

OFFICIAL ZONING CODE INTERPRETATION (No. 7)
(Zoning Code Sections 20-22.030, 20-23.030, 20-24.030, 20.26.030 and 20-28.070)

ZONING CODE PROVISION INTERPRETED:

Sections 20-22.030 (Table 2-2), 20-23.030 (Table 2-6), 20-24.030 (Table 2-10), 20.26.030 (Table 2-12), and 20-28.070 (Table 2-20), Allowed Land Uses and Permit Requirements

At issue is whether or not an incidental bar is permitted as part of a restaurant, café, coffee shop – serving alcohol.

The Allowed Land Uses and Permit Requirements tables located in Zoning Code Sections 20-22.030 (Table 2-2: Residential Zoning Districts), 20-23.030 (Table 2-6: Commercial Zoning Districts), 20-24.030 (Table 2-10: Industrial Zoning Districts), 20.26.030 (Table 2-12: Special Purpose Zoning Districts) and 20-28.070 (Table 2-20: Limited Light Industrial Zoning District), include a land use category of “restaurant, café, coffee shop – serving alcohol (no bar)”.

The reference to “(no bar)” has caused confusion with those who administer the Zoning Code, as it can be interpreted to mean an incidental bar within a restaurant is not permitted. However, Zoning Code Section 20-42.034, Alcoholic Beverage Sales, refers to the permit requirements for restaurants serving alcohol “with or without an incidental bar component”.

The land use category of “restaurant, café, coffee shop – serving alcohol (no bar)” was created with the adoption of the Santa Rosa Zoning Code in 2004. It was the intent at that time to differentiate restaurants, cafés and coffee shops that serve alcohol with a meal from the “bar/tavern” land use category, which is defined by the Zoning Code as an establishment that is not part of a larger restaurant and where food service is subordinate to the sale of alcoholic beverages. It was not the intent to prohibit an incidental bar component from a restaurant. Therefore, it is determined that an incidental bar is permitted as part of the “restaurant, café, coffee shop – serving alcohol” land use category.

This determination is consistent with the General Plan.

Date: 1-27-15


Jessica Jones
Zoning Administrator