

OFFICIAL ZONING CODE INTERPRETATION

City of South San Francisco – Planning Division, Economic & Community Development Department

Zoning Code Interpretation Number	No. 2024-01
Subject	Additions / Enlargements of Nonconforming Structures
Zoning Code Section(s) Affected	20.320.004.A
Date of Approval	March 11, 2024

Background

Per Section 20.320.004 of the South San Francisco Zoning Code, nonconforming structures are allowed to be enlarged, extended, structurally altered, or repaired in compliance with all applicable laws and subject to provisions as detailed in the Code.¹

Section 20.320.004.A of the Code allows additions to and/or enlargements of nonconforming structures without a Use Permit if:

- The addition or enlargement compiles with all applicable laws, and if
- The existing use of the property is conforming except as provided for in this chapter [Section 20.320.004].

Code Interpretation

Staff interprets Section 20.320.004.A to allow additions and/or enlargements to existing legal nonconforming structures if the addition or enlargement is accessory to, or is smaller in scale than, the nonconforming structure. The intention of this code section is to allow for minor expansions of nonconforming structures in a way that does not exacerbate the non-conformity. For example, if an applicant applies to expand the square footage of an existing legal nonconforming garage, this would likely be allowed, if the project complies with all applicable laws and the details of Section 20.320.004 and the Zoning Code.

Staff does not interpret Section 20.320.004.A to allow the addition of a new use to a non-conforming structure. For example, if an applicant applies to build a new residential or commercial structure that is attached to a legal nonconforming garage, this would not be consistent with Section 20.320.004.A.

This determination is consistent with the General Plan.

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Chief Planner

March 11, 2024 | 3:41:11 PM PDT

Date

¹ <https://ecode360.com/43451753>