



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: Erica Major (415) 554-4441

Monday, July 24, 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, July 24, 2017, with Chair Mark Farrell presiding.

ROLL CALL AND ANNOUNCEMENTS

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

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

170802 [California Environmental Quality Act Findings - San Francisco Public Utilities Commission Water System Improvement Program, Alameda Creek Recapture Project]

Resolution adopting findings under the California Environmental Quality Act related to modifications to the San Francisco Public Utilities Commission Water System Improvement Program, Alameda Creek Recapture Project, located in Sunol Valley in Alameda County, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

06/30/17; RECEIVED FROM DEPARTMENT.

07/11/17; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

07/14/17; REFERRED TO DEPARTMENT. Referred to the Office of the Controller for informational purposes.

Heard in Committee. Speaker: Ellen Levin (Public Utilities Commission); presented information and answered questions raised throughout the discussion.

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

Ayes: 3 - Farrell, Peskin, Tang

170552 [Amending Ordinance No. 1061 - Sidewalk Width Change - Masonic Avenue at Fulton and Turk Streets]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" to reduce the official sidewalk width of certain locations along Masonic Avenue at the southwest corner of the intersection of Masonic Avenue and Fulton Street, and the northeast corner of the intersection of Masonic Avenue and Turk Street; 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. (Public Works)

05/03/17; RECEIVED FROM DEPARTMENT.

05/16/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/15/2017.

Heard in Committee. Speakers: Javier Rivera and David Froehlich (Public Works); presented information and answered questions raised throughout the discussion. Adrian Suffin; Bruce; spoke on various concerns relating to the hearing matter.

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

Ayes: 3 - Farrell, Peskin, Tang

170130 [Street Encroachment Permit - 45 Lansing Development, LLC - Shared Public Way on Lansing Street Fronting 45 Lansing Street]**Sponsor: Kim**

Resolution granting revocable permission to 45 Lansing Development, LLC, to occupy and maintain the Lansing Street Shared Public Way on Lansing Street between Guy Place and 1st Street fronting 45 Lansing Street (Assessor's Parcel Block No. 3749, Lot No. 059); adopting environmental findings under the California Environmental Quality Act; and making findings of consistency the General Plan, and with the eight priority policies of Planning Code, Section 101.1.

01/31/17; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

02/07/17; REFERRED TO DEPARTMENT. Referred to Planning Department, Public Works, Public Utilities Commission, and Fire Department for informational purposes.

Heard in Committee. Speakers: Barbara Lopez (Office of Supervisor Jane Kim); Jon Givner (Office of the City Attorney); David Noyola (Noyola Piccini Group); presented information and answered questions raised throughout the discussion.

Vice Chair Peskin moved that this Resolution be AMENDED, AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 1, Line 16, by deleting 'a' after 'trench drain and'; on Page 3, Line 19, by adding 'in accordance with the Street Encroachment Agreement and the Declaration' after 'following arrangements'; on Page 3, Lines 24-25, by striking 'as set forth in the Street Encroachment Agreement' after 'or repair such facilities'; on Page 4, Line 6, by striking 'herein' after 'permitted'; and on Page 4, Lines 14-16, by striking the entire further resolved clause. The motion carried by the following vote:

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

Ayes: 3 - Farrell, Peskin, Tang

Vice Chair Peskin moved to rescind the previous votes to take public comment. The motion carried by the following vote:

Ayes: 3 - Farrell, Peskin, Tang

Vice Chair Peskin moved that this Resolution be AMENDED, AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 1, Line 16, by deleting 'a' after 'trench drain and'; on Page 3, Line 19, by adding 'in accordance with the Street Encroachment Agreement and the Declaration' after 'following arrangements'; on Page 3, Lines 24-25, by striking 'as set forth in the Street Encroachment Agreement' after 'or repair such facilities'; on Page 4, Line 6, by striking 'herein' after 'permitted'; and on Page 4, Lines 14-16, by striking the entire further resolved clause. The motion carried by the following vote:

Ayes: 3 - Farrell, Peskin, Tang

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

Ayes: 3 - Farrell, Peskin, Tang

170516 [Planning Code - Medical Cannabis Dispensaries in Supervisorial District 11]**Sponsor: Safai**

Ordinance amending the Planning Code to limit the number of medical cannabis dispensaries in Supervisorial District 11 to three at any given time; 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 making a finding of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

05/02/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/1/2017.

05/12/17; 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.

05/12/17; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Planning Commission for public hearing and recommendation pursuant to Planning Code, Section 302(b); and Small Business Commission for comment and recommendation.

07/19/17; RESPONSE RECEIVED. On July 10, 2017, the Small Business Commission voted unanimously with a 6-0 vote, 1 absence, to recommend that the Board of Supervisors not approve File No. 170516.

Heard in Committee. Speakers: Supervisor Ahsha Safai (Board of Supervisors); Regina Dick-Endrizzi (Small Business Commission); Mark Dwight, President (Small Business Commission); Diego Sanchez and Aaron Starr (Planning Commission); Joseph McFadden (Police Department); presented information and answered questions raised throughout the discussion. David Hooper; Joelle Canilli; Grace Bailey; spoke in support of the hearing matter.

Member Tang moved that this Ordinance be RECOMMENDED AS COMMITTEE REPORT to the July 25, 2017, Board of Supervisors meeting. The motion carried by the following vote:

Ayes: 3 - Farrell, Peskin, Tang

Chair Farrell requested File Nos. 170750 and 170751 be called together.

170750 [General Plan Amendments - One Oak Street Project]

Ordinance amending the General Plan by revising the height and bulk designations for the One Oak Street project, at the Van Ness Avenue / Oak Street / Market Street Intersection, Assessor's Parcel Block No. 0836, Lot Nos. 001 and 005, on Map 3 of the Market and Octavia Area Plan and on Map 5 of the Downtown Area Plan; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan as proposed for amendment, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 340. (Planning Commission)

06/16/17; RECEIVED FROM DEPARTMENT.

06/27/17; ASSIGNED to Land Use and Transportation Committee. President Breed waived the 30-day rule pursuant to Board Rule No. 3.22.

07/14/17; NOTICED. 10-Day Notice for 7/24/2017 Land Use and Transportation Committee hearing published in the Examiner and posted, and mailed, pursuant to Government Code Section 65090 et seq.

Heard in Committee. Speakers: Andrew Perry (Planning Department); Mary G. Murphy (Gibson Dunn & Crutcher, LLP); Lou Vasquez (Build); Jon Givner (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Nina Rizzo (Transform); Susan McConkey (San Francisco Conservatory of Music); Rob Pool; Jim Haas; spoke in support of the hearing matter. Jen Snyder, Conor Ryan, Renee Curran, Adrienne Suffin, and David Woo (Neighbors United); Tes Welborn (D5 Action); Lisa Aubrey (Affordable Divisadero); Eric Brooks (San Francisco Green Party); Bruce Wolfe; spoke in opposition of the hearing matter.

Vice Chair Peskin moved that this Ordinance be REFERRED WITHOUT RECOMMENDATION to the Board of Supervisors. The motion carried by the following vote:

Ayes: 3 - Farrell, Peskin, Tang

170751 [Planning Code, Zoning Map - One Oak Street Project]

Ordinance amending the Planning Code by revising Sheet HT07 of the Zoning Map, to change the height and bulk district classification of Assessor's Parcel Block No. 0836, portions of Lot Nos. 001 and 005, for the One Oak Project, at the Van Ness Avenue / Oak Street / Market Street Intersection, as follows: rezoning the eastern portion of the property, along Van Ness Avenue, located at Assessor's Parcel Block No. 0836, Lot No. 001 (1500 Market Street), from 120/400-R-2 to 120-R-2; rezoning the central portion of the property, located at Assessor's Parcel Block No. 0836, Lot No. 005 (1540 Market Street), from 120-R-2 to 120/400-R-2; affirming the Planning Commission's determination under the California Environmental Quality Act; and making findings, including 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)

06/16/17; RECEIVED FROM DEPARTMENT.

06/27/17; ASSIGNED to Land Use and Transportation Committee. President Breed waived the 30-day rule pursuant to Board Rule No. 3.22.

07/14/17; NOTICED. 10-Day Notice for 7/24/2017 Land Use and Transportation Committee hearing published in the Examiner, pursuant to Government Code Sections 65856 & 65090.

Heard in Committee. Speakers: Andrew Perry (Planning Department); Mary G. Murphy (Gibson Dunn & Crutcher, LLP); Lou Vasquez (Build); Jon Givner (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Nina Rizzo (Transform); Susan McConkey (San Francisco Conservatory of Music); Rob Pool; Jim Haas; spoke in support of the hearing matter. Jen Snyder, Conor Ryan, Renee Curran, Adrienne Suffin, and David Woo (Neighbors United); Tes Welborn (D5 Action); Lisa Aubrey (Affordable Divisadero); Eric Brooks (San Francisco Green Party); Bruce Wolfe; spoke in opposition of the hearing matter.

Vice Chair Peskin moved that this Ordinance be REFERRED WITHOUT RECOMMENDATION to the Board of Supervisors. The motion carried by the following vote:

Ayes: 3 - Farrell, Peskin, Tang

170746 [Hearing - Citywide Fiber Broadband Network]

Sponsor: Farrell

Hearing to determine San Francisco's efforts to establish a citywide fiber broadband network; and requesting the Department of Technology and the Mayor's Office of Civic Innovation to report.

06/13/17; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

06/16/17; REFERRED TO DEPARTMENT. Referred to the Department of Technology and Mayor's Office of Civic Innovation for informational purposes and requesting the departments to report.

Heard in Committee. Speakers: Former Supervisor Eric Mar; Jay Nath, Chief Innovation Officer (Mayor's Office of Civic Innovation); presented information and answered questions raised throughout the discussion. Preston Rhea (Monkeybrains); Bruce Wolfe (PublicNet San Francisco); Kiely Hosmon (Youth Commission); Lena Molly (Compass); Marie Jobling; Steve Cook; Eric Brooks (San Francisco Green Party); Sue Horst (San Francisco Senior Centers); Laurie Sanchez (Community Technology Network); Mike McCarthy; Chris Wittleman; spoke on various concerns relating to the hearing matter.

Member Tang moved that this Hearing be CONTINUED TO CALL OF THE CHAIR. 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 3:49 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.