



**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: Myrna Melgar, Dean Preston, Aaron Peskin*

*Clerk: John Carroll*  
*(415) 554-4445 ~ [john.carroll@sfgov.org](mailto:john.carroll@sfgov.org)*

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**Monday, February 26, 2024**

**1:30 PM**

**City Hall, Legislative Chamber, Room 250**

**Regular Meeting**

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**Present:** 3 - Myrna Melgar, Dean Preston, and Aaron Peskin

*The Land Use and Transportation Committee met in regular session on Monday, February 26, 2024, with Chair Myrna Melgar presiding. Chair Melgar called the meeting to order at 1:30 p.m.*

## **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.*

## **COMMUNICATIONS**

*John Carroll, Land Use and Transportation Committee Clerk, instructed members of the public that public comment is taken on each item on the agenda. Alternatively, written comments may be submitted through email ([john.carroll@sfgov.org](mailto:john.carroll@sfgov.org)) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.*

## **AGENDA CHANGES**

*There were no agenda changes.*

## REGULAR AGENDA

### **230864 [Administrative Code - Forgivable Loan for First-Time Homebuyers Fund and Program]**

**Sponsor: Melgar**

Ordinance amending the Administrative Code to establish the Forgivable Loan for First-Time Homebuyers Program and the Forgivable Loan for First-Time Homebuyers Fund to assist low, moderate, and middle-income first-time homebuyers who would otherwise not be able to purchase a primary residence in San Francisco; and to require the Human Rights Commission to establish policies and procedures to issue and possibly forgive loans from the Fund, and to provide oversight, monitoring, and forgiveness of such loans.

(Supervisor Peskin Dissented in Committee)

07/25/23; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/24/2023.

08/08/23; REFERRED TO DEPARTMENT. Referred to the Human Rights Commission and MOHCD for informational purposes.

02/01/24; TRANSFERRED to Land Use and Transportation Committee.

02/16/24; NOTICED. First 10-Day Fee Ad for February 26, 2024 Land Use and Transportation Committee hearing published in the Examiner; per Government Code Section 6062(a).

02/21/24; NOTICED. Second 10-Day Fee Ad for February 26, 2024 Land Use and Transportation Committee hearing published in the Examiner; per Government Code Section 6062(a).

*Heard in Committee. Speaker(s): Sheryl Davis, Director (Human Rights Commission); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Speaker; spoke in opposition to the hearing matter.*

**Chair Melgar moved that this Ordinance be RECOMMENDED. The motion carried by the following vote:**

Ayes: 2 - Melgar, Preston

Noes: 1 - Peskin

**231045 [Planning Code - Landmark Designation - Sacred Heart Parish Complex]****Sponsor: Preston**

Ordinance amending the Planning Code to designate the Sacred Heart Parish Complex, located at 546-548 Fillmore Street, 554 Fillmore Street, 735 Fell Street, and 660 Oak Street, Assessor's Parcel Block No. 0828, Lot Nos. 12, 21, 22, and 22A, as a Landmark consistent with the standards set forth in Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

10/10/23; RECEIVED FROM DEPARTMENT.

10/24/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/23/2023.

02/02/24; NOTICED. Notice of Public Hearing for February 12, 2024 Land Use and Transportation Committee meeting mailed to property owners and interested parties.

02/12/24; CONTINUED. Heard in Committee. Speaker(s): Simon Yip; shared various concerns regarding the hearing matter.

*Heard in Committee. Speaker(s): Pilar LaValley (Planning Department); presented information and answered questions raised throughout the discussion. Speaker; Mark Ryser, Chair (Historic Preservation Fund Committee); Robert Pritchard; Robert Fisher; Megan Smith (Victorian Alliance); Jan Robinson; David Miles (Church of Eight Wheels); Woody Labounty, President (San Francisco Heritage); Jerry Augusta (Noe Valley Vista); Simon Yip; shared various concerns regarding the hearing matter.*

*Supervisor Preston requested to be added as the primary sponsor of the ordinance.*

Vice Chair Preston moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Line 16, through Page 4, Line 6, by inserting '(g) This ordinance includes the elevated, enclosed bridge connecting the Parish Complex Rectory to the choir loft of the Church as a character-defining feature of the Landmark site. This enclosed bridge was constructed during the Landmark's initial period of significance (1891-1936) and is a prominent feature of the Complex's exterior elevations along Fillmore Street. (h) This ordinance lists certain interior character-defining features of the Landmark site. The interior features described in subsection 4(c)(2) of this ordinance are associated with areas of the Church building that have historically been accessible to the public and are prominent features of the Landmark's interior. (i) The Board of Supervisors finds that, notwithstanding the designation of the Sacred Heart Parish Complex as a Landmark, the extant stained glass windows in the north and south nave elevations of the Church building, and the bell located in the campanile of the Church building, may be retained and exhibited, or otherwise used, elsewhere on the Landmark site, subject to approval of a Certificate of Appropriateness by the Historic Preservation Commission;' on Page 5, Lines 10-13, to read 'The particular features that shall be preserved, or where the City determines it is necessary due to deterioration of the feature, repaired or replaced in-kind, are those generally shown in photographs and described in the Landmark Designation Fact Sheet dated September 20, 2023;' on Page 6, Line 1, through Page 7, Line 25, by identifying all exterior elevations, form, massing, structure, architectural ornament, materials, and finishes of the Church building; on Page 9, Lines 11-17, by inserting '(2) The character-defining interior features of the Church building are those associated with areas that have historically been accessible to the public: (A) Choir Loft: original location, configuration, and volume; curved balustrade form and material; window openings, surrounding trim, and extant stained glass windows; and access to stair of the connector bridge to the former rectory; and (B) Historic wainscot paneling, trim, pilasters, and ceiling material and finish of the narthex;' and making conforming, clerical, and clarifying changes throughout the ordinance. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Vice Chair Preston moved that this Ordinance be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

**230808 [Planning Code, Zoning Map - Family and Senior Housing Opportunity Special Use District]****Sponsors: Melgar; Engardio**

Ordinance amending the Planning Code to change the title of the Family Housing Opportunity Special Use District to the Family and Senior Housing Opportunity Special Use District (“SUD”); authorize within the SUD the greater of up to six units per lot or one unit per 1,000 square feet of lot area on individual Corner Lots in RH (Residential House) Districts, the greater of up to 18 units per lot or one unit per 1,000 square feet of lot area on Corner Lots resulting from three lot mergers in RH-1 districts, and the greater of up to 12 units per lot or one unit per 1,000 square feet of lot area on Corner Lots resulting from two lot mergers in RH-1 districts; extend various development and streamlining benefits, including lot merger benefits, to RM-1 (Residential, Mixed), RH-2, and RH-3 Districts within the area of the SUD bounded by the Great Highway, Lincoln Way, 19th Avenue, and Sloat Boulevard; and refine project eligibility criteria in the SUD; amending the Zoning Map to reflect the renamed Family and Senior 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.

07/10/23; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Duplicated from File No. 230026.

07/10/23; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

07/10/23; DUPLICATED. Duplicated from File No. 230026.

07/12/23; 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

09/29/23; RESPONSE RECEIVED. On September 29, 2023 the Planning Department responded to the CEQA referral from July 12, 2023. The proposed amendments were covered in the San Francisco Housing Element 2022 Update Environmental Impact Report (EIR) certified on November 17, 2022.

11/03/23; REMAIN ACTIVE. On October 24, 2023, the Board adopted extension Resolution No. 512-23 (Board File No. 231088) extending by 90 days the prescribed time within which the Planning Commission may render its decision on the ordinance, expiring January 8, 2024.

11/09/23; RESPONSE RECEIVED. On October 26, 2023, the Planning Commission held a duly noticed public hearing and recommended approval of the proposed legislation with modifications.

01/26/24; NOTICED. Ten-Day Notice for February 5, 2024 Land Use and Transportation Committee hearing published in the Examiner and posted, per California Government Code, Sections 65856 & 65090.

02/05/24; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speaker(s): Veronica Flores (Planning Department); Supervisor Joel Engardio (Board of Supervisors); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Corey Smith (Housing Action Coalition); Jane Natoli (SF YIMBY); Jessica Pohland; Annie Fryman (SPUR); spoke in support of the hearing matter. Speaker; Speaker; Mike Nohr; Eileen Boken; Katherine Howard; shared various concerns regarding the hearing matter.

02/05/24; CONTINUED AS AMENDED.

02/12/24; CONTINUED. Heard in Committee. Speaker(s): Supervisor Joel Engardio (Board of Supervisors); Veronica Flores (Planning Department); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Eileen Boken; Speaker; spoke in opposition to the hearing matter. Chris Ward Kline; shared various concerns regarding

the hearing matter.

*Heard in Committee. Speakers: Supervisor Joel Engardio (Board of Supervisors): presented information and answered questions raised throughout the discussion. Eileen Boken; Speaker; Speaker; Speaker; spoke in opposition to the hearing matter.*

**Chair Melgar moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 8, Lines 19-24, to read '(10) the project sponsor certifies under penalty of perjury that at the time of the submittal of their application, the project sponsor has owned the subject lot for a minimum of five yearss if the site contains two or more dwelling units, or a minimum of one year if the site contains one or fewer dwelling units. Notwithstanding the foregoing sentence, a single-family home that contains an Unauthorized Unit shall not be subject to the one-year requirement.'** The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

**Chair Melgar moved that this Ordinance be RECOMMENDED AS AMENDED. The motion carried by the following vote:**

Ayes: 3 - Melgar, Preston, Peskin

**231258 [Planning Code - Housing Production]****Sponsor: Mayor**

Ordinance amending the Planning Code to encourage housing production by exempting, under certain conditions, specified housing projects from the notice and review procedures of Section 311 in areas outside of Priority Equity Geographies, which are identified in the Housing Element as areas or neighborhoods with a high density of vulnerable populations; removing the Conditional Use requirement for several types of housing projects, including housing developments on large lots in areas outside the Priority Equity Geographies Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.

12/04/23; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Duplicated from File No. 231142.

12/04/23; CONTINUED AS AMENDED.

12/11/23; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Aaron Starr (Planning Department); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Peter Papadopoulos (Mission Economic Development Agency); shared various concerns regarding the ordinance matter.

12/11/23; CONTINUED AS AMENDED.

01/22/24; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speaker(s): Aaron Starr (Planning Department); presented information and answered questions raised throughout the discussion. Speaker (Chinatown Community Benefit District); shared various concerns regarding the hearing matter.

*Heard in Committee. Speakers: Aaron Starr (Planning Department); presented information and answered questions raised throughout the discussion. Sharon (Chinatown Community Development Corporation); shared support for the hearing matter.*

Member Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, by striking duplicative code amendment additions, strikeouts, and tables throughout the ordinance which conflict with Ordinance Nos. 248-23 and 249-23, which became effective on January 13, 2024; on Page 6, Lines 12-16, by inserting 'For purposes of this Section 311, a planning entitlement application means the application submitted by a project sponsor to the Planning Department, provided said application has been deemed complete by the Planning Department, that includes the information necessary to conduct environmental review, determine Planning Code compliance, and conformity with the General Plan;' on Page 7, Lines 11-13, to read '(B) Any alteration to a building containing only one Dwelling Unit that both increases the GFA of the existing building by at least 25%, and results in the building having GFA greater than 3,000 square feet;' on Page 12, Lines 11, through Page 13, Line 16, by inserting 'Section 7. Conflicting Ordinances; Formatting of Ordinance; Explanation of Fonts. (a) The Original Ordinance, Ordinance No. 248-23 (Board File 230446), was finally passed by the Board of Supervisors on December 12, 2023, and approved by the Mayor on December 14, 2023. Per its terms, Ordinance No. 248-23 became effective on January 13, 2024. Ordinance No. 249-23 (Board File 230701) (the Small Business Ordinance) was also finally passed by the Board of Supervisors on December 12, 2023, and approved by the Mayor on December 14, 2023. Per its terms, the Small Business Ordinance also became effective on January 13, 2024. (b) Both the Original Ordinance and the Small Business Ordinance proposed amendments to Planning Code Section 311(b). The Original Ordinance amended Section 311 to limit notice under Section 311 to building permit applications for the demolition, new construction, or alteration of buildings in Residential, NC, NCT, and Eastern Neighborhoods Mixed Use Districts; it also removed notifications of any building permit application for changes in use citywide. The Small Business Ordinance amended Section 311 to remove notice of a building permit application for a change of use in only the Eastern Neighborhoods Mixed Use District. In order to give effect to both Ordinance Nos. 248-23 and 249-23, it is appropriate to show as existing law the codified text in Ordinance No. 248-23. (c) Although the Original Ordinance (Board File 230446) was enacted and became effective on January 13, 2024, this ordinance, in Board File No. 231258, remained at the Land Use and Transportation Committee. This is the fourth version of the ordinance originally introduced in Board File 230446. (d) To clearly understand the proposed amendments to existing law (Planning Code Section 311, as enacted by Ordinance No. 248-23) contained in this version of this ordinance (Board File 231258), this ordinance shows in "existing text" font (plain Arial) the law currently in effect (Planning Code Sections 311, as enacted by Ordinance No. 248-23). The ordinance shows in "Board amendment" font (double-underlined Arial for additions, and strikethrough Arial for deletions) any amendments to existing law. (e) This version of this ordinance also includes new short and long titles that describe the ordinance, to reflect changes in existing law. They replace the short and long titles in the previous two versions of the ordinance, which had included references to the amendments that became effective with the enactment of Ordinance No. 248-23;' and making clarifying, conforming, and clerical changes throughout the ordinance. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin



Ordinance amending the Planning Code to encourage housing production by exempting, under certain conditions, specified housing projects from the notice and review procedures of Section 311 in areas outside of Priority Equity Geographies, which are identified in the Housing Element as areas or neighborhoods with a high density of vulnerable populations; and removing the Conditional Use requirement for several types of housing projects, including housing developments on large lots in areas outside the Priority Equity Geographies Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.

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

Ayes: 3 - Melgar, Preston, Peskin

*Chair Melgar requested that File Nos. 231256 and 240047 be heard together.*

### **231256 [Planning Code, Zoning Map - Potrero Yard Special Use District]**

**Sponsors: Ronen; Walton**

Ordinance amending the Planning Code and Zoning Map to create the Potrero Yard Special Use District and change the height and bulk limits at 2500 Mariposa Street, Assessor's Parcel Block No. 3971, Lot No. 001, to facilitate development of the Potrero Yard Modernization Project; 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 making findings of public necessity, convenience, and welfare under Planning Code, Section 302.

12/05/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/4/2024.

12/08/23; REFERRED TO DEPARTMENT. Referred to the Planning Commission for findings of consistency with the General Plan; the eight priority policies of Planning Code, Section 101.1; and findings of public necessity, convenience, and welfare under Planning Code, Section 302. Referred to the Planning Department for environmental review.

01/09/24; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Supervisor Ronen introduced a substitute Ordinance bearing the same title.

01/16/24; RESPONSE RECEIVED. CEQA clearance under Potrero Modernization Project EIR certified by the Planning Commission on January 11, 2024, Motion No. 21482.

01/16/24; RESPONSE RECEIVED. On January 11, 2024, the Planning Commission met and held a duly noticed hearing and recommended approval of the proposed legislation.

02/16/24; NOTICED. Ten-Day Notice for February 5, 2024 Land Use and Transportation Committee hearing published in the Examiner and posted, per California Government Code, Sections 65856 & 65090.

*Heard in Committee. Speaker(s): Supervisor Hillary Ronen (Board of Supervisors); Mathew Snyder (Planning Department); Bonnie Jean von Krogh (San Francisco Municipal Transportation Agency); Chris Jauregui (Potrero Neighborhood Collective); presented information and answered questions raised throughout the discussion.*

**Chair Melgar moved that this Ordinance be RECOMMENDED. The motion carried by the following vote:**

Ayes: 3 - Melgar, Preston, Peskin

**240047 [General Plan - Potrero Bus Yard Project]**

Ordinance amending the Urban Design Element of the General Plan to facilitate the Potrero Bus Yard Project; 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 making findings of public necessity, convenience, and welfare under Planning Code, Section 340. (Planning Commission)

(Pursuant to Charter, Section 4.105, the Planning Commission recommends General Plan amendments to the Board of Supervisors for approval or rejection. If the Board fails to act within 90 days of receipt, the proposed General Plan amendment shall be deemed approved. Transmittal Date: January 16, 2024.)

01/16/24; RECEIVED FROM DEPARTMENT.

01/30/24; ASSIGNED to Land Use and Transportation Committee. 1/31/24 - President Peskin waived the 30-day rule pursuant to Board Rule No. 3.22.

02/16/24; NOTICED. Ten-Day Notice for February 26, 2024 Land Use and Transportation Committee hearing published in the Examiner and posted, per California Government Code, Sections 65856 & 65090.

*Heard in Committee. Speaker(s): Supervisor Hillary Ronen (Board of Supervisors); Mathew Snyder (Planning Department); Bonnie Jean von Krogh (San Francisco Municipal Transportation Agency); Chris Jauregui (Potrero Neighborhood Collective); presented information and answered questions raised throughout the discussion.*

**Chair Melgar moved that this Ordinance be RECOMMENDED. The motion carried by the following vote:**

Ayes: 3 - Melgar, Preston, Peskin

**230867 [Public Works Code - Excavation by Microtrenching for Fiber]****Sponsors: Safai; Engardio**

Ordinance amending the Public Works Code to allow the use of microtrenching to install fiber-optic facilities; and affirming the Planning Department's determination under the California Environmental Quality Act.

07/25/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 8/24/2023.

08/08/23; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

10/11/23; 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. Physical projects will require separate environmental review.

*Heard in Committee. Speakers: Michael Huff (Public Works); Supervisor Ahsha Safai (Board of Supervisors); Gulia Gualco-Nelson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Cammy Blackstone (AT&T); shared various concerns regarding the hearing matter.*

**Chair Melgar moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Lines 7-13, by striking 'and (2) not require any restoral or modification to any area outside the microtrench, provided that the microtrenching complies with the orders, regulations, standard plans, specifications, and any other conditions imposed on the permit. In such orders, regulations, standard plans, specifications, and conditions, the Director may specify in an order those standard plans and specifications that the Department may waive in a permit that allows for the use of microtrenching.' The motion carried by the following vote:**

Ayes: 3 - Melgar, Preston, Peskin

**Chair Melgar moved that this Ordinance be RECOMMENDED AS AMENDED. The motion carried by the following vote:**

Ayes: 3 - Melgar, Preston, Peskin

Chair Melgar requested that File Nos. 231080, 231223, and 240132 be heard together.

### **231080** [Planning Code - Fleet Charging]

#### **Sponsors: Peskin; Chan, Preston, and Melgar**

Ordinance amending the Planning Code to require Conditional Use authorization for converting Private Parking Lots or Vehicle Storage Lots to Fleet Charging in all PDR (Production, Distribution, and Repair) 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.

10/17/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/16/2023.

10/25/23; REFERRED TO DEPARTMENT. Referred to the Planning Commission for public necessity, convenience, and welfare findings under Planning Code, Section 302; and findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1; and referred to the Planning Department for environmental review.

10/31/23; 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.

01/23/24; RESPONSE RECEIVED. On January 11, 2024, the Planning Commission met and held a duly noticed hearing and recommended approval of the proposed legislation.

*Heard in Committee. Speaker(s): Supervisor Connie Chan (Board of Supervisors); Joseph Sacchi and Aaron Starr (Planning Department); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Mark Gleason; Peter Ziblat; Jackson Nutt-Beers (San Francisco Chamber of Commerce); Joseph Cilia (Teamsters Local Union 2785); Speaker; Speaker; John Bouchard and Tricia Suzuki Blinstrub (Teamsters Joint Council 7); Kim Tavaglione (San Francisco Labor Council); shared various concerns regarding the hearing matter.*

*Supervisors Preston and Melgar requested to be added as co-sponsors.*

**Member Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Lines 2-5, by inseting '(24) P where existing use is a Private Parking Lot or Vehicle Storage Lot, and where a Development Application to convert the Private Parking Lot or Vehicle Storage Lot to Fleet Charging use was submitted prior to January 11, 2024, subject to the notification and review procedures required by Section 311.' The motion carried by the following vote:**

Ayes: 3 - Melgar, Preston, Peskin

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

Ayes: 3 - Melgar, Preston, Peskin

**231223 [Planning Code - Parcel Delivery Service]****Sponsors: Chan; Dorsey, Stefani, Mandelman, Preston and Melgar**

Ordinance amending the Planning Code to require Conditional Use authorizations for establishing Parcel Delivery Service uses, prohibit Parcel Delivery Service as an accessory use, and revise zoning control tables to reflect these changes; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.  
(Economic Impact: Pending Further Review)

11/28/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 12/28/2023.

12/06/23; REFERRED TO DEPARTMENT. Referred to the Planning Commission for findings of consistency with the General Plan; the eight priority policies of Planning Code, Section 101.1; and findings of public necessity, convenience, and welfare under Planning Code, Section 302. Referred to the Planning Department for environmental review.

12/21/23; 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.

01/09/24; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

01/17/24; REFERRED TO DEPARTMENT. Referred to the Planning Commission for findings of consistency with the General Plan; the eight priority policies of Planning Code, Section 101.1; and findings of public necessity, convenience, and welfare under Planning Code, Section 302. Referred to the Planning Department for environmental review.

02/02/24; 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.

02/13/24; RESPONSE RECEIVED. On February 8, 2024, the Planning Commission met and held a duly noticed hearing and recommended approval of the proposed legislation.

*Heard in Committee. Speaker(s): Supervisor Connie Chan (Board of Supervisors); Joseph Sacchi and Aaron Starr (Planning Department); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Mark Gleason; Peter Ziblat; Jackson Nutt-Beers (San Francisco Chamber of Commerce); Joseph Cilia (Teamsters Local Union 2785); Speaker; Speaker; John Bouchard and Tricia Suzuki Blinstrub (Teamsters Joint Council 7); Kim Tavaglione (San Francisco Labor Council); shared various concerns regarding the hearing matter.*

*Supervisors Preston and Melgar requested to be added as co-sponsors.*

**Member Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 6, Lines 12-16, to read '(1) Criteria. With respect to a Conditional Use application for Parcel Delivery Service use as defined in Section 102 of the Planning Code that is less than 5,000 square feet in size, the Planning Commission shall consider the criteria in subsections (c) and (d) above. With respect to a Conditional Use application for Parcel Delivery Service use that is 5,000 square feet or larger;' on Page 9, Lines 6-8, and Page 10, Lines 13-15, by inserting 'Parcel Delivery Service, as defined in Section 102 of the Planning Code, for merchandise or products other than cannabis and cannabis products is not allowed as an accessory use to any other principal use;' and making conforming changes throughout the ordinance. The motion carried by the following vote:**

Ayes: 3 - Melgar, Preston, Peskin

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Ordinance amending the Planning Code to require Conditional Use authorizations for establishing Parcel Delivery Service uses, prohibit Non-Cannabis Parcel Delivery Service as an accessory use, and revise zoning control tables to reflect these changes; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.

**Member Peskin requested that this Ordinance be DUPLICATED**

*See Duplicate File No. 240169.*

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

Ayes: 3 - Melgar, Preston, Peskin

### **240169 [Planning Code - Parcel Delivery Service]**

**Sponsors: Chan; Dorsey, Stefani, Mandelman, Preston, and Melgar**

Ordinance amending the Planning Code to require Conditional Use authorizations for establishing Parcel Delivery Service uses, prohibit Non-Cannabis Parcel Delivery Service as an accessory use, and revise zoning control tables to reflect these changes; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.

*Duplicated from File No. 231223.*

**Member Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 15, Lines 16-20, to read '(b) It is the intent of this Board of Supervisors that the interim controls imposed by the resolution in Board of Supervisors File No. 230817, which will expire on March 8, 2024, and which will be made permanent by this ordinance, continue without interruption. Therefore, upon the effective date of this ordinance, the ordinance shall be retroactive to March 8, 2024;' and making conforming changes throughout the ordinance. The motion carried by the following vote:**

Ayes: 3 - Melgar, Preston, Peskin

**Member Peskin moved that this Ordinance be CONTINUED AS AMENDED to the Land Use and Transportation committee meeting of March 4, 2024. The motion carried by the following vote:**

Ayes: 3 - Melgar, Preston, Peskin

**240132 [Supporting California State Senate Bill No. 915 (Cortese) - The Autonomous Vehicle Service Deployment and Data Transparency Act]****Sponsors: Chan; Peskin, Ronen, Mandelman and Safai**

Resolution supporting California State Senate Bill No. 915, introduced by Senator Dave Cortese, which prioritizes local control in the decision to deploy autonomous vehicle services, contingent upon an autonomous vehicle service company receiving approval by the California Department Motor Vehicles and the California Public Utilities Commission, and will prevent deployment in a geographic location until a local government passes an ordinance authorizing operations.

02/13/24; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

02/20/24; TRANSFERRED to Land Use and Transportation Committee. President Peskin transferred this resolution from the Public Safety and Neighborhood Services committee to the Land Use and Transportation committee.

*Heard in Committee. Speaker(s): Supervisor Connie Chan (Board of Supervisors); Joseph Sacchi and Aaron Starr (Planning Department); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Mark Gleason; Peter Ziblat; Jackson Nutt-Beers (San Francisco Chamber of Commerce); Joseph Cilia (Teamsters Local Union 2785); Speaker; Speaker; John Bouchard and Tricia Suzuki Blinstrub (Teamsters Joint Council 7); Kim Tavaglione (San Francisco Labor Council); shared various concerns regarding the hearing matter.*

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

Ayes: 3 - Melgar, Preston, Peskin

## SPECIAL ORDER 3:30 P.M.

*Chair Melgar recessed the meeting at 4:16 p.m., and reconvened the meeting at 4:21 p.m.*

### **240119 [Hearing - Pacific Gas and Electric Company (PG&E) Response to Recurrent and Extended Power Outages]**

**Sponsor: Melgar**

Hearing to discuss the recurrent power outages that were unrelated to weather starting in early January 2024 that impacted neighborhoods in District 7, and the extended power outages as a result of the storm starting on February 3, 2024, that have lasted beyond 48 hours causing major disruption to residents, schools, and businesses citywide; and requesting Pacific Gas and Electric Company (PG&E) to report.

02/06/24; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

02/14/24; REFERRED TO DEPARTMENT. Referred to the Pacific Gas and Electric Company for informational purposes.

*Heard in Committee. Speakers: Rosie Dilger (Pacific Gas and Electric Company); presented information and answered questions raised throughout the discussion. Patricia Martell; David Salem; Richard Brandy; Yvette; Peter Sweitgart; shared various concerns regarding the hearing matter.*

**Chair Melgar moved that this Hearing 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 4:53 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.*