

LEGISLATIVE DIGEST

[Planning Code - Impact Fees for Changes of Use From Production, Distribution, and Repair to Other Non-Residential Uses]

Ordinance amending the Planning Code to eliminate impact fees for changes of use from PDR (Production, Distribution, and Repair) to other Non-Residential Uses, as specified; affirming the Planning Department’s determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302

Existing Law

The Planning Code requires the payment of certain impact fees associated with development projects. Typically, the fees are calculated based on the nature and the size of the development. Several different impact fees may be assessed for developments that change the existing use of property from PDR to another non-residential use. Such fees are assessed under the following programs and funds, among others: Jobs-Housing Linkage, Market and Octavia Community Improvements, Balboa Park Community Improvements, Eastern Neighborhoods Impact Fees and Public Benefits, Transit Center District Open Space, Transportation Center District Transportation and Street Improvement, Central SoMa Community Services Facilities, and Central SoMa Infrastructure (collectively, the “Impact Fee Programs”).

Amendments to Current Law

The ordinance amends the Impact Fee Programs to eliminate fees for that portion of a development project that constitutes a change of use from PDR to any other non-residential use, except hotel or office uses. For a change of use from PDR to a hotel or office use, the existing fee for a change in use from PDR to a non-residential use would continue to apply.