



**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, November 28, 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, November 28, 2016, with Chair Malia Cohen presiding.*

**ROLL CALL AND ANNOUNCEMENTS**

*Chair Cohen called the meeting to order at 1:38 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

### **161197 [Jurisdictional Transfer and Exchange of City Property - San Francisco Public Utilities Commission - Public Works - 160 Napoleon Street - 1801 Jerrold Avenue and a Portion of 160 Napoleon Street]**

**Sponsor: Mayor**

Resolution approving the jurisdictional transfer of 1801 Jerrold Avenue, Assessor's Parcel Block No. 5281, Lot No. 001, consisting of approximately 64,340 square feet, commonly known as the Asphalt Plant Site, currently under the jurisdiction of Public Works (SFPW) to the San Francisco Public Utilities Commission (SFPUC), and a portion of 160 Napoleon Street, Assessor's Parcel Block No. 4343, Lot Nos. 018 and 031, and Block No. 4346, Lot Nos. 001 and 001A, consisting of 59,132 square feet, commonly known as the Napoleon Site, currently under the jurisdiction of the SFPUC to the SFPW, subject to the terms and conditions of a Memorandum of Understanding between SFPUC and SFPW; adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing other actions in furtherance of this Resolution, as defined herein.

11/01/16; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

11/10/16; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; to Public Utilities Commission and Public Works for informational purposes.

11/23/16; 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.

*Heard in Committee. Speakers: Shelby Campbell (Public Utilities Commission); Sue Black (Public Works); Karen Kubick (Public Utilities Commission); presented information and answered questions raised throughout the discussion.*

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

Ayes: 3 - Cohen, Wiener, Peskin

### **161095 [Planning Code, Zoning Map - 1493-1497 Potrero Avenue]**

Ordinance amending the Planning Code to revise Sectional Map HT08 of the Zoning Map to rezone the height and bulk designation for 1493-1497 Potrero Avenue, Assessor's Parcel Block No. 4277, Lot No. 016, from Open Space (OS) to 40-X; 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 convenience, necessity, and welfare under Planning Code, Section 302. (Planning Commission)

10/13/16; RECEIVED FROM DEPARTMENT.

10/25/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/24/2016.

11/18/16; NOTICED. 10-Day Notice published in the Examiner, pursuant to Government Code Sections 65856 and 65090.

*Heard in Committee. Speakers: Aaron Starr (Planning Department); presented information and answered questions raised throughout the discussion. Jim Abrams; spoke in support of the proposed legislation.*

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

Ayes: 3 - Cohen, Wiener, Peskin

Chair Cohen requested File Nos. 161184 and 161067 be heard together.

**161184 [General Plan Amendment - Downtown Area Plan Map 5]**

**Sponsor: Kim**

Ordinance amending the General Plan by revising the height designation for Assessor's Parcel Block No. 3701, Lot Nos. 20 and 21, on Map 5 of the Downtown Area Plan from 120-X to 200-X; adopting and making findings regarding the Mitigated Negative Declaration prepared in compliance with 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. (Planning Commission)

11/07/16; RECEIVED FROM DEPARTMENT.

11/15/16; ASSIGNED to Land Use and Transportation Committee. President Breed waived the 30-day hold pursuant to Board Rule 3.22.

11/18/16; NOTICED. 10-Day Notice published in the Examiner and mailed via USPS (per Government Code, Section 65096).

*Heard in Committee. Speakers: AnMarie Rodgers (Planning Department); Supervisor Jane Kim (Board of Supervisors); presented information and answered questions raised throughout the discussion. Eric Tao; spoke in support of the proposed legislation.*

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

Ayes: 3 - Cohen, Wiener, Peskin

**161067 [Planning Code, Zoning Map - Mission and 9th Street Special Use District]****Sponsors: Kim; Peskin**

Ordinance amending the Planning Code to add Section 249.15 to create the Mission and 9th Street Special Use District in the area generally bounded by Mission Street on the south, Laskie Street on the east, Assessor's Parcel Block No. 3701, Lot Nos. 22, 23, and 24 on the west, and Assessor's Parcel Block No. 3701, Lot No. 66 to the north; amending the Zoning Map Sheet SU07 to create the Mission and 9th Street Special Use District; amending Zoning Map Sheet HT07 to change the height limit on Assessor's Parcel Block No. 3701, Lot Nos. 20 and 21, from 120-X to 200-X; 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.

10/04/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/3/2016.

10/13/16; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Planning Commission for public hearing and recommendation, pursuant to Planning Code, Section 302(b); Mayor's Office of Housing and Community Development for informational purposes.

10/26/16; RESPONSE RECEIVED. CEQA Clearance under Planning Department Case No. 2014.0926ENV for the 1270 Mission Street Project Final Mitigated Negative Declaration issues on 9/29/2016.

11/04/16; NOTICED. 10-Day Notice published in the Examiner for the 11/14/2016 Land Use and Transportation Committee hearing (pursuant to Government Code Section 65856 and 65090).

11/04/16; RESPONSE RECEIVED. 10/27/2016 - The Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 19767.

11/14/16; CONTINUED. Heard in Committee. Speakers: None.

*Heard in Committee. Speakers: AnMarie Rodgers (Planning Department); Supervisor Jane Kim (Board of Supervisors); presented information and answered questions raised throughout the discussion. Eric Tao; spoke in support of the proposed legislation.*

**Member Peskin moved that this Ordinance be AMENDED on Page 2, Line 1, by striking 'At the same hearing,'. The motion carried by the following vote:**

Ayes: 3 - Cohen, Wiener, Peskin

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

Ayes: 3 - Cohen, Wiener, Peskin

**160925 [Planning Code - Transportation Demand Management Program Requirement]****Sponsor: Avalos**

Ordinance amending the Planning Code to establish a citywide Transportation Demand Management (TDM) Program, to require Development Projects to incorporate design features, incentives, and tools that support sustainable forms of transportation; create a new administrative fee to process TDM Plan applications and compliance reports; make conforming amendments to various sections of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making 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)

08/17/16; RECEIVED FROM DEPARTMENT.

09/06/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/6/2016.

11/18/16; NOTICED. First 10-Day Fee Ad published in the Examiner, pursuant to Government Code Section 6062(a).

11/24/16; NOTICED. Second 10-Day Fee Ad published in the Examiner, pursuant to Government Code Section 6062(a).

*Heard in Committee. Speakers: Supervisor John Avalos (Board of Supervisors); Cheryl Brinkman (Municipal Transportation Agency); AnMarie Rodgers (Planning Department); Carli Paine (Municipal Transportation Agency); Corey Teague (Planning Department); Tilly Chang, Executive Director (San Francisco County Transportation Authority); presented information and answered questions raised throughout the discussion. Meghan Weir: Arielle Fleisher; Corey Smith; Debbie Luhrman; Peter Cohen; spoke in support of the proposed legislation. Eileen Boken; spoke in opposition to the proposed legislation. Cathy DeLuca (Walk SF); Matt Field; Sally Duke; Sean Kieran; spoke neither in support nor against the proposed legislation.*

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Lines 1-18, by striking references to a Planning Commission Resolution that adopted Planning Code Section 101.1, General Plan, and Planning Code Section 302 findings, and adding reference to the Planning Department Memorandum that states these findings; on Page 6, Lines 6-15, by adding a finding of public interest to exempt affordable housing from the fees and requirements of the Program; on Page 9, Lines 4-7, by adding language to require a Plan be presented at pre-application meetings; on Page 12, Lines 6-11, by adding language to allow the Planning Commission to establish a phase-in schedule for implementation of the Program, and Lines 16-17, by adding language on how future reports may be presented to the Board; on Page 13, Lines 3-6, by adding language related to the definition of 'Gross Floor Area'; on Page 17, Lines 16-17, by adding a new 'Section 4'; on Page 17, Line 20, through Page 18, Line 3, by adding a new 'Section 5'; on Page 18, Lines 15-25, by striking language referring to the enactment of an Ordinance contained in Board of Supervisors File No. 160632; and by adding grandfathering clauses that development projects with development applications submitted on or before September 4, 2016 shall be subject to 50% of the target, and those submitted on or after September 5, 2016 and before January 1, 2018 shall be subject to 75% of the target, by the following vote:**

Ayes: 3 - Cohen, Wiener, Peskin

**Chair Cohen moved that this Ordinance be CONTINUED AS AMENDED to the Land Use and Transportation Committee meeting of December 5, 2016. The motion carried by the following vote:**

Ayes: 3 - Cohen, Wiener, Peskin

## ADJOURNMENT

*There being no further business, the Land Use and Transportation Committee adjourned at the hour of 3:26 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.*