

BOARD of SUPERVISORS



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MEMORANDUM

Date: December 16, 2022
To: Planning Department / Commission
From: Erica Major, Clerk of the Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 221261
Planning Code, Zoning Map - The Village Special Use District

- California Environmental Quality Act (CEQA) Determination
(*California Public Resources Code, Sections 21000 et seq.*)
 - Ordinance / Resolution
 - Ballot Measure

- Amendment to the Planning Code, including the following Findings:
(*Planning Code, Section 302(b): 90 days for Planning Commission review*)
 - General Plan
 - Planning Code, Section 101.1
 - Planning Code, Section 302

- Amendment to the Administrative Code, involving Land Use/Planning
(*Board Rule 3.23: 30 days for possible Planning Department review*)

- General Plan Referral for Non-Planning Code Amendments
(*Charter, Section 4.105, and Administrative Code, Section 2A.53*)
(Required for legislation concerning the acquisition, vacation, sale, or change in use of City property; subdivision of land; construction, improvement, extension, widening, narrowing, removal, or relocation of public ways, transportation routes, ground, open space, buildings, or structures; plans for public housing and publicly-assisted private housing; redevelopment plans; development agreements; the annual capital expenditure plan and six-year capital improvement program; and any capital improvement project or long-term financing proposal such as general obligation or revenue bonds.)

- Historic Preservation Commission
 - Landmark (*Planning Code, Section 1004.3*)
 - Cultural Districts (*Charter, Section 4.135 & Board Rule 3.23*)
 - Mills Act Contract (*Government Code, Section 50280*)
 - Designation for Significant/Contributory Buildings (*Planning Code, Article 11*)

Please send the Planning Department/Commission recommendation/determination to Erica Major at Erica.Major@sfgov.org.

1 [Planning Code, Zoning Map - The Village Special Use District]

2

3 **Ordinance amending the Planning Code and the Zoning Map to add The Village Special**
 4 **Use District, located adjacent to 56 Julian Avenue, at 80 Julian Avenue, and**
 5 **constituting Assessor's Parcel Block No. 3547, Lot No. 52; and making findings under**
 6 **the California Environmental Quality Act; findings of consistency with the General**
 7 **Plan, and the eight priority policies of Planning Code, Section 101.1; and findings of**
 8 **public necessity, convenience, and welfare under Planning Code, Section 302.**

9

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 ~~*italics Times New Roman font*~~.
 13 **Board amendment additions** are in double-underlined Arial font.
 14 **Board amendment deletions** are in ~~Arial font~~.
 15 **Asterisks (* * * *)** indicate the omission of unchanged Code
 16 subsections or parts of tables.

14

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

16 Section 1. General Background, and Environmental and Land Use Findings.

17 (a) The Friendship House Association of American Indians (the "Project Sponsor")
 18 proposes to construct a six-story building on a vacant lot adjacent to its existing facilities at 56
 19 Julian Avenue (the "Project"). The new building would contain a youth recreation and
 20 development center, an elder services center and community gathering space, a floor devoted
 21 to youth and teen programs and other social services, a dental clinic on the third floor, and a
 22 medical clinic on the fourth floor. The fifth and sixth floors would include 21 Group Housing
 23 rooms providing interim housing to graduates from the Friendship House substance use
 24 disorder program (fifth floor) and to mothers participating in the substance use disorder
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25

1 program and their children (sixth floor). The rooftop would contain common space for building
2 residents, areas for vegetable planting, and other green/living roof components.

3 (b) On December 7, 2022, the Planning Department published a Preliminary Mitigated
4 Negative Declaration (“PMND”), which found that the Project could have potentially significant
5 impacts on the environment. Any impacts, however, will be reduced to a less than significant
6 level because the Project Sponsor will implement all mitigation measures identified in the
7 PMND. The Planning Department prepared and publicized the PMND in compliance with the
8 provisions of the California Environmental Quality Act (California Public Resources Code
9 Sections 21000 et seq., “CEQA”), the State CEQA Guidelines (California Code of Regulations
10 Title 14 Sections 15000 et seq.), and Chapter 31 of the San Francisco Administrative Code
11 (“Chapter 31”).

12 (c) On _____, following the required notice and appeal period, the Planning
13 Department published a Final Mitigated Negative Declaration (“FMND”), a copy of which is on
14 file with the Clerk of the Board of Supervisors in File No. _____ and incorporated
15 herein by reference.

16 (d) At its hearing on _____, and prior to recommending the proposed Planning
17 Code and Zoning Map amendments for approval, by Motion No. _____, the Planning
18 Commission adopted findings under CEQA, including a Mitigation Monitoring and Reporting
19 Program (“MMRP”) as required by State and local law (collectively, “CEQA Findings”). The
20 Board of Supervisors hereby adopts and incorporates by reference the CEQA Findings. In so
21 doing, the Board of Supervisors approves and endorses the MMRP for implementation by
22 other City departments. A copy of the CEQA Findings and the MMRP is on file with the Clerk
23 of the Board of Supervisors in File No. _____ and is incorporated herein by
24 reference.

1 (e) The Board of Supervisors finds that the actions taken in this ordinance are within
2 the scope of the Project analyzed in the FMND and subject to the CEQA Findings. The Board
3 of Supervisors further finds that (1) no substantial changes are proposed in the Project and no
4 substantial changes have occurred with respect to the circumstances under which this Project
5 will be undertaken that would cause new significant environmental effects or a substantial
6 increase in the severity of previously identified effects, and (2) there is no new information of
7 substantial importance showing that the Project would have any significant effects not
8 discussed in the FMND, that significant effects would be substantially more severe, or that
9 new or different mitigation measures or alternatives would substantially reduce one or more
10 significant effects of the Project.

11 (f) At the same hearing on _____, the Planning Commission, in
12 Resolution No. _____, recommended that the Board of Supervisors adopt amendments
13 to the Planning Code and adopted findings that the actions contemplated in this ordinance are
14 consistent, on balance, with the City's General Plan and eight priority policies of Planning
15 Code Section 101.1. The Board adopts these findings as its own. A copy of said Resolution is
16 on file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated
17 herein by reference.

18 (g) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this
19 ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in
20 Planning Commission Resolution No. _____ and incorporates such reasons by this
21 reference thereto. A copy of said resolution is on file with the Clerk of the Board of
22 Supervisors in File No. _____.

23

24 Section 2. Article 2 of the Planning Code is hereby amended by adding Section 249.2,
25 to read as follows:

1 **SEC. 249.2. THE VILLAGE SPECIAL USE DISTRICT.**

2 **(a) Establishment.** *A Special Use District entitled “The Village Special Use District”*
3 *consisting of Assessor’s Block 3547, Lot 52, a rectangular parcel located south of 56 Julian Avenue at*
4 *80 Julian Avenue, the boundaries of which are designated on Sectional Map No. SU07 of the Zoning*
5 *Map of the City and County of San Francisco, is hereby established for the purposes set forth below.*

6 **(b) Purpose.** *The purpose of this Special Use District is to facilitate the development of*
7 *Community Facility and Group Housing uses at the site through The Village Wellness Center Project*
8 *(“Project”). The Project will provide several benefits to the City and the Native American community*
9 *in San Francisco, including community space, access to health and social services, elder services,*
10 *youth programming, medical and dental clinics, and transitional housing.*

11 **(c) Conditional Use Authorization.** *Exceptions from otherwise applicable requirements of this*
12 *Code may be appropriate to further the purpose of The Village Special Use District. The Planning*
13 *Commission may authorize the following exceptions from Code requirements through a Conditional*
14 *Use authorization:*

15 **(1) Floor Area Ratio.** *A floor area ratio up to and including 7 to 1.*

16 **(2) Height and Bulk Restrictions.** *The applicable Height and Bulk for this Special Use*
17 *District shall be 80-X.*

18 **(3) Rear Yard.** *The provisions of Section 134 of this Code governing rear yard*
19 *requirements shall not apply.*

20 **(4) Use Size Limits.** *The provisions of Sections 121.1 of this Code governing use size*
21 *shall not apply.*

22 **(5) Permitted Obstructions.** *The provisions of Section 136 of this Code governing*
23 *obstructions over streets and alleys and in required setbacks, yards, and usable open space shall not*
24 *apply.*

1 (6) Dwelling Unit Exposure. The provisions of Section 140 of this Code governing
 2 Dwelling Unit Exposure shall not apply. Instead, all group housing units shall have at least one
 3 window facing on to a street or alley at least 15 feet in width, or the units shall face an open area on an
 4 adjacent lot where such open area has a minimum horizontal dimension of 15 feet from the window and
 5 is subject to a recorded restriction prohibiting new buildings in such open area.

6 (7) Active Use. The provisions of Section 145.1 of this Code governing street frontages
 7 shall not apply.

8 (8) Setbacks on Narrow Streets and Alleys. The provisions of Section 261.1 of this Code
 9 governing alley setbacks shall not apply

10 (9) Fees. The requirements of Section 411A (Transit Sustainability Fee), Section 414A
 11 (Child Care for Residential Projects), Section 415 (Inclusionary Affordable Housing Program), and
 12 Section 423 (Eastern Neighborhoods Impact Fee and Public Benefits Fund) of this Code shall not apply
 13 to the Project.

14
 15 Section 3. The Planning Code is hereby amended by revising Height and Bulk Map
 16 HT07, and Special Use Map SU07, as follows:

17 (a) Special Use Map SU07 shall include the new Friendship House Village Special
 18 Use District, as follows:

19 Assessor's Block	Lot	Current Zoning	Proposed Zoning
20 3547	052	Valencia NCT	The Village Special 21 Use District

22 (b) Zoning Map HT07 is amended for the entirety of Assessor's Block 3547, Lot
 23 052, as follows:
 24
 25

Assessor's Block	Lot	Current Height Designation	Proposed Height Designation
3547	052	45-X	80-X

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

APPROVED AS TO FORM:

DAVID CHIU, City Attorney

By: /s/ Kathy J. Shin
 KATHY J. SHIN
 Deputy City Attorney

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LEGISLATIVE DIGEST

[Planning Code, Zoning Map - The Village Special Use District]

Ordinance amending the Planning Code and the Zoning Map to add The Village Special Use District, located adjacent to 56 Julian Avenue, at 80 Julian Avenue, and constituting Assessor's Parcel Block No. 3547, Lot No. 52; and making findings under the California Environmental Quality Act; 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 property at 80 Julian Avenue, adjacent to the current location of the Friendship House Association of American Indians at 56 Julian Avenue, is subject to the controls in the Planning Code that govern the Valencia Street Neighborhood Commercial Transit District, and controls that govern a 45-X height and bulk district.

Amendments to Current Law

This ordinance would create The Village Special Use District ("SUD"). The SUD would control the development of the parcel at 80 Julian Avenue, including the Community Facility and Group Housing uses anticipated for The Village Wellness Center Project. To facilitate this project the SUD allows exceptions from specified Planning Code requirements through a Conditional Use authorization, including the Code requirements relating to floor area ratio, height and bulk, rear yard, use size limits, permitted obstructions, dwelling unit exposure, active use, setbacks, and fees.

The legislation would also amend the Zoning Map to include the Village Special Use District and change the permitted height for Lot 52 in Assessor's Block 3547 from 45-X to 80-X.

Background Information

The Village Wellness Center Project ("Project") proposes to construct a six-story building on a vacant lot adjacent to the current location of The Friendship House Association of American Indians. The Project will provide several benefits to the City and the Native American community in San Francisco, including community space, access to health and social services, elder services, youth programming, medical and dental clinics, and transitional housing.