



**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](mailto:john.carroll@sfgov.org)*

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**Monday, March 11, 2024**

**1:30 PM**

**City Hall, Legislative Chamber, Room 250**

**Regular Meeting**

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

*The Land Use and Transportation Committee met in regular session on Monday, March 11, 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](mailto: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**

**230310 [Various Codes - State-Mandated Accessory Dwelling Unit Controls]****Sponsor: Mayor**

Ordinance amending the Administrative Code, Building Code, Business and Tax Regulations Code, and Planning Code to clarify the ministerial approval process for certain Accessory Dwelling Units (ADUs) meeting certain requirements in single-family and multifamily buildings; 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 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.

01/22/24; CONTINUED. 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.

02/05/24; DUPLICATED. Heard in Committee. Speaker(s): Veronica Flores (Planning Department); Sheila Nickolopoulos (Mayor's Office of Housing and Community Development); Peter Miljanich and Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Jake Price; Annie Fryman (SPUR); Jane Natoli; spoke in support of the hearing matter. Mike Norh; Speaker; John Avalos (Council of Community Housing Organizations); shared various concerns regarding the hearing matter.

02/05/24; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. See Duplicate File No. 240110.

02/05/24; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

02/07/24; REFERRED TO DEPARTMENT. Re-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.

02/29/24; RESPONSE RECEIVED. On February 29, 2024, the Planning Commission met and held a duly noticed hearing and recommended approval of the proposed legislation with modifications.

03/04/24; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee.

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

03/04/24; CONTINUED AS AMENDED.

*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 RECOMMENDED AS COMMITTEE REPORT. The motion carried by the following vote:**

Ayes: 3 - Melgar, Preston, Peskin

## **240070 [Planning Code - Exceptions and Extensions for Existing Uses]**

Ordinance amending the Planning Code to modify offset requirement for heights exceeding 30 feet in the Bernal Heights Special Use District; permit large movie theater signage in the Japantown Neighborhood Commercial District; allow Medical Cannabis Dispensaries to continue operating as Temporary Cannabis Retail Uses until December 31, 2024; clarify eligibility for reduction in Inclusionary Housing requirements; and correct an error in the Zoning Control Table for the Urban Mixed Use District; 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; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302. (Planning Department)

01/25/24; RECEIVED FROM DEPARTMENT.

02/06/24; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/7/2024.

02/14/24; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

03/05/24; RESPONSE RECEIVED. CEQA for heights exception on Lots 055, 056, and 057 in Block 5526 are covered under Categorical Exemption issued July 1, 2019 (Case No. 2018-016540) and the remainder of the changes in File 240070 is 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): Audrey Merlone (Planning Department); presented information and answered questions raised throughout the discussion.*

**Chair Melgar moved that this Ordinance be RECOMMENDED. 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 1:38 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.*