



SAN FRANCISCO PLANNING DEPARTMENT

October 15, 2018

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

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

**Re: Transmittal of Planning Department Case Number: 2018-011152PCA/MAP 30-29th Avenue Special Use District
Board File No. 180776
Planning Commission Recommendation: Approval with Modifications**

Dear Ms. Calvillo and Supervisor Fewer,

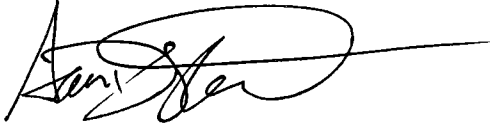
On October 11, 2018, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance that would amend the Planning Code & Zoning Map to establish the 430-29th Avenue Special Use District. At the hearing the Planning Commission recommended approval with modifications. The modifications include the following:

1. Replace the language that describes the allowed uses in the 430 29th Avenue SUD as "*the executive, management, administrative, and clerical services and support of Social Service or Philanthropic Facilities as defined in Planning Code Section 102 shall be principally permitted uses in the 430 29th Avenue SUD*". Instead the language describing the allowed uses in the 430 29th Avenue SUD should state "*General Office Uses as defined in Planning Code Section 102, operated by a Nonprofit Organization as defined in Planning Code Section 102*".
2. Clarify that no direct services can be provided on-site.

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.

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,

A handwritten signature in black ink, appearing to read "Aaron D. Starr", with a long horizontal line extending to the right.

Aaron D. Starr
Manager of Legislative Affairs

cc:

Peter R. Miljanich, Deputy City Attorney
Ian Fregosi, Aide to Supervisor Fewer
Erica Major, Office of the Clerk of the Board

Attachments :

Planning Commission Resolution
Planning Department Executive Summary



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 20309 HEARING DATE OCTOBER 11, 2018

Project Name: Planning Code, Zoning Map - 430-29th Avenue Special Use District
Case Number: 2018-011152PCA/MAP [Board File No. 180776]
Initiated by: Supervisor Fewer / Introduced July 24, 2018
Staff Contact: Audrey Butkus, Legislative Affairs
audrey.butkus@sfgov.org, (415) 575-9129
Reviewed by: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362

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RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE AND ZONING MAP TO ESTABLISH THE 430-29TH AVENUE SPECIAL USE DISTRICT; 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.

WHEREAS, on July 24, 2018 Supervisor Fewer introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 180776, which would amend the Planning Code & Zoning Map to establish the 430-29th Avenue Special Use District;

WHEREAS, The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on October 11, 2018; and,

WHEREAS, The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c)(2) and 15378 because they do not result in a physical change in the environment; and

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Planning Commission hereby **approves with modifications** the proposed ordinance.

The modifications include the following:

Recommended Modifications:

1. Replace the language that describes the allowed uses in the 430 29th Avenue SUD as *“the executive, management, administrative, and clerical services and support of Social Service or Philanthropic Facilities as defined in Planning Code Section 102 shall be principally permitted uses in the 430 29th Avenue SUD”*. Instead the language describing the allowed uses in the 430 29th Avenue SUD should state *“General Office Uses as defined in Planning Code Section 102, operated by a Nonprofit Organization as defined in Planning Code Section 102”*.
2. Clarify that no direct services can be provided on-site.

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. **General Plan Compliance.** The proposed Ordinance and the Commission’s recommended modifications are *consistent* with the following Objectives and Policies of the General Plan:

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 1

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.1

Encourage development which provides substantial net benefits and minimizes undesirable consequences that cannot be mitigated.

The proposed Ordinance ensures that the subject property can serve as an asset to neighborhood serving nonprofits, while also placing limits on the impacts non-residential uses can have on a residential neighborhoods by limiting the use to General Office with no on-site services.

OBJECTIVE 6

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

POLICY 6.9

Regulate uses so that traffic impacts and parking problems are minimized.

The proposed Ordinance limits the use of the subject site to Office Uses that do not provide on-site services to minimize impacts to traffic and parking in the residential neighborhood.

HOUSING ELEMENT

OBJECTIVE 11

RECOGNIZE THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

The proposed Ordinance considers the residential character of the neighborhood surrounding the subject site and places appropriate land use controls on the SUD in order to protect the surrounding residential uses.

2. **Planning Code Section 101 Findings.** The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have a negative effect on housing or neighborhood character.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.

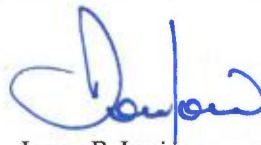
8. That our parks and open space and their access to sunlight and vistas be protected from development;

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

3. **Planning Code Section 302 Findings.** The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby APPROVES WITH MODIFICATIONS the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on October 11, 2018.



Jonas P. Ionin
Commission Secretary

AYES: Fong, Hillis, Johnson, Koppel, Melgar, Moore, Richards

NOES: None

ABSENT: None

ADOPTED: October 11, 2018



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Planning Code Text Amendment

HEARING DATE: OCTOBER 11, 2018
EXPIRATION DATE: OCTOBER 22, 2018

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Information:
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Project Name: **Planning Code, Zoning Map - 430-29th Avenue Special Use District**
Case Number: **2018-011152PCA/MAP [Board File No. 180776]**
Initiated by: Supervisor Fewer / Introduced July 24, 2018
Staff Contact: Audrey Butkus, Legislative Affairs
audrey.butkus@sfgov.org, (415) 575-9129
Reviewed by: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362
Recommendation: **Recommend Approval with Modifications**

PLANNING CODE AMENDMENT

The proposed Ordinance would amend the Planning Code and Zoning Map to create the 430 29th Avenue Special Use District (SUD). The proposed SUD would allow management, executive, clerical, support, or administrative services that are part of a Social Service or Philanthropic Facility to locate in the back building of a lot at 430 29th Avenue. The stated intent by the Supervisor is to allow a community-serving non-profit to establish their offices at the site.

The Way It Is Now:

1. The parcel at 430 29th Avenue is zoned Residential-House, Two Family (RH-2) and Residential-Mixed, Low Density (RM-1). Both Philanthropic Administrative Services Uses and Social Service or Philanthropic Facility Uses are **not** allowed in RH-2 and RM-1 Districts.

The Way It Would Be:

1. The parcel at 430 29th Avenue would be zoned as the "430 29th Avenue Special Use District". The SUD would allow management, executive, clerical, support, or administrative services that are part of a Social Service or Philanthropic Facility Use to locate in the back building *only* of a lot at 430 29th Avenue.

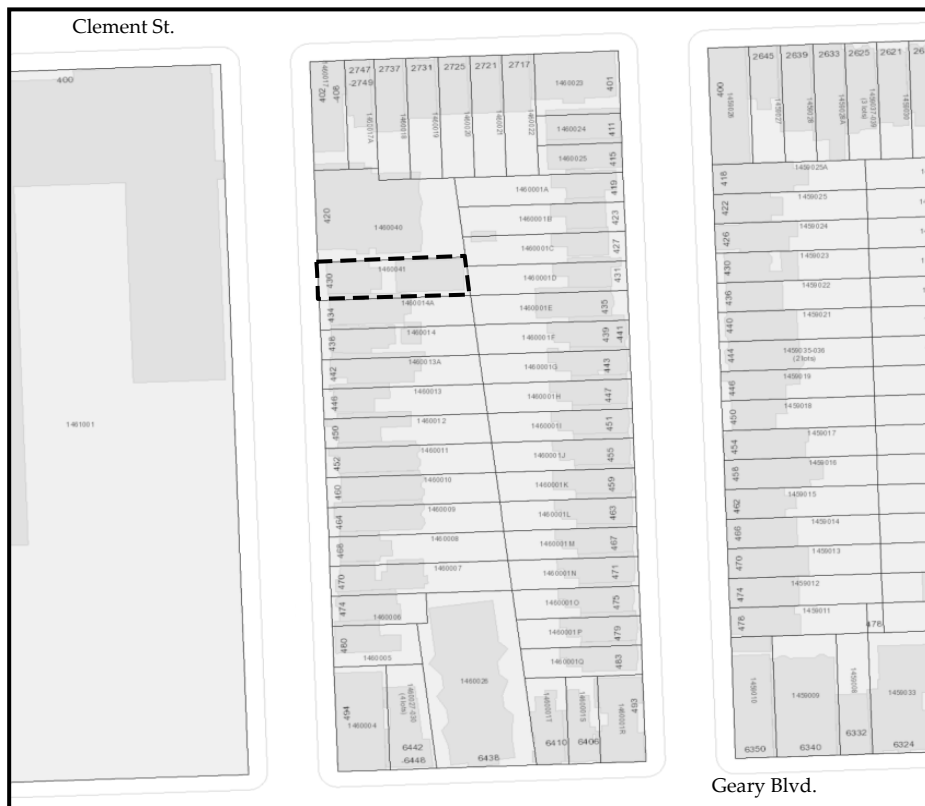
ISSUES AND CONSIDERATIONS

History:

The subject lot is owned by St. Peter's Episcopal Church. The Church additionally owns the lot immediately to the north at 420 29th Avenue. The lot to the north previously contained the main church structure, while the subject lot contained a single-family home at the front, and a separate building in the rear yard. The church suffered seismic damage from the Loma Prieta earthquake and was unable to be

repaired. The subject lot continued to be used by the church; the home at the front housing various clergy and the structure at the rear providing as a church hall space. There is no evidence that the back structure subject to the proposed SUD was ever used as housing.

In 2009 the structurally compromised church building at 420 29th Avenue was demolished and two new buildings were constructed: a new 4,865 sq. ft. church and 21 residential units. Both buildings are 40 feet in height. 20 of the residential units are permanent supportive housing, specifically for people with disabilities. The subject lot at 430 29th Avenue, which contains the single-family home and church hall at the rear, have been undergoing renovations starting in 2010. The single-family home at the street continues to house clergy. The building at the back is currently vacant and is in the process of being remodeled.



Surrounding Neighborhood:

The subject parcel is located in the Outer Richmond neighborhood and is surrounded by RM-1 zoning to the north, RH-2 zoning to the east and south, and P (Public) zoning to the west (see Exhibit B). The neighborhood is comprised largely of residential homes, varying in density from one to four units mid-block, with larger density apartment buildings located at intersections. The Presidio Middle School encompasses the entire block to the west of the subject parcel. Due to the neighborhood's largely residential character, any non-residential uses allowed in the proposed SUD should take into consideration all possible impacts to the surrounding homes.

Implementation:

The Ordinance would not significantly impact our current implementation procedures or staff time due to the fact that the proposed Ordinance covers a small area.

General Plan Priorities:

The proposed Ordinance is consistent with the following objectives and policies of the General Plan:

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 1

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.1

Encourage development which provides substantial net benefits and minimizes undesirable consequences that cannot be mitigated.

The proposed Ordinance ensures that the subject property can serve as an asset to neighborhood serving nonprofits, while also placing limits on the impacts non-residential uses can have on a residential neighborhoods by limiting the use to General Office with no on-site services.

OBJECTIVE 6

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

POLICY 6.9

Regulate uses so that traffic impacts and parking problems are minimized.

The proposed Ordinance limits the use of the subject site to Office Uses that do not provide on-site services to minimize impacts to traffic and parking in the residential neighborhood.

HOUSING ELEMENT

OBJECTIVE 11

RECOGNIZE THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

The proposed Ordinance considers the residential character of the neighborhood surrounding the subject site and places appropriate land use controls on the SUD in order to protect the surrounding residential uses.

RECOMMENDATION

The Department recommends that the Commission *approve with modifications* the proposed Ordinance and adopt the attached Draft Resolution to that effect.

Recommended Modifications:

1. Replace the language that describes the allowed uses in the 430 29th Avenue SUD as “*the executive, management, administrative, and clerical services and support of Social Service or Philanthropic Facilities as defined in Planning Code Section 102 shall be principally permitted uses in the 430 29th Avenue SUD*”. Instead the language describing the allowed uses in the 430 29th Avenue SUD should state “General Office Uses as defined in Planning Code Section 102, operated by a Nonprofit Organization as defined in Planning Code Section 102”.
2. Clarify that no direct services can be provided on-site.

BASIS FOR RECOMMENDATION

Office Uses that are contained to the administrative and supportive services of a Nonprofit Organization may serve to benefit neighborhood-based nonprofits in finding locations that are closer to the communities they serve and may be more affordable than rents closer to the downtown. The impacts to the surrounding residential community, however, must be of an utmost consideration. In order to minimize impacts to the surrounding neighborhood, no services should be allowed to be provided on-site.

Recommended Modifications:

1. The proposed Ordinance currently uses terminology from two separate use definitions in the Planning Code. The proposed Ordinance states:

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

The description as currently drafted borrows language from the definition of Philanthropic Administrative Services:

Service, Philanthropic Administrative. An Institutional Community Use that provides executive, management, administrative, and clerical services and support related to philanthropic activities that serve non-profit institutions and organizations; such philanthropic activities may include funding and support of educational, medical, environmental, cultural, and social services institutions and organizations.

The use identified in the proposed Ordinance, however, is identified as a “Social Service or Philanthropic Facility which is defined in Section 102 as follows:

Social Service or Philanthropic Facility. An Institutional Community Use providing assistance of a charitable or public service nature, and not of a profit-making or commercial nature.

The reasoning behind the combination of these two use definitions is because the Planning Code does not currently contain a definition for office uses conducted by a nonprofit that do not provide services on-site. The Department believes the combination of the two use

definitions may cause confusion. Instead, the Department recommends that the type of uses allowed under the proposed SUD be stated as General Office operated by a Nonprofit Organization. Both uses are clearly defined in the Planning Code and make it clear that the use type must be General Office and the General Office must be operated by a Nonprofit.

2. General Office Uses currently may provide some on-site services to clients. The building proposed to be used as General Office in the SUD is in a residential neighborhood with few commercial uses. Any services being provided on-site, other than the administrative uses to support a Nonprofit would likely cause significant impacts to the neighborhood due to an increase in foot traffic of clients entering and exiting the back building at 430 29th Avenue to receive services from the nonprofit. The following example illustrates the difference in impact of administrative office uses versus offices that provide on-site services:

Scenario A: A Nonprofit Organization that provides supportive housing services locates their administrative services at the property, including their fundraising division, accounting department, and grants writers. The total number of employees who work at the property is 15. The impact of this use to the neighborhood is kept to a minimum since the same 15 employees will be the only people using the property during regular work hours.

Scenario B: The same Nonprofit Organization offers tax preparation services to low-income residents during tax season. The accounting division welcomes all residents to walk-in for free tax preparation services during regular business hours. These on-site services will likely cause major disruptions to the neighborhood. Clients may walk in constantly throughout the day, creating an increased amount of foot traffic as well as possible automobile traffic and parking impacts in what is a largely residential neighborhood.

As illustrated in the two scenarios, the impacts to the surrounding neighborhood will be much greater if services are provided on-site, therefore the proposed Ordinance should be amended to clarify that in the 430 29th Avenue SUD, on-site services are not permitted.

REQUIRED COMMISSION ACTION

The proposed Ordinance is before the Commission so that it may recommend adoption, rejection, or adoption with modifications to the Board of Supervisors.

ENVIRONMENTAL REVIEW

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c)(2) and 15378 because they do not result in a physical change in the environment.

PUBLIC COMMENT

As of the date of this report, the Planning Department has received one phone call regarding the proposed Ordinance. The caller stated that they were concerned about the possibility of services being

provided to the general public on the subject site and the negative impact this may have on the surrounding neighborhood.

RECOMMENDATION: Recommendation of Approval with Modifications

Attachments:

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: Zoning Map of Surrounding Neighborhood
- Exhibit C: Photos of the Subject Site at 430 29th Avenue
- Exhibit D: Board File No. 180776



SAN FRANCISCO PLANNING DEPARTMENT

Exhibit A

Planning Commission Draft Resolution

HEARING DATE OCTOBER 11, 2018

Project Name: Planning Code, Zoning Map - 430-29th Avenue Special Use District
Case Number: 2018-011152PCA/MAP [Board File No. 180776]
Initiated by: Supervisor Fewer / Introduced July 24, 2018
Staff Contact: Audrey Butkus, Legislative Affairs
audrey.butkus@sfgov.org, (415) 575-9129
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RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE AND ZONING MAP TO ESTABLISH THE 430-29TH AVENUE SPECIAL USE DISTRICT; 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.

WHEREAS, on July 24, 2018 Supervisor Fewer introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 180776, which would amend the Planning Code & Zoning Map to to establish the 430-29th Avenue Special Use District;

WHEREAS, The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on October 11, 2018; and,

WHEREAS, The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c)(2) and 15378 because they do not result in a physical change in the environment; and

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Planning Commission hereby **approves with modifications** the proposed ordinance.

The modifications include the following:

Recommended Modifications:

1. Replace the language that describes the allowed uses in the 430 29th Avenue SUD as “*the executive, management, administrative, and clerical services and support of Social Service or Philanthropic Facilities as defined in Planning Code Section 102 shall be principally permitted uses in the 430 29th Avenue SUD*”. Instead the language describing the allowed uses in the 430 29th Avenue SUD should state “General Office Uses as defined in Planning Code Section 102, operated by a Nonprofit Organization as defined in Planning Code Section 102”.
2. Clarify that no direct services can be provided on-site.

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. **General Plan Compliance.** The proposed Ordinance and the Commission’s recommended modifications are *consistent* with the following Objectives and Policies of the General Plan:

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 1

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.1

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The proposed Ordinance ensures that the subject property can serve as an asset to neighborhood serving nonprofits, while also placing limits on the impacts non-residential uses can have on a residential neighborhoods by limiting the use to General Office with no on-site services.

OBJECTIVE 6

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

POLICY 6.9

Regulate uses so that traffic impacts and parking problems are minimized.

The proposed Ordinance limits the use of the subject site to Office Uses that do not provide on-site services to minimize impacts to traffic and parking in the residential neighborhood.

HOUSING ELEMENT

OBJECTIVE 11

RECOGNIZE THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

The proposed Ordinance considers the residential character of the neighborhood surrounding the subject site and places appropriate land use controls on the SUD in order to protect the surrounding residential uses.

2. **Planning Code Section 101 Findings.** The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have a negative effect on housing or neighborhood character.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.

8. That our parks and open space and their access to sunlight and vistas be protected from development;

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

3. **Planning Code Section 302 Findings.** The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby APPROVES WITH MODIFICATIONS the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on October 11, 2018.

Jonas P. Ionin
Commission Secretary

AYES:

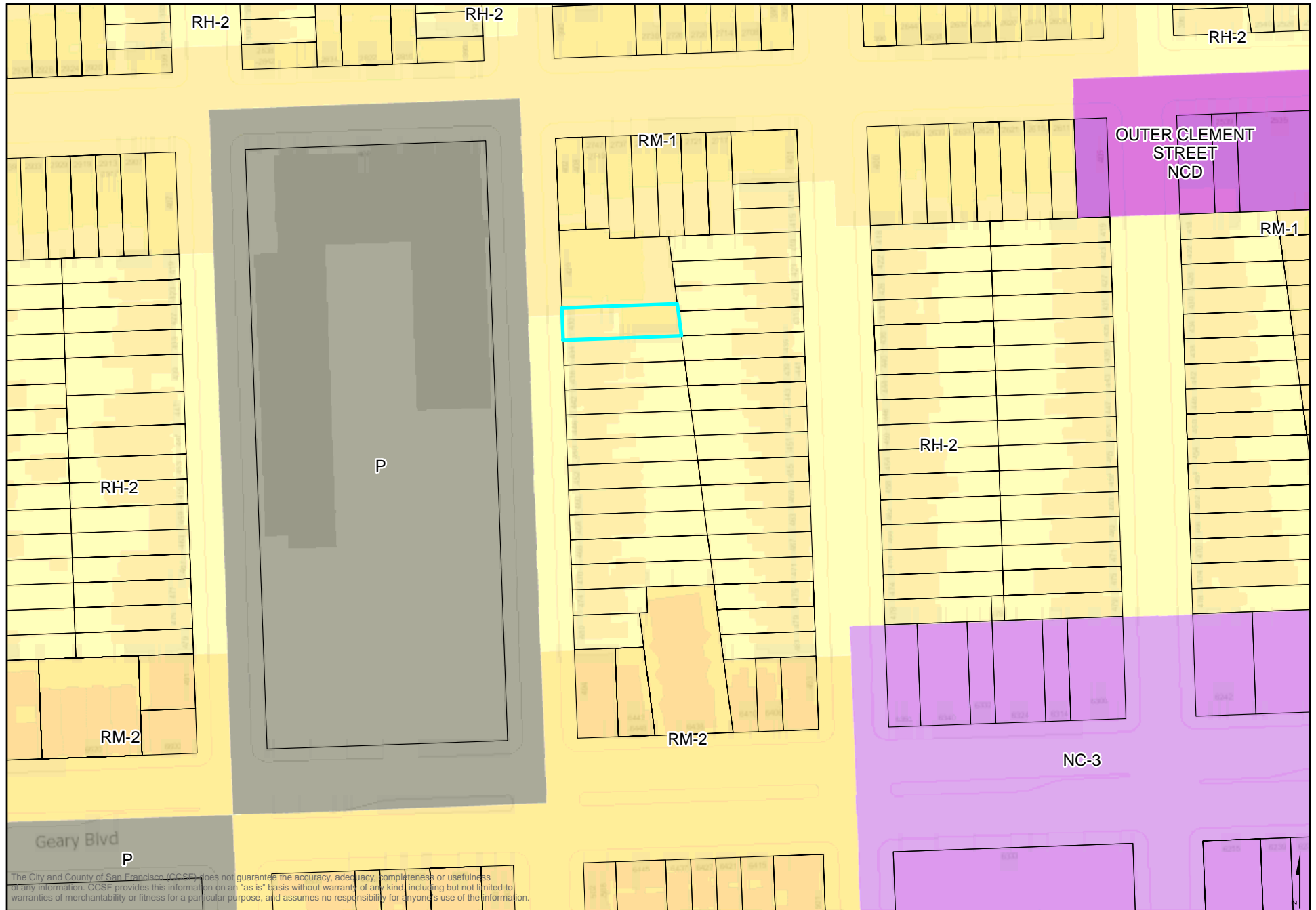
NOES:

ABSENT:

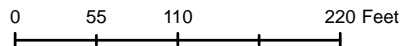
ADOPTED: October 11, 2018

Zoning Map with Parcel at 430 29th Avenue Highlighted

Exhibit B



The City and County of San Francisco (CCSF) does not guarantee the accuracy, adequacy, completeness or usefulness of any information. CCSF provides this information on an "as is" basis without warranty of any kind, including but not limited to warranties of merchantability or fitness for a particular purpose, and assumes no responsibility for anyone's use of the information.



View of building from 29th Ave

Exhibit C



View from
side yard



Entrance from side yard



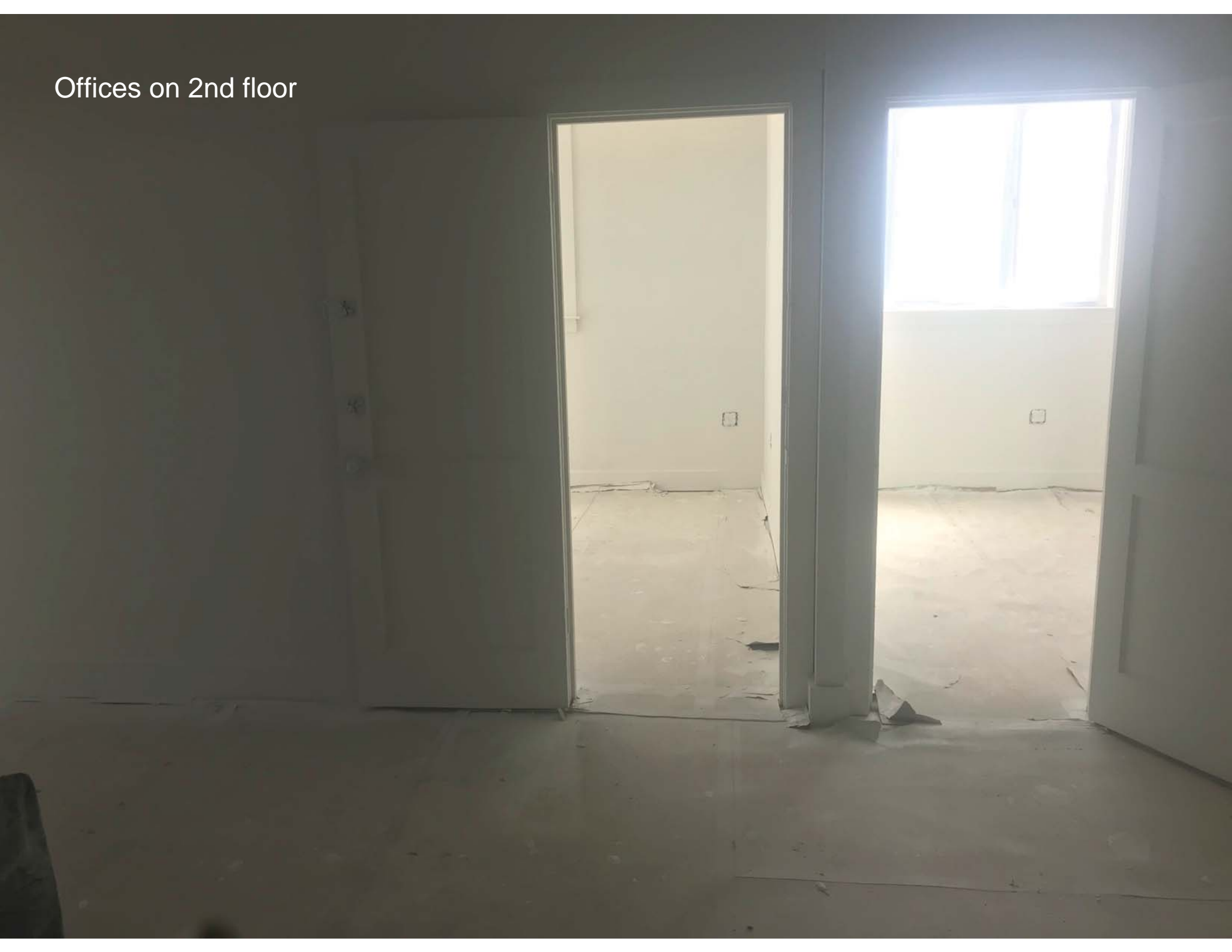
1st floor from entrance



2nd floor landing



Offices on 2nd floor



Examples of installed outlets



Basement level room



Basement door



BOARD of SUPERVISORS



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San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

July 31, 2018

Planning Commission
Attn: Jonas Ionin
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Commissioners:

On July 24, 2018, Supervisor Fewer introduced the following 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.

The proposed ordinance is being transmitted pursuant to Planning Code, Section 302(b), for public hearing and recommendation. The ordinance is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

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

- c: John Rahaim, Director of Planning
- Aaron Starr, Acting Manager of Legislative Affairs
- Scott Sanchez, Zoning Administrator
- Lisa Gibson, Environmental Review Officer
- AnMarie Rodgers, Director of Citywide Planning
- Laura Lynch, Environmental Planning
- Joy Navarrete, 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 ~~italics Times New Roman font~~.
12 **Board amendment additions** are in double-underlined Arial font.
13 **Board amendment deletions** are in ~~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.

9
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.

11
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:

14

Assessor's Block	Lot	Special Use District Hereby Approved
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

22 ///

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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.

3
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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