



**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: Mark Farrell, Aaron Peskin, Katy Tang*

*Clerk: Alisa Somera (415) 554-7711*

---

**Monday, February 27, 2017**

**1:30 PM**

**City Hall, Legislative Chamber, Room 250**

**Regular Meeting**

---

**Present:** 2 - Mark Farrell, and Katy Tang

**Excused:** 1 - Aaron Peskin

*The Land Use and Transportation Committee met in regular session on Monday, February 27, 2017, with Chair Mark Farrell presiding.*

## **ROLL CALL AND ANNOUNCEMENTS**

*Chair Farrell called the meeting to order at 1:40 p.m. On the call of the roll, Chair Farrell and Member Tang were noted present. Vice Chair Peskin was noted not present. There was a quorum.*

### **Supervisor Peskin Excused From Attendance**

**Member Tang moved that Supervisor Peskin be excused from the Land Use and Transportation Committee meeting of February 27, 2017. The motion carried by the following vote:**

Ayes: 2 - Farrell, Tang

Excused: 1 - Peskin

## **AGENDA CHANGES**

*There were no agenda changes.*

## REGULAR AGENDA

### **170094 [Administrative Code - Affordable Housing Cash-Out Proceeds Restriction]**

**Sponsor: Farrell**

Ordinance amending the Administrative Code to require that all cash-out proceeds received by an owner of an affordable housing development supported in whole or in part by taxpayer funds shall be used only for the creation, development, and preservation of affordable housing.

01/24/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 2/23/2017.

01/31/17; REFERRED TO DEPARTMENT. Referred to Mayor's Office of Housing and Community Development, Office of Community Investment and Infrastructure, and Rent Board for informational purposes.

*Heard in Committee: Speakers: Amy Chan (Mayor's Office of Housing); provided an overview and responded to questions raised throughout the discussion. Sunny Straus; spoke in support of the matter.*

**Member Tang moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 5, by adding 'residential and tenant services and'; on Page 2, Lines 3-5, by striking 'the owner of the development may receive a developer fee in connection therewith and such fee may be used by the developer for the purposes unrelated to the development/constructions, or preservation of affordable house' and adding 'current MOHCD policy restricts the use of Developer Fees to predevelopment, preconstruction costs and expenses related to the development of affordable housing in San Francisco'; on Page 3, Line 10, by striking 'best practices' and adding 'standards'; on Page 3, Lines 17-18, by striking 'any and all housing' and adding 'any and all 100% affordable or rent restricted developments located in San Francisco'; and on Page 4, Lines 15-19, by adding 'or (e) the provision of resident or tenant services. Such agreement shall also require that during any period Cash-Out Proceeds are outstanding, an Owner shall submit an annual report, in form and substance satisfactory to MOHCD, setting forth the use and expenditure of said Cash-Out Proceeds. MOHCD is further redirected to ensure that Developer Fees are restricted in accordance with MOHCD written policy and'; and adding other clarifying verbiage. The motion carried by the following vote:**

Ayes: 2 - Farrell, Tang

Excused: 1 - Peskin

Ordinance amending the Administrative Code to require that all cash-out proceeds received by an owner of an affordable housing development supported in whole or in part by taxpayer funds shall be used only for residential and tenant services and the creation, development, and preservation of affordable housing.

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

Ayes: 2 - Farrell, Tang

Excused: 1 - Peskin

**170003 [Planning Code, Zoning Map - Upper Market Street Districts]****Sponsor: Sheehy**

Ordinance amending the Planning Code to revise Sectional Map ZN07 of the Zoning Map to delete the Upper Market Street Neighborhood Commercial (NC) District and reclassify Assessor's Parcel Block No. 2623, Lot No. 006, at 376 Castro Street and Assessor's Parcel Block No. 2623, Lot No. 091, at 2416-2420 Market Street, from the Upper Market NC District to the Upper Market Street Neighborhood Commercial Transit (NCT) District; revising several sections of Article 4 to include the entirety of the Upper Market Street NCT District including portions outside of the Market and Octavia Plan Area; 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; and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302. (Planning Commission)

12/22/16; RECEIVED FROM DEPARTMENT.

01/10/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 2/9/2017.

01/17/17; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; and to Mayor's Office of Housing and Community Development for informational purposes.

01/19/17; 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.

02/17/17; NOTICED. 10-Day published notice per Government Code Sections 65856 & 65090.

*Heard in Committee: Speakers: Andres Powers (Office of Supervisor Jeff Sheehy); Diego Sanchez (Planning Department); provided an overview and responded to questions raised throughout the discussion.*

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

Ayes: 2 - Farrell, Tang

Excused: 1 - Peskin

## ADJOURNMENT

*There being no further business, the Land Use and Transportation Committee adjourned at the hour of 1:49 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.*