

BOARD of SUPERVISORS



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January 19, 2018

Planning Commission  
Attn: Jonas Ionin  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Commissioners:

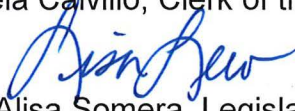
On January 9, 2018, Supervisor Farrell introduced the following legislation:

**File No. 180053**

**Ordinance amending the Planning Code to conditionally permit Massage Establishments, as defined, in the Union Street Neighborhood Commercial District; 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 findings of public convenience, necessity, and welfare under Planning Code, Section 302.**

The proposed ordinance is being transmitted pursuant to Planning Code, Section 302(b), for public hearing and recommendation. The ordinance is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

*for* By:  Alisa Somera, Legislative Deputy Director  
Land Use and Transportation Committee

c: John Rahaim, Director of Planning  
Aaron Starr, Acting Manager of Legislative Affairs  
Scott Sanchez, Zoning Administrator  
Lisa Gibson, Environmental Review Officer  
AnMarie Rodgers, Senior Policy Advisor  
Laura Lynch, Environmental Planning  
Joy Navarrete, Environmental Planning

1 [Planning Code - Massage Establishments - Union Street Neighborhood Commercial District]

2  
3 **Ordinance amending the Planning Code to conditionally permit Massage**  
4 **Establishments, as defined, in the Union Street Neighborhood Commercial District;**  
5 **affirming the Planning Department's determination under the California Environmental**  
6 **Quality Act; making findings of consistency with the General Plan, and the eight**  
7 **priority policies of Planning Code, Section 101.1, and findings of public convenience,**  
8 **necessity, and welfare under Planning Code, Section 302.**

9 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
10 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
11 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
12 **Board amendment additions** are in double-underlined Arial font.  
13 **Board amendment deletions** are in ~~strikethrough Arial font~~.  
14 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
15 subsections or parts of tables.

16 Be it ordained by the People of the City and County of San Francisco:

17 Section 1. Findings.

18 (a) The Planning Department has determined that the actions contemplated in this  
19 ordinance comply with the California Environmental Quality Act (California Public Resources  
20 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of  
21 Supervisors in File No. \_\_\_ and is incorporated herein by reference. The Board affirms this  
22 determination.

23 (b) On \_\_\_\_\_, the Planning Commission, in Resolution No. \_\_\_\_\_,  
24 adopted findings that the actions contemplated in this ordinance are consistent, on balance,  
25 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The  
Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of

1 the Board of Supervisors in File No. \_\_\_\_\_, and is incorporated herein by reference.

2 (c) Pursuant to Planning Code Section 302, this Board finds that this Planning Code  
3 Amendment will serve the public necessity, convenience, and welfare for the reasons set forth  
4 in Planning Commission Resolution No. \_\_\_\_\_, and the Board incorporates such  
5 reasons herein by reference.

6  
7 Section 2. The Planning Code is hereby amended by revising Section 725, to read as  
8 follows:

9 SEC. 725. UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

10 \* \* \* \*

11 12 Message Establishment	§ 102	<del>APC(1)</del>	<del>APC(1)</del>	NP
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13 \* \* \* \*

14 \* Not listed below

15 (1) ~~[Note deleted.]~~ Existing massage establishments that can demonstrate to the Zoning  
16 Administrator that they have been in operation prior to 12/31/17 need only do a change of use under  
17 Section 312.

18 \* \* \* \*

19 Section 3. Effective Date. This ordinance shall become effective 30 days after  
20 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
21 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
22 of Supervisors overrides the Mayor's veto of the ordinance.

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24 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
25 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,

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numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

APPROVED AS TO FORM:  
DENNIS J. HERRERA, City Attorney

By:   
\_\_\_\_\_  
ANDREA RUIZ-ESQUIDE  
Deputy City Attorney

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