
Chapter 14-25 ALCOHOL-RELATED USES*

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* Chapter 14-25, entitled “Alcohol-Related Uses,” consisting of Sections 14-25.010 through 14-25.060, codified from Ordinance No. 1135-02 C-M, effective September 10, 2002, as amended by Ordinance No. 1272-10, effective December 30, 2010, Ordinance No. 1315-15 (CM), effective May 15, 2015, and Ordinance No. 1371-18 (CM), effective October 11, 2018, repealed and replaced by Ordinance No. 1385-19 (CM), effective July 11, 2019.

14-25.010 Purpose.

The Council finds that this chapter will promote the peace, tranquility, health, safety and general welfare of the community by providing for the orderly integration of alcohol-related uses into the community, which otherwise have significant potential to create health and safety problems and other social problems when the use is abused.

This chapter is intended to reduce the existing and potential for alcohol-related environmental and social problems by regulating the use, operation and location of new establishments selling alcoholic

beverages in relation to one another and their proximity to sensitive uses and facilities customarily to be used by children and families. Additionally, potential unequal treatment of similar applicants is intended to be limited through the imposition of minimum uniform conditions, time limits for compliance and upon all establishments selling alcoholic beverages which are subject to conditional use permits. A screening process was established to allow these uses with responsible operators and to continue to allow businesses that have operated responsibly in the past.

The chapter is also intended to allow these uses in a flexible way in limited areas of the City that provide experiences and entertainment in the Central Commercial Core Area (CCA) district and shopping centers including by allowing multiple alcohol uses and restaurants in one shared space, allowing a greater concentration of eating and drinking establishments, and allowing the use of outdoor space when suitable.

(§ 1, Ord. 1385-19 (CM), eff. July 11, 2019)

14-25.011 Application for conditional use permit—Form and content.

A conditional use permit is required for all alcohol-related businesses per Chapter [14-16](#). An application for an administrative use permit or special use permit required by this chapter shall be in the form prescribed by the Zoning Administrator and shall be accompanied by an application processing fee pursuant to Part 14 of Chapter [14-10](#). Two (2) copies of the completed application shall be filed, one (1) of which the Planning Division shall route to the Police Chief or his or her designee for a determination, pursuant to Business and Professions Code Section [23958.4](#), whether the public convenience or necessity would be served by the issuance of a liquor license, if applicable. The Zoning Administrator shall develop an alcohol license application form which shall contain all of the information required by Part 4 of Chapter [14-10](#) as well as the following items, which may be amended by the Zoning Administrator from time to time:

- (a) Business plan to include a description of the alcohol sales establishment, its legal structure, its leadership team, experience, owners and employees, and describing operational aspects, including if there is to be live entertainment or dancing, and describing the circumstances for such.
- (b) Description of location to include site plan, floor plan.
- (c) Safety and Security Plan. Assessment of site security and training of personnel as well as safety of patrons.
- (d) Neighborhood compatibility plan which will set forth and explain, at a minimum: measures to avoid sales to minors; for reporting crimes; and to avoid or mitigate intoxication, violence, public urination, solicitation, illegal drug use, drug dealing, loitering, loud noise, graffiti and/or litter.
- (e) Community Benefits. Identify benefits to the community that the business will provide.

(§ 1, Ord. 1385-19 (CM), eff. July 11, 2019)

14-25.012 Application scoring.

- (a) City staff (consisting of the Police Chief, Fire Chief, Community Development Director, Finance Director, City Manager or their designees) shall review the application, and interview applicant(s) within sixty (60) days following receipt of a complete application for an alcohol sales establishment.
- (b) Applicants will be interviewed as part of the application process, after the interview with the applicant; City staff shall review and score the application for an alcohol sales establishment.

(c) Successful applications shall receive a score of at least eighty (80%) percent of all available points on rubric.

(d) If an application fails, a new application for an alcohol sale permit may be submitted after ninety (90) days of notice of rejected application.

(§ 1, Ord. 1385-19 (CM), eff. July 11, 2019)

14-25.013 Action on application for a conditional use permit—Form.

The Zoning Administrator shall consider each application for an administrative use permit and the Planning Commission shall consider each application for a special use permit required by Chapter [14-16](#). Applications shall be processed in the manner provided in Part 4 of Chapter [14-10](#). The Zoning Administrator or Planning Commission shall approve or conditionally approve the permit upon making the findings required in Section [14-12.513](#) and each of the following findings:

(a) The proposed use received the minimum score necessary to issue a conditional use permit.

(b) The proposed use will not cause adverse noise, litter, crowd control, or parking impacts.

(c) The proposed use will not create objectionable conditions that constitute a nuisance, as defined in California Business and Professions Code Section [24200\(f\)\(2\)](#).

(d) The proposed use will maintain all levels of service, including but not limited to the provision of security, maintenance of premises, LEAD training, and professional management as identified in the original application.

(§ 1, Ord. 1385-19 (CM), eff. July 11, 2019)

14-25.014 Conditions of approval—All alcohol sales establishments.

(a) When considering an application for a conditional use permit for an alcoholic sales establishment, the Zoning Administrator or Planning Commission, after review and comment by the Chief of Police or their designee, shall consider whether the current conditions in the zoning district are requiring the diversion of police resources to the detriment of residential areas of the City, or whether the permitting of additional premises selling alcoholic beverages will cause such diversion.

(b) The following conditions of approval shall apply to all alcohol sales establishments and be effective upon approval of a conditional use permit for the sale of alcohol. The Zoning Administrator or Planning Commission may, in approving, conditionally approving, or modifying the conditional use permit of an alcoholic sales establishment, impose conditions that it deems reasonably necessary or desirable to ensure that the use authorized by the conditional use permit will be established, operated, and maintained in accordance with the findings required by Section [14-25.013](#), the Zoning Ordinance, the Municipal Code, and other applicable provisions of law. Such conditions may address any factors relating to the establishment, operation, or maintenance of the proposed use, including, but not limited to, the following:

(1) Hours and days of operation.

(2) Provision of security personnel that can be readily identified by the public and the police. Security personnel, if required, should be responsible for monitoring activities in the parking lots and should act as doorpersons to facilitate crowd control both inside and outside the facility. Security personnel shall be required when any of the following apply:

(i) Business is open later than 10:00 p.m.;

- (ii) Entertainment is proposed;
 - (iii) Food is not available during operating hours; and/or
 - (iv) When determined necessary to protect the health and safety by the Chief of Police.
- (3) Security provisions to assure safety of customers, visitors, or employees on the site, as well as users of adjacent sites, including, but not limited to, lighting, alarm systems, security personnel, and the appropriate type and placement of landscape materials.
- (4) Installation of sound attenuation material, if necessary, to mitigate noise impacts.
- (5) Provision of maintenance personnel to clean up litter in areas adjacent to the building.
- (6) Location of queuing for patrons waiting to enter the facility. (There should be an identified area for queuing that is not located within the public right-of-way, nor that blocks required parking or driveways.)
- (7) Adequacy of restroom facilities for patrons inside the facility as well as accommodations for queuing patrons waiting to enter the facility.
- (8) Adequate drop-off areas, if valet parking is to be provided.
- (9) Compliance with periodical site inspections by Police Department to ensure adherence to conditions of approval.

(§ 1, Ord. 1385-19 (CM), eff. July 11, 2019)

14-25.020 Minimum operational standards.

The operational standards of Sections [14-25.021](#), [14-25.022](#), [14-25.023](#) and [14-25.024](#) shall regulate the operation of alcohol sales establishments after the date of final adoption of the ordinance codified in this chapter.

(§ 1, Ord. 1385-19 (CM), eff. July 11, 2019)

14-25.021 Operational standards—All alcohol sales establishments.

The following operational standards shall apply to all alcohol sales establishments and be effective upon approval of a conditional use permit for the sale of alcohol, unless excused upon a showing of good cause:

- (a) All alcohol sales establishments' owners, managers and service staff shall follow responsible beverage service (RBS) practices and procedures. Owner(s), manager(s) and service staff shall attend the Department of Alcoholic Beverage Control (ABC) Licensee Education on Alcohol and Drugs (LEAD) training within ninety (90) days from the date of approval of this use permit and/or employment at the alcohol sales establishment, and every five (5) years thereafter. Upon completion of the training, the alcohol sales establishment owner shall keep all cards on file and available for review and inspection by City staff upon request. Failure to attend training and/or retain records on file shall be reported to the Zoning Administrator or Planning Commission and may be grounds for imposing additional or different use restrictions or revocation of the alcohol sales establishment use permit.
- (b) Compliance with all conditions of any ABC license.
- (c) Permanent litter and trash receptacles shall be located at convenient locations inside and outside establishments, and operators of such establishments shall remove litter and debris on a daily basis.

- (d) The following signs shall be required and readily visible in English, Spanish, and the predominant language of the patrons.
- (e) "California State Law prohibits the sale of alcoholic beverages to persons under twenty-one (21) years of age."
- (f) A copy of these performance conditions, any applicable ABC or City operating conditions, and any training requirements shall be posted in at least one (1) prominent place within the interior of the establishment where it will be readily visible and legible to the employees and patrons of the establishment.
- (g) All employees shall be at least twenty-one (21) years of age to sell and serve alcohol.
- (h) The alcohol sales establishment shall be required to clear the storefront and the adjacent parking lots in the immediate vicinity of the establishment of any lingering patrons immediately after closing.
- (i) At least two (2) twenty-four (24) hour time-lapse exterior security cameras shall be installed, maintained in good working order, approved by and made available to the Police Department upon request, and operated as directed by the Chief of Police. Chief of Police may recommend additional security cameras or revised operation practices.
- (j) No portion of the ground floor of interior or exterior windows shall be obscured by paint, walls, window tinting, or other masking device. This subsection is intended to facilitate views of the interior from the exterior for public safety, and does not prohibit neon signs, minimal window borders, or other signs or decorations that are consistent with City sign regulations and do not obscure views.
- (k) The applicant shall obtain a building permit for all required tenant improvements associated with the brewing of beer on site to ensure the premises comply with current building and fire code requirements.

(§ 1, Ord. 1385-19 (CM), eff. July 11, 2019)

14-25.022 Operational standards—On-sale alcohol sales establishments.

- (a) The following operational standards shall apply to all on-sale alcohol sales establishments:
 - (1) Compliance with all conditions of applicable entertainment, amplified music, permits issued by the City's Police Department.
 - (2) Exterior security lighting shall be provided. All security lighting shall be shielded and down cast to ensure it does not create glare to adjacent properties.
 - (3) If the alcohol sales establishment includes an outdoor dining, patio, and/or recreation area, exterior lighting with an average light intensity between one (1) and four (4) foot-candles with a maximum uniformity ratio not to exceed three to one (3:1) shall be required. Any broken or burned out lights shall be replaced within seventy-two (72) hours.
 - (4) The number of occupants shall not exceed the maximum permitted occupant load per California Building Code or Fire Code.
 - (5) Alcohol sales establishments proposing the use of pool tables are subject to Section 5-16.07.
 - (6) Drive-through service of alcohol is prohibited.
 - (7) Hours of operation shall be limited to:

- (i) Sunday—Thursday: last call at 10:00 p.m., closing at 10:30 p.m.
- (ii) Friday—Saturday: last call at 11:00 p.m., closing at 11:30 p.m.

An extension to these hours shall be considered by the Police Department through the entertainment permit process.

(b) In addition to subsection (a) of this section, the following additional operational standards shall apply to the specific categories of on-sale alcohol sales establishments:

- (1) Restaurant (No Alcohol Sales). Operational standards set forth in Sections [14-25.020](#) through [14-25.023](#) inclusive shall not apply without a showing of good cause.
- (2) Restaurant with beer and wine sales and/or liquor sales (Types 41, 47, 48): Beer, wine and liquor sales are only permitted with the purchase of food.
- (3) Restaurant with bar (Types 41, 47, 48):

(i) A partial or complete physical barrier shall be provided between the bar and dining area of the restaurant.

(ii) Food must be available at all hours that the establishment is open for business.

(iii) The restaurant shall remain accessible to minors during all hours of operation.

(c) Brewpub (Type 23):

- (1) Food must be available at all hours that the establishment is open for business.
- (2) The premises shall remain accessible to minors during all hours of operation.

(§ 1, Ord. 1385-19 (CM), eff. July 11, 2019)

14-25.023 Operational standards—Off-sale alcohol sales establishments (Types 20, 21).

The following operational standards shall apply to all off-sale alcohol sales establishments including grocery stores:

- (a) Malt beverage and fortified wine shall not be sold in containers with a volume exceeding sixteen (16) ounces.
- (b) The sale of individual containers of malt beverage or fortified wine is prohibited.

(§ 1, Ord. 1385-19 (CM), eff. July 11, 2019)

14-25.030 Operational changes.

(a) Existing alcohol-related uses with legally existing nonprobationary valid licenses from the ABC before the adoption of this chapter may continue to operate after the adoption of the ordinance codified in this chapter without a conditional use permit in accordance with the time limits established in Section [14-25.060](#), providing:

- (1) The alcohol-related use retains the same type of ABC liquor license;
- (2) Ownership of the ABC license remains unchanged;
- (3) Location of the ABC license remains unchanged; and

(4) The alcohol-related use is operated continuously without substantial change in the mode or character of operation.

(b) A “substantial change in mode or character of operation” includes, but is not limited to, the following:

- (1) The license issued by ABC is suspended for more than thirty (30) days or is revoked; or
- (2) The owner or operator or ABC licensee is convicted, pleads guilty, no contest, or is found by ABC to have violated California Health and Safety Code Section [11350](#), [11351](#), [11352](#), [11550](#) or [11364.7](#) or California Penal Code Section [647\(b\)](#) and the conviction relates to the same alcohol sales establishment premises or the operation of the same alcohol sales establishment; or
- (3) The premises are altered to increase the gross floor area; or
- (4) The owner or operator has failed to comply with any or all conditions of the conditional use permit; or
- (5) The owner or operator has failed to maintain the level of service as described in the original application; or
- (6) The alcohol-related use is closed, abandoned, discontinued or suspended for a continuous period of more than ninety (90) days for reason other than a break in continuous business due to natural disaster or other similar circumstances beyond the control of the licensee, owner or operator; or
- (7) The alcohol-related use has been declared a “public nuisance” by the City Council; or
- (8) The facility has been deemed to have demonstrated a pattern of alcohol-related problems by the Zoning Administrator.

(§ 1, Ord. 1385-19 (CM), eff. July 11, 2019)

14-25.031 Modification, discontinuation or revocation.

(a) Notwithstanding any provision of the Watsonville Municipal Code to the contrary, for any use permit granted in accordance with the provisions of this chapter or any deemed approved use subject to this chapter, the original approving body may require the modification, discontinuance or revocation of any such use permit or deemed approved use, in accordance with the procedures set forth in Chapter [14-10](#), Part 13, Section [14-10.1300](#) et seq. (Revocation of Permit) if the original approving body determines that the use as operated or maintained constitutes a public nuisance and/or is causing alcohol-related problems. Such a determination shall be made if the original approving body determines that any of the following conditions exist:

- (1) Alcohol-related problems as defined in Section [14-25.030\(b\)\(8\)](#); or
- (2) Any condition which violates any provision of this chapter, or any other City, State, or Federal regulation, ordinance or statute, where the violation creates a public nuisance.

(b) During the time period between receipt of notice and decision by the Zoning Administrator, Planning Commission, or appeal to City Council regarding the matter, the Zoning Administrator has the authority to modify any conditions of approval necessary to immediately address the alcohol-related problems.

(§ 1, Ord. 1385-19 (CM), eff. July 11, 2019)

14-25.032 Findings required for revocation or modification of conditional use permit.

(a) The Zoning Administrator or the Planning Commission may require that a use be discontinued or revoked only if the following findings are made:

- (1) Prior efforts to compel the owner and/or lessee to eliminate the problems associated with the use have failed; and
- (2) That the owner and/or lessee has failed to demonstrate, to the satisfaction of the Zoning Administrator or the Planning Commission, the willingness and ability to eliminate the problems associated with the use.

(b) All decisions of the Zoning Administrator and/or the Planning Commission shall be appealable per Chapter [14-10](#), Part 11, Section [14-10.1100](#) et seq. (Appeals).

(§ 1, Ord. 1385-19 (CM), eff. July 11, 2019)

14-25.040 Existing uses deemed approved.

Any alcohol outlet lawfully in existence at the time that the ordinance codified in this chapter becomes effective shall be deemed approved for such use. However, if the Zoning Administrator determines that the failure to adhere to any requirement imposed upon new or expanded uses pursuant to this chapter is creating an adverse impact, or that such use constitutes an alcohol-related problem or public nuisance in accordance with any other provision of this Code, the Zoning Administrator may impose additional conditions upon the operation of such use as are necessary to abate the nuisance or adverse impact. Such measures may include, but shall not be limited to, any of the specific requirements set forth herein for new alcohol outlets, and, if necessary, suspension of alcohol sales or revocation of the deemed approved status and discontinuance of the use.

(§ 1, Ord. 1385-19 (CM), eff. July 11, 2019)

14-25.050 Separation requirements.

The table of separation requirements below shall be imposed for new alcohol-related uses or where there is a substantial change in mode or character of operation associated with an alcohol sales establishment. All alcohol sales establishments shall remain subject to the sensitive use separation requirements, except for those in the Central Commercial Core Area (CCA).

(a) Exceptions. These separation requirements shall not apply to:

- (1) An existing alcohol sales establishment where the only substantial change in mode or character of operation is a change in ownership.

(b) The table of separation requirements applies only when:

- (1) An alcohol sales establishment is required to seek a conditional use permit; or
- (2) An existing alcohol sales establishment is required to obtain a new conditional use permit because of a substantial change of mode or character of operation of such property (other than merely a change of ownership).

Table 1. Separation Requirements for Alcohol-Related Uses

		Convenience Store		Grocery Store		Restaurant			Liquor store	Bar	Brewpub	Sensitive use
		With beer and wine sales	With liquor sales	With beer and wine sales	With liquor sales	With beer and wine sales	With liquor sales	With bar				
	License Type	20	21	20	21	41	47	47, 48	21	40, 42, 47, 48, 51, 52	23	
Convenience store with beer and wine	20	500'	1,000'	N/A	N/A	N/A	300'	500'	1,000'	500'	N/A	300'
Convenience store with liquor sales	21	1,000'	1,000'	N/A	N/A	N/A	300'	500'	1,000'	500'	N/A	300'
Grocery store with beer and wine sales	20	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Grocery store with liquor sales	21	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Restaurant with beer and wine sales	41	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Restaurant with liquor sales	47	300'	300'	N/A	N/A	N/A	500'	500'	500'	500'	N/A	300'
Restaurant with bar	47, 48	500'	500'	N/A	N/A	N/A	500'	500'	1,000'	1,000'	N/A	300'
Liquor store	21	1,000'	1,000'	N/A	N/A	N/A	500'	1,000'	1,000'	1,000'	N/A	300'
Bar	40, 42, 47, 48, 51, 52	500'	500'	N/A	N/A	N/A	500'	1,000'	1,000'	1,000'	N/A	300'
Brewpub	23	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

(§ 1, Ord. 1385-19 (CM), eff. July 11, 2019)

14-25.060 Time limits.

(a) All alcohol sales establishments already operating as of July 11, 2019, are deemed approved under Section [14-25.040](#).

(b) A conditional use permit for a new alcohol sales establishment shall be valid for a period of twenty (20) years from the date of approval if the following conditions apply:

- (1) Payment of the annual certification fee;
- (2) Compliance with all provisions of local, State or Federal laws, including but not limited to those of the ABC and California Business and Professions Code Section [24200](#).

(§ 1, Ord. 1385-19 (CM), eff. July 11, 2019)

14-25.070 Exceptions.

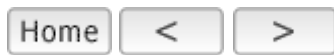
Sections [14-25.020](#) through [14-25.023](#) shall not apply to the following uses:

(a) Alcohol sales or services when provided as an accessory use at a membership, social or fraternal club, or similar establishment when a conditional use permit for the establishment of the club has been issued. New membership clubs, or the addition of alcohol sales or services at an existing club, require the issuance of a conditional use permit by the Planning Commission.

(b) Alcohol sales or services when provided on a temporary basis, not to exceed ten (10) consecutive days, when permitted and regulated by the ABC and the Watsonville Police Department.

(c) Catering businesses.

(§ 1, Ord. 1385-19 (CM), eff. July 11, 2019)



The Watsonville Municipal Code is current through Ordinance 1405-20 (CM), passed June 23, 2020.

Disclaimer: The City Clerk's Office has the official version of the Watsonville Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <https://www.cityofwatsonville.org/>

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