

CONDITIONAL USE PERMITS/LAND USE ORDINANCES FOR ALCOHOL OUTLETS

Other names/examples: Alcohol Permit Processing, Special use /event permits, Special exceptions to zoning laws.

Description of strategy

Local regulatory authority can identify the appropriate locations within their jurisdiction where alcohol may be sold or consumed and how it may be distributed and marketed by way of conditional use permits and land use ordinances (Ashe, Jernigan, Kline, & Galaz, 2003). Conditional use permits, sometimes called “special use permits” or “special exceptions,” are a refinement of zoning powers whereby the government makes exceptions for specific uses of land otherwise prohibited by general zoning controls as long as the property owner meets certain conditions (Fulton, 1999). Limiting the number of local conditional use permits for alcohol-related events reduces the retail availability of alcohol within a community. This strategy relies on local regulatory and land use powers to decrease retail availability of alcohol (Mosher & Reynolds, 1999).

In North Dakota, local governing bodies establish rules and regulations for event permits. State law does outline minimum conditions that must be followed for persons under the age of 21 (N.D.C.C. § 5-02-01, State and local retail license required, 2013).

Alcohol

References for description of strategy

- Ashe, M., Jernigan, D., Kline, R., & Galaz, R. (2003). Land Use Planning and the Control of Alcohol, Tobacco, Firearms, and Fast Food Restaurants. *American Journal of Public Health, 93*(9), 1404–1408.
- Fulton, W. (1999). *Guide to California Planning*. Point Arena, Ca: Solano Press.
- Mosher, J.F. & Reynolds, B. (1999). Underage Drinking Enforcement Training Center: How to use local regulatory and land use powers to prevent underage drinking. Office of Juvenile Justice and Delinquency Prevention. Retrieved July 30, 2012, from: <http://www.udetc.org/documents/regulatory.pdf>

Evidence base

- Ashe, M., Jernigan, D., Kline, R., & Galaz, R. (2003). Land use planning and the control of alcohol, tobacco, firearms, and fast food restaurants. *American Journal of Public Health, 93*(9), 1404–1408.
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- Paschall, M. J., Grube, J. W., Thomas, S., Cannon, C., & Treffers, R. (2012). Relationships between local enforcement, alcohol availability, drinking norms, and adolescent alcohol use in 50 California cities. *Journal of Studies on Alcohol and Drugs, 73*(4), 657.

Further reading

- Gehr, D., Pollock, P. (2005). Land use issues related to alcohol. Available at: http://www.bouldercolorado.gov/files/Committees/Alcohol_Issues/Alcohol%20and%20land%20use.pdf
- Model conditional use permit (CUP) for alcohol outlets. (1998). Available at: <http://socrates.berkeley.edu/~pbd/pdfs/modelcup.pdf>
- Thomas, S., Paschall, M. J., Grube, J. W., Cannon, C., & Treffers, R. (2012). Underage alcohol policies across 50 California cities: An assessment of best practices. *Substance Abuse Treatment, Prevention, and Policy, 7*(1), 26. doi:10.1186/1747-597X-7-26

Discussion of effectiveness

A 2003 review of land use planning literature suggests that land use regulations are an effective public health advocacy tool to lessen negative effects of alcohol retail outlets in neighborhoods but the review does not provide a quantitative assessment of the effectiveness (Ashe, Jernigan, Kline, & Galaz, 2003). A study looking at eight local alcohol policies, including conditional use permits, found that none of the local alcohol-policy ratings were associated with adolescent drinking, but overall outlet density was positively related to alcohol use and heavy drinking (Paschall, MGrube, Thomas, Cannon, & Treffers, 2012).

While there is limited evidence evaluating the effectiveness of conditional use permits and land use ordinances on alcohol-related outcomes, they can reduce the retail availability of alcohol (Mosher & Reynolds, 1999).

Intervening Variables	
Retail Pricing	
Retail availability	
Social availability	
Law Enforcement	
Community norms	
Promotion & media	