

File No. 171285

Committee Item No. 4

Board Item No. 10

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date January 29, 2018

Board of Supervisors Meeting

Date FEBRUARY 13, 2018

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER

(Use back side if additional space is needed)

- | | | |
|--------------------------|--------------------------|----------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <u>CEQA Determination</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | <u>Planning Resolution</u> |
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Completed by: Victor Young Date January 24, 2018

Completed by: _____ Date _____

1 [Housing Code - All-Gender Bathrooms in Hotels]

2
3 **Ordinance amending the Housing Code to require that single-stall bathroom facilities in**
4 **hotels be made available for the use of all residents, regardless of gender or gender**
5 **identity, and to require that signage be posted to indicate the same; and directing the**
6 **Clerk of the Board of Supervisors to forward this Ordinance to the California Building**
7 **Standards Commission upon final passage.**

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

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

16 Section 1. Pursuant to Charter Section D3.750-5, the Building Inspection Commission
17 considered this ordinance at a duly noticed public hearing held on January 17, 2018.

18 Section 2. California Health and Safety Code section 17958.7.

19 No finding is required under California Health and Safety Code Section 17958.7
20 because the ordinance does not amend a "building standard" as defined in Section 18909 of
21 that Code.

22 Section 3. The Housing Code is hereby amended by revising Section 505, to read as
23 follows:
24

25 * * * *

1 (b) **Hotels.** Hotel guestrooms shall be provided with a water-closet, a lavatory, and
2 a bathtub or shower, within the guest room or said facilities may be situated off the exit
3 corridor on the same floor pursuant to the table indicated below.

4 Single-user water-closets, lavatories, bathtubs, and showers that are situated off the exit
5 corridors shall be made available for the use of all residents, regardless of gender or gender identity,
6 and shall be identified as all-gender facilities by signage that complies with Title 24 of the California
7 Code of Regulations.

8 The following table will be used in determining the minimum number of public
9 sanitary facilities required per floor when guest rooms do not contain the requisite sanitary
10 facilities:

11 Total Number of Public Sanitary Facilities Required for Guest Rooms (per Floor)

12 *Existing Number of Guest Rooms per Floor	Public Sanitary Facilities Required
13 2 - 20	2
14 21 - 30	3
15 31 - 40	4
16 41 - 50	5
17 51 - 60	6
18 61 - 70	7

19 Etc.

20 * * * *

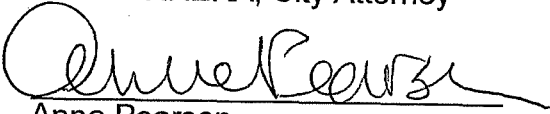
21
22 *NOTE: Existing guest rooms with private sanitation facilities are not part of the
23 guest room floor total for purposes of this requirement.
24
25

1 Section 4. Effective Date. This ordinance shall become effective 30 days after
2 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
3 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
4 of Supervisors overrides the Mayor's veto of the ordinance.

5
6 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
7 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
8 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
9 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
10 additions, and Board amendment deletions in accordance with the "Note" that appears under
11 the official title of the ordinance.

12
13 Section 6. Directions to Clerk. The Clerk of the Board of Supervisors is hereby directed
14 to forward a copy of this ordinance to the California Building Standards Commission upon final
15 passage.

16
17 APPROVED AS TO FORM:
18 DENNIS J. HERRERA, City Attorney

19 By: 
20 Anne Pearson
Deputy City Attorney

21 n:\legana\as2017\1800007\01238050.docx
22
23
24
25

LEGISLATIVE DIGEST

[Housing Code - All-Gender Bathrooms in Hotels]

Ordinance amending the Housing Code to require that single-stall bathroom facilities in hotels be made available for the use of all residents, regardless of gender or gender identity, and to require that signage be posted to indicate the same; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage.

Existing Law

Section 4.1-3 of the San Francisco Administrative Code provides that City buildings that are newly constructed or subject to extensive renovations must provide all-gender toilet facilities.

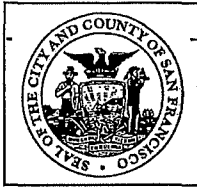
Section 3305.3 of the San Francisco Police Code provides that toilet facilities in business establishments or places of public accommodation that are (1) single-user facilities and (2) open to the public or to employees of the establishment must be identified as all-gender through appropriate signage, and made available for use by persons of any gender identity.

Amendments to Current Law

The proposed ordinance would amend the Housing Code to require hotels to ensure that single-user bathrooms that are located in hotel corridors and made available to hotel guests are: 1) available for the use of all hotel residents, regardless of gender or gender identity; and 2) identified as all-gender facilities by appropriate signage.

In addition, the ordinance would direct the Clerk of the Board of Supervisors to forward the ordinance to the California Building Standards Commission upon final passage, as required by State law.

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BUILDING INSPECTION COMMISSION (BIC)

Department of Building Inspection Voice (415) 558-6164 - Fax (415) 558-6509
1660 Mission Street, San Francisco, California 94103-2414

January 17, 2018

City and County of San Francisco

Ms. Angela Calvillo
Clerk of the Board
Board of Supervisors, City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4694

COMMISSION

Angus McCarthy
President

Dear Ms. Calvillo:

Debra Walker
Vice-President

RE: File No. 171285

Kevin Clinch
Gail Gilman
John Konstin
Frank Lee
James Warshell

Ordinance amending the Housing Code to require that single-stall bathroom facilities in hotels be made available for the use of all residents, regardless of gender or gender identity, and to require that signage be posted to indicate the same; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

Sonya Harris
Secretary

The Building Inspection Commission met and held a public hearing on January 17, 2018 regarding File No. 171285 on the proposed amendment to the San Francisco Housing Code referenced above. The Commissioners voted unanimously to support the ordinance.

Tom C. Hui
Director

The Commissioners voted as follows:

President McCarthy	Yes	Vice-President Walker	Yes
Commissioner Clinch	Excused	Commissioner Gilman	Excused
Commissioner Konstin	Yes	Commissioner Lee	Yes
Commissioner Warshell	Yes		

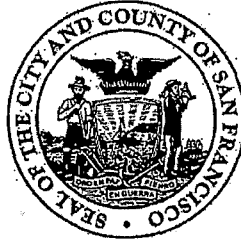
Should you have any questions, please do not hesitate to call me at 558-6164.

Sincerely,

Sonya Harris
Commission Secretary

cc: Tom C. Hui, S.E.; Director
Supervisor Hillary Ronen
Supervisor Jane Kim
Supervisor Jeff Sheehy
Supervisor Aaron Peskin
Board of Supervisors

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Adele Carpenter, Director
Youth Commission
FROM: *ll* Angela Calvillo, Clerk of the Board
DATE: December 14, 2017
SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS

The Board of Supervisors has received the following proposed legislation which is being referred to the Youth Commission as per Charter, Section 4.124 for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 171285

Ordinance amending the Housing Code to require that single-stall bathroom facilities in hotels be made available for the use of all residents, regardless of gender or gender identity, and to require that signage be posted to indicate the same; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

Please return this cover sheet with the Commission's response to Alisa Somera, Legislative Deputy Director, Land Use and Transportation Committee.

RESPONSE FROM YOUTH COMMISSION Date: December 20, 2017

No Comment
 Recommendation Attached

Chiara Fines

Chairperson, Youth Commission

Youth Commission
 City Hall ~ Room 345
 1 Dr. Carlton B. Goodlett Place
 San Francisco, CA 94102-4532



(415) 554-6446
 (415) 554-6140 FAX
www.sfgov.org/youth_commission

YOUTH COMMISSION
MEMORANDUM

TO: Alisa Somera, Legislative Deputy Director, Clerk of the Board of Supervisors
FROM: Youth Commission
DATE: Wednesday, December 20, 2017
RE: Referral response to BOS File No. 171285 - [Housing Code – All Gender Bathrooms in Hotels]

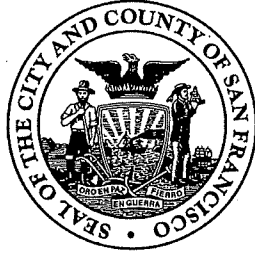
At our **Monday, December 18, 2017, meeting**, the Youth Commission voted unanimously to support the following motion:

To support BOS File No. 171285 – Ordinance amending the Housing Code to require that single-stall bathroom facilities in hotels be made available for the use of all residents, regardless of gender or gender identity, and to require that signage be posted to indicate the same; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

Youth Commissioners thank the Board of Supervisors for their attention to this issue. If you have any questions, please contact our office at (415) 554-6446, or your Youth Commissioner.

Chiara Lind, Chair
 Adopted on December 18, 2017
 2017-2018 San Francisco Youth Commission

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Adele Carpenter, Director
Youth Commission

FROM: *ll*
for Angela Calvillo, Clerk of the Board

DATE: December 14, 2017

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS

The Board of Supervisors has received the following proposed legislation which is being referred to the Youth Commission as per Charter, Section 4.124 for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 171285

Ordinance amending the Housing Code to require that single-stall bathroom facilities in hotels be made available for the use of all residents, regardless of gender or gender identity, and to require that signage be posted to indicate the same; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

Please return this cover sheet with the Commission's response to **Alisa Somera, Legislative Deputy Director, Land Use and Transportation Committee.**

RESPONSE FROM YOUTH COMMISSION Date: _____

_____ No Comment

_____ Recommendation Attached

Chairperson, Youth Commission



1360 Mission St., Suite 400
San Francisco, CA 94103
415-546-1333
www.sdaction.org

January 29, 2018

London Breed
President, Board of Supervisors
City Hall, 1 Dr. Carlton Goodlett Place, Room 244
San Francisco, CA 94102

Re: All Gender Bathrooms in SRO Hotels

Dear President Breed:

We urge you to support legislation to require that single-use toilet and shower facilities in SRO hotels be marked as all-gender. SRO hotels have a high proportion of people with disabilities, along with transgender and gender non-conforming people, including those who fit both identities, and this legislation will support these marginalized groups.


SDA supports the rights and dignity of transgender and gender non-conforming people. Transgender and gender non-conforming people frequently suffer harassment when using restrooms; this is an elegant, inexpensive solution that will go a long way towards creating a safer environment for gender non-conforming people.

We also support this legislation because of its impact on the disability community generally. People with disabilities sometimes need assistance from an attendant or family member to use a bathroom. If that person is of a different gender, it is complicated to decide whether to use the men's or women's bathroom, and people can be uncomfortable or unsafe going into a different bathroom. Having all-gender bathrooms eliminates this problem and allows people with disabilities and their attendants to use any bathroom. Plus, people with disabilities may need extra time in the bathroom, and they may worry about keeping people waiting for the women's bathroom or the men's bathroom, even if there is another bathroom right there. All-gender bathrooms allow people to take the time they need with another bathroom available for other users.

Finally, we support this legislation because it is part of an important culture shift, moving us away from a culture that sees some bodies as normal or beautiful, and dismissing those who don't fit the mold. It's liberating for all of us to break out of a gender binary and honor a spectrum of gender expression, just as it's liberating for us to affirm the beauty and dignity of disabled bodies, aged bodies, and all bodies.

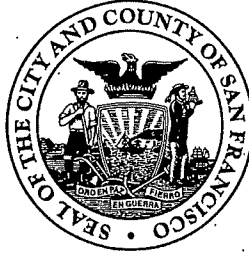
We are grateful for Supervisor Ronen's leadership on this issue and will support this legislation in any way we can.

Sincerely,


Jessica Lehman, Executive Director

cc: Members of the Board of Supervisors
Angela Calvillo, Clerk of the Board

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Tom Hui, Director, Department of Building Inspection
Sonya Harris, Secretary, Building Inspection Commission

FROM: *Al*
fr Alisa Somera, Legislative Deputy Director
Land Use and Transportation Committee

DATE: December 12, 2017

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following legislation, introduced by Supervisor Ronen on December 5, 2017:

File No. 171285

Ordinance amending the Housing Code to require that single-stall bathroom facilities in hotels be made available for the use of all residents, regardless of gender or gender identity, and to require that signage be posted to indicate the same; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

The proposed ordinance is being transmitted pursuant to Charter, Section D3.750-5, for public hearing and recommendation. It is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Please forward me the Commission's recommendation and reports at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: alisa.somera@sfgov.org.

c: William Strawn, Department of Building Inspection.
Carolyn Jayin, Department of Building Inspection

Introduction Form

By a Member of the Board of Supervisors or the Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one): 2017 DEC -5 PM 4:33

- 1. For reference to Committee.
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Request for Closed Session (attach written motion).
- 10. Board to Sit as A Committee of the Whole.
- 11. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative

Sponsor(s):

Ronen, Kim, Sheehy, *Reskin*

Subject:

Housing Code- All-Gender Bathrooms in Hotels

The text is listed below or attached:

Please see attached.

Signature of Sponsoring Supervisor: *Kim Ronen*

For Clerk's Use Only: