

1 [Planning Code - 1896 Pacific Avenue - New Rooftop Floor Area or Building Volume on
2 Noncomplying Structure]

3 **Ordinance amending the Planning Code to permit new floor area or building volume on**
4 **the rooftop of a noncomplying structure located at 1896 Pacific Avenue, on Assessor's**
5 **Parcel Block No. 0576, Lot Nos. 27-44; affirming the Planning Department's**
6 **determination under the California Environmental Quality Act; making public necessity,**
7 **convenience, and welfare findings under Planning Code, Section 302; and making**
8 **findings of consistency with the General Plan, and the eight priority policies of**
9 **Planning Code, Section 101.1.**

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

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

18 Section 1. Environmental and Land Use Findings.

19 (a) The Planning Department has determined that the actions contemplated in this
20 ordinance comply with the California Environmental Quality Act (California Public Resources
21 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
22 Supervisors in File No. _____ and is incorporated herein by reference. The Board affirms
23 this determination.

24 (b) On _____, the Planning Commission, in Resolution No. _____,
25 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
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, this Board finds that these Planning Code
4 amendments will serve the public necessity, convenience, and welfare for the reasons set
5 forth in in Planning Commission Resolution No. _____, and the Board adopts such
6 reasons as its own. A copy of said resolution is on file with the Clerk of the Board of
7 Supervisors in File No. _____ and is incorporated herein by reference.

8
9 Section 2. Article 1.7 of the Planning Code is hereby amended by revising Section
10 188, to read as follows:

11 **SEC. 188. NONCOMPLYING STRUCTURES: ENLARGEMENTS, ALTERATIONS,**
12 **AND RECONSTRUCTION.**

13 (a) Within the limitations of this Article 1.7, and especially Sections 172 and 180
14 hereof, a noncomplying structure as defined in Section 180 may be enlarged, altered, or
15 relocated, or undergo a change or intensification of use in conformity with the use limitations
16 of this Code, provided that with respect to such structure there is no increase in any
17 discrepancy, or any new discrepancy, at any level of the structure, between existing
18 conditions on the lot and the required standards for new construction set forth in this Code,
19 and provided the remaining requirements of this Code are met.

20 * * * *

21 (h) Notwithstanding subsection (a) of this Section 188, a Roof Terrace Enclosure Project,
22 defined as a project proposing the replacement of an existing rooftop terrace with new Gross Floor
23 Area or building volume, may be permitted on a noncomplying structure, as defined in Planning Code
24 Section 180, notwithstanding otherwise applicable height, floor area ratio, bulk limits, or residential
25 open space requirements, as follows: at 1896 Pacific Avenue, Block 0576, lots 27 to 44, inclusive, a

