

LEGISLATIVE DIGEST
(Substituted – May 12, 2026)

[Planning Code - Relocation and Re-establishment of Liquor Establishments]

Ordinance amending the Planning Code to principally permit the relocation of Bar Uses with Alcohol Beverage Control licenses as of May 19, 2003 within the Third Street Alcohol Restricted Use District (RUD) and the Bayview Neighborhood Commercial District (NCD); allow establishments with Alcohol Beverage Control licenses as of May 19, 2003 to re-establish the use under the existing license within the RUD and NCD; 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 findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302

Existing Law

Under the Planning Code, bars, liquor stores, and other premises selling alcohol are subject to zoning controls based on the districts where they are located. In 2003, the Third Street Alcohol Restricted Use District (the “RUD”) was established, prohibiting new bars, liquor stores, and certain other uses that sell alcohol, subject to limited exceptions. Under the RUD, bars, liquor stores, and similar uses that existed prior to the RUD may continue to operate as nonconforming uses, provided they are operated continuously and without substantial change. An existing liquor establishment with a California Department of Alcoholic Beverage Control (“ABC”) license issued prior to May 19, 2003 may relocate within the RUD if it obtains conditional use authorization from the Planning Commission. In the Bayview Neighborhood Commercial District (the “NCD”), bars and liquor stores are generally not permitted.

Amendments to Current Law

The ordinance expands which liquor establishments may relocate or re-establish in the RUD without the change being deemed a break in continuous operation. Specifically, liquor establishments in the RUD with an ABC license that existed prior to the RUD’s creation in 2003 may close then re-open at the same or a different site, provided they maintain the same ABC license they held in 2003 and re-open within 10 years. Version 2 of the ordinance introduced on May 13, 2026 added the exception for re-establishment.

The ordinance also principally permits bars in the RUD to relocate within the RUD. Other types of establishments, such as liquor stores, may relocate with conditional use authorization. The ordinance makes a conforming change to the NCD, indicating that relocation of a bar or re-establishment under the RUD is principally permitted, and relocation of uses other than bars is conditionally permitted. The ordinance also makes non-substantive clarifying edits to the RUD and NCD.