



# 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: Andrea Ausberry (415) 554-4442*

---

Monday, June 1, 2015

1:30 PM

City Hall, Legislative Chamber, Room 250

**Regular Meeting**

---

## ROLL CALL AND ANNOUNCEMENTS

## AGENDA CHANGES

## REGULAR AGENDA

- 150263** **[Summary Vacation of Sewer Easement - Approval of Sale of Easement Interest - 98 Crown Terrace - \$16,000]**

Ordinance ordering the summary vacation of a sewer easement and approving sale for \$16,000 of City's interest in the vacated easement within property located at 98 Crown Terrace (Assessor's Block No. 2705, Lot No. 029); adopting findings pursuant to the California Streets and Highways Code, Sections 892 and 8330, et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are in conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in the furtherance of this Ordinance. (Public Utilities Commission)

3/16/15; RECEIVED FROM DEPARTMENT.

3/24/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

4/10/15; REFERRED TO DEPARTMENT.

2. [150245](#) **[Health Code - Sugar-Sweetened Beverage Warning for Advertisements]**  
**Sponsors: Wiener; Mar and Cohen**  
Ordinance amending the Health Code to require advertisements for sugar-sweetened beverages to include a warning about the harmful health effects of consuming such beverages and authorizing the Director of Health to impose penalties for noncompliance.
- 3/10/15; ASSIGNED UNDER 30 DAY RULE to the Public Safety and Neighborhood Services Committee.
- 3/16/15; REFERRED TO DEPARTMENT.
- 4/3/15; REFERRED TO DEPARTMENT.
- 4/8/15; RESPONSE RECEIVED.
- 5/4/15; TRANSFERRED to the Land Use and Transportation Committee.
- 5/19/15; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.
3. [150241](#) **[Administrative Code - Prohibiting Advertisements for Sugar-Sweetened Beverages on City Property]**  
**Sponsors: Cohen; Mar and Wiener**  
Ordinance amending the Administrative Code to prohibit advertising of sugar-sweetened beverages on City property.
- 3/10/15; ASSIGNED UNDER 30 DAY RULE to the Public Safety and Neighborhood Services Committee.
- 3/16/15; REFERRED TO DEPARTMENT.
- 4/3/15; REFERRED TO DEPARTMENT.
- 4/8/15; RESPONSE RECEIVED.
- 5/5/15; TRANSFERRED to the Land Use and Transportation Committee.
4. [150243](#) **[Administrative Code - Barring City Departments from Purchasing and City Contractors or Grantees from Selling or Distributing Sugar-Sweetened Beverages]**  
**Sponsors: Mar; Wiener and Cohen**  
Ordinance amending the Administrative Code to bar City departments from using City funds to purchase sugar-sweetened beverages and to bar the sale or distribution of sugar-sweetened beverages under City contracts and grants.
- 3/10/15; ASSIGNED UNDER 30 DAY RULE to the Public Safety and Neighborhood Services Committee.
- 3/16/15; REFERRED TO DEPARTMENT.
- 4/3/15; REFERRED TO DEPARTMENT.
- 4/8/15; RESPONSE RECEIVED.
- 5/4/15; TRANSFERRED to the Land Use and Transportation Committee.
- 5/19/15; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.

5. [150535](#) **[Resolution of Intention - Dogpatch & Northwest Potrero Hill Green Benefit District]**

**Sponsor: Cohen**

Resolution declaring the intention of the Board of Supervisors to establish a property-based business improvement district to be known as the "Dogpatch & Northwest Potrero Hill Green Benefit District" and levy a multi-year assessment on identified parcels in the district; approving the management district plan and engineer's report and proposed boundaries map for the district; ordering and setting a time and place for a public hearing thereon; approving the form of the Notice of Public Hearing and Assessment Ballots Proceeding, and Assessment Ballot; directing environmental findings; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

5/19/15; RECEIVED AND ASSIGNED to the Land Use and Transportation Committee.

5/26/15; 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.*

[150401](#) **[General Plan Amendments - Rincon Hill Streetscape Master Plan]**

Ordinance amending the Rincon Hill Area Plan, a subsection of the General Plan, to incorporate the Rincon Hill Streetscape Master Plan and make other technical amendments; and making findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

4/20/15; RECEIVED FROM DEPARTMENT.

4/28/15; ASSIGNED UNDER 30 DAY RULE to the Board of Supervisors.

5/4/15; TRANSFERRED to the Land Use and Transportation Committee.

5/13/15; REFERRED TO DEPARTMENT.

**150456 [Planning Code - Measurement of Rooftop Appurtenances and Infill Spaces for Noncomplying Structures in C-3 Zoning Districts]****Sponsor: Mayor**

Ordinance amending the Planning Code, by adding a new Subsection 188(g), to modify the measurement methodology for rooftop appurtenances and create a process to authorize certain types of infill floor area in existing structures, located in a C-3 (Downtown Commercial) Zoning District, which exceed the current height limit; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, Planning Code, Section 302, and the eight priority policies of Planning Code, Section 101.1.

5/5/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

5/13/15; REFERRED TO DEPARTMENT.

5/13/15; REFERRED TO DEPARTMENT.

**150465 [Planning Code - Accessory Use Entertainment in Specified Western South of Market Districts]****Sponsor: Kim**

Ordinance amending the Planning Code to allow accessory use entertainment (with limited live performance permits) in the Western South of Market Mixed Use General and Regional Commercial Districts; 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.

5/5/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

5/13/15; REFERRED TO DEPARTMENT.

**150494 [Planning Code - Residential Mergers; Permeable Surfaces and Landscaping Requirements]****Sponsor: Avalos**

Ordinance amending the Planning Code to require conditional use authorization for all residential mergers and to require compliance with landscaping and permeable surfaces requirements for building additions and residential mergers, and affirming the Planning Department's California Environmental Quality Act determination; and 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.

5/12/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

5/22/15; REFERRED TO DEPARTMENT.

**150496 [Planning Code - Inclusionary Housing Requirements in the Eastern Neighborhoods]****Sponsor: Kim**

Ordinance amending the Planning Code to eliminate the Rental Incentive from the Eastern Neighborhood Urban Mixed Use Districts that permits project sponsors to lower their Inclusionary Affordable Housing requirements and applicable Eastern Neighborhood Public Benefit Fee by agreeing to maintain the units in their market rate development as rental units for 30 years; and 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.

5/12/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

5/22/15; REFERRED TO DEPARTMENT.

**150525 [Subdivision Code - Below Market Rate Condominium Conversion Program Alternatives]****Sponsor: Breed**

Ordinance amending the Subdivision Code to reauthorize an alternative to compliance with the Below Market Rate Condominium Conversion Program for certain qualifying projects subject to the Program.

5/19/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

**150526 [Amending Ordinance No. 28-15 - Inapplicability of Clean Construction Ordinance to Existing Contracts]****Sponsor: Cohen**

Ordinance amending Ordinance No. 28-15, which requires a Construction Emissions Minimization Plan and monitoring for certain public works projects within an Air Pollutant Exposure Zone and establishes controls on emission-producing equipment used for public works projects outside of such zones, to clarify that Ordinance No. 28-15 does not apply to existing contracts and will apply only to construction contracts advertised or initiated on or after the effective date of this Ordinance.

5/19/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

**150532 [Interim Zoning Controls - Conditional Use Requirement for Residential Mergers]****Sponsor: Avalos**

Resolution imposing interim zoning controls to require conditional use authorization for any residential merger, including mergers of both legal and illegal existing units; and making environmental findings, including findings of consistency with the eight priority policies of Planning Code, Section 101.1.

5/19/15; 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>