



# 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: Mark Farrell, Aaron Peskin, Katy Tang*

*Clerk: Alisa Somera (415) 554-7711*

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Monday, June 26, 2017

1:30 PM

City Hall, Legislative Chamber, Room 250

**Regular Meeting**

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## ROLL CALL AND ANNOUNCEMENTS

## AGENDA CHANGES

## REGULAR AGENDA

- 170626** **[Fire Code - Fire Safety Disclosure, Posting, and Training Requirements]**  
**Sponsor: Tang**  
Ordinance amending the Fire Code requirements for fire safety disclosure, posting, and training; making findings as to local conditions pursuant to the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to transmit the ordinance to appropriate State officials.

5/23/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.  
5/31/17; REFERRED TO DEPARTMENT.
- 170702** **[Fee Waiver - LMC San Francisco I Holdings, LLC - 1515 South Van Ness Avenue]**  
**Sponsors: Mayor; Ronen**  
Ordinance approving a fee waiver under Building Code, Section 106A.4.13, for LMC San Francisco I Holdings, LLC's project at 1515 South Van Ness Avenue; and adopting findings under the California Environmental Quality Act.

6/6/17; ASSIGNED to the Land Use and Transportation Committee.  
6/9/17; REFERRED TO DEPARTMENT.  
6/12/17; 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 June 27, 2017.*

3. [170430](#) **[Planning Code - Landmark Designation - 1970 Ocean Avenue (aka El Rey Theater)]**

**Sponsor: Yee**

Ordinance amending the Planning Code to designate 1970 Ocean Avenue (aka El Rey Theater), in Assessor's Parcel Block No. 3280, Lot 018, 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)

4/12/17; RECEIVED FROM DEPARTMENT.

4/18/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

6/14/17; NOTICED.

4. [170349](#) **[Administrative Code - Owner Move-In Reporting Requirements]**

**Sponsors: Farrell; Sheehy, Cohen and Breed**

Ordinance amending the Administrative Code regarding owner move-in and relative move-in ("OMI") evictions to require a landlord seeking to recover possession of a unit for an OMI to provide a declaration under penalty of perjury stating that the landlord intends to occupy the unit for use as the principal place of residence of the landlord or the landlord's relative for at least 36 continuous months; require a landlord to provide the tenant with a form prepared by the Rent Board to be used to advise the Rent Board of any change in address; clarify the evidentiary standard for finding that an OMI was not performed in good faith; require a landlord to file documentation with the Rent Board regarding the status of an OMI, and requiring the Rent Board to transmit a random sampling of such documentation to the District Attorney; extend from three to five years the time period after an OMI during which a landlord who intends to re-rent the unit must first offer the unit to the displaced tenant; require the Rent Board to annually notify the unit occupant of the maximum rent for the unit for five years after an OMI; and extend the statute of limitations for wrongful eviction claims based on an unlawful OMI from one year to five years.

4/4/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

4/11/17; REFERRED TO DEPARTMENT.

5/16/17; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.

5/23/17; REFERRED TO DEPARTMENT.

6/5/17; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

6/5/17; CONTINUED AS AMENDED.

6/12/17; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

6/12/17; 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 June 27, 2017.*

5. [170417](#) **[Administrative Code - Owner Move-In Evictions and Other Landlord-Tenant Matters]**

**Sponsors: Peskin; Kim and Ronen**

Ordinance amending the Administrative Code regarding owner and relative move-in (“OMI”) evictions to require a landlord seeking to recover possession of a unit for an OMI to provide the tenant with an approved form to advise the Rent Board of address changes; clarify the evidentiary standard for finding that an OMI was performed in good faith; require a landlord to file documentation with the Rent Board regarding the status of the OMI, with a penalty for not filing such documentation, and requiring the Rent Board to transmit a random sampling of such documentation to the District Attorney; extend from three to five years the time period after an OMI during which a landlord who intends to re-rent the unit must first offer the unit to the displaced tenant; authorize a tenant who has been charged excess rent within five years after an OMI to sue for treble damages; as to matters not limited to OMI evictions, provide that a landlord’s failure to timely file a copy of the notice to vacate with the Rent Board is a defense in an unlawful detainer proceeding; provide that a tenant waiver of rights in a buyout agreement is not enforceable if the buyout is not timely filed with the Rent Board; extend from one to three years the statute of limitations for wrongful eviction claims; authorize interested non-profit organizations to sue for wrongful eviction and collection of excess rent; and making clarifying changes.

4/11/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

4/19/17; REFERRED TO DEPARTMENT.

6/6/17; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.

6/13/17; REFERRED TO DEPARTMENT.

6/13/17; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.

6/16/17; REFERRED TO DEPARTMENT.

6/20/17; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.

6/21/17; 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 June 27, 2017.*

6. [170434](#) **[Planning Code - Construction of Accessory Dwelling Units]**

**Sponsor: Peskin**

Ordinance amending the Planning Code to bring the requirements and procedures for authorizing the construction of Accessory Dwelling Units (ADUs) in single-family homes into conformity with the new mandates of state law; 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 findings of public convenience, necessity, and welfare under Planning Code, Section 302; and directing the Clerk to send a copy of this Ordinance to the California Department of Housing and Community Development after adoption pursuant to state law requirements.

4/17/17; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

4/17/17; DUPLICATED.

4/17/17; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

6/9/17; RESPONSE RECEIVED.

6/12/17; CONTINUED.

7. [170296](#) **[Planning Code, Zoning Map - Corona Heights Large Residence Special Use District]**  
**Sponsor: Sheehy**  
Ordinance amending the Planning Code and Sectional Maps SU06 and SU07 of the Zoning Map to create the Corona Heights Large Residence Special Use District (the area within a perimeter established by Market Street, Clayton Street, Ashbury Street, Clifford Terrace, Roosevelt Way, Museum Way, the eastern property line of Assessor's Parcel No. 2620, Lot No. 063, the eastern property line of Assessor's Parcel No. 2619, Lot No. 001A, and Douglass Street; and all additional parcels fronting States Street), to promote and enhance neighborhood character and affordability by requiring Conditional Use authorization for large residential developments in the 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.
- 3/21/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 3/29/17; REFERRED TO DEPARTMENT.
- 4/5/17; RESPONSE RECEIVED.
- 4/25/17; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.
- 5/3/17; REFERRED TO DEPARTMENT.
- 5/12/17; RESPONSE RECEIVED.
- 6/16/17; NOTICED.
- The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on June 27, 2017.*
8. [170569](#) **[Extending Interim Zoning Controls - Signs in Transit Center District Plan Area and Between Folsom, Harrison, Essex and Second Streets]**  
**Sponsor: Kim**  
Resolution extending interim zoning controls in the Transit Center District Plan Area ("Plan Area"), which is bounded by Market Street on the north, Folsom Street on the south, Steuart Street on the east and between New Montgomery and Third Streets on the west, and in the area bounded by Folsom, Harrison, Essex and Second Streets, but excluding the planned City Park between Mission, Howard, Second and Beale Streets and those portions of the Plan Area included in Zone 1 of the Transbay Redevelopment Plan Area, which include portions of land bounded by Spear, Mission, Folsom and Second Streets, to restrict the size and height of new signs within 200 feet of and visible from an existing or planned public park or open space, and to restrict illumination of certain new signs in those areas; and making environmental findings, including findings of consistency with the eight priority policies of Planning Code, Section 101.1.
- 5/9/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 5/16/17; REFERRED TO DEPARTMENT.
- 5/17/17; RESPONSE RECEIVED.
- 5/24/17; RESPONSE RECEIVED.
- 6/16/17; NOTICED.

9. [170416](#) **[Administrative Code - Residential Hotel Status Report Requirement]**  
**Sponsor: Peskin**  
Ordinance amending the Administrative Code to require the completion of a report of residential hotel status, and disclosure of the report to the buyer or transferee, prior to the sale or transfer of a residential hotel; and affirming the Planning Department's determination under the California Environmental Quality Act.
- 4/11/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 4/19/17; REFERRED TO DEPARTMENT.
- 5/24/17; RESPONSE RECEIVED.
- 6/19/17; RESPONSE RECEIVED.
10. [170136](#) **[Hearing - Status on the City's Small Sites Acquisition Program]**  
**Sponsor: Fewer**  
Hearing on the status of the City's Small Sites Acquisition Program; and requesting the Mayor's Office of Housing and Community Development to report.
- 1/31/17; RECEIVED AND ASSIGNED to the Land Use and Transportation Committee.
- 2/7/17; 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.*

### **170625**

#### **[Planning Code - Car-Share and Shared Limited Range Vehicle Parking Requirements]**

##### **Sponsor: Breed**

Ordinance amending the Planning Code to allow Shared Limited Range Vehicle (scooter) off-street parking in certain designated spaces and amending the Car-Share Program provisions; 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 under Planning Code, Section 302.

5/23/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

5/31/17; REFERRED TO DEPARTMENT.

6/6/17; RESPONSE RECEIVED.

### **170692**

#### **[General Plan Amendments - Implementing the City's Vision Zero Policy Regarding Pedestrian Safety]**

Ordinance amending the Transportation and Urban Design Elements of the General Plan to implement the City's Vision Zero policy regarding pedestrian safety; making findings, including findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and affirming the Planning Department's determination under the California Environmental Quality Act. (Planning Commission)

5/30/17; RECEIVED FROM DEPARTMENT.

6/13/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

6/21/17; REFERRED TO DEPARTMENT.

**170693 [Planning Code - Child Care Facilities]****Sponsors: Yee; Tang**

Ordinance amending the Planning Code to allow residential uses and Child Care Facility uses to share required open space; make Child Care Facilities principally permitted in all zoning districts except the Production, Distribution, and Repair (Light Industrial Buffer) (PDR-1-B), Production, Distribution, and Repair (General) (PDR-1-G) and Industrial (Light Industrial) (M-1) zoning districts, where they would be conditionally permitted, and in the Production, Distribution, and Repair (Core Production, Distribution, and Repair) (PDR-2) and Industrial (Heavy Industrial) (M-2) zoning districts, where they would not be permitted; remove certain notice requirements for Child Care Facilities; and make other conforming changes to references to the definition of Child 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. (Planning Commission)

5/31/17; RECEIVED FROM DEPARTMENT.

6/6/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

6/14/17; REFERRED TO DEPARTMENT.

**170733 [Subdivision Code - Transfer Subdivision Maps]**

Ordinance amending the Subdivision Code to allow subdivision map applicants to apply for and obtain final or parcel transfer subdivision maps that are for conveyancing and/or financing purposes only, but do not grant any development rights; and affirming the Planning Department's determination under the California Environmental Quality Act. (Public Works)

6/9/17; RECEIVED FROM DEPARTMENT.

6/20/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

**170740 [Building Code - Process for Building Inspection Commission Review of Legislation Proposed by the Board of Supervisors]****Sponsor: Farrell**

Ordinance amending the Building Code to establish a process for the Building Inspection Commission's review of legislation proposed by the Board of Supervisors; and affirming the Planning Department's determination under the California Environmental Quality Act.

6/13/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

6/21/17; REFERRED TO DEPARTMENT.

**170750 [General Plan Amendments - One Oak Street Project]**

Ordinance amending the General Plan by revising the height and bulk designations for the One Oak Street project, at the Van Ness Avenue / Oak Street / Market Street Intersection, Assessor's Parcel Block No. 0836, Lot Nos. 001 and 005, on Map 3 of the Market and Octavia Area Plan and on Map 5 of the Downtown Area Plan; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan as proposed for amendment and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 340. (Planning Commission)

6/16/17; RECEIVED FROM DEPARTMENT.

**170751****[Planning Code, Zoning Map - One Oak Street Project]**

Ordinance amending the Planning Code by revising Sheet HT07 of the Zoning Map, to change the height and bulk district classification of Assessor's Parcel Block No. 0836, portions of Lot Nos. 001 and 005 for the One Oak Project, at the Van Ness Avenue / Oak Street / Market Street Intersection, as follows: rezoning the eastern portion of the property, along Van Ness Avenue, located at Assessor's Parcel Block No. 0836, Lot No. 001 (1500 Market Street) from 120/400-R-2 to 120-R-2; and rezoning the central portion of the property, located at Assessor's Parcel Block No. 0836, Lot No. 005 (1540 Market Street) from 120-R-2 to 120/400-R-2; affirming the Planning Commission's determination under the California Environmental Quality Act; and making findings, including findings of public necessity, convenience and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

6/16/17; RECEIVED FROM DEPARTMENT.

**170755****[Planning Code - Landmark Designation - 2117-2123 Market Street (aka New Era Hall)]**

Ordinance amending the Planning Code to designate 2117-2123 Market Street (aka New Era Hall), in Assessor's Parcel Block No. 3543, Lot No. 012, 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)

6/13/17; RECEIVED FROM DEPARTMENT.

**170761****[Public Works, Administrative Codes - Street Encroachment Permits and Maintenance Fund for Certain Permits]****Sponsor: Mayor**

Ordinance amending the Public Works Code to update provisions on street encroachment permits, establish appeals procedures and fees for such appeals, waive the annual public right-of-way occupancy assessment fee in lieu of the waiver for permit fee payment for certain permits, modify the street encroachment permit process for governmental entities, and create a temporary street encroachment permit for a maximum period of 30 months; amending the Administrative Code to establish an encroachment maintenance fund for permits where the permittee is not an adjacent property owner; and affirming the Planning Department's determination under the California Environmental Quality Act.

6/20/17; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.



### 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 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 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.

**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.

**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 Derek Evans (415) 554-7702. **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>