



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: Aaron Peskin, Ahsha Safai, Dean Preston

Clerk: Erica Major (415) 554-4441

Monday, March 16, 2020

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

ROLL CALL AND ANNOUNCEMENTS

AGENDA CHANGES

REGULAR AGENDA

- [191075](#) **[Planning, Administrative Codes - Residential Occupancy]**
Sponsor: Peskin

Ordinance amending the Planning Code to create the Intermediate Length Occupancy residential use characteristic; amending the Administrative Code to clarify existing law regarding the enforceability of fixed-term leases in rental units covered by the just cause protections of the Residential Rent Stabilization and Arbitration Ordinance (the "Rent Ordinance"), prohibit the use of rental units for temporary occupancies by non-tenants, require landlords to disclose in advertisements for such units that the units are subject to the Rent Ordinance, and authorize enforcement through administrative and/or civil penalties; requiring the Controller to conduct a study to analyze the impacts of new Intermediate Length Occupancy units in the City; 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.

10/22/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

10/30/19; REFERRED TO DEPARTMENT.

11/22/19; RESPONSE RECEIVED.

1/14/20; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.

1/22/20; REFERRED TO DEPARTMENT.

2/11/20; RESPONSE RECEIVED.

2/24/20; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

2/24/20; CONTINUED AS AMENDED.

2/28/20; RESPONSE RECEIVED.

3/2/20; CONTINUED.

3/9/20; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

3/9/20; CONTINUED AS AMENDED.

2. [191150](#) **[Building Code - Mandatory Disability Access Improvements for Places of Public Accommodation - Extension of Time Deadlines]**

Sponsor: Yee

Ordinance amending the Building Code to extend for the time for existing buildings with a place of public accommodation to comply with the requirement to have all primary entries and paths of travel into the building accessible to persons with disabilities or to receive a City determination of equivalent facilitation, technical infeasibility, or unreasonable hardship, to extend the period for granting extensions from those deadlines, and to extend the time for the Department of Building Inspection's Report to the Board of Supervisors.

11/12/19; ASSIGNED to the Land Use and Transportation Committee.

11/20/19; REFERRED TO DEPARTMENT.

11/22/19; RESPONSE RECEIVED.

2/4/20; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.

2/12/20; REFERRED TO DEPARTMENT.

2/14/20; RESPONSE RECEIVED.

3. [191285](#) **[Planning Code - Lot Mergers, Neighborhood Notice, and Zoning Controls]**

Sponsor: Yee

Ordinance amending the Planning Code to require consideration of smaller commercial spaces when creating large lots, limiting lot frontages to 50 feet on Ocean Avenue, creating an exception from neighborhood notices for certain uses in the Ocean Avenue Neighborhood Commercial Transit District, and adding Arts Activity as a use to the Ocean Avenue Neighborhood Commercial Transit 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 necessity, convenience, and welfare under Planning Code, Section 302.

12/17/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

12/23/19; REFERRED TO DEPARTMENT.

3/6/20; RESPONSE RECEIVED.

4. [200077](#) **[Planning, Various Codes - Technical Corrections]**
Ordinance amending the Planning Code to correct typographical errors, update outdated cross-references, and make non-substantive revisions to clarify or simplify Code language; amending Article 4 to move the language regarding timing of fee payments to the beginning of the Article and cross-reference it in the individual impact fee sections, and to add an additional fee waiver based on the replacement of gross floor area in buildings damaged or destroyed by fire or other calamity; amending the Administrative, Health, and Police Codes to correct outdated Planning Code cross-references; 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 adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302. (Planning Commission)

1/23/20; RECEIVED FROM DEPARTMENT.

2/4/20; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

2/12/20; REFERRED TO DEPARTMENT.

2/21/20; RECEIVED FROM DEPARTMENT.

3/3/20; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

3/11/20; REFERRED TO DEPARTMENT.

5. [200174](#) **[General Plan - Potrero Power Station Mixed-Use Project]**
Ordinance amending the General Plan to revise the Central Waterfront Plan, the Commerce and Industry Element, the Recreation and Open Space Element, the Transportation Element, the Urban Design Element, and the Land Use Index, to reflect the Potrero Power Station Mixed-Use Project; 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; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 340. (Planning Commission)

2/21/20; RECEIVED FROM DEPARTMENT.

3/3/20; ASSIGNED to the Land Use and Transportation Committee.

3/6/20; NOTICED.

6. [200039](#) **[Planning Code, Zoning Map - Potrero Power Station Special Use District]**
Sponsors: Mayor; Walton
Ordinance amending the Planning Code and Zoning Map to establish the Potrero Power Station Special Use District, generally bound by 22nd Street and the southern portion of the newly created Craig Lane to the north, the San Francisco Bay to the east, 23rd Street to the south, and Illinois Street to the west; and making findings under the California Environmental Quality Act, findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.
- 1/14/20; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 1/22/20; REFERRED TO DEPARTMENT.
- 2/21/20; RESPONSE RECEIVED.
- 2/25/20; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.
- 2/28/20; RESPONSE RECEIVED.
- 3/3/20; REFERRED TO DEPARTMENT.
- 3/6/20; NOTICED.
7. [200040](#) **[Development Agreement - California Barrel Company LLC - Potrero Power Station Mixed-Use Project]**
Sponsors: Mayor; Walton
Ordinance approving a Development Agreement between the City and County of San Francisco and California Barrel Company LLC, a California limited liability company, for the Potrero Power Station Mixed-Use Project at the approximately 29-acre site generally bounded by 22nd Street to the north, the San Francisco Bay to the east, 23rd Street to the south, and Illinois Street to the west, in the southeast part of San Francisco, with various public benefits, including 30% affordable housing and approximately 6.9 acres of publicly-accessible parks and open space; making findings under the California Environmental Quality Act, findings of conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b); making public trust findings in accordance with the approval of a ground lease of Port-owned land; approving specific development impact fees and waiving any conflicting provisions in Planning Code, Article 4, or Administrative Code, Article 10; confirming compliance with or waiving certain provisions of Administrative Code, Chapters 14B, 23, 56, 82, and 99, Planning Code, Sections 169 and 138.1, Public Works Code, Section 806(d), and Subdivision Code, Section 1348; and ratifying certain actions taken in connection therewith, as defined herein.
- 1/14/20; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 1/22/20; REFERRED TO DEPARTMENT.
- 2/21/20; RESPONSE RECEIVED.
- 2/28/20; RESPONSE RECEIVED.
- 3/6/20; NOTICED.

8. 191002 [Planning Code - Geary-Masonic Special Use District]**Sponsor: Stefani**

Ordinance amending the Planning Code to modify the Geary-Masonic Special Use District regarding minimum parking requirements, ground floor ceiling heights, and to allow payment of an inclusionary housing fee; 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 adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302.

10/1/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

10/8/19; REFERRED TO DEPARTMENT.

12/20/19; REMAIN ACTIVE.

2/6/20; RESPONSE RECEIVED.

3/6/20; NOTICED.

3/11/20; NOTICED.

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.

200213 [Planning Code - 100% Affordable Housing and Educator Housing Streamlining Program]**Sponsors: Fewer, Mar, Peskin, Haney, Walton, Mandelman, Ronen and Safai**

Ordinance amending the Planning Code to allow extra height, exceeding otherwise applicable height limitations, for 100% Affordable Housing and Educator Housing projects, and to allow such projects to be constructed on parcels greater than 8,000 square feet or which contain only surface parking lots and do not demolish any existing buildings; making findings that the Ordinance furthers the purpose of Planning Code, Section 206.9; 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; and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302.

(Pursuant to Planning Code, Section 206.9(h), this matter requires two-thirds vote of the full membership of the Board of Supervisors (8 votes) for passage.)

2/25/20; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

3/3/20; REFERRED TO DEPARTMENT.

200214 [Planning Code - Conditional Use Review and Approval Process - Priority Processing and Reduced Application Fee for Certain Uses of Commercial Space]**Sponsors: Peskin; Ronen, Fewer and Haney**

Ordinance amending the Planning Code to expedite the Conditional Use authorization review and approval process and reduce the application fee for certain uses of commercial space; 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; and adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

2/25/20; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

3/3/20; REFERRED TO DEPARTMENT.

200215 [Planning Code - Arts Activities and Social Service or Philanthropic Facilities as Temporary Uses]**Sponsors: Ronen; Fewer, Walton and Haney**

Ordinance amending the Planning Code to allow Arts Activities and Social Service or Philanthropic Facilities as a temporary use in vacant ground-floor commercial space; 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 adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

2/25/20; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

3/3/20; 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

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 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 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.

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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 Wilson Ng 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 Wilson Ng at (415) 554-5184. **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, 5R, 6, 7, 7R, 7X, 9, 9R, 19, 21, 47, and 49. 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 <<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>

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 [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>

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 sfethics.org.