



**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, October 23, 2023**

**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, October 23, 2023, with Chair Myrna Melgar presiding. Chair Melgar called the meeting to order at 1:32 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.*

## **AGENDA CHANGES**

*There were no agenda changes.*

## **REGULAR AGENDA**

**220709 [Planning Code - Nighttime Entertainment Castro Street Neighborhood Commercial District]****Sponsor: Mandelman**

Ordinance amending the Planning Code, to change the zoning controls in the Castro Street Neighborhood Commercial District to allow Nighttime Entertainment with a Conditional Use authorization on the second floor; and 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.

06/07/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/7/2022.

06/15/22; REFERRED TO DEPARTMENT. Referred pursuant to Planning Code Section 302, for public hearing and recommendation and the Planning Department for environmental review.

07/20/22; 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.

08/04/22; REMAIN ACTIVE. On August 4, 2022, the Board adopted extension Resolution No. 362-22 (Board File No. 220862) extending the Ordinance an additional 90 days, expiring December 12, 2022.

01/26/23; REMAIN ACTIVE. On November 15, 2022, the Board adopted extension Resolution No. 496-22 (Board File No. 221151) extending the Ordinance an additional six months, expiring June 12, 2023.

06/16/23; REMAIN ACTIVE. On June 6, 2023 the Board adopted extension Resolution No. 316-23 (Board File No. 230603) extending the Ordinance an additional six months, expiring August 11, 2023.

06/22/23; RESPONSE RECEIVED.

10/02/23; CONTINUED. Heard in Committee. Speaker: Supervisor Rafael Mandelman (Board of Supervisors); presented information and answered questions raised throughout the discussion.

10/16/23; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor Rafael Mandelman (Board of Supervisors); Audrey Merlone (Planning Department); presented information and answered questions raised throughout the discussion. Andrea Aiello, Executive Director (Castro/Upper Market Neighborhood Community Benefit District); Mike Murray; Speaker; Andrew Bennett (IATSI Local 16); Kevin; Speaker; spoke in support of the ordinance matter. M. Rockett; Michael Petrelis (see addendum on page 9); spoke in opposition to the ordinance. Thierry Fill; Jen Reck and Tina Aguirre (Castro LGBTQ Cultural District); shared various concerns regarding the ordinance.

10/16/23; CONTINUED AS AMENDED.

*Heard in Committee. Speakers: Andrea Aiello, Executive Director, and Ralph Hibbs (Castro/Upper Market Neighborhood Community Benefit District); spoke in support of the ordinance matter.*

*Chair Melgar moved that this Ordinance be RECOMMENDED AS COMMITTEE REPORT. Prior to a roll call vote on the motion, Chair Melgar withdrew the motion and a vote was not taken.*

**Chair Melgar moved that this Ordinance be REFERRED WITHOUT RECOMMENDATION AS COMMITTEE REPORT. The motion carried by the following vote:**

Ayes: 3 - Melgar, Preston, Peskin

**230924 [Planning Code, Zoning Map - Non-Profit Arts Education Special Use District]****Sponsor: Peskin**

Ordinance amending the Planning Code to create the Non-Profit Arts Education Special Use District (Assessor's Parcel Block No. 49, Lot No. 1, generally bounded by Francisco Street, Jones Street, Chestnut Street, and Leavenworth Street, and numbered as 800 Chestnut Street); amending the Zoning Map to show the Non-Profit Arts Education 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; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

09/05/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/5/2023.

09/08/23; REFERRED TO DEPARTMENT. Referred to the Planning Department for CEQA determination; referred to the Planning Commission for Planning Code, Sections 101.1 and 302 findings.

10/02/23; 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.

10/13/23; NOTICED. 10-Day Notice for October 23, 2023 Land Use and Transportation Committee hearing published in the Examiner and posted per California Government Code, Sections 65856 & 65090.

*Heard in Committee. Speaker: Eileen Boken; spoke in support of the ordinance matter.*

**Member Peskin moved that this Ordinance be CONTINUED to the regular Land Use and Transportation Committee meeting of November 6, 2023. 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 1:39 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.*