



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: Andrea Ausberry (415) 554-4442

Monday, April 18, 2016

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

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

The Land Use and Transportation Committee met in regular session on Monday, April 18, 2016, with Chair Malia Cohen presiding.

ROLL CALL AND ANNOUNCEMENTS

Chair Cohen called the meeting to order at 1:35 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

160104 [Police Code - Entertainment Commission Permit Procedures]**Sponsors: Wiener; Breed**

Ordinance amending the Police Code to authorize the Director of the Entertainment Commission to waive the filing fee for Loudspeaker Permits based on certain criteria, replace a leafletting notice requirement to residents with a mailed notice requirement to neighborhood organizations for Place of Entertainment Permit applications in neighborhood-commercial or mixed residential districts, and authorize the Director of the Entertainment Commission to extend the nine-month deadline for conditional grants of Place of Entertainment and Limited Live Performance Permits.

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

02/09/16; REFERRED TO DEPARTMENT. Referred to Small Business Commission for review and recommendation; and Entertainment Commission, Planning Department, and Police Department for informational purposes.

02/09/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

02/12/16; REFERRED TO DEPARTMENT. Re-referred substitute legislation (Version 2) to Small Business Commission for review and recommendation; and Entertainment Commission, Planning Department, and Police Department for informational purposes.

03/15/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

03/23/16; REFERRED TO DEPARTMENT. Re-referred substitute legislation to Small Business Commission for review and recommendation; and Entertainment Commission, Planning Department, and Police Department for informational purposes.

Heard in Committee. Speakers: Jocelyn Kane, Executive Director (Entertainment Commission); provided an overview and responded to questions raised throughout the discussion. Patrick Monette-Shaw; 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

Chair Cohen recessed the Meeting at 2:05 p.m. and reconvened the meeting at 2:06 p.m.

Chair Cohen requested File Nos. 160292 and 160284 be heard together.

160292 [Hearing - Bi-Annual Housing Balance Report - March 2016]

Sponsor: Kim

Hearing on the findings from the bi-annual Housing Balance Report dated March 31, 2016; and requesting the Planning Department to report.

03/22/16; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

03/29/16; REFERRED TO DEPARTMENT. Referred to Planning Department for informational purposes.

04/05/16; RESPONSE RECEIVED. Housing Balance Report

Heard in Committee. Speakers: Supervisor Jane Kim (Board of Supervisors); John Rahaim, Director (Planning Department); Theresa Monchez (Planning Department); provided an overview and responded to questions raised throughout the discussion. Patrick Monette-Shaw; Peter Cohen; Tess Welborn; Female Speaker; spoke in support of the hearing matter.

Vice Chair Wiener, seconded by Member Peskin, moved that this Hearing be HEARD AND FILED. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Peskin

160284 [Bi-Annual Housing Balance Report - March 2016]

Sponsor: Kim

Resolution receiving and approving the bi-annual Housing Balance Report dated March 31, 2016, submitted as required by Planning Code, Section 103.

03/22/16; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

03/29/16; REFERRED TO DEPARTMENT. Referred to Planning Department; Mayor's Office of Housing and Community Development; Office of Community Investment and Infrastructure; and Rent Board for informational purposes.

04/04/16; RESPONSE RECEIVED. Housing Balance Report

Heard in Committee. Speakers: Supervisor Jane Kim (Board of Supervisors); John Rahaim, Director (Planning Department); Theresa Monchez (Planning Department); provided an overview and responded to questions raised throughout the discussion. Patrick Monette-Shaw; Peter Cohen; Tess Welborn; Female Speaker; spoke in support of the hearing matter.

Member Peskin moved that this Resolution be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Peskin

160255 [Planning, Administrative Codes - Inclusionary Affordable Housing Fee and Requirements; Preparation of Economic Feasibility Report; Establishing Inclusionary Housing Technical Advisory Committee]

Sponsors: Kim; Peskin and Yee

Ordinance amending the Planning and Administrative Codes to increase the Inclusionary Affordable Housing fee and other requirements; require the Controller to prepare an economic feasibility report regarding the City's inclusionary housing requirements and make recommendations by July 31, 2016, and every three years thereafter; and establish the Inclusionary Housing Technical Advisory Committee to provide advice about the economic feasibility of proposals to set maximum economically viable inclusionary housing requirements, and set forth the membership and duties of the Advisory Committee; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of public convenience, necessity, and welfare under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

03/15/16; ASSIGNED UNDER 30 DAY RULE PENDING APPROVAL AS TO FORM to Land Use and Transportation Committee.

03/22/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

03/29/16; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Planning Commission for public hearing and recommendation (per Planning Code, Section 302(b)); and Department of Building Inspection; Rent Board; Mayor's Office of Housing and Community Development; Office of Community Investment and Infrastructure; and Office of the Controller for informational purposes.

04/04/16; RESPONSE RECEIVED. Not defined as a project under CEQA

04/08/16; NOTICED.

04/11/16; RESPONSE RECEIVED. Approval with Modification.

04/12/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

04/14/16; REFERRED TO DEPARTMENT. Re-referred (Version 3) to Planning Department for environmental review; Planning Commission for public hearing and recommendation (per Planning Code, Section 302(b)); and Department of Building Inspection; Rent Board; Mayor's Office of Housing and Community Development; Office of Community Investment and Infrastructure; and Office of the Controller for informational purposes.

04/14/16; NOTICED.

04/15/16; RESPONSE RECEIVED. Not defined as a project under CEQA

Heard in Committee. Speakers: Supervisors Jane Kim and Mark Farrell (Board of Supervisors); John Rahaim, Director (Planning Department); AnMarie Rodgers (Planning Department); Sophie Hayward (Mayor's Office of Housing and Community Development); Kate Stacy (Office of City Attorney); provided an overview and responded to questions raised throughout the discussion. Alex Lantsberg, Adrian Simi and Jay Bradshaw (Carpenters Union); Eric Tao (AGI Avant); Matthew Miller (Carpenters Union); Kathryn Devincena (Laurel Heights Improvement Association); Bob Tillman; Andrew Yip; Joel Koppel; Carlos Wallace; Marlene Morgan (Coalition of San Francisco Neighborhoods); Tes Welborn (D5 Action); Sonia Traus (San Francisco Bay Area Renter's Association); Steve; Ken Coleman (California Housing Action); Peter Cohen; spoke in support of the hearing matter.

Member Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 24, Lines 9-14, by removing Section 415.3(b)(1)(E); and on Page 26, Lines 6-11, by removing Section 415.3 (b)(2)(F). The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Peskin

Member Peskin moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**, on Page 22, Lines 11-13, by adding 'The Small Sites Fund, defined in Section 415.5(f)(2), and the Small Sites Program may use Affordable Housing Fees to acquire sites and building consistent with the parameters of the Programs, as periodically updated and administered by MOHCD.' The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Peskin

Chair Cohen moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**, to remove Section 415.3(b)(1)(d); on Page 24, Lines 1-5, by adding 'Any residential or predominantly residential mixed-use development project that has submitted a complete Environmental Evaluation application after January 12, 2016 but on or before June 6, 2016, and that replaces a pre-existing non-conforming commercial use on a property in excess of 10 acres shall provide affordable units in the amount of 15.5% of the number of units constructed on-site.'; on Page 28, Lines 8-11, by adding '; or (4) any housing development project that, on or before June 7, 2016, has entered into a final, approved and executed agreement between the Project Sponsor and the City, demonstrating that the housing units are not subject to the Costa Hawkins Rental Housing Act.' The motion carried by the following vote:

Ayes: 2 - Cohen, Wiener

Noes: 1 - Peskin

Vice Chair Wiener moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**, by clarifying the grandfathering provisions; that projects that have filed an Environmental Evaluation application prior to January 1, 2013, shall comply with current inclusionary requirements; that if an additional impact fee is required for a special area plan or special use district, it would count towards the projects "bump-up" under grandfathering; and that additional fees of special use districts will go towards meeting specific percentages proposed within the Ordinance. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Peskin

Vice Chair Wiener moved that this Ordinance be **CONTINUED AS AMENDED** to the Land Use and Transportation Committee meeting of April 25, 2016. The motion carried by the following vote:

Ayes: 2 - Cohen, Wiener

Noes: 1 - Peskin

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 5:04 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.