

1 [Planning Code - Affordable Housing in Public Zoning Districts]

2

3 **Ordinance amending the Planning Code to permit affordable housing as a principal use**
 4 **in the Public zoning district; affirming the Planning Department's determination under**
 5 **the California Environmental Quality Act; making Planning Code, Section 302, findings;**
 6 **and making findings of consistency with the General Plan, and the eight priority**
 7 **policies of Planning Code, Section 101.1.**

8

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

13

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

15

Section 1. Findings.

16

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

21

(b) On _____, 2015, the Planning Commission, in Resolution No. _____, adopted
 22 findings that the actions contemplated in this ordinance are consistent, on balance, with the
 23 City's General Plan and eight priority policies of Planning Code Section 101.1. The Board
 24 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
 25 Board of Supervisors in File No. _____, and is incorporated herein by reference.

1 (c) Pursuant to Planning Code Section 302, this Board finds that these Planning Code
2 amendments will serve the public necessity, convenience, and welfare for the reasons set
3 forth in Planning Commission Resolution No. _____ and the Board incorporates such reasons
4 herein by reference, as though fully set forth herein.

5
6 Section 2. The Planning Code is hereby amended by revising Sections 211.1 and
7 211.2, to read as follows:

8 **SEC. 211.1. PRINCIPAL USES PERMITTED, P DISTRICTS.**

9 The following uses are principally permitted in all P Districts when found to be in
10 conformity with the General Plan:

11 * * * *

12 (h) Any project where the principal use is housing comprised solely of housing that is restricted
13 for a minimum of 55 years as affordable for “persons and families of low or moderate income,” as
14 defined in California Health & Safety Code Section 50093, provided that the site is not designated as
15 public open space or under the jurisdiction of the San Francisco Recreation and Park Department. If a
16 non-residential use contained in any proposed project would require conditional use authorization,
17 authorization as a planned unit development or a large project authorization, such requirement would
18 apply unless the non-residential use is accessory to and supportive of the affordable housing on-site.
19 Upon request, the Zoning Administrator shall make a written determination about whether a site is
20 designated as public open space, which determination may be appealed to the Board of Appeals.

21 **SEC. 211.2. CONDITIONAL USES, P DISTRICTS.**

22 The following uses shall require Conditional Use authorization from the Planning
23 Commission, as provided in Section 303 of this Code, unless otherwise permitted under
24 Section 211.1 of this Code:

25 * * * *

1 (c) Additionally, on property with a P District designation that the City and County of
2 San Francisco owns, any use not otherwise principally permitted in a P district as set forth in
3 Section ~~211.1~~ ~~234.1~~ of this Code shall be permitted with ~~e~~Conditional ~~u~~Se authorization,
4 except for:

- 5 (1) ~~Residential uses;~~
- 6 (2) Any use first permitted in a M-2 District; and
- 7 (3) ~~Formula~~ Formula Retail uses where the subject P zoned lot is within ¼ of a
8 mile of a zoning district that prohibits Formula Retail.

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

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

22 By: _____
23 KATE H. STACY
24 Deputy City Attorney

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