



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: Aaron Peskin, Ahsha Safai, Matt Haney

Clerk: Erica Major (415) 554-4441

Monday, July 22, 2019

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

ROLL CALL AND ANNOUNCEMENTS

AGENDA CHANGES

REGULAR AGENDA

1. [190661](#) **[Planning Code - Permitting Polk/Pacific Special Area Design Guidelines]**
Sponsor: Peskin
Ordinance amending the Planning Code to reference the Polk/Pacific Special Area Design Guidelines; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

6/4/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on July 23, 2019.

2. [180777](#) **[Planning Code - Conditional Use Authorization Required for Employee Cafeterias within Office Space]**

Sponsors: Safai; Peskin and Brown

Ordinance amending the Planning Code to require a Conditional Use authorization for Employee Cafeterias, as defined, 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.

12/3/18; CONTINUED.

12/10/18; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

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

3/18/19; RESPONSE RECEIVED.

The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on July 23, 2019.

3. [190165](#) **[Planning Code - Legitimization Program for Non-Residential Uses at 3150-18th Street]**

Sponsors: Ronen; Brown

Ordinance amending the Planning Code to establish a legitimization program for certain non-residential uses at 3150-18th Street (Assessor's Parcel Block No. 3573, Lot No. 106); 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.

2/12/19; ASSIGNED to the Land Use and Transportation Committee.

2/20/19; REFERRED TO DEPARTMENT.

3/7/19; RESPONSE RECEIVED.

5/7/19; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.

5/15/19; REFERRED TO DEPARTMENT.

5/20/19; REFERRED TO DEPARTMENT.

6/3/19; RESPONSE RECEIVED.

6/13/19; RESPONSE RECEIVED.

6/14/19; RESPONSE RECEIVED.

6/17/19; CONTINUED TO CALL OF THE CHAIR.

The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on July 23, 2019.

4. [190754](#) **[Mission Bay South - Storm Water Pump Station No. 5 Public Infrastructure Improvements]**

Sponsors: Mayor; Haney

Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay South Storm Water Pump Station No. 5, including acquisition facilities located on and under portions of State Trust Parcel 5, adjacent to Terry Francois Boulevard and 16th Street; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; approving an easement agreement for the Pump Station control room; adopting findings 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 the Mission Bay South Redevelopment Plan; adopting a Public Works Order; and authorizing official acts, as defined herein, in connection with this Ordinance.

7/9/19; ASSIGNED to the Land Use and Transportation Committee.

The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on July 23, 2019.

5. [190755](#) **[Mission Bay South - Parks P2 Parking Lot, P11-11A, P23, and P24 Acceptance]**

Sponsors: Mayor; Haney

Ordinance dedicating Park P2 Parking Lot (a portion of Assessor's Parcel Block No. 8710, Lot No. 2, adjacent to Channel Street), Park P11-11A (east of Mission Bay Drive and Circle), and Parks P23 and P24 (adjacent to Terry Francois Boulevard between 16th Street and Illinois Street), as open public right-of-way in Mission Bay South; accepting an irrevocable offer for the acquisition facilities that comprise the Park improvements; designating said facilities for public open space and park purposes only; accepting the Parks for City maintenance and liability purposes, subject to specified limitations; amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" to establish a new official sidewalk width on the north side of Channel Street adjacent to Park P2 Parking Lot; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan; adopting a Public Works Order that recommends acceptance of the abovementioned Parks and related actions; and authorizing official acts, as defined herein, in connection with this Ordinance.

7/9/19; ASSIGNED to the Land Use and Transportation Committee.

The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on July 23, 2019.

6. [181211](#) **[Health, Planning, and Police Codes - Small Business Permit Streamlining]**
Sponsors: Mayor; Brown

Ordinance to streamline small business permitting by, among other things, amending the Health Code to align regulation of restaurant enclosures for outdoor food service and restroom requirements with state standards; amending the Planning Code to clarify that a Type 2 (winegrower) and Type 23 (small beer manufacturer) liquor licenses may be used in conjunction with a Bar or Restaurant use, to amend the definition of a Bar to provide for consistent treatment of Type 64 liquor licenses, to modify Nighttime Entertainment use food service requirements, to reduce the distance measured for Retail Sales and Services uses in Neighborhood Commercial zoning districts to any neighborhood commercial district, to amend the use limitation provisions for nonconforming uses in RH (Residential, House), RM (Residential Mixed), and RTO (Residential, Transit-Oriented) districts to any neighborhood commercial district, to amend the definition of General Entertainment to include Amusement Game Arcade, to allow mechanical amusement games as a principally permitted use on the first story in the Haight Street Neighborhood Commercial District, to allow General Entertainment uses on higher floors in the Japantown Neighborhood Commercial District, and to allow Limited Restaurant use as an Accessory Use, and to revise the Upper Market Neighborhood Commercial Transit (NCT) District to allow General Entertainment as a principal use on the first and second stories; amending the Police Code to eliminate certain duplicative inspections and signoffs in connection with Place of Entertainment permits, and amending the definition of Limited Live Performance Locale to remove the requirement for food and beverage service; 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.

12/11/18; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

12/17/18; REFERRED TO DEPARTMENT.

3/1/19; RESPONSE RECEIVED.

3/12/19; RESPONSE RECEIVED.

3/13/19; RESPONSE RECEIVED.

4/1/19; CONTINUED TO CALL OF THE CHAIR.

6/17/19; CONTINUED.

6/24/19; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

6/24/19; CONTINUED AS AMENDED.

7/8/19; CONTINUED.

7. [190712](#) **[Resolution of Intent to Vacate Streets - Potrero HOPE SF - Phase 2]**
Sponsors: Mayor; Walton

Resolution declaring the intention of the Board of Supervisors to order the vacation of streets in the Potrero HOPE SF - Phase 2 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; and setting the hearing date for all persons interested in the proposed vacation of said street areas.

6/18/19; RECEIVED AND ASSIGNED to the Land Use and Transportation Committee.

8. [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.
9. [190588](#) **[Hearing - Climate Emergency]**
Sponsor: Mandelman
Hearing to present and discuss high-priority strategies to achieve deep greenhouse gas emission reductions by 2030; and requesting the Department of Environment to report.
5/21/19; RECEIVED AND ASSIGNED to the Land Use and Transportation Committee.
5/28/19; REFERRED TO DEPARTMENT.
- *** 10. [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 to the Land Use and Transportation Committee.
7/3/19; REFERRED TO DEPARTMENT.
7/12/19; RESPONSE RECEIVED.
The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on July 23, 2019.

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.

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.

190757

[Planning Code - Exemption from Density Limits for Affordable and Unauthorized Units; Residential Care Facilities]

Sponsor: Mandelman

Ordinance amending the Planning Code to provide an exception from density limit calculations for all affordable units in projects not seeking and receiving a density bonus, permit the legalization of all unauthorized dwelling units notwithstanding a history of no-fault evictions, and principally permit residential care facilities for seven or more persons in all RH (Residential, House) 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.

7/9/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

7/15/19; REFERRED TO DEPARTMENT.

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>