



City and County of San Francisco

Meeting Agenda

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

ROLL CALL AND ANNOUNCEMENTS

AGENDA CHANGES

REGULAR AGENDA

- 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; No Office of Economic Analysis Report.)

3/24/15; ASSIGNED UNDER 30 DAY RULE PENDING APPROVAL AS TO FORM to the Land Use and Transportation Committee.

4/14/15; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

4/21/15; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.

4/24/15; REFERRED TO DEPARTMENT.

4/27/15; RESPONSE RECEIVED.

4/27/15; RESPONSE RECEIVED.

5/1/15; REFERRED TO DEPARTMENT.

- 2. [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; No Office of Economic Analysis Report.)

4/14/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

4/24/15; REFERRED TO DEPARTMENT.

4/27/15; RESPONSE RECEIVED.

4/27/15; RESPONSE RECEIVED.

- 3. [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.

10/7/14; AMENDED.

10/7/14; AMENDED.

10/7/14; AMENDED.

10/7/14; AMENDED.

10/7/14; AMENDED.

10/7/14; RE-REFERRED AS AMENDED to the Land Use and Economic Development Committee.

10/15/14; REFERRED TO DEPARTMENT.

10/17/14; RESPONSE RECEIVED.

3/12/15; SUBSTITUTED.

3/13/15; REFERRED TO DEPARTMENT.

4/27/15; RESPONSE RECEIVED.

ADJOURNMENT

NOTE: Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the general plan amendments or planning code and zoning map amendments described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

LEGISLATION UNDER THE 30-DAY RULE

NOTE: The following legislation will not be considered at this meeting. Board Rule 3.22 provides that when an Ordinance or Resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the Committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

150357

[Planning Code - Rincon Hill Streetscape Master Plan]

Ordinance amending Planning Code, Section 138.1, to acknowledge approval of the Rincon Hill Streetscape Master Plan; and making findings under the California Environmental Quality Act, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

4/7/15; RECEIVED FROM DEPARTMENT.

4/21/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

5/4/15; REFERRED TO DEPARTMENT.

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; No Office of Economic Analysis Report.)

4/14/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

4/24/15; REFERRED TO DEPARTMENT.

4/27/15; RESPONSE RECEIVED.

4/27/15; RESPONSE RECEIVED.

150365 [Planning, Administrative Codes - Construction of Accessory Dwelling Units]**Sponsor: Wiener**

Ordinance amending the Planning Code to allow construction of Accessory Dwelling Units (also known as Secondary or In-Law Units) in the 24th Street - Noe Valley Neighborhood Commercial District or within 1,750 feet of its boundaries, and on lots in the Glen Park Neighborhood Commercial Transit District and lots zoned NC-S (Neighborhood Commercial Shopping Center District) within Board of Supervisors District 8; amending the Administrative Code to provide that an Accessory Dwelling Unit constructed with a waiver of Code requirements is subject to the San Francisco Rent Ordinance if the existing building or any existing dwelling unit is already subject to the Rent Ordinance; making environmental findings, and 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 to send a copy of this Ordinance to the California Department of Housing and Community Development.

4/14/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

4/24/15; REFERRED TO DEPARTMENT.

150401 [General Plan Amendments - Rincon Hill Streetscape Master Plan]

Ordinance amending the Rincon Hill Area Plan, a subsection of the General Plan, to incorporate the Rincon Hill Streetscape Master Plan and make other technical amendments; and making findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

4/20/15; RECEIVED FROM DEPARTMENT.

4/28/15; ASSIGNED UNDER 30 DAY RULE to the Board of Supervisors.

5/4/15; TRANSFERRED to the Land Use and Transportation Committee.

5/13/15; REFERRED TO DEPARTMENT.

150410 [Administrative Code - Good Samaritan Status Under the Residential Rent Stabilization and Arbitration Ordinance]**Sponsors: Christensen; Wiener**

Ordinance amending the Administrative Code to expand the Good Samaritan Status under the Residential Rent Stabilization and Arbitration Ordinance to situations where tenants of the San Francisco Housing Authority are displaced by the commencement of rehabilitation on their housing units under a federal rental assistance demonstration program, thereby enabling those tenants to relocate with landlords who may seek to recover possession of the premises at the expiration of the Good Samaritan Status.

4/21/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

5/1/15; REFERRED TO DEPARTMENT.

150456 [Planning Code - Measurement of Rooftop Appurtenances and Infill Spaces for Noncomplying Structures in C-3 Zoning Districts]**Sponsor: Mayor**

Ordinance amending the Planning Code, by adding a new Subsection 188(g), to modify the measurement methodology for rooftop appurtenances and create a process to authorize certain types of infill floor area in existing structures, located in a C-3 (Downtown Commercial) Zoning District, which exceed the current height limit; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, Planning Code, Section 302, and the eight priority policies of Planning Code, Section 101.1.

5/5/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

5/13/15; REFERRED TO DEPARTMENT.

5/13/15; REFERRED TO DEPARTMENT.

150461 [Zoning - Interim Moratorium on New Residential Uses and Elimination of Production, Distribution, and Repair Uses in a Portion of the Mission Area Plan of the General Plan]**Sponsors: Campos; Mar, Kim, Avalos and Yee**

Urgency Ordinance approving an interim zoning moratorium on the issuance of any permits to demolish, merge, convert, or construct housing projects, as defined, on the issuance of any permits to demolish, convert, or eliminate Production, Distribution, and Repair (PDR), and to create an exception from the interim zoning moratorium for the issuance of permits for 100% affordable housing projects, as defined, and to allow the elimination of PDR uses where necessary to permit 100% affordable housing projects, in a portion of the Mission Area Plan of the General Plan (comprising the area bounded by the north side of Cesar Chavez, from the east side of Valencia to the west side of Potrero; the west side of Potrero, from the north side of Cesar Chavez to the south side of 20th Street; the south side of 20th Street, from the west side of Potrero to the west side of Bryant; the west side of Bryant, from the south side of 20th Street to the south side of Division; the south side of Division, from the west side of Bryant to the east side of Valencia; the east side of Valencia, from the south side of Division to the north side of Cesar Chavez); affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the eight priority policies of Planning Code, Section 101.1.

5/5/15; ASSIGNED to the Land Use and Transportation Committee.

5/12/15; SUBSTITUTED AND ASSIGNED to the Land Use and Transportation Committee.

150465 [Planning Code - Accessory Use Entertainment in Specified Western South of Market Districts]**Sponsor: Kim**

Ordinance amending the Planning Code to allow accessory use entertainment (with limited live performance permits) in the Western South of Market Mixed Use General and Regional Commercial Districts; 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.

5/5/15; ASSIGNED UNDER 30 DAY RULE to the Land Use and Transportation Committee.

5/13/15; REFERRED TO DEPARTMENT.

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

Meeting Procedures

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

IMPORTANT INFORMATION: The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications should be submitted to the Clerk of the Board, Clerk of a Committee or its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, 1 Dr. Carlton B Goodlett Place, or on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SFGovTV, the Government Channel 26. Meetings are broadcast live on KPOO 89.5 FM. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Peggy Nevin at (415) 554-5184. **AVISO EN ESPAÑOL:** La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Derek Evans (415) 554-7702. **Paunawa:** Ang mga kahilingan ay kailangang matanggap sa loob ng 48 oras bago mag miting upang matiyak na matutugunan ang mga hiling. Mangyaring tumawag kay Joy Lamug sa (415) 554-7712.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SFGovTV, the Government Channel 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Wilson Ng at (415) 554-5184 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-7854; or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfbos.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site <http://www.sfgov.org/ethics>