



Town Council

April 7, 2014

Alcoholic Beverage Policy & Live Entertainment Ordinance

Background

- ***1994 & 2001 Town Alcoholic Beverage Policy (ABP)***
 - *Discourage entertainment establishments w/ alcohol service*
 - *Requires adoption of standards & permit process to allow entertainment w/ restaurants & bars*
- ***2010 Town Council initiates entertainment permit process preparation in conjunction w/ approval of CUP***
- ***Current trends highlight need for revisions to ABP:***
 - *New uses (wine bars & wine tasting venues)*
 - *Modern dining (small plate food service & new cuisine)*
- ***2011 Town Council & Planning Commission Study Session***
- ***2012 Stakeholder meetings***
- ***December 2012 Town Council Study Session***
- ***September 2013 Business & Community Meeting***

Proposed Revisions

- ***Refinements to Alcoholic Beverage Policy***
- ***Proposed Town Code Amendments establishing the proposed Live Entertainment Permit Process:***

*Chapter 3, Article VII-
Live Entertainment Permit Process*

*Chapter 29 (Zoning Regulations)-
Land Use Regulations*

Proposed Refinements to Alcoholic Beverage Policy

Proposed Refinements to ABP

- ***Expands meal definition to include small plates & certain types of appetizers***
- ***Allows alcohol service for restaurant patrons waiting to be seated***
- ***Defines retail wine establishments (wine bar) and tastings***
- ***Establishes linkage to the entertainment permit process.***

***Proposed Live
Entertainment Ordinance***

Key Concepts

- ***Simplifies proposed entertainment permit review from 3 to 2 levels based on application***
 - *Planning Commission (w/ appeal rights)*
 - *Town Council*
- ***Focuses on key operational components potentially impacting quality of life***
 - *Late Night Operations (past 10 pm)*
 - *Alcohol Beverage Service*
- ***Entertainment Permit requires public hearing***
 - *Standard Neighborhood Notification (300 feet)*

Key Concepts (Continued)

- ***Leverages existing Town Code and regulations to address potential operational issues***
 - *Zoning Regulations*
 - *Noise Ordinance*
 - *Amusement/Entertainment Permits*
- ***Defines Live Entertainment Use w/ proposed exemptions***
- ***Late Night Hours or Alcohol Service requires Operational Agreement w/ Entertainment Permit***
- ***Establish standards for the application, public review, permitting, and operation***
- ***Requires Live Entertainment to be ancillary to a primary permitted use***

What the Entertainment Ordinance Does

- ***Requires business operators proposing new live entertainment uses to obtain a Live Entertainment Permit***
- ***Requires an Operational Agreement for applications which propose late night hours or alcohol service***
- ***Integration with Operational Agreement sets standards for entertainment uses w/late night operations or alcohol service***
- ***Establishes Town's ability to suspend or terminate an Entertainment Use w/ action on Entertainment Permit***

What the Entertainment Ordinance Does Not Do

- ***Does not change an existing business's Conditional Use Permit (CUP) if no change or new live entertainment use is proposed***
- ***Does not require an Operational Agreement or Live Entertainment Permit for an existing business w/ a CUP permitting live entertainment***
(unless specifically required by its CUP)
- ***Does not eliminate Town's ability to review or revoke a CUP via established public hearing process, if violations occur***

Entertainment Permit Review Process

Use	Minor Permit Planning Commission is deciding body w/ 300-ft Noticing	Major Permit Town Council is deciding body w/ 300-ft Noticing	Comments
<i>Existing bar w/ CUP requesting jazz performances 7 pm to 10 pm weekly</i>		X	Operational Agreement required due to alcohol service
<i>Existing restaurant w/ CUP for alcohol requesting live entertainment from 7 pm-Midnight Fri & Sat</i>		X	Operational Agreement required due to late night hours & alcohol service
<i>Existing coffee house requesting poetry & open mic night before 10 pm</i>	X		
<i>Existing restaurant w/ no alcohol service requesting private party rentals/ DJ service only, between 1 pm-10 pm</i>	X		
<i>New restaurant w/ full liquor service requesting approval for live piano performance & dancing 8 pm to 11 pm</i>		X	CUP and Operational Agreement required for new restaurant w/ alcohol service

Planning Commission Recommendation

- ***Include Definitions:***

- *Entertainment Establishment, Restaurant, Separate Bar, Indoors*

- ***Clarify:***

- *Restaurant vs. Retail vs. Wine Bar*

- ***Enforcement Process:***

- *Describe Complaint Process & Tracking*

- ***Parking:***

- *Clarify parking requirements (i.e. seats vs. occupancy)*

- ***Intensification:***

- *Issue of intensification for additional alcohol or entertainment use*

- ***Concentration:***

- *Provide an impact map*

ALCOHOL AND ENTERTAINMENT CONCENTRATION

Commercial Zones*

Permit Type

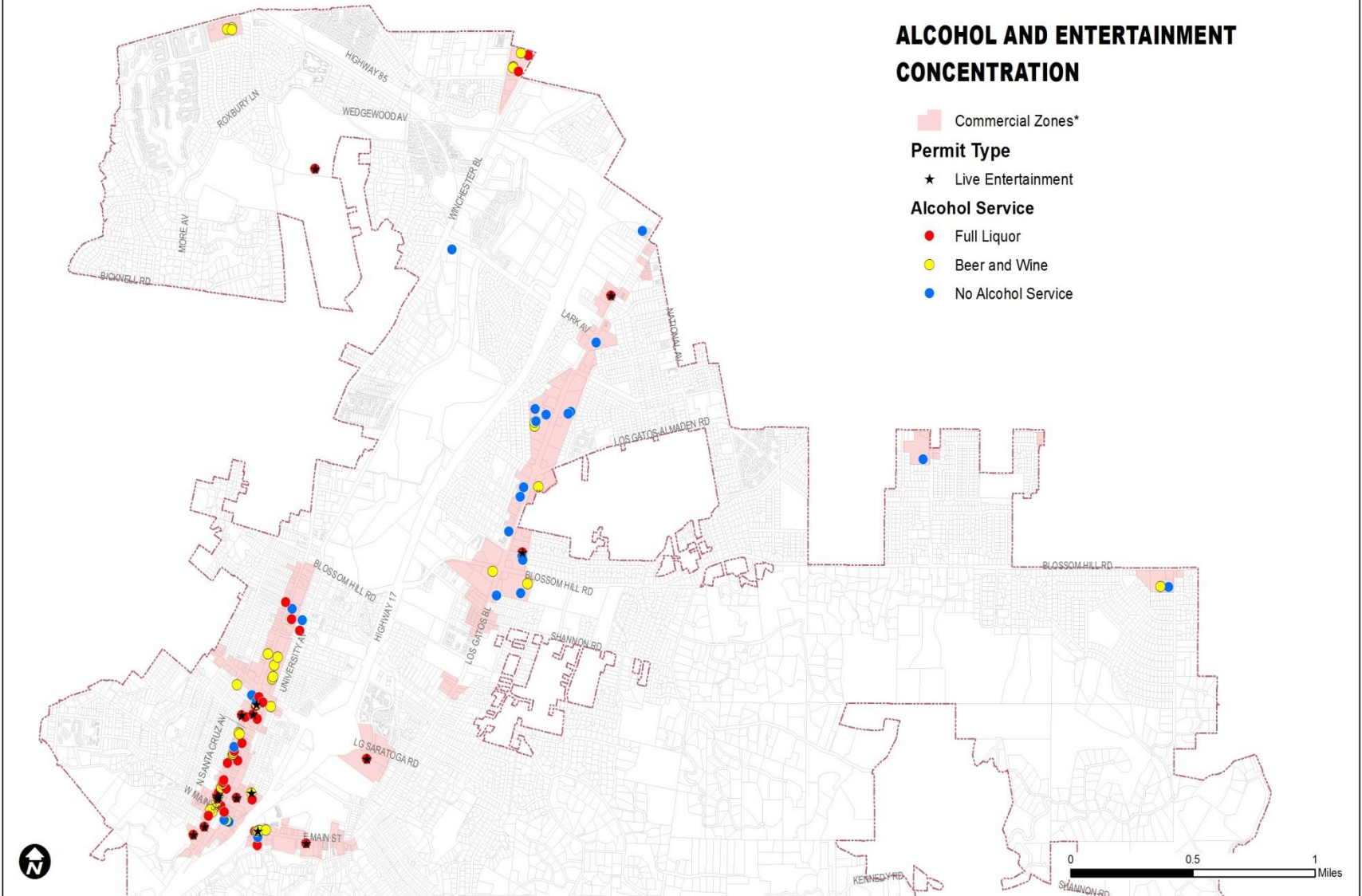
★ Live Entertainment

Alcohol Service

● Full Liquor

● Beer and Wine

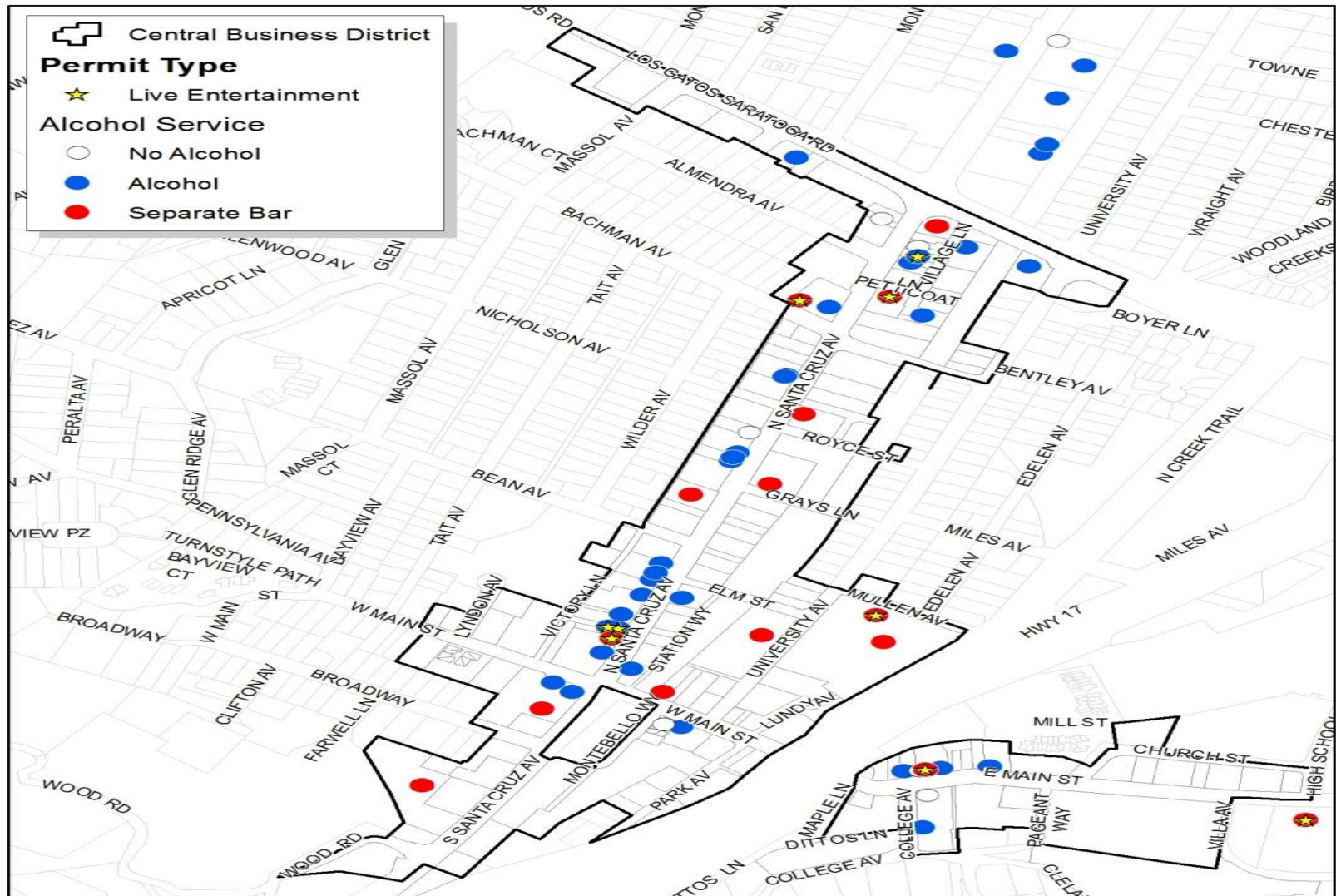
● No Alcohol Service



* Draft Entertainment Ordinance only permits new Entertainment uses in Commercial Zones (C-1, C-2, and CH)

Source: Town of Los Gatos / Date: 04-07-2014

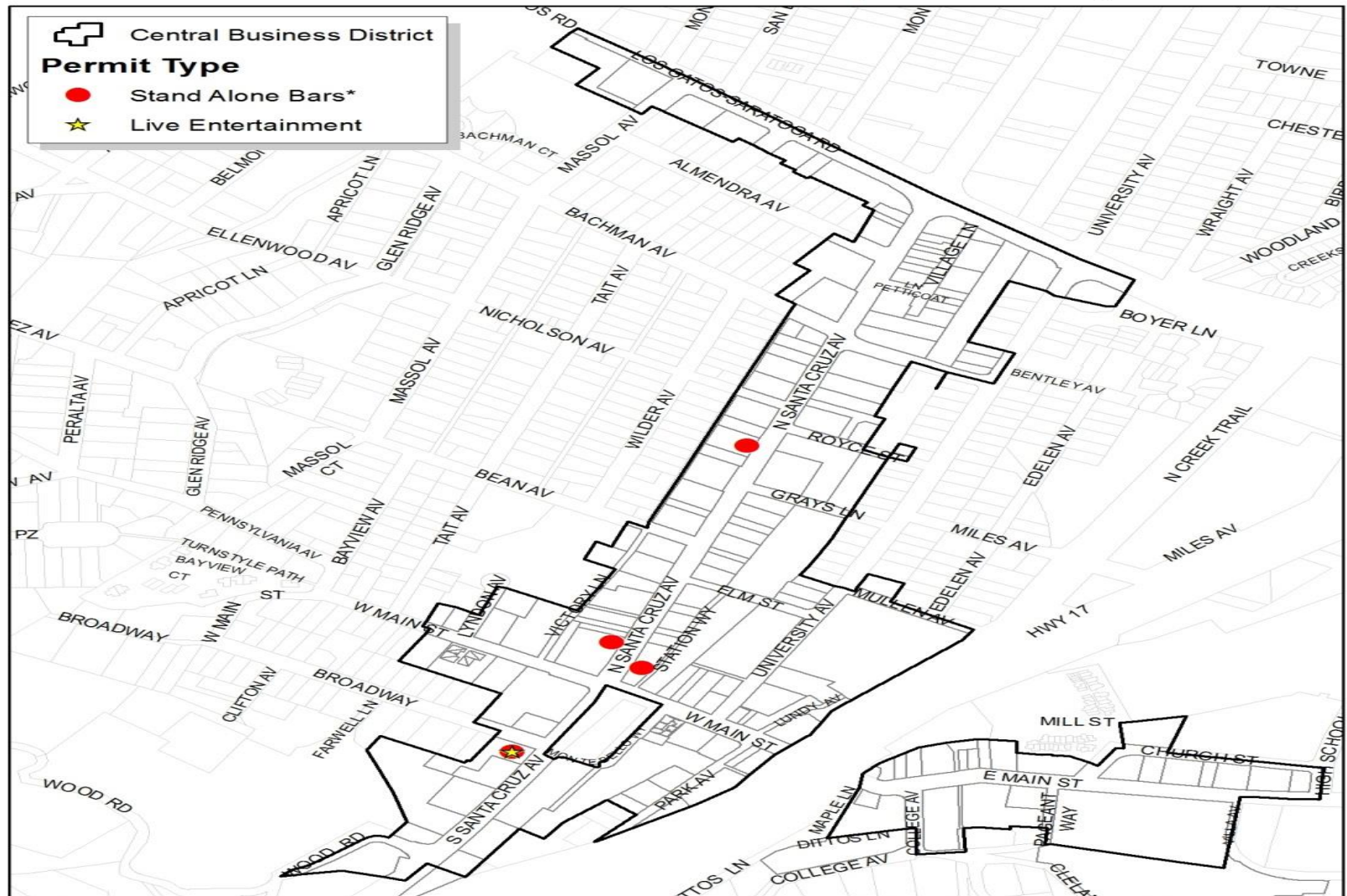
RESTAURANTS IN CENTRAL BUSINESS DISTRICT (C-2 ZONE)



0 0.125 0.25 Miles

Source: Town of Los Gatos
Date: March 28, 2014

STAND ALONE BARS IN CENTRAL BUSINESS DISTRICT (C-2 ZONE)



Central Business District

Permit Type

- ★ Live Entertainment
- Alcohol Service
 - Full Liquor
 - Beer and Wine
 - No Alcohol Service

The map shows the Central Business District with various streets including Broadway, Main St, Santa Cruz Av, and others. Permit locations are marked with stars for Live Entertainment and colored circles for Alcohol Service. The district is outlined in black, and the surrounding area is shown in light gray.



0 0.125 0.25 Miles

Source: Town of Los Gatos
Date: March 28, 2014