



**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*

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Monday, December 10, 2018

1:30 PM

City Hall, Legislative Chamber, Room 250

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**Regular Meeting**

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

*The Land Use and Transportation Committee met in regular session on Monday, December 10, 2018, with Chair Katy Tang presiding.*

## ROLL CALL AND ANNOUNCEMENTS

*Chair Tang called the meeting to order at 1:43 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.*

### **181144 [Planning Code - Landmark Designation - 2 Henry Adams Street (the Dunham, Carrigan & Hayden Building)]**

**Sponsor: Cohen**

Ordinance amending the Planning Code to designate 2 Henry Adams Street (the Dunham, Carrigan & Hayden Building), Assessor's Parcel Block No. 3910, Lot No. 001, 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 the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302. (Historic Preservation Commission)

11/20/18; RECEIVED FROM DEPARTMENT.

11/27/18; ASSIGNED to Land Use and Transportation Committee. President Cohen assumed sponsorship from the November 27, 2018 Board of Supervisors meeting, and waived the 30-Day Rule, pursuant to Board Rule 3.23.

11/30/18; NOTICED. 10-day Mailed Notice sent to property owners, pursuant to Planning Code Section 1004.3.

*Heard in Committee. Speakers: Supervisor Malia Cohen (Board of Supervisors); Aaron Starr (Planning Department); presented information and answered questions raised throughout the discussion. Joshua Lenard (San Francisco Design Center); Erik Hughes; Kirk Wayland; spoke in support of the hearing matter.*

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

Ayes: 3 - Tang, Kim, Safai

**180939 [Planning Code, Zoning Map - District 11 Large Residence Special Use District]****Sponsor: Safai**

Ordinance amending the Planning Code and Zoning Map to create the District 11 Large Residence Special Use District (the area within a perimeter established by Interstate 280, Orizaba Avenue, Brotherhood Way, Junipero Serra Boulevard, Holloway Avenue, Ashton Avenue, Ocean Avenue, southern border of Balboa Park, San Jose Avenue, Havelock Street, Interstate 280, Stoneybrook Avenue, Cambridge Street, Stoneyford Avenue, Gladstone Drive, Sunglow Lane, Silver Avenue, Madison Street, Burrows Street, Mansfield Street, western boundary of John McLaren Park, La Grande Avenue, western boundary of John McLaren Park, Geneva Avenue, Linda Vista Steps, Lapham Way, Robinson Drive, and the southern boundary of San Francisco), to promote and enhance neighborhood character and affordability by requiring Conditional Use authorization for large residential developments in the district; 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.

09/25/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/25/2018.

10/03/18; REFERRED TO DEPARTMENT. Referred to the Planning Commission pursuant to Planning Code Section 302, for public hearing and recommendation and the Planning Department for environmental review.

11/01/18; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a direct or indirect physical change in the environment.

11/30/18; NOTICED. 10-Day Notice for 12/10//2018 Land Use and Transportation Committee hearing published in the Examiner and posted, per California Government Code, Sections 65856 & 65090.

*Heard in Committee. Speakers: None.*

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

Ayes: 3 - Tang, Kim, Safai

**181046 [Planning Code - HOME-SF Project Authorization]****Sponsors: Tang; Safai**

Ordinance amending the Planning Code to require additional findings for HOME-SF project authorizations; amending the fee for Affordable Housing Bonus Program projects; 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 findings of public necessity, convenience, and welfare under Planning Code, Section 302.

10/30/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/29/2018.

11/07/18; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; and to the Planning Commission for public hearing and recommendation, pursuant to Planning Code, Section 302(b).

11/21/18; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment. Any proposal would require environmental review.

12/07/18; RESPONSE RECEIVED. On December 6, 2018, the Planning Commission met and held a duly noticed public hearing recommending approval with modifications.

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

*Supervisor Safai requested to be added as a co-sponsor.*

**Vice Chair Kim moved that this Ordinance be AMENDED, AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 4, Lines 2-3, by adding 'or to provide parking in excess of what is principally permitted' after 'size,'; on Page 6, Lines 16-19, by adding 'If a HOME-SF Project would otherwise require a conditional use authorization to provide parking in excess of what is principally permitted, the Planning Commission shall make the findings required by Section 151.1(f) as part of the Section 328 HOME-SF Project Authorization.' after 'requirement. '; and adding other clarifying and conforming changes. The motion carried by the following vote:**

Ayes: 3 - Tang, Kim, Safai

Ordinance amending the Planning Code to require additional findings for HOME-SF project authorizations; extending the application deadline for projects eligible for the HOME-SF temporary provisions; amending the fee for Affordable Housing Bonus Program projects; and affirming the Planning Department's determination under the California Environmental Quality Act; making findings of public necessity, convenience, and welfare under Planning Code, Section 302; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.

**Vice Chair Kim moved that this Ordinance be CONTINUED AS AMENDED to the Land Use and Transportation Committee meeting of January 7, 2019. The motion carried by the following vote:**

Ayes: 3 - Tang, Kim, Safai

**180917 [Planning Code - Small Family Child Care in an Affordable Dwelling Unit on the Ground Floor]****Sponsors: Yee; Ronen, Kim, Cohen, Safai and Brown**

Ordinance amending the Planning Code to permit an affordable dwelling unit with a State-licensed Small Family Child Care Home on the ground floor on certain commercial streets; excluding certain Child Care units from the calculation of maximum density permitted on the site; and making environmental findings, 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.

09/18/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/18/2018.

09/26/18; REFERRED TO DEPARTMENT. Referred to the Planning Commission pursuant to Planning Code Section 302, for public hearing and recommendation; Planning Department for environmental review; Mayor's Office of Housing and Community Development and Office of Early Care and Education for informational purposes.

09/27/18; 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.

12/04/18; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Supervisor Yee introduced a substitute Ordinance bearing the same title.

12/06/18; RESPONSE RECEIVED. On November 29, 2018, the Planning Commission conducted a duly noticed hearing and recommended approval of the proposed legislation.

12/07/18; REFERRED TO DEPARTMENT. Referred to the Planning Commission pursuant to Planning Code Section 302, for public hearing and recommendation; Planning Department for environmental review.

12/07/18; RESPONSE RECEIVED. On November 29, 2018, the Planning Commission reviewed the original ordinance and the modifications added to the revised ordinance. As such, they will not be hearing the item again.

*Heard in Committee. Speakers: Supervisor Norman Yee (Board of Supervisors); Sheila Nickolopoulos (Planning Department); presented information and answered questions raised throughout the discussion. Lourdes Alarcon (Parent Voices); Corey Smith (San Francisco Housing Action Coalition); spoke in support of the hearing matter.*

**Vice Chair Kim moved that this Ordinance be AMENDED, AMENDMENT OF THE WHOLE BEARING SAME TITLE, by adding additional findings; replacing the terms for Designated Child Care Units from 15 years to 10 years; and making other clarifying and conforming changes. The motion carried by the following vote:**

Ayes: 3 - Tang, Kim, Safai

**Vice Chair Kim moved that this Ordinance be RECOMMENDED AS AMENDED AS A COMMITTEE REPORT. The motion carried by the following vote:**

Ayes: 3 - Tang, Kim, Safai

**180777 [Planning Code - Conditional Use Authorization Required for Employee Cafeterias within Office Space]****Sponsors: Safai; Peskin**

Ordinance amending the Planning Code to prohibit Employee Cafeterias, as defined in the Health Code, within Office space, except for existing Employee Cafeterias; 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.

(Pursuant to Charter, Section 4.105, this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve the ordinance for passage.)

07/24/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 8/23/2018.

07/31/18; REFERRED TO DEPARTMENT. Referred to Planning Commission for pursuant to Planning Code Section 302(b) for public hearing and recommendation; Planning Department for environmental review.

08/01/18; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a direct or reasonably foreseeable physical change in the environment.

11/07/18; RESPONSE RECEIVED. On October 23, 2018, the Planning Commission conducted a duly noticed hearing on the proposed legislation and submitted their recommendation of disapproval.

12/03/18; CONTINUED. Heard in Committee. Speaker: Sue Hester; spoke on various concerns relating to the hearing matter.

*Heard in Committee. Speakers: Diego Sanchez (Planning Department); Jon Givner (Office of the City Attorney); Aaron Starr (Planning Department); William Strawn (Department of Building Inspection); presented information and answered questions raised throughout the discussion. Chhani Sahni (Golden Gate Restaurant Association); spoke in support of the hearing matter.*

**Member Safai moved that this Ordinance be AMENDED, AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 1, by striking 'Prohibiting' and replacing it with 'Conditional Use Authorization Required for'; on Page 1, Lines 3-4, by striking 'prohibit' and replacing it with 'require a Conditional Use authorization for'; on Page 3, Lines 2-8, by adding 'requires a Conditional Use authorization pursuant to Section 303 of this Code. For purposes of this subsection (j), "Employee Cafeteria" is defined as a food facility within the premises where the employees are provided food on a regular basis. The operators of the food facility are either employees of the business or are contracted by that business. Foods are prepared and cooked on the site in a full-service kitchen with an exhaust ventilation system that requires a health permit from the Department of Public Health to operate.' After 'Office space'; and adding other clarifying and conforming changes. The motion carried by the following vote:**

Ayes: 3 - Tang, Kim, Safai

Ordinance amending the Planning Code to require a Conditional Use authorization for Employee Cafeterias, as defined, within Office space, except for existing Employee Cafeterias; 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.

(Pursuant to Charter, Section 4.105, this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve the ordinance for passage.)

**Member Safai moved that this Ordinance be CONTINUED TO CALL OF THE CHAIR AS AMENDED. The motion carried by the following vote:**

Ayes: 3 - Tang, Kim, Safai

Supervisor Safai was noted absent at 3:35 p.m. and for the remainder of the meeting.

## **Supervisor Safai Excused from Attendance**

**Vice Chair Kim moved that Member Safai be excused from the remainder of the Land Use and Transportation Committee meeting of December 10, 2018. The motion carried by the following vote:**

Ayes: 2 - Tang, Kim

Excused: 1 - Safai

### **180970 [Bi-Annual Housing Balance Report Nos. 6 and 7]**

Resolution receiving and approving the bi-annual Housing Balance Report No. 6, dated May 10, 2018, and Report No. 7, dated September 20, 2018, submitted as required by Planning Code, Section 103. (Planning Department)

09/27/18; RECEIVED FROM DEPARTMENT.

10/16/18; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

*Heard in Committee. Speakers: Teresa Ojeda (Planning Department); presented information and answered questions raised throughout the discussion. Corey Smith (San Francisco Housing Action Coalition); Fernando Marti and Peter Cohen (Council of Community Housing Organizations); spoke on various concerns relating to the hearing matter.*

*Member Safai moved that this Resolution be HEARD AND FILED. The motion carried by the following vote:*

*Ayes: 3 - Tang, Kim Safai*

*Vice Chair Kim moved to rescind the previous vote. The motion carried by the following vote:*

*Ayes: 2 - Tang, Kim*

*Excused: 1 - Safai*

**Vice Chair Kim moved that this Resolution be RECOMMENDED. The motion carried by the following vote:**

Ayes: 2 - Tang, Kim

Excused: 1 - Safai

## **ADJOURNMENT**

*There being no further business, the Land Use and Transportation Committee adjourned at the hour of 3:36 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.*