



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, March 4, 2024

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, March 4, 2024, with Chair Myrna Melgar presiding. Chair Melgar called the meeting to order at 1:37 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

240169 [Planning Code - Parcel Delivery Service]

Sponsors: Chan; Dorsey, Stefani, Mandelman, Preston, Melgar and Engardio

Ordinance amending the Planning Code to require Conditional Use authorizations for establishing Parcel Delivery Service uses, prohibit Non-Cannabis Parcel Delivery Service as an accessory use, and revise zoning control tables to reflect these changes; 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.

02/26/24; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Duplicated from File No. 231223.

02/26/24; CONTINUED AS AMENDED.

Heard in Committee. Speaker(s): Supervisor Connie Chan (Board of Supervisors); presented information and answered questions raised throughout the discussion. Speaker; shared support for the hearing matter.

Member Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 15, Lines 16-20, to read '(b) It is the intent of this Board of Supervisors that the interim controls imposed by the resolution in Board of Supervisors File No. 230817, which will expire on March 30, 2024, and which will be made permanent by this ordinance, continue without interruption. Therefore, upon the effective date of this ordinance, the ordinance shall be retroactive to March 30, 2024.' The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Member Peskin requested that this Ordinance be DUPLICATED

See Duplicate File No. 240193.

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

240193 [Planning Code - Parcel Delivery Service]**Sponsors: Chan; Dorsey, Stefani, Mandelman, Preston, Melgar and Engardio**

Ordinance amending the Planning Code to require Conditional Use authorizations for establishing Parcel Delivery Service uses, prohibit Non-Cannabis Parcel Delivery Service as an accessory use, and revise zoning control tables to reflect these changes; 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. 240169.

Member Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 7, Line 1, by inserting '(D) The impact on educational institutions located near the site; and;' and on Page 7, Lines 14-16, to read 'The employment analysis shall also include a discussion of the past and current employment practices of the proposed operator, if any, including but not limited to artificial intelligence utilization and autonomous vehicles driven in ratio of human-operated activities.' The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Member Peskin moved that this Ordinance be CONTINUED TO CALL OF THE CHAIR AS AMENDED. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

231185 [Planning, Administrative Codes - Conditional Use Authorization for Removal of Unauthorized Unit]**Sponsors: Melgar; Peskin**

Ordinance amending the Planning Code to waive the Conditional Use Authorization requirement for removal of an unauthorized unit in a single-family home where the owner satisfies certain eligibility criteria, waive the Conditional Use Authorization requirement for removal of an unauthorized unit where that unit does not satisfy open space, dwelling unit exposure, or minimum floor-to-ceiling height requirements, update the required Conditional Use Authorization findings for removal of an unauthorized unit to account for the history of tenancies in that unit; amending the Administrative Code to require that where an owner obtains an exemption from the Conditional Use Authorization requirement to remove an unauthorized unit from a qualifying single-family home, the single-family home shall be subject to the rent increase limitations of the Rent Ordinance; 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

11/14/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 12/14/2023.

11/17/23; 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. Referred to the Department of Building Inspection, Residential Rent Stabilization and Arbitration Board, and the Office of the Assessor-Recorder for informational purposes.

12/11/23; 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.

01/26/24; RESPONSE RECEIVED. On January 18, 2024, the Planning Commission met and held a duly noticed hearing and recommended approval of the proposed legislation with modifications.

Heard in Committee. Speaker(s): Aaron Starr (Planning Department); presented information and answered questions raised throughout the discussion. Brian; Georgia Schuttish; shared various concerns regarding the hearing matter.

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

Chair Melgar moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**, on Page 1, Lines 5-10, to read 'waive the Conditional Use Authorization requirement for removal of an unauthorized unit where that unit requires and is ineligible for waivers from open space or dwelling unit exposure requirements, or the unit does not meet minimum floor area and floor-to-ceiling height requirements, and update the required Conditional Use Authorization findings for removal of an unauthorized unit to account for the history of tenancies in that unit;' on Page 6, Lines 6-11, to read 'the Unauthorized Unit requires a waiver of open space requirements of Section 135 or dwelling unit exposure requirements, and the Unauthorized Unit is ineligible for a waiver or exemption from those standards pursuant to Section 307, Section 207(c)(4) (Accessory Dwelling Units - Local Program), Section 207(c)(6) (Accessory Dwelling Units - State Mandated Program), or Section 207.3 (Dwelling Unit Legalization Program); or;' on Page 6, Line 13, by striking '(B) the dwelling unit exposure requirements of Section 140; or;' on Page 6, Lines 14-16, to read '(B) the Unauthorized Unit has no contiguous area that meets both the required minimum superficial floor area in Housing Code Section 503(b) and the minimum legal floor-to-ceiling height requirement in Housing Code Section 503(a);' on Page 12, Lines 6-23, by inserting 'Section 5. Post-Introduction Changes to Planning Code Section 317 and Administrative Code Section 37.3(g). (a) After the introduction of the ordinance in this Board File No. 231185 (the first version), the City enacted Ordinance No. 248-23, which became effective in January 2024. Ordinance No. 248-23 amended Section 317 to add new text and renumber several subsections. To clearly reflect the changes in the law since introduction of the first version, the second version of the ordinance in this Board File No. 231185 shows in "existing text" font (plain Arial) the law currently in effect (Planning Code Section 317, as amended by Ordinance No. 248-23). The ordinance shows in "Board amendment" font (double-underlined Arial for additions, and strikethrough Arial for deletions) and "Code Addition" font (single-underline italics Times New Roman font) amendments to existing law. (b) After the drafting of the ordinance in this Board File No. 231185 (the first version), the City enacted Ordinance No. 195-23, which became effective in October 2023, but was not codified until after the introduction of the first version of this ordinance. Ordinance No. 195-23 amended Administrative Code Section 37.3(g) to make minor code corrections in the same manner as the first version of the ordinance in this Board File No. 231185. Because the amendments in version one are duplicative of existing law, the second version of this ordinance omits those amendments;' and making conforming and clerical changes throughout the ordinance. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Ordinance amending the Planning Code to waive the Conditional Use Authorization requirement for removal of an unauthorized unit in a single-family home where the owner satisfies certain eligibility criteria, waive the Conditional Use Authorization requirement for removal of an unauthorized unit where that unit requires and is ineligible for waivers from open space, or dwelling unit exposure requirements, or the unit does not meet minimum floor area and floor-to-ceiling height requirements, and update the required Conditional Use Authorization findings for removal of an unauthorized unit to account for the history of tenancies in that unit; amending the Administrative Code to require that where an owner obtains an exemption from the Conditional Use Authorization requirement to remove an unauthorized unit from a qualifying single-family home, the single-family home shall be subject to the rent increase limitations of the Rent Ordinance; 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

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

Ayes: 3 - Melgar, Preston, Peskin

231045 [Planning Code - Landmark Designation - Sacred Heart Parish Complex]**Sponsor: Preston**

Ordinance amending the Planning Code to designate the Sacred Heart Parish Complex, located at 546-548 Fillmore Street, 554 Fillmore Street, 735 Fell Street, and 660 Oak Street, Assessor's Parcel Block No. 0828, Lot Nos. 12, 21, 22, and 22A, 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)

10/10/23; RECEIVED FROM DEPARTMENT.

10/24/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/23/2023.

02/02/24; NOTICED. Notice of Public Hearing for February 12, 2024 Land Use and Transportation Committee meeting mailed to property owners and interested parties.

02/12/24; CONTINUED. Heard in Committee. Speaker(s): Simon Yip; shared various concerns regarding the hearing matter.

02/26/24; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speaker(s): Pilar LaValley (Planning Department); presented information and answered questions raised throughout the discussion. Speaker; Mark Ryser, Chair (Historic Preservation Fund Committee); Robert Pritchard; Robert Fisher; Megan Smith (Victorian Alliance); Jan Robinson; David Miles (Church of Eight Wheels); Woody Labounty, President (San Francisco Heritage); Jerry Augusta (Noe Valley Vista); Simon Yip; shared various concerns regarding the hearing matter.

Supervisor Preston requested to be added as the primary sponsor of the ordinance.

02/26/24; CONTINUED AS AMENDED.

Heard in Committee. Speaker(s): Robert Fischer; Robert Pritchard; Jan Robinson; Thierry Fill; Jerry Agosta; shared various concerns regarding the hearing matter.

Member Preston requested that this Ordinance be DUPLICATED

See Duplicate File No. 240194.

Vice Chair Preston moved that this Ordinance be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

240194 [Planning Code - Landmark Designation - Sacred Heart Parish Complex]**Sponsor: Preston**

Ordinance amending the Planning Code to designate the Sacred Heart Parish Complex, located at 546-548 Fillmore Street, 554 Fillmore Street, 735 Fell Street, and 660 Oak Street, Assessor's Parcel Block No. 0828, Lot Nos. 12, 21, 22, and 22A, 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.

Duplicated from File No. 231045.

Vice Chair Preston moved that this Ordinance be CONTINUED TO CALL OF THE CHAIR. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

230310 [Various Codes - State-Mandated Accessory Dwelling Unit Controls]**Sponsor: Mayor**

Ordinance amending the Administrative Code, Building Code, Business and Tax Regulations Code, and Planning Code to clarify the ministerial approval process for certain Accessory Dwelling Units (ADUs) meeting certain requirements in single-family and multifamily buildings; 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

03/20/23; DUPLICATED. Duplicated from File No. 210585.

03/20/23; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Duplicated from File No. 210585.

03/20/23; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

04/03/23; 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.

04/21/23; RESPONSE RECEIVED. CEQA clearance under Addendum No. 9 to the Final EIR, dated September 9, 2022 to the 2004 and 2009 Housing Element Final EIR certified 4/24/2014.

06/27/23; REMAIN ACTIVE. On June 27, 2023, the Board adopted extension Resolution No. 347-23 (Board File No. 230742) extending the Ordinance an additional 180 days, expiring December 29, 2023.

10/13/23; RESPONSE RECEIVED. On September 28, 2023, the Planning Commission met and held a duly noticed hearing, and recommended approval with modification for the proposed legislation.

12/11/23; CONTINUED. Heard in Committee. Speakers: Aaron Starr (Planning Department); Natalia Fossi (Planning Department); presented information and answered questions raised throughout the discussion.

01/22/24; CONTINUED. Heard in Committee. Speaker(s): Veronica Flores and Natalia Fossi; (Planning Department); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Ryan Patterson; shared various concerns regarding the hearing matter.

02/05/24; DUPLICATED. Heard in Committee. Speaker(s): Veronica Flores (Planning Department); Sheila Nickolopoulos (Mayor's Office of Housing and Community Development); Peter Miljanich and Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Jake Price; Annie Fryman (SPUR); Jane Natoli; spoke in support of the hearing matter. Mike Norh; Speaker; John Avalos (Council of Community Housing Organizations); shared various concerns regarding the hearing matter.

02/05/24; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. See Duplicate File No. 240110.

02/05/24; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

02/07/24; REFERRED TO DEPARTMENT. Re-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.

02/29/24; RESPONSE RECEIVED. On February 29, 2024, the Planning Commission met and held a duly noticed hearing and recommended approval of the proposed legislation with modifications.

Heard in Committee. Speaker(s): Aaron Starr (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 27, Lines 3-7, to read 'If the existing building or authorized detached structure on the same lot is designated individually or as part of a historic or conservation district pursuant to Article 10 or Article 11, in which case the notification requirements of Article 10 or Article 11 will apply.' 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 11, 2024. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

230734 [Planning Code - Density Exception on Specified Lots with Numerical Density Limits]**Sponsors: Mayor; Melgar**

Ordinance amending the Planning Code to allow form-based density in Residential-Commercial (RC), Residential Transit Oriented (RTO), Neighborhood Commercial (NC), and certain Named Neighborhood Commercial Districts (NCD), except for specified lots located in the Priority Equity Geographies Special Use District; amending 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.

06/13/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/13/2023.

06/21/23; 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.

10/19/23; RESPONSE RECEIVED. The proposed amendments were covered in the San Francisco Housing Element 2022 Update Environmental Impact Report (EIR) certified on November 17, 2022.

11/09/23; RESPONSE RECEIVED. On October 26, 2023, the Planning Commission held a duly noticed public hearing and recommended approval of the proposed legislation with modifications.

12/12/23; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Mayor Breed introduced a substitute Ordinance bearing a new title

12/20/23; 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.

01/29/24; CONTINUED. Heard in Committee. Speaker(s): Audrey Merlone and Aaron Starr (Planning Department); Supervisor Ahsha Safai (Board of Supervisors); presented information and answered questions raised throughout the discussion. Speaker; Ozzie Rohm; Corey Smith (Housing Action Coalition); Jane Natoli (San Francisco YIMBY); Kate Bloomberg; Jim Chappel; Stacy Randecker; Speaker; Tom Pier; Rasa Moss; shared various concerns regarding the hearing matter.

Chair Melgar moved that this Ordinance be CONTINUED to the Land Use and Transportation Committee meeting of February 5, 2024. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Member Peskin moved that the previous vote be rescinded. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

02/12/24; CONTINUED. Heard in Committee. Speaker(s): Jake Price (Housing Action Coalition); Jane Natoli (SF YIMBY); shared various concerns regarding the hearing matter.

Heard in Committee. Speaker(s): Audrey Merlone (Planning Department); presented information and answered questions raised throughout the discussion. Jake Price (Housing Action Coalition); Jane Natoli; Ken Marconi; Clay; Calvin Welch (Haight Ashbury Neighborhood Council); Dan Calamuci; Georgia Schuttish; Lori Brooke, President (Cow Hollow Association); shared various concerns regarding the hearing matter.

Chair Melgar requested that this Ordinance be DUPLICATED

See Duplicate File No. 240195.

Member Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 4, Line 10, through Page 6, Line 19, by inserting '(10) Density Exception on Lots Subject to Numerical Density Limits. (A) Purpose. The purpose of this subsection (c)(10) is to encourage additional housing development throughout the City in order to ease the City's housing shortage, within the height limits as set forth in the Planning Code. (B) Eligibility. A Project must meet all of the following criteria: (i) is located on a lot subject to a Numerical Density Limit; (ii) is located in an Residential-Commercial (RC); Residential Transit Oriented (RTO); Neighborhood-Commercial (NC); or any of the following Named Neighborhood Commercial Districts: Castro Street (Planning Code Section 715); Inner Clement (Planning Code Section 716); Outer Clement (Planning Code Section 717); Upper Fillmore (Planning Code Section 718); Haight Street (Planning Code Section 719); Excelsior Outer Mission (Planning Code Section 720); Polk Street (Planning Code Section 723); Sacramento Street (Planning Code Section 724); Union Street (Planning Code Section 725); Pacific Ave (Planning Code Section 726); Lakeside Village (Planning Code Section 727); 24th Street-Noe Valley (Planning Code Section 728); West Portal Avenue (Planning Code Section 729); Inner Sunset (Planning Code Section 730); Noriega Street (Planning Code Section 731); Irving Street (Planning Code Section 732); Taraval Street (Planning Code Section 733); Judah Street (Planning Code Section 734); Inner Balboa Street (Planning Code Section 735); Outer Balboa Street (Planning Code Section 736); Cortland Avenue (Planning Code Section 738); Geary Boulevard (Planning Code Section 739); Mission Bernal (Planning Code Section 740); Cole Valley (Planning Code Section 742); Lower Haight Street (Planning Code Section 743); and Inner Taraval Street (Planning Code Section 745). (iii) is not located within the Priority Equity Geographies Special Use District, Planning Code section 249.97; and (iv) is not seeking and receiving a density or development bonus under the provisions of California Government Code Sections 65915 et seq., Planning Code Section 206, any other density exception in this Planning Code Section 207, Section 124(f), Section 202.2(f), Section 304, or any other State or local program that provides additional density. (C) Density Exception. Projects that meet the eligibility criteria in subsection (c)(10)(B) are exempt from the residential density limits otherwise applicable in the zoning district where the project is located. Density shall be regulated by the permitted height and bulk, and required setbacks, exposure, open space, and any adopted design standards or guidelines for each parcel as a Principally Permitted Use. (D) Other Planning Code Requirements. Except as otherwise noted in this subsection (c)(10), all applicable Planning Code requirements shall continue to apply. (E) Applicability of Rent Ordinance; Regulatory Agreements. Project sponsors of projects using the density exception of this subsection (c)(10) shall enter into a regulatory agreement with the City, subjecting the new units created pursuant to the exception to the San Francisco Residential Rent Stabilization and Arbitration Ordinance (Chapter 37 of the Administrative Code), as a condition of approval of the density exception ("Regulatory Agreement"). At a minimum, the Regulatory Agreement shall contain the following: (i) a statement that the new units created pursuant to the density exception are not subject to the Costa-Hawkins Rental Housing Act (California Civil Code Sections 1954.50 et seq.) because, under Section 1954.52(b), the property owner has entered into and agreed to the terms of this agreement with the City in consideration of an exception from residential density limits, or other direct financial contribution or other form of assistance specified in California Government Code Sections 65915 et seq.; (ii) a description of the exception of residential density or other direct financial contribution or form of assistance provided to the property owner; and (iii) a description of the remedies for breach of the agreement and other provisions to ensure implementation and compliance with the agreement. The property owner and the Planning Director (or the Director's designee), on behalf of the City, will execute the Regulatory Agreement, which shall be reviewed and approved by the City Attorney's Office. The Regulatory Agreement shall be executed prior to the City's issuance of the First Construction Document for the project, as defined in Section 107A.13.1 of the San Francisco Building Code. Following execution of the Regulatory Agreement by all parties and approval by the City Attorney, the Regulatory Agreement or a memorandum thereof shall be recorded to the title records in the Office of the Assessor-Recorder against the property

and shall be binding on all future owners and successors in interest;' and to make conforming changes throughout the ordinance to grant form-based density controls to projects in certain named districts, if they are seeking or receiving a density or development bonus under the state density bonus program, and apply rent control through regulatory agreements to units created over base density. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Ordinance amending the Planning Code to allow density exceptions on lots subject to Numerical Density Limits; 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 TO CALL OF THE CHAIR AS AMENDED. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

240195 [Planning Code - Density Calculation in RC, RTO, NC, and Certain Named NCDs]

Sponsors: Mayor; Melgar

Ordinance amending the Planning Code to allow form-based density in Residential-Commercial (RC), Residential Transit Oriented (RTO), Neighborhood Commercial (NC), and certain Named Neighborhood Commercial Districts (NCD), except for specified lots located in the Priority Equity Geographies Special Use District; amending 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.

Duplicated from File No. 230734.

Member Peskin 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 2:37 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.