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**TO: Mayor, Town Council
Planning and Zoning Commission**
FOR: January 2, 2014 Meeting
FROM: Carmen Ogden and Joe Scott, Town Planners
DATE: December 12, 2013
RE: Entertainment District – Discussion and Recommendation

STAFF REPORT

Request

To consider and designate an area of no more than one square mile by Council resolution, for an “Entertainment District”, per ARS §4-207(C)(4), which exempts the designated area from the distance requirements in relation to churches and schools for various liquor establishments.

Background:

The issue of a distance requirement between liquor establishments and churches and schools came to light in 2006 when Tim’s Toyota Center and the Liberty Traditional School worked together with the Town to move and rebuild fences and walls to facilitate the liquor licensure of the Event Center and overcome distance requirement obstacles per state law. In 2010, the 49th Legislature authorized by HB 2596, amended ARS §4-207, allowing cities and towns to designate an Entertainment District within city or town boundaries. Designation of an Entertainment District exempts certain liquor establishments from having to comply with the distance requirements of 300 horizontal ft. between the liquor establishment premises and a church or school building or fenced recreational area adjacent to a school building. Such districts are designated by resolution and may consist of no more than one square mile, no less than one-eighth of a mile in width and containing a significant number of entertainment, artistic and cultural venues, including music halls, concert facilities, theaters, arenas, stadiums, museums, studios, galleries, restaurants, bars and other related facilities. Entertainment districts are special areas that harness the power of entertainment and cultural resources to stimulate economic development and community vitalization. These districts can be focal points for generating business, attracting tourists, stimulating cultural development and fostering civic pride.

In 2011, a similar request came before and was approved by Town Council, with the designation of two political sign-free zones through Resolution No. 1771. ARS §16-1019(F) allows municipalities to designate two areas of not more than three square miles, as political sign free zones, based on a predominance of commercial tourism, resort and hotel uses within certain area, with the determination that placement of political signs will detract from the scenic and aesthetic appeal to tourists. Staff has attached two proposed geographic boundary maps for consideration by the Commission. The proposed Entertainment District boundaries mirror the previously approved Commercial Tourism Zones. The proposed boundaries both contain the core Town Center area, Old Town and most of the restaurants. Option A. extends further to the east and includes Eastridge and Navajo Commons.

Option B. starts at the east end at Navajo Dr. and includes most of the developed parkway area to Prescott E. Hwy.

Review and Recommendation:

Following discussion at the joint session it is recommended that the matter of the geographic boundaries of the proposed Entertainment District be deferred to the Planning and Zoning Commission and upon their recommendation said boundary be incorporated into a Resolution for Council's consideration.