



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: Aaron Peskin, Ahsha Safai, Matt Haney

Clerk: Erica Major (415) 554-4441

Monday, October 21, 2019

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

ROLL CALL AND ANNOUNCEMENTS

AGENDA CHANGES

REGULAR AGENDA

- [190810](#) **[Administrative, Public Works Codes - Recording of Jurisdictional Transfers and Street Vacations]**
Sponsor: Peskin
Ordinance amending the Administrative Code and Public Works Code to require that any resolution approving a jurisdictional transfer of real property (a transfer of the authority over City-owned real property between City departments) be recorded in the Office of the Recorder together with a legal description and map of the real property; to require that any petition to the Board of Supervisors for a street vacation include a legal description and County Surveyor-approved map, and that the Clerk of the Board record in the Office of the Recorder a copy of the adopted Ordinance together with the legal description and map; and affirming the Planning Department's determination under the California Environmental Quality Act.

7/23/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

7/30/19; REFERRED TO DEPARTMENT.

7/30/19; RESPONSE RECEIVED.

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2. [190839](#) **[Planning Code - Fulton Street Grocery Store Special Use District]**
Sponsor: Brown
Ordinance amending the Planning Code to allow a grocery store use that is a formula retail use in the Fulton Street Grocery Store Special Use District (“District”), on Fulton Street between Laguna and Octavia Streets, subject to conditional use authorization, and adding criteria for such authorization; clarify the definition of a grocery store use within the District; eliminate square footage requirements for commercial uses in the District other than a grocery store and for subsequent uses in a location previously approved for a grocery store; extend the time period for effectiveness of controls for the District to five years from the effective date of the Ordinance; and making environmental findings, 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.
- 7/30/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 8/5/19; REFERRED TO DEPARTMENT.
- 10/15/19; RESPONSE RECEIVED.
3. [190947](#) **[Public Works Code - Major Encroachment Permit - 3333 California Street Project]**
Sponsor: Stefani
Ordinance approving a major encroachment permit for Laurel Heights Partners, LLC (“Permittee”) to occupy portions of Presidio Avenue, Masonic Avenue, Pine Street, Euclid Avenue, Mayfair Drive, and Laurel Street adjacent to 3333 California Street (Assessor’s Parcel Block No. 1032, Lot No. 003) for the purpose of installing and maintaining landscape planters, differentiated paving, corner bulb-outs, and other improvements; waiving conflicting requirements under Public Works Code, Sections 800 et seq. and 810A, in connection with Permittee’s implementation of the encroachment permit and project development; making findings 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.
- 9/17/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
4. [190844](#) **[Planning Code, Zoning Map - 3333 California Street Special Use District]**
Sponsor: Stefani
Ordinance amending the Planning Code and Zoning Map to create the 3333 California Street Special Use District; and making environmental findings, 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.
- (Economic Impact)
- 7/30/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 8/5/19; REFERRED TO DEPARTMENT.
- 9/3/19; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.
- 9/11/19; REFERRED TO DEPARTMENT.
- 9/12/19; RESPONSE RECEIVED.
- 10/11/19; NOTICED.

5. [190845](#) **[Development Agreement - Laurel Heights Partners, LLC - 3333 California Street Project - California Street at Presidio Avenue]**

Sponsor: Stefani

Ordinance approving a Development Agreement between the City and County of San Francisco and Laurel Heights Partners, LLC, a Delaware limited liability company, for the development of an approximately 10.25-acre site located at California Street at Presidio Avenue (3333 California Street), with various public benefits, including 25% affordable housing, a child care center comprised of approximately 14,665 square feet, and approximately 2.87 acres of privately owned, publicly accessible open space; making findings under the California Environmental Quality Act, and findings of conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b); approving certain development impact fees for the project, and waiving certain Planning Code fees and requirements; confirming compliance with or waiving certain provisions of Administrative Code, Chapter 56; ratifying certain actions taken in connection with the Development Agreement, as described herein; and authorizing certain actions to be taken under the Development Agreement, as described herein.

(Economic Impact)

7/30/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

8/5/19; REFERRED TO DEPARTMENT.

9/3/19; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.

9/11/19; REFERRED TO DEPARTMENT.

9/12/19; RESPONSE RECEIVED.

10/11/19; NOTICED.

6. [190548](#) **[Planning Code - Jobs Housing Linkage Fee and Inclusionary Housing]**
Sponsors: Haney; Fewer, Ronen, Mar, Peskin, Walton and Yee
 Ordinance amending the Planning Code to modify the Jobs Housing Linkage Fee by allowing indexing of the fee, adding options for complying with the fee, requiring payment of the fee no later than at the time of first certificate of occupancy, dedicating funds for permanent supportive housing and the preservation and acquisition of affordable housing, and to remove the monetary limit for the Small Sites Funds under the Inclusionary Housing Program; 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 of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

(Economic Impact; no Economic Analysis Report)

5/14/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

5/17/19; REFERRED TO DEPARTMENT.

6/13/19; RESPONSE RECEIVED.

7/26/19; REMAIN ACTIVE.

9/10/19; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.

9/17/19; REFERRED TO DEPARTMENT.

9/26/19; RESPONSE RECEIVED.

10/9/19; RESPONSE RECEIVED.

10/11/19; NOTICED.

10/16/19; NOTICED.

7. [190989](#) **[Hearing - Budget and Legislative Analyst Report - Jobs-Housing Fit]**
Sponsor: Mar
 Hearing on the Budget and Legislative Analyst's Job-Housing Fit report that evaluates the current and planned housing stock in San Francisco relative to projected jobs at different income levels, determines if existing and planned housing is adequate and affordable for projected population growth, and provides information on the contributions of the City's Jobs Housing Linkage program and affordable housing programs on jobs-housing fit; and requesting the Office of the Budget and Legislative Analyst, Mayor's Office of Housing and Community Development, and Planning Department to report.

9/24/19; RECEIVED AND ASSIGNED to the Land Use and Transportation Committee.

10/2/19; 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.

190866

[Fire Code - Repealing 2016 Code, Adopting 2019 Code]

Sponsor: Mayor

Ordinance repealing the existing San Francisco Fire Code in its entirety and enacting a new San Francisco Fire Code consisting of the 2019 California Fire Code and portions of the 2018 International Fire Code, together with amendments specific to San Francisco with an operative date of January 1, 2020; adopting findings of local conditions pursuant to California Health and Safety Code, Section 17958.7; directing the Clerk of the Board of Supervisors to forward San Francisco's amendments to the California Building Standards Commission and State Fire Marshal; and making environmental findings. (Fire Department)

9/16/19; RECEIVED FROM DEPARTMENT.

9/24/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

10/1/19; REFERRED TO DEPARTMENT.

10/18/19; NOTICED.

190946

[Administrative Code - Definition of Tourist or Transient Use Under Hotel Conversion Ordinance]

Sponsor: Peskin

Ordinance amending the Administrative Code to amend the definition of Tourist or Transient Use under the Residential Hotel Unit Conversion Ordinance, from a term of tenancy of less than 30 days to a term of tenancy of less than seven days, through December 31, 2021, and starting on January 1, 2022, back to a term of tenancy of less than 30 days, to provide a two year amortization period applicable to hotels currently regulated under the Ordinance; to provide a process by which the owners or operators of regulated hotels can request that the amortization period be longer, on a case-by-case basis; and affirming the Planning Department's determination under the California Environmental Quality Act.

9/17/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

9/25/19; RESPONSE RECEIVED.

190948 [Transportation Code - Lombard Street Reservation and Pricing Pilot Program]**Sponsor: Stefani**

Ordinance amending Division I of the Transportation Code to adopt rules and regulations for vehicular access and congestion management for Lombard Street between Leavenworth and Hyde Streets including a reservation and pricing pilot program and associated fee; and affirming the Planning Department's determination under the California Environmental Quality Act.

9/17/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

9/25/19; REFERRED TO DEPARTMENT.

190971 [Street Vacation and Conveyance - India Basin Project]**Sponsors: Mayor; Walton**

Ordinance ordering the vacation of streets in the India Basin Project site, located generally at Innes Avenue between Griffith Street and Earl Street, along the India Basin shoreline; reserving temporary public utility and access rights in favor of the City and temporary easement rights for existing PG&E gas and overhead electrical facilities; authorizing the City to quitclaim its interest in approximately 3.8 acres within Earl Street, Hudson Avenue, and Arelious Walker Drive to India Basin Investment LLC; authorizing the City to transfer approximately 1.1 acres within Arelious Walker Drive, Hudson Avenue, Earl Street, and Galvez Avenue to the State for purposes of having such property reconveyed to the City to be held by the Port, in trust, through implementation of the India Basin Public Trust Exchange; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance, as defined herein, including transmittal of the Ordinance by the Clerk of the Board of Supervisors to the Assessor Recorder for recording.

9/24/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

10/2/19; REFERRED TO DEPARTMENT.

190972 [Environment Code - Electrification of Municipal Facilities]**Sponsors: Brown; Mandelman, Peskin, Haney and Ronen**

Ordinance amending the Environment Code to require new construction and major renovations of municipal buildings to exclude natural gas and include exclusively all-electric energy sources; and affirming the Planning Department's determination under the California Environmental Quality Act.

(Fiscal Impact; No Budget and Legislative Analyst Report)

9/24/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

10/2/19; REFERRED TO DEPARTMENT.

190974**[Green Building Code - Energy Performance in Newly Constructed Buildings]****Sponsor: Mandelman**

Ordinance amending the Green Building Code to establish energy performance requirements for certain new building construction; adopting environmental findings, and findings of local conditions under the California Health and Safety Code and the California Public Resources Code; and directing the Clerk of the Board of Supervisors to forward the Ordinance to state agencies as required by state law.

9/24/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

10/2/19; REFERRED TO DEPARTMENT.

10/8/19; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

10/16/19; REFERRED TO DEPARTMENT.

191002**[Planning Code - Geary-Masonic Special Use District]****Sponsor: Stefani**

Ordinance amending the Planning Code to modify the Geary-Masonic Special Use District regarding minimum parking requirements, ground floor ceiling heights, and to allow payment of an inclusionary housing fee; 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 convenience, necessity, and welfare under Planning Code, Section 302.

10/1/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

10/8/19; REFERRED TO DEPARTMENT.

191013**[Transportation Code - Mobility Device Permit Requirement]****Sponsor: Mayor**

Ordinance amending the Transportation Code to establish a violation for operating a Shared Mobility Device Service without a permit or other authorization from the Municipal Transportation Agency, and to repeal certain parking restrictions related to stationless bicycle share programs and powered scooter share programs; and affirming the Planning Department's determination under the California Environmental Quality Act.

(Economic Impact; pending further review)

10/8/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

191016 [Planning Code - 100% Affordable Housing and Educator Housing Streamlining Program]**Sponsors: Fewer; Mar, Peskin, Haney and Safai**

Ordinance amending the Planning Code to require at least half of residential units in Educator Housing projects to have two or more bedrooms, to eliminate the requirement that Educator Housing projects have a minimum amount of three-bedroom units, conditioned on the passage of Proposition E in the November 5, 2019, Municipal Consolidated Election; 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 convenience, necessity, and welfare under Planning Code, Section 302.

10/8/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

10/16/19; REFERRED TO DEPARTMENT.

191018 [Planning Code - Landmark Designation - 770 Woolsey Street (aka University Mound Nursery)]**Sponsors: Ronen; Peskin**

Ordinance amending the Planning Code to designate 770 Woolsey Street (aka University Mound Nursery), Assessor's Parcel Block No. 6055, Lot No. 001, 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.

10/8/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

10/17/19; REFERRED TO DEPARTMENT.

191033 [Administrative, Public Works, Police Codes - Establishing Office of Emerging Technology - Requiring Permits for Using Emerging Technology Devices on Public Right-of-Ways]**Sponsors: Yee; Fewer**

Ordinance amending the Administrative Code to create an Office of Emerging Technology within the Department of Public Works; amending the Public Works Code to require a permit to obstruct the public right-of-way within Public Works' jurisdiction; amending the Administrative Code to codify the Public Works Director's authority to take official actions, as defined herein, including adopting regulations for the pilot operation of emerging technology devices; amending the Public Works Code and Police Code to provide for administrative, civil, and criminal penalties for unlawful obstruction of the public right-of-way, including operation of emerging technology devices without a required permit; and affirming the Planning Department's determination under the California Environmental Quality Act.

(Fiscal Impact; No Budget and Legislative Analyst Report)

10/8/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

10/17/19; 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

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.

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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

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>