



SAN FRANCISCO PLANNING DEPARTMENT

New Planning Code Summary:

Massage Establishments

Code Changes:	Planning Code Sections 102, 177, 202.2, 790.60, 790.114, 890.60, 890.114
Board File & Ord. No.	141303/073-15
Case Number:	2015-000709PCA
Initiated by:	Supervisor Tang
Effective Date:	June 27, 2015

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The Way It Was:

1. The Planning Code considered a Massage Establishment a Health Service or Medical Service use if the all practitioners at that establishment were certified by the State's Massage Therapy Organization and that establishment was a sole proprietorship, as defined by California Business and Professions Code. In general, the Planning Code did not require Conditional Use authorization for this type of Massage Establishment.
2. The Planning Code did not afford an exception from the Conditional Use authorization requirement for Massage Establishments considered Sole Practitioner Massage Establishments, as defined by the Health Code Section 29.5.
3. When a Massage Establishment was closed due to Planning or Health Code violations the Planning Code prohibited the re-establishment of a Massage Establishment in the same location for one year.
4. The Planning Code did not afford Massage Establishments operating in zoning districts that prohibit massage uses an opportunity to legitimize as a Legal Non-Conforming Use. The Planning Code also did not afford Massage Establishments operating without Conditional Use authorization in zoning districts that require such entitlement to legalize without securing that authorization.

The Way It Is Now:

1. The Planning Code no longer considers a Massage Establishment a Health Service or Medical Service use if the all practitioners at that establishment were certified by the State's Massage Therapy Organization and that establishment was a sole proprietorship, as defined by California Business and Professions Code. All massages establishments are now considered Massage Establishments as defined in the Planning Code, and in general, require Conditional Use authorization.

2. The Planning Code now provides an exception from the Conditional Use authorization requirement for Massage Establishments considered Sole Practitioner Massage Establishments, as defined by the Health Code Section 29.5.
3. When a Massage Establishment is closed due to Planning or Health Code violations the Planning Code now prohibits the re-establishment of a Massage Establishment in the same location for *three* years.
4. The Planning Code now provides a legitimization program (Section 177) for Massage Establishments either operating in zoning districts that prohibit massage uses or in zoning districts that require Conditional Use authorization to legitimize either as a Legal Non-Conforming Use or a Permitted Conditional Use without securing Conditional Use authorization in either instance.

Link to signed legislation:

Board File No.	Ord. No.	Noise Regulations Relating to Residential Uses Near Places of Entertainment:
141303	073-15	https://sfgov.legistar.com/View.ashx?M=F&ID=3770126&GUID=E2B7CDFC-A9B7-41CA-AAD6-8B1349DD9BB9