



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: Aaron Peskin, Ahsha Safai, Dean Preston

Clerk: Erica Major (415) 554-4441

Monday, July 27, 2020

1:30 PM

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**PUBLIC COMMENT CALL-IN
(415) 655-0001 / Meeting ID: 146 729 4222**

Regular Meeting

Remote Access to Information and Participation

In accordance with Governor Newsom's Executive Order No. N-33-20 declaring a State of Emergency regarding the COVID-19 outbreak and Mayor London N. Breed's Proclamation declaring a Local Emergency issued on February 25, 2020, including the guidance for gatherings issued by the San Francisco Department of Public Health Officer, aggressive directives were issued to reduce the spread of COVID-19. On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely (via Microsoft Teams) and will allow remote public comment via teleconference. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings, or to watch meetings on demand. Members of the public are encouraged to participate remotely via detailed instructions on participating via teleconference available at: <https://sfbos.org/remote-meeting-call>.

Members of the public may participate by phone or may submit their comments by email to: Erica.Major@sfgov.org; all comments received will be made a part of the official record. Regularly scheduled Land Use and Transportation Committee Meetings begin at 1:30 p.m. every Monday of each month. Committee agendas and their associated documents are available at <https://sfbos.org/committees>.

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As the COVID-19 disease progresses, please visit the Board's website (www.sfbos.org) regularly to be updated on the current situation as it affects the legislative process. For more information contact Assistant Clerk Erica Major at (415) 554-4441.

ROLL CALL AND ANNOUNCEMENTS

AGENDA CHANGES

REGULAR AGENDA

1. [200215](#) **[Planning Code - Arts Activities, Social Service or Philanthropic Facilities, and COVID-19 Recovery Activities as Temporary Uses; Fee Waiver for COVID-19 Recovery Activities]**
Sponsors: Ronen; Fewer, Walton, Haney and Peskin
Ordinance amending the Planning Code to allow Arts Activities, and Social Service or Philanthropic Facilities, and COVID-19 Recovery Activities 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.

4/2/20; RESPONSE RECEIVED.

7/9/20; RESPONSE RECEIVED.

7/20/20; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

7/20/20; CONTINUED AS AMENDED.

2. [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.

4/2/20; RESPONSE RECEIVED.

6/4/20; RESPONSE RECEIVED.

3. [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.
4. [200270](#) **[Bi-Annual Housing Balance Report No. 10]**
Sponsor: Mar
Resolution receiving and approving the bi-annual Housing Balance Report No. 10, dated April 1, 2020, submitted as required by Planning Code, Section 103.
- 3/10/20; RECEIVED AND ASSIGNED to the Land Use and Transportation Committee.
5. [200630](#) **[Hearing - City's Housing Affordability and Housing Stability Needs, and Relevant Planning Department Reports]**
Sponsor: Mar
Hearing on the City's housing affordability and housing stability needs, and relevant reports, such as the Jobs-Housing Fit, Housing Balance, Housing Inventory and Housing Pipeline reports; and requesting for the Planning Department to report.
- 6/9/20; RECEIVED AND ASSIGNED to the Land Use and Transportation Committee.
- 6/16/20; REFERRED TO DEPARTMENT.
- 7/14/20; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.
- 7/22/20; REFERRED TO DEPARTMENT.

6. [190757](#) **[Planning Code - Exemption from Density Limits for Affordable and Unauthorized Units - Residential Care Facilities]**

Sponsor: Mandelman

Ordinance amending the Planning Code to provide an exception from density limit calculations for all affordable units in projects not seeking and receiving a density bonus, permit the legalization of all unauthorized dwelling units notwithstanding a history of no-fault evictions if the applicant demonstrates compliance with the requirements of specified sections of the Rent Ordinance, and principally permit residential care facilities for seven or more persons in all RH (Residential, House) zoning districts; 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.

7/9/19; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

7/15/19; REFERRED TO DEPARTMENT.

7/25/19; RESPONSE RECEIVED.

10/11/19; REMAIN ACTIVE.

11/21/19; REMAIN ACTIVE.

12/27/19; RESPONSE RECEIVED.

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

3/11/20; REFERRED TO DEPARTMENT.

4/2/20; RESPONSE RECEIVED.

4/8/20; RESPONSE RECEIVED.

7. [200635](#) **[General Plan Amendments - Balboa Reservoir Project]**

Ordinance amending the General Plan to revise the Balboa Park Station Area Plan, the Recreation and Open Space Element, and the Land Use Index, to reflect the Balboa Reservoir Project; amending the Housing Element in regard to the design of housing for families with children; 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 making public necessity, convenience, and general welfare findings under Planning Code, Section 340. (Planning Commission)

6/11/20; RECEIVED FROM DEPARTMENT.

6/23/20; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

7/17/20; NOTICED.

8. [200422](#) **[Planning Code and Zoning Map - Balboa Reservoir Special Use District]**
Sponsor: Yee
Ordinance amending the Planning Code and Zoning Map to create the Balboa Reservoir Special Use District and rezone the Balboa Reservoir west basin project site generally bounded by the City College of San Francisco Ocean Campus to the east, Archbishop Riordan High School to the north, the Westwood Park neighborhood to the west, and a San Francisco Public Utilities Commission parcel containing a water pipeline running parallel to a mixed-use multifamily residential development along Ocean Avenue to the south; adopting findings under the California Environmental Quality Act; making findings of consistency under 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.
- (Economic Impact; No Economic Analysis Report)
- 4/28/20; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.
- 5/6/20; REFERRED TO DEPARTMENT.
- 7/7/20; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.
- 7/10/20; REFERRED TO DEPARTMENT.
- 7/17/20; 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.

200660

[Zoning Map - Rezoning of 118-134 Kissling Street]

Ordinance amending the Planning Code by revising Zoning Map Sheet No. ZN07 to rezone Assessor's Parcel Block No. 3516, Lot Nos. 039, 040, 041, and 042 (118-134 Kissling Street), from Residential Enclave District to Residential Enclave District - Mixed; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of public necessity, convenience, 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. (Planning Commission)

6/18/20; RECEIVED FROM DEPARTMENT.

6/30/20; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

200700

[Mission Bay South - Acceptance of Public Infrastructure Improvements]

Sponsors: Mayor; Haney

Ordinance accepting certain public infrastructure improvements for purposes of City maintenance and liability, including the streets and stormwater pump station in the Mission Bay South Redevelopment Plan, as listed herein; declaring City property and additional property as shown on official Public Works maps as open public right-of-way; dedicating the public infrastructure associated with the projects listed herein for public use and designating such public infrastructure for public street and roadway purposes; establishing official public right-of-way widths and street grades; amending Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," to establish official sidewalk width on the subject streets; accepting the public infrastructure for City maintenance and liability purposes, subject to specified limitations; renaming the historic waterway portion of Channel Street to Mission Creek from Seventh Street to the east side of Third Street and to China Basin east of Third Street; renaming Channel as Channel Street and naming unnamed portions of that street Channel Street covering the entire segment of this street between Third and Carolina Streets; renaming El Dorado Street North and El Dorado Street South to Corinne Woods Way; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan; and authorizing official acts in connection with this Ordinance, as defined herein.

6/30/20; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

7/8/20; REFERRED TO DEPARTMENT.

200701 [Building Code - Mandating New Construction Be All-Electric]**Sponsor: Mandelman**

Ordinance amending the Building Code to require new construction to utilize only electric power; 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.

6/30/20; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

7/8/20; REFERRED TO DEPARTMENT.

200702 [Planning Code - Chinatown Community Business District Zoning Control Table - Technical Correction]**Sponsor: Peskin**

Ordinance amending the Planning Code to re-enact a provision permitting Non-Retail Professional Services above the first story in the Chinatown Community Business District Zoning Control Table, which was inadvertently deleted in recently enacted legislation; 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.

6/30/20; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

7/8/20; REFERRED TO DEPARTMENT.

7/9/20; RESPONSE RECEIVED.

200763 [Emergency Ordinance - Building Code - Construction During COVID-19 Pandemic That Results in Temporary Suspension of Water or Electricity Service]**Sponsors: Peskin; Ronen and Walton**

Emergency ordinance to temporarily prohibit construction projects in buildings with any residential rental units that require the suspension of water or electricity service to residential tenants without providing alternative sources of water and power, due to the COVID-19 pandemic; and affirming the Planning Department's determination under the California Environmental Quality Act.

(Pursuant to Charter, Section 2.107, this matter requires the affirmative vote of two-thirds of the Board of Supervisors (8 votes) for passage.)

7/14/20; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

7/22/20; REFERRED TO DEPARTMENT.

200764

[Health Code - Cleaning and Disease Prevention Standards in Tourist Hotels and Large Commercial Office Buildings]

Sponsor: Peskin

Ordinance amending the Health Code to establish cleaning and disease prevention standards and practices in tourist hotels and large commercial office buildings to help contain COVID-19, or other contagious public health threats; to require training related to these standards for employees, provide certain protections to employees as they perform cleaning duties, and prohibit retaliation against employees for refusing to perform work under conditions they believe may be unsafe or for reporting such conditions or exercising rights protected by the Ordinance; authorizing the Office of Labor Standards Enforcement to enforce the employee rights and protections under the ordinance; and to provide for administrative enforcement by the Department of Public Health, and for financial penalties and civil actions as authorized by City and state law.

7/14/20; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

7/22/20; 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

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 displayed should provide in advance of the meeting to the Clerk of the Board (bos.legislation@sfgov.org), clearly state such during testimony, and subsequently request the document be removed 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 expected to be made a part of the official file 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.

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AGENDA PACKET: Available 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: Language services are available in Spanish, Chinese and Filipino at all regular and special Board and Committee meetings if made at least 48 hours in advance of the meeting to help ensure availability. For more information or to request services: Contact Wilson Ng or Arthur Khoo at (415) 554-5184.

AVISO EN ESPAÑOL: Los servicios de idiomas están disponibles en español, chino, y filipino en todas las reuniones regulares y reuniones especiales de la Junta, de los Comités, si se solicita por lo menos 48 horas antes de la reunión para ayudar a garantizar su disponibilidad. Para más información o solicitar servicios, por favor contactar a (415) 554-5184.

PAUNAWA: Mayroong serbisyong pang-wika sa Espanyol, Tsino at Pilipino para sa lahat ng mga regular at espesyal na pagpupulong ng Board, at Komite ng Board. Sa kasalukuyan, mayroong serbisyo sa wikang Pilipino na maaaring hilingin, 48 oras (o mas maaga) bago ng pagpupulong upang matiyak na matutugunan ang inyong kahilingan. Para sa karagdagang impormasyon o para humiling ng serbisyo pang-wika, tawagan lamang ang (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

Americans with Disabilities Act (ADA)

The ADA is a civil rights law that protects people with different types of disabilities from discrimination in all aspects of social life. More specifically, 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 must 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. People with disabilities must have an equal opportunity to participate in the programs and services offered through the City and County of San Francisco. If you believe your rights under the ADA are violated, contact the ADA Coordinator.

Ordinance 90-10 added Section 2A.22.3 to the Administrative Code, which adopted a Citywide Americans with Disabilities Act Reasonable Modification Policy that requires City departments to: (1) provide notice to the public of the right to request reasonable modification; (2) respond promptly to such requests; (3) provide appropriate auxiliary aids and services to people with disabilities to ensure effective communication; and (4) train staff to respond to requests from the public for reasonable modification, and that requires the Mayor's Office on Disability to provide technical assistance to City departments responding to requests from the public for reasonable modifications.

The Board of Supervisors and Office of the Clerk of the Board support the Mayor's Office on Disability to help make San Francisco a city where all people enjoy equal rights, equal opportunity, and freedom from illegal discrimination under disability rights laws.

Meetings are real-time captioned and are cablecast open-captioned on SFGovTV, the Government Channel 26. Board and Committee meeting agendas and minutes are available on the Board's website (www.sfbos.org) and adhere to web development guidelines based upon the Federal Access Board's Section 508 Guidelines. To request sign language interpreters, readers, large print agendas or other accommodations, please contact (415) 554-5184 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability. If further assistance is needed, please contact Wilson Ng at (415) 554-5184 (wilson.l.ng@sfgov.org).

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 sof@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.