



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) 554-7711

Monday, October 24, 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, October 24, 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

160954 [Amending Ordinance No. 1061 - Sidewalk Width Change - Portions of De Haro Street Between 15th and 16th Street]

Ordinance amending Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," to change the official sidewalk width along the easterly side of De Haro Street between 15th Street and 16th Street, fronting Assessor's Parcel Block No. 3938, Lot No. 001; adopting findings 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. (Public Works)

08/31/16; RECEIVED FROM DEPARTMENT.

09/13/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/13/2016.

Heard in Committee. Speaker: Javier Rivera (Public Works); presented information and answered questions raised throughout the discussion.

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

Ayes: 3 - Cohen, Wiener, Peskin

160820 [Planning Code - Landmark Designation - 1345 Ocean Avenue (aka Ingleside Presbyterian Church and the Great Cloud of Witnesses)]**Sponsor: Yee**

Ordinance designating 1345 Ocean Avenue (aka Ingleside Presbyterian Church and the Great Cloud of Witnesses), Assessor's Parcel Block No. 6942, Lot No. 050, as a Landmark under Planning Code, Article 10; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

07/12/16; RECEIVED FROM DEPARTMENT.

07/26/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 8/25/2016.

10/12/16; NOTICED. Notice of Public Hearing for 10/24/2016 Land Use and Transportation Committee meeting mailed to property owners and interested parties.

Supervisor Yee requested to be the primary sponsor of the legislation.

Jen Low (Office of Supervisor Norman Yee); Susan Parks (Planning Department); Mike Buhler (San Francisco Heritage); Jon Givner (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Neil Harris; 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 2, Line 2, by adding 'following', Lines 2-3, by striking 'set forth in Historic Preservation Commission Resolution No. __.', and Lines 4-20, by adding '(A) The 1345 Ocean Avenue Landmark Designation Report prepared by Planning Department staff and submitted to the Historic Preservation Commission (HPC) is in the form prescribed by the HPC and contains supporting historic, architectural, and/or cultural documentation; (B) 1345 Ocean Avenue conveys its architectural significance as an embodiment of the distinctive characteristics of the Neoclassical style and represents the work of master architect Joseph A. Leonard; (C) 1345 Ocean Avenue conveys its artistic significance through the interior "collage-mural," a folk artists' environment, entitled The Great Cloud of Witnesses, created by Reverend Roland Gordon; (D) 1345 Ocean Avenue meets the eligibility requirements per Section 1004 of the Planning Code and warrants consideration for Article 10 landmark designation; and (E) The boundaries and the list of exterior and interior character-defining features, as identified in the Landmark Designation Report, should be considered for preservation under the proposed landmark designation as they relate to the building's historical significance and retain historical integrity.' The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Peskin

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

Ayes: 3 - Cohen, Wiener, Peskin

160821 [Planning Code - Amending Landmark Designation - 140 Maiden Lane (aka V. C. Morris Gift Shop)]**Sponsor: Peskin**

Ordinance amending the Landmark Designation of 140 Maiden Lane (aka V. C. Morris Gift Shop), Assessor's Parcel Block No. 0309, Lot No. 019, under Planning Code, Article 10; affirming the Planning Department's determination under the California Environmental Quality Act; and making environmental findings, findings of public necessity, convenience and welfare, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

07/12/16; RECEIVED FROM DEPARTMENT.

07/26/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 8/25/2016.

10/12/16; NOTICED. Notice of Public Hearing for 10/24/2016 Land Use and Transportation Committee meeting mailed to property owners and interested parties.

Heard in Committee. Speakers: Shannon Ferguson (Planning Department); Dr. Paul Turner; presented information and answered questions raised throughout the discussion. 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

Member Peskin moved to rescind the previous vote. 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 2, Line 25, by adding 'for the following reasons:'; and Page 3, Lines 1-12, by adding '(A) The 140 Maiden Lane Landmark Designation Report, prepared by Planning Department staff and submitted to the Historic Preservation Commission, is in the form prescribed by the Historic Preservation Commission and contains supporting historic, architectural, and/or cultural documentation; (B) 140 Maiden Lane is significant for its architecture and as the work of master architect Frank Lloyd Wright; (D) 140 Maiden Street meets the eligibility requirements per Section 1004 of the Planning Code and warrants consideration for Article 10 landmark designation; and (E) The boundaries and the list of exterior and interior character-defining features, as identified in the Landmark Designation Report, should be considered for preservation under the proposed landmark designation as they relate to the building's historical significance and retain historical integrity.' The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Peskin

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

Ayes: 3 - Cohen, Wiener, Peskin

Chair Cohen requested File Nos. 160553 and 160424 be heard together.

160553 [Planning Code - Signs - Exemptions and General Advertising Sign Penalties]

Sponsor: Peskin

Ordinance amending the Planning Code to clarify that all noncommercial Signs are exempt from regulation pursuant to Planning Code, Article 6; increase penalties for repeat violations for the display of illegal General Advertising Signs; shorten the time before penalties for General Advertising Sign violations begin to accrue; allow property liens for such penalties that go unpaid; 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, and a finding of public necessity, convenience, and welfare under Planning Code, Section 302.

05/17/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/16/2016.

05/24/16; REFERRED TO DEPARTMENT. Referred to Planning for environmental review; Small Business Commission for review and recommendation; and Department of Building Inspection 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.

06/15/16; REFERRED TO DEPARTMENT. Referred Planning Commission for public hearing and recommendation (per Planning Code, Section 302.(b)).

08/11/16; REMAIN ACTIVE. 8/2/2016 - The Board of Supervisors extended the Planning Commission's recommendation deadline by 30 days via Resolution No. 364-16 (File No. 160875); new deadline 10/13/2016.

09/27/16; RESPONSE RECEIVED. 9/15/2016 - The Planning Commission held a public hearing and recommended approval of the proposed Ordinance; Resolution No. 19736.

10/06/16; RESPONSE RECEIVED. 9/26/2016 - The Small Business Commission voted 6/1 to recommend approval of the proposed legislation.

Heard in Committee. Speakers: AnMarie Rodgers (Planning Department); presented information and answered questions raised throughout the discussion. Tom Radulovich; 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 6, Line 20, by striking 'SEC. 302.10. IDENTIFYING SIGN.', and Line 21, by adding 'Identifying Sign.' The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Peskin

Member 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

160424 [Planning Code, Zoning Map - Sign Regulations]**Sponsors: Peskin; Cohen**

Ordinance amending the Planning Code to correct and update provisions, delete obsolete or redundant sections, amend the definitions of Historic Sign and Wind Sign, reinstate the distinction between Historic and Vintage Signs, and further restrict the areas where General Advertising Signs are permitted; amending the Zoning Map to delete the Showplace Square Special Sign District, the South of Market General Advertising Special Sign District, the Hamm's Building Historic Special Sign District, and the Candlestick Park Special Sign District, and to delete the related Code sections; 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, and findings of public convenience, necessity, and welfare under Planning Code, Section 302.

04/26/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/26/2016.

05/03/16; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; and Planning Commission for hearing and recommendation.

05/06/16; 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.

06/07/16; REMAIN ACTIVE. 6/7/2016 - The Board of Supervisors extended by 90 days the prescribed time that Planning Commission has to render a recommendation via Resolution No. 233-16 (File No. 160602), and signed by the Mayor and enacted on June 17, 2016; new deadline is October 30, 2016.

09/27/16; RESPONSE RECEIVED. 9/15/2016 - The Planning Commission held a public hearing and recommended approval of the proposed legislation with modifications; Resolution No. 19735.

10/14/16; NOTICED. 10-Day Notice published in the Examiner for the 10/24/2016 Land Use and Transportation Committee hearing (per Government Code Sections 65856 & 65090).

10/18/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Supervisor Peskin submitted a substitute Ordinance bearing a new title.

Heard in Committee. Speakers: AnMarie Rodgers (Planning Department); presented information and answered questions raised throughout the discussion. Tom Radulavich; 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

160893 [Administrative, Public Works, Police Codes - Places for People Program; Permit Fee]**Sponsor: Wiener**

Ordinance amending the Administrative Code to establish a Places for People Program that coordinates the City's authorization of public gatherings and activities and their associated temporary physical improvements on City-owned property, the public right-of-way, and associated privately-owned space in connection with certain public space improvements; provides a process for identifying private Stewards to create and activate the public space and be responsible for managing the events and other activities occurring there; streamlines the process for reviewing proposals and issuing any required permits; and establishes a People Place Permit Fee; amending the Public Works Code to establish a regulatory process for authorizing a People Place on the public right-of-way; amending the Police Code definition of a Limited Live Performance Locale to include People Places; and affirming the Planning Department's determination under the California Environmental Quality Act.

08/02/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 9/1/2016.

08/11/16; REFERRED TO DEPARTMENT. Referral sent to Planning Department for environmental review; Planning Department, Public Works, Municipal Transportation Agency, Real Estate Division, and Entertainment Commission for informational purposes.

09/08/16; 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.

10/04/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Supervisor Wiener submitted a substitute legislation bearing new title.

10/14/16; NOTICED. First 10-Day Fee Ad published in the Examiner for 10/24/2016 Land Use and Transportation Committee hearing (per Government Code Section 6062(a)).

10/20/16; NOTICED. Second 10-Day Fee Ad published in the Examiner for 10/24/2016 Land Use and Transportation Committee hearing (per Government Code Section 6062(a)).

Heard in Committee. Speakers: Neil Hrushowy and Robin Abad Ocuillo (Planning Department); John Thomas (Public Works); presented information and answered questions raised throughout the discussion. Nicole Ferrera (WalkSF); Alice Rodgers; Amandeep Jawa; Rachel Norton (San Francisco Parks Alliance); Jared Press; Sahiti Karempudi (San Francisco Parks Alliance); Bonnie Bergeron (Tunnel Top Park); Darcy Brown (SF Beautiful); Markos Major (Climate Action Now); Susan Bryan (Friends of Playland at 43rd Avenue); Reuel Daniels (Yerba Buena Community Benefit District); Walden Boe; Tom Radulovich (Livable Cities); spoke in support of the hearing matter.

Vice Chair Wiener moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, by making non-substantive clarifying changes. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Peskin

Vice Chair Wiener requested this Ordinance be DUPLICATED AS AMENDED.

See duplicated File No. 161145.

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

Ayes: 3 - Cohen, Wiener, Peskin

161145 [Administrative, Public Works, Police Codes - Places for People Program; Permit Fee]**Sponsor: Wiener**

Ordinance amending the Administrative Code to establish a Places for People Program that coordinates the City's authorization of public gatherings and activities and their associated temporary physical improvements on City-owned property, the public right-of-way, and associated privately-owned space in connection with certain public space improvements; provides a process for identifying private Stewards to create and activate the public space and be responsible for managing the events and other activities occurring there; streamlines the process for reviewing proposals and issuing any required permits; and establishes a People Place Permit Fee; amending the Public Works Code to establish a regulatory process for authorizing a People Place on the public right-of-way; amending the Police Code definition of a Limited Live Performance Locale to include People Places; and affirming the Planning Department's determination under the California Environmental Quality Act.

Duplicated from File No. 160893.

Heard in Committee. Speakers: Neil Hrushowy and Robin Abad Ocubillo (Planning Department); John Thomas (Public Works); presented information and answered questions raised throughout the discussion. Nicole Ferrera (WalkSF); Alice Rodgers; Amande Jah; Rachel Norton; Jared Buss; Tahiti Nun; Bonnie Burjan; Darcy Brown; Marcos Grega; Susan Bryan; Ruell Daniels; Walden Boe; Tom Radulovich; spoke in support of the hearing matter.

Vice Chair Wiener moved that this Ordinance be CONTINUED TO CALL OF THE CHAIR. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Peskin

Chair Cohen was noted absent at 3:05 p.m. and for the remainder of the meeting.

160909 [Hearing - Compliance with the San Francisco Streetlight Policy]**Sponsor: Wiener**

Hearing on compliance with the San Francisco Streetlight Policy (Administrative Code, Section 98.3), which calls for an increased pedestrian-scale lighting, single ownership of streetlights, establishing uniform level of service for repair of broken streetlights, and transitioning existing streetlights to LED technology; and requesting the San Francisco Public Utilities Commission and the Pacific Gas and Electric Company to report.

08/02/16; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

08/12/16; REFERRED TO DEPARTMENT. Referral sent to Public Utilities Commission and Pacific Gas and Electric Company for informational purposes.

Heard in Committee. Speakers: Barbara Hale (Public Utilities Commission); Alicia Bert and Kari Chester (Pacific Gas and Electric Company); presented information and answered questions raised throughout the discussion. Tom Radulovich; spoke on various concerns regarding the hearing matter.

Member Peskin moved that this Hearing be HEARD AND FILED. The motion carried by the following vote:

Ayes: 2 - Wiener, Peskin

Absent: 1 - Cohen

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 3:33 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.