

LEGISLATIVE DIGEST

[Planning Code – Article 8 Corrections]

Ordinance amending the Planning Code to correct typographical errors, clarify nighttime entertainment restrictions, and update inclusionary affordable housing requirements; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and making findings as required by Planning Code, Section 302.

Existing Law

The Planning Code is amended from time to time and contains certain non-substantive errors. Planning Code Section 823 currently provides that no portion of a nighttime entertainment use shall be permitted within 200 linear feet of any property within a RED or RED-MX District in the Western SOMA Special Use District. Section 827 contains a provision that uses an incorrect word about required streetwalls in the Rincon Hill Downtown Residential Mixed Use District. Table 841 contains housing affordability requirements of 15% inclusionary affordable housing on-site or 20% inclusionary affordable housing off-site.

Amendments to Current Law

The amendments would revise Section 823 to provide that no portion of a non-accessory nighttime entertainment use would be permitted within 200 linear feet of any property within a RED or RED-MX District in the Western SOMA Special Use District. Section 827 would be corrected to refer properly to property lines. Table 841 would delete the specific inclusionary affordable housing requirements and instead cross-reference Planning Code Section 415, the Inclusionary Affordable Housing Program.

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