maria Zumuda; Peter Cohen; Sara Short; Ted Gullickson; Jason Hain; Eric Brooks; spoke in opposition to the hearing matter.

04/15/13; CONTINUED AS AMENDED.

04/17/13; RESPONSE RECEIVED. Non-physical exemption pursuant to CEQA Section 15060(c)(2).

04/22/13; RECOMMENDED. Heard in Committee. Speakers: Supervisors Mark Farrell and David Campos (Board of Supervisors); presented information concerning the matter and answered questions raised throughout the hearing. Susan Weisberg; Mervyn Wong; Wing Hoo Leung; Derek Zarda; Nella Manuel; Hatty Lee; Stephen Tennis; Lorenzo Listana; Mitchel Omerberg; Peter Cohen; Kathy Lipscomb; Gil Criswell; Steve Collier; Lori Liederman; Susan Vaughan; Fernando Marti; Ron Schmidt; Eihway Su; Layla Stanley; Gen Fujoka; Jessica Layman; Sara Short; Ted Gullickson; Joy Abounds; spoke in support of the hearing matter. Iris Biblowitz; Lizbeth Gordon; Peter Reitz; Tes Welborn; Josephine Zhao; Paul Utretch; Cynthia Crews; Noni Richen; Carolyn Short-McKenna; spoke in opposition to the hearing matter. Tony Robles; Myriam Zamora; Ana Gutierrez; Female Speaker; spoke neither in support nor against the hearing matter.

05/07/13; RE-REFERRED to Land Use and Economic Development Committee.

05/13/13; CONTINUED. Speakers: None.

Continued to May 20, 2013.

Heard in Committee. Speakers: John Malamut and Jon Givner (Office of the City Attorney); presented information concerning the matter and answered questions raised throughout the hearing. Gen Fujioka; spoke in support of the hearing matter. Eric Brooks; Steve Collier; spoke in opposition to the hearing matter.

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

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

Ordinance amending the Subdivision Code, by adding Section 1396.4, to adopt a condominium conversion impact fee applicable to certain buildings that would be permitted to convert during a seven year period, and subject to specified requirements, including lifetime leases for non-purchasing tenants; adding Section 1396.5, to suspend the annual condominium conversion lottery until 2024 and resume said lottery under specified circumstances tied to permanently affordable rental housing production; amending Section 1396, to restrict future condominium lotteries to buildings of no more than four units with a specified number of owner occupied units for three years prior to the lottery; and adopting environmental findings.

(Economic Impact)

(Supervisor Wiener dissented in Committee.)

Duplicated File No. 130480.

DUPLICATED AS AMENDED by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

Continued as amended to June 3, 2013.

CONTINUED AS AMENDED to June 3, 2013, by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

130480 [Subdivision Code - Condominium Conversion Impact Fee]**Sponsors: Farrell; Wiener, Chiu, Yee and Kim**

Ordinance amending the Subdivision Code, by adding Section 1396.4, to adopt a condominium conversion impact fee applicable to certain that would be permitted to convert during a seven year period, and subject to specified requirements, including lifetime leases for non-purchasing tenants; adding Section 1396.5, to suspend the annual condominium conversion lottery until 2024 and resume said lottery under specified circumstances tied to permanently affordable rental housing production; amending Section 1396, to restrict future condominium lotteries to buildings of no more than four units with a specified number of owner occupied units for three years prior to the lottery; and adopting environmental findings.

(Economic Impact)

See File No. 120669.

DUPLICATED by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

AMENDED on Page 22, Lines 8-14, by adding '(g) For purposes on this Section, a unit that is "occupied continuously" shall be defined as a unit occupied continuously by an owner of record for the three year period without an interruption of occupancy and so long as the applicant owner(s) occupied the subject unit as his/her principal place of residence for no less than one year prior to the time of application. In addition to the other requirements of this Subsection, each unit occupied continuously by an owner of record may be conveyed to a new owner of record; provided, however, that the change in ownership for such unit occurs no more than once every three years.' by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

(Economic Impact)

Continued as amended to June 3, 2013.

CONTINUED AS AMENDED to June 3, 2013, by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

ADJOURNMENT

The meeting adjourned at 3:04 p.m.