



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: Erica Major (415) 554-4441

Monday, May 16, 2022

1:30 PM

Regular Meeting

IN-PERSON MEETING
City Hall, Legislative Chamber, Room 250

(remote access provided)
(remote public comment provided via teleconference)

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

The Land Use and Transportation Committee met in regular session, in-person with remote access and public comment via telephone, on Monday, May 16, 2022, with Chair Myrna Melgar presiding. Chair Melgar called the meeting to order at 1:31 p.m.

Remote Access to Information and Participation

The Board of Supervisors and its committees will convene hybrid meetings that will allow in-person attendance, remote access, and public comment via teleconference. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings and watch meetings on demand or watch live meetings on San Francisco Cable Channels 26, 78 or 99 (depending on your provider). Members of the public may provide public comment in-person at the above noticed location or remotely via teleconference (detailed instructions available at: <https://sfbos.org/remote-meeting-call>). Individuals who wish to share documents during a hearing must provide them to the Clerk 48 hours in advance (Erica.Major@sfgov.org); equipment is not available to share hard copy documents received in-person.

Members of the public attending in-person may be required to wear masks or adhere to current orders, please visit https://sfbos.org/in_person_meeting_guidelines for the current guidelines.

Members of the public may also submit their comments by email to: Erica.Major@sfgov.org; all comments received will be made a part of the official record. Regularly scheduled Land Use and Transportation Committee Meetings begin at 1:30 p.m. every Monday of each month. Committee agendas and their associated documents are available at <https://sfbos.org/committees>.

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.

AGENDA CHANGES

There were no agenda changes.

COMMUNICATIONS

*Erica Major, Land Use and Transportation Clerk, instructed members of the public, when general public comment is called, to contribute live comments for up to two minutes in-person or by dialing the provided telephone number. In-person public comment will be taken before remote public comment is called. Those who are providing public comment remotely must dial * 3 to be added to the remote queue to speak. Written comments may be submitted through email Erica.Major@sfgov.org or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.*

REGULAR AGENDA

Chair Melgar requested that File Nos. 210866 and 220446 be called together.

210866 [Planning, Administrative, Subdivision Codes; Zoning Map - Density Exception in Residential Districts]**Sponsors: Mandelman; Melgar**

Ordinance amending the Planning Code to rezone all Residential, One Family (RH-1) zoning districts, except for Residential One Family, Detached (RH-1(D)) districts, to Residential, Two Family (RH-2) zoning districts; to rezone the RH-1(D) districts to a new class of residential district called Residential, Two Family, Detached (RH-2(D)) districts; and to provide a density limit exception to permit up to four dwelling units per lot, and up to six dwelling units per lot in Corner Lots, in all RH (Residential, House) zoning districts, subject to certain requirements, including among others the replacement of protected units; amending the Administrative Code to require new dwelling units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; amending the Subdivision Code to authorize a subdivider that is constructing new dwelling units pursuant to the density exception to submit an application for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 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.

07/27/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 8/26/2021.

08/03/21; REFERRED TO DEPARTMENT. Referred to the Planning Commission pursuant to Planning Code Section 302, for public hearing and recommendation; the Planning Department for environmental review; and Mayor's Office of Housing and Community Development and the Rent Board for informational purposes.

10/29/21; REMAIN ACTIVE. On October 19, 2021, the Board adopted extension Resolution No. 495-21 (Board File No. 211059) extending the Ordinance an additional 12 months, expiring November 1, 2022.

01/07/22; RESPONSE RECEIVED. On November 18, 2021, the Commission met and held a duly notice hearing and recommend approval with modification for the proposed legislation.

02/15/22; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Supervisor Mandelman introduced a substitute Ordinance bearing a new title.

02/16/22; RESPONSE RECEIVED. On November 18, 2021, the Commission met and held a duly noticed hearing and considered the proposed amendments to the legislation.

02/24/22; NOTICED. 10-Day Notice for 3/7/2022 Land Use and Transportation Committee hearing published in the Examiner and posted, per California Government Code, Sections 65856 & 65090.

03/07/22; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisors Rafael Mandelman, Ahsha Safai, and Gordon Mar (Board of Supervisors); Audrey Merlone and James Pappas (Planning Department); presented information and answered questions raised throughout the discussion. Ozzie Rohm; Corey Smith (San Francisco Housing Action Coalition); Anthony Singer; George; Christopher Roach; Mark Sedina; Karen Packmen; Anastasia Yovanopoulos; Zack Wiesenberger; Michael Cosaki; Jim Campbell; Tom Brand; Tim Coleman; Tom Radulovich, Executive Director (Livable City); Speaker; Sherry Watson; Robert Fructman; Speaker; Lorraine Petty; Speaker; Martin Munoz; Jay Vi; Peter Papadopoulos (Mission Economic Development Agency (MEDA)); Jen Hoisin; Speaker; Charlie Sciammas (People Organizing to Demand Environmental and Economic Justice (PODER)); Roland Maldonado; Jessica; Steve Marzer; Ian MacGregor; Vance Parker; Bob Akerson; Will Pringle; John Fridenbach; Georgia Schuttish; Speaker; Joseph Smith; Adam; Andrew Sullivan; Julie Jackson; Speaker; Kevin Burke; Theresa Flandrich; Michael Sax; Speaker; Pamela Gil; Ed Simky; spoke on various concerns relating to the hearing matter.

03/07/22; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

03/07/22; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

03/25/22; NOTICED. 10-Day Notice for 4/4/2022 Land Use and Transportation Committee hearing published in the Examiner and posted, per California Government Code, Sections 65856 & 65090.

04/04/22; CONTINUED. Heard in Committee. Speakers: Jacob Bintliff (Office of Supervisor Rafael Mandelman); presented information and answered questions raised throughout the discussion. Anastasia Youvanopolous; David Pilpel; spoke on various concerns relating to the hearing matter.

04/11/22; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisors Rafael Mandelman and Gordon Mar (Board of Supervisors); presented information and answered questions raised throughout the discussion. Jeff White; Eileen Boken; George Wooding (San Francisco Land Use Coalition); Anastasia Yovanopoulos; Lorraine Petty; Corey Smith (San Francisco Housing Action Coalition); Georgia Schuttish; spoke on various concerns relating to the hearing matter.

Supervisor Melgar requested to be added as a co-sponsor.

04/11/22; CONTINUED AS AMENDED.

04/25/22; DUPLICATED. Heard in Committee. Speakers: Supervisors Rafael Mandelman, Gordon Mar, and Ahsha Safai (Board of Supervisors); Anne Pearson and Kristen Jensen (Office of the City Attorney); Audrey Merlone and James Pappas (Planning Department); presented information and answered questions raised throughout the discussion. Corey Smith (San Francisco Housing Action Coalition); Eileen Boken (Coalition for San Francisco Neighborhoods); Ozzy Rohm (San Francisco Land Use Coalition); George Wooding; Zach Weisenberger (Young Community Developers); Charlie Sciammas (People Organizing to Demand Environmental and Economic Rights); Peter Papadopolous (Mission Economic Development Agency); Robert Fruchtman; Georgia Schuttish; Joseph Smooke (Westside Community Coalition); Joe DiMento; Austin Rosso; spoke on various concerns relating to the hearing matter.

04/25/22; CONTINUED. See Duplicated File Nos. 220446 and 220447.

05/09/22; CONTINUED. Heard in Committee. Speakers: Jacob Bintliff (Office of Supervisor Rafael Mandelman); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Georgia Schuttish; Joseph Smooke; Eileen Boken; Pac Wiesenberger; Peter Papadopoulos (Mission Economic Development Agency); Lorraine Petty; Charlie Sciammas (PODER); spoke on various concerns relating to the hearing matter.

Heard in Committee. Speakers: Jacob Bintliff (Planning Department); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Charlie Sciammas (PODER); Anastasia Yovanopoulos; Zach White (Rent Coalition); spoke on various concerns relating to 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

220446 [Planning, Administrative, Subdivision Codes; Zoning Map - Density Exception in Residential Districts]**Sponsors: Mandelman; Melgar**

Ordinance amending the Planning Code to rezone all Residential, One Family (RH-1) zoning districts, except for Residential One Family, Detached (RH-1(D)) districts, to Residential, Two Family (RH-2) zoning districts; to rezone the RH-1(D) districts to a new class of residential district called Residential, Two Family, Detached (RH-2(D)) districts; and to provide a density limit exception to permit up to four dwelling units per lot, and up to six dwelling units per lot in Corner Lots, in all RH (Residential, House) zoning districts, subject to certain requirements, including among others the replacement of protected units; amending the Administrative Code to require new dwelling units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; amending the Subdivision Code to authorize a subdivider that is constructing new dwelling units pursuant to the density exception to submit an application for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 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.

04/25/22; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Duplicated from File No. 210866.

04/25/22; CONTINUED AS AMENDED.

04/25/22; DUPLICATED. Duplicated from File No. 210866.

05/09/22; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Jacob Bintliff (Office of Supervisor Rafael Mandelman); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Georgia Schuttish; Joseph Smooke; Eileen Boken; Pac Wiesenberger; Peter Papadopoulos (Mission Economic Development Agency); Lorraine Petty; Charlie Sciammas (PODER); spoke on various concerns relating to the hearing matter.

05/09/22; CONTINUED AS AMENDED.

Heard in Committee. Speakers: Jacob Bintliff (Planning Department); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Charlie Sciammas (PODER); Anastasia Yovanopoulos; Zach White (Rent Coalition); spoke on various concerns relating to the hearing matter.

Member Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 6, Lines 13-14, by adding 'their Eligible Predecessor, as defined herein', on Page 6, Line 16, by striking 'intergenerational' before the word 'transfer' and striking 'person or entity from whom they inherited the lot' after 'Eligible Predecessor'; and adding other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Chair Melgar moved that this Ordinance be CONTINUED AS AMENDED to the Land Use and Transportation Committee meeting of June 6, 2022. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

220341 [Administrative Code - Ellis Act Evictions]**Sponsors: Melgar; Preston and Peskin**

Ordinance amending the Administrative Code to clarify that the date a property is withdrawn under the Ellis Act is based on the latest date that any tenancy in the property is terminated; to increase the relocation payments that owners must pay to tenants when evicting under the Ellis Act; to require that an owner who returns a unit to the rental market following an Ellis Act eviction must return the entire property to the market, with exceptions for certain owner-occupied units; to clarify that paying punitive damages does not extinguish an owner's obligation to re-offer the unit upon re-rental to the displaced tenants; and to delete inoperative Code sections.

04/05/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/5/2022.

04/08/22; REFERRED TO DEPARTMENT. Referred to the Rent Board and Mayor's Office of Housing and Community Development for informational purposes.

Heard in Committee. Speakers: Speaker; Theresa Flandric; Anastasia Yovanopoulos (San Francisco Tenants Union) spoke on various concerns relating to the hearing matter.

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 2:05 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.