

CHAPTER 19.65

ALCOHOLIC BEVERAGE SALES REGULATIONS

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19.65.010 PURPOSE AND INTENT

The general purpose and intent in regulating the location of commercial retail uses which sell alcoholic beverages is to provide minimum development standards which are designed to minimize the effects on health, safety, and public welfare.

19.65.020 PERMITTED ZONING FOR ALCOHOLIC BEVERAGE SALES

The sale of alcoholic beverages for off-site and/or on-site consumption shall only be allowed in the CN and CC zones, provided that the appropriate permits have been obtained. The sale of alcoholic beverages for on-site consumption shall be conditionally permitted in the GI Zone, and sale for off-site consumption shall not be permitted in the GI Zone.

19.65.030 DEVELOPMENT STANDARDS

**A. Permitted Uses**

A development plan review pursuant to Chapter 19.13 of the Code shall be required for the following uses:

- Drugstores
- Grocery Stores
- Private non-profit organizations
- Restaurants (on-site alcohol only)

The uses listed above are exempt from the distance requirements that follow in this Section.

The uses listed above, if located in an approved shopping center, shall require clearance from the Department of Planning and Community Development prior to approval for tenant improvements.

**B. Conditional Permitted Uses**

A conditional use permit shall be required for the following uses:

Any minimart with the sale of alcoholic beverages  
Any service station which sells both motor fuel and alcoholic beverages  
Cocktail lounges/bars  
Liquor stores  
Restaurants selling alcoholic beverages for off-site consumption

**C. *Additional Information***

In addition to the information required with the application for a conditional use permit as detailed in Chapter 19.61, **CONDITIONAL USE PERMITS**, the following information must also be provided with the submittal package:

1. The distance to the nearest park.
2. The distance to the nearest school.
3. The distance to the nearest church.
4. If a minimart or service station with the sale of alcoholic beverages, the distance to the nearest minimart or service station with the alcoholic beverage sales.

**D. *Prohibited***

1. No minimart, cocktail lounge, liquor store or service station selling alcoholic beverages shall locate within 1,000 feet of a church, school, park or playground.
2. There shall be no more than one minimart or service station selling alcoholic beverages in any single shopping center.
3. There shall be no more than one minimart or service station selling alcoholic beverages in any single shopping center.
4. Minimarts selling alcoholic beverages and service stations selling alcoholic beverages shall not be located within 2,640 feet (one-half mile) of any existing or approved minimart or service station which sells alcoholic beverages.

**E. *Exemptions***

Minimarts locating in a shopping center shall be exempt from the distance requirements; provided that the mandatory findings pursuant to Section 19.63.040 can be made.

**F. *Additional Standards for Service Stations***

Service stations and minimarts which sell alcoholic beverages shall also adhere to the following standards:

1. The owner of each location and the management at each location shall educate the public regarding driving under the influence of intoxicating beverages, driving with open containers and the

penalties associated with the violation of each of these laws. This educational requirement may be met by posting prominent signs, decals and/or brochures at points of purchase.

2. No displays of beer, wine or other alcoholic beverages shall be located within 5 feet of any building entrance or checkout counter.
3. Cold beer or wine shall be sold from or displayed in the main, permanently affixed electrical cooler only.
4. No beer, wine or other alcoholic beverage advertising shall be located on gasoline islands; and no lighted advertising for beer, wine or other alcoholic beverages shall be located on the exterior of the buildings or within the window areas.
5. No sale of alcoholic beverages shall be made from a drive-through window.
6. Conditional use permits shall be required consistent with Chapter 19.61, CONDITIONAL USE PERMITS.

#### 19.65.040 MANDATORY FINDINGS

The following findings shall be made in order to approve a development plan for a use which involves the sale of alcoholic beverages or to grant a conditional use permit for the sale of alcoholic beverages:

1. The location or the use shall not result in adverse impacts on park facilities, school facilities, existing religious land uses and/or existing residential land uses.
2. The traffic increases associated with the use will not result in potential hazards to existing pedestrian and/or vehicular traffic.
3. The establishment shall not constitute an enforcement problem to the City Police Department.
4. The development conforms to all applicable provisions of this Code.