



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 22, 2021

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 22, 2021, with Chair Myrna Melgar presiding. Chair Melgar called the meeting to order at 1:32 p.m.

Remote Access to Information and Participation

In accordance with Governor Newsom's Executive Order No. N-33-20 declaring a State of Emergency regarding the COVID-19 outbreak and Mayor London N. Breed's Proclamation declaring a Local Emergency issued on February 25, 2020, including the guidance for gatherings issued by the San Francisco Department of Public Health Officer, aggressive directives were issued to reduce the spread of COVID-19. 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>.

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

210015 [Building Code - Expanded Compliance Control and Consumer Protections Where History of Significant Violations]

Sponsors: Ronen; Peskin, Haney, Preston and Melgar

Ordinance amending the Building Code to implement expanded compliance control and consumer protection provisions for projects, individuals, agents, and entities with a history of significant violations; and affirming the Planning Department's determination under the California Environmental Quality Act.

01/05/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 2/4/2021.

01/13/21; 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

01/13/21; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review and the Building Inspection Commission for comment and recommendation.

02/18/21; RESPONSE RECEIVED. On February 17, 2021, the Commission met and held a public hearing on the proposed legislation and recommended approval.

Heard in Committee. Speakers: Amy Beinart (Office of Supervisor Hillary Ronen); John Murray (Department of Building Inspection); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Corey Smith (San Francisco Housing Action Coalition); spoke in support of the hearing matter. Mark Gilligan; spoke in opposition of the hearing matter. Ryan Patterson; Caroline Morris; Lev Wisebach; John Christian (Archdiocese of San Francisco); Sean Kinkman; Theresa Flandric; Anastasia Yovanopoulos; David Cane; spoke on various concerns relating to the hearing matter.

Vice Chair Preston and Chair Melgar requested to be added as a co-sponsors.

Member Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, by applying the correct fonts to the amendments in Building Code, Section 103.A6; on Page 2, Lines 11-12, by adding 'that results in circumvention of notification or review requirements'; on Page 2, Line 13, by adding 'or demolition of structural features'; on Page 2, Line 16, by adding 'Work under permit performed by a party without required license'; and adding other clarifying and conforming 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 1, 2021. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Chair Melgar requested that File Nos. 201385, 201386, and 201387, be called together.

201385 [Planning Code, Zoning Map - 542-550 Howard Street]

Sponsor: Haney

Ordinance amending the Planning Code and Zoning Map to rezone and reclassify a portion of the 542-550 Howard Street project site (Assessor's Parcel Block No. 3721, Lot Nos. 016, 135, 136, and 138, also known as Transbay Parcel F) and as shown on Figure 1 of the Transit Center District Plan, specifically to rezone a portion of the project site from the split P (Public) District/C-3-O (SD) to the C-3-O (SD) Downtown Office Special Development District and to reclassify the height and bulk district designations for a portion of the project site; waiving certain provisions of the Planning Code to allow the project to satisfy its affordable housing requirement through payment of an in-lieu affordable housing fee to the Office of Community Investment and Infrastructure for use within the Transbay Redevelopment Project Area, to modify timing for payment of fees, and to permit the footprint of the portion of the project site dedicated to dwellings to exceed 15,000 square feet; adopting findings 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.

12/15/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/14/2021.

01/05/21; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee. Supervisor Haney introduced a substitute Ordinance bearing a new title

02/12/21; NOTICED. 10-Day Notice for Land Use and Transportation Committee hearing published in the Examiner and posted, per California Government Code, Sections 65856 & 65090.

Heard in Committee. Speakers: Abigail Rivamonte Mesa (Office of Supervisor Mat Haney); Nick Foster (Planning Department); Sally Oerth, Interim Director (Office of Community Investment of Infrastructure); Anne Pearson and Heidi Gewertz (Office of the City Attorney); C.J. Wigley (Farella Braun and Martel, LLP); Adam Noble (Fast Cast, LLC); Leigh Lutenski (Office of Economic and Workforce Development); Alisa Somera (Office of Clerk of the Board); presented information and answered questions raised throughout the discussion. Cynthia Gomez (Local 2); John Corso; Matthias Mormino; Anastasia Yovanopoulos; spoke on various concerns relating to the hearing matter.

Member Peskin moved that this Ordinance be CONTINUED to the Land Use and Transportation Committee meeting of March 8, 2021. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

201386 [Development Agreement - Parcel F Owner, LLC - 542-550 Howard Street Transbay Redevelopment Project Area]**Sponsor: Haney**

Ordinance approving a Development Agreement between the City and County of San Francisco and Parcel F Owner, LLC, for certain real property, known as 542-550 Howard Street (Assessor's Parcel Block No. 3721, Lot Nos. 016, 135, 136, and 138, also known as Transbay Parcel F), located in the Transbay Redevelopment Project Area, consisting of four parcels located on the north side of Howard Street, between 1st and 2nd Streets; waiving certain provisions of Administrative Code, Chapter 56; adopting findings under the California Environmental Quality Act; and making findings of conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b), and findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

12/15/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/14/2021.

02/12/21; NOTICED. 10-Day Notice Published in the Examiner and mailed to property owners and local agencies pursuant to Planning Code Section 56.8, 306.3, and 56.14 and Government Code Section 65867.

Heard in Committee. Speakers: Abigail Rivamonte Mesa (Office of Supervisor Mat Haney); Nick Foster (Planning Department); Sally Oerth, Interim Director (Office of Community Investment of Infrastructure); Anne Pearson and Heidi Gewertz (Office of the City Attorney); C.J. Wigley (Farella Braun and Martel, LLP); Adam Noble (Fast Cast, LLC); Leigh Lutenski (Office of Economic and Workforce Development); Alisa Somera (Office of Clerk of the Board); presented information and answered questions raised throughout the discussion. Cynthia Gomez (Local 2); John Corso; Matthias Mormino; Anastasia Yovanopoulos; spoke on various concerns relating to the hearing matter.

Member Peskin moved that this Ordinance be CONTINUED to the Land Use and Transportation Committee meeting of March 8, 2021. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

201387 [Consent to Provisions of a Variation Decision - On-Site Affordable Housing Requirement - 542-550 Howard Street (Transbay Parcel F) - Transbay Redevelopment Project Area]

Sponsor: Haney

Resolution acting in its capacity as the legislative body to the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, approving provisions of a variation decision by the Commission on Community Investment and Infrastructure, modifying the on-site affordable housing requirement for 542-550 Howard Street (Assessor's Parcel Block No. 3721, Lot Nos. 016, 135, 136, and 138, also known as Transbay Parcel F) in the Transbay Redevelopment Project Area; and adopting findings under the California Environmental Quality Act.

12/15/20; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

12/22/20; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and the Office of Community Investment and Infrastructure for informational purposes.

01/13/21; 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

Heard in Committee. Speakers: Abigail Rivamonte Mesa (Office of Supervisor Mat Haney); Nick Foster (Planning Department); Sally Oerth, Interim Director (Office of Community Investment of Infrastructure); Anne Pearson and Heidi Gewertz (Office of the City Attorney); C.J. Wigley (Farella Braun and Martel, LLP); Adam Noble (Fast Cast, LLC); Leigh Lutenski (Office of Economic and Workforce Development); Alisa Somera (Office of Clerk of the Board); presented information and answered questions raised throughout the discussion. Cynthia Gomez (Local 2); John Corso; Matthias Mormino; Anastasia Yovanopoulos; spoke on various concerns relating to the hearing matter.

Member Peskin moved that this Resolution be CONTINUED to the Land Use and Transportation Committee meeting of March 8, 2021. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

210141 [Administrative Code - Extension Of Temporary Tenant Protections Due To COVID-19]

Sponsors: Preston; Ronen, Haney, Walton, Peskin and Melgar

Ordinance amending the Administrative Code to limit residential evictions through June 30, 2021, unless the eviction is based on the non-payment of rent or is necessary due to violence-related issues or health and safety issues.

02/09/21; ASSIGNED to Land Use and Transportation Committee. 2/11/21 - President Walton waived the 30-day rule pursuant to Board Rule No. 3.22.

02/16/21; REFERRED TO DEPARTMENT. Referred to the Department of Homelessness and Supportive Housing, Department of Public Health, and the Rento Board for informational purposes.

Heard in Committee. Speakers: None.

Member Peskin and Chair Melgar requested to be added as co-sponsors.

Vice Chair Preston moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Line 22, by striking 'January 31' and replacing it with 'June 30'. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

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

Ayes: 3 - Melgar, Preston, Peskin

210043 [Hearing - Safe Parking and Vehicular Triage Center]**Sponsor: Safai**

Hearing to review the outcomes of the Safe Parking and Vehicular Triage Center, located at the Balboa Park Upper Yard, to highlight the successes of the Balboa Park Upper Yard site and to identify the steps necessary to expand the Safe Parking Program to other districts in San Francisco; and requesting the Department of Homelessness and Supportive Housing, Municipal Transportation Agency, Police Department, Department of Public Health, and Planning Department to report.

01/12/21; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

01/15/21; REFERRED TO DEPARTMENT. Referred to the Planning Department, Department of Homelessness and Supportive Housing, Police Department, Municipal Transportation Agency, and Department of Public Health for informational purposes and requesting the listed agencies to report.

Heard in Committee. Speakers: Dylan Schneider (Department of Homelessness and Supportive Housing); Tom Maguire (San Francisco Municipal Transportation Agency); Chris Woon (Police Department); Rachel Alonso (Public Works); Steven Currier (Vehicular Triage Working Group); Andrico Penick (Real Estate Division); Bayron Wilson and Lena Miller (Urban Alchemy); presented information and answered questions raised throughout the discussion. Mike Ender (Urban Alchemy); Mary Harris; spoke on various concerns relating to the hearing matter.

Chair Peskin was noted absent at 5:08 p.m. and for the remainder of the meeting.

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

Ayes: 2 - Melgar, Preston

Absent: 1 - Peskin

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 5:39 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Land Use and Transportation Committee on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.