

LEGISLATIVE DIGEST

[Planning Code - Amusement Arcades in South of Market and Eastern Neighborhoods Mixed Use Districts]

Ordinance amending the Planning Code to allow amusement arcades in all South of Market and Eastern Neighborhoods Mixed Use Districts except for the Residential Enclave Districts; 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 adopting findings of public convenience, necessity, and welfare under Planning Code Section 302.

Existing Law

Planning Code Section 803.4 specifies the uses prohibited in South of Market and Eastern Neighborhoods Mixed Use Districts, one of which is an Amusement Game Arcade. Section 890.4 defines an Amusement Game Arcade as a "retail use which provides 11 or more amusement games such as video games, pinball machines, or other such similar mechanical and electronic amusement devices" and are regulated by Sections 1036 et seq. of the Police Code. Article 8 contains Zoning Control Tables for the South of Market and Eastern Neighborhoods Mixed Use Districts that set forth the zoning controls for specific uses.

Amendments to Current Law

Section 803.4 is amended to delete the prohibition against amusement game arcades. The Zoning Control Tables for South of Market and Eastern Neighborhoods Mixed Use Districts that prohibit Amusement Arcades are amended to permit them.

Background Information

The operation and maintenance of mechanical amusement devices and arcades are regulated by Police Code Sections 1036 et seq. The Entertainment Commission is charged with enforcing the requirements through the issuance of permits and enforcement of operating standards and regulations. In Ordinance No. 195-14, enacted in September, 2014, the Board of Supervisors extensively revised and updated Police Code Sections 1036 et seq. by reducing the restrictions on the location of such devices and arcades, lessening the permitting requirements, and deleting obsolete provisions.

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