



Planning and Development Services • Zoning Division
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Eating and Drinking Establishment, Type 1

An establishment operating no later than 12:00 AM, having as its predominant use the preparation, serving, and consumption of food and/or beverages. Alcohol may be consumed and entertainment may be provided on the premises. Excluded from Type 1 eating and drinking establishments are sexually-oriented businesses and other uses in the Entertainment use category, hotels and motels, and community recreation centers.

Sec. 17-4.2(c)(2)

A Type 1 eating and drinking establishment shall comply with the following standards:

(i) Location

If alcohol is sold on the premises, the establishment shall be located at least the minimum distance established in state law from any place of worship, school, or playground.

(ii) Size

In the **NAC** District, establishments under 5,000 square feet are allowed as a permitted use, and establishments in excess of 5,000 square feet may be allowed as a special exception.

(iii) Hours of Operation

The establishment shall operate **no later than 12:00 AM**.

(iv) On-site Brewing

A Type 1 eating and drinking establishment that produces ales, beers, meads, and similar beverages for sale on the premises shall comply with the following standards.

- (a) The establishment shall produce no more than 15,000 barrels or 475,000 gallons per year of ales, beers, meads, and similar beverages.
- (b) The minimum area of the eating, drinking, and entertainment area of the establishment shall be 45 percent of the total square footage of the establishment, or 1,500 square feet, whichever is greater.
- (c) Outdoor storage is prohibited. This prohibition includes the use of portable storage units, cargo containers, and tractor trailers.
- (d) Access and loading areas facing any street, adjacent residential use or residential zoning district, shall have the doors closed at all times, except during the movement of raw materials, other supplies, and finished products into and out of the building.
- (e) Crushing and fermentation operations shall be managed in such a way that byproducts are contained and disposed of in a way that does not result in spill-over impacts on adjacent property, public spaces, or public rights-of-way.