

## Section 4.9 Alcoholic Beverage Sales

### A. Intent

The following provisions provide minimum development standards for alcoholic beverage sales. These standards are designed to provide for the appropriate development of alcoholic beverage sales and to protect the health, safety, and welfare of residents by furthering awareness of laws relative to drinking.

### B. Permitted Zoning

Refer to Chapter 3 (Zoning District Regulations).

### C. Development Standards

1. A Conditional Use Permit shall be required for any type of alcohol sales.
2. Such facilities shall not be situated in such a manner that vehicle traffic from the facility may reasonably be believed to be a potential hazard to a school, church, public park or playground.
3. Notice of hearing shall be given to all owners of property within one thousand (1,000) feet of the subject facility, to any elementary school or secondary school district within whose boundaries the facility is located, and to any public entity operating a public park or playground within one thousand (1,000) feet of the subject facility. The Planning Director may require that additional notice be given, in a manner the Director deems necessary or desirable, to other persons or public entities.
4. The following additional development standards shall apply to the concurrent sale of motor vehicle fuels and beer and wine for off-premises consumption:
  - a. Only beer and wine may be sold;
  - b. The owner of each location and the management at each location shall educate the public regarding driving under the influence of intoxicating beverages, minimum age for purchase and consumption of alcoholic beverages, driving with open containers and the penalty associated with violation of these laws. In addition, the owner and management shall provide health warnings about the consumption of alcoholic beverages. This educational requirement may be met by posting prominent signs, decals, or brochures at points of purchase. In addition, the owner and management shall provide adequate training for all employees at the location as to these matters;
  - c. No displays related to alcoholic beverages shall be located within five (5) feet of any building entrance or checkout counter;
  - d. Cold beer or wine shall be sold from or displayed in the main, permanently affixed electrical coolers only;
  - e. No advertising related to alcoholic beverages shall be located on gasoline islands; and no lighted advertising for beer, wine, or other alcoholic beverages shall be located on the exterior of buildings or within window areas;
  - f. Employees selling beer and wine between the hours of 10:00 p.m. and 2:00 a.m. shall be at least 21 years of age;
  - g. No sale of alcoholic beverages shall be made from a drive-in window.

## **D. Additional Development Requirements**

Additional development standards may be required as conditions of approval.