



## Washington State Liquor and Cannabis Board

---

**To:** David Postman, Board Chair  
Ollie Garrett, Board Member  
Russ Hauge, Board Member

**From:** Kathy Hoffman, Policy and Rules Manager

**Date:** November 10, 2021

**Copy:** Rick Garza, Agency Director  
Toni Hood, Deputy Director  
Justin Nordhorn, Policy and External Affairs Director  
Becky Smith, Licensing and Regulation Director  
Chandra Brady, Director of Enforcement and Education

**Subject:** Request for approval to rescind Liquor Control Board Policy (BIP) 01-07 concerning guidelines for determining that an area is “adequately served” under RCW 66.24.420(5).

On August 15, 2007, the Board approved an interim policy to provide guidance to local governments and liquor license applicants regarding the type of information that would help the Board determine if the spirits, beer, and wine restaurant licenses granted for a particular locality were “adequate” for the reasonable needs of a community. RCW 66.24.420(5) authorizes the Board to refuse a spirits, beer, and wine restaurant license when it finds there are adequate licenses in a particular locality to serve the reasonable needs of a community.

The policy identified some of the indicators that would help the Board determine whether an area was “adequately served.” These included risk and benefit indicators, such as public safety, location environment, business, and community impact indicators, but only applied to spirits, beer, and wine restaurant license types.

However, Substitute Senate Bill (SSB) 5367 (Chapter 271, Laws of 2009), codified as RCW 66.24.600 established the spirits, beer and wine nightclub license, and added a license type that could be considered when determining whether there were adequate licenses in a locality to serve the reasonable needs of a community. For that reason, although the language of this policy was designed to be incorporated into chapter 314-09 WAC, SSB 5367 negated the need for BIP 01-07, and the language of the interim policy was never incorporated into rule. As a result, BIP 01-07 is no longer necessary.

If the Board approves rescission of BIP 1-07, the agency will send notice to stakeholders, and remove the BIP from the LCB website.

The Board approves/disapproves the rescission of BIP 1-07.

Approve  Disapprove



David Postman, Chair

11.10.2021

Date

Approve  Disapprove



Ollie Garrett, Board Member

11.10.2021

Date

Approve  Disapprove



Russ Hauge, Board Member

11.10.2021

Date



Washington State  
Liquor Control Board

Liquor Control Board Policy Number 1-07

Subject of policy: Guidelines for determining that an area is "adequately served" under RCW 66.24.420 (5)

Effective Date: August 15, 2007

Ending Date: To remain effective until the completion of rule making on chapter 314-09 WAC.

Approved:

Lorraine Lee, Chair

Roger Hoen, Board Member

Rithann Kurose, Board Member

Purpose statement: The purpose of Liquor Control Board (LCB) Interim Policy 1-07 is to provide guidance to local governments and liquor license applicants regarding the type of information that will help the Board decide if the spirits, beer, and wine restaurant licenses granted for a particular locality are "adequate" for the reasonable needs of the community. RCW 66.24.420 (5) authorizes the Board to refuse a spirits, beer, and wine restaurant license when in its opinion there are adequate licenses in a particular locality to serve the reasonable needs of the community. This policy identifies some of the indicators that will help the Board determine if the area is "adequately served". Local governments and applicants may provide information to the Board on any indicators they believe are relevant to issuance or non-issuance of a spirits, beer, and wine restaurant license.

**Policy Statement:**

Until rule making on chapter 314-09 WAC\* is completed the LCB will use evidence submitted by local governments, including but not limited to the following indicators, in determining whether or not a liquor license applicant will receive a license.

*(\*WAC 314-09 outlines the process for persons, entities, and governmental jurisdictions to object to the issuance or renewal of a liquor license or permit)*

<b>Risk and Benefit Indicators</b>
<b>Public safety indicators</b> <ul style="list-style-type: none"><li>• Law enforcement calls for service</li><li>• Ratio (all police calls for service / alcohol-related service calls)</li><li>• LCB AVN history for area</li><li>• DUI history in area</li><li>• Possible increase in level of (need for) law enforcement capacity (resources)</li></ul>
<b>Location environment indicators</b> <ul style="list-style-type: none"><li>• Health indicators (alcoholism rates, homelessness, other)</li><li>• Youth demographics in immediate area, ie. "x" percentage of population in immediate vicinity under 21</li><li>• Mix of other liquor licensed businesses in area (taverns, BW restaurants, SBW restaurants &amp; other retail outlets)</li><li>• Distance proximity to other liquor establishments</li><li>• Impacts to residential livability (e.g. noise, litter)</li><li>• City ordinances dealing with business licensing, noise, litter, city business taxes.</li></ul>
<b>Business indicators</b> <ul style="list-style-type: none"><li>• Open after 11 pm</li><li>• Facility size and occupancy load</li><li>• Amount of adequate security and lighting</li><li>• Business "churn" (turnover) in area</li><li>• Operator risk indicators (e.g., delinquent tax payments, bankruptcy)</li></ul>
<b>Community impact indicators</b> <ul style="list-style-type: none"><li>• Contribution to the long-term economic development goals of the community</li><li>• Enhances and/or increases the public utilization of space</li><li>• Tourist traffic</li><li>• Net employment gain (especially of local residents)</li></ul>