

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

Ordinance amending the Planning Code to exempt proposed new construction for an Institutional Community Use at 1750 Van Ness Avenue, Assessor's Parcel Block No. 0622, Lot No. 019, from nonresidential use limitations of the Van Ness Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

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

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

Section 1. Environmental and Land Use Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 220000 and is incorporated herein by reference. The Board affirms this determination.

(b) Pursuant to Planning Code Section 302, the Board of Supervisors finds that the 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.

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

(c) On September 30, 2021, the Planning Commission, in Resolution No. 21003, 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 Board adopts these findings as its own.

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

SEC. 243. VAN NESS SPECIAL USE DISTRICT.

* * * *

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

* * * *

(8) Limitation of Nonresidential Uses.

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

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

* * * *

Section 3. 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.

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

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

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

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City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 220000

Date Passed: April 05, 2022

Ordinance amending the Planning Code to exempt proposed new construction for an Institutional Community Use at 1750 Van Ness Avenue, Assessor's Parcel Block No. 0622, Lot No. 019, from nonresidential use limitations of the Van Ness Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

March 14, 2022 Land Use and Transportation Committee - RECOMMENDED

March 22, 2022 Board of Supervisors - PASSED ON FIRST READING

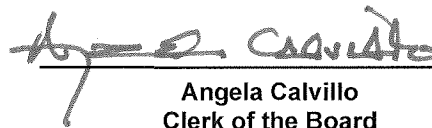
Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

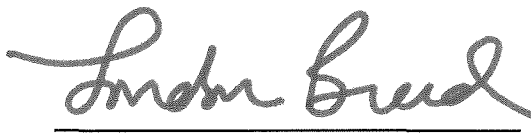
April 05, 2022 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 220000

**I hereby certify that the foregoing
Ordinance was FINALLY PASSED on
4/5/2022 by the Board of Supervisors of the
City and County of San Francisco.**


Angela Calvillo
Clerk of the Board


London N. Breed
Mayor


Date Approved