



# PLANNING COMMISSION REVIEW STANDARDS

## ALCOHOL SALES Review Standards

*In addition to the review standards for Special Land Uses, the following standards shall apply to alcohol sales:*

**1. Neighborhood Underserved by Use**

Given the character, location, development trends and other aspects of the neighborhood in which the proposed LLC licensed use or change in an LCC licensed use is requested, it is demonstrated that the neighborhood is underserved by such a use and that the addition of the LLC licensed use or proposed change in use will demonstrably be an asset to the neighborhood.

**2. Development Area License**

In the case of a development area license pursuant to *City Commission Policy 300-8*, the Planning Commission shall also consider the recommendations of the development area board and may consider how the issuance of a license would promote economic growth in a manner consistent with adopted goals, plans or policies of the area.

**3. Compatible with Neighborhood**

The use or change in use as constructed and operated by the applicant is compatible with the neighborhood in which it will be located.

**4. No Adverse Effects on Parks, Religious Institutions or Schools**

Adjacent or nearby parks (e.g. public parks or recreation centers), public and private playgrounds, religious institutions, or schools will not be adversely affected.

**5. Minimal Secondary Effects on the Neighborhood**

The use or change in use as constructed and operated by the applicant will not have any, or minimal, negative secondary effects on the neighborhood. Negative secondary effects can include the following impacts:

- a. Vehicular and pedestrian traffic, particularly during late night or early morning hours that might disturb area residents.
- b. Noise, odors, or lights that emanate beyond the site's boundaries onto property in the area on which there are residential dwellings.
- c. Excessive numbers of persons gathering outside the establishment.
- d. Peak hours of use that add to congestion or other negative effects in the neighborhood.
- e. Fighting, brawling, outside urination or other behavior that can accompany intoxication.
- f. Robberies, shoplifting and other crimes that affect party stores, convenience stores and other retail establishments open late.

**6. Evaluation Considerations**

The Planning Commission, in its review, shall take into consideration the following:

- a. For a use involving sales of beer and wine, or sales of alcoholic beverages by the glass, an application related to a full service restaurant offering full meals for consumption on the premises (and not generally for take-out) at all times it is open for business and that closes prior to midnight shall be presumed to have minimal negative secondary impacts.
- b. For a use involving retail sales of beer, of wine and/or of alcoholic beverages for off-premises consumption, an application related to a full service supermarket or an establishment that features imported or ethnic food items not commonly available in party, convenience or grocery stores, and that closes by 11:00 p.m. shall be presumed to have minimal negative secondary impacts.
- c. The presumptions in Subsections 6.a. and 6.b. above will not apply if the current or proposed location has had instances of negative secondary impacts or if the applicant has owned, operated or otherwise been affiliated with an establishment that has had instances of negative secondary impacts such as those described in Subsection 5.a. above.