

SAN FRANCISCO PLANNING COMMISSION



Meeting Minutes

Commission Chambers, Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Thursday, July 21, 2022
1:00 p.m.
Regular Meeting

COMMISSIONERS PRESENT: Tanner, Moore, Diamond, Fung, Imperial, Koppel, Ruiz
COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT TANNER AT 1:00 PM

STAFF IN ATTENDANCE: Aaron Starr, Audrey Merlone, Veronica Flores, Danielle Ngo, AnMarie Rodgers, Rich Sucre – Acting Zoning Administrator, Rich Hillis – Planning Director, Jonas P. Ionin – Commission Secretary

SPEAKER KEY:

- + indicates a speaker in support of an item;
- indicates a speaker in opposition to an item; and
- = indicates a neutral speaker or a speaker who did not indicate support or opposition.

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2020-005176DRP (D. WINSLOW: (628) 652-7335)
45 BERNARD STREET – south side between Taylor and Jones Streets; Lot 030 in Assessor's Block 0157 (District 3) – Request for **Discretionary Review** of Building Permit No. 2020.0822.2415 to construct a rear addition; alter the exterior of the existing building; and to legalize an existing residential unit within a RH-3 (Residential House, Three-Family)

Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

Preliminary Recommendation: Do Not Take Discretionary Review and Approve

(Continued from Regular hearing on May 26, 2022)

(Proposed for Continuance to August 25, 2022)

SPEAKERS: None
 ACTION: Continued to August 25, 2022
 AYES: Ruiz, Diamond, Fung, Imperial, Koppel, Moore, Tanner

2. 2021-007672DRP (D. WINSLOW: (628) 652-7335)
237 JUANITA WAY – south side near Del Sur Avenue; Lot 022 in Assessor’s Block 2971 (District 7) – Request for **Discretionary Review** of Building Permit 2021.0602.1495 to construct a front and rear horizontal addition to an existing three-story, one-family residence within a RH-1(D) (Residential House, One-Family-Detached) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

WITHDRAWN

SPEAKERS: None
 ACTION: Withdrawn

B. COMMISSION MATTERS

3. Commission Comments/Questions

President Tanner:

Thank you. I will start with our land acknowledgement.

The Planning Commission acknowledges that we are on the unceded ancestral homeland of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula. As the indigenous stewards of this land and in accordance with their traditions, the Ramaytush Ohlone have never ceded, lost, nor forgotten their responsibilities as the caretakers of this place, as well as for all peoples who reside in their traditional territory. As guests, we recognize that we benefit from living and working on their traditional homeland. We wish to pay our respects by acknowledging the Ancestors, Elders, and Relatives of the Ramaytush Ohlone community and by affirming their sovereign rights as First Peoples.

C. DEPARTMENT MATTERS

4. Director’s Announcements

None.

5. Review of Past Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission

Aaron Starr, Manager of Legislative Affairs:

Land Use Committee

- 220036 Planning Code - Electric Vehicle Charging Locations. Sponsors: Mayor; Mandelman, Stefani, Melgar, Mar and Dorsey. Staff: Starr.

The Mayor's EV Charging Location ordinance was before the Land Use Committee again this week. Last week it needed to be continued a week because the amendments had not been signed to form. This week, Supervisor Peskin introduced those amendments, which require CU for Fleet Charging in all zoning districts and to remove the ability for Fleet Charging to be an Accessory Use. He then duplicated the ordinance and added findings for the Planning Commission to consider when approving a CU application for fleet charging. The amended ordinance with the additional findings were then re-referred to this commission, and the other ordinance was continued for one week since the amendments were substantive. You will have the opportunity to weigh in on the new findings after your recess.

Full Board

- 220716 Initiating Landmark Designation Amendment - St. James Presbyterian Church. Sponsor: Walton. Staff: Boudreaux. Adopted

And also about an hour ago we received word that the Mayor had vetoed Supervisor Mandelman's fourplex ordinance.

President Tanner:

Mr. Starr, for the vehicle charging, we're just going to get back the consideration for the fleet charging portion of that legislation or will be the entire-

Aaron Starr, Manager of Legislative Affairs:

You'll get the -- the ordinance still has everything else in it but it has to be referred back to you because you didn't consider any findings.

President Tanner:

Okay, great. Thank you.

Jonas P. Ionin, Commission Secretary:

The Board of Appeals did meet last night and while they did not hear any cases of interest to the Planning Commission, they did welcome Alex Lemberg as their newest Commissioner. Mr. Lemberg is an attorney who resides in the Castro and is the president of the Eureka Valley Neighborhood Association. The Historic Preservation Commission did meet yesterday and adopted recommendations for approval for several Legacy Business applications including Suppenkuche on Laguna Street, Latin Bridal on Mission Street, Nomad Cyclery on Irving Street, John's Grill on Ellis Street, and Wilcox Frozen Foods on Oakdale Avenue. Additionally, they adopted a resolution in support of a National Register of Historic Places under Criterion B for its association with Architect of Merit, Timothy Flueger. And finally, they adopted the Mission Dolores Neighborhood Historic Context Statement and Survey.

D. GENERAL PUBLIC COMMENT

SPEAKERS: Georgia Schuttish – Email, price increases

E. REGULAR CALENDAR

The Commission Hearing Procedures provide for presentations by staff; when applicable, followed by a presentation of the project sponsor team; followed by public comment. Please be advised that the project sponsor team includes: the sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

6. [2022-001032PCA](#) (A. MERLONE: (628) 652-7534)
CONDITIONAL USE APPEALS (BF 220130) – Planning Code Amendment – Ordinance amending the Planning Code, sponsored by Supervisor Melgar, to allow the signatures of Verified Tenants to count towards the threshold needed to permit an appeal of a Conditional Use Authorization; clarifying timelines applicable to appeals of Conditional Use Authorizations; affirming the Planning Department’s determination under the California Environmental Quality Act; and making findings of public convenience, necessity, and welfare under Planning Code, Section 302.
Preliminary Recommendation: Approve with Modifications

SPEAKERS: + Jennifer Fieber, Legislative Aide to Supervisor Melgar – Introduction to the ordinance.
 = Audrey Merlone – Staff report
 + Speaker – Support tenant's opinion, improve appeal process
 + Georgia Schuttish – Support
 + Jerry Dratler – Support - gives individuals who rent a voice
 + Anastasia Yovanopoulos – Support reform of appeal process
 + Renee Curran – Support renters
 + Ozzie Rohm – Support, tenants right to appeal, UDUs
 + Bruce Bowen – Support, welcomed/needed change
 = Marlayne Morgan – David Sterling Act
 = Kirsten Jensen, Deputy City Attorney – Response to comments and questions

ACTION: Approved with Modifications
 AYES: Ruiz, Diamond, Imperial, Koppel, Moore, Tanner
 NAYS: Fung
 RESOLUTION: [21144](#)

7. [2021-012246PCA](#) (A. MERLONE: (628) 652-7534)
PLANNING CODE – SINGLE, TWO AND THREE-FAMILY HOME BONUS PROGRAM (BF 211234) – **Planning Code Amendment** – Ordinance amending the Planning Code, sponsored by Supervisor Safai, to create a density bonus program in RH-1 (Residential, House, One-Family), RH-2 (Residential, House, Two-Family), and RH-3 (Residential, House, Three-Family) Zoning Districts; 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.
Preliminary Recommendation: Approve with Modifications

SPEAKERS: + Supervisor Safai – Ordinance
 = Audrey Merlone – Staff report
 - Georgia Schuttish – Section 317, DR
 - Ozzie Rohm – Look back clause
 - Jessica – Caveat for SB 9, add amendment
 - Robert Fruchtman – Housing Element
 - Anastasia Yovanopoulos - Developer bill

ACTION: Approved with Modifications
 AYES: Diamond, Fung, Koppel, Tanner
 NAYS: Ruiz, Imperial, Moore
 RESOLUTION: [21145](#)

8. [2022-004725PCA](#) (V. FLORES: (628) 652-7525)
TEMPORARY SAFE OVERNIGHT PARKING AND CANNABIS RETAIL USES [BF 220542] – **Planning Code Amendment** – Ordinance amending the Planning Code, sponsored by Supervisor Safai, to allow long-term parking of and overnight camping in vehicles and ancillary uses on parcels designated and authorized for use as Vehicle Triage Centers or Safe Parking Program sites, as a temporary use; extending the date for expiration of temporary cannabis retail uses to January 1, 2024; 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 public necessity, convenience, and welfare findings pursuant to Planning Code, Section 302.
Preliminary Recommendation: Approve

SPEAKERS: = Veronica Flores – Staff report
 + Supervisor Safai – Introduction to ordinance
 = Dylan Schneider, HOM – Response to comments and questions

ACTION: Approved
 AYES: Ruiz, Diamond, Fung, Imperial, Koppel, Moore, Tanner
 RESOLUTION: [21146](#)

9. [2018-004217GPA](#) (D. NGO: (628) 652-7591)
2022 SAFETY AND RESILIENCE ELEMENT UPDATE – Consideration of a Resolution to **Initiate amendments** to the San Francisco General Plan – Pursuant to San Francisco Charter Section 4.105, Planning Code Section 340(c) and Section 306.3, the Planning Commission may consider adopting a Resolution to Initiate amendments to the General Plan, a proposed revision of the 2012 Community Safety Element, and schedule a public hearing to consider adopting the proposed General Plan amendments. This initiation hearing is to consider when the adoption hearing will be held. If the Planning Commission passes the initiation resolution, the Commission will consider the content at the adoption hearing date of their choosing. The Department staff propose the adoption hearing to be scheduled on or after August 25, 2022.
Preliminary Recommendation: Adopt a Resolution to Initiate

SPEAKERS: = Danielle Ngo – Staff presentation
 = AnMarie Rodgers – Staff presentation

ACTION: Initiated and Scheduled a hearing on or after August 25, 2022
 AYES: Ruiz, Diamond, Fung, Imperial, Koppel, Moore, Tanner

RESOLUTION: [21147](#)

ADJOURNMENT 3:32 PM
ADOPTED AUGUST 25, 2022