

(2) A license holder whose principal place of business is located in the State of Maryland and who has been a Class B license holder in Montgomery County for a minimum of 3 years, may obtain one additional Class B (on-sale – hotels and restaurants) beer, wine and liquor license for premises used and occupied as a bona fide restaurant, as defined by the rules and regulations of the Board of Liquor License Commissioners for Montgomery County. The restaurant shall have a capital investment of not less than \$250,000 for restaurant facilities, which sum may not include the cost of land or buildings, and shall have a minimum seating capacity of 125 persons. The granting of this additional license is limited and restricted to the purpose of providing alcoholic beverages for consumption on the licensed premises only; off-sale privileges may not be exercised.

(3) A license holder may obtain additional Class B (on-sale – hotels and restaurants) beer, wine and liquor licenses for premises operated as a public hotel which meet the minimum requirements identical to those described in § 19(a)(2) of this article, except, if the capital investment in the hotel exceeds \$3,000,000, the building height and elevator requirements provided in § 19(a)(2) do not apply and the minimum restaurant area seating capacity provided for in § 19(a)(2) shall be 100 persons.

(4) This subsection does not permit the issuance to a person or for the use of any partnership, corporation, unincorporated association, or limited liability company in Montgomery County of more than 2 licenses for restaurants.

~~(a-2)(6) (i) [In] NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (2) OF THIS SUBSECTION AND SUBJECT TO THE PROVISIONS OF PARAGRAPH (4) OF THIS SUBSECTION, IN Montgomery County, a person who holds a Class B beer, wine and liquor license may be issued 1 additional Class B beer, wine and liquor license for use in a restaurant if the restaurant is located WITHIN CBD ZONED PROPERTY WITHIN:~~

- ~~1. [Within an] AN enclosed retail mall having at least 250,000 square feet of gross floor area[; and~~
- ~~2. Within CBD zoned property] in Silver Spring; OR~~
- ~~2. THE ROCKVILLE TOWN CENTER MIXED USE DISTRICT.~~

~~(ii) The Montgomery County Board of License Commissioners may not grant more than 2 exemptions under this paragraph FOR EACH OF THE CBD ZONED AREAS LISTED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH.~~

(6) (i) In Montgomery County, a person who holds a Class B beer, wine and liquor license may be issued 1 additional Class B beer, wine and liquor license for use in a restaurant if the restaurant is located:

1. Within an enclosed retail mall having at least 250,000 square feet of gross floor area; and
2. Within CBD zoned property in Silver Spring.

(ii) The Montgomery County Board of License Commissioners may not grant more than 2 exemptions under this paragraph.