

**OFFICIAL ZONING CODE INTERPRETATION (No. 6)**  
**(Zoning Code Section 20-42.030)**

ZONING CODE PROVISION INTERPRETED:

Section 20-42.030(A), Alcoholic Beverages Sales: Applicability

At issue is whether or not a Minor Conditional Use Permit (MUP) is required for restaurants, cafés, coffee shops – serving alcohol.

Zoning Code Section 20-23.030, Table 2-6, Allowed Land Uses and Permit Requirements for Commercial Zoning Districts, states that a “restaurant, café, coffee shop – serving alcohol” is a permitted use in the following commercial zones:

- Office Commercial (CO)
- Neighborhood Commercial (CN)
- General Commercial (CG)
- Downtown Commercial (CD)
- Community Shopping Center (CSC)
- Transit Village-Mixed (TV-M)

Zoning Code Section 20-24.030, Table 2-10, Allowed Land Uses and Permit Requirements for Industrial Districts, states that a “restaurant, café, coffee shop – serving alcohol” is a permitted use in the following industrial zones:

- Business Park (BP)
- Light Industrial (IL)

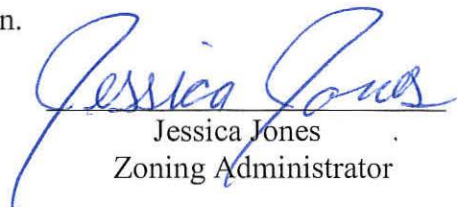
However, Zoning Code Section 20-42.034(A), Alcoholic Beverage Sales: Applicability, states “a restaurant serving alcohol, with or without an incidental bar component, shall be permitted only by Minor Use Permit.”

On September 25, 2012, the City Council adopted Ordinance No. 3995 amending Zoning Code Section 20-23.030, Table 2-6, and Section 20-24.030, Table 2-10, changing the permit requirements for “restaurant, café, coffee shop – serving alcohol” in the above noted zoning districts from requiring approval of an MUP to being a permitted use. The change was part of a larger amendment related to the City’s Aggressive Economic Development (AED) Ordinance.

With the adoption of Ordinance No. 3995, it was the intent of the Council to reduce the permit requirements for restaurants, cafés and coffee shops that serve alcohol with a meal in certain commercial and industrial zoning districts. The reference to a requirement of an MUP in Section 20-42.034(A), as it relates to the above noted commercial and industrial zoning districts, was left in error. Therefore, it is determined that restaurants, cafés, coffee shops – serving alcohol are a permitted use in the CO, CN, CG, CD, CSC, TV-M, BP and IL zoning districts, as identified in Section 20-23.030, Table 2-6, and Section 20-24.030, Table 2-10.

This determination is consistent with the General Plan.

Date: 1-27-15

  
Jessica Jones  
Zoning Administrator