



City and County of San Francisco

Meeting Agenda

Land Use and Transportation Committee

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

Members: Katy Tang, Jane Kim, Ahsha Safai

Clerk: Erica Major (415) 554-4441

Monday, February 5, 2018

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

A quorum of the Board of Supervisors may be present at this committee meeting. If a quorum is present, the meeting will also constitute a Special Meeting of the Board of Supervisors. However, the meeting will be conducted in all respects as a committee meeting, and any substantive decision will constitute a recommendation of the committee rather than an action taken by the Board. The Clerk will make a note of the special meeting in the committee minutes, and discussion will be limited to items noticed on this agenda.

ROLL CALL AND ANNOUNCEMENTS

AGENDA CHANGES

REGULAR AGENDA

- [170747](#) **[Hearing - City's Vacant/Abandoned Property]**
Sponsors: Fewer; Ronen and Yee
Hearing on the efficacy of the City's Vacant/Abandoned Property Ordinance and strategies for preventing vacant storefronts; and requesting the Department of Building Inspection and the Office of Economic and Workforce Development to report.

6/13/17; RECEIVED AND ASSIGNED to the Land Use and Transportation Committee.
6/21/17; REFERRED TO DEPARTMENT.
- [171212](#) **[Hearing - State of the Retail Sector, Challenges and Opportunities for San Francisco's Neighborhood Commercial Districts]**
Sponsor: Farrell
Hearing on the findings of the 2017 retail study conducted by the Office of Economic and Workforce Development that reviews the state of the retail industry nationally and locally, and provides an overview of challenges and opportunities for San Francisco's neighborhood retail commercial districts; and requesting the Office of Economic and Workforce Development and Planning Department to report.

11/14/17; RECEIVED AND ASSIGNED to the Land Use and Transportation Committee.
11/22/17; REFERRED TO DEPARTMENT.

3. [161109](#) **[Planning Code, Zoning Map - Establishment of Geary-Masonic Special Use District]**

Sponsor: Safai

Ordinance amending the Planning Code to establish the Geary-Masonic Special Use District in the area generally bounded by Geary Boulevard to the south, Masonic Avenue to the east, and Assessor's Parcel Block No. 1071, Lot Nos. 001 and 004, to the north and west, respectively, amending Sheet SU03 of the Zoning Map; 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 convenience, necessity, and welfare under Planning Code, Section 302.

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

10/25/16; REFERRED TO DEPARTMENT.

10/26/16; RESPONSE RECEIVED.

2/3/17; REMAIN ACTIVE.

6/6/17; REMAIN ACTIVE.

9/29/17; REMAIN ACTIVE.

11/14/17; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.

11/17/17; REFERRED TO DEPARTMENT.

11/30/17; RESPONSE RECEIVED.

12/1/17; RESPONSE RECEIVED.

12/8/17; RESPONSE RECEIVED.

1/19/18; NOTICED.

1/29/18; CONTINUED.

4. [180093](#) **[Lease Agreement - China Basin Ballpark Company, LLC - Pier 48 - Mission Rock Project]**

Sponsors: Breed; Kim

Resolution approving a Lease Agreement between the Port and China Basin Ballpark Company, LLC ("CBBC") for Pier 48; with a Base Rent of \$55,416.47 per month from April through September and \$2,916.67 per month from October through March, in recognition of increased parking demand by ballpark patrons during the baseball season, with 66% of gross revenues for all parking operations less parking taxes and authorized, substantiated extraordinary expenses, as further defined in the Lease, to be paid by CBBC, for a ten-year term to commence following approval by the Board and the Mayor; for the proposed Mission Rock Project; and adopting findings under the California Environmental Quality Act.

1/23/18; RECEIVED AND ASSIGNED to the Land Use and Transportation Committee.

1/30/18; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.

5. [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.
- 12/5/17; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.
- 12/12/17; REFERRED TO DEPARTMENT.
- 1/26/18; NOTICED.
- 1/30/18; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.
6. [171286](#) **[California Environmental Quality Act Findings - Mission Rock Project - Seawall Lot 337 and Pier 48]**
Sponsors: Mayor; Kim
Resolution affirming the Planning Department's certification of the Final Environmental Impact Report and adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and San Francisco Administrative Code, Chapter 31, including findings of fact, findings regarding significant impacts and significant and unavoidable impacts, evaluation of mitigation measures and alternatives, a statement of overriding considerations, and adoption of a mitigation monitoring and reporting program related to the approvals for the proposed Mission Rock mixed-use project located at Seawall Lot 337 and Pier 48.
- 12/5/17; RECEIVED AND ASSIGNED to the Land Use and Transportation Committee.
- 12/12/17; REFERRED TO DEPARTMENT.
7. [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.
- 1/26/18; NOTICED.
- 2/1/18; NOTICED.

8. [170761](#) **[Public Works, Administrative Codes - Street Encroachment Permits and Maintenance Fund for Certain Permits]**

Sponsor: Mayor

Ordinance amending the Public Works Code to update provisions on street encroachment permits, establish appeals procedures and fees for such appeals, waive the annual public right-of-way occupancy assessment fee in lieu of the waiver for permit fee payment for certain permits, modify the street encroachment permit process for governmental entities, and create a temporary street encroachment permit for a maximum period of 30 months; amending the Administrative Code to establish an encroachment maintenance fund for permits where the permittee is not an adjacent property owner; and affirming the Planning Department's determination under the California Environmental Quality Act.

6/20/17; ASSIGNED to the Land Use and Transportation Committee.

6/28/17; REFERRED TO DEPARTMENT.

7/3/17; RESPONSE RECEIVED.

7/7/17; NOTICED.

7/13/17; NOTICED.

7/17/17; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

7/17/17; REFERRED WITHOUT RECOMMENDATION AS AMENDED AS A COMMITTEE REPORT.

7/18/17; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

7/18/17; PASSED ON FIRST READING AS AMENDED.

7/25/17; CONTINUED ON FINAL PASSAGE.

9/12/17; RE-REFERRED to the Land Use and Transportation Committee.

1/26/18; NOTICED.

2/1/18; NOTICED.

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.

180003

[Planning Code - Landmark Designation - 460 Arguello Boulevard (aka Theodore Roosevelt Middle School)]

Ordinance amending the Planning Code to designate 460 Arguello Boulevard (aka Theodore Roosevelt Middle School), in Assessor's Parcel Block No. 1061, Lot No. 049, 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)

12/20/17; RECEIVED FROM DEPARTMENT.

1/9/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

180004

[Planning Code - Landmark Designation - 600-32nd Avenue (aka George Washington High School)]

Ordinance amending the Planning Code to designate 600-32nd Avenue (aka George Washington High School), in Assessor's Parcel Block No. 1574, 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 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)

12/20/17; RECEIVED FROM DEPARTMENT.

1/9/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

180005

[Planning Code - Landmark Designation - 2728 Bryant Street (aka Sunshine School)]

Ordinance amending the Planning Code to designate 2728 Bryant Street (aka Sunshine School), Assessor's Parcel Block No. 4273, Lot No. 008, 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)

12/20/17; RECEIVED FROM DEPARTMENT.

1/9/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

180031 **[Summary Street Vacation - Portion of Panama Street; Sidewalk Acceptance - Niantic Street]**

Ordinance ordering the summary street vacation of a portion of Panama Street tangent to Niantic Street and Interstate Highway 280, in the Oceanview neighborhood; conveying the City's interest in the street vacation area to the owner of 10 Niantic Street (Assessor's Parcel Block No. 7178, Lot No. 014); accepting an irrevocable offer for a public sidewalk on Niantic Street between Panama Street and Saint Charles Avenue; dedicating the public sidewalk for pedestrian use, designating it for public right-of-way and roadway purposes, and accepting it for City maintenance and liability; establishing a new official sidewalk on Niantic Street by amending Ordinance No. 1061 entitled, "Regulating the Width of Sidewalks;" 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. (Public Works)

1/4/18; RECEIVED FROM DEPARTMENT.

1/23/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

180053 **[Planning Code - Massage Establishments - Union Street Neighborhood Commercial District]**

Sponsor: Farrell

Ordinance amending the Planning Code to conditionally permit Massage Establishments, as defined, in the Union Street 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 findings of public convenience, necessity, and welfare under Planning Code, Section 302.

1/9/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

1/22/18; REFERRED TO DEPARTMENT.

180054 **[Building Code - Waiver and Refund of Investigation Fee for Persons Registered with the Office of Cannabis]**

Sponsor: Sheehy

Ordinance waiving and refunding investigation fees imposed by Building Code, Section 107A.5, for persons (as defined in Police Code, Section 1602) registered with the Office of Cannabis.

1/9/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

1/22/18; REFERRED TO DEPARTMENT.

1/25/18; REFERRED TO DEPARTMENT.

180078 [Planning Code - Landmark Designation - Wall at the Intersection of Diamond Heights Boulevard and Clipper Street (aka Diamond Heights Safety Wall)]

Ordinance amending the Planning Code to designate the wall located at the intersection of Diamond Heights Boulevard and Clipper Street (aka Diamond Heights Safety Wall), in Assessor's Parcel Block No. 7504, Lot No. 011, 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)

1/19/18; RECEIVED FROM DEPARTMENT.

1/30/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

180086 [Planning Code - Re-establishment of Nonconforming Self-Storage Use]
Sponsor: Kim

Ordinance amending the Planning Code to allow the owner of premises leased to the City and County of San Francisco for a public safety-related use to resume a pre-existing legal nonconforming self-storage use after the City vacates the property; 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.

1/23/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

180089 [Transportation Code - Board of Supervisors Review of Certain Municipal Transportation Agency Decisions]

Sponsors: Safai; Peskin

Ordinance amending Division I of the Transportation Code to establish a procedure for Board of Supervisors review of certain Municipal Transportation Agency Decisions.

1/23/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

180090 [Building Code - Electric Vehicle Charging Stations - Expedited Permit Process]

Sponsor: Tang

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.

180114 [Planning Code, Zoning Map - San Francisco Conservatory of Music Project - 200-214 Van Ness Avenue]**Sponsor: Kim**

Ordinance amending the Planning Code to authorize a height limit exception for the San Francisco Conservatory of Music Project at 200-214 Van Ness Avenue for an additional building envelope that will be used to enclose or screen specified features from view, allow increased roof height for performance and common space, and provide additional visual interest to the roof of the structure; amending the Zoning Map to change the height designation of Assessor's Parcel Block No. 811, Lot Nos. 10 and 12, from 96-X to 120-X; affirming the Planning Commission'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.

1/30/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

180115 [Development Agreement - San Francisco Conservatory of Music - 200-214 Van Ness Avenue]**Sponsor: Kim**

Ordinance approving a Development Agreement between the City and County of San Francisco and San Francisco Conservatory of Music, a California non-profit public benefit corporation, for the project at 200-214 Van Ness Avenue between Hayes Street and the Dr. Tom Waddell Place mid-block alley, with various public benefits including creation of student housing, faculty housing, a new performance venue in the Civic Center cultural area, activation of a neglected portion of Van Ness Avenue, one-for-one on-site replacement of 27 existing dwelling units with a specific Replacement and Interim Housing Program for existing tenants, including the clear right to return to a comparable unit and an interim relocation housing assistance, voluntary application of rent control and waiving rights under the Ellis Act; making findings under the California Environmental Quality Act and 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, as defined herein.

1/30/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

180117 [Planning Code - Increasing the Transportation Sustainability Fee for Large Non-Residential Projects]**Sponsor: Peskin**

Ordinance amending the Planning Code to increase the Transportation Sustainability Fee by \$5 for Non-Residential Projects larger than 99,999 gross square feet; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of public necessity, convenience and welfare, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

1/30/18; 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.

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.

COPYRIGHT: System content that is broadcasted live during public proceedings is secured by High-bandwidth Digital Content Protection (HDCP), which prevents copyrighted or encrypted content from being displayed or transmitted through unauthorized devices. Members of the public who utilize chamber digital, audio and visual technology may not display copyrighted or encrypted content during public proceedings.

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>