

From: [Menard, Nicolas \(BUD\)](#)
To: [Carroll, John \(BOS\)](#)
Cc: [Goncher, Dan \(BUD\)](#); [Somera, Alisa \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: RE: REFERRAL BLA - FISCAL IMPACT DETERMINATION REQUEST - AMENDED IN LUT - BOS File No. 241196-3 - Planning Code - Production, Distribution, and Repair Districts
Date: Tuesday, March 25, 2025 5:23:17 PM
Attachments: [image001.png](#)

Hi John

This legislation, as amended, does not have fiscal impact.

Nicolas Menard
Budget & Legislative Analyst's Office
415-484-5485

From: Carroll, John (BOS) <john.carroll@sfgov.org>
Sent: Tuesday, March 25, 2025 5:14 PM
To: Menard, Nicolas (BUD) <nicolas.menard@sfgov.org>
Cc: Goncher, Dan (BUD) <dan.goncher@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: REFERRAL BLA - FISCAL IMPACT DETERMINATION REQUEST - AMENDED IN LUT - BOS File No. 241196-3 - Planning Code - Production, Distribution, and Repair Districts

Good afternoon,

The subject ordinance was amended in LUT on March 24, 2025. It was then continued to the April 7, 2025 LUT meeting.

At the time of introduction this ordinance was determined to not have fiscal impact.

[Referral to BLA – March 25, 2024](#)

Pursuant to Admin Code, Section 2.6-3, please review the amended ordinance to determine whether the amendments result in the legislation having a fiscal impact.

You are invited to review the entire matter on our [Legislative Research Center](#) by following the link below.

[Board of Supervisors File No. 241196](#)

Best to you,

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

TO: Budget and Legislative Analyst

FROM: John Carroll, Assistant Clerk, Land Use and Transportation Committee

DATE: March 25, 2025

SUBJECT: LEGISLATION AMENDED - FISCAL IMPACT DETERMINATION

The Board of Supervisors' Land Use and Transportation Committee (a nonfiscal committee) amended the following legislation on March 24, 2025. Pursuant to Administrative Code, Section 2.6-3, the new version is being forwarded to you as it was initially determined not to have fiscal impact. The amendments made were substantive and another review for a fiscal impact determination is required.

File No. 241196-3

Ordinance amending the Planning Code to expand criteria for certain Self-Storage Uses in the PDR-2 (Production, Distribution, and Repair) zoning district and extending the sunset date for such uses; 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 adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

If the new version is determined to have fiscal impact, the legislation will need to be referred to a fiscal committee before it can be referred to the full Board for approval.

Please send your determination or contact with me any questions at (415) 554-4445 or email: john.carroll@sfgov.org.

RESPONSE FROM THE BUDGET AND LEGISLATIVE ANALYST - Date: _____

- This matter has fiscal impact.
- This matter does not have fiscal impact.
- Additional information attached.

Budget and Legislative Analyst

1 ~~[Building, Planning Codes - Code Corrections and Updates-Production, Distribution, and~~
2 ~~Repair Districts]~~

3 **Ordinance amending the ~~Building and Planning Codes to~~ expand criteria for certain
4 Self-Storage Uses in the PDR-2 (Production, Distribution, and Repair) zoning district
5 and extending the sunset date for such uses ~~correct typographical errors, update~~
6 ~~outdated cross-references, make non-substantive revisions to clarify or simplify Code~~
7 ~~language, and make other minor, substantive updates to various Code provisions;~~
8 ~~directing the Clerk of the Board of Supervisors to forward this Ordinance to the~~
9 ~~California Department of Housing and Community Development upon final passage;~~
10 ~~affirming the Planning Department’s determination under the California Environmental~~
11 ~~Quality Act; making findings of consistency with the General Plan and the eight priority~~
12 ~~policies of Planning Code, Section 101.1; and adopting findings of public necessity,~~
13 ~~convenience, and general welfare under Planning Code, Section 302.~~**

14 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
15 **Additions to Codes** are in *single-underline italics Times New Roman font*.
16 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
17 **Board amendment additions** are in double-underlined Arial font.
18 **Board amendment deletions** are in ~~strikethrough Arial font~~.
19 **Asterisks (* * * *)** indicate the omission of unchanged Code
20 subsections or parts of tables.

21 Be it ordained by the People of the City and County of San Francisco:

22 Section 1. Environmental and Land Use Findings.

23 (a) The Planning Department has determined that the actions contemplated in this
24 ordinance comply with the California Environmental Quality Act (California Public Resources
25 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
Supervisors in File No. 241196 and is incorporated herein by reference. The Board affirms
this determination.

1 (b) On September 19, 2024, the Planning Commission, in Resolution No. 21614,
2 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
3 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The
4 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of
5 the Board of Supervisors in File No. 241196, and is incorporated herein by reference.

6 (c) Pursuant to Planning Code Section 302, the Board finds that this Planning Code
7 amendment will serve the public necessity, convenience, and welfare for the reasons set forth
8 in Planning Commission Resolution No. 21614, and the Board incorporates such reasons
9 herein by reference. A copy of said resolution is on file with the Clerk of the Board of
10 Supervisors in File No. 241196.

11 ~~(d) On August 21, 2024, at a duly noticed public hearing, the Building Inspection~~
12 ~~Commission considered this ordinance in accordance with Charter Section 4.121 and Building~~
13 ~~Code Section 104A.2.11.1.1. A copy of a letter from the Secretary of the Building Inspection~~
14 ~~Commission regarding the Commission's recommendation is on file with the Clerk of the~~
15 ~~Board of Supervisors in File No. 241196.~~

16 ~~(e) No local findings are required under California Health and Safety Code Section~~
17 ~~17958.7 because the amendments to the Building Code contained in this ordinance do not~~
18 ~~regulate materials or manner of construction or repair, and instead relate in their entirety to~~
19 ~~administrative procedures for implementing the code, which are expressly excluded from the~~
20 ~~definition of a "building standard" by California Health and Safety Code Section 18909(c).~~

21 (f) The Planning Commission recommended an additional amendment to this
22 ordinance that was not prepared in time to be adopted at the December 9, 2024 meeting of
23 the Land Use and Transportation Committee. The City Attorney will prepare such amendment
24 for consideration at a future Land Use and Transportation Committee meeting.

Section 2. Articles ~~1, 1.2, 2, 3, and 7~~ of the Planning Code is are hereby amended by revising Sections ~~102, 132, 134, 136, 206.6, 207.1, 207.2, 209.1, 210.3, 249.5, 303, 303.1, 311, 317, and 723~~, to read as follows:

SEC. 210.3. PDR DISTRICTS.

* * * *

Table 210.3

ZONING CONTROL TABLE FOR PDR DISTRICTS

Zoning Category	§ References	PDR-1- B	PDR-1- D	PDR-1- G	PDR-2
* * * *					
NON-RESIDENTIAL STANDARDS AND USES					
* * * *					
Sales and Service Category					
Retail Sales and Service Uses*	§§ 102, 202.2(a)	P (1)	P (10)	P (9)	P (1)
* * * *					
Storage, Self	§ 102	NP	NP	NP	NP (22)

* * * *

(22) NP except that any Self Storage use that submitted a development application on or before December 31, 2021 shall be Principally Permitted, and is exempt from the retail limits of Section 210.3A, provided that no less than 50% of the parcel area consists of ground floor ~~Industrial, Agricultural, Automotive Repair, Catering, Trade Shop,~~ Institutional Community use, ~~or Arts Activities, or any other~~ uses allowed in PDR-2 zoning districts, excluding Parcel Delivery Service and Fleet Charging. This note shall expire by operation of law on December 31, 2026~~36~~, unless the City enacts an ordinance with an effective date on or before that date

1 that extends or re-enacts this note, provided that any authorization granted hereunder shall be
2 valid for such period of time as the conditions of approval of such authorization provides,
3 notwithstanding the expiration of this note. Following the expiration of this note, the City
4 Attorney shall cause this note to be removed from the Municipal Code.

5
6 Section 35. Effective Date. This ordinance shall become effective 30 days after
7 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
8 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
9 of Supervisors overrides the Mayor’s veto of the ordinance.

10
11 Section 46. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
12 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
13 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
14 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
15 additions, and Board amendment deletions in accordance with the “Note” that appears under
16 the official title of the ordinance.

17
18 Section 5. This ordinance is a duplicate of the ordinance in Board File No. 241055 (the
19 Original Ordinance). The Original Ordinance, as amended, modified Planning Code Sections
20 102, 132, 134, 136, 206.6, 207.1, 207.2, 209.1, 249.5, 303, 303.1, 311, 317, and 723.

21 At the regular meeting of the Land Use and Transportation Committee on December 9,
22 2024, the Committee duplicated file No. 241055, made further uncodified amendments to the
23 ordinance, and continued this duplicated file (Board File No. 241196) to a subsequent
24 Committee meeting. The Committee also referred the Original Ordinance to the full Board of
25 Supervisors without recommendation as a committee report. The Board of Supervisors

1 passed the Original Ordinance, as amended, on first read on December 10, 2024, and on
2 second read on December 17, 2024. The Mayor signed the Original Ordinance on December
3 19, 2024, and the Original Ordinance became effective on January 18, 2025.

4 In light of the Original Ordinance in Board file No. 241055 becoming effective, at the
5 regular meeting of the Land Use and Transportation Committee on March 24, 2025, the
6 Committee amended this ordinance to remove the proposed amendments other than the
7 amendment to Section 210.3, such that this ordinance no longer includes other amendments
8 in the Original Ordinance. As a result, this ordinance does not include amendments other
9 than those being made to Section 210.3.

10
11 ~~Section 7. Directions to Clerk. The Clerk of the Board of Supervisors is hereby~~
12 ~~directed to submit a copy of this ordinance to the California Department of Housing and~~
13 ~~Community Development within 60 days after adoption pursuant to Section 66326 of the~~
14 ~~California Government Code.~~

15 APPROVED AS TO FORM:
16 DAVID CHIU, City Attorney

17 By: /s/
18 AUSTIN M. YANG
19 Deputy City Attorney

20 n:\legana\as2024\2400386\01826619.docx

REVISED LEGISLATIVE DIGEST
(Amended in Committee – March 24, 2025)

[Planning Codes - Production, Distribution, and Repair Districts]

Ordinance amending the Planning Code to expand criteria for certain Self-Storage Uses in the PDR-2 (Production, Distribution, and Repair) zoning district and extending the sunset date for such uses; 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 adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302

Existing Law

Planning Code Section 210.3 generally does not permit Self-Storage in the PDR zoning districts. But there is an exception for Self-Storage Use in the PDR-2 zoning district, if no less than 50% of the parcel area of the ground floor is used for certain specific uses. The exception is set to expire on December 31, 2026.

Amendments to Current Law

The ordinance would amend Planning Code Section 210.3 to expand the exception for Self-Storage. The expansion would require that 50% of the parcel area of the ground floor is used for any other use permitted in the PDR-2 zoning district. The amendment would allow extend the sunset provision of this exception to December 31, 2036 from December 31, 2026.

n:\legana\as2024\2400386\01829661.docx