

BOARD of SUPERVISORS



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July 31, 2018

**File No. 180776**

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

Dear Ms. Gibson:

On July 24, 2018, Supervisor Fewer introduced the following proposed legislation:

**File No. 180776**

**Ordinance amending the Planning Code and the Zoning Map to establish the 430-29th Avenue Special Use District; and affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk  
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning  
Laura Lynch, Environmental Planning

1 [Planning Code, Zoning Map - 430-29th Avenue Special Use District]

2  
3 **Ordinance amending the Planning Code and the Zoning Map to establish the 430-29th**  
4 **Avenue Special Use District; and affirming the Planning Department’s determination**  
5 **under the California Environmental Quality Act; and making findings of consistency**  
6 **with the General Plan and the eight priority policies of Planning Code, Section 101.1,**  
7 **and findings of public necessity, convenience, and welfare under Planning Code,**  
8 **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

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

3 (c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that these  
4 Planning Code amendments will serve the public necessity, convenience, and welfare for the  
5 reasons set forth in Planning Commission Resolution No. \_\_\_\_\_, and the Board  
6 incorporates such reasons herein by reference. A copy of said Resolution is on file with the  
7 Clerk of the Board of Supervisors in File No. \_\_\_\_\_, and is incorporated herein by  
8 reference.

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10 Section 2. The Planning Code is hereby amended by adding Section 249.82, to read  
11 as follows:

12 **SEC. 249.82. 430 29TH AVENUE SPECIAL USE DISTRICT.**

13 A Special Use District entitled the 430 29th Avenue Special Use District (430 29th Avenue  
14 SUD, or SUD) is hereby established for the purposes set forth in this Section 249.82.

15 (a) **Location.** The 430 29th Avenue SUD consists of Assessor's Parcel Block No. 1460, Lot  
16 041. Its boundaries are shown on Special Use District Map SU04 of the Zoning Map.

17 (b) **Purpose.** The purpose of the 430 29th Avenue SUD is to facilitate the development of uses  
18 servicing and supporting Social Service and Philanthropic Facilities, which may serve both the  
19 immediate neighborhood and the larger San Francisco community in an area with a mix of residential,  
20 institutional, and related uses.

21 (c) **Relationship to Other Planning Code Provisions.** Applicable provisions of the Planning  
22 Code shall apply to the 430 29th Avenue SUD except as otherwise provided in this Section 249.82. In  
23 the event of a conflict between other provisions of the Planning Code and this Section 249.82, this  
24 Section shall control.

25 (d) **Permitted Uses.**

1                   (1) In addition to all uses that are principally permitted uses under applicable  
2 provisions of this Planning Code, the executive, management, administrative, and clerical services and  
3 support of Social Service or Philanthropic Facilities as defined in Planning Code Section 102 shall be  
4 principally permitted uses in the 430 29th Avenue SUD.

5                   (2) The principal use of the structure that faces the street frontage in the 430 29th  
6 Avenue SUD shall remain Residential.

7                   (e) **Notice Requirements.** Notice under Planning Code Section 311 shall not be required for  
8 review of any building permit associated with the executive, management, administrative, and clerical  
9 services and support of Social Service or Philanthropic Facilities permitted in the 430 29th Avenue  
10 SUD under subsection (d)(1) of this Section 249.82.

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12                   Section 3. The Zoning Map of the Planning Code is hereby amended by revising  
13 Special Use Map SU04 to include the new 430 29th Avenue Special Use District, as follows:

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<b>Assessor's Block</b>	<b>Lot</b>	<b>Special Use District Hereby Approved</b>
1460	041	430 29th Avenue Special Use District

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20                   Section 4. Effective Date. This ordinance shall become effective 30 days after  
21 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the

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1 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
2 of Supervisors overrides the Mayor's veto of the ordinance.

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

6 By:   
7 PETER R. MILJANICH  
8 Deputy City Attorney

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**LEGISLATIVE DIGEST**

[Planning Code, Zoning Map - 430-29th Avenue Special Use District]

**Ordinance amending the Planning Code and the Zoning Map to establish the 430-29th Avenue Special Use District; and affirming the Planning Department’s determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code Section 302.**

Existing Law

The Planning Code and Zoning Map regulate development in the City, including setting forth requirements for permitted uses. Sections 235 through 249.99 of the Planning Code establish various Special Use Districts. Section 311 of the Planning Code establishes procedures for reviewing building permit applications for lots in residential districts.

430 29th Avenue is currently zoned a mix of RH-2 and RM-1. RH-2 and RM-1 districts permit or conditionally permit some institutional uses, but do not permit Philanthropic Administrative Services.

Amendments to Current Law

This Ordinance creates a new Special Use District (430 29th Avenue SUD) to permit certain uses serving and supporting Social Service and Philanthropic Facilities, which may serve both the immediate neighborhood and the larger San Francisco community.

The Ordinance provides that all applicable requirements of the Planning Code shall apply to the 430 29th Avenue SUD, except that the executive, management, administrative, and clerical services and support of Social Service or Philanthropic Facilities shall be principally permitted.

The Ordinance provides that the principal use of the structure that faces the street frontage in the 430 29th Avenue SUD shall remain residential.

The Ordinance provides that notice under Planning Code Section 311 shall not be required for review of any building permit associated with the executive, management, administrative, and clerical services and support of Social Service or Philanthropic Facilities permitted in the 430 29th Avenue SUD.

The Ordinance also amends the Zoning Map to create the SUD.

Background Information

FILE NO. 180776

The surrounding neighborhood contains a mix of existing residential, institutional, and related uses. Of the two buildings on the site, the building facing the right-of-way currently serves as the rectory for Trinity + Saint Peter's Episcopal Church. A Child Care Facility previously occupied the rear building on the site. To the north of the site, the adjacent parcel contains a supportive housing facility for developmentally disabled adults. Presidio Middle School occupies the entire block across the street to the west of the site.

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