



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 15, 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 15, 2023, with Chair Myrna Melgar presiding. Chair Melgar called the meeting to order at 1:35 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 (watch: www.sfgovtv.org), 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.

AGENDA CHANGES

There were no agenda changes.

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.)*

REGULAR AGENDA

230297 [Initiating Landmark Designation - Westwood Park Entrance Gates and Pillars]

Sponsor: Melgar

Resolution initiating a landmark designation under Article 10 of the Planning Code for the Westwood Park Entrance Gates, located at the intersection of Miramar Avenue and Monterey Boulevard, and the Westwood Park Entrance Pillars located at the intersection of Miramar Avenue and Ocean Avenue.

03/14/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

Heard in Committee. Speakers: Kathleen Beitiks (Westwood Park Association); presented information and answered questions raised throughout the discussion. David Pilpel; spoke in support of the hearing matter. Pauline Chui; Speaker; spoke on various concerns relating to 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

230269 [Commemorative Street Plaque - Judith Heumann - United Nations Plaza]

Sponsors: Melgar; Safai, Peskin and Preston

Resolution authorizing the placement of a commemorative plaque or statuary in United Nations Plaza in memory of Judith Heumann; directing the Department of Public Works to carry out the installation of the aforementioned plaque or statuary.

03/07/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

Heard in Committee. Speakers: Nicole Bohn, Director, and Debra Kaplan (Mayor's Office of Disability); Dennis Billups; Mike Farrah (Office of Supervisor Myrna Melgar); Anne Pearson (Office of City Attorney); presented information and answered questions raised throughout the discussion. Tera Himsey; Disability Activism SF; Terrance Jackson; John Schulman; David Pilpel; Annette Reeves; Georgia Culinary; spoke in support of the hearing matter. Speaker; Emily Beitiks (Paul K. Longmore Institute on Disability); spoke on various concerns relating to the hearing matter.

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

Chair Melgar moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING THE SAME TITLE, on Page 1, Lines 10-12, by adding 'WHEREAS, Judy Heumann was a disabled person who devoted her life to disability rights advocacy and was a friend and mentor to countless other disabled people around the country and the world, and'; on Page 1, Lines 20-21, by striking 'certain rights to people with disabilities' and replacing it with 'disability access in all programs receiving federal funding'; and by adding other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

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

Ayes: 3 - Melgar, Preston, Peskin

230212 [Planning, Building, Fire Codes - Small Business Month Fee Waivers Including for Awning Installation]**Sponsors: Engardio; Mandelman**

Ordinance amending the Planning, Building, and Fire Codes to codify the annual waiver of awning replacement fees and awning sign fees applied for during the month of May, to annually waive fees for new awning installations applied for during the month of May, and to indicate that the Planning Code, Building, and Fire Code waivers pertaining to pedestrian street lighting as well as awning replacement, awning installation, and awning sign fees are keyed to permit application in May rather than permit issuance in May; 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 making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

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 Planning Commission pursuant to Planning Code Section 302, for public hearing and recommendation and the Planning Department for environmental review; the Building Inspection Commission for comment and recommendation; and the Small Business Commission for comment and recommendation.

03/16/23; RESPONSE RECEIVED. On March 15, 2023, the Building Inspection Commission met and held a public hearing and recommended approval of the proposed legislation.

03/20/23; RESPONSE RECEIVED. On March 13, 2023, the Small Business Commission met and recommended support for the proposed legislation.

03/21/23; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

03/24/23; 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; Small Business Commission for comment and recommendation; Building Inspection for comment and recommendation; and Mayor's Office of Housing and Community Development and Office of Community Investment and Infrastructure for informational purposes.

03/27/23; RESPONSE RECEIVED. The Small Business Commission noted they would not hear the substitute version as the initial recommendation still stands.

03/31/23; RESPONSE RECEIVED. Planning submitted their response to both Version 1 and Version 2 of the legislation noting both were 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. The Building Inspection Commission met and held a public hearing on April 19, 2023, and recommended approval for the proposed legislation.

05/11/23; RESPONSE RECEIVED. On May 4, 2023, the Planning Commission met and held a duly noticed meeting and recommended approval with modifications for the proposed legislation.

Heard in Committee. Speakers: Supervisor Joel Engardio (Board of Supervisors); presented information and answered questions raised throughout the discussion. Disability Activism SF; spoke in support of the hearing matter.

Chair Melgar moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING THE NEW TITLE, on Page 1, Line 6, by adding ‘s’ to ‘month’ and ‘2023 and May 2024’ before the word ‘and’; on Page 2, Line 23, by adding ‘permits for’ and on Page 2, Lines 24-25, by adding ‘, where the application for such permit occurs in the month of May 2023 and May 2024’ after ‘awnings’; on Page 4, Line 22, by striking ‘awning installation’ and on Page 4, Lines 23-24, by adding the language ‘No Planning Department fees shall apply to a Small Business that applies for a permit for awning installation during the months of May 2023 and May 2024.’; and by adding other clarifying and conforming language. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Ordinance amending the Planning, Building, and Fire Codes to codify the annual waiver of awning replacement fees and awning sign fees applied for during the month of May, to annually waive fees for new awning installations applied for during the months of May 2023 and May 2024, and to indicate that the Planning Code, Building, and Fire Code waivers pertaining to pedestrian street lighting as well as awning replacement, awning installation, and awning sign fees are keyed to permit application in May rather than permit issuance in May; 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 making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

Chair Melgar requested this matter be DUPLICATED AS AMENDED.

See Duplicate File No. 230559.

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

Ayes: 3 - Melgar, Preston, Peskin

230559 [Planning, Building, Fire Codes - Small Business Month Fee Waivers Including for Awning Installation]

Sponsor: Engardio

Ordinance amending the Planning, Building, and Fire Codes to codify the annual waiver of awning replacement fees and awning sign fees applied for during the month of May, to annually waive fees for new awning installations applied for during the month of May, and to indicate that the Planning Code, Building, and Fire Code waivers pertaining to pedestrian street lighting as well as awning replacement, awning installation, and awning sign fees are keyed to permit application in May rather than permit issuance in May; 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 making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

Duplicated from File No. 230212.

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

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 2:39 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.