



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, October 3, 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, October 3, 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, 28, 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

220888 [Designation of Commemorative Sites; Commemorative Street Plaques - LEATHER & LGBTQ Cultural District Leather History Cruise]

Sponsors: Dorsey; Peskin, Melgar, Preston and Mandelman

Resolution designating various locations within and near the LEATHER & LGBTQ Cultural District in the area bounded by Brannan Street, Third Street, Mission Street, 12th Street, and Division Street as commemorative sites in recognition and honor of the extensive history and contributions of the leather and LGBTQ community in the South of Market area; initiating the process set forth in Public Works Code, Sections 789 et seq. to facilitate the installation of commemorative plaques on the sidewalks near these locations to delineate the Leather History Cruise, subject to the submittal of all required application materials and the review and approval of the same by Public Works and the City Engineer.

07/26/22; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

08/25/22; REFERRED TO DEPARTMENT. Referred to Public Works and Arts Commission for informational purposes.

09/27/22; REFERRED TO DEPARTMENT. Referred to the Historic Preservation Commission for comment and recommendation.

Heard in Committee. Speakers: Bob Goldfarb, Executive Director (LEATHER & LGBTQ Cultural District); presented information and answered questions raised throughout the discussion. Bob Brown, President (LEATHER & LGBTQ Cultural District); David Leighman; J. Hunter; Speaker; Speaker; spoke in support of the hearing matter.

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

Ayes: 3 - Melgar, Preston, Peskin

220957 [Urging SFMTA to Enforce Powered Scooter Safety Violations and Modify Permits Accordingly]**Sponsors: Peskin; Walton, Chan, Ronen, Stefani, Preston and Melgar**

Resolution urging the San Francisco Municipal Transportation Agency (SFMTA) to empower Parking Control Officers to issue administrative citations for powered scooter safety violations, including but not limited to double-riding, riding on sidewalks, and all parking violations; and immediately modify all permits to Powered Scooter Share companies to mandate an immediate cease of operations for all devices not equipped with city-approved anti-sidewalk geofencing technology.

09/06/22; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

09/13/22; REFERRED TO DEPARTMENT. Referred to Public Works and San Francisco Municipal Transportation Agency for informational purposes.

Heard in Committee. Speakers: Kate Toran and Philip Cranna (San Francisco Municipal Transportation Agency); Nicole Bohn, Director (Mayor's Office of Disability); Jaime Parks, Director (Livable Streets); Phuong Buoy (SPIN); Robert Singleton (Bird); Charlie Miscaloni (Lime); presented information and answered questions raised throughout the discussion. Linda Chapman (Nob Hill Neighborhood Association); Patricia Anderson; Speaker (Teamsters 665); Regina Sweeny; Greg Rocino; Paul Liao (Barbary Coast Neighborhood Association); Den Ortiz; David Sonnsary; Mike Times; Duke Port Heimer; Dianna Taylor; spoke on various concerns relating to the hearing matter.

Member Peskin moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 7, by striking 'all' and adding 'available citywide' after 'technology'; on Page 2, Lines 20-21, by adding 'WHEREAS, The SFMTA has the authority to modify certain permit conditions, including the numerical limits on powered scooter devices by geographic area; and'; on Page 3, Lines 1-4, by adding 'WHEREAS, Permittee companies have been slow to respond to relocation requests, as demonstrated by the following average response times from July 1, 2021 through September 6, 2022, when Bird's average response time was 7.22 hours, Lime's average response time was 7.25 hours, and Spin's average response time was 3.34 hours; and'; by striking 'geofencing' and replacing it with 'riding' throughout the legislation; and adding other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Resolution urging the San Francisco Municipal Transportation Agency (SFMTA) to empower Parking Control Officers to issue administrative citations for powered scooter safety violations, including but not limited to double-riding, riding on sidewalks, and all parking violations; and immediately modify all permits to Powered Scooter Share companies to mandate an immediate cease of operations for devices not equipped with city-approved anti-sidewalk riding technology available citywide.

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

Ayes: 3 - Melgar, Preston, Peskin

Chair Melgar requested that File Nos. 220914, 220836, and 220858 be called together.

220914 [General Plan Amendments - Transbay Block 4 Redevelopment Project]

Ordinance amending the General Plan, to revise the Transit Center District Plan, a Sub-Area Plan of the Downtown Plan, to facilitate development of the Transbay Block 4 Redevelopment Project by revising height limits and bicycle network policy; 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 making public necessity, convenience, and general welfare findings under Planning Code, Section 340. (Planning Department)

08/23/22; RECEIVED FROM DEPARTMENT.

09/06/22; ASSIGNED to Land Use and Transportation Committee. President Walton waived the 30 day hold on this matter.

09/09/22; NOTICED. 10-Day Notice for 9/19/2022 Land Use and Transportation Committee hearing published in the Examiner and posted, per Government Code Sections 65091, 65090(a), and 65092(a).

09/19/22; CONTINUED. Heard in Committee. Speakers: Matt Snyder (Planning Department); Anne Pearson (Office of the City Attorney); Elizabeth Colomello (Office of Community Investment and Infrastructure); presented information and answered questions raised throughout the discussion.

Heard in Committee. Speaker: James Morales (Office of Community Investment and Infrastructure); presented information and answered questions raised throughout the discussion.

Chair Melgar moved that this Ordinance be RECOMMENDED "DO NOT PASS". The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

220836 [Zoning Map - Transbay Block 4 Redevelopment Project]**Sponsors: Dorsey; Mandelman**

Ordinance amending the Zoning Map of the Planning Code to facilitate development of the Transbay Block 4 Redevelopment Project (located on the south side of Howard Street between Beale and Main Streets) by increasing height limits; 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 making public necessity, convenience, and general welfare findings under Planning Code, Section 302.

07/12/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 8/11/2022.

07/20/22; REFERRED TO DEPARTMENT. Referred to the Planning Commission for review of the legislation and recommendation.

08/31/22; RESPONSE RECEIVED. On July 28, 2022, the Planning Commission met and held a duly noticed hearing and recommended approval of the proposed legislation.

09/09/22; NOTICED. 10-Day Notice for 9/19/2022 Land Use and Transportation Committee hearing published in the Examiner and posted, per California Government Code, Sections 65856 & 65090.

09/19/22; CONTINUED. Heard in Committee. Speakers: Matt Snyder (Planning Department); Anne Pearson (Office of the City Attorney); Elizabeth Colomello (Office of Community Investment and Infrastructure); presented information and answered questions raised throughout the discussion.

Heard in Committee. Speaker: James Morales (Office of Community Investment and Infrastructure); presented information and answered questions raised throughout the discussion.

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

Ayes: 3 - Melgar, Preston, Peskin

220858 [Disposition and Development Agreement and Air Rights Lease - Successor Agency to the San Francisco Redevelopment Agency Land - F4 Transbay Partners LLC and Transbay Block 4 Housing Partnership, L.P. - Transbay Block 4 - \$6,000,000]

Sponsor: Dorsey

Resolution approving the disposition of land, and entrance into a ground lease of certain air space rights, by the Successor Agency to the Redevelopment Agency of the City and County of San Francisco to F4 Transbay Partners LLC, a Delaware limited liability company, and Transbay Block 4 Housing Partnership, L.P., a California limited partnership, for a purchase price of \$6,000,000 for the property generally located at 200 Main Street, bounded by Howard, Main and Beale Streets and extending approximately 205 feet southeast from Howard Street (Assessor's Parcel Block No. 3739, Lot Nos. 010 and 011), commonly known as Transbay Block 4; making findings under the Transbay Redevelopment Plan (incorporating California Health and Safety Code, Section 33433); making findings 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.

07/19/22; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

08/23/22; RESPONSE RECEIVED. On July 28, 2022, the Planning Commission met and held a duly noticed hearing and recommended approval of the proposed legislation.

09/19/22; CONTINUED. Heard in Committee. Speakers: Matt Snyder (Planning Department); Anne Pearson (Office of the City Attorney); Elizabeth Colomello (Office of Community Investment and Infrastructure); presented information and answered questions raised throughout the discussion.

Heard in Committee. Speaker: James Morales (Office of Community Investment and Infrastructure); presented information and answered questions raised throughout the discussion.

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

Ayes: 3 - Melgar, Preston, Peskin

220710 [Landmark Tree Designation - Coast Redwood - 313 Scott Street]

Sponsor: Preston

Ordinance designating the coast redwood (*Sequoia sempervirens*) tree located at 313 Scott 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.

06/07/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/7/2022.

Heard in Committee. Speaker: Speaker; spoke on various concerns relating to the hearing matter.

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

Ayes: 3 - Melgar, Preston, Peskin

Chair Melgar requested that File Nos. 210866 and 220997 be called together.

210866 [Planning, Administrative, Subdivision Codes - Density Exception in Residential Districts]**Sponsors: Mandelman; Melgar**

Ordinance amending the Planning Code to provide a density limit exception to permit up to four dwelling units per lot, and up to six dwelling units per lot in Corner Lots, in all RH (Residential, House) zoning districts, subject to certain requirements, including among others the replacement of protected units; amending the Administrative Code to require new dwelling units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; amending the Subdivision Code to authorize a subdivider that is constructing new dwelling units pursuant to the density exception to submit an application for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 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.

07/27/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 8/26/2021.

08/03/21; REFERRED TO DEPARTMENT. Referred to the Planning Commission pursuant to Planning Code Section 302, for public hearing and recommendation; the Planning Department for environmental review; and Mayor's Office of Housing and Community Development and the Rent Board for informational purposes.

10/29/21; REMAIN ACTIVE. On October 19, 2021, the Board adopted extension Resolution No. 495-21 (Board File No. 211059) extending the Ordinance an additional 12 months, expiring November 1, 2022.

01/07/22; RESPONSE RECEIVED. On November 18, 2021, the Commission met and held a duly notice hearing and recommend approval with modification for the proposed legislation.

02/15/22; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Supervisor Mandelman introduced a substitute Ordinance bearing a new title.

02/16/22; RESPONSE RECEIVED. On November 18, 2021, the Commission met and held a duly noticed hearing and considered the proposed amendments to the legislation.

02/24/22; NOTICED. 10-Day Notice for 3/7/2022 Land Use and Transportation Committee hearing published in the Examiner and posted, per California Government Code, Sections 65856 & 65090.

03/07/22; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisors Rafael Mandelman, Ahsha Safai, and Gordon Mar (Board of Supervisors); Audrey Merlone and James Pappas (Planning Department); presented information and answered questions raised throughout the discussion. Ozzie Rohm; Corey Smith (San Francisco Housing Action Coalition); Anthony Singer; George; Christopher Roach; Mark Sedina; Karen Packmen; Anastasia Yovanopoulos; Zack Wiesenberger; Michael Cosaki; Jim Campbell; Tom Brand; Tim Coleman; Tom Radulovich, Executive Director (Livable City); Speaker; Sherry Watson; Robert Fructman; Speaker; Lorraine Petty; Speaker; Martin Munoz; Jay Vi; Peter Papadopoulos (Mission Economic Development Agency (MEDA)); Jen Hoisin; Speaker; Charlie Sciammas (People Organizing to Demand Environmental and Economic Justice (PODER)); Roland Maldonado; Jessica; Steve Marzer; Ian MacGregor; Vance Parker; Bob Akerson; Will Pringle; John Fridenbach; Georgia Schuttish; Speaker; Joseph Smith; Adam; Andrew Sullivan; Julie Jackson; Speaker; Kevin Burke; Theresa Flandrich; Michael Sax; Speaker; Pamela Gil; Ed Simky; spoke on various concerns relating to the hearing matter.

03/07/22; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

03/07/22; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

03/25/22; NOTICED. 10-Day Notice for 4/4/2022 Land Use and Transportation Committee hearing

published in the Examiner and posted, per California Government Code, Sections 65856 & 65090.

04/04/22; CONTINUED. Heard in Committee. Speakers: Jacob Bintliff (Office of Supervisor Rafael Mandelman); presented information and answered questions raised throughout the discussion. Anastasia Youvanopolous; David Pilpel; spoke on various concerns relating to the hearing matter.

04/11/22; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisors Rafael Mandelman and Gordon Mar (Board of Supervisors); presented information and answered questions raised throughout the discussion. Jeff White; Eileen Boken; George Wooding (San Francisco Land Use Coalition); Anastasia Yovanopoulos; Lorraine Petty; Corey Smith (San Francisco Housing Action Coalition); Georgia Schuttish; spoke on various concerns relating to the hearing matter.

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

04/11/22; CONTINUED AS AMENDED.

04/25/22; DUPLICATED. Heard in Committee. Speakers: Supervisors Rafael Mandelman, Gordon Mar, and Ahsha Safai (Board of Supervisors); Anne Pearson and Kristen Jensen (Office of the City Attorney); Audrey Merlone and James Pappas (Planning Department); presented information and answered questions raised throughout the discussion. Corey Smith (San Francisco Housing Action Coalition); Eileen Boken (Coalition for San Francisco Neighborhoods); Ozzy Rohm (San Francisco Land Use Coalition); George Wooding; Zach Weisenberger (Young Community Developers); Charlie Sciammas (People Organizing to Demand Environmental and Economic Rights); Peter Papadopolous (Mission Economic Development Agency); Robert Fruchtmann; Georgia Schuttish; Joseph Smooke (Westside Community Coalition); Joe DiMento; Austin Rosso; spoke on various concerns relating to the hearing matter.

04/25/22; CONTINUED. See Duplicated File Nos. 220446 and 220447.

05/09/22; CONTINUED. Heard in Committee. Speakers: Jacob Bintliff (Office of Supervisor Rafael Mandelman); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Georgia Schuttish; Joseph Smooke; Eileen Boken; Pac Wiesenberger; Peter Papadopolous (Mission Economic Development Agency); Lorraine Petty; Charlie Sciammas (PODER); spoke on various concerns relating to the hearing matter.

05/16/22; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Jacob Bintliff (Planning Department); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Charlie Sciammas (PODER); Anastasia Yovanopoulos; Zach White (Rent Coalition); spoke on various concerns relating to the hearing matter.

09/09/22; NOTICED. 10-Day Notice for 9/19/2022 Land Use and Transportation Committee hearing published in the Examiner and posted, per California Government Code, Sections 65856 & 65090.

09/19/22; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor Rafael Mandelman (Board of Supervisors); Tom Paulino (Mayor's Office); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Georgia Schuttish; Eileen Boken; Jacob Price (San Francisco Housing Action Coalition); David Pilpel; Robert Fruckman; Al Bakma; Theresa Flandric (North Beach Tenant's Committee); Speaker; spoke on various concerns relating to the hearing matter.

Chair Melgar moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 8, Lines 7-25, by adding Planning Code Section 207 (E) 'Applicability of Rent Ordinance; Regulatory Agreements'; and language on Annual Report on Housing Affordability, Racial Equity, and Language Access Goals; and adding other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Chair Melgar requested this matter be DUPLICATED AS AMENDED.

Vice Chair Preston moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 6, Lines 14-21, by adding '(q) This Board recognizes that additional development opportunities may lead to speculative real estate investments that may seek to maximize profits by displacing current residents, demolishing existing housing stock, building new units, and quickly selling those units. To discourage such speculation, demolition of existing units, and displacement of current residents, this ordinance makes the benefit of the density exception available only to persons who have owned their properties for four years prior to the date of their application to obtain the exception, including the ownership duration of their Eligible Predecessor, as defined herein.'; adding lookback operative provisions; and making other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Privilege of the floor was granted to Anne Pearson (Office of the City Attorney) who advised the Committee to restate the votes for the record, namely to take the motion to amend Board File No. 210866 removing zoning language. The Committee moved to restate the votes in its entirety for the record.

09/19/22; DUPLICATED AS AMENDED.

09/19/22; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. See DUPLICATE File No. 220997.

09/19/22; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

09/19/22; CONTINUED AS AMENDED.

Heard in Committee. Speakers: Supervisor Rafael Mandelman (Board of Supervisors); Tom Radulovich (Livable City); spoke in support of the hearing matter. Eileen Boken; spoke on various concerns relating to the hearing matter.

Chair Melgar moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 9, Line 11, by striking 'four years' and replacing it with 'one year'. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

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

Ayes: 3 - Melgar, Preston, Peskin

220997 [Planning Code; Zoning Map - Rezoning Residential Districts]**Sponsors: Mandelman; Melgar**

Ordinance amending the Planning Code to rezone all Residential, One Family (RH-1) zoning districts, except for Residential, One Family, Detached (RH-1(D)) districts, to Residential, Two Family (RH-2) zoning districts; to rezone the RH-1(D) districts to a new class of residential district called Residential, Two Family, Detached (RH-2(D)) districts; 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.

09/19/22; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Duplicated from File No. 210866.

09/19/22; CONTINUED AS AMENDED.

Heard in Committee. Speakers: Supervisor Rafael Mandelman (Board of Supervisors); Tom Radulovich (Livable City); spoke in support of the hearing matter. Eileen Boken; spoke on various concerns relating to the hearing matter.

Chair Melgar 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 4:39 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.