

1 [Planning Code - Abandonment of Conditional Uses in North Beach Neighborhood  
Commercial District]

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3 **Ordinance amending the Planning Code to change, from 18 months to three years, the**  
4 **period of non-use required to deem as discontinued a permitted conditional use in the**  
5 **North Beach Neighborhood Commercial District; affirming the Planning Department’s**  
6 **determination under the California Environmental Quality Act; making findings of**  
7 **consistency with the General Plan, and the eight priority policies of Planning Code,**  
8 **Section 101.1; and making public necessity, convenience, and welfare findings under**  
9 **Planning Code, Section 302.**

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

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

18 Section 1. Findings.

19 (a) The Planning Department has determined that the actions contemplated in this  
20 ordinance comply with the California Environmental Quality Act (California Public Resources  
21 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of  
22 Supervisors in File No. 190731 and is incorporated herein by reference. The Board affirms  
23 this determination.

24 (b) On \_\_\_\_\_, the Planning Commission, in Resolution No. \_\_\_\_\_,  
25 adopted findings that the actions contemplated in this ordinance are consistent, on balance,  
with the City’s General Plan and eight priority policies of Planning Code Section 101.1. The

1 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of  
2 the Board of Supervisors in File No. \_\_\_\_\_, and is incorporated herein by reference.

3 (c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that the  
4 actions contemplated in this ordinance will serve the public necessity, convenience, and  
5 welfare for the reasons set forth in the Planning Commission Resolution referenced above.  
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7 Section 2. Article 1.7 of the Planning Code is hereby amended by revising Section  
8 178, to read as follows:

9 **SEC. 178. CONDITIONAL USES.**

10 \* \* \* \*

11 (d) **Abandonment.** A permitted conditional use that is discontinued for a period of  
12 three years, or otherwise abandoned, shall not be restored, except upon approval of a new  
13 conditional use application pursuant to the provisions of Article 3 of this Code. For purposes of  
14 this ~~S~~subsection (d), the period of nonuse for a permitted conditional use to be deemed  
15 discontinued in the ~~North Beach and~~ Castro Street Neighborhood Commercial Districts, and the  
16 Jackson Square Special Use District shall be ~~eighteen~~(18) months.

17 A permitted conditional Formula Retail use which is discontinued for a period of 18  
18 months, or otherwise abandoned, shall not be restored, except upon approval of a new  
19 conditional use application pursuant to Article 3 of this Code.

20 \* \* \* \*

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22 Section 3. Effective Date. This ordinance shall become effective 30 days after  
23 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
24 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
25 of Supervisors overrides the Mayor's veto of the ordinance.

1           Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
2 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
3 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
4 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
5 additions, and Board amendment deletions in accordance with the “Note” that appears under  
6 the official title of the ordinance.

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8 APPROVED AS TO FORM:  
9 DENNIS J. HERRERA, City Attorney

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11 By: \_\_\_\_\_  
12 VICTORIA WONG  
13 Deputy City Attorney  
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