

LEGISLATIVE DIGEST

[Zoning - Interim Moratorium on First Story Business or Professional Service Uses in West Portal Avenue Neighborhood Commercial District]

Urgency Ordinance approving an interim zoning moratorium to prohibit first story Business or Professional Service uses in the West Portal Avenue Neighborhood Commercial District for 45 days, in accordance with California Government Code Section 65858; 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.

Existing Law

The Planning Code authorizes first story Business or Professional Service uses in the West Portal Avenue Neighborhood Commercial District (“NCD”), established in Planning Code Section 729, only upon the issuance of a Conditional Use Authorization.

California Government Code Section 65858 (“Section 65858”) authorizes and establishes procedures for a local government to impose an interim zoning moratorium.

Amendments to Current Law

Pursuant to Section 65858, the ordinance would place a temporary prohibition on the Planning Commission’s or Planning Department’s approval or authorization of any Business or Professional Service uses, as defined in Planning Code Section 790.108, on the first story in the West Portal Avenue NCD.

This interim zoning moratorium would remain in effect for 45 days unless (a) extended in accordance with Section 65858 or (b) permanent controls are adopted to address the overconcentration of such Business and Professional Service uses in the West Portal Avenue NCD.