



# 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: Malia Cohen, Scott Wiener, Jane Kim*

*Clerk: Andrea Ausberry (415) 554-4442*

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Monday, February 23, 2015

1:30 PM

City Hall, Legislative Chamber, Room 250

### Regular Meeting

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

## MEETING CONVENED

*The meeting convened at 1:36 p.m.*

## REGULAR AGENDA

**140805 [Administrative, Environment Codes - Clean Construction Ordinance]****Sponsors: Cohen; Kim**

Ordinance amending the Environment Code to require a Construction Emissions Minimization Plan and monitoring for certain public works projects within an Air Pollutant Exposure Zone and to require controls on emission-producing equipment used for public works projects outside of such zones; amending the Administrative Code to incorporate these requirements in construction contracts where applicable; and making environmental findings.

07/15/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/14/2014.

07/28/14; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Small Business Commission for comment and recommendation; Department of Building Inspection for informational purposes; Contract Administration, Department of Public Health, Department of the Environment and Office of the Controller for informational purposes.

07/31/14; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines.

09/30/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

10/09/14; TRANSFERRED to Government Audit and Oversight Committee. President Chiu transferred this item from Land Use and Economic Development Committee to Government Audit and Oversight Committee - 10/09/2014

02/04/15; TRANSFERRED to Land Use and Economic Development Committee. President Breed transferred this item from Government Audit and Oversight Committee to Land Use and Economic Development Committee - 02/04/2015

02/10/15; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

02/18/15; REFERRED TO DEPARTMENT. Re-referred to the Planning Department for environmental review; Small Business Commission for comment and recommendation; Department of Building Inspection; Contract Administration, Department of Public Health, Department of the Environment; and Office of the Controller for informational purposes.

*Heard in Committee. Speakers: Karen Cohen (Department of Public Health); Wade Wietgreffe (Planning Department); Jon Givner, Deputy City Attorney (Office of the City Attorney); presented information concerning the matter and answered questions raised throughout the hearing. Katy Liddell; spoke in support of the proposed legislation.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Cohen, Wiener, Kim

**150087 [Interim Zoning Controls - Building Permits for Commercial Uses in an Area Bounded by Market, 2nd, Brannan, and Division Streets, and South Van Ness Avenue]**

**Sponsors: Kim; Cohen**

Resolution imposing interim zoning controls to require that for a 12-month period, in the area bounded by Market Street from Van Ness Avenue east to 5th Street on the north side, and east to 2nd Street on the south side, 2nd Street south to Brannan Street, Brannan Street west to Division Street, and South Van Ness Avenue north to Market Street, certain building permits for any building with some commercial use shall require the posting of a notice and a 15-day delay in starting the work, and the re-establishment of a commercial use that has been converted to residential use shall require Planning Commission approval through either an authorization under Planning Code, Section 320, et seq., or a conditional use authorization; and making environmental findings and a determination of consistency with the eight priority policies of Planning Code, Section 101.1.

01/27/15; ASSIGNED to Land Use and Economic Development Committee. 2/18/15 - President Breed waived 30-Day Rule; pursuant to Board Rule 3.23

02/05/15; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Planning Commission for public hearing and recommendation; Small Business Commission for comment and recommendation; and Department of Building Inspection for informational purposes.

02/13/15; NOTICED.

02/17/15; RESPONSE RECEIVED.

*Heard in Committee. Speakers: Steve Whetstone; Melissa Bracero; Chris Baker; Karl Haas; Chandra Redack (1049 Market Street Tenants Union); Tommi Avicelli Mecca (Housing Rights Committee); Tory Antoni; Darren Brown; Naomi Ann Cooper; Raymond Castillo and Juvy Barbonio (Somcan); Teresa Imperial (Bill Sorro Housing Program); Steve Collier; Katy Lipscomb (Seniors and Disability Market Action); Female Speaker; Bobby Colman (SF Tenants Union); spoke in support of the proposed legislation. Ryan Patterson (Zacks and Freedman, P.C.); Amy Bogart; Patrick Buacovich; Ryan Patterson; spoke in opposition to the proposed legislation.*

**AMENDED on Page 1, Line 21, adding 'for the purpose of office development authorizations', deleting 'Proposition M defines', Line 22, adding 'is defined'; Page 2, Line 4, adding 'without benefit of a permit', Line 8, adding 'any', Lines 9 - 10, deleting 're-establishment of office', adding 'review the status of the original legal', Line 12, deleting 'for', adding 'for' and 'amended'; Page 3, Lines 12 - 13, deleting 'It is the City's understanding that no one lives in this building'; Page 4, Lines 7 - 15, adding 'in the geographic area covered by these controls', deleting ' the re-establishment of ', adding 'in whole or in part' and 'without', deleting 'the', adding 'benefit of a permit', adding 'be deemed abandoned. A permit to re-establish any commercial use shall not be issued or reinstated, or, if already issued, shall not remain effective, unless the project sponsor obtains a Conditional Use authorization', deleting 'require Planning Commission', adding 'under Planning Code Section 303, in addition to all requirements of the Planning Code applicable to the establishment of any such use', deleting 'approval through a conditional use and, if triggered by Planning Code, Section 322, a Proposition M authorization' by the following vote:**

Ayes: 3 - Cohen, Wiener, Kim

**CONTINUED to March 2, 2015, AS AMENDED by the following vote:**

Ayes: 3 - Cohen, Wiener, Kim

**140079 [Hearing - Late-Night Transportation]****Sponsor: Wiener**

Hearing with the Municipal Transportation Agency, Bay Area Rapid Transit, Alameda-Contra Costa County Transit District, Transportation Network Companies, the Taxi Industry, the Mayor's Office of Economic and Workforce Development, and the Entertainment Commission, to discuss the City's late-night transportation needs and progress towards developing a Late-Night Transportation Plan, with specific areas of focus, including ease of access, speed, and safety.

01/28/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

02/13/14; REFERRED TO DEPARTMENT. Referred to MTA; Office of Economic and Workforce Development; Entertainment Commission for informational purposes.

04/14/14; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Jocelyn Cane and Audrey Joseph (Entertainment Commission); Ben Van Houten, (Office of Economic Workforce and Development); John Halley (Municipal Transportation Agency); Jay Balchek (BART); Kevin Carroll (Hotel Council of San Francisco); Robert Del Rosario (AC Transit); presented information concerning the matter and answered questions raised throughout the hearing. Glendon Hyde and Steven Lee (Entertainment Commission); Charles Rathborde (Luxor Taxi Cabs); Andrew Sun (Yellow Cab); Candice Taylor (Lyft); Male Speaker; Kimberly Marshall (Uber); Bill Mounsey (Taxi Cab Industry); Karen Heisler (Mission Pie); Terrance Allen (Entertainment and Music Association); Keisha Johnson-Clark; Tom Temprano (Virgil's Sea Room); Bob Planthold; Paul Slade; William Klingel Hoffer (Cultural Arts Institution Employees); Jon Lancelle (San Francisco Opera and Ballet); Trevor Johnson (San Francisco Cab Drivers Association); Male Speaker (Taxi Cab Driver); Tara Housman; Colby Michaels; Ernest Harreh (Tonic Nightlife Group); Barry Taranto; Gary Virginia; Mary McGuire (Taxi Industry); Tariq Mehmood (Taxi Cab Industry); Female Speaker; Mark Gruberg; Jerrid Wood; Larry Edmond; spoke in support of the proposed legislation.

*Heard in Committee. Speakers: Ben McCloskey (Mayor's Office of Economic and Workforce Development); Jocelyn Kane, Executive Director, (Entertainment Commission); Liz Grayson (Municipal Transportation Agency); presented information concerning the matter and answered questions raised throughout the hearing. Bruce Oka (Former SFMTA Board Member); Kevin Carroll (Hotel Council); Robert Del Rosario (AC Transit); Ben Bliemein (CMAC); Tom Temprano (Virgil's See Room); Charles Rathbone (Luxor Cab); Nick Belloni (PAR); Glendon Hyde; Nicholas Josefonipe, Director (BART); spoke in support of the proposed legislation.*

**FILED by the following vote:**

Ayes: 3 - Cohen, Wiener, Kim

**ADJOURNMENT**

*The meeting adjourned at 3:51 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.*