



**City and County of San Francisco**  
**Meeting Minutes**  
**Land Use and Transportation Committee**

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

*Members: Malia Cohen, Aaron Peskin*

*Clerk: Alisa Somera (415) 554-7711*

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**Monday, December 5, 2016**

**1:30 PM**

**City Hall, Legislative Chamber, Room 250**

**Regular Meeting**

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**Present:** 2 - Malia Cohen, and Aaron Peskin

*The Land Use and Transportation Committee met in regular session on Monday, December 5, 2016, with Chair Malia Cohen presiding.*

**ROLL CALL AND ANNOUNCEMENTS**

*Chair Cohen called the meeting to order at 1:40 p.m. On the call of the roll, Chair Cohen and Member Peskin were noted present. There was a quorum.*

**AGENDA CHANGES**

*There were no agenda changes.*

**REGULAR AGENDA**

**161285 [Real Property Acquisition - Sidewalks Along Portions of Van Ness Avenue and South Van Ness Avenue]****Sponsors: Mayor, Peskin, Breed, Farrell and Kim**

Ordinance authorizing the Director of Property to agree to acquire and accept the State of California's relinquishment of all its right, title, and interest in and to the sidewalks along portions of Van Ness Avenue (between Lombard Street and Market Street), portions of South Van Ness Avenue (between Market Street and Plum Street), and the underlying real property (if any and without warranty), except as otherwise excepted and reserved by the State of California; authorizing the placement of such sidewalks and real property, upon acquisition, under the jurisdiction of Public Works; authorizing additional official City actions required to consummate the relinquishment of the sidewalks, as defined herein; authorizing the Director of Public Works to amend an existing Delegated Maintenance Agreement with the State of California regarding shared maintenance of portions of Van Ness Avenue and maintenance cost allocation, upon relinquishment of the sidewalks; waiving fees and bonding requirements for the State of California that would be otherwise applicable to excavation permits; waiving the required 90-days' notice of intention to relinquish set forth in California Streets and Highways Code, Section 73; adopting the Planning Department's determination that such acquisition is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting the Planning Department's determination under the California Environmental Quality Act.

11/29/16; ASSIGNED to Land Use and Transportation Committee. President Breed waived the 30-day hold pursuant to Board Rule 3.22.

*Heard in Committee. Speakers: Javier Rivera (Public Works); AnMarie Rodgers (Planning Department); Christopher Tom (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Larry Bad; Tim Colen; spoke in support of the proposed legislation.*

**Member Peskin moved that this Ordinance be RECOMMENDED AS COMMITTEE REPORT. The motion carried by the following vote:**

Ayes: 2 - Cohen, Peskin

**161241 [Interim Zoning Controls - Indoor Agriculture]****Sponsor: Mayor**

Resolution creating interim zoning controls to require conditional use authorization for indoor agriculture uses, as defined in Planning Code, Section 102, and other indoor agriculture uses in Production, Distribution, and Repair zoning districts; making findings of consistency with the eight priority policies of Planning Code, Section 101.1; and affirming the Planning Department's determination under the California Environmental Quality Act.

11/15/16; ASSIGNED to Land Use and Transportation Committee. 11/21/2016 - President Breed waived the 30-Day Rule for this matter (per Board Rule 3.23).

11/22/16; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; and to Planning Department and Office of Economic and Workforce Development for informational purposes.

11/25/16; NOTICED. 10-Day Notice published in the Examiner, pursuant to Planning Code Section 306.7(g) (no mailing required since the area is 30+ acres).

*Heard in Committee. Speaker: Female Speaker; presented information and answered questions raised throughout the discussion.*

**Member Peskin moved that this Resolution be CONTINUED to the Land Use and Transportation Committee meeting of January 9, 2017. The motion carried by the following vote:**

Ayes: 2 - Cohen, Peskin

**161157 [Planning Code - Inclusionary Housing Small Sites Program]****Sponsors: Mayor; Campos**

Ordinance amending the Planning Code to create an alternative for project sponsors of smaller market rate projects to direct the Affordable Housing Fee to Small Sites Projects; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1; and making a finding of public necessity, convenience, and welfare under Planning Code, Section 302.

10/25/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/24/2016.

11/01/16; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; to Planning Commission for public hearing and recommendation, pursuant to Planning Code, Section 302(b); and to Mayor's Office of Housing and Community Development, Office of Community Investment and Infrastructure and Department of Building Inspection for informational purposes.

11/10/16; RESPONSE RECEIVED. 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.

11/25/16; NOTICED. First 10-Day Fee Ad published in the Examiner, pursuant to Government Code Sections 6062(a).

11/29/16; RESPONSE RECEIVED. 11/17/2016 - The Planning Commission held a public hearing and recommended approval of the proposed legislation, with modifications; Resolution No. 19778.

12/01/16; NOTICED. Second 10-Day Fee Ad published in the Examiner, pursuant to Government Code Sections 6062(a).

*Heard in Committee. Speakers: Supervisor David Campos (Board of Supervisors); Ruby Harris (Mayor's Office of Housing and Community Development); Diego Sanchez (Planning Department); presented information and answered questions raised throughout the discussion. Tyler MacMillan; Corey Smith; Whitney Jones; Devon Richardson; Fernando Marti; Peter Papadopoulos; Sean Kieran; Tom O'Connell; Tom Radulovich; spoke in support of the proposed legislation.*

**Member Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, by changing the project sponsors qualified for the Inclusionary Housing Small Sites Program from 'up to 25 residential units' to '24 or fewer residential units' and making other clarifying changes regarding the where the Program funds may be expended. The motion carried by the following vote:**

Ayes: 2 - Cohen, Peskin

**Member Peskin moved that this Ordinance be RECOMMENDED AS AMENDED. The motion carried by the following vote:**

Ayes: 2 - Cohen, Peskin

**160925 [Planning Code - Transportation Demand Management Program Requirement]****Sponsor: Avalos**

Ordinance amending the Planning Code to establish a citywide Transportation Demand Management (TDM) Program, to require Development Projects to incorporate design features, incentives, and tools that support sustainable forms of transportation; create a new administrative fee to process TDM Plan applications and compliance reports; make conforming amendments to various sections of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

08/17/16; RECEIVED FROM DEPARTMENT.

09/06/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/6/2016.

11/18/16; NOTICED. First 10-Day Fee Ad published in the Examiner, pursuant to Government Code Section 6062(a).

11/24/16; NOTICED. Second 10-Day Fee Ad published in the Examiner, pursuant to Government Code Section 6062(a).

11/28/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor John Avalos (Board of Supervisors); Cheryl Brinkman (Municipal Transportation Agency); AnMarie Rodgers (Planning Department); Carli Paine (Municipal Transportation Agency); Corey Teague (Planning Department); Tilly Chang, Executive Director (San Francisco County Transportation Authority); presented information and answered questions raised throughout the discussion. Meghan Weir; Arielle Fleisher; Corey Smith; Debbie Lührman; Peter Cohen; spoke in support of the proposed legislation. Eileen Boken; spoke in opposition to the proposed legislation. Cathy DeLuca (Walk SF); Matt Field; Sally Duke; Sean Kieran; spoke neither in support nor against the proposed legislation.

11/28/16; CONTINUED AS AMENDED.

*Heard in Committee. Speakers: Jeremy Pollock (Office of Supervisor John Avalos); John Rahaim, Director, and Wade Wietgreffe (Planning Department); presented information and answered questions raised throughout the discussion. Josh Kremlin; William Klingerhoffer; Tom Radulovich; Leslie; Matt Healy; Debbie Lehrman; Leslie Rafael; Fernando Marti; spoke in support of the proposed legislation. Jim Reuben; Eileen Boken; Sean Keighran; John O'Connell; spoke neither in support nor against the proposed legislation.*

**Member Peskin moved that this Ordinance be CONTINUED to the Land Use and Transportation Committee meeting of January 23, 2017. The motion carried by the following vote:**

Ayes: 2 - Cohen, Peskin

**161044 [Urging City Agencies to Monitor and Review Any Development Proposal for the Brisbane Baylands Area and Urging the City of Brisbane to Prepare a Complete Environmental Impact Report and Approve a Responsible Land Use Plan]**

**Sponsors: Kim; Peskin, Campos and Mar**

Resolution urging the City and County of San Francisco and all relevant agencies to closely monitor and review any development proposal for the Brisbane Baylands Area to ensure that the City of Brisbane prepares a comprehensive and complete Environmental Impact Report, which includes legally required analysis of all impacts, including transportation, air quality and greenhouse gases, water supply and wastewater, and housing and population needs, in particular significant impacts that will occur within San Francisco; and urging Brisbane to adopt a responsible Land Use Plan for this area that will include needed workforce housing.

09/27/16; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

10/04/16; REFERRED to Land Use and Transportation Committee. Supervisor Mar requested to be added as a co-sponsor.

10/07/16; REFERRED TO DEPARTMENT. Referred to Planning Department, Mayor's Office of Housing and Community Development, Public Utilities Commission, Municipal Transportation Agency, and Department of the Environment for informational purposes.

*Heard in Committee. Speakers: April Veneracion Ang (Office of Supervisor Jane Kim); presented information and answered questions raised throughout the discussion. Clayton Holstine, City Manager (City of Brisbane); spoke in opposition to the proposed legislation.*

**Member Peskin moved that this Resolution be CONTINUED TO CALL OF THE CHAIR. The motion carried by the following vote:**

Ayes: 2 - Cohen, Peskin

## ADJOURNMENT

*There being no further business, the Land Use and Transportation Committee adjourned at the hour of 2:58 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Land Use and Transportation Committee on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.*