

1 [Planning Code - Van Ness Special Use District - Exempting Institutional Community Use  
2 Development from Limitation on Nonresidential Uses - 1750 Van Ness Avenue]

3 **Ordinance amending the Planning Code to exempt proposed new construction for an**  
4 **Institutional Community Use at 1750 Van Ness Avenue, Assessor's Parcel Block No.**  
5 **0622, Lot No. 019, from nonresidential use limitations of the Van Ness Special Use**  
6 **District; affirming the Planning Department's determination under the California**  
7 **Environmental Quality Act; and making public necessity, convenience, and welfare**  
8 **findings under Planning Code, Section 302, and findings of consistency with the**  
9 **General Plan, and the eight priority policies of 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. 220000 and is incorporated herein by reference. The Board affirms  
23 this determination.

24 (b) Pursuant to Planning Code Section 302, the Board of Supervisors finds that the  
25 amendment to the Planning Code proposed in this ordinance will serve the public necessity,  
convenience, and welfare for the reasons set forth in Planning Commission Resolution No.

1 21003, which is incorporated herein by reference. A copy of said Resolution is on file with the  
2 Clerk of the Board of Supervisors in File No. 220000.

3 (c) On September 30, 2021, the Planning Commission, in Resolution No. 21003,  
4 adopted findings that the actions contemplated in this ordinance are consistent, on balance,  
5 with the City’s General Plan and eight priority policies of Planning Code Section 101.1. The  
6 Board adopts these findings as its own.

7  
8 Section 2. Article 2 of the Planning Code is hereby amended by revising Section 243,  
9 to read as follows:

10 **SEC. 243. VAN NESS SPECIAL USE DISTRICT.**

11 \* \* \* \*

12 (c) **Controls.** All provisions of the Planning Code applicable to an RC-4 District shall  
13 apply except as otherwise provided in this Section.

14 \* \* \* \*

15 (8) **Limitation of Nonresidential Uses.**

16 (A) **Residential Uses; Ratio Established.** In newly constructed  
17 structures, nonresidential uses shall only be permitted if the ratio between the amount of net  
18 additional occupied floor area for residential uses, as defined in this paragraph below, to the  
19 amount of occupied floor area for nonresidential uses in excess of the occupied floor area of  
20 structures existing on the site at the time the project is approved is 3 to 1 or greater. In  
21 additions to existing structures that exceed 20% percent of the gross floor area of the existing  
22 structure, nonresidential uses shall be permitted in the addition in excess of 20% percent only  
23 if the ratio between the amount of occupied floor area for residential use, as defined in this  
24 paragraph below, to the area of occupied floor area for nonresidential use is 3 to 1 or greater.  
25 This residential use ratio shall not apply to (i) development sites in the Van Ness Special Use

1 District that have less than 60 feet of street frontage on Van Ness Avenue and have no street  
2 frontage other than the Van Ness Avenue frontage, or (ii) development consisting of new  
3 construction proposed for an Institutional Community Use at 1750 Van Ness Avenue, Assessor's Parcel  
4 Block 0622, Lot 019. For purposes of this Section, "nonresidential uses" shall mean any use not  
5 defined as a Residential Use in Section 102 and principally or conditionally permitted in the  
6 Van Ness Special Use District.

7 \* \* \* \*

8  
9 Section 3. Effective Date. This ordinance shall become effective 30 days after  
10 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
11 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
12 of Supervisors overrides the Mayor's veto of the ordinance.

13  
14 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
15 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
16 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
17 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
18 additions, and Board amendment deletions in accordance with the "Note" that appears under  
19 the official title of the ordinance.

20  
21 APPROVED AS TO FORM:  
DENNIS J. HERRERA, City Attorney

22  
23 By: /s/ Victoria Wong  
VICTORIA WONG  
Deputy City Attorney

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