

REVISED LEGISLATIVE DIGEST
(Amended in Committee – March 18, 2024)

[Planning Code, Zoning Map - 900 Kearny Street Special Use District, Use Sizes in Chinatown Community Business District]

Ordinance amending the Planning Code and Zoning Map to create the 900 Kearny Street Special Use District; amending the Planning Code to clarify the Use Size maximums applicable in the Chinatown Community Business District; and 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 existing commercial building located at 900 Kearny Street is subject to the land use regulations applicable to the Chinatown Community Business District, including Planning Code Sections 121.4 and 810. In the Chinatown Community Business District, Non-Retail Professional Services Uses are not permitted on the ground floor or basement levels, and Arts Activities Uses are not permitted on any floor. Additionally, use sizes for individual commercial spaces are limited. Planning Code Section 121.4 provides that use sizes up to 2,500 square feet are permitted, use sizes above 2,500 square feet and up to 5,000 square feet require conditional use authorization, and use sizes above 5,000 square feet are not permitted. Planning Code Section 810 provides that use sizes up to 5,000 square feet are permitted and use sizes above 5,000 square feet require conditional use authorization.

Amendments to Current Law

This ordinance would create the 900 Kearny Street Special Use District (SUD) to provide land use regulations for the parcel located at 900 Kearny Street that differ from the regulations that would otherwise apply. The SUD would permit Non-Retail Professional Services Uses on the ground floor and basement levels, and Arts Activities Uses on all floors. The SUD would also allow larger individual use sizes by providing that the use size limits and maximums otherwise applicable in the Chinatown Community Business District do not apply for Non-Retail Professional Services Uses. The SUD would also allow a rooftop enclosed structure of up to 735 square feet in floor area and up to 11 feet high for Arts Activities Uses. All other ordinances applicable to the 900 Kearny Street property, including other requirements of the Chinatown Community Business District, would continue to apply. In addition, this ordinance would revise Planning Code Section 810 to align the use size maximums with those provided in Section 121.4. At the March 18, 2024 Land Use and Transportation Committee meeting, this ordinance was duplicated from Board File No. 231006 and amended to add the rooftop structure provision and the amendments to Section 810 discussed above.

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