

CITY OF CHANDLER, ARIZONA
PROPOSED AMENDMENT TO ZONING CODE
Chapter 35, Section 35-305(4)
Entertainment Use Permit — Outdoor Patio Speakers

REDLINE LEGEND

~~Red strikethrough text~~ = deleted language

BLUE ALL CAP text = new/added language

4) Entertainment use permits: A use permit to provide entertainment activity, as defined in section 35-200 of this chapter, ~~or outdoor seating with external speakers,~~ shall be obtained pursuant to the provisions of this subsection. Approval of an entertainment use permit shall be subject to the following standards and procedures:

(a) Applicability:

1. Entertainment activity shall require a use permit, when ~~all~~ **ENTERTAINMENT ACTIVITY AS DEFINED IN SECTION 35-200 IS PROVIDED, ALCOHOLIC BEVERAGES ARE SOLD TO BE CONSUMED ON-SITE, AND ONE** of the following criteria **EXIST** ~~are met~~:

i. ~~Entertainment activity, as defined in section 35-200, is provided, or outdoor seating with external speakers is provided; and~~

ii. ~~Alcoholic beverages are sold or served and consumed on-site; and~~

I ~~iii. If~~ live entertainment is ~~not~~ **SOLELY** provided **INDOORS** ~~outdoors~~, **AND** the property is located six hundred (600) feet or less from a residentially zoned property. Said distance shall be measured from the closest exterior wall or fence of any indoor or outdoor space occupied by the subject establishment to the closest property line of a residentially zoned property; ~~and~~ **OR**

II ~~iv. If~~ live entertainment is provided outdoors, **AND** the property is located one thousand three hundred twenty (1,320) feet or less from a residentially zoned property. Said distance shall be measured from the closest exterior wall or fence of any indoor or outdoor space occupied by the subject establishment to the closest property line of a residentially zoned property.

2. A property with a current liquor use permit shall not be required to obtain an entertainment use permit, unless subject to a condition of approval related to a time limit. Liquor use permit conditions related to entertainment activity shall remain in effect.

3. **OUTDOOR SEATING AREAS UTILIZING EXTERNAL SPEAKERS SOLELY FOR AMBIENT MUSIC, BACKGROUND PRERECORDED MUSIC, OR TELEVISION AUDIO SHALL NOT BE REQUIRED TO OBTAIN AN ENTERTAINMENT USE PERMIT ON THE BASIS OF SUCH SPEAKERS ALONE. THIS EXEMPTION DOES NOT APPLY WHERE LIVE ENTERTAINMENT ACTIVITY IS ALSO PROVIDED, OR WHERE ALL OTHER CRITERIA OF SECTION 35-305(4)(A)(1) ARE MET.**

4. NOISE EMITTED FROM OUTDOOR SPEAKERS ON THE PATIO SHALL BE CONTROLLED SO AS TO NOT UNREASONABLY DISTURB AREA RESIDENTS AND SHALL NOT EXCEED THE AMBIENT NOISE LEVEL AS MEASURED AT THE COMMERCIAL PROPERTY LINE.