



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: Erica Major (415) 554-4441

Monday, October 18, 2021

1:30 PM

Regular Meeting

Present: 3 - 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, October 18, 2021, with Chair Myrna Melgar presiding. Chair Melgar called the meeting to order at 1:30 p.m.

Remote Access to Information and Participation

On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely (via Microsoft Teams) and will allow remote public comment via teleconference. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings, or to watch meetings on demand. Members of the public are encouraged to participate remotely via detailed instructions on participating via teleconference available at: <https://sfbos.org/remote-meeting-call>.

Members of the public may participate by phone or 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>.

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, Clerk of the Land Use and Transportation Committee, instructed members of the public, to contribute live comments for up to two minutes by dialing the provided telephone number. When connected, they will receive another prompt, dial * 3 to be added to the queue to speak, advised the public to call from a quiet location, speak clearly and slowly, and turn down their television, radio, or streaming device, and that written comments may be submitted through email to the Clerk (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

210497 [Planning Code and Zoning Map - Delete Life Science and Medical Special Use District]

Sponsor: Walton

Ordinance amending the Planning Code and Zoning Map to eliminate the Life Science and Medical Special Use District; 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.

05/04/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/3/2021.

05/12/21; 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.

08/23/21; RESPONSE RECEIVED. On July 22, 2021, the Planning Commission met and held a duly noticed hearing and recommended approval with modification for the proposed legislation.

10/08/21; NOTICED. 10-Day Notice for 10/18/2021 Land Use and Transportation Committee hearing published in the Examiner and posted, per California Government Code, Sections 65856 & 65090.

Heard in Committee. Speakers: President Shamann Walton (Board of Supervisors); presented information and answered questions raised throughout the discussion. Daniel Sax; spoke on various concerns relating to the hearing matter.

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

Ayes: 3 - Melgar, Preston, Peskin

210934 [Building Code - Mandatory Disability Access Improvements for Places of Public Accommodation - Extension of Time Deadlines]**Sponsor: Mayor**

Ordinance amending the Building Code to extend the time by approximately two years for existing buildings with a place of public accommodation to comply with the requirement to have all primary entries and paths of travel into the building accessible to persons with disabilities or to receive a City determination of equivalent facilitation, technical infeasibility, or unreasonable hardship; to extend the period for granting extensions from those deadlines; and to extend the time for the Department of Building Inspection's Report to the Board of Supervisors.

09/07/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/7/2021.

09/10/21; REFERRED TO DEPARTMENT. Referred to the Commission for comment and recommendation;

09/16/21; RESPONSE RECEIVED. The Commission met and held a meeting on September 8, 2021, and recommended approval with modification for the proposed legislation.

09/21/21; RESPONSE RECEIVED. On September 13, 2021, the Commission met and recommended support for the proposed legislation.

09/29/21; RESPONSE RECEIVED. The Mayor's Disability Council recommended support of the proposed legislation.

Heard in Committee. Speakers: Jeff Buckley (Department of Building Inspection); Nicole Bohn, Director (Mayor's Office of Disability); presented information and answered questions raised throughout the discussion.

Member Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, by updating the new deadline for building owners to submit their compliance checklist from September 30, 2020, to June 30, 2022, in Table 1107D. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

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

Ayes: 3 - Melgar, Preston, Peskin

210699 [Planning, Administrative Codes - Accessory Dwelling Units]**Sponsors: Mandelman; Ronen, Preston, Melgar and Peskin**

Ordinance amending the Planning Code to clarify the requirements for applications to construct Accessory Dwelling Units under the City's local Accessory Dwelling Unit approval process; amending the Administrative Code to clarify that landlords may not remove certain tenant housing services without just cause and that issuance of a building permit does not constitute just cause; making findings as required by the Tenant Protection Act of 2019; 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.

06/15/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/15/2021.

06/22/21; REFERRED TO DEPARTMENT. Referred to the Planning Commission and Planning Department for review; and the Rent Board for informational purposes.

07/22/21; 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 e

09/22/21; RESPONSE RECEIVED. On September 9, 2021, the Commission met and held a duly noticed hearing and recommended approval of the proposed legislation.

10/05/21; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Supervisor Mandelman introduced a substitute Ordinance bearing a new title.

10/12/21; REFERRED TO DEPARTMENT. Referred to the Rent Board for informational purposes; and the Planning Department and Planning Commission for review.

10/14/21; RESPONSE RECEIVED. The Planning Commission heard and considered the substitute amendments on September 9, 2021.

Heard in Committee. Speakers: Supervisor Rafael Mandelman (Board of Supervisors); Veronica Flores (Planning Department); presented information and answered questions raised throughout the discussion. Roger Dawson; Karel Harrin; Lorraine Petty (Senior and Disability Action/Tenants Union); Anastasia Yovanopoulos; Dave Math; Ozzie Rohm (San Francisco Land Use Coalition); Theresa Fladrich (Northbeach Tenants Committee); Mitchell Overberg; Francisco Da Costa; spoke on various concerns relating to the hearing matter.

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

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

Ayes: 3 - Melgar, Preston, Peskin

210836 [Public Works Code - Street Tree Planting and Removal]**Sponsors: Safai; Mandelman**

Ordinance amending the Public Works Code to eliminate administrative objections to removal of Hazard Street Trees, require Public Works to plant replacement Street Trees within 120 days of removal, require that Street Trees removed without a permit be replaced by Street Trees of equal size require that Tree protection plans include the applicant's acknowledgement of potential Tree replacement costs, and set maximum administrative penalties for removing or injuring Street Trees; and affirming the Planning Department's determination under the California Environmental Quality Act 07/20/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 8/19/2021.

07/23/21; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Public Works for informational purposes.

09/16/21; 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: Supervisor Ahsha Safai (Board of Supervisors); Carla Short, Interim Director (Public Works); Julie Rosenberg (Board of Appeals); presented information and answered questions raised throughout the discussion. Speaker; Katherine Howard; 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 - Melgar, Preston, Peskin

210963 [Administrative Code - Extension Of Temporary Tenant Protections Due To COVID-19]**Sponsors: Preston; Peskin, Walton, Ronen, Chan, Mandelman, Haney and Melgar**

Ordinance amending the Administrative Code to extend the COVID-19 based limit on residential evictions, which allows evictions only if based on the non-payment of rent or violence or health and safety issues, from September 30, 2021, through December 31, 2021.

09/14/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/14/2021.

09/22/21; REFERRED TO DEPARTMENT. Referred to the Rent Board, Mayor's Office of Housing and Community Development, and Department of Homelessness and Supportive Housing for informational purposes.

Heard in Committee. Speakers: Theresa Flandrich; spoke in support of the hearing matter. Michael Nulty; spoke on various concerns relating to the hearing matter.

Vice Chair Preston moved that this Ordinance be RECOMMENDED. 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 3:10 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.