

New Planning Code Summary:

P District Amendments (AKA SF Plaza Ordinance)

Code Changes: Sections 234, 234.1, 234.2 and 605
Case Number: Board File No. 140062/ Ord. No 080-14

Initiated by: Mayor Lee and Supervisor Cohen

Effective Date: 7/13/14

The Way It Was:

1. Accessory Uses in P districts had to be “a related minor use which is either (a) necessary to the operation or enjoyment of a lawful principal use or conditional use, or (b) appropriate, incidental and subordinate to any such use...” Beyond being found in conformity with the General Plan, there is currently no specific limit to the permitted size of an Accessory Use.
2. Principally permitted uses in P Districts included:
 - a) Structures and uses of governmental agencies not subject to regulation by the Planning Code.
 - b) Public structures and uses of the City, and of other governmental agencies that are subject to regulation by the Planning Code.
 - c) Neighborhood Agriculture that complies with the performance and operational standards found in the Planning Code.
 - d) Accessory non-public uses that are in conformance with the General Plan; unless that use is prohibited or requires conditional use (hereinafter CU) authorization within a NC-1, Individual Area Neighborhood Commercial District, or Restricted Use Subdistrict located within ¼ mile of the P zoned lot.
3. Conditionally Permitted Uses included:
 - a) Social service uses, child-care facilities, schools, churches, community clubhouses, recreational areas, open space for passive recreation, utility installations and internet service exchanges;
 - b) Neighborhood Agriculture if it does not comply with the performance and operational standards found in the Planning Code, and Large Scale Urban Agriculture;
 - c) Parking when located within the right-of-way of any State or federal highway and adjacent to any Eastern Neighborhoods Mixed Use District, South of Market Mixed Use District or the Market Octavia Plan Area.

- d) Retail or personal service uses primarily meeting the needs of commuters on nearby street and highways when located within the right-of-way of any State or federal highway and adjacent to any Eastern Neighborhood Mixed Use Districts, or South of Market Mixed Use Districts.
 - e) Temporary Uses, defined in Code Section 205.
 - f) Accessory non-public uses that are in conformance with the General Plan where that use requires CU authorization within a NC-1 or Individual Area Neighborhood Commercial District located within ¼ mile of the P zoned lot.
4. All business signs on P zoned lots were required to be approved by the Planning Commission.

The Way It Is Now:

- 1. For P zoned Districts, Accessory Uses no longer have to be a related use to the principal use.
- 2. Principally permitted uses now include:
 - a) Uses listed in items 2. a - c above (“The Way It Was”)
 - b) Accessory nonpublic uses that are permitted within the nearest non-Residential District, not larger than 1/3 of the floor or lot area of the principal use, and not considered Formula Retail.
 - c) City Plazas, as defined in the Administration Code.
 - d) Temporary use per Code Section 205 et. seq. (previously required a CU as described above)
 - e) Temporary uses not in Code Section 205 et. seq. for which an enabling action is taken by either (a) the Board of Supervisors or (b) the Recreation and Parks Commission, the Municipal Transportation Agency Board of Directors, or other City Board or Commission with jurisdiction over the property. Temporary uses authorized under this Subsection shall be (A) limited to a renewable period of no more than three years and (B) of a nature such that the property on which the temporary use is located can be readily returned to the state in which it existed immediately prior to the commencement of the temporary use.
- 3. Conditionally permitted uses now include:
 - a) All uses listed in items 3. a - d above. (“The Way It Was”)
 - b) Formula Retail.
 - c) For P Districts containing property owned by the City, any use not principally permitted in a P district, excepting dwelling units, any use first permitted in an M-2 District or Formula Retail uses where the subject P zoned lot is within ¼ of a mile of a zoning district that prohibits Formula Retail.

4. Business signs would be subject to the sign controls for the zoning district nearest the location of the proposed sign, other than Public or Residential Districts.

The link to signed legislation:

<https://sfgov.legistar.com/View.ashx?M=F&ID=3129636&GUID=0C136B41-DE8D-47A3-BBC6-572037E8DF25>