

LAND USE AND TRANSPORTATION COMMITTEE CITY AND COUNTY OF SAN FRANCISCO MEETING MINUTES

Monday, March 7, 2022 - 1:30 PM

Regular Meeting

IN-PERSON MEETING

City Hall, Legislative Chamber, Room 250

(remote access provided)

(remote public comment provided via teleconference)

www.sfgovtv.org

Members: Myrna Melgar, Dean Preston, Aaron Peskin

Clerk: Erica Major (415) 554-4441

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Appropriations Committee

Supervisors Haney, Safai, Mar, Ronen, Walton

Budget and Finance Committee

Supervisors Haney, Safai, Mar

Government Audit and Oversight Committee

Supervisors Preston, Chan, Mandelman

Land Use and Transportation Committee

Supervisors Melgar, Preston, Peskin

Public Safety and Neighborhood Services Committee

Supervisors Mar, Stefani, Haney

Rules Committee

Supervisors Peskin, Mandelman, Chan

Youth, Young Adult, and Families Committee

Supervisors Ronen, Safai, Melgar

Meeting Days

Wednesday

1:00 PM

Wednesday

10:30 AM

1st and 3rd Thursday

10:00 AM

Monday

1:30 PM

2nd and 4th Thursday

10:00 AM

Monday

10:00 AM

2nd Friday

10:00 AM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee.

Members Present: Myrna Melgar, Dean Preston, and Aaron Peskin

The Land Use and Transportation Committee met in regular session through videoconferencing, and provided public comment through teleconferencing, on Monday, March 7, 2022, with Chair Myrna Melgar presiding. Chair Melgar called the meeting to order at 1:33 p.m.

Chair Melgar recessed the meeting at 1:33 p.m. and reconvened at 1:39 p.m.

Remote Access to Information and Participation

The Board of Supervisors and its committees convene hybrid meetings that allow in-person attendance, remote access, and public comment via teleconference. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings and watch meetings on demand or watch live meetings on San Francisco Cable Channels 26, 78 or 99 (depending on your provider). Members of the public may provide public comment in-person or remotely via teleconference (detailed instructions available at: <https://sfbos.org/remote-meeting-call>).

Members of the public may submit their comments by email to: Erica.Major@sfgov.org; all comments received will be made a part of the official record. Regularly scheduled Land Use and Transportation Committee Meetings begin at 1:30 p.m. every Monday of each month. Committee agendas and their associated documents are available at <https://sfbos.org/committees>.

Please visit the Board's website (www.sfbos.org) regularly to be updated on the current situation as it affects the legislative process. For more information contact the Clerk, Erica Major, at (415) 554-4441 or Erica.Major@sfgov.org.

ROLL CALL AND ANNOUNCEMENTS

On the call of the roll, Chair Melgar, Vice Chair Preston, and Member Peskin were noted present. A quorum was present.

AGENDA CHANGES

There were no agenda changes.

COMMUNICATIONS

*Erica Major, Land Use and Transportation Committee Clerk, instructed members of the public, when general public comment is called, to contribute live comments for up to two minutes in-person or by dialing the provided telephone number. In-person public comment will be taken before remote public comment is called. Those who are providing public comment remotely must dial * 3 to be added to the remote queue to speak. Written comments may be submitted through email (Erica.Major@sfgov.org) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.*

REGULAR AGENDA

211301 [Administrative, Public Works Codes - Permit Review, and Limits on Fines for Shared Spaces Violations]

Sponsors: Peskin; Melgar, Chan, Mar and Safai

Ordinance amending the Administrative and Public Works Codes to urge departments to review permits within 30 days, limit until April 1, 2023, the issuance of fines for violations of shared spaces requirements except to enforce access requirements for persons with disabilities or first responder personnel, pedestrian and vehicular safety, and removal of abandoned structures, and directing departments to wind down the temporary program no later than March 31, 2023, subject to earlier termination of the Local Emergency; affirming the Planning Department's determination under the California Environmental Quality Act.

Heard in Committee. Speakers: Robin Abad (Planning Department); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion.

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

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

Ayes: 3 - Melgar, Preston, Peskin

Chair Melgar requested that File Nos. 211299 and 211300 be called together.

211299 [Planning Code - Group Housing Definition]

Sponsors: Peskin; Walton, Mandelman, Ronen, Melgar and Preston

Ordinance amending the Planning Code to revise the definition of Group Housing; 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.

Heard in Committee. Speakers: Aaron Starr (Planning Department); presented information and answered questions raised throughout the discussion. Corey Smith; Speaker; Yo Yung Mei; Mark Macy; Kelly Lewis; John Kevlin; Gregory Johnson; Christopher Roach; Sue Hestor; Steve Henson; Jonathan Randolph; Robert Fructman; Paul Brown; Beth Heisler; Win Hon; Melinda Dauss; spoke on various concerns relating to the hearing matter. Gabriella Ruiz; Jason Rocklin; Peter; spoke in support of the hearing matter. Ryan Patterson; Curtis Bradford (Tenderloin Neighborhood Association); spoke in opposition of the hearing matter.

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

Ayes: 3 - Melgar, Preston, Peskin

211300 [Planning Code, Zoning Map - Group Housing Special Use District]

Sponsors: Peskin; Melgar

Ordinance amending the Planning Code to create the Group Housing Special Use District; 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.

Heard in Committee. Speakers: Aaron Starr (Planning Department); presented information and answered questions raised throughout the discussion. Corey Smith; Speaker; Yo Yung Mei; Mark Macy; Kelly Lewis; John Kevlin; Gregory Johnson; Christopher Roach; Sue Hestor; Steve Henson; Jonathan Randolph; Robert Fructman; Paul Brown; Beth Heisler; Win Hon; Melinda Daus; spoke on various concerns relating to the hearing matter. Gabriella Ruiz; Jason Rocklin; Peter; spoke in support of the hearing matter. Ryan Patterson; Curtis Bradford (Tenderloin Neighborhood Association); spoke in opposition of the hearing matter.

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

Member Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 5, Lines 1-3, by adding ' Except for an Affordable Housing Project, as defined in Planning Code section 315(b), and Single Room Occupancy residential hotel units required by section 41.13 of the Hotel Conversion Ordinance, Administrative Code section 41.13,'. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

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

Ayes: 3 - Melgar, Preston, Peskin

SPECIAL MEETING OF THE BOARD OF SUPERVISORS

Supervisor Stefani was also noted present at 2:53 p.m.; thereby constituting a quorum of the Board of Supervisors. A Special Meeting of the Board of Supervisors was convened at 2:53 p.m.; although, the meeting was conducted in all respects as a committee meeting for items on the agenda and any substantive decisions constitute a recommendation of the committee and not action taken by the Board.

Present: Supervisors Melgar, Preston, Peskin, Mandelman, Mar, and Safai

Supervisor Mar was noted not present at 5:02 p.m. and for the remainder of the meeting.

Supervisor Safai was noted not present at 5:40 p.m. and for the remainder of the meeting.

Chair Melgar requested that File Nos. 210866, 211234, and 211202 be called together.

210866 [Planning, Administrative, Subdivision Codes; Zoning Map - Density Exception in Residential Districts]

Sponsors: Mandelman; Haney

Ordinance amending the Planning Code to rezone all Residential, One Family (RH-1) zoning districts to Residential, Two Family (RH-2) zoning districts, and to provide a density limit exception to permit up to four dwelling units per lot, and up to six dwelling units per lot in Corner Lots, in all RH (Residential, House) zoning districts, subject to certain requirements, including among others the replacement of protected units; amending the Subdivision Code to authorize a subdivider that is constructing new dwelling units pursuant to the density exception to submit an application for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 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.

Heard in Committee. Speakers: Supervisors Rafael Mandelman, Ahsha Safai, and Gordon Mar (Board of Supervisors); Audrey Merlone and James Pappas (Planning Department); presented information and answered questions raised throughout the discussion. Ozzie Rohm; Corey Smith (San Francisco Housing Action Coalition); Anthony Singer; George; Christopher Roach; Mark Sedina; Karen Packmen; Anastasia Yovanopoulos; Zack Wiesenberger; Michael Cosaki; Jim Campbell; Tom Brand; Tim Coleman; Tom Radulovich, Executive Director (Livable City); Speaker; Sherry Watson; Robert Fructman; Speaker; Lorraine Petty; Speaker; Martin Munoz; Jay Vi; Peter Papadopoulos (Mission Economic Development Agency (MEDA)); Jen Hoisin; Speaker; Charlie Sciammas (People Organizing to Demand Environmental and Economic Justice (PODER)); Roland Maldonado; Jessica; Steve Marzer; Ian MacGregor; Vance Parker; Bob Akerson; Will Pringle; John Fridenbach; Georgia Schuttish; Speaker; Joseph Smith; Adam; Andrew Sullivan; Julie Jackson; Speaker; Kevin Burke; Theresa Flandrich; Michael Sax; Speaker; Pamela Gil; Ed Simky; spoke on various concerns relating to the hearing matter.

Chair Melgar moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by updating language to re-zone RH-1(D) detached district to RH-2(D) district to preserve existing setbacks; add language to require all new units to be subject to rent control under the Rent Ordinance; adding language to require the Planning Department to create a report summarizing all applicable design standards in residential districts in the City and to submit the report to the Board of Supervisors within six months of the effective date of the ordinance; and adding other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Ordinance amending the Planning Code to rezone all Residential, One Family (RH-1) zoning districts, except for Residential, One Family, Detached (RH-1(D)) districts, to Residential, Two Family (RH-2) zoning districts; to rezone the RH-1(D) districts to a new class of residential district called Residential, Two Family, Detached (RH-2(D)) districts; and to provide a density limit exception to permit up to four dwelling units per lot, and up to six dwelling units per lot in Corner Lots, in all RH (Residential, House) zoning districts, subject to certain requirements, including among others the replacement of protected units; amending the Administrative Code to require new dwelling units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; amending the Subdivision Code to authorize a subdivider that is constructing new dwelling units pursuant to the density exception to submit an application for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 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.

Chair Melgar moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 14, on Page 14, Line 7, by adding '1396.2'; on Page 16, Line 7, by adding 'one unit'; on Page 17, Line 16-18, by adding '(4) This Section 1396.6 shall not prohibit a subdivider who has lawfully exercised the subdivider's rights under Administrative Code Section 37.9(a)(13) from submitting a condominium conversion application under this Section 1396.6.'; and adding other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Ordinance amending the Planning Code to rezone all Residential, One Family (RH-1) zoning districts, except for Residential One Family, Detached (RH-1(D)) districts, to Residential, Two Family (RH-2) zoning districts; to rezone the RH-1(D) districts to a new class of residential district called Residential, Two Family, Detached (RH-2(D)) districts; and to provide a density limit exception to permit up to four dwelling units per lot, and up to six dwelling units per lot in Corner Lots, in all RH (Residential, House) zoning districts, subject to certain requirements, including among others the replacement of protected units; amending the Administrative Code to require new dwelling units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; amending the Subdivision Code to authorize a subdivider that is constructing new dwelling units pursuant to the density exception to submit an application for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 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.

Chair Melgar moved that this Ordinance be CONTINUED TO CALL OF THE CHAIR AS AMENDED. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

211234 [Planning Code - Single, Two and Three-Family Home Bonus Program]

Sponsor: Safai

Ordinance amending the Planning Code to create a density bonus program in RH-1 (Residential, House, One-Family), RH-2 (Residential, House, Two-Family), and RH-3 (Residential, House, Three-Family) zoning districts; 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.

Heard in Committee. Speakers: Supervisors Rafael Mandelman, Ahsha Safai, and Gordon Mar (Board of Supervisors); Audrey Merlone and James Pappas (Planning Department); presented information and answered questions raised throughout the discussion. Ozzie Rohm; Corey Smith (San Francisco Housing Action Coalition); Anthony Singer; George; Christopher Roach; Mark Sedina; Karen Packmen; Anastasia Yovanopoulos; Zack Wiesenberger; Michael Cosaki; Jim Campbell; Tom Brand; Tim Coleman; Tom Radulovich, Executive Director (Livable City); Speaker; Sherry Watson; Robert Fructman; Speaker; Lorraine Petty; Speaker; Martin Munoz; Jay Vi; Peter Papadopoulos (Mission Economic Development Agency (MEDA)); Jen Hoisin; Speaker; Charlie Sciammas (People Organizing to Demand Environmental and Economic Justice (PODER)); Roland Maldonado; Jessica; Steve Marzer; Ian MacGregor; Vance Parker; Bob Akerson; Will Pringle; John Fridenbach; Georgia Schuttish; Speaker; Joseph Smith; Adam; Andrew Sullivan; Julie Jackson; Speaker; Kevin Burke; Theresa Flandrich; Michael Sax; Speaker; Pamela Gil; Ed Simky; spoke on various concerns relating to the hearing matter.

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

Ayes: 3 - Melgar, Preston, Peskin

211202 [Planning, Administrative Codes - Dwelling Unit Density Exception in Residential Districts and Rent Control of Bonus Dwelling Units]

Sponsor: Mar

Ordinance amending the Planning Code to provide a density limit exception for Lots in all RH (Residential, House) zoning districts to permit additional units ("Bonus Dwelling Units"), up to four total dwelling units per lot exclusive of accessory dwelling units, and to require that if such Bonus Dwelling Units are ever sold, the sales prices would not exceed an amount determined to be affordable at 100% of area median income; amending the Administrative Code to limit initial rental rates and rent increases for Bonus Dwelling Units; 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.

Heard in Committee. Speakers: Supervisors Rafael Mandelman, Ahsha Safai, and Gordon Mar (Board of Supervisors); Audrey Merlone and James Pappas (Planning Department); presented information and answered questions raised throughout the discussion. Ozzie Rohm; Corey Smith (San Francisco Housing Action Coalition); Anthony Singer; George; Christopher Roach; Mark Sedina; Karen Packmen; Anastasia Yovanopoulos; Zack Wiesenberger; Michael Cosaki; Jim Campbell; Tom Brand; Tim Coleman; Tom Radulovich, Executive Director (Livable City); Speaker; Sherry Watson; Robert Fructman; Speaker; Lorraine Petty; Speaker; Martin Munoz; Jay Vi; Peter Papadopoulos (Mission Economic Development Agency (MEDA)); Jen Hoisin; Speaker; Charlie Sciammas (People Organizing to Demand Environmental and Economic Justice (PODER)); Roland Maldonado; Jessica; Steve Marzer; Ian MacGregor; Vance Parker; Bob Akerson; Will Pringle; John Fridenbach; Georgia Schuttish; Speaker; Joseph Smith; Adam; Andrew Sullivan; Julie Jackson; Speaker; Kevin Burke; Theresa Flandrich; Michael Sax; Speaker; Pamela Gil; Ed Simky; spoke on various concerns relating to the hearing matter.

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

Ayes: 3 - Melgar, Preston, Peskin

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 6:09 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Land Use and Transportation Committee and the Special Board of Supervisors on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 12, 2022.

Angela Calvillo, Clerk of the Board