



# 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: Malia Cohen, Scott Wiener, Jane Kim*

*Clerk: Andrea Ausberry (415) 554-4442*

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Monday, September 28, 2015

1:30 PM

City Hall, Legislative Chamber, Room 250

**Regular Meeting**

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## ROLL CALL AND ANNOUNCEMENTS

## AGENDA CHANGES

## REGULAR AGENDA

1. [150776](#) **[Freeway Operations and Maintenance Agreement - State of California - Bus Rapid Transit Facilities on State Route 101/Van Ness Avenue]**  
Resolution approving a Freeway Operations and Maintenance Agreement with the State of California apportioning maintenance responsibilities for Highway 101/Van Ness Avenue and authorizing the Director of Public Works to execute said Agreement on behalf of the City. (Public Works)  
  
7/20/15; RECEIVED FROM DEPARTMENT.  
  
7/28/15; RECEIVED AND ASSIGNED to the Land Use and Transportation Committee.  
  
8/4/15; REFERRED TO DEPARTMENT.

2. [150790](#) **[Planning Code - Establishing a New Citywide Transportation Sustainability Fee]**

**Sponsors: Mayor; Wiener, Breed and Christensen**

Ordinance amending the Planning Code by establishing a new citywide Transportation Sustainability Fee and suspending application of the existing Transit Impact Development Fee, with some exceptions, as long as the Transportation Sustainability Fee remains operative; amending Section 401 to add definitions reflecting these changes; amending Section 406 to clarify affordable housing and homeless shelter exemptions from the Transportation Sustainability Fee; making conforming amendments to the Area Plan fees in Planning Code, Article 4; affirming the Planning Department's determination under the California Environmental Quality Act, and making findings, including general findings, findings of public necessity, convenience and welfare, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

7/21/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

7/28/15; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.

7/29/15; REFERRED TO DEPARTMENT.

8/14/15; RESPONSE RECEIVED.

9/8/15; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.

9/11/15; NOTICED.

9/15/15; RESPONSE RECEIVED.

9/16/15; REFERRED TO DEPARTMENT.

9/17/15; NOTICED.

9/21/15; CONTINUED.

## 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.*

### **150845 [General Plan Amendment - 302 Silver Avenue - Urban Design Element Map 5]**

**Sponsor: Avalos**

Ordinance amending the General Plan by revising Map 5 of the Urban Design Element to change the bulk designation shown on the Map for 302 Silver Avenue, Assessor's Block No. 5952, Lot No. 002; adopting and making findings regarding the Mitigated Negative Declaration prepared in compliance with 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.

8/21/15; RECEIVED FROM DEPARTMENT.

9/8/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

9/16/15; REFERRED TO DEPARTMENT.

### **150846 [Planning Code, Zoning Map - Creating the Jewish Home of San Francisco Special Use District, 302 Silver Avenue]**

**Sponsor: Avalos**

Ordinance amending the Planning Code and Zoning Map to create the Jewish Home of San Francisco Special Use District located at 302 Silver Avenue, Assessor's Block No. 5952, Lot No. 002; to allow an increase in height within portions of the Special Use District; and adopting findings, including environmental findings about the negative declaration and mitigation monitoring and reporting plan, Planning Code, Section 302, findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

8/21/15; RECEIVED FROM DEPARTMENT.

9/8/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

9/16/15; REFERRED TO DEPARTMENT.

### **150853 [Planning Code - Technical Amendments and Corrections]**

Ordinance amending the Planning Code to correct errors, reenact previously-existing language that was repealed in error as part of the Article 2 Reorganization Ordinance, update the Code, and make nonsubstantive language revisions to simplify and clarify text; 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)

8/28/15; RECEIVED FROM DEPARTMENT.

9/8/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

9/16/15; REFERRED TO DEPARTMENT.

- 150866**     **[Planning Code - Landmark Designation - 350 University Street (aka University Mound Old Ladies' Home)]**  
Ordinance designating 350 University Street (aka University Mound Old Ladies' Home), Assessor's Block No. 5992, Lot No. 001, as a Landmark under Planning Code, Article 10; and making environmental findings, public necessity, convenience, and welfare findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)
- 9/3/15; RECEIVED FROM DEPARTMENT.
- 9/15/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

- 150873**     **[Transportation Code - Subway Master Plan]**  
**Sponsor: Wiener**  
Ordinance amending the Transportation Code to declare as City policy that the City develop a Subway Master Plan within 12 months, and to update that Master Plan every four years; and affirming the Planning Department's determination under the California Environmental Quality Act.
- 9/8/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 9/16/15; REFERRED TO DEPARTMENT.

- 150875**     **[Health, Planning Codes - Buildings with an Alternate Water Source System; Exemption from Floor Area Ratio Limits and Calculation of Development Impact Fees]**  
**Sponsor: Wiener**  
Ordinance amending the Planning Code to exempt from the computation of Floor Area Ratio limits and the calculation of applicable Development Impact Fees the space required to be used for an Alternate Water Source system; amending the Health Code to amend the definition of projects subject to the requirements for an Alternate Water Source system; 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.
- 9/8/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 9/16/15; REFERRED TO DEPARTMENT.

**150911 [Planning Code - Inclusionary Affordable Housing Program]****Sponsors: Mayor; Farrell and Tang**

Ordinance amending the Planning Code to provide revised geographic, timing, pricing and other requirements for the off-site alternative to the Inclusionary Affordable Housing Fee; create a new option for off-site projects that qualify as Nonprofit Provider Partner Projects; create a new alternative for project sponsors of smaller market-rate projects to direct the Affordable Housing Fee to small sites projects; create an option for project sponsors of on- and off-site housing to provide higher amounts of affordable housing at higher levels of affordability termed “dialing up”; revise certain definitions and operating procedures related to the Inclusionary Housing Program and make conforming changes; and 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.

9/15/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

9/22/15; REFERRED TO DEPARTMENT.

9/22/15; REFERRED TO DEPARTMENT.

9/22/15; REFERRED TO DEPARTMENT.

**150914 [Planning Code - Affordable Housing as Principal Use]****Sponsor: Wiener**

Ordinance amending the Planning Code to permit affordable housing as a principal use in the public zoning district and not requiring a conditional use permit for affordable housing in other zoning districts, except in RH (Residential, House) zoning districts and on designated public open space or property under the jurisdiction of the Recreation and Park Department; affirming the Planning Department’s determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, Planning Code, Section 302, and the eight priority policies of Planning Code, Section 101.1.

9/15/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

9/22/15; REFERRED TO DEPARTMENT.

9/22/15; REFERRED TO DEPARTMENT.

9/22/15; REFERRED TO DEPARTMENT.

**150932 [General Plan - Fifth and Mission Special Use District]**

Ordinance amending the General Plan of the City and County of San Francisco by amending Map 1 of the Downtown Plan to reclassify Lot Nos. 005, 006, 008, 009, 012, and 098 in Assessor’s Block No. 3725 as C-3-S; amending Map 5 of the Downtown Plan to reclassify the height and bulk limits in accordance with the Fifth and Mission Special Use District and Sectional Map HT001; amending Figures 2, 3, and 4 of the Downtown Plan to refer to the Fifth and Mission Special Use District, Planning Code, Section 249.74; amending Maps 4 and 5 of the Urban Design Element to refer to the Fifth and Mission Special Use District; amending Maps 2, 3, 5, and 7 of the South of Market Area Plan to remove Lot Nos. 005, 006, 008, 009, 012, and 098 in Assessor’s Block No. 3725 from the boundaries of the South of Market Area Plan; and adopting findings, including environmental findings, Section 340, findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

9/18/15; 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

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, 6, 9, 19, 21, 47, 49, 71, and 71L. 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) 554-7854; 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>