



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: Myrna Melgar, Dean Preston, Aaron Peskin

Clerk: Erica Major (415) 554-4441

Monday, February 7, 2022

1:30 PM

Regular Meeting

Present: 3 - Myrna Melgar, Dean Preston, and Aaron Peskin

The Land Use and Transportation Committee met in regular session through videoconferencing, and provided public comment through teleconferencing, on Monday, February 7, 2021, with Chair Myrna Melgar presiding. Chair Melgar called the meeting to order at 1:30 p.m.

Remote Access to Information and Participation

On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely (via Microsoft Teams) and will allow remote public comment via teleconference. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings, or to watch meetings on demand. Members of the public are encouraged to participate remotely via detailed instructions on participating via teleconference available at: <https://sfbos.org/remote-meeting-call>.

Members of the public may participate by phone or may submit their comments by email to: Erica.Major@sfgov.org; all comments received will be made a part of the official record. Regularly scheduled Land Use and Transportation Committee Meetings begin at 1:30 p.m. every Monday of each month. Committee agendas and their associated documents are available at <https://sfbos.org/committees>.

ROLL CALL AND ANNOUNCEMENTS

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

AGENDA CHANGES

There were no agenda changes.

COMMUNICATIONS

*Erica Major, Clerk of the Land Use and Transportation Committee, instructed members of the public, to contribute live comments for up to two minutes by dialing the provided telephone number. When connected, they will receive another prompt, dial * 3 to be added to the queue to speak, advised the public to call from a quiet location, speak clearly and slowly, and turn down their television, radio, or streaming device, and that written comments may be submitted through email to the Clerk (Erica.Major@sfgov.org) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.*

REGULAR AGENDA

211263 [Planning Code - Massage Establishment Zoning Controls]**Sponsors: Mandelman; Ronen and Preston**

Ordinance amending the Planning Code to revise Massage Establishment zoning controls, including, among other things, to 1) add Sole Practitioner Massage Establishments to the definition of Health Services in Articles 1 and 8 and remove it from the definition of Massage Establishments; 2) regulate Massage Establishments generally consistent with Health Services, with some exceptions; 3) eliminate the three-month period to establish abandonment of certain nonconforming Massage Establishment uses; 4) prohibit Personal Services uses for three years at any location where a Massage Establishment use was closed due to a violation of the Planning Code or Health Code; 5) eliminate the exception from the conditional use authorization requirement for massage uses accessory to a dwelling unit; 6) rename Medical Services to Health Services in Article 8 and make other conforming amendments; and 7) delete related provisions that have expired through the passage of time; 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 public necessity, convenience, and general welfare findings pursuant to Planning Code, Section 302.

12/06/21; DUPLICATED. See original File No. 210381.

12/06/21; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

12/06/21; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

12/08/21; 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.

12/20/21; RESPONSE RECEIVED. On December 16, 2021, the Commission met and recommended support to the proposed legislation.

12/23/21; 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.

02/04/22; RESPONSE RECEIVED. On February 3, 2022, the Commission met and held a duly noticed hearing and recommended approval with modifications for the proposed legislation.

Heard in Committee. Speakers: Jacob Bintliff (Office of Supervisor Rafael Mandelman); Veronica Flores (Planning Department); Kristen Jensen (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Linda Chapman; spoke on various concerns relating to the hearing matter.

Vice Chair Preston moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, by updating Table 711 on Page 13, by striking 'C(13)' and replace it with 'P(9)' and striking 'NP' and replacing it with 'C(13)'; and on Page 14, Lines 1-3, by striking 'within' and replacing it with 'accessory to' and striking 'or' and replacing it with 'Personal Service or Health Service, except C if accessory to a Hotel, Personal Service or Health Service within the boundaries described in note 9 to this Table.'. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Vice Chair Preston moved that this Ordinance be CONTINUED AS AMENDED to the Land Use and Transportation Committee meeting of February 14, 2022. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

210296 [Hearing - Current State of Commercial Office Space and Economic Recovery]**Sponsor: Safai**

Hearing to review the economic impact of vacant office buildings in San Francisco, specifically in the Financial District, SOMA, and Embarcadero, due to the initial shelter-in-place ordinance, private company policies that promote working from home, and safety measures put in place to promote a return to in-person business; and requesting the Office of Economic and Workforce Development, Department of Public Health, Department of Building Inspection, Controller's Office, Small Business Commission and the City's Economist to report.

03/16/21; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

04/22/21; REFERRED TO DEPARTMENT. Referred to the Office of Economic and Workforce Development, Department of Public Health, Department of Building Inspection, the Office of the Controller, and the Small Business Commission for informational purposes and requesting the listed agencies to report.

04/26/21; CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Susan Philip (Department of Public Health); Ted Egan (Office of the Controller); Regina Dick-Endrizzi, Director (Small Business Commission); Rodney Fong (San Francisco Chamber of Commerce); Joshua Switzky (Planning Department); John Bryant, CEO (Building Owners and Managers Association); Robert Smutz (Department of Emergency Management); Anne Taupier, Acting Director (Office of Economic and Workforce Development); Jeremy Spitz (Public Works); presented information and answered questions raised throughout the discussion.

11/15/21; REMAIN ACTIVE. The sponsor requested that this matter remain active for an additional six months; 5/15/2022.

Heard in Committee. Speakers: Supervisor Ahsha Safai (Board of Supervisors); Ted Egan (Office of the Controller); John Bryan, CEO (BOMA); presented information and answered questions raised throughout the discussion. Alex Landers; Rudy Gonzalez (Building and Construction Council); Francis Da Costa; spoke on various concerns relating to the hearing matter.

Supervisor Peskin was noted absent at 2:29 p.m. and present at 2:44 p.m.

Due to technical issues, quorum was momentarily lost when Chair Melgar's connection dropped and reconnected.

Chair Melgar moved that this Hearing be CONTINUED TO CALL OF THE CHAIR. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 2:55 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.