File No	150875	Committee Item No	1
		Board Item No.	

# **COMMITTEE/BOARD OF SUPERVISORS**

AGENDA PACKET CONTENTS LIST				
Committee:	Land Use and Transportation	Date _	March 14, 2016	
Board of Su	pervisors Meeting	Date _		
Cmte Boa	Motion Resolution Ordinance Legislative Digest Budget and Legislative Analyst Report Introduction Form Department/Agency Cover Letter and Memorandum of Understanding (MO Grant Information Form Grant Budget Subcontract Budget Contract/Agreement Form 126 - Ethics Commission Award Letter Application Form 700 Vacancy Notice Information Sheet Public Correspondence	I/or Re <sub>l</sub>	port	
OTHER	(Use back side if additional space is	needed	(k	
	CEQA Determination, atd a120/15			
Completed Completed	by:Alisa Somera by:	_ Date _ Date	March 11, 2016	

[Health Code - Definition of Projects for Alternative Water Source Requirements]

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Ordinance amending the Health Code to revise the definition of development projects subject to the requirements for an Alternate Water Source system, and the definitions of large and small residential projects subject to specific requirements for such a system; and affirming the Planning Department's determination under the California Environmental Quality Act.

NOTE: Unchanged Code text and uncodified text are in plain Arial font.

Additions to Codes are in <u>single-underline italics Times New Roman font</u>.

Deletions to Codes are in strikethrough italies Times New Roman font.

Board amendment additions are in double-underlined Arial font.

Board amendment deletions are in strikethrough Arial font.

Asterisks (\* \* \* \*) indicate the omission of unchanged Code

subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 150875 and is incorporated herein by reference. The Board affirms this determination.

Section 2. The Health Code is hereby amended by revising Sections 12C.2 and 12C.4, to read as follows:

### SEC. 12C.2. DEFINITIONS.

The terms used in this Article 12C have the meaning set forth below:

Development Project: Construction of new buildings. Development Projects are Large Development Projects and Small Development Projects. <u>Development Project does not include</u>
(1) any housing project funded or constructed pursuant to the HOPE SF Program sponsored and developed by the San Francisco Housing Authority and the Mayor's Office of Housing and Community

Development, or (2) construction of a new building that will receive water service from the San

Francisco Public Utilities Commission through no larger than a 5/8" domestic water meter or a 5/8"

recycled water domestic meter, as determined in accordance with the San Francisco Public Utilities

Commission's rules for water service.

Large Development Project: Construction of a new single building, or construction of multiple buildings in accordance with a phased plan or approval and on one or more parcels, with a total gross floor area of 250,000 square feet or more:

- (a) located within the boundaries of the Reclaimed Water Use Map designated in accordance with Sections 1203 and 1209 of the Public Works Code and subject to a site permit or building permit that is final and effective after November I, 2015; or
- (b) located outside the boundaries of the Reclaimed Water Use Map designated in accordance with Sections 1203 and 1209 of the Public Works Code and subject to a site permit or building permit that is final and effective after November I, 2016.

Large Development Projects are not limited to buildings constructed by individuals or non-governmental entities but, to the extent allowed by law, also include buildings constructed and operated by any local, state, or federal government entity, including the City and County of San Francisco.

**Small Development Project:** Construction of a *new single* building, *or construction of multiple buildings in accordance with a phased plan or approval and on one or more parcels,* with a total gross floor area of 40,000 square feet or more, but less than 250,000 square feet. Small Development Projects are not limited to buildings constructed by individuals or non-governmental entities but, to the extent allowed by law, also include buildings constructed and operated by any local, state, or federal government entity, including the City and County of San Francisco.

\* \* \* \*

### SEC. 12C.4. DEVELOPMENT PROJECT REQUIREMENTS.

- (a) Large Development Projects shall be constructed, operated, and maintained in compliance with the following:
- (1) All toilet and urinal flushing and irrigation demands shall be met through the collection and reuse of available onsite Rainwater, Graywater, and Foundation Drainage, to the extent required by application of the Water Budget Documentation developed for each Development Project.
- (2) A Large Development Project Applicant shall use the Water Budget Calculator, as provided by the General Manager's rules, to prepare a Water Budget assessing the amount of Rainwater, Graywater, and Foundation Drainage produced on site, and the planned toilet and urinal flushing and irrigation demands.
- (3) If, based on the Water Budget Documentation, the available supply from onsite sources exceeds the demands for toilet and urinal flushing and irrigation, 100% of those demands shall be met by using the available onsite sources. If, based on the Water Budget Documentation, the available supply from onsite sources is less than the demands for toilet and urinal flushing and irrigation, 100% of the available onsite supply shall be used to meet the demands for toilet and urinal flushing and irrigation. Available Blackwater or Stormwater

supplies may be used instead of, or in addition to Rainwater, Graywater, and Foundation Drainage to meet the available onsite supply requirements calculated in accordance with the Water Budget Documentation requirements of this section 12C.4(a).

- (b) (4)—Small Development Project Applicants shall use the Water Budget Calculator, as provided by the General Manager's rules, to prepare a Water Budget assessing the amount of Rainwater, Graywater and Foundation Drainage produced on site, and the planned toilet and urinal flushing and irrigation demands.
- (c) (5) City departments shall not issue an encroachment permit, a site permit, or plumbing permit for a Large Development Project or a Small Development Project, or approve a Non-potable Water Engineering Report, prior to the General Manager's determination that the Water Budget Documentation has been prepared in accordance with the General Manager's rules for Water Budget calculations.
  - (d) (b) Subdivision Approvals.
- (1) Parcel Map or Tentative Subdivision Map Conditions. The Director of Public Works shall not approve a tentative subdivision map or a parcel map for any property unless a condition is imposed requiring compliance with this Article 12C to serve the potential uses of the property covered by the parcel map or tentative subdivision map, as specified in the provisions of this Article.
- (2) Subdivision Regulations. The Director of Public Works shall adopt regulations consistent with, and in furtherance of this Article 12C.
- (3) Final Maps. The Director of Public Works shall not endorse and file a final map for property within the boundaries of the City without first determining that:
- (A) The subdivider has complied with the conditions imposed on the tentative subdivision map or parcel map, pursuant to this Article 12C; and

- (B) For any such conditions not fully satisfied prior to the recordation of the final map, the subdivider has signed a certificate of agreement and/or improvement agreement, to ensure compliance with such conditions.
- (4) This Subsection (d) (b) shall not apply to tentative subdivision maps or parcel maps submitted solely for the purposes of condominium conversion, as defined in Subdivision Code Section 1308(d).

Section 3. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

APPROVED AS TO FORM:

DENNIS J. NERRERA, City Attorney

By:

Deputy City Attorney

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# LEGISLATIVE DIGEST (Substituted 2/23/2016)

[Health Code - Definition of Projects for Alternative Water Source Requirements]

Ordinance amending the Health Code to revise the definition of development projects subject to the requirements for an Alternate Water Source system, and the definitions of large and small residential projects subject to specific requirements for such a system; and affirming the Planning Department's determination under the California Environmental Quality Act.

## **Existing Law**

Chapter 12C of the Health Code mandates that development projects of a certain size use an Alternate Water Source system for the collection and reuse of available onsite Rainwater, Graywater, and Foundation Drainage.

### Amendments to Current Law

Section 12C.2 of the Health Code is amended to clarify the definitions of large and small development projects that are subject to the requirements. Also, HOPE SF projects and construction of building using no large than a 5/8" water service meter are excluded from the definition of development project.

## **Background Information**

The definitions of large development project and small development project in Health Code Article 12C are being amended to implement the Board's intent that Article 12C applies to development projects consisting of interconnected buildings or phased construction of buildings, as well as single building projects, that exceed the threshold limits of the Article. Also, HOPE SF projects and construction of building using no large than a 5/8" water service meter are excluded from the definition of development project.

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City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

September 16, 2015

File No. 150875

Sarah Jones Environmental Review Officer Planning Department 1650 Mission Street, 4<sup>th</sup> Floor San Francisco, CA 94103

Dear Ms. Jones:

On September 8, 2015, Supervisor Wiener introduced the following legislation:

File No. 150875

Ordinance amending the Planning Code to exempt from the computation of Floor Area Ratio limits and the calculation of applicable Development Impact Fees the space required to be used for an Alternate Water Source system; amending the Health Code to amend the definition of projects subject to the requirements for an Alternate Water Source system; 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.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

By: Andrea Ausberry, Committee Clerk Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning Jeanie Poling, Environmental Planning Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

Joy Digital DN: cn | Dn: cn |

Digitally signed by Joy Navarrete DN: cn=Joy Navarrete, ==Planning, ou=Environmental Planning, email=joy.navarrete@sfgov.org,

:=US Date: 2015.09.28 14:38:50 -07'00'



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TDD/TTY No. 554-5227

February 26, 2016

File No. 150875-3

Sarah Jones Environmental Review Officer Planning Department 1650 Mission Street, Ste. 400 San Francisco, CA 94103

Dear Ms. Jones:

On February 23, 2016, Supervisor Wiener introduced the following **substitute** legislation:

File No. 150875-3

Ordinance amending the Health Code to revise the definition of development projects subject to the requirements for an Alternate Water Source system, and the definitions of large and small residential projects subject to specific requirements for such a system; and affirming the Planning Department's determination under the California Environmental Quality Act.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

By: Alisa Somera, Assistant Clerk

Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning Jeanie Poling, Environmental Planning



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## MEMORANDUM

TO:

Tom Hui, Director, Department of Building Inspection

John Rahaim, Director, Planning Department Harlan Kelly, Jr., Public Utilities Commission

Barbara A. Garcia, Director, Department of Public Health

Theo Miller, HOPE SF

Olson Lee, Mayor's Office of Housing and Community Development

FROM:

Alisa Somera, Assistant Clerk
Land Use and Transportation Committee

DATE:

February 26, 2016

SUBJECT:

SUBSTITUTE LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following **substitute** legislation, introduced by Supervisor Wiener on February 23, 2016:

### File No. 150875-3

Ordinance amending the Health Code to revise the definition of development projects subject to the requirements for an Alternate Water Source system, and the definitions of large and small residential projects subject to specific requirements for such a system; and affirming the Planning Department's determination under the California Environmental Quality Act.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: <a href="mailto:alisa.somera@sfgov.org">alisa.somera@sfgov.org</a>.

c: William Strawn, Department of Building Inspection
Carolyn Jayin, Department of Building Inspection
Scott Sanchez, Planning Department
Aaron Starr, Planning Department
AnMarie Rodgers, Planning Department
Juliet Ellis, Public Utilities Commission
Greg Wagner, Department of Public Health
Colleen Chawla, Department of Public Health
Barbara Amaro, HOPE SF
Sophie Hayward, Mayor's Office of Housing and Community Development



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December 23, 2015

File No. 150875-2

Sarah Jones Environmental Review Officer Planning Department 1650 Mission Street, Ste. 400 San Francisco, CA 94103

Dear Ms. Jones:

On December 15, 2015, Supervisor Wiener introduced the following substitute legislation:

File No. 150875-2

Ordinance amending the Health Code to amend the definition of projects subject to the requirements for an Alternate Water Source system; and affirming the Planning Department's determination under the California Environmental Quality Act.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

By: Alisa Somera, Assistant Clerk

Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning Jeanie Poling, Environmental Planning



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# MEMORANDUM

TO:

Tom Hui, Director, Department of Building Inspection

John Rahaim, Director, Planning Department Harlan Kelly, Jr., Public Utilities Commission

Barbara A. Garcia, Director, Department of Public Health

FROM:

Alisa Somera, Assistant Clerk

Land Use and Transportation Committee

DATE:

December 23, 2015

SUBJECT:

SUBSTITUTE LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following **substitute** legislation, introduced by Supervisor Wiener on December 15, 2015:

#### File No. 150875-2

Ordinance amending the Health Code to amend the definition of projects subject to the requirements for an Alternate Water Source system; and affirming the Planning Department's determination under the California Environmental Quality Act.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: <a href="mailto:alisa.somera@sfgov.org">alisa.somera@sfgov.org</a>.

c: William Strawn, Department of Building Inspection Carolyn Jayin, Department of Building Inspection Scott Sanchez, Planning Department Aaron Starr, Planning Department AnMarie Rodgers, Planning Department Juliet Ellis, Public Utilities Commission Greg Wagner, Department of Public Health Colleen Chawla, Department of Public Health



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# MEMORANDUM

TO:

Tom Hui, Director, Department of Building Inspection

Harlan Kelly, Jr., Public Utilities Commission

Barbara A. Garcia, Director, Department of Public Health

FROM:

Andrea Ausberry, Assistant Clerk, Land Use and Transportation

Committee, Board of Supervisors

DATE:

September 16, 2015

SUBJECT:

LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Wiener on September 8, 2015:

File No. 150875

Ordinance amending the Planning Code to exempt from the computation of Floor Area Ratio limits and the calculation of applicable Development Impact Fees the space required to be used for an Alternate Water Source system; amending the Health Code to amend the definition of projects subject to the requirements for an Alternate Water Source system; 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.

If you have any additional comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place. San Francisco. CA 94102.

c:
William Strawn, Department of Building Inspection
Carolyn Jayin, Department of Building Inspection
Juliet Ellis, Public Utilities Commission
Donna Hood, Public Utilities Commission
Greg Wagner, Department of Public Health
Colleen Chawla, Department of Public Health



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September 16, 2015

File No. 150875

Sarah Jones Environmental Review Officer Planning Department 1650 Mission Street, 4<sup>th</sup> Floor San Francisco, CA 94103

Dear Ms. Jones:

On September 8, 2015, Supervisor Wiener introduced the following legislation:

File No. 150875

Ordinance amending the Planning Code to exempt from the computation of Floor Area Ratio limits and the calculation of applicable Development Impact Fees the space required to be used for an Alternate Water Source system; amending the Health Code to amend the definition of projects subject to the requirements for an Alternate Water Source system; 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.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A Suberry

By: Andrea Ausberry, Committee Clerk Land Use and Transportation Committee

Attachment

 Joy Navarrete, Environmental Planning Jeanie Poling, Environmental Planning



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TDD/TTY No. 554-5227

September 16, 2015

Planning Commission Attn: Jonas Ionin 1650 Mission Street, Ste. 400 San Francisco, CA 94103

Dear Commissioners:

On September 8, 2015, Supervisor Wiener introduced the following legislation:

File No. 150875

Ordinance amending the Planning Code to exempt from the computation of Floor Area Ratio limits and the calculation of applicable Development Impact Fees the space required to be used for an Alternate Water Source system; amending the Health Code to amend the definition of projects subject to the requirements for an Alternate Water Source system; 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.

The proposed ordinance is being transmitted pursuant to Planning Code Section 302(b) for public hearing and recommendation. The ordinance is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

Auberry

By: Andrea Ausberry, Committee Clerk Land Use and Transportation Committee

c: John Rahaim, Director of Planning
Aaron Starr, Acting Manager of Legislative Affairs
Scott Sanchez, Zoning Administrator
Sarah Jones, Chief, Major Environmental Analysis
AnMarie Rodgers, Legislative Affairs
Jeanie Poling, Environmental Planning
Joy Navarrete, Environmental Planning

# **Introduction Form**

By a Member of the Board of Supervisors or the Mayor

I hereby submit the following item for introduction (select only one):	or meeting date		
☐ 1. For reference to Committee.			
An ordinance, resolution, motion, or charter amendment.			
2. Request for next printed agenda without reference to Committee.			
☐ 3. Request for hearing on a subject matter at Committee.			
☐ 4. Request for letter beginning "Supervisor	inquires"		
☐ 5. City Attorney request.			
☐ 6. Call File No. from Committee.			
7. Budget Analyst request (attach written motion).			
8. Substitute Legislation File No.      150875			
9. Request for Closed Session (attach written motion).			
☐ 10. Board to Sit as A Committee of the Whole.	10. Board to Sit as A Committee of the Whole.		
☐ 11. Question(s) submitted for Mayoral Appearance before the BOS on ☐			
Please check the appropriate boxes. The proposed legislation should be forwarded  Small Business Commission Youth Commission	to the following: Ethics Commission		
☐ Planning Commission ☐ Building Inspectio	n Commission		
Note: For the Imperative Agenda (a resolution not on the printed agenda), use a	ı Imperative		
Sponsor(s):			
Supervisor Wiener	124		
Subject:			
Health Code - Definition of Projects for Alternative Water Source Requirements			
The text is listed below or attached:			
Ordinance amending the Health Code to revise the definition of development project an Alternate Water Source system, and the definitions of large and small residential requirements for such a system; and affirming the Planning Department's determinant Environmental Quality Act.	projects subject to specific		
Signature of Sponsoring Supervisor:	Witner		
For Clerk's Use Only:			

Time stamp

Print Form

# **Introduction Form**

By a Member of the Board of Supervisors or the Mayor

I hereby submit the following item for introduction (select only one):	Time stamp or meeting date	
1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter A	mendment)	
<ul> <li>2. Request for next printed agenda Without Reference to Committee.</li> </ul>		
3. Request for hearing on a subject matter at Committee.		
4. Request for letter beginning "Supervisor	inquires"	
☐ 5. City Attorney request.		
6. Call File No. from Committee.		
7. Budget Analyst request (attach written motion).		
8. Substitute Legislation File No. 150875		
9. Reactivate File No.	·	
☐ 10. Question(s) submitted for Mayoral Appearance before the BOS on		
Please check the appropriate boxes. The proposed legislation should be forwarded to th    Small Business Commission   Youth Commission   Ethical Planning Commission   Building Inspection Control Planning Commission   Work For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Agenda (a resolution not on the printed agenda).	es Commission ommission	
Sponsor(s):		
Wiener		
Subject:		
Health Code - Definition of Large and Small Development Projects		
The text is listed below or attached:		
Ordinance amending the Health Code to amend the definition of projects subject to the re Water Source system; affirming the Planning Department's determination under the Cali Quality Act.	*	
Signature of Sponsoring Supervisor:	iona	
For Clerk's Use Only:		

Print Form

# **Introduction Form**

By a Member of the Board of Supervisors or the Mayor

I hereby submit the following item for introduction (select only one):	Time stamp or meeting date
<ul><li>✓ 1. For reference to Committee.</li></ul>	
An ordinance, resolution, motion, or charter amendment.	
2. Request for next printed agenda without reference to Committee.	
☐ 3. Request for hearing on a subject matter at Committee.	•
4. Request for letter beginning "Supervisor	inquires"
5. City Attorney request.	
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7. Budget Analyst request (attach written motion).	
8. Substitute Legislation File No.	
9. Request for Closed Session (attach written motion).	
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Please check the appropriate boxes. The proposed legislation should be forwarded to Small Business Commission Youth Commission	the following:
☐ Planning Commission ☐ Building Inspection	Commission
Note: For the Imperative Agenda (a resolution not on the printed agenda), use a l	<b>Imperative</b>
ponsor(s):	
Supervisor Wiener	
Subject:	
Health, Planning Codes - Buildings With an Alternate Water Source System; Exempti Limits and Calculation of Development Impact Fees	on from Floor Area Ratio
The text is listed below or attached:	
Ordinance amending the Planning Code to exempt from the computation of Floor Are calculation of applicable Development Impact Fees the space required to be used for a system; amending the Health Code to amend the definition of projects subject to the reward Source system; affirming the Planning Department's determination under the Quality Act; and making findings of consistency with the General Plan and the eight produce Section 101.1.	an Alternate Water Source equirements for an Alternate falifornia Environmental

Signature Sponsoring Supervisor: Scott Wierer

For Clerk's Use Only: