

LEGISLATIVE DIGEST

[Planning Code - Temporary Closure of Liquor Stores in Polk Street Neighborhood Commercial District]

Ordinance amending the Planning Code to provide that temporary closure of liquor stores in the Polk Street Neighborhood Commercial District (NCD) as a result of a major capital improvement project is not an abandonment of such use, and that relocation of such use to another location in the Polk Street NCD does not require a new Conditional Use permit; affirming the Planning Department’s determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience, necessity, and welfare under Planning Code, Section 302.

Existing Law

Currently, liquor stores are allowed in the Polk Street Neighborhood Commercial District with a Conditional Use Permit. Additionally, conditional uses that are abandoned for 18 months or more require a new Conditional Use Permit to reopen in this district.

Amendments to Current Law

This ordinance would amend the Polk Street Neighborhood Commercial District Use Zoning Control Table to add a note to “Liquor Stores.” The note sets forth an exception to the Conditional Use requirement for liquor stores and abandonment period in the area. It states that: “Temporary closures of up to three years, measured from the effective date of the ordinance in Board of Supervisors File No. 210287 enacting this note, of existing liquor stores located in the Polk Street Neighborhood Commercial District, during construction of a development project on the site of the existing liquor store, shall not be considered an abandonment of such use pursuant to Section 178 of this Code, unless the original liquor store elects to relocate somewhere else permanently. Temporary relocation of liquor stores in the Polk Street Neighborhood Commercial District to another location in the Polk Street Neighborhood Commercial District during construction of a development project on the site of said liquor stores shall not require a new Conditional Use Permit for the duration of up to three years, measured from the effective date of the ordinance in Board of Supervisors File No. 210287 enacting this note, of interim relocation.”

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