



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, January 22, 2024

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

Present: 3 - Myrna Melgar, Dean Preston, and Aaron Peskin

The Land Use and Transportation Committee met in regular session on Monday, January 22, 2024, with Chair Myrna Melgar presiding. Chair Melgar called the meeting to order at 1:31 p.m.

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.

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

230419 [Street Encroachment Permit - 12th Street Plaza - 90-12th Street]

Sponsor: Dorsey

Resolution granting revocable permission to Otis Property Owner, LLC, to occupy and maintain the 12th Street Plaza on 12th Street at the corner of South Van Ness Avenue fronting 90-12th Street (Assessor's Parcel Block No. 3505, Lot No. 012); approving a nonexclusive public sidewalk easement for pedestrian access, passage, ingress, and egress for public sidewalk purposes; adopting environmental findings 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.

04/12/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

12/04/23; CONTINUED. Heard in Committee. Speakers: None.

12/11/23; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speaker: Madison Tam (Office of Supervisor Matt Dorsey); presented information and answered questions raised throughout the discussion.

12/11/23; CONTINUED AS AMENDED.

Heard in Committee. Speaker(s): Madison Tam (Office of Supervisor Matt Dorsey); presented information and answered questions raised throughout the discussion.

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

Ayes: 3 - Melgar, Preston, Peskin

231144 [Planning, Administrative Codes - Code Corrections Ordinance]

Ordinance amending the Planning and Administrative Codes to correct typographical errors, update outdated cross-references, and make non-substantive revisions to clarify or simplify Code language; 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 adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302. (Planning Department)

11/02/23; RECEIVED FROM DEPARTMENT.

11/14/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 12/14/2023.

11/22/23; 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.

12/11/23; 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.

Heard in Committee. Speaker(s): Aaron Starr (Planning Department); presented information and answered questions raised throughout the discussion.

Chair Melgar moved that this Ordinance be CONTINUED to the Land Use and Transportation Committee meeting of January 29, 2024. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

230310 [Planning Code - State-Mandated Accessory Dwelling Unit Controls]**Sponsor: Mayor**

Ordinance amending the Planning Code to clarify the ministerial approval process for certain Accessory Dwelling Units (ADUs) meeting certain requirements in single-family and multifamily buildings and to permit certain ADUs in the rear yard under the City's local, discretionary approval program; making findings 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

03/20/23; DUPLICATED. Duplicated from File No. 210585.

03/20/23; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Duplicated from File No. 210585.

03/20/23; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

04/03/23; 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.

04/21/23; RESPONSE RECEIVED. CEQA clearance under Addendum No. 9 to the Final EIR, dated September 9, 2022 to the 2004 and 2009 Housing Element Final EIR certified 4/24/2014.

06/27/23; REMAIN ACTIVE. On June 27, 2023, the Board adopted extension Resolution No. 347-23 (Board File No. 230742) extending the Ordinance an additional 180 days, expiring December 29, 2023.

10/13/23; RESPONSE RECEIVED. On September 28, 2023, the Planning Commission met and held a duly noticed hearing, and recommended approval with modification for the proposed legislation.

12/11/23; CONTINUED. Heard in Committee. Speakers: Aaron Starr (Planning Department); Natalia Fossi (Planning Department); presented information and answered questions raised throughout the discussion.

Heard in Committee. Speaker(s): Veronica Flores and Natalia Fossi; (Planning Department); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Ryan Patterson; shared various concerns regarding the hearing matter.

Member Peskin moved that this Ordinance be CONTINUED to the Land Use and Transportation Committee meeting of February 5, 2024. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

231258 [Planning Code - Housing Production]**Sponsor: Mayor**

Ordinance amending the Planning Code to encourage housing production by exempting, under certain conditions, specified housing projects from the notice and review procedures of Section 311 in areas outside of Priority Equity Geographies, which are identified in the Housing Element as areas or neighborhoods with a high density of vulnerable populations; removing the Conditional Use requirement for several types of housing projects, including housing developments on large lots in areas outside the Priority Equity Geographies Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.

12/04/23; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Duplicated from File No. 231142.

12/04/23; CONTINUED AS AMENDED.

12/11/23; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Aaron Starr (Planning Department); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Peter Papadopoulos (Mission Economic Development Agency); shared various concerns regarding the ordinance matter.

12/11/23; CONTINUED AS AMENDED.

Heard in Committee. Speaker(s): Aaron Starr (Planning Department); presented information and answered questions raised throughout the discussion. Speaker (Chinatown Community Benefit District); shared various concerns regarding the hearing matter.

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

Ayes: 3 - Melgar, Preston, Peskin

231163 [Fire Code - Filing of Proof of Inspections with Fire Department and Requiring Five Feet of Access to Divided Lot Structures]**Sponsor: Chan**

Ordinance amending the Fire Code to require filing with the Fire Department records of five-year inspection of fire sprinkler systems and annual inspection of fire alarm and detection systems, mandate a filing fee to ensure that the costs of providing for such filings are recovered without producing revenue that is significantly more than such costs, and require a minimum five feet access from the public-right-of-way to residential structures on newly subdivided lots; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

11/07/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 12/7/2023.

11/15/23; REFERRED TO DEPARTMENT. Referred to the Fire Department and Department of Building Inspection for informational purposes. Referred to the Building Inspection Commission for review and response.

01/12/24; NOTICED. First 10-Day Fee Ad for January 22, 2024 Land Use and Transportation Committee hearing published in the Examiner; per Government Code Section 6062(a).

01/17/24; NOTICED. Second 10-Day Fee Ad for January 22, 2024 Land Use and Transportation Committee hearing published in the Examiner; per Government Code Section 6062(a).

01/18/24; RESPONSE RECEIVED. The Building Inspection Commission met and held a public hearing on January 17, 2024, and recommended approval of the ordinance.

Heard in Committee. Speaker(s): Supervisor Connie Chan (Board of Supervisors); Ken Cofflin, Fire Marshal (Fire Department); presented information and answered questions raised throughout the discussion. Jake Price (Housing Action Coalition); shared various concerns regarding the hearing matter.

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

Ayes: 3 - Melgar, Preston, Peskin

Member Peskin was noted not present at 3:10 p.m., and for the remainder of the meeting.

230824 [Hearing - Emergency Firefighting Water System Funding and Design]**Sponsors: Chan; Melgar**

Hearing on the Emergency Firefighting Water System funding and design on the westside of San Francisco; and requesting the San Francisco Public Utilities Commission to report.

07/11/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

07/19/23; REFERRED TO DEPARTMENT. Referred to the Public Utilities Commission for comment and recommendation.

Heard in Committee. Speaker(s): Katie Miller (San Francisco Public Utilities Commission); Brian Strong, Director (Office of Resilience and Capital Planning); Darius Luttrupp, Deputy Chief (Fire Department); presented information and answered questions raised throughout the discussion. Eileen Boken; shared various concerns regarding the hearing matter.

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

Ayes: 2 - Melgar, Preston

Absent: 1 - Peskin

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 3:18 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Land Use and Transportation Committee on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.