



**City and County of San Francisco**

**Meeting Minutes**

**Land Use and Economic Development Committee**

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

*Members: Scott Wiener, Jane Kim, Malia Cohen*

*Clerk: Andrea Ausberry (415) 554-4442*

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**Monday, March 31, 2014**

**1:30 PM**

**City Hall, Committee Room 263**

**Regular Meeting**

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**Present:** 3 - Scott Wiener, Jane Kim, and Malia Cohen

**MEETING CONVENED**

*The meeting convened at 1:38 p.m.*

**REGULAR AGENDA**

**131063 [Planning and Administrative Codes - Construction of In-Law Units in Existing Residential Buildings or Auxiliary Structures on the Same Lot; Rent Control]****Sponsors: Wiener; Cohen**

Ordinance amending the Planning Code to allow the construction of an additional dwelling unit or units within the existing envelope of a residential building or auxiliary structure on the same lot (In-Law Units) on any parcel in the Castro Street Neighborhood Commercial District and within 1,750 feet of the District boundaries, excluding any lot within 500 feet of Block No. 2623, Lot Nos. 116 through 154; authorizing the Zoning Administrator to waive density and other Planning Code requirements in order to create the In-Law Units, and requiring the Department to monitor rents and publish a report evaluating the effectiveness of the ordinance; amending the Administrative Code to provide that an In-Law Unit constructed with a waiver of Code requirements shall be subject to the provisions of the San Francisco Residential Rent Stabilization and Arbitration Ordinance if the existing building or any existing dwelling unit is already subject to the Rent Ordinance; making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and directing the Clerk to send a copy of this ordinance to the California Department of Housing and Community Development, in accordance with State law.

10/29/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/28/2013.

11/12/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Rent Board; Mayor's Office of Housing; and Building Inspection Department for informational purposes.

11/12/13; RESPONSE RECEIVED. Categorical Exemption, Class 3 [State CEQA Guidelines Sections 15303(c)]

02/11/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

02/19/14; REFERRED TO DEPARTMENT. Re-referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Rent Board; Mayor's Office of Housing; and Building Inspection Department for informational purposes.

03/17/14; RESPONSE RECEIVED. Recommendation: Approval with Modifications

03/18/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

*Heard in Committee. Speakers: Kimia Haddadan (Planning Department); AnMarie Rodgers (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing. Bill Hirsch; Tom Radulovich (Livable City); Marie Jobling (Community Living Campaign); Rob Poole (San Francisco Housing Action Coalition); Margret Baran (IHSS Consortium); Eric Brooks (San Francisco Green Party); Kristy Wang (SPUR); spoke in support of the proposed legislation.*

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE by the following vote:**

Ayes: 3 - Wiener, Kim, Cohen

Ordinance amending the Planning Code to allow the construction of an additional dwelling unit or units entirely within the existing built envelope as it existed three years prior to the time of the application of a residential building or auxiliary structure on the same lot (In-Law Unit) on any parcel in the Castro Street Neighborhood Commercial District and within 1,750 feet of the District boundaries, excluding any lot within an RH-1(D) zoning district or any lot within 500 feet of Block No. 2623, Lot Nos. 116 through 154; authorizing the Zoning Administrator to waive density and other Planning Code requirements in order to create the In-Law Units, and requiring the Department to monitor rents and publish a report evaluating the effectiveness of the ordinance; amending the Administrative Code to provide that an In-Law Unit constructed with a waiver of Code requirements shall be subject to the provisions of the San Francisco Residential Rent Stabilization and Arbitration Ordinance if the existing building or any existing dwelling unit is already subject to the Rent Ordinance; making environmental findings and findings, of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and directing the Clerk to send a copy of this Ordinance to the California Department of Housing and Community Development, in accordance with State law.

**RECOMMENDED AS AMENDED by the following vote:**

Ayes: 3 - Wiener, Kim, Cohen

**140122 [Planning, Building Codes - Fee Waiver Program - Small Business Month, May 2014]**

**Sponsors: Tang; Mar**

Ordinance recognizing Small Business Month in May 2014; amending the Planning and Building Codes to retroactively waive fees for the month of May for certain façade improvements; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

02/11/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/14/2014.

02/21/14; REFERRED TO DEPARTMENT. Referred to Building Commission, Planning Commission, and Small Business Commission.

03/24/14; RESPONSE RECEIVED. Commission in support of proposed amendment.

03/25/14; TRANSFERRED to Land Use and Economic Development Committee.

03/28/14; RESPONSE RECEIVED. Planning Commission recommendation: Approval with modifications.

*Heard in Committee. Speaker: Aaron Starr (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing.*

*Duplicated File No. 140312.*

**DUPLICATED by the following vote:**

Ayes: 3 - Wiener, Kim, Cohen

**RECOMMENDED AS COMMITTEE REPORT by the following vote:**

Ayes: 3 - Wiener, Kim, Cohen

**\* \* 140312 [Planning, Building Codes - Small Business Month Fee Waiver]****Sponsor: Tang**

Ordinance recognizing Small Business Month in May 2014; amending the Planning Code and the Building Code to retroactively waive fees for the month of May for certain façade improvements; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

See File No. 140122.

**DUPLICATED from File No. 140122 by the following vote:**

Ayes: 3 - Wiener, Kim, Cohen

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE by the following vote:**

Ayes: 3 - Wiener, Kim, Cohen

Ordinance waiving fees in the Planning and Building Codes for certain façade improvements during the month of May every year; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and eight priority policies of Planning Code, Section 101.1.

*Supervisor Wiener moved to to continue the item as amended to April 7, 2014.*

*The motion carried by the following vote:*

*Ayes: 3 - Wiener, Kim, Cohen*

*Supervisor Wiener moved to rescind the previous vote. The motion carried by the following vote:*

*Ayes: 3 - Wiener, Kim, Cohen*

**CONTINUED AS AMENDED to April 14, 2014, by the following vote:**

Ayes: 3 - Wiener, Kim, Cohen

**140073 [Hearing - Update on San Francisco Climate Action Strategy]****Sponsor: Avalos**

Hearing to receive an update on the status of the San Francisco Climate Action Strategy, and the City's plans to meet the citywide Greenhouse Gas Emission requirements of Environment Code, Chapter 9.

01/28/14; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

*Heard in Committee. Speakers: Guillermo Rodriguez (Department of the Environment); Cal Broomhead (Department of the Environment); Tim Papandreou (Municipal Transportation Agency); Jason Fried (Local Agency Formation Commission); Josh Arce, President (Commission on the Environment); presented information concerning the matter and answered questions raised throughout the hearing. Karey Christ-Janer; Stacey Reineccics (Power Services); Bruce Wolf (Height Ashbury Neighborhood Council); Thomas Ray; Male Speaker; John Anderson; Patricia Jackson; Jess Dervin-Ackerman (Sierra Club); Keira; Eric Brooks; spoke in support of the proposed legislation.*

**CONTINUED TO CALL OF THE CHAIR by the following vote:**

Ayes: 3 - Wiener, Kim, Cohen

**140148 [Street Encroachment - 1410 Stanyan Street]**

Resolution granting revocable permission to Kieran J. Woods to occupy a portion of the public right-of-way to construct and maintain various improvements, including a driveway, associated retaining wall, a vehicular carousel to provide access to a proposed new single family dwelling at 1410 Stanyan Street (Assessor's Block No. 2706, Lot No. 035), landscaping, stairs leading to a public sitting area, and other related improvements within an existing unimproved portion of Stanyan Street between Clarendon and Mountain Spring Avenues; conditioning the permit; 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. (Public Works Department)

02/24/14; RECEIVED FROM DEPARTMENT.

03/04/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

03/20/14; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Controller; Public Utilities Commission; Fire Department; and Department of Building Inspection for informational purposes.

*Heard in Committee. Speakers: Nick Elsner (Department of Public Works); presented information concerning the matter and answered questions raised throughout the hearing. Mark Brand (Project Manager); Todd David; Henry; Rodriguez Sanchez; spoke in support of the proposed legislation. Male Speaker (Appellant); Male Speaker; Richard Morgese (Clarendon Neighbors Action Coalition); Charles Shew; Arnold Robert; Kelly Laun; Linda Lyon (Clarendon Neighbors Action Coalition); Larry Mercer; Terry Senne; Male Speaker; Tim White; Oleg Obuhoff; Female Speaker; Ted; spoke in opposition to the proposed legislation.*

**REFERRED WITHOUT RECOMMENDATION to the Board of Supervisors, by the following vote:**

Ayes: 3 - Wiener, Kim, Cohen

## ADJOURNMENT

*The meeting convened at 4:47 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Land Use and Economic Development Committee on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.*