

REVISED LEGISLATIVE DIGEST
(Amended in Committee – May 19, 2025)

[Planning Code - Health Service Uses and Reproductive Health Clinics in the Mixed Use-Office District]

Ordinance amending the Planning Code to eliminate retail use size limits on Health Service Uses and Reproductive Health Clinics in the MUO (“Mixed Use-Office”) District east of 7th Street; eliminating retail ratio limits in the MUO District east of 7th Street; affirming the Planning Department’s determination under the California Environmental Quality Act; and 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 imposes limits on the square footage of certain retail uses in various zoning districts. Planning Code Section 121.6 requires a conditional use authorization to establish a single Retail Sales and Service Use in excess of 50,000 gross square feet in any zoning district other than the C-3 (“Downtown Commercial”) Districts.

Additional use size limits apply in the MUO (“Mixed Use-Office”) District. In the MUO District, a conditional use authorization is required for a single Retail Sales and Service Use to exceed 25,000 gross square feet, provided that the ratio of other permitted uses to retail is at least three to one. (Planning Code Section 832.)

A Health Service Use is a Retail Sales and Service Use. (Planning Code Section 102.) A Reproductive Health Clinic is also a Retail Sales and Service Use. (*Id.*)

Amendments to Current Law

This ordinance amends Planning Code Section 121.6 to exempt Health Service Uses and Reproductive Health Clinics in the MUO District east of 7th Street from the 50,000 gross square foot limit on single retail uses.

This ordinance also amends Planning Code Section 832 to exempt the MUO District east of 7th Street from the 25,000 gross square foot limit and associated ratio requirements on single retail uses.

Background Information

This ordinance reflects amendments from the May 19, 2025 meeting of the Land Use and Transportation Committee. Those amendments:

- Added Reproductive Health Clinics (which were formerly classified as Health Service Uses prior to the passage of Proposition O in November 2024) to the large-scale retail use size exemption in the MUO District;
- Limited the large-scale retail use size exemption for Health Service Uses and Reproductive Health Clinics to the MUO District east of 7th Street; and
- Eliminated retail ratio requirements in the MUO District east of 7th Street.

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