

**LEGISLATIVE DIGEST**

[Planning Code - Hours of Operation for Limited Nonconforming Uses]

**Ordinance amending the Planning Code to allow limited nonconforming uses in specified zoning districts to operate between the hours of 10:00 p.m. and 12:00 a.m. with Conditional Use authorization; 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 adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302.**

Existing Law

Planning Code Section 186 provides for the continuance in RH, RM, RTO, and RED Districts of nonconforming uses of a limited commercial and industrial character which are beneficial to, or can be accommodated within, the residential areas in which they are located. Subsection (b) lists the conditions under which such uses must operate. The hours during which the use is allowed to be open to the public is limited to the period between 6:00 a.m. and 10:00 p.m.

Amendments to Current Law

Section 186(b) is amended to allow the Planning Commission to extend the hours of operation of limited nonconforming uses to 12:00 a.m. through Conditional Use authorization.

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