

Ordinance Number ORD-2023-46

AN ORDINANCE

To amend Section 2.02(C) of the Unified Development Ordinance of the City of Douglasville – “Allowed Principal Use Tables” – to provide for the “tap room” and “tasting room/wine tasting room” and “brewpub” and “wine bar” and “microdistillery” and “microbrewery” uses; to amend the definition of “Microbrewery” in Section 13.02; to add the definitions for “Microdistillery” and “Tap room” and “Tasting Room/Wine Tasting Room” and “Brewpub” and “Wine Bar” and “Brewery” and “Distillery” and “Winery” and “Distillery” to Section 13.02; to repeal any conflicting ordinances; to provide an effective date; and other purposes.

BE IT ORDAINED by the Mayor and City Council of Douglasville, Georgia, and it is hereby ordained by the authority thereof as follows:

SECTION ONE

Section 2.02(C) of the Unified Development Ordinance (UDO) of the City of Douglasville, Georgia shall include a “tap room” and “tasting room/wine tasting room” use added to the “Allowed Principal Use Tables” under “Commercial and Services” as follows:

NAICS Code	Key P = Permitted Use S = Special Use T = Temporary Use [Blank] = Prohibited	O-I	NC	TCMU	CBD	RMP	GC	O-D	LI	HI
722410	Tap rooms, Tasting rooms, Wine tasting rooms	S	S	P	P	P	P			

NAICS Code 722410 – Tap rooms, Tasting rooms/Wine tasting rooms

Permitted use in the following zoning classifications:

CBD, GC, RMP, TCMU

Special use in the following zoning classifications:

NC, OI

SECTION TWO

Section 2.02(C) of the Unified Development Ordinance (UDO) of the City of Douglasville, Georgia shall include a “Brewpub” and “Wine bar” use added to the “Allowed Principal Use Tables” under “Commercial and Services” as follows:

NAICS Code	Key P = Permitted Use S = Special Use T = Temporary Use [Blank] = Prohibited	O-I	NC	TCMU	CBD	RMP	GC	O-D	LI	HI
722511	Brewpub, wine bar	S	S	P	P	P	P			

NAICS Code 722511 – Brewpubs, Wine bar

Permitted use in the following zoning classifications:

CBD, GC, RMP, TCMU

Special use in the following zoning classifications:

NC, OI

SECTION THREE

Section 2.02(C) of the Unified Development Ordinance (UDO) of the City of Douglasville, Georgia shall be amended to add the “Microbrewery” use to the existing use “Malt Beverages Manufacturing (Brewery)” to the “Allowed Principal Use Tables” under “Industrial and Manufacturing” to read as follows:

NAICS Code	Key P = Permitted Use S = Special Use T = Temporary Use [Blank] = Prohibited	O-I	NC	TCMU	CBD	RMP	GC	O-D	LI	HI
31212	Malt Beverage Manufacturing (Brewery), Microbrewery	S	S	P	P	S	S	S	S	S

NAICS Code 31212 – Malt Beverages Manufacturing (Brewery), Microbrewery

Permitted use in the following zoning classifications:

CBD, TCMU

Special use in the following zoning classifications:

GC, O-D, LI, HI, RMP, NC, O-I

SECTION FOUR

Section 2.02(C) of the Unified Development Ordinance (UDO) of the City of Douglasville, Georgia shall be amended to add the “Microdistillery” use to the existing use “Distilled and Blended Liquors Manufacturing, Winery” to the “Allowed Principal Use Tables” under “Industrial and Manufacturing” to read as follows:

NAICS Code	Key P = Permitted Use S = Special Use T = Temporary Use [Blank] = Prohibited	O-I	NC	TCMU	CBD	RMP	GC	O-D	LI	HI
31213	Distilled and Blended Liquors Manufacturing, Winery, Microdistillery				S	S	S	P	P	P

NAICS Code 31213 – Distilled and Blended Liquors Manufacturing, Winery, Microdistillery

Permitted use in the following zoning classifications:

LI, HI, O-D

Special use in the following zoning classifications:

GC, RMP, CBD

SECTION FIVE

The definition of “microbrewery” in Section 13.02 of the Unified Development Ordinance is hereby amended to read as follows:

Microbrewery means a manufacturer of malt beverages producing less than 15,000 barrels annually. Microbreweries may wholesale and may conduct promotional tours and offer free samples of malt

beverages in accordance with the Official Code of Georgia, and offer retail sales in accordance with O.C.G.A. § 3-5-24.1.

SECTION SIX

The definitions of “Microdistillery” and “Tap room” and “Tasting Room/Wine Tasting Room” and “Brewpub” and “Wine Bar” and “Brewery” and “Distillery” and “Winery” and “Distillery” shall hereby be added to Section 13.02 of the Unified Development Ordinance and shall read as follows:

Brewery means a manufacturer or producer of malt beverages exceeding 15,000 barrels of beer in a calendar year for wholesale off premises consumption and/or for consumption on premises, subject to the limitations provided in O.C.G.A. 3-5-24.1. As used in this definition, the term “barrel” shall be defined as set forth in O.C.G.A. 3-5-1.

Brewpub means any eating establishment in which malt beverages are manufactured, subject to the barrel production limitation prescribed in O.C.G.A. Section 3-5-36. As used in this paragraph, the term “eating establishment” means an establishment which is licensed to sell distilled spirits, malt beverages, or wines and which derives at least 50 percent of its total annual gross food and beverage sales from the sale of prepared meals or food; provided, however, that when determining the total annual gross food and beverage sales, barrels of malt beverages sold to licensed wholesale dealers, as authorized pursuant to subparagraph (D) of paragraph (2) of Code Section 3-5-36, or to the public for consumption off the premises, as authorized pursuant to subparagraph (D) of paragraph (2) and paragraph (4) of Code Section 3-5-36, shall not be used.

Distillery means a manufacturer of distilled spirits for wholesale sales. A distillery may conduct promotional tours and offer free samples of distilled spirits in accordance with the Official Code of Georgia, and offer retail sales in accordance with the Official Code of Georgia.

Microdistillery means a small-scale distilled spirit manufacturing facility in which distilled spirits manufactured on-premises or at another of the distiller’s licensed premises as defined in O.C.G.A. § 3-4-24.2 may be sold for consumption on-premises or by the package for off-premises consumption. Distilled spirits manufactured or distilled on-premises shall be limited to 3,000 barrels per calendar year, of which no more than 750 barrels may be sold at retail for on premises consumption or by the package for off-premises consumption.

Tap room means a type of establishment where malt beverages and wine are offered for sale for consumption on premises and for off-premises package sales. Specialty wines and craft malt beverages shall be the primary focus of this establishment. A tap room shall have an indoor seating area not to exceed 2,500 square feet. No food sales are required. Smoking of any kind, including but not limited to cigarette, cigar, vaping, and hookah, shall be prohibited in tap rooms.

Wine bar means a type of eating establishment having adequate and sanitary kitchen and dining room equipment and personnel, which serves food and only beer, wine and non-alcoholic beverages, and where the sale of food and other non-alcohol items purchased on the premises constitutes at least 25 percent of gross sales of the establishment.

Winery means any establishment where wines are manufactured.

Wine tasting room and/or tasting room means an outlet, authorized by the State of Georgia, for the promotion of wine by providing samples of such wine to the public and providing for retail wine sales in closed packages for consumption off the premises. Samples of wine can be given free of charge or for a fee.

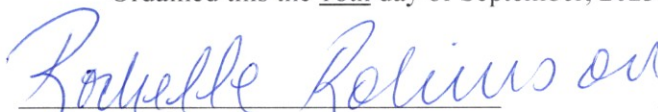
SECTION SEVEN

This ordinance shall become effective on the date after its enactment.


SECTION EIGHT

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Ordained this the 18th day of September, 2023.



Rochelle Robinson, Mayor



Terry Miller, Mayor Pro Tem



Mark Adams, Councilmember



Dr. LaShun B. Danley, Councilmember



Sam Davis, Councilmember



Howard M. Estes, Councilmember



Nycole N. Miller, Councilmember



Chris "Coach" Watts, Councilmember

Attest:



Vicki L. Acker, City Clerk