



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, June 13, 2022

1:30 PM

Regular Meeting

IN-PERSON MEETING
City Hall, Legislative Chamber, Room 250

(remote access provided)
(remote public comment provided via teleconference)

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

The Land Use and Transportation Committee met in regular session, in-person with remote access and public comment via telephone, on Monday, June 13, 2022, with Chair Myrna Melgar presiding. Chair Melgar called the meeting to order at 1:31 p.m.

Remote Access to Information and Participation

The Board of Supervisors and its committees convene hybrid meetings that allow in-person attendance, remote access, and public comment via teleconference. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings and watch meetings on demand or watch live meetings on San Francisco Cable Channels 26, 78 or 99 (depending on your provider). Members of the public may provide public comment in-person or remotely via teleconference (detailed instructions available at: <https://sfbos.org/remote-meeting-call>).

Members of the public 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>.

Please visit the Board's website (www.sfbos.org) regularly to be updated on the current situation as it affects the legislative process. For more information contact the Clerk, Erica Major, at (415) 554-4441 or Erica.Major@sfgov.org.

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.

COMMUNICATIONS

*Erica Major, Land Use and Transportation Clerk, instructed members of the public, when general public comment is called, to contribute live comments for up to two minutes in-person or by dialing the provided telephone number. In-person public comment will be taken before remote public comment is called. Those who are providing public comment remotely must dial * 3 to be added to the remote queue to speak. Written comments may be submitted through email 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.*

REGULAR AGENDA

211232 [Administrative Code - Housing Innovation Program]**Sponsors: Melgar; Mar and Mandelman**

Ordinance amending the Administrative Code to create the Housing Innovation Program to develop, finance, and support certain additional housing opportunities for low-income and moderate-income residents, including loans and technical assistance for certain low-income and moderate-income property owners to construct accessory dwelling units or other new units on their property, subject to certain conditions, loans for certain low-income and moderate-income tenants who are at risk of displacement and licensed childcare providers, and grants for organizations to create marketing and educational materials about wealth-building and homeownership for residents who have been historically disadvantaged and to develop creative construction design prototypes for low-income and moderate-income residents.

11/30/21; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/30/2021.

12/03/21; REFERRED TO DEPARTMENT. Referred to MOHCD for informational purposes.

01/11/22; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Supervisor Melgar substituted an Ordinance bearing a new title.

01/18/22; REFERRED TO DEPARTMENT. Referred to the Mayor's Office of Housing and Community Development for informational purposes.

01/31/22; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Sheila Nickolopoulos and Maria Benjamin (Mayor's Office of Housing and Community Development); Supervisor Gordon Mar (Board of Supervisors); presented information and answered questions raised throughout the discussion. Naeemah Charles (Children's Council); Anastasia Yovanopoulos (Anti-Displacement Coalition); Maria Underwood; Monique Izri; Corey Smith (San Francisco Housing Action Coalition); spoke in support of the hearing matter. Lorraine Petty (Senior and Disability Action); Pat Wilson (Family Childcare); Liz Winograd (San Francisco Child Care Planning and Advisory Council); Mary Thomas; Alex (Children's Council San Francisco); Theresa Flandrich (Senior and Disability Action); Peter Papadopoulos; Speaker; spoke on various concerns relating to the hearing matter.

01/31/22; CONTINUED AS AMENDED.

Heard in Committee. Speakers: John Avalos (Council of Community Housing Organizations); Zack Wiesenberger; Anastasia Yovanopoulos; Corey Smith (San Francisco Housing Action Coalition); Chris Jenkins; spoke in support of the hearing matter.

Chair Melgar moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, by clarifying the definition of Property Owner to include legal heirs as long as the property was owned by the homeowner and/or their heirs; clarifying the language of Residence; adding language to clarify that a borrower that receives a loan from the Housing Innovation Program; and adding other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Chair Melgar moved that this Ordinance be CONTINUED AS AMENDED to the Land Use and Transportation Committee meeting of July 11, 2022. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

220262 [Planning, Administrative Codes - Affordable Housing Code Enforcement]**Sponsor: Mayor**

Ordinance amending the Planning Code to permit the Mayor's Office of Housing and Community Development to enforce, and collect fines and penalties for violations of, Planning Code provisions governing affordable housing; amending the Administrative Code to allow the Mayor's Office of Housing and Community Development (MOHCD) to use the proceeds in the Affordable Housing Enforcement Fund for all Planning Code enforcement activities by MOHCD relating to affordable 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.

03/15/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 4/14/2022.

03/18/22; 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; referred to the Mayor's Office of Housing and Community Development, Police Department, Department of Human Resources, and Board of Appeals for informational purposes.

04/04/22; 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.

06/02/22; RESPONSE RECEIVED. On May 26, 2022, the Commission met and held a duly notice and recommended approval of the proposed legislation.

Heard in Committee. Speakers: Sheila Nickolopoulos, Jackie Tsou, and Kyra Geithman (Mayor's Office of Housing and Community Development); Audrey Merlone (Planning Department); presented information and answered questions raised throughout the discussion.

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

Ayes: 3 - Melgar, Preston, Peskin

220036 [Planning Code - Electric Vehicle Charging Locations]**Sponsors: Mayor; Mandelman, Stefani, Melgar, Mar and Dorsey**

Ordinance amending the Planning Code to create Electric Vehicle Charging Location and Fleet Charging as Automotive Uses, allow conversion of Automotive Service Stations to Electric Vehicle Charging Locations without Conditional Use authorization and principally permit conversion of other Automotive Uses to Electric Vehicle Charging Locations, revise zoning control tables to reflect these changes, and require annual reporting by the Planning Department regarding Electric Vehicle Charging Location and Fleet Charging project approvals; 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.

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

01/18/22; 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; and the Department on the Environment, San Francisco Municipal Transportation Agency, and Public Works for informational purposes.

02/10/22; 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. Individual projects will require environmental review.

05/03/22; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Mayor Breed introduced a substitute Ordinance bearing a new title.

05/11/22; 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; and the Department on the Environment, San Francisco Municipal Transportation Agency, and Public Works for informational purposes.

05/12/22; 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. Individual project will require separate environmental review.

05/17/22; RESPONSE RECEIVED. On April 14, 2022, the Planning Commission conducted a duly noticed hearing and recommended approval with modifications for the proposed legislation.

05/17/22; RESPONSE RECEIVED. Staff confirmed that the substitute version of the legislation was heard and considered at a previous meeting and the Commission did not need to re-hear the substitute version of the proposed legislation.

Heard in Committee. Speakers: Lowell Chu and Charles Sheehan (Department of the Environment); Aaron Starr and Corey Teague (Planning Department); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Will Pierce; Lou Peterson; Angel; spoke in support of the hearing matter. Speaker; Alex Lantsberg; Adam Mohave; Mark Weinberger; David Pilpel; spoke on various concerns relating to the hearing matter.

Chair Melgar moved that this Ordinance be CONTINUED to the Land Use and Transportation Committee meeting of July 11, 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.

02/28/22; CONTINUED TO CALL OF THE CHAIR. 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.

Heard in Committee. Speakers: Aaron Starr and Veronica Flores (Planning Department); presented information and answered questions raised throughout the discussion. Cliff Peterson; Donna Hurwitz; Matt Wiesenberger; Will Frankle; Corey Smith (San Francisco Housing Action Coalition); spoke on various concerns relating to the hearing matter.

Member Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by adding 'except for Residential-Mixed (RM) and Residential-Commercial (RC) districts and designated historic districts' after 'permitted' and adding 'to' before 'remove the Conditional Use'; on Page 8, Lines 24-25 and Page 9, Line 1, by adding 'Notwithstanding the previous sentence, this subsection (c)(8) shall not apply to properties located in RM or RC districts, or to properties located in a designated historic district under Article 10 of this Code'; and adding other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Ordinance amending the Planning Code to increase density on lots with auto-oriented uses where housing is permitted, except for Residential-Mixed (RM) and Residential-Commercial (RC) districts and designated historic districts, but which do not currently have any residential use or a legacy business, and to 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.

Chair Melgar moved that this Ordinance be CONTINUED AS AMENDED to the Land Use and Transportation Committee meeting of July 11, 2022. 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 3:36 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.