



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, July 11, 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, June 27, 2016, with Chair Malia Cohen presiding.

ROLL CALL AND ANNOUNCEMENTS

Chair Cohen called the meeting to order at 1:44 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

151122 [Administrative Code - Preferences in Affordable Housing Programs]**Sponsors: Mayor; Cohen, Breed, Wiener and Farrell**

Ordinance amending the Administrative Code to create a fourth preference for people who live or work in San Francisco, in addition to existing preferences in allocating City affordable housing units; to affirm the Planning Department's determination under the California Environmental Quality Act; and to make findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

11/02/15; DUPLICATED. Supervisor Wiener requested that File No. 150622 be duplicated.

11/02/15; AMENDED. Heard in Committee. Speakers: President London Breed (Board of Supervisors); Menaka Mohan (Planning Department); Sophie Hayward and Charles MacNulty (Mayor's Office of Housing and Community Development); Susan Cleveland-Knowles (Office of the City Attorney); Mary Benjamin (Mayor's Office of Housing and Community Development); Jon Givner (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Rev. Amos Brown (NAACP/Third Baptist); Rev. Arnold Townsend (EOCSF); Male Speaker; Linda Fadeke Richardson; Gary Banks; Marie Franklin; Rev. Arelious Walker (Bayview Hunters Point Senior Services); Louis Cardonas; Rev. Keva McNeill (NAACP); Female Speaker; Tracy Griffin; Rev. Roland Gordon (Ingleside Presbyterian Church); Jackie Wright; Rev. Martin Hall; Doris Jane Gibson; Michael Baines; Male Speaker; Female Speaker; Female Speaker; Majea Crawford; Peter Cohen; Frank Williams; Bobby Webb; Male Speaker; Female Speaker; Male Speaker; spoke in support of the hearing matter.

Duplicated from File No. 150622.

11/02/15; CONTINUED TO CALL OF THE CHAIR AS AMENDED. Vice Chair Wiener requested this matter be referred to the Planning Commission for public hearing and recommendation.

11/04/15; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation (per Planning Code, Section 302(b)); and Rent Board, Mayor's Office of Housing and Community Development, Housing Opportunity, Partnerships and Engagement, and HOPE SF for informational purposes.

11/18/15; RESPONSE RECEIVED. The Planning Department determined that the changes to the legislation (version 2) do not require an additional Planning Commission hearing.

11/23/15; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

06/20/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Sophie Hayward (Mayor's Office of Housing and Community Development); Jon Givner (Office of City Attorney); presented information and answered questions raised throughout the discussion.

06/20/16; RECOMMENDED AS AMENDED.

06/28/16; RE-REFERRED to Land Use and Transportation Committee. Supervisor Farrell requested to be added as a co-sponsor.

Heard in Committee. Speaker: Sophie Hayward (Mayor's Office of Housing); provided an overview and responded to questions raised throughout the discussion.

Vice Chair Wiener moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE by adding a new category for Displaced Tenants in Administrative Code, Section 47.2, for San Francisco tenants who were required to vacate his or her unit by a public safety official due to fire and cannot return to the unit within a period of six months . The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Peskin

Ordinance amending the Administrative Code to create a fourth preference for people who live or work in San Francisco, in addition to existing preferences in allocating City affordable housing units, and to create an additional category of eligible displaced tenants that includes tenants displaced by fire; 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.

Vice Chair Wiener moved that this Ordinance be CONTINUED AS AMENDED to July 18, 2016. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Peskin

160671 [Apply for Grant - Delegation of San Francisco Municipal Transportation Agency as Co-Applicant for Grant - Assumption of Liability - Affordable Housing and Sustainable Communities Program - 480 Eddy Street Project]

Sponsor: Mayor

Resolution authorizing the San Francisco Municipal Transportation Agency (SFMTA), on behalf of the City and County of San Francisco, to execute a grant application, grant agreement, and related documents under the State of California's Affordable Housing and Sustainable Communities Program (AHSC Program) as a joint applicant with the Tenderloin Neighborhood Development Corporation for the project at 480 Eddy Street; authorizing the City to assume any joint and several liability for completion of the project required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act (CEQA), the CEQA Guidelines, and Administrative Code, Chapter 31. (Mayor's Office of Housing and Community Development)

06/07/16; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

06/09/16; REFERRED TO DEPARTMENT. Referred to Office of Investment and Infrastructure; Planning Department; and Municipal Transportation Agency for information purposes.

06/13/16; CONTINUED. Heard in Committee. Speakers: None.

06/27/16; CONTINUED. Heard in Committee. Speakers: None.

Heard in Committee. Speaker: Sophie Hayward (Mayor's Office of Housing); provided an overview and responded to questions raised throughout the discussion. Silvia Johnson; spoke neither in support nor opposition on the matter.

Supervisor Peskin moved that this Resolution be REFERRED to the Budget and Finance Committee. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Peskin

160672 [Apply for Grant - Delegation of San Francisco Municipal Transportation Agency as Co-Applicant for Grant - Assumption of Liability - Affordable Housing and Sustainable Communities Program - 455 Fell Street Project]

Sponsors: Mayor; Breed

Resolution authorizing the San Francisco Municipal Transportation Agency (SFMTA), on behalf of the City and County of San Francisco, to execute a grant application, grant agreement, and related documents under the State of California's Affordable Housing and Sustainable Communities Program (AHSC Program) as a joint applicant with Mercy Housing, Inc., for the project at 455 Fell Street; authorizing the City to assume any joint and several liability for completion of the project required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act (CEQA), the CEQA Guidelines, and Administrative Code, Chapter 31. (Mayor's Office of Housing and Community Development)

06/07/16; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

06/09/16; REFERRED TO DEPARTMENT. Referred to Office of Investment and Infrastructure; Planning Department; and Municipal Transportation Agency for informational purposes.

06/13/16; CONTINUED. Heard in Committee. Speakers: None.

06/27/16; CONTINUED. Heard in Committee. Speakers: None.

Heard in Committee. Speaker: Sophie Hayward (Mayor's Office of Housing); provided an overview and responded to questions raised throughout the discussion. Silvia Johnson; spoke neither in support nor opposition on the matter.

Supervisor Peskin moved that this Resolution be REFERRED to the Budget and Finance Committee. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Peskin

160319 [Administrative Code - Human Services Fire Victims Assistance Fund]

Sponsors: Breed; Campos

Ordinance amending the Administrative Code to establish the Human Services Fire Victims Assistance Fund.

04/05/16; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 5/5/2016.

04/12/16; REFERRED TO DEPARTMENT. Referred to the Office of the Controller, Mayor's Office, Fire Department, and Human Services Agency for informational purposes.

06/23/16; TRANSFERRED to Land Use and Transportation Committee. 6/23/2016 - President Breed transferred the matter from the Government Audit Oversight Committee to the Land Use and Transportation Committee.

Heard in Committee. Speaker: President London Breed; provided an overview and responded to questions raised throughout the discussion.

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

Supervisor Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE on Page 2, Line 7, to replace Section '10.100-78' with '10.100-298'; Page 2, Line 10, to replace 'financial assistance' with 'rental assistance'; and Page 2, Lines 13 through 14, to replace 'Total payment from the Fund to any one person in connection with a single incident shall not exceed \$10,000' with ' Assistance from the Fund to any person in connection with a single incident shall not extend beyond 24 months from the date of the incident. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Peskin

Ordinance amending the Administrative Code to establish the San Francisco Fire Victims Assistance Fund.

Supervisor Peskin moved that this Ordinance be RECOMMENDED AS AMENDED AS A COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Peskin

160655 [Apply for Grants - California Department of Resources Recycling and Recovery Funds]

Sponsor: Mayor

Resolution authorizing the Department of the Environment to submit applications for all grants offered by the California Department of Resources Recycling and Recovery. (Environment)

05/31/16; RECEIVED AND ASSIGNED to Budget and Finance Committee.

06/20/16; TRANSFERRED to Land Use and Transportation Committee. President Breed transferred the matter from the Budget and Finance Committee to the Land Use and Transportation Committee.

Heard in Committee. Speakers: None.

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

Ayes: 3 - Cohen, Wiener, Peskin

160492 [Hearing - Impacts of the Medical Marijuana Regulation and Safety Act]

Sponsors: Wiener; Cohen

Hearing on how San Francisco's medical cannabis regulations are impacted by the newly adopted state Medical Marijuana Regulation and Safety Act, and any policy changes San Francisco needs to make to ensure the continued existence of a well-regulated medical cannabis industry; and requesting the Department of Public Health, the Planning Department, and the Department of Building Inspection to report.

05/03/16; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

05/11/16; REFERRED TO DEPARTMENT. Referred to the Department of Public Health, Planning Department, and the Department of Building Inspection for informational purposes and requesting the various departments to report.

06/23/16; TRANSFERRED to Land Use and Transportation Committee. 6/23/2016 - President Breed transferred the matter from the Government Audit Oversight Committee to the Land Use and Transportation Committee.

Heard in Committee. Speaker: Cyndy Comerford (Public Health), Aaron Starr (Planning Department); Mr. Laury (Department of Building Inspection); Male Speaker; California Cannabis Voice Education Group and California Growers Association; provided an overview and responded to questions raised throughout the discussion. Joseph Smith; Matt Osborne; Brian Brooks; Luke Bruner; Elissa Hambrecht; Ron Brandon; Dr. Chris Emerson; Mr. Bolsi; Jumoke Walden; Aaron Flynn; Alex Zavell; Female Speaker; provided information on the hearing matter.

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

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

Ayes: 3 - Cohen, Wiener, Peskin

160599 [Interim Zoning Controls - Hotel Conversion Ordinance]**Sponsors: Peskin; Kim and Cohen**

Resolution imposing interim zoning controls for an 18-month period for all Residential Hotels, requiring Conditional Use authorization for any application for a permit to convert Residential Hotel Units under Administrative Code, Chapter 41; and making environmental findings and findings of consistency with the General Plan, and with the eight priority policies of Planning Code, Section 101.1.

05/24/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/23/2016.

06/01/16; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission (per Planning Code, Section 306.7); Mayor's Office of Housing and Community Development; Office of Community Investment and Infrastructure; and Rent Board for informational purposes.

06/03/16; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

07/01/16; NOTICED. July 11, 2016 Notice of Public Hearing was published in the Examiner; and posted at the Board, Library, and Planning Department, per Planning Code Section 306.7(g). No mailed notice was required since the affected area is more than 30 acres.

Heard in Committee. Speaker: Sue Hester; spoke in support of the matter.

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

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

Ayes: 3 - Cohen, Wiener, Peskin

160252 [Planning, Administrative Codes - Construction of Accessory Dwelling Units]**Sponsor: Peskin**

Ordinance amending the Planning Code to allow the construction of Accessory Dwelling Units (ADUs, also known as Secondary or In-Law Units) on all lots in the City in areas that allow residential use; amending the Administrative Code to revise the definition of "rental unit" as it applies to ADUs; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; adopting findings under Planning Code, Section 302; and directing the Clerk to send a copy of this Ordinance to the California Department of Housing and Community Development after adoption.

03/15/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 4/14/2016.

03/23/16; REFERRED TO DEPARTMENT. Referral sent to Small Business Commission for comment and recommendation; Planning Commission for hearing and recommendation; Planning Department for environmental review; and Department of Building Inspection; Rent Board; Mayor's Office of Housing and Community Development; and the Office of Community Investment and Infrastructure.

06/23/16; RESPONSE RECEIVED. 06/16/2016 - The Planning Commission conducted duly noticed public hearing recommending approval of this matter with modifications.

Heard in Committee. Speakers: Keenya Klen (Planning Department); Jon Givner (City Attorney's Office); provided an overview and responded to questions raised throughout the discussion. Tom Radulovich; Kathryn Devincenzi; Tim Colen; Brook Turner; Chris Amundi; Genine Day; Eileen Boken; Charle Goss; spoke in support of the matter.

Supervisor Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Peskin

Supervisor Peskin moved that this Ordinance be REFERRED WITHOUT RECOMMENDATION AS AMENDED. 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 4:35 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.