



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: Aaron Peskin, Ahsha Safai, Matt Haney

Clerk: Erica Major (415) 554-4441

Monday, March 11, 2019

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

Present: 3 - Aaron Peskin, Ahsha Safai, and Matt Haney

The Land Use and Transportation Committee met in regular session on Monday, March 11, 2019, with Chair Aaron Peskin presiding. Chair Peskin called the meeting to order at 1:31 p.m.

ROLL CALL AND ANNOUNCEMENTS

On the call of the roll, Chair Peskin and Member Haney were noted present.

Vice Chair Safai was noted not present. A quorum was present.

Vice Chair Safai was noted present at 1:33 p.m.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

Chair Peskin recessed the meeting at 1:40 p.m. and reconvened at 2:37 p.m.

181154 [Planning Code - Inclusionary Housing Fee]

Sponsor: Peskin

Ordinance amending the Planning Code to require all projects using the State Density Bonus law, regardless of environmental evaluation application date, to pay the inclusionary fee on any additional units or square footage allowed by the state law; and 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 convenience, necessity, and welfare under Planning Code, Section 302.

11/27/18; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 12/27/2018.

12/05/18; 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.

12/27/18; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a direct or indirect physical change in the environment.

02/21/19; RESPONSE RECEIVED. On February 14, 2019, the Planning Commission conducted a duly noticed public hearing and recommended disapproval of the proposed legislation.

03/01/19; NOTICED. First 10-Day Fee Ad for 3/11/2019 Land Use and Transportation Committee hearing published in the Examiner; per Government Code Section 6062(a).

03/06/19; NOTICED. Second 10-Day Fee Ad for 3/11/2019 Land Use and Transportation Committee hearing published in the Examiner; per Government Code Section 6062(a).

Heard in Committee. Speakers: Jacob Bintliff (Planning Department); presented information and answered questions raised throughout the discussion. Corey Smith (San Francisco Housing Action Coalition); spoke on various concerns relating to the hearing matter.

RECOMMENDED by the following vote:

Ayes: 3 - Peskin, Safai, Haney

171194 [Building Code - Installation of Solar Energy Systems]**Sponsor: Peskin**

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

11/14/17; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 12/14/2017.

11/22/17; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Department of Building Inspection for public hearing and recommendation, pursuant to Charter, Section D3.750-5; and Planning Department and Department of Environment for informational purposes.

11/30/17; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Section 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

11/19/18; REMAIN ACTIVE. Supervisor Peskin requested this matter remain active for an additional six months; 4/19/2019.

12/20/18; RESPONSE RECEIVED. On December 12, 2018, the Code Advisory Committee recommended adoption of the proposed Ordinance; On December 19, 2018, the Building Inspection Commission recommended approval of the proposed Ordinance.

03/01/19; NOTICED. First 10-Day Fee Ad for 3/11/2019 Land Use and Transportation Committee hearing published in the Examiner; per Government Code Section 6062(a).

03/06/19; NOTICED. Second 10-Day Fee Ad for 3/11/2019 Land Use and Transportation Committee hearing published in the Examiner; per Government Code Section 6062(a).

Heard in Committee. Speaker: William Strawn (Department of Building Inspection); presented information and answered questions raised throughout the discussion.

Vice Chair Safai moved that this Ordinance be AMENDED, AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 5, Lines 16-17, by adding 'or (c) on the National Register or State Register, or deemed eligible for listing on the National or State Register,' after 'historic district'; on Page 5, Lines 18-19, by adding 'to ensure compliance with Article 10 of the Planning Code and, if required, referral to the Historic Preservation Commission' after 'Planning Department'; and adding other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Peskin, Safai, Haney

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

Ayes: 3 - Peskin, Safai, Haney

190136 [Various Department of Building Inspection Codes - Technical Corrections to Existing Code]

Ordinance amending various sections of the Building, Existing Building, Plumbing, Electrical, and Housing Codes to correct or clarify existing Code language, re-enact a longstanding permit requirement for fences with the finding required by the California Health and Safety Code, and add enforcement provisions for the Building Facade Inspection and Maintenance Program; affirming the Planning Department's determination under the California Environmental Quality Act; adopting a finding under the California Health and Safety Code; and directing the Clerk to forward this Ordinance to the California Building Standards Commission upon final passage. (Building Inspection Commission)

01/29/19; RECEIVED FROM DEPARTMENT.

02/12/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/7/2019.

02/15/19; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

03/07/19; 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. Speaker: William Strawn (Department of Building Inspection); presented information and answered questions raised throughout the discussion.

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

Ayes: 3 - Peskin, Safai, Haney

190215 [Mission Bay South - Mission Bay Park P5 Acceptance and Naming Mission Bay Dog Park]

Sponsor: Haney

Ordinance dedicating property under City jurisdiction and located on a portion of State Trust Parcel 2, commonly known as Mission Bay Park P5, adjacent to El Dorado Street North and El Dorado Street South between Channel Street and Long Bridge Street, as open public right-of-way in Mission Bay South; naming the new park "Mission Bay Dog Park;" accepting an irrevocable offer for the acquisition facilities that comprise the park improvements; designating said facilities for public open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations, as defined herein; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan; approving a Public Works Order; and authorizing official acts in connection with this Ordinance, as defined herein.

02/26/19; ASSIGNED to Land Use and Transportation Committee. President Yee waived the 30-day rule pursuant to Board Rule No. 3.22.

03/06/19; REFERRED TO DEPARTMENT. Referred to the Mayor's Office, Public Works, Planning Department, Office of Community Investment and Infrastructure, and Real Estate Department for informational purposes.

Heard in Committee. Speakers: Barbara Moy (Public Works); Marc Slutzkin (Office of Community Investment and Infrastructure); presented information and answered questions raised throughout the discussion.

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

Ayes: 3 - Peskin, Safai, Haney

Chair Peskin requested File Nos. 190045 and 190047 be called together.

190045 [Building, Business and Tax Regulations Codes - Temporary Homeless Shelter Provisions During Shelter Crisis]

Sponsors: Mayor; Brown, Walton, Haney, Mandelman and Stefani

Ordinance amending the Building Code to adopt standards for constructing homeless shelters, and to create an alternative approval procedure for homeless shelters, during a shelter crisis, pursuant to California Government Code, Section 8698.4; amending the Business and Tax Regulations Code to provide for an expedited permit appeals process for homeless shelters during a shelter crisis; 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 and the California Department of Housing and Community Development upon final passage.

01/15/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 2/14/2019.

01/23/19; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental purposes; Building Inspection Commission for comment and recommendation; Fire Department, Port Department, Public Works, and Planning Department for informational purposes.

01/24/19; TRANSFERRED to Rules Committee. President Yee transferred this matter from Land Use and Transportation Committee to Rules Committee.

02/12/19; SUBSTITUTED AND ASSIGNED to Rules Committee. Mayor Breed introduced a substitute Ordinance bearing a new title.

02/15/19; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental purposes; Building Inspection Commission for comment and recommendation; Fire Department, Port Department, Public Works, and Planning Department for informational purposes.

02/19/19; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a physical change in the environment. The ordinance is adopting standards and procedures. Physical projects will require environmental review.

02/22/19; RESPONSE RECEIVED. On February 20, 2019, the Building Inspection Commission met and held a public hearing and voted to recommend approval of the proposed legislation.

03/07/19; 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. It is establishing procedures. Any physical project would require environmental review.

03/07/19; TRANSFERRED to Land Use and Transportation Committee.

Heard in Committee. Speakers: Emily Cohen (Mayor's Office); Dan de Cossio (Fire Department); Ron Alameida (Public Works); Gigi Whitley (Department of Homelessness and Supportive Housing); presented information and answered questions raised throughout the discussion. Marey Kate Bacalao (Larkin Street Youth Services); DeeDee Workman (San Francisco Chamber of Commerce); Nancy Nelson; Helen Lamar; Speaker; Erika Frommer (Health Right 360); Sam Moss (Mission Housing); spoke in support of the hearing matter.

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

Ayes: 3 - Peskin, Safai, Haney

190047 [Administrative, Planning Codes - Streamlined Contracting for Homeless Services and Siting for Homeless Shelters]**Sponsors: Mayor; Brown, Walton, Haney, Mandelman and Stefani**

Ordinance amending the Administrative Code and Planning Code to streamline contracting for homeless shelters, and siting of homeless shelters by, among other things, authorizing the Department of Homelessness and Supportive Housing (HSH) to enter into and amend contracts without requiring competitive bidding for professional and other services relating to sites and programs for people experiencing homelessness (Projects Addressing Homelessness); authorizing Public Works to enter into and amend contracts without adhering to the Environment Code or to provisions relating to competitive bidding, equal benefits, local business enterprise utilization, and other requirements, for construction work and professional and other services relating to Projects Addressing Homelessness; permitting Homeless Shelters in PDR (Production Distribution Repair) and SALI (Service/Arts/Light Industrial) Districts; authorizing HSH to operate Navigation Centers for more than two years; 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.

01/15/19; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/14/2019.

01/30/19; REFERRED TO DEPARTMENT. Referred to the Planning Commission pursuant to Planning Code Section 302, for public hearing and recommendation; Planning Department for environmental review; and Department of Homelessness and Supportive Housing for informational purposes.

02/12/19; SUBSTITUTED AND ASSIGNED to Rules Committee.

02/19/19; REFERRED TO DEPARTMENT. Referred to the Planning Commission pursuant to Planning Code Section 302, for public hearing and recommendation; Planning Department for environmental review; and Department of Homelessness and Supportive Housing for informational purposes.

03/05/19; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Mayor Breed introduced a substitute Ordinance bearing a new title.

03/07/19; TRANSFERRED to Land Use and Transportation Committee. President Yee transferred this matter from the Rules Committee to the Land Use and Transportation Committee.

03/08/19; REFERRED TO DEPARTMENT. Referred to the Planning Commission pursuant to Planning Code Section 302, for public hearing and recommendation; Planning Department for environmental review; and Department of Homelessness and Supportive Housing for informational purposes.

Heard in Committee. Speakers: Emily Cohen (Mayor's Office); Dan de Cossio (Fire Department); Ron Alameida (Public Works); Gigi Whitley (Department of Homelessness and Supportive Housing); presented information and answered questions raised throughout the discussion. Marey Kate Bacalao (Larkin Street Youth Services); DeeDee Workman (San Francisco Chamber of Commerce); Nancy Nelson; Helen Lamar; Speaker; Erika Frommer (Health Right 360); Sam Moss (Mission Housing); spoke in support of the hearing matter.

Member Haney moved that this Ordinance be AMENDED, AMENDMENT OF THE WHOLE BEARING SAME TITLE, by adding language Section 1(d), that the City plans to expand upon this successful model of shelter and service delivery with greater geographical diversity across a major of Supervisorial Districts under of the legislation. The motion carried by the following vote:

Ayes: 3 - Peskin, Safai, Haney

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

Ayes: 3 - Peskin, Safai, Haney

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 3:23 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.