

REVISED LEGISLATIVE DIGEST

(Substituted, 11/28/2017)

[Planning Code - Formula Retail Controls]

Ordinance amending the Planning Code to revise the definition of Formula Retail; and affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience, necessity, and welfare under Planning Code, Section 302.

Existing Law

The formula retail provisions of Section 303.1 apply to retail sales and service, among other uses. The retail sales and service definition set forth in Planning Code Section 102 includes the following uses: Adult Business, Animal Hospital, Bar, Cat Boarding, Chair and Foot Massage, Tourist Oriented Gift Store, General Grocery, Specialty Grocery, Gym, Hotel, Jewelry Store, Kennel, Liquor Store, Massage Establishment, Chair and Foot Massage, Mobile Food Facility, Mortuary (Columbarium), Motel, Non-Auto Sales, Pharmacy, Restaurant, Limited Restaurant, General Retail Sales and Service, Financial Services, Fringe Financial Services, Limited Financial Services, Health Services, Instructional Service, Personal Service, Retail Professional Service, Self-Storage, Tobacco Paraphernalia Establishment, and Trade Shop. Because of other provisions in the Planning Code, the City has not considered all of these retail sales and service uses subject to existing formula retail controls.

Amendments to Current Law

The amendments specify that all of the uses listed under the category of "sales and service, retail" would be subject to existing formula retail controls. These uses include Adult Business, Animal Hospital, Bar, Cat Boarding, Chair and Foot Massage, Tourist Oriented Gift Store, General Grocery, Specialty Grocery, Gym, Hotel, Jewelry Store, Kennel, Liquor Store, Massage Establishment, Chair and Foot Massage, Mobile Food Facility, Mortuary (Columbarium), Motel, Non-Auto Sales, Pharmacy, Restaurant, Limited Restaurant, General Retail Sales and Service, Financial Services, Fringe Financial Services, Limited Financial Services, Health Services (except for clinics licensed as community and free clinics as defined under California Health and Safety Code Section 1204(a)(1) and clinics exempt from licensing under California Health and Safety Code Section 1206(b)), Instructional Service, Personal Service, Retail Professional Service, Self-Storage, Tobacco Paraphernalia Establishment, and Trade Shop.