



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, Aaron Peskin

Clerk: Alisa Somera (415) 554-4447

Monday, February 22, 2016

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

ROLL CALL AND ANNOUNCEMENTS

AGENDA CHANGES

REGULAR AGENDA

- 151004** **[Planning Code - Projecting Signs in the Fillmore Street Neighborhood Commercial Transit District]**
Sponsor: Breed

Ordinance amending the Planning Code to allow projecting business signs in the Fillmore Street Neighborhood Commercial Transit District of up to 125 square feet in size, and up to 60 feet in height, with maximum height dependent on the features of the building to which the sign is attached, provided that only one sign per building is permitted; the sign is for the primary occupant of the building; the sign employs a remote transformer and is as narrow as is structurally feasible; any illumination is indirect and is used only during business hours; the sign does not obscure architectural features of the building; the sign does not damage the building to which it is attached; and the sign's lettering is arranged vertically; 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, that this amendment will serve the public necessity, convenience, and welfare.

10/6/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

10/13/15; REFERRED TO DEPARTMENT.

11/23/15; RESPONSE RECEIVED.

12/28/15; RESPONSE RECEIVED.

1/26/16; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.

2/1/16; REFERRED TO DEPARTMENT.

2. [151179](#) **[Health Code - Banning the Sale of Tobacco Products to Persons Aged 18-20]**
Sponsors: Wiener; Mar, Cohen and Farrell
Ordinance amending the Health Code to prohibit tobacco retailers from selling tobacco products, including smokeless tobacco and electronic cigarettes, to persons aged 18, 19, or 20.
- 11/17/15; ASSIGNED UNDER 30 DAY RULE to the Public Safety and Neighborhood Services Committee.
- 11/24/15; REFERRED TO DEPARTMENT.
- 1/26/16; RESPONSE RECEIVED.
- 2/4/16; TRANSFERRED to the Land Use and Transportation Committee.
- 2/4/16; RESPONSE RECEIVED.
- 2/5/16; RESPONSE RECEIVED.

3. [160026](#) **[Planning Code, Zoning Map - Rezoning Noe Valley Town Square]**
Sponsor: Wiener
Ordinance amending the Planning Code, Zoning Map, to rezone Noe Valley Town Square, 3861-24th Street, Assessor's Block No. 6509, Lot No. 040, from its current designation as 24th Street - Noe Valley Neighborhood Commercial District and 40-X to Public (P) and Open Space (OS); affirming the Planning Department'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.
- 1/12/16; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 1/20/16; REFERRED TO DEPARTMENT.
- 1/28/16; RESPONSE RECEIVED.
- 2/12/16; NOTICED.
- 2/17/16; RESPONSE RECEIVED.

4. [160115](#) **[Planning, Building Codes - Conditional Use Required to Remove Any Residential Unit; Mandatory Legalization of Illegal Units; Permeable Surfaces and Landscaping Requirements]**
Sponsor: Avalos
Ordinance amending the Planning Code to require Conditional Use authorization for the removal of any residential unit (whether legal or illegal) and compliance with landscaping and permeable surfaces requirements for building additions and residential mergers, and to exempt from the Conditional Use application requirement illegal units where is no legal path for legalization, residential units that have received prior Planning approval, and single family structures that are demonstrably unaffordable or unsound; amending the Building Code to require that notices of violation mandate legalization of an illegal unit unless infeasible under the Building Code or the Planning Commission approves its removal, and requiring re-issuance of unabated notices of violation to include the new requirement; 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.
- (Economic Impact)
- 2/8/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
- 2/8/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
- 2/8/16; CONTINUED AS AMENDED.
- 2/8/16; DUPLICATED.
- 2/11/16; REFERRED TO DEPARTMENT.
- 2/11/16; RESPONSE RECEIVED.
5. [151290](#) **[Hearing - Oversized Vehicle Pilot Program]**
Sponsor: Cohen
Hearing on the status of the Oversized Vehicle Pilot Program, including updates on what areas have implemented oversized vehicle restrictions, how they have worked, and whether they should be expanded to additional areas; and requesting the Municipal Transportation Agency and Police Department to report.
- 12/15/15; RECEIVED AND ASSIGNED to the Land Use and Transportation Committee.
- 12/23/15; 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.

160042

[Official Sidewalk Width Changes - Portions of Van Ness Avenue]

Sponsor: Wiener

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" to change the official sidewalk width of certain locations along Van Ness Avenue, between the intersection of South Van Ness Avenue and Mission Street on the south, to Van Ness Avenue and North Point Street on the north; adopting findings under the California Environmental Quality Act; and affirming the Planning Department's determination of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

1/14/16; RECEIVED FROM DEPARTMENT.

1/26/16; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

160100

[Administrative Code - No-Fault Eviction Protections During School Year]

Sponsors: Campos; Kim, Avalos and Mar

Ordinance amending the Administrative Code to prevent certain no-fault evictions (owner move-in, condominium conversion, removal of rental unit, capital improvement, and substantial rehabilitation) during the school year if a child under 18 or a person who works at a school in San Francisco resides in the rental unit, is a tenant or has a custodial or family relationship with a tenant, and the tenant has resided in the unit for 12 months or more, provided, however, that this ordinance would not restrict the timing of evictions performed in connection with mandatory seismic retrofits pursuant to Building Code, Chapter 34B, and Administrative Code, Chapter 65A; and to remove existing exceptions for owners that apply to owner move-in evictions during the school year.

2/2/16; ASSIGNED UNDER 30 DAY RULE to the Public Safety and Neighborhood Services Committee.

2/4/16; TRANSFERRED to the Land Use and Transportation Committee.

2/9/16; REFERRED TO DEPARTMENT.

160102 [Planning Code - Prohibiting Formula Retail in Polk Street Neighborhood Commercial District]

Sponsor: Peskin

Ordinance amending the Planning Code to prohibit formula retail in the Polk Street Neighborhood Commercial District; affirming the Planning Department'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.

2/2/16; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

2/9/16; REFERRED TO DEPARTMENT.

2/11/16; RESPONSE RECEIVED.

160104 [Police Code - Entertainment Commission Permit Procedures]

Sponsors: Wiener; Breed

Ordinance amending the Police Code to authorize the Director of the Entertainment Commission to waive the filing fee for Loudspeaker Permits based on certain criteria, replace a leafletting notice requirement to residents with a mailed notice requirement to neighborhood organizations for Place of Entertainment Permit applications in neighborhood-commercial or mixed residential districts; and authorize the Director of the Entertainment Commission to extend the nine-month deadline for conditional grants of Place of Entertainment Permits.

2/2/16; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

2/9/16; REFERRED TO DEPARTMENT.

2/9/16; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.

2/12/16; REFERRED TO 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

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>