



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: Malia Cohen, Scott Wiener, Jane Kim

Clerk: Andrea Ausberry (415) 554-4442

Monday, May 18, 2015

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

Present: 3 - Malia Cohen, Scott Wiener, and David Campos

Absent: 1 - Jane Kim

President London Breed temporarily appointed Supervisor David Campos to serve on the Land Use and Transportation Committee for the meeting of May 18, 2015, in place of Supervisor Jane Kim.

ROLL CALL AND ANNOUNCEMENTS

Chair Malia Cohen called the meeting to order at 1:43 p.m. On the call of the roll, Supervisors Cohen, Wiener, and Campos were noted present. There was a quorum.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

File Nos. 150295, 150363, and 141036 were called together

150295 [Administrative Code - Short-Term Residential Rentals]**Sponsors: Campos; Mar and Avalos**

Ordinance amending the Administrative Code to revise the Residential Unit Conversion Ordinance to: limit short-term rental of a Residential Unit to no more than 60 days per calendar year; require Hosting Platforms to verify that a Residential Unit is on the City Registry prior to listing, remove a listing once a Residential Unit has been rented for Tourist or Transient Use for more than 60 days in a calendar year, and provide certain usage data to the Planning Department; revise the definition of Interested Parties who may enforce the provision of Chapter 41A through a private right of action to include Permanent Residents residing within 100 feet; amend the private right of action provisions to allow for a private right of action against Hosting Platforms and create an additional private right of action against Owners, Business Entities, and Hosting Platforms under certain circumstances; and provide for criminal penalties against Hosting Platforms in violation of this Chapter 41A; and affirming the Planning Department's determination under the California Environmental Quality Act. (Economic Impact; Office of Economic Analysis Report.)

03/24/15; ASSIGNED UNDER 30 DAY RULE PENDING APPROVAL AS TO FORM to Land Use and Transportation Committee.

04/14/15; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

04/21/15; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

04/24/15; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Treasurer and Tax Collector; Planning Department; Mayor's Office of Housing; and Rent Board for informational purposes.

04/27/15; RESPONSE RECEIVED.

04/27/15; RESPONSE RECEIVED.

05/01/15; REFERRED TO DEPARTMENT. Referred to Planning Department of environmental review; Rent Board; Mayor's Office of Housing; and Treasurer and Tax Collector for informational purposes.

Heard in Committee. Speakers: John Rahaim, Director, Aaron Starr, AnMarie Rodgers, and Scott Sanchez (Planning Department); Fred Brousseau (Budget and Legislative Analyst's Office); Ted Egan (Controller's Office of Economic Analysis); presented information and answered questions raised during the discussion. Jim Lazarus (San Francisco Chamber of Commerce); Karen Cancino; Rodolfo Cancino; Rufus Jefferis (Bay Area Council); Andrea Hachtigall; Giuliana Halasz; Steve McCoy; Katherine Howard; Tess Welborn (DS Action); Kathy George; Paula Blacoma; Chris Dailey; Calvin Welch (Share Better San Francisco); Eric Menard; Iris; Sandy; Ashley; Alex Marino; Carrie Davis; Lawrence Gordon; Ian Lewis; Madeline; Keith Rodgers; Morris; Lori Liderman; Linda Liteniser; Ashley Valdespino; Judith; Sander Halasz; Diana Martinez and Chirag Bhakta (Mission SRO Collaborative); Alex Kennan; Marlon; Charlie Goss; Scott Hague; Rodger Scott (AFT 2121); Quentin Mecke; Theresa Flandrich (North Beach Tenants Committee); Peter Kwan; Tracy Flanders; Erica Fisher; Joe; Keith Freedman; Marjorie; Sandra McPherson; Catherine Blum; Mark Halesworth; Fernando Marti (Council of Community Housing Organization); Kay Walker (San Francisco Gray Panthers); Brian Basinger (San Francisco AIDS Housing Alliance); Pam McElroy; Michelle; William Doyle; Andrew Szeto (San Francisco Tenants Union); Chuck Razwkou; Dario Romero (MEDA); David Thomson; Jennifer Friedersach (COH); Traci Dauphin; Nadia Muusse; Patrick Naony; Mick Dimas; Kate Evans; Lee Anderson; Mike Davis; Susan Englander (Howard Greyson LGBT Elder Life Conference); Wendy Testu; Chris George; Angeline Kung; Robert Atanasio; Richard Freelon; Nelson Zhao; Carmen Simon (Harvey Milk Club); Natasha Kromzhenko; Jordie Burnstein; Eva Muntean; Kevin Krejci; Bruce Benett; Ben; Duncan; Emily Goldenberg; Michele Schaal; Theresa Imperial (Bill Sorro Housing Program); Michael Grova; Kat Podgovnoft; Cindy McPhee; David Owen; Pam Brennan; Aaron Lander; Jeannie Stone; Jonathan Ross; Maury Argento; Shannon Murray; Martha Abbeny; Jamie Still; Jeff Beck; spoke in support of the hearing matter. Robert Callaghan (Internet Association); Nancy Rosales; Doug Nielson; Jorke; Jamie Colvin; Samuel Vazquez (Hispanic Chamber of Congress); Steve Thompson; Alice; Simon; Male Speaker; Rodger Ritter (WTPCC); Gwynn

MacKellen; spoke in opposition to the proposed legislation. Dennis Richards; spoke neither in support nor opposition to the matter.

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

Ayes: 3 - Cohen, Wiener, Campos

Absent: 1 - Kim

(Economic Impact; Office of Economic Analysis Report.)

(Supervisor Wiener dissented in Committee.)

REFERRED WITHOUT RECOMMENDATION AS AMENDED to the June 9, 2015, Board of Supervisors, by the following vote:

Ayes: 2 - Cohen, Campos

Noes: 1 - Wiener

Absent: 1 - Kim

150363 [Administrative Code - Short-Term Residential Rentals]**Sponsors: Mayor; Farrell**

Ordinance amending the Administrative Code to revise the Residential Unit Conversion Ordinance to: limit short-term rental of a Residential Unit to no more than 120 days per calendar year; revise the definition of Interested Parties who may enforce the provisions of Chapter 41A, through a private right of action to include Permanent Residents residing within 100 feet of the Residential Unit; create an additional private right of action under certain circumstances; create an Office of Short-Term Residential Rental Administration and Enforcement staffed by the Planning Department, Department of Building Inspection, and Tax Collector's Office; and affirming the Planning Department's determination under the California Environmental Quality Act.
(Economic Impact; Office of Economic Analysis Report.)

04/14/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/14/2015.

04/24/15; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Treasurer and Tax Collector; Planning Department; Mayor's Office of Housing; and Rent Board for informational purposes.

04/27/15; RESPONSE RECEIVED.

04/27/15; RESPONSE RECEIVED.

Heard in Committee. Speakers: John Rahaim, Director, Aaron Starr, AnMarie Rodgers, and Scott Sanchez (Planning Department); Fred Brousseau (Budget and Legislative Analyst's Office); Ted Egan (Controller's Office of Economic Analysis); presented information and answered questions raised during the discussion. Jim Lazarus (San Francisco Chamber of Commerce); Karen Cancino; Rodolfo Cancino; Rufus Jefferis (Bay Area Council); Andrea Hachtigall; Giuliana Halasz; Steve McCoy; Katherine Howard; Tess Welborn (DS Action); Kathy George; Paula Blacoma; Chris Dailey; Calvin Welch (Share Better San Francisco); Eric Menard; Iris; Sandy; Ashley; Alex Marino; Carrie Davis; Lawrence Gordon; Ian Lewis; Madeline; Keith Rodgers; Morris; Lori Liderman; Linda Liteniser; Ashley Valdespino; Judith; Sander Halasz; Diana Martinez and Chirag Bhakta (Mission SRO Collaborative); Alex Kennan; Marlon; Charlie Goss; Scott Hague; Rodger Scott (AFT 2121); Quentin Mecke; Theresa Flandrich (North Beach Tenants Committee); Peter Kwan; Tracy Flanders; Erica Fisher; Joe; Keith Freedman; Marjorie; Sandra McPherson; Catherine Blum; Mark Halesworth; Fernando Marti (Council of Community Housing Organization); Kay Walker (San Francisco Gray Panthers); Brian Basinger (San Francisco AIDS Housing Alliance); Pam McElroy; Michelle; William Doyle; Andrew Szeto (San Francisco Tenants Union); Chuck Razwkou; Dario Romero (MEDA); David Thomson; Jennifer Friedersach (COH); Traci Dauphin; Nadia Muusse; Patrick Naony; Mick Dimas; Kate Evans; Lee Anderson; Mike Davis; Susan Englander (Howard Greyson LGBT Elder Life Conference); Wendy Testu; Chris George; Angeline Kung; Robert Atanasio; Richard Freelon; Nelson Zhao; Carmen Simon (Harvey Milk Club); Natasha Kromzhenko; Jordie Burnstein; Eva Muntean; Kevin Krejci; Bruce Benett; Ben; Duncan; Emily Goldenberg; Michele Schaal; Theresa Imperial (Bill Sorro Housing Program); Michael Grova; Kat Podgovnoft; Cindy McPhee; David Owen; Pam Brennan; Aaron Lander; Jeannie Stone; Jonathan Ross; Maury Argento; Shannon Murray; Martha Abbeny; Jamie Still; Jeff Beck; spoke in support of the hearing matter. Robert Callaghan (Internet Association); Nancy Rosales; Doug Nielson; Jorke; Jamie Colvin; Samuel Vazquez (Hispanic Chamber of Congress); Steve Thompson; Alice; Simon; Male Speaker; Rodger Ritter (WTPCC); Gwynn MacKellen; spoke in opposition to the proposed legislation. Dennis Richards; spoke neither in support nor opposition to the matter.

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

Ayes: 3 - Cohen, Wiener, Campos

Absent: 1 - Kim

(Economic Impact; Office of Economic Analysis Report.)

REFERRED WITHOUT RECOMMENDATION AS AMENDED to the June 9, 2015, Board of Supervisors, by the following vote:

Ayes: 3 - Cohen, Wiener, Campos

Absent: 1 - Kim

141036 [Administrative Code - Amending Regulation of Short-Term Residential Rentals]**Sponsors: Kim; Breed**

Ordinance amending Chapter 41A of the Administrative Code to prohibit certain residential units that have been the subject of an Ellis Act eviction from use as short-term residential rentals and provide for private rights of action to enforce the requirements of this Chapter; and affirming the Planning Department's determination under the California Environmental Quality Act.

10/07/14; AMENDED. Duplicated as Amended from File No. 140381.

10/07/14; AMENDED.

10/07/14; AMENDED.

10/07/14; AMENDED.

10/07/14; AMENDED.

10/07/14; RE-REFERRED AS AMENDED to Land Use and Economic Development Committee.

10/15/14; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review, Planning Commission for public hearing and recommendation; Department of Building Inspection for informational purposes; Mayor's Office of Housing, Housing, Opportunity, Partnership and Engagement (HOPE), Rent Board, and Office of the Treasure-Tax Collector for informational purposes.

10/17/14; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2).

03/12/15; SUBSTITUTED. Previous amendments included in the ordinance have been codified in Chapter 41A of the Administrative Code. To reflect the current state of the law, this ordinance has been updated to include only those amendments currently pending.

03/13/15; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review, Planning Commission for public hearing and recommendation; Mayor's Office of Housing, Housing, Opportunity, Partnership and Engagement (HOPE), Rent Board, and Office of the Treasure-Tax Collector for informational purposes.

04/27/15; RESPONSE RECEIVED.

Heard in Committee. Speakers: John Rahaim, Director, Aaron Starr, AnMarie Rodgers, and Scott Sanchez (Planning Department); Fred Brousseau (Budget and Legislative Analyst's Office); Ted Egan (Controller's Office of Economic Analysis); presented information and answered questions raised during the discussion. Jim Lazarus (San Francisco Chamber of Commerce); Karen Cancino; Rodolfo Cancino; Rufus Jefferis (Bay Area Council); Andrea Hachtigall; Giuliana Halasz; Steve McCoy; Katherine Howard; Tess Welborn (DS Action); Kathy George; Paula Blacoma; Chris Dailey; Calvin Welch (Share Better San Francisco); Eric Menard; Iris; Sandy; Ashley; Alex Marino; Carrie Davis; Lawrence Gordon; Ian Lewis; Madeline; Keith Rodgers; Morris; Lori Liderman; Linda Liteniser; Ashley Valdespino; Judith; Sander Halasz; Diana Martinez and Chirag Bhakta (Mission SRO Collaborative); Alex Kennan; Marlon; Charlie Goss; Scott Hague; Rodger Scott (AFT 2121); Quentin Mecke; Theresa Flandrich (North Beach Tenants Committee); Peter Kwan; Tracy Flanders; Erica Fisher; Joe; Keith Freedman; Marjorie; Sandra McPherson; Catherine Blum; Mark Halesworth; Fernando Marti (Council of Community Housing Organization); Kay Walker (San Francisco Gray Panthers); Brian Basinger (San Francisco AIDS Housing Alliance); Pam McElroy; Michelle; William Doyle; Andrew Szeto (San Francisco Tenants Union); Chuck Razwkou; Dario Romero (MEDA); David Thomson; Jennifer Friedersach (COH); Traci Dauphin; Nadia Muusse; Patrick Naony; Mick Dimas; Kate Evans; Lee Anderson; Mike Davis; Susan Englander (Howard Greyson LGBT Elder Life Conference); Wendy Testu; Chris George; Angelina Kung; Robert Atanasio; Richard Freelon; Nelson Zhao; Carmen Simon (Harvey Milk Club); Natasha Kromzhenko; Jordie Burnstein; Eva Muntean; Kevin Krejci; Bruce Benett; Ben; Duncan; Emily Goldenberg; Michele Schaal; Theresa Imperial (Bill Sorro Housing Program); Michael Grova; Kat Podgovnoft; Cindy McPhee; David Owen; Pam Brennan; Aaron Lander; Jeannie Stone; Jonathan Ross; Maury Argento; Shannon Murray; Martha Abbeny; Jamie Still;

Jeff Beck; spoke in support of the hearing matter. Robert Callaghan (Internet Association); Nancy Rosales; Doug Nielson; Jorke; Jamie Colvin; Samuel Vazquez (Hispanic Chamber of Congress); Steve Thompson; Alice; Simon; Male Speaker; Rodger Ritter (WTPCC); Gwynn MacKellen; spoke in opposition to the proposed legislation. Dennis Richards; spoke neither in support nor opposition to the matter.

TABLED by the following vote:

Ayes: 3 - Cohen, Wiener, Campos

Absent: 1 - Kim

ADJOURNMENT

There being no further business, the Committee adjourned at 7:33 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.