



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

Member: Myrna Melgar, Chyanne Chen, Bilal Mahmood

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

Monday, February 3, 2025

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

Present: 3 - Myrna Melgar, Chyanne Chen, and Bilal Mahmood

The Land Use and Transportation Committee met in regular session on Monday, February 3, 2025, with Chair Myrna Melgar presiding. Chair Melgar called the meeting to order at 1:31 p.m.

ROLL CALL AND ANNOUNCEMENTS

On the call of the roll, Chair Melgar, Vice Chair Chen, and Member Mahmood 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) 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

240873 [Planning, Health Codes - Inclusionary Housing Ordinance, Non-Potable Water Exemption]**Sponsors: Mayor; Sauter**

Ordinance amending the Planning Code to permit the use of California Debt Limit Allocation Committee tax-exempt bond financing and tax credits under the Tax Credit Allocation Committee for certain affordable housing projects that provide additional affordable units or deeper affordability levels than required by the Inclusionary Housing Ordinance; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of public necessity, convenience, and general welfare findings under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

09/10/24; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/10/2024.

09/18/24; 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. Referred to Mayor's Office of Housing and Community Development for informational purposes.

10/04/24; 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. Physical projects will require separate environmental review.

10/30/24; RESPONSE RECEIVED. On October 24, 2024, the Planning Commission met and held a duly noticed hearing and recommended approval of the proposed legislation with modifications.

Heard in Committee. Speaker(s): Supervisor Danny Sauter (Board of Supervisors); Veronica Flores (Planning Department); Brad Russi (Office of the City Attorney); presented information and answered questions raised throughout the discussion. John Avalos (Council of Community Housing Advocates); Alex Landsberg; Patrick McNerney, President (Martin Building Company); John Kevlin (Reuben, Junius, and Rose LLP); Jane Natoli; Speaker; Mauricio Chavez (Northern California Carpenters Union); Speaker; Speaker; David Kim (SFYIMBY); Speaker; Alex Steiner; Brinna Morales (San Francisco Housing Action Coalition); Ace Washington; Jim Chappell (San Francisco Housing Action Coalition); Mr. Richardson; shared various concerns regarding the ordinance matter.

Vice Chair Chen moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 7-8, by inserting 'and require the Mayor's Office of Housing and Community Development to report on such projects;' on Page 3, Lines 7-17, by inserting '(e) Pursuant to Administrative Code Chapter 43, Article IX, the Mayor's Office of Housing & Community Development administers the Multifamily Securities Program and has adopted the Multifamily Securities Program Manual (the "Manual") for administering the issuance of tax exempt multifamily revenue bonds for affordable housing projects that have received an allocation from CDLAC and TCAC. Under the Manual, MOHCD monitors the regional allocation to the San Francisco Bay Area and competitiveness under TCAC and CDLAC regulations. Based on the availability of TCAC and CDLAC allocations and competitiveness within the Bay Area, MOHCD may request non-City funded affordable housing projects to temporarily delay an application for a TCAC and CDLAC allocation if there is an insufficient amount of allocation for City funded affordable housing that are ready for construction;' on Page 5, Line 24, through Page 6, Line 10, to read 'CDLAC and TCAC. Notwithstanding the provisions of subsection 415.6 (h)(1) and (h)(2)(A) above, a project may use California Debt Limit Allocation Committee (CDLAC) tax-exempt bond financing, 4% tax credits under the Tax Credit Allocation Committee (TCAC), and tax credits allocated under the TCAC guidelines to help fund its obligations under Section 415.1 et seq. as long as the project provides at least one of the following: (i) 20% of the units as affordable to households at 50% of Area Median Income for on-site housing; (ii) 10% of the units as affordable to households at 50% of Area Median Income, and 30% of the units as affordable to households at 60% of Area Median Income for on-site housing; or (iii) the same number of on-site affordable units as required by the applicable on-site affordable housing requirement in this Section 415 et seq, plus an additional number of on-site affordable units equal to 25% of the applicable on-site affordable units as affordable to households at or below 80% of Area Median Income;' and on Page 6, Lines 16-23, by inserting '(3) Reporting. MOHCD shall monitor state and federal funding for 100% affordable housing projects, awards made by TCAC and CDLAC to 100% affordable housing projects in San Francisco, and any changes to the regulations of TCAC and CDLAC. MOHCD shall provide to the Inclusionary Housing Technical Advisory Committee, established in Administrative Code Chapter 5 Article XXIX, a written report of projects approved under Section 415.6(h)(2)(B), 100% affordable housing projects applying for tax exempt bond financing under CDLAC and tax credits under TCAC, and challenges for 100% affordable housing projects to obtain an award from CDLAC and TCAC.' The motion carried by the following vote:

Ayes: 3 - Melgar, Chen, Mahmood

Ordinance amending the Planning Code to permit the use of California Debt Limit Allocation Committee tax-exempt bond financing and tax credits under the Tax Credit Allocation Committee for certain affordable housing projects that provide additional affordable units or deeper affordability levels than required by the Inclusionary Housing Ordinance, and require the Mayor's Office of Housing and Community Development to report on such projects; affirming the Planning Department's determination under the California Environmental Quality Act; making public necessity, convenience, and welfare findings under Planning Code, Section 302; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.

Member Mahmood moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**, on Page 1, Line 1, to read 'Planning, Health Codes - Inclusionary Housing Ordinance, Non-Potable Water Exemption;' on Page 1, Lines 8-11, by inserting 'amending the Health Code to exempt such affordable housing projects from compliance with the requirement that new buildings be constructed, operated, and maintained using alternate water sources for non-potable uses;' on Page 6, Lines 4-16, to read 'CDLAC and TCAC. Notwithstanding the provisions of subsection 415.6 (h)(1) and (h)(2) (A) above, a project may use California Debt Limit Allocation Committee (CDLAC) tax-exempt bond financing, 4% tax credits under the Tax Credit Allocation Committee (TCAC), and tax credits allocated under the TCAC guidelines to help fund its obligations under Section 415.1 et seq. as long as the project provides at least one of the following: (i) 20% of the units as affordable to households at 50% of Area Median Income for on-site housing; (ii) 10% of the units as affordable to households at 50% of Area Median Income, and 30% of the units as affordable to households at 60% of Area Median Income for on-site housing; or (iii) the same number of on-site affordable units as required by the applicable on-site affordable housing requirement in this Section 415 et seq. or any temporary reduction as set forth in Sections 415A et seq. or 415B et seq., plus an additional number of on-site affordable units equal to 25% of the applicable on-site affordable units as affordable to households at or below 80% of Area Median Income;' on Page 7, Line 6, through Page 8, Line 15, by adding an amendment to Health Code, Section 12C.2, within the definition of "Development Project" to read 'Development Project does not include (1) any 100% Affordable Housing Project, 100% Permanent Supportive Housing Project, housing project funded or constructed pursuant to the HOPE SF Program sponsored and developed by the San Francisco Housing Authority and either the Mayor's Office of Housing and Community Development or the Office of Community Investment and Infrastructure, or housing project that is issued a First Construction Document, as that term is defined in Building Code Section 107A.13.1, prior to July 1, 2025, uses California Debt Limit Allocation Committee tax-exempt bond financing and tax credits under the Tax Credit Allocation Committee, as set forth in Planning Code Section 415.6(h)(2)(B), and provides at least 100 total on-site affordable units;' and making conforming and clerical amendments throughout the ordinance text. The motion carried by the following vote:

Ayes: 3 - Melgar, Chen, Mahmood

Ordinance amending the Planning Code to permit the use of California Debt Limit Allocation Committee tax-exempt bond financing and tax credits under the Tax Credit Allocation Committee for certain affordable housing projects that provide additional affordable units or deeper affordability levels than required by the Inclusionary Housing Ordinance, and require the Mayor's Office of Housing and Community Development to report on such projects; amending the Health Code to exempt such affordable housing projects from compliance with the requirement that new buildings be constructed, operated, and maintained using alternate water sources for non-potable uses; affirming the Planning Department's determination under the California Environmental Quality Act; making public necessity, convenience, and welfare findings under Planning Code, Section 302; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.

Chair Melgar moved that this Ordinance be **CONTINUED AS AMENDED** to the Land Use and Transportation committee meeting of February 10, 2025. The motion carried by the following vote:

Ayes: 3 - Melgar, Chen, Mahmood

SPECIAL ORDER 2:15 PM

250050 [Hearing - Addressing Closure of Safeway at 1355 Webster Street in the Fillmore District]

Sponsor: Mahmood

Hearing to address Safeway Incorporated's scheduled closure of its grocery store, located at 1355 Webster Street, on February 7, 2025, eliminating full-service grocery options, as well as pharmaceutical and banking services which provide basic necessities to its residents; and requesting the Human Rights Commission, Office of Economic Workforce Development, and Food Security Task Force to report.

01/14/25; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

01/21/25; REFERRED TO DEPARTMENT. Referred to the Human Rights Commission, the Office of Economic and Workforce Development, and Department of Public Health for informational purposes.

01/21/25; TRANSFERRED to Land Use and Transportation Committee. President Mandelman transferred this hearing from the Public Safety and Neighborhood Services committee to the Land Use and Transportation committee.

Heard in Committee. Speaker(s): Cissie Bonini, Chair (Food Security Task Force); Diana Ponce de Leon and Anne Taupier (Office of Economic and Workforce Development); Rachael Tanner (Planning Department); Brad Russi (Office of the City Attorney); Mawuli Tugbenyoh, Acting Executive Director, and Vallie Brown (Human Rights Commission); Jason Sawyer (San Francisco Police Department); Shakira Simley, Executive Director (Booker T Washington Community Service Center); presented information and answered questions raised throughout the discussion. Lynette Mackie; Amos Brown; Paulette Brown; Paula; Carol Ito; Charles Graves; Melissa Middel; Stephen Torres; Paul Osaki, Executive Director (Japanese Cultural and Community Center); Rosa Shields (San Francisco Labor Council); Speaker; Randall Evanston; Chester Williams; Lea McGeever; Jay; Katie Ullman; Omar Flores; Jeremy Chan (Japantown Task Force); Andie Sobrepeña, Co-Executive Director (Farming Hope); Karen Fleishman; Speaker; Jazzy; Juanita Bruton (Booker T Washington Community Service Center); Speaker; Speaker; Conny Ford, President (Saint Francis Square Cooperative); Jade Quizon (Food and Agriculture Action Coalition Toward Sovereignty); RJ Ruggles; Erin Kimura; Brett Martinez (Booker T Washington Community Service Center); Mario Binfield; Lori Yamauchi (Japantown Task Force); Speaker; Speaker; Speaker; Gail Baugh; Ace Washington; Gloria Berry; Cheryl Thornton; Junebug; Mitch Mankin (San Francisco Housing Development Corporation); Barbara Wilson; Speaker; Speaker; Jim Worshell; Art Persyko; Bivett Brackett; Stanley; Linda; shared various concerns regarding the hearing matter.

Member Mahmood moved that this Hearing be HEARD AND FILED. The motion carried by the following vote:

Ayes: 3 - Melgar, Chen, Mahmood

250049 [Commemorative Street Name Designation - “Jesai Kingston Way” - Ingerson Avenue between 3rd Street and Griffith Street]**Sponsors: Walton; Mandelman**

Resolution adding the Commemorative Street Name “Jesai Kingston Way” on Ingerson Avenue between 3rd Street and Griffith Street, leading to the site formerly known as Candlestick Park, in recognition of Jesai Kingston, to enshrine his legacy, and to mark his infinite effect on the community.

01/14/25; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

01/22/25; REFERRED TO DEPARTMENT. Referred to Public Works for informational purposes.

Heard in Committee. Speaker(s): None.

Chair Melgar moved that this Resolution be RECOMMENDED AS COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Melgar, Chen, Mahmood

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 5:06 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.