

PROPOSAL OF CHANGES DRAFT

Sec. 21-5214. Alcohol Sales

(1) **Special Location Restrictions.**

~~(a) Proximity to Other Alcohol Establishment. No retail liquor store, tavern, or beer and wine business, as defined by state law, shall be operated or maintained within 2,500 feet of an establishment that holds the exact same class of liquor license and is located within the municipal boundaries of the city without first obtaining a use-by permit.~~

~~(ba)~~ Proximity to Residential. Unless a conditional use permit is obtained, no business whose operations require both a liquor license and a Class 1 entertainment establishment license shall be operated or maintained within 2,000 feet of any residential zone district or any legally authorized residence, whether located in or outside of the city. For purposes of this section, distance shall be measured from the nearest point of the licensed establishment to the nearest point of the residential zone district or legally authorized residence.

~~(eb)~~ Pre-Existing Use. Any ~~of the~~ aforementioned establishments licensed to sell alcoholic beverages and in operation on February 2, 2004 shall be exempt from the provisions of this section. Such preexisting uses shall be considered legal non-conforming uses and shall be governed by section 21-5520 (Non-Conforming Use).

(2) **Micro-winery.** A micro-winery shall conduct at least two of the following four activities on-site: crushing, fermentation, bulk aging/storing, or bottling.

(3) **Brewpub.** Not more than 30 percent of the gross floor area of a brewpub shall be used for the production of beer.

(4) **Tasting Room.**

(a) Food Sales. The sale of food in any tasting room is prohibited. The incidental provision of food, without compensation, is allowed.

(b) Room Orientation. A tasting room shall be oriented toward the public façade. The public façade of the building shall be established by the building's address. Within a shopping center, a tasting room shall be oriented toward the common space that provides public access to the building.