



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: Katy Tang, Jane Kim, Ahsha Safai

Clerk: Erica Major (415) 554-4441

Monday, June 11, 2018

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

Present: 3 - Katy Tang, Jane Kim, and Ahsha Safai

The Land Use and Transportation Committee met in regular session on Monday, June 19, 2018, with Chair Katy Tang presiding.

ROLL CALL AND ANNOUNCEMENTS

Chair Tang called the meeting to order at 1:39 p.m. On the call of the roll, Chair Tang, Vice Chair Kim, and Member Safai were noted present. There was a quorum.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

180268 [Planning, Building Codes - Accessory Dwelling Units]**Sponsor: Tang**

Ordinance amending the Planning Code to authorize the Zoning Administrator to waive or modify bicycle parking requirements for an Accessory Dwelling Unit (ADU), allow more than one unauthorized unit constructed without a permit to be legalized, exempt from the permit notification requirement ADUs constructed within the defined existing built envelope, allow conversion of an existing stand-alone garage or storage structure to an ADU and expansion of the existing building envelope to add dormers, eliminate the street tree requirement for an ADU, and allow one ADU to be added to a new residential building of three units or less as a component of the new construction; amending the Building Code to provide for a preapplication plan review for ADUs; 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; adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302; and directing the Clerk to send a copy of this ordinance to the California Department of Housing and Community Development.

03/20/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 4/19/2018.

03/26/18; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission pursuant to Planning Code, Section 302(b), for public hearing and recommendation; Department of Building Inspection and Building Inspection Commission pursuant to Charter, Section D3.750-5, for public hearing and recommendation; Rent Board, Mayor's Office of Housing and Community Development, and Fire Department for informational purposes.

Heard in Committee. Speakers: Jeff Hodges; Corey Smith (San Francisco Housing Action Coalition); Jeremy Paul; spoke in support of the hearing matter. Rose Hillson; Ozzy Roe; spoke in opposition of the hearing matter. Georgia Schuttish; Katherine Howard (Coalition for San Francisco Neighborhoods); Theresa Flandrich (Senior and Disability Action); spoke on various concerns relating to the hearing matter.

Member Safai moved that this Ordinance be CONTINUED to the Land Use and Transportation meeting of July 9, 2018. The motion was carried by the following vote:

Ayes: 3 - Tang, Kim, Safai

180423 [Planning Code - Review for Downtown and Affordable Housing Projects; Notification Requirements; Review of Alterations to Historical Landmarks and in Conservation Districts]

Sponsor: Mayor

Ordinance amending the Planning Code to streamline affordable housing project review by eliminating a Planning Commission Discretionary Review hearing for 100% affordable housing projects upon delegation by the Planning Commission; to provide for Planning Department review of large projects located in C-3 (Downtown Commercial) Districts and for certain minor alterations to Historical Landmarks and in Conservation Districts; to consolidate, standardize, and streamline notification requirements and procedures, including required newspaper notice, in Residential, Commercial, and Mixed-Use Districts; 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

04/24/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/24/2018.

05/02/18; REFERRED TO DEPARTMENT. Referred to the Planning Department pursuant to Planning Code Section 302(b) for public hearing and recommendation; Planning Department for environmental review.

05/02/18; 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.

05/15/18; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee. Mayor Farrell introduced a substitute Ordinance bearing the same title.

05/18/18; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission pursuant to Planning Code Section 302(b) for public hearing and recommendation.

05/21/18; REFERRED TO DEPARTMENT. Referred to the Fire Department, Department of Building Inspection, Public Works, and the Historic Preservation Commission for informational purposes.

Heard in Committee. Speakers: Kanishka Karunaratne (Office of Economic and Workforce Development); Jacob Bintliff (Planning Department); William Strawn (Department of Building Inspection); Jon Givner (Office of City Attorney); presented information and answered questions raised throughout the discussion. Nicole Holden; Neal Schwartz (Schwartz and Architecture); Lydia So; Ross Levy; Jeff Hodges (YIMBY Action); Vadim Graboys (YIMBY Action); Ozzy Roe; Benjamin Marks; Katherine Howard (Coalition for San Francisco Neighborhoods); Laura Clark (YIMBY Action); Corey Smith (San Francisco Housing Action Coalition); Theresa Flandrich (Senior and Disability Action); Kevin Burke; spoke in support of the hearing matter. Rose Hillson (Coalition for San Francisco Neighborhoods); spoke in opposition of the hearing matter. Georgia Schuttish; Jimmy Law; Speaker; Sue Hestor; Jeremy Paul; Norma Guzman; spoke on various concerns relating to the hearing matter.

Vice Chair Kim requested that this Ordinance be DUPLICATED.

See duplicated File No. 180643.

Member Safai moved that this Ordinance be AMENDED, AMENDMENT OF THE WHOLE BEARING SAME TITLE, by adding language to allow the Zoning Administrator to determine appropriate requirements for posted notice for unique sites; requiring posted notice be visible and legible from sidewalk or nearest public right-of-way; requiring a mailed notice with minimum dimensions of half-sheet; requiring notification procedures to be consistent with applicable Planning Commission policy; and making clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Tang, Kim, Safai

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

Ayes: 3 - Tang, Kim, Safai

180643 [Planning Code - Review for Downtown and Affordable Housing Projects; Notification Requirements; Review of Alterations to Historical Landmarks and in Conservation Districts]

Sponsor: Mayor

Ordinance amending the Planning Code to streamline affordable housing project review by eliminating a Planning Commission Discretionary Review hearing for 100% affordable housing projects upon delegation by the Planning Commission; to provide for Planning Department review of large projects located in C-3 (Downtown Commercial) Districts and for certain minor alterations to Historical Landmarks and in Conservation Districts; to consolidate, standardize, and streamline notification requirements and procedures, including required newspaper notice, in Residential, Commercial, and Mixed-Use Districts; 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Duplicated from File No. 180423.

Member Safai moved that this Ordinance be AMENDED, AMENDMENT OF THE WHOLE BEARING SAME TITLE, by adding language to allow the Zoning Administrator to determine appropriate requirements for posted notice for unique sites; requiring posted notice be visible and legible from sidewalk or nearest public right-of-way; requiring a mailed notice with minimum dimensions of half-sheet; requiring notification procedures to be consistent with applicable Planning Commission policy; and making clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Tang, Kim, Safai

Member Safai moved that this Ordinance be CONTINUED AS AMENDED to the Land Use and Transportation Committee meeting of July 9, 2018. The motion carried by the following vote:

Ayes: 3 - Tang, Kim, Safai

President London Breed appointed Supervisor Norman Yee, in place of Supervisor Katy Tang, to the Land Use and Transportation Committee for the regular meeting of June 11, 2018, beginning at 3:03 p.m. and for the remainder of the meeting.

Supervisor Tang Excused from Attendance

Member Safai, seconded by Member Yee, moved to excuse Supervisor Tang from the Land Use and Transportation Committee meeting beginning at 3:03 p.m. The motion carried by the following vote:

Ayes: 3 - Kim, Safai, Yee

Excused: 1 - Tang

Supervisor Tang was noted absent at 3:03 p.m. and for the remainder for the meeting.

180387 [Planning Code - Landmark Designation of 234-246 First Street (aka Phillips Building)]**Sponsor: Kim**

Ordinance amending the Planning Code to designate 234-246 First Street (aka Phillips Building), in Assessor's Parcel Block No. 3736, Lot No. 006, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and with the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

04/17/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/17/2018.

05/30/18; NOTICED. Notice of Public Hearing for 5/29/2018 Land Use and Transportation Committee meeting mailed to property owners and interested parties.

Heard in Committee. Speaker: Shannon Ferguson (Planning Department); presented information and answered questions raised throughout the discussion.

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

Ayes: 3 - Kim, Safai, Yee

Excused: 1 - Tang

180371 [Street Name Change - From Phelan Avenue to "Frida Kahlo Way"]**Sponsors: Yee; Ronen, Fewer, Kim and Safai**

Resolution renaming Phelan Avenue, between Flood Avenue and Ocean Avenue, to "Frida Kahlo Way."

04/10/18; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

04/18/18; REFERRED TO DEPARTMENT. Referred to Public Works, Police Department, San Francisco Municipal Transportation Agency, Fire Department, pursuant to San Francisco Public Works Code, Section 423, California Streets and Highways Code, Sections 970.5, 971, 1806, and 5026, and California Government Code, Section 34091.1.

04/23/18; RESPONSE RECEIVED. The Municipal Transportation Agency had no objections regarding the proposed street name change.

04/25/18; RESPONSE RECEIVED. The San Francisco Fire Department has no objections to the proposal and is in support of the resolution.

05/21/18; RESPONSE RECEIVED. Public Works noted there were no objections; 7 out of 23 fronting property owners were noted to be against the street name change.

05/21/18; RESPONSE RECEIVED. The Police department noted no objections.

05/22/18; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Supervisor Yee introduced a substitute Resolution bearing a new title.

05/30/18; NOTICED. Notice of Public Hearing for 5/29/2018 Land Use and Transportation Committee meeting mailed to property owners and interested parties.

05/30/18; REFERRED TO DEPARTMENT. Referred to Public Works, Police Department, San Francisco Municipal Transportation Agency, Fire Department, pursuant to San Francisco Public Works Code, Section 423, California Streets and Highways Code, Sections 970.5, 971, 1806, and 5026, and California Government Code, Section 34091.1.

Heard in Committee. Speakers: Jeremy Spitz (Public Works); presented information and answered questions raised throughout the discussion. Deborah Fitzpatrick; Tien Pham; Dr. Andrew Currier (Archbishop Riordan High School); Bonnie White; Dung Ncoc Nguyen; Robert White; Paul Fitzpatrick; spoke in opposition of the hearing matter. Janey Skinner (City College of San Francisco); Ann Wettrich (City College of San Francisco); Selena Santiago-Cruz (City College of San Francisco); Beatriz Escobar (City College of San Francisco); Tina Martin (City College of San Francisco); Jennifer Worley (City College Faculty Union); Frank Mulden; Noe Sow; Don Schaan; John Tezina; Alisa Messer; Lisa Sigh; Tony Robles (Senior and Disability Action); spoke in support of the hearing matter. Jim Hass; spoke on various concerns relating to the hearing matter.

Supervisors Kim and Safai requested to be added as co-sponsors.

Vice Chair Kim, seconded by Member Safai, moved that this Resolution be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Kim, Safai, Yee

Excused: 1 - Tang

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 4:15 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.

ADDENDUM

The following information is provided by a speaker, pursuant to Administrative Code Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Rose Hillson (Coalition for San Francisco Neighborhoods) submitted the following additional information during the hearing for File No. 180423, as follows: Process Improvements Leg: Coalition for San Francisco Neighborhoods (CSFN.NET) letter of 5/24/2018: Lack of public outreach, Notification, Reduce notice time (negative), Remove newspaper notices (negative), Include tenant notices (positive), Request continued notification of pop-outs, Concerns with Sec. 136(c). At June 7, 2018 PC meeting, in motion to adopt 6-1: Keep 30 days notices straight across the board, Keep notices for pop-outs, Not finalize notification without policy set and implementation steps, For Affordable Housing, use Building Code for performance standards and pay prevailing wage, Lookback after implementation of one year.

Rose Hillson (Coalition for San Francisco Neighborhoods) submitted the following additional information during the hearing for File No. 180268, as follows: ADU Leg - Coalition for San Francisco Neighborhoods (CSFN.NET) June 4, 2018 Letter: Unclear of "fee out" & not require street trees for ADUs – requested appropriate number of trees planted within a certain time period, Requested noticing for conversion of non-living spaces to living spaces, Fill-ins of existing structures might not comply with rear & side setbacks per code, Adding ADUs in a newly constructed building can exceed code maximum for zoning, Amend code to read "Any existing ADUs shall meet building and fire code regulations." June 7, 2018 PC: 1) Housing Accountability Act (HAA) issue with ADUs: (A) CUs to as-of-right approvals due to HAA, (B) Incentive to demolish, (2) Planning Commission pushed out to June 21, 2018.