



April 14, 2022

Ms. Angela Calvillo, Clerk
Honorable Supervisor Mandelman
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: Transmittal of Planning Department Case Number 2022-002129PCA:
Planning Code-Adult Sex Venues
Board File No. 220264

Planning Commission Recommendation: Approval with Modification

Dear Ms. Calvillo and Supervisor Mandelman,

On April 7, 2022 the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance, introduced by Supervisor Mandelman that would amend the Planning Code to define Adult Sex Venue and principally permit, conditionally permit, or prohibit Adult Sex Venues in Commercial; Residential-Commercial; Production, Distribution and Repair (PDR); Neighborhood Commercial; Neighborhood Commercial Transit; and Mixed Use Districts. At the hearing the Planning Commission recommended approval with modification.

The Commission's proposed modifications were as follows:

1. Expand the area in which Adult Sex Venues are Principally permitted within the RC-4 zoning district to include the Compton's Transgender Cultural District by amending "note 12" of Table 209.3 as follows:

~~P within the Compton's Transgender Cultural District, on Turk Street between Taylor Street and Jones Street; P on Jones Street between Turk Street and Eddy Street.~~
2. Clarify the definition of Adult Sex Venues to ensure the most common types of ASV's can operate without seeking additional use permits as follows:

Adult Sex Venue A Retail Sales and Service Use that operates pursuant to Health Code Article 47. An

Adult Sex Venue may include bathhouse facilities such as pools, tubs, or steam rooms, and are eligible for a Limited Live Performance permit.

3. Correct the error in Table 810 to change Adult Business uses from “Permitted” to “Not Permitted”.
4. Make technical amendments to:
 - a. Include Adult Sex Venue in Table 843 as “Conditionally” permitted, to match existing permissions under “Adult Entertainment”.
 - b. Amend Sections 204.2, 204.3, 703, 803.2, 803.3, and 825 to not allow Adult Sex Venues to operate as Accessory to any other use.
 - c. Clarify where ASV’s are principally permitted within the NCT-3 by amending “note 8” of Table 752 as follows:

P for parcels with frontage on Market Street, Howard Street, or Mission Street. from Octavia Street to Church Street ; P in the portion of the district bounded by Mission Street, Lafayette Street, Howard Street, and 13th Street.

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

Supervisor, please advise the City Attorney at your earliest convenience if you wish to incorporate the changes recommended by the Commission.

Please find attached documents relating to the actions of the Commission. If you have any questions or require further information, please do not hesitate to contact me.

Sincerely,



Aaron D. Starr
Manager of Legislative Affairs

cc: Audrey Pearson, Deputy City Attorney
Jacob Bintliff, Aide to Supervisor Mandelman
Erica Major, Office of the Clerk of the Board

Attachments :

Planning Commission Resolution
Planning Department Executive Summary