



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: Katy Tang, Jane Kim, Ahsha Safai

Clerk: Erica Major (415) 554-4441

Monday, December 3, 2018

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

ROLL CALL AND ANNOUNCEMENTS

AGENDA CHANGES

REGULAR AGENDA

1. [180969](#) **[Plumbing Code - Cross-Connection Control]**
Ordinance amending the Plumbing Code to delete the local amendment to the California Plumbing Code referring to the San Francisco Public Utilities Commission's Rules and Regulations in the section on Cross-Connection Control; 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)

10/1/18; RECEIVED FROM DEPARTMENT.

10/16/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

10/23/18; REFERRED TO DEPARTMENT.

10/24/18; REFERRED TO DEPARTMENT.

11/1/18; RESPONSE RECEIVED.

2. [180090](#) **[Building Code - Electric Vehicle Charging Stations - Expedited Permit Process]**
Sponsors: Tang; Peskin
Ordinance amending the Building Code to enact an expedited and streamlined permit process for Electric Vehicle Charging Stations; affirming the Planning Department's determination under the California Environmental Quality Act; and directing the Clerk to forward this Ordinance to the California Building Standards Commission upon final passage.
- 1/23/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 2/6/18; REFERRED TO DEPARTMENT.
- 2/16/18; RESPONSE RECEIVED.
- 11/13/18; REMAIN ACTIVE.
- 11/13/18; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.
- 11/16/18; REFERRED TO DEPARTMENT.
- 11/21/18; RESPONSE RECEIVED.
- 11/26/18; RESPONSE RECEIVED.
3. [180645](#) **[Planning Code, Zoning Map - Rezoning, Preservation Designation - 175 Golden Gate Avenue]**
Sponsor: Kim
Ordinance amending the Planning Code and Zoning Map to rezone the building at 175 Golden Gate Avenue (De Marillac Academy), Assessor's Parcel Block No. 0349, Lot No. 011, from RC-4 (Residential-Commercial, High Density) to C-3-G (Commercial, Downtown General); designating the building for preservation purposes as a Category III, Contributory Building; 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 necessity, convenience, and welfare under Planning Code, Section 302.
- 6/12/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 6/19/18; REFERRED TO DEPARTMENT.
- 8/1/18; RESPONSE RECEIVED.
- 10/9/18; RESPONSE RECEIVED.
- 11/9/18; NOTICED.

4. [181031](#) **[Planning Code - Permit Review Procedures for Uses in Neighborhood Commercial Districts]**

Sponsors: Tang; Safai

Ordinance amending the Planning Code to make permanent the pilot program removing neighborhood notice and Planning Commission review for certain uses in Neighborhood Commercial Districts in the areas generally bounded by Supervisorial Districts 4 and 11; 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 findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

10/23/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

10/26/18; REFERRED TO DEPARTMENT.

11/1/18; RESPONSE RECEIVED.

The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on December 4, 2018.

5. [180915](#) **[Planning Code - Residential Care Facilities]**

Sponsors: Mandelman; Yee

Ordinance amending the Planning Code to allow Residential Care Facilities with seven or more persons as a principally permitted use in RH-3 (Residential House, Three-Family), RC (Residential Commercial), RM (Residential Mixed), and RTO (Residential Transit Oriented) Districts, in Neighborhood Commercial Districts, and in certain Mixed Use Districts; 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 general welfare under Planning Code, Section 302.

9/18/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

9/26/18; REFERRED TO DEPARTMENT.

9/27/18; RESPONSE RECEIVED.

The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on December 4, 2018.

6. [180916](#) **[Planning, Administrative Codes - Zoning Controls and Fees in the C-3-R (Downtown Retail) District]**

Sponsor: Peskin

Ordinance amending the Planning Code to change zoning controls for Non-Retail Sales and Service Uses in the C-3-R (Downtown Retail) Zoning District; amending the Planning and Administrative Codes to create the Union Square Park, Recreation, and Open Space Fund and Fee; affirming 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 necessity, convenience, and welfare pursuant to Planning Code, Section 302.

9/18/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

9/26/18; REFERRED TO DEPARTMENT.

9/27/18; RESPONSE RECEIVED.

10/16/18; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.

10/19/18; NOTICED.

10/24/18; REFERRED TO DEPARTMENT.

10/25/18; NOTICED.

10/25/18; RESPONSE RECEIVED.

10/29/18; CONTINUED.

11/1/18; RESPONSE RECEIVED.

The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on December 4, 2018.

7. [180777](#) **[Planning Code - Prohibiting Employee Cafeterias within Office Space]**

Sponsors: Safai; Peskin

Ordinance amending the Planning Code to prohibit Employee Cafeterias, as defined in the Health Code, within Office space, except for existing Employee Cafeterias; 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.

(Pursuant to Charter, Section 4.105, this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve the ordinance for passage.)

7/24/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

7/31/18; REFERRED TO DEPARTMENT.

8/1/18; RESPONSE RECEIVED.

11/7/18; RESPONSE RECEIVED.

8. [180876](#) **[Hearing - San Francisco Municipal Transportation Agency - Red Transit-Only Lanes]**
Sponsors: Fewer; Ronen
Hearing to request an analysis of privatized buses utilizing red transit-only lanes by frequency, volume, and vehicle type, and its impact on public transit service in San Francisco; and requesting San Francisco Municipal Transportation Agency to report.
- 9/4/18; RECEIVED AND ASSIGNED to the Land Use and Transportation Committee.
- 9/11/18; 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.

181061

[Planning Code - Conversion of Medical Cannabis Dispensary Uses to Cannabis Retail Uses]

Ordinance amending the Planning Code to allow Medical Cannabis Dispensaries (MCDs) with approvals from the Planning Department for a Medical Cannabis Dispensary Use as of January 5, 2018, to apply to convert to Cannabis Retail Uses under the same conditions as MCDs that held valid final permits from Department of Public Health as of January 5, 2018; exempting all such converted Cannabis Retail Uses from otherwise applicable Conditional Use Authorization requirements; clarifying that such Cannabis Retail Uses are not exempted from any minimum radius that is required by a State licensing authority for distance between a Cannabis Retailer and an existing school, day care center or youth center; allowing Equity Program or Equity Incubator Applicants who have MCD applications pending at the Planning Department to apply to convert to Cannabis Retail Uses; exempting such Cannabis Retail Uses from the minimum radius requirements between those establishments and existing Cannabis Retailers and Medical Cannabis Retailers; 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 public necessity, convenience, and welfare findings under Planning Code, Section 302. (City Administrator)

10/29/18; RECEIVED FROM DEPARTMENT.

11/13/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

11/16/18; REFERRED TO DEPARTMENT.

11/21/18; RESPONSE RECEIVED.

11/26/18; RESPONSE RECEIVED.

181083

[Salina Lam Commemorative Plaque - 810 Silver Avenue, Hillcrest Elementary School]

Sponsor: Ronen

Ordinance waiving permit and inspection fees, under the Commemorative Street Plaque Ordinance in the Public Works Code, for the installation of a plaque at one location on the Silver Avenue sidewalk, commemorating former Hillcrest Elementary School student Salina Lam, and directing official acts in furtherance of this Ordinance, as defined herein; and affirming the Planning Department's determination under the California Environmental Quality Act.

11/13/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

11/21/18; RESPONSE RECEIVED.

181084 [Transportation Code - Large Commercial Vehicle Parking Restrictions]**Sponsor: Ronen**

Ordinance amending Division I of the Transportation Code to prohibit the on-street parking of any Commercial Vehicle, as defined by the California Vehicle Code, over 22 feet in length or seven feet in height in any residential district, including any RH (residential, house), RM (residential, mixed), or RTO (Residential Transit Oriented) district between the hours of 12:00 a.m. and 6:00 a.m. when Municipal Transportation Agency signs are posted giving notice; and affirming the Planning Department's determination under the California Environmental Quality Act.

11/13/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

11/16/18; REFERRED TO DEPARTMENT.

11/21/18; RESPONSE RECEIVED.

181107 [Planning Code - Landmark Designation - 524 Union Street (aka Paper Doll)]

Ordinance amending the Planning Code to designate 524 Union Street (aka Paper Doll), Assessor's Parcel Block No. 0103, Lot No. 009, 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)

11/7/18; RECEIVED FROM DEPARTMENT.

11/27/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

181108 [Police, Housing Codes - Required Disclosure of Storm Flood Risks]

Ordinance amending the Police Code to require sellers or landlords of real property in San Francisco to disclose to buyers or tenants that the property is located within the flood risk zone delineated on the San Francisco Public Utilities Commission's 100-Year Storm Flood Risk Map; amending the Housing Code to require that the Department of Building Inspection's Report of Residential Building Record include a disclosure statement for property located within the flood risk zone; and affirming the Planning Department's determination under the California Environmental Quality Act. (Public Utilities Commission)

11/16/18; RECEIVED FROM DEPARTMENT.

11/27/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

181111 [General Plan Amendment - Downtown Area Plan - 1650, 1660, 1670 and 1680 Mission Street]

Ordinance amending the General Plan to revise Map 1 of the Downtown Area Plan to include 1650, 1660, 1670 and 1680 Mission Street, Assessor's Parcel Block No. 3512, Lot Nos. 005, 006, 008, 009 and 010, in the C-3-G (Downtown General Commercial District) area; and making environmental findings, 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 340. (Planning Commission)

11/13/18; RECEIVED FROM DEPARTMENT.

11/27/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

181112 [General Plan Amendment - Market and Octavia Area Plan - 1650, 1660, 1670 and 1680 Mission Street]

Ordinance amending the General Plan to revise Map 1 of the Market and Octavia Area Plan to change the designation of 1650, 1660, 1670 and 1680 Mission Street, Assessor's Parcel Block No. 3512, Lot Nos. 005, 006, 008, 009 and 010, from NC-3 (Moderate Scale Neighborhood Commercial Transit) and P (Public Use District) to C-3-G (Downtown General Commercial District); and making environmental findings, 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 340. (Planning Commission)

11/13/18; RECEIVED FROM DEPARTMENT.

11/27/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

181153 [Planning Code - Arts Activities and Nighttime Entertainment Uses in Historic Buildings]

Sponsor: Kim

Ordinance amending the Planning Code to allow Arts Activities and Nighttime Entertainment as Principally Permitted Uses in historic buildings in the RCD (Regional Commercial District) 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 adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

11/27/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

181154 [Planning Code - Inclusionary Housing Fee]

Sponsors: Peskin; Kim

Ordinance amending the Planning Code to require all projects using the State Density Bonus law, regardless of environmental evaluation application date, to pay the inclusionary fee on any additional units or square footage allowed by the state law; and 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 findings of public convenience, necessity, and welfare under Planning Code, Section 302.

11/27/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

181155 [Public Works Code - Major Encroachment Permit Revocation Hearings]

Sponsor: Peskin

Ordinance amending the Public Works Code to allow five members of the Board of Supervisors to schedule an administrative hearing before the Board regarding potential revocation of a major encroachment permit when the Director of Public Works has not taken timely steps to schedule and hold a hearing or issue a decision regarding the revocation; and affirming the Planning Department's determination under the California Environmental Quality Act.

11/27/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

181156

[Planning, Business and Tax Regulations Codes - Accessory Dwelling Units in New Construction]

Sponsor: Safai

Ordinance amending the Planning Code and Business and Tax Regulations Code to authorize the addition of an Accessory Dwelling Unit in the construction of a new single-family home or multi-family building; clarifying the ministerial approval process and creating an expedited Board of Appeals process for certain Accessory Dwelling Units in single-family homes meeting specific requirements; 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.

11/27/18; 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.

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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

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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.

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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>