



County of Yolo

PLANNING AND PUBLIC WORKS DEPARTMENT

John Bencomo
DIRECTOR

292 West Beamer Street
Woodland, CA 95695-2598
(530) 666-8775 FAX (530) 666-8728
www.yolocounty.org

PLANNING COMMISSION STAFF REPORT

MARCH 12, 2009

FILE #2007-081: Proposed Alcoholic Beverage Control ("ABC") Ordinance, which would place new permitting requirements on the sale of alcohol within the unincorporated area. The Ordinance is in response to direction provided by the Board of Supervisors to establish formal criteria and permit procedures for this activity.

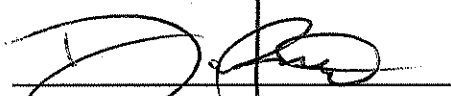
APPLICANT: Yolo County
625 Court Street
Woodland, California 95695-1268

LOCATION: Within the unincorporated area of the County.

GENERAL PLAN: Various
ZONING: Various
SOILS: Various
FLOOD ZONE: Various

ENVIRONMENTAL DETERMINATION; Negative Declaration.

REPORT PREPARED BY:


Donald Rust, Principal Planner

REVIEWED BY:


David Morrison, Assistant Director

RECOMMENDED ACTIONS

That the Planning Commission recommends the following actions to the Board of Supervisors:

1. **INTRODUCE** by title only and waive the first reading of the Alcoholic Beverage Control ("ABC") Ordinance and amendments (**Attachment A**) to Chapter 2 of Title 8 of the Yolo County Code;
2. **HOLD** a public hearing and receive testimony on the proposed ordinance and amendments of the Yolo County Zoning Code that provide for ABC ordinance;
3. **ADOPT** the Negative Declaration (**Attachment B**) as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) and Guidelines; and
4. **ADOPT** the proposed ordinance and amendments of the Yolo County Zoning Code that provide for ABC Ordinance (**Attachment A**) at the time of the second reading.

REASONS FOR RECOMMENDED ACTIONS

Pursuant to prior direction of the Board of Supervisors, staff has worked with reviewing agencies and interested parties in developing the proposed Alcoholic Beverage Control ("ABC") Ordinance. The proposed ordinance would provide a set of procedures for the review and approval/denial for the sale of alcohol or alcoholic beverage licensing, provide the county with better control and enforcement authority over alcohol sales to ensure their compatibility with adjoining land uses, and would amend the Yolo County Code regarding alcoholic beverage sales within the unincorporated areas of the county.

BACKGROUND

The Board of Supervisors is occasionally asked to consider requests for a determination of "public convenience or necessity" in connection with alcoholic beverage license applications. At the November 6, 2007 meeting, the Board of Supervisors approved a request for such a determination associated with "The La Carniceria Meat Market" in Esparto. The request led to a broad policy discussion that included impacts of the proposal on economic development, school safety, alcohol use in public parks, drunk driving, and the community quality of life. The Board of Supervisors approved Minute Order No. 07-338 (**Attachment C**), which directed staff to provide a report in January 2008 regarding the following: (1) what are the current regulations regarding drinking in public places; (2) how are those regulations enforced; (3) what is the current process by which the county reviews proposed alcohol sales license referrals; and (4) what policies should be considered for such applications in the future.

At their January 29, 2008 meeting, the Board of Supervisors received a staff report that indicated there is sufficient regulation and enforcement authority to address public intoxication. However, the state process for allowing local agency review and input on pending alcoholic beverage license applications is limited only to those circumstances where there is an overconcentration of licenses in a particular area. The staff report recommended that a new process and criteria be developed and brought back for future consideration to deal with alcoholic beverage licenses. The Board of Supervisors approved Minute Order No. 08-29 (**Attachment C**), which directed the County Administrator to coordinate with the Yolo County Sheriff's Department to appoint a Sheriff's representative to participate in the review process; and directed planning staff to report back to the Board of Supervisors by June 30, 2008 with a proposed ordinance.

At their June 24, 2008 meeting, the Board of Supervisors received a staff report, the draft ordinance and proposed amendments to the Yolo County Code. The Board of Supervisors approved Minute Order No. 08-29 (**Attachment C**), which directed the planning staff to work with the appropriate reviewing agencies and interested parties regarding the proposed Ordinance and return to a future Board of Supervisors' meeting for adoption of the ordinance.

At their October 9, 2008 meeting, the Planning Commission held a workshop regarding the proposed Alcoholic Beverage Control ("ABC") Ordinance and proposed amendments to Title 8, Chapter 2, of the Yolo County Code. The Planning Commission is supportive of the ordinance and agreed that it was appropriate for Yolo County to establish a set of procedures and guidelines regarding alcoholic beverage sales within the unincorporated areas of the county (**Attachment D**).

Existing Alcohol License Referral Process

Currently, the Yolo County Zoning Ordinance (Chapter 2 of Title 8 of the Yolo County Code) does not have a set of procedures, or an application, for the review and consideration of an application to sell alcoholic beverages in the county. As required by the State of California Department of Alcoholic Beverage Control ("ABC"), a person requesting a license for the sale of alcoholic beverages in an area where there is an overconcentration of licenses, must contact the County for a determination that the public convenience or necessity would be served by the granting of a license. The county may provide a written response indicating its recommendation on the request within 90 days of receiving notification by the ABC of the license application.

Proposed Alcohol License Referral Process

Staff has reviewed ordinances adopted by the counties of Sacramento and San Bernardino and the cities of Woodland and Davis, regarding the review of licenses for the sale of alcohol in conjunction with ABC requirements. These counties and cities have an established set of procedures, an application, and a fee required for any applicant to request a review of proposed alcohol sales.

On December 20, 2007, county staff met with personnel at the ABC offices in Sacramento to discuss the county's duties and responsibilities regarding the issuance of licenses for the sale of alcoholic beverages in the county. ABC staff indicated that every August they review the population increases throughout the state, and adjust the allotment of alcoholic beverage licenses in all counties and cities. They provided specific details regarding the overall policies regarding alcoholic beverage licenses, the application process, applicant's requirements, protest procedures, and other issues associated with complaints regarding the sale of alcohol. If the proposed ordinance is adopted, ABC has requested that the county provide a copy of the adopted ordinance, so it can be handed out with the alcoholic beverage license application to applicants requesting licensing within Yolo County.

Conditional Use Permit

The ABC staff recommends that local agencies issue a conditional use permit for businesses applying to sell alcohol or alcoholic beverages, to allow the local agency better control and enforcement authority. The conditional use permit process would allow the county to review and control the operations of businesses that may have a detrimental impact on adjacent businesses and/or residents. Enforcement of the license to sell alcohol would remain with the Sheriff's Department, or ABC. Enforcement of the conditions approved with the use permit would be responsibility of the Code Enforcement program, within the Planning and Public Works Department. Altogether, a conditional use permit will allow the Planning Division to control the number and location of licensed premises, and will also give the county authority to revoke the use permit (and thus terminate alcohol sales) if conditions are not complied with over time.

The proposed ordinance will establish a set of procedures for the review and approval/denial for the sale of alcohol or alcoholic beverages, including:

- a comment review period for public, advisory committees, and other agencies;
- specific criteria that must be met for an application to be approved;
- the option of recommending conditions to the ABC for issuance of the license; and
- a public hearing to give the applicant, community, and other interested parties an opportunity to provide input on the proposal.

The new ordinance will create a formal process for the review and approval/denial of applications, and establish an ABC Licensing Review application and fee for the sale of alcohol or alcoholic beverage licensing within Yolo County.

OTHER AGENCY INVOLVEMENT

The Planning Division staff has been working directly with the County Economic Development Manager; Alcohol, Drug and Mental Health Division; Yolo County Sheriff's Department; County Counsel; and State of California Department of ABC regarding the proposed ordinance. In general, the above-mentioned parties are in support of the proposed ordinance.

On October 20, 2008, the proposed ordinance and amendments to the Title 8, Chapter 2 of the Yolo County Code was sent to the Citizen Advisory Committees (CAC) for review, comments and/or recommendations. The citizen advisory committees took the following actions:

- Capay Valley (CAC) recommended denial of the proposed ordinance at their meeting of January 7, 2009 on a 2-3-2 vote;

- Clarksburg CAC has the proposed ordinance scheduled on the agenda for discussion and action at their March 12, 2009 meeting;
- Dunnigan CAC recommended approval of the proposed ordinance at their meeting of January 21, 2009 on a 13-0-3 vote;
- Esparto CAC has the proposed ordinance scheduled on the agenda for discussion and action at their March 17, 2009 meeting;
- Knights Landing CAC recommended approval of the proposed ordinance at their meeting of January 14, 2009 on a 5-0-0 vote;
- Madison CAC discussed the proposed ordinance at their November 6, 2008 meeting. Comments were generally in favor, but no action was taken by the Committee and no formal recommendation made; and
- Yolo-Zamora CAC recommended approval of the proposed ordinance at their meeting of January 14, 2009 on a 5-1-0 vote.

An Initial Study/ Negative Declaration is being circulated between February 24, 2009 and March 24, 2009. Comments received during the review period will be incorporated into the project where feasible.

ATTACHMENTS (On file with the Clerk of the Board of Supervisors)

Attachment A Draft Alcoholic Beverage Control ("ABC") Ordinance

Attachment B Initial Study/Negative Declaration

Attachment C Minutes from Board of Supervisors' Meetings of November 6, 2007, January 29, 2008, and June 24, 2008

Attachment D Minutes from Planning Commissions' Meeting of October 9, 2008

Attachment E Correspondence

ATTACHMENT A

Draft Alcoholic Beverage Control (“ABC”) Ordinance

THIS PAGE INTENTIONALLY LEFT BLANK

ORDINANCE NO. 2009-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF YOLO AMENDING CHAPTER 2 OF TITLE 8 OF THE YOLO COUNTY CODE RELATING TO THE ALCOHOLIC BEVERAGE CONTROL LICENSING REVIEW

The Board of Supervisors of the County of Yolo hereby ordains as follows:

SECTION 1. PURPOSE AND FINDINGS

To ensure the health, safety and welfare of its citizens, this Ordinance is to modernize and update provisions of the Yolo County Code to allow for the development of new processes for dealing with the review of applications for the sale of alcohol or alcoholic beverages. The Board of Supervisors finds that these changes are necessary for the following reasons, together with those additional reasons set forth in written comments and testimony on this Ordinance.

Currently, the process for reviewing and responding to pending alcohol sales license applications is inadequate. In order to provide consistency to the County review of these issues and to increase the public's ability to meaningfully participate when these proposals are submitted to the Planning and Public Works Department, this Ordinance will amend the existing County Code to establish criteria and allow for discretionary review of applications for the sale of alcohol or alcoholic beverages.

This Ordinance is adopted pursuant to promote and protect the public health, safety, morals, comfort, convenience, and general welfare, to provide a plan for sound and orderly development, and to ensure social and stability within the various zones referenced in Yolo County Code Title 8, Section 8-2.104, including but not limited to Article 11, Section 7 of the California Constitution.

SECTION 2. AMENDMENT TO ADD ARTICLE 35 TO TITLE 8 OF THE YOLO COUNTY CODE.

Title 8 of the Yolo County Code is hereby amended to add the following Article.

Article 35. Alcoholic Beverage Control Licensing Review

- 8.2-3501. Application for the Sale of Alcoholic Beverages.
- 8.2-3502. Review of Applications.
- 8.2-3503. Hearing Required.
- 8.2-3504. Enforcement.

8.2-3501. Application for the Sale of Alcoholic Beverages.

(a) Any person whose application for an on-sale or off-sale alcohol license is required by the State of California Department of Alcoholic Beverage Control ("ABC") to be subject to a determination of public convenience or necessity ("PCN") by the County of Yolo, may apply to the County for a determination that the public convenience and/or necessity would be served by the granting of such license. Such application shall be made on forms approved by the Planning and Public Works Director or designee ("Director"), shall contain such information as required by the Director, and shall be filed

with the appropriate adopted fee to the Planning and Public Works Department ("Department") for review.

(b) In addition to (a), above, regardless of whether a PCN determination is necessary, any premise/commercial business that desires to sell alcohol or alcoholic beverages on a temporary and/or permanent basis within Yolo County shall have an approved Temporary Business License or Conditional Use Permit (CUP), as may be appropriate, together with all other required local, state, and federal approvals and permits required for the operation of such business, unless exempted under subsection (d) below.

(c) An application for a transfer of an existing on-sale or off-sale alcohol license is not subject to a PCN determination pursuant to this ordinance; however, if the proposed transfer of an existing license creates a change in the original land use activity of the receiving property, the applicant will be required to obtain a CUP.

(d) All existing uses, buildings or structures currently in operation selling alcohol or alcoholic beverages prior to the adoption of this ordinance, and winery activities within the Agricultural Industry Zone (AGI), are exempt from the requirements of this section, pursuant to Section 8-2.2603 and 8-2.612(q) of the Yolo County Code.

(e) Temporary festivals/events, defined as lasting no more than three consecutive days, where alcoholic beverages will be served are exempt. However, any temporary festival/event that sells alcoholic beverages is required to apply for a temporary permit (221 Form) through ABC office prior to the event. In addition, if there are more than 1,000 persons in attendance, the county requires an application and fee pursuant to Title 5, Chapter 12 "Outdoor Festival," of the Yolo County Code.

8.2.3502. Review of Application

Upon receipt of an application for the sale of alcohol, regardless of whether the application is for a CUP, PCN determination, or both, the Director shall refer such application to the Economic Development Division, the Sheriff's Department, Environmental Health Division, Building Division, Fire District, School District, and community planning advisory committee for review and comment. If no response is received by the Planning and Public Works Department from any reviewing agency or interested party within ten (10) working days from the date the application is forwarded, it shall be presumed that the agency or party has no objection.

If any of the following determinations are made during the review of the application for a PCN determination, the Department shall recommend denial of the application to the deciding body unless the applicant can demonstrate that clearly overriding considerations and/or substantial community benefits resulting from the proposed application outweigh the negative determination(s):

(a) The subject premises for the ABC license does not have a CUP to allow for the sale of alcohol or alcoholic beverages, unless otherwise exempt under Section 8-2.3501(d) above.

(b) There is a pending code enforcement action, regarding the subject premises for the ABC license that has not been properly abated to the satisfaction of the appropriate agency.

(c) The subject premises for the ABC license does not have a valid business license or the business license is not currently in good standing.

(d) Substantial Protests have been lodged with the ABC in relation to the applicant's request for the license.

(e) There is a history of law enforcement actions or known criminal activity at the subject premises or in the area surrounding the subject premises, as documented by the Sheriff's Department.

(f) The subject premises do not have the appropriate General Plan land use designation or zoning and/or have not received all required entitlements to permit the sale of alcoholic beverages described in the application.

(g) The proposed application would result in negative economic impacts, as determined by the Economic Development Division.

8.2.3503. Hearing Required

(a) Proceedings regarding all CUP applications for the sale of alcohol or alcoholic beverages, including public hearings, shall be scheduled before the Zoning Administrator or the Planning Commission. The Zoning Administrator or the Planning Commission may approve, conditionally approve, or disapprove a CUP application for the sale of alcohol or alcoholic beverages. The Planning Commission shall act on Major Use Permit applications. The Zoning Administrator shall have the discretion to act on Minor Use Permit applications or, at his or her sole discretion, may refer the application to the Planning Commission. Notice of the public hearing shall be given as required by the Yolo County Code.

(b) A noticed public hearing shall also be held in connection with PCN determinations by the Zoning Administrator or the Planning Commission, whichever is authorized to hear CUP applications for the sale of alcohol in the zone where the applicant's premises are located. Any such hearing shall be noticed in accordance with the requirements of California Government Code section 6061, and mailed at least 10 days in advance of the hearing to all property owners within 300 feet of the applicant's premises. During a PCN determination hearing, the applicant shall be required to demonstrate, by substantial evidence, that evidence that the public convenience will be served by the issuance of a license. The applicant shall also be required to demonstrate, by substantial evidence, that the proposed sale of alcohol or alcoholic beverages shall be accomplished in a manner to eliminate or avoid any adverse findings/determinations received pursuant to Section 8.2.3502.

(c) The public hearing may be continued from time to time. At the conclusion of the hearing, the deciding body shall determine whether the public convenience or necessity will be served by the issuance of a license for the applicant premises. Written notification signed by the Director of Planning and Public Works, mailed to the ABC and the applicant, shall serve as the determination of public convenience or necessity by the local agency.

(d) The Zoning Administrator or the Planning Commission may determine that the public convenience or necessity will be met only if certain conditions are imposed upon the applicant through a conditional use permit as part of the application process in

conjunction with the license to sell alcoholic beverages issued by ABC. Such conditions shall be included in the Zoning Administrator's or the Planning Commission's decision and communicated to the ABC within 90 days from the date of initial notification by the applicant to the County regarding the application for a license to sell alcohol within the county.

The conditions may address any issue relating to the privileges to be exercised under the conditional use permit. Specific conditions of operation may include, but are not limited to, the following: restrictions on the applicant's qualifications; the age of patron(s) allowed on the premises; hours of operation; maximum occupancy; limitations on live music and dancing; evacuation planning; security measures; persons loitering on the premises; parking lot patrols; externally visible advertising signs; and employee training for responsible beverage sales.

If conditions are imposed, any finding of public convenience or necessity shall clearly state that it is contingent upon the imposition of such conditions through the conditional use permit in conjunction with the license issued by the ABC. In addition to the conditional use permit, the County may request that conditions be imposed on the ABC license through a Letter of Protest and must be filed as follows:

- A Letter of Protest must be filed within 30 days from the "Copies Mailed Date" that appears on the Application for Alcoholic Beverages License(s) that is filed with ABC; or within 30 days of the placement of the required posted notification on the subject premises that indicates that an ABC license is pending; or within 30 days from the date the applicant provide written notification to the surrounding properties within a 500-foot radius of the subject premises, whichever is later.
- The local agency may request a 20 day extension to the Letter of Protest notification period.

(e) The decisions of the Zoning Administrator are appealable to Planning Commission, and then to the Board of Supervisors and decisions of the Planning Commission are appealable to the Board of Supervisors, in compliance with Article 33 (Appeals) of Chapter 2 of this title.

8.2.3504. Enforcement

The enforcement of complaints regarding infractions or violations of the Temporary Business License (TBL) or Conditional Use Permit (CUP) may result in fines, permit suspension, or revocation of the TBL or CUP, pursuant to Title 1 of the County Code and other provisions of state and local law.

SECTION 3. AMENDMENTS TO PORTIONS OF TITLE 8 OF THE YOLO COUNTY CODE.

The following sections of Title 8 of the Yolo County Code shall be amended as shown (new language shown in underlined text; deleted language shown in ~~strikethrough text~~).

A. New Definitions in Article 2, Title 8.

The following definitions shall be added to Article 2 of Title 8 of the Yolo County Code:

Article 2. Definitions

8.2.215.3 Bar. A business in which alcoholic beverages are sold for on-site consumption and that is not part of a larger restaurant. A bar includes taverns, pubs, cocktail lounges, microbreweries, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. Bars may include entertainment on a stage, such as a live bands, comedians, etc.

8.2.280.01 Off-Sale. An off-sale license allows for the sale of beer, wine, and spirits (hard alcohol) for consumption off the premises where sold.

8.2.280.02 On-Sale. An on-sale license allows for the sale of beer, wine, and spirits (hard alcohol) for consumption on the premises where sold.

B. New Conditional Use Permit Provisions in the Agricultural General (A-1) Zone.

The following sections of the Yolo County Code shall be added or amended as follows to reflect the requirement for a major conditional use permit in connection with the sale of alcohol at establishments located in the A-1 zone:

1. Section 8-2.604. (Conditional uses (A-1)--Minor Use Permit), subsections (u) and (x), shall be amended as follows:

(u) Officially designated County Historic Resources used for educational and tourist purposes, including, but not limited to, archaeological sites, museums, bed and breakfasts, restaurants, ~~restaurants with bars~~, wedding chapels, or reception establishments and schools as authorized by Section 8- 2.2402(h) of this Chapter;

(x) Lodges, with restaurant, ~~or restaurant with bar~~, incidental and dependent upon agriculture; and/or directly dependent upon a unique natural resource or feature as an attraction.

2. Section 8-2.604.5 (Conditional uses (A-1)--Major Use Permit) shall be amended to include a new subsection, as follows:

(i) Restaurants with bars either associated with officially designated County Historic Resources, or associated with lodges that are incidental and dependent upon agriculture and/or a unique natural resource or feature as an attraction.

C. New Conditional Use Permit Requirements in the Agricultural Industrial (AGI) Zone.

The following sections of the Yolo County Code shall be added or amended as follows to reflect the requirement for a major conditional use permit in connection with the sale of alcohol at establishments located in the AGI zone:

1. Section 8-2.612 (Principal permitted uses (AGI)), subsection (g) only, shall be amended to read as follows:

(g) Public outdoor recreational uses. Such use may include buildings, structures, caretaker dwellings, and parking, customary and appurtenant to its use, including

clubhouses, ~~bar~~ and restaurant facilities where no alcoholic beverages are sold, and living quarters of persons employed on the premises;

2. Section 8-2.614 (Conditional uses (AGI)--Minor Use Permit) shall be amended to include a new subsection (c), as follows:

(c) Restaurants with bars.

D. New Conditional Use Permit Requirements in the Neighborhood Commercial (C-1) Zone.

1. Section 8-2.1202 (Principal permitted uses (C-1)), subsection (d) only, shall be amended to read as follows:

~~(d) Restaurants, cafes, and soda fountains; subject to obtaining a use permit for the sale of liquor, beer, or other alcoholic beverages by the glass or for consumption on the premises;~~

2. Section 8-2.1204 (Conditional uses (C-1)), subsections (d), (e) and (f) only, shall be amended to read as follows:

(d) Nursery schools and day care centers; ~~and~~

(e) Other uses which the Commission finds to be consistent with the purposes and intent of this article and which are of the same general character as the conditional uses set forth in this section. A request for an interpretation of whether a use should be added to the list of conditional uses pursuant to this section may be heard by the Commission concurrently with the application for the use permit for the proposed use if the application is complete and notice is given as required for hearing the application, both as an interpretation and as an application for a use permit. (§ 13.04, Ord. 488, as amended by § 6, Ord. 652, eff. May 5, 1971, § 2, Ord. 488.161, eff. October 24, 1973, § 10, Ord. 488.167, eff. September 4, 1974, and § 1, Ord. 681.92, eff. September 8, 1982); and

(f) Bars.

E. New Conditional Use Permit Requirements in the Community Commercial (C-2) Zone.

1. Section 8-2.1302 (Principal permitted uses (C-2)), subsection (c) shall be deleted and replaced by a similar reference in Section 8-2.1304, as shown in Section E.2, below, and the following sections shall be redesignated accordingly.

2. Section 8-2.1304 (Conditional uses (C-2)), subsection (k) only, shall be amended to read as follows:

(k) ~~Nightclubs~~Bars;

F. New Conditional Use Permit Requirements in the General Commercial (C-3) Zone.

1. Section 8-2.1404 (Conditional uses (C-3)), subsections (d) and (e) only, shall be amended to read as follows:

(d) Other uses which the Commission finds to be consistent with the purposes and intent of this article and which are of the same general character as the conditional uses set forth in this section. A request for an interpretation of whether a use should be added to the list of conditional uses pursuant to this section may be heard by the Commission concurrently with the application for the use permit for the proposed use if the application is complete and notice is given as required for hearing the application, both as an interpretation and as an application for a use permit. (§ 15.04, Ord. 488, as amended by §§ 4 and 5, Ord. 655, eff. June 23, 1971, and § 3, Ord. 681.92, eff. September 8, 1982); and

(e) Bars and nightclubs.

F. Elimination of Cocktail Lounges and Similar Establishments in the Highway Service Commercial (C-H) Zone.

1. Section 8-2.1502 (Principal permitted uses (C-H)) shall be amended to delete subsection (c), which allows cocktail lounges in the C-H zone, and the remaining subsections shall be redesignated accordingly.

G. New Conditional Use Permit Requirements in the Waterfront (WF) Zone.

1. Section 8-2.2012 (Principal permitted uses (WF)), subsection (a)(1) only, shall be amended to read as follows:

(a) Mixed commercial uses, including:
(1) Food services, bars, and restaurants, and nightclubs;

SECTION 4. SEVERABILITY

If any section, sub-section, sentence, clause, or phrase of this ordinance is held by a court of competent jurisdiction to be invalid, such decision shall not affect the remaining portions this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance, and each section, sub-section, sentence, clause, and phrase hereof, irrespective of the fact that one or more sections, sub-sections, sentences, clauses, and phrases be declared invalid.

SECTION 5. EFFECTIVE DATE

This ordinance shall take effect and be in force thirty (30) days after its passage, and prior to expiration of fifteen (15) days after its passage thereof, shall be published by title and summary only in the Daily Democrat together with the names of members of the Board of Supervisors voting for and against the same.

The foregoing Ordinance was introduced and a public hearing thereon was held before the Board of Supervisors of the County of Yolo, its first reading waived and, after a a second

reading, said Board adopted this Ordinance on the ___th day of _____ 2009, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

By _____
Mike McGowan, Chairman
Yolo County Board of Supervisors

ATTEST:
Ana Morales, Clerk
Board of Supervisors

By _____
Deputy (Seal)

APPROVED AS TO FORM:
Robyn Truitt Drivon, County Counsel

By _____
Philip J. Pogledich, Senior Deputy

ATTACHMENT B

Initial Study/Negative Declaration

THIS PAGE INTENTIONALLY LEFT BLANK



**YOLO COUNTY
PLANNING & PUBLIC WORKS DEPARTMENT**

**INITIAL STUDY/ NEGATIVE DECLARATION
ZONE FILE # 2007-081**

**ALCOHOLIC BEVERAGE LICENSING ORDINANCE
Article 35 of Chapter 2 of the Title 8
Yolo County Zoning Ordinance**

February 23, 2009

Negative Declaration / Initial Environmental Study

1. **Project Title:** Zone File No. 2007-081
2. **Lead Agency Name and Address:**
Yolo County Planning and Public Works Department
292 West Beamer Street
Woodland, CA 95695
3. **Contact Person, Phone Number, E-Mail:**
Don Rust, Principal Planner
(530) 666-8835, donald.rust@yolocounty.org
4. **Project Location:** The project would apply to all unincorporated properties in Yolo County
5. **Project Sponsor's Name and Address:**
Yolo County Planning and Public Works Department
292 West Beamer Street
Woodland, CA 95695
6. **General Plan Designation(s):** All designations in unincorporated Yolo County
7. **Zoning:** All zoning districts in unincorporated Yolo County
8. **Project Summary:** The Yolo County Zoning Ordinance is proposed to be amended to provide a set of procedures for the review and approval/denial of alcoholic beverage licensing parcels zoned for commercial use.
9. **Surrounding Land Uses and Setting:** not applicable (applies to all unincorporated properties in Yolo County)
10. **Other public agencies whose approval is required:** State of California Department of Alcoholic Beverage Control (ABC)
11. **Other Project Assumptions:** The Initial Study assumes compliance with all applicable State, Federal, and Local Codes and Regulations including, but not limited to, County of Yolo Improvement Standards, the California Building Code, the State Health and Safety Code, and the State Public Resources Code.

Project Description:

The amendment of the Yolo County Zoning Ordinance (Chapter 2 of Title 8 of the County Code) is to provide a set of procedures for the review and approval/denial for the on-sale or off-sale of alcoholic beverage licensing on parcels zoned for commercial use; currently, the County Code contains no provisions for the review of alcoholic licenses. In addition, definitions of related terms and various types of alcoholic beverage licenses. Thus, it is proposed that the zoning ordinance be amended to provide a set of procedures for the review and approval/denial for the sale of alcohol or alcoholic beverage licensing, provide the county with better control and

enforcement authority over alcohol sales to ensure their compatibility with adjoining land uses and would amend the Yolo County Code regarding alcoholic beverage sales within the unincorporated areas of the county.

Key changes in the ordinance would involve:

- a. **Procedures:** a set of procedures for the review and approval/denial for the on-sale or off-sale of alcoholic beverage licensing on parcels zoned for commercial use.
- b. **Definitions:** Definitions of related terms and various types of alcoholic licenses would be added as part of the amendment.

It is the intent of the recommended amendment that the applications pertaining to alcoholic licensing have a standard set of procedures to help ensure the health, safety and welfare of the citizen of Yolo County.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is still "Potentially Significant Impact" (after any proposed mitigation measures have been adopted) as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

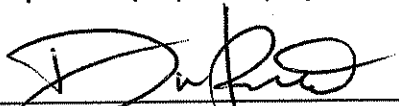
I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to the earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Signature: Donald Rust, Principal Planner

2/23/2009
Date

PURPOSE OF THIS INITIAL STUDY

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the project as described herein may have a significant effect upon the environment.

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
5. A determination that a "Less Than Significant Impact" would occur is appropriate when the project could create some identifiable impact, but the impact would be less than the threshold set by a performance standard or adopted policy. The initial study should describe the impact and state why it is found to be "less than significant."
6. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration, pursuant to Section 15063 (c)(3)(D) of the California Government Code. Earlier analyses are discussed in Section XVII at the end of the checklist.
7. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
8. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

I. AESTHETICS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

(a) - (d) *No Impact.* The proposed amendments to the Zoning Ordinance involving alcoholic licenses that are permitted and regulated by the State of California Department of Alcoholic Beverage Control but requires the local agency to provide a review of the application and a determination of public convenience or necessity. Currently, there are no provisions or procedures for a review of the application and a determination of public convenience or necessity in the current County Code. Thus, adoption of the recommended amendment would not result in a visual change as seen from a scenic highway or vista and no visual impacts.

II. AGRICULTURAL RESOURCES:

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Involve other changes in the existing environment which due to their location or nature, could result in conversion of farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

(a) - (c) *No impact.* The proposed amendments to the Zoning Ordinance involving alcoholic licenses that are permitted and regulated by the State of California, Department of Alcoholic Beverage Control but requires the local agency to provide a review of the application and a determination of public convenience or necessity for parcels within commercial zones. Currently, there are no provisions or procedures for the review of the application and determination in the current County Code. Currently, wineries within agricultural zones are required to obtain a use permit and as part of the review and approval process, an environmental review is required for any proposed winery. Thus, adoption of the recommended amendment would not result in a new impact on agricultural resources.

III. AIR QUALITY:

Where applicable, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

(a) - (e) *No impact.* The proposed amendments to the Zoning Ordinance would not substantially conflict with or obstruct implementation of the Yolo Solano Air Quality Management District Air Quality Attainment Plan (2007), the Sacramento Area Regional Ozone Attainment Plan (1994), or the goals and objectives of the County's General Plan. Thus, adoption of the recommended amendment would not result in air quality impacts, conflict with or obstruct any AQMD plans.

IV. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native residents or migratory wildlife corridors or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

(a) - (f) *No Impact.* The proposed amendments to the Zoning Ordinance involving alcoholic licenses that are permitted and regulated by the State of California Department of Alcoholic Beverage Control but requires the local agency to provide a review of the application and a determination of public convenience or necessity. Thus, adoption of the recommended amendment would not result in a new impact on biological resources.

V. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

(a) - (d) *No Impact*. The proposed amendments to the Zoning Ordinance involving alcoholic licenses that are permitted and regulated by the State of California Department of Alcoholic Beverage Control but requires the local agency to provide a review of the application and a determination of public convenience or necessity. Thus, adoption of the recommended amendment would not result in a new impact on cultural resources.

VI. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known Fault? Refer to Division of Mines and Geology Special Publication 42.				
ii) Strong seismic ground shaking?				
iii) Seismic-related ground failure, including liquefaction?				
iv) Landslides?				
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion of Impacts

(a) - (e) *No Impact.* The proposed amendments to the Zoning Ordinance involving alcoholic licenses that are permitted and regulated by the State of California Department of Alcoholic Beverage Control but requires the local agency to provide a review of the application and a determination of public convenience or necessity. The requirements for building sites and building code compliance would remain in effect.

VII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working within the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion of Impacts

(a) - (h) *No impact.* The proposed amendments to the Zoning Ordinance involving alcoholic licenses that are permitted and regulated by the State of California Department of Alcoholic Beverage Control but requires the local agency to provide a review of the application and a determination of public convenience or necessity. Thus, adoption of the recommended amendment would not result in new hazards that could affect people, property or the environment.

VIII. HYDROLOGY AND WATER QUALITY

- | Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Significantly deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion of Impacts

(a) - (j) *No impact.* The proposed amendments to the Zoning Ordinance involving alcoholic licenses that are permitted and regulated by the State of California Department of Alcoholic Beverage Control but requires the local agency to provide a review of the application and a determination of public convenience or necessity. Thus, adoption of the recommended amendment would not result in a new effect related to hydrology and water quality.

IX. LAND USE AND PLANNING

- | Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion of Impacts

a) The project would not divide any established community.

- b) The proposed amendments to the Zoning Ordinance involving alcoholic licenses that are permitted and regulated by the State of California Department of Alcoholic Beverage Control but require the local agency to provide a review of the application and a determination of public convenience or necessity. The adoption of the recommended amendment would establish a set of procedures for the review and approval/denial for the sale of alcohol or alcoholic beverages licensing.
- c) *No Impact.* The proposed amendments to the Zoning Ordinance involving alcoholic licenses that are permitted and regulated by the State of California Department of Alcoholic Beverage Control but require the local agency to provide a review of the application and a determination of public convenience or necessity. The recommended amendment would not conflict with any of the existing mitigation requirements or policies of the Draft Yolo County HCP/NCCP.

X. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a) - b) *No Impact.* The proposed amendments to the Zoning Ordinance involving alcoholic licenses that are permitted and regulated by the State of California Department of Alcoholic Beverage Control but require the local agency to provide a review of the application and a determination of public convenience or necessity. The recommended amendment would not affect areas designated as significant aggregate deposits, as classified by the State Department of Mines and Geology.

XI. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion of Impacts

(a) - (f) *No Impact.* The proposed amendments to the Zoning Ordinance involving alcoholic licenses that are permitted and regulated by the State of California Department of Alcoholic Beverage Control but require the local agency to provide a review of the application and a determination of public convenience or necessity. The adoption of the recommended amendment would not result in any new or increased noise impacts.

XII. POPULATION

- | Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through the extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion of Impacts

(a) - (c) *No Impact.* The proposed amendments to the Zoning Ordinance involving alcoholic licenses that are permitted and regulated by the State of California Department of Alcoholic Beverage Control but require the local agency to provide a review of the application and a determination of public convenience or necessity. The adoption of the recommended amendment would not result in increases in population beyond what would currently be anticipated and would not displace any existing housing or current residents.

XIII. PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response time or other performance objectives for any of the public services:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

(a) – (e) *No Impact*. The proposed amendments to the Zoning Ordinance involving alcoholic licenses that are permitted and regulated by the State of California Department of Alcoholic Beverage Control but require the local agency to provide a review of the application and a determination of public convenience or necessity. The adoption of the recommended amendment would not increase the need for any public services.

XIV. RECREATION

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have been an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

(a) – (b) *No Impact*. The proposed amendments to the Zoning Ordinance involving alcoholic licenses that are permitted and regulated by the State of California Department of Alcoholic Beverage Control but require the local agency to provide a review of the application and a determination of public convenience or necessity. The adoption of the recommended amendment would not require the construction of additional recreational facilities nor substantially increase the use of existing recreational facilities.

XV. TRANSPORTATION/TRAFFIC

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase on either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

(a) – (g) *No Impact*. The proposed amendments to the Zoning Ordinance involving alcoholic licenses that are permitted and regulated by the State of California Department of Alcoholic Beverage Control but require the local agency to provide a review of the application and a determination of public convenience or necessity. The adoption of the recommended amendment would not have any transportation and circulation impacts.

XVI. UTILITIES AND SERVICE SYSTEMS

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion of Impacts

(a) – (g) *No Impact.* The proposed amendments to the Zoning Ordinance involving alcoholic licenses that are permitted and regulated by the State of California Department of Alcoholic Beverage Control but require the local agency to provide a review of the application and a determination of public convenience or necessity. Thus, the adoption of the recommended amendment would have no new effect related to utilities or service systems.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

XVII. MANDATORY FINDINGS OF SIGNIFICANCE --

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- c) Does the project have environment effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion of Impacts

- a) *No Impact.* Based on the information provided in this Initial Study, no potential environmental impacts would result from the recommended amendment and the habitat and/or range of any special status plants, habitat, or plants would not be substantially reduced or eliminated.
- b) *No Impact.* Based on the analysis provided in this Initial Study, the recommended amendment would have no cumulative impacts.
- c) *No Impact.* Based on the analysis provided in this Initial Study, no impacts to human beings would result from the proposed project. The project as proposed would not have substantial adverse effects on human beings, either directly or indirectly.

REFERENCES

- Yolo County Code, Title 8, Chapter 2 (the Zoning Ordinance)
- Yolo County Code, Title 5, Chapter 4 (Public Welfare, Morals and Conduct)
- State of California Department of Alcoholic Beverage Control

ATTACHMENT C

Minutes from Board of Supervisors' Meetings
November 6, 2007, January 29, 2008, & June 24, 2008

THIS PAGE INTENTIONALLY LEFT BLANK

BOARD OF SUPERVISORS
Yolo County, California

Meeting Date: June 24, 2008

To: CAO
Co. Counsel
Auditor
Plan & Pub Works ✓
Alcohol Drug/MH

8.03

Receive a report on the draft ordinance relating to alcohol and alcoholic beverage sales and proposed amended sections of Chapter 2 of Title 8 of the Yolo County code. (No general fund impact) (Bencomo/Rust)

Recommended Action 8.03

Supporting Document 8.03A

Supporting Document 8.03B

Minute Order No. 08-167: Approved recommended action:

MOVED BY: McGowan / SECONDED BY: Thomson
AYES: McGowan, Thomson, Yamada, Chamberlain
NOES: Rexroad
ABSTAIN: None
ABSENT: None

**January 29, 2008
Board of Supervisor's Meeting**

7.02

Receive report on current process regarding the review of licensing for the sale of alcohol in Yolo County, enforcement activities, and the ordinances and codes addressing drinking in public places. (No general fund impact) (Bencomo/Rust)

Minute Order No. 08-29: Approved recommended action; asked the County Administrator to coordinate with the Yolo County Sheriff's Department to appoint a Sheriff's representative to participate in the review process and gathering of statistical information as indicated by Board input; directed staff to report back to the Board of Supervisors by June 30, 2008 with a proposed ordinance

MOVED BY: Thomson / SECONDED BY: Yamada
AYES: Thomson, Yamada, Chamberlain
NOES: Rexroad
ABSTAIN: None
ABSENT: McGowan

November 6, 2007
Board of Supervisor's Meeting

- 2.28 Approve letter of public necessity and convenience for a Type 20 (off-sale beer and wine) license for El Toro Food Esparto Inc. (No general fund impact)
(Bencomo/Rust)

Minute Order No. 07-337: Approved recommended action.

MOVED BY: McGowan / SECONDED BY: Chamberlain
AYES: Chamberlain, McGowan, Rexroad
NOES: Thomson, Yamada
ABSTAIN: None
ABSENT: None

Supervisor Chamberlain stepped away from the dais.

Minute Order No. 07-338: Directed staff to provide a report in January of 2008 on the ordinance that addresses drinking in public places, enforcement activities and the current process by which the county reviews these matters. Staff will then seek additional guidance on how the Board would like to proceed at the policy level.

MOVED BY: McGowan / SECONDED BY: Thomson
AYES: McGowan, Thomson, Rexroad, Yamada
NOES: None
ABSTAIN: None
ABSENT: Chamberlain

Supervisor Chamberlain returned to the dais.

THIS PAGE INTENTIONALLY LEFT BLANK

ATTACHMENT D

Minutes from Planning Commissions' Meeting
Of October 9, 2008

THIS PAGE INTENTIONALLY LEFT BLANK

Minutes from Planning Commissions' Meeting of October 9, 2008

- 7.6 **2007-081:** Discussion of the proposed Alcoholic Beverage Control ("ABC") Ordinance and amendments to the Yolo County Code. The proposed ordinance would provide a set of procedures for the review and approval/denial for the sale of alcohol or alcoholic beverage licensing, provide the county with better control and enforcement authority over alcohol sales, and would amend the Yolo County Code regarding alcoholic beverage sales within the unincorporated areas of the county. Owner/Applicant: Yolo County (D. Rust)

Donald Rust, Principal Planner, gave the staff report, and answered questions from the commission.

Commissioner Kimball asked if this is really a problem in Yolo County, and if this is something that they need an ordinance for.

Donald Rust, shared an experience with a past project that was taken to the Board of Supervisors. It was at that time that staff was directed to prepare this ordinance.

Commissioner Kimball expressed another concern that she had regarding agricultural tourism. She referred to a memo from Wes Ervin. She said that she understands that the establishment of a restaurant is allowed by right, but now they would be subject to getting a conditional use permit if they wanted to serve alcohol. These are completely at odds with each other. She said that wineries are exempt, but asked about other kinds of situations where alcohol is sold, such as special events, no host bars, or similar events. These things happen now and will continue to happen. With the new General Plan they are going to happen even more as alcohol is usually some facet of special events. She asked how those types of situations would be treated under this ordinance and if people will have to get a conditional use permit for every event.

Donald Rust responded to Commissioner Kimball's questions. Special events would be exempt, as they are one day or two day events. They would still have an application through the Alcohol Control Board, but those events would not be regulated under this ordinance. He said there could also be an exemption for wineries in the Clarksburg agricultural district draft ordinance. He stated that the ordinance is, for lack of a better term, an insurance policy for the county. If somebody is out there not complying with their requirements, the county can pull their conditional use permit. The county cannot pull their ABC license, because that approval is issued by the State of California. With this ordinance, when there is a violation of an alcoholic beverage license, then the county can pull the conditional use permit.

Commissioner Kimball said she would like to see agricultural tourism exempted completely.

Commissioner Burton said that he was surprised that Yolo County did not have an ordinance. He asked if this is the type of permit that has cash value, like in El Dorado County, where it can be sold as part of the business or is that more the Alcohol Control Board.

Donald Rust confirmed that it would be the Alcohol Control Board.

Chair Betolero opened public hearing.

Minutes from Planning Commissions' Meeting of October 9, 2008

Erich Linse, Vice-Chairman of the Dunnigan citizen advisory committee, offered his personal comments on the ABC ordinance. He said that he likes this proposal and he likes the respect it gives to restaurants because he feels that it may help with economic development.

Chair Bertolero closed the public hearing.

Commissioner Peart said that he thinks it is a good idea. He is supportive of an ordinance of this type.

Commissioner Kimball said that she doesn't want to appear that she is against an alcohol ordinance, she just doesn't want to impede potential opportunities for agricultural tourism. She agreed that it would be good to have local control, but wants to make sure that it is not another layer of bureaucracy that people must go through.

Commissioner Burton said that he is familiar with this process in other counties and that it is pretty standard, and is surprised that Yolo County didn't already have one. His concern is that a blanket exemption for agricultural tourism would provide a loophole for people to use. He said leaving something like that open is going to be a problem, but he thinks that the ordinance is a needed step and is glad to see it going forward.

Commissioner Liu said that she would support the ordinance. She thinks that people in the business community and individuals need clarity and agreed with her fellow commissioners' comments that there needs to be a streamlined process in place, and also a way to have the local agency review to provide feedback and input.

Chair Bertolero referenced the staff report regarding other counties and cities having established a set of procedures, applications and fees required of the applicant to request proposed alcohol sales. He agreed that it was appropriate for Yolo County to have some guidelines in place and would definitely support it. He said that he presumes that this will be coming back to the Planning Commission in more of a formal submittal.

Donald Rust confirmed that it should be back in December.

This was a discussion item only, action not needed at this time.

ATTACHMENT E

Correspondence

THIS PAGE INTENTIONALLY LEFT BLANK

Donald Rust

From: Ed Smith
Sent: Friday, June 06, 2008 9:33 AM
To: Donald Rust
Subject: RE: ABC Licensing Ordinance

I have three general comments:

1. In my review I did not see the ability to disqualify an applicant based on prior criminal history or history of violations of alcohol beverage control laws. If the ordinance leaves that decision to ABC you might want to consider how to protect Yolo County if ABC does not have the ability or will to disqualify someone.
2. I did not see items relating to density of sales points in specific areas. In some ordinances I have seen there is a limit to how many sales points there are within a square mile or some other standard. San Jose ran into a bit of trouble some years ago and I can recall when Marysville had 53 sales points in a two block area. The important point here has to do with who is attracted to point of sale locations and of course the type of locations.
3. I suggest you consider something in your ordinance that prohibits the sale of "cold singles". Often persons will buy one or two cold beverages and then get in the auto and drive away drinking them. This is high risk for all drivers and the best way I have seen to prevent this is to say you must purchase "cold" beverages in the manufacturing package. i.e. 4 for wine coolers, 6 for beer. Wine is excluded as it is almost always sold as a single, warm or cold.

Hope this helps.

Ed

From: Donald Rust
Sent: Thursday, June 05, 2008 10:39 AM
To: Ed Smith
Subject: ABC Licensing Ordinance

Ed,

Could you please review the attached document, if you have any questions, please contact me.

DONALD RUST, Principal Planner
County of Yolo, Planning & Public Works Department
292 West Beamer Street
Woodland, CA 95695
(530) 666-8835 - Office
(530) 666-8156 - FAX
(530) 867-2995 - Cell Phone
donald.rust@yolocounty.org

Donald Rust

From: Robin Faille
Sent: Monday, June 09, 2008 1:18 PM
To: Donald Rust
Subject: RE: ABC Licensing ordinance

I have reviewed the ABC Licensing Ordinance and do not find any areas of opposition by the Yolo County Sheriff's Department. In speaking with you, I believe that this ordinance will benefit the county by restricting the conditional use permits from being issued without review.

*Robin Faille, Captain
Yolo County Sheriff's Department
2500 E. Gibson Road
Woodland, CA 95776
(530) 668-5261*

From: Donald Rust
Sent: Friday, April 18, 2008 1:03 PM
To: Robin Faille; Tom Lopez
Cc: David Morrison
Subject: ABC Licensing ordinance

Robin,

I spoke with Tom Lopez yesterday regarding the ABC Licensing ordinance that I have been assigned to prepare and take back to the Board of Supervisors in June 2008. Tom indicated that he was going to assign this item to you. I am preparing the draft ordinance and will work directly with you or the person you assign.

The Board issued the following direction on January 29, 2008:

Minute Order No. 08-29: Approved recommended action; asked the County Administrator to coordinate with the Yolo County Sheriff's Department to appoint a Sheriff's representative to participate in the review process and gathering of statistical information as indicated by Board input; directed staff to report back to the Board of Supervisors by June 30, 2008 with a proposed ordinance.

MOVED BY: Thomson / SECONDED BY: Yamada
AYES: Thomson, Yamada, Chamberlain
NOES: Rexroad
ABSTAIN: None
ABSENT: McGowan

If you have any questions, please contact me!

Thanks,
DONALD RUST, Principal Planner
County of Yolo, Planning & Public Works Department
292 West Beamer Street
Woodland, CA 95695
(530) 666-8835
(530) 666-8156
donald.rust@yolocounty.org

Donald Rust

From: Wes Ervin
Sent: Wednesday, June 11, 2008 5:34 PM
To: Donald Rust
Cc: Dirk Brazil; Pat Leary
Subject: RE: Proposed ABC Licensing Ordinance for Yolo County

In general, complicating any permit process for businesses is not a recommended action for a jurisdiction seeking to become more business friendly. However, I have reviewed the Board's January 29, 2008 discussions. It's vote of 3-0 directs staff to create a new permit process for alcohol sales.

Since there must be an ordinance, this one appears reasonable. It appears to tier soft and hard sales, and it exempts existing establishments.

David Morrison's memo states this ordinance also exempts wineries in AGI zones, where wineries are now permitted by right. It appears, however, that the ordinance states wineries need a minor use permit in AGI zone if they will be selling alcohol.

In order not to encourage agri-tourism and to avoid any perception of duplication of permits or duplication of fees, I suggest this ordinance clearly state that permits for alcohol sales will be reviewed concurrently with and as part of any other CUP applications being processed for the same project. In this way, it will be clear that this is not a separate or duplicative permit, and only one fee will be collected for the entire project. For instance, a winery in an A-1 or AP zone requires a major CUP (e.g. DeGuerre). The tasting room and sales portion of the project would thus be evaluated during the review process.

I'm available if you want to discuss further. X8066.

From: Donald Rust
Sent: Wednesday, May 28, 2008 1:21 PM
To: Tom Lopez; Robin Faille; Wes Ervin; 'Riegler, Lee@ABC'
Cc: David Morrison; Philip Pogledich
Subject: Proposed ABC Licensing Ordinance for Yolo County

Please review the attached proposed ordinance that is tentatively scheduled to go to the Board of Supervisors on June 10, 2008, provide any comments or questions June 2, 2008.

DONALD RUST, Principal Planner
County of Yolo, Planning & Public Works Department
292 West Beamer Street
Woodland, CA 95695
(530) 666-8835 - Desk
(530) 666-8156 - FAX
(530) 867-2995 - Cell Phone
donald.rust@yolocounty.org

Donald Rust

From: Stephanie Berg
Sent: Thursday, January 08, 2009 8:48 AM
To: Donald Rust
Subject: ABC ord

Hi Don,
The vote was 3 (opposed), 2 (recommend), and 2 (abstain) for the new ordinance. Primary reason: opposed to more regulation.

Stephanie Berg
Associate Planner
Yolo County Planning and Public Works
292 W. Beamer St.
Woodland, CA 95695
530.666.8850
530.666.8156 fax

Donald Rust

From: Craig Baracco
Sent: Thursday, February 12, 2009 2:51 PM
To: Donald Rust
Subject: MAC on ABC ordinance

Don-

At the 11/06/08 Madison Advisory Committee meeting, the proposed ordinance governing ABC licenses was discussed. Comments were generally in favor, but no action was taken by the Committee and no formal recommendation made. The Committee expressed no interest in discussing the matter further.

Craig Baracco
Associate Planner
Yolo County
292 West Beamer St
Woodland, CA 95695
(530)666-8833

THIS PAGE INTENTIONALLY LEFT BLANK