

AN ORDINANCE
TO BE ENTITLED

**AN ORDINANCE TO AMEND PART 8, CHAPTER 3,
ZONING PERTAINING TO ARTICLE O, ALCOHOL
DENSITY OVERLAY DISTRICT OF THE CODE OF THE
CITY OF SAVANNAH, GEORGIA (2003); TO REPEAL ALL
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 Section 8-3354 be amended by deleting the section in its entirety and inserting in lieu thereof a new Section 8-3354 as follows:

Sec. 8-3354. Findings; purpose and intent.

The concentration of establishments engaging in the sale and or service of alcohol in certain identifiable areas of the city has contributed to undesirable conditions and activity, such as littering, loitering, aggressive panhandling, noise and increased vehicular traffic. Accordingly, 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.

SECTION 2: That Section 8-3357(a) be amended by deleting the section in its entirety and inserting in lieu thereof a new Section 8-3357(a) as follows:

Sec. 8-3357. Prohibited uses.

- a. Certain uses prohibited.
 - i. As of January 4, 2018, certain uses that engage in the sales or service of alcohol cannot be established as a new use within an "AD" district:
 1. Adult entertainment establishments.
 2. Assembly halls greater than 2,000 square feet.
 3. Event venues as defined by the city alcoholic beverage ordinance.
 4. Cocktail lounges, taverns, bars and similar uses that are primarily engaged in the sales of alcoholic beverages for consumption on the premises.
 5. Nightclubs.
 6. Package stores (not including accessory or ancillary package sales).
 - ii. As of June 6, 2019, convenience stores that engage in the sales or service of alcohol cannot be established as a new use within an "AD" district.

SECTION 3: That Section 8-3358 be amended by deleting the section in its entirety and inserting in lieu thereof a new Section 8-3358 as follows:

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.

- a. Off-site consumption.
 - i. Ancillary retail package store (accessory sales of beer and wine by the package).
 - (1) Accessory or ancillary sales of alcohol are permitted when a principal use has at least 10,000 square feet of floor area. The floor area square footage cannot include any area designated for package sales.
- b. Retail dealer (on-site consumption).
 - i. Assembly Hall.
 - (1) Such use shall not be greater than 2,000 square feet in floor area.
 - (2) Such use shall not be located within 300 feet of a residential use or a residential ("R") zoning district.
 - (3) Such use may include a licensed alcohol caterer.
 - (4) Alcohol sales, service and consumption are limited to the interior of the assembly hall.
 - ii. Restaurants with alcohol sales.
 - (1) A restaurant must have at least 2,000 square feet in interior floor area.
 - (2) Alcohol sales, service and consumption are limited to the interior of the restaurant.
- c. Manufacturing and distribution.
 - i. Such use shall abut an arterial street as classified in section 8-3048.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5: This ordinance shall become effective when signed by the Mayor.

SECTION 6: Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

ADOPTED AND APPROVED: _____, 2019

Eddie W. DeLoach, Mayor

Mark Massey, Clerk of Council

