

1 [Planning Code - Geary-Masonic Special Use District]

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3 **Ordinance amending the Planning Code to modify the Geary-Masonic Special Use**
 4 **District to require use of the inclusionary housing fee for a project within one-quarter**
 5 **mile of the boundaries of the district, or anywhere in San Francisco if not allocated**
 6 **within two years of payment; affirming the Planning Department’s determination under**
 7 **the California Environmental Quality Act; making findings of consistency with the**
 8 **General Plan, and the eight priority policies of Planning Code, Section 101.1; and**
 9 **adopting findings of public convenience, necessity, and welfare under Planning Code,**
 10 **Section 302.**

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

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

19 Section 1. CEQA and Planning Code Findings.

20 (a) The Planning Department has determined that the actions contemplated in this
 21 ordinance comply with the California Environmental Quality Act (California Public Resources
 22 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
 23 Supervisors in File No. 200519 and is incorporated herein by reference. The Board affirms
 24 this determination.

25 (b) On January 23, 2020, the Planning Commission, in Resolution No. 20626, adopted
 findings that the actions contemplated in this ordinance are consistent, on balance, with the

1 City’s General Plan and eight priority policies of Planning Code Section 101.1. The Board
2 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
3 Board of Supervisors in File No. 200519, and is incorporated herein by reference.

4 (c) Pursuant to Planning Code Section 302, this Board finds that this ordinance will
5 serve the public necessity, convenience, and welfare for the reasons set forth in Planning
6 Commission Resolution No. 20626, and the Board incorporates such reasons herein by
7 reference. A copy of Planning Commission Resolution No. 20626 is on file with the Clerk of
8 the Board of Supervisors in File No. 200519.

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10 Section 2. The Planning Code is hereby amended by revising Section 249.20, to read
11 as follows:

12 **Sec. 249.20 GEARY-MASONIC SPECIAL USE DISTRICT**

13 * * * *

14 (d) **Inclusionary Housing.** Compliance with Section 415 et seq. shall be by payment
15 of the affordable housing fee, or provision of on-site units, as follows:

16 (1) Affordable Housing Fee. Payment of the Affordable Housing Fee pursuant
17 to Section 415.5 and subject to the following provisions:

18 (A) For a project providing Owned Units, the applicable percentage shall
19 be 33% of the Gross Floor Area of residential use.

20 (B) For a project providing Rental Units, the applicable percentage shall
21 be 30% of the Gross Floor Area of residential use.

22 (C) Use of Fees. Fees shall be payable to the Development Fee Collection Unit
23 at DBI for deposit into the Citywide Affordable Housing Fund. MOHCD shall designate and
24 separately account for all fees that it receives under this subsection (d)(1). The funds shall be used
25 exclusively to acquire and construct a 100% affordable housing project on a site located within one-

quarter mile of the boundaries of the SUD. If such funds have not been allocated for the acquisition or predevelopment of a project on a site within one-quarter mile of the boundaries of the SUD within two years of deposit into the Citywide Affordable Housing Fund, such funds may be used anywhere in the City.

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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/
Audrey Williams Pearson
Deputy City Attorney

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