



City and County of San Francisco

Meeting Minutes

Land Use and Economic Development Committee

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

Members: Scott Wiener, Jane Kim, Malia Cohen

Clerk: Andrea Ausberry (415) 554-4442

Monday, March 24, 2014

1:30 PM

City Hall, Committee Room 263

Regular Meeting

Present: 3 - Scott Wiener, Jane Kim, and Malia Cohen

MEETING CONVENED

The meeting convened at 1:37 p.m.

REGULAR AGENDA

131148 [Planning, Building, Administrative, and Subdivision Codes - Legalization of Dwelling Units Installed Without a Permit]

Sponsors: Chiu; Wiener and Avalos

Ordinance amending the Planning and Building Codes to provide a process for granting legal status to existing dwelling units constructed without the required permits, temporarily suspending the code enforcement process for units in the process of receiving legal status, and prohibiting units from being legalized under the provisions of this Ordinance if there have been no-fault evictions; amending the Administrative Code to prohibit the costs of legalization from being passed through to the tenant; amending the Subdivision Code to prohibit legalized units from being subdivided and separately sold; affirming the Planning Department's California Environmental Quality Act determination; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and directing the Clerk of the Board of Supervisors to submit this Ordinance to the California Department of Housing and Community Development in accordance with California Government Code, Section 65852.2(h).

11/26/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/26/2013.

12/20/13; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Building Inspection Department for review; Building Inspection Commission for public hearing and recommendation; Office of the Controller; Rent Board; Mayor's Office of Housing; and Fire Department for informational purposes.

02/07/14; RESPONSE RECEIVED. Not a project under CEQA guidelines Sections 15060(c) and 15378.

02/11/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

02/19/14; RESPONSE RECEIVED. Not a project under CEQA guidelines Sections 15060(c) and 15378.

02/19/14; REFERRED TO DEPARTMENT. Re-referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Building Inspection Department for review; Building Commission for public hearing and recommendation; Office of the Controller; Rent Board; Mayor's Office of Housing; and Fire Department for informational purposes.

02/20/14; RESPONSE RECEIVED. The Commission voted in support of the proposed amendment.

03/18/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

Heard in Committee. Speakers: AnMarie Rodgers (Planning Department); Kimia Haddadan (Planning Department); Ron Tom (Department of Building Inspection); Tom Hui, Director (Department of Building Inspection); Delene Wolf (Rent Board); Jon Givner, Deputy City Attorney (Office of the City Attorney); Rosemary Bosque (Department of Building Inspection); presented information concerning the matter and answered questions raised throughout the hearing. Andrew Long; Gordon Atkinson; Christina Dang (Asian Law Caucus); John Schlesinger; Kristy Wang; Omar Calimbas (Asian Law Caucus); Tim Colen; Brad; Tracy Tang; Tonya Soloman; Maria; Brook Turner; Jan; spoke in support of the proposed legislation. David Bisho; George Williams; Matt Chamberlain (West of Twin Peaks Central Council); Arthur Perkins; Rodger Ritter; George Wu; Dena Aslanian-William; Noni Richards; Elizabeth; Franck Avril; Ruth Hammons; Bridgett Churnin; Sparrow; Josephine Zhao; Jay Cheng; Ted Gullickson; Karen Wood (Miraloma Park Improvement Club); Charlie Goss (San Francisco Apartment Association); spoke in opposition to the proposed legislation.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE by the following vote:

Ayes: 3 - Wiener, Kim, Cohen

REFERRED WITHOUT RECOMMENDATION AS AMENDED to the Board of Supervisors, by the following vote:

Ayes: 3 - Wiener, Kim, Cohen

140035 [Administrative Code - Consumer Price Index Increase - Temporary Tenant Household Dislocation Compensation]**Sponsor: Chiu**

Ordinance amending Administrative Code, Chapter 37, "Residential Rent Stabilization and Arbitration Ordinance," to implement California Civil Code, Section 1947.9(a)(1)(A), by requiring the Rent Board to annually adjust the daily compensation rate for tenant household temporary dislocation of less than 20 days, according to the Consumer Price Index (CPI).

01/14/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/13/2014.

Heard in Committee. Speaker: Mr. Long; spoke in opposition to the proposed legislation.

RECOMMENDED by the following vote:

Ayes: 3 - Wiener, Kim, Cohen

140061 [Administrative Code - Plaza Program]**Sponsors: Mayor; Cohen**

Ordinance amending the Administrative Code, by adding Chapter 94, Sections 94.1 through 94.7, to establish a Plaza Program that coordinates City activities in some City-owned plazas on public property and public right-of-way; create a process to identify stewards to activate plazas under the jurisdiction of the Division of Real Estate and regulate such plazas; establishing administrative fees for the Plaza Program; and affirming the Planning Department's determination under the California Environmental Quality Act.

01/28/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/27/2014.

02/13/14; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Real Estate; Department of Public Works; Recreation and Parks; Office of Economic and Workforce Development; for informational purposes.

02/18/14; RESPONSE RECEIVED. Not a project under CEQA guidelines sections 15060(c) and 15318.

03/11/14; NOTICED. 10-Day fee ad notice published, regarding Plaza Program fees. Published March 14 and March 22, 2014.

Heard in Committee. Speakers: None.

CONTINUED to May 12, 2014, by the following vote:

Ayes: 3 - Wiener, Kim, Cohen

140127 [Landmark Designation Nomination - Tree Located at 3066 Market Street]**Sponsor: Wiener**

Resolution of intent initiating the nomination of the Sequoiadendron giganteum tree at 3066 Market Street for landmark tree status pursuant to Public Works Code, Section 810(b); acknowledging the temporary designation of such tree pursuant to Public Works Code, Section 810(d); and authorizing other official acts in furtherance of this Resolution.

02/11/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

02/28/14; REFERRED TO DEPARTMENT. Referred to Department of Public Works; and Planning for informational purposes.

Heard in Committee. Speakers: None.

RECOMMENDED.. by the following vote:

Ayes: 3 - Wiener, Kim, Cohen

The Land Use and Economic Development Committee recessed at 4:27 p.m. due to loss of quorum, and reconvened at the hour of 4:41 p.m.

140096 [Administrative Code - Tenant Relocation Assistance Payment]

Sponsors: Campos; Kim, Avalos and Mar

Ordinance amending the Administrative Code to mitigate adverse impacts of tenant evictions to provide that when residential units are withdrawn from the rental market under the Ellis Act, each relocated tenant is entitled to the greater of the existing rent relocation payment, or the difference between the tenant's current rent and the prevailing rent for a comparable apartment in San Francisco over a two year period; and allowing a landlord, through a hearing process, to obtain a revised relocation payment obligation based on an undue financial hardship adjustment or recalculated rent differential amount.

02/04/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/6/2014.

02/19/14; REFERRED TO DEPARTMENT. Referred to the Mayor's Office of Housing; Rent Board; Controller; County Recorder; Department of Public Health; and Mayor's Office of Disability for information purposes.

03/17/14; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Adine Varah, Deputy City Attorney (Office of the City Attorney); Delene Wolf, Executive Director (Rent Board); Ted Egan (Controller's Office); Fred Russo (Budget and Legislative Department); Jon Givner, Deputy Attorney (Office of the City Attorney); presented information concerning the matter and answered questions raised throughout the hearing. Erin McElroy (Anti-Eviction Mapping Project); Bernie Choden; Richard W.; Barbara Berwick; Iris Biblowitz; Karen Kerner (Housing Rights Committee); Patricia Kerman; Stephen Vincent; John Friedberg (Housing Rights Committee); Kathy Lipscomb; Rosemarie Guitron-Diaz; Sharon Zimmer; Leisa Thornton; Marga Gomez; Daniel Whittaker; Rosalie; Charles Mienster; Theresa Flandrick; Sarah Brant; Brian Basinger (Aids Housing); Alison Wright; Maria Gonzalez; Chondra Xian; Nato Green; Kate Willett; Nicole Calasich; Matt Lieb; Juan Medina; Sean Kean; Marc Bruno; Steve Collier (Tenderloin Housing Clinic); spoke in support of the proposed legislation. Charlie Goss; spoke in opposition to the proposed legislation.

03/17/14; CONTINUED AS AMENDED.

Heard in Committee. Speakers: Delene Wolf, Executive Director (Rent Board); Ted Egan (Controller's Office); presented information concerning the matter and answered questions raised throughout the hearing. Roy Skover; Marlene Tran; Andrew Long; Hon Lee; Ms. Leung; Flip Sarrow; Female Speaker; Female Speaker; Male Speaker; Brook Turner; Josephine Zhao; Male Speaker; spoke in opposition to the proposed legislation.

RECOMMENDED by the following vote:

Ayes: 3 - Wiener, Kim, Cohen

ADJOURNMENT

The meeting adjourned at 5:51 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Land Use and Economic Development Committee on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.