



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

Monday, December 4, 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 on Monday, December 4, 2023, with Chair Myrna Melgar presiding. Chair Melgar called the meeting to order at 1:34 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.

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

Chair Melgar requested that File Nos. 230701 and 231221 be called together.

230701 [Planning Code - Citywide Expansion of Allowable Commercial, Restaurant, and Retail Uses]**Sponsors: Mayor; Engardio, Dorsey, Melgar, Stefani, Mandelman, Chan and Safai**

Ordinance amending the Planning Code to 1) permit additional commercial, retail, and restaurant uses on the ground floor in certain neighborhood commercial districts (NCDs) and residential districts; 2) principally permit Flexible Retail on the ground floor in certain NCDs and Chinatown mixed use districts; 3) principally permit Retail Professional Services uses on all floors and conditionally permit Non-Retail Professional Services on the ground floor in specified NCDs; 4) create regulations for music entertainment venues and non-profit theaters distinct from regulations for Bars; 5) allow Limited Corner Commercial Uses that are not Formula Retail in certain residential districts; 6) amend Section 311 to remove neighborhood notice requirements for changes of use in the Eastern Neighborhoods mixed use districts; 7) expand business types that qualify for the Planning Department priority review program and establish that the program will not apply in the North Beach NCD and North Beach Special Use District (SUD); 8) clarify that multiple allowable uses may co-locate on one site; 9) clarify and modify various other use regulations and processes; 10) permit additional retail and non-retail uses in specified NCDs; and 11) eliminate the Mission Street Formula Retail Restaurant Subdistrict; and 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.

(Economic Impact)

06/06/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/6/2023.

06/12/23; 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.

06/13/23; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for comment and recommendation.

06/27/23; RESPONSE RECEIVED. On June 26, 2023, the Small Business Commission met and and voted to support the proposed legislation.

06/30/23; 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.

07/25/23; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. 7/25/23 - Mayor introduced a substitute Ordinance bearing a new title

10/03/23; RESPONSE RECEIVED. On September 7, 2023, the Planning Commission met and held a duly noticed hearing and recommended approval with modification for the proposed legislation.

10/30/23; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Katy Tang, Director (Office of Small Business); Veronica Flores (Planning Department); presented information and answered questions raised throughout the discussion. Simon Bertrang (San Francisco New Deal); shared support for the ordinance matter. Thierry Fill; Eric Brooks; Yolanda; George Wooding; Speaker; Janet Tarlov (San Francisco Council of District Merchants Associations); shared various concerns regarding the ordinance.

10/30/23; CONTINUED AS AMENDED.

11/06/23; REFERRED TO DEPARTMENT. Referred to the Planning Commission for public hearing and recommendation pursuant to Planning Code Sections 101.1 and 302, and the Planning Department for environmental review.

11/27/23; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Katy Tang, Director (Office of Small Business); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Yolanda; Christian; shared various concerns regarding the ordinance matter.

11/27/23; DUPLICATED AS AMENDED. See Duplicate File No. 231221.

11/27/23; NO ACTION TAKEN. PENDING IN COMMITTEE.. No motion to move this Ordinance forward as amended was taken; therefore, this Ordinance will appear on the December 4, 2023, Land Use and Transportation Committee agenda.

Heard in Committee. Speaker: Katy Tang, Director (Office of Small Business); presented information and answered questions raised throughout the discussion.

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

Ayes: 3 - Melgar, Preston, Peskin

231221 [Planning Code - Citywide Expansion of Allowable Commercial, Restaurant, and Retail Uses]

Sponsors: Mayor; Engardio, Dorsey and Melgar

Ordinance amending the Planning Code to 1) permit additional commercial, retail, and restaurant uses on the ground floor in certain neighborhood commercial districts (NCDs) and residential districts; 2) principally permit Flexible Retail on the ground floor in certain NCDs and Chinatown mixed use districts; 3) principally permit Retail Professional Services uses on all floors and conditionally permit Non-Retail Professional Services on the ground floor in specified NCDs; 4) create regulations for music entertainment venues and non-profit theaters distinct from regulations for Bars; 5) allow Limited Corner Commercial Uses that are not Formula Retail in certain residential districts; 6) amend Section 311 to remove neighborhood notice requirements for changes of use in the Eastern Neighborhoods mixed use districts and to require neighborhood notice for changes of use in certain residential districts; 7) expand business types that qualify for the Planning Department priority review program and establish that the program will not apply in the North Beach NCD and North Beach Special Use District (SUD); 8) clarify that multiple allowable uses may co-locate on one site; 9) clarify and modify various other use regulations and processes; 10) permit additional retail and non-retail uses in specified NCDs; 11) eliminate the Mission Street Formula Retail Restaurant Subdistrict; 12) modify requirements for limited commercial uses within one-quarter mile of the North Beach SUD; and 13) exempt eligible projects proposing a change in use from all development impact fees, with the exception of inclusionary housing fees, for a five-year period; and 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. (Economic Impact)

11/27/23; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Duplicated from File No. 230701.

11/27/23; CONTINUED AS AMENDED.

11/30/23; 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.

Heard in Committee. Speaker: Katy Tang, Director (Office of Small Business); presented information and answered questions raised throughout the discussion.

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

230768 [Public Works Code - Authorizing and Permitting Neighborhood Amenities]**Sponsors: Melgar; Stefani, Mandelman, Ronen, Engardio, Chan and Safai**

Ordinance amending the Public Works Code to streamline and authorize the approval of certain neighborhood amenities, also known as Love Our Neighborhoods Projects, in sidewalks and other public right-of-ways within the Department of Public Works' jurisdiction, to reduce fees for certain minor encroachment permits, to waive certain annual encroachment assessments, to clarify the approval process for commemorative plaques, and to clarify the permitting, revocation, and restoration requirements for all minor encroachment permits; and affirming the Planning Department's determination under the California Environmental Quality Act.

06/27/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/27/2023.

06/30/23; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and referred to Public Works, Office of the Assessor Recorder, and Arts Commission for informational purposes.

06/30/23; 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.

10/17/23; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Supervisor Melgar introduced a substitute Ordinance bearing a new title.

10/25/23; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and referred to Public Works, Office of the Assessor Recorder, and Arts Commission for informational purposes.

10/30/23; CONTINUED. Heard in Committee. Speakers: Carla Short, Interim Director, and Beth Rubenstein (Public Works); presented information and answered questions raised throughout the discussion. Thaïs Arjo (San Francisco Parks Alliance); Andrew Robinson (East Cut Community Benefit District); shared support for the ordinance matter. Thierry Fill; Yolanda; Scott Feeney; Janet Tarlov (San Francisco Council of District Merchants Associations); Speaker; Speaker; Michael Smith; shared various concerns regarding the ordinance.

10/31/23; 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.

11/27/23; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Carla Short, Director (Public Works); presented information and answered questions raised throughout the discussion. Eric Brooks (Our City San Francisco); Yolanda; shared various concerns regarding the ordinance matter.

11/27/23; CONTINUED AS AMENDED.

Heard in Committee. Speakers: Beth Rubenstein (Public Works); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Taylor Aldren; Speaker; shared various concerns regarding the ordinance matter.

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

Ayes: 3 - Melgar, Preston, Peskin

231091 [Initiating Landmark Designation - Gregangelo & Velocity Art & Entertainment - 225 San Leandro Way]**Sponsors: Melgar; Preston**

Resolution initiating a landmark designation under Article 10 of the Planning Code of Gregangelo & Velocity Art & Entertainment, located at 225 San Leandro Way, Assessor's Parcel Block No. 3253, Lot No. 015.

10/17/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

Heard in Committee. Speakers: Emma Heiken (Office of Supervisor Melgar); presented information and answered questions raised throughout the discussion. Gregangelo Herrera; Michelle Musser; Hiromi Yoshida; Angelica Irreno; Nick Brentley; Marina Polakoff; Douglas Jean; Darkhijab Damba; Nina Hoang; Emily Liza Hebb; Monica Paz; Yshel Lok; Kai Kenny; Ian Fratar; Marcelo Defreitas; Anthony Rollins-Mullens; William Todd Leachman; Indra Mungal; Judy Seip; Cecelia Herrera; Jeannette Conley; Tom Duffy; Kate Stekchulte; Anna Limkin; Melinda Lee; Laura Fraenza; Laine Monsef; Sumeet Banerji; Gayle Pirie; spoke in support of the resolution matter.

Supervisor Preston requested to be added as a co-sponsor.

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

Ayes: 3 - Melgar, Preston, Peskin

231175 [Urging the City Attorney and the Mayor to Respond to HCD’s “Policy and Practice Review” by Seeking Extensions of Deadlines for Required Actions, and Certain Revisions and Corrections; and Setting City Policy for Implementation of the Housing Element]

Sponsors: Peskin; Chan, Mandelman and Preston

Resolution urging the City Attorney and the Mayor to request that the State Department of Housing and Community Development (HCD): 1) extend the deadlines for Required Actions in HCD’s Policy and Practice Review to ensure that all of San Francisco’s extensive, collaborative work to further housing development does not lead to de-certification of San Francisco’s adopted Housing Element; 2) revise and correct HCD’s Policy and Practice Review to be consistent with all policies in San Francisco’s adopted Housing Element, including its policies and actions related to affordable housing and equity, as well as the City’s legal obligations to affirmatively further fair housing, and to be consistent with San Francisco’s status as a Charter City imbued with the power of local action over municipal affairs; and setting forth that as part of the City’s Housing Element implementation, it is the policy of the City to address the dual goals of production of new housing as well as the preservation of existing housing.

11/07/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

11/27/23; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Eric Brooks; Katherine Howard; Li Lovett; Speaker; Diane Ruiz; Jeantelle Laberinto; Ericka Zweig; Joseph Smooke; Peter Papadopoulos (Mission Economic Development Agency); Lori Liederman; spoke in support of the resolution matter. Speaker; Robert Fruchtman; Bobak Esfandiari; Selim Damergy; Annie Fryman; Barach; spoke in opposition to the resolution matter. Audrey Liu; Charlie Sciammas (Council of Community Housing Advocates); Erick Arguello; shared various concerns regarding the resolution matter.

11/27/23; CONTINUED AS AMENDED.

Heard in Committee. Speakers: Priya Prabhakar (People Power Media); Stan Hayes, President (Telegraph Hill Dwellers); Fran Schreiber; Peter Papadopoulos (Mission Economic Development Agency); David Woo (SoMa Pilipinas); shared support for the resolution matter.

Supervisor Preston requested to be added as a co-sponsor.

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

Ayes: 3 - Melgar, Preston, Peskin

230419 [Street Encroachment Permit - 12th Street Plaza - 90-12th Street]

Sponsor: Dorsey

Resolution granting revocable permission to Otis Property Owner, LLC, to occupy and maintain the 12th Street Plaza on 12th Street at the corner of South Van Ness Avenue fronting 90-12th Street (Assessor’s Parcel Block No. 3505, Lot No. 012); accepting the irrevocable offer of improvements from Otis Property Owner, LLC in accordance with the terms of a Planning Commission In-Kind Agreement and dedicating said improvements to public use; adopting environmental findings 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.

04/12/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

Heard in Committee. Speakers: None.

Chair Melgar moved that this Resolution be CONTINUED to the Land Use and Transportation Committee meeting of December 11, 2023. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

230948 [Commemorative Street Name Designation - “Panos Place” - 100-200 Block of Corbett Avenue]**Sponsor: Mandelman**

Resolution adding the commemorative street name “Panos Place” to Corbin Place between the 100 and 200 block of Corbett Avenue in recognition of San Francisco resident Panagiotis Koutsoyannis.

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

09/13/23; REFERRED TO DEPARTMENT. Referred to the Municipal Transportation Agency for informational purposes.

11/22/23; NOTICED. 10-Day Notice for December 4, 2023 Land Use and Transportation Committee hearing posted online and on-site pursuant to Public Works Code Section 789, et seq.

Heard in Committee. Speakers: Supervisor Rafael Mandelman (Board of Supervisors); presented information and answered questions raised throughout the discussion. Speaker; spoke in support of the resolution matter.

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

Ayes: 3 - Melgar, Preston, Peskin

231142 [Planning Code - Housing Production]**Sponsors: Mayor; Engardio**

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, and areas outside RH (Residential House) Districts within the Family Housing Opportunity Special Use District; (2) removing the Conditional Use requirement for several types of housing projects, including housing developments on large lots in areas outside the Priority Equity Geographies Special Use District, 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, subject to certain exceptions in RH Districts in the Family Housing Opportunity Special Use District; (3) amending rear yard, front setback, lot frontage, minimum lot size, and residential open space requirements in specified districts, subject to certain exceptions in RH Districts in the Family Housing Opportunity Special Use District; (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; (8) sunsetting the Conditional Use requirements established by the Corona Heights Large Residence and the Central Neighborhoods Large Residence Special Use Districts at the end of 2024, and thereafter limiting the size of any Dwelling Units resulting from residential development in those Special Use Districts to 3,000 square feet of Gross Floor Area; and (9) making conforming amendments to other sections of the Planning Code; amending the Zoning Map to create the Priority Equity Geographies Special Use District; amending the Subdivision Code to update the condominium conversion requirements for projects utilizing residential density exceptions in RH Districts; 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.

10/30/23; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Duplicated from File No. 230446.

10/30/23; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

11/03/23; REFERRED TO DEPARTMENT. Referred to the Planning Commission for public hearing and recommendation pursuant to Planning Code, Sections 101.1 and 302; and the Planning Department for environmental review

11/13/23; RESPONSE RECEIVED. CEQA clearance under the San Francisco Housing Element 2022 Update Environmental Impact Report (EIR) certified on November 17, 2022.

11/24/23; NOTICED. 10-Day Notice for December 4, 2023 Land Use and Transportation Committee hearing published in the Examiner and posted, per California Government Code, Sections 65856 & 65090.

12/01/23; RESPONSE RECEIVED. On November 30, 2023, the Planning Commission met and held a duly noticed hearing and recommended approval of the proposed legislation with modifications.

Heard in Committee. Speakers: Supervisor Rafael Mandelman (Board of Supervisors); Anne Pearson (Office of the City Attorney); Aaron Starr (Planning Department); presented information and answered questions raised throughout the discussion. John Mendoza; Martha Sanchez (Calle 24 Latino Cultural District); Speaker; Ben Harold; Gary Gregerson (Redstone Labor Temple Association); Priya Prabhakar (People Power Media); David Woo (SoMa Pilipinas); Steve Leeds; Aimee Fryman; Peter Papadopoulos (Mission Economic Development Agency); shared various

concerns regarding the ordinance matter.

Member Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 55, Lines 13-14, by inserting ', except where the total increase of gross floor area of any existing Dwelling Unit is less than 15%'; by adding language to Section 317 clarifying that buyout agreements do not need to be recorded with the Rent Board; by adding language to Section 317 to require posted notice as well as mailed notice; to restore ownership requirements already adopted by the City to the in regard to fourplex projects, with a modification; and making other conforming and clerical changes. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Member Peskin requested that this Ordinance be DUPLICATED AS AMENDED

See Duplicate File No. 231258.

Member Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by removing all language throughout the ordinance which conflicts with or duplicates text of the ordinance in Board File No. 230446. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Ordinance amending the Planning Code to encourage housing production by 1) exempting, under certain conditions, specified housing projects from 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) restoring the ownership eligibility requirement for density exceptions in residential districts, for lots that have two existing dwelling units or more; 3) sunsetting the Conditional Use requirements established by the Corona Heights Large Residence and the Central Neighborhoods Large Residence Special Use Districts at the end of 2024, and thereafter limiting the size of any Dwelling Units resulting from residential development in those Special Use Districts to 3,000 square feet of Gross Floor Area; 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.

Member Peskin moved that this Ordinance be REFERRED WITHOUT RECOMMENDATION AS AMENDED AS A COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

231258 [Planning and Subdivision Codes, Zoning Map - Housing Production]**Sponsors: Mayor; Engardio**

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, and areas outside RH (Residential House) Districts within the Family Housing Opportunity Special Use District; (2) removing the Conditional Use requirement for several types of housing projects, including housing developments on large lots in areas outside the Priority Equity Geographies Special Use District, 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, subject to certain exceptions in RH Districts in the Family Housing Opportunity Special Use District; (3) amending rear yard, front setback, lot frontage, minimum lot size, and residential open space requirements in specified districts, subject to certain exceptions in RH Districts in the Family Housing Opportunity Special Use District; (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; (8) sunsetting the Conditional Use requirements established by the Corona Heights Large Residence and the Central Neighborhoods Large Residence Special Use Districts at the end of 2024, and thereafter limiting the size of any Dwelling Units resulting from residential development in those Special Use Districts to 3,000 square feet of Gross Floor Area; and (9) making conforming amendments to other sections of the Planning Code; amending the Zoning Map to create the Priority Equity Geographies Special Use District; amending the Subdivision Code to update the condominium conversion requirements for projects utilizing residential density exceptions in RH Districts; 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.

Duplicated from File No. 231142.

Member Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by adding Chinatown Special Use Districts to the 311 notification procedures to conform with the rest of the Priority Equity Geographies; to specify that objective design standards for development on large lots must be developed with community input and may be particular to each district; and to update the base language of Section 121.1, 121.3, and 311 to reflect current language in the ordinance in Board File No. 230446. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

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, and areas outside RH (Residential House) Districts within the Family Housing Opportunity Special Use District; 2) removing the Conditional Use requirement for several types of housing projects, including housing developments on large lots in areas outside the Priority Equity Geographies Special Use District, 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, subject to certain exceptions in RH Districts in the Family Housing Opportunity Special Use District; 3) amending rear yard, front setback, lot frontage, minimum lot size, and residential open space requirements in specified districts, subject to certain exceptions in RH Districts in the Family Housing Opportunity Special Use District; 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; 8) sunseting the Conditional Use requirements established by the Corona Heights Large Residence and the Central Neighborhoods Large Residence Special Use Districts at the end of 2024, and thereafter limiting the size of any Dwelling Units resulting from residential development in those Special Use Districts to 3,000 square feet of Gross Floor Area; and (9) making conforming amendments to other sections of the Planning Code; amending the Zoning Map to create the Priority Equity Geographies Special Use District; amending the Subdivision Code to update the condominium conversion requirements for projects utilizing residential density exceptions in RH Districts; 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.

Member Peskin moved that this Ordinance be CONTINUED AS AMENDED the the Land Use and Transportation committee meeting of December 11, 2023. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

231165 [Fire Code - Lithium-Ion Batteries in Powered Mobility Devices]**Sponsors: Peskin; Preston and Melgar**

Ordinance amending the Fire Code to provide fire protection standards for the charging and storage of lithium-ion batteries used in powered mobility devices (such as electric bikes, scooters, skateboards, and hoverboards), prohibit use of damaged lithium-ion batteries in such devices, prohibit use of lithium-ion batteries assembled or reconditioned using cells removed from used batteries in such devices, and require the Fire Department to conduct an informational campaign; affirming the Planning Department's determination under the California Environmental Quality Act; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

11/07/23; ASSIGNED to Land Use and Transportation Committee. 11/8/23 - President Peskin waived the 30-day rule pursuant to Board Rule No. 3.22.

11/15/23; REFERRED TO DEPARTMENT. Referred to the Fire Department and Department of Building Inspection for informational purposes. Referred to the Planning Department for environmental review.

12/01/23; 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.

Heard in Committee. Speakers: Ken Cofflin (San Francisco Fire Department); presented information and answered questions raised throughout the discussion. Tony Macera; shared various concerns regarding the ordinance matter.

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

Member Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 4, Lines 20-25, by inseting “Battery Cabinet” means a cabinet that is designed for the purpose of storage and/or charging of lithium-ion battery packs or other removable lithium-ion storage batteries that has demonstrated the ability to prevent thermal propagation from a battery pack or a removable storage battery to other adjacent battery packs or removable storage batteries, and has passed testing by a Nationally Recognized Testing Laboratory, or has otherwise been approved by the Fire Department.’; and making other conforming and clerical changes throughout the ordinance. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

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

Ayes: 3 - Melgar, Preston, Peskin

230390 [Hearing - Safety and Condition of the City's Approximately 125,000 Trees after Weather in Late 2022 and Early 2023]**Sponsor: Melgar**

Hearing to report on the safety and condition of the City's approximately 125,000 trees after weather in late 2022 and early 2023, to discuss the cleanup and tree maintenance plan, and the impacts the storms have on the goals and intentions of the 2014 Urban Forestry Plan; and requesting Public Works, Recreation and Park Department, Planning Department, San Francisco Public Utilities Commission and Friends of the Urban Forest to report.

04/04/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

04/12/23; REFERRED TO DEPARTMENT. Referred to the Planning Department, Public Works, Recreation and Parks Department, San Francisco Utilities Commission, and Friends of Urban Forest for informational purposes and requesting the listed agencies to report.

Heard in Committee. Speakers: Carla Short, Director (Public Works); Eric Anderson (Recreation and Parks Department); Lisa Wayne (San Francisco Public Utilities Commission); Brian Wiedenmeier, Executive Director (Friends of the Urban Forest); Morgan Vaisset-Fauvel (University of California San Francisco); presented information and answered questions raised throughout the discussion. Stephen Duffy (Presidio Trust); Denise Louie; Andrew Sullivan; Josh Clip (Mission Verde); shared various concerns regarding the hearing matter.

Chair Melgar moved that this Hearing be HEARD AND FILED. 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 4:29 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.