

**REVISED LEGISLATIVE DIGEST**  
(Substituted, 6/6/2017)

[Planning Code - Fulton Street Grocery Store Special Use District]

**Ordinance amending the Planning Code to allow a grocery store that may be defined as a formula retail use in the Fulton Street Grocery Store Special Use District, and adding criteria for approval; extending the duration of the controls; and making environmental findings, findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.**

Existing Law

Formula Retail uses generally are prohibited in the Hayes Gough Neighborhood Commercial Transit District, and the controls of the Hayes Gough Neighborhood Commercial Transit District apply to this special use district. Planning Code Section 249.35A allows a grocery store meeting certain criteria to be approved through the conditional use permit process if it is approved between May 4, 2008 and January 1, 2019.

Amendments to Current Law

The Amendment would allow a formula retail grocery store to be approved through the conditional use permit process if it is approved within 5 years of the effective date of the Amendment. The Amendment would add a requirement that the proposed grocery store provide information about affordability of its groceries, including its willingness to accept payment from individuals through assistance programs, as well as a projection of the affordability of food sold at the grocery store.

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