



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: Mark Farrell, Aaron Peskin, Katy Tang

Clerk: Alisa Somera (415) 554-7711

Monday, May 1, 2017

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

Present: 3 - Mark Farrell, Aaron Peskin, and Katy Tang

The Land Use and Transportation Committee met in regular session on Monday, May 1, 2017, with Chair Mark Farrell presiding.

ROLL CALL AND ANNOUNCEMENTS

Chair Farrell called the meeting to order at 1:35 p.m. On the call of the roll, Chair Farrell and Vice Chair Peskin were noted present. Member Tang was noted not present. There was a quorum.

Member Tang was noted present at 1:36 p.m.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

151258 [Planning Code - Affordable Housing Requirement and Fee in Divisadero and Fillmore Neighborhood Commercial Transit Districts]**Sponsor: Breed**

Ordinance amending the Planning Code to require additional affordable housing or payment of a fee for certain sites that obtained higher residential development potential as a result of the rezoning of the Divisadero Street Neighborhood Commercial Transit District and the Fillmore Street Neighborhood Commercial Transit District in 2015; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, Planning Code, Section 302, and the eight priority policies of Planning Code, Section 101.1.

12/08/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

12/16/15; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation (per Planning Code, Section 302(b)); and Department of Building Inspection and Mayor's Office of Housing and Community Development for informational purposes.

01/25/16; RESPONSE RECEIVED. Not a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

02/04/16; REMAIN ACTIVE. 1/26/2016 - The Board of Supervisors adopted Resolution No. 25-16 (File No. 160029) extending the Planning Commission's review period by 30 days; 4/15/2016.

04/05/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

04/13/16; REFERRED TO DEPARTMENT. Re-referred substitute legislation (version 2) to the Planning Department for environmental review; Planning Commission for public hearing and recommendation (per Planning Code, Section 302(b)); Department of Building Inspection; Mayor's Office of Housing and Community Development; Office of Community Investment and Infrastructure for informational purposes.

04/15/16; RESPONSE RECEIVED. Not defined as a project under CEQA Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

06/28/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

07/06/16; RESPONSE RECEIVED. Not defined as a project under CEQA Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

07/06/16; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation (per Planning Code, Section 302(b)); and Department of Building Inspection and Mayor's Office of Housing and Community Development for informational purposes.

07/12/16; RESPONSE RECEIVED. 6/30/2016 - The Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting recommending the approval of the Ordinance with modifications.

07/12/16; RESPONSE RECEIVED. 6/30/2016 - The Planning Department noted that the proposed amendment are not defined as a project under CEQA Guidelines Section 15060(c)(2) and 15378 because they do not result in a physical change in the environment.

03/21/17; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Supervisor Breed submitted a substitute Ordinance bearing the same title.

03/24/17; NOTICED. First 10-Day Fee Ad published in the Examiner, pursuant to Government Code Section 60623(a).

03/29/17; REFERRED TO DEPARTMENT. Re-referred substitute (Version 4) to the Planning Department for environmental review; Planning Commission for public hearing and recommendation (per Planning Code, Section 302(b)); and Department of Building Inspection, and Mayor's Office of Housing and Community Development for informational purposes.

03/30/17; NOTICED. Second 10-Day Fee Ad published in the Examiner, pursuant to Government Code

Section 60623(a).

04/03/17; CONTINUED. Heard in Committee. Speakers: President London Breed (Board of Supervisors); Aaron Starr (Planning Department); Jon Givner (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Christian Einfeldt, Jenn, Renee Kurien, Norman Dabelman, and Shannon (Neighbors United); David Wu; Lorri Ledderman; Lisa Aubrey; Tony Robles (Senior Disability Action); Calvin Welsh; Dean Preston; Javier Mitchell; Clinton Mackins; Tess Morbard; spoke in opposition of the hearing matter. Rufus Watkins; Todd Davidson (San Francisco Housing Action Coalition); Laura Clark; spoke on various concerns relating to the hearing matter.

04/10/17; CONTINUED. Heard in Committee. Speakers: Michael Howerton; presented information and answered questions raised throughout the discussion. Denis Moscofe; Jennifer Seaver; Gus Hernandez; Daija Mohney; Don Eichberger; Jenn (Neighbors United); Jed Holtzman; Richard Ivanhoe; Lori Ledderman; Denise Sealow; Tony Robles (Senior Disability Action); Javier Mitchell; Spencer; Conor Ryan; David Wu; Rufus Watkins; Mark Daltona; Peter Nassis; Trevor Martin; Allison Bratman; Rene Friend; Lorraine Petty; Lisa Aubrey; Deidre Booker; Tess Welborn; Corey Smith (San Francisco Housing Action Coalition); Dean Preston; spoke in support of the proposed continuance.

Heard in Committee. Speakers: None.

Vice Chair Peskin moved that this Ordinance be CONTINUED TO CALL OF THE CHAIR. The motion carried by the following vote:

Ayes: 3 - Farrell, Peskin, Tang

161310 [Amending Ordinance No. 1061 - Sidewalk Width Change - Intersection of Mission Street and 22nd Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" to narrow, from 21 feet to 15 feet, the official sidewalk width along a portion of the westerly side of Mission Street, between 23rd Street and 22nd Street, and a portion of the easterly side of Mission Street, between 22nd Street and 21st Street, both beginning at the intersection of Mission Street and 22nd Street; adopting the Planning Department's determination and making additional findings 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. (Public Works)

12/05/16; RECEIVED FROM DEPARTMENT.

12/13/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/12/2017.

Heard in Committee. Speakers: Sean Kennedy (San Francisco Municipal Transportation Agency); presented information and answered questions raised throughout the discussion.

Vice Chair Peskin moved that this Ordinance be CONTINUED to the Land Use and Transportation Committee Meeting of May 8, 2017. The motion carried by the following vote:

Ayes: 3 - Farrell, Peskin, Tang

161014 [Planning Code - Exempting Certain Historic Landmarks from Requirement to Obtain Conditional Use and Replace Production, Distribution, and Repair, Institutional Community, and Arts Activities Uses]

Sponsor: Kim

Ordinance amending Planning Code, Section 202.8 to exempt certain designated historic landmarks from obtaining conditional use authorization to remove certain Production, Distribution, and Repair, Institutional Community, and Arts Activities Uses, and providing replacement space for such uses; 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.

09/20/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/20/2016.

09/27/16; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Small Business Commission for comment and recommendation; Planning Commission pursuant to Planning Code, Section 302(b), for public hearing and recommendation; Arts Commission for informational purposes.

10/20/16; RESPONSE RECEIVED. Not defined as a project under CEQA Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

01/19/17; RESPONSE RECEIVED. 11/28/2016 - The Small Business Commission voted unanimously to recommend approval of the proposed legislation.

02/14/17; RESPONSE RECEIVED. 1/18/2017 - The Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 19837.

12/8/2016 - The Historic Preservation Commission held a public hearing and recommended approval with modifications; Resolution No. 840.

04/18/17; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Supervisor Kim submitted a substitute Ordinance bearing a new title.

04/24/17; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Small Business Commission for comment and recommendation; Planning Commission pursuant to Planning Code, Section 302(b), for public hearing and recommendation; Arts Commission for informational purposes.

Heard in Committee. Speaker: Diego Sanchez (Planning Department); 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 6, Line 9, by adding 'as of July 1, 2016'. The motion carried by the following vote:

Ayes: 3 - Farrell, Peskin, Tang

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

Ayes: 3 - Farrell, Peskin, Tang

170156 [Planning Code, Zoning Map - Production, Distribution, and Repair Controls; Eliminating the Transit-Oriented Retail Special Use District, and Correcting Height Limits in the UMU District]

Sponsors: Mayor; Ronen

Ordinance amending the Planning Code and Zoning Map to prohibit Gym and Massage uses in the Production, Distribution, and Repair (PDR) zoning districts, eliminate the Transit-Oriented Retail Special Use District, which includes all parcels in PDR districts along 16th Street from Mission Street to Potrero Avenue, and correct the height limits on certain parcels in the Urban Mixed Use (UMU) District to allow for groundfloor PDR uses; 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.

02/07/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/9/2017.

02/13/17; 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 Small Business Commission for comment and recommendation.

03/16/17; RESPONSE RECEIVED. On February 27, 2017, the Small Business Commission voted (6-0, 1 absent) to recommend that the Board of Supervisors approve BOS File No. 170156, requesting that the North East Mission Business Association and Small Business Commission be notified of changes.

03/28/17; RESPONSE RECEIVED. On March 2, 2017, the Planning Commission held a public hearing and recommended approval of the proposed legislation with modifications; Resolution No. 19866.

Heard in Committee. Speakers: John Francis (Planning Department); Yoyo Chan (Office of Supervisor Malia Cohen); presented information and answered questions raised throughout the discussion. Allison Heath (Grow Potrero Responsibly); spoke in opposition to the proposed legislation. J.R. Eppler (Potrero Boosters); spoke neither in support of nor against the proposed legislation.

Member Tang moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by adding reference to the Planning Commission's approval of the Addendum to the Environmental Impact Report; requiring 17 foot ground floor height for all new buildings, regardless of use; and excluding District 10 properties from the height adjustment. The motion carried by the following vote:

Ayes: 3 - Farrell, Peskin, Tang

Ordinance amending the Planning Code and Zoning Map to prohibit Gym and Massage uses in the Production, Distribution, and Repair (PDR) zoning districts, eliminate the Transit-Oriented Retail Special Use District, which includes all parcels in PDR districts along 16th Street from Mission Street to Potrero Avenue, and correct the height limits on certain parcels in the Urban Mixed Use (UMU) District to allow for groundfloor PDR uses; affirming the Planning Commission'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.

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

Ayes: 3 - Farrell, Peskin, Tang

170467 [Temporary Housing for Homeless People During Shelter Crisis - LMC San Francisco I Holdings, LLC - 1515 South Van Ness Avenue]**Sponsors: Mayor; Ronen**

Ordinance approving an agreement between the City and LMC San Francisco I Holdings, LLC, to allow the City to use the property at 1515 South Van Ness Avenue to utilize and operate a facility to provide temporary housing and services to homeless persons; directing the City Administrator, Public Works, Department of Homelessness and Supportive Housing, Department of Building Inspection, and other City departments to make repairs or improvements, consistent with health and safety standards, to use the property for temporary housing to address encampments in the Mission District; authorizing Public Works, Department of Homelessness and Supportive Housing, and Department of Public Health to enter into contracts without adhering to competitive bidding and other requirements for construction work, procurement, and personal services at the facility; and affirming the Planning Department's determination under the California Environmental Quality Act.

04/25/17; ASSIGNED to Land Use and Transportation Committee. President Breed waived the 30-day hold pursuant to Board Rule 3.22.

04/27/17; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Public Works, City Administrator, Department of Homelessness and Supportive Housing, Department of Building Inspection, Fire Department, and Department of Public Health for informational purposes.

04/28/17; 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: Mawuli Tugbenyoh (Mayor's Office); Sam Dodge (Department of Homelessness and Supportive Housing); presented information and answered questions raised throughout the discussion. Rob Poole (San Francisco Housing Action Coalition); spoke in support of the proposed legislation.

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

Ayes: 3 - Farrell, Peskin, Tang

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 2:23 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.