



# 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: Alisa Somera (415) 554-4447*

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Monday, November 9, 2015

11:00 AM

City Hall, Legislative Chamber, Room 250

**Rescheduled Meeting**

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## ROLL CALL AND ANNOUNCEMENTS

## AGENDA CHANGES

## REGULAR AGENDA

1. [150622](#) **[Administrative, Planning Codes - Preferences in Affordable Housing Programs]**  
**Sponsors: Mayor; Christensen, Cohen, Breed and Wiener**  
Ordinance amending the Administrative Code to clarify existing preferences in allocating City affordable housing units first to Certificate of Preference holders and second to tenants evicted under the Ellis Act, create a third preference for residents in the neighborhood where the affordable housing is located; to make conforming amendments to provisions of the Administrative and Planning Codes; to affirm the Planning Department's determination under the California Environmental Quality Act; and to make findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.  
  
6/9/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.  
  
6/30/15; REFERRED TO DEPARTMENT.  
  
9/22/15; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.  
  
9/29/15; REFERRED TO DEPARTMENT.  
  
10/21/15; RESPONSE RECEIVED.  
  
10/26/15; RESPONSE RECEIVED.  
  
11/2/15; AMENDED.  
  
11/2/15; AMENDED.  
  
11/2/15; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.  
  
11/2/15; CONTINUED AS AMENDED.  
  
11/2/15; DUPLICATED AS AMENDED.

2. [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 (Downtown Support); 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.
- 9/29/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 10/6/15; REFERRED TO DEPARTMENT.
3. [150787](#) **[Planning Code, Zoning Map - Fifth and Mission Special Use District]**  
**Sponsor: Mayor**  
Ordinance amending the Planning Code to add Section 249.74 to create the Fifth and Mission Special Use District; and amending Zoning Sectional Maps ZN001, SU001, and HT001 to reflect the Fifth and Mission Special Use District; and making environmental findings, including a statement of overriding considerations, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.
- (Economic Impact)
- 7/21/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 7/29/15; REFERRED TO DEPARTMENT.
4. [150788](#) **[Development Agreement - 5M Project, LLC - Fifth and Mission Project]**  
**Sponsor: Mayor**  
Ordinance approving a Development Agreement between the City and County of San Francisco and 5M Project, LLC, a Delaware limited liability company, for the Fifth and Mission Project at the approximately 4-acre site located at Fifth Street between Mission and Howard Streets; making findings under the California Environmental Quality Act, findings of conformity with the City's General Plan, and with the eight priority policies of Planning Code, Section 101.1(b); approving the use of Impact Fees and Exactions for affordable housing and other community benefits, as set forth in the Development Agreement, and waiving any conflicting provision in Planning Code, Article 4, or Administrative Code, Article 10; authorizing the acquisition of real property at 967 Mission Street for affordable housing; and confirming compliance with or waiving certain provisions of Administrative Code, Chapters 14B and 56, and ratifying certain actions taken in connection therewith.
- (Economic Impact)
- 7/21/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 7/29/15; 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.*

### 151062

#### **[General Plan Amendment - Rincon Hill Area Plan]**

**Sponsor: Kim**

Ordinance amending the General Plan by amending the Rincon Hill Area Plan, Policies 3.3 and 3.4; 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.

10/14/15; RECEIVED FROM DEPARTMENT.

10/20/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

10/27/15; REFERRED TO DEPARTMENT.

### 151063

#### **[Planning Code, Zoning Map - 525 Harrison Street]**

**Sponsor: Kim**

Ordinance amending the Planning Code regarding bulk limits and exceptions to the tower separation requirements on 525 Harrison Street, Assessor's Block No. 3764, Lot No. 063; and amending the Zoning Map to redesignate a portion of Assessor's Block No. 3764, Lot No. 063, from a 65/400-R height and bulk district to a 65/250-R height and bulk district; 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 findings under Planning Code, Section 302.

10/14/15; RECEIVED FROM DEPARTMENT.

10/20/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

10/27/15; REFERRED TO DEPARTMENT.

**151079 [Building Code - Definition of Vacant or Abandoned Buildings]****Sponsor: Tang**

Ordinance amending the Building Code to provide that a building in probate shall not be considered vacant or abandoned for purposes of the annual registration requirement if it does not contribute to blight; and affirming the Planning Department's determination under the California Environmental Quality Act.

10/20/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

**151081 [Building Code - Permit Suspension for Repeat Violations]****Sponsor: Wiener**

Ordinance amending the Building Code to authorize the Director of the Department of Building Inspection to stop all work on a construction project whenever there are repeated violations of City codes on the project; and affirming the Planning Department's determination under the California Environmental Quality Act.

10/20/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

**151083 [Planning Code - Affordable Housing in Public Zoning Districts]****Sponsor: Wiener**

Ordinance amending the Planning Code to permit affordable housing as a principal use in the Public zoning district; affirming the Planning Department's determination under the California Environmental Quality Act; making Planning Code, Section 302, findings; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

10/20/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

**151084 [Planning Code - Upper Market Street Neighborhood Commercial Transit District; Second Floor Bars]****Sponsor: Wiener**

Ordinance amending the Planning Code to allow an existing bar on the ground floor in the Upper Market Street Neighborhood Commercial Transit District to expand to the second floor under specified circumstances with a Conditional Use authorization; 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 findings of public necessity, convenience, and welfare under Planning Code, Section 302.

10/20/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

**151085 [Various Codes - Code Enforcement Procedures]****Sponsor: Wiener**

Ordinance amending the Building, Housing, Electrical, Plumbing, Fire, Health, Planning, and Administrative Codes to clarify and standardize enforcement procedures for violations of Municipal Codes relating to buildings and property, to require departments to report on code enforcement activities, and to direct the City Administrator to coordinate the preparation of standard Citywide forms for code enforcement proceedings; 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.

10/20/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

10/27/15; REFERRED TO DEPARTMENT.

**151106**     **[Building, Plumbing Codes - Permit Exemption for Installation of Simple Gray Water Systems]**

**Sponsor: Wiener**

Ordinance amending the Building and Plumbing Codes to exempt the installation of simple gray water systems from the requirement to obtain a permit; and affirming the Planning Department's determination under the California Environmental Quality Act.

10/27/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

**151126**     **[Planning Code, Zoning Map - Establishing the Japantown Neighborhood Commercial District]**

**Sponsor: Breed**

Ordinance amending the Planning Code to establish the Japantown Neighborhood Commercial District (NCD) for the area between Geary Boulevard and Post Street from Fillmore Street to Laguna Street, the north side of Post Street from Webster Street to Laguna Street, and Buchanan Street from Post Street to mid-way between Sutter Street and Bush Street, revise various Planning Code sections to make conforming and other technical changes, and revise the Zoning Map to add the Japantown NCD; 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 findings of public necessity, convenience, and welfare under Section 302.

11/3/15; 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, 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>