

[Ordinance to create and establish controls for two new zoning districts, Transit-Oriented Neighborhood Commercial Districts and Transit Intensive Special Use Districts.]

Ordinance amending the Planning Code by adding Sections 730 to 730.96 to create and establish controls for Transit-Oriented Neighborhood Commercial (NC-T) Districts, adding Section 249.20 to create and establish controls for Transit-Intensive Special Use Districts, amending Section 145.1 to establish street frontage requirements in NC-T Districts, amending Section 207.4 to establish density limits for dwelling units in NC-T Districts; and making a determination of consistency with the priority policies of Planning Code Section 101.1(b).

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

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

Section 1. Findings

A. General Findings

1. The population of California has grown by more than 11 percent since 1990. During the next twenty years, California is expected to add more than five million new jobs to its economy. This economic growth is expected to be accompanied by the addition of more than 20 million new residents, a population increase equal to that experienced during the boom years of the 1950's, 1960's and 1970's combined. As California grows, the State Legislature and local governments will need to determine where to locate additional housing, in a fiscally and environmentally sustainable manner, consistent with sound urban planning practices.

1 2. There is a regional need to encourage new housing in existing cities, such as
2 San Francisco, to accommodate the additional population, while protecting the region's
3 greenbelt and reducing over-dependence on the private automobile for commuting.

4 3. San Francisco already is experiencing a severe shortage of both affordable and
5 market-rate housing, resulting in a sharp increase in rents and home prices. Rental vacancy
6 rates are at an all time low.

7 4. The production of new affordable and market-rate housing in San Francisco has
8 fallen far short of the level needed to meet housing demand. Between 1990 and 1999, the
9 population of San Francisco increased by approximately 66,000 persons, from 724,000 to
10 790,000, yet only 8,500 new housing units were built. In order to maintain the 1990 ratio of
11 housing units to population, approximately 20,000 additional housing units would have to have
12 been constructed during this period. The Association of Bay Area Governments forecasts that
13 San Francisco's population will reach approximately 810,000 by 2010, further increasing the
14 need for new housing.
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16 5. Obstacles to increased housing production in San Francisco include unintended
17 and unnecessary impediments to residential development contained in the City's Planning
18 Code and Zoning Map, such as the lack of incentives to construct more housing in areas with
19 good access to public transit, including areas adjacent to transit-intensive neighborhood
20 commercial corridors and transit centers.
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22 6. One solution to the housing crisis is to encourage the construction of higher
23 density housing in areas of the City best able to accommodate such housing because of easy
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1 access to neighborhood services, public transit and shopping and the availability of larger
2 development sites.

3 7. With certain limited exceptions (including the C-3, RSD and RC-4 Districts), the
4 Planning Code generally requires one off-street parking space for each dwelling unit and one
5 off-street parking space for every three rooms of group housing, regardless of the location or
6 occupancy of the dwelling unit or group housing unit. Within the C-3, RSD and RC-4 Districts,
7 parking is required at a ratio of one off-street space for each four dwelling units, and in the
8 South of Market base districts, parking is required at a ratio of one off-street space for each 20
9 SRO units.
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11 8. Certain other areas of the City, in addition to C-3, RSD, RC-4 and South of
12 Market base districts, are characterized by good access to public transit (which provides
13 convenient access to employment and shopping) and commercial services. In these areas,
14 the need for residents to own private automobiles is reduced. The City has an interest in
15 discouraging private automobile ownership, particularly in those areas where the need for
16 private automobile ownership is reduced.
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18 9. It is in the City's public interest to establish Transit-Oriented Neighborhood
19 Commercial Districts where, among other things, residential density limits are increased,
20 height limits are increased from 40 feet to 50 feet, off-street parking requirements for dwelling
21 units and commercial uses are reduced and certain commercial uses are not allowed or
22 controlled above the ground level.
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24 10. It is in the City's public interest to establish Transit-Intensive Special Use
25 Districts where off-street parking requirements for dwelling units are reduced.

1 B. Priority Policies Findings: The amendments made herein are consistent with the
2 eight priority policies of Section 101.1(b) of the City Planning Code, as follows:

3 1. That existing neighborhood-serving retail uses be preserved and enhanced and
4 future opportunities for resident employment in and ownership of such businesses be
5 enhanced: The legislation is designed to encourage the construction of new housing in areas
6 that have good access to public transit and to encourage the use of public transportation in
7 lieu of private automobiles in those districts. The legislation is not expected to adversely
8 affect neighborhood serving retail uses or affect resident employment in or ownership of such
9 businesses, and is consistent with this policy to the extent it is intended to preserve and
10 enhance neighborhood commercial districts with good access to public transit.
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12 2. That existing housing and neighborhood character be conserved and protected
13 in order to preserve the cultural and economic diversity of our neighborhoods: The legislation
14 is designed to encourage the construction of new housing in areas that have good access to
15 public transit and to encourage the use of public transportation in lieu of private automobiles in
16 those districts. Off-street parking requirements in these newly created transit-oriented districts
17 will be lower than in other districts that are not as well-served by public transportation. It is
18 expected that housing costs in transit-oriented districts will be lower than in areas that have
19 greater parking requirements, thus the legislation is designed to reduce housing costs
20 throughout San Francisco. The creation of new housing, particularly affordable housing, will
21 help to maintain the economic and cultural diversity of the City by providing housing
22 opportunities for all San Franciscans. The legislation limits residential conversion and
23 demolition in the newly-created districts.
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1 3. That the City's supply of affordable housing be preserved and enhanced: The
2 legislation is designed to encourage the construction of new housing in areas that have good
3 access to public transit and to encourage the use of public transportation in lieu of private
4 automobiles in those districts. Off-street parking requirements in these newly created transit-
5 oriented districts will be lower than in other districts that are not as well-served by public
6 transportation. The legislation also provides a "density bonus" for housing projects that
7 include affordable units. It is expected that housing costs in transit-oriented districts will be
8 lower than in areas that have greater parking requirements, thus the legislation is designed to
9 encourage the construction of affordable housing and reduce housing costs throughout San
10 Francisco.
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12 4. That commuter traffic not impede Muni transit service or overburden our streets
13 or neighborhood parking: Although the legislation would reduce parking requirements for
14 certain dwelling units, the legislation is designed to encourage the construction of new
15 housing in areas that have good access to public transit and to encourage the use of public
16 transportation in lieu of private automobiles in those districts and to reduce commuter traffic.
17 The legislation is not anticipated to have any substantial effect on neighborhood parking.
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19 5. That a diverse economic base be maintained by protecting our industrial and
20 service sectors from displacement due to commercial office development, and that future
21 opportunities for resident employment and ownership in these sectors be enhanced: The
22 legislation is designed to encourage the construction of new housing in areas that have good
23 access to public transit and to encourage the use of public transportation in lieu of private
24 automobiles in those districts. It is expected that housing costs in transit-oriented districts will
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1 be lower than in areas that have greater parking requirements, thus the legislation is designed
2 to encourage the construction of housing and reduce escalating real estate values throughout
3 San Francisco. The legislation is not expected to adversely affect the industrial and service
4 sectors or encourage commercial office development.

5 6. That the City achieve the greatest possible preparedness to protect against
6 injury and loss of life in an earthquake: To the extent that this legislation encourages the
7 development of new housing, it will have a positive impact on this priority policy because new
8 housing is subject to strict seismic standards.

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10 7. That landmarks and historic buildings be preserved: The legislation is not
11 expected to have an impact on this priority policy.

12 8. That parks and open space and their access to sunlight and vistas be protected
13 from development: The legislation would increase incrementally the height limits in certain
14 districts in order to encourage the construction of new affordable and market rate housing in
15 areas with good access to public transit. However, because these districts are expected to be
16 located in areas with substantial existing development, the legislation is not expected to have
17 an impact on existing open spaces or parks, particularly given the regulatory safeguards
18 already in place to protect sunlight and vistas in public open spaces.

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20 Section 2. Article 7 of the Planning Code is hereby amended by adding Sections 730
21 to 730.95, to read as follows:
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23 SEC. 730.1. NC-T - TRANSIT-ORIENTED NEIGHBORHOOD COMMERCIAL DISTRICT.
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1 NC-T Districts are intended to serve as the City's Transit-Oriented Neighborhood Commercial
2 Districts. NC-T Districts are commonly located along primary transit streets and near transit centers.
3 NC-T Districts are intended to provide convenience goods and services to the surrounding
4 neighborhoods and more limited comparison and specialty goods and services to a population greater
5 than the immediate neighborhood. The range of comparison goods and services offered is varied and
6 often includes specialty retail stores, restaurants and neighborhood serving offices. Housing is located
7 above commercial uses.

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9 These districts range in size from two or three blocks to many blocks and include both large-
10 scale lots and buildings along wide streets, as well as small and moderately scaled lots and buildings.
11 Buildings typically range in height from two to five stories with occasional taller structures. In
12 recognition of the transit-intensive nature of these districts, parking requirements for both commercial
13 and residential uses are reduced or eliminated.

14 NC- T building standards encourage moderately large residential buildings. Rear yards are
15 protected at residential levels to preserve open space corridors of interior blocks.

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17 A diversified commercial environment is encouraged in NC-T Districts and a wide variety of
18 uses are permitted with special emphasis on neighborhood-serving businesses. Eating and drinking,
19 entertainment, offices and personal, business and financial service uses generally are permitted at the
20 first story and controlled or not allowed at the second story. No commercial uses are allowed above
21 the second story. Institutional and administrative service activities are permitted with some
22 restrictions. With the exception of limited parking, auto uses are not allowed.

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24 Housing development in new buildings is encouraged above the first story. Existing residential
25 units are protected by limitations on demolitions and upper-story conversions.

SEC. 730. TRANSIT-ORIENTED NEIGHBORHOOD COMMERCIAL DISTRICT

NC-T ZONING CONTROL TABLE

<u>No.</u>	<u>Zoning</u>	<u>§ References</u>	<u>NC-T</u> <u>Controls</u>
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BUILDING STANDARDS

<u>730.10</u>	<u>Height and Bulk</u> <u>Limit</u>	<u>§§ 102.12, 105, 106,</u> <u>250-252, 270-271</u>	<u>Generally, 50-X</u> <u>See Zoning Map</u>
<u>730.11</u>	<u>Lot Size</u> <u>(Per Development)</u>	<u>§§ 790.56, 121.1</u>	<u>P up to 9,999 sq. ft.;</u> <u>C 10,000 sq. ft. &</u> <u>above §121.1</u>
<u>730.12</u>	<u>Rear Yard</u>	<u>§§ 130, 134, 136</u>	<u>Required at all</u> <u>residential levels</u> <u>§ 134(a)-(e)</u>
<u>730.13</u>	<u>Street Frontage</u>		<u>Required § 145.1</u>
<u>730.14</u>	<u>Awning</u>	<u>§ 790.20</u>	<u>P</u> <u>§ 136.1(a)</u>
<u>730.15</u>	<u>Canopy</u>	<u>§ 790.26</u>	<u>P</u> <u>§ 136.1(b)</u>
<u>730.16</u>	<u>Marquee</u>	<u>§ 790.58</u>	<u>P</u> <u>§ 136.1(c)</u>

<u>730.17</u>	<u>Street Trees</u>		<u>Required</u> <u>§143</u>
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COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

<u>730.20</u>	<u>Floor Area Ratio</u>	<u>§§ 102.9,</u> <u>102.11, 123</u>	<u>1.8 to 1</u> <u>§ 124(a)-(b)</u>
<u>730.21</u>	<u>Use Size</u> <u>(Non-Residential)</u>	<u>§ 790.130</u>	<u>P up to</u> <u>3,999 sq. ft.;</u> <u>C 4,000 sq. ft. &</u> <u>above</u> <u>§ 121.2</u>
<u>730.22</u>	<u>Off-Street Parking,</u> <u>Commercial/</u> <u>Institutional</u>	<u>§§ 150, 153-157,</u> <u>159-160, 204.5</u>	<u>Generally, none</u> <u>required if occupied</u> <u>floor area is 10,000</u> <u>sq. ft or less.</u> <u>§§ 151, 161(g)</u>

<u>730.23</u>	<u>Off-Street Freight Loading</u>	<u>§§ 150, 153-155, 204.5</u>	<u>Generally none required if gross floor area is 10,000 sq. ft or less. §§ 152, 161(b)</u>
<u>730.24</u>	<u>Outdoor Activity Area</u>	<u>§ 790.70</u>	<u>P if located in front; C if located elsewhere § 145.2(a)</u>
<u>730.25</u>	<u>Drive-up Facility</u>	<u>§ 790.30</u>	
<u>730.26</u>	<u>Walk-up Facility</u>	<u>§ 790.140</u>	<u>P if recessed 3 ft.; C if not recessed §145.2(b)</u>
<u>730.27</u>	<u>Hours of Operation</u>	<u>§ 790.48</u>	<u>P 6 a.m. – 12 a.m.; C 12 a.m. – 6 a.m.</u>
<u>730.30</u>	<u>General Advertising Sign</u>		
<u>730.31</u>	<u>Business Sign</u>	<u>§§ 262, 602-604, 608, 609</u>	<u>P § 607.1</u>
<u>730.32</u>	<u>Other Signs</u>	<u>§§ 262, 602-604, 608, 609</u>	<u>P § 607.1</u>

			<u>NC-T</u>		
			<u>Controls by Story</u>		
		<u>\$ 790.118</u>	<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
<u>730.38</u>	<u>Residential</u> <u>Conversion</u>	<u>\$ 790.84</u>	<u>P</u>		
<u>730.39</u>	<u>Residential</u> <u>Demolition</u>	<u>\$ 790.86</u>	<u>C</u>	<u>C</u>	<u>C</u>

RETAIL SALES AND SERVICES

<u>730.40</u>	<u>Other Retail Sales</u> <u>and Services</u> <u>(Not Listed Below)</u>	<u>\$ 790.102</u>	<u>P</u>		
<u>730.41</u>	<u>Bar</u>	<u>\$ 790.22</u>	<u>P</u>	<u>C#</u>	
<u>730.42</u>	<u>Full-Service</u> <u>Restaurant</u>	<u>\$ 790.92</u>	<u>P</u>	<u>C#</u>	
<u>730.43</u>	<u>Large Fast Food</u> <u>Restaurant</u>	<u>\$ 790.90</u>	<u>C</u>	<u>C#</u>	
<u>730.44</u>	<u>Small Self-Service</u> <u>Restaurant</u>	<u>\$ 790.91</u>	<u>P</u>	<u>C#</u>	
<u>730.46</u>	<u>Movie Theatre</u>	<u>\$ 790.64</u>	<u>C</u>	<u>C#</u>	
<u>730.47</u>	<u>Adult Entertainment</u>	<u>\$ 790.36</u>			

1	<u>730.48</u>	<u>Other Entertainment</u>	<u>§ 790.38</u>	<u>C</u>	<u>C#</u>	
2	<u>730.49</u>	<u>Financial Service</u>	<u>§ 790.110</u>	<u>P</u>		
3	<u>730.50</u>	<u>Limited Financial</u>	<u>§ 790.112</u>	<u>P</u>		
4		<u>Service</u>				
5	<u>730.51</u>	<u>Medical Service</u>	<u>§ 790.114</u>	<u>P</u>	<u>C#</u>	
6	<u>730.52</u>	<u>Personal Service</u>	<u>§ 790.116</u>	<u>P</u>	<u>C#</u>	
7	<u>730.53</u>	<u>Business or</u>	<u>§ 790.108</u>	<u>P</u>	<u>C#</u>	
8		<u>Professional Service</u>				
9	<u>730.54</u>	<u>Massage</u>	<u>§ 790.60,</u>	<u>C</u>	<u>C#</u>	
10		<u>Establishment</u>	<u>§ 2700 Police Code</u>			
11	<u>730.55</u>	<u>Tourist Hotel</u>	<u>§ 790.46</u>			
12	<u>730.56</u>	<u>Automobile Parking</u>	<u>§§ 790.8, 156, 160</u>	<u>C</u>		
13	<u>730.57</u>	<u>Automobile Gas</u>	<u>§ 790.14</u>			
14		<u>Station</u>				
15	<u>730.58</u>	<u>Automotive Service</u>	<u>§ 790.17</u>			
16		<u>Station</u>				
17	<u>730.59</u>	<u>Automotive Repair</u>	<u>§ 790.15</u>			
18	<u>730.60</u>	<u>Automotive Wash</u>	<u>§ 790.18</u>			
19	<u>730.61</u>	<u>Automobile Sale or</u>	<u>§ 790.12</u>			
20		<u>Rental</u>				
21	<u>730.62</u>	<u>Animal Hospital</u>	<u>§ 790.6</u>	<u>C</u>	<u>C#</u>	

<u>730.63</u>	<u>Ambulance Service</u>	<u>§ 790.2</u>			
<u>730.64</u>	<u>Mortuary</u>	<u>§ 790.62</u>			
<u>730.65</u>	<u>Trade Shop</u>	<u>§ 790.124</u>	<u>P</u>	<u>C#</u>	
<u>730.66</u>	<u>Storage</u>	<u>§ 790.117</u>			

INSTITUTIONS AND NON-RETAIL SALES AND SERVICES

<u>730.70</u>	<u>Administrative Service</u>	<u>§ 790.106</u>	<u>P</u>		
<u>730.80</u>	<u>Hospital or Medical Center</u>	<u>§ 790.44</u>	<u>P</u>		
<u>730.81</u>	<u>Other Institutions, Large</u>	<u>§ 790.50</u>	<u>P</u>	<u>C</u>	<u>C</u>
<u>730.82</u>	<u>Other Institutions, Small</u>	<u>§ 790.51</u>	<u>P</u>	<u>C</u>	<u>C</u>
<u>730.83</u>	<u>Public Use</u>	<u>§ 790.80</u>	<u>C</u>	<u>C</u>	<u>C</u>

RESIDENTIAL STANDARDS AND USES

<u>730.90</u>	<u>Residential Use</u>	<u>§ 790.88</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>730.91</u>	<u>Residential Density, Dwelling Units</u>	<u>§§ 207, 207.1, 790.88(a)</u>	<u>For buildings with heights of 50 feet and under, one dwelling unit for each 600 sq. ft. of</u>		

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			<u>lot area or one</u>
			<u>dwelling unit for</u>
			<u>each 400 sq. ft. of</u>
			<u>lot area where at</u>
			<u>least 10 percent of</u>
			<u>units are affordable</u>
			<u>to qualifying</u>
			<u>households; for</u>
			<u>buildings with</u>
			<u>heights over 50 feet</u>
			<u>and under 85 feet,</u>
			<u>one dwelling unit</u>
			<u>for each 300 sq. ft.</u>
			<u>of lot area or one</u>
			<u>dwelling unit for</u>
			<u>each 200 sq. ft. of</u>
			<u>lot area where at</u>
			<u>least 10 percent of</u>
			<u>units are affordable</u>
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			<u>buildings with heights over 85 feet, one dwelling unit for each 200 sq. ft. of lot area or one dwelling unit for each 125 sq. ft. of lot area where at least 10 percent of units are affordable to qualifying households.</u> <u>§207.4</u>
<u>730.92</u>	<u>Residential Density. Group Housing</u>	<u>§§ 207.1, 790.88(b)</u>	<u>Generally, 1 bedroom per 140 sq. ft. lot area</u> <u>§208</u>
<u>730.93</u>	<u>Usable Open Space</u>	<u>§§ 135, 136</u>	<u>For buildings with heights of 50 feet and under, 60 sq. ft. if private and 80 sq.</u>

			<u>ft. if common; for buildings with heights over 50 feet</u> <u>36 sq. ft. if private and 48 sq. ft. if common</u> <u>§135</u>		
<u>730.94</u>	<u>Off-Street Parking, Residential</u>	<u>§§ 150, 153-157, 159-160, 204.5</u>	<u>None required with a maximum of one for each dwelling unit</u> <u>§§ 151, 161(a)-(g)</u>		
<u>730.95</u>	<u>Community Residential Parking</u>	<u>§ 790.10</u>	<u>C</u>	<u>C</u>	<u>C</u>

SPECIFIC PROVISIONS FOR NC-T DISTRICTS

<u>Article 7</u> <u>Code Section</u>	<u>Other Code</u> <u>Section</u>	<u>Zoning Controls</u>
<u>§ 730. 96</u>	<u>§145.1</u>	<u>Boundaries: Applicable to NC-T Districts</u> <u>Controls: For new construction and certain alterations, parking</u>

		<p><u>shall not be located within 25 feet of the primary street frontage.</u></p> <p><u>The maximum width of curb cuts allowed for such construction</u></p> <p><u>shall be 10 feet; the maximum width of a garage door opening shall</u></p> <p><u>be 12 feet.</u></p>
<p><u>§§ 730.41 -</u></p> <p><u>730.46, 730.48,</u></p> <p><u>730.51-54.</u></p>		<p><u>Conditional in buildings with heights above 50 feet; not permitted</u></p> <p><u>in buildings with heights 50 feet and below</u></p>

Section 3. Article 7 of the Planning Code is hereby amended by adding Section 249.20 to read as follows:

SEC. 249.20. TRANSIT INTENSIVE SPECIAL USE DISTRICT. In order to provide for increased housing and encourage reliance on public transit in lieu of private automobiles, there shall be Transit Intensive Special Use Districts. The designations, locations and boundaries of these Transit-Intensive Special Use Districts shall be as shown on Sectional Maps of the Zoning Map referred to in Sections 105 and 106 of this Code, subject to the provisions of those sections. Within any Transit Intensive Special Use District, the provisions of the applicable use district established by Section 201 and any other applicable special use district established by Sections 236 through 249.20 shall prevail, with the following exception:

(a) No off-street parking space shall be required for any dwelling unit and a maximum of one off-street parking space for each dwelling unit may be provided.

Section 4. Article 2 of the San Francisco Planning Code is hereby amended by amending Section 145.1 to read as follows:

SEC. 145.1. STREET FRONTAGES, NEIGHBORHOOD COMMERCIAL DISTRICTS.

In order to preserve, enhance and promote attractive, clearly defined street frontages which are appropriate and compatible with the buildings and uses in Neighborhood Commercial Districts and adjacent districts, the following requirements shall apply to new structures or alterations to existing structures involving a change in the level of the first story or a change in the facade at the street frontage at the first story and below, where such structure is located along any block frontage that is entirely within an NC District.

In NC-S Districts, the applicable frontage shall be the primary facade(s) which contain customer entrances to commercial spaces.

(a) If such structures contain any of the permitted uses in the Zoning Control Categories listed below, at least ½ the total width of such new or altered structures at the commercial street frontage shall be devoted to entrances to commercially used space, windows or display space at the pedestrian eye-level. Such windows shall use clear, untinted glass, except for decorative or architectural accent. Any decorative railings or decorative grille work, other than wire mesh, which is placed in front of or behind such windows, shall be at least 75 percent open to perpendicular view and no more than six feet in height above grade.

No.	Zoning Control Category
.40	Other Retail Sales and Services
.41	Bar
.42	Full-Service Restaurant

1	.43	Small Fast Food Restaurant
2	.44	Large Fast Food Restaurant
3	.45	Take-Out Food
4	.46	Movie Theater
5	.49	Financial Service
6	.50	Limited Financial Service
7	.51	Medical Service
8	.52	Personal Service
9	.53	Business or Professional Service
10	.55	Tourist Hotel
11	.61	Automobile Sale or Rental
12	.62	Animal Hospital
13	.65	Trade Shop
14	.70	Administrative Service

17 (b) In all NC Districts other than NC-T and NC-S Districts, no more than 1/3 of the
18 width of such new or altered structure, parallel to and facing such street, shall be devoted to
19 ingress/egress to parking, provided that in no case shall such ingress/egress exceed 20 feet
20 in width or be less in width than eight feet for garages containing up to three cars, nine feet for
21 garages containing up to ten cars, and ten feet for garages containing up to 50 cars.

22 In NC-S Districts, no more than 1/3 or 50 feet, whichever is less, of each lot frontage
23 shall be devoted to ingress/egress of parking, provided that each such ingress/egress shall
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1 not be less than 10 feet in width for single directional movement or 20 feet in width for
2 bidirectional movement.

3 For new and altered structures subject to this Section located in NC-T Districts, parking shall
4 not be located within 25 feet of the primary street frontage. For such structures, no more than 12 feet
5 of the primary street frontage shall be devoted to ingress/egress for parking and the maximum width of
6 curb cuts for ingress/egress for parking shall be 10 feet.

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8 Section 5. Article 2 of the San Francisco Planning Code is hereby amended by
9 amending Section 207.4 to read as follows:

10 SEC. 207.4. DENSITY OF DWELLING UNITS IN NEIGHBORHOOD COMMERCIAL
11 DISTRICTS.

12 The density of dwelling units in Neighborhood Commercial Districts shall be as stated
13 in the following subsections:

14 (a) The rules for calculation of dwelling unit densities set forth in Section 207.1 of
15 this Code shall apply in Neighborhood Commercial Districts, except that any remaining
16 fraction of ½ or more of the minimum amount of lot area per dwelling unit shall be adjusted
17 upward to the next higher whole number of dwelling units.

18
19 The dwelling unit density in Neighborhood Commercial Districts shall be at a density
20 ratio not exceeding the number of dwelling units permitted in the nearest Residential District,
21 provided that the maximum density ratio shall in no case be less than the amount set forth in
22 the following table. The distance to each Residential District shall be measured from the
23 midpoint of the front lot line or from a point directly across the street therefrom, whichever
24 permits the greater density.
25

1	NC District	Residential
2		Density Limits
3	NC-1	One dwelling unit for each 800 sq. ft of lot area.
4	NC-2	
5	NC-S	
6	Sacramento Street	
7	West Portal Avenue	
8		One dwelling unit for each 600 sq. ft. of lot area.
9	NC-3	
10	Castro Street	
11	Inner Clement Street	
12	Outer Clement Street	
13	Upper Fillmore Street	
14	Haight Street	
15	Union Street	
16	Valencia Street	
17	24th Street-Mission	
18	24th Street-Noe Valley	
19		
20		
21		
22		
23		
24		
25		

1	<u>NC-T</u>	<u>For buildings with heights of 50 feet and under,</u>
2		<u>one dwelling unit for each 600 sq. ft. of lot area or</u>
3		<u>one dwelling unit for each 400 sq. ft. of lot area</u>
4		<u>where at least 10 percent of units are affordable to</u>
5		<u>qualifying households; for buildings with heights</u>
6		<u>over 50 feet and under, 85 feet, one dwelling unit</u>
7		<u>for each 300 sq. ft. of lot area or one dwelling unit</u>
8		<u>for each 200 sq. ft. of lot area where at least 10</u>
9		<u>percent of units are affordable to qualifying</u>
10		<u>households; for buildings with heights over 85 feet,</u>
11		<u>one dwelling unit for each 200 sq. ft. of lot area or</u>
12		<u>one dwelling unit for each 125 sq. ft. of lot area</u>
13		<u>where at least 10 percent of units are affordable to</u>
14		<u>qualifying households</u>
15		
16		
17	Broadway	
18	Hayes-Gough	
19	Upper Market Street	
20	North Beach	
21	Polk Street	
22		

(b) The dwelling unit density for dwellings specifically designed for and occupied by senior citizens or physically handicapped persons shall be at a density ratio not exceeding twice the number of dwelling units permitted by the limits set forth in Subsection (a).

1 (c) For purposes of this section, units affordable to qualifying households are those units
2 that meet the definition contained in Section 313.1(3) of this Code and that otherwise comply with the
3 requirements of the Guidelines for the Application of San Francisco's Inclusionary Housing Policy. The
4 affordability of such units shall be enforced through an instrument ensuring that the units will be
5 affordable to qualifying households for 50 years in a form approved by the City Attorney and recorded
6 in the office of the County Recorder, serving as a notice of restrictions under this Code.
7
8

9 APPROVED AS TO FORM:
10 LOUISE H. RENNE, City Attorney

11
12 By: _____
13 SUSAN S. CLEVELAND
 Deputy City Attorney