BOARD of SUPERVISORS



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MEMORANDIIM

		MEMORANDOM
	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
\boxtimes	(Califord	ia Environmental Quality Act (CEQA) Determination nia Public Resources Code, Sections 21000 et seq.) Ordinance / Resolution Ballot Measure
\boxtimes	(Plannir	ment to the Planning Code, including the following Findings: ng Code, Section 302(b): 90 days for Planning Commission review) eral Plan Planning Code, Section 101.1 Planning Code, Section 302
		ment to the Administrative Code, involving Land Use/Planning Rule 3.23: 30 days for possible Planning Department review)
	(Charte (Require City pro narrowin space, housing plan an	Plan Referral for Non-Planning Code Amendments <i>r, Section 4.105, and Administrative Code, Section 2A.53</i>) ed for legislation concerning the acquisition, vacation, sale, or change in use of operty; subdivision of land; construction, improvement, extension, widening, ng, removal, or relocation of public ways, transportation routes, ground, open buildings, or structures; plans for public housing and publicly-assisted private; redevelopment plans; development agreements; the annual capital expenditure d six-year capital improvement program; and any capital improvement project or m financing proposal such as general obligation or revenue bonds.)
		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 Commercial Districts]
2	
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 <u>single-underline italics Times New Roman font</u> . Deletions to Codes are in <u>strikethrough italics Times New Roman font</u> .
13	Board amendment additions are in double-underlined Arial font. Board amendment deletions are in strikethrough Arial font. Actoricks (* * * *) indicate the emission of unabanged Code
14	Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.
15	
16	Be it ordained by the People of the City and County of San Francisco:
17	
18	Section 1. Environmental and Land Use Findings.
19	(a) The Planning Department has determined that the actions contemplated in this
20	ordinance comply with the California Environmental Quality Act (California Public Resources
21	Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
22	Supervisors in File No and is incorporated herein by reference. The Board affirms this
23	determination.
24	(b) On, the Planning Commission, in Resolution No,
25	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 the Board of Supervisors in File No. ______, and is incorporated herein by reference. 3 (c) Pursuant to Planning Code Section 302, this Board finds that these Planning Code 4 5 amendments will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission Resolution No. ______, and the Board adopts such 6 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 Section 2. Background and General Findings. 10 (a) California faces a severe crisis of housing affordability and availability, prompting 11 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 workers and businesses, worsening poverty and homelessness, and undermining the state's 16 17 environmental and climate objectives." 18 (b) A number of factors have caused the high cost of housing in most of California's coastal cities and suburbs, including the dwindling supply and high cost of available land, and 19 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

vears.

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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.

- (e) Starting in 1980, the Board of Supervisors, the Planning Commission, and the Planning Department responded to community concerns about neighborhood character by establishing and refining a set of new districts covering many of the City's neighborhood commercial streets. These districts imposed highly-detailed controls catered to the specific character of each neighborhood. Similar to the Downtown Plan, the 1987 Neighborhood Commercial Districts were based on the then relatively new idea that the City should be more discriminating in its pursuit of economic growth. All of these Neighborhood Commercial District plans included numerical density limits.
- (f) By removing numerical density limits from Neighborhood Commercial Districts, and replacing them with existing regulations on the built environment, such as height, bulk, or setbacks, this ordinance aims to increase housing supply and reduce the factors that have led to racial segregation in San Francisco.

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

SEC. 702. CLASSES OF NEIGHBORHOOD COMMERCIAL DISTRICTS.

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

(a) Neighborhood Commercial and Neighborhood Commercial Transit Districts.

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

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

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

regulations on the built en	velope of buildings, includ	ing height, bulk, setb	acks, and lot coverage, and
standards for Dosidontial	Hana including on an ang		l unham degion quidelines
standards for Residential	Oses, incluaing open spa	<u>ce ana exposure, ana</u>	i urban aesign guiaeiines.

(2) Neighborhood Commercial Transit Districts. Neighborhood Commercial

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

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

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

		NC-1	
Zoning Category	§ References	Controls	

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RESIDENTIAL ST	ΓANDARDS AND U	SES				
* * * *						
Desidential Head			Controls by Story	′		
Residential Uses		1st	1st 2nd 3rd+			
* * * *						
Accessory Dwelling Unit Density \$\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \		P per Planning Code Sections 207(c)(4) and 207(c)(6).				
		permitted in the ingreater.	1 unit per 800 square foot lot area, or the density permitted in the nearest R District, whichever is greater. No density limit by lot area.			
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SEC. 711. NC-2 - SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT.

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

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

1			No dens	No density limit by lot area.			
2	* * * *						
3	* * :	* * * *					
4							
5	SEC.	712. NC-3 –	MODERATE-SC	ALE NEIGHBORHOOD	COMMERCIAL		
6	DISTRICT.						
7	* * :	* *					
8	Table	712. MODE	ERATE-SCALE N	EIGHBORHOOD COMN	MERCIAL DISTRICT NC-3		
9			ZONING C	ONTROL TABLE			
10				N	C-3		
11	Zoning Category	§ Reference	es	Controls			
12	* * * *						
13		AL STANDA	ARDS AND USES				
14	* * * *			0			
15	Residential	Uses	1st	Controls by Story 2nd	3rd+		
16	* * * *		150	ZHU	Siut		
17	Accessory	§§ 102,		1			
18	Dwelling Unit Density	207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).				
19 20	Dwelling Unit	§§ 102,	1 unit per 600 square foot lot area, or the density permitted in the nearest R District, whichever is greater.				
21	Density	207	No density limit by lot area.				
22	* * * *						

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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 **ZONING CONTROL TABLE** 5 NC-S 6 Zoning Controls 7 Category References 8 RESIDENTIAL STANDARDS AND USES 9 10 Controls by Story Residential Uses 11 3rd+ 1st 2nd * * * * 12 Accessory 13 §§102, Dwelling 207(c)(4), P per Planning Code Sections 207(c)(4) and 207(c)(6). Unit 14 207(c)(6) Density 15 1 unit per 800 square feet lot area, or the density permitted in the Dwelling §§ 102, nearest R District, whichever is greater.(1)(4) 16 Unit 207 Density 17 No density limit by lot area. * * * * 18 19 * * * * 20 SEC. 714. BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT. 21 Table 714. BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT 22 **ZONING CONTROL TABLE** 23 **Broadway NCD** Zoning 24 § References Controls Category 25

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Desidential Lless			Controls By Story		
Residential Uses		1st	2nd	3rd+	
Residential Uses § 102		Р	Р		
* * * *					
Accessory Dwelling Unit Specific Street Stre		P per Planning Code Sections 207(c)(4) and 207(c)(6).			
Density	- (-)(-)	. , , ,			
Dwelling Unit SS 400 207		permitted in t	0 square foot lot ar the nearest R Distri		
Density §§ 102, 207					
		No density limit by lot area.			
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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 STAI				
* * * *				
Decidential Llege		Controls By Story		
Residential Uses	1st	2nd	d 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. No density limit by lot area.
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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 S	STANDARDS AND USES					
* * * *						
Residential Uses		С	ontrols By Sto	ry		
Residential Oses	•	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 unit per 600 square foot lot area or the density permitted in the nearest R District, whichever is greater. No density limit by lot area.				
* * * *						

* * * * 1 SEC. 717. OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL 2 DISTRICT. 3 4 Table 717. OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL 5 **DISTRICT ZONING CONTROL TABLE** 6 Outer Clement Street 7 Zoning § References Controls 8 Category 9 RESIDENTIAL STANDARDS AND USES 10 * * * * 11 Controls By Story Residential Uses 12 1st 2nd 3rd+ * * * * 13 Accessory 14 §§102, Dwelling 207(c)(4), P per Planning Code Sections 207(c)(4) and 207(c)(6). Unit 15 207(c)(6) Density 16 1 unit per 600 square foot lot area, or the density permitted in the **Dwelling** nearest R District, whichever is greater. 17 Unit §§ 102, 207 Density 18 No density limit by lot area. * * * * 19 20

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22 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	§ Reference	es	Controls		
* * * *					
RESIDENTIA	L STANDAF	RDS AN	ND USES		
* * * *					
Desidential II				Controls By Story	
Residential	Residential Uses		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. No density limit by lot area.			
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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
* * * *		

RESIDEN	ITIAL STANDA	ARDS AND USES					
* * * *							
Residential Uses		Controls By Story					
		1st 2nd 3rd+			3rd+		
* * * *							
Accessor Dwelling	99102,						
Unit	207(c)(4), 207(c)(6)	P per Planning Code Sec	ctions 207(c)	(4) and 207(c)	(6).		
Density	201 (0)(0)						
Dwelling	§§ 102,	1 unit per 600 square foot nearest R District, whicher			titted in the		
Unit Density	207	· ·	Ü				
* * * *		No density limit by lot area	<u>ı.</u>	No density limit by lot area.			
* *	* *						
* *		SIOR OUTER MISSION N	IEIGHBORH	IOOD COMMI	ERCIAL		
* ·		SIOR OUTER MISSION N	IEIGHBORH	IOOD COMMI	ERCIAL		
SE DISTRICT	· • * *	R OUTER MISSION STRE					
SE DISTRICT	· • * *		ET NEIGHB				
SE DISTRICT	· • * *	R OUTER MISSION STRE DISTRICT	ET NEIGHB _ TABLE		OMMERCIA		
SE DISTRICT	* * 0. EXCELSIO	R OUTER MISSION STRE DISTRICT	ET NEIGHB _ TABLE	ORHOOD CO	OMMERCIA		
* * * SE DISTRICT * * Table 72 Zoning Category	· • * *	R OUTER MISSION STRE DISTRICT	ET NEIGHB _ TABLE	ORHOOD CO	OMMERCIA		
Table 72 Zoning Category * * * * *	* * 0. EXCELSIO § References	R OUTER MISSION STRE DISTRICT ZONING CONTROI	ET NEIGHB _ TABLE	ORHOOD CO	OMMERCIA		
Table 72 Zoning Category * * * *	* * 0. EXCELSIO § References	R OUTER MISSION STRE DISTRICT	ET NEIGHB _ TABLE	ORHOOD CO	OMMERCIA		
Table 72 Zoning Category * * * * *	* * 0. EXCELSIO § References	R OUTER MISSION STRE DISTRICT ZONING CONTROI	ET NEIGHB _ TABLE Excelsion	ORHOOD CO or Outer Mission Controls	OMMERCIA on NCD		
Table 72 Zoning Category * * * *	* * O. EXCELSION S References TIAL STANDA	R OUTER MISSION STRE DISTRICT ZONING CONTROI	ET NEIGHB _ TABLE Excelsion	ORHOOD CO	OMMERCIA on NCD		

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 600 square foot lot area No density limit by lot area.
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SEC. 721. JAPANTOWN NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 721. JAPANTOWN NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		ZUNING CONTRO	LIADLL			
			Japantown N	Japantown NCD		
Zoning Category	§ References			Controls		
* * * *						
RESIDEN	ITIAL STANDA	ARDS AND USES				
* * * *						
Docidontic	al Ilana		Co	Controls By Story		
Residentia	al USES		1st (1)	2nd	3rd+	
* * * *						
Accessory Dwelling			ctions			
D			1 unit per 400 square foot lot area			
Dwelling Units §§ 102, 207			No density li	No density limit by lot area.		
* * * *						

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SEC. 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT.

1 Table 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT 2 3 **ZONING CONTROL TABLE** North Beach NCD 4 Zoning Controls § References 5 Category 6 RESIDENTIAL STANDARDS AND USES 7 8 Controls By Story Residential Uses 9 1st 2nd 3rd+ 10 * * * * §§102, 11 Accessory 207(c)(4), P per Planning Code Sections 207(c)(4) and 207(c)(6). Dwelling Units 12 207(c)(6) 1 unit per 400 square foot lot area or the density permitted in 13 the nearest R District, whichever is greater. **Dwelling Units** §§ 102, 207 14 No density limit by lot area. 15 16 17 18 SEC. 723. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT. 19 20 Table 723. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT **ZONING CONTROL TABLE** 21 Polk Street NCD 22 Controls § References Zoning Category

Supervisor Safai **BOARD OF SUPERVISORS**

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RESIDENTIAL STANDARDS AND USES

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Desidential Lless	Residential Uses		Controls By Story		
Residential Uses			2nd	3rd+	
* * * *	* * * *				
Accessory §§102, 207(c)(4), Dwelling Units 207(c)(6)		P per Planning 207(c)(6).	Code S	Sections 207(c)(4) and	
Dwelling Units §§ 102, 207		-	1 unit per 400 square foot lot area; or the density permitted in the nearest R District, whichever is greater.		
		No density limit by		y lot area.	
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SEC. 724. SA	T NEIGHBORHO	OD CO	MMERCIAL DISTRICT.		
* * * *					
Table 724. SAC	RAMENTO STREET ZONING (NEIGHBORHOO CONTROL TABL		MERCIAL DISTRICT	

CIAL DISTRICT **ZONING CONTROL TABLE**

			Sacramento S	Street NCD	
Zoning Category	§ Reference	es	Controls		
* * * *					
RESIDENTI	AL STANDA	RDS AND USES			
* * * *					
Residential I	loop	Controls By Story			
Residential	USES	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.			

	No den	sity limit by lot area.		
* * * *				
* * *	· *			
SEC	725 LINION STREE	T NEIGHBORHOO	D COMMERCIAL DI	STRICT
* * *				
7		STREET NEIGHBOI	RHOOD COMMERCI . TABLE	AL DISTRICT
			Union Street NCD	
Zoning Category	§ References		Cont	rols
* * * *				
RESIDENTI	AL STANDARDS AI	ND USES		
* * * *				
Residential I	lege	Controls By Story		
i vesideriliar (<u> </u>	1st	2nd	3rd+
* * * *				
Accessory Dwelling Units	§§102, 207(c)(4), 207(c)(6)	P per Planning Co	de Sections 207(c)(4)	and 207(c)(6).
Dwelling	§§ 102, 207	-	re foot lot area or the e ct, whichever is greater	
Units		No density limit by lot area.		
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* * *	k *			
SEC.	726. PACIFIC AVEI	NUE NEIGHBORHO	OD COMMERCIAL	DISTRICT.
* * *	* *			
Т			RHOOD COMMERC	IAL DISTRICT
		ZONING CONTROL	. TABLE	

1				Pacific Avenue NC	D		
2	Zoning Category	§ References		Cont	rols		
3	* * * *						
4	RESIDENTIAL STANDARDS AND USES						
5	* * * *						
	Residential	Hene		Controls By Stor	у		
6	Nesideriliai	U363	1st	2nd	3rd+		
7	* * * *						
8 9	Accessory Dwelling Unit	§§102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).				
10 11 12	Dwelling Units	§§ 102, 207	1 unit per 1,000 square foot lot area, or the dens permitted in the nearest R District, whichever is greater. No density limit by lot area.				
13	* * * *						
14 15	* *	* *					
16 17	SEC. 727. LAKESIDE VILLAGE NEIGHBORHOOD COMMERCIAL DISTRICT.						
18 19	Table 727. LAKESIDE VILLAGE NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE						

		Lakeside Village NCD				
1	1	Controls				
* * *	* * * *					
RESID	ENTIAL STAND	ARDS AND USES				
* * * *						
Controls By Story Residential Uses						
Residen	iliai USES	1st	2nd	3rd+		

* * * *				
Accessory Dwelling Unit Density	§§ 102, 207(c)(4) , 207(c)(6)	P per Planning Co	de 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. No density limit by lot area.		
* * * *				

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		Controls				
BUILDING STANDARDS						
* * * *						
RESIDENTIAL ST	TANDARDS AND	USES				
* * * *						
Decidential Llege			Controls By Sto	ry		
Residential Uses		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).				

1 unit per 600 square foot lot area, or the density 1 permitted in the nearest R District, whichever is greater. Dwelling Units §§ 102, 207 2 No density limit by lot area. 3 * * * * 4 5 SEC. 729. WEST PORTAL AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT. 6 7 Table 729. WEST PORTAL AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT 8 **ZONING CONTROL TABLE** 9 West Portal Avenue NCD 10 Zoning § References Controls Category 11 12 RESIDENTIAL STANDARDS AND USES 13 14 Controls By Story Residential Uses 1st 2nd 3rd+ 15 * * * * 16 Accessory §§102, 17 Dwelling 207(c)(4), P per Planning Code Sections 207(c)(4) and 207(c)(6). 207(c)(6) Units 18 1 unit per 800 square foot lot area, or the density permitted in the 19 Dwelling §§ 102, nearest R District, whichever is greater. Units 207 20 No density limit by lot area. * * * * 21

SEC. 730. INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT.

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					Inner	Sunset NCD
Zoning Cate	gory	§ Ref	erences			Controls
* * * *						
RESIDENT	IAL ST	AND	ARDS AND	USE	S	
* * * *						
Residential I	Ises		Controls By Story			
			1st	2nd	d	3rd+
* * * *						
Accessory Dwelling Units	§§10. 207(d 207(d	c)(4),	P per Plar	nning	Code	e Sections 207(c)(4) and 207(c)(6).
Dwelling Units	§§ 10 207)2,	1 unit per 800 square foot lot area, or the density permitted in the nearest R District, whichever is greater. No density limit by lot area.			
* * * *						
* * 1	731. N		ORIEGA ST	REE	T NE	BORHOOD COMMERCIAL DISTRICT.
			ZON	NING	CON	Noriega Street NCD
						i Nonega Street NCD

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* * * *				
Pasidential Uses		Controls By Story		
Residential Uses		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. No density limit by lot area.		
* * * *				

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			
* * * *						
RESIDENTI	RESIDENTIAL STANDARDS AND USES					
* * * *						
Decidential	llaan.	Controls By Story				
Residentiai	Residential Uses		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. No density limit by lot area.
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SEC. 733. TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

Table 733. TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		G CONTROL I AL			
			Taraval Street NC	D	
Zoning Category	§ References	Controls			
* * * *					
RESIDENTI	AL STANDARDS AND USI	ES			
* * * *					
Desidential	loos		Controls By Story		
Residential Uses		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. No density limit by lot area.			
* * * *					

SEC. 734. JUDAH STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

1 2 Table 734. JUDAH STREET NEIGHBORHOOD COMMERCIAL DISTRICT **ZONING CONTROL TABLE** 3 Judah Street NCD 4 Zoning § References Controls 5 Category 6 RESIDENTIAL STANDARDS AND USES 7 8 Controls By Story Residential Uses 9 1st 2nd 3rd+ * * * * 10 Accessory §§102, 11 Dwelling 207(c)(4), P per Planning Code Sections 207(c)(4) and 207(c)(6). Unit 207(c)(6) 12 1 unit per 800 square foot lot area, or the density permitted in the 13 §§ 102, **Dwelling** nearest R District, whichever is greater. Units 207 14 *No density limit by lot area.* 15 16 17 18 19 SEC. 735. INNER BALBOA STREET NEIGHBORHOOD COMMERCIAL DISTRICT. 20 Table 735. INNER BALBOA STREET NEIGHBORHOOD COMMERCIAL DISTRICT 21 **ZONING CONTROL TABLE** 22 Inner Balboa Street NCD 23 § References Controls Zoning Category * * * * 24 RESIDENTIAL STANDARDS AND USES

1	* * * *						
	Posidontial Licos		Controls by Story				
2	Residential Uses	Residential Uses		2nd	3rd+		
3	* * * *						
4 5	Accessory Dwelling Unit Density	§§ 102, 207(c)(4), 207(c)(6)	P per Planning Code Sections 207(c)(4) and 207(c)(6).				
6 7	Dwelling Unit Density	§§ 102, 207	I unit per 800 square foot lot area, or the density permitted in the nearest R District, whichever is greater. No density limit by lot area.				
8	* * * *		<u>Ivo density timit by t</u>	or area.			
9		-	-				

SEC. 736. OUTER BALBOA STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 736. OUTER BALBOA STREET NEIGHT

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

		Outer Balboa Street NCD				
Zoning Category	§ References	Controls				
* * * *						
RESIDENT	IAL STANDARDS AND USES	3				
* * * *						
Residential	Lloop	Controls by Story				
Residential	USES	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. No density limit by lot area.
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SEC. 737. BAYVIEW NEIGHBORHOOD COMMERCIAL DISTRICT.

Table 737. BAYVIEW NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Bayview NCD				
Zoning Category	§ References	Controls				
* * * *						
RESIDENTI	AL STANDARDS AND USES	S				
* * * *						
Decidential Lines			Controls by Story	,		
Residential Uses		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. No density limit by lot area.				
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Supervisor Safai **BOARD OF SUPERVISORS**

RESIDENTIAL STANDARDS AND USES

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1	* * * *						
	Residential Uses		Controls by Story				
2			1st	2nd	3rd+		
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).				
7 8	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. No density limit by lot area.				
9	* * * *						

SEC. 740. MISSION BERNAL NEIGHBORHOOD COMMERCIAL DISTRICT.

Table 740. MISSION BERNAL NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

		Mission Bernal NCD				
Zoning Category	§ References Controls					
* * * *						
RESIDEN	ΓIAL STANDARDS AND USE	S				
* * * *						
Residential Uses		Controls by Story				
Resideritial	U565	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. No density limit by lot area.
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SEC. 741. SAN BRUNO AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT.

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

		San	Bruno Avenue I	NCD
Zoning Category § References		Controls		
* * * *				
RESIDENTIA	L 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. No density limit by lot area.		
* * * *				

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CONTROL TABLE	ING

			Cole Valley	NCD
Zoning Category	§ References		Controls	
* * * *				
RESIDENTIAL S	TANDARDS AND USES			
* * * *				
Posidontial Usos		C	ontrols by Story	
Residential Uses		1st	2nd	3rd+
* * * *				
Accessory Dwelling Unit Density	§§ 102, 207(c)(4), 207(c)(6)	P per Planning and 207(c)(6)	g Code Sections	207(c)(4)
Dwelling Unit Density	§§ 102, 207			
* * * *				

SEC. 743. LOWER HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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

		Lower Haight Street NCD
Zoning Category	§ References	Controls

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* * * *				
RESIDENTI	AL STANDARDS AND U	SES		
* * * *				
Desidential	Lloop	(Controls by Story	
Residential	USES	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. No density limit by lot area.		
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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 S	treet NCD
Zoning Category		§ References	Controls	
* * * *				
RESIDENT	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).		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.
Density		No density limit by lot area.
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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

		Innei	Taraval Street I	NCD
Zoning Category	§ References	Controls		
* * * *				
RESIDEN	ΓIAL STANDARDS AND USE	S		
* * * *				
Residential Uses			Controls by Story	1
		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. No density limit by lot area.		
* * * *				

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: <u>/s/ Andrea Ruiz-Esquide</u> ANDREA RUIZ-ESQUIDE
16	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."

BOARD OF SUPERVISORS Page 1

Introduction Form

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

I hereby	subm	it the following item for introduction (select only one):	
1	. •	For reference to Committee (Ordinance, Resolution, Motion or Charter Amenda	nent)
2	2.	Request for next printed agenda (For Adoption Without Committee Reference) (Routine, non-controversial and/or commendatory matters only)	
3	Ι,	Request for Hearing on a subject matter at Committee	
4	ļ.	Request for Letter beginning with "Supervisor	inquires"
5	i.	City Attorney Request	
6	õ.	Call File No. from Committee.	
7	7.	Budget and Legislative Analyst Request (attached written Motion)	
8	3.	Substitute Legislation File No.	
) <u>.</u>	Reactivate File No.	
	0.	Topic submitted for Mayoral Appearance before the Board on	10.00.00.00.00.00.00.00.00.00.00.00.00.0
The prop	osed	legislation should be forwarded to the following (please check all appropriate bo	xes):
	□ Sm	all Business Commission	ion
	■ Pla	nning Commission Building Inspection Commission Human Resource	es Department
	Plan F ■ Yes	Referral sent to the Planning Department (proposed legislation subject to Charter	4.105 & Admin 2A.53)
(Note: F	or Imp	perative Agenda items (a Resolution not on the printed agenda), use the Imperati	ve Agenda Form.)
Sponsor	(s):		
Safai			
Subject:			
[Planni District		ode - Removing Residential Numerical Density Limits in Neighborhood Co	ommercial
Long Tit	tle or t	ext listed:	
regulate	ed in	mending the Planning Code to change the manner in which residential de Neighborhood Commercial Districts by replacing residential numerical de ing regulations on the built envelope of buildings, such as height, bulk an	nsity limits with

Signature of Sponsoring Supervisor: