



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: John Carroll
(415) 554-4445 ~ john.carroll@sfgov.org

Monday, December 2, 2024 **1:30 PM** **City Hall, Legislative Chamber, Room 250**
Regular Meeting

Present: 2 - Dean Preston, and Aaron Peskin
Excused: 1 - Myrna Melgar

The Land Use and Transportation Committee met in regular session on Monday, December 2, 2024, with Vice Chair Dean Preston presiding. Vice Chair Preston called the meeting to order at 1:34 p.m.

ROLL CALL AND ANNOUNCEMENTS

On the call of the roll, Vice Chair Preston and Member Peskin were noted present. Chair Melgar was noted not present. A quorum was present.

COMMUNICATIONS

John Carroll, Land Use and Transportation Committee Clerk, instructed members of the public that public comment is taken on each item on the agenda. Alternatively, written comments may be submitted through email (john.carroll@sfgov.org) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

AGENDA CHANGES

There were no agenda changes.

Supervisor Melgar Excused from Attendance

Vice Chair Preston moved to excuse Chair Melgar from attending the Land Use and Transportation committee regular Meeting of December 2, 2024. The motion carried by the following vote:

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

REGULAR AGENDA

240931 [Planning Code, Zoning Map - 2301 Chestnut Street Special Sign District]

Sponsor: Dorsey

Ordinance amending the Planning Code and Zoning Map to establish the 2301 Chestnut Street Special Sign District encompassing the real property consisting of Assessor's Parcel Block No. 0936, Lot No. 001, to allow two projecting signs at 2301 Chestnut Street; 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 under Planning Code, Section 302.

09/24/24; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/24/2024.

10/02/24; REFERRED TO DEPARTMENT. Referred to the Planning Commission for findings of consistency with the General Plan; the eight priority policies of Planning Code, Section 101.1; and findings of public necessity, convenience, and welfare under Planning Code, Section 302. Referred to the Planning Department for environmental review.

10/08/24; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee. Supervisor Stefani introduced a substitute Ordinance bearing the same title.

10/16/24; REFERRED TO DEPARTMENT. Referred to the Planning Commission for findings of consistency with the General Plan; the eight priority policies of Planning Code, Section 101.1; and findings of public necessity, convenience, and welfare under Planning Code, Section 302. Referred to the Planning Department for environmental review.

11/15/24; 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.

11/22/24; NOTICED. Ten-Day Notice for December 2, 2024 Land Use and Transportation Committee hearing published in the Examiner and posted, per California Government Code, Sections 65856 & 65090.

11/26/24; RESPONSE RECEIVED. On November 14, 2024, the Planning Commission met and held a duly noticed hearing and recommended approval of the proposed legislation with modifications.

Heard in Committee. Speaker(s): Supervisor Matt Dorsey (Board of Supervisors); Aaron Starr (Planning Department); presented information and answered questions raised throughout the discussion. Speaker (Little Original Joe's Restaurant); shared various concerns regarding the hearing matter.

DUPLICATED

See Duplicate File No. 241169.

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

Ayes: 2 - Preston, Peskin

Excused: 1 - Melgar

241169 [Planning Code, Zoning Map - 2301 Chestnut Street Special Sign District]**Sponsor: Dorsey**

Ordinance amending the Planning Code and Zoning Map to establish the 2301 Chestnut Street Special Sign District encompassing the real property consisting of Assessor's Parcel Block No. 0936, Lot No. 001, to allow two projecting signs at 2301 Chestnut Street; 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 under Planning Code, Section 302.

Duplicated from File No. 240931.

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

Ayes: 2 - Preston, Peskin

Excused: 1 - Melgar

240982 [Building, Administrative, Public Works Codes - Disability Access Improvements for Places of Public Accommodation]**Sponsor: Mandelman**

Ordinance amending the Building, Administrative, and Public Works Codes to remove the local requirement for existing buildings with a place of public accommodation to have all primary entries and paths of travel into the building accessible to persons with disabilities or to receive a City determination of equivalent facilitation, technical infeasibility, or unreasonable hardship; and affirming the Planning Department's determination under the California Environmental Quality Act.

10/08/24; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/7/2024.

10/16/24; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review. Referred to the Building Inspection Commission and the Small Business Commission for review and response. Referred to the Planning Department, Public Works, Department of Disability and Aging Services, Mayor's Office on Disability, and the Office of Economic and Workforce Development for informational purposes.

11/06/24; RESPONSE RECEIVED. On October 28, 2024, the Small Business Commission met and voted to support the proposed legislation.

11/15/24; 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.

11/21/24; RESPONSE RECEIVED. On November 20, 2024, the Building Inspection Commission met and held a duly noticed hearing, and recommended approval of the proposed legislation.

Heard in Committee. Speaker(s): Adam Thongsavat (Office of Supervisor Rafael Mandelman); presented information and answered questions raised throughout the discussion. Henry Karnilowicz; shared various concerns regarding the hearing matter.

Vice Chair Preston moved that this Ordinance be CONTINUED to the Land Use and Transportation committee meeting of January 27, 2025. The motion carried by the following vote:

Ayes: 2 - Preston, Peskin

Excused: 1 - Melgar

240901 [Planning Code - Impact Fees for Changes of Use From Production, Distribution, and Repair to Other Non-Residential Uses]**Sponsor: Mayor**

Ordinance amending the Planning Code to eliminate impact fees for changes of use from PDR (Production, Distribution, and Repair) to other Non-Residential Uses, as specified; 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 pursuant to Planning Code, Section 302.

09/17/24; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/17/2024.

09/24/24; RESPONSE RECEIVED. On September 23, 2024, the Small Business Commission met and and voted to support the proposed legislation.

09/25/24; REFERRED TO DEPARTMENT. Referred to the Planning Commission for findings of consistency with the General Plan; the eight priority policies of Planning Code, Section 101.1; and findings of public necessity, convenience, and welfare under Planning Code, Section 302. Referred to the Planning Department for environmental review. Referred to the Office of Economic and Workforce Development and the Office of the Treasurer-Tax Collector for informational purposes.

10/04/24; 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.

11/15/24; RESPONSE RECEIVED. On November 14, 2024, the Planning Commission met and held a duly noticed hearing and recommended approval of the proposed legislation with modifications.

11/18/24; CONTINUED. Heard in Committee. Speaker(s): None.

Heard in Committee. Speaker(s): Katy Tang, Director (Office of Small Business); presented information and answered questions raised throughout the discussion. PJ Eugenio (SOMCAN); Peter Papadopoulos (MEDA); J.R. Eppler; shared various concerns regarding the hearing matter.

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

Ayes: 2 - Preston, Peskin

Excused: 1 - Melgar

240872 [Planning Code, Zoning Map - 30 Van Ness Avenue Special Use District; Amendment of Agreement for Sale of Real Estate]**Sponsors: Mayor; Dorsey**

Ordinance amending the Planning Code and Zoning Map to create the 30 Van Ness Avenue Special Use District, in the area generally bound by Fell Street to the north, Market Street to the east and south, and Van Ness Avenue to the west; modifying the Notice of Special Restrictions related to inclusionary housing obligations under the Agreement for Sale of Real Estate between the City and 30 Van Ness Development LLC; 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 public necessity, convenience, and welfare findings under Planning Code, Section 302.

09/10/24; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/10/2024.

09/18/24; REFERRED TO DEPARTMENT. Referred to the Planning Commission for findings of consistency with the General Plan; the eight priority policies of Planning Code, Section 101.1; and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

11/08/24; NOTICED. Ten-Day Notice for November 18, 2024 Land Use and Transportation Committee hearing published in the Examiner and posted, per California Government Code, Sections 65856 & 65090.

11/13/24; RESPONSE RECEIVED. On November 7, 2024, the Planning Commission met and held a duly noticed hearing and recommended approval of the proposed legislation.

11/18/24; CONTINUED. Heard in Committee. Speaker(s): None.

Heard in Committee. Speaker(s): Supervisor Matt Dorsey (Board of Supervisors); presented information and answered questions raised throughout the discussion. PJ Eugenio (SOMCAN); Rudy Gonzalez (San Francisco Building Trades Council); shared various concerns regarding the hearing matter.

Vice Chair Preston moved that this Ordinance be CONTINUED to the Land Use and Transportation committee meeting of December 9, 2024. The motion carried by the following vote:

Ayes: 2 - Preston, Peskin

Excused: 1 - Melgar

230596 [Planning Code - Minimum Densities for Residential Projects in RM, RC, and RTO Districts]**Sponsors: Peskin; Chan**

Ordinance amending the Planning Code to require conditional use authorization for residential housing developments that do not maximize residential density, as defined, in Residential-Mixed (RM), Residential Commercial (RC), and Residential Transit Oriented (RTO) Districts except for Residential-Transit Oriented - Mixed (RTO-M) 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.

05/23/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/22/2023.

05/30/23; 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.

06/07/23; 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.

07/25/23; RESPONSE RECEIVED. On July 20, 2023, the Planning Commission met and held a duly noticed hearing and recommended approval with modification for the proposed legislation.

09/11/23; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: None.

04/24/24; REMAIN ACTIVE. Supervisor Peskin requested this matter remain open an additional six months until October 24, 2024.

10/24/24; REMAIN ACTIVE. Supervisor Peskin requested this matter remain open an additional six months until April, 2025.

Heard in Committee. Speaker(s): None.

Member Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 1, to read 'Planning Code - Minimum Densities for Residential Projects in RM, RC, and RTO Districts;' on Page 1, Lines 3-11, to read 'Ordinance amending the Planning Code to require minimum residential density, in Residential-Mixed (RM), Residential Commercial (RC), and Residential Transit Oriented (RTO) Districts except for Residential-Transit Oriented – Mission (RTO-M) Districts; 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 pursuant to Planning Code, Section 302;' on Page 3, Lines 6-8, to read 'comparatively little emphasis has been placed on setting density minimums and prohibiting the construction of low-density projects in zoning districts that allow for greater density;' on Page 3, Line 22, through Page 4, Line 2, to read 'The October 2024 Housing Balance Report, produced by the Planning Department pursuant to Section 103 of the Planning Code, indicates that for the period from 2013 Quarter 1 to 2024 Quarter 2, 10,153 units of net new affordable housing have been built in San Francisco while 2,722 units have been removed from protected status, a ratio of just 3.73 units built for every 1 unit lost;' on Page 4, Lines 16-21, to read 'By requiring the creation of the maximum number of units on a parcel, the cost per unit of housing will be reduced. Similarly, the ordinance will preserve and facilitate the construction of housing for moderate- and lower-income households by requiring the preservation of existing units unless the minimum number of units on a subject lot will be constructed;' on Page 5, Lines 1-5, by inserting '(k) Likewise, as density increases, per capita water and energy use, stormwater runoff, and air pollutant and greenhouse gas emissions are reduced. In addition, multi-modal travel becomes more feasible, improving choices for non-drivers, as well as cost savings for households. Finally, dense residential development lowers per capita infrastructure capital and operating costs, and increases tax revenue per acre;' by updating the Zoning Control Tables for Residential Density Dwelling Units in the RM-1, RM-2, RM-3, and RM-4 Zoning Categories; the Zoning Control Table for Residential Commercial Districts in the RC-3 and RC-4 Zoning Categories; and the Zoning Control Table for RTO Districts, and adding total maximum permitted density per square foot of lot area for each category other than RTO-M; on Page 6, Lines 14-16, by striking 'C per Section 303(cc) if the residential building does not maximize principally permitted density, while meeting minimum unit size requirements set forth in Section 415.6(f)(2), except as set forth in section 303(cc)(1)' and Page 6, Lines 14-20, to read '(11) NP if less than minimum density as set forth in the table. Expansions of existing single-family residential buildings may not exceed more than 25% of Gross Floor Area over 10 years, or result in a building over 3,000 square feet. In new construction, no unit may be smaller than one-third the Gross Floor Area of the largest unit in the building;' on Page 7, Lines 19-21, by striking 'C per Section 303(cc) if the residential building does not maximize principally permitted residential density, while meeting minimum unit size requirements set forth in Section 415.6(f)(2), except as set forth in section 303(cc)(1)' and Lines 19-25, to read '(13) NP if less than minimum density as set forth in the table. Expansions of existing single-family residential buildings may not exceed more than 25% of Gross Floor Area over 10 years, or result in a building over 3,000 square feet. In new construction, no unit may be smaller than one-third the Gross Floor Area of the largest unit in the building;' on Page 9, Lines 1-3, by striking 'C per Section 303(cc) if the residential building does not maximize principally permitted residential density, while meeting minimum unit size requirements set forth in Section 415.6(f)(2), except as set forth in section 303(cc)(1)' and Lines 1-7, to read '(11) NP if less than minimum density as set forth in the table. Expansions of existing single-family residential buildings may not exceed more than 25% of Gross Floor Area over 10 years, or result in a building over 3,000 square feet. In new construction, no unit may be smaller than one-third the Gross Floor Area of the largest unit in the building;' on Page 9, Line 13, through Page 11, Line 16, by striking a subsection (cc) entitled 'Maximizing Density in RM, RC, and RTO Districts;' and by making clerical and conforming changes throughout the ordinance text. The motion carried by the following vote:

Ayes: 2 - Preston, Peskin

Excused: 1 - Melgar

Ordinance amending the Planning Code to require minimum residential density, in Residential-Mixed (RM), Residential Commercial (RC), and Residential Transit Oriented (RTO) Districts except for Residential-Transit Oriented - Mission (RTO-M) Districts; 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 pursuant to Planning Code, Section 302.

Member Peskin moved that this Ordinance be CONTINUED AS AMENDED to the Land Use and Transportation Committee meeting of December 9, 2024. The motion carried by the following vote:

Ayes: 2 - Preston, Peskin

Excused: 1 - Melgar

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 2:12 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.