



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, Jeff Sheehy

Clerk: Alisa Somera (415) 554-7711

Monday, January 23, 2017

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

Present: 3 - Malia Cohen, Aaron Peskin, and Jeff Sheehy

The Land Use and Transportation Committee met in regular session on Monday, January 23, 2017, with Chair Malia Cohen presiding.

ROLL CALL AND ANNOUNCEMENTS

Chair Cohen called the meeting to order at 1:32 p.m. On the call of the roll, Chair Cohen, Vice Chair Peskin, and Member Sheehy were noted present. There was a quorum.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

161165 [Subdivision Code - Requirements for Communications Services Facilities]

Sponsor: Farrell

Ordinance amending the Subdivision Code to require that the design of a subdivision for a tentative map or parcel map provide for communications services facilities to each parcel; and affirming the Planning Department's determination under the California Environmental Quality Act.

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; and to Public Works and Public Utilities Commission 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.

Heard in Committee. Speakers: Jess Montejano (Office of Supervisor Mark Farrell); Jon Givner (Office of the City Attorney); Supervisor Jane Kim (Board of Supervisors); presented information and answered questions raised throughout the discussion.

Vice Chair Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Lines 17-18, by adding 'as may be amended from time to time' after 'California Public Utilities Code Section 5830(s)'; on Page 2, Lines 19-20, by adding 'as may be amended from time to time' after 'California Public Utilities Code Section 1001'; on Page 2, Line 21, by adding 'as may be amended from time to time' after 'Section 234'; Page 2, Line 24, by adding 'as may be amended from time to time' after '5840'; Page 3, Line 1, by adding 'as may be amended from time to time' after '1001'; and Page 3, Lines 2-3, by adding 'as may be amended from time to time' after 'California Public Utilities Code Section 234'. The motion carried by the following vote:

Ayes: 3 - Cohen, Peskin, Sheehy

Vice Chair Peskin moved that this Ordinance be RECOMMENDED AS AMENDED. To motion carried by the following vote:

Ayes: 3 - Cohen, Peskin, Sheehy

161291 [Administrative Code - Update Hotel Conversion Ordinance]**Sponsors: Peskin; Kim, Sheehy, Cohen and Safai**

Ordinance amending Administrative Code, Chapter 41, to update the Hotel Conversion Ordinance, including: adding or refining definitions of tourist and transit use, comparable unit, conversion, and low-income household; revising procedures for permits to convert residential units; harmonizing fees and penalty provisions with the Building Code; eliminating seasonal short-term rentals for residential hotels that have violated provisions of the Hotel Conversion Ordinance in the previous year; authorizing the Department of Building Inspection to issue administrative subpoenas; adding an operative date; and affirming the Planning Department's determination under the California Environmental Quality Act.

11/29/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 12/29/2016.

12/06/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Supervisor Peskin submitted a substitute Ordinance bearing a new title.

12/15/16; REFERRED TO DEPARTMENT. Referred legislation (version 2) to Planning Department for environmental review; to Small Business Commission for comment and recommendation; and to Department of Building Inspection, Planning Department, Mayor's Office of Housing and Community Development, Department of Homelessness and Supportive Housing, and Department of Public Health for informational purposes.

12/15/16; 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.

Maria Aviles, Katie Selcraig and Roshann Pressman (Mission SRO Collaborative); Chirag Bhakta (Mission Housing); Tim Houh (Mission SRO Collaborative); Gail Gilman (Department of Building Inspection Commission); Araceli Lara (Mission SRO Collaborative); Tommi Avicolti Mecca (Housing Rights Committee); Randy Shaw, Director (Tenderloin Housing Clinic); Pei Juan Zheng (Community Tenants Association); Jordan Davis (Mission SRO Collaborative); Hui Ying Li and Hui Ling Yu (SRO Families United Collaborative); Raymond Castillo (South of Market Community Action Network); Ian Lewis (Local 2); Juvy Barbonio (South of Market Community Action Network); Male Speaker; Andrea Manzo (Mission SRO Collaborative); Tony Robles (Senior Disability Action); Theresa Flandrich (North Beach Tenants Committee); Diana Martinez (Mission SRO Collaborative); Frida Washington (Senior Disability Action); Miriam M. (South of Market Community Action Network); Gail Seagraves (Central City SRO Collaborative); Greg Ledbetter (Mission SRO Collaborative); Ace Washington; Rio Scharf and Michael Harrington (Central City SRO Collaboration); Corey Smith (San Francisco Housing Commission); Fernando Marti; Raul Fernandez; spoke in support of the hearing matter.

Supervisors Sheehy and Cohen requested to be added as co-sponsors.

Vice Chair Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 6, Line 21, by striking 'or prospective Permanent Resident' after 'Permanent Resident'. The motion carried by the following vote:

Ayes: 3 - Cohen, Peskin, Sheehy

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

Ayes: 3 - Cohen, Peskin, Sheehy

Chair Cohen recessed the meeting at 2:54 p.m. and recovered at 3:54 p.m.

160925 [Planning Code - Transportation Demand Management Program Requirement]**Sponsors: Cohen; Sheehy**

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.

12/05/16; CONTINUED. 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.

Heard in Committee. Speakers: John Rahaim, Director (Planning Department); Cheryl Brinkman (San Francisco Municipal Transportation Agency Board of Directors); Jeff Hobson (San Francisco County Transportation Authority); Jon Givner (Office of the City Attorney); Wade Wietgreffe (Planning Department); presented information and answered questions raised throughout the discussion. Matt Field (TMG Partners); Megan Wier (Department of Public Health); Nicole Ferrara (Walk San Francisco); Cory Smith (San Francisco Housing Commission); Fernando Marti; spoke in support of the hearing matter. Debbie Lerman (San Francisco Human Services Network); Calvin Welsh; spoke in opposition of the hearing matter. Jason Henderson; Sue Hestor; spoke on various concerns relating to the hearing matter.

Supervisor Sheehy requested to be added as a co-sponsor.

Chair Cohen moved that this Ordinance be **AMENDED, AMENDMENT OF THE WHOLE BEARING SAME TITLE**, by changing the grandfathering and phasing dates to apply to the environmental evaluation applications instead of the development applications; remove the requirement to present a complete TDM plan to the pre-application meetings; implement a one year implementation analysis and report; subject TDM standards to be in effect at the time of the development application instead of the development project approval; changing a clerical error regarding group housing, the trigger should be ten bedrooms not beds; exempting buildings with 24 or less units from annually monitoring, enforcement and voluntary update fees; exempting non-profit organizations who receive funding from the City from paying development review, on-going monitoring, and the voluntary update fees; on Page 8, Line 15, by striking '150' and replacing it with '120'; and on Page 6, Lines 19-21 by adding 'As such, the Board of Supervisors finds that parking spaces dedicated to service vehicles provided for City-funded charitable health and human service organizations shall be excluded from the definition of a parking space in the TDM Program Standards.' The motion carried by the following vote:

Ayes: 3 - Cohen, Peskin, Sheehy

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

Ayes: 3 - Cohen, Peskin, Sheehy

Supervisor Peskin was noted absent at 5:00 p.m. and for the remainder of the meeting.

Supervisor Peskin Excused From Attendance

Chair Cohen moved that Supervisor Peskin be excused from the remainder of the Land Use and Transportation Committee meeting of January 23, 2017. To motion carried by the following vote:

Ayes: 2 - Cohen, Sheehy

Excused: 1 - Peskin

170036 [Hearing - Cannabis State Legalization Task Force Update]

Sponsor: Cohen

Hearing on the local impact of the Adult Use of Marijuana Act, including areas of legislative and administrative need; and requesting the Cannabis State Legalization Task Force to report.

01/10/17; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

01/17/17; REFERRED TO DEPARTMENT. Referred to the Cannabis State Legalization Task Force for informational purposes and requesting the Task Force to report; Mayor's Office for informational purposes.

01/17/17; TRANSFERRED to Land Use and Transportation Committee. 01/17/2017 - President Breed transferred this matter from the Public Safety and Neighborhood Services Committee to the Land Use and Transportation Committee.

Heard in Committee. Speakers: Michelle Beni (Cannabis State Legalization Task Force); Sarah Shrader, Sarah Payan, Cory Pack (San Francisco Unified School District); Barbara Fugate; Jessie Stem; Jennifer Garcia (UFCW Local 648); Laura Thomas; Jocelyn Cain; Terrance Alan; (Cannabis State Legalization Task Force); presented information and answered questions raised throughout the discussion. Teresa Duque; John Fedoni; spoke on various concerns relating to the hearing matter.

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

Ayes: 2 - Cohen, Sheehy

Excused: 1 - Peskin

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 5:33 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.