

File No. 250995

Committee Item No. _____

Board Item No. 36

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: October 7, 2025

Cmte Board

<input type="checkbox"/>	<input type="checkbox"/>	Motion
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Resolution
<input type="checkbox"/>	<input type="checkbox"/>	Ordinance
<input type="checkbox"/>	<input type="checkbox"/>	Legislative Digest
<input type="checkbox"/>	<input type="checkbox"/>	Budget and Legislative Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Youth Commission Report
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Introduction Form
<input type="checkbox"/>	<input type="checkbox"/>	Department/Agency Cover Letter and/or Report
<input type="checkbox"/>	<input type="checkbox"/>	MOU
<input type="checkbox"/>	<input type="checkbox"/>	Grant Information Form
<input type="checkbox"/>	<input type="checkbox"/>	Grant Budget
<input type="checkbox"/>	<input type="checkbox"/>	Subcontract Budget
<input type="checkbox"/>	<input type="checkbox"/>	Contract/Agreement
<input type="checkbox"/>	<input type="checkbox"/>	Form 126 – Ethics Commission
<input type="checkbox"/>	<input type="checkbox"/>	Award Letter
<input type="checkbox"/>	<input type="checkbox"/>	Application
<input type="checkbox"/>	<input type="checkbox"/>	Public Correspondence

OTHER

<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
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Prepared by: Lisa Lew

Date: October 3, 2025

Prepared by: _____

Date: _____

1 [Approval of a 90-Day Extension for Planning Commission Review of Planning Code -
2 Formula Retail (File No. 250816)]

3 **Resolution extending by 90 days the prescribed time within which the Planning**
4 **Commission may render its decision on an Ordinance (File No. 250816) amending the**
5 **Planning Code to reduce restrictions on Formula Retail uses by 1) modifying the**
6 **definition of a Formula Retail use; 2) eliminating the Conditional Use Authorization**
7 **requirement for Formula Retail Accessory Uses, Formula Retail Temporary Uses, and**
8 **certain changes of use for Formula Retail uses; 3) eliminating the prohibition on**
9 **changes of use for non-conforming Formula Retail uses; 4) eliminating the requirement**
10 **for an economic impact study for specified large Formula Retail uses; 5) eliminating**
11 **the restrictions regarding Formula Retail use concentration in the Upper Market Street**
12 **Neighborhood Commercial District; 6) allowing one or more Formula Retail**
13 **Restaurants or Limited Restaurants inside a General Grocery store under a single**
14 **Conditional Use authorization; and 7) principally permitting Formula Retail uses in**
15 **spaces larger than 10,000 square feet in the RC (Residential-Commercial) and RTO**
16 **(Residential Transit Oriented) Districts; and 8) to eliminate use size limits for Retail**
17 **Sales and Service uses, other than Gyms, in the Potrero Center Mixed-Use Special Use**
18 **District; affirming the Planning Department's determination under the California**
19 **Environmental Quality Act; making findings of consistency with the General Plan, and**
20 **the eight priority policies of Planning Code, Section 101.1; and making findings of**
21 **public necessity, convenience, and welfare pursuant to Planning Code, Section 302.**
22

23 WHEREAS, On July 29, 2025, Supervisor Melgar introduced legislation amending the
24 Planning Code to reduce restrictions on Formula Retail uses by 1) modifying the definition of a
25 Formula Retail use; 2) eliminating the Conditional Use Authorization requirement for Formula

1 Retail Accessory Uses, Formula Retail Temporary Uses, and certain changes of use for
2 Formula Retail uses; 3) eliminating the prohibition on changes of use for non-conforming
3 Formula Retail uses; 4) eliminating the requirement for an economic impact study for specified
4 large Formula Retail uses; 5) eliminating the restrictions regarding Formula Retail use
5 concentration in the Upper Market Street Neighborhood Commercial District; 6) allowing one
6 or more Formula Retail Restaurants or Limited Restaurants inside a General Grocery store
7 under a single Conditional Use authorization; and 7) principally permitting Formula Retail uses
8 in spaces larger than 10,000 square feet in the RC (Residential-Commercial) and RTO
9 (Residential Transit Oriented) Districts; and 8) to eliminate use size limits for Retail Sales and
10 Service uses, other than Gyms, in the Potrero Center Mixed-Use Special Use District;
11 affirming the Planning Department's determination under the California Environmental Quality
12 Act; making findings of consistency with the General Plan, and the eight priority policies of
13 Planning Code, Section 101.1; and making findings of public necessity, convenience, and
14 welfare pursuant to Planning Code, Section 302; and

15 WHEREAS, On or about August 7, 2025, the Clerk of the Board of Supervisors referred
16 the proposed Ordinance to the Planning Commission; and

17 WHEREAS, The Planning Commission shall, in accordance with Planning Code,
18 Section 306.4(d), render a decision on the proposed Ordinance within 90 days from the date
19 of referral of the proposed amendment or modification by the Board to the Commission; and

20 WHEREAS, Failure of the Commission to act within 90 days shall be deemed to
21 constitute disapproval; and

22 WHEREAS, The Board, in accordance with Planning Code, Section 306.4(d) may, by
23 Resolution, extend the prescribed time within which the Planning Commission is to render its
24
25

1 decision on proposed amendments to the Planning Code that the Board of Supervisors
2 initiates; and

3 WHEREAS, Supervisor Melgar has requested additional time for the Planning
4 Commission to review the proposed Ordinance; and

5 WHEREAS, The Board deems it appropriate in this instance to grant to the Planning
6 Commission additional time to review the proposed Ordinance and render its decision; now,
7 therefore, be it

8 RESOLVED, That by this Resolution, the Board hereby extends the prescribed time
9 within which the Planning Commission may render its decision on the proposed Ordinance for
10 approximately 90 additional days, until February 3, 2026.

Introduction Form

(by a Member of the Board of Supervisors or the Mayor)

I hereby submit the following item for introduction (select only one):

- ☐ 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- ☐ 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- ☐ 3. Request for Hearing on a subject matter at Committee
- ☐ 4. Request for Letter beginning with "Supervisor inquires..."
- ☐ 5. City Attorney Request
- ☐ 6. Call File No. from Committee.
- ☐ 7. Budget and Legislative Analyst Request (attached written Motion)
- ☐ 8. Substitute Legislation File No.
- ☐ 9. Reactivate File No.
- ☐ 10. Topic submitted for Mayoral Appearance before the Board on

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- ☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission
- ☐ Planning Commission ☐ Building Inspection Commission ☐ Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- ☐ Yes ☐ No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Subject:

Long Title or text listed:

Signature of Sponsoring Supervisor: