



City and County of San Francisco

Meeting Agenda

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

Land Use and Transportation Committee

Members: Mark Farrell, Aaron Peskin, Katy Tang

Clerk: Erica Major (415) 554-4441

Monday, October 2, 2017

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

ROLL CALL AND ANNOUNCEMENTS

AGENDA CHANGES

REGULAR AGENDA

- [170782](#)** **[Planning Code, Zoning Map - Rezoning 1990 Folsom Street]**
Sponsor: Ronen
Ordinance amending the Planning Code by revising the Zoning Map to change the zoning designation of 1990 Folsom Street from a use designation of Production, Distribution, and Repair-General and a height and bulk designation of 58-X to a use designation of Urban Mixed Use and a height and bulk designation of 90-X; affirming the Planning Commission's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

6/27/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

6/30/17; REFERRED TO DEPARTMENT.

9/22/17; NOTICED.
- [170860](#)** **[Administrative Code - Displaced Tenant Preference in City Affordable Housing]**
Sponsor: Mayor
Ordinance amending the Administrative Code to remove reference to a 10-year residency requirement for the Displaced Tenant Preference in City Affordable Housing Programs; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

7/25/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

8/1/17; REFERRED TO DEPARTMENT.

8/4/17; RESPONSE RECEIVED.

3. [170835](#) **[Amending Ordinance No. 49-17 - 180 Jones Street Affordable Housing Fund]**
Sponsor: Kim
Ordinance amending Ordinance No. 49-17 to change the timeline, for the first payment of \$1,500,000 from the project sponsor of 950-974 Market Street to the 180 Jones Street Affordable Housing Fund, from "the issuance of the first construction document for that project or July 1, 2017, whichever comes first," to "the issuance of the first construction document."

7/18/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

7/21/17; REFERRED TO DEPARTMENT.
4. [170418](#) **[Planning Code - Commercial Uses in Polk Street and Pacific Avenue Neighborhood Commercial Districts; Technical and Other Amendments]**
Sponsor: Peskin
Ordinance amending the Planning Code to 1) limit lot sizes in the Pacific Avenue Neighborhood Commercial District ("Pacific NCD") and the Polk Street Neighborhood Commercial District ("Polk NCD"); 2) limit the size of non-residential uses in the Pacific NCD and Polk NCD, and exempting movie theaters in the Polk NCD from certain size limits; 3) restrict lot mergers in the Pacific NCD and Polk NCD; 4) require ground floor commercial uses in the Polk NCD and on certain portions of Pacific Avenue; 5) modify residential and non-residential off-street parking requirements in the Pacific NCD and Polk NCD; 6) prohibit garage entries, driveways, or other vehicular access to off-street parking or loading on certain streets and alleys in the Pacific NCD and Polk NCD; 7) deem nonconforming uses in the Polk NCD to be discontinued after 18 months of non-use; 8) clarify procedures for abating a Conditional Use authorization; 9) modifying the maximum concentration of eating and drinking uses in the Polk NCD; 10) prohibit and restrict medical service, massage establishment, kennel, and agriculture uses in the Polk NCD; 11) prohibit storefront mergers in Polk NCD; 12) prohibit and restrict medical service, kennel, and agriculture uses in the Pacific NCD; 13) modify the required dwelling unit mix in the Polk NCD and Pacific NCD; 14) require Conditional Use authorization before replacing a Legacy Business in Polk NCD and Pacific NCD; 15) prohibit removal, demolition, merger, or conversion of certain residential units in Polk NCD and Pacific NCD; and 16) correct, clarify, and simplify language in other Planning Code Sections; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience, necessity, and welfare under Planning Code, Section 302.

4/11/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

4/19/17; REFERRED TO DEPARTMENT.

4/28/17; RESPONSE RECEIVED.

6/21/17; RESPONSE RECEIVED.

9/26/17; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.

9/28/17; REFERRED TO DEPARTMENT.

ADJOURNMENT

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

NOTE: The following legislation will not be considered at this meeting. Board Rule 3.22 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.

170830 [Transportation Code - Motorized Scooter and Moped Parking Restrictions]

Ordinance amending the Transportation Code to permit motorized scooters and mopeds to park in designated motorcycle parking spaces; and affirming the Planning Department's determination under the California Environmental Quality Act. (Municipal Transportation Agency)

8/28/17; RECEIVED FROM DEPARTMENT.

9/5/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

9/13/17; REFERRED TO DEPARTMENT.

9/21/17; RESPONSE RECEIVED.

170922 [Planning Code - Landmark Designation of 2731-2735 Folsom Street (aka Gaughran House)]

Ordinance amending the Planning Code to designate 2731-2735 Folsom Street (aka Gaughran House), Lot No. 031 in Assessor's Parcel Block No. 3640, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

7/26/17; RECEIVED FROM DEPARTMENT.

9/5/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

170923 [Planning Code - Landmark Designation of 1399 McAllister Street (aka Third Baptist Church Complex)]

Sponsor: Breed

Ordinance amending the Planning Code to designate 1399 McAllister Street (aka Third Baptist Church Complex), in Assessor's Parcel Block No. 0778, Lot No. 013, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

8/24/17; RECEIVED FROM DEPARTMENT.

9/5/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

170930**[General Plan - Pier 70 Mixed-Use District Project]**

Ordinance amending the General Plan to revise Maps 4 and 5 of the Urban Design Element to refer to the Pier 70 Mixed-Use Project Special Use District; adopting findings under the California Environmental Quality Act, and Planning Code, Section 340; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

8/28/17; RECEIVED FROM DEPARTMENT.

9/5/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

170931**[Transportation Code - Shared Vehicle Parking Restrictions]**

Ordinance amending the Transportation Code to change the term "Car Share Vehicle" to "Shared Vehicle" and permit Shared Vehicles to Park in designated Parking Spaces; and affirming the Planning Department's determination under the California Environmental Quality Act. (Municipal Transportation Agency)

8/28/17; RECEIVED FROM DEPARTMENT.

9/5/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

170938**[Planning Code, Zoning Map - 1629 Market Street Special Use District]**

Sponsors: Mayor; Kim

Ordinance amending the Planning Code and the Zoning Map to add the 1629 Market Street Special Use District; and making findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

9/5/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

9/11/17; REFERRED TO DEPARTMENT.

170939**[Development Agreement - Strada Brady, LLC - Market and Colton Streets]**

Sponsors: Mayor; Kim

Ordinance approving a Development Agreement between the City and County of San Francisco and Strada Brady, LLC, a California limited liability company, for the development project at the approximately 2.2-acre site located at Market, 12th, Stevenson, Chase Court, and Brady Streets, with various public benefits including improved open spaces and supportive affordable housing; making findings under the California Environmental Quality Act, findings of conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b); setting the impact fees and exactions as set forth in the Development Agreement; and confirming compliance with or waiving certain provisions of Administrative Code, Chapters 14B and 56; and ratifying certain actions taken in connection therewith.

9/5/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

9/11/17; REFERRED TO DEPARTMENT.

170940 [Planning Code, Zoning Map - Mission Rock Special Use District]**Sponsors: Mayor; Kim**

Ordinance amending the Planning Code and the Zoning Map to add the Mission Rock Special Use District, generally bounded by China Basin to the north; Pier 48, the marginal wharf between Pier 48 and Pier 50, the associated shoreline area and Terry Francois Boulevard to the east; Mission Rock Street to the south; and 3rd Street to the west; to amend other related provisions; making findings under the California Environmental Quality Act; and making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and Planning Code, Section 302.

9/5/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

9/12/17; REFERRED TO DEPARTMENT.

170941 [Planning Code, Zoning Map - Transit Center Special Sign District]**Sponsor: Kim**

Ordinance amending the Planning Code to create the Transit Center Special Sign District (bounded by Market Street on the north, Folsom Street on the south, Steuart Street on the east, and between New Montgomery and Third Streets on the west, and in the area bounded by Folsom, Harrison, Essex, and Second Streets, but excluding the planned City Park between Mission, Howard, Second, and Beale Streets and those portions of the Transit Center District Plan Area included in Zone 1 of the Transbay Redevelopment Plan Area, which include portions of land bounded by Spear, Mission, Folsom, and Second Streets), to restrict the size and height of new signs within 200 feet of and visible from an existing or planned public park or open space, and to restrict illumination of certain new signs in those areas; amending the Zoning Map to show the Transit Center Special Sign District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making a finding of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

9/5/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

9/12/17; REFERRED TO DEPARTMENT.

9/21/17; RESPONSE RECEIVED.

170942 [Building Code - Third Party Expert Fees]**Sponsor: Peskin**

Ordinance amending Building Code, Section 107A, and Table 1A-B of Section 110A, to allow recovery of costs of third party experts and other permit related expenses; and affirming the Planning Department's determination under the California Environmental Quality Act. (Building Inspection Commission)

9/5/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

9/13/17; REFERRED TO DEPARTMENT.

9/21/17; RESPONSE RECEIVED.

9/21/17; RESPONSE RECEIVED.

170971 **[Electrical Code - Low Voltage Lighting; Correction of Section Title]**
Ordinance amending the Electrical Code to correct the title for the Low Voltage Lighting section and conform it to the title in the California Electrical Code. (Building Inspection Commission)

9/6/17; RECEIVED FROM DEPARTMENT.

9/19/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

170972 **[Building Code - Slope Protection Act]**
Ordinance amending the Building Code to revise the scope section of the City's Slope Protection Act by deleting the reference to an obsolete map and re-enacting a paragraph that was omitted inadvertently in the adoption of the 2016 Code; affirming the Planning Department's determination under the California Environmental Quality Act; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage. (Building Inspection Commission)

9/6/17; RECEIVED FROM DEPARTMENT.

9/19/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

9/26/17; REFERRED TO DEPARTMENT.

170973 **[Plumbing Code - Circuit Venting]**
Ordinance amending the Plumbing Code to prohibit the use of circuit venting unless approved as an alternative engineered design; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage. (Building Inspection Commission)

9/6/17; RECEIVED FROM DEPARTMENT.

9/19/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

9/26/17; REFERRED TO DEPARTMENT.

170985 **[Public Works and Subdivision Codes - City Maintenance of Street Trees]**
Sponsor: Sheehy
Ordinance amending the Public Works Code to implement Charter, Section 16.129 (Proposition E, November 2016) and generally provide that the City shall maintain Street Trees and be liable for injuries and property damage resulting from the failure to maintain Street Trees; amending the Subdivision Code to incorporate conforming changes regarding Street Tree maintenance; and affirming the Planning Department's determination under the California Environmental Quality Act.

9/12/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

9/19/17; REFERRED TO DEPARTMENT.

9/21/17; RESPONSE RECEIVED.

171013 [Planning Code, Zoning Map - Amend Zoning Map Pursuant to Settlement]**Sponsor: Sheehy**

Ordinance amending the Planning Code by revising Zoning Map Sheet ZN06 to rezone Assessor's Parcel Block No. (AB) 2719C, Lot No. 023, located at Burnett Avenue and Burnett Avenue North, from Public (P) to Residential, Mixed Districts, Low Density (RM-1); rezoning a portion of Burnett Avenue North generally bounded by AB 2745, Lot No. 036, and AB 2719C, Lot No. 023, to RM-1; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

9/19/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

9/26/17; REFERRED TO DEPARTMENT.

171015 [Interim Zoning Controls - Off-Street Parking in the "Hub" Area]**Sponsors: Breed; Kim and Peskin**

Resolution imposing for 18 months interim zoning controls limiting off-street parking for new development to the principally-permitted parking ratios established under the Planning Code, and removing the possibility to apply for a conditional use authorization to increase such parking, in the area known as "the Hub" or the "Market Street Hub," which covers the eastern-most portions of the Market and Octavia Plan area, and is bounded generally by Fell and Hayes Streets to the north; Market and Howard Streets to the east; Highway 101 to the south and southeast; and Haight, Gough, Page, and Franklin Streets to the west; applying these interim zoning controls to development projects that have not received an approval of a development application prior to the effective date of this Resolution and will provide no on-site affordable housing under the City's Inclusionary Affordable Housing Program; and making environmental findings and findings of consistency with the eight priority policies of Planning Code, Section 101.1.

9/19/17; ASSIGNED UNDER 30 DAY RULE PENDING APPROVAL AS TO FORM to the Land Use and Transportation Committee.

9/26/17; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

171041 [Planning Code - Cannabis Regulation]**Sponsors: Mayor; Sheehy**

Ordinance amending the Planning Code to 1) regulate cannabis land uses, including, among other things, adult use cannabis retail, Medical Cannabis Dispensaries, delivery-only services, manufacture of cannabis products, cannabis cultivation, and cannabis testing; 2) allow Medical Cannabis Dispensaries in additional zoning districts; 3) establish a land use process for the conversion of existing Medical Cannabis Dispensaries to Cannabis Retail establishments; 4) establish location and operating conditions for cannabis uses; 5) repeal Ordinance No. 186-17, which limited the number of medical cannabis dispensaries in Supervisorial District 11; and 6) delete superseded Planning Code provisions; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and public necessity, convenience and welfare findings pursuant to Planning Code, Section 302.

9/26/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation, 2) Budget and Legislative Analyst report,
- 3) Department or Agency cover letter and/or report, 4) Public correspondence

Items will be available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

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 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) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives, except that public speakers using interpretation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous interpretation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting interpretation 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.

IMPORTANT INFORMATION: The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications should be submitted to the Clerk of the Board or Clerk of the Committee: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications not received prior to the hearing may be delivered to the Clerk of the Board or Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution to all of its members.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

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AGENDA PACKET: Available for review in the Office of the Clerk of the Board, City Hall, 1 Dr. Carlton B Goodlett Place, Room 244, or on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SFGovTV, the Government Channel 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Peggy Nevin at (415) 554-5184. **AVISO EN ESPAÑOL:** La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Peggy Nevin at (415) 554-5184. **Paunawa:** Ang mga kahilingan ay kailangang matanggap sa loob ng 48 oras bago mag miting upang matiyak na matutugunan ang mga hiling. Mangyaring tumawag ka sa (415) 554-5184.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719

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 SFGovTV, the Government Channel 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 Wilson Ng at (415) 554-5184 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 F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 5R, 6, 7, 7R, 7X, 9, 9R, 19, 21, 47, and 49. For more information about MUNI accessible services, call (415) 701-4485.

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 decision in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This 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 (San Francisco Administrative Code, Chapter 67) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-5163; or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67, on the Internet at <http://www.sfbos.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, Section 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site <http://www.sfgov.org/ethics>