



**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: Malia Cohen, Scott Wiener, Aaron Peskin*

*Clerk: Alisa Somera (415) 554-7711*

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**Monday, September 19, 2016**

**1:30 PM**

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

**Regular Meeting**

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**Present:** 3 - Malia Cohen, Scott Wiener, and Aaron Peskin

*The Land Use and Transportation Committee met in regular session on Monday, September 19, 2016, with Chair Malia Cohen presiding.*

**ROLL CALL AND ANNOUNCEMENTS**

*Chair Cohen called the meeting to order at 1:40 p.m. On the call of the roll, Chair Cohen, Vice Chair Wiener and Member Peskin were noted present. There was a quorum.*

**AGENDA CHANGES**

*There were no agenda changes.*

## REGULAR AGENDA

### 160426 [Planning Code, Zoning Map - Rezoning Midtown Terrace Neighborhood]

**Sponsor: Yee**

Ordinance amending the Planning Code by revising the Zoning Map to rezone all lot numbers in Assessor's Parcel Block Nos. 2780, 2783, 2784, 2785, 2786, 2787, 2790, 2791, 2792, 2793, 2794, 2795, 2796, 2797, 2798, 2820, 2822, 2822A, 2822B, 2823, 2823A, 2823B, 2823C, 2824, 2825, 2833, 2834, 2835, 2836; all lots in Block No. 2643B except Lot Nos. 5 and 8; all lots in Block No. 2781 except Lot No. 22; all lots in Block No. 2782 except Lot No. 27; all lots in Block No. 2788 except Lot No. 27; all lots in Block No. 2789 except Lot No. 29; and Lot Nos. 1, 2, 9, 12, 13, 14, 15, 16, 17, 23, and 24 of Assessor's Parcel Block No. 2821, from their current designation as Residential, House: One-Family (RH-1) to Residential, House: One-Family (Detached Dwellings) (RH-1(D)); revising the Zoning Map to rezone Assessor's Parcel Block No. 2643B, Lot No. 8, from its current designation as Public to RH-1(D); affirming the Planning Department'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.

04/26/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/26/2016.

05/03/16; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Planning Commission for hearing and recommendation; Rent Board; Mayor's Office of Housing and Community Development; and Office of Community Investment and Infrastructure for informational purposes.

05/06/16; 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.

07/26/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

08/04/16; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Planning Commission for public hearing and recommendation, pursuant to Planning Code, Section 302(b); Rent Board, Mayor's Office of Housing and Community Development, and Office of Community Investment and Infrastructure for informational purposes.

09/01/16; RESPONSE RECEIVED. 8/11/2016 - The Planning Commission held a public hearing and recommended approval of the proposed legislation; Resolution No. 19725.

09/09/16; NOTICED. 10-Day Notice published in the Examiner for the 9/19/2016 Land Use and Transportation Committee hearing (per Government Code Sections 65856 & 65090).

*Heard in Committee. Speakers: Supervisor Norman Yee (Board of Supervisors); Aaron Starr (Planning Department); Jon Givner (Office of the City Attorney); provided an overview and responded to questions raised throughout the discussion. Joyce Mordenti; Norman Furuta; Male Speaker; Gordon Crespo; Corey Smith; Terry Thompson; spoke in support of the matter. David McAdams; Rick Johnson; Daniel Camp; Female Speaker; Sonya Trauss; Vincent Wog; Female Speaker; spoke in opposition of the matter.*

**Vice Chair Wiener moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by exempting the parcels to be rezoned from RH-1 to RH-1(D), by this Ordinance, from the prohibition of adding an Accessory Dwelling Unit pursuant to Planning Code, Section 207. The motion carried by the following vote:**

Ayes: 3 - Cohen, Wiener, Peskin

Ordinance amending the Planning Code by revising the Zoning Map to rezone all lot numbers in Assessor's Block Nos. 2780, 2783, 2784, 2785, 2786, 2787, , 2790, 2791, 2792, 2793, 2794, 2795, 2796, 2797, 2798, 2820, 2822, 2822A, 2822B, 2823, 2823A, 2823B, 2823C, 2824, 2825, 2833, 2834, 2835, 2836; all lots in Block 2643B except lots 5 and 8; all lots in Block 2781 except lot 22; all lots in Block 2782 except lot 27; all lots in Block 2788 except lot 27; all lots in Block 2789 except lot 29; and lots 1, 2, 9, 12, 13, 14, 15, 16, 17, 23, and 24 of Assessor's Block 2821, from their current designation as Residential, House: One-Family (RH-1) to Residential, House: One-Family (Detached Dwellings) (RH-1(D)); revising the Zoning Map to rezone Lot number 8 in Assessor's Block No. 2643B from its current designation as Public to RH-1(D); amending the Planning Code to exempt the above blocks and lots from the requirements for Accessory Dwelling Units in RH-1(D) zoning districts; affirming the Planning Department'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.

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

Ayes: 3 - Cohen, Wiener, Peskin

**160894 [Zoning - Interim Moratorium on First Story Business or Professional Service Uses in West Portal Avenue Neighborhood Commercial District]**

**Sponsor: Yee**

Urgency Ordinance approving an interim zoning moratorium to prohibit first story Business or Professional Service uses in the West Portal Avenue Neighborhood Commercial District for 45 days, in accordance with California Government Code, Section 65858; 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.

08/02/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 9/1/2016.

08/11/16; REFERRED TO DEPARTMENT. Referral sent to Planning Department for environmental review; Small Business Commission for comment and recommendation; Office of Economic and Workforce Development, Planning Department, Public Works, and Municipal Transportation Agency for informational purposes.

09/08/16; 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.

09/09/16; NOTICED. 10-Day Notice for the 9/19/2016 Land Use and Transportation Committee hearing published in the Examiner and mailed to affected property owners (per Planning Code Section 306.7).

*Heard in Committee. Speakers: Supervisor Norman Yee (Board of Supervisors); provided an overview and responded to questions raised throughout the discussion. Tom Kanaley; Kim Scott; spoke in support of the matter. Stephano Costenalo; Rick Fain; Beverlee Freyberg; Lise Mousel; Jon Stedman; Peter Chen; Ellen Chiang; Ashly Chen; Sam Quong; Betty Jean Weiss; Fion Shin; Edward Munious; Bridget Sherman; Diana Schindler; spoke in opposition of the matter.*

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

Ayes: 3 - Cohen, Wiener, Peskin

*Chair Cohen was noted not present at 3:06 p.m. and for the remainder of the meeting.*

**160321 [Planning Code - Housing Balance Report]****Sponsor: Kim**

Ordinance amending the Planning Code to require inclusion in the Housing Balance Report data about the withdrawal of housing units from the rental market by all means, including owner move-ins; 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 convenience, necessity, and welfare under Planning Code, Section 302.

04/05/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/5/2016.

04/13/16; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Planning Commission for public hearing and recommendation (per Planning Code, Section 302(b)); Mayor's Office of Housing and Community Development; Office of Community Investment and Infrastructure; Rent Board; Housing Opportunity, partnerships and Engagement; and Department of Building Inspection 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.

07/13/16; RESPONSE RECEIVED. 07/07/2016 - The Planning Commission conducted a duly noticed public hearing and recommended approval of this matter with modification.

*Heard in Committee. Speakers: April Veneracion-Ang (Office of Supervisor Jan Kim); provided an overview and responded to questions raised throughout the discussion. Mr. Mundi; spoke in support of the matter.*

**Member Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Lines 17 and 18, by adding 'less the number of units removed from rent-controlled or below-market status'; on Page 4, Line 13, by striking 'permanently'; on Page 4, Lines 13 and 14, by adding 'including but not limited to through owner move-in pursuant to Administrative Code Section 67.9(a)(8)'; on Page 4, Line 23, by adding 'described in subsection (c)(3)(G) above'; on Page 5, Line 22, by striking 'September 1st and March 1st' and adding 'October 1 and April 1' of each year for publishing of the Housing Balance Report; on Page 6, Lines 11 and 12, to delete 'The first hearing shall occur no later than 30 days after the effective date of this Ordinance, and by April 1 of each year thereafter'; and making other technical amendments. The motion carried by the following vote:**

Ayes: 2 - Wiener, Peskin

Absent: 1 - Cohen

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

Ayes: 2 - Wiener, Peskin

Absent: 1 - Cohen

**160807 [Hearing - Transit Center District Plan Area - Interim Sign Controls - Six Month Report]****Sponsor: Kim**

Hearing on the Planning Department's six month report for the Interim Sign Controls in the Transit Center District Pan Area between Folsom, Harrison, Essex, and 2nd Streets.

07/12/16; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

07/19/16; REFERRED TO DEPARTMENT. Referred to the Planning Department for informational purposes.

*Heard in Committee. Speakers: April Veneracion-Ang (Office of Supervisor Jane Kim); Jon Givner (Office of the City Attorney); provided an overview and responded to questions raised throughout the discussion.*

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

Ayes: 2 - Wiener, Peskin

Absent: 1 - Cohen

**ADJOURNMENT**

*There being no further business, the Land Use and Transportation Committee adjourned at the hour of 3:12 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.*