

AN ORDINANCE
To Be Entitled

AN ORDINANCE TO AMEND PART 8, CHAPTER 3, ZONING
PERTAINING TO THE CREATION OF ARTICLE O,
ALCOHOL DENSITY OVERLAY DISTRICT TO REGULATE
THE SALES AND SERVICE OF ALCOHOL FOR CERTAIN
USES WITHIN CERTAIN AREAS OF THE CITY; TO REPEAL
ALL OTHER ORDINANCES IN CONFLICT HEREWITH AND
FOR OTHER PURPOSES.

BE IT ORDAINED by the Mayor and Aldermen of the City of Savannah, Georgia, in regular meeting of Council assembled and pursuant to lawful authority thereof:

SECTION 1: That Part 8, Chapter 3, Zoning of the Code of the City of Savannah, Georgia (2003) hereinafter referenced as "Code," be enacted as follows:

ENACT

Article O. Alcohol Density Overlay District.

Sec. 8-3354. Purpose and Intent.

The concentration of establishments engaging in the sales and or service of alcohol in certain areas of the city has contributed to undesirable activity, such as littering, loitering, panhandling, noise and vehicular traffic. The purpose of the Alcohol Density Overlay District is to establish standards to curtail or prevent these and other detrimental actions from diminishing property values and the quality of life for nearby residents and property owners.

Sec. 8-3355. Alcohol Density Districts and Identification.

An Alcohol Density ("AD") District is identified on the official zoning map as "AD" followed by a designated number (e.g., AD-1). The numerical designation identifies the geographic location of the overlay district. "AD" districts include:

- a. **AD-1 District.** This district includes portions of the Hudson Hill/Bayview, West Savannah, Woodville/Bartow, Bay Street Viaduct Area neighborhoods. The boundaries of the AD-1 District are shown on Map 1.
- b. **AD-2 District.** This district includes portions of the Cann Park, Bingville, Jackson Park, Feiler Park/Hussars Terrace/Dittmerville, Tatemville and Sylvan Terrace neighborhoods. The boundaries of the AD-2 District are shown on Map 2.
- c. **AD-3 District.** This district includes portions of the Cuyler-Brownville and Laurel Grove/Railroad Area neighborhoods. The boundaries of the AD-3 District are shown on Map 3.

Sec. 8-3356. Relationship to Base Zoning Districts.

In addition to the requirements of this Article, existing and proposed uses within an “AD” Overlay District must also comply with the requirements of the base zoning district designated on the official zoning map for the City of Savannah. Should a conflict between any requirement(s) of the base and overlay districts exist, the more restrictive requirement(s) will apply.

Sec. 8-3357. Prohibited Uses.

a. Certain Uses Prohibited.

As of [*date of adoption of this ordinance*], certain uses that engage in the sales or service of alcohol cannot be established as a new use within an “AD” district:

- i. Adult Entertainment Establishments.
- ii. Assembly Halls greater than 2,000 square feet.
- iii. Event Venues as defined by the City alcoholic beverage ordinance.
- iv. Cocktail Lounges, Taverns, Bars and similar uses that are primarily engaged in the sales of alcoholic beverages for consumption on the premises.
- v. Nightclubs.
- vi. Package Stores (not including accessory or ancillary package sales).

b. Effect of Prohibition on Existing Uses.

Establishments with lawfully issued business tax certificates and alcoholic beverages licenses prior to the [*date of ordinance adoption*]:

- i. Any existing use that is identified as a prohibited use as of the [*date of ordinance adoption*] will be considered conforming;
- ii. Lawfully existing business tax certificates and alcoholic beverage licenses will not be terminated, and applications for renewal or transfer of such certificates and licenses will not be denied for the reason that the establishment is a prohibited use in the overlay district.

c. Time Period for Re-establishing a Prohibited Use.

- i. As of [*date of adoption of this ordinance*], if a prohibited use has not been in operation and a business tax certificate or an alcoholic beverages license has expired (not renewed or transferred), the time period for re-establishing the use or obtaining a new business tax certificate or an alcoholic beverages license for the same physical location is 12 months.

- ii. However, if a tax certificate or alcohol license for the business is terminated, not renewed or transferred within 12 months, regardless of whether the use is intended to be abandoned, the use cannot be re-established.

Sec. 8-3358. Use Conditions.

The following conditions are in addition to any condition(s) that may be required of the use within its base zoning district. To determine if there are use conditions, see Section 8-3025(a) or 8-3025(b), as applicable. The following conditions may be varied by the Board of Appeals.

1. Off-site Consumption

a. Ancillary Retail Package Store (Accessory Sales of Beer and Wine by the Package).

- i. Accessory or ancillary sales of alcohol are permitted when a principal use has at least 5,000 square feet of retail area. The retail area square footage cannot include any area designated for package sales.

2. Retail Dealer (On-site Consumption)

a. Assembly Hall

- i. Such use shall not be greater than 2,000 square feet in floor area.
- ii. Such use shall not be located within 300 feet of a residential use or a Residential ("R") zoning district.
- iii. Such use may include a licensed alcohol caterer.
- iv. Alcohol sales, service and consumption are limited to the interior of the assembly hall.

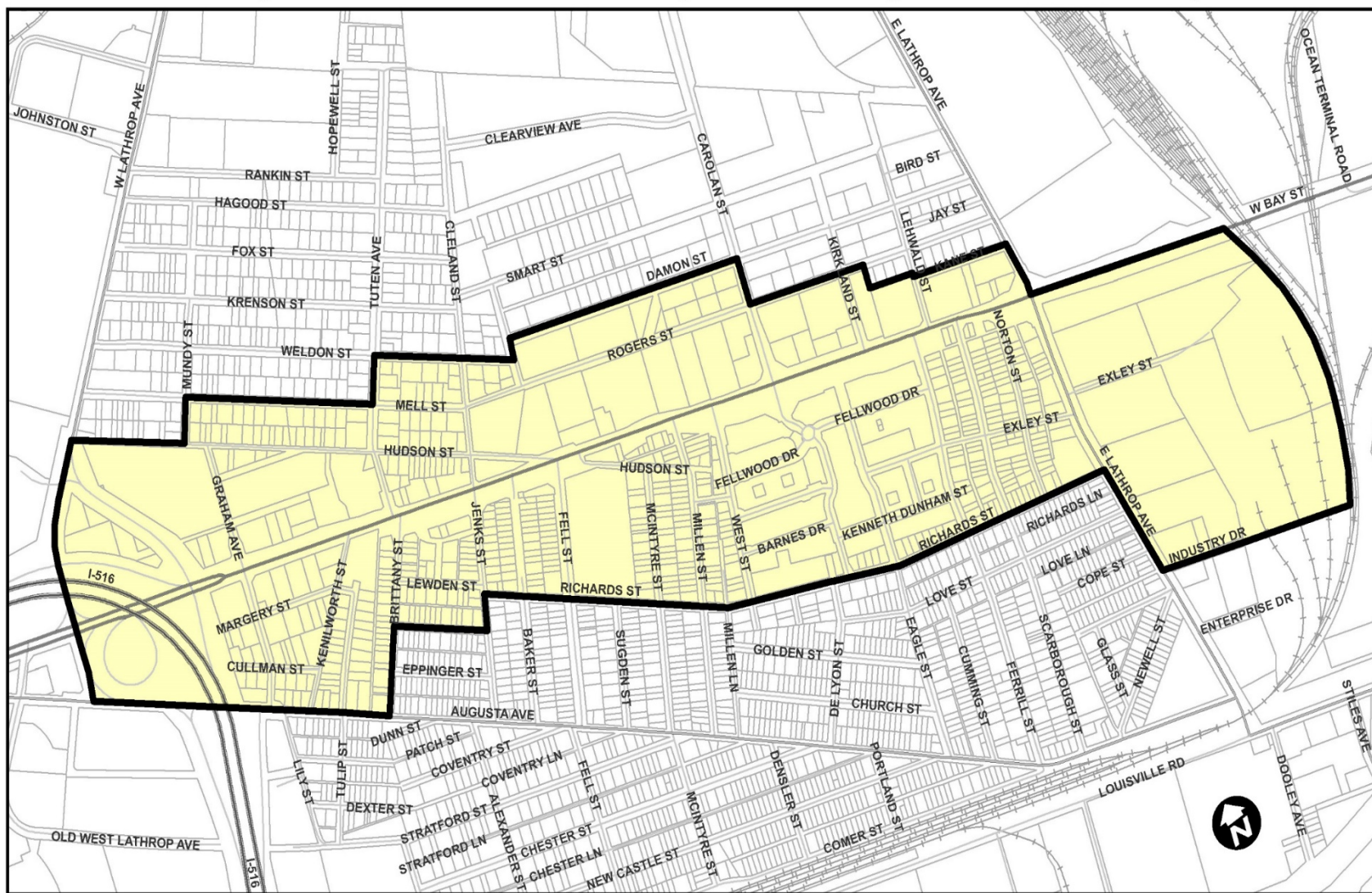
b. Restaurants with Alcohol Sales.

- i. A restaurant must have at least 2,000 square feet in interior floor area.
- ii. Alcohol sales, service and consumption are limited to the interior of the restaurant.

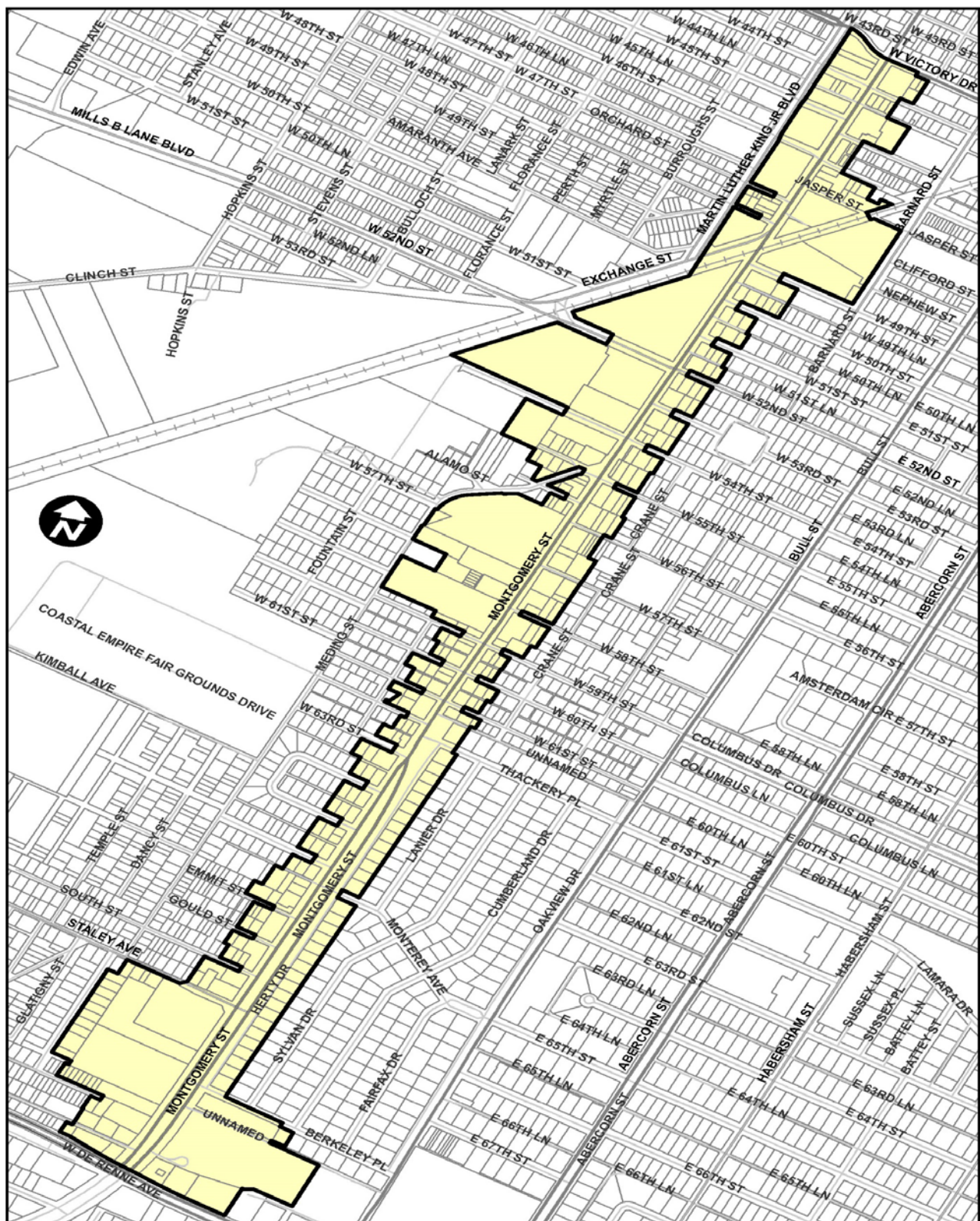
3. Manufacturing and Distribution

- a. Such use shall abut an arterial street as classified in Sec. 8-3048.

Map 1: AD-1 District (West Bay Street Area)



Map 2: AD-2 District (Montgomery Street Area)



Map 3: AD-3 District (Ogeechee Road Area)

This map displays the AD-3 District, which is highlighted in yellow. The district is situated in the Ogeechee Road area. Key streets shown include Ogeechee Rd, W Anderson St, W 31st St, W 32nd St, W 33rd St, W 34th St, W 35th St, W 36th St, W 37th St, W 38th St, W 39th St, W 40th St, W 41st St, W 42nd St, W 43rd St, W 44th St, W 45th St, W 46th St, W 47th St, W 48th St, W 49th St, W 50th St, W 51st St, W 52nd St, W 53rd St, W 54th St, W 55th St, W 56th St, W 57th St, W 58th St, W 59th St, W 60th St, W 61st St, W 62nd St, W 63rd St, W 64th St, W 65th St, W 66th St, W 67th St, W 68th St, W 69th St, W 70th St, W 71st St, W 72nd St, W 73rd St, W 74th St, W 75th St, W 76th St, W 77th St, W 78th St, W 79th St, W 80th St, W 81st St, W 82nd St, W 83rd St, W 84th St, W 85th St, W 86th St, W 87th St, W 88th St, W 89th St, W 90th St, W 91st St, W 92nd St, W 93rd St, W 94th St, W 95th St, W 96th St, W 97th St, W 98th St, W 99th St, and W 100th St. The map also includes a north arrow and a scale bar.

SECTION 2: That the requirement of Section 8-3182(f)(2) of said Code and the law in such cases made and provided has been satisfied. That an opportunity for a public hearing was afforded anyone having an interest or property right which may have been affected by this zoning amendment, said notice being published in the *Savannah Morning News*, on the ____ day of _____, 2017, a copy of said notice being attached hereto and made a part hereof.

SECTION 3: Upon the effective date of the ordinance all ordinances or parts of ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED: _____, 2018.

MAYOR

ATTEST:

CLERK OF COUNCIL
FILE NO.: 17-006636-ZA