

PLANNING COMMISSION

Hearing on April 3, 2008

Case No. 2007.1462I
Amend Superseded Height and Bulk
Provisions in the North Beach NCD

Resolution 17576

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SAN FRANCISCO

PLANNING COMMISSION

RESOLUTION NO. 17576

RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE THAT WOULD AMEND THE SAN FRANCISCO PLANNING CODE SECTION 722.1 AND THE ZONING CONTROL TABLE IN SECTION 722 TO DELETE BUILDING HEIGHT AND BULK PROVISIONS SUPERSEDED BY ORDINANCE NO. 20-88.

WHEREAS, on December 11, 2007 Supervisor Peskin introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 07-1674 which would amend the San Francisco Planning Code Section 722.1 and the Zoning Control Table in Section 722 to delete building height and bulk provisions superseded by Ordinance No. 20-88. Currently Planning Code includes an outdated reference alluding to a provision to construct buildings between 41 - 65' by conditional use permit in the North Beach Neighborhood Commercial District. In fact, the zoned height limits for this area are 40' and cannot be exceeded by conditional use.

The proposed zoning changes would result in no physical impact on the environment. The proposed amendment is exempt from environmental review under Section 15060(c)(2) of the CEQA Guidelines.

The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on April 3, 2008.

The Board passed Ordinance Number 20-88 removing the ability to exceed 40' height limit by Conditional User Permit in the North Beach Neighborhood Commercial District.

The Commission is committed to ensuring clarity in the San Francisco Planning Code..

The Commission believes this proposed Ordinance would increase clarity and decrease the potential for misunderstanding height limits in the North Beach Neighborhood Commercial District.

In sum, the Commission recommends approval of the proposed Ordinance.

The proposed amendments to the Planning Code are consistent with the General Plan.

Urban Design Element

POLICY 2.6

“Respect the character of older development nearby in the design of new buildings.”

“This established character should also be respected. In some cases, formal height limits and other building controls may be required to assure that prevailing heights or building lines or the dominance of certain buildings and features will not be broken by new construction.”

Additional Text in the Urban Design Element under “Major New Development” Section

“The fitting in of new development is, in a broad sense, a matter of scale. It requires a careful assessment of each building site in terms of the size and texture of its surroundings, and a very conscious effort to achieve balance and compatibility in the design of the new building. Good scale depends upon a height that is consistent with the total pattern of the land and of the skyline, a bulk that is not overwhelming, and an overall appearance that is complementary to the building forms and other elements of the city. Scale is relative, therefore, since the height, bulk and appearance of past development differ among the districts of the city.”

OBJECTIVE 3

**MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN,
THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.**

The proposed amendments to the Planning Code are consistent with Section 101.1(b) of the Planning Code in that:

1. The proposed Ordinance would not impact and the preservation and promotion of neighborhood-serving retail uses and future opportunities for resident employment in and ownership of such businesses.
2. The proposed legislation would allow for the continued presence and economic viability of existing neighborhood establishments while not negatively affecting existing residential development, housing or neighborhood character.
3. The City’s supply of affordable housing would be unaffected by the proposed Code amendments.

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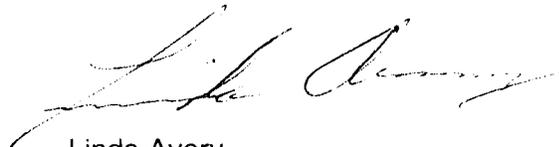
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4. The proposed amendments would not impact commuter traffic, MUNI transit service, or streets and neighborhood parking in San Francisco.
5. The proposed Ordinance would not impact the industrial and service sector as it is targeted towards the North Beach Neighborhood Commercial District.
6. Preparedness against injury and loss of life in an earthquake would be unaffected by the proposed amendments.
7. Landmarks and historic buildings will be unaffected by the proposed Ordinance.
8. Parks and open space and their access to sunlight and vistas would be unaffected by the proposed Ordinance.

NOW THEREFORE BE IT RESOLVED that the Commission hereby recommends that the Board ADOPT the proposed Ordinance with the proposed amendments.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting April 3, 2008.



Linda Avery
Commission Secretary

AYES: Olague, S. Lee, Moore, Sugaya

NOES: ---

ABSENT: Antonini and W. Lee

ADOPTED: April 3, 2008