

PLANNING COMMISSION MEETING

APRIL 25, 2023

CODE AMENDMENT NO. 23-02 - CONSIDERATION TO AMEND MUNICIPAL CODE TO ALLOW
ALCOHOL SALES AT GASOLINE STATIONS

Community Development Department
Planning Division

CHANGES TO SECTIONS 26-597, 26-664, AND 26-685.103

- Specify in the land-use matrix that “off-sale” of alcohol at service stations would be allowed through a conditional use permit (CUP) process.
- Delete “sale of alcoholic beverages” as a prohibited use in service stations
- Clarify that the sale of alcohol for off-site consumption at service stations require a CUP
- Cross references standards within Section 26-685.103.3



SECTION 26-685.103.3 SERVICE STATIONS SELLING BEER AND WINE FOR OFF-PREMISES CONSUMPTION (NEW SECTION)

Conditional Use Permit Required. Any service station located in specified commercial and manufacturing zones may sell beer and wine for off-site consumption with a conditional use permit. The sales of distilled spirits shall not be allowed.

CONTINUATION - SECTION 26-685.103.3 SERVICE STATIONS SELLING BEER AND WINE FOR OFF-PREMISES CONSUMPTION

Unless otherwise noted, the following requirements shall apply to all gasoline service stations selling beer and wine:

- A maximum of ten (10) percent of the retail floor area shall be allowed for the display and sale of alcohol. Merchandize stacking shall not be included in the retail floor area calculation when determining the maximum area for display and alcohol sales.
- The sale of beer in quantities fewer than three containers is prohibited and no alcoholic beverage shall be sold in unit quantities less than the distributor's intended resale units.
- CCTV installation requirement



CONTINUATION - SECTION 26-685.103.3 SERVICE STATIONS SELLING BEER AND WINE FOR OFF-PREMISES CONSUMPTION

- No beer and wine shall not be displayed within five feet of the cash register or front door.
- The advertisement of beer and wine shall not be permitted at motor fuel islands.
- Identification card reader is required to determine to the authenticity of the identification that displays the age of the individual.
- No pay phone shall be permitted on the exterior of the premises.
- No beer and wine shall be sold from or displayed in an ice tub.
- No coin operated video games or video entertainment machines shall be permitted on the premises.
- Signage shall be posted in the parking lot and on the exterior of the building notifying persons that alcohol shall not be consumed on the premises.
- Signs shall be prominently posted, stating that California State Law prohibits the sale of beer and wine to persons under the age of 21 years.

OFF-SALE ALCOHOL LICENSE AND GASOLINE STATION INFORMATION

Off-sale Alcohol Licenses by the Number

- There are **25 Liquor Stores/Convenience Stores/Mini-Marts** with active off-sale alcohol licenses within the City
- There are **21 Supermarkets/Pharmacies/Department Stores** with active off-sale alcohol licenses within the City
- There are a **total of 46 places/stores** that have active off-sale alcohol licenses within the City

Gasoline Stations with Convenience Stores by the Number

- There are **20 gasoline stations with convenience stores** with active business licenses within the City
- All gasoline stations with business licenses within the City have convenience stores

RECOMMENDATION

Staff recommends that the Planning Commission consider Code Amendment No. 23-02 and make a recommendation to the City Council by adopting Resolution No. 23-6126.