Attachment 5
2023 Proposed Update to County of Sonoma Tobacco Retail License:
Proposed Expansion of Youth Oriented Areas Definition and Impacts on Current Retailers

The Department of Health Services' Impact Sonoma Tobacco Prevention Program is proposing an expansion to definition of *youth-oriented areas* in the tobacco retail license ordinance (Sonoma County Code, Chapter 32A). This policy change would bring this definition in alignment with other tobacco retail licenses (TRL) ordinances in the County. The current definition includes only K-12 schools. The proposal is to expand the definition to include public libraries, playgrounds, youth centers, recreation facilities open to the public or a private community, a licensed childcare facility or preschool (does not include small and large family day care homes)[3].

This definition is important for current retailers as it is the basis for how tobacco retail licenses can be transferred. While all retailers can transfer their tobacco licenses, a retailer located within a 1,000 foot buffer zone of a youth sensitive area is subject to different rules. These retailers are allowed to transfer their tobacco license only to an immediate family member[1]. Of note, this license transfer limitation also applies to retailers that sell the most tobacco products, defined in the policy as Significant Tobacco Retailers[2], regardless of their proximity to a youth-oriented area.

This definition also pertains to *new* tobacco retail license holders as new licensees are not allowed to be located within 1,000 feet of youth-oriented areas. Currently, this is not relevant because new licenses are not being issued as the number of licensed retailers has not dropped below the density limit (1 retailer per 2,000 population) stated in the policy.

Currently, nine retailers are subject to the tobacco license transfer limitation. The proposed update to the youth-oriented areas definition would add 24 retailers, bringing the total to 33. Figure 1 demonstrates that most retailers (54 or 69%) will be unaffected by the proposed definition change. Figure 2 shows that 43% of retailers will be subject to a license transfer limitation if the change goes into effect.

Table 1 below provides a listing of the businesses that would be newly affected by the proposed definition change to youth-oriented areas. Table 2 lists the current tobacco retailers subject to the transfer limitation.

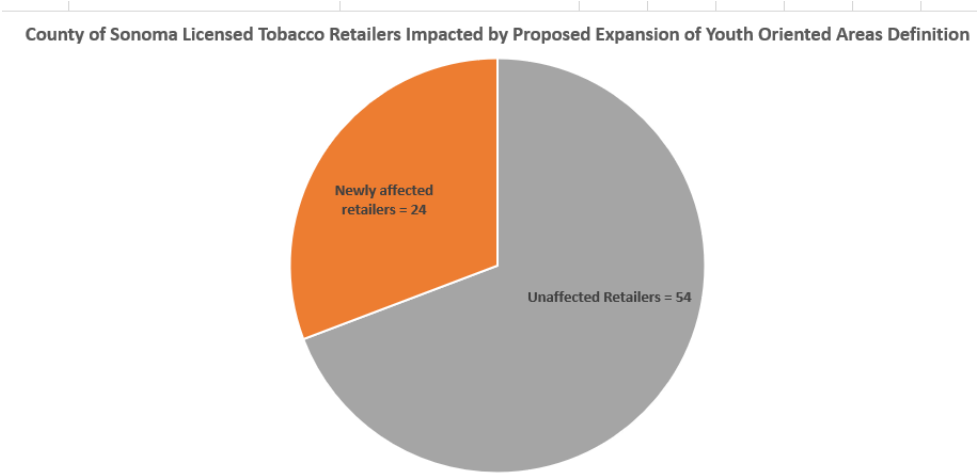

Figure 1

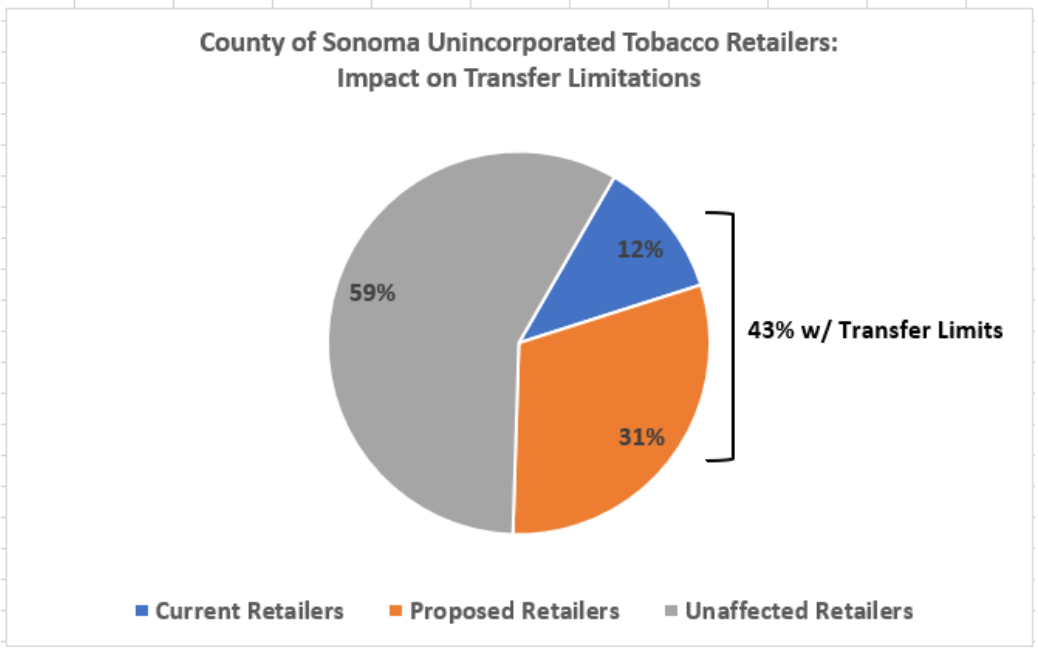

Figure 2

Table 1. County of Sonoma Unincorporated Tobacco Retailers Impacted by Proposed Youth Oriented Areas Definition Expansion					
		Located within 1,000 ft of a			
Tobacco Retailer Business Name	**Business Address**	**Library**	**Daycare**	**Park**	**Playground**
Kenwood Market	8910 Sonoma Hwy. 12 Ste. A, Kenwood			X	
El Verano Market	19050 Bay St., El Verano			X	
Wagon Wheel Liquor	960 W College Ave., Santa Rosa			X	
Rancho Market & Deli	929 Madrone Rd., Glen Ellen			X	X
Pic N Pay Market	15195 Arnold Dr., Glen Ellen			X	X
Glen Ellen Grocery	13710 Arnold Dr., Glen Ellen			X	
Mayacama Golf Club	1240 Mayacama Club Dr., Santa Rosa			X	
MD Liquor & Food #8	16316 Main St., Guerneville	X			
MD Gas & Food #14	16446 Main St., Guerneville	X			
Lamberts 76 LLC	16383 Main St., Guerneville	X			
Guerneville Liquor	16297 Main St., Guerneville	X		X	
Gonellas Market	3707 Main St., Occidental	X			
Sam’s Market #14	10651 River Rd., Forestville			X	
Bill’s Liquor Depot	6679 Front St., Forestville			X	
Rotten Robbie #61	7001 Hwy. 116, Forestville			X	
Forest Hill Market	20293 Hwy. 116, Monte Rio			X	

Fern's Pizza	20348 Hwy. 116, Monte Rio			X	
Bartlett's Market	9890 Main St., Monte Rio			X	
Jenner Sea Store	10439 Hwy. 1, Jenner			X	
Ocean Cove Store	23125 Hwy 1, Jenner			X	
Fort Ross Store	20705 Hwy 1, Jenner			X	
Vineyard Market LLC	18971 Hwy 12, Sonoma			X	X
MD Liquor & Food #7	9050 Graton Rd., Graton			X	
Graton Market	4 Padre Parkway, Rohnert Park		X		
Bonneau's at Grove St	19080 Arnold Dr., Sonoma		X		

Under the current policy, a total of nine retailers are subject to the transfer limitation: six are within a K-12 school buffer zone, four are Significant Tobacco Retailers, and one retailer is both.

Table 2. Current County of Sonoma Unincorporated Tobacco Retailers with Limits on Transfer of Tobacco Retail License

Retailer Name	Business Address	Significant Tobacco Retailer	Within 1,000ft of a K-12 School
Bodega Liquor Market	1105 Bodega Ave., Petaluma		X
Puff Puff Pass	3020 Santa Rosa Ave., Ste K, Santa Rosa	X	X
The Mighty Quinn	3372 Santa Rosa Ave., Santa Rosa	X	
Namaste Liquor & Deli	3590 Petaluma Blvd. N, Petaluma		X
7-Eleven	18000 Railroad Ave., Sonoma		X
Larkfield Union 76	4605 Old Redwood Hwy., Santa Rosa		X

Sonoma E-Cig	17549 Sonoma Hwy., Sonoma	X	
Diekmann's Bay Store	1275 Hwy. 1, Bodega Bay		X
Dab's Smoke Shop	3444 Santa Rosa Ave., Santa Rosa	X	

Definitions:

[1] Definition of immediate family member: parent, spouse, sibling, or child.

[2] Definition of Significant Tobacco Retailer is any tobacco retailer for which the principal or core business is selling tobacco products, tobacco accessories, or both, as evidenced by any of the following: twenty percent (20%) or more of floor or display area is devoted to tobacco products, tobacco accessories, or both; or sixty percent (60%) or more of gross sales receipts are derived from the sale or exchange of tobacco products, tobacco accessories, or both; or fifty (50%) percent or more of completed sales transactions include tobacco products or tobacco accessories.

[3] "Youth-Oriented Area" means a parcel in a city or county that is occupied by:

(1) a private or public kindergarten, elementary, middle, junior high, or high school;

(2) a library open to the public;

(3) a playground open to the public;

(4) a youth center, defined as a facility where children, ages 6 to 17, inclusive, come together for programs and activities;

(5) a recreation facility open to the public, defined as an area, place, structure, or other facility that is used either permanently or temporarily for community recreation, even though it may be used for other purposes;

(6) a recreation area open to the public or to all the residents of a private community;

(7) a licensed child-care facility or preschool [other than a small-family day care home or a large-family day care home [as defined in California Health & Safety Code§ 1596.78]]