



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: Andrea Ausberry (415) 554-4442

Monday, July 18, 2016

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

Present: 4 - Malia Cohen, Scott Wiener, Aaron Peskin, and Mark Farrell

The Land Use and Transportation Committee met in regular session on Monday, July 18, 2016, with Vice Chair Scott Wiener presiding.

ROLL CALL AND ANNOUNCEMENTS

Vice Chair Wiener called the meeting to order at 1:45 p.m. On the call of the roll, Vice Chair Wiener and Member Peskin were noted present. Chair Cohen was noted not present. There was a quorum.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

151122 [Administrative Code - Preferences in Affordable Housing Programs]**Sponsors: Mayor; Cohen, Breed, Wiener and Farrell**

Ordinance amending the Administrative Code to create a fourth preference for people who live or work in San Francisco, in addition to existing preferences in allocating City affordable housing units, and to create an additional category of eligible displaced tenants that includes tenants displaced by fire; 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.

11/02/15; DUPLICATED. Supervisor Wiener requested that File No. 150622 be duplicated.

11/02/15; AMENDED. Heard in Committee. Speakers: President London Breed (Board of Supervisors); Menaka Mohan (Planning Department); Sophie Hayward and Charles MacNulty (Mayor's Office of Housing and Community Development); Susan Cleveland-Knowles (Office of the City Attorney); Mary Benjamin (Mayor's Office of Housing and Community Development); Jon Givner (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Rev. Amos Brown (NAACP/Third Baptist); Rev. Arnold Townsend (EOCSF); Male Speaker; Linda Fadeke Richardson; Gary Banks; Marie Franklin; Rev. Arelious Walker (Bayview Hunters Point Senior Services); Louis Cardonas; Rev. Keva McNeill (NAACP); Female Speaker; Tracy Griffin; Rev. Roland Gordon (Ingleside Presbyterian Church); Jackie Wright; Rev. Martin Hall; Doris Jane Gibson; Michael Baines; Male Speaker; Female Speaker; Female Speaker; Majea Crawford; Peter Cohen; Frank Williams; Bobby Webb; Male Speaker; Female Speaker; Male Speaker; spoke in support of the hearing matter.

Duplicated from File No. 150622.

11/02/15; CONTINUED TO CALL OF THE CHAIR AS AMENDED. Vice Chair Wiener requested this matter be referred to the Planning Commission for public hearing and recommendation.

11/04/15; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation (per Planning Code, Section 302(b)); and Rent Board, Mayor's Office of Housing and Community Development, Housing Opportunity, Partnerships and Engagement, and HOPE SF for informational purposes.

11/18/15; RESPONSE RECEIVED. The Planning Department determined that the changes to the legislation (version 2) do not require an additional Planning Commission hearing.

11/23/15; 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.

06/20/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Sophie Hayward (Mayor's Office of Housing and Community Development); Jon Givner (Office of City Attorney); presented information and answered questions raised throughout the discussion.

06/20/16; RECOMMENDED AS AMENDED.

06/28/16; RE-REFERRED to Land Use and Transportation Committee. Supervisor Farrell requested to be added as a co-sponsor.

07/11/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speaker: Sophie Hayward (Mayor's Office of Housing); provided an overview and responded to questions raised throughout the discussion.

07/11/16; CONTINUED AS AMENDED.

Heard in Committee. Speakers: None.

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

Ayes: 2 - Wiener, Peskin

Absent: 1 - Cohen

160621 [Street Encroachment - Operator Convenience Facilities - Terminus of Muni Transit Lines]

Resolution granting revocable permission to the Municipal Transportation Agency to occupy portions of the public right-of-way to install and maintain three new operator convenience facilities at the terminus of various Muni bus routes; affirming the Planning Department's determination under the California Environmental Quality Act; and making a finding of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

05/27/16; RECEIVED FROM DEPARTMENT.

06/07/16; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

06/15/16; REFERRED TO DEPARTMENT. Referred to Municipal Transportation Agency; Planning Department; and Arts Commission for informational purposes.

Heard in Committee. Speakers: Male Speaker and Marvin Mow (Municipal Transportation Agency); provided an overview and responded to questions raised throughout the discussion.

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

Ayes: 2 - Wiener, Peskin

Absent: 1 - Cohen

160477 [Planning Code - Wireless Telecommunications Services Facilities]**Sponsor: Avalos**

Ordinance amending the Planning Code to 1) define Wireless Telecommunications Services (WTS) Facilities; 2) create distinct WTS Facility land use controls and, among other things, require a conditional use authorization (CU) for Macro WTS Facilities in most Article 2, 7, and 8 Districts; 3) regulate Micro WTS Facilities in all Districts; 4) require that a WTS Facility's CU shall expire after ten years; 5) regulate WTS Facilities in certain Mission Bay Districts and P Districts; 6) exempt certain telecommunications equipment accessory uses from height limitations; 7) allow screening elements for WTS Facilities to exceed height limits, consistent with existing height limit exemptions for antennas; 8) define and regulate Temporary WTS Facilities; 9) allow the Historic Preservation Commission to delegate determinations on applications for Administrative Certificates of Appropriateness and Minor Permits to Alter to Planning Department staff; and 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.

05/03/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/2/2016.

05/11/16; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Public Utilities Commission for informational purposes.

05/19/16; RESPONSE RECEIVED. Not defined as a project under CEQA.

07/13/16; RESPONSE RECEIVED. 06/16/2016 - The Planning Commission conducted duly noticed public hearing recommending approval of this matter.

Heard in Committee. Speakers: Supervisor John Avalos (Board of Supervisors); Aaron Starr (Planning Department); provided an overview and responded to questions raised throughout the discussion. Dan Cody; spoke neither in support nor opposition on the matter.

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

Ayes: 2 - Wiener, Peskin

Absent: 1 - Cohen

President London Breed appointed Supervisor Mark Farrell, in place of Chair Cohen, as a member to the Land Use and Transportation Committee Regular Meeting of July 18, 2016, for File Nos. 160657 and 160590.

160657 [Planning, Administrative Code - Construction of Accessory Dwelling Units]

Sponsors: Farrell; Wiener

Ordinance amending the Planning Code to allow the construction of Accessory Dwelling Units (ADUs, also known as Secondary or In-Law Units) on all lots in the City in areas that allow residential use; amending the Administrative Code to revise the definition of "rental unit" as it applies to ADUs; 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; adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302; and directing the Clerk to send a copy of this ordinance to the California Department of Housing and Community Development after adoption.

05/31/16; ASSIGNED to Land Use and Transportation Committee. President Breed waived the 30-day hold pursuant to Board Rule 3.22.

06/08/16; 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; Department of Building Inspection; Office of Short-Term Rental Administration and Enforcement; and Rent Board for informational purposes.

06/23/16; RESPONSE RECEIVED. 06/16/2016 - The Planning Commission conducted duly noticed public hearing recommending approval of this matter with modifications.

Heard in Committee. Speakers: Kimia Haddadan (Planning Department); Jon Givner (Office of the City Attorney); provided an overview and responded to questions raised throughout the discussion. Cory Smith; Sonja Trauss; Laura Clark; Charlie House; Brook Turner; spoke in support of the matter. Kathryn Devicenzi; Shady Lehrbaum; Rose Hillson; Paul Webber; Georgias Chottish; Anastasia Yovanopoulos; Monica Mcadden; Ralph Gutlohn (Noe Neighborhood Council); Greg Scott (Pacific Heights Residence); Edward Mason; Eileen Boken; spoke in opposition on the matter.

Member Farrell moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 3 - Wiener, Peskin, Farrell

Absent: 1 - Cohen

Member Farrell moved that this Ordinance be REFERRED WITHOUT RECOMMENDATION AS AMENDED AS A COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Wiener, Peskin, Farrell

Absent: 1 - Cohen

160590 [Public Works Code - Street Space Occupancy Permits]**Sponsor: Farrell**

Ordinance amending the Public Works Code to place additional limits on the duration of street space occupancy permits, and to limit the number of such permits including permit extensions that can be issued at the same address during a three-year period in Residential, Urban Mixed-Use, and Neighborhood Commercial Districts, and precluding the issuance of such permits at the same address for two years after that three-year period; and affirming the Planning Department's determination under the California Environmental Quality Act.

05/24/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/23/2016.

06/01/16; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Department of Building Inspection; and Public Works for informational purposes.

06/03/16; 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: None.

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

Ayes: 3 - Wiener, Peskin, Farrell

Absent: 1 - Cohen

Supervisor Farrell was noted not present at 2:45 p.m. and for the remainder of the meeting.

Chair Cohen was noted present at 3:34 p.m. and presided over the remainder of the meeting.

160734 [Hearing - Bicycle Theft and Bicycle Chop-Shops]**Sponsor: Wiener**

Hearing on bicycle theft and bicycle chop-shops, including recent theft statistics, enforcement, best practices in preventative behavior and education, and potential budget and policy needs; and requesting the Police Department and community organizations to report.

06/21/16; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

06/28/16; REFERRED TO DEPARTMENT. Referred to the Police Department for informational purposes and requesting various agencies and the Police Department to report.

06/28/16; TRANSFERRED to Land Use and Transportation Committee. 6/28/2016 - President Breed transferred this matter from Public Safety and Neighborhood Services Committee to the Land Use and Transportation Committee.

Heard in Committee. Speakers: Commander McEachern and Sgt. Matt Friedman (Police Department); Sara Burton (San Francisco Safe - Safe Bike Registry); Brian Wiedenmeier (San Francisco Bicycle Coalition); provided an overview and responded to questions raised throughout the discussion. Aida Berkovitz; Daan Cote; Louis Murphy; Aaron Starr; Ruskin Landard; Joel Lockal; Mr. Penbrook; Ruskin Landreth; Randy Devo; Jefferson McCarley; spoke on various concerns relating to the hearing matter.

Vice Chair Wiener moved that this Hearing be HEARD AND FILED. 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 4:35 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.