

Sec. 30-5.3. - Alcoholic beverage establishments.

- A. No alcoholic beverage establishment may be located within 300 linear feet of an established place of religious assembly, which distance shall be measured by extending a straight line from the main entrance of the alcoholic beverage establishment to the main entrance of the place of religious assembly. This spacing requirement shall not apply in the U9 or DT district.
- B. No alcoholic beverage establishment may be located within 400 linear feet of any public or private school, duly accredited and offering any grades from kindergarten through the twelfth grade, which distance shall be measured by a straight line from the main entrance of the alcoholic beverage establishment to the nearest part of the school grounds normally and regularly used in connection with such school program. This spacing requirement shall not apply in the U9 or DT district.
- C. No entrance or exit, except for emergency entrances or exits, connected to any portion of a building normally used by patrons of an alcoholic beverage establishment as a continuous and unobstructed path of travel shall be located within 100 linear feet of the district boundary line of a residential zoning district, which distance shall be measured by extending a straight line from the entrance or exit of the alcoholic beverage establishment to the district boundary line.
- D. *Special use permit.* If required by this chapter to have special use permit approval, the city plan board shall consider, in addition to all of the above specific requirements, the factors and standards for special use permits stated in article III and may prescribe appropriate conditions and safeguards as stated in article III. In granting a special use permit for an alcoholic beverage establishment, the city plan board shall consider the standard criteria for all special use permits, in addition to the following factors regarding the effect on surrounding properties (particularly surrounding properties that are in residential districts or districts that contain dwelling units):
 - 1. Noise generated by the proposed establishment, considering placement of doors, windows and open spaces and any plans for music or entertainment;
 - 2. Amount of traffic generation and the pattern of its dispersal from the site, considering likely impacts on residential areas or conflicts with other uses; and
 - 3. Hours of activity.