



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

Monday, September 29, 2014

10:00 AM

City Hall, Legislative Chamber, Room 250

Rescheduled Meeting

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

MEETING CONVENED

The meeting convened at 10:27 a.m.

REGULAR AGENDA

140857 [Supporting and Encouraging the Development of a Policy to Prohibit the Transportation and Export of Hazardous Materials]

Sponsors: Cohen; Wiener

Resolution supporting and encouraging the Department of the Environment and the Port in developing a policy to prohibit the transportation and export of hazardous fossil fuel materials including crude oil, coal, and petroleum coke in the City and County of San Francisco.

07/22/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

07/29/14; REFERRED to Neighborhood Services and Safety Committee.

09/25/14; TRANSFERRED to Land Use and Economic Development Committee.

Heard in Committee. Speakers: Brad Benson (Port); Debbie Raphael (Department of the Environment); Josh Arce (Environment Commission); presented information concerning the matter and answered questions raised throughout the hearing. Jackie Flynn, Executive Director (A. Phillip Randolph Institute); Male Speaker; David Grace; spoke in support of the proposed legislation. Male Speaker; spoke neither in support nor opposition on the matter.

RECOMMENDED by the following vote:

Ayes: 2 - Wiener, Cohen

Absent: 1 - Kim

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

Ayes: 3 - Wiener, Kim, Cohen

RECOMMENDED.. by the following vote:

Ayes: 3 - Wiener, Kim, Cohen

140775 [Planning Code - Amending Definition of Residential Unit and Residential Conversion Requirements]**Sponsor: Avalos**

Ordinance amending the Planning Code to amend the definition of Residential Unit and clarify the requirements for a Residential Conversion of a Residential Hotel Unit regulated under Administrative Code, Chapter 41; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

07/08/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/7/2014.

07/24/14; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Department of Building Inspection, Mayor's Office of Housing and the Rent Board for informational purposes.

07/25/14; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines.

09/23/14; RESPONSE RECEIVED. Recommendation - Approval

Heard in Committee. Speakers: Jeremy Pollock (Office of Supervisor Avalos); AnMarie Rodgers (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing.

RECOMMENDED by the following vote:

Ayes: 2 - Wiener, Cohen

Absent: 1 - Kim

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

Ayes: 3 - Wiener, Kim, Cohen

RECOMMENDED by the following vote:

Ayes: 3 - Wiener, Kim, Cohen

Supervisor Kim was noted presented at 11:15 a.m.

140381 [Administrative, Planning Codes - Amending Regulation of Short-Term Residential Rentals and Establishing Fee]**Sponsor: Chiu**

Ordinance amending the Administrative Code to provide an exception for permanent residents to the prohibition on short-term residential rentals under certain conditions; to create procedures, including a registry administered by the Planning Department, for tracking short-term residential rentals and compliance; to establish an application fee for the registry; amending the Planning Code to clarify that short-term residential rentals shall not change a unit's type as residential; and making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

04/15/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/15/2014.

05/01/14; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Department of Building Inspection and Building Inspection Commission for public hearing and/or recommendation; Mayor's Office of Housing, Housing Opportunity, Partnership and Engagement (HOPE), Rent Board, and Office of the Treasurer and Tax Collector for informational purposes.

09/01/14; NOTICED.

09/02/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

09/07/14; NOTICED.

09/11/14; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Department of Building Inspection and Building Inspection Commission for public hearing and/or recommendation; Mayor's Office of Housing, Housing Opportunity, Partnership and Engagement (HOPE), Rent Board, and Office of the Treasurer and Tax Collector for informational purposes.

09/15/14; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: John Rahaim and AnMarie Rodgers (Planning Department); Marlina Byrne (Office of the City Attorney); presented information concerning the matter and answered questions raised throughout the hearing. George Wooding; Henry; Ashley; Male Speaker; Ray Oleson; Peter S.; Paul Ashley (Pickles Deli); Jennifer Figber; Lou; Linda Lighthouser; Jamie S.; Shannon G.; Andrew Sceto; Tony Robles; Gena Palu; Allison S.; Victor; Elizabeth Givens; Julie O.; Stacy Bartlett; David Owen (Airbnb); Ashley V.; Jim Marks; Dennis Crello; Dennis Antenore; Gina B.; Chris Hastings; Asik; Peter Wagner; Chris Wadinling; Sarah Sherburn-Zimmer; Peter Cohen; Maria Ray; Carrie Davis.; Alex; David Battenfield; Peter Quan (Home-Sharers of San Francisco); Peter Reitz; Louis; Holly C.; Arlen; Patrick; Alex Barr; Lance Carnes; Tony Carroll; Byron G. McMullen; Melanie Carlo; Doug N.; Adel B.; Adam; Mona Wilson; Genie; Skip; Afrik C.; Jake G.; Jason G.; Chris George; Emily B.; Phil Z.; Charlie Goss (SF Apartment Association); Robin; Suzanne; Skot Kuiper; Trent D.; Wolfgang Wenger; Wyatt; Jay Melilli; Dave; Nelson Z.; Male Speaker; Hristo G.; Carl Knight; Dave Bisto; Larry Bennett; Philip Zabora; Noni; Ken Hoegger; Jordan; David Carlos Salavery; Thomson; Rodolfo C.; Robert Estasio; Russ; Richard; Saudra; Jeannie S.; Geo Belaire; Sumas Bhujbal; Tanya; Eden O.; Anita; Bruce B.; Joey Mucha; Vanick Der Bedrossian; Catherine; Mathew; Shannon; Shuk Y.; Ryan L.; Denis Mosgofiano; Nancy; Sharon; Boyian; Fernando Mark; Sally G.; Noni Richen; Sue W. Mr. Seagel; Woody Hotten; Michael G.; Marla Knight; Giuliana H.; Jason; Calvin Walsh; spoke in support of the proposed legislation. Bob Planthold; Dave Bishow; David Grube; Gary Briggs; Kathy Hoegger; Tony Lee; Lorna Wilson; Jim Hirsoh; Sarah Shortt; Aaron Peskin; Brook Turner; J. J. Panzer; Lisa Bettie; John Elrod; James Taylor; Male Speaker; Steve Leer; Lucy Wong Luong; Arecelo; Bill Doyle; Roger Ritter; Kevin Carroll; John Vipiana (Heffernan Insurance); Theresa Flawdrich; Dale Carlson; Bryan; Tess Walborn; Gail Rutherford; Andrew Long; Ian Lewis; Rosa Sida; Carlos Castellanos; Silvia Medrano; Debra Malta; Nell; Sue Hester; spoke in opposition to the proposed legislation.

09/15/14; CONTINUED AS AMENDED.

09/24/14; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15080(c)(2).

Heard in Committee. Speakers: Tom Hui, Director, and Rosemary Bosque (Department of Building Inspection); Scott Sanchez, AnMarie Rodgers, and Christine Hom (Planning

Department); Jon Givner, Deputy City Attorney, and Marlena Byrne, Deputy City Attorney (Office of the City Attorney); presented information concerning the matter and answered questions raised throughout the hearing. Nancy Neiderhauser; Emily H.; Geo Bellair; Douglas Engman; Doug N.; Bruce B.; Pam L.M.; Noni Richen (Small Property Owners of SF); Leah Pimentel; Calvin Welsh; Rick; Andrew Seto; Brook Turner; Dennis Mosgofian; Sara Short; Marla Knight; Dale Carson; Ryan L.; David Thomson; Matthew H.; Dale Carlson; David Grace; Female Speaker; Brian Hill; Barbara R.; Lorraine B.; Ethan Cooke; Dennis Antenore; Tony Lee; Sharone M.; Traci Dauphin; Tony Carroll; Michael Patterson; Giuliana H.; Holly Carver; Steven Henry; Melinda McClain; Ron Jordan; Sandra McPherson; Dalin Govea; Kevin Krejci; Renaldo; Jim Marks; Ivan A.; Wyatt H.; Linda; Ann Karin; Anita K.; Peter S.; Brett Lider; Jim H.; Dario Fernandez; Ashley V.; Bruce Ponte; Alexandra Kenin; Michael; Phil; Rodolpho Cancino; Tom Spano; Gina K.; Yaella Frankel; Male Speaker; Patricia; spoke in support of the proposed legislation. J.J. Pancer; Bob Planthold; John W.; Dave Bisho; Douglas Engman; Lorraine Petty; Bruce Allison; Fernando Marti; Peter Cohen (CCHO); Ian Lewis (Local 2); Barbara Fields; Erin McElroy; Sharon Wright; Robert Karis; Janan New (SF Apartment Association); Charley Goss; Female Speaker; Darlene; Roger Ritter; Cathy George; John Allen; Bruce Santiago; Jeannie S.; Bobby Lee; Paula Blacona; Shirin Hosseini; Skate; Lila Tsen; Darrell Gourley; spoke in opposition to the proposed legislation. Ana Morley; spoke neither in support nor opposition on the matter.

Supervisor Kim, seconded by Supervisor Cohen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE by the following vote:

Ayes: 3 - Wiener, Kim, Cohen
(Supervisor Kim dissented in Committee.)

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Wiener, Cohen
Noes: 1 - Kim

The Committee recessed from 1:03 p.m. to 1:49 p.m.

SPECIAL ORDER 1:30 P.M.**140951 [Zoning - Interim Moratorium on Production, Distribution, and Repair Conversion in the Proposed Central South of Market Plan Area]****Sponsors: Kim, Avalos, Campos, Chiu, Mar and Cohen**

Urgency Ordinance approving an interim zoning moratorium to prohibit the conversion or replacement of Production, Distribution, and Repair uses in the proposed Central South of Market Plan Area bounded by Market Street on the north, Townsend Street on the south, 2nd Street on the east, and 6th Street on the west, for 45 days; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the eight priority policies of Planning Code, Section 101.1.

09/09/14; ASSIGNED to Land Use and Economic Development Committee.

09/16/14; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Mayor's Office of Housing; and Small Business Commission for comment and recommendation.

09/18/14; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2).

09/19/14; NOTICED.

Heard in Committee. Speakers: AnMarie Rodgers (Planning Commission); presented information concerning the matter and answered questions raised throughout the hearing. Alice Light; John Berling; Abram; Gabriel Medina; Peter Cohen; spoke in support of the proposed legislation.

Supervisor Kim, seconded by Supervisor Cohen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE by the following vote:

Ayes: 3 - Wiener, Kim, Cohen

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:

Ayes: 3 - Wiener, Kim, Cohen

SPECIAL ORDER 1:30 P.M.

120881 [Planning Code, Zoning Map - Uses, Conformity of Uses, Parking Requirements for Uses, and Special Use Districts]

Sponsor: Chiu

Ordinance amending the Planning Code, by repealing Section 158 and amending various other Code Sections, to modify controls for uses and accessory uses in Commercial and Residential Commercial (RC) Districts; eliminate minimum parking requirements for the Chinatown Mixed Use Districts, RC Districts, the Broadway and North Beach Neighborhood Commercial Districts (NCDs), and the Washington-Broadway Special Use District (SUD); make maximum residential parking permitted in Downtown Commercial and RC Districts consistent with Neighborhood Commercial Transit (NCT) Districts; make maximum non-residential parking in RC Districts, Chinatown Mixed Use Districts, and Broadway and North Beach NCDs consistent with NCT Districts; make surface parking lots a non-conforming use in Downtown Commercial Districts; modify conformity requirements in various use districts; modify streetscape requirements, public open space requirements, floor-area ratio calculations, and transportation management requirements for various uses in certain districts; permit certain exceptions from exposure and open space requirements for historic buildings; remove references to deleted sections of the Code; amend Zoning Map Sheet SU01 to consolidate the two Washington-Broadway SUDs and revise the boundaries; and making environmental findings, Section 302, findings, and findings of consistency with the General Plan, and the priority policies of Planning Code, Section 101.1.

09/04/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/4/2012.

09/17/12; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Small Business Commission for review and recommendation; and Planning Commission for informational purposes only.

09/20/12; RESPONSE RECEIVED. Non-physical exemption per CEQA Section 15060(c)(2).

08/12/13; REMAIN ACTIVE. Supervisor Chiu requested this matter remain active for an additional six months; 2/12/2014.

06/02/14; REMAIN ACTIVE. Supervisor Chiu requested this matter remain active for an additional six months; 12/10/14.

09/15/14; NOTICED.

09/21/14; NOTICED.

Heard in Committee. Speakers: No Speakers.

CONTINUED to October 20, 2014, by the following vote:

Ayes: 3 - Wiener, Kim, Cohen

ADJOURNMENT

The meeting adjourned at 5:06 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.