



SAN FRANCISCO PLANNING DEPARTMENT

New Planning Code Summary: C-3 Retail to Office Conversion

Amended Sections: Planning Code Sec. 210.2 & Admin. Code Sec. 10.100-354
Case Number: 2018-011057PCA
Board File/Enactment #: 180916/023-19
Initiated by: Supervisor Peskin
Effective Date: March 17, 2019

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The proposed Ordinance amended the Planning Code to change zoning controls for Non-Retail Sales and Service Uses in the C-3-R (Downtown Retail) Zoning District. The Ordinance additionally amended the Planning and Administrative Codes to create the Union Square Park, Recreation, and Open Space Fund and Fee.

Please Note: This Ordinance was duplicated at the Land Use and Transportation Committee to incorporate additional modifications. Version 2 of this Ordinance (Board File No. 190030) would supersede this Ordinance if it is approved.

1. Land Use Controls:

THE WAY IT WAS		THE WAY IT IS
Non-Retail Sales Uses of any size (P)	7TH + FLOOR	Non-Retail Sales Uses of any size (P)
Non-Retail Sales Uses UNDER or OVER 5,000sqft (C)	3RD - 6TH FLOORS	Non-Retail Sales Uses UNDER 5,000sqft (P) & Non-Retail Sales Uses OVER 5,000sqft (C*)
Non-Retail Sales Uses UNDER or OVER 5,000sqft (C)	2ND & 3RD FLOORS	Non-Retail Sales Uses who provide on-site services to public (P)
Non-Retail Sales Uses who provide on-site services to public (P) If over 5,000sqft (C)	(1ST) GROUND	Non-Retail Sales Uses who provide on-site services to public (P)

*Additional CUA findings required for Non-Retail Sales Uses on the 3rd floor

2. Conditional Use Findings:

THE WAY IT WAS

THE WAY IT IS

N/A, use is P	7 TH + FLOOR	N/A, use is P
<p>No additional Conditional Use findings required</p>	<p>4TH & 5TH FLOORS</p>	<p>-Whether the proposed use would complement or support principally-permitted uses in the District;</p> <p>-Whether the site of the proposed use is not conducive to any principally-permitted uses in the District by virtue of physical limitations, including but not limited to the size and orientation of the floor plate and the nature of independent access to the third floor.</p>
<p>No additional Conditional Use findings required</p>	<p>3RD FLOOR</p>	<p>-Whether the proposed use would complement or support principally-permitted uses in the District;</p> <p>-Whether the site of the proposed use is not conducive to any principally-permitted uses in the District by virtue of physical limitations, including but not limited to the size and orientation of the floor plate and the nature of independent access to the third floor.</p> <p>-The proposed use would not require modification of the location that would negatively impact existing architectural, historic, and aesthetic features, or otherwise inhibit the conversion back to a principally-permitted use in the future;</p> <p>-The proposed use would not have an actual or potential adverse impact on adjacent zoning districts in which non-retail sales and services uses are not permitted;</p> <p>-The proposed use will not result in the development of non-retail sales and services uses such that the District's primary function is no longer an area for comparison shopper retailing and direct consumer services.</p>
<p>N/A, use is NP</p>	<p>(1ST) GROUND & 2ND FLOORS</p>	<p>N/A, use is NP</p>

3. Fees:

The Way It Was:

1. Section 412 of the Planning Code established a Downtown Park Fee for new office development in the C-3-R. There was not an open space fee for new office development in the C-3-R.

The Way It Is Now:

1. A new fund and fee were created called the “Union Square Park Recreation and Open Space Fund” has been created that applies to any development in the C-3-R District proposing to add or create new office space.

Link to Signed Legislation:

<https://sfgov.legistar.com/View.ashx?M=F&ID=7045947&GUID=CA88BCF6-D842-43FD-B6FD-B79D6DA55DC5>