

BOARD of SUPERVISORS



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MEMORANDUM

Date: June 21, 2023
To: Planning Department / Commission
From: Erica Major, Clerk of the Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 230735
Planning Code - Removing Residential Numerical Density Limits in Neighborhood Commercial Districts

- California Environmental Quality Act (CEQA) Determination
(*California Public Resources Code, Sections 21000 et seq.*)
 - Ordinance / Resolution
 - Ballot Measure

- Amendment to the Planning Code, including the following Findings:
(*Planning Code, Section 302(b): 90 days for Planning Commission review*)
 - General Plan
 - Planning Code, Section 101.1
 - Planning Code, Section 302

- Amendment to the Administrative Code, involving Land Use/Planning
(*Board Rule 3.23: 30 days for possible Planning Department review*)

- General Plan Referral for Non-Planning Code Amendments
(*Charter, Section 4.105, and Administrative Code, Section 2A.53*)
(Required for legislation concerning the acquisition, vacation, sale, or change in use of City property; subdivision of land; construction, improvement, extension, widening, narrowing, removal, or relocation of public ways, transportation routes, ground, open space, buildings, or structures; plans for public housing and publicly-assisted private housing; redevelopment plans; development agreements; the annual capital expenditure plan and six-year capital improvement program; and any capital improvement project or long-term financing proposal such as general obligation or revenue bonds.)

- Historic Preservation Commission
 - Landmark (*Planning Code, Section 1004.3*)
 - Cultural Districts (*Charter, Section 4.135 & Board Rule 3.23*)
 - Mills Act Contract (*Government Code, Section 50280*)
 - Designation for Significant/Contributory Buildings (*Planning Code, Article 11*)

Please send the Planning Department/Commission recommendation/determination to Erica Major at Erica.Major@sfgov.org.

1 [Planning Code - Removing Residential Numerical Density Limits in Neighborhood
2 Commercial Districts]

3 **Ordinance amending the Planning Code to change the manner in which residential**
4 **density is regulated in Neighborhood Commercial Districts by replacing residential**
5 **numerical density limits with already-existing regulations on the built envelope of**
6 **buildings, such as height, bulk, and setbacks; affirming the Planning Department’s**
7 **determination under the California Environmental Quality Act; and making public**
8 **necessity, convenience, and welfare findings under Planning Code, Section 302, and**
9 **findings of consistency with the General Plan, and the eight priority policies of**
10 **Planning Code, Section 101.1.**

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. Environmental and Land Use 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. ____ and is incorporated herein by reference. The Board affirms this
24 determination.

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

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

4 (c) Pursuant to Planning Code Section 302, this Board finds that these Planning Code
5 amendments will serve the public necessity, convenience, and welfare for the reasons set
6 forth in Planning Commission Resolution No. _____, and the Board adopts such
7 reasons as its own. A copy of said resolution is on file with the Clerk of the Board of
8 Supervisors in File No. _____ and is incorporated herein by reference.

9

10 Section 2. Background and General Findings.

11 (a) California faces a severe crisis of housing affordability and availability, prompting
12 the Legislature to declare, in Section 65589.5 of the Government Code, that “California has a
13 housing supply and affordability crisis of historic proportions. The consequences of failing to
14 effectively and aggressively confront this crisis are hurting millions of Californians, robbing
15 future generations of a chance to call California home, stifling economic opportunities for
16 workers and businesses, worsening poverty and homelessness, and undermining the state’s
17 environmental and climate objectives.”

18 (b) A number of factors have caused the high cost of housing in most of California’s
19 coastal cities and suburbs, including the dwindling supply and high cost of available land, and
20 zoning regulations that restrict residential density, limit the efficiency with which we use land,
21 and create and reinforce patterns of racial discrimination and residential segregation.

22 (c) This crisis of housing affordability and availability is particularly severe in San
23 Francisco. It is characterized by dramatic increases in rent and home sale prices over recent
24 years.

25

1 (d) According to the San Francisco Planning Commission's 2017 Centennial
2 Celebration brochure, the origins of density limits in San Francisco date back to the Cubic Air
3 Ordinance, an 1870 anti-Chinese City ordinance requiring 500 cubic feet of space for every
4 person residing in a lodging. The City's first zoning law was passed in 1921 and largely
5 reproduced the City's existing development pattern, limiting density in areas of the City that
6 were already low-density. In the 1960s, the City underwent a rezoning process, though the
7 existing development patterns were largely maintained, with the exception of downtown and
8 neighborhoods significantly impacted by City planning redevelopment plans.

9 (e) Starting in 1980, the Board of Supervisors, the Planning Commission, and the
10 Planning Department responded to community concerns about neighborhood character by
11 establishing and refining a set of new districts covering many of the City's neighborhood
12 commercial streets. These districts imposed highly-detailed controls catered to the specific
13 character of each neighborhood. Similar to the Downtown Plan, the 1987 Neighborhood
14 Commercial Districts were based on the then relatively new idea that the City should be more
15 discriminating in its pursuit of economic growth. All of these Neighborhood Commercial
16 District plans included numerical density limits.

17 (f) By removing numerical density limits from Neighborhood Commercial Districts, and
18 replacing them with existing regulations on the built environment, such as height, bulk, or
19 setbacks, this ordinance aims to increase housing supply and reduce the factors that have led
20 to racial segregation in San Francisco.

21
22 Section 3. Article 7 of the Planning Code is hereby amended by revising Sections 702,
23 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727,
24 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744 and 745,
25 to read as follows:

1
2 **SEC. 702. CLASSES OF NEIGHBORHOOD COMMERCIAL DISTRICTS.**

3 The following classes of districts are established for Neighborhood Commercial
4 Districts.

5 **(a) Neighborhood Commercial and Neighborhood Commercial Transit Districts.**

6 The Neighborhood Commercial and Neighborhood Commercial Transit Districts, listed in
7 Section 201 of this Code, are established for the purpose of implementing the Commerce and
8 Industry element and other elements of the General Plan, according to the objective and
9 policies stated therein. Description and Purpose Statements outline the main functions of
10 each Neighborhood Commercial and Neighborhood Commercial Transit District in the Zoning
11 Plan for San Francisco, supplementing the statements of purpose contained in Section 101 of
12 this Code.

13 The description and purpose statements and land use controls applicable to each of
14 the general and individual area districts are set forth in this Code for each district class. The
15 boundaries of the various Neighborhood Commercial and Neighborhood Commercial Transit
16 Districts are shown on the Zoning Map referred to in Sections 105 and 106 of this Code,
17 subject to the provisions of that Section.

18 **(1) Neighborhood Commercial Districts.** Neighborhood Commercial Districts
19 are low to high density mixed-use neighborhoods of varying scale established around
20 historical neighborhood commercial centers. The Neighborhood Commercial Districts are
21 intended to support neighborhood-serving uses on the lower floors and housing above. These
22 Districts tend to be linear commercial corridors, but may also include small clusters of
23 commercial activity in Residential Districts. Individually named Neighborhood Commercial
24 Districts are intended to provide for more targeted residential and commercial controls to fit
25 the needs of their respective neighborhoods. Housing density is limited not by lot area, but by the

1 regulations on the built envelope of buildings, including height, bulk, setbacks, and lot coverage, and
2 standards for Residential Uses, including open space and exposure, and urban design guidelines.

3 **(2) Neighborhood Commercial Transit Districts.** Neighborhood Commercial
4 Transit Districts are transit-oriented moderate- to high-density mixed-use neighborhoods of
5 varying scale concentrated near transit services. The Neighborhood Commercial Transit
6 Districts are mixed use districts that support neighborhood-serving commercial uses on lower
7 floors and housing above. These districts are well-served by public transit and aim to
8 maximize residential and commercial opportunities on or near major transit services. The
9 district’s form can be either linear along transit-priority corridors, concentric around transit
10 stations, or broader areas where transit services criss-cross the neighborhood. Housing
11 density is limited not by lot area, but by the regulations on the built envelope of buildings,
12 including height, bulk, setbacks, and lot coverage, and standards for Residential Uses,
13 including open space and exposure, and urban design guidelines. Residential parking is not
14 required and generally limited. Commercial establishments are discouraged or prohibited from
15 building accessory off-street parking in order to preserve the pedestrian-oriented character of
16 the district and prevent attracting auto traffic. There are prohibitions on access (i.e. driveways,
17 garage entries) to off-street parking and loading on critical stretches of commercial and transit
18 streets to preserve and enhance the pedestrian-oriented character and transit function.

19 * * * *

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21 **SEC. 710. NC-1 – NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT.**

22 * * * *

23 **Table 710. NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT NC-1**
24 **ZONING CONTROL TABLE**

		NC-1
Zoning Category	§ References	Controls

* * * *			
RESIDENTIAL STANDARDS AND USES			
* * * *			
Residential Uses		Controls by Story	
		1st	2nd
* * * *			
Accessory Dwelling Unit Density	§§ 102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).	
Dwelling Unit Density	§§ 102, 207	1 unit per 800 square foot lot area, or the density permitted in the nearest R District, whichever is greater.	
		<u>No density limit by lot area.</u>	
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SEC. 711. NC-2 – SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 711. SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-2 ZONING CONTROL TABLE

		NC-2	
Zoning Category	§ References	Controls	
* * * *			
RESIDENTIAL STANDARDS AND USES			
* * * *			
Residential Uses		Controls by Story	
		1st	2nd
* * * *			
Accessory Dwelling Unit Density	§§ 102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).	
Dwelling Unit Density	§§ 102, 207	1 unit per 800 square foot lot area, or the density permitted in the nearest R District, whichever is greater.	

		<i>No density limit by lot area.</i>
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SEC. 712. NC-3 – MODERATE-SCALE NEIGHBORHOOD COMMERCIAL

DISTRICT.

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Table 712. MODERATE-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-3

ZONING CONTROL TABLE

		NC-3		
Zoning Category	§ References	Controls		
* * * *				
RESIDENTIAL STANDARDS AND USES				
* * * *				
Residential Uses		Controls by Story		
		1st	2nd	3rd+
* * * *				
Accessory Dwelling Unit Density	§§ 102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).		
Dwelling Unit Density	§§ 102, 207	<i>1 unit per 600 square foot lot area, or the density permitted in the nearest R District, whichever is greater.</i> <i>No density limit by lot area.</i>		
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1 **SEC. 713. NC-S – NEIGHBORHOOD COMMERCIAL SHOPPING CENTER**
 2 **DISTRICT.**

3 * * * *

4 **Table 713. NEIGHBORHOOD COMMERCIAL SHOPPING CENTER DISTRICT NC-S**
 5 **ZONING CONTROL TABLE**

		NC-S		
Zoning Category	§ References	Controls		
* * * *				
RESIDENTIAL STANDARDS AND USES				
* * * *				
Residential Uses		Controls by Story		
		1st	2nd	3rd+
* * * *				
Accessory Dwelling Unit Density	§§102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).		
Dwelling Unit Density	§§ 102, 207	<i>1 unit per 800 square feet lot area, or the density permitted in the nearest R District, whichever is greater.(1)(4)</i> <u><i>No density limit by lot area.</i></u>		
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20 **SEC. 714. BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT.**

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22 **Table 714. BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT**
 23 **ZONING CONTROL TABLE**

		Broadway NCD		
Zoning Category	§ References	Controls		
* * * *				

RESIDENTIAL STANDARDS AND USES				
* * * *				
Residential Uses		Controls By Story		
		1st	2nd	3rd+
Residential Uses	§ 102	P	P	
* * * *				
Accessory Dwelling Unit Density	§§ 102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).		
Dwelling Unit Density	§§ 102, 207	1 unit per 400 square foot lot area, or the density permitted in the nearest R District, whichever is greater.		
		<u>No density limit by lot area.</u>		
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SEC. 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Castro Street NCD		
Zoning Category	§ References	Controls		
* * * *				
RESIDENTIAL STANDARDS AND USES				
* * * *				
Residential Uses		Controls By Story		
		1st	2nd	3rd+
* * * *				

1 2 3 4 5 6	Accessory Dwelling Unit Density	§§102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).
	Dwelling Unit Density	§§ 102, 207	1 unit per 600 square foot lot area, or the density permitted in the nearest R District, whichever is greater. <u>No density limit by lot area.</u>
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SEC. 716. INNER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 716. INNER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Inner Clement Street		
Zoning Category	§ References	Controls		
* * * *				
RESIDENTIAL STANDARDS AND USES				
* * * *				
Residential Uses		Controls By Story		
		1st	2nd	3rd+
* * * *				
Accessory Dwelling Unit Density	§§102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).		
Dwelling Unit Density	§§ 102, 207	1 unit per 600 square foot lot area or the density permitted in the nearest R District, whichever is greater. <u>No density limit by lot area.</u>		
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SEC. 717. OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 717. OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Outer Clement Street		
Zoning Category	§ References	Controls		
* * * *				
RESIDENTIAL STANDARDS AND USES				
* * * *				
Residential Uses		Controls By Story		
		1st	2nd	3rd+
* * * *				
Accessory Dwelling Unit Density	§§102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).		
Dwelling Unit Density	§§ 102, 207	<i>1 unit per 600 square foot lot area, or the density permitted in the nearest R District, whichever is greater.</i> <u><i>No density limit by lot area.</i></u>		
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SEC. 718. UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 718. UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Upper Fillmore Street NCD		
Zoning Category	§ References	Controls		
* * * *				
RESIDENTIAL STANDARDS AND USES				
* * * *				
Residential Uses		Controls By Story		
		1st	2nd	3rd+
* * * *				
Accessory Dwelling Unit Density	§§102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).		
Dwelling Unit Density	§§ 102, 207	<i>1 unit per 600 square foot lot area or the density permitted in the nearest R-District, whichever is greater.</i> <u>No density limit by lot area.</u>		
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SEC. 719. HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 719. HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Haight Street NCD		
Zoning Category	§ References	Controls		
* * * *				

RESIDENTIAL STANDARDS AND USES			
* * * *			
Residential Uses	Controls By Story		
	1st	2nd	3rd+
* * * *			
Accessory Dwelling Unit Density	§§102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).	
Dwelling Unit Density	§§ 102, 207	1 unit per 600 square foot lot area or the density permitted in the nearest R District, whichever is greater. <u>No density limit by lot area.</u>	
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SEC. 720. EXCELSIOR OUTER MISSION NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 720. EXCELSIOR OUTER MISSION STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Excelsior Outer Mission NCD		
Zoning Category	§ References	Controls		
* * * *				
RESIDENTIAL STANDARDS AND USES				
* * * *				
Residential Uses	Controls By Story			
	1st	2nd	3rd+	
* * * *				

1	Accessory Dwelling Unit	§§102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).
2	Dwelling Units	§§ 102, 207	<i>1 unit per 600 square foot lot area</i>
3			<u>No density limit by lot area.</u>
4	* * * *		
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SEC. 721. JAPANTOWN NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 721. JAPANTOWN NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

11			Japantown NCD		
12	Zoning Category	§ References	Controls		
13	* * * *				
14	RESIDENTIAL STANDARDS AND USES				
15	* * * *				
16	Residential Uses		Controls By Story		
17			1st (1)	2nd	3rd+
18	* * * *				
19	Accessory Dwelling Unit	§§102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).		
20	Dwelling Units	§§ 102, 207	<i>1 unit per 400 square foot lot area</i>		
21			<u>No density limit by lot area.</u>		
22	* * * *				

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SEC. 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE

		North Beach NCD		
Zoning Category	§ References	Controls		
* * * *				
RESIDENTIAL STANDARDS AND USES				
* * * *				
Residential Uses		Controls By Story		
		1st	2nd	3rd+
* * * *				
Accessory Dwelling Units	§§102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).		
Dwelling Units	§§ 102, 207	1 unit per 400 square foot lot area or the density permitted in the nearest R District, whichever is greater. <u>No density limit by lot area.</u>		
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SEC. 723. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 723. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE

		Polk Street NCD		
Zoning Category	§ References	Controls		
* * * *				
RESIDENTIAL STANDARDS AND USES				
* * * *				

Residential Uses	Controls By Story		
	1st	2nd	3rd+
* * * *			
Accessory Dwelling Units	§§102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).	
Dwelling Units	§§ 102, 207	1 unit per 400 square foot lot area; or the density permitted in the nearest R District, whichever is greater. <u>No density limit by lot area.</u>	
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SEC. 724. SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 724. SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Sacramento Street NCD	
Zoning Category	§ References	Controls	
* * * *			
RESIDENTIAL STANDARDS AND USES			
* * * *			
Residential Uses	Controls By Story		
	1st	2nd	3rd+
* * * *			
Accessory Dwelling Units	§§102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).	
Dwelling Units	§§ 102, 207	1 unit per 800 square foot lot area or the density permitted in the nearest R District, whichever is greater.	

		<u>No density limit by lot area.</u>
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SEC. 725. UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 725. UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Union Street NCD		
Zoning Category	§ References	Controls		
* * * *				
RESIDENTIAL STANDARDS AND USES				
* * * *				
Residential Uses		Controls By Story		
		1st	2nd	3rd+
* * * *				
Accessory Dwelling Units	§§102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).		
Dwelling Units	§§ 102, 207	1 unit per 600 square foot lot area or the density permitted in the nearest R District, whichever is greater. <u>No density limit by lot area.</u>		
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SEC. 726. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 726. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Pacific Avenue NCD		
Zoning Category	§ References	Controls		
* * * * *				
RESIDENTIAL STANDARDS AND USES				
* * * * *				
Residential Uses		Controls By Story		
		1st	2nd	3rd+
* * * * *				
Accessory Dwelling Unit	§§102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).		
Dwelling Units	§§ 102, 207	1 unit per 1,000 square foot lot area, or the density permitted in the nearest R District, whichever is greater. <u>No density limit by lot area.</u>		
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SEC. 727. LAKESIDE VILLAGE NEIGHBORHOOD COMMERCIAL DISTRICT.

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**Table 727.
LAKESIDE VILLAGE NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE**

		Lakeside Village NCD		
1	1	Controls		
* * * * *				
RESIDENTIAL STANDARDS AND USES				
* * * * *				
Residential Uses		Controls By Story		
		1st	2nd	3rd+

1	* * * *				
2	Accessory Dwelling Unit Density	§§ 102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).		
3					
4	Dwelling Unit Density	§§ 102, 207	1 unit per 800 square foot lot area, or the density permitted in the nearest R District, whichever is greater.		
5			<u>No density limit by lot area.</u>		
6					
7	* * * *				

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SEC. 728. 24TH STREET – NOE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 728. 24TH STREET – NOE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		24th Street - Noe Valley NCD		
Zoning Category	§ References	Controls		
BUILDING STANDARDS				
* * * *				
RESIDENTIAL STANDARDS AND USES				
* * * *				
Residential Uses	Controls By Story			
		1st	2nd	3rd+
* * * *				
Accessory Dwelling Units	§§102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).		

Dwelling Units	§§ 102, 207	1 unit per 600 square foot lot area, or the density permitted in the nearest R District, whichever is greater. <u>No density limit by lot area.</u>
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SEC. 729. WEST PORTAL AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 729. WEST PORTAL AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		West Portal Avenue NCD		
Zoning Category	§ References	Controls		
* * * *				
RESIDENTIAL STANDARDS AND USES				
* * * *				
Residential Uses		Controls By Story		
		1st	2nd	3rd+
* * * *				
Accessory Dwelling Units	§§102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).		
Dwelling Units	§§ 102, 207	1 unit per 800 square foot lot area, or the density permitted in the nearest R District, whichever is greater. <u>No density limit by lot area.</u>		
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SEC. 730. INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 730. INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Inner Sunset NCD		
Zoning Category	§ References	Controls		
* * * *				
RESIDENTIAL STANDARDS AND USES				
* * * *				
Residential Uses		Controls By Story		
		1st	2nd	3rd+
* * * *				
Accessory Dwelling Units	§§102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).		
Dwelling Units	§§ 102, 207	1 unit per 800 square foot lot area, or the density permitted in the nearest R District, whichever is greater. <u>No density limit by lot area.</u>		
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SEC. 731. NORIEGA STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 731. NORIEGA STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Noriega Street NCD		
Zoning Category	§ References	Controls		
* * * *				
RESIDENTIAL STANDARDS AND USES				

* * * *			
Residential Uses	Controls By Story		
	1st	2nd	3rd+
* * * *			
Accessory Dwelling Unit	§§102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).	
Dwelling Units	§§ 102, 207	1 unit per 800 square foot lot area, or the density permitted in the nearest R District, whichever is greater. <u>No density limit by lot area.</u>	
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SEC. 732. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 732. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Irving Street NCD		
Zoning Category	§ References	Controls		
* * * *				
RESIDENTIAL STANDARDS AND USES				
* * * *				
Residential Uses	Controls By Story			
	1st	2nd	3rd+	
* * * *				
Accessory Dwelling Unit	§§102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).		

1 2 3 4	Dwelling Units	§§ 102, 207	1 unit per 800 square foot lot area, or the density permitted in the nearest R District, whichever is greater. <u>No density limit by lot area.</u>
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6 **SEC. 733. TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

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8 **Table 733. TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT**
9 **ZONING CONTROL TABLE**

10			Taraval Street NCD		
11	Zoning Category	§ References	Controls		
12	* * * *				
13	RESIDENTIAL STANDARDS AND USES				
14	* * * *				
15	Residential Uses		Controls By Story		
16			1st	2nd	3rd+
17	* * * *				
18	Accessory Dwelling Unit	§§102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).		
19	Dwelling Units	§§ 102, 207	1 unit per 800 square foot lot area, or the density permitted in the nearest R District, whichever is greater. <u>No density limit by lot area.</u>		
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24 **SEC. 734. JUDAH STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

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Table 734. JUDAH STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Judah Street NCD
Zoning Category	§ References	Controls
* * * *		
RESIDENTIAL STANDARDS AND USES		
* * * *		
Residential Uses	Controls By Story	
	1st	2nd
* * * *		
Accessory Dwelling Unit	§§102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).
Dwelling Units	§§ 102, 207	1 unit per 800 square foot lot area, or the density permitted in the nearest R District, whichever is greater. <u>No density limit by lot area.</u>
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SEC. 735. INNER BALBOA STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 735. INNER BALBOA STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Inner Balboa Street NCD
Zoning Category	§ References	Controls
* * * *		
RESIDENTIAL STANDARDS AND USES		

1	* * * *		
2	Residential Uses		Controls by Story
3	* * * *		1st 2nd 3rd+
4	Accessory Dwelling Unit Density	§§ 102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).
5	Dwelling Unit Density	§§ 102, 207	1 unit per 800 square foot lot area, or the density permitted in the nearest R District, whichever is greater. <u>No density limit by lot area.</u>
6	* * * *		

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SEC. 736. OUTER BALBOA STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 736. OUTER BALBOA STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Outer Balboa Street NCD		
Zoning Category	§ References	Controls		
* * * *				
RESIDENTIAL STANDARDS AND USES				
* * * *				
Residential Uses		Controls by Story		
* * * *		1st	2nd	3rd+
Accessory Dwelling Unit Density	§§ 102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).		

1 Dwelling 2 Unit 3 Density	§§ 102, 207	1 unit per 800 square foot lot area, or the density permitted in the nearest R District, whichever is greater. <u>No density limit by lot area.</u>
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7 **SEC. 737. BAYVIEW NEIGHBORHOOD COMMERCIAL DISTRICT.**

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9 **Table 737. BAYVIEW NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE**

		Bayview NCD		
11 Zoning 12 Category	§ References	Controls		
13 * * * *				
RESIDENTIAL STANDARDS AND USES				
14 * * * *				
15 Residential Uses		Controls by Story		
16 * * * *		1st	2nd	3rd+
17 * * * *				
18 Accessory 19 Dwelling 20 Unit 21 Density	§§ 102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).		
22 Dwelling 23 Unit 24 Density	§§ 102, 207	1 unit per 600 square foot lot area, or the density permitted in the nearest R District, whichever is greater. <u>No density limit by lot area.</u>		
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SEC. 738. CORTLAND AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 738. CORTLAND AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Cortland Avenue NCD
Zoning Category	§ References	Controls
* * * *		
RESIDENTIAL STANDARDS AND USES		
* * * *		
Residential Uses	Controls by Story	
	1st	2nd
* * * *		
Accessory Dwelling Unit Density	§§ 102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).
Dwelling Unit Density	§§ 102, 207	1 unit per 800 square foot lot area, or the density permitted in the nearest R District, whichever is greater. <u>No density limit by lot area.</u>
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SEC. 739. GEARY BOULEVARD NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 739. GEARY BOULEVARD NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Geary Boulevard NCD
Zoning Category	§ References	Controls
* * * *		
RESIDENTIAL STANDARDS AND USES		

1	* * * *		
2	Residential Uses	Controls by Story	
3		1st	2nd
4	* * * *		
5	Accessory Dwelling Unit Density	P per Planning Code Sections 207(c)(4) and 207(c)(6).	
6			
7	Dwelling Unit Density	1 unit per 600 square foot lot area, or the density permitted in the nearest R District, whichever is greater.	
8		<u>No density limit by lot area.</u>	
9	* * * *		

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SEC. 740. MISSION BERNAL NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 740. MISSION BERNAL NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

15		Mission Bernal NCD		
16	Zoning Category	§ References	Controls	
17	* * * *			
18	RESIDENTIAL STANDARDS AND USES			
19	* * * *			
20	Residential Uses	Controls by Story		
21		1st	2nd	3rd+
22	* * * *			
23	Accessory Dwelling Unit Density	§§ 102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).	
24				

1 2 3 4	Dwelling Unit Density	§§ 102, 207	1 unit per 600 square foot lot area, or the density permitted in the nearest R District, whichever is greater. <u>No density limit by lot area.</u>
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SEC. 741. SAN BRUNO AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 741. SAN BRUNO AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		San Bruno Avenue NCD		
Zoning Category	§ References	Controls		
* * * *				
RESIDENTIAL STANDARDS AND USES				
* * * *				
Residential Uses		Controls by Story		
		1st	2nd	3rd+
* * * *				
Accessory Dwelling Unit Density	§§ 102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).		
Dwelling Unit Density	§§ 102, 207	1 unit per 800 square foot lot area, or the density permitted in the nearest R District, whichever is greater. <u>No density limit by lot area.</u>		
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SEC. 742. COLE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICTS.

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Table 742. COLE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Cole Valley NCD
Zoning Category	§ References	Controls
* * * *		
RESIDENTIAL STANDARDS AND USES		
* * * *		
Residential Uses		Controls by Story
		1st 2nd 3rd+
* * * *		
Accessory Dwelling Unit Density	§§ 102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).
Dwelling Unit Density	§§ 102, 207	<i>1 unit per 800 square foot lot area, or the density permitted in the nearest R District, whichever is greater.</i> <i>No density limit by lot area.</i>
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SEC. 743. LOWER HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 743. LOWER HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Lower Haight Street NCD
Zoning Category	§ References	Controls

* * * *			
RESIDENTIAL STANDARDS AND USES			
* * * *			
Residential Uses		Controls by Story	
		1st	2nd
			3rd+
* * * *			
Accessory Dwelling Unit Density	§§ 102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).	
Dwelling Unit Density	§§ 102, 207	1 unit per 800 square foot lot area, or the density permitted in the nearest R District, whichever is greater.	
		<u>No density limit by lot area.</u>	
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SEC. 744. LOWER POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 744. LOWER POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Lower Polk Street NCD	
Zoning Category	§ References	Controls	
* * * *			
RESIDENTIAL STANDARDS AND USES			
* * * *			
Residential Uses		Controls by Story	
		1st	2nd
			3rd+
* * * *			
Accessory Dwelling	§§ 102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).	

Unit Density		
Dwelling Unit Density	§§ 102, 207	1 unit per 600 square foot lot area, or the density permitted in the nearest R District, whichever is greater. <u>No density limit by lot area.</u>
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SEC. 745. INNER TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 745. INNER TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Inner Taraval Street NCD		
Zoning Category	§ References	Controls		
* * * *				
RESIDENTIAL STANDARDS AND USES				
* * * *				
Residential Uses		Controls by Story		
		1st	2nd	3rd+
* * * *				
Accessory Dwelling Unit Density	§§ 102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).		
Dwelling Unit Density	§§ 102, 207	1 unit per 800 square foot lot area, or the density permitted in the nearest R District, whichever is greater. <u>No density limit by lot area.</u>		
* * * *				

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1 Section 4. Effective Date. This ordinance shall become effective 30 days after
2 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
3 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
4 of Supervisors overrides the Mayor’s veto of the ordinance.

5
6 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
7 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
8 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
9 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
10 additions, and Board amendment deletions in accordance with the “Note” that appears under
11 the official title of the ordinance.

12
13 APPROVED AS TO FORM:
14 DAVID CHIU, City Attorney

15 By: /s/ Andrea Ruiz-Esquide
16 ANDREA RUIZ-ESQUIDE
17 Deputy City Attorney

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LEGISLATIVE DIGEST

[Planning Code - Removing Residential Numerical Density Limits in Neighborhood Commercial Districts]

Ordinance amending the Planning Code to change the manner in which residential density is regulated in Neighborhood Commercial Districts by replacing residential numerical density limits with already-existing regulations on the built envelope of buildings, such as height, bulk, and setbacks; 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.

Existing Law

The Planning Code regulates the density of dwelling units either by (1) limiting the number of units per lot or per square foot of lot area – known as numerical density limits; or (2) by allowing as many units as may be constructed while complying with applicable requirements and limitations set forth elsewhere in the Code, such as height, bulk, setbacks, open space, exposure and unit mix – known as form-based density.

In Neighborhood Commercial (NC) Districts numerical density limits apply.

Amendments to Current Law

This ordinance would change density requirements in NC Districts to form-based density.

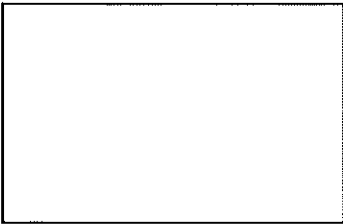
Background Information

The ordinance contains findings explaining the origins of numerical density limits. It explains that zoning regulations that restrict residential density limit the efficiency with which we use land and create and reinforce patterns of racial discrimination and residential segregation. The ordinance’s main goal is to “increase housing supply and reduce the factors that have led to racial segregation in San Francisco.”

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Introduction Form

(by a Member of the Board of Supervisors or the Mayor)



I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- 3. Request for Hearing on a subject matter at Committee
- 4. Request for Letter beginning with "Supervisor [] inquires..."
- 5. City Attorney Request
- 6. Call File No. [] from Committee.
- 7. Budget and Legislative Analyst Request (attached written Motion)
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Topic submitted for Mayoral Appearance before the Board on []

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- Yes No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Safai

Subject:

[Planning Code - Removing Residential Numerical Density Limits in Neighborhood Commercial Districts]

Long Title or text listed:

Ordinance amending the Planning Code to change the manner in which residential density is regulated in Neighborhood Commercial Districts by replacing residential numerical density limits with already-existing regulations on the built envelope of buildings, such as height, bulk and setbacks.

Signature of Sponsoring Supervisor: