

Town of Yountville

Ordinance Number 25-534

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YOUNTVILLE ADDING CHAPTER 17.174 (“ENTERTAINMENT ZONES”) TO TITLE 17 (“ZONING”) OF THE YOUNTVILLE MUNICIPAL CODE ESTABLISHING AN ENTERTAINMENT ZONE AND FINDING THE CODE ADDITION AND ESTABLISHMENT OF THE ZONE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

Recitals

WHEREAS, Business and Professions Code, § 25690, et seq. authorizes the Town to establish an “entertainment zone” within which one or more types of alcoholic beverages may be consumed on public streets, sidewalks, or public rights-of-way.

WHEREAS, the Town desires to establish an entertainment zone permitting the public consumption of certain alcoholic beverages on the public streets, sidewalks, and rights-of-ways within the boundaries depicted in **Exhibit “B”**, attached hereto and incorporated by reference.

WHEREAS, in accordance with Business and Professions Code, § 25692, the Town notified local law enforcement and requested feedback regarding (1) the potential health and safety impacts that might be generated by the entertainment zone and strategies to mitigate those impacts; and (2) the entertainment zone’s proposed boundaries, days and hours of operation, types of alcoholic beverages permitted, and approved nonglass and nonmetal containers.

WHEREAS, in accordance with Government Code section 65854 and YMC section 17.184.050, the Town’s Zoning & Design Review Board (ZDRB) held a duly noticed public meeting on June 10, 2025, to discuss and receive evidence regarding the proposed Zoning Ordinance amendment establishing an entertainment zone, attached hereto as **Exhibit “A”** and incorporated herein by reference.

WHEREAS, the ZDRB recommended that the Town Council approve the proposed Zoning Ordinance amendment to establish an entertainment zone.

WHEREAS, YMC sections 17.184.040 and 17.184.050 authorize the Town Council, upon receipt of the recommendation of the ZDRB, to approve or approve in modified form proposed Zoning Ordinance amendments based on specified findings.

WHEREAS, the Town Council conducted a duly noticed public hearing to receive comments and input from the public on the proposed Zoning Ordinance amendment and establishment of an entertainment zone.

Now, therefore, the Town Council of the Town of Yountville does ordain as follows:

SECTION 1. RECITALS: The foregoing recitals are true and correct and incorporated into the findings herein.

SECTION 2. RECORD: The Record of Proceedings ("Record") upon which the Town Council bases its decision includes, but is not limited to: (1) the staff reports, Town files and records and other documents prepared for and/or submitted to the Town relating to the proposed Zoning Ordinance amendment; (2) the evidence, facts, findings and other determinations set forth in this Ordinance; (3) the Town of Yountville General Plan and its certified final EIR and the Yountville Municipal Code; (4) all designs, plans, studies, data and correspondence submitted to the Town in connection with the proposed Zoning Ordinance amendment; (5) all documentary and oral evidence received at public workshops, meetings, and hearings or submitted to the Town relating to the proposed Zoning Ordinance amendment; and (6) all other matters of common knowledge to the Town Council including, but not limited to, Town, state, and federal laws, policies, rules, regulations, reports, records and projections related to development within the Town of Yountville and its surrounding areas.

SECTION 3. CEQA: The adoption of this Ordinance is exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3) (no potential for causing a significant effect on the environment). CEQA Guidelines Section 15061(b)(3) exempts projects from environmental review where it can be seen with certainty there is no possibility the activity in question may have a significant effect on the environment. The adoption of this Ordinance and the establishment of an entertainment zone will not result in a significant foreseeable environmental impact. To the extent the adoption of this Ordinance is a project under CEQA, it is categorically exempt under CEQA Guidelines sections 15301 (Existing Facilities) and 15305 (Minor Alterations in Land Use Limitations).

SECTION 4. FINDINGS: The Town Council hereby makes the following findings as required by YMC Section 17.184.060 with respect to the Zoning Ordinance amendment at issue based on the evidence contained in the Record which is herein incorporated by reference:

A. The proposed amendment would further the goals, objectives, policies and programs and is consistent with the intent of the General Plan;

The proposed amendments are consistent with General Plan Policy QL-2.1 in that the Entertainment Zone will support events enhancing quality of life and Policy ES-1.1 in that it will support businesses and events that can enhance the Town's reputation as a world-class destination.

B. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the Town;

The proposed amendments would not be detrimental to the public interest, health, safety, convenience or welfare of the Town because the Town will maintain control over what is permitted to occur within the Entertainment Zone, including, days, hours of operation, safety procedures, types of events, etc. The Town can amend or rescind the Entertainment Zone at its discretion.

C. For amendments involving a zoning or land use map amendment, the site is physically suitable, including consideration of physical constraints, access, compatibility with surrounding land uses, and provision of utilities, for the requested or potential land uses.

The proposed changes do not include changing the land use designation for any site.

SECTION 5. ZONING CODE AMENDMENT: The Yountville Municipal Code is hereby amended to add Chapter 17.174 (“Entertainment Zones”) as set forth in **Exhibit “A”**, attached hereto and incorporated herein by reference.

SECTION 6. DIRECTION: The Town Clerk is hereby authorized and directed to provide a copy of this Ordinance to the Department of Alcoholic Beverage Control, in addition to the required information set forth in Bus. & Prof. Code, § 25690, subd. (b).

SECTION 7. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town Council declares that it would have adopted this Ordinance, and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, phrases or portions might be declared invalid or unconstitutional.

SECTION 8. EFFECTIVE DATE: This Ordinance shall take effect and be enforced within thirty (30) days from and after the date of its adoption by the Town Council at a second reading and shall be posted and published in accordance with the California Government Code.

SECTION 9. INCONSISTENT PROVISIONS: Any provision of the Yountville Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to the extent necessary to implement the provisions of this Ordinance.

SECTION 10. CERTIFICATION: The Town Clerk shall certify to the passage and adoption of this Ordinance and shall give notice of its adoption as required by law. Within 15 days from the date of passage of this ordinance, the Town Clerk shall post a copy of the ordinance in accordance with California Government Code in at least three public places in the Town.

INTRODUCED by the Town Council at a regular meeting held on the 5th day of August 2025.

PASSED AND ADOPTED by the Town Council at a regular meeting held on the 19th day of August 2025, by the following vote:

AYES: Reeves, Knight, McKee, Mohler
NOES: None
ABSENT: Trippe
ABSTAIN: None

Margie Mohler

Margie Mohler, Mayor

ATTEST:

Hilary Gaede

Hilary Gaede, Communications Director/Town Clerk

APPROVED AS TO FORM:

Gary Bell

Gary Bell
Town Attorney

I, Hilary Gaede, COMMUNICATIONS DIRECTOR/TOWN CLERK of the Town of Yountville, California, do hereby certify that the foregoing Ordinance was regularly introduced and placed upon its first reading at a regular meeting of the Town Council on the 5th day of August 2025. That thereafter said Ordinance was duly adopted and passed at a regular meeting of the Town Council on the 19th day of August 2025 by the following vote:

AYES: Reeves, Knight, McKee, Mohler
NOES: None
ABSENT: Trippe
ABSTAIN: None

Hilary Gaede

Hilary Gaede, Communications Director/Town Clerk

EXHIBIT A

Chapter 17.174 ENTERTAINMENT ZONES

- 17.174.010 Purpose.
- 17.174.020 Location and Hours.
- 17.174.030 Conditions and Operating Standards.
- 17.174.040 Biannual Review.

17.174.010 Purpose.

This chapter establishes an Entertainment Zone within the Town of Yountville to authorize consumption of specified types of alcoholic beverages on certain public streets, sidewalks, and rights-of-way.

17.174.020 Location and Hours.

- A. The Entertainment Zone shall be located on and along Washington Street, between Champagne Drive and Jackson Street, and along Yount Street to Finnell Road, and along Finnell Road to Webber Creek, and shall include and encompass the public sidewalks on either side thereof.
- B. The days and hours of operation of the Entertainment Zone shall be from 10am to 10pm, Sunday through Saturday.

17.174.030 Conditions and Operating Standards.

- A. Beverage type(s) permitted within the Entertainment Zone are limited to:
 - i. Beer;
 - ii. Wine; and
 - iii. Liquor.
- B. Alcoholic beverages may only be transported and consumed within the Entertainment Zone in Town-approved non-glass and non-metal containers.
- C. Persons in possession of alcoholic beverages in the Entertainment Zone shall be readily identifiable as being 21 years of age or older by wearing a wristband, which shall be a single style provided or approved by the Town, or by other method of identification deemed satisfactory by the Town Manager in consultation with law enforcement personnel.
- D. All commercial entities and organizations selling alcoholic beverages within an Entertainment Zone shall comply with all applicable federal, state, and local laws and regulations, including but not limited to the following:
 - i. All applicable Department of Alcoholic Beverage Control (ABC) license and permitting requirements;

- ii. Sections 23357, 23358, and 23396 of the California Business and Professions Code, as may be amended from time to time;
 - iii. All other laws governing the sale and consumption of alcoholic beverages and any and all permits and licenses issued pursuant thereto;
 - iv. All applicable conditions and provisions of Town permits and the Town of Yountville Municipal Code, including but not limited to Town noise regulations.
- E. All open alcoholic beverages consumed within an Entertainment Zone shall be purchased only from a premises located within the Entertainment Zone that is authorized under California Business and Professions Code Section 23357, 23358, or 23396, as may be amended from time to time, to permit consumers to leave the premises with open containers of alcoholic beverages for consumption off the premises, or an organization that is authorized by an ABC permit or license to make such sales within the Entertainment Zone.
- F. Delivery of alcoholic beverages to consumers within the Entertainment Zone is expressly prohibited unless the delivery is to a residential building or private business.
- G. No alcoholic beverages purchased at a licensed premises may leave the premises in an open glass or metal container for consumption in the Entertainment Zone.
- H. This Chapter does not require any business to sell any alcoholic beverage(s) for consumption off premises within the Entertainment Zone.

17.174.040 Biannual Review.

The Town shall review the operation of the Entertainment Zone every two years following the adoption of the Entertainment Zone to ensure it is being maintained in a manner that protects the health and safety of the general public. This review shall be conducted in consultation with local law enforcement agencies and any reports produced during the review shall be made available to the Department of Alcoholic Beverage Control upon request. Participating business must promptly respond to requests for information during this review process; failure to do so may lead to modification or suspension of the Entertainment Zone.

EXHIBIT B

ENTERTAINMENT ZONES MAP



Town of Yountville

"The Heart of the Napa Valley"

