



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, Jane Kim

Clerk: Alisa Somera (415) 554-4447

Monday, November 23, 2015

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

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

ROLL CALL AND ANNOUNCEMENTS

Chair Malia Cohen called the meeting to order at 1:35 p.m. On the call of the roll, Chair Cohen and Vice Chair Wiener were noted present. Member Kim was not present. There was a quorum.

Upon convening, Supervisor John Avalos was also noted present.

Member Kim was noted present at 1:36 p.m.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

151121 [Planning Code - Establishing a New Citywide Transportation Sustainability Fee]

Sponsors: Mayor; Wiener, Breed, Christensen and Cohen

Ordinance amending the Planning Code by establishing a new citywide Transportation Sustainability Fee and suspending application of the existing Transit Impact Development Fee, with some exceptions, as long as the Transportation Sustainability Fee remains operative; applying the Transportation Sustainability Fee to Hospitals and Medical Services; amending Section 401 to add definitions reflecting these changes; amending Section 406 to clarify affordable housing and homeless shelter exemptions from the Transportation Sustainability Fee; making conforming amendments to the Area Plan fees in Planning Code, Article 4; affirming the Planning Department's determination under the California Environmental Quality Act, and making findings, including general findings, findings of public necessity, convenience and welfare, and findings of consistency with the General Plan, and the eight priority policies of Planning Code Section 101.1.

11/03/15; DUPLICATED. Supervisor Avalos duplicated this file in Board from File No. 150790.

11/03/15; AMENDED. Privilege of the floor was granted unanimously to John Rahaim, Director, and Lisa Chen (Planning Department), Jon Givner (Office of City Attorney), Ed Reiskin, Executive Director (Municipal Transportation Agency), and Tilly Chang, Executive Director (County Transportation Authority), who responded to questions raised throughout the discussion.

Supervisor Cohen requested to be added as a co-sponsor.

Duplicated from File No. 150790.

11/03/15; AMENDED.

11/03/15; RE-REFERRED AS AMENDED to Land Use and Transportation Committee.

11/10/15; REFERRED TO DEPARTMENT. Re-referred (Versions 2 & 3) to the Planning Department, Municipal Transportation Agency, County Transportation Authority, Office of Economic and Workforce Development, Department of Public Health, Department of Building Inspection, and Office of the Treasurer & Tax Collector for informational purposes. City departments and bodies required to submit their responses were completed with the original legislation (File No. 150790).

11/13/15; NOTICED. 10-Day Fee Ad (First Notice) was published for the November 23, 2015 Land Use and Transportation Committee hearing.

11/20/15; NOTICED. 10-Day Fee Ad (Second Notice) was published for the November 23, 2015 Land Use and Transportation Committee hearing.

Heard in Committee. Speakers: Supervisor John Avalos (Board of Supervisors); presented information and answered questions raised throughout the discussion. David Serrano Sewell (Hospital Council of Northern and Central California); Dee Dee Workman (San Francisco Chamber of Commerce); spoke in support of the hearing matter.

Member Kim moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE to change the definition of 'Hospitals and Medical Uses' to 'Hospital and Health Services,' require grandfathered projects be subject to the Transportation Sustainability Fee (TSF) but pay applicable Transportation Improvement Development Fees, calculate the TSF by the amount of new gross square feet, simplify the calculation method for hospitals and add clarifying language, and other non-substantive amendments. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

Ordinance amending the Planning Code by establishing a new citywide Transportation Sustainability Fee and suspending application of the existing Transit Impact Development Fee, with some exceptions, as long as the Transportation Sustainability Fee remains operative; applying the Transportation Sustainability Fee to Hospitals and Health Services; amending Section 401 to add definitions reflecting these changes; amending Section 406 to clarify affordable housing and homeless shelter exemptions from the Transportation Sustainability Fee; making conforming amendments to the Area Plan fees in Planning Code, Article 4; affirming the Planning Department's determination under the California Environmental Quality Act, and making findings, including general findings, findings of public necessity, convenience and welfare, and findings of consistency with the General Plan, and the eight priority policies of Planning Code Section 101.1.

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

Ayes: 3 - Cohen, Wiener, Kim

Supervisor Avalos was noted not present at 1:46 p.m.

File Nos. 151062 and 151063 were heard together.

The amendments related to File Nos. 151062 and 151063 considered at this meeting were within the scope of the Rincon Hill Area Plan approved by the Board of Supervisors on August 2, 2005. The Area Plan EIR prepared for the Rincon Hill Area Plan adequately described these amendments and their potential environmental effects for the purposes of CEQA.

151062 [General Plan Amendment - Rincon Hill Area Plan]

Sponsor: Kim

Ordinance amending the General Plan by amending the Rincon Hill Area Plan, Policies 3.3 and 3.4; making findings, including findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and affirming the Planning Department's determination under the California Environmental Quality Act.

(Pursuant to Charter, Section 4.105, and Planning Code, Section 340(d), if the Board of Supervisors fails to finally act on a General Plan Amendment within 90 days of receipt from the Planning Commission, the Amendment shall be deemed approved. Transmittal Date: October 14, 2015.)

10/14/15; RECEIVED FROM DEPARTMENT.

10/20/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/19/2015.

10/27/15; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Planning Commission for public hearing and recommendation (per Planning Code, Section 302(b)).

11/13/15; NOTICED. 10-Day Hearing Notice for 11/23/2015 Land Use and Transportation Committee meeting was published, mailed and posted.

Heard in Committee. Speakers: Richard Sucre (Planning Department); Steve Vettel (Farella, Braun + Martel LLP); presented information and answered questions raised throughout the discussion. Cameron Falconer; spoke in support of the hearing matter.

Member Kim, seconded by Chair Cohen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, to elaborate on the Planning Department's environmental review determination and update the findings. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

Ordinance amending the General Plan by amending the Rincon Hill Area Plan, Policies 3.3 and 3.4; making findings, including findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and affirming the Planning Department's determination under the California Environmental Quality Act that the Amendment was within the scope of the Rincon Hill Area Plan and the program Environmental Impact Report, which adequately analyzed this Amendment.

(Pursuant to Charter, Section 4.105, and Planning Code, Section 340(d), if the Board of Supervisors fails to finally act on a General Plan Amendment within 90 days of receipt from the Planning Commission, the Amendment shall be deemed approved. Transmittal Date: October 14, 2015.)

Member Kim, seconded by Chair Cohen, moved that this Ordinance be RECOMMENDED AS AMENDED. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

151063 [Planning Code, Zoning Map - 525 Harrison Street]

Sponsor: Kim

Ordinance amending the Planning Code regarding bulk limits and exceptions to the tower separation requirements on 525 Harrison Street, Assessor's Block No. 3764, Lot No. 063; and amending the Zoning Map to redesignate a portion of Assessor's Block No. 3764, Lot No. 063, from a 65/400-R height and bulk district to a 65/250-R height and bulk district; 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, and findings under Planning Code, Section 302.

10/14/15; RECEIVED FROM DEPARTMENT.

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Member Kim, seconded by Chair Cohen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, to elaborate on the Planning Department's environmental review determination, include a finding on the 20% or greater increase in developable residential gross floor area, and add criteria that the project provide on-site inclusionary affordable units equivalent to 15% of all units constructed on the site. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

Ordinance amending the Planning Code regarding bulk limits and exceptions to the tower separation requirements on 525 Harrison Street, Assessor's Block No. 3764, Lot No. 063; and amending the Zoning Map to redesignate a portion of Assessor's Block No. 3764, Lot No. 063, from a 65/400-R height and bulk district to a 65/250-R height and bulk district; affirming the Planning Department's determination under the California Environmental Quality Act that these Amendments were within the scope of the Rincon Hill Area Plan and the program Environmental Impact Report, which adequately analyzed these Amendments; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings under Planning Code, Section 302.

Member Kim, seconded by Chair Cohen, moved that this Ordinance be RECOMMENDED AS AMENDED. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 1:57 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.