



**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 14, 2016**

**1:30 PM**

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

**Regular Meeting**

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**Present:** 2 - Malia Cohen, and Aaron Peskin

**Excused:** 1 - Scott Wiener

*The Land Use and Transportation Committee met in regular session on Monday, November 14, 2016, with Chair Malia Cohen presiding.*

## **ROLL CALL AND ANNOUNCEMENTS**

*Chair Cohen called the meeting to order at 2:21 p.m. On the call of the roll, Chair Cohen and Member Peskin were noted present. Vice Chair Wiener was noted not present. There was a quorum.*

### **Supervisor Wiener Excused from Attendance**

**Member Peskin moved that Supervisor Wiener be excused from attending today's meeting. The motion carried by the following vote:**

Ayes: 2 - Cohen, Peskin

Excused: 1 - Wiener

## **AGENDA CHANGES**

*There were no agenda changes.*

## REGULAR AGENDA

### 160840 [Official Naming of Unnamed Street - Martin Avenue]

Resolution approving the street name of "Martin Avenue" for an unnamed street laying within Assessor's Parcel Block Nos. 5535 and 5557, and generally bounded by Brewster Street to the south and Mullen Avenue to the north. (Public Works)

07/22/16; RECEIVED FROM DEPARTMENT.

08/02/16; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

08/11/16; REFERRED TO DEPARTMENT. Referral sent to Police Department, Fire Department, and Municipal Transportation Agency, pursuant to San Francisco Public Works Code, Section 423, California Streets and Highways Code, Sections 970.5, 971, 1806, and 5026, and California Government Code, Section 34091.1 for department's response; Public Works for informational purposes.

09/27/16; RESPONSE RECEIVED. The Fire Department has no objections to the proposal and is in support of the Resolution.

10/21/16; RESPONSE RECEIVED. The Police Department has no concerns or issues to the street naming.

10/21/16; RESPONSE RECEIVED. The Municipal Transportation Agency has no objections to this street naming.

11/04/16; NOTICED. 10-Day On-Site posting and Mailed Notice to property owners (pursuant to Government Code Section 3409.1, Streets and Highways Code Sections 970.5 and 5026).

*Heard in Committee. Speakers: Javier Rivera (Public Works); presented information and answered questions raised throughout the discussion. Mary Nennig; Perry Nennig; spoke in opposition to the proposed legislation.*

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

Ayes: 2 - Cohen, Peskin

Excused: 1 - Wiener

**160222 [Administrative Code - Prohibition on Leasing for the Extraction of Fossil Fuels]**  
**Sponsors: Avalos; Breed, Campos, Cohen, Kim, Mar, Peskin, Wiener, Yee, Tang and Farrell**

Ordinance amending the Administrative Code to prohibit the City from entering into or extending leases for the extraction of fossil fuel from City-owned land, and requiring inspections of any such land and evaluation of constructive future uses for such land.

(Fiscal Impact)

03/08/16; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/7/2016.

03/15/16; REFERRED TO DEPARTMENT. Referred to the Real Estate Division and Department of the Environment for informational purposes.

05/05/16; TRANSFERRED to Budget and Finance Sub-Committee.

08/17/16; TRANSFERRED to Budget and Finance Committee.

10/18/16; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee. Supervisor Avalos submitted a substitute Ordinance bearing new title.

10/26/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.  
(Vice Chair Tang and Chair Farrell requested to be added as co-sponsors.)

Heard in Committee. Speakers: Supervisor John Avalos (Board of Supervisors); John Updike, Director (Real Estate Division); Lori Mitchell (Public Utilities Commission); Jason Fried, Executive Officer (San Francisco Local Agency Formation Commission); Harvey Rose (Office of the Budget and Legislative Analyst); Jon Givner (Office of the City Attorney); provided an overview and responded to questions raised throughout the discussion. Eric Brooks; Jed Holtzman; Brett Fleishman; Jean Su; Sally Northcutt; Steve Jones; Rose Braz; Ash Lauth; Laura McCaney; Quanah Parker Brightman; Janet Stromberg; Elena Engel; Kathleen Ramos; Chris Kost; Daisy Pistey-Lyhne; Adele Framer; Ben Becker; spoke in support of the matter.

10/26/16; RECOMMENDED AS AMENDED.

11/01/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

11/01/16; RE-REFERRED AS AMENDED to Land Use and Transportation Committee.

11/02/16; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review.

11/10/16; RESPONSE RECEIVED. Categorically Exempt from CEQA Guidelines, Section 15301 or Class 1 - Existing Conditions, and Section 15309 or Class 9 - Inspections.

*Heard in Committee. Speakers: Jeremy Pollock (Office of Supervisor John Avalos); John Gavin (Real Estate Division); John Cerullo (Public Utilities Commission); presented information and answered questions raised throughout the discussion.*

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

Ayes: 2 - Cohen, Peskin

Excused: 1 - Wiener

**160510 [Planning Code - Student Housing Exemption from Inclusionary Housing Requirements]****Sponsor: Wiener**

Ordinance amending the Planning Code to change the requirement from five to two years that Student Housing be owned or leased by an educational institution to be exempt from the Inclusionary Housing Program; 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 of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

05/10/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/9/2016.

05/18/16; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; and the Mayor's Office of Housing and Community Development and the Office of Community Investment and Infrastructure for informational purposes.

05/19/16; 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.

07/06/16; REMAIN ACTIVE. 30-day extension for the Planning Commission to render its decision was approved by the Board via Resolution No. 269-16 (File No. 160726) on June 28, 2016, and signed by the Mayor and enacted on July 7, 2016; new deadline is September 16, 2016.

09/15/16; RESPONSE RECEIVED. 9/8/2016 - The Planning Commission held a public hearing and recommended approval of the proposed legislation; Resolution No. 19731.

*Heard in Committee. Speakers: Andres Power (Office of Supervisor Scott Wiener); Aaron Starr (Planning Department); presented information and answered questions raised throughout the discussion. Tim Colen (Housing Action Coalition); spoke in support of the proposed legislation.*

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

Ayes: 2 - Cohen, Peskin

Excused: 1 - Wiener

**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.

*Heard in Committee. Speakers: None.*

**Member Peskin moved that this Ordinance be CONTINUED to the Land Use and Transportation Committee meeting of November 28, 2016. The motion carried by the following vote:**

Ayes: 2 - Cohen, Peskin

Excused: 1 - Wiener

**161069 [Health Code - Definition of Projects and Responsibilities for Alternate Water Sources]****Sponsor: Wiener**

Ordinance amending the Health Code to revise the definition of development projects subject to the requirements for an Alternate Water Source system and the definitions of large and small residential projects subject to specific requirements for such a system, and providing authorization for the review and approval of alternative means of compliance; and affirming the Planning Department's determination under the California Environmental Quality Act.

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; Public Utilities Commission, Mayor's Office of Housing and Community Development, Planning Department, Department of Building Inspection, Public Works, and Department of Public Health for informational purposes.

10/18/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Supervisor Wiener submitted a substitute ordinance bearing same title.

10/25/16; REFERRED TO DEPARTMENT. Referred substitute legislation (version 2) to Planning Department for environmental review; and to Public Utilities Commission, Mayor's Office of Housing and Community Development, Planning Department, Department of Building Inspection, Public Works, and Department of Public Health for informational purposes.

10/26/16; 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 (determination for Version 1).

10/26/16; 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 (determination for Version 2).

11/08/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Supervisor Wiener submitted a substitute Ordinance bearing the same title.

*Heard in Committee. Speakers: Andres Power (Office of Supervisor Scott Wiener); presented information and answered questions raised throughout the discussion. Tim Colen (Housing Action Coalition); spoke in support of the proposed legislation.*

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

Ayes: 2 - Cohen, Peskin

Excused: 1 - Wiener

## ADJOURNMENT

*There being no further business, the Land Use and Transportation Committee adjourned at the hour of 2:51 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.*