



**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*

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**Monday, February 24, 2020**

**1:30 PM**

**City Hall, Legislative Chamber, Room 250**

**Regular Meeting**

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

*The Land Use and Transportation Committee met in regular session on Monday, February 24, 2020, with Chair Aaron Peskin presiding. Chair Peskin called the meeting to order at 1:34 p.m.*

**ROLL CALL AND ANNOUNCEMENTS**

*On the call of the roll, Chair Peskin, Vice Chair Safai, and Member Preston were noted present. A quorum was present.*

**AGENDA CHANGES**

*There were no agenda changes.*

## REGULAR AGENDA

### **200083 [Transfer of Redevelopment Agency Real Property Assets - Office of Community Investment and Infrastructure - Public Works, Mayor's Office of Housing and Community Development, and Recreation and Park Department]**

Resolution authorizing and approving the acceptance of certain real property assets from the Office of Community Investment and Infrastructure to the City and County of San Francisco; placing parcels under the jurisdiction of Public Works (Assessor's Parcel Block (Block) No. 5203, Lot Nos. 037 and 044; Block No. 4570, Lot Nos. 020, 021, and 028; and Block No. 3751, Lot Nos. 167 and 168); placing parcels under the Mayor's Office of Housing and Community Development (Block No. 5423A, Lot 009; and Block No. 3731, Lot Nos. 240 and 241); placing property commonly known as the Adam Rogers Park Addition under the jurisdiction of the Recreation and Park Department; finding the proposed transaction is in conformance with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings under the California Environmental Quality Act. (City Administrator)

01/27/20; RECEIVED FROM DEPARTMENT.

02/04/20; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

*Heard in Committee. Speakers: Andrico Penick, Director (Real Estate Division); Hilde Myall (Office of Community Investment and Infrastructure); Jeremy Spitz (Public Works); presented information and answered questions raised throughout the discussion.*

**Chair Peskin moved that this Resolution be AMENDED, AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Line 4, by striking 'quitclaim' and replacing it with 'grant'. The motion carried by the following vote:**

Ayes: 3 - Peskin, Safai, Preston

**Chair Peskin moved that this Resolution be RECOMMENDED AS AMENDED. The motion carried by the following vote:**

Ayes: 3 - Peskin, Safai, Preston

### **190454 [Planning Code - Obstructions in Required Setbacks, Yards, and Usable Open Space]**

Ordinance amending the Planning Code to allow, in required setbacks, yards, and usable open space, all projections of an architectural nature if they meet the specified requirements and to allow bay windows that do not meet the specified requirements to apply for a Zoning Administrator waiver; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302. (Planning Commission)

04/22/19; RECEIVED FROM DEPARTMENT.

05/07/19; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/6/2019.

*Heard in Committee. Speaker: Audrey Merlone (Planning Department); presented information and answered questions raised throughout the discussion.*

**Chair Peskin moved that this Ordinance be RECOMMENDED. The motion carried by the following vote:**

Ayes: 3 - Peskin, Safai, Preston

**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.

*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.*

**Chair Peskin moved that this Ordinance be AMENDED, AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 4, Lines 16-21, 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)'; on Page 5, Lines 6-10, by adding ' (C) Dwelling Units in a project that has not had its building or site permit issued as of the effective date of this ordinance in Board File No. 191075. Unless reenacted, this subsection (C) shall expire by operation of law 24 months after the Effective Date of this ordinance in Board File No. 191075. Upon the expiration of this note, the City Attorney is authorized to take steps to remove this note from the Planning Code.'; 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 2, 2020. The motion carried by the following vote:**

Ayes: 3 - Peskin, Safai, Preston

### **191304 [Hearing - Implementation of Proposition F - Tenant Right to Counsel]**

**Sponsor: Preston**

Hearing on the implementation of the November 2018 ballot measure, Proposition F, Tenant Right to Counsel, which guarantees any tenant a right to counsel in an eviction matter; and requesting Mayor's Office of Housing and Community Development to report.

12/17/19; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

12/23/19; REFERRED TO DEPARTMENT. Referred to Mayor's Office of Housing and Community Development for informational purposes.

*Heard in Committee. Speakers: Brian Cheu (Mayor's Office of Housing and Community Development); Courtney McDonald (Office of Supervisor Matt Haney); presented information and answered questions raised throughout the discussion. Adrian Titonadi, Executive Director, Alex Lemberg, Devin Fathi, and Kelsey Merric (Open Door Legal); Paul Ventworth; Steve Collier (Tenderloin Housing Clinic); Reil Spealer; Lorraine Petty (Senior and Disability Action); Juliet Rohdi (Stanford Law); Dyne Biancardi (Open Door Legal); Kerry Gold; Laura Chiera, Executive Director (Legal Assistance to the Elderly); Mr. and Mrs. Ng; Kim Kruse and Tom Drohan (Legal Assistance to the Elderly); Vow Chou Dang; Junior Mayema; Deepa Varma (San Francisco Tenants Union); Scott Weaver; Gurvant Shah; Sarah Short (Housing Rights Committee); Martina Cuculla, Executive Director (Eviction Defense Collaborative); Speaker; Speaker; spoke on various concerns relating to the hearing matter.*

**HEARD AND FILED by the following vote:**

Ayes: 3 - Peskin, Safai, Preston

### **191134 [Hearing - Expansion of the Safe Parking Program]**

**Sponsors: Safai; Yee**

Hearing on the expansion of the Safe Parking Program citywide, and presentation of facts related to the increase of vehicular homelessness and potential cost to fund multiple sites; and requesting the Department of Homelessness and Supportive Housing, Real Estate Division, Budget and Legislative Analyst's Office, and Controller's Office to report.

11/05/19; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

11/13/19; REFERRED TO DEPARTMENT. Referred to the Department of Homelessness and Supportive Housing, Real Estate Division, Budget and Legislative Analyst's Office, and the Office of the Controller for informational purposes.

*Heard in Committee. Speakers: Abigail Stewart-Kahn and Dylan Schneider (Department of Homelessness and Supportive Housing); Steven Currier (Vehicle Triage Working Group); Kelley Cutler (Coalition on Homelessness); Nick Menard (Budget and Legislative Analyst's Office); Andrico Pennick, Director (Real Estate Division); presented information and answered questions raised throughout the discussion. Brian Edwards (Coalition on Homelessness); Flo "Knuckles" Kelly (Solutions Not Sweeps); Leslie Markie; spoke on various concerns relating to the hearing matter.*

**Vice Chair Safai moved that this Hearing be CONTINUED TO CALL OF THE CHAIR. 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 6:01 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.*