

LEGISLATIVE DIGEST

[Planning Code - Fire-Damaged Liquor Stores in North Beach Neighborhood Commercial District]

Ordinance amending the Planning Code to extend the time, from three to six years from the date of a fire, for a temporary closure of a liquor store in the North Beach Neighborhood Commercial District (NCD) as a result of the fire to not result in an abandonment of such use, and for the relocation of such use to another location in the North Beach NCD to not require a new Conditional Use permit; 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 necessity, convenience, and welfare under Planning Code, Section 302.

Existing Law

Liquor stores are allowed in the North Beach Neighborhood Commercial District (North Beach NCD) with a Conditional Use Permit. Additionally, conditional uses that are abandoned for 18 months or more require a new Conditional Use Permit to reopen in this district.

In 2018, the Board adopted Ordinance No. 263-18, to create an exception to the Conditional Use requirement for liquor stores and abandonment period in the area. It provided that temporary closures of up to three years of existing liquor stores located in the North Beach NCD, for reconstruction or repair after a fire, would not be considered an abandonment of such use, and that temporary relocation of liquor stores in the North Beach NCD that have been closed as a result of a fire to another location in the North Beach NCD would not require a new Conditional Use Permit for the duration of up to three years of interim relocation.

Amendments to Current Law

This ordinance would extend the exception created by Ordinance No. 263-18 for another three years, for a total of six years from the date of the fire.

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