



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, April 20, 2015

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

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

MEETING CONVENED

The meeting convened at 1:35 p.m.

REGULAR AGENDA

File Nos. 141302 and 141303 were called together.

141302 [Health Code - Massage Practitioners, Establishments, and Associated Fees]**Sponsor: Tang**

Ordinance amending the Health Code to comprehensively revise regulation of massage practitioners and establishments by, among other things: 1) eliminating the exemption of massage establishments employing only State-certified massage practitioners from the permitting and regulatory authority of the Department of Public Health; 2) increasing the number of instructional hours required for general and advanced massage practitioner permits; 3) denying massage establishment permits to applicants who have been convicted of or are currently charged with criminal acts related to human trafficking; 4) aligning massage practitioner attire requirements with State law; 5) incorporating State human trafficking information posting requirements into local law for enforcement purposes; 6) revising the timing and criteria for granting, denying, suspending, and revoking general and advanced massage practitioner permits, massage establishment permits, outcall massage service permits, and sole practitioner massage establishment permits; 7) specifying massage practitioner permit application and annual license fees; 8) updating the application and annual license fee amounts for massage establishments, outcall massage services, and sole practitioner massage establishments to reflect the currently authorized amounts; and 9) grouping related requirements and making other changes to enhance clarity and promote compliance.

12/16/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/15/2015.

01/15/15; REFERRED TO DEPARTMENT. Referred to the Department of Public Health, Office of the Treasurer-Tax Collector, Office of the Labor Standards Enforcement, Police Department, Fire Department, and Planning Department for informational purposes.

04/10/15; NOTICED.

04/16/15; NOTICED.

Heard in Committee. Speaker: Dyanna Quizon (Office of Supervisor KatyTang); presented information concerning the matter and answered questions raised throughout the hearing.

CONTINUED to May 4, 2015, by the following vote:

Ayes: 2 - Cohen, Wiener

Absent: 1 - Kim

141303 [Planning Code - Massage Establishments]**Sponsor: Tang**

Ordinance amending the Planning Code to require that massage establishments, as defined, obtain a Conditional Use permit; listing exceptions to that requirement; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

12/16/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/15/2015.

01/15/15; REFERRED TO DEPARTMENT. Referred to the Department of Public Health for informational purposes.

01/23/15; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2).

Heard in Committee. Speaker: Dyanna Quizon (Office of Supervisor KatyTang); presented information concerning the matter and answered questions raised throughout the hearing.

CONTINUED to May 4, 2015, by the following vote:

Ayes: 2 - Cohen, Wiener

Absent: 1 - Kim

141298 [Various Codes - Noise Regulations Relating to Residential Uses Near Places of Entertainment]**Sponsors: Breed; Wiener, Cohen and Kim**

Ordinance amending the Building, Administrative, Planning, and Police Codes to require attenuation of exterior noise for new residential structures and acoustical analysis and field testing in some circumstances; to provide that a Place of Entertainment (POE) not become a public or private nuisance on the basis of noise for nearby residents of residential structures constructed or converted on or after January 1, 2005; to authorize the Entertainment Commission to hold a hearing on a proposed residential use near a POE, and require the project sponsor's participation in the hearing; to authorize the Entertainment Commission to measure noise conditions at such project sites and provide comments and recommendations regarding noise to the Planning Department and Department of Building Inspection; to require lessors and sellers of residential property to disclose to lessees and purchasers potential noise and other inconveniences associated with nearby POEs; to require that such disclosure requirements be recorded against all newly approved residential projects in a Notice of Special Restrictions; to require the Planning Department and Commission to consider noise issues when reviewing proposed residential projects; and to specify factors concerning noise for the Entertainment Commission to review when considering granting a POE permit; making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of local conditions under California Health and Safety Code, Section 17958.7; and directing the Clerk of the Board of Supervisors to forward the Ordinance to the State Building Standards Commission upon final passage.

12/16/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/15/2015.

01/05/15; TRANSFERRED to Government Audit and Oversight Committee.

01/13/15; REFERRED TO DEPARTMENT. Referred to Department of Building Inspection and Building Inspection Commission for public hearing and/or recommendation; Planning Department for environmental review; Department of Public Health, Office of the Assessor-Recorder, Office of the Controller, Police Department, and Entertainment Commission for informational purposes; Planning Commission for public hearing and recommendation; and Small Business Commission for comment and recommendation.

02/25/15; RESPONSE RECEIVED. General Rule Exclusion (State CEQA Guidelines, Section 15061(b)(3)) and Categorical Exemption, Class 8 (State CEQA Guidelines Section 15308).

03/24/15; TRANSFERRED to Land Use and Transportation Committee. 03/24/2015 - President Breed transferred the legislation from the Government Audit and Oversight Committee to the Land Use and Transportation Committee.

03/24/15; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

03/25/15; RESPONSE RECEIVED. The Commissioners voted unanimously to support the proposed amendment.

03/25/15; RESPONSE RECEIVED. Recommendation: Approval with Modifications

04/10/15; REFERRED TO DEPARTMENT. Re-referred to Planning Department for environmental review; Planning Commission for public hearing and recommendation; Building Inspection Commission for hearing and recommendation; Small Business for recommendation; Office of the Controller; and Assessor - Recorder for informational purposes.

04/14/15; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

Heard in Committee. Speakers: Bryant Tan (Entertainment Commission); Diego Sanchez (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing. Guy Carson and Ben Bleimeur (California Music and Culture Association); Dennis Juarez (Slim's); Michael Winger, Robbie Percell, and Tom Murphy (The Recording Academy); Duncan; Eric Ross; Regan Caporvi (Milk Bar); spoke in support of the proposed legislation. Andrew Yip; Ace; spoke neither in support nor opposition to the matter.

RECOMMENDED by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

150002 [Planning Code - Landmark Designation - 182-198 Gough Street (aka the R. L. Goldberg Building)]**Sponsor: Breed**

Ordinance designating 182-198 Gough Street (aka the R. L. Goldberg Building), Assessor's Block No. 0837, Lot No. 014, as a Landmark under Planning Code, Article 10; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

12/22/14; RECEIVED FROM DEPARTMENT.

12/22/14; RESPONSE RECEIVED.

01/07/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 2/6/2015.

01/16/15; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review.

01/16/15; REFERRED TO DEPARTMENT. Referred to the Planning Commission and Historic Preservation Commission for review and comment.

02/17/15; RESPONSE RECEIVED.

04/10/15; NOTICED.

Heard in Committee. Speakers: Jonathan Lammers (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing. Beverly Upton; spoke in support of the proposed legislation. Andrew Yip; spoke neither in support nor opposition to the matter.

RECOMMENDED by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

150246 [Planning Code - Landmark Designation - 2178-2174 Market Street (aka Swedish American Hall Building)]**Sponsors: Wiener; Cohen**

Ordinance designating 2178-2174 Market Street (aka Swedish American Hall Building), Assessor's Block No. 3542, Lot No. 017, as a Landmark under Planning Code, Article 10; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

03/10/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 4/9/2015.

03/18/15; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; and Historic Preservation Commission for review and recommendation.

04/10/15; NOTICED.

Heard in Committee. Speakers: Jonathan Lammers (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing. Ted Olsson (Swedish Society of San Francisco); Male Speaker; spoke in support of the proposed legislation. Andrew Yip; Ace; spoke neither in support nor opposition to the matter.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

150255 [Hearing - Sprinklers in Residential Buildings]**Sponsors: Kim; Campos and Cohen**

Hearing on the current regulatory framework governing sprinklers in residential buildings, the reasons for the lack of mandatory sprinklers for all residential buildings, and the costs, benefits, and feasibility of requiring residential sprinklers for buildings currently not covered by the aforementioned existing regulations; and requesting the Department of Building Inspection, the Fire Department, and the Public Utilities Commission to report.

03/10/15; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

03/18/15; REFERRED TO DEPARTMENT. Referred to Public Utilities Commission; Department of Building Inspection; and Fire Department for informational purposes.

Heard in Committee. Speakers: Michie Wong, Assistant Deputy Chief, and Mark Gonzales, Deputy Chief of Operations (Fire Department); Tom Hui, Director, Daniel Lawrey, Deputy Director, Rosemary Bosque, Chief Housing Inspector, and Steve Panelli (Department of Building Inspection); David Briggs (Public Utilities Commission); presented information concerning the matter and answered questions raised throughout the hearing. Male Speaker and Female Speaker (Mission SRO Collaborative); Bobby Cohen (SF Tenants Union); Janan New (SF Apartment Association); Brook Turner (Coalition for Better Housing); spoke on various concerns regarding the hearing

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

ADJOURNMENT

The meeting adjourned at 3:48 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.