



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: Katy Tang, Jane Kim, Ahsha Safai

Clerk: Erica Major (415) 554-4441

Monday, December 3, 2018

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

President Malia Cohen appointed Supervisor Aaron Peskin, in place of Supervisor Jane Kim, to the Land Use and Transportation Committee for the regular meeting of December 3, 2018.

Present: 4 - Katy Tang, Ahsha Safai, Aaron Peskin, and Sandra Lee Fewer

Excused: 1 - Jane Kim

The Land Use and Transportation Committee met in special session on Monday, December 3, 2018, with Chair Katy Tang presiding.

ROLL CALL AND ANNOUNCEMENTS

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

Supervisor Kim Excused from Attendance

Member Safai moved that Vice Chair Kim be excused from the Land Use and Transportation Committee meeting of December 3, 2018. The motion carried by the following vote:

Ayes: 3 - Tang, Safai, Peskin

Excused: 1 - Kim

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

180969 [Plumbing Code - Cross-Connection Control]

Ordinance amending the Plumbing Code to delete the local amendment to the California Plumbing Code referring to the San Francisco Public Utilities Commission's Rules and Regulations in the section on Cross-Connection Control; affirming the Planning Department's determination under the California Environmental Quality Act; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage. (Building Inspection Commission)

10/01/18; RECEIVED FROM DEPARTMENT.

10/16/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/15/2018.

10/23/18; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

10/24/18; REFERRED TO DEPARTMENT. Referred to the Public Utilities Commission for informational purposes.

11/01/18; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.

Heard in Committee. Speakers: Steve Panelli and Mike Mitchell (Department of Building Inspection); presented information and answered questions raised throughout the discussion. John Scarpulla (Public Utilities Commission); Ni To; spoke on various concerns relating to the hearing matter.

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

Ayes: 3 - Tang, Safai, Peskin

Excused: 1 - Kim

Member Safai was noted absent at 2:00 p.m.

180090 [Building Code - Electric Vehicle Charging Stations - Expedited Permit Process]

Sponsors: Tang; Peskin and Safai

Ordinance amending the Building Code to enact an expedited and streamlined permit process for Electric Vehicle Charging Stations; affirming the Planning Department's determination under the California Environmental Quality Act; and directing the Clerk to forward this Ordinance to the California Building Standards Commission upon final passage.

01/23/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 2/22/2018.

02/06/18; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; and Department of Building Inspection for public hearing and recommendation, pursuant to Charter, Section D3.750-5.

02/16/18; 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.

11/13/18; REMAIN ACTIVE. Supervisor Tang requested the matter remain active for an additional six months; 4/13/19.

11/13/18; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

11/16/18; REFERRED TO DEPARTMENT. Referred to the Building Inspection Commission for comment and recommendation; Planning Department for environmental review.

11/21/18; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.

11/26/18; RESPONSE RECEIVED. 11/14/2018 - The Code Advisory Committee held a hearing and recommendation adoption of the proposed legislation.

11/21/2018 - The Building Inspection Commission held a public hearing and voted to recommend approval of the proposed legislation with suggested modifications.

Heard in Committee. Speakers: William Strawn (Department of Building Inspection); presented information and answered questions raised throughout the discussion. Buck Walsh; spoke in support of the hearing matter.

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

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

Ayes: 2 - Tang, Peskin

Excused: 1 - Kim

Absent: 1 - Safai

Member Safai was noted present at 2:02 p.m.

180645 [Planning Code, Zoning Map - Rezoning, Preservation Designation - 175 Golden Gate Avenue]**Sponsor: Kim**

Ordinance amending the Planning Code and Zoning Map to rezone the building at 175 Golden Gate Avenue (De Marillac Academy), Assessor's Parcel Block No. 0349, Lot No. 011, from RC-4 (Residential-Commercial, High Density) to C-3-G (Commercial, Downtown General); designating the building for preservation purposes as a Category III, Contributory Building; 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 necessity, convenience, and welfare under Planning Code, Section 302.

06/12/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/12/2018.

06/19/18; 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; Historic Preservation Commission pursuant to Charter Section 4.135, for comment and recommendation.

08/01/18; RESPONSE RECEIVED. Categorically Exempt under CEQA Guidelines Section 15308 or Class 3 Actions by Regulatory Agencies for Protection of the Environment. Any project that would result from potential TDRs is speculative and would require separate environmental review.

10/09/18; RESPONSE RECEIVED. On September 27, 2018, the Planning Commission conducted a duly noticed public hearing, the Commission recommended approval of the proposed legislation.

11/09/18; NOTICED. 20-Day Notice for 12/03/2018 Land Use and Transportation Committee hearing mailed, posted, and published per Planning Code Section 1106(g).

Heard in Committee. Speakers: None.

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

Ayes: 3 - Tang, Safai, Peskin

Excused: 1 - Kim

181031 [Planning Code - Permit Review Procedures for Uses in Neighborhood Commercial Districts]**Sponsors: Tang; Safai**

Ordinance amending the Planning Code to make permanent the pilot program removing neighborhood notice and Planning Commission review for certain uses in Neighborhood Commercial Districts in the areas generally bounded by Supervisorial Districts 4 and 11; 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 making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

10/23/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/22/2018.

10/26/18; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for comment and recommendation pursuant to Planning Code Section 302(b); and Small Business Commission for comment and recommendation.

11/01/18; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a direct or indirect physical change in the environment.

11/30/18; RESPONSE RECEIVED. 11/29/2018 - The Planning Commission held a public hearing and recommended approval of the legislation, with modifications; Resolution No. 20347.

Heard in Committee. Speakers: Diego Sanchez (Planning Department); presented information and answered questions raised throughout the discussion. Eileen Boken; Sue Hestor; spoke on various concerns relating to the hearing matter.

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

Ayes: 3 - Tang, Safai, Peskin

Excused: 1 - Kim

180915 [Planning Code - Residential Care Facilities]**Sponsors: Mandelman; Yee**

Ordinance amending the Planning Code to allow Residential Care Facilities with seven or more persons as a principally permitted use in RH-3 (Residential House, Three-Family), RC (Residential Commercial), RM (Residential Mixed), and RTO (Residential Transit Oriented) Districts, in Neighborhood Commercial Districts, and in certain Mixed Use Districts; 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 necessity, convenience, and general welfare under Planning Code, Section 302.

09/18/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/18/2018.

09/26/18; REFERRED TO DEPARTMENT. Referred to the Planning Commission pursuant to Planning Code Section 302, for public hearing and recommendation and the Planning Department for environmental review.

09/27/18; 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.

11/30/18; RESPONSE RECEIVED. 11/29/2018 - The Planning Commission held a public hearing and recommended approval of the proposed legislation; Resolution No. 20346.

Heard in Committee. Speakers: Supervisor Rafael Mandelman (Board of Supervisors); Audrey Butkus (Planning Department); presented information and answered questions raised throughout the discussion. David Serrano Sul; Laura Liesem (Community Living Services San Francisco at Institute on Aging); spoke in support of the hearing matter. Tom Ridilovich; Bob Planthold; spoke on various concerns relating to the hearing matter.

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

Ayes: 3 - Tang, Safai, Peskin

Excused: 1 - Kim

180916 [Planning, Administrative Codes - Zoning Controls and Fees in the C-3-R (Downtown Retail) District]**Sponsor: Peskin**

Ordinance amending the Planning Code to change zoning controls for Non-Retail Sales and Service Uses in the C-3-R (Downtown Retail) Zoning District; amending the Planning and Administrative Codes to create the Union Square Park, Recreation, and Open Space Fund and Fee; affirming 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 necessity, convenience, and welfare pursuant to Planning Code, Section 302.

09/18/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/18/2018.

09/26/18; REFERRED TO DEPARTMENT. Referred to the Planning Commission pursuant to Planning Code Section 302, for public hearing and recommendation and the Planning Department for environmental review.

09/27/18; 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.

10/16/18; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

10/19/18; NOTICED. First 10-Day Fee Ad for 10/29/2018 Land Use and Transportation Committee hearing published in the Examiner; per Government Code Section 6062(a).

10/24/18; REFERRED TO DEPARTMENT. Referred to the Planning Commission pursuant to Planning Code Section 302, for public hearing and recommendation and the Planning Department for environmental review.

10/25/18; NOTICED. Second 10-Day Fee Ad for 10/29/2018 Land Use and Transportation Committee hearing published in the Examiner; per Government Code Section 6062(a).

10/25/18; RESPONSE RECEIVED. On October 18, 2018, the Planning Commission conducted a duly noticed public hearing and recommended approval with modifications for the proposed legislation.

10/29/18; CONTINUED. Heard in Committee. Speakers: None.

11/01/18; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.

Heard in Committee. Speakers: None.

Member Peskin moved that this Ordinance be CONTINUED to the Land Use and Transportation Committee meeting of January 7, 2019. The motion carried by the following vote:

Ayes: 3 - Tang, Safai, Peskin

Excused: 1 - Kim

180777 [Planning Code - Prohibiting Employee Cafeterias within Office Space]**Sponsors: Safai; Peskin**

Ordinance amending the Planning Code to prohibit Employee Cafeterias, as defined in the Health Code, within Office space, except for existing Employee Cafeterias; 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 necessity, convenience, and welfare under Planning Code, Section 302.

(Pursuant to Charter, Section 4.105, this matter shall require a vote of two-thirds (8 votes) of all members of the Board of Supervisors to approve the ordinance for passage.)

07/24/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 8/23/2018.

07/31/18; REFERRED TO DEPARTMENT. Referred to Planning Commission for pursuant to Planning Code Section 302(b) for public hearing and recommendation; Planning Department for environmental review.

08/01/18; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a direct or reasonably foreseeable physical change in the environment.

11/07/18; RESPONSE RECEIVED. On October 23, 2018, the Planning Commission conducted a duly noticed hearing on the proposed legislation and submitted their recommendation of disapproval.

Heard in Committee. Speaker: Sue Hester; spoke on various concerns relating to the hearing matter.

Member Safai moved that this Ordinance be CONTINUED to the Land Use and Transportation Committee meeting of December 10, 2018. The motion carried by the following vote:

Ayes: 3 - Tang, Safai, Peskin

Excused: 1 - Kim

Supervisor Fewer was noted present at 2:26 p.m.

Supervisor Peskin was noted not present at 2:27 p.m. and for the remainder of the meeting.

President Malia Cohen appointed Supervisor Sandra Lee Fewer, in place of Supervisor Jane Kim, to the Land Use and Transportation Committee for the regular meeting of December 3, 2018, for File No. 180876.

180876 [Hearing - San Francisco Municipal Transportation Agency - Red Transit-Only Lanes]**Sponsors: Fewer; Ronen**

Hearing to request an analysis of privatized buses utilizing red transit-only lanes by frequency, volume, and vehicle type, and its impact on public transit service in San Francisco; and requesting San Francisco Municipal Transportation Agency to report.

09/04/18; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

09/11/18; REFERRED TO DEPARTMENT. Referred to Municipal Transportation Agency for informational purposes and requesting the agency to report.

Heard in Committee. Speakers: Amy Beinart (Office of Supervisor Hillary Ronen); Joel Ramos, Sean Kennedy, and Alex Jonlin (San Francisco Municipal Transportation Agency); presented information and answered questions raised throughout the discussion. Fran Taylor, Bob Planthold, and Joyce Calagos (Senior Disability Action); Lianne Ladia and Ericka Martynovych (South of Market Community Action Network); Winston Carson; Patrick Maley; Cat Carter (San Francisco Transit Riders); Peter; Sue Vaughan; Marie Claire, Gene Alejo, and Teia Tyler (South of Market Community Action Network); Roberto; Brian Woo; Lori Liederman; Dennis Mosgofian; Rene Kuran; Kyle; John Hammel; Brandon Hiram; Mark Ruberg; Peter Strauss; Anastasia Volumopulus; Kevin Ortiz; Carlos Buckenator; Edward Mason; Bob Allen; Cynthia; Taylor Aldrin (San Francisco Bike Coalition); James; Linda Lee; Rosa; Jerry Deep; Marisa Chen; Kelly Hill; Eric Argello; John Mendoza; Rick Hall (Cultural Action Network); Peter Papadopoulos; Eileen Boken; Mari Eliza; Dylan Joss; Speaker; Roberto Hernandez; spoke on various concerns relating to the hearing matter.

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

Ayes: 3 - Tang, Safai, Fewer
Excused: 1 - Kim
Non-Voting: 1 - Peskin

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 3:53 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.