

1 [Planning Code - Massage Establishments in the Union Street NCD]

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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.**

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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.

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

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16 Section 1. Findings.

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(a) The Planning Department has determined that the actions contemplated in this
18 ordinance comply with the California Environmental Quality Act (California Public Resources
19 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
20 Supervisors in File No. 180053 and is incorporated herein by reference. The Board affirms
21 this determination.

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(b) On March 15, 2018, the Planning Commission, in Resolution No. 20135, adopted
23 findings that the actions contemplated in this ordinance are consistent, on balance, with the
24 City’s General Plan and eight priority policies of Planning Code Section 101.1. The Board

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1 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
2 Board of Supervisors in File No. 180053, and is incorporated herein by reference.

3 (c) Pursuant to Planning Code Section 302, this Board finds that this Planning Code
4 Amendment will serve the public necessity, convenience, and welfare for the reasons set forth
5 in Planning Commission Resolution No. 20135, and the Board incorporates such reasons
6 herein by reference.

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

10 SEC. 725. UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

11 * * * *

12	13	14	15	16	17
	Message Establishment	§ 102	<i>NPC(1)</i>	<i>NPC(1)</i>	NP

18 * * * *

19 * Not listed below

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

23 Any Massage Establishment that has continually operated without the benefit of a
24 building permit within the Union Street NCD since prior to December 31, 2017 shall not
25 require a Conditional Use authorization to legally establish the Massage Establishment.
However, such establishments must file a building permit application by May 1, 2020 to legally
establish the Massage Establishment use, and such building permit application will be subject
to neighborhood notification pursuant to Planning Code Section 311.

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

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