



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, May 8, 2017

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

Present: 4 - Mark Farrell, Aaron Peskin, Katy Tang, and Ahsha Safai

The Land Use and Transportation Committee met in regular session on Monday, May 8, 2017, with Chair Mark Farrell presiding.

ROLL CALL AND ANNOUNCEMENTS

Chair Farrell called the meeting to order at 1:30 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

161310 [Amending Ordinance No. 1061 - Sidewalk Width Change - Intersection of Mission Street and 22nd Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" to narrow, from 21 feet to 15 feet, the official sidewalk width along a portion of the westerly side of Mission Street, between 23rd Street and 22nd Street, and a portion of the easterly side of Mission Street, between 22nd Street and 21st Street, both beginning at the intersection of Mission Street and 22nd Street; adopting the Planning Department's determination and making additional 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)

12/05/16; RECEIVED FROM DEPARTMENT.

12/13/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/12/2017.

05/01/17; CONTINUED. Heard in Committee. Speakers: Sean Kennedy (San Francisco Municipal Transportation Agency); presented information and answered questions raised throughout the discussion.

Heard in Committee. Speakers: None.

Member Tang moved that this Ordinance be CONTINUED to the Land Use and Transportation Committee Meeting of May 15, 2017. The motion carried by the following vote:

Ayes: 3 - Farrell, Peskin, Tang

Chair Farrell was noted not present at 4:23 p.m., and for the remainder of the meeting.

President London Breed appointed Supervisor Ahsha Safai, in place of Chair Farrell at 4:23 p.m., and for the remainder of the meeting.

Member Safai was noted present at 4:40 p.m.

Chair Farrell Excused from Attendance

Member Tang moved that Chair Farrell be excused beginning at 4:23 p.m. and from the remainder of the Land Use and Transportation Committee meeting of May 8, 2017. The motion carried by the following vote:

Ayes: 3 - Peskin, Tang, Safai

Excused: 1 - Farrell

150969 [Planning Code - Affordable Housing Bonus Programs]**Sponsors: Mayor; 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, Sections 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; 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 Flandirch; 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; 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 Flandirich; 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).

03/13/17; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. 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.

03/13/17; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

04/28/17; NOTICED. First 10-Day Fee Ad for 5/8/2017 Land Use and Transportation Committee hearing published in the Examiner, pursuant to Government Code Section 6062(a).

05/04/17; NOTICED. Second 10-Day Fee Ad for 5/8/2017 Land Use and Transportation Committee hearing published in the Examiner, pursuant to Government Code Section 6062(a).

Heard in Committee. Speakers: Paolo Ikezoe and AnMarie Rodgers (Planning Department); Audrey Pearson (Office of the City Attorney); Kate Hartley (MOHCD); presented information and answered questions raised throughout the discussion. Michelle Parker; Mack Allen; Sarah Montoya; Paul Slade; Tony Rodriguez; Jordan Bickett; Sam Moss; Diego Hernandez; Sherman King; Valerie Nechay; Sarah Rodgers; Steve Boyle; Tim Colen; Kevin Burke; Brian Hanlon; Bob Tillman; Ashley; Male Speaker; Keith Freedman; Sarina Kennerly; Patti Morse; Frank Noto; Andy Thornley; Jennifer Stojkovic; Jim Lazarus (San Francisco Chamber of Commerce); Alex Lofton; Corey Smith (Housing Action Coalition); Matthew Castillon; Brad Solomon; Kathy Wu; Babak Esfandiari; Joel Engardio; Tommy Tang; Michael Kong; Amy Zhao; Josephine Zheng; Sonja Trauss; Nick Carnerio (Grow the Richmond); Katherine Hans von Rote Schild Zitler; Marvin Jalonski; Angelique Mahan; Laura Clark; Oz Erickson; Richard Christiani; Vincent Woo; Mike; Eric Dew; Milo Trauss; Jerry Guo; spoke in support of the proposed legislation. Paul Webber; Ben Becker; Trevor Martin; Lisa Aubrey (Affordable Divis); Jennifer Fieber; George Wooding; Louis Dylan; Brandon Harami; Katherine Howard (Sierra Club); Joseph Smooke (Housing Rights Committee); Deepa Varma (San Francisco Tennant's Union); Ken Tray; Anastasia Yovanopoulous (Noe Neighborhood Council); Jim Morrell; Ozzie Rahm; Carol Britschgi; Jim Warshell (Van Ness Corridor Neighborhoods Coalition); Laura Dessa; Lori Liederman; David Carlos Salaverry; Calvin Welch (San Franciscans for Community Planning); spoke in opposition to the proposed legislation. Gail Baugh; Gen Fujioka; Peter Cohen; Theodore Randolph; Paul Kangas; spoke neither in support nor against the proposed legislation.

Member Tang, seconded by Member Safai, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, by adding a prohibition on ground-floor formula retail for HOME-SF projects. The motion carried by the following vote:

Ayes: 3 - Peskin, Tang, Safai

Excused: 1 - Farrell

Member Tang moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, by adding an additional finding for the Planning Commission to evaluate before issuing a conditional use authorization for HOME-SF applicants; by clarifying that the qualifying income levels for the below-market-rate units available through the program are independent of those already in Planning Code, Section 415; by clarifying that the unit mix requirements supersede those elsewhere in the Planning Code; and by excluding the Fillmore and Divisadero Neighborhood Commercial Transit Districts from the program. The motion carried by the following vote:

Ayes: 3 - Peskin, Tang, Safai

Excused: 1 - Farrell

Member Tang moved that this Ordinance be REFERRED WITHOUT RECOMMENDATION AS AMENDED. The motion carried by the following vote:

Ayes: 3 - Peskin, Tang, Safai

Excused: 1 - Farrell

170208 [Planning Code - Inclusionary Affordable Housing Fee and Dwelling Unit Mix Requirements]**Sponsors: Safai; Breed and Tang**

Ordinance amending the Planning Code to revise the amount of the Inclusionary Affordable Housing Fee and the On-Site and Off-Site Affordable Housing Alternatives and other Inclusionary Housing requirements; to require minimum dwelling unit mix in all residential districts; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of public necessity, convenience, 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. (Economic Impact; No Office of Economic Analysis Report.)

02/28/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/30/2017.

03/08/17; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; to Planning Commission for public hearing and recommendation, pursuant to Planning Code, Section 302(b); and to Mayor's Office of Housing and Community Development, Rent Board, Office of Community Investment and Infrastructure, Department of Building Inspection, and Office of the Controller for informational purposes.

03/09/17; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15060(c) and 15378 because it does not result in a physical change in the environment.

04/28/17; NOTICED. First 10-Day Fee Ad for 5/8/2017 Land Use and Transportation Committee hearing published in the Examiner, pursuant to Government Code Section 6062(a).

05/04/17; NOTICED. Second 10-Day Fee Ad for 5/8/2017 Land Use and Transportation Committee hearing published in the Examiner, pursuant to Government Code Section 6062(a).

05/04/17; RESPONSE RECEIVED. 4/27/2017 - The Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 19903.

Heard in Committee. Speakers: None.

Member Safai moved that this Ordinance be CONTINUED to the Land Use and Transportation Committee Meeting of May 15, 2017. The motion carried by the following vote:

Ayes: 3 - Peskin, Tang, Safai

Excused: 1 - Farrell

Member Safai was noted not present at 4:52 p.m., and for the remainder of the meeting.

Vice Chair Peskin requested that File Nos. 170408 and 170348 be heard together.

170408 [General Plan Amendments - 1500 Mission Street Project]

Ordinance amending the General Plan by revising the height and bulk designations for the 1500 Mission Street project, Assessor's Parcel Block No. 3506, Lot Nos. 006 and 007, on Map 3 of the Market and Octavia Area Plan and on Map 5 of the Downtown Area Plan; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan as proposed for amendment, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 340. (Planning Commission)

04/04/17; RECEIVED FROM DEPARTMENT.

04/18/17; ASSIGNED to Land Use and Transportation Committee. 4/20/17 President Breed waived the 30-day rule pursuant to Rules of Order Section 3.22.

04/28/17; NOTICED. 10-Day Notice for 5/8/2017 Land Use and Transportation Committee hearing published in the Examiner and mailed to interested parties, pursuant to Government Code Sections 65090(a), 65091, 65092(a), and 65096, Charter Section 4.105, and Planning Code Section 340.

Heard in Committee. Speakers: Diego Sanchez (Planning Department); presented information and answered questions raised throughout the discussion. David Pilpel spoke neither in support nor against the proposed legislation.

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

Ayes: 2 - Peskin, Tang

Excused: 1 - Farrell

Absent: 1 - Safai

170348 [Planning Code, Zoning Map - 1500 Mission Street Special Use District]**Sponsor: Mayor**

Ordinance amending the Planning Code to create the 1500 Mission Street Special Use District to facilitate development of the 1500 Mission Street (Assessor's Parcel Block No. 3506, Lot Nos. 006 and 007) project, to regulate bulk controls in the Special Use District, to modify Zoning Map SU07 to place the project site into this Special Use District, and Zoning Map HT07 to establish the height and bulk district designations for the project site; adopting findings 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 necessity, convenience, and welfare under Planning Code, Section 302. (Planning Commission)

04/04/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/4/2017.

04/11/17; REFERRED TO DEPARTMENT. Referred to Planning Department, Mayor's Office of Housing and Community Development, and Municipal Transportation Agency for informational purposes.

04/28/17; NOTICED. 10-Day Notice for 5/8/2017 Land Use and Transportation Committee hearing published in the Examiner, pursuant to Government Code Sections 65856 & 65090.

Heard in Committee. Speakers: Diego Sanchez (Planning Department); presented information and answered questions raised throughout the discussion. David Pilpel spoke neither in support nor against the proposed legislation.

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

Ayes: 2 - Peskin, Tang

Excused: 1 - Farrell

Absent: 1 - Safai

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 4:57 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.