



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: Myrna Melgar, Dean Preston, Aaron Peskin

Clerk: John Carroll

(415) 554-4445 ~ john.carroll@sfgov.org

Monday, October 7, 2024

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

ROLL CALL AND ANNOUNCEMENTS

COMMUNICATIONS

AGENDA CHANGES

REGULAR AGENDA

- 240843** **[Administrative Code - Entertainment Zones]**
Sponsors: Mayor; Dorsey
Ordinance amending the Administrative Code to establish two Entertainment Zones: the Mid-Market Entertainment Zone, on Market Street between 5th Street and 6th Street, with eastern boundaries at Mason Street on the north side of Market Street and at 5th Street on the south side of Market Street, and western boundaries at the intersection of Golden Gate Avenue and Taylor Street on the north side of Market Street and at 6th Street on the south side of Market Street; and the Arena Entertainment Zone, bounded by Warriors Way on the north, Terry A. Francois Boulevard on the east, 16th Street on the south, and 3rd Street on the west; and affirming the Planning Department's determination under the California Environmental Quality Act.

9/3/24; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

9/12/24; REFERRED TO DEPARTMENT.

9/17/24; RESPONSE RECEIVED.

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

9/27/24; 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 October 8, 2024.

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2. [240845](#) **[Building Code - Gas Infrastructure for EPCA Appliances in New Construction]**
Sponsor: Mandelman
Ordinance amending the Building Code to allow new construction that complies with the Design Guidelines for Electric-Ready Buildings to install gas infrastructure to serve appliances covered by the Energy Policy and Conservation Act (EPCA); adopting findings of local conditions under the California Health and Safety Code; affirming the Planning Department's determination under the California Environmental Quality Act; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.
- 9/3/24; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 9/12/24; REFERRED TO DEPARTMENT.
- 9/17/24; RESPONSE RECEIVED.
- 9/19/24; RESPONSE RECEIVED.
- The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on October 8, 2024.*
3. [240806](#) **[Public Works Code, Planning Code - Fee Waiver for Vicha Ratanapakdee Mosaic Stairway]**
Sponsor: Stefani
Ordinance amending the Public Works Code to waive the major encroachment permit fees for a project to install and maintain mosaic tiles on the Vicha Ratanapakdee Way stairs located in the Anza Vista neighborhood between O'Farrell Street and Terra Anza Avenue and amending the Planning Code to waive the General Plan referral fee associated with this encroachment permit; affirming the Planning Commission'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.
- 7/30/24; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 8/7/24; REFERRED TO DEPARTMENT.
- 8/9/24; RESPONSE RECEIVED.
- 10/3/24; RESPONSE RECEIVED.
4. [240940](#) **[Urging to Resolve a San Francisco Public Utilities Commission Lawsuit with the United States Environmental Protection Agency]**
Sponsors: Melgar; Peskin
Resolution urging the City Attorney and the San Francisco Public Utilities Commission to immediately resolve its lawsuit regarding the Clean Water Act with the United States Environmental Protection agency.
- 9/24/24; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.
- 9/30/24; REFERRED TO DEPARTMENT.
- 10/1/24; TRANSFERRED to the Land Use and Transportation Committee.
- The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on October 8, 2024.*

5. [231268](#) **[Planning Code - Eliminating Public Art Requirement for 100% Affordable Housing Projects]**

Sponsor: Dorsey

Ordinance amending the Planning Code to eliminate the public art requirement for 100% affordable housing projects and provide for the relocation or removal of existing artwork at such projects subject to certain conditions; affirming the Planning Commission's determination under the California Environmental Quality Act; and making findings, including findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

12/11/23; CONTINUED TO CALL OF THE CHAIR.

12/11/23; DUPLICATED.

7/15/24; REMAIN ACTIVE.

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.

240872 [Planning Code, Zoning Map - 30 Van Ness Avenue Special Use District; Amendment of Agreement for Sale of Real Estate]

Sponsors: Mayor; Dorsey

Ordinance amending the Planning Code and Zoning Map to create the 30 Van Ness Avenue Special Use District, in the area generally bound by Fell Street to the north, Market Street to the east and south, and Van Ness Avenue to the west; modifying the Notice of Special Restrictions related to inclusionary housing obligations under the Agreement for Sale of Real Estate between the City and 30 Van Ness Development LLC; 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 public necessity, convenience, and welfare findings under Planning Code, Section 302.

9/10/24; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

9/18/24; REFERRED TO DEPARTMENT.

240873 [Planning Code - Inclusionary Housing Ordinance]

Sponsor: Mayor

Ordinance amending the Planning Code to permit the use of California Debt Limit Allocation Committee tax-exempt bond financing and tax credits under the Tax Credit Allocation Committee for certain affordable housing projects that provide additional affordable units or deeper affordability levels than required by the Inclusionary Housing Ordinance; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of public necessity, convenience, and general welfare findings under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

9/10/24; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

9/18/24; REFERRED TO DEPARTMENT.

240874 [Building Code - Change of Use Designation]

Sponsor: Mayor

Ordinance amending the Building Code to excuse the requirement for professionally prepared architectural drawings for building permits to change certain use designations that do not increase occupant load or occupancy class, or include alterations; and affirming the Planning Department's determination under the California Environmental Quality Act.

9/10/24; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

240879 [Planning Code - 524 and 530 Howard Street - Transit Center District Open Space Impact Fee Waiver for 524 Howard Street, LLC]**Sponsor: Dorsey**

Ordinance amending the Planning Code to waive the Transit Center District Open Space Impact Fee for 524 Howard Street, LLC's development project at 524 and 530 Howard Street in recognition of the project's proposed construction of a pedestrian bridge connecting to the Transbay Transit Center's rooftop park; affirming the Planning Commission'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 general welfare findings under Planning Code, Section 302.

9/10/24; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

9/18/24; REFERRED TO DEPARTMENT.

240901 [Planning Code - Impact Fees for Changes of Use From Production, Distribution, and Repair to Other Non-Residential Uses]**Sponsor: Mayor**

Ordinance amending the Planning Code to eliminate impact fees for changes of use from PDR (Production, Distribution, and Repair) to other Non-Residential Uses, as specified; 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.

9/17/24; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

9/24/24; RESPONSE RECEIVED.

9/25/24; REFERRED TO DEPARTMENT.

240903 [Planning Code - Health Service Uses in West Portal Neighborhood Commercial District]**Sponsor: Melgar**

Ordinance amending the Planning Code to permit certain Health Service Uses up to 5,000 gross square feet without a conditional use permit in the West Portal Neighborhood Commercial 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 making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

9/17/24; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

9/25/24; REFERRED TO DEPARTMENT.

240906 [De Long Street - Public Right-of-Way Acceptance - Establishing Official Sidewalk Widths and Street Grades]**Sponsor: Safai**

Ordinance approving funding and an offer of dedication and grant deed for real property from the Bay Area Rapid Transportation District for De Long Street between Santa Cruz and San Diego Avenues; conditionally accepting this segment of De Long Street for maintenance and liability; delegating to the Public Works Director the authority, upon completion of this Street segment to: 1) declare it as open public right-of-way, 2) dedicate it to public use, 3) designate it for street and roadway purposes, 4) finally accept this Street segment for City maintenance and liability purposes, subject to specified limitations, and 5) establish official public right-of-way widths and street grades; waiving the application of Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," to allow establishment of official sidewalk widths through administrative action; adopting findings 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; accepting a Public Works Order recommending various actions in regard to De Long Street; and authorizing official acts in connection with this Ordinance to be taken by the Public Works Director and other San Francisco officers, as defined herein.

9/17/24; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

9/25/24; REFERRED TO DEPARTMENT.

240925 [Sunnydale HOPE SF - Street and Public Infrastructure Acceptance - Establishing Official Sidewalk Widths and Street Grades]**Sponsors: Mayor; Walton**

Ordinance accepting irrevocable offers of public infrastructure associated with the Sunnydale HOPE SF Project, Phase 2, including an offer of improvements for infrastructure located within portions of Sunnydale Avenue, Hahn Street, and Harmonia Street, and an offer of dedication for real property underlying a portion of Sunnydale Avenue; dedicating the public improvements for public use; designating the public improvements for public street and roadway purposes; accepting the public infrastructure for City maintenance and liability purposes, subject to specified limitations; establishing official street grades, sidewalk widths, and public right-of-way widths; amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" to establish official sidewalk widths on Sunnydale Avenue and Hahn Street; accepting a Public Works Order recommending various actions in regard to the public infrastructure improvements; adopting 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.

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

240927 [Planning Code - Development Impact Fees and Requirements for Non-Residential to Residential Conversion Projects]**Sponsors: Mayor; Dorsey**

Ordinance amending the Planning Code to exempt certain types of projects in the downtown area that replace non-residential uses with residential uses from development impact fees and requirements, including the Inclusionary Housing fee, and remove the application deadline from the Commercial to Residential Adaptive Reuse 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.

(September 27, 2024 - Pending further review for Economic Impact)

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

10/2/24; REFERRED TO DEPARTMENT.

240928 [Street Vacation - Portion of Airspace over Natoma Street between First and Second Streets]**Sponsor: Dorsey**

Ordinance ordering the summary street vacation of a portion of the airspace above Natoma Street between First and Second Streets and adjacent to the Transbay Transit Center; waiving application of Administrative Code, Chapter 23 to the conveyance of the street vacation area; finding the street vacation area is not necessary for City's use and is exempt surplus property under the California Surplus Land Act, California Government Code, Sections 54220 et seq.; quitclaiming the City's interest in the street vacation area to the Transbay Joint Powers Authority; 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 the Planning Code, Section 101.1.

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

240929 [Planning Code, Zoning Map - 99 Rhode Island Street]**Sponsor: Dorsey**

Ordinance amending the Zoning Map of the Planning Code to change the zoning use district designation of 99 Rhode Island Street, Assessor's Parcel Block No. 3912, Lot No. 02, from Production, Distribution and Repair District-1, Design (PDR-1-D) to Urban Mixed Use (UMU); affirming the Planning Department's determination under the California Environmental Quality Act; making public necessity, convenience, and welfare findings under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

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

10/2/24; REFERRED TO DEPARTMENT.

240931 [Planning Code, Zoning Map - 2301 Chestnut Street Special Sign District]

Sponsor: Stefani

Ordinance amending the Planning Code and Zoning Map to establish the 2301 Chestnut Street Special Sign District encompassing the real property consisting of Assessor's Parcel Block No. 0936, Lot No. 001 to allow two projecting signs at 2301 Chestnut Street; 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 under Planning Code, Section 302.

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

10/2/24; REFERRED TO DEPARTMENT.

240932 [Planning Code - Third Street Alcohol Restricted Use District]

Sponsor: Walton

Ordinance amending the Planning Code to create an exception for certain distilleries, wineries, and breweries to establish on-sale liquor establishments in the Bayview Neighborhood Commercial 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 making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

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

10/1/24; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

The Levine Act

Pursuant to California Government Code, Section 84308, Members of the Board who have received campaign contributions totaling more than \$250 may be required to disclose that fact on the record of the proceeding. Parties and their paid agents may also be required to disclose on the record any campaign contributions made to a Member of the Board that meets the following qualifications for disclosure. A Member of the Board of Supervisors is disqualified and must recuse themselves on any agenda item involving business, professional, trade, and land use licenses or permits and all other entitlements for use, if they received more than \$250 in campaign contributions from the applicant or contractor, an agent of the applicant or contractor, or any financially interested participant within the 12 months prior to the final decision; and for 12 months following the date of the final decision, a Member of the Board shall not accept, solicit, or direct a campaign contribution of \$250 or more from the applicant or contractor, an agent of the applicant or contractor, or any financially interested participant. The foregoing statements do not constitute legal advice. Parties, participants, and their agents are urged to consult their own legal counsel regarding the requirements of the law. For more information about these disclosures, visit www.sfethics.org.

Agenda Item Information

Each item on the Consent or Regular agenda may include the following 1) Legislation; 2) Budget and Legislative Analyst report; 3) Department or Agency cover letter and/or report; 4) Public correspondence. These items are available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244 or at www.sfbos.org/legislative-research-center-lrc.

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 legislation is 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) vocal or audible support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones or electronic devices; 3) bringing in or displaying signs in the meeting room; or 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 time. Members of the public who want to display a document should place it on the overhead during their public comment and 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 Board and Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding agenda items for the official public record. Written communications should be submitted to the Clerk of the Board or the 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 the Clerk of the Committee and will be shared with the Members.

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LANGUAGE INTERPRETERS: Language services are available in Spanish, Chinese and Filipino for requests made at least two (2) business days in advance of the meeting, to help ensure availability. For more information or to request services, contact bos@sfgov.org or call (415) 554-5184.

傳譯服務: 所有常規及特別市參事會會議和常務委員會會議將提供西班牙文, 中文以及菲律賓文的傳譯服務, 但必須在會議前最少兩 (2) 個工作日作出請求, 以確保能獲取到傳譯服務. 將因應請求提供交替傳譯服務, 以便公眾向有關政府機構發表意見. 如需更多資訊或請求有關服務, 請發電郵至 bos@sfgov.org 或致電 (415) 554-5184 聯絡我們.

INTÉRPRETES DE IDIOMAS: Para asegurar la disponibilidad de los servicios de interpretación en chino, filipino y español, presente su petición por lo menos con dos (2) días hábiles de antelación previo a la reunión. Para más información o para solicitar los servicios, envíe su mensaje a bos@sfgov.org o llame al (415) 554-5184.

TAGA SALIN-WIKA: Ipaabot sa amin ang mga kahilingan sa pag salin-wika sa Kastila, Tsino at Pilipino ng hindi bababa sa dalawang araw bago ang pulong. Makakatulong ito upang tiyakin na ang mga serbisyo ay nakalaan at nakahanda. Para sa dagdag kaalaman o para humiling ng serbisyo, maki pagugnayan po sa bos@sfgov.org o tumawag sa (415) 554-5184.

Americans with Disabilities Act (ADA) and Reasonable Accommodations

Title II of the ADA requires that all programs offered through the state and local government such as the City and County of San Francisco be accessible and usable to people with disabilities. The ADA and City policy require that people with disabilities have equal access to all City services, activities, and benefits. If you believe your rights under the ADA are violated, contact the ADA Coordinator. Ordinance No. 90-10 added Section 2A.22.3 to the Administrative Code, which adopted a Citywide Americans with Disabilities Act Reasonable Modification Policy.

Meetings are real-time captioned and cablecast open-captioned on SFGovTV (www.sfgovtv.org) or Cable Channels 26, 28, 78 or 99 (depending on your provider). Board and Committee meeting agendas and minutes are available on the Board's website www.sfbos.org and adhere to web development Federal Access Board's Section 508 Guidelines. For reasonable accommodations, please contact (415) 554-5184 or (415) 554-5227 (TTY). Board of Supervisors' Rules of Order 1.3.3 does not permit remote public comment by members of the public at meetings of the Board and its committees, except as legally required to enable people with disabilities to participate in such meetings. If you require remote access as a means of reasonable accommodation under ADA, please contact the Clerk's Office to request remote access, including a description of the functional limitation(s) that precludes your ability to attend in person. Requests made at least two (2) business days in advance of the meeting will help to ensure availability. For further assistance, please call (415) 554-5184.

Know Your Rights Under The Sunshine Ordinance

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 www.sfbos.org/sunshine.

Ethics Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (Campaign & Governmental Conduct Code, Section 2.100) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; (415) 252-3100; fax (415) 252-3112; website www.sfgov.org/ethics.

Under Campaign and Governmental Conduct Code, Section 1.127, no person or entity with a financial interest in a land use matter pending before the Board of Appeals, Board of Supervisors, Building Inspection Commission, Commission on Community Investment and Infrastructure, Historic Preservation Commission, Planning Commission, Port Commission, or the Treasure Island Development Authority Board of Directors, may make a campaign contribution to a member of the Board of Supervisors, the Mayor, the City Attorney, or a candidate for any of those offices, from the date the land use matter commenced until 12 months after the board or commission has made a final decision, or any appeal to another City agency from that decision has been resolved. For more information about this restriction, visit www.sfethics.org.