



# 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: Aaron Peskin, Ahsha Safai, Matt Haney*

*Clerk: Erica Major (415) 554-4441*

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Monday, July 15, 2019

1:30 PM

City Hall, Legislative Chamber, Room 250

**Regular Meeting**

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## ROLL CALL AND ANNOUNCEMENTS

## AGENDA CHANGES

## REGULAR AGENDA

- 190048** **[Planning Code - Building Standards]**  
**Sponsor: Mandelman**  
Ordinance amending the Planning Code to require building setbacks for buildings fronting on narrow streets, modify front yard requirements in Residential Districts, increase required rear yards in single-family zoning districts by five percent, amend the rear yard requirements for through lots and corner lots in certain districts to permit second buildings where specified conditions are met, and allow building height increases to existing stories in existing nonconforming buildings in order to accommodate residential uses; 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.  
  
1/15/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.  
  
1/23/19; REFERRED TO DEPARTMENT.  
  
4/17/19; RESPONSE RECEIVED.  
  
6/17/19; CONTINUED.  
  
6/24/19; CONTINUED.  
  
7/8/19; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.  
  
7/8/19; CONTINUED AS AMENDED.

2. [190248](#) **[Planning Code - Uses in the Upper Market NCT and NCT-3 Zoning Districts]**

**Sponsor: Mandelman**

Ordinance amending the Planning Code to revise the NCT-3 (Moderate-Scale Neighborhood Commercial Transit) District controls to allow Arts Activities, Philanthropic Administrative Services, and Public Facilities as a principal use on all stories, revise the Upper Market Neighborhood Commercial Transit (NCT) District controls to allow Arts Activities and Institutional Uses as a principal use on the first and second stories and as a conditional use on the third story and above and to allow General Entertainment as a principal use on the first and second stories, modify the requirements for liquor stores and bars in the NCT-3 and Upper Market Street NCT Districts, add additional conditional use criteria for liquor stores and require liquor stores to comply with standard location and operating conditions, and add additional uses to the definition of Open Air Sales; 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.

3/5/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

3/12/19; REFERRED TO DEPARTMENT.

4/24/19; RESPONSE RECEIVED.

5/8/19; RESPONSE RECEIVED.

5/21/19; RESPONSE RECEIVED.

7/8/19; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

7/8/19; CONTINUED AS AMENDED.

3. [180939](#) **[Planning Code, Zoning Map - Oceanview Large Residence Special Use District]**

**Sponsor: Safai**

Ordinance amending the Planning Code and Zoning Map to create the Oceanview Large Residence Special Use District (the area within a perimeter established by Interstate 280, Orizaba Avenue, Brotherhood Way, Junipero Serra Boulevard, Holloway Avenue, Ashton Avenue, Ocean Avenue, Geneva Avenue, and Interstate 280), to promote and enhance neighborhood character and affordability by requiring Conditional Use authorization for large residential developments in the 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 welfare under Planning Code, Section 302.

9/25/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

10/3/18; REFERRED TO DEPARTMENT.

11/1/18; RESPONSE RECEIVED.

11/30/18; NOTICED.

12/10/18; CONTINUED TO CALL OF THE CHAIR.

1/2/19; REMAIN ACTIVE.

3/29/19; REMAIN ACTIVE.

4/30/19; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.

5/3/19; REFERRED TO DEPARTMENT.

6/13/19; RESPONSE RECEIVED.

6/20/19; RESPONSE RECEIVED.

7/5/19; NOTICED.

4. [190689](#) **[Interim Zoning Control - Conditional Use Authorization Required for a Change of Use from Nighttime Entertainment to Another Use Allowed in the Defined South of Market Area]**

**Sponsor: Haney**

Resolution imposing an interim zoning control for an 18-month period requiring conditional use authorization for a change in use from nighttime entertainment to any other use allowed in the area South of Market Street bounded by the southwest side of 12th Street to the southwest side of 5th Street and the south side of Market Street to the south side of Harrison Street; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the eight priority policies of Planning Code, Section 101.1.

6/11/19; ASSIGNED to the Land Use and Transportation Committee.

6/19/19; REFERRED TO DEPARTMENT.

6/25/19; RESPONSE RECEIVED.

7/3/19; NOTICED.

5. [190458](#) **[Planning, Administrative Codes - North of Market Affordable Housing Fees and Citywide Affordable Housing Fund]**  
**Sponsor: Mayor**  
Ordinance amending the Planning Code and the Administrative Code to abolish the North of Market Affordable Housing Fund and have certain fees collected in conjunction with North of Market affordable housing deposited in the Citywide Affordable Housing Fund; 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.
- 4/30/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 5/7/19; REFERRED TO DEPARTMENT.
- 6/4/19; RESPONSE RECEIVED.
- 6/25/19; RESPONSE RECEIVED.
6. [190459](#) **[Planning Code - Temporary Uses: Intermittent Activities]**  
**Sponsor: Brown**  
Ordinance amending the Planning Code to allow operation of a farmers market on the Department of Motor Vehicles Field Office parking lot at 1377 Fell Street by allowing an intermittent activity to be located on a lot with a public facility in specified residential zoning 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.
- 4/30/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 5/7/19; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 5/15/19; REFERRED TO DEPARTMENT.
- 6/13/19; RESPONSE RECEIVED.
- 7/2/19; RESPONSE RECEIVED.
7. [190598](#) **[Public Works Code - Personal Wireless Service Facility Site Permits]**  
Ordinance amending the Public Works Code to modify the requirements for obtaining Personal Wireless Service Facility Site Permits; and affirming the Planning Department's determination under the California Environmental Quality Act. (Public Works)
- 5/24/19; RECEIVED FROM DEPARTMENT.
- 6/4/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 6/19/19; REFERRED TO DEPARTMENT.
- 6/26/19; REFERRED TO DEPARTMENT.
- 7/11/19; RESPONSE RECEIVED.

## 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.*

### **190671**

#### **[Planning Code - Landmark Designation - 2851-2861 24th Street (The Galería de la Raza/Studio 24 Building)]**

##### **Sponsor: Ronen**

Ordinance amending the Planning Code to designate 2851-2861 24th Street (The Galería de la Raza/Studio 24 Building), a portion of Assessor's Parcel Block No. 4268, Lot No. 001, as a Landmark under Article 10 of the Planning Code; 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 findings under Planning Code, Section 302. (Historic Preservation Commission)

6/4/19; RECEIVED FROM DEPARTMENT.

6/18/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

### **190702**

#### **[Planning Code - New Rooftop Floor Area or Building Volume on Noncomplying Structure Designated as a Significant Building - Assessor's Parcel Block No. 3707]**

Ordinance amending the Planning Code to permit new floor area or building volume on the rooftop of a noncomplying structure that is designated as a Significant Building under Planning Code, Article 11, located on Assessor's Parcel Block No. 3707, provided that the rooftop has an existing parapet at least 17 feet in height along the primary building frontage; 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 under Planning Code, Section 302. (Planning Department)

6/13/19; RECEIVED FROM DEPARTMENT.

6/25/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

**190707 [Street Vacation - Potrero HOPE SF Project - Phase 2]****Sponsors: Mayor; Walton**

Ordinance ordering the vacation of streets in the Potrero HOPE SF Project - Phase 2 (Blocks A and B) site, generally bounded by 25th Street on the north, 26th Street on the south, Wisconsin Street on the west, and Connecticut Street on the east; allowing a reservation of rights for electric utilities access at the southwest corner of 25th Street and Wisconsin Street and required pedestrian access; authorizing the City to quitclaim its interest in the vacation areas to the San Francisco Housing Authority; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance, as defined herein, including transmittal of the Ordinance by the Clerk of the Board of Supervisors to the Public Works Director for purposes of recordation of property rights.

6/18/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

**190708 [Environment Code - 100% Renewable Energy Required for On-Site Electricity Demands in Nonresidential Buildings of 50,000 Square Feet or More]****Sponsors: Mayor; Brown and Safai**

Ordinance amending the Environment Code to require all nonresidential buildings of 50,000 square feet or more to provide all on-site electricity demands from 100% greenhouse gas-free or renewable sources and to authorize the Director of the Department of the Environment to adopt rules and regulations for implementation of the requirements; and affirming the Planning Department's determination under the California Environmental Quality Act.

6/18/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

6/25/19; REFERRED TO DEPARTMENT.

**190711 [Public Works Code - Street Tree Replacement]****Sponsor: Safai**

Ordinance amending the Public Works Code to require Public Works, with certain exceptions, to replace any street tree it has removed within 120 days; and affirming the Planning Department's determination under the California Environmental Quality Act.

(Fiscal Impact; No Budget and Legislative Analyst Report)

6/18/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

6/25/19; REFERRED TO DEPARTMENT.

**190714 [Extending Interim Zoning Controls - Off-Street Parking in the “Market Street Hub” Area]****Sponsors: Mayor; Brown**

Resolution extending for six months interim zoning controls that limit off-street parking for new development projects to the principally-permitted accessory parking ratios established under the Planning Code, and remove 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 Street and Hayes Street to the north; Market Street and Howard Street to the east; Highway 101 to the south and southeast; and Haight Street, Gough Street, Page Street, and Franklin Street to the west; and making environmental findings, and findings of consistency with the eight priority policies of Planning Code, Section 101.1.

6/18/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

6/25/19; REFERRED TO DEPARTMENT.

**190731 [Planning Code - Abandonment of Conditional Uses in North Beach Neighborhood Commercial District]****Sponsor: Peskin**

Ordinance amending the Planning Code to change, from 18 months to three years, the period of non-use required to deem as discontinued a permitted conditional use in the North Beach Neighborhood Commercial 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 public necessity, convenience, and welfare findings under Planning Code, Section 302.

6/25/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

7/3/19; REFERRED TO DEPARTMENT.



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### 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](mailto: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>