

LEGISLATIVE DIGEST

[Planning Code - Expansion of Limited Commercial Uses]

Ordinance amending the Planning Code to allow Limited Commercial Uses to expand, provided the expansion does not result in conversion or demolition of residential uses, and allowing the Zoning Administrator to approve Limited Commercial Use expansions into the rear yard; 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

Planning Code Section 186 allows certain nonconforming uses of limited commercial and industrial character to continue in RH, RM, RTO, and RED Districts. Section 186 exempts these uses from the termination provisions otherwise applicable to nonconforming uses, provided that the limited commercial use complies with specific conditions, including that the use is not enlarged, intensified, or extended, as described in Section 181.

Amendments to Current Law

This ordinance would amend Planning Code Section 102 to define a Limited Commercial Use as "a nonconforming use of a commercial or industrial character located in specified Residential Districts, as described in Section 186." The ordinance would amend Section 186 to enable a Limited Commercial Use to expand, notwithstanding Section 181, provided that the expansion does not include any Residential Conversion or Residential Demolition, as defined in Section 317. The ordinance would also allow the Zoning Administrator to grant exceptions from rear yard requirements for expansions of Limited Commercial Uses.

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