

establishment issued within one (1) year from the date of expiration or revocation of a prior license provided the revocation did not result from acts of the owner of the establishment.

(B) (1) IN THIS SUBSECTION, "TAKOMA PARK TRANSIT IMPACT AREA" MEANS THE TAKOMA PARK TRANSIT IMPACT AREA AS APPROVED AND ADOPTED IN THE SECTOR PLAN FOR TAKOMA PARK, MONTGOMERY COUNTY, MARYLAND.

~~(B)~~ ~~(1)~~ (2) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (A) OF THIS SECTION, THE MONTGOMERY COUNTY BOARD OF LICENSE COMMISSIONERS BY UNANIMOUS VOTE MAY APPROVE AN ALCOHOLIC BEVERAGES LICENSE OF AN APPLICANT FOR A RESTAURANT ESTABLISHMENT WHICH IS LOCATED ON LAND CLASSIFIED IN OR NEAR A CBD ZONE (CENTRAL BUSINESS DISTRICT ZONE), OR NEAR-A-CBD-ZONE IN OR NEAR THE TAKOMA PARK TRANSIT STATION-DEVELOPMENT-AREA-ZONE IMPACT AREA, IF THE FOLLOWING CONDITIONS ARE SATISFIED:

~~(1)~~ (I) ~~(1)~~ 1. IF THE RESTAURANT BUILDING IS OUTSIDE A CBD ZONE OR THE TAKOMA PARK TRANSIT STATION-DEVELOPMENT-AREA ZONE IMPACT AREA, THE MEASUREMENT OF THE DISTANCE OF THE NEAREST POINT OF THE RESTAURANT BUILDING TO THE NEAREST BOUNDARY LINE OF A CBD ZONE OR THE TAKOMA PARK TRANSIT -STATION-DEVELOPMENT-AREA ZONE IMPACT AREA IS 500 FEET OR LESS; OR

~~(1)~~ 2. THE RESTAURANT BUILDING IS ENTIRELY CONTAINED IN LAND CLASSIFIED IN A CBD ZONE OR THE TAKOMA PARK TRANSIT STATION-DEVELOPMENT-AREA-ZONE IMPACT AREA;

~~(2)~~ (II) THE ISSUANCE OF THE REQUESTED LICENSE WILL NOT ADVERSELY AFFECT NEARBY SCHOOLS, CHURCHES, YOUTH CENTERS OR THE NEAREST RESIDENTIAL COMMUNITY; AND

~~(3)~~ (III) EXCEPT FOR THE DISTANCE RESTRICTIONS PROVIDED IN SUBSECTION (A) OF THIS SECTION, THE RESTAURANT OTHERWISE QUALIFIES UNDER THIS ARTICLE FOR THE ISSUANCE OF THE LICENSE REQUESTED.

~~(4)~~ ~~(2)~~ (3) ANY LICENSE ISSUED UNDER THIS SUBSECTION (B) AUTHORIZES ITS HOLDER TO KEEP FOR SALE AND SELL ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES ONLY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1985.

Approved May 21, 1985.

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