



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

Monday, June 17, 2019

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

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

The Land Use and Transportation Committee met in regular session on Monday, June 17, 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

Chair Peskin requested that File Nos. 190477, 190165, and 190048 be called together.

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.

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.

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

190432 [Hearing - Status of Parking Attendants on City-Owned Garages, Existing Employees, Planned Layoffs, and System Automation]**Sponsor: Safai**

Hearing on the status of parking attendants working in City-owned garages, specifically, the number of existing employees, plans to prioritize the safety and well-being of customers, layoffs, or job reductions in the last three years as well as planned reductions in the future, and the move to an automated system; and requesting the Municipal Transportation Agency to report.

04/16/19; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

04/23/19; REFERRED TO DEPARTMENT. Referred to the Municipal Transportation Agency for informational purposes and requesting the agency to report.

Heard in Committee. Speakers: Ted Graff (Municipal Transportation Agency); presented information and answered questions raised throughout the discussion. Tony Lorro; Leila Snyder; Jenny; Veronica LaBeau; Katie Sugarman (IATSE Local 784); Rudy Gonzalez; Mr. Wright; Arthur Hope; Stephen Garcia; Speaker (Teamsters Local 665); Speaker; Mark Gleason (Teamsters Joint Council); Patrick Eisenberg; spoke on various concerns relating to the hearing matter.

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

Ayes: 3 - Peskin, Safai, Haney

190605 [Master Lease of City Property - Yerba Buena Gardens Conservancy -Yerba Buena Gardens - \$1.00 Annual Base Rent]

Resolution approving and authorizing the Director of Property to execute a master lease agreement between the City and County of San Francisco, as landlord, and the Yerba Buena Gardens Conservancy, a California nonprofit public benefit corporation, as tenant, for the lease of City-owned real property and improvements, collectively known as Yerba Buena Gardens at an annual base rent of \$1.00 for a total term to commence upon approval from the Board of Supervisors and Mayor, through September 1, 2061; finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting California Environmental Quality Act findings. (Real Estate Department)

05/22/19; RECEIVED FROM DEPARTMENT.

05/31/19; TRANSFERRED to Land Use and Transportation Committee. President Yee transferred this matter from the Budget and Finance Sub Committee to the Land Use and Transportation Committee.

06/04/19; RECEIVED AND ASSIGNED to Land Use and Transportation Committee. 5/31/2019 - This matter was assigned on the 6/4/2019 Legislation Introduced to the Budget and Finance Sub Committee; the President submitted a memo transferring this matter to the Land Use and Transportation Committee.

Heard in Committee. Speakers: Andrico Penick, Director (Real Estate Division); Jon Givner (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Scott Rose (Yerba Buena Conservancy); Cathy Maupin, Executive Director (Yerba Buena Community Benefit District); Mary McCue (MJM Management Group); Lynn Marzeolli; Carol Tang (Children's Creativity Museum); Virginia Grand, Executive Director (Yerba Buena Alliance); spoke in support of the hearing matter. Mr. Wright; Todd; Jane Leslie; spoke on various concerns relating to the hearing matter.

Member Haney moved that this Resolution be AMENDED, AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Line 14, by adding quotations to the acronym for Yerba Buena Gardens Conservancy; on Page 5, Line 5, by adding 'the' after 'modifications to'; and adding language that one of the City Representatives on the YBGC Board will be nominated by the San Francisco District Six Supervisor and approved by the Board. The motion carried by the following vote:

Ayes: 3 - Peskin, Safai, Haney

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:

Ayes: 3 - Peskin, Safai, Haney

181211 [Health, Planning, and Police Codes - Small Business Permit Streamlining]**Sponsors: Mayor; Brown**

Ordinance to streamline small business permitting by, among other things, amending the Health Code to align regulation of restaurant enclosures for outdoor food service and restroom requirements with state standards; amending the Planning Code to clarify that a Type 23 liquor license may be used in conjunction with a Bar or Restaurant use, to amend the definition of a Bar to provide for consistent treatment of Type 64 liquor licenses, to modify Nighttime Entertainment use food service requirements, to reduce the distance measured for Retail Sales and Services uses in Neighborhood Commercial zoning districts to any neighborhood commercial district, to reduce the distance measured for nonconforming uses in RH (Residential, House), RM (Residential, Mixed), and RTO (Residential, Transit-Oriented) districts to any neighborhood commercial district, to amend the definition of General Entertainment to include Amusement Game Arcade, to allow as a permitted use an Outdoor Activity Area operated between 6 a.m. to 10 p.m., and to allow Limited Restaurant use as an Accessory Use; amending the Police Code to eliminate certain duplicative inspections and signoffs in connection with Place of Entertainment permits, and amending the definition of Limited Live Performance Locale to remove the requirement for food and beverage service; 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 public necessity, convenience, and welfare findings pursuant to Planning Code, Section 302.

12/11/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/10/2019.

12/17/18; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for comment and recommendation; Referred to the Planning Commission pursuant to Planning Code Section 302, for public hearing and recommendation; Planning Department for environmental review; Entertainment Commission, Office of Economic and Workforce Development, Department of Public Health, Police Department, Fire Department, and Department of Building Inspection for informational purposes.

03/01/19; RESPONSE RECEIVED. On January 28, 2019, the Small Business Commission heard and recommended approval of the proposed legislation; a revised response was received in place of the original.

03/12/19; 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.

03/13/19; RESPONSE RECEIVED. On March 7, 2019, the Planning Commission conducted a duly noticed hearing and recommended approval with modification.

04/01/19; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speaker: Ben VanHouten (Office of Economic and Workforce Development); presented information and answered questions raised throughout the discussion.

Heard in Committee. Speakers: Supervisor Vallie Brown (Board of Supervisors); Speaker; spoke in opposition of the hearing matter.

Chair Peskin moved that this Ordinance be CONTINUED to the Land Use and Transportation Committee meeting of the June 24, 2019. The motion carried by the following vote:

Ayes: 3 - Peskin, Safai, Haney

190165 [Planning Code - Legitimization Program for Non-Residential Uses at 3150-18th Street]**Sponsors: Ronen; Brown**

Ordinance amending the Planning Code to establish a legitimization program for certain non-residential uses at 3150-18th Street (Assessor's Parcel Block No. 3573, Lot No. 106); 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.

02/12/19; ASSIGNED to Land Use and Transportation Committee. President Yee waived the 30-day rule pursuant to Board Rule No. 3.22.

02/20/19; 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.

03/07/19; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in direct or indirect physical change in the environment. It is establishing a program. Any physical activity will need environmental review.

05/07/19; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. 5/7/19 - Supervisor Ronen introduced a substitute Ordinance bearing the same title.

05/15/19; 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.

05/20/19; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for comment and recommendation.

06/03/19; RESPONSE RECEIVED. On May 23, 2019, the Planning Commission conducted a duly noticed public hearing and recommended approval with modifications for this proposed legislation.

06/13/19; 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.

06/14/19; RESPONSE RECEIVED. On June 10, 2019, the Small Business Commission met and recommended approval on this proposed legislation.

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.

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

190048 [Planning Code - Building Standards]**Sponsor: Mandelman**

Ordinance amending the Planning Code to require building setbacks for buildings fronting on narrow streets, modify front yard requirements in Residential Districts, increase required rear yards in single-family zoning districts by five percent, amend the rear yard requirements for through lots and corner lots in certain districts to permit second buildings where specified conditions are met, and allow building height increases to existing stories in existing nonconforming buildings in order to accommodate residential uses; 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 general welfare under Planning Code, Section 302.

01/15/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 2/14/2019.

01/23/19; 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.

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.

Chair Peskin moved that this Ordinance be CONTINUED to the Land Use and Transportation Committee meeting of the June 24, 2019. 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 3:44 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.