

BOARD of SUPERVISORS



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MEMORANDUM

TO: Olson Lee, Director, Mayor's Office of Housing and Community Development

FROM: *ll*
for Alisa Somera, Legislative Deputy Director
Land Use and Transportation Committee

DATE: October 25, 2016

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Farrell on October 18, 2016:

File No. 161109

Ordinance amending the Planning Code by adding Section 249.20; and amending Sheet SU03 of the Zoning Map, to establish the Geary-Masonic Special Use District in the area generally bounded by Geary Boulevard to the south, Masonic Avenue to the east, and Assessor's Parcel Block No. 1071, Lot Nos. 001 and 004, to the north and west, respectively; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: alisa.somera@sfgov.org.

c: Eugene Flannery, Mayor's Office of Housing and Community Development
Sophie Hayward, Mayor's Office of Housing and Community Development

1 [Planning Code, Zoning Map - Establishment of Geary–Masonic Special Use District]

2
3 **Ordinance amending the Planning Code by adding Section 249.20; and amending Sheet**
4 **SU03 of the Zoning Map, to establish the Geary–Masonic Special Use District in the**
5 **area generally bounded by Geary Boulevard to the south, Masonic Avenue to the east,**
6 **and Assessor’s Parcel Block No. 1071, Lot Nos. 001 and 004, to the north and west,**
7 **respectively; affirming the Planning Department’s determination under the California**
8 **Environmental Quality Act; making findings of consistency with the General Plan, and**
9 **the eight priority policies of Planning Code, Section 101.1; and adopting findings of**
10 **public convenience, necessity, and welfare under Planning Code, Section 302.**

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

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

19 Section 1. Findings.

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

25 ///

1 (b) On _____, the Planning Commission, in Resolution No. _____, adopted
2 findings that the actions contemplated in this ordinance are consistent, on balance, with the
3 City's General Plan and eight priority policies of Planning Code Section 101.1. The Board
4 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
5 Board of Supervisors in File No. _____, and is incorporated herein by reference.

6 (c) Pursuant to Planning Code Section 302, this Board finds that this ordinance will
7 serve the public necessity, convenience, and welfare for the reasons set forth in Planning
8 Commission Resolution No. _____ and the Board incorporates such reasons herein
9 by reference. A copy of Planning Commission Resolution No. _____ is on file with the
10 Clerk of the Board of Supervisors in File No. _____.

11
12 Section 2. The Planning Code is hereby amended by adding Section 249.20, to read
13 as follows:

14 **SEC. 249.20. GEARY – MASONIC SPECIAL USE DISTRICT.**

15 (a) General. A Special Use District entitled the Geary-Masonic Special Use District
16 ("District"), the boundaries of which are shown on Sectional Map SU03 of the Zoning Maps of the City
17 and County of San Francisco, is hereby established for the purpose set out below.

18 (b) Purpose. In order to provide for a mixed use development project with ground floor retail,
19 and a unique combination of low income, moderate income, and market rate residential units, at
20 densities higher than what otherwise would be permitted in the NC-3 zoning district and 80 foot height
21 district, in an area well-served by transit, there shall be a Geary-Masonic Special Use District
22 consisting of Assessor's Block 1071, Lot 003 as designated on Sectional Map SU2 of the Zoning Maps
23 of the City and County of San Francisco.

24 (c) Development Controls. Applicable provisions of the Planning Code for NCT-3 Districts as
25 set forth in Section 731 shall apply within this Special Use District, except for the following:

1 (1) Use Size. Non-residential uses 3000 square feet and above shall require a
2 conditional use under Section 121.2. Uses more than 6000 square feet in size are not permitted.

3 (2) Accessory Vehicle Parking. No parking shall be permitted above .5 cars for
4 each Dwelling Unit.

5 (3) Parking and Loading Access. Parking and Loading access from Masonic
6 Avenue is not permitted.

7 (d) Inclusionary Housing. In order to allow for the increased residential densities provided
8 by this Special Use District, on-site inclusionary units pursuant to Planning Code section 415.6 shall
9 be required. Notwithstanding the provisions of section 415.6(a)(1) and (2), the number of units
10 constructed shall be 18% of all units constructed, with a minimum of 6% of the units affordable to low
11 income households, defined as households whose total household income does not exceed 55% of Area
12 Median Income for purposes of renting an affordable unit, or 80% of Area Median Income for purposes
13 of purchasing an affordable unit; and 12% of the units affordable to middle/moderate income
14 households, defined in this subsection as households whose total household income does not exceed
15 120% of Area Median Income for purposes of renting or purchasing an affordable unit. If provided as
16 rental units, the requirements of Section 415.5(g)(ii) shall apply. Except as expressly provided in this
17 subsection, all other provisions of Section 415 shall apply.

18
19 Section 3. The Planning Code is hereby amended by revising Sheet SU03 of the
20 Zoning Map as follows:

21

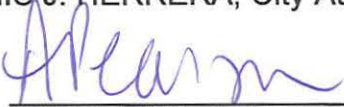
Description of Property	Use District to be Superseded	Use District Hereby Approved
Assessor's Block 1071, Lot 3	NC-3	Geary - Masonic SUD

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

5
6 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
7 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
8 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
9 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
10 additions, and Board amendment deletions in accordance with the "Note" that appears under
11 the official title of the ordinance.

12
13 APPROVED AS TO FORM:
14 DENNIS J. HERRERA, City Attorney

15 By: 
16 AUDREY W. PEARSON
Deputy City Attorney

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