

LEGISLATIVE DIGEST

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

Ordinance amending the Planning Code to change, from 18 months to three years, the period of non-use required to deem as discontinued a permitted conditional use in the North Beach Neighborhood Commercial District; 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 public necessity, convenience, and welfare findings under Planning Code, Section 302.

Existing Law

Planning Code Section 178 provides that in the North Beach Neighborhood Commercial District, a permitted conditional use that is discontinued for a period of 18 months is deemed discontinued, and shall not be restored, except upon approval of a new conditional use application pursuant to the provisions of Article 3 of the Planning Code

Amendments to Current Law

This ordinance would amend Section 178 to delete the provision that in the North Beach NCD, a permitted conditional use that is discontinued for a period of 18 months is deemed discontinued. With this amendment, Section 178 would provide that in the North Beach NCD, a permitted conditional use that is discontinued for a period of three years, or otherwise abandoned, shall not be restored, except upon approval of a new conditional use application pursuant to the provisions of Article 3 of the Planning Code.

Background Information

The three-year period proposed in this ordinance for deeming a use in the North Beach NCD discontinued is consistent with the three-year time period for deeming a conditional use discontinued in the rest of the City, except for in the Castro Street Neighborhood Commercial District and the Jackson Square Special Use District.