



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, May 20, 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, May 20, 2019, with Chair Aaron Peskin presiding. Chair Peskin called the meeting to order at 1:31 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

190413 [Administrative, Police Codes - Programs for the Vehicular Homeless and Use of Vehicles for Human Habitation]

Sponsors: Brown; Safai, Fewer, Stefani, Mandelman, Haney, Mar, Walton, Ronen and Yee

Ordinance amending the Administrative Code to require the Department of Homelessness and Supportive Housing (“HSH”) to establish a Safe Overnight Parking Pilot Program to provide eligible vehicularly homeless persons a place to park and sleep in their vehicles overnight, case management, and other services; require HSH to collaborate with the Municipal Transportation Agency (“MTA”) to develop an On-Street Parking Citation and Tow- and-Storage-Fee Abatement Program to provide eligible vehicularly homeless persons with waivers of parking fines and fees; and affirming the Planning Department’s determination under the California Environmental Quality Act.

04/15/19; DUPLICATED. Duplicated from File No. 190141

04/15/19; CONTINUED TO CALL OF THE CHAIR.

04/17/19; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

05/02/19; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment. Any physical project would require environmental review.

Heard in Committee. Speaker: Shakirah Simley (Office of Supervisor Vallie Brown); presented information and answered questions raised throughout the discussion.

Vice Chair Safai moved that this Ordinance be AMENDED, AMENDMENT OF THE WHOLE BEARING NEW TITLE, by revising the requirement for the Controller to submit reports concerning the Safe Overnight Parking Pilot Program; amending the Police Code to create an exception for participants in the Safe Overnight Parking Pilot Program; adding language for the Department of Homelessness and Supportive Housing to submit key information to the Board of Supervisors; and adding other clarifying and confirming changes. The motion carried by the following vote:

Ayes: 3 - Peskin, Safai, Haney

Ordinance amending the Administrative Code to revise the requirement for the Controller to submit reports concerning the Safe Overnight Parking Pilot Program, and amending the Police Code to create an exception for participants in the Safe Overnight Parking Pilot Program to the prohibition on using a vehicle for human habitation.

Vice Chair Safai moved that this Ordinance be CONTINUED AS AMENDED to the Land Use and Transportation Committee meeting of June 3, 2019. The motion carried by the following vote:

Ayes: 3 - Peskin, Safai, Haney

190391 [Administrative Code - Requirements for Mills Act Applications]**Sponsor: Peskin**

Ordinance amending the Administrative Code to allow applications for Mills Act contracts for historic properties to be filed concurrently with applications for designation of the same properties; and affirming the Planning Department's determination under the California Environmental Quality Act.

04/09/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/9/2019.

04/17/19; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; referred to the Planning Commission pursuant Charter Section 4.135.

05/02/19; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment. Any physical project would require environmental review.

05/06/19; REFERRED TO DEPARTMENT. Referred to the Planning Department pursuant to Rules of Order 3.22 for review and comment.

05/17/19; RESPONSE RECEIVED. On May 15, 2019, the Historic Preservation Commission submitted their response recommending approval of the proposed legislation.

Heard in Committee. Speakers: None.

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

Ayes: 3 - Peskin, Safai, Haney

181156 [Planning, Business and Tax Regulations Codes - Accessory Dwelling Units in New Construction]**Sponsor: Safai**

Ordinance amending the Planning Code and Business and Tax Regulations Code to authorize the addition of an Accessory Dwelling Unit in the construction of a new single-family home or multi-family building; clarifying the ministerial approval process and creating an expedited Board of Appeals process for certain Accessory Dwelling Units in single-family homes meeting specific requirements; 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 welfare under Planning Code, Section 302.

11/27/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 12/27/2018.

12/05/18; 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; Board of Appeals for informational purposes.

12/27/18; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a direct or indirect physical change in the environment.

03/15/19; REMAIN ACTIVE. 3/15/2019 - The Board of Supervisors adopted Resolution No. 118-19 (File No. 190225) extending the Planning Commission's review period by 90 days; 6/3/2019.

04/08/19; RESPONSE RECEIVED. On March 7, 2019, the Planning Commission met and held a public hearing and recommended approval with modifications of the proposed legislation.

Heard in Committee. Speakers: Peter Miljanich (Office of the City Attorney); Veronica Flores (Planning Department); Jon Givner (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Speaker; Jennifer Bieber (San Francisco Tenants Union); Speaker; Speaker; Ozzy Rohm and Anastasia Youvanopolous (Noe Neighborhood Council); Theresa Flandric (Senior and Disability Action); Sonja Trauss; Ben Levi; Jeremy Schaub; spoke in support of the hearing matter. Georgia Schuttish; Michael Murphy; Bruce Bowman; Frank Henderson; Mr. Wright; spoke on various concerns relating to the hearing matter.

Vice Chair Safai moved that this Ordinance be AMENDED, AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 15, Lines 17-18, by striking 'If construction of the ADU will have adverse impacts on' and replacing it with 'For projects involving'; on Page 15, Lines 18-21, by adding ', or a property designated individually or as part of a historic or conservation district pursuant to Article 10 or Article 11, the ADU shall comply with the any architectural review standards adopted by the Historic Preservation Commission to prevent adverse impacts to such historic resources' after 'Historic Places'; on Page 15, Lines 21-24, by striking 'or any other known historical resource, the Department shall require modification of the proposed project to the extent necessary to prevent or mitigate such impacts.' and replacing it with 'Such projects shall not be required to obtain a Certificate of Appropriateness or a Permit to Alter.'; and adding other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Peskin, Safai, Haney

Chair Peskin requested this matter to be DUPLICATED.

See duplicated File No. 190590.

Vice Chair Safai moved that this Ordinance be CONTINUED AS AMENDED to the Land Use and Transportation Committee meeting of June 3, 2019. The motion carried by the following vote:

Ayes: 3 - Peskin, Safai, Haney

190590 [Planning, Business and Tax Regulations Codes - Accessory Dwelling Units in New Construction]**Sponsor: Safai**

Ordinance amending the Planning Code and Business and Tax Regulations Code to authorize the addition of an Accessory Dwelling Unit in the construction of a new single-family home or multi-family building; clarifying the ministerial approval process and creating an expedited Board of Appeals process for certain Accessory Dwelling Units in single-family homes meeting specific requirements; amending the requirements of the discretionary approval process under which property owners must subject certain Accessory Dwelling Units to the Rent Ordinance; 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 welfare under Planning Code, Section 302.

Chair Peskin moved that this Ordinance be AMENDED, AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 16, Lines 21-25, by adding '(xii) When the ADU involves expansion of the built envelope of an existing primary dwelling, or an expansion of the built envelope of an existing and authorized stand-alone garage, storage structure, or other auxiliary structure on the same lot, or the construction of a new detached auxiliary structure on the same lot, the total floor area of the ADU shall not exceed 1,200 square feet.'; on Page 17, Lines 1-6, by adding '(xiii) The total area of floorspace of an accessory dwelling unit proposed to be constructed with a proposed single-family dwelling shall not be less than 50 percent of the proposed primary dwelling living area, except that an efficiency unit (as defined in Section 1208.4 of the San Francisco Building Code) that meets all other requirements of this subsection (c)(6) may be constructed pursuant to Section 65852.2(c) of the California Government Code.'; and adding other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Peskin, Safai, Haney

Chair Peskin moved that this Ordinance be CONTINUED AS AMENDED to the Land Use and Transportation Committee meeting of June 3, 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 2:19 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.