

AGENDA
June 10, 2015
CITY OF CITRUS HEIGHTS
PLANNING COMMISSION MEETING

City Hall Council Chambers
6300 Fountain Square Drive, Citrus Heights, CA

NOTE: The Commission may take up any agenda item at any time, regardless of the order listed. Action may be taken on any item on the agenda. The Commission established a procedure for addressing the Commission. Speaker Identification Sheets are provided on the table inside the Council Chambers. If you wish to address the Commission during the meeting please complete a Speaker Identification Form and give it to the Commission Secretary. Those addressing the Commission are limited to five (5) minutes, unless extended by the Chair. The Chair may also reduce the allowed time if there is a lengthy Agenda or a large number of people wanting to address the Commission.

1. CALL MEETING TO ORDER

2. ROLL CALL

Commission Members: Blair, Cox, Dawson, DeCelle, Fox, Lagomarsino, Chair Doyle

3. FLAG SALUTE

4. PUBLIC COMMENT

Under Government Code Section 54954.3, members of the audience may address the Commission on any item within the jurisdiction of the Commission or on any agenda item. If you wish to address the Commission, please fill out a speaker identification form and hand it to the Commission Secretary. When you are called upon to speak, step forward to the podium and state your name clearly for the record. Those wishing to speak on non-agenda items will be called upon at the beginning of the meeting. Those wishing to speak for or against an agenda item will be called upon at the beginning of the meeting. Those wishing to speak for or against an agenda item will be called upon after the presentation by the City Planning department and the Applicant for that agenda item.

5. CONSENT CALENDAR

- a. Approval Of The Meeting Minutes For May 27, 2015

6. PUBLIC HEARING

a. ZONING CODE MODIFICATION

The City is proposing modifications to various sections of the Zoning Code in regards to alcoholic beverage sales, including requirements for brewpubs. A complete list of changes can be obtained from the Planning Division. The project is exempt from CEQA under section 15061(b)(3). Project Planner Bermudez

Documents: [BREW PUB STAFF REPORT.PDF](#),
[ATTACHMENT1_CRAFT BEER PRESENTATION 2-2015.PDF](#),
[EXHIBITS AT THROUGH D.PDF](#)

7. REGULAR CALENDAR

- a. SALE OF PROPERTY (Section 65402 Findings) 7625 ANTELOPE ROAD

Documents: [DISPOSITION OF 7620 ORANGE DRIVE.PDF](#), [RESOLUTION FOR CONSISTENCY FINDINGS 7620 ORANGE.PDF](#), [ATTACHMENT 1.PDF](#),
[ATTACHMENT 2.PDF](#)

8. ADJOURNMENT

The agenda for this meeting of the Planning Commission for the City of Citrus Heights was posted at the sites listed below on or before the close of business at 5:00 p.m. on the Friday preceding the meeting.

City of Citrus Heights, 6237 Fountain Square Drive, Citrus Heights, CA
Rusch Park Community Center, 7801 Auburn Boulevard, Citrus Heights, CA
Sacramento County Library, Sylvan Oaks Branch, 6700 Auburn Boulevard, Citrus Heights, CA

Any writings or documents provided to a majority of the City of Citrus Heights Planning Commission regarding any item on this agenda will be made available for public inspection at City Hall located at 6347 Fountain Square Drive, Citrus Heights, CA.

If you need a disability-related modification or accommodation, including auxiliary aids or services to participate in this meeting, please contact Karen Ramsay at 916-727-4742, at least 2 days prior to the meeting.

Pursuant to Sections 65009 (b) (2), of the State Government Code "If you challenge any of the above projects in court, you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this notice, or in written correspondence delivered to the city Planning Commission at or prior to, this public hearing".

CITY OF CITRUS HEIGHTS MUNICIPAL CODE - TITLE 106 - ZONING CODE

TABLE 2-5 Allowed Land Uses and Permit Requirements for Commercial and Industrial Zoning Districts		P Permitted Use, Zoning Clearance required MUP Conditional use, Minor Use Permit required UP Conditional use Permit required S Permit requirement set by Specific Use Regulations — Use not allowed						
LAND USE (1)	PERMIT REQUIRED BY DISTRICT							Specific Use Regulations
	BP	LC	SC	GC	AC	CR	MP	

RESIDENTIAL USES

Emergency shelter	—	—	—	S	—	—	—	106.42.090
Home occupation	P	P	P	P	—	—	—	106.42.100
Live/work unit	MUP	MUP	UP	UP	—	—	—	106.42.110
Mixed use project residential component	—	S	S	S	S	—	—	106.42.130
Multi-unit dwelling	—	P	P	P	—	—	—	106.42.150
Single room occupancy (SRO) facility	—	—	—	UP	—	—	—	
Work/live unit	—	—	UP	UP	—	—	UP	106.42.110

RETAIL TRADE

Accessory retail uses	P	P	P	P	P	P	P	
Alcoholic beverage sales	—	S	S	S	—	S	—	106.42.020
Bar/Tavern	—	UP	UP	UP	—	UP	—	106.42.020
<u>Brew Pub, Tavern</u>	<u>—</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>106.42.020</u>
Building/landscape materials sales	—	—	P	P	—	—	—	
Construction and heavy equipment sales and rental	—	—	—	UP	P	—	P	
Convenience store	S	S	S	S	S	—	S	106.42.070
Drive-through retail	—	UP	UP	UP	—	—	—	106.42.080
Fuel dealer (propane for home and farm use, etc.)	—	—	—	P	—	—	—	
General retail	—	P	P	P	P	—	—	
Groceries, specialty foods	—	P	P	P	—	—	—	
Itinerant vendor	S	S	S	S	S	S	S	106.42.106
Mixed use project	—	S	S	S	S	—	—	106.42.130
Night club	—	—	UP	UP	—	—	—	
Office-supporting retail	S	P	P	P	—	—	S	106.26.030.C
Outdoor displays and sales	—	P	P	P	P	—	—	106.42.160
Public auction, flea market	—	—	—	UP	—	—	—	
Restaurant, café, coffee shop	S	P	P	P	P	MUP	S	106.26.030.C
Smoking paraphernalia establishment	S	S	S	S	S	S	S	106.42.230
Wood yard (firewood sales)	—	—	—	MUP	—	—	—	

Key to Zone Symbols

BP	Business and Professional Office	AC	Auto Commercial
LC	Limited Commercial	CR	Commercial Recreation
SC	Shopping Center	MP	Industrial/Office Park
GC	General Commercial		

Notes:

106.42.020 - Alcoholic Beverage Sales

- A. **Purpose.** Establishments that serve alcoholic beverages receive special attention from the City because of their potential to create problems, such as littering, loitering, public intoxication and disturbances. The City shall review all establishments selling alcoholic beverages.
- B. **Distance requirements.** No on-sale or off-sale liquor establishment shall be maintained within 500 feet of any other on-sale or off-sale liquor establishment, or within 500 feet from the following "consideration points":
1. Schools (public or private);
 2. Churches or other places of worship;
 3. Hospitals, clinics, or other health care facilities; and
 4. Public parks and playgrounds and other similar uses.

The distance of 500 feet shall be measured between the nearest entrances used by patrons of the establishments along the shortest route intended and available for public passage to other establishments, or to the nearest property line of any of the consideration points.

- C. **Exceptions for distance requirements.** Veterans clubs, bonafide restaurants, food markets, supermarkets, drugstores, brew pubs, taverns, cardrooms, or any other retail establishment where off-sale of alcoholic beverages constitute less than 20 percent of total sales, fraternal organizations, and existing alcohol serving establishments may be closer than 500 feet from one another or any of the consideration points.
- D. **Permit requirements.** Each-on-sale alcohol establishment shall require Use Permit approval, except for
1. A bona-fide restaurant; and
 2. Brew pubs, taverns that close no later than 10:00 p.m. Sunday through Thursday and 11:00 p.m. Friday and Saturday

Each-off-sale alcohol establishment shall require Use Permit approval, except for

2. Food markets, supermarkets, drugstores, brew pubs, or any other retail establishment in which off-sale of alcoholic beverages constitutes less than 20 percent of total sales. The owner/operator shall submit evidence of total sales to the City Finance Department, upon request by City officials to verify compliance with this requirement.
- E. **Performance and development standards.**
1. Exterior lighting of the parking areas shall be sufficient to ensure a minimum intensity of at least one foot-candle of light throughout the parking surface at all times.
 2. The noise levels generated by the operation of such establishment shall not exceed 60 dBA on adjoining properties zoned for residential purposes and 65 dBA for commercially zoned property.
 3. All establishments shall be required to have a public telephone listing. Exterior public telephones that permit incoming calls may not be located on the premises.
 4. It shall be the responsibility of the applicant licensee to provide all employees with the knowledge and skills that will enable them to comply with their responsibilities under law. The knowledge and skills deemed necessary for responsible alcoholic beverage service shall include the following topics and skills development:
 - a. State laws relating to alcoholic beverages, particularly ABC and penal provisions concerning sales to minors and intoxicated persons, driving under the influence, hours of legal operation, and penalties for violations of these laws.

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- b. The effects of alcohol on the body, and behavior, including how the effects of alcohol affect the ability to operate a motor vehicle.
 - c. Methods for dealing with intoxicated customers and recognizing underage customers.
 - 5. Off-sale liquor establishments shall provide litter and trash receptacles at convenient locations inside and outside the premises. In addition, those operators of such establishments shall remove trash and debris on a daily basis.
 - 6. Convenience Stores (with or without associated gasoline sales) shall not sell:
 - a. Wine in bottles or containers less than 750 ml except for wine based coolers;
 - b. Wine coolers, whether made of wine or malt products, in quantities of less than a factory four-pack;
 - c. Beer and/or malt beverages not in original factory package;
 - d. Beer in single containers less than 32 ounces;
 - e. Distilled spirits in containers less than 375 ml; and
 - f. Distilled spirits at convenience stores that sell gasoline.
 - F **Optional conditions.** Further conditions that may be imposed upon the issuance of a Use Permit for on-sale or off-sale liquor establishments may include:
 - 1. Special security measures including off-duty police or licensed security guards, robbery and burglar alarm systems;
 - 2. Limitations on hours of operation; and
 - 3. Other conditions deemed appropriate in furtherance of the purposes of this ordinance.
 - G. **Violations.** If the Director or the Chief of Police or their designees determine there has been a violation of this Section or any of the conditions set forth in a Use Permit issued in compliance with this Section, a report of those violations may be presented to the Commission for review. The Commission may require the annual review of the Use Permit or revocation of the Use Permit based on non-compliance.
 - H. **Non-conforming establishments/improvements.** Notwithstanding Chapter 106.70 (Nonconforming Uses, Structures, and Parcels), any on-sale or off-sale liquor establishment lawfully existing prior to the effective date of the ordinance adopting this Section and licensed by ABC, shall obtain a Use Permit in compliance with Section 106.62.050 (Use Permit and Minor Use Permit) when:
 - 1. The establishment changes its retail liquor license, including a change within a license classification; or
 - 2. The establishment substantially changes its mode or character of operation.
 - I. **Modification to on-sale or off-sale liquor establishments.** Any on-sale or off-sale liquor establishment which becomes lawfully established on or after the effective date of this Section and is licensed by the ABC, shall obtain a modification to its Use Permit before:
 - 1. The establishment changes its retail liquor license, including a change within a license classification; or
 - 2. The establishment substantially changes its mode or character of operation.
 - J. **Bonafide restaurants.** A bonafide restaurant that sells alcoholic beverages may only admit persons under the age of 21 during the hours when meal service is available to its patrons.

Definitions

DEFINITIONS RELATED TO ALCOHOL SALES

Alcoholic Beverage Sales. The retail sale of beer, wine, and/or distilled spirits for on-premise or off-premise consumption.

1. **Bonafide Restaurant.** A place that is regularly used and kept open for the serving of meals to guests for compensation and which has:
 - a. Suitable kitchen facilities for the cooking of an assortment of foods which may be required for meals;
 - b. A primary use of a sit down service to patrons;
 - c. Adequate seating arrangements for sit down patrons provided on the premises;
 - d. Take-out service that is only incidental to the primary sit down use; and
 - e. Alcoholic beverages all sold or dispensed for consideration for consumption on the premises only, and only when, served at tables or sit down counters by employees of the restaurant.

A bonafide restaurant does not include a place where food service is incidental to the service of alcoholic beverages, constituting less than 51 percent of sales. The owner/operator shall submit evidence of total food service sales to the City Finance Department, upon request by City Officials to verify compliance with this definition, and Section 106.42.020 (Alcoholic Beverage Sales).

2. **Off-Sale Liquor Establishments.** An off-sale liquor establishment shall mean any establishment which is applying for or has obtained a liquor license from the California Department of Alcoholic Beverage Control (ABC) including, but not limited to, type 20 (off-sale beer and wine) and type 21 (off-sale general) for selling alcoholic beverages in an unopened container for the consumption off the premises. This definition does not include food markets, supermarkets, drugstores or any other retail establishment in which off-sale of alcoholic beverages constitute less than 20 percent of total sales.
3. **On-Sale Liquor Establishments.** An on-sale liquor establishment shall mean any establishment wherein alcoholic beverages are sold, served or given away for consumption on the premises, including but not limited to any facility which has obtained an ABC liquor license. Typical on-sale uses include but are not limited to the following establishments: ballrooms, dance bars, piano bars, billiard and/or game parlors, night clubs, or other private clubs. This definition does not include bona fide restaurants as defined herein.
4. **Substantial change in the mode or character of operation.** The phrase "substantial change of mode or character of operation" shall mean:
 - a. An increase in the amount of square footage devoted to the sales or consumption of alcoholic beverages;
 - b. A change in the nature of the licensed premises; or
 - c. A cessation of use for greater than 12 months or more excepting a cessation of use for greater than 12 months for the restoration of the premises rendered totally or partially inaccessible by an act of God or a toxic accident, if the restoration does not increase the square footage of the business used for the on-sale or off-sale of alcoholic beverages.

Bar/Tavern. A business where alcoholic beverages are sold for on-site consumption and, ~~which is not part of a larger restaurant. Includes bars, taverns, pubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages.~~ May include dancing as an incidental use, if authorized by the Use Permit approval for the facility. Does not include adult oriented businesses, which are separately defined.

Brew Pub. A facility where patrons are served beer produced on the premises for on-site consumption, and which may also include food sales. Brew pubs produce less than 5,000 barrels of beverage (all beverages combined) annually.

Food and Beverage Product Manufacturing. Manufacturing establishments producing or processing foods and beverages for human consumption, and certain related products. Examples of these uses include:

bottling plants	fats and oil product manufacturing
breweries	fruit and vegetable canning, preserving, related processing
candy, sugar and confectionery products manufacturing	grain mill products and by-products
catering services separate from stores or restaurants	meat, poultry, and seafood canning, curing, byproduct processing
coffee roasting	soft drink production
dairy products manufacturing	miscellaneous food item preparation from raw products

Does not include: bakeries, which are separately defined; or beer brewing as part of a brew pub, bar or restaurant (see "Bar/Tavern," and "Night Club").

Manufacturing/Processing - Light. A facility accommodating manufacturing processes involving and/or producing: apparel; food and beverage products; electronic, optical, and instrumentation products; ice; jewelry; and musical instruments. Light manufacturing also includes other establishments engaged in the assembly, fabrication, and conversion of already processed raw materials into products, where the operational characteristics of the manufacturing processes and the materials used are unlikely to cause significant impacts on surrounding land uses or the community.

Night Club. A facility with the primary function of providing entertainment, examples of which include live music and/or dancing, comedy, etc., which may serve alcoholic beverages for on-site consumption. Does not include adult entertainment businesses, which are separately defined.

Restaurant, Café, Coffee Shop. A retail business selling ready-to-eat food and/or beverages for on- or off-premise consumption. These include eating establishments where customers are served from a walk-up ordering counter for either on- or off-premise consumption ("counter service"); and establishments where customers are served food at their tables for on-premise consumption ("table service"), that may also provide food for take-out. Does not include restaurants with alcohol service, which are separately defined (see "Alcoholic Beverage Sales).

Tap Room. Allowed accessory use to a brewery for the purpose of tasting, selling and consumption of alcohol beverage manufactured on the premises.

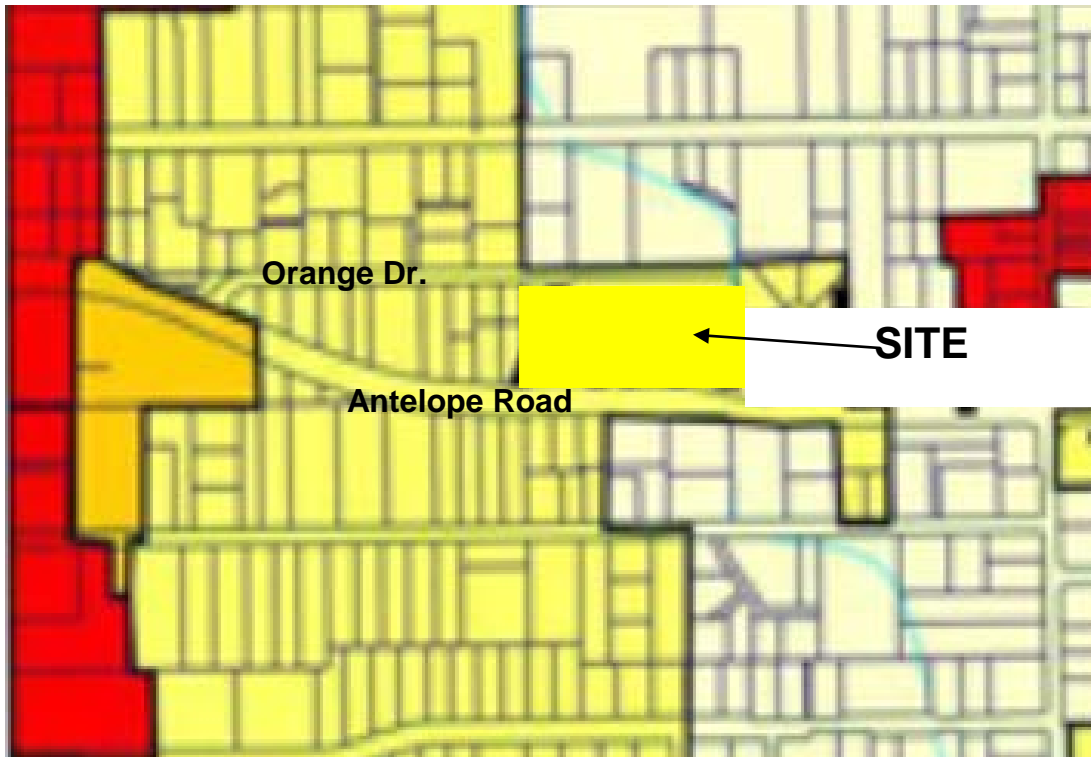
Tavern. A business whose alcoholic beverages are limited to beer/wine only. Food service is subordinate to the sale of alcoholic beverages.






The Boulevard Plan

Allowed Uses Table

Figure 3.4: Allowable Uses

LAND USE*	PERMIT REQUIRED BY AREA					
	Gateway District		Rusch Park District		L40	SCVS
	GDCC	Outside GDCC	RSVC	Outside RSVC		
RETAIL TRADE						
Bar/tavern	S	S	S	S	S	S
<u>Brew pub, tavern</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>



LEGEND	
	Very Low Density Residential 4 Units per Acre
	Low Density Residential 1-8 Units per Acre
	Medium Density Residential 8-20 Units per Acre
	High Density Residential 20-30 Units per Acre
	General Commercial



North

CITY OF CITRUS HEIGHTS

7620 Orange Ave

Scale: None

Exhibit B