



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, July 21, 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, July 21, 2025, 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 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

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.

06/30/25; CONTINUED TO CALL OF THE CHAIR. 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.

07/18/25; RESPONSE RECEIVED. The Building Inspection Commission held a duly-noticed hearing on July 16, 2025, and recommended approval of the proposed legislation.

Heard in Committee. Speaker(s): Supervisor Joel Engardio (Board of Supervisors); Brad Russi (Office of the City Attorney); presented information and answered questions raised throughout the discussion.

Vice Chair Chen moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**, on Page 3, Lines 7-21, to read '(c) The permitted obstructions shall be as follows: (23) One or more detached structures, which may not include sleeping quarters or full kitchens, but may include bathrooms and wetbars if no more than 10 feet in height above grade, as measured to the top of the structure, and covering no more than a combined 120 square feet as measured at grade. An additional 1 foot of roof eave may be permitted beyond the 120 square feet maximum;'; on Page 4, Lines 9-14, to read '(1) Existing Yard Structures. A noncomplying structure that is located within a required yard may be enlarged, altered, or replaced provided that any above-grade enlargement of such structure is only to the degree necessary to conform to current Building Code requirements, including, but not limited to, the addition or construction of fire-rated walls. A noncomplying structure that is located within a required yard may be relocated within the yard if the structure's new location is equally or further set back from the nearest property line than the original location.'; and on Page 5, Lines 10-14, by striking '(c) The City shall refund any permit fees incurred by applicants who sought a Variance determination from Sections 133 or 134 to repair or replace structures that exceeded 100 square feet and/or 8 feet in height, after January 1, 2021, only if: the structures subject to the Variance are no more than 10 feet in height and no more than 120 square feet total; and were originally constructed and completed prior to 2003.'. The motion carried by the following vote:

Ayes: 3 - Melgar, Chen, Mahmood

Vice Chair Chen 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 1:36 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.