



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, Aaron Peskin

Clerk: Andrea Ausberry (415) 554-4442

Monday, April 25, 2016

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

ROLL CALL AND ANNOUNCEMENTS

AGENDA CHANGES

REGULAR AGENDA

- [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.

5/15/15; RESPONSE RECEIVED.

7/24/15; RESPONSE RECEIVED.

10/26/15; CONTINUED.

11/16/15; CONTINUED.

12/14/15; CONTINUED.

1/25/16; CONTINUED.

2. [151211](#) **[Planning Code - Landmark Designation - 90-92 Second Street (aka the Bourdette Building)]**

Sponsor: Kim

Ordinance designating 90-92 Second Street (aka the Bourdette Building), Assessor's Block No. 3707, Lot No. 012, as a Landmark under Planning Code, Article 10; and making environmental findings, findings of public necessity, convenience and welfare, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

11/13/15; RECEIVED FROM DEPARTMENT.

12/1/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

4/15/16; NOTICED.

3. [160253](#) **[Health Code - Exempting The Humidor from Certain Provisions of the Tobacco Sales Permit Ordinance]**

Sponsor: Peskin

Ordinance exempting The Humidor, formerly located at 275 Battery Street, from two prohibitions in the Tobacco Sales Permit Ordinance on the issuance of such a permit for The Humidor's new location at One Embarcadero Center: the prohibitions on issuing the permit in a Supervisorial District with 45 or more such permits, and on issuing the permit to a tobacco shop.

3/15/16; ASSIGNED to the Public Safety and Neighborhood Services Committee.

3/21/16; REFERRED TO DEPARTMENT.

4/5/16; TRANSFERRED to the Land Use and Transportation Committee.

4/11/16; RECOMMENDED AS COMMITTEE REPORT.

4/11/16; RESPONSE RECEIVED.

4/12/16; PASSED, ON FIRST READING.

4/19/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

4/19/16; RE-REFERRED AS AMENDED 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 April 26, 2016.

4. [160255](#) **[Planning, Administrative Codes - Inclusionary Affordable Housing Fee and Requirements; Preparation of Economic Feasibility Report; Establishing Inclusionary Housing Technical Advisory Committee]**

Sponsors: Kim; Peskin and Yee

Ordinance amending the Planning and Administrative Codes to increase the Inclusionary Affordable Housing fee and other requirements; require the Controller to prepare an economic feasibility report regarding the City's inclusionary housing requirements and make recommendations by July 31, 2016, and every three years thereafter; and establish the Inclusionary Housing Technical Advisory Committee to provide advice about the economic feasibility of proposals to set maximum economically viable inclusionary housing requirements, and set forth the membership and duties of the Advisory Committee; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of public convenience, necessity, and welfare 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.

3/15/16; ASSIGNED UNDER 30 DAY RULE PENDING APPROVAL AS TO FORM to the Land Use and Transportation Committee.

3/22/16; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.

3/29/16; REFERRED TO DEPARTMENT.

4/4/16; RESPONSE RECEIVED.

4/8/16; NOTICED.

4/11/16; RESPONSE RECEIVED.

4/12/16; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.

4/14/16; NOTICED.

4/14/16; REFERRED TO DEPARTMENT.

4/15/16; RESPONSE RECEIVED.

4/18/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

4/18/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

4/18/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

4/18/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

4/18/16; CONTINUED AS AMENDED.

The Chair intends to entertain a motion to refer this item to the full Board as a Committee Report for consideration on April 26, 2016.

5. [151245](#) **[Hearing - Short-Term Residential Rentals Enforcement]**

Sponsor: Wiener

Hearing on short-term residential rentals registration and enforcement activity, current staffing levels of the Office of Short-Term Residential Rental Administration and Enforcement, and any need for additional resources of policies to adequately enforce the law; and requesting the Office of Short-Term Residential Rental Administration and Enforcement to report.

12/1/15; RECEIVED AND ASSIGNED to the Land Use and Transportation Committee.

12/9/15; REFERRED TO DEPARTMENT.

1/11/16; CONTINUED TO CALL OF THE CHAIR.

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.

160280

[Public Works Code - Water Service Submetering For Multifamily Residential Buildings]

Sponsor: Wiener

Ordinance amending the Public Works Code to require owners of multifamily residential buildings to provide submeters to measure water service provided to tenants; and affirming the Planning Department's determination under the California Environmental Quality Act.

3/22/16; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

3/29/16; REFERRED TO DEPARTMENT.

4/4/16; RESPONSE RECEIVED.

160281

[Planning Code - Dwelling Unit Mix Requirements]

Sponsor: Yee

Ordinance amending the Planning Code to add an additional option for the dwelling unit mix of large buildings in specified zoning districts to allow developers to have a mix of two- and three-bedroom units that results in at least 50% of the proposed units having more than one bedroom; 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.

3/22/16; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

3/29/16; REFERRED TO DEPARTMENT.

4/4/16; RESPONSE RECEIVED.

160293 [Planning Code - Landmark Designation - 35-45 Onondaga Avenue (aka Alemany Emergency Hospital and Health Center)]**Sponsor: Avalos**

Ordinance designating 35-45 Onondaga Avenue (aka Alemany Emergency Hospital and Health Center), Assessor's Parcel Block No. 6956, Lot Nos. 016 and 017, as a Landmark under Planning Code, Article 10; and making environmental findings, findings of public necessity, convenience and welfare, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

3/24/16; RECEIVED FROM DEPARTMENT.

4/5/16; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

160320 [Landmark Tree Designation - Norfolk Island/Cook Pine Hybrid Located at 46A Cook Street]**Sponsor: Farrell**

Ordinance designating the Norfolk Island/Cook Pine hybrid (*Araucaria heterophylla* x *A. columnaris*) tree at 46A Cook Street (Assessor's Parcel Block No. 1067, Lot No. 032) as a landmark tree pursuant to Public Works Code, Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

4/5/16; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

4/13/16; REFERRED TO DEPARTMENT.

4/13/16; RESPONSE RECEIVED.

160321 [Planning Code - Housing Balance Report]**Sponsor: Kim**

Ordinance amending the Planning Code to require inclusion in the Housing Balance Report data about the withdrawal of housing units from the rental market by all means, including owner move-ins; 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 convenience, necessity, and welfare under Planning Code, Section 302.

4/5/16; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

4/13/16; REFERRED TO DEPARTMENT.

4/15/16; RESPONSE RECEIVED.

160346 [Planning Code - Mid-Block Alley and Rooftop Screening and Enclosure Controls]

Ordinance amending the Planning Code to allow for greater flexibility in the screening and enclosure of rooftop mechanical equipment, modify mid-block alley controls and their applicability to the South of Market Neighborhood Commercial Transit District, Folsom Street Neighborhood Commercial Transit District, Regional Commercial District and C-3 (Downtown Commercial) 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 of public convenience, necessity, and welfare under Planning Code, Section 302. (Planning Commission)

4/7/16; RECEIVED FROM DEPARTMENT.

4/19/16; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

160347 [General Plan Amendment - Affordable Housing Bonus Programs]

Ordinance amending the General Plan to make conforming changes in association with legislation creating the Affordable Housing Bonus Program by amending the Housing Element, Urban Design Element, Van Ness Avenue Area Plan, Chinatown Area Plan, Downtown Area Plan, and Northeastern Waterfront Area Plan; 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. (Planning Commission)

4/8/16; RECEIVED FROM DEPARTMENT.

4/19/16; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

160360 [Zoning Map - Rezoning Potrero HOPE SF Parcels at 25th and Connecticut Streets]**Sponsor: Cohen**

Ordinance amending the Planning Code to facilitate development of the Potrero HOPE SF (Housing Opportunities for People Everywhere San Francisco) Project by revising Zoning Map Sheet ZN08 to rezone Assessor's Parcel Block No. 4287, Lot No. 007, at 25th and Connecticut Streets from Public (P) to Residential, Mixed Districts, Moderate Density (RM-2); revising Zoning Map Sheet HT08 to rezone Assessor's Parcel Block No. 4287, Lot Nos. 001A and 007, from a 40-X height and bulk limit to a 50-X height and bulk limit; and making environmental 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.

4/12/16; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

4/20/16; 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

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) 554-5163; 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>