



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, March 13, 2017

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

Present: 3 - Mark Farrell, Aaron Peskin, and Katy Tang

The Land Use and Transportation Committee met in regular session on Monday, March 13, 2017, with Chair Mark Farrell presiding.

ROLL CALL AND ANNOUNCEMENTS

Chair Farrell called the meeting to order at 1:35 p.m. On the call of the roll, Chair Farrell, Vice Chair Peskin, and Member Tang were noted present. There was a quorum.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

150969 [Planning Code - Affordable Housing Bonus Programs]**Sponsors: Mayor; Tang**

Ordinance amending the Planning Code to create the Affordable Housing Bonus Programs, consisting of the Local Affordable Housing Bonus Program, the 100 Percent Affordable Housing Bonus Program, the Analyzed State Density Bonus Program, and the Individually Requested State Density Bonus Program, to provide for development bonuses and zoning modifications for affordable housing, in compliance with, and above those required by the State Density Bonus Law, Government Code, Sections 65915, et seq.; to establish the procedures in which the Local Affordable Housing Bonus Program and the 100 Percent Affordable Housing Bonus Program shall be reviewed and approved; adding a fee for applications under the Program; amending the Planning Code to exempt projects from the height limits specified in the Planning Code and the Zoning Maps; 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.

09/29/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/29/2015.

10/06/15; REFERRED TO DEPARTMENT. Referred to the Planning Commission pursuant to Planning Code Section 302(b) for public hearing and recommendation; Planning Department for environmental review; and Mayor's Office of Housing and Community Development, and Rent Board for informational purposes.

12/16/15; REMAIN ACTIVE. 12/8/2015 - The Board of Supervisors approved Resolution No. 507-15 (File No. 151238), which extended the Planning Commission's review period by 90 days; 4/3/2016.

01/12/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

01/19/16; REFERRED TO DEPARTMENT. Re-referred substitute legislation (Version 2) to the Planning Commission pursuant to Planning Code Section 302(b) for public hearing and recommendation; Planning Department for environmental review; and Mayor's Office of Housing and Community Development, and Rent Board for informational purposes.

02/24/16; RESPONSE RECEIVED. 2/24/2016 - The Small Business Commission unanimously voted to continue the discussion on the proposed legislation and give the Office of Small Business and the Office of Economic and Workforce Development the authority to continue working on recommendations to address the concerns of small business owners.

04/12/16; RESPONSE RECEIVED. Forwarded to the Board of Supervisors with Suggested Amendments for Consideration but Without a Recommendation on the Program as a Whole.

06/03/16; NOTICED. 10-Day Fee Ad notice (Government Code, Section 6062(a)); publish June 3 and June 9, 2016.

06/09/16; NOTICED. 10-Day Fee Ad notice (Government Code, Section 6062(a)); publish June 3 and June 9, 2016.

06/13/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: John Rahaim, Director (Planning Department); Supervisor Katy Tang (Board of Supervisors); Gil Kelley and Kerstin Dischinger (Planning Department); Sophie Hayward and Kate Hartley (Mayor's Office of Housing and Community Development); Jon Givner (Office the City Attorney); provided an overview and responded to questions raised throughout the discussion. Kathy Lipscomb; Jim Lazarus; John Winston; Christy Wong; Andy Thornley; Patrick Valentino; Austin Hunter (Grow SF); Tim Colen (SFHAC); Fernando Marti (CCHO); Tes Welbourn (D5 Action); Corey Smith (SFHAC); Sean; Peter Cohen; spoke in support of the hearing matter. Marla Knight (North Beach Tenants Coalition); Deepa Varma (SF TU); Lorraine Petty; Theresa Flandrich; George Wooding; Kathryn Devincenzi; Tony Robles; Dennis Antenore (SF for Community Planning); Henry Karnilowicz; Eileen Boken; Katherine Howard; Rose Hillson; Lori Liederman; Denis Mosgofian (SF for Community Planning); spoke in opposition to the hearing matter.

06/13/16; DUPLICATED.

06/13/16; CONTINUED TO CALL OF THE CHAIR AS AMENDED. See Duplicated File No. 160687.

06/13/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: John Rahaim, Director (Planning Department); Supervisor Katy Tang (Board of Supervisors); Gil Kelley and Kerstin Dischinger (Planning Department); Sophie Hayward and Kate Hartley (Mayor's Office of Housing and Community Development); Jon Givner (Office the City Attorney); provided an overview and responded to questions raised throughout the discussion. Kathy Lipscomb; Jim Lazarus; John Winston; Christy Wong; Andy Thornley; Patrick Valentino; Austin Hunter (Grow SF); Tim Colen (SFHAC); Fernando Marti (CCHO); Tes Welbourn (D5 Action); Corey Smith (SFHAC); Sean; Peter Cohen; spoke in support of the hearing matter. Marla Knight (North Beach Tenants Coalition); Deepa Varma (SF TU); Lorraine Petty; Theresa Flandirlch; George Wooding; Katheryn Devincenzi; Tony Robles; Dennis Antenore (SF for Community Planning); Henry Karnilowicz; Eileen Boken; Katherine Howard; Rose Hillson; Lori Liederman; Denis Mosgofian (SF for Community Planning); spoke in opposition to the hearing matter.

06/13/16; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

06/21/16; RESPONSE RECEIVED. The Planning Department submitted a "Note to File" that addresses the environmental review of the proposed legislation.

06/30/16; RESPONSE RECEIVED. June 30, 2016 - The Planning Commission held a public hearing and recommended adoption of the General Plan Consistency Findings; Resolution No. 19686.

07/01/16; RESPONSE RECEIVED. Executive Summary; Resolution No. 19686; and Note to File.

03/03/17; NOTICED. First 10-Day Fee Ad for 3/13/2017 Land Use and Transportation Committee hearing published in the Examiner, pursuant to Government Code Section 6062(a).

03/06/17; SUBSTITUTED. The City Attorney's Office submitted a clean version (Version 5) of the legislation that replaced Version 4, since many indicated amendments were previously codified through separate legislation.

03/09/17; NOTICED. Second 10-Day Fee Ad for 3/13/2017 Land Use and Transportation Committee hearing published in the Examiner, pursuant to Government Code Section 6062(a).

Heard in Committee. Speakers: Paul Slade; Moe Jamil, Chair (Middle Polk Neighborhood Association); Norman De Pour; Dick Morten; Kevin Burke; Kristy Wang (SPUR); Victor; Nick Boulani; Steve Boyle; Angela Mayhem; Laura Clark; Cory Smith (San Francisco Housing Action Coalition); Pat Volentino; spoke in support of the proposed legislation. Eileen Boken; Male Speaker; spoke neither in support nor against the proposed legislation.

Member Tang, seconded by Vice Chair Peskin, moved that this Ordinance be AMENDED, AMENDMENT OF THE WHOLE BEARING NEW TITLE, by renaming the "Local Affordable Housing Bonus" program as the "HOME-SF" program given the separate passage of 100% Affordable Housing Bonus Program; by adjusting income levels for BMR units to ensure equal distribution of low, moderate, and middle income for Rental and Ownership BMR units; by adding family-friendly amenities; adding language that enhances protections and options for existing commercial tenants; and adding other clarifying verbiage. The motion carried by the following vote:

Ayes: 3 - Farrell, Peskin, Tang

Ordinance amending Planning Code section 206 to amend the 100 Percent Affordable Housing Bonus Program to add the HOME-SF Program, the Analyzed State Density Bonus Program, and the Individually Requested State Density Bonus Program, to provide for development bonuses and zoning modifications for increased affordable housing, in compliance with, and above those required by the State Density Bonus Law, Government Code, Section 65915, et seq.; to establish the procedures in which the HOME-SF Program shall be reviewed and approved; adding a fee for applications under the Programs; and 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.

Member Tang, seconded by Vice Chair Peskin, moved that this Ordinance be CONTINUED TO THE CALL OF THE CHAIR AS AMENDED. The motion carried by the following vote:

Ayes: 3 - Farrell, Peskin, Tang

170160 [Transportation, Public Works Codes - Unauthorized Bicycle Violations, Stationless Bicycle Share Program]**Sponsors: Peskin; Farrell**

Ordinance amending Division I of the Transportation Code to establish a violation for bicycles that are a part of a Stationless Bicycle Share Program, to be parked, left standing, or left unattended on any sidewalk, street, or public right-of-way under the jurisdiction of the San Francisco Municipal Transportation Agency (SFMTA) or Public Works (PW) without a permit issued by the SFMTA authorizing the bicycle to be parked, left standing, or left unattended at that location; amending the Public Works Code to authorize PW to take any necessary enforcement action to abate or remove unauthorized bicycles that are part of an unpermitted Stationless Bicycle Share Program, that are parked, left standing, or left unattended on any sidewalk, street, or public right-of-way under the jurisdiction of PW or the SFMTA in violation of the Transportation Code; and affirming the Planning Department's determination under the California Environmental Quality Act.

02/07/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/9/2017.

02/13/17; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; and to Municipal Transportation Agency and Public Works for informational purposes.

02/27/17; RESPONSE RECEIVED. Not defined as a project under CEQA Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

Heard in Committee. Speakers: Jaime Parks (San Francisco Municipal Transportation Agency); Jerry Sanguinetti (Public Works); presented information and answered questions raised throughout the discussion. Doug Johnson (Metropolitan Transportation System); Janice Li (San Francisco Bicycle Coalition); Darcy Brown, Executive Director (San Francisco Beautiful); Jay Walder, President (Motivate); Arielle Fleisher; spoke in support of the proposed legislation.

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

Vice Chair Peskin moved that this Resolution be RECOMMENDED AS A COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Farrell, Peskin, Tang

170186 [Urging California State Legislature and Governor to Pass California State Assembly Bill 342 (Chiu) - Automated Speed Enforcement]**Sponsors: Yee; Kim, Safai, Peskin and Sheehy**

Resolution urging the California State Legislature and Governor to pass California State Assembly Bill 342, introduced by Assembly Member Chiu, authorizing a five-year pilot of Automated Speed Enforcement technology in the City and County of San Francisco and the City of San Jose.

02/14/17; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

02/22/17; REFERRED TO DEPARTMENT. Referred to the Municipal Transportation Agency, Police Department, Police Commission, and the Department of Public Health for informational purposes.

02/24/17; TRANSFERRED to Land Use and Transportation Committee. 2/24/2017 - President Breed transferred this matter from the Public Safety and Neighborhood Services Committee to the Land Use and Transportation Committee.

Heard in Committee. Speakers: Supervisor Norman Yee (Board of Supervisor); Tom McGuire (San Francisco Municipal Transportation Agency); Megan Wier (Department of Public Health); Jen Kwart (Office of Assemblymember David Chiu); Katie Angotti (Mayor's Office); presented information and answered questions raised throughout the discussion. Nicole Ferrara (Walk SF); Janice Li (Bike Coalition); Hene Kelly (California Alliance for Retired Americans/Senior Disability Action);; spoke in support of the proposed legislation. Male Speaker; spoke neither in support nor against the proposed legislation.

Member Tang moved that this Resolution be RECOMMENDED AS A COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Farrell, Peskin, Tang

170199 [Easement Agreement - Pacific Gas and Electric Company - Northern Border of 1975 Galvez Street - \$1.00]

Resolution approving an Easement Agreement between the City and County of San Francisco and the Pacific Gas and Electric Company, consisting of 3,660 square feet of land running east to west along the northern border of 1975 Galvez Street for \$1.00; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution, as defined herein. (Real Estate Department)

02/27/17; RECEIVED FROM DEPARTMENT.

03/07/17; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

Heard in Committee. Speaker: John Updike, Director (Real Estate Division); presented information and answered questions raised throughout the discussion.

Member Tang moved that this Resolution be RECOMMENDED AS A COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Farrell, Peskin, Tang

170037 [Hearing - Five-Year Monitoring Report for the Eastern Neighborhoods Plans]**Sponsor: Cohen**

Hearing on the Five-Year Monitoring Reports of the Eastern Neighborhoods Plan; and requesting the Planning Department and the Eastern Neighborhoods Citizen Advisory Committee to report.

01/10/17; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

01/17/17; REFERRED TO DEPARTMENT. Referred to Planning Department and to Eastern Neighborhoods Citizens Advisory Committee for informational purposes.

Heard in Committee. Speakers: Pedro Peterson and Mat Snyder (Planning Department); Keith Goldstein (Citizens Advisory Committee); presented information and answered questions raised throughout the discussion. Alison Heath (Grow Potrero Responsibly); Jude Deckenbach (Friends of Jackson Park); J.R. Eppler, President (Potrero Boosters Neighborhood Association); Bruce Huie, President (Dogpatch Neighborhood Association); Ro Paul; Eileen Boken; spoke on various concerns relating to the hearing matter.

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

Ayes: 3 - Farrell, Peskin, Tang

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 4:16 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.