

Article 7.0 Overlay Districts

Sec. 7.14 Alcohol Density Overlay District

7.14.1 Purpose

The concentration of establishments engaging in the sales 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.

7.14.2 Relationship to base zoning districts

In addition to the requirements of this article, existing and proposed uses within the Alcohol Density Overlay (“AD”) District must also comply with the requirements of the base zoning district designated on the official zoning map for the City of Savannah.

7.14.3 Applicability

The Alcohol Density Overlay (“AD”) District shall be 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. West Bay Street Area.

The boundaries of the AD-1 District are shown on Figure 7.14-1.

b. AD-2 District. Montgomery Street Area.

The boundaries of the AD-2 District are shown on Figure 7.14-2.

c. AD-3 District. Ogeechee Road Area.

The boundaries of the AD-3 District are shown on Figure 7.14-3.

d. AD-4 District. Liberty City Area.

The boundaries of the AD-4 District are shown on Figure 7.14-4.

7.14.4 Prohibited Uses

a. Certain Uses Prohibited

- i.** As of January 4, 2018, the following certain uses that engage in the sales or service of alcohol shall not be established as a new use within the AD-1, AD-2 (original), and AD-3 (original) districts:

1. Adult entertainment establishments.
 2. Assembly halls greater than 2,000 square feet.
 3. Event venues as defined by the City Alcohol 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 sale or service of alcohol shall not be established as a new use within the AD-1, AD-2 (original), and AD-3 (original) districts;
 - iii. As of July 18, 2019, the previously listed uses in this section (Sec. 7.14.4.a.i. and ii) that engage in the sale or service of alcohol cannot be established as a new use within the AD-2 (expansion), AD-3 (expansion), and AD-4 overlay districts.
 - iv. **Effective _____, 2020, restaurants serving, selling, or dispensing alcoholic beverages in the AD-2, AD-3 and AD-4 districts.**

b. Effects of prohibition on existing uses

- i. Establishments with lawfully issued business tax certificates and alcoholic beverages licenses prior to January 4, 2018:
 1. Any existing use that is identified as a prohibited use as of January 4, 2018 shall be considered conforming;
 2. Lawfully existing business tax certificates and alcoholic beverage licenses will not be terminated, and applications for renewal or transfer of such certificates and licenses shall not be denied for the reason that the establishment is a prohibited use in the overlay district.
- ii. Establishments (convenience stores that engage in the sale or service of alcohol) with lawfully issued business tax certificates and alcoholic beverages licenses prior to the June 6, 2019 amendment with the AD-1, AD-2 (original), and AD-3 (original) overlay districts:
 1. Any existing use that is identified as a prohibited use as of the June 6, 2019 amendment will be considered conforming;

2. 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.
- iii. Establishments with lawfully issued business tax certificates and alcoholic beverages licenses prior to the expansion of the AD-2 and AD-3 overlay districts and creation of the AD-4 overlay district on July 18, 2019:
1. Any existing use that is identified as a prohibited use as of the July 18, 2019 amendment will be considered conforming;
 2. 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.
 3. Effective _____, 2020, no person possessing an alcoholic beverage license may petition to change, modify, or expand the classification or type of alcoholic beverage license held by such person in an alcohol density overlay district.

c. Time period for re-establishing a prohibited use

- i. 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:
 1. As of January 4, 2018, within the AD-1, AD-2 (original), and AD-3 (original) overlay districts;
 2. As of June 6, 2019, within the AD-1, AD-2 (original), and AD-3 (original) overlay districts;
 3. As of July 18, 2019, within the AD-2 (expansion), AD-3 (expansion) and AD-4 overlay districts.
- 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 shall not be re-established.

7.14.5 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 Article 8.0, Use Standards. 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 shall not 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 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 Appendix A-1.

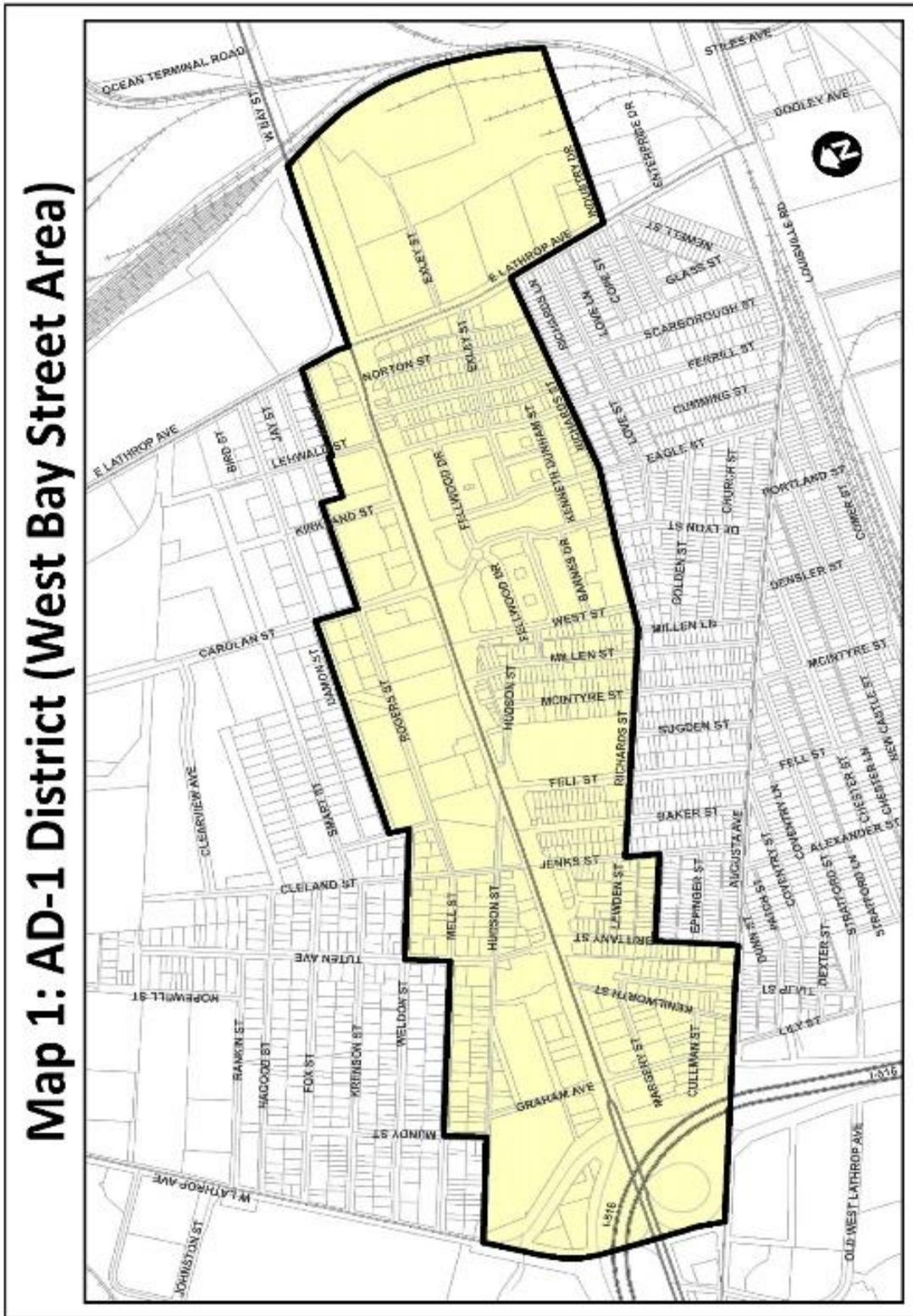


Figure 7.14-1 AD-1 District. West Bay Street Area

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

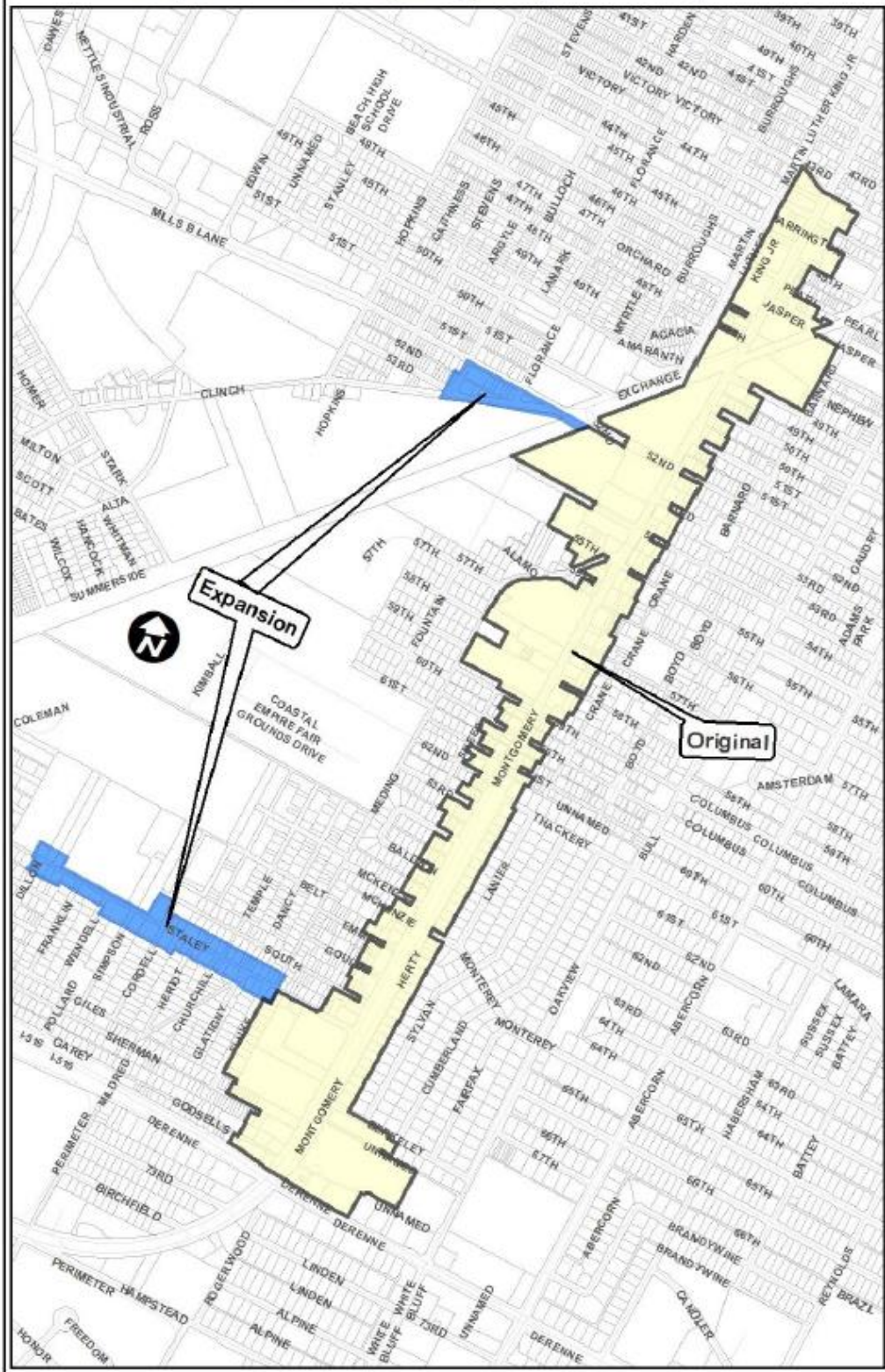


Figure 7.14-2 AD-2 District. West Montgomery Street Area

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

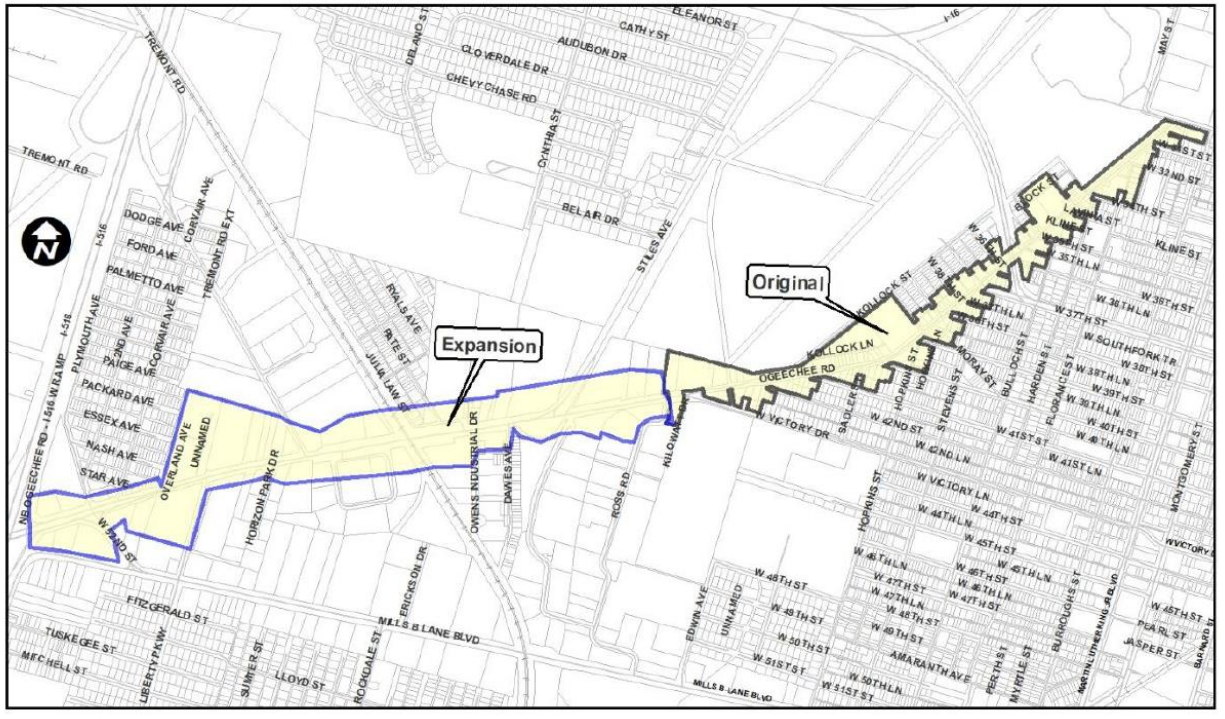


Figure 7.14-3 AD-3 District. Ogeechee Road Area

Map 4 : AD-4 District (Liberty Parkway Area)

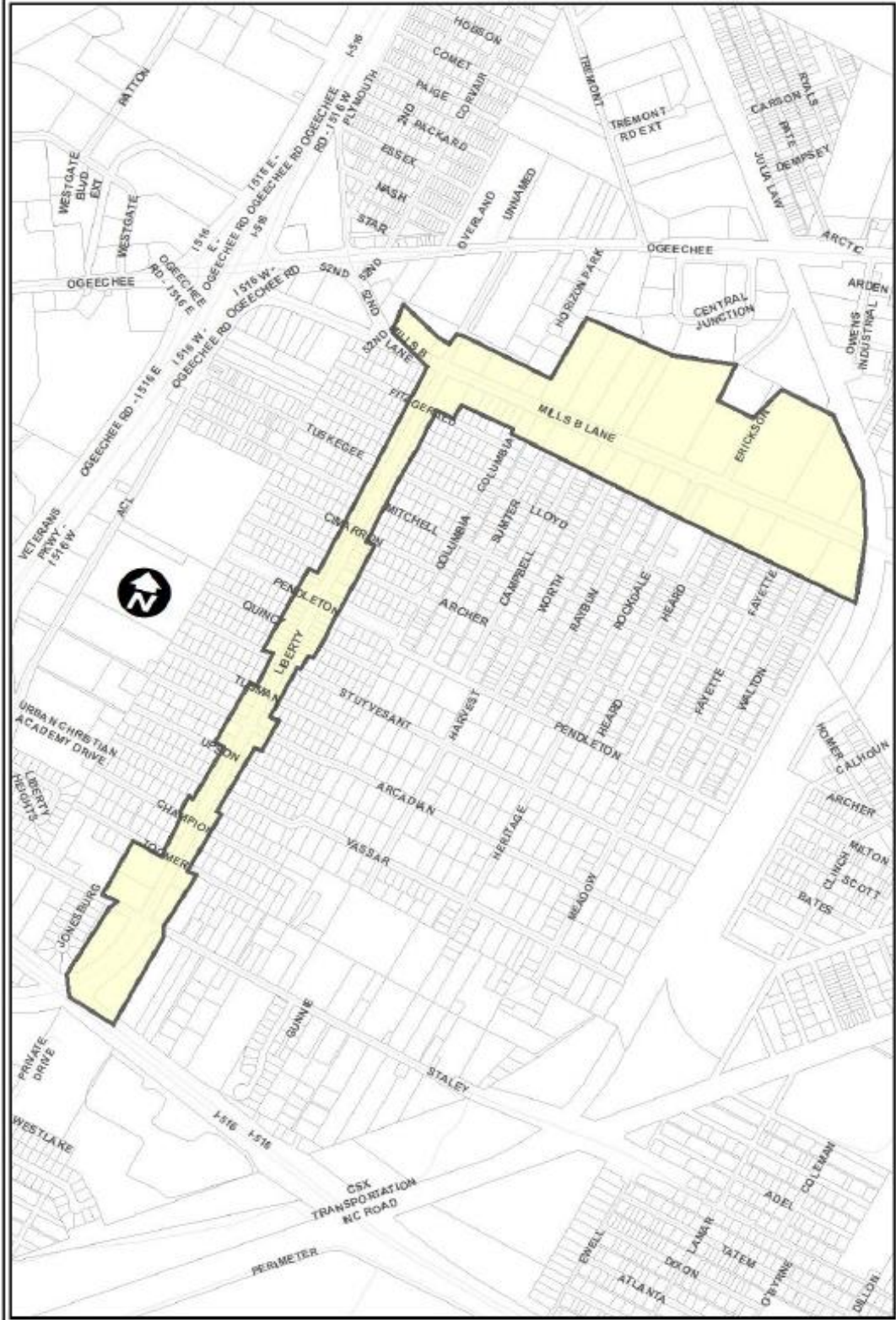


Figure 7.14-4 AD-4 District. Liberty Parkway Area