



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

Monday, February 28, 2022

1:30 PM

Regular Meeting

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

The Land Use and Transportation Committee met in regular session through videoconferencing, and provided public comment through teleconferencing, on Monday, February 28, 2022, with Chair Myrna Melgar presiding. Chair Melgar called the meeting to order at 1:32 p.m.

Remote Access to Information and Participation

On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely (via Microsoft Teams) and will allow remote public comment via teleconference. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings, or to watch meetings on demand. Members of the public are encouraged to participate remotely via detailed instructions on participating via teleconference available at: <https://sfbos.org/remote-meeting-call>.

Members of the public may participate by phone or may submit their comments by email to: Erica.Major@sfgov.org; all comments received will be made a part of the official record. Regularly scheduled Land Use and Transportation Committee Meetings begin at 1:30 p.m. every Monday of each month. Committee agendas and their associated documents are available at <https://sfbos.org/committees>.

COMMUNICATIONS

*Erica Major, Clerk of the Land Use and Transportation Committee, instructed members of the public, to contribute live comments for up to two minutes by dialing the provided telephone number. When connected, they will receive another prompt, dial * 3 to be added to the queue to speak, advised the public to call from a quiet location, speak clearly and slowly, and turn down their television, radio, or streaming device, and that written comments may be submitted through email to the Clerk (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.*

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.

REGULAR AGENDA

220009 [Planning Code - Landmark Designation -1801 Green Street (aka Golden Gate Valley Carnegie Library)]

Sponsors: Stefani; Peskin

Ordinance amending the Planning Code to designate 1801 Green Street (aka Golden Gate Valley Carnegie Library), Assessor's Parcel Block No. 0554, Lot No. 001, as a Landmark under 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)

12/28/21; RECEIVED FROM DEPARTMENT.

01/11/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 2/10/2022.

02/18/22; NOTICED. Notice of Public Hearing for 2/28/2022 Land Use and Transportation Committee meeting mailed to property owners and interested parties.

Heard in Committee. Speakers: Dominica Donovan (Office of Supervisor Catherine Stefani); Melanie Bishop (Planning Department); presented information and answered questions raised throughout the discussion. Peter Warfield (Library Users Association); spoke on various concerns relating to the hearing matter.

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

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

Ayes: 3 - Melgar, Preston, Peskin

211021 [Planning Code - Landmark Designation - 447 Battery Street (aka Jones-Thierbach Coffee Company Building)]**Sponsor: Peskin**

Ordinance amending the Planning Code to designate 447 Battery Street (aka Jones-Thierbach Coffee Company Building), Assessor's Parcel Block No. 0206, Lot No. 002, 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)

09/21/21; RECEIVED FROM DEPARTMENT.

10/05/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/4/2021.

11/05/21; NOTICED. Notice of Public Hearing for 11/15/2021 Land Use and Transportation Committee meeting mailed to property owners and interested parties.

11/15/21; TABLED. Heard in Committee. Speakers: None

01/25/22; REACTIVATED PURSUANT TO RULE 3.42 to Land Use and Transportation Committee.

02/18/22; NOTICED. Notice of Public Hearing for 2/28/2022 Land Use and Transportation Committee meeting mailed to property owners and interested parties.

Heard in Committee. Speaker: Pilar LaValley (Planning Department); presented information and answered questions raised throughout the discussion.

Member Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Line 6, by adding 'which is incorporated by reference'. 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

211207 [Housing Development Incentive Program for Homeowners]**Sponsors: Mar; Melgar and Chan**

Resolution urging the Planning Department, in partnership with the Mayor's Office of Housing and Community Development or other City agencies, to create a Housing Development Incentive Program for homeowners that supports San Francisco residents to build new housing.

11/16/21; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

11/22/21; REFERRED TO DEPARTMENT. Referred to the Mayor's Office of Housing and Community Development, Rent Board, and Office of the Assessor Recorder for informational purposes.

Heard in Committee. Speakers: Supervisor Gordon Mar (Board of Supervisors); Kimia Hadadan (Planning Department); Lamar Heystek (ASIAN, Inc.); presented information and answered questions raised throughout the discussion. Eileen Boken; spoke in opposition of the hearing matter. Jerry Dratler; Anastasia Yovanopoulos; Peter Papadopoulos (Mission Economic Development Agency (MEDA)); Lorraine Petty; spoke on various concerns relating to the hearing matter.

Chair Melgar moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING THE SAME TITLE, on Page 2, Line 20, by striking 'multiplexes' and replacing it with 'duplexes, triplexes, and quadplexes'; and on Page 3, Lines 13-14, by striking 'Sensitive Communities as defined' and replacing it with 'displacement as identified in the Displacement and Gentrification map'. 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

211301 [Administrative, Public Works Codes - Permit Review, and Limits on Fines for Shared Spaces Violations]**Sponsor: Peskin**

Ordinance amending the Administrative and Public Works Codes to limit until April 1, 2023, the issuance of fines for violations of shared spaces requirements except for physical access requirements for persons with disabilities or first responder personnel; 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.

12/14/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/13/2022.

12/23/21; REFERRED TO DEPARTMENT. Referred to the Planning Commission for review and the Planning Department for environmental review; Small Business Commission for comment and recommendation.

01/20/22; 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.

Heard in Committee. Speaker: Robin Abad (Planning Department); presented information and answered questions raised throughout the discussion.

Member Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 3-4, by adding 'urge departments to review permits within 30 days,'; on Page 1, Line 5, by striking 'for physical' and replacing it with 'to enforce'; on Page 1, Lines 6-9, by adding ', pedestrian and vehicular safety, and removal of abandoned structures, and directing departments to wind down the temporary program no later than March 31, 2023, subject to earlier termination of the Local Emergency'; on Page 1, Lines 10-12, by striking '; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.'; on Page 3, Line 17-18, by striking 'and physical' and replacing it with 'that include' and adding 'accessibility and life safety' before 'requirements' and striking 'against' and replacing it with 'with'; and adding other clarifying and confirming changes. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Member Peskin moved that this Ordinance be CONTINUED AS AMENDED to the Land Use and Transportation Committee meeting of March 7, 2022. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

211299 [Planning Code - Group Housing Definition]**Sponsors: Peskin; Walton and Mandelman**

Ordinance amending the Planning Code to revise the definition of Group Housing; 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.

12/14/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/13/2022.

12/23/21; 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.

02/15/22; RESPONSE RECEIVED. On February 10, 2022, the Commission met and held a duly noticed hearing and recommended approval with modification for the proposed legislation.

Heard in Committee. Speakers: Aaron Starr; presented information and answered questions raised throughout the discussion. Ryan Patterson (SRO Hotel Coalition); Jonathan Rando; Cathy Bon; Corey Smith (Housing Action Coalition); Gabriella Ruiz; spoke in opposition of the hearing matter. Elizabeth Miles (University of San Francisco); Mark Macy; David Elliot Luis; Pati; Richard Hamond; Sue Hestor; 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, by updating the Planning Code, Section 102, definition to increase the common space requirement to 0.5 square feet of common space for every square foot of private space; update language to require at least one kitchen within 15% of the common space; to update language to revise minimum number of kitchens to be at least one communal kitchen for every 15 Group Housing units; and adding other clarifying and conforming changes. The motion carried by the follow vote:

Ayes: 3 - Melgar, Preston, Peskin

Member Peskin moved that this Ordinance be CONTINUED AS AMENDED to the Land Use and Transportation Committee meeting of March 7, 2022. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

211092 [Planning Code - Automotive Uses; Housing Density]**Sponsor: Mayor**

Ordinance amending the Planning Code to increase density on lots with auto-oriented uses where housing is permitted, but which do not currently have any residential use or a legacy business, and remove the Conditional Use requirement to change the use of an Automobile Service Station or Automotive Use to another use, and amend zoning control tables to reflect this change; 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 as required by Planning Code, Section 302.

10/19/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/18/2021.

10/22/21; 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 Department of Public Health, Department of the Environment, Department of Building Inspection, Real Estate Department, Public Works, and Mayor's Office of Workforce and Economic Development for informational purposes.

12/20/21; RESPONSE RECEIVED. On December 9, 2021, the Commission met and held a duly noticed hearing and recommend approval with modifications for the proposed legislation.

02/15/22; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Mayor Breed introduced a substitute Ordinance bearing the same title.

02/23/22; REFERRED TO DEPARTMENT. Referred to the Planning Commission for comment and recommendation; Planning Department for environmental review; Department of Public Health, Department of Building Inspection, Real Estate Division, and Mayor's Office of Economic and Workforce Development for informational purposes; and Small Business Commission for comment and recommendation.

02/24/22; RESPONSE RECEIVED. The proposed legislation did not warrant a new hearing; the Commission considered the proposed language.

Heard in Committee. Speakers: Andres Powers (Mayor's Office); Aaron Starr (Planning Department); presented information and answered questions raised throughout the discussion. Milo Trauss; Speaker; Speaker (Cars for Casas); Speaker; Peter Papadopoulos (Mission Economic Development Agency (MEDA)); spoke in support of the hearing matter. Maria (Calle 24 Latino Cultural District); Speaker; Jean Hung Woo; Rachel Hung; spoke on various concerns relating to the hearing matter.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

211276 [Hearing - Review of MOHCD's BMR Program]**Sponsor: Safai**

Hearing on the review and status of the Mayor's Office of Housing and Community Development's (MOHCD) Below Market Rate (BMR) Program, including inquiring about the number of participants in the Program, what Area Median Income's (AMI) are currently being serviced, the Program's funding availability, participant demographics, number of units in development, and number of units currently available; and requesting MOHCD to report.

12/07/21; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

12/15/21; REFERRED TO DEPARTMENT. Referred to Mayor's Office of Housing and Community Development for informational purposes.

Heard in Committee. Speakers: Lorraine Petty; Peter Warfield; spoke on various concerns relating to the hearing matter.

Chair Melgar moved that this Hearing 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 4:37 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.