



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, September 18, 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, September 18, 2023, with Chair Myrna Melgar presiding.

Chair Melgar called the meeting to order at 1:34 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.

COMMUNICATIONS

Alisa Somera, Legislative Deputy Director, 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 Somera 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

230855 [Planning, Administrative Codes - Development Impact Fee Reductions]

Sponsors: Peskin; Safai and Mandelman

Ordinance amending the Planning Code to: 1) reduce Inclusionary Housing Program requirements, including requirements for projects approved under the Housing Opportunities Means Equity - San Francisco (HOME-SF) program, for projects that have been approved prior to November 1, 2023 and that receive a first construction document within a specified period; 2) adopt a process for those projects to request a modification to conditions of approval related to development impact fees, subject to delegation by the Planning Commission; 3) reduce Article 4 development impact fees, including Inclusionary Affordable Housing fees for projects exceeding a stated unit size, for projects approved before November 1, 2026 that receive a first construction document within 30 months of entitlement; and, 4) modify the Inclusionary Housing Program Ordinance effective November 1, 2026 to reduce applicable fees, and on-site or off-site unit requirements, for projects that exceed a stated unit size; amending the Administrative Code to update the Inclusionary Housing Technical Advisory Committee member requirements; 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.

07/24/23; DUPLICATED. Duplicated from File No. 230769.

07/24/23; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Duplicated from File No. 230769.

07/24/23; CONTINUED TO CALL OF THE CHAIR.

09/11/23; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor Ahsha Safai (Board of Supervisors); presented information and answered questions raised throughout the discussion. Jake Price (San Francisco Housing Action Coalition); Jeremy Basigner; Jeremiah Schaub (Schaub Li Architects); Alissa Erickson; Brant; Striken Haulson; Brennan Cox; spoke in support of the hearing matter.

09/11/23; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

09/11/23; CONTINUED AS AMENDED.

Heard in Committee. Speakers: Jack Price; spoke in support of the hearing matter.

Chair Melgar moved that this Ordinance be REFERRED WITHOUT RECOMMENDATION to the Board of Supervisors. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

230934 [Grant of Easements - Pacific Gas and Electric Company - 593 Total Square Feet for Electrical and Gas Utilities to Serve 100% Affordable Housing at 4840 Mission - At No Cost]

Sponsors: Mayor; Safai

Resolution approving and authorizing a grant of two easements on the City's property located at 4840 Mission Street (Assessor's Parcel Block No. 6959, Lot No. 35), consisting of an easement of 198 square feet of land at the northwest edge of the parcel for electrical equipment and an easement of 395 square feet of land at the northern edge of parcel for gas equipment, between the City and County of San Francisco and Pacific Gas and Electric Company ("PG&E"), for the purpose of providing electrical and gas utilities to 100% affordable housing located on the City's property, at no cost for a term effective upon approval of this Resolution and until PG&E surrenders or abandons the easement areas or the agreement is terminated; determination that the grant of the easements at no cost will serve a public purpose by providing affordable housing for extremely low, very low, low, and moderate income households in need and facilitate electric service by the San Francisco Public Utilities Commission, in accordance with Administrative Code, Section 23.3; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution, as defined herein.

09/05/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

Heard in Committee. Speakers: Sheila Nickolopoulos (Mayor's Office of Housing and Community Development); 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

230880 [Initiating Landmark Designation Amendment - San Francisco Fire Station No. 44]

Sponsors: Walton; Peskin, Melgar and Preston

Resolution initiating an amendment to the landmark designation of the San Francisco Fire Station No. 44, located at 1298 Girard Street, Assessor's Parcel Block No. 6194, Lot No. 010, under Article 10 of the Planning Code.

07/25/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

Heard in Committee. Speakers: Supervisor Shamann Walton (Board of Supervisors); presented information and answered questions raised throughout the discussion.

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

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

Ayes: 3 - Melgar, Preston, Peskin

230922 [Planning Code - Landmark Designation - Colombo Market Arch]**Sponsor: Peskin**

Ordinance amending the Planning Code to designate Colombo Market Arch, situated within Sydney Walton Square, 600 Front Street, a portion of Assessor's Parcel Block No. 0172, Lot No. 010, as a Landmark consistent with the standards set forth in Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

09/05/23; ASSIGNED to Land Use and Transportation Committee. 9/6/23 - President Peskin waived the 30-day rule pursuant to Board Rule No. 3.22.

09/08/23; NOTICED. Notice of Public Hearing for 9/18/2023 Land Use and Transportation Committee meeting mailed to property owners and interested parties.

Heard in Committee. Speakers: Shannon Ferguson (Planning Department); Richard Brandi (Brandi Preservation); presented information and answered questions raised throughout the discussion. Katherine Van Dyke; Speaker; spoke in support of the hearing matter.

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

Ayes: 3 - Melgar, Preston, Peskin

230446 [Planning Code, Zoning Map - Housing Production]**Sponsors: Mayor; Engardio and Dorsey**

Ordinance amending the Planning Code to encourage housing production by 1) exempting, under certain conditions, specified housing projects from the notice and review procedures of Section 311 and the Conditional Use requirement of Section 317, in areas outside of Priority Equity Geographies, which are identified in the Housing Element as areas or neighborhoods with a high density of vulnerable populations; 2) removing the Conditional Use requirement for several types of housing projects, including housing developments on large lots, projects to build to the allowable height limit, projects that build additional units in lower density zoning districts, and senior housing projects that seek to obtain double density; 3) amending rear yard, front setback, lot frontage, minimum lot size, and residential open space requirements in specified districts; 4) allowing additional uses on the ground floor in residential buildings, homeless shelters, and group housing in residential districts, and administrative review of reasonable accommodations; 5) expanding the eligibility for the Housing Opportunities Mean Equity - San Francisco (HOME - SF) program and density exceptions in residential districts; 6) exempting certain affordable housing projects from certain development fees; 7) authorizing the Planning Director to approve State Density Bonus projects, subject to delegation from the Planning Commission; and 8) making conforming amendments to other sections of the Planning Code; amending the Zoning Map to create the Priority Equity Geographies Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

04/18/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/18/2023.

04/26/23; 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; referred to the Mayor's Office of Housing and Community Development, Rent Board, Department of Building Inspection, and the Office of the Assessor-Recorder for informational purposes.

05/17/23; 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 then environment. Any physical projects would require separate environmental analysis or General Plan Evaluation under the 2022 Housing Element EIR.

06/06/23; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Mayor introduced a substitute Ordinance bearing new title.

06/09/23; REFERRED TO DEPARTMENT. Referred to the Mayor's Office of Housing and Community Development, Rent Board, Department of Building Inspection, and the Office of the Assessor-Recorder for informational purposes.

06/13/23; 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.

06/27/23; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Mayor introduced a substitute Ordinance bearing the same title.

06/30/23; 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; referred to the Mayor's Office of Housing and Community Development, Rent Board, Department of Building Inspection, and the Office of the Assessor-Recorder for informational purposes.

07/14/23; RESPONSE RECEIVED. The proposed amendments were covered in the San Francisco Housing Element 2022 Update Environmental Impact Report (EIR) certified on November 17, 2022.

07/20/23; RESPONSE RECEIVED. On June 29, 2023, the Planning Commission met and held a duly noticed hearing and recommended approval with modification for this proposed legislation.

09/08/23; NOTICED. 10-Day Notice for 9/18/2023 Land Use and Transportation Committee hearing published in the Examiner and posted, per California Government Code, Sections 65856 & 65090.

Heard in Committee. Speakers: Aaron Starr (Planning Department); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Christopher Roach; Sarah Willmer; Speaker; Calvin Welch; Jane Natoli; Annie Fryman; Susanna Douglas; A. Gordon Atkinson; Christopher Oquist; Tes Welborn; Lev Weisbach; Chanel; Elizabeth; Jake Price; Paul Adamson; Barbara Bei; Adam; Steven; Jonathan Friedman; Veronica Lempert; Peter Papadopoulos; Charles Ayers; Erica Kaplan; Corey Smith; spoke in support of the hearing matter. Zach Karnazes; Lucy; Speaker; Speaker; Kathy Lipscomb; Speaker; Speaker; Speaker; Betty; Tom Gilbert; John Avalos; Nick Pasquariello; Speaker; Steve Leeds; Bridget Maley; Verna Shaheen; Katherine Petrin; Trevor Weinhurst; Chantelle Wilkinson; Erica Sawarage; Sue Hestor; Speaker; David Woo; Carmen Boquin; Speaker; Joseph Smooke; Tab Buckner; Lori Lederman; Anastasia Yovanopoulos; Renee Curran; Don Masumi; Larisa Pedroncelli; Amy Beinart; George Wooding; Eric Brooks; Francisco Carrera; Jonathan Mead; Angelica Segura-Brandi; Tracy Flandrich; Speaker; Bruce Wolfe; Jeannine; Robert Fruchtman; Katherine Howard; Michael Nulty; Speaker; Lea Thea; Speaker; Roisin Isner; Georgia Schuttish; Lorraine Petty; Stephanie Peake; spoke in opposition of the hearing matter. William Railing; Lou Esperante; spoke on various concerns relating to the hearing matter.

Chair Melgar moved that this Ordinance be CONTINUED to the Land Use and Transportation Committee meeting of October 2, 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 5:54 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.