



# 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: Mark Farrell, Aaron Peskin, Katy Tang*

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

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Monday, November 13, 2017

1:30 PM

City Hall, Legislative Chamber, Room 250

### Regular Meeting

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*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

- [170871](#) **[Fire, Housing Codes - Residential Hotel Fire Safety Requirements Triggered by Sale or Transfer]**  
**Sponsor: Peskin**  
Ordinance amending the Fire and Housing Codes to require automatic sprinklers in non-residential areas of residential hotels sold or transferred after August 1, 2017; affirming the Planning Department's determination under the California Environmental Quality Act; 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.  
  
7/25/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.  
  
8/2/17; REFERRED TO DEPARTMENT.  
  
8/4/17; RESPONSE RECEIVED.  
  
9/21/17; RESPONSE RECEIVED.  
  
10/30/17; CONTINUED.

2. [170922](#) **[Planning Code - Landmark Designation of 2731-2735 Folsom Street (aka Gaughran House)]**

Ordinance amending the Planning Code to designate 2731-2735 Folsom Street (aka Gaughran House), Lot No. 031 in Assessor's Parcel Block No. 3640, 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)

7/26/17; RECEIVED FROM DEPARTMENT.

9/5/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

11/3/17; NOTICED.

3. [171041](#) **[Planning Code - Cannabis Regulation]**

**Sponsors: Mayor; Sheehy**

Ordinance amending the Planning Code to 1) regulate cannabis land uses, including, among other things, adult use cannabis retail, Medical Cannabis Dispensaries, delivery-only services, manufacture of cannabis products, cannabis cultivation, and cannabis testing; 2) allow Medical Cannabis Dispensaries in additional zoning districts; 3) establish a land use process for the conversion of existing Medical Cannabis Dispensaries to Cannabis Retail establishments; 4) establish location and operating conditions for cannabis uses; 5) repeal Ordinance No. 186-17, which limited the number of medical cannabis dispensaries in Supervisorial District 11; 6) create a limit of three Medical Cannabis Dispensaries and Cannabis retail uses, in any combination, in the Excelsior Outer Mission Street Neighborhood Commercial District; and 7) delete superseded Planning Code provisions; 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.

9/26/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

10/2/17; REFERRED TO DEPARTMENT.

10/3/17; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

10/4/17; RESPONSE RECEIVED.

10/4/17; REFERRED TO DEPARTMENT.

11/2/17; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/2/17; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

11/2/17; CONTINUED AS AMENDED.

11/6/17; DUPLICATED.

11/6/17; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

11/6/17; 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 November 14, 2017.*

**4. [171187](#) [Planning Code - Cannabis Regulation]****Sponsors: Mayor; Sheehy**

Ordinance amending the Planning Code to 1) regulate cannabis land uses, including, among other things, adult use cannabis retail, Medical Cannabis Dispensaries, delivery-only services, manufacture of cannabis products, cannabis cultivation, and cannabis testing; 2) allow Medical Cannabis Dispensaries in additional zoning districts; 3) establish a land use process for the conversion of existing Medical Cannabis Dispensaries to Cannabis Retail establishments; 4) establish location and operating conditions for cannabis uses; 5) repeal Ordinance No. 186-17, which limited the number of medical cannabis dispensaries in Supervisorial District 11; 6) limit the number of Medical Cannabis Dispensaries and Cannabis Retail Uses in various Neighborhood Commercial Districts and other commercial corridors; 7) allow Medical Cannabis Dispensaries and Cannabis Retail Uses with conditional use authorization in NC-1 Districts south of Lincoln Way and West of Sunset Boulevard; 8) prohibit and Medical Cannabis Dispensaries and Cannabis Retail Uses in the Chinatown Mixed-Use Districts; 9) delete superseded Planning Code provisions; 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.

11/6/17; DUPLICATED.

11/6/17; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/6/17; 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 November 14, 2017.*

## 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.*

### **171095**

#### **[General Plan Amendment - Western Shoreline Area Plan (Local Coastal Plan)]**

Ordinance amending the Western Shoreline Area Plan of the General Plan, San Francisco's Local Coastal Program Land Use Plan, to add an objective to preserve, enhance, and restore the Ocean Beach shoreline while protecting public access, scenic quality, natural resources, critical public infrastructure, and existing development from coastal hazards; 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. (Planning Commission)

10/10/17; RECEIVED FROM DEPARTMENT.

10/24/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

### **171096**

#### **[Planning Code - Definition of Gross Floor Area]**

Ordinance amending the Planning Code to revise the definition of Gross Floor Area to delete the reference to accessory buildings, exempt required car-share spaces, remove redundant off-street loading provisions, and modify provisions regarding accessory and non-accessory parking; and making environmental findings and 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. (Planning Commission)

10/13/17; RECEIVED FROM DEPARTMENT.

10/24/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

### **171097**

#### **[Planning Code - Article 8 Corrections]**

Ordinance amending the Planning Code to correct typographical errors, clarify nighttime entertainment restrictions, and update inclusionary affordable housing requirements; affirming the Planning Department's determination 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 making findings as required by Planning Code, Section 302. (Planning Commission)

10/13/17; RECEIVED FROM DEPARTMENT.

10/24/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

11/3/17; REFERRED TO DEPARTMENT.

**171108****[Planning Code - Jackson Square Special Use District]****Sponsor: Peskin**

Ordinance amending the Planning Code to regulate restaurant and bar uses in the Jackson Square Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making 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.

10/17/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

10/24/17; REFERRED TO DEPARTMENT.

**171122****[Interim Zoning Controls - Supervisorial District 11 - Institutional Uses, Certain Personal Service Uses, and Conversion of Commercial to Residential Use]****Sponsor: Safai**

Resolution imposing interim zoning controls for an 18-month period in the Excelsior Outer Mission Neighborhood Commercial District and areas in Supervisorial District 11 zoned Small-Scale Neighborhood Commercial District (NC-2), Moderate-Scale Neighborhood Commercial District (NC-3), Neighborhood Commercial Shopping Center District (NC-S), Small-Scale Neighborhood Commercial Transit District (NCT-2), and Moderate-Scale Neighborhood Commercial Transit District (NCT-3), to require a Conditional Use authorization for the following new Uses (or existing Uses operating without proper approvals and permits) in areas where such Uses currently are permitted: all Institutional Uses located on the First Story, certain categories of Institutional Uses located on any Story, and a Personal Service Use operating as a salon and/or providing cosmetic services and located on the First Story; to require a Conditional Use authorization for the conversion of any Commercial Use to a Residential Use; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and priority policies in Planning Code, Section 101.1.

10/17/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

10/26/17; REFERRED TO DEPARTMENT.

**171134****[General Plan Amendment - 1629 Market Street]**

Ordinance amending the General Plan to revise Maps 1 and 3 and Policy 7.2.5 of the Market and Octavia Area Plan to reflect the 1629 Market Street Special Use District; adopting findings under the California Environmental Quality Act, and Planning Code, Section 340; and making findings of consistency with the General Plan, and Planning Code, Section 101.1. (Planning Commission)

10/23/17; RECEIVED FROM DEPARTMENT.

10/31/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

**171139**     **[Building Code - Dedicated Telecommunications Space; Fiber-Ready Cabling]**

**Sponsor: Farrell**

Ordinance amending the Building Code to require new commercial buildings of 25,000 square feet or more and new residential buildings of three units or more to provide a dedicated telecommunications space in a centrally located place in the building and to install fiber-ready cabling that is connected to an approved telecommunications network; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of local conditions under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law.

10/24/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

11/3/17; REFERRED TO DEPARTMENT.

**171173**     **[Planning Code - Mission Street Neighborhood Commercial Transit District]**

**Sponsor: Ronen**

Ordinance amending the Planning Code to prohibit Non-Retail Professional Services uses, limit lot mergers, and allow Arts Activities and Catering uses within the Mission Street Neighborhood Commercial Transit District; 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 making findings of public necessity, convenience, and welfare under Planning Code, Section 302. (Planning Commission)

11/1/17; RECEIVED FROM 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 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](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>

### **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>