



# 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, Dean Preston*

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

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Monday, February 3, 2020

1:30 PM

City Hall, Legislative Chamber, Room 250

**Regular Meeting**

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## ROLL CALL AND ANNOUNCEMENTS

## AGENDA CHANGES

## REGULAR AGENDA

- 191252** **[Resolution of Intent for Street Vacation - 301 Mission Street - Millennium Tower]**  
**Sponsor: Mayor**  
Resolution declaring the intent of the Board of Supervisors to order the vacation of the sidewalk portion of streets on the south side of Mission Street, at the intersection of Mission and Fremont Streets, and on the east side of Fremont Street at the same intersection to allow a structural upgrade of the 301 Mission Street high-rise building known as Millennium Tower; and setting the Board of Supervisors hearing date, sitting as a Committee of the Whole, for all persons interested in the proposed vacation of said street areas.

12/10/19; RECEIVED AND 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 February 4, 2020.*
- 191253** **[Street Vacation - Millennium Tower 301 Mission Perimeter Pile Upgrade Project]**  
**Sponsor: Mayor**  
Ordinance ordering the vacation of the sidewalk portion of streets on the south side of Mission Street at the intersection of Mission and Fremont Streets and on the east side of Fremont Street at the same intersection to allow a structural upgrade of the 301 Mission Street high-rise building known as Millennium Tower, subject to certain conditions; rededicating the area subject to the street vacation to public use for street and right-of-way purposes after the City's issuance of an easement for the abovementioned structural upgrade; adopting environmental findings under the California Environmental Quality Act; adopting findings that the vacation and rededication of the street area are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing actions in furtherance of this Ordinance.

12/10/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

3. [191286](#) **[Public Trust Exchange Agreement - California State Lands Commission - Exchange of Certain Streets in the Vicinity of the Transbay Terminal for Certain Fisherman's Wharf Streets]**  
**Sponsor: Mayor**  
Resolution approving and authorizing a Trust Exchange Agreement with the California State Lands Commission that would remove the public trust from certain Transbay Streets and impress the public trust on certain Fisherman's Wharf Streets; adopting environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Port's Executive Director and the Director of Property to execute documents and take certain actions in furtherance of this Resolution, as defined herein.
- 12/17/19; RECEIVED AND ASSIGNED to the Land Use and Transportation Committee.
- 1/8/20; REFERRED TO DEPARTMENT.
4. [191280](#) **[Amended and Restated Land Disposition and Acquisition Agreement - Exchange of 639 Bryant Street for 2000 Marin Street]**  
**Sponsor: Haney**  
Ordinance approving an Amended and Restated Land Disposition and Acquisition Agreement with 2000 Marin Property, L.P. for the City's transfer of real property at 639 Bryant Street (Assessor's Parcel Block No. 3777, Lot No. 052) under the jurisdiction of the San Francisco Public Utilities Commission in exchange for real property at 2000 Marin Street (Assessor's Parcel Block No. 4346, Lot No. 003), subject to several conditions, including the reimbursement of certain transaction costs; waiving the Administrative Code, Section 23.3, appraisal and fair market value requirements; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings under the California Environmental Quality Act, including the adoption of a Mitigation Monitoring and Reporting Program.
- 12/17/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 1/17/20; RESPONSE RECEIVED.
- The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on February 4, 2020.*
5. [191281](#) **[Administrative Code - Tenant Buyout Agreements]**  
**Sponsors: Ronen; Preston, Fewer, Haney, Peskin and Walton**  
Ordinance amending the Administrative Code to classify certain types of unlawful detainer settlement agreements as "Buyout Agreements;" require the Rent Board to provide more information on the disclosure form that landlords must give to tenants before buyout negotiations commence; require landlords to give the disclosure form to tenants a certain number of days before the Buyout Agreement is executed and to verify to the Rent Board that the disclosures were provided; and allow a tenant to invalidate any provision of the Buyout Agreement in which the tenant waived their rights if the landlord did not timely file the Buyout Agreement with the Rent Board.
- 12/17/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 12/31/19; REFERRED TO DEPARTMENT.

6. [190355](#) **[Planning Code - Authorizing Interim Activities at Development Sites]**  
**Sponsors: Mayor; Haney**  
Ordinance amending the Planning Code to enable the use of development project sites during the project approval and entitlement process by authorizing the Planning Department to authorize certain interim activities at development project sites as Temporary Uses for up to 36 months, subject to extension at the discretion of the Planning Director in increments for up to a maximum possible total of 24 additional months; adopting 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.
- 4/2/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 4/10/19; REFERRED TO DEPARTMENT.
- 4/15/19; RESPONSE RECEIVED.
- 5/2/19; RESPONSE RECEIVED.
- 6/28/19; NOTICED.
- 7/3/19; NOTICED.
- 7/8/19; CONTINUED.
- 9/9/19; CONTINUED TO CALL OF THE CHAIR.
- 12/6/19; NOTICED.
- 12/11/19; NOTICED.
- 12/16/19; AMENDED.
- 12/16/19; AMENDED.
- 12/16/19; AMENDED.
- 12/16/19; AMENDED.
- 12/16/19; RECOMMENDED AS AMENDED.
- 1/7/20; RE-REFERRED to the Land Use and Transportation Committee.
- 1/17/20; NOTICED.
- 1/22/20; NOTICED.
- 1/27/20; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
- 1/27/20; CONTINUED AS AMENDED.

## 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.*

### 200039

#### **[Planning Code, Zoning Map - Potrero Power Station Special Use District] Sponsors: Mayor; Walton**

Ordinance amending the Planning Code and Zoning Map to establish the Potrero Power Station Special Use District, generally bounded by 22nd Street and the southern portion of the newly created Craig Lane to the north, the San Francisco Bay to the east, 23rd Street to the south, and Illinois Street to the west; and making findings under the California Environmental Quality Act, 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.

1/14/20; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

1/22/20; REFERRED TO DEPARTMENT.

### 200040

#### **[Development Agreement - California Barrel Company LLC - Potrero Power Station Mixed-Use Project]**

##### **Sponsors: Mayor; Walton**

Ordinance approving a Development Agreement between the City and County of San Francisco and California Barrel Company LLC, a California limited liability company, for the Potrero Power Station Mixed-Use Project at the approximately 29-acre site generally bounded by 22nd Street to the north, the San Francisco Bay to the east, 23rd Street to the south, and Illinois Street to the west, in the southeast part of San Francisco, with various public benefits, including 30% affordable housing and approximately 6.9 acres of publicly-accessible parks and open space; making findings under the California Environmental Quality Act, findings of conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b); making public trust findings in accordance with the approval of a ground lease of Port-owned land; approving specific development impact fees and waiving any conflicting provisions in Planning Code, Article 4, or Administrative Code, Article 10; confirming compliance with or waiving certain provisions of Administrative Code, Chapters 14B, 23, 56, 82, and 99, Planning Code, Sections 169 and 138.1, Public Works Code, Section 806(d), and Subdivision Code, Section 1348; and ratifying certain actions taken in connection therewith, as defined herein.

1/14/20; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

1/22/20; 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.

**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 Wilson Ng 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 Wilson Ng 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) <<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>

### **Ethics 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>

Under Campaign and Governmental Conduct Code, Section 1.127, no person or entity with a financial interest in a land use matter pending before the Board of Appeals, Board of Supervisors, Building Inspection Commission, Commission on Community Investment and Infrastructure, Historic Preservation Commission, Planning Commission, Port Commission, or the Treasure Island Development Authority Board of Directors, may make a campaign contribution to a member of the Board of Supervisors, the Mayor, the City Attorney, or a candidate for any of those offices, from the date the land use matter commenced until 12 months after the board or commission has made a final decision, or any appeal to another City agency from that decision has been resolved. For more information about this restriction, visit [sfethics.org](http://sfethics.org).