



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, April 11, 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 through videoconferencing, and provided public comment through teleconferencing, on Monday, April 11, 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, 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, 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.*

220190 [Planning Code - Landmark Designation - 2261 Fillmore Street (aka Clay Theatre)]

Sponsors: Stefani; Peskin and Preston

Ordinance amending the Planning Code to designate 2261 Fillmore Street (aka Clay Theatre), Assessor's Parcel Block No. 0630, Lot No. 002, as a Landmark consistent with the standards set forth in Article 10 of the Planning Code; and 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. (Historic Preservation Commission)

02/24/22; RECEIVED FROM DEPARTMENT.

03/08/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 4/7/2022.

04/01/22; NOTICED. Notice of Public Hearing for 4/4/2022 Land Use and Transportation Committee meeting mailed to property owners and interested parties.

Heard in Committee. Speakers: Dominica Donovan (Office of Supervisor Catherine Stefani); Pilar LaValley (Planning Department); presented information and answered questions raised throughout the discussion. David Pilpel; Woody LaBounty; Art Principle; David; Eric Deansworth; spoke in support of the hearing matter. Kathrin Petrin; Speaker; Speaker; Stephanie Peet; spoke on various concerns relating to the hearing matter.

Supervisors Peskin and Preston requested to be added as co-sponsors.

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

Ayes: 3 - Melgar, Preston, Peskin

220223 [Hearing - Housing Access for Black, Indigenous, People of Color (BIPOC) Pregnant Women and Persons, and Families with Young Children]**Sponsors: Melgar; Chan**

Hearing on housing access and placement, including within the Section 8 and Coordinated Entry Systems, for Black, Indigenous, People of Color (BIPOC) pregnant women and people, and families with young children; and requesting the Mayor's Office of Housing and Community Development, Department of Homelessness and Supportive Housing, Human Services Agency, and service providers to report.

03/01/22; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

03/04/22; REFERRED TO DEPARTMENT. Referred to the Mayor's Office of Housing and Community Development, Department of Homelessness and Supportive Housing, and Human Services Agency for informational purposes.

Heard in Committee. Speakers: Dr. Dominika Seidman (University of San Francisco); Matthew Oglander (Human Rights Commission); Emily Cohen and Bryn Miller (Department of Homelessness and Supportive Housing); Sheila Nickolopoulos (Mayor's Office); Monica Steptoe (Jelani House/Homeless Prenatal Project); Hope Williams; Maria Benjamin (Mayor's Office of Community Development); presented information and answered questions raised throughout the discussion. Shanell Williams, Director (San Francisco Democratic County Central Committee); Dr. Larry Rand (University of San Francisco); Jennifer Friedenbach; Emilio Carvera; Speaker; Solette Reskin; spoke on various concerns relating to the hearing matter.

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

Ayes: 3 - Melgar, Preston, Peskin

220027 [Hearing - Residential Certificate of Preference Program]**Sponsor: Walton**

Hearing on the Residential Certificate of Preference Program to review the data and plan for future implementation of the new Certificate of Preference eligibility requirements with the passage of Assembly Bill (AB) 1584, including reporting on the existing data and implementation of the new rules; and requesting the Mayor's Office of Housing and Community Development and the Office of Community Investment and Infrastructure to report.

01/04/22; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

01/07/22; REFERRED TO DEPARTMENT. Referred to the Mayor's Office of Housing and Community Development and Office of Community Investment for informational purposes and requesting the departments to report.

Heard in Committee. Speakers: Supervisor Shamann Walton (Board of Supervisors); James Morales (Office of Community Investment and Infrastructure); Eric Shaw, Director, and Kyra Geithman (Mayor's Office of Housing and Community Development); Pam Sims (Office of Community Investment and Infrastructure); Maria Benjamin (Mayor's Office of Community Housing and Development); presented information and answered questions raised throughout the discussion. Speaker; Laticia Irvine (African America Respirations Committee); Julian Davis; Speaker; Moses Corrette; Debbie; Richard Hashimoto; Speaker; spoke on various concerns relating to the hearing matter.

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

Ayes: 3 - Melgar, Preston, Peskin

211297 [Police, Building Codes - Bond for Labor Standards Compliance in Certain Residential Construction Projects]**Sponsors: Haney; Preston, Mar and Melgar**

Ordinance amending the Police Code to add Article 33O to require owners of certain residential construction projects to maintain a labor compliance bond and to condition release of such bond on specified reporting and labor standards compliance for work on the project; and amending the Building Code to require owners of such projects to file a labor compliance bond as a condition of receiving a permit for construction.

12/14/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/13/2022.

12/23/21; REFERRED TO DEPARTMENT. Referred to the Police Department, Department of Human Resources, Office of Labor Standards Enforcement, Department of Building Inspection, and Office of the Controller for informational purposes.

03/21/22; CONTINUED. Heard in Committee. Speakers: Supervisor Matt Haney (Board of Supervisors); Cesar Sanchez (Northern California Carpenters Regional Council); Alex Lantsberg (San Francisco Electrical Construction); presented information and answered questions raised throughout the discussion. Rudy Gonzalez (San Francisco Building Trades Council); Bertha Narrows; Ban Torres (Sprinklers Fitters); Brian McGilly (Local 5); Doug Bog; Matt Miller; Claire Lau; Sabrina Hernandez (Local 6); Joe Sanders; Debar John; John Corso (Local 38); spoke in support of the hearing matter.

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

04/04/22; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speaker: Monica Barnett (Office of Supervisor Matt Haney); presented information and answered questions raised throughout the discussion.

04/04/22; CONTINUED AS AMENDED.

Heard in Committee. Speakers: Monica Barnett (Office of Supervisor Matt Haney); presented information and answered questions raised throughout the discussion.

Supervisor Preston was noted not present at 5:03 p.m. and present at 5:04 p.m.

Member Peskin 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 5:05 p.m. and reconvened at 5:10 p.m.

Chair Melgar requested that File Nos. 210866 and 211202 be called together.

210866 [Planning, Administrative, Subdivision Codes; Zoning Map - Density Exception in Residential Districts]**Sponsors: Mandelman; Haney and 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; and 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.

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.

Chair Melgar moved to that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 5, Lines 19-23, by adding findings on the importance of encouraging productions of multi-bedroom units that are more family-friendly and larger unit sizes; on Page 5, Lines 24-25, and Page 6, Lines 1-6, by adding findings about the importance of intergenerational wealthy by supporting homeowners that are marginalized to incentive use of the density waiver, adding more units; on Page 6, Lines 7-13, by adding additional findings on further incentivizing homeowners to add more units by waiving the Historic Resource Assessment fees during pre-application; on Page 8, Lines 21-23, by adding '(F) Unit Sizes. At least one of the dwelling units resulting from the density exception shall have two or more bedrooms or shall have a square footage equal to no less than 1/3 of the floor area of the largest unit on the lot.'; and adding other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Chair Melgar moved that this Ordinance be CONTINUED AS AMENDED to the Land Use and Transportation Committee meeting of April 25, 2022. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

211202 [Planning, Administrative Codes - Dwelling Unit Density Exception in Residential Districts and Rent Control of Bonus Dwelling Units]**Sponsor: Mar**

Ordinance amending the Planning Code to provide a density limit exception for Lots in all RH (Residential, House) zoning districts to permit additional units ("Bonus Dwelling Units"), up to four total dwelling units per lot exclusive of accessory dwelling units, and to require that if such Bonus Dwelling Units are ever sold, the sales prices would not exceed an amount determined to be affordable at 100% of area median income; amending the Administrative Code to limit initial rental rates and rent increases for Bonus Dwelling Units; 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.

11/16/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 12/16/2021.

11/22/21; 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; referred to the Mayor's Office of Housing and Community Development, Rent Board, and Office of the Assessor Recorder for informational purposes.

02/08/22; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Supervisor Mar introduced a substitute Ordinance bearing a new title.

02/16/22; 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; referred to the Mayor's Office of Housing and Community Development, Rent Board, and Office of the Assessor Recorder for informational purposes.

02/23/22; RESPONSE RECEIVED. On February 10, 2022, the Commission met and held a duly noticed hearing and recommended disapproval for the proposed legislation.

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

04/04/22; RESPONSE RECEIVED. Ordinance falls within the CEQA exemption in SB 10, there no CEQA review is required.

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.

Chair Melgar moved that this Ordinance be CONTINUED to the Land Use and Transportation Committee meeting of April 25, 2022. 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 6:10 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.