

1 [Zoning - Alcoholic Beverage Sale Interim Controls]
2 EXTENDING INTERIM ZONING CONTROLS FOR AN ADDITIONAL SIX (6) MONTH
3 PERIOD TO PROHIBIT TEMPORARILY THE INTRODUCTION OF NEW
4 ESTABLISHMENTS OR EXPANSION OF EXISTING ESTABLISHMENTS SELLING
5 ALCOHOLIC BEVERAGES IN THE MID-MISSION ALCOHOLIC BEVERAGE SPECIAL USE
6 DISTRICT AND MAKING FINDINGS OF CONSISTENCY WITH THE PRIORITY POLICIES
7 OF PLANNING CODE SECTION 101.1.

8 WHEREAS, On June 18, 1997, the City and County of San Francisco enacted
9 Resolution No. 592-97, which is on file with the Clerk of the Board of Supervisors in File No.
10 111-97-3; and,

11 WHEREAS, This Resolution, adopted in accordance with the interim zoning control
12 provisions of Section 306.7 of the City Planning Code, created an eighteen (18) month
13 moratorium on the establishment of new enterprises or expansion of existing enterprises that
14 sell alcoholic beverages in the Mid-Mission Alcoholic Beverage Special Use District; and,

15 WHEREAS, Planning Code Section 306.7(i) requires that the Department of City
16 Planning conduct a study of the contemplated zoning proposal and propose permanent
17 legislation; and,

18 WHEREAS, The Planning Department is further required to report to the Board of
19 Supervisors every six (6) months regarding the status of the planning study and findings and
20 recommendations to date; and,

21 WHEREAS, There is continued concern about establishments that sell alcoholic
22 beverages in the Mid-Mission Alcoholic Beverage Special Use District so that the existing
23 moratorium should continue until permanent controls can be drafted, reviewed, and
24 considered for adoption; and,

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1 WHEREAS, There is evidence that the ready availability of alcoholic beverages sold at
2 off-sale liquor establishments and bars outside and contiguous with the moratorium area,
3 specifically on Mission Street between Randall and ^{Trumbull}~~Turnbull~~ Streets, contributes to an
4 inordinate amount of juvenile-related crime, and threatens the public health, welfare and
5 safety by encouraging criminal behavior and other detrimental impacts on the neighborhood;
6 and

7 WHEREAS, The Board of Supervisors has taken into account the time required to
8 study a contemplated zoning proposal to address establishments that sell alcoholic
9 beverages in and around the Mid-Mission Alcoholic Beverage Special Use District; and,

10 WHEREAS, On or about December 18, 1998, this temporary moratorium will expire;
11 and,

12 WHEREAS, An interim extension measure is needed to bridge the gap between the
13 initial moratorium and the development of permanent controls; and,

14 WHEREAS, The Board of Supervisors is authorized by Planning Code Section 306.7
15 to extend the duration of interim zoning controls for an additional six (6) months pending
16 completion of further study of measures necessary to address enterprises that sell alcoholic
17 beverages in and around the Mid-Mission Alcoholic Beverage Special Use District, which
18 measures could then be incorporated into draft permanent legislation for review and action by
19 appropriate City and County agencies, boards, commissions, and departments; and,

20 WHEREAS, The Board of Supervisors has balanced the hardship on business owners
21 from extending the term of the interim controls against the detriment to the public if no
22 extension were adopted; now, therefore, be it

23 RESOLVED, That the Board of Supervisors hereby extends the interim zoning control
24 moratorium on new and existing establishments that sell alcoholic beverages in the Mid-
25 Mission Alcoholic Beverage Special Use District, the terms of which are set forth in Board of

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1 Supervisors Resolution No. 592-97, which is on file with the Clerk of the Board of Supervisors
2 in File No. 111-97-3; and be it

3 FURTHER RESOLVED, That the interim controls shall remain in effect until June 18,
4 1999, or until the adoption of permanent legislation regulating enterprises that sell alcoholic
5 beverages in the Mid-Mission Alcoholic Beverage Special Use District, whichever first occurs;
6 and, be it

7 FURTHER RESOLVED, That the Department of City Planning shall undertake the
8 study and make the reports required by Planning Code Section 306.7(i); and be it

9 FURTHER RESOLVED, That the Department of City Planning shall include in its study
10 the feasibility of including in the Mid-Mission Alcoholic Beverage Special Use District that
11 portion of Mission Street between Randall and ^{Trumbull}~~Furnbull~~ Streets; and be it

12 FURTHER RESOLVED, That these interim controls advance and are consistent with
13 the priority policies of Planning Code Section 101.1 in that they attempt to conserve existing
14 housing and neighborhood character, preserve residential neighborhoods, conserve City
15 commerce, and control uses that have an adverse impact on city services.

16
17 APPROVED AS TO FORM:

18 LOUISE H. RENNE, City Attorney

19
20
21 By: 

22 Miriam L. Stompler
23 Deputy City Attorney
24
25

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City and County of San Francisco

Tails

Resolution

Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102-4532

File Number: 981450

Date Passed:

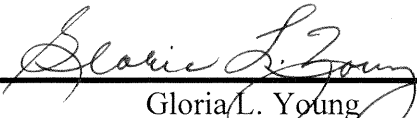
Resolution extending Interim Zoning Controls for an additional six (6) month period to prohibit temporarily the introduction of new establishments or expansion of existing establishments selling alcoholic beverages in the Mid-Mission Alcoholic Beverage Special Use District and making findings of consistency with the priority policies of Planning Code Section 101.1.

October 13, 1998 Board of Supervisors — ADOPTED

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

File No. 981450

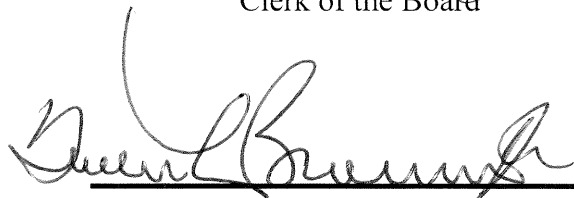
I hereby certify that the foregoing Resolution was ADOPTED on October 13, 1998 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

OCT 23 1998

Date Approved



Mayor Willie L. Brown Jr.