New Planning Code Summary:
Allowing an Existing Restaurant to Open a Second Location in the North Beach Special Use District

Amended Sections: 780.3
Case Number: 2014.0835CT
Board File/Enactment #: 150681/157-15
Initiated by: Supervisor Christensen
Effective Date: 9/5/2015

The proposed Ordinance allows an existing Restaurant in the North Beach SUD to establish a new Restaurant in the District in a space that was previously occupied by a Basic Neighborhood Sale or Service if the Planning Commission finds that certain criteria are met.

The Way It Was:
Within the North Beach SUD, a new Restaurant use could not occupy a commercial space that was last occupied by a “Basic Neighborhood Sale or Service”, as defined in Planning Code Section 780.3(b).

The Way It Is Now:
An existing Restaurant in the North Beach SUD may expand to a second location within the District in a space that was previously occupied by a Basic Neighborhood Sale or Service if, in addition to the criteria in Section 303, the Commission finds that:

1. The existing Restaurant has been in continuous operation within the District for at least five years;
2. The proposed second location is a ground-level space of 5,000 square feet or more that has been vacant for at least 15 months;
3. The Restaurant project at the proposed second location will use at least 40 percent of the space for a Basic Neighborhood Sales or Service use;
4. The expansion of the existing Restaurant into a second location is consistent with the General Plan and the eight priority policies of the Planning Code; and
5. The expansion of the existing Restaurant into a second location will provide a net substantial benefit to the District. For purposes of this provision, a “net substantial benefit” means that, on balance, the proposed second location will
provide a desirable new service or addition to the surrounding neighborhood and to the District as a whole and will not conflict with the purpose and intent of Section 780.3.

Link to Signed Legislation: