

**REVISED LEGISLATIVE DIGEST**

(4/23/2012, Amended in Committee)

[Planning Code - Permitting Five Feet Ground Floor Height Increases in Designated Lots and Prohibiting Certain Lot Mergers Along Geary Boulevard, Balboa Street, and in the Inner and Outer Clement Neighborhood Commercial Districts]

**Ordinance amending the San Francisco Planning Code by: 1) amending Section 263.20 to permit a 5 feet ground floor height increase a) in the 40-X and 50-X Height and Bulk Districts in the NC-3 Zoning District along Geary Boulevard, from Masonic Avenue to 28th Avenue, except for designated parcels; b) on NC-2 designated parcels on Balboa Street between 2nd Avenue and 8th Avenue, and between 32nd Avenue and 39th Avenue; and c) in the Inner Clement Street and Outer Clement Street Neighborhood Commercial Districts (NCDs); 2) amending Section 121.7(b) to prohibit lot mergers resulting in lots with street frontages greater than 50 feet in the Inner and Outer Clement NCDs, and in NC-2 districts on Balboa Street, between 2nd Avenue and 8th Avenue, and between 32nd Avenue and 38th Avenue; and 3) making findings, including environmental findings and findings of consistency with Planning Code Section 101.1 and the General Plan.**

Existing Law

The San Francisco Planning Code currently provides for an extra 5 feet for ground floor uses in Neighborhood Commercial Transit (NCT) 40-x and 50-x Height and Bulk districts; in the Upper Market Street NCD; in NC-2 and NC-3 designated parcels along Mission Street, from Silver Avenue to the Daly City border; and in NC-1 designated parcels within the boundaries of Sargeant Street / Orizaba Avenue / Lobos Street / Plymouth Avenue / Farellones Street / San Jose Avenue / Alemany Boulevard. (See Planning Code Section 263.20.) This height exception is available only for projects with ground floor commercial space or other active uses, as defined by Section 145.1(e), i.e., uses that are oriented to public access and primarily to walk-up pedestrian activities.

Amendments to Current Law

This Ordinance amends Section 263.20 to make the 5 feet height exception for ground floor uses applicable also in the 40-X and 50-X Height and Bulk Districts in the NC-3 Zoning District along Geary Boulevard from Masonic Avenue to 28th Avenue, except for some designated parcels on the north side of Geary, between Palm and Parker Avenues.

Amendment of the Whole, April 23, 2012

On April 23, 2012, Supervisor Mar introduced amendments to this legislation in Land Use Committee. The amendments reflect the recommendations of the Planning Commission. They seek to refine the area to which the height exception would apply along Geary

Boulevard, by replacing Scott Street with Masonic on the east, and by creating discrete exceptions on some designated parcels on the north side of Geary, between Palm and Parker Avenues. In addition, the amendments seek to extend the 5 feet height exception to other areas of the City, particularly to NC-2 designated parcels on Balboa Street, between 2nd Avenue and 8th Avenue, and between 32nd Avenue and 39th Avenue; and to the Inner Clement Street and Outer Clement Street NCDs.

The amendments also prohibit lot mergers resulting in lots with street frontages greater than 50 feet in the Inner and Outer Clement NCDs, and in NC-2 districts on Balboa Street, between 2nd Avenue and 8th Avenue, and between 32nd Avenue and 38th Avenue.

#### Background Information

The purpose of the 5 feet height exception is "to encourage generous ground floor ceiling heights for commercial and other active uses, encourage additional light and air into ground floor spaces, allow for walk-up ground floor residential uses to be raised slightly from sidewalk level for privacy and usability of front stoops, and create better building frontage on the public street."