



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, Chyanne Chen, Bilal Mahmood

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

Monday, June 30, 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, June 30, 2025, with Chair Myrna Melgar presiding. Chair Melgar called the meeting to order at 1:32 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

250517 [Park Code - Treasure Island, Yerba Buena Island, and Certain Additional Properties]

Sponsors: Mayor; Dorsey

Ordinance amending the Park Code to apply the Park Code to certain parks on Treasure Island and Yerba Buena Island; to allow application of the Park Code to certain additional properties operated and managed by the Recreation and Park Department, subject to approval of the Recreation and Park Commission; and making clarifying changes. (Recreation and Park Commission)

05/13/25; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/12/2025.

Heard in Committee. Speaker(s): Yael Golan (Recreation and Park Department); presented information and answered questions raised throughout the discussion.

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

Ayes: 3 - Melgar, Chen, Mahmood

250538 [Planning Code - Priority Processing for Certain Commercial Uses]**Sponsors: Mayor; Melgar and Sauter**

Ordinance amending the Planning Code to update eligibility requirements for the priority processing program for certain commercial uses, including enabling eligible uses in the North Beach Neighborhood Commercial District, the North Beach Special Use District, the Calle 24 Special Use District, and Formula Retail uses with fewer than 20 establishments to participate in the program, and updating scheduling and extension requirements for the priority processing program; reaffirming 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.

05/20/25; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/19/2025.

05/28/25; 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 Small Business Commission for review and response. Referred to the Office of Economic and Workforce Development for informational purposes.

06/04/25; 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.

06/24/25; RESPONSE RECEIVED. The Small Business Commission held a duly-noticed meeting on June 23, 2025, and recommended approval of the proposed legislation.

06/27/25; RESPONSE RECEIVED. The Planning Commission held a duly-noticed hearing on June 26, 2025, and recommended approval of the proposed legislation with modifications.

Heard in Committee. Speaker(s): Katy Tang, Director (Office of Small Business); Aaron Starr (Planning Department); presented information and answered questions raised throughout the discussion. Nick Ferris, President (Telegraph Hill Dwellers); Romalyn Schmaltz; Theresa Flandrich; Susana Rojas, Executive Director (Calle 24 Latino Cultural District); shared various concerns regarding the ordinance matter.

Vice Chair Chen moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**, on Page 1, Lines 4-6, by striking 'eligible uses in the North Beach Neighborhood Commercial District, the North Beach Special Use District, the Calle 24 Special Use District, and'; on Page 4, Lines 1-22, by inserting '(4) Due to the Calle 24 Special Use District's unique history and special identity, the projects within its boundaries require special consideration in order to retain, enhance, and support its character. It is, therefore, exempted from the priority processing provisions of this Section 303.2. The City first recognized the area's unique history and special character in 2014, when in Board of Supervisors Resolution No. 168-14 it established the Calle 24 ("Veinticuatro") Latino Cultural District. The Resolution memorialized "a place whose richness of culture, history and entrepreneurship is unrivaled in San Francisco." A 2014 report by San Francisco Architectural Heritage found that many of the long-standing community-serving businesses within the area were at risk of displacement due to San Francisco's volatile economic climate despite continued value and a record of success. The special character of the area was further recognized in 2017 when Ordinance No. 85-17 was enacted to establish the Calle 24 Special Use District. In enacting that ordinance, the Board of Supervisors specifically found, among other things, that "[t]he mix of businesses and uses, including Legacy Businesses, murals, festivals and architectural neighborhood design and character in the Calle 24 Special Use District contribute to a strong sense of neighborhood and a unifying identity." This area continues to require special consideration in order to retain, enhance, and support its unique history and character, including providing economic and workforce opportunities for local residents, supporting the production and offering of local or Latino artwork, and making sure that the area offers a range of goods and services available and accessible to residents, including immigrant and low-income and moderate-income households.'; on Page 7, Lines 3-4, by inserting '(8) It is not within the Calle 24 Special Use District (Planning Code Section 249.59); and'; on Page 7, Lines 8-10, by inserting '(9) It is not within the North Beach Neighborhood Commercial District, (Planning Code Section 722), or the North Beach Special Use District (Planning Code Section 780.3).'; and making conforming changes throughout the ordinance text. The motion carried by the following vote:

Ayes: 3 - Melgar, Chen, Mahmood

Ordinance amending the Planning Code to update eligibility requirements for the priority processing program for certain commercial uses, including enabling Formula Retail uses with fewer than 20 establishments to participate in the program, and updating scheduling and extension requirements for the priority processing program; reaffirming 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.

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

Ayes: 3 - Melgar, Chen, Mahmood

250539 [Building, Planning Codes - Existing Awning, Sign, and Gate Amnesty Program; Design Standards for Gates, Railings, and Grillwork]**Sponsors: Mayor; Sauter and Chen**

Ordinance amending the Building and Planning Codes to extend the Awning Amnesty Program to apply to existing unpermitted Signs and Gates; amending the Planning Code to remove design standards for gates, railings, and grillwork on ground floor street frontages of non-historic buildings in Neighborhood Commercial, Residential-Commercial, Commercial, and Mixed-Use 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.

05/20/25; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/19/2025.

05/28/25; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review. 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 Building Inspection Commission for review and response.

06/04/25; 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.

06/17/25; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee. 6/17/25 - Mayor introduced a substitute Ordinance bearing same title

06/20/25; RESPONSE RECEIVED. The Building Inspection Commission held a duly noticed hearing on June 18, 2025, and recommended approval of the proposed legislation.

06/24/25; RESPONSE RECEIVED. The Small Business Commission held a duly-noticed meeting on June 23, 2025, and recommended approval of the proposed legislation.

06/27/25; RESPONSE RECEIVED. The Planning Commission held a duly-noticed hearing on June 26, 2025, and recommended approval of the proposed legislation.

Heard in Committee. Speaker(s): Katy Tang, Director (Office of Small Business); Aaron Starr (Planning Department); Michelle Andrews (Office of Supervisor Danny Sauter); presented information and answered questions raised throughout the discussion. Speaker; spoke in support of the ordinance matter.

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

Ayes: 3 - Melgar, Chen, Mahmood

250542 [Planning Code - Fenestration, Transparency, and Sign Requirements Generally; Sales and Service Uses in the C-3 and RC Districts]**Sponsors: Mayor; Sauter, Dorsey, Mahmood and Sherrill**

Ordinance amending the Planning Code to 1) principally permit certain non-retail sales and service uses, including general office, design professional, business services, non-retail professional services, and trade offices, on the ground floor in the C-3 ("Downtown Commercial") Districts through December 31, 2030, after which such uses will be conditionally permitted; 2) principally permit retail sales and service uses on the second floor and above in the RC ("Residential-Commercial") Districts; 3) principally permit non-retail sales and service uses on the second floor and above in the RC Districts; 4) update transparency and fenestration requirements for ground floor active uses and exempt child care facilities, homeless shelters, mortuaries, religious institutions, reproductive health clinics, and school uses from those requirements; 5) define an Interior Sign and the applicable standards for Interior Signs; 6) exempt Interior Signs of six square feet or less and Business and Identifying Signs painted on building facades from a permit under the Planning Code; 7) modify the definition of a Non-Residential Use for the purposes of certain development impact fee waivers; 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.

05/20/25; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/19/2025.

05/28/25; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review. 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 Office of Economic and Workforce Development for informational purposes.

06/04/25; 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.

06/24/25; RESPONSE RECEIVED. The Small Business Commission held a duly-noticed meeting on June 23, 2025, and recommended approval of the proposed legislation.

06/27/25; RESPONSE RECEIVED. The Planning Commission held a duly-noticed hearing on June 26, 2025, and recommended approval of the proposed legislation with modifications.

Heard in Committee. Speaker(s): Katy Tang, Director (Office of Small Business); Aaron Starr (Planning Department); Michelle Andrews (Office of Supervisor Danny Sauter); presented information and answered questions raised throughout the discussion.

Member Mahmood moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 7-8, by inserting 'and make accompanying revisions to required ground floor uses and Floor Area Ratio'; on Page 1, Lines 10-12, by inserting 'and conditionally permit catering and laboratory uses on the ground floor in the RC Districts'; on Page 1, Lines 15-16, by striking 'define an Interior Sign and the applicable standards for Interior Signs' and inserting 'modify the definition of a Window Sign'; on Page 1, Lines 16-19, by striking 'exempt Interior Signs of six square feet or less and Business and Identifying Signs painted on building facades from a permit under the Planning Code' and inserting 'modify Planning review and approval of changes in copy of a Sign and Wall and Window Signs applied to doors, windows, or building facades'; on Page 1, Lines 21-23, by inserting 'and 8) modify permitted and required ground floor uses in the RH-DTR ("Rincon Hill Downtown Residential") District, including uses in certain historic buildings, subject to various conditions'; on Page 3, Lines 12-14, by inserting 'To facilitate these ground floor uses, the ordinance makes accompanying changes to required ground floor commercial uses and Floor Area Ratio requirements.'; on Page 3, Lines 17-19, by inserting 'The ordinance also principally permits all uses in certain historic buildings in the RH-DTR ("Rincon Hill Downtown Residential") District, subject to various conditions.'; on Page 4, Lines 5-12, by striking 'by creating a permit exception for business or identifying signs painted on building facades and interior signs that measure six square feet or less. The ordinance also defines an interior sign and provides clear, objective criteria for the regulation of interior signs' and inserting 'including changes in copy of Signs and Wall and Window Signs that are applied (such as through the use of nylon or paint) to building facades, windows, and doors. The ordinance also narrows the definition of a Window Sign to such Signs that touch only glazing, to enable businesses to have more flexibility in the ways they display Signs inside the business premises.'; on Page 5, Lines 1-3, by inserting '(m) Floor Area Ratio limits shall not apply to any new Gross Floor Area created in a C-3 District through a change of use on the ground floor of space that was devoted to uses previously excluded from Gross Floor Area per Section 102.'; on Page 6, Lines 18-20, by striking '(ii) Window Signs and Interior Signs not exceeding one-third the area of the window on or in which the Signs are located, provided that such Signs are permitted by the Planning Code; and'; on Page 8, Lines 3-8, by inserting '(f) This Section 145.4 shall not apply to the following: (1) Buildings in the RH-DTR District that are (i) designated landmark buildings or contributory buildings within a designated historic district pursuant to Article 10 of the Planning Code, or (ii) listed on or determined eligible for the California Register of Historical Resources by the State Office of Historic Preservation; and (2) C-3 Districts through December 31, 2030.'; on Page 9, Lines 12-13, to read '(14) Catering and Laboratory are C on ground floor; all other Non-Retail Sales and Service Uses are NP on ground floor.'; on Page 13, Lines 12-13, by striking 'Interior Sign. A Sign that is located in the interior of a building within four feet of any window or clear door through which the Sign is visible but not including a Window Sign.'; on Page 13, Lines 15-25, to read 'Sign. Any structure, part thereof, or device or inscription which is located upon, attached to, or painted, projected, or represented on any land or right-of-way, or on the outside of any building or structure including an Awning, Canopy, Marquee, or similar appendage, or that touches the glass on the outside or inside of a window or other glazing, so as to be seen from the outside of the building and which displays or includes any numeral, letter, word, model, banner, emblem, insignia, symbol, device, light, trademark, or other representation used as, or in the nature of, an announcement, advertisement, attention-arrester, direction, warning, or designation by or of any person, firm, group, organization, place, commodity, product, service, business, profession, enterprise, or industry.'; on Page 14, Lines 9-11, to read 'Window Sign. A Sign that touches only the inside or outside of a window or other glazing, so as to be seen from the outside of a building.'; on Page 14, Lines 23-25, to read '(c) Exceptions to Permit and Planning Approval Requirements. No permit or Planning approval that would otherwise be required by this Article 6 shall be required for the Signs in this subsection (c) to the extent such Signs are permitted by this Code.'; on Page 15, Lines 1-12, by striking 'Business or Identifying Sign Painted on Door, or Window, or Building Façade. No permit shall be required under this Code for a Business or Identifying sSign painted or repainted

directly on a door, or window, or façade of a building, except for such sSigns in P and Residential Districts. Repainting of any painted Business or Identifying sSign that does require a permit shall be deemed to be a replacement of the Business or Identifying sSign, except as provided in Ssubsection (fc)(5) below.' and inserting 'Wall and Window Signs applied on a door, window, or any façade of a building, except for: (A) Signs located in Public and Residential Districts; (B) Signs that would otherwise require review and approval under Articles 10 and 11; (C) Signs that require a building permit; or (D) General Advertising Signs.'; on Page 15, Lines 13-18, to read '(2) Ordinary maintenance and minor repairs which do not involve replacement, alteration, reconstruction, relocation, intensification, or expansion of the Sign.'; on Page 15, Lines 19-22, to read '(3) Temporary sale or lease Signs, temporary Signs of persons and firms connected with work on buildings under actual construction or alteration, and temporary Business Signs, to the extent that such Signs are permitted by this Code.'; on Page 15, Line 23, through Page 16, Line 15, to read '(4) Change of copy on a Sign, provided that the change in copy does not: (A) require a building permit; (B) constitute a change from general advertising to nongeneral advertising sign copy or from nongeneral advertising to general advertising sign copy; or (C) increase the Area, Height, Illumination, or Projection, excluding any changes to Area, Height, Illumination, or Projection that affect only the copy on the Sign.'; on Page 19, Lines 9-21, by striking '(mj) Existing Signs in the C-3 Zoning District and portions of the C-2 Zoning District. A change of copy on existing sSigns the customary use of which does not involve frequent and periodic changes of copy within (1) the C-3 zoning district, (2) a C-2 zoning district that is east of or fronting Franklin Street/13th Street and north of Townsend Street, or (3) a C-2 zoning district that is also within the Stonestown SSD shall not be considered a new sSign for purposes of subsection (fc)(5) so long as a permit is sought and approved subject to the provisions of this Section 604 or a more restrictive provision in a sSpecial sSign dDistrict in Section 608 et seq., provided that a change from general advertising to nongeneral advertising sign copy or from nongeneral advertising to general advertising sign copy or an increase in aArea including, but not limited to, any extensions in the form of writing, representation, emblem or any figure of similar character shall in itself constitute a new sSign subject to the provisions of this Section 604. Consistent with Section 608, this provision shall control over any conflicting, more restrictive provision in a sSpecial sSign dDistrict.'; on Page 20, Lines 6-13, to read '(2) Window Signs. Window Signs are permitted. The total Area of all Window Signs shall not exceed one-third the total area of the business's ground floor windows and clear doors. Window Signs may be Nonilluminated or Indirectly illuminated.'; on Page 20, Lines 20-25, to read '(d) Window Signs. The total Area of all Window Signs shall not exceed one-third the total area of the business's ground floor windows and clear doors. Window Signs may be Nonilluminated, Indirectly Illuminated, or Directly Illuminated.'; and on Page 22, Line 7, through Page 24, Line 23, to make conforming changes to the Window Signs controls in the Cole Valley, Lakeside Village, NC-1 and NCT-1 Districts, RC, NC-2, NCT-2, NC-S, Inner Balboa Street, Outer Balboa Street, Broadway, Castro Street, Inner Clement Street, Outer Clement Street, Cortland Avenue, Divisadero Street, Excelsior Outer Mission Street, Fillmore Street, Upper Fillmore Street, Folsom Street, Glen Park, Inner Sunset, Irving Street, Haight Street, Lower Haight Street, Hayes-Gough, Japantown, Judah Street, Leland Avenue, Upper Market Street, Noriega Street, North Beach, Ocean Avenue, Pacific Avenue, Polk Street, Regional Commercial District, Sacramento Street, San Bruno Avenue, SoMa, Taraval Street, Inner Taraval Street, Union Street, Valencia Street, 24th Street-Mission, 24th Street-Noe Valley, West Portal Avenue Neighborhood Commercial Districts, Bayview, Geary Boulevard, Mission Bernal, Mission Street, Lower Polk Street, NCT, NC-3, NCT-3 Neighborhood Commercial Districts, Chinatown Residential Neighborhood Commercial District, Chinatown Visitor Retail District, Chinatown Community Business District, Eastern Neighborhoods, South of Market Mixed Use Districts, and the Downtown Residential Districts; on Page 25, Line 21, through Page 26, Line 15, to read 'SEC. 803.9. COMMERCIAL USES IN MIXED USE DISTRICTS. (b) Preservation of Historic Buildings within Certain Mixed Use Districts. The following controls are intended to support the economic viability of buildings of historic importance within certain Mixed Use Districts. (4) RH-DTR Districts. This subsection (b)(4)

applies only to buildings in RH-DTR Districts that are designated landmark buildings or contributory buildings within a designated historic district pursuant to Article 10 of the Planning Code, or buildings listed on or determined eligible for the California Register of Historical Resources by the State Office of Historic Preservation. (A) All uses are principally permitted, provided that prior to the issuance of any necessary permits, the Zoning Administrator, with the advice of the Historic Preservation Commission, determines that allowing the use will enhance the feasibility of preserving the building. (B) The Historic Preservation Commission shall review the proposed project for compliance with the Secretary of the Interior's Standards, (36 C.F.R. § 67.7 (2001)) and any applicable provisions of the Planning Code.'; and making conforming and clerical changes throughout the ordinance text. The motion carried by the following vote:

Ayes: 3 - Melgar, Chen, Mahmood

Ordinance amending the Planning Code to 1) principally permit certain non-retail sales and service uses, including general office, design professional, business services, non-retail professional services, and trade offices, on the ground floor in the C-3 ("Downtown Commercial") Districts through December 31, 2030, after which such uses will be conditionally permitted, and make accompanying revisions to required ground floor uses and Floor Area Ratio; 2) principally permit retail sales and service uses on the second floor and above in the RC ("Residential-Commercial") Districts; 3) principally permit non-retail sales and service uses on the second floor and above, and conditionally permit catering and laboratory uses on the ground floor in the RC Districts; 4) update transparency and fenestration requirements for ground floor active uses and exempt child care facilities, homeless shelters, mortuaries, religious institutions, reproductive health clinics, and school uses from those requirements; 5) modify the definition of a Window Sign; 6) modify Planning review and approval of changes in copy of a Sign and Wall and Window Signs applied to doors, windows, or building facades; 7) modify the definition of a Non-Residential Use for the purposes of certain development impact fee waivers; and 8) modify permitted and required ground floor uses in the RH-DTR ("Rincon Hill Downtown Residential") District, including uses in certain historic buildings, subject to various conditions; 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 making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

Member Mahmood moved that this Ordinance be CONTINUED TO CALL OF THE CHAIR AS AMENDED. The motion carried by the following vote:

Ayes: 3 - Melgar, Chen, Mahmood

250541 [Public Works, Administrative Codes - Café Tables and Chairs, Display Merchandise, Appurtenant Building Features, and Sidewalk Shared Spaces]**Sponsors: Mayor; Mandelman**

Ordinance amending the Public Works Code to streamline the approval of certain encroachments in the public right-of-way, to establish a registration requirement in place of all permit requirements and fees for café tables and chairs and display merchandise, and to eliminate minor encroachment permit requirements and right-of-way occupancy fees for appurtenant building features; amending the Administrative Code to exempt café tables and chairs and display merchandise from the Shared Spaces Program; and affirming the Planning Department's determination under the California Environmental Quality Act.

05/20/25; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/19/2025.

05/28/25; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review. Referred to the Office of Economic and Workforce Development for informational purposes.

06/04/25; 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.

06/24/25; RESPONSE RECEIVED. The Small Business Commission held a duly-noticed meeting on June 23, 2025, and recommended approval of the proposed legislation.

Heard in Committee. Speaker(s): Supervisor Rafael Mandelman (Board of Supervisors); Katy Tang, Director (Office of Small Business); presented information and answered questions raised throughout the discussion.

Member Mahmood moved that this Ordinance be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Melgar, Chen, Mahmood

250540 [Planning Code - Temporary Use Authorizations]**Sponsors: Mayor; Engardio**

Ordinance amending the Planning Code to streamline and simplify the process for obtaining and extending temporary use authorizations, implement standard requirements for any temporary use authorization, and permit as temporary uses seasonal political campaign offices for up to one year, and extend the maximum time period for a Pop-Up Retail temporary use to three years; 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.

05/20/25; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/19/2025.

05/28/25; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review. 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 Office of Economic and Workforce Development for informational purposes.

06/04/25; 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.

06/10/25; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee. 6/10/25 - Mayor introduced a substitute Ordinance bearing the same title.

06/20/25; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review. 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 Office of Economic and Workforce Development for informational purposes.

06/24/25; RESPONSE RECEIVED. The Small Business Commission held a duly-noticed meeting on June 23, 2025, and recommended approval of the proposed legislation.

06/26/25; 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.

06/27/25; RESPONSE RECEIVED. The Planning Commission held a duly-noticed hearing on June 26, 2025, and recommended approval of the proposed legislation.

Heard in Committee. Speaker(s): Katy Tang, Director (Office of Small Business); Supervisor Joel Engardio (Board of Supervisors); Aaron Starr (Planning Department); presented information and answered questions raised throughout the discussion.

Member Mahmood moved that this Ordinance be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Melgar, Chen, Mahmood

250284 [Planning, Building Codes - Noncomplying, Unpermitted, and Accessory Structures]**Sponsor: Engardio**

Ordinance amending the Planning Code to provide conditions for repair and relocation of existing noncomplying structures within required yards, grant unpermitted residential structures within yards that were constructed before 2003 noncomplying status, and allow accessory structures up to 10 feet in height and 120 square feet within required yards; amending the Building Code to exempt accessory structures up to 120 square feet from building permits; 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.

03/25/25; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 4/24/2025.

04/01/25; REFERRED TO DEPARTMENT. Referred to the Building Inspection Commission for review and response. Referred to the Planning Department for environmental review. 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.

05/05/25; 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.

05/23/25; RESPONSE RECEIVED. The Building Inspection Commission held a duly-noticed hearing on May 21, 2025, and recommended approval of the proposed legislation.

06/10/25; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Supervisor Engardio introduced a substitute Ordinance bearing a new title.

06/20/25; REFERRED TO DEPARTMENT. Referred to the Building Inspection Commission for review and response. Referred to the Planning Department for environmental review. 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.

06/26/25; RESPONSE RECEIVED. The Planning Commission held a duly-noticed hearing on June 26, 2025, and recommended approval of the proposed legislation with modifications.

06/26/25; 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. Speaker(s): Supervisor Joel Engardio (Board of Supervisors); Audrey Merlone (Planning Department); presented information and answered questions raised throughout the discussion. Eileen Boken; 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

241069 [Planning, Subdivision Codes - Condominium Conversion of Accessory Dwelling Units]**Sponsor: Engardio**

Ordinance amending the Planning and Subdivision Codes to allow separate conveyance of certain Accessory Dwelling Units and associated primary residences as condominiums; affirming the Planning Department's determination under the California Environmental Quality Act ("CEQA"); making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1, and adopting 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 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 Public Works, Office of the City and County Surveyor, Public Works Bureau of Street-Use and Mapping, the Office of the Assessor-Recorder, and the Residential Rent Stabilization and Arbitration Board for informational purposes.

11/18/24; 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.

02/27/25; RESPONSE RECEIVED. The Planning Commission held a duly-noticed hearing on February 13, 2025, and recommended approval of the proposed legislation with modifications.

04/21/25; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speaker(s): Supervisor Joel Engardio (Board of Supervisors); Aaron Starr (Planning Department); presented information and answered questions raised throughout the discussion. Eileen Boken; Mitchell Omerberg (Affordable Housing Alliance); shared various concerns regarding the ordinance matter.

04/21/25; CONTINUED AS AMENDED.

04/23/25; REFERRED TO DEPARTMENT. Referred to the Budget and Legislative Analyst for review and fiscal impact determination pursuant to Administrative Code, Section 2.6-3.

04/28/25; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speaker(s): Supervisor Joel Engardio (Board of Supervisors); presented information and answered questions raised throughout the discussion. Eileen Boken; Mitchell Omerberg (Affordable Housing Alliance); Ace Washington; shared various concerns regarding the ordinance matter.

Heard in Committee. Speaker(s): Supervisor Joel Engardio (Board of Supervisors); Audrey Merlone (Planning Department); Brad Russi (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Mitchel Omerberg; Eileen Boken; Brianna Morales (Housing Action Coalition); shared various concerns regarding the ordinance matter.

Chair Melgar moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**, on Page 14, Line 6, by striking 'or no certificate of occupancy has been issued for the ADU'; on Page 14, Lines 7-13, to read '(3) The ADU is either: (A) constructed on a property containing an existing single-family dwelling or existing condominiums, and such ADU (i) is detached from the existing dwelling or condominiums; (ii) is approved under the City's state-mandated, ministerial approval programs in Planning Code Section 207.2 or former Planning Code subsection 207(c)(6); and (iii) does not convert space within any existing structure; or'; on Page 19, Lines 2-5, to read 'Any ADU subject to conversion under this Section 1396.8 shall be subject to the requirements of Article 9 of this Code. For purposes of this Section 1396.8, primary residence shall mean the whole of an existing or new residential structure or complex, which may contain one or more individual dwelling units'; and making conforming changes throughout the ordinance text. The motion carried by the following vote:

Ayes: 3 - Melgar, Chen, Mahmood

Chair Melgar moved that this Ordinance be **RECOMMENDED AS AMENDED AS A COMMITTEE REPORT**. 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 3:01 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.