



# 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: Myrna Melgar, Dean Preston, Aaron Peskin*

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

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Monday, February 14, 2022

1:30 PM

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### PUBLIC COMMENT CALL-IN

[1 \(415\) 655-0001](tel:14156550001) / Meeting ID: 2497 689 2798 # #

(Press \*3 to enter the speaker line)

### Regular Meeting

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#### Remote Access to Information and Participation

On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely (via Microsoft Teams) and will allow remote public comment via teleconference. Visit the SFGovTV website at ([www.sfgovtv.org](http://www.sfgovtv.org)) to stream the live meetings, or to watch meetings on demand. Members of the public are encouraged to participate remotely via detailed instructions on participating via teleconference available at: <https://sfbos.org/remote-meeting-call>.

Members of the public may participate by phone or may submit their comments by email to: [Erica.Major@sfgov.org](mailto:Erica.Major@sfgov.org); all comments received will be made a part of the official record. Regularly scheduled Land Use and Transportation Committee Meetings begin at 1:30 p.m. every Monday of each month. Committee agendas and their associated documents are available at <https://sfbos.org/committees>.

#### **PUBLIC COMMENT CALL IN**

[1 \(415\) 655-0001](tel:14156550001) / Meeting ID: 2497 689 2798 # #

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Please visit the Board's website ([www.sfbos.org](http://www.sfbos.org)) regularly to be updated on the current situation as it affects the legislative process. For more information contact Assistant Clerk Erica Major at (415) 554-4441.

## ROLL CALL AND ANNOUNCEMENTS

## AGENDA CHANGES

## COMMUNICATIONS

## REGULAR AGENDA

1. [210898](#) **[Planning Code - Landmark Designation - One Montgomery Street (aka 1-25 Montgomery Street) (Crocker National Bank Building)]**  
**Sponsor: Peskin**  
Ordinance amending the Planning Code to designate One Montgomery Street (aka 1-25 Montgomery Street), Crocker National Bank Building, Assessor's Parcel Block No. 0292, Lot Nos. 001A and 002, as a Landmark consistent with the standards set forth in 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)

8/26/21; RECEIVED FROM DEPARTMENT.

9/7/21; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

2/4/22; NOTICED.
  
2. [220037](#) **[Planning Code - Landmark Designation - "Allegory of California," The City Club of San Francisco (formerly Pacific Stock Exchange Luncheon Club), 155 Sansome Street]**  
**Sponsor: Peskin**  
Ordinance amending the Planning Code to designate the fresco, titled "Allegory of California," in the grand stairwell between 10th and 11th floors of The City Club of San Francisco (former Pacific Stock Exchange Luncheon Club), within 155 Sansome Street, Assessor's Parcel Block No. 0268, Lot No. 001A, as a Landmark consistent with the standards set forth in 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)

1/11/22; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

2/4/22; NOTICED.

3. [220046](#) **[Commemorative Street Name Designation - “Sister Vish-Knew Way” - 000 Block of Alert Alley]**

**Sponsor: Mandelman**

Resolution adding the commemorative street name “Sister Vish-Knew Way” to the 000 Block of Alert Alley in recognition of activist Sister Vish-Knew, co-founder of the Sisters of Perpetual Indulgence, and her dedication to and lasting impact on San Francisco and the global LGBTQ+ community.

1/11/22; RECEIVED AND ASSIGNED to the Land Use and Transportation Committee.

1/19/22; REFERRED TO DEPARTMENT.

2/4/22; NOTICED.

2/4/22; RESPONSE RECEIVED.

2/10/22; 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 15, 2022.*

4. [211263](#) **[Planning Code - Massage Establishment Zoning Controls]**

**Sponsors: Mandelman; Ronen and Preston**

Ordinance amending the Planning Code to revise Massage Establishment zoning controls, including, among other things, to 1) add Sole Practitioner Massage Establishments to the definition of Health Services in Articles 1 and 8 and remove it from the definition of Massage Establishments; 2) regulate Massage Establishments generally consistent with Health Services, with some exceptions; 3) eliminate the three-month period to establish abandonment of certain nonconforming Massage Establishment uses; 4) prohibit Personal Services uses for three years at any location where a Massage Establishment use was closed due to a violation of the Planning Code or Health Code; 5) eliminate the exception from the conditional use authorization requirement for massage uses accessory to a dwelling unit; 6) rename Medical Services to Health Services in Article 8 and make other conforming amendments; and 7) delete related provisions that have expired through the passage of time; 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 general welfare findings pursuant to Planning Code, Section 302.

12/6/21; DUPLICATED.

12/6/21; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

12/6/21; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

12/8/21; REFERRED TO DEPARTMENT.

12/20/21; RESPONSE RECEIVED.

12/23/21; RESPONSE RECEIVED.

2/4/22; RESPONSE RECEIVED.

2/7/22; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

2/7/22; CONTINUED AS AMENDED.

5. [210116](#) **[Planning Code, Zoning Map - Central Neighborhoods Large Residence Special Use District]**

**Sponsor: Mandelman**

Ordinance amending the Planning Code and Zoning Map to create the Central Neighborhoods Large Residence Special Use District (the area within a perimeter established by Waller Street, Steiner Street, Duboce Avenue, Sanchez Street, 16th Street, Guerrero Street, 20th Street, Valencia Street, Tiffany Avenue, 29th Street, San Jose Avenue, Mission Street, Alemany Boulevard, Tingley Street, Monterey Boulevard, Joost Avenue, Congo Street, Bosworth Street, O'Shaughnessy Boulevard, Portola Drive, Twin Peaks Boulevard, Clayton Street, Ashbury Street, Frederick Street, Buena Vista Avenue West, Haight Street, and Buena Vista Avenue East), to preserve and enhance neighborhood context and affordability by, among other things, requiring Conditional Use authorization for large residential developments in the District and prohibiting new residential development or expansion of an existing Residential Building that would result in any Dwelling Unit exceeding 4,000 square feet of gross floor area in most circumstances; 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 convenience, necessity, and welfare under Planning Code, Section 302.

2/2/21; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

2/11/21; REFERRED TO DEPARTMENT.

3/30/21; RESPONSE RECEIVED.

4/30/21; REMAIN ACTIVE.

9/17/21; REMAIN ACTIVE.

9/23/21; RESPONSE RECEIVED.

1/25/22; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.

1/28/22; REFERRED TO DEPARTMENT.

2/2/22; RESPONSE RECEIVED.

2/4/22; NOTICED.

6. [220131](#) **[Administrative Code - COVID-19 Tenant Protections]**

**Sponsors: Preston; Chan, Peskin, Ronen and Walton**

Ordinance amending the Administrative Code to prohibit landlords from evicting residential tenants for non-payment of rent that came due on or after April 1, 2022, and was not paid due to the COVID-19 pandemic; and to prohibit landlords from imposing late fees, penalties, or similar charges on such tenants.

2/1/22; ASSIGNED to the Land Use and Transportation Committee.

2/9/22; REFERRED TO DEPARTMENT.

*The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on February 15, 2022.*

## 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.*

### **220130**

#### **[Planning Code - Conditional Use Appeals]**

##### **Sponsors: Melgar; Peskin, Walton, Preston and Ronen**

Ordinance amending the Planning Code to allow the signatures of Verified Tenants to count towards the threshold needed to permit an appeal of a Conditional Use authorization; clarifying timelines applicable to appeals of Conditional Use authorizations; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of public convenience, necessity, and welfare under Planning Code, Section 302.

2/1/22; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

2/4/22; REFERRED TO DEPARTMENT.

2/9/22; 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

These 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 displayed should provide in advance of the meeting to the Clerk of the Board ([bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org)), clearly state such during testimony, and subsequently request the document be removed 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 expected to be made a part of the official file should be submitted to the Clerk of the Board or Clerk of a Committee: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are 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.

**COPYRIGHT:** All 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 wish to utilize chamber digital, audio and visual technology may not display copyrighted or encrypted content during public proceedings.

**AGENDA PACKET:** Available 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:** Language services are available in Spanish, Chinese and Filipino at all regular and special Board and Committee meetings if made at least 48 hours in advance of the meeting to help ensure availability. For more information or to request services: Contact Wilson Ng or Arthur Khoo at (415) 554-5184.

**傳譯服務:** 所有常規及特別市參事會議和常務委員會會議將提供西班牙文, 中文以及菲律賓文的傳譯服務, 但必須在會議前最少48小時作出請求, 以確保能獲取到傳譯服務. 將因應請求提供交替傳譯服務, 以便公眾向有關政府機構發表意見. 如需更多資訊或請求有關服務, 請致電 (415) 554-5184聯絡我們.

**AVISO EN ESPAÑOL:** Los servicios de idiomas están disponibles en español, chino, y filipino en todas las reuniones regulares y reuniones especiales de la Junta, de los Comités, si se solicita por lo menos 48 horas antes de la reunión para ayudar a garantizar su disponibilidad. Para más información o solicitar servicios, por favor contactar a (415) 554-5184.

**PAUNAWA:** Mayroong serbisyong pang-wika sa Espanyol, Tsino at Pilipino para sa lahat ng mga regular at espesyal na pagpulong ng Board, at Komite ng Board. Sa kasalukuyan, mayroong serbisyo sa wikang Pilipino na maaaring hilingin, 48 oras (o mas maaga) bago ng pagpulong upang matiyak na matutugunan ang inyong kahilingan. Para sa karagdagang impormasyon o para humiling ng serbisyo pang-wika, tawagan lamang ang (415) 554-5184.

### **Americans with Disabilities Act (ADA)**

The ADA is a civil rights law that protects people with different types of disabilities from discrimination in all aspects of social life. More specifically, Title II of the ADA requires that all programs offered through the state and local government such as the City and County of San Francisco must be accessible and usable to people with disabilities. The ADA and City policy require that people with disabilities have equal access to all City services, activities, and benefits. People with disabilities must have an equal opportunity to participate in the programs and services offered through the City and County of San Francisco. If you believe your rights under the ADA are violated, contact the ADA Coordinator.

Ordinance 90-10 added Section 2A.22.3 to the Administrative Code, which adopted a Citywide Americans with Disabilities Act Reasonable Modification Policy that requires City departments to: (1) provide notice to the public of the right to request reasonable modification; (2) respond promptly to such requests; (3) provide appropriate auxiliary aids and services to people with disabilities to ensure effective communication; and (4) train staff to respond to requests from the public for reasonable modification, and that requires the Mayor's Office on Disability to provide technical assistance to City departments responding to requests from the public for reasonable modifications.

The Board of Supervisors and Office of the Clerk of the Board support the Mayor's Office on Disability to help make San Francisco a city where all people enjoy equal rights, equal opportunity, and freedom from illegal discrimination under disability rights laws.

Meetings are real-time captioned and are cablecast open-captioned on SFGovTV, the Government Channel 26. Board and Committee meeting agendas and minutes are available on the Board's website ([www.sfbos.org](http://www.sfbos.org)) and adhere to web development guidelines based upon the Federal Access Board's Section 508 Guidelines. To request sign language interpreters, readers, large print agendas or other accommodations, please contact (415) 554-5184 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability. If further assistance is needed, please contact Wilson Ng at (415) 554-5184 ([wilson.l.ng@sfgov.org](mailto:wilson.l.ng@sfgov.org)).

### **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 [soft@sfgov.org](mailto:soft@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).