

1 [Planning Code, Zoning Map - Creating the Jewish Home of San Francisco Special Use
2 District, 302 Silver Avenue]

3 **Ordinance amending the Planning Code and Zoning Map to create the Jewish Home of**
4 **San Francisco Special Use District located at 302 Silver Avenue, Assessor's Block**
5 **No. 5952, Lot No. 002; to allow an increase in height within portions of the Special Use**
6 **District; and adopting findings, including environmental findings about the negative**
7 **declaration and mitigation monitoring and reporting plan, Planning Code, Section 302,**
8 **findings, and findings of consistency with the General Plan, and the eight priority**
9 **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. Findings.

19 (a) On May 27, 2015, the Planning Department's Environmental Review Officer
20 finalized the Mitigated Negative Declaration ("MND") for the Jewish Home of San Francisco
21 for this General Plan Amendment, Planning Code and Zoning Map Amendments and
22 determined that the MND was adequate, accurate and complete and reflected the
23 independent judgment of the Planning Department. An appeal was filed on June 17, 2015,
24 and on August 13, 2015 the Planning Commission conducted a duly noticed public hearing
25 and reviewed and considered the MND and the appeal thereon. The Planning Commission
found that, based on the whole record, there was no substantial evidence to support a fair

1 argument that the proposed project could have a significant effect on the environment and
2 that the MND was adequate, accurate and complete and reflected the Planning Department's
3 independent judgment and analysis in Motion No. 19435. A copy of the MND and this Motion
4 is on file with the Clerk of the Board of Supervisors in File No. 150845 and is incorporated
5 herein by reference. At the same hearing, the Planning Commission adopted the MND and a
6 Mitigation Monitoring and Reporting Program in its Resolution No. 19436 and Motion No.
7 19435. In accordance with the actions contemplated herein, this Board has reviewed the
8 MND and the record as a whole, and adopts and incorporates by reference, as though fully
9 set forth herein, the findings, including the Mitigation Monitoring and Reporting Program,
10 pursuant to the California Environmental Quality Act (California Public Resources Code
11 Section 21000 et seq.), adopted by the Planning Commission on August 13, 2015, in
12 Resolution No. 19436 and Motion No. 19435. Copies of Resolution No. 19436 and Motion
13 No. 19435 are on file with the Clerk of the Board of Supervisors in File No. 150845. The
14 Planning Department, Jonas Ionin, is the custodian of records, located in Planning
15 Department File No.2011.1323E, at 1650 Mission Street, 4th Floor, San Francisco, California.

16 (b) On August 13, 2015, the Planning Commission, in Resolution No. 19437, adopted
17 findings that the actions contemplated in this ordinance are consistent, on balance, with the
18 City's General Plan and eight priority policies of Planning Code Section 101.1. The Board
19 adopts and incorporates by reference, as though fully set forth herein, the findings adopted by
20 Planning Commission Resolution No. 19437. Copies of Resolution No. 19437 and Motion No.
21 19435 are on file with the Clerk of the Board of Supervisors in File No. 150846.

22 (c) Pursuant to Planning Code Section 302, this Board finds that these Planning Code
23 amendments will serve the public necessity, convenience, and welfare for the reasons set
24 forth in Planning Commission Resolution No. 19437 and the Board incorporates such reasons
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1 herein by reference, as though fully set forth herein. A copy of Planning Commission
2 Resolution No. 19437 is on file with the Clerk of the Board of Supervisors in File No. 150846.

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4 Section 2. The Planning Code is hereby amended by adding Section 249.73 thereto,
5 to read as follows:

6 **SEC. 249.73. Jewish Home of San Francisco Special Use District. A Special Use District**
7 *entitled the Jewish Home of San Francisco Special Use District ("District"), the boundaries of which*
8 *are shown on Special Use District Map SU011 of the Zoning Map of the City and County of San*
9 *Francisco, is hereby established for the purposes set out below.*

10 *(a) Purpose. The purpose of the District is to facilitate the provision of a Residential Care*
11 *Facility for the elderly, accomplished by augmenting existing residential care facilities with additional*
12 *residential care facility and supportive uses, beyond those typically permitted within a Residential Care*
13 *Facility, as defined in Planning Code Section 102, that will provide a comprehensive array of*
14 *programs, services, and levels of housing and care to reach a broader spectrum of the senior*
15 *population, including both resident and non-resident seniors. The District will facilitate an institutional*
16 *development pattern appropriate for a Residential Care Facility for the elderly, while also respecting*
17 *the surrounding neighborhood context. To achieve this purpose, this District will:*

18 *(1) Provide skilled nursing facilities and licensed residential care facilities for the*
19 *elderly, and*

20 *(2) Provide a range of uses and services to residents, visitors, employees, and the*
21 *general public. Such uses may be accessory to the Residential Care Facility, or may be principal uses,*
22 *when permitted. These uses may include Health Service Uses (including but not limited to medical*
23 *office, laboratories and outpatient clinics); acute care psychiatric hospital uses; other Institutional*
24 *Uses (including but not limited to religious facilities, adult day care, assembly and social services);*
25 *Personal Services; administrative office space; and Retail Uses.*

1 (b) Controls. Applicable provisions of the Planning Code shall apply except as otherwise
2 provided in this Section 249.73. In the event of a conflict between other provisions of the Planning
3 Code and this District, this Section 249.73 shall control.

4 (1) Accessory Uses. In this District, exceptions from otherwise applicable requirements
5 of the Planning Code may be appropriate to further the goals set forth in Section 249.73. Accessory
6 uses within this District shall be governed by Planning Code Section 703.2(b)(1)(C). Outpatient
7 services, acute care psychiatric hospital uses, and all other uses listed in Section 249.73(a)(2) shall be
8 permitted as accessory uses and may be made available to non-resident seniors.

9 (2) Non-Residential Uses. In this District, exceptions from otherwise applicable
10 requirements of the Planning Code may be appropriate to further the goals set forth in this Section
11 249.73 to provide care for the elderly. In addition to the uses that are otherwise permitted as principal
12 or conditional uses in the RH-2 Zoning District, Non-Residential uses permitted within the Excelsior
13 Outer Mission Street Neighborhood Commercial District shall also be permitted as a Planned Unit
14 Development modification pursuant to Planning Code Section 304(d)(5), provided, however, that such
15 uses shall not be limited to serving only residents of the immediate vicinity.

16 (3) Floor Area Ratio. The permitted floor area ratio for any individual lot within the
17 District shall not exceed 2.1:1; provided, however, the cumulative floor area ratio for the entire
18 District shall not exceed 1.8:1.

19 (4) Rear Yards. The rear yard requirements of Planning Code Section 134 shall not
20 apply to any Non-Residential use within this District.

21 (5) Off-Street Automobile Parking. No more than a total of 224 off-street accessory
22 parking spaces may be permitted within this Special Use District, provided that any parking proposed
23 above the 224 parking space maximum shall not be considered accessory parking but as a principal
24 use that shall require conditional use authorization. In considering an application for a conditional
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1 use for any such parking, the Planning Commission shall consider the criteria set forth in Section 157
2 of this Code.

3 (6) Signs. Signage shall be regulated as provided in Section 607.1 of this Code for an
4 NC-3 District, except that up to four identifying signs within the District shall be permitted, and the
5 height of wall signs shall not exceed 30 feet on the wall to which the sign is attached.

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7 Section 3. The Planning Code is hereby amended by revising Sectional Map SU011 of
8 the Zoning Map of the City and County of San Francisco, as follows:

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<u>Description of Property</u>	<u>Zoning Designation to be</u>	<u>Zoning Designation Hereby</u>
	<u>Superseded</u>	<u>Approved</u>
Block 5952, Lot 002	RH-2	Jewish Home of San Francisco Special Use District

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15 Section 4. The Planning Code is hereby amended by revising Sectional Map HT011 of
16 the Zoning Map of the City and County of San Francisco, as follows:

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<u>Description of Property</u>	<u>Zoning Designation to be</u>	<u>Zoning Designation Hereby</u>
	<u>Superseded</u>	<u>Approved</u>
Block 5952, Lot 002	50-X	50/65/80-X

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22 Section 5. Effective Date and Operative Date.

23 (a) This ordinance shall become effective 30 days after enactment. Enactment occurs
24 when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not
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1 sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the
2 Mayor's veto of the ordinance.

3 (b) This ordinance shall become operative upon its effective date or upon the effective
4 date of the related General Plan Amendment contained in Board of Supervisors File No.
5 150845, whichever occurs later. If the effective date of the related General Plan Amendment
6 does not occur within 90 days of the effective date of this ordinance, this ordinance shall
7 expire by operation of law.

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

12 By: _____
13 KATE H. STACY
14 Deputy City Attorney

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