

LEGISLATIVE DIGEST

[Planning Code - Broadway Alcohol Restricted Use District]

Ordinance amending the Planning Code, by adding a new Section 789, to establish the Broadway Alcohol Restricted Use District on parcels with street frontage on Broadway, between Columbus Avenue and Montgomery Street; amending the Zoning Map, Sheet SU-02, to designate the Broadway Alcohol Restricted Use District; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Existing Law

The Planning Code establishes several Alcohol Restricted Districts. These are areas of the City where new establishments that sell alcohol (whether for consumption on- or off- the premises) are limited or prohibited. These restrictions are usually created in order to preserve the character of the different neighborhoods, and to address the numerous peace, health, safety and general welfare problems associated with the existence of a large concentration of establishments that sell alcohol. (See, e.g., Section 249.60 [Mission Alcoholic Beverage Special Use District]; Section 249.62 [Third Street Alcohol Restricted Use District]; Section 783 [Divisadero Street Alcohol Restricted Use District]; and Section 784 [Lower Haight Street Alcohol Restricted Use District].)

Amendments to Current Law

This ordinance would create the new Broadway Alcohol Restricted Use District on parcels with street frontage on Broadway, between Columbus Ave. and Montgomery Street. In this Alcohol Restricted Use District, new on-sale or off-sale liquor establishments (except bars serving only wine and beer with an ABC License Type No. 42) would be prohibited. "On-sale" liquor establishments are bars, as defined in Planning Code Section 790.22; whereas "off-sale" liquor establishments are liquor stores, as defined in Planning Code Section 790.55.

The new Broadway Alcohol Restricted Use District would be automatically repealed two years after its initial effective date, unless the Board of Supervisors, on or before that date, extends or re-enacts it.