

BOARD of SUPERVISORS



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January 19, 2018

File No. 180053

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On January 9, 2018, Supervisor Farrell introduced the following proposed 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.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

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

Attachment

c: Joy Navarrete, Environmental Planning
Laura Lynch, 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	13	14	15	16
	Message Establishment	§ 102	NPC(1)	NPC(1)	NP

17 * * * *

18 * Not listed below

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

22 * * * *

23 Section 3. Effective Date. This ordinance shall become effective 30 days after
24 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
25 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,

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

5
6 APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

7
8 By:



9 ANDREA RUIZ-ESQUIDE
Deputy City Attorney

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