



# 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, April 5, 2021

1:30 PM

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**PUBLIC COMMENT CALL-IN**

**1 (415) 655-0001 / Meeting ID: 187 208 0203**

**Regular Meeting**

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### **Remote Access to Information and Participation**

*In accordance with Governor Newsom's Executive Order No. N-33-20 declaring a State of Emergency regarding the COVID-19 outbreak and Mayor London N. Breed's Proclamation declaring a Local Emergency issued on February 25, 2020, including the guidance for gatherings issued by the San Francisco Department of Public Health Officer, aggressive directives were issued to reduce the spread of COVID-19. 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**

**(415) 655-0001 / Meeting ID: 187 208 0203**

*As the COVID-19 disease progresses, 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**

## REGULAR AGENDA

1. [210147](#) **[Interim Zoning Controls - Extending and Modifying Requirements for Conditional Use Authorization for Conversion of Residential Care Facilities to Other Uses]**  
**Sponsors: Mandelman; Ronen and Safai**  
Resolution extending for six months and modifying interim zoning controls enacted in Resolution Nos. 430-19 and 539-19 to require a Conditional Use Authorization and specified findings for a proposed change of use from a Residential Care Facility; 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.

2/9/21; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

2/16/21; REFERRED TO DEPARTMENT.

2/19/21; NOTICED.

3/11/21; RESPONSE RECEIVED.

3/15/21; CONTINUED.

3/22/21; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

3/22/21; CONTINUED AS AMENDED.

*The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on April 6, 2021.*
  
2. [210223](#) **[Commemorative Street Plaques - Historical Markers - LEATHER & LGBTQ Cultural District Leather History Cruise]**  
**Sponsors: Haney; Ronen**  
Resolution authorizing the placement of the LEATHER & LGBTQ Cultural District Leather History Cruise plaques, to be installed on the sidewalks at various historic locations within and near the Cultural District in the area bounded by Brannon Street, Third Street, Mission Street, Twelfth Street and Division Street; and initiating the process set forth in Public Works Code, Sections 789 et seq., to provide for the creation of a program for and installation of commemorative plaques on the Leather History Cruise.

3/2/21; RECEIVED AND ASSIGNED to the Land Use and Transportation Committee.

3/5/21; 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 April 6, 2021.*

3. [210064](#) **[Planning Code - Landmark Designation - 1830 Sutter Street (aka Japanese YWCA/Issei Women's Building)]**  
**Sponsors: Preston; Mandelman**  
Ordinance amending the Planning Code to designate 1830 Sutter Street (aka Japanese YWCA/Issei Women's Building), Assessor's Parcel Block No. 0676, Lot No. 035, 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)
- 1/19/21; RECEIVED FROM DEPARTMENT.
- 1/26/21; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 3/26/21; NOTICED.
4. [210292](#) **[Urging Prioritization of Small Property Owners and Affordable Housing Providers in the Distribution of Rent Relief Funds]**  
**Sponsors: Chan; Ronen, Mar and Walton**  
Resolution urging the Mayor's Office of Housing and Community Development to prioritize small property owners and affordable housing providers in the distribution of rent relief funds through speedy review and approval timelines, technical assistance, high-quality customer service, and in-language support to non-English speakers; and urging large corporate landlords to voluntarily reserve these funds for small property owners and affordable-housing providers.
- 3/16/21; RECEIVED AND ASSIGNED to the Land Use and Transportation Committee.
- 3/24/21; 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 April 6, 2021.*
5. [210288](#) **[Emergency Ordinance - Enforcement of Workplace Ventilation Standards - COVID-19]**  
**Sponsors: Safai; Walton, Melgar, Chan, Preston, Haney and Ronen**  
Emergency ordinance to require property owners of high-rise buildings with 50,000 square feet or more of nonresidential floor area that use mechanical ventilation systems, to certify that such systems are operating in compliance with applicable laws; to require businesses operating within those buildings to post certification within their work spaces; and to require the Department of Public Health and Department of Building Inspection to post information on their websites about how to file complaints about noncompliance with workplace ventilation standards, and to coordinate to ensure that all such complaints are inspected within three business days.
- (Pursuant to Charter, Section 2.107, this matter requires the affirmative vote of two-thirds of the Board of Supervisors (8 votes) for passage.)
- 3/16/21; ASSIGNED to the Land Use and Transportation Committee.
- 3/24/21; REFERRED TO DEPARTMENT.

## 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.*

### **210259**

#### **[Fire, Existing Building Codes - Fire Alarm Systems Upgrade Deadline]**

**Sponsors: Stefani; Peskin**

Ordinance amending the Fire Code and Existing Building Code to extend the deadline for building owners to upgrade existing fire alarm systems from July 1, 2021, to July 1, 2023; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

3/9/21; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

3/17/21; REFERRED TO DEPARTMENT.

## **210285 [Planning, Business and Tax Regulations, Police Codes - Small Business Recovery Act]**

### **Sponsor: Mayor**

Ordinance amending the Planning, Business and Tax Regulations, and Police Codes to adopt and implement the Small Business Recovery Act by, among other things: 1) expanding streamlined review and inspection procedures to principally permitted storefront uses Citywide; 2) deleting separate definitions of “Cat Boarding,” “Gym,” “Trade Shop,” and “Services, Instructional” from the Planning Code; 3) allowing permitted conditional uses to continue after three years of abandonment; 4) allowing Outdoor Activity Areas on rooftops; 5) allowing accessory catering uses in Restaurants; 6) allowing accessory dwelling units on the ground floor in Neighborhood Commercial, Chinatown Business, and Chinatown Visitor Districts; 7) allowing temporary outdoor entertainment, arts and recreation activities; 8) deleting certain conditional use finding requirements for Nighttime Entertainment use; 9) deleting conditional use findings related to formula retail concentrations in certain districts; 10) requiring expedited permit processing for commercial uses on the ground floor; 11) shortening the time for the Historic Preservation Commission to request review of minor alteration permits and certificates of appropriateness; 12) extending time for limited live performances from 10 p.m. to 11 p.m.; 13) allowing additional One-Time Entertainment Permits and One-Time Outdoor Amplified Sound Permits; 14) exempting single individual performances without amplification from permit requirements; 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.

(3/19/2021 - Economic Impact Pending Further Review)

3/16/21; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

3/23/21; REFERRED TO DEPARTMENT.

3/23/21; RESPONSE RECEIVED.

3/30/21; RESPONSE RECEIVED.

## **210286 [Planning Code - Landmark Designation - Lyon-Martin House, 651 Duncan Street]**

### **Sponsors: Mandelman; Preston**

Ordinance amending the Planning Code to designate Lyon-Martin House, 651 Duncan Street, Assessor’s Parcel Block No. 6604, Lot No. 036, 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.

3/16/21; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

3/24/21; REFERRED TO DEPARTMENT.

3/30/21; RESPONSE RECEIVED.

**210287**

**[Planning Code - Temporary Closure of Liquor Stores in Polk Street Neighborhood Commercial District]**

**Sponsor: Peskin**

Ordinance amending the Planning Code to provide that temporary closure of liquor stores in the Polk Street Neighborhood Commercial District (NCD) as a result of a major capital improvement project is not an abandonment of such use, and that relocation of such use to another location in the Polk Street NCD does not require a new Conditional Use permit; 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.

3/16/21; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

3/24/21; REFERRED TO DEPARTMENT.

3/30/21; RESPONSE RECEIVED.

**210305**

**[Administrative Code - Termination of Commercial Tenancies Due to COVID-19]**

**Sponsor: Peskin**

Ordinance amending the Administrative Code to clarify the rights of landlords and "Tier 1" commercial tenants (certain commercial tenants that employ fewer than 10 full-time equivalent employees as of November 1, 2020) following the tenant's termination of the lease due to COVID-19.

3/23/21; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

3/26/21; 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.

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**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.

所有常規及特別市參事委員會會議 (Board meetings) 除委員會會議 (Committee meetings) 將予以提供西班牙文, 菲律賓文, 及中文的語言服務, 但須在會議前最少48小時作出請求, 旨在確保服務屆時可予以提供。更多資訊或請求有關服務, 請致電 (415) 554-7719聯絡Linda Wong.

**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 serbisyon 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).