



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) 554-4447

Monday, February 1, 2016

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

Present: 3 - Malia Cohen, Scott Wiener, and Aaron Peskin

The Land Use and Transportation Committee met in regular session on Monday, February 1, 2016, with Chair Malia Cohen presiding.

ROLL CALL AND ANNOUNCEMENTS

Chair Cohen called the meeting to order at 1:33 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.

Vice Chair Wiener was noted present at 1:35 p.m.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

151251 [Administrative Code - Water Efficient Irrigation]

Sponsor: Wiener

Ordinance amending the Administrative Code by revising the applicability threshold to 500 square feet for requirements for the development and maintenance of landscape irrigation controls for specified new construction landscapes and landscape rehabilitation projects.

12/07/15; RECEIVED FROM DEPARTMENT.

12/15/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/14/2016.

12/23/15; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation (per Board Rule 3.23); and Department of Building Inspection, and Recreation and Park Department for informational purposes.

01/28/16; RESPONSE RECEIVED. Not defined as a project under CEQA Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

Heard in Committee. Speaker: Amanda Dougherty (Public Utilities Commission); presented information and answered questions raised throughout the discussion.

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

Ayes: 3 - Cohen, Wiener, Peskin

Supervisor Avalos was noted present at 1:40 p.m.

Chair Cohen recessed the meeting at 1:47 p.m., and Vice Chair Wiener reconvened the meeting at 2:43 p.m. Upon reconvening, Vice Chair Wiener and Member Peskin were noted present, and Chair Cohen was noted not present. Supervisor Avalos was also noted present.

Chair Cohen was noted present at 3:29 p.m.

150494 [Planning, Building Codes - Conditional Use Required to Remove Any Residential Unit; Mandatory Legalization of Illegal Units; Permeable Surfaces and Landscaping Requirements]**Sponsor: Avalos**

Ordinance amending the Planning Code to require Conditional Use authorization for the removal of any residential unit (whether legal or illegal) and compliance with landscaping and permeable surfaces requirements for building additions and residential mergers, and to exempt from the Conditional Use application requirement illegal units where there is no legal path for legalization and residential units that have received prior Planning approval; amending the Building Code to require that notices of violation mandate legalization of an illegal unit unless infeasible under the Building Code or the Planning Commission approves its removal, and requiring re-issuance of unabated notices of violation to include the new requirement; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, Planning Code, Section 302, and the eight priority policies of Planning Code, Section 101.1. (Economic Impact)

05/12/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/11/2015.

05/22/15; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Planning Commission for hearing and recommendation; Public Works; Rent Board; and Mayor's Office of Housing and Community Development for informational purposes.

06/04/15; 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.

12/01/15; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

12/09/15; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Planning Commission pursuant to Planning Code Section 302(b), for hearing and recommendation; Building Inspection Commission pursuant to Charter, Section D3.750-5, for public hearing and recommendation; and Public Works, Rent Board, and Mayor's Office of Housing and Community Development for informational purposes.

12/15/15; RESPONSE RECEIVED. 12/10/2015 - The Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 19532.

01/25/16; 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.

01/26/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

01/28/16; REFERRED TO DEPARTMENT. Re-referred substitute legislation (Version 3) to Planning Department for environmental review; Planning Commission pursuant to Planning Code Section 302(b), for possible hearing and recommendation; Building Inspection Commission pursuant to Charter, Section D3.750-5, for public hearing; and Public Works, Rent Board, and Mayor's Office of Housing and Community Development for informational purposes.

01/28/16; RESPONSE RECEIVED. 1/20/2016 - The Building Inspection Commission held a public hearing and continued the matter for another public hearing on 2/17/2016.

Heard in Committee. Speakers: Aaron Starr (Planning Department); Supervisor John Avalos (Board of Supervisors); Kimia Haddadan (Planning Department); Debra Walker (Building Inspection Commission); Jon Givner (Office of the City Attorney); Ted Egan, City Economist (Office of the City Controller); presented information and answered questions raised throughout the discussion. Carina and Melissa Bracero (1049 Market St. Tenants); Pat Buscovich; Lindsay Gauthier (Dance Ground Keriak); Ozzie Rohm; Chandra Redack and Ben Cady (1049 Market Tenants); Steve Collier (Tenderloin Housing Clinic); Steven; Tommi Avicolli Mecca (Housing Rights Committee); Chris Baker; Kash and Naomi Cooper (1049 Market St. Tenants); Male Speaker; Travis Collinson (1067 Market St.); spoke in support of the hearing matter. Ryan Patterson (Zacks & Freedman, P.C.); Noni Richen (Small Property Owners of San Francisco);

Charlie Gauss; Sean Keighran (Residential Builders Association); spoke in opposition to the hearing matter. Georgia Schuttish; Janan New (San Francisco Apartment Association); spoke neither in support nor against the hearing matter.

Vice Chair Wiener, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 5, Lines 10 through 11, by striking 'in the C-3 Zoning District, only the Removal of a Residential Unit or Unauthorized Unit above the ground floor requires a Conditional Use authorization'; Page 5, Line 23, through Page 6, Line 2, by adding '2) The Conditional Use requirement of Subsection (c)(1) shall apply to (A) any building or site permit issued for Removal of an Unauthorized Unit on or after March 1, 2016, and (B) any permit issued for Removal of an Unauthorized Unit prior to March 1, 2016 that has been suspended by the City or in which the applicant's rights have not vested.'; and Page 6, Line 3, by striking 'or Unauthorized'. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Peskin
(Economic Impact)

Vice Chair Wiener moved that this Ordinance be CONTINUED AS AMENDED to the Land Use and Transportation Committee meeting of February 8, 2016. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Peskin

151281 [Interim Zoning Controls - Additional Design Standards for Large Projects Within the Showplace Square, Potrero Hill, and Central Waterfront Area Plans]

Sponsor: Cohen

Resolution imposing interim controls to require that the Planning Commission consider additional design standards for projects in the Showplace Square, Potrero Hill, and Central Waterfront Area Plans receiving a Large Project Authorization; and affirming the Planning Department's determination under the California Environmental Quality Act.

(Pursuant to Planning Code, Section 306.7(b), failure of the Board of Supervisors to act on a proposed interim control within 120 days of its initiation shall be deemed to constitute disapproval. Introduction Date: December 15, 2015.)

12/15/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/14/2016.

12/23/15; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and the Planning Department/Commission for informational purposes.

01/22/16; NOTICED. 10-Day Notice for the February 1, 2016 Land Use and Transportation Committee Hearing was published in the Chronicle. No mailing notice is required since the area is over 30 acres.

01/28/16; RESPONSE RECEIVED. Not defined as a project under CEQA Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

Heard in Committee. Speakers: None.

Chair Cohen, seconded by Member Peskin, moved that this Resolution be RECOMMENDED. 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 4:26 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.