



**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*

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Monday, April 11, 2016

1:30 PM

City Hall, Legislative Chamber, Room 250

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**Regular Agenda**

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

*The Land Use and Transportation Committee met in regular session on Monday, April 11, 2016, with Chair Malia Cohen presiding.*

## **ROLL CALL AND ANNOUNCEMENTS**

*Chair Cohen called the meeting to order at 1:34 p.m. On the call of the roll, Chair Cohen, Vice Chair Wiener, and Member Peskin were noted present. There was a quorum.*

## **AGENDA CHANGES**

*There were no agenda changes.*

## REGULAR AGENDA

### **160253 [Health Code - Exempting The Humidor from Certain Provisions of the Tobacco Sales Permit Ordinance]**

**Sponsor: Peskin**

Ordinance exempting The Humidor, formerly located at 275 Battery Street, from two prohibitions in the Tobacco Sales Permit Ordinance on the issuance of such a permit for The Humidor's new location at One Embarcadero Center: the prohibitions on issuing the permit in a Supervisorial District with 45 or more such permits, and on issuing the permit to a tobacco shop.

03/15/16; ASSIGNED to Public Safety and Neighborhood Services Committee. 3/21/2016 - President Breed waived the 30-Day Rule pursuant to Board Rule No. 3.23.

03/21/16; REFERRED TO DEPARTMENT. Referred to the Department of Public Health, Planning Department, Office of the Treasurer and Tax Collector, and Office of Small Business for informational purposes.

04/05/16; TRANSFERRED to Land Use and Transportation Committee. 4/5/2016 - President Breed transferred this matter from Public Safety and Neighborhood Services to Land Use and Transportation Committee.

*Heard in Committee. Speakers: Ben Bakhshi and Fernando Cortez (The Humidor); Stanley Coheman; Anne Cecconi; Peter Nelson; spoke in support of the hearing matter.*

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

Ayes: 3 - Cohen, Wiener, Peskin

**160154 [Green Building, Environment Codes - Better Roof Requirements for Renewable Energy Facilities]****Sponsor: Wiener**

Ordinance amending the Green Building Code and the Environment Code to establish requirements for certain new building construction facilitating development of renewable energy facilities; updating provisions of the Green Building requirements for City buildings; setting an operative date of January 1, 2017; providing findings as to local conditions pursuant to the California Health and Safety Code; directing the Clerk of the Board of Supervisors to transmit the Ordinance to appropriate State officials; 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.

02/23/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/24/2016.

02/26/16; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation (per the legislation); Building Inspection Commission for public hearing and recommendation (per Charter, Section D33750-5); and Department of the Environment and Public Utilities Commission for informational purposes.

03/04/16; RESPONSE RECEIVED. Not considered a project under CEQA Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

03/22/16; RESPONSE RECEIVED. Revised - The Commissioners voted unanimously to support this proposed amendment; response mandated by Charter Sec. D3.750-5.

04/04/16; RESPONSE RECEIVED. The Department of the Environment provided two (2) reports:

SF Environment staff report, briefly summarizing cost-effectiveness of solar and living roofs in San Francisco  
Purpose: Review the content, intent, and cost-effectiveness of the ordinance for the committee

Detailed cost-effectiveness analysis on solar photovoltaics

Purpose: Must be included in the BOS packet in order to subsequently obtain California Energy Commission approval of the ordinance. Demonstrates cost-effectiveness in some detail

The Commission on the Environment submitted, Resolution No. 004-16-COE in support of the Better Roof Requirements for Renewable Energy Facilities Ordinance.

04/05/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

04/07/16; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Building Inspection Commission for public hearing and recommendation (per Charter, Section D33750-5); and Department of the Environment and Public Utilities Commission for informational purposes.

*Heard in Committee. Speakers: Barry Hooper (Department of the Environment); provided an overview and responded to questions raised throughout the discussion. Jeanine Cotter (Luminalt); Dilini Lanka Chandra (Brightline Defense); Brenden McEaney (U.S. Green Building Council); spoke in support of the hearing matter.*

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

Ayes: 3 - Cohen, Wiener, Peskin

**160188 [General Plan Amendment - Downtown Area Plan Map 5 - Portions of Transbay Redevelopment Plan Blocks 1 and 2]**

Ordinance amending the General Plan by revising Map 5 of the Downtown Area Plan to include a note stating that the proposed Height and Bulk Districts on Block 1 (Assessor's Parcel Block No. 3740, Lot Nos. 027, 029, 030, 031, and 032), on Folsom Street between Main and Spear Streets, and a portion of Block 2 (Assessor's Parcel Block No. 3739, Lot No. 004), on Folsom and Main Streets, of the Transbay Redevelopment Project Area shall be consistent with those provided in the Transbay Redevelopment Plan Development Controls; and making findings, including findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

02/29/16; RECEIVED FROM DEPARTMENT.

03/08/16; ASSIGNED to Land Use and Transportation Committee. March 10, 2016 - President Breed waived the 30-day hold pursuant to Board Rule 3.22.

03/25/16; NOTICED. General Plan Notice; mandated by Government Code 65090(a)

04/04/16; CONTINUED. Heard in Committee. Speakers: Joshua Switzky (Planning Department); Jon Givner (City Attorney's Office); provided an overview and responded to questions raised throughout the discussion. Rob Poole (San Francisco Housing Action Coalition); Carlos Duran (Carpenters Union Local 22); Robert Devlin (Polaris Pacific); Peter Hartman and Lauren Post (Transbay Citizens Advisor Committee); spoke in support of the hearing matter. Jerry Dotson; spoke in opposition to the hearing matter.

*Heard in Committee. Speakers: Josh Switzky (Planning Department); Shane Hart (Office of Community Investment and Infrastructure); provided an overview and responded to questions raised throughout the discussion. Adrian Simi (Carpenters Union); Alyce Dearosiers (Save Rincon Park); spoke in support of the hearing matter.*

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

Ayes: 3 - Cohen, Wiener, Peskin

**140886 [Jerry Garcia Commemorative Plaques - Mission Street at Harrington and Amazon Streets]****Sponsors: Avalos; Cohen**

Ordinance commemorating the Mission Street sidewalk in two locations near Harrington Street and near Amazon Street under Public Works Code, Sections 789 et seq., the Commemorative Street Plaque Ordinance, in honor of the childhood homes of Jerry Garcia, waiving permit and inspection fees for plaque installation, and directing official acts in furtherance of this Ordinance.

07/29/14; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

08/13/14; REFERRED TO DEPARTMENT. Referred to the Department of Public Works, the Planning Department and the Arts Commission for informational purposes.

10/27/15; TRANSFERRED to Land Use and Transportation Committee.

11/04/15; REMAIN ACTIVE. 11/4/2015 - Supervisor Avalos requested that this matter remain open for an additional six months; 5/4/2016.

03/22/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. March 22, 2016 - Supervisor Avalos introduced a substitute ordinance bearing a new title; the matter was originally introduced as a resolution.

03/29/16; REFERRED TO DEPARTMENT. Referred to Department of Public Works, Planning Department; and Arts Commission for informational purposes.

03/30/16; RESPONSE RECEIVED. Project to be placed on the April 18, 2016, consent calendar of the Civic Design Review Committee.

*Heard in Committee. Speakers: Supervisor John Avalos and Jeremy Pollock (Board of Supervisors); provided an overview and responded to questions raised throughout the discussion. Jackie DeLuca-Harbour (Jerry for Ever NFA); Linda Litehisee and Wayne Hemer (Friends and Advocates of Crocker Amazon and The Excelsior); Rachel; Male Speaker; spoke in support of the hearing matter.*

**Member Peskin moved that this Ordinance 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 2:34 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.*