



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: Eric Mar, Malia Cohen, Scott Wiener

Clerk: Alisa Miller (415) 554-4447

Monday, May 14, 2012

1:00 PM

City Hall, Committee Room 263

Regular Meeting

Present: 3 - Eric Mar, Malia Cohen, and Scott Wiener

MEETING CONVENED

The meeting convened at 1:08 p.m.

REGULAR AGENDA

120016 [Street Encroachment - Outdoor Child Play Area - Redwood Street]

Resolution: 1) granting revocable permission to the Public Utilities Commission to occupy a portion of the public right-of-way on Redwood Street, approximately 150 feet west of Polk Street to construct and maintain an outdoor play area accessible to a child care facility within the new building at 525 Golden Gate Avenue (Assessor's Block No. 0766, Lot No. 001); and 2) making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

04/06/12; RECEIVED FROM DEPARTMENT.

04/17/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Heard in Committee. Speaker: Nick Elsner (Department of Public Works); presented information concerning the matter and answered questions raised throughout the hearing.

AMENDED on Page 2, Line 4, by adding 'and agreement' after 'permit'; Page 2, Line 5, by deleting 'said permit' and adding 'both' after 'delivers', deleting 'permit and' after 'copy of the', and replacing 'are' with 'is' after 'agreement'; Page 2, Line 6, by replacing 'are' with 'is' after 'File No.'; and Page 2, Line 15, by deleting 'the necessary' after 'procure', and adding ', if legally required' after 'permits.'

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Mar, Cohen, Wiener

110716 [Transportation Code - Tour Bus Parking and Loading]**Sponsors: Chiu; Farrell**

Ordinance amending the San Francisco Transportation Code, Division I, Article 7 by: 1) amending Section 7.2.27 to remove the restriction on the use of white zones by commercial vehicles and clarify that this Section does not apply to Stands established under Division II of the Code and designated for the use of Tour Buses; 2) amending Section 7.2.38 to establish violations for vehicles other than authorized Tour Buses parking or stopping in restricted Tour Bus Stands and for Tour Buses that exceed posted time limits in such Stands; 3) amending Section 7.2.80 to exclude Tour Bus Stands from otherwise applicable parking restrictions imposed in specified use districts on vehicles required to register with the California Public Utilities Commission; and 4) making environmental findings.

07/12/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/11/2011.

07/21/11; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and the Municipal Transportation Agency and Police Department for informational purposes.

07/27/11; RESPONSE RECEIVED. Activity would not result in a physical change in the environment per CEQA Guidelines Section 15060(c)(2).

04/30/12; CONTINUED. Heard in Committee. Speakers: Supervisor David Chiu (Board of Supervisors); Supervisor Christina Olague (Board of Supervisors); Jerry Robbins (Municipal Transportation Agency); Patrick Fosdahl (Department of Public Health); Jon Ballesteros (SF Travel); Daniel Oppenheim (SF Tour Operators Association); Gus Hernandez (Alamo Square Neighborhood Association); presented information concerning the matter and answered questions raised throughout the hearing. Dean Palaganas; Mely Saavedra; Jesus Perez; Raymon Smith; Owen O'Donnell; Gillian Etherington; Lisa Zahner; Kelly Edwards; Erinne Morse; Katrina Jankowski; Alvin Huie; Betty Foote; Gail Gilman; Seth Katzman; Sue Vaughan; Howard Bloomberg; Ken Maley; John Nulty; Guliana Matioli; John Dalias; Espanola Jackson; Edward Mason; spoke in support of the hearing matter. James Biello; Anna Sardoni; Emily Saske; spoke in opposition to the hearing matter. Damien Moruzimi; Walter Paulson; spoke neither in support nor against the hearing matter.

Continued to May 14, 2012.

Heard in Committee. Speakers: Supervisor David Chiu (Board of Supervisors); Jerry Robbins (Municipal Transportation Agency); Captain Al Casciato (Police Department); Tom Rivard (Department of Public Health); presented information concerning the matter and answered questions raised throughout the hearing. Gail Gilman; Craig Vandermause; Ellery Crawford; Christian Watts; Daniel Oppenheim; Betty Foote; spoke in support of the hearing matter.

AMENDED on Page 3, Lines 1-6, by deleting from 'To Park' through to 'a Permit'; Page 3, Line 8, by deleting 'under Division II of this Code' after 'Directors'; Page 8, Line 11, by renumbering 'b' to 'c'; Page 3, Line 12, by adding 'under Division II of this Code' and deleting 'either' after 'Directors'; Page 3, Lines 13-14, by deleting from 'or for the' through to 'Division II'; Page 3, Line 22, by adding 'under Division II of this Code' after 'Directors'; and Page 4, Lines 4-8, by adding 'Section 4. In enacting this Ordinance, the Board intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation, charts, diagrams, or any other constituent part of the Name of Code here Code that are explicitly shown in this legislation as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the legislation.'

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Mar, Cohen, Wiener

120405 [Police Code - Regulating the Use of Amplified Sound on Unenclosed Tour Buses and Establishing Fee]**Sponsor: Chiu**

Ordinance amending San Francisco Police Code Sections 46, 2901, 2916, and 2922, and adding Section 2913, to: 1) clarify that the definition of "Sound Truck" in Section 46 does not include unenclosed tour buses; 2) clarify that the noise restrictions imposed by Article 29 do not apply to the City and County of San Francisco; 3) prohibit the use of amplified sound systems on unenclosed tour buses unless such systems have been certified by the San Francisco Department of Public Health as not being audible from a distance of 50 or more feet from the vehicle or contain volume limiting electronics to meet that requirement; 4) adding a reporting requirement for the Department of Public Health; 5) adding fees for the Department of Public Health approval and issuance of a Certificate of Authorization to Operate Electronically Amplified Sound on Unenclosed Tour Bus; 6) authorize the Department of Public Health and the Police Department to enforce the requirements of Section 2913; 7) clarify that Article 29 should not be construed to conflict with Federal or State laws; and 8) adopt findings, including environmental findings.

04/24/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

05/01/12; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Police Department, Department of Public Health, and Municipal Transportation Agency for informational purposes.

05/02/12; NOTICED. 10-Day Fee Ad submitted for publication on May 4 & 9, 2012.

05/03/12; RESPONSE RECEIVED. Exempt from environmental review per CEQA Section 15060(c)(2), Non-Physical Exemption.

Heard in Committee. Speakers: Supervisor David Chiu (Board of Supervisors); Jerry Robbins (Municipal Transportation Agency); Captain Al Casciato (Police Department); Tom Rivard (Department of Public Health); presented information concerning the matter and answered questions raised throughout the hearing. Gail Gilman; Craig Vandermause; Ellery Crawford; Christian Watts; Daniel Oppenheim; Betty Foote; spoke in support of the hearing matter.

AMENDED on Page 6, Line 22, by replacing 'June 1' with 'October 1.'

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Mar, Cohen, Wiener

ADJOURNMENT

The meeting adjourned at 1:52 p.m.