

LEGISLATIVE DIGEST

[Planning Code - Jackson Square Special Use District]

Ordinance amending the Planning Code to regulate restaurant and bar uses in the Jackson Square Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of public necessity, convenience, and welfare under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Existing Law

Restaurants, Limited Restaurants and Bars are generally permitted uses in the Jackson Square Special Use District, and in some areas Limited Restaurants and Bars are conditionally permitted uses.

Amendments to Current Law

This legislation would restrict Restaurants, Limited Restaurants and Bars as follows.

Restaurant and Bar uses would be permitted as a Conditional Use on the First Story if the Zoning Administrator determines that the Restaurant, Limited Restaurant, or Bar would occupy a space that is currently or was last legally occupied by the uses described below; provided that the use has not been discontinued or abandoned pursuant to Sections 186.1(d) or 178(d) of this Code; and provided further that no Conditional Use shall be required if the use remains the same as the prior authorized use, with no enlargement or intensification of use:

- (i) A Bar may occupy a space that is currently or last legally occupied by a Bar;
- (ii) A Restaurant may occupy a space that is currently or was last legally occupied by a Restaurant or Bar; and
- (iii) A Limited Restaurant may occupy a space that is currently or was last legally occupied by a Limited Restaurant, Restaurant or Bar.
- (iv) No other use would be allowed to convert to a Limited Restaurant, Restaurant or Bar.