

LEGISLATIVE DIGEST

[Planning Code - Divisadero Street Neighborhood Commercial Transit District]

Ordinance amending the Planning Code to permit liquor stores in the buildings with off-street parking accessed on Broderick Street within the Divisadero Street Neighborhood Commercial Transit District; affirming the Planning Department’s determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Existing Law

New liquor stores are not permitted throughout the Divisadero Street Neighborhood Commercial Transit District (“Divisadero NCT”). Liquor stores that were operating within the Divisadero NCT when the controls were established in 2004 are permitted to relocate to a new ground floor location within the district with a Conditional Use authorization, provided they have not abandoned the use by ceasing operation for more than 180 days.

Amendments to Current Law

The Proposed Legislation would permit the establishment of new liquor stores on the ground floor of the mixed use development with off-street parking accessed on Broderick Street, at the westernmost edge of the Divisadero NCT.

Background Information

The Divisadero NCT incorporated the strict alcohol controls of the 2004 Divisadero Street Alcohol Restricted Use District (“RUD”). A main purpose of the RUD’s controls was to limit pedestrian and vehicle disruption caused by liquor stores along Divisadero Street. When the Planning Commission considered the RUD ordinance, it recommended exempting the mixed-use development at Fell and Broderick Streets. Unlike the rest of the district, the development is accessible from an off-street parking lot on Broderick Street and is not directly accessible by pedestrians or vehicles from Divisadero Street.

n:\legana\as2024\2400263\01744625.docx