



# 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: Malia Cohen, Scott Wiener, Jane Kim*

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

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Monday, May 4, 2015

1:30 PM

City Hall, Legislative Chamber, Room 250

**Regular Meeting**

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## AGENDA CHANGES

## REGULAR AGENDA

1. [141302](#) **[Health Code - Massage Practitioner and Business Permits, Associated Fees]**

**Sponsor: Tang**

Ordinance amending the Health Code to comprehensively revise regulation of massage practitioners and establishments by, among other things: 1) eliminating the exemption of massage establishments employing only State-certified massage practitioners from the permitting and regulatory authority of the Department of Public Health; 2) increasing the number of instructional hours required for general and advanced massage practitioner permits; 3) denying massage establishment permits to applicants who have been convicted of or are currently charged with criminal acts related to human trafficking; 4) aligning massage practitioner attire requirements with State law; 5) incorporating State human trafficking information posting requirements into local law for enforcement purposes; 6) revising the timing and criteria for granting, denying, suspending, and revoking general and advanced massage practitioner permits, massage establishment permits, outcall massage service permits, and sole practitioner massage establishment permits; 7) specifying massage practitioner permit application and annual license fees; 8) updating the application and annual license fee amounts for massage establishments, outcall massage services, and sole practitioner massage establishments to reflect the currently authorized amounts; and 9) grouping related requirements and making other changes to enhance clarity and promote compliance.

12/16/14; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

1/15/15; REFERRED TO DEPARTMENT.

4/10/15; NOTICED.

4/16/15; NOTICED.

4/20/15; CONTINUED.

4/28/15; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.

2. [141303](#) **[Planning Code - Massage Establishments]**  
**Sponsor: Tang**  
Ordinance amending the Planning Code to require that massage establishments, as defined, obtain a Conditional Use permit; listing exceptions to that requirement; and making 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.
- 12/16/14; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 1/15/15; REFERRED TO DEPARTMENT.
- 1/23/15; RESPONSE RECEIVED.
- 4/20/15; CONTINUED.
- 4/28/15; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.
3. [150412](#) **[Interim Zoning Controls - Conditional Use Authorization for Medical Cannabis Dispensaries in Irving, Judah, Noriega, and Taraval Neighborhood Commercial Districts]**  
**Sponsor: Tang**  
Resolution imposing interim zoning controls to reinstate conditional use authorization requirement for Medical Cannabis Dispensaries in the Irving, Judah, Noriega, and Taraval Street Neighborhood Commercial Districts and impose additional conditional use authorization criteria; and making environmental findings, including findings of consistency with the eight priority policies of Planning Code, Section 101.1.
- 4/21/15; ASSIGNED to the Land Use and Transportation Committee.
- 4/23/15; REFERRED TO DEPARTMENT.
- 4/24/15; NOTICED.
- The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on May 5, 2015.*
4. [150318](#) **[Hearing - Housing Resources, Programs, and Options for Retention of Rent-Controlled Housing]**  
**Sponsors: Christensen; Cohen and Farrell**  
Hearing to review housing resources, programs, and options for retention of rent-controlled housing; and requesting the Mayor's Office of Housing, Rent Board, Council of Community Housing Organizations, and various other local agencies to report.
- 3/24/15; RECEIVED AND ASSIGNED to the Land Use and Transportation Committee.
- 4/10/15; 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.*

### **150348 [Planning Code - Applying Inclusionary Housing Requirements to Group Housing]**

**Sponsors: Avalos; Kim**

Ordinance amending the Planning Code to clarify that the Inclusionary Affordable Housing Program applies to housing projects, as defined, including group housing projects; affirming the Planning Department'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.

4/7/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

4/15/15; REFERRED TO DEPARTMENT.

### **150350 [Health Code - Mandatory Use of Alternate Water Supplies in New Construction]**

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

Ordinance amending the Health Code, Article 12C, to require that new buildings of 250,000 square feet or more of floor area be constructed, operated, and maintained using available alternate water sources for toilet and urinal flushing and irrigation; that new buildings of 40,000 square feet or more of floor area prepare water budget calculations; and that subdivision approval requirements include compliance with the Health Code, Article 12C; and affirming the Planning Department's determination under the California Environmental Quality Act.

(Fiscal Impact; No Budget and Legislative Analyst Report.)

4/7/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

4/15/15; REFERRED TO DEPARTMENT.

### **150357 [Planning Code - Rincon Hill Streetscape Master Plan]**

Ordinance amending Planning Code, Section 138.1, to acknowledge approval of the Rincon Hill Streetscape Master Plan; and making findings under the California Environmental Quality Act, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

4/7/15; RECEIVED FROM DEPARTMENT.

4/21/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

**150363****[Administrative Code - Short-Term Residential Rentals]****Sponsors: Mayor; Farrell**

Ordinance amending the Administrative Code to revise the Residential Unit Conversion Ordinance to: limit short-term rental of a Residential Unit to no more than 120 days per calendar year; revise the definition of Interested Parties who may enforce the provisions of Chapter 41A, through a private right of action to include Permanent Residents residing within 100 feet of the Residential Unit; create an additional private right of action under certain circumstances; create an Office of Short-Term Residential Rental Administration and Enforcement staffed by the Planning Department, Department of Building Inspection, and Tax Collector's Office; and affirming the Planning Department's determination under the California Environmental Quality Act.

(Economic Impact; No Office of Economic Analysis Report.)

4/14/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

4/24/15; REFERRED TO DEPARTMENT.

4/27/15; RESPONSE RECEIVED.

**150365****[Planning, Administrative Codes - Construction of Accessory Dwelling Units]****Sponsor: Wiener**

Ordinance amending the Planning Code to allow construction of Accessory Dwelling Units (also known as Secondary or In-Law Units) in the 24th Street - Noe Valley Neighborhood Commercial District or within 1,750 feet of its boundaries, and on lots in the Glen Park Neighborhood Commercial Transit District and lots zoned NC-S within Board of Supervisors District 8; amending the Administrative Code to provide that an Accessory Dwelling Unit constructed with a waiver of Code requirements is subject to the San Francisco Rent Ordinance if the existing building or any existing dwelling unit is already subject to the Rent Ordinance; making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and directing the Clerk to send a copy of this Ordinance to the California Department of Housing and Community Development.

4/14/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

4/24/15; REFERRED TO DEPARTMENT.

**150410****[Administrative Code - Good Samaritan Status Under the Residential Rent Stabilization and Arbitration Ordinance]****Sponsors: Christensen; Wiener**

Ordinance amending the Administrative Code to expand the Good Samaritan Status under the Residential Rent Stabilization and Arbitration Ordinance to situations where tenants of the San Francisco Housing Authority are displaced by the commencement of rehabilitation on their housing units under a federal rental assistance demonstration program, thereby enabling those tenants to relocate with landlords who may seek to recover possession of the premises at the expiration of the Good Samaritan Status.

4/21/15; 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 translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation 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 above. 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, Clerk of a Committee or its members: 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 Committee at the hearing and you are encouraged to bring enough copies for distribution.

**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 Clerk's Office, Room 244, City Hall, 1 Dr. Carlton B Goodlett Place, or on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SFGovTV, the Government Channel 26. Meetings are broadcast live on KPOO 89.5 FM. 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 kay Joy Lamug sa (415) 554-7712.

**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 (Chapter 67 of the San Francisco Administrative Code) 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 Chapter 67 of the San Francisco Administrative Code 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 Sec. 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>