



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 17, 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 17, 2022, with Chair Myrna Melgar presiding. Chair Melgar called the meeting to order at 1:33 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 and Member Peskin were noted present. Vice Chair Preston was noted not 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

Chair Melgar requested that File Nos. 220940, 220941, 220942, 220943, 220944, and 220945 be called together.

220940 [Building Code - Repeal of Existing 2019 Code and Enactment of 2022 Code]

Ordinance repealing the 2019 Building Code in its entirety and enacting a 2022 Building Code consisting of the 2022 California Building Code and the 2022 California Residential Code, as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2023; and directing the Clerk of the Board to forward the Ordinance to the California Building Standards Commission, as required by State law. (Building Inspection Commission)

09/02/22; RECEIVED FROM DEPARTMENT.

09/13/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/13/2022.

09/21/22; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

10/12/22; 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.

Heard in Committee. Speakers: Michelle Yu, Christine Gasparac, and Neville Pereira (Department of Building Inspection); presented information and answered questions raised throughout the discussion.

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

Ayes: 2 - Melgar, Peskin

Absent: 1 - Preston

220941 [Existing Building Code - Repeal of Existing 2019 Code and Enactment of 2022 Code]

Ordinance repealing the 2019 Existing Building Code in its entirety and enacting a 2022 Existing Building Code consisting of the 2022 California Existing Building Code, as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2023; and directing the Clerk of the Board to forward the Ordinance to the California Building Standards Commission, as required by State law. (Building Inspection Commission)

09/02/22; RECEIVED FROM DEPARTMENT.

09/13/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/13/2022.

09/21/22; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

10/12/22; 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.

Heard in Committee. Speakers: Michelle Yu, Christine Gasparac, and Neville Pereira (Department of Building Inspection); presented information and answered questions raised throughout the discussion.

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

Ayes: 2 - Melgar, Peskin

Absent: 1 - Preston

220942 [Green Building Code - Repeal of Existing 2019 Code and Enactment of 2022 Code]

Ordinance repealing the 2019 Green Building Code in its entirety and enacting a 2022 Green Building Code consisting of the 2022 California Green Building Standards Code, as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2023; and directing the Clerk of the Board of Supervisors to forward the Ordinance to the California Building Standards Commission, as required by State law. (Building Inspection Commission)

09/02/22; RECEIVED FROM DEPARTMENT.

09/13/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/13/2022.

09/21/22; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

10/12/22; 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.

Heard in Committee. Speakers: Michelle Yu, Christine Gasparac, and Neville Pereira (Department of Building Inspection); presented information and answered questions raised throughout the discussion.

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

Ayes: 2 - Melgar, Peskin

Absent: 1 - Preston

220943 [Mechanical Code - Repeal of Existing 2019 Code and Enactment of 2022 Code]

Ordinance repealing the 2019 Mechanical Code in its entirety and enacting a 2022 Mechanical Code consisting of the 2022 California Mechanical Code, as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing an operative date of January 1, 2023; and directing the Clerk of the Board of Supervisors to forward the Ordinance to the California Building Standards Commission, as required by State law. (Building Inspection Commission)

09/02/22; RECEIVED FROM DEPARTMENT.

09/13/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/13/2022.

09/21/22; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

10/12/22; 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.

Heard in Committee. Speakers: Michelle Yu, Christine Gasparac, and Neville Pereira (Department of Building Inspection); presented information and answered questions raised throughout the discussion.

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

Ayes: 2 - Melgar, Peskin

Absent: 1 - Preston

220944 [Electrical Code - Repeal of Existing 2019 Code and Enactment of 2022 Code]

Ordinance repealing the 2019 Electrical Code in its entirety and enacting a 2022 Electrical Code consisting of the 2022 California Electrical Code, as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing an operative date of January 1, 2023; and directing the Clerk of the Board of Supervisors to forward the Ordinance to the California Building Standards Commission, as required by State law. (Building Inspection Commission)

09/02/22; RECEIVED FROM DEPARTMENT.

09/13/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/13/2022.

09/21/22; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

10/12/22; 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.

Heard in Committee. Speakers: Michelle Yu, Christine Gasparac, and Neville Pereira (Department of Building Inspection); presented information and answered questions raised throughout the discussion.

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

Ayes: 2 - Melgar, Peskin

Absent: 1 - Preston

220945 [Plumbing Code - Repeal of Existing 2019 Code and Enactment of 2022 Code]

Ordinance repealing the 2019 Plumbing Code in its entirety and enacting a 2022 Plumbing Code consisting of the 2022 California Plumbing Code, as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing an operative date of January 1, 2023; and directing the Clerk of the Board of Supervisors to forward the Ordinance to the California Building Standards Commission, as required by State law. (Building Inspection Commission)

09/02/22; RECEIVED FROM DEPARTMENT.

09/13/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/13/2022.

09/21/22; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

10/12/22; 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.

Heard in Committee. Speakers: Michelle Yu, Christine Gasparac, and Neville Pereira (Department of Building Inspection); presented information and answered questions raised throughout the discussion.

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

Ayes: 2 - Melgar, Peskin
Absent: 1 - Preston

Chair Melgar recessed the meeting at 2:29 p.m. and reconvened at 2:31 p.m.

Vice Chair Preston was noted present at 2:34 p.m.

220867 [Hearing - Lower Nob Hill/Upper Tenderloin Open Space Acquisition Plan]

Sponsor: Peskin

Hearing on the public open space needs in the Lower Nob Hill/Upper Tenderloin/Polk Gulch neighborhoods, an overview of the consultant survey of potential soft sites for acquisition, an accounting of the fund balance for the Open Space Acquisition Fund, and an update on the Recreation and Park Department's ability to meet the mandated "high needs" criteria of the Open Space Acquisition Fund; and requesting the Recreation and Park Department and Real Estate Division to report.

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

07/26/22; REFERRED TO DEPARTMENT. Referred to the Recreation and Parks Department and Real Estate Division for informational purposes and requesting the agencies to report.

Heard in Committee. Speakers: Yael Golan (Recreation and Parks Department); presented information and answered questions raised throughout the discussion. Jones Hill; Chris Schulman (Lower Polk Community Benefit District); Linda Chapman; Ken Maley; Juda Pativa; Speaker; Joy Cathy Morgan; Parker Moore; Jamil; Kelly Ram; Maria Diaz; spoke on various concerns relating to the hearing matter.

Member Peskin moved that this Hearing be HEARD AND FILED. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

220962 [Hearing - San Francisco's Plan to Address SF Bay Nitrogen and Phosphorus Loading]**Sponsor: Peskin**

Hearing to receive the best science and proactive steps to address and mitigate the impacts of nitrogen and phosphorus loading in the San Francisco Bay, red algae blooms, and additional steps that the City and County of San Francisco can take to prevent unhealthy and potentially fatal conditions for marine wildlife and human contact, including but not limited to infrastructure investments in waste water treatment; and requesting the San Francisco Public Utilities Commission, San Francisco Bay Regional Water Quality Control Board, Bay Area Clean Water Agency, Bay Conservation and Development Commission, and San Francisco Estuary Institute to report.

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

09/13/22; REFERRED TO DEPARTMENT. Referred to the San Francisco Public Utilities Commission, San Francisco Bay Regional Water Quality Control Board, Bay Area Clean Water Agency, Bay Conservation and Development Commission, and San Francisco Estuary Institute for informational purposes.

Heard in Committee. Speakers: Commissioner Sophie Maxwell (San Francisco Public Utilities Commission); Thomas Mumley (Bay Area Regional Water Board); Dr. David Senn (San Francisco Estuary Institute); Ian Wren (San Francisco Baykeeper); Dr. Lorien Fono (Bay Area Clean Water Agency); Gregory Norby, Amy Chastain, and Jeremy Spitz (San Francisco Public Utilities Commission); presented information and answered questions raised throughout the discussion. Eva Holman (Surfrider); David Pilpel; Tim Mikenberg; Commissioner Sophie Maxwell (San Francisco Public Utilities Commission); John Reinfeldt; Speaker; Christina Pappas; Speaker; spoke on various concerns relating to the hearing matter.

Member Peskin 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 6:18 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.