



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 ~ erica.major@sfgov.org

Monday, May 1, 2023

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

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

The Land Use and Transportation Committee met in regular session, in-person with remote access and public comment via telephone, on Monday, May 1, 2023, with Chair Myrna Melgar presiding. Chair Melgar called the meeting to order at 1:32 p.m.

Remote Access to Information and Participation

The Board of Supervisors (www.sfbos.org) and its committees convene hybrid meetings that allow in-person attendance, in-person public comment (prioritized before remote public comment), remote access, and remote public comment via teleconference (<https://sfbos.org/remote-meeting-call>). Members of the public may also submit their comments by email to the Clerk listed above; all comments received will be made a part of the official record.

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

Erica Major, Land Use and Transportation Clerk, instructed members of the public, when general public comment is called, to contribute live comments in-person or by dialing the telephone number published on the agenda and scrolling across the screen. Clerk Major further announced that 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.)*

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

230324 [Recognizing the Decommissioning and Deconsecration of the Site of the Congregation B'nai Emunah]

Sponsors: Melgar; Peskin, Dorsey, Mandelman and Engardio

Resolution recognizing the decommissioning and deconsecration of the current site of Congregation B'nai Emunah in order to form and relocate the new Congregation Am Tikvah.

03/21/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

Heard in Committee. Speakers: David Pilpel; Val Lanmuir; spoke in support of the hearing matter.

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

Ayes: 3 - Melgar, Preston, Peskin

Chair Melgar requested that File Nos. 230137 and 230138 be heard together.

230137 [Street Naming - Mayor Edwin M. Lee Avenue]

Sponsors: Melgar; Chan

Resolution renaming Lee Avenue from its intersection with Ocean Avenue to its current northern terminus to "Mayor Edwin M. Lee Avenue" and applying this new street name to the future public right-of-way extension of Lee Avenue to its proposed end point near the southern boundary of Archbishop Riordan High School.

02/07/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

02/15/23; REFERRED TO DEPARTMENT. Referred to Public Works and the Office of the County Surveyor for informational purposes.

04/11/23; REFERRED TO DEPARTMENT. Referred to Public Works, Police Department, Municipal Transportation Agency, and Fire Department for their required response; Department of Emergency Management for informational purposes.

04/12/23; RESPONSE RECEIVED. San Francisco Fire Department noted no objections to the proposed legislation.

04/17/23; RESPONSE RECEIVED. The San Francisco Police Department noted no objections to the proposed legislation.

04/20/23; RESPONSE RECEIVED. Public Works confirmed on-site posting pursuant to California Streets and Highway Code Section 970.5; submitted PW Order No. 207963 confirming recommendation of the proposed legislation.

04/21/23; NOTICED. 10-Day Notice for Land Use and Transportation Committee hearing mailed to property owners and posted on-site, per California Streets and Highways Code Sections 970.5 & 5026, and California Government Code Section 9409.1.

04/27/23; RESPONSE RECEIVED. SFMTA noted no objections to the Resolution.

Heard in Committee. Speaker: Andrew Sun; presented information and answered questions raised throughout the discussion.

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

Ayes: 3 - Melgar, Preston, Peskin

230138 [Official Naming of Unnamed Streets - Balboa Reservoir Project]

Sponsor: Melgar

Resolution approving Diego Lane, Loquat Lane, Meyer Lane, and Wisteria Lane as the official street names for certain yet to be constructed unnamed streets located within the Balboa Reservoir Project.

02/07/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

02/10/23; REFERRED TO DEPARTMENT. Referred to the City and County Surveyor for informational purposes.

Heard in Committee. Speaker: Andrew Sun; presented information and answered questions raised throughout the discussion.

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

Ayes: 3 - Melgar, Preston, Peskin

230216 [Administrative Code - Displaced Tenant Preference in City Affordable Housing]**Sponsors: Ronen; Walton**

Ordinance amending the Administrative Code to expand the Displaced Tenant Preference in City Affordable Housing Programs to cover tenants where the tenant's unlawful unit has been removed as a residential unit by a written approval by the Planning Commission of the demolition, conversion, or merger of the residential unit, or denial by the Planning Commission of an application to legalize the unlawful unit.

02/28/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/30/2023.

03/03/23; REFERRED TO DEPARTMENT. Referred to the Mayor's Office of Housing and Community Development and Rent Board for informational purposes.

Heard in Committee. Speakers: Ana Herrera (Office of Supervisor Hillary Ronen); presented information and answered questions raised throughout the discussion. Alicia Sandoval (Housing Rights Committee of San Francisco); spoke on various concerns relating to the hearing matter.

Chair Melgar moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Lines 25, by adding 'the' after 'based on', removing the 's' from 'determination', and striking 'and Planning Department' after 'Planning Commission'; on Page 4, Lines 5-8, by adding 'due to such written approval by the Planning Commission of an application to remove the residential unit through demolition, conversion, or merger of residential units, or denial by the Planning Commission of an application to legalize the unlawful unit,'; and adding other clarifying and conforming changes. 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

230373 [Existing Building Code - Façade Inspections for Tall Buildings]**Sponsor: Peskin**

Ordinance amending the Existing Building Code to require buildings with 15 or more stories constructed after 1998 to conduct and submit façade inspection reports; and affirming the Planning Department's determination under the California Environmental Quality Act.

04/04/23; ASSIGNED to Land Use and Transportation Committee. 4/5/23 - President Peskin waived the 30-day rule pursuant to Board Rule No. 3.22.

04/10/23; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and the Building Inspection Commission for comment and recommendation.

04/20/23; 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.

04/20/23; RESPONSE RECEIVED. On April 19, 2023, the Building Inspection Commission held a public hearing and unanimously voted to recommend approval of the proposed Ordinance.

04/24/23; CONTINUED. Heard in Committee. Speakers: None.

Heard in Committee. Speakers: Christine Gasparac (Department of Building Inspection); presented information and answered questions raised throughout the discussion. Speaker; spoke on various concerns relating to the hearing matter.

Member Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Lines 18-20 by striking 'on or before November 1, 2023 or' after 'inspection report', by striking 'whichever is sooner', and adding 'All other' before 'building'. 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

230256 [Administrative Code - Delegation of Board of Supervisors Authority to Amend Certain Leases for 100% Affordable Housing]**Sponsor: Mayor**

Ordinance amending the Administrative Code to delegate Board of Supervisors approval authority under Charter, Section 9.118 and Administrative Code, Section 23.30 to the Real Estate Division and the Mayor's Office of Housing and Community Development to amend certain existing leases regarding residual rent payments and lender protections for 100% affordable housing projects.

03/07/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 4/6/2023.

03/10/23; REFERRED TO DEPARTMENT. Referred to the Real Estate Division and the Mayor's Office of Housing and Community Development for informational purposes.

04/24/23; CONTINUED. Heard in Committee. Speakers: Jackie Tsou, Sheila Nickolopoulos, and Lydia Ely (Mayor's Office of Housing and Community Development); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Speaker; spoke in support of the hearing matter. Speaker; David Pilpel; spoke on various concerns relating to the hearing matter.

Heard in Committee. Speakers: Sheila Nickolopoulos and Jackie Tsou (Mayor's Office of Housing and Community Development); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. David Pilpel; 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

Chair Melgar requested that File Nos. 221105 and 221021 be called together.

221105 [Planning Code - HOME-SF]

Sponsor: Peskin

Ordinance amending the Planning Code to exclude designated historic districts under Article 10 of the Planning Code from the provisions of the Home Ownership Means Equity - San Francisco (HOME-SF) program; 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.

10/25/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/24/2022.

10/28/22; 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

11/04/22; 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.
11/4/22

02/24/23; REMAIN ACTIVE. On February 24, 2023, the Board adopted extension Resolution No. 68-23 (Board File No. 230146) extending the Ordinance an additional 90 days, expiring April 26, 2023.

03/03/23; RESPONSE RECEIVED. On February 16, 2023, the Planning Commission met and held a duly notice hearing recommending the proposed legislation.

03/13/23; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speaker: Madison Tam (Office of Supervisor Matt Dorsey); presented information and answered questions raised throughout the discussion.

04/17/23; CONTINUED. Heard in Committee. Speakers: None.

04/24/23; CONTINUED. Heard in Committee. Speakers: Madison Tam (Office of Supervisor Matt Dorsey); Veronica Flores (Planning Department); presented information and answered questions raised throughout the discussion.

Heard in Committee. Speaker: Speaker; 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

221021 [Planning, Administrative Codes - HOME-SF]**Sponsors: Dorsey; Peskin**

Ordinance amending the Planning Code to allow projects to qualify for a density bonus under the Housing Opportunities Mean Equity (HOME-SF) Program by agreeing to subject new dwelling units to the rent increase limitations of the Rent Ordinance; modifying the zoning changes available to HOME-SF projects; making conforming amendments in the Administrative Code; 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.

09/27/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/27/2022.

10/03/22; REFERRED TO DEPARTMENT. Referred to Rent Board, MOHCD, OEWD, Office of Small Business, Planning Department and Planning Commission for informational purposes.

02/14/23; RESPONSE RECEIVED. CEQA clearance under Housing Element 2022 Update Final Environmental Impact Report certified by the SF Planning Commission November 17, 2022, Motion No. 21206 (updated response).

03/03/23; RESPONSE RECEIVED. On February 16, 2023, the Planning Commission met and held a duly noticed hearing recommending approval with modifications for the proposed legislation.

03/13/23; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speaker: Madison Tam (Office of Supervisor Matt Dorsey); presented information and answered questions raised throughout the discussion.

04/17/23; CONTINUED. Heard in Committee. Speakers: None.

04/24/23; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Madison Tam (Office of Supervisor Matt Dorsey); Veronica Flores (Planning Department); presented information and answered questions raised throughout the discussion.

04/24/23; CONTINUED AS AMENDED.

Heard in Committee. Speaker: Speaker; 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

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 2:31 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.