



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: Aaron Peskin, Ahsha Safai, Dean Preston

Clerk: Erica Major (415) 554-4441

Monday, March 9, 2020

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

Present: 3 - Aaron Peskin, Ahsha Safai, and Dean Preston

The Land Use and Transportation Committee met in regular session on Monday, March 9, 2020, with Chair Aaron Peskin presiding. Chair Peskin called the meeting to order at 1:44 p.m.

ROLL CALL AND ANNOUNCEMENTS

On the call of the roll, Chair Peskin and Member Preston were noted present. Vice Chair Safai was noted not present. A quorum was present.

Vice Chair Safai was noted present at 1:45 p.m.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

Chair Peskin recessed the meeting at 1:52 p.m. and reconvened at 2:15 p.m.

191075 [Planning, Administrative Codes - Residential Occupancy]**Sponsor: Peskin**

Ordinance amending the Planning Code to create the Intermediate Length Occupancy residential use characteristic; amending the Administrative Code to clarify existing law regarding the enforceability of fixed-term leases in rental units covered by the just cause protections of the Residential Rent Stabilization and Arbitration Ordinance (the "Rent Ordinance"), prohibit the use of rental units for temporary occupancies by non-tenants, require landlords to disclose in advertisements for such units that the units are subject to the Rent Ordinance, and authorize enforcement through administrative and/or civil penalties; requiring the Controller to conduct a study to analyze the impacts of new Intermediate Length Occupancy units in the City; 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.

10/22/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/21/2019.

10/30/19; 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.

11/22/19; 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.

01/14/20; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Supervisor Peskin introduced a substitute Ordinance bearing the same title.

01/22/20; 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.

02/11/20; RESPONSE RECEIVED. On January 30, 2020, the Planning Commission met and held a duly noticed hearing and recommended approval with modification for the proposed legislation.

02/24/20; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Fred Brousseau (Budget and Legislative Analyst's Office); Diego Sanchez (Planning Department); presented information and answered questions raised throughout the discussion. Greg Pennington; Gurvant Shah; J. Scott Weaver (San Francisco Tenant Union); Lenea Maibaum (Housing Rights Committee); Amelia Rubio; Javiar Ramon; Ran Thompson; Adrian Anzaldua; Lisa Aubrey; Brooke Turner (Coalition of Better Housing); spoke in support of the hearing matter. Bri Seoane (Ronald McDonald House Charities Bay Area); Jeff Jerden (Veritas Investments); spoke in opposition of the hearing matter. Susan Marsh; Linda Chapman (Nob Hill Neighbors); Kiana Martinez (Housing Rights Committee); Deepa Varma (San Francisco Tenants Union); Bri Shashe; Palo Mar; Lorraine Petty and Kathy Lipscomb (Senior and Disability Action); Sarah Shortt (Housing Rights Committee); Eli Soko; Tyler Show; (Council of Community Housing Organizations); Jeanine Nu; spoke on various concerns relating to the hearing matter.

02/24/20; CONTINUED AS AMENDED.

02/28/20; 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.

03/02/20; CONTINUED. Heard in Committee. Speaker: Diego Sanchez (Planning Department); presented information and answered questions raised throughout the discussion.

Heard in Committee. Speaker: Linda Chapman (Nob Hill Neighbors); spoke on various concerns relating to the hearing matter.

Vice Chair Safai moved that this Ordinance be **AMENDED, AMENDMENT OF THE WHOLE BEARING SAME TITLE**, on Page 3, Lines 21-24, by adding ‘ Any application to establish an Intermediate Length Occupancy Use Characteristic shall: (i) Specifically identify the unit proposed to be permitted as an Intermediate Length Occupancy unit; and’; on Page 4, Lines 1-6, by adding ‘(ii) Include a proof to the Department’s satisfaction that the proposed Intermediate Length Occupancy unit is located within a building that has no outstanding Notice of Violations. (B) Additional requirements for specific buildings sizes: (i) Intermediate Length Occupancy units are prohibited in buildings with three or fewer Dwelling Units.’; on Page 4, Line 7, by adding ‘four to’ before ‘nine’ and striking ‘or fewer’; on Page 4, Lines 21-23, by adding ‘b. That not less than two thirds of the total allowable Intermediate Length Occupancy units be in the downtown core, with the policy goal of keeping such uses near corresponding hotel and tourism districts, and job centers.’; on Page 5, Lines 1-3, by adding ‘c. That not more than one third of the total allowable Intermediate Length Occupancy units be permitted in Census Tracts in sensitive communities, as defined by the UC Berkeley Urban Displacement Project Sensitive Communities map.’; on Page 5, Lines 10-15, by adding ‘(C) An organization with tax-exempt status under 26 United States Code Sections 501(c)(3) providing access to the unit in furtherance of its primary mission to provide housing, provided that any organization that provides a Dwelling Unit offered for occupancy by a natural person for an initial stay, whether through lease, subscription, license, or otherwise, for a duration of greater than 30 consecutive days but less than one year must comply with the reporting requirements in subsection (d).’ and adding other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Peskin, Safai, Preston

Vice Chair Safai moved that this Ordinance be **CONTINUED AS AMENDED** to the Land Use and Transportation Committee meeting of March 16, 2020. The motion carried by the following vote:

Ayes: 3 - Peskin, Safai, Preston

200223 [Affirming City Support to Acquire PG&E Assets Contingent on Key Conditions and Priorities]

Sponsors: Peskin; Ronen

Resolution affirming the City’s continued good faith efforts to acquire the PG&E assets necessary to provide clean, green, and affordable electric power delivery and service in San Francisco, contingent on key conditions and priorities.

02/25/20; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

03/03/20; REFERRED TO DEPARTMENT. Referred to the Public Utilities Commission and the Mayor’s Office for informational purposes.

Heard in Committee. Speakers: None.

Vice Chair Safai moved that this Resolution be **RECOMMENDED AS A COMMITTEE REPORT**. The motion carried by the following vote:

Ayes: 3 - Peskin, Safai, Preston

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 2:37 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.