



**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: Aaron Peskin, Ahsha Safai, Matt Haney*

*Clerk: Erica Major (415) 554-4441*

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**Monday, July 29, 2019**

**1:30 PM**

**City Hall, Legislative Chamber, Room 250**

**Regular Meeting**

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**Present:** 3 - Aaron Peskin, Ahsha Safai, and Matt Haney

*The Land Use and Transportation Committee met in regular session on Monday, July 29, 2019, with Chair Aaron Peskin presiding. Chair Peskin called the meeting to order at 1:32 p.m.*

**ROLL CALL AND ANNOUNCEMENTS**

*On the call of the roll, Chair Peskin, Vice Chair Safai, and Member Haney were noted present. A quorum was present.*

**AGENDA CHANGES**

*There were no agenda changes.*

**REGULAR AGENDA**

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

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.

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.

12/10/18; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. 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.

12/10/18; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

03/18/19; RESPONSE RECEIVED. On March 7, 2019, the Planning Commission met and held a duly noticed hearing and recommended disapproval of the proposed legislation.

07/22/19; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Jon Givner (Office of the City Attorney); Diego Sanchez (Planning Department); presented information and answered questions raised throughout the discussion. DeeDee Workman (San Francisco Chamber of Commerce); spoke in opposition of the hearing matter.

Vice Chair Safai moved that this Ordinance be AMENDED, AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 2, Lines 2-5, by amending Section 1 of the legislation; on Page 4, Lines 6-7, by striking 'An Office use is subject to the operating conditions of Section 202.2 of this Code.'; on Page 4, Lines 13-14, by adding 'All office uses are subject to the operating conditions of Section 202.2 of this Code.' after 'display of goods.'; on Page 5, Line 8, by striking 'July 24, 2018' and replacing it with 'July 1, 2019'; and adding other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Peskin, Safai, Haney

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

Ayes: 3 - Peskin, Safai, Haney

Chair Peskin moved to rescind the vote to RECOMMEND AS AMENDED. The motion carried by the following vote:

Ayes: 2 - Peskin, Haney  
Absent: 1 - Safai

07/22/19; CONTINUED AS AMENDED.

*Heard in Committee. Speakers: None.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Peskin, Safai, Haney

**190702 [Planning Code - New Rooftop Floor Area or Building Volume on Noncomplying Structure Designated as a Significant Building - 5 Third Street]**

Ordinance amending the Planning Code to permit new floor area or building volume on the rooftop of a noncomplying structure that is designated as a Significant Building under Planning Code, Article 11, located on Assessor's Parcel Block No. 3707, provided that the rooftop has an existing parapet at least 17 feet in height along the primary building frontage; 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. (Planning Department)

06/13/19; RECEIVED FROM DEPARTMENT.

06/25/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/25/2019.

*Heard in Committee. Speakers: Seema Adina (Planning Department); Jon Givner (Office of City Attorney); presented information and answered questions raised throughout the discussion. Cynthia Gomez (Local 2); Connie Ford (Good Jobs for All); spoke in support of the hearing matter. Mr. Wright; spoke in opposition of the hearing matter.*

**Member Matt Haney moved that this Ordinance be AMENDED, AMENDMENT OF THE WHOLE BEARING NEW TITLE, by adding '5 Third Street' to the long title; adding text that sunset in a previous version; and adding other clarifying and conforming changes. The motion carried by the following vote:**

Ayes: 3 - Peskin, Safai, Haney

Ordinance amending the Planning Code to permit new floor area or building volume on the rooftop of a noncomplying structure that is designated as a Significant Building under Planning Code, Article 11, located on Assessor's Parcel Block No. 3707 (5 Third Street), provided that the rooftop has an existing parapet at least 17 feet in height along the primary building frontage; 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. (Planning Department)

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

Ayes: 3 - Peskin, Safai, Haney

**190594 [Planning Code - Reorganization of Chinatown Mixed Use Districts]**

Ordinance amending the Planning Code to revise the zoning control tables of the Chinatown Mixed Use Districts to make them consistent with those in Articles 2 and 7, to apply the use definitions in Section 102, to set an abandonment period for use size maximums, and to allow General Entertainment and Nighttime Entertainment Uses with conditional use authorization; 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. (Planning Commission)

05/14/19; RECEIVED FROM DEPARTMENT.

06/04/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/4/2019.

*Heard in Committee. Speakers: Aaron Starr (Planning Department); presented information and answered questions raised throughout the discussion. Roy Chan (Chinatown Community Development Center); spoke in support of the hearing matter. Mr. Wright; spoke in opposition of the hearing matter.*

**Chair Peskin moved that this Ordinance be AMENDED, AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Line 7, by striking ',' and replacing it with '.'; on Page 3, Line 8, by striking 'and' and replacing it with 'further'; and on Page 3, Lines 9-12, by adding ', except the maximum use size shall not be deemed abandoned if the change of use is a for a Legacy Business or Institutional Use, or if a Legacy Business or Institutional Use occupies the non-conforming space after such three year period. The motion carried by the following vote:**

Ayes: 3 - Peskin, Safai, Haney

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

Ayes: 3 - Peskin, Safai, Haney

**190477 [Hearing - San Francisco Public Utilities Commission Preliminary Report - Safe, Reliable, Clean, Affordable Electric Service]**

**Sponsors: Ronen; Peskin and Fewer**

Hearing to receive a report from the San Francisco Public Utilities Commission on options for improving electric service through acquisition, construction, or completion of public utilities, pursuant to Resolution No. 174-19, adopted April 9, 2019, and in accordance with Charter, Section 16.101; and requesting the San Francisco Public Utilities Commission to report.

04/30/19; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

05/07/19; REFERRED TO DEPARTMENT. Referred to the Public Utilities Commission for informational purposes and requesting the agency to report.

06/10/19; CONTINUED. Heard in Committee. Speakers: None.

06/17/19; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Diego Sanchez (Planning Department); presented information and answered questions raised throughout the discussion. Mr. Wright; Speaker; spoke on various concerns relating to the hearing matter.

*Heard in Committee. Speakers: Barbara Hale (San Francisco Public Utilities Commission); presented information and answered questions raised throughout the discussion. Eileen Boken; Speaker; Eric Brooks (San Francisco Green Party); Robin David; Melissa Yu (Sierra Club); Jed Holtzman; Mr. Wright; Adam Bleiman; spoke on various concerns relating to the hearing matter.*

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

Ayes: 3 - Peskin, Safai, Haney

## ADJOURNMENT

*There being no further business, the Land Use and Transportation Committee adjourned at the hour of 2:28 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.*