

Restaurants, Taverns & Night Clubs

Stakeholder Meeting

Agenda

- Introduction
- Overview
- Discussion Period
- Next Steps
- Adjourn

Overview

- To create clear and concise definitions that reflect contemporary practices
- Avoid conflicts between regulations relating to dancing
- Ensure consistent application of codes and policies across the City
- Establish objective criteria
- Protect public welfare

Current Regulations

- Fresno Municipal Code regulates zone districts for specific uses
 - 1994, CUP were required for alcohol sales
- A plethora of definitions
- Department policy regulates dance permits (i.e., Café, Social, & Commercial Dancing)
- 16 zone districts that permit such activities

Use	Zone District															
	R-P	C-P	C-1	C-2	C-3	C-4	C-5	C-6	C-R	C-M	M-1-P	M-1	M-2	M-3	CC	C-L
Banquet Hall		CUP		CUP	CUP	CUP		CUP	CUP	CUP	CUP	CUP				CUP
Wedding Chapel & reception facilities.	CUP															
Bar (Cocktail lounge)				CUP	CUP	CUP		CUP	CUP	CUP		CUP			CUP	
Cocktail lounge in conjunction with and subordinate to a restaurant			CUP													
Restaurant & bar in Hotel/motel		CUP														
Restaurant with bar or cocktail lounge							CUP									
Restaurant, with alcohol		CUP		CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Restaurants serving only wine/beer with meals			CUP													
Restaurant, no alcohol		CUP	BR	BR	BR	BR	BR	BR	BR	BR	BR	BR	BR	BR	BR	CUP
Hotel		BR			BR	BR		CUP	CUP	CUP					BR	
Lodges, clubs and fraternal organizations		BR				BR	CUP	CUP	BR						BR	

New Definitions

- **RESTAURANT:** shall mean a commercial establishment where, during all business hours, food and beverages are prepared for and served to the customer, to be consumed on site or provided as a customer take-out order. It must be operated and maintained as a bona fide eating place. It must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises.

A restaurant may provide entertainment for the customer by performers of the arts (music, dance, comedy, readings, etc.), and differs from a Night Club in that it does not provide for customer dancing. A restaurant also differs from a Tavern because it must prepare and serve food at all times during business hours.

New Definitions

- **BAR, TAVERN, COCKTAIL LOUNGE, PUB:** shall mean an establishment whose primary business is the sale of alcoholic beverages to customers for consumption on the premises. While a Tavern may have facilities for performers of the arts (music, comedy, etc.) for the entertainment of the customer, it differs from a Night Club in that it does not provide floor space for customer dancing. A Tavern differs from a Restaurant in that it is not required to prepare and serve food at all times during business hours.

New Definitions

- NIGHT CLUB: shall mean a facility, that provides live or recorded music for customer dancing, and may or may not provide entertainment, such as live performances of the arts (music, comedy, readings, dance, plays, etc.). A Night Club differs from either a Restaurant or Tavern in that dancing by the customer is permitted. The serving of food, before, during and after performances and/or dancing is optional.
- Similar uses: Comedy Club, Dance Hall.

Overview of Regulations

- Setbacks from residences
- Gross floor areas
- Closing hours
- Granting Authority

Overview of Regulations

- All restaurants must stop the sale of alcohol by 12 am, Sun.-Wed. and 12:30 am, Thurs.-Sat.
- May stay open
- No setback requirements or max. area
- Granting authority - Director
- Public notice

Overview of Regulations

- Taverns would be permitted in the C-P & C-1 zone districts
 - Closing times: C-P 10:00 pm, C-1 1:00 am
- Min. 50 ft. setback
- C-P, C-1, C-2, C-5 size limitations
- Granting Authority - Director
- Public notice

Overview of Regulations

- Example:
 - a. 2,500 ft² if less than 200-ft from residential property
 - b. 4,000ft² if more than 200-ft
 - c. 5,000 ft² if more than 300-ft
 - d. 6,000 ft² if more than 400-ft.
 - e. Maximum size = 6,000 ft²
 - f. No requirement, when within and as part of a Hotel.

Overview of Regulations

- Night Clubs first permitted in the C-2 zone district
- Min. 50 ft. setback
- Size limitations
- Hours of operation
- Granting Authority – Director and in some cases the Planning Commission (C-2, C-5, C-6, C-R)

Issues to Address

- Public noticing requirements
- Revocation process
- Notice tenants/owners
- Noise studies
- Loitering in parking lots
- Change of ownership
- 3rd party promoters
- Closures/Start-ups

Process

- 2 stakeholder meetings
- Director will initiate the text amendment
- Will be reviewed by the Airport Land Use Commission
- Will be reviewed by all Community Advisory Committees
- Planning Commission
- City Council (2 public hearings)

➤ Questions & Suggestions

➤ Next Steps

➤ Contact:

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