



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, July 18, 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, July 18, 2022, with Chair Myrna Melgar presiding. Chair Melgar called the meeting to order at 1:32 p.m.

Remote Access to Information and Participation

The Board of Supervisors and its committees will convene hybrid meetings that will 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, 28, 78 or 99 (depending on your provider). Members of the public may provide public comment in-person at the above noticed location or remotely via teleconference (detailed instructions available at: <https://sfbos.org/remote-meeting-call>). Individuals who wish to share documents during a hearing must provide them to the Clerk 48 hours in advance (Erica.Major@sfgov.org); equipment is not available to share hard copy documents received in-person.

Members of the public attending in-person may be required to wear masks or adhere to current orders, please visit https://sfbos.org/in_person_meeting_guidelines for the current guidelines.

Members of the public may also 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 of the Committee was present; with Vice Chair Preston attending remotely.

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

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.

06/13/22; CONTINUED. 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.

07/11/22; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Charles Sheehan (Department of the Environment); Anne Pearson (Office of City Attorney); presented information and answered questions raised throughout the discussion. Mark Gleason; Speaker; Nicole Meyers; Felicia Petrocelli; Zack Wiesenberger; spoke on various concerns relating to the hearing matter.

07/11/22; CONTINUED AS AMENDED.

Heard in Committee. Speakers: Lowell Chu (Department of the Environment); presented information and answered questions raised throughout the discussion. Tom Radulovich; spoke in support of the hearing matter. Mark Grison; Chris (Electrify America); John Heighman; 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**, on Page 14, Lines 19, updating the Zoning Category to read as 'C (24)'; on Page 14, Line 22, by adding a footnote '(24) P where existing use is a Private Parking Lot or Vehicle Storage Lot.'. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Member Peskin moved to **RESCIND** the previous vote:

Ayes: 3 - Melgar, Preston, Peskin

Member Peskin moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**, on Page 14, Lines 19, updating the Zoning Category to read as 'C (24)'; on Page 14, Line 22, by adding '(24) P where existing use is a Private Parking Lot or Vehicle Storage Lot.'. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Member Peskin requested this matter be **DUPLICATED**.

See Duplicate File No. 220851.

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

Ayes: 3 - Melgar, Preston, Peskin

220851 [Planning Code - Electric Vehicle Charging Locations]

Sponsors: Mayor; Mandelman, Stefani, Mar and Melgar

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.

Member Peskin moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**, on Page 14, Lines 2-25, and Page 15, Lines 1-10, by adding a new Planning Code, Section 303 entitled 'CONDITIONAL USES'; and adding other clarifying and conforming changes. The motion carried 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

220504 [Landmark Tree Designation - California Buckeye - 2694 McAllister Street]**Sponsors: Chan; Preston**

Ordinance designating the California buckeye (*Aesculus californica*) tree located at 2694 McAllister Street as a landmark tree pursuant to the Public Works Code; making findings supporting the designation; and directing official acts in furtherance of the landmark tree designation, as defined herein.

05/03/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/2/2022.

05/11/22; REFERRED TO DEPARTMENT. Referred to Public Works, Urban Forestry Council, and Historic Preservation Commission for informational purposes.

Heard in Committee. Speakers: Kelly Groth (Office of Supervisor Connie Chan); presented information and answered questions raised throughout the discussion. Ryan Wheaten Meyer; spoke in support of the hearing matter.

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

Ayes: 3 - Melgar, Preston, Peskin

Chair Melgar moved to RESCIND the previous vote. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

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

Ayes: 3 - Melgar, Preston, Peskin

220761 [Support for the Application for HCD's Local Government Matching Grants Program - MidPen Housing Corporation - 100% Affordable Housing - 850 Turk Street]**Sponsors: Mayor; Stefani and Preston**

Resolution 1) supporting MidPen Housing Corporation's ("Applicant") submission of application under the Excess Sites Local Government Matching Grants Program ("Program") to the Department of Housing and Community Development (HCD) ("Department") to receive Program funds in order to construct a 100% affordable, 91-unit multifamily rental housing development affordable to low-income households, including one resident manager unit (the "Project") at a state-owned Excess Site located at 850 Turk Street ("Property"); and 2) supporting the Applicant to submit the Project Budget ("Attachment 1") and Anticipated and Committed Project Sources ("Attachment 2") to be included in their application.

06/28/22; RECEIVED AND ASSIGNED to Budget and Finance Committee.

07/07/22; TRANSFERRED to Land Use and Transportation Committee. President Walton transferred this matter from Budget and Finance Committee to the Land Use and Transportation Committee.

Heard in Committee. Speaker: Sheila Nickolopoulos (Mayor's Office of Housing and Community Development); presented information and answered questions raised throughout the discussion.

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

Chair Melgar moved that this Resolution be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

220734 [Resolution of Intent - Streets and Public Service Easement Vacation - Parkmerced Development Project]**Sponsor: Mayor**

Resolution declaring the intent of the Board of Supervisors to order the conditional vacation of portions of Higuera Avenue, Vidal Drive, Arballo Drive, and Garces Drive (the "Street Vacation Area"), and certain San Francisco Public Utilities Commission public service easements (the "Easement Vacation Area"), all within the Parkmerced Development Project area, an approximately 152-acre site located in the Lake Merced District in the southwest corner of San Francisco and generally bounded by Vidal Drive, Font Boulevard, Pinto Avenue, and Serrano Drive to the north, 19th Avenue and Junipero Serra Boulevard to the east, Brotherhood Way to the south, and Lake Merced Boulevard to the west; reserve various easement rights in favor of the City and third party utilities, subject to conditions specified; adopt findings under the California Environmental Quality Act; adopt findings that the vacations are consistent with the Parkmerced Development Agreement, the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorize actions by City officials in furtherance of the street vacation ordinance, as specified herein; direct the Clerk of the Board of Supervisors to make certain transmittals; and set a hearing date for all persons interested in the proposed vacation of said street areas and public service easements.

06/14/22; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

Heard in Committee. Speakers: Jonathan Cherry; Bill McGivern (Parkmerced Owner, LLC); presented information and answered questions raised throughout the discussion.

Chair Melgar moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 7, Line 23, by adding 'September 20'. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

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

Ayes: 3 - Melgar, Preston, Peskin

220736 [Street and Public Service Easement Vacation Order - Parkmerced Development Project]**Sponsor: Mayor**

Ordinance ordering the conditional vacation of portions of Higuera Avenue, Vidal Drive, Arballo Drive, and Garces Drive (the "Street Vacation Area"), and certain San Francisco Public Utilities Commission public service easements (the "Easement Vacation Area"), all within the Parkmerced Development Project area, an approximately 152-acre site located in the Lake Merced District in the southwest corner of San Francisco and generally bounded by Vidal Drive, Font Boulevard, Pinto Avenue, and Serrano Drive to the north, 19th Avenue and Junipero Serra Boulevard to the east, Brotherhood Way to the south, and Lake Merced Boulevard to the west; reserving various easement rights in favor of the City and third-party utilities, subject to specified conditions; adopting findings under the California Environmental Quality Act; adopting findings that the vacations are consistent with the Parkmerced Development Agreement, the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing actions by City officials in furtherance of this Ordinance, as specified herein.

06/14/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/14/2022.

Heard in Committee. Speakers: Jonathan Cherry; Bill McGivern (Parkmerced Owner, LLC); presented information and answered questions raised throughout the discussion.

Chair Melgar moved that this Ordinance be REFERRED WITHOUT RECOMMENDATION to the Board of Supervisors meeting of September 20, 2022. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

220249 [Hearing - Building Operations Component of the 2022 Climate Action Plan]**Sponsor: Mar**

Hearing on the findings, strategies, and supporting actions of the Buildings Operations component of the City's 2022 Climate Action Plan; and requesting the Department of the Environment to report.

03/08/22; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

03/16/22; REFERRED TO DEPARTMENT. Referred to the Department of the Environment for informational purposes.

Heard in Committee. Speakers: Supervisor Gordon Mar (Board of Supervisors); Cyndy Comerford and Charles Sheehan (Department of the Environment); presented information and answered questions raised throughout the discussion. Speaker; Stephanie Polancio; Ellie Town; Chris Chilis; Francisco Da Costa; Joni Eisen (San Action Coalition); Berry Hermanson; Dave; Maxine Faye; spoke on various concerns relating to the hearing matter.

Chair Melgar moved that this Hearing be HEARD AND FILED. 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 3:12 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.