



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

Member: Myrna Melgar, Chyanne Chen, Bilal Mahmood

Clerk: John Carroll
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Monday, February 10, 2025 **1:30 PM** **City Hall, Legislative Chamber, Room 250**
Regular Meeting

Present: 3 - Myrna Melgar, Chyanne Chen, and Bilal Mahmood

The Land Use and Transportation Committee met in regular session on Monday, February 10, 2025, with Chair Myrna Melgar presiding. Chair Melgar called the meeting to order at 1:30 p.m.

ROLL CALL AND ANNOUNCEMENTS

On the call of the roll, Chair Melgar, Vice Chair Chen, and Member Mahmood were noted 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.

REGULAR AGENDA

240873 [Planning, Health Codes - Inclusionary Housing Ordinance, Non-Potable Water Exemption]**Sponsors: Mayor; Sauter and Mahmood**

Ordinance amending the Planning Code to permit the use of California Debt Limit Allocation Committee tax-exempt bond financing and tax credits under the Tax Credit Allocation Committee for certain affordable housing projects that provide additional affordable units or deeper affordability levels than required by the Inclusionary Housing Ordinance, and require the Mayor's Office of Housing and Community Development to report on such projects; amending the Health Code to exempt such affordable housing projects from compliance with the requirement that new buildings be constructed, operated, and maintained using alternate water sources for non-potable uses; affirming the Planning Department's determination under the California Environmental Quality Act; making public necessity, convenience, and welfare findings under Planning Code, Section 302; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.

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. Referred to the Planning Department for environmental review. Referred to Mayor's Office of Housing and Community Development 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. Physical projects will require separate environmental review.

10/30/24; RESPONSE RECEIVED. On October 24, 2024, the Planning Commission met and held a duly noticed hearing and recommended approval of the proposed legislation with modifications.

02/03/25; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speaker(s): Supervisor Danny Sauter (Board of Supervisors); Veronica Flores (Planning Department); Brad Russi (Office of the City Attorney); presented information and answered questions raised throughout the discussion. John Avalos (Council of Community Housing Advocates); Alex Landsberg; Patrick McNerney, President (Martin Building Company); John Kevlin (Reuben, Junius, and Rose LLP); Jane Natoli; Speaker; Mauricio Chavez (Northern California Carpenters Union); Speaker; Speaker; David Kim (SFYIMBY); Speaker; Alex Steiner; Brinna Morales (San Francisco Housing Action Coalition); Ace Washington; Jim Chappell (San Francisco Housing Action Coalition); Mr. Richardson; shared various concerns regarding the ordinance matter.

02/03/25; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

02/03/25; CONTINUED AS AMENDED.

02/05/25; REFERRED TO DEPARTMENT. Referred to the Budget and Legislative Analyst for review and fiscal impact determination pursuant to Administrative Code, Section 2.6-3.

Heard in Committee. Speaker(s): Supervisor Danny Sauter (Board of Supervisors); presented information and answered questions raised throughout the discussion. Speaker; shared various concerns regarding the ordinance matter.

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

Ayes: 3 - Melgar, Chen, Mahmood

240927 [Planning Code - Development Impact Fees and Requirements for Non-Residential to Residential Conversion Projects]**Sponsors: Mayor; Dorsey and Sauter**

Ordinance amending the Planning Code to: 1) exempt certain types of projects in the downtown area that replace non-residential uses with residential uses from development impact fees and requirements, including the Inclusionary Housing fee; 2) create a process for previously approved projects to request modification to conditions of approval related to development impact fees, subject to delegation by the Planning Commission; and 3) remove the application deadline from the Commercial to Residential Adaptive Reuse Program; 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.

09/24/24; 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. Referred to the Office of Economic and Workforce Development and the Mayor's Office of Housing and Community Development for informational purposes.

10/15/24; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee. Mayor introduced a substitute Ordinance bearing a new title.

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 to the environment.

12/19/24; RESPONSE RECEIVED. The Planning Commission held a duly-noticed hearing on December 12, 2024, and recommended approval of the proposed legislation with modifications.

Heard in Committee. Speaker(s): Supervisors Matt Dorsey and Danny Sauter (Board of Supervisors); Lily Langlois (Planning Department); Jacob Bintliff (Office of Economic and Workforce Development); presented information and answered questions raised throughout the discussion. Jackson Nutt-Beers; Alex Landsberg; Jack Sylvan; Brian Davey (Build Group, Inc); Tom Chin; Speaker; Christina Lennox (Brownstone Shared Housing); Mark Babson; Louis Mirante, Vice President of Public Policy (Bay Area Council); Mark Milgan; Mike Cale; Scott Berry; Oz Erickson; Christopher; Robin Leavitt; Hernando; Serena Calhoun; spoke in support of the ordinance matter. Zachary; PJ Eujenio (SOMCAN); Elia; Ann; Ramon Bonifacio (SOMCAN); spoke in opposition to the ordinance matter. Christa Bonilla; Tim Wright (Carpenters Union); Maria Luz Torre and Elia Fernandez (Parent Voices); David Woo (SoMa Pilipinas); Angelica Cabande (SOMCAN); shared various concerns regarding the ordinance matter.

Vice Chair Chen moved that this Ordinance be CONTINUED to the Land Use and Transportation Committee meeting of February 24, 2025. The motion FAILED by the following vote:

Ayes: 1 - Chen

Noes: 2 - Melgar, Mahmood

Member Mahmood moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 6-8, by striking 'create a process for previously approved projects to request modification to conditions of approval related to development impact fees, subject to delegation by the Planning Commission;' on Page 1, Lines 9-10, by inserting 'and require periodic reporting to the Inclusionary Housing Technical Advisory Committee;' on Page 5, Lines 4-7, by inserting 'On December 12, 2024, the Planning Commission heard and considered this proposed ordinance. In Resolution No. 21663, the Commission recommended that the Inclusionary Housing Technical Advisory Committee periodically review the feasibility of the proposed inclusionary fee waiver;' on Page 6, Lines 9-14, to read '(3) Calculation of Space. In a mixed-use project with Residential and Non-Residential uses, the Gross Floor Area of Residential use shall be calculated based on the definition of Gross Floor Area in Planning Code Section 102, in the proportion that such areas serve the Residential use to the total square feet of Gross Floor Area served by such areas;' on Page 7, Lines 5-7, to read 'Projects that have been Finally Approved, and have not been issued a First Construction Document shall be entitled to request a modification to the project's Development fees and Development impact requirements under this subsection 406(j);' on Page 7, Line 7, through Page 8, Line 17, by striking provisions related to Planning Commission review and administrative modifications of previously-approved projects from Planning Code, Section 406(j)(5); on Page 8, Line 21, through Page 9, Line 2, by adding a reporting requirement to the Inclusionary Housing Technical Advisory Committee; and making clerical and conforming amendments throughout the ordinance text. The motion carried by the following vote:

Ayes: 3 - Melgar, Chen, Mahmood

Ordinance amending the Planning Code to: exempt certain types of projects in the downtown area that replace non-residential uses with residential uses from development impact fees and requirements, including the Inclusionary Housing fee, remove the application deadline from the Commercial to Residential Adaptive Reuse Program, and require periodic reporting to the Inclusionary Housing Technical Advisory Committee; 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 Mahmood moved that this Ordinance be RECOMMENDED AS AMENDED. The motion carried by the following vote:

Ayes: 2 - Melgar, Mahmood

Noes: 1 - Chen

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.

12/02/24; CONTINUED. 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.

01/27/25; CONTINUED. Heard in Committee. Speaker(s): Calvin Ho (Office of Supervisor Mandelman); presented information and answered questions raised throughout the discussion.

Heard in Committee. Speaker(s): President Rafael Mandelman (Board of Supervisors); Christine Gasparac (Department of Building Inspection); presented information and answered questions raised throughout the discussion. Mike; Manny Yekutiel; Sharky Laguana; Amy Cleary (Golden Gate Restaurant Association); Jackson Nutt-Beers (San Francisco Chamber of Commerce); Janan New, Executive Director (San Francisco Apartment Association); Serena Calhoun; Speaker; Sean Kim (Joe's Ice Cream); Speaker (Tenderloin Merchants Association); Edward Siu, President (Chinatown Merchants Association); Kyle Brunel (Pencilbox Architects); Speaker; Eric Kingsbury; Meghan; Speaker; Bivett Brackett; spoke in support of the hearing matter. Larry Yee (Chinese Consolidated Benevolent Association); Laura Lee; Amy; Walter Park; shared various concerns regarding the ordinance matter.

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

Ayes: 3 - Melgar, Chen, Mahmood

241067 [Planning, Building Codes - Interim Housing in Hotels and Motels]**Sponsor: Mayor**

Ordinance amending the Planning Code to allow tourist hotels and motels to be used for Interim Housing without thereby abandoning or discontinuing the hotel use classification under that Code; amending the Building Code to allow Interim Housing without thereby changing the underlying occupancy classification of the property, and amending Appendix P to remove restriction that emergency housing be located on land owned or leased by the City; 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.

10/29/24; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/28/2024.

11/06/24; REFERRED TO DEPARTMENT. Referred to the Building Inspection Commission for review and response. 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 Department of Homelessness and Supportive Housing and the Human Services Agency for informational purposes.

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 to 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.

12/23/24; RESPONSE RECEIVED. The Planning Commission held a duly-noticed hearing on December 12, 2024, and adopted a recommendation for approval.

Heard in Committee. Speaker(s): Bivett Brackett; Speaker; Sharky Laguana; shared various concerns regarding the ordinance matter.

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

Ayes: 3 - Melgar, Chen, Mahmood

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 3:35 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.