



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, April 5, 2021

1:30 PM

Regular Meeting

President Shamann Walton appointed Supervisor Connie Chan, in place of Supervisor Myrna Melgar, to the Land Use and Transportation Committee for the regular meeting of April 5, 2021.

Present: 3 - Dean Preston, Aaron Peskin, and Connie Chan

Excused: 1 - Myrna Melgar

The Land Use and Transportation Committee met in regular session through videoconferencing, and provided public comment through teleconferencing, on Monday, April 5, 2021, with Vice Chair Preston presiding. Vice Chair Preston 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, Vice Chair Preston, Member Peskin, and Member Chan were noted present. Chair Melgar was noted not present. A quorum was present.

Supervisor Melgar Excused from Attendance

Member Peskin moved that Chair Melgar be excused from the Land Use and Transportation Committee meeting of April 5, 2021. The motion carried by the following vote:

Ayes: 3 - Preston, Peskin, Chan
Excused: 1 - Melgar

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

210147 [Interim Zoning Controls - Extending and Modifying Requirements for Conditional Use Authorization for Conversion of Residential Care Facilities to Other Uses] **Sponsors: Mandelman; Ronen, Safai and Melgar**

Resolution extending for six months and modifying interim zoning controls enacted in Resolution Nos. 430-19 and 539-19 to require a Conditional Use Authorization and specified findings for a proposed change of use from a Residential Care Facility; 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.

02/09/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/11/2021.

02/16/21; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

02/19/21; NOTICED. 20-Day Notice for Land Use and Transportation Committee hearing posted online, pursuant to Planning Code Section 333 (no mailing required as this item is more than 300 acres).

03/11/21; 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 environment.

03/15/21; CONTINUED. Heard in Committee. Speaker: Jacob Bintliff (Office of Supervisor Rafael Mandelman); presented information and answered questions raised throughout the discussion.

03/22/21; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Jacob Bintliff (Office of Supervisor Rafael Mandelman); Susie Smith (Human Services Agency); Aaron Starr (Planning Department); presented information and answered questions raised throughout the discussion. Nate Horrell (National Union of Healthcare Workers); spoke on various concerns relating to the hearing matter.

03/22/21; CONTINUED AS AMENDED.

Heard in Committee. Speaker: Jacob Bintliff (Office of Supervisor Rafael Mandelman); presented information and answered questions raised throughout the discussion.

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

Ayes: 3 - Preston, Peskin, Chan
Excused: 1 - Melgar

210223 [Commemorative Street Plaques - Historical Markers - LEATHER & LGBTQ Cultural District Leather History Cruise]**Sponsors: Haney; Ronen, Peskin, Preston, Chan and Mandelman**

Resolution authorizing the placement of the LEATHER & LGBTQ Cultural District Leather History Cruise plaques, to be installed on the sidewalks at various historic locations within and near the Cultural District in the area bounded by Brannon Street, Third Street, Mission Street, Twelfth Street and Division Street; and initiating the process set forth in Public Works Code, Sections 789 et seq., to provide for the creation of a program for and installation of commemorative plaques on the Leather History Cruise.

03/02/21; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

03/05/21; REFERRED TO DEPARTMENT. Referred to Public Works and Art Commission pursuant to Public Works, Section 789.5.

Heard in Committee. Speakers: Honey Mahogany (Office of Supervisor Matt Haney); presented information and answered questions raised throughout the discussion. David Hyman (Leather and LGBTQ Cultural District); Ray Simon; Lex Montino; Vincent Ratio; Bob Goldfarb, President (Leather and LGBTQ Cultural District); spoke in support of the hearing matter.

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

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

Ayes: 3 - Preston, Peskin, Chan

Excused: 1 - Melgar

210064 [Planning Code - Landmark Designation - 1830 Sutter Street (aka Japanese YWCA/Issei Women's Building)]**Sponsors: Preston; Mandelman, Peskin and Chan**

Ordinance amending the Planning Code to designate 1830 Sutter Street (aka Japanese YWCA/Issei Women's Building), Assessor's Parcel Block No. 0676, Lot No. 035, 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)

01/19/21; RECEIVED FROM DEPARTMENT.

01/26/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 2/25/2021. 1/26/21 - Supervisor Preston assumed primary sponsorship.

03/26/21; NOTICED. Notice of Public Hearing for 4/5/2021 Land Use and Transportation Committee meeting mailed to property owners and interested parties.

Heard in Committee. Speakers: Frances McMillen (Planning Department); Cathy Inamasu and Karen Kai (Nihonmachi Little Friends); Donna Graves; presented information and answered questions raised throughout the discussion. Dr. Michelle Magan; spoke in support of the hearing matter.

Supervisors Peskin and Chan requested to be added as a co-sponsors.

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

Ayes: 3 - Preston, Peskin, Chan

Excused: 1 - Melgar

210292 [Urging Prioritization of Small Property Owners and Affordable Housing Providers in the Distribution of Rent Relief Funds]**Sponsors: Chan; Ronen, Mar, Walton, Preston and Peskin**

Resolution urging the Mayor's Office of Housing and Community Development to prioritize small property owners and affordable housing providers in the distribution of rent relief funds through speedy review and approval timelines, technical assistance, high-quality customer service, and in-language support to non-English speakers; urging large corporate landlords to voluntarily reserve these funds for small property owners and affordable-housing providers; and requesting a monthly report from the Mayor's Office of Housing and Community Development on the amount of federal rent relief funds received by each landlord in San Francisco.

03/16/21; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

03/24/21; REFERRED TO DEPARTMENT. Referred to the Mayor's Office of Housing and Community Development, Budget and Legislative Analyst's Office, and the Rent Board for informational purposes.

Heard in Committee. Speakers: Eric Shaw, Director, and Amy Chan (Mayor's Office of Housing and Community Development); presented information and answered questions raised throughout the discussion. Speaker; Gabriel Medina; Maria Aguliar; Lydie Stub; spoke in support of the hearing matter. Francisco Da Costa; spoke on various concerns relating to the hearing matter.

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

Member Chan moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 6-10, by striking 'and' after 'speakers;' and adding '; and requesting a monthly report from the Mayor's Office of Housing and Community Development on the amount of federal rent relief funds received by each landlord in San Francisco,' after 'providers'; on Page 1, Line 18, by adding 'allegedly' after 'rent hikes'; on Page 3, Line 1, by adding 'state and federally funded' before rent-relief and striking 's' from the word 'programs'; and on Page 3, Lines 11-14, by adding ';and, be it' to Line 11, and adding 'FURTHER RESOLVED, That the Board of Supervisors requests a monthly written report from MOHCD to the Clerk of the Board on the amount of federal rent relief funds received by each landlord in San Francisco, until all funds have been distributed.'. The motion carried by the following vote:

Ayes: 3 - Preston, Peskin, Chan

Excused: 1 - Melgar

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

Ayes: 3 - Preston, Peskin, Chan

Excused: 1 - Melgar

Supervisor Peskin Excused from Attendance

Vice Chair Preston moved that Member Peskin be excused from the Land Use and Transportation Committee meeting beginning 3:34 p.m. and for the remainder of the meeting. The motion carried by the following vote:

Ayes: 2 - Preston, Chan

Excused: 2 - Melgar, Peskin

210288 [Emergency Ordinance - Enforcement of Workplace Ventilation Standards - COVID-19]**Sponsors: Safai; Walton, Melgar, Chan, Preston, Haney and Ronen**

Emergency ordinance to require property owners of high-rise buildings with 50,000 square feet or more of nonresidential floor area that use mechanical ventilation systems, to certify that such systems are operating in compliance with applicable laws; to require businesses operating within those buildings to post certification within their work spaces; and to require the Department of Public Health and Department of Building Inspection to post information on their websites about how to file complaints about noncompliance with workplace ventilation standards, and to coordinate to ensure that all such complaints are inspected within three business days.

(Pursuant to Charter, Section 2.107, this matter requires the affirmative vote of two-thirds of the Board of Supervisors (8 votes) for passage.)

03/16/21; ASSIGNED to Land Use and Transportation Committee. 3/18/21 - President Walton waived the 30-day rule pursuant to Board Rule No. 3.22.

03/24/21; REFERRED TO DEPARTMENT. Referred to the Department of Public Health and Department of Building Inspection for informational purposes.

Heard in Committee. Speakers: Supervisor Ahsha Safai (Board of Supervisors); presented information and answered questions raised throughout the discussion. Danny Campbell (Sheet Metal Workers' Local 124); Win; Rudy Gonzalez, Executive Director (San Francisco Labor Council); spoke in support of the hearing matter. RJ Sloan; Kim Tavaglione (San Francisco Labor Council); Ian Lewis (Unite Here Local 2); Olga; spoke on various concerns relating to the hearing matter.

Member Chan moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 10, by striking 'three' and replacing it with 'five'; on Page 4, Lines 23-25, and Page 5, Lines 1-2, by striking 'each departments' and replacing it with 'DPH's jurisdiction under Section 4(i) of the Stay-Safer-at-Home Order, as referenced in Section 2(c) of this emergency ordinance, and DBI's jurisdiction under Chapter 4 of the San Francisco Mechanical Code, Chapter 12 of the San Francisco Building Code, and Section 120.1 of the California Energy Code, as referenced in Section 2(d) of this emergency ordinance'; and on Page 5, Line 4, by striking 'three' and replacing it with 'five'. The motion carried by the following vote:

Ayes: 2 - Preston, Chan

Excused: 2 - Melgar, Peskin

Emergency ordinance to require property owners of high-rise buildings with 50,000 square feet or more of nonresidential floor area that use mechanical ventilation systems, to certify that such systems are operating in compliance with applicable laws; to require businesses operating within those buildings to post certification within their work spaces; and to require the Department of Public Health and the Department of Building Inspection to post information on their websites about how to file complaints about noncompliance with workplace ventilation standards, and to coordinate to ensure that all such complaints are inspected within threefive business days.

(Pursuant to Charter, Section 2.107, this matter requires the affirmative vote of two-thirds of the Board of Supervisors (8 votes) for passage.)

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

Ayes: 2 - Preston, Chan

Excused: 2 - Melgar, Peskin

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 3:58 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.