

**STATE OF GEORGIA
CITY OF DORAVILLE**

ORDINANCE NO. 2018-014

Z-18-02

AN ORDINANCE TO AMEND THE ZONING ORDINANCE CHAPTER 23 OF THE CITY OF DORAVILLE TO AMEND THE DEFINITIONS SECTION OF ARTICLE IV, TO ADD NEW PERMITTED AND CONDITIONAL USES TO THE C-2 (GENERAL BUSINESS DISTRICT), THE O-W (OFFICE-WAREHOUSE DISTRICT), THE M-1 (LIGHT MANUFACTURING DISTRICT) AND M-2 (HEAVY MANUFACTURING DISTRICT), THE T-5, T-6 AND SD-1 DISTRICTS OF ARTICLE XX OF THE LIVABLE COMMUNITY CODE; TO AMEND THE PARKING REQUIREMENTS FOR MANUFACTURING USES IN ARTICLE XII; TO REPEAL CONFLICTION CODE SECTIONS; TO PROVIDE FOR AN ADOPTION AND EFFECTIVE DATE; TO PROVIDE FOR CODIFICATION; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, the City Council of the City of Doraville, Georgia is tasked with the protection of the City's public health, safety and general welfare; and

WHEREAS, the City seeks to provide additional eating and retail service establishments to expand restaurant offerings to the general public by allowing brewpubs in certain zoning districts; and

WHEREAS, the City seeks to diversify its manufacturing industry and expand its employment base by allowing brewery, microbrewery, microdistillery, and microwinery uses; and

WHEREAS, the City Council of the City of Doraville, adopted transect zone T-5A within the Assembly SD-1 Special Area Plan District to allow retail establishments, restaurants, movie theaters and craft production (food, etc.) as permitted uses within the Assembly District with the intent of also allowing microbreweries, etc. to promote vibrant, pedestrian-friendly mixed-use development in Downtown Doraville; and

WHEREAS, the City of Doraville recognizes the economic benefits and local jobs produced by those breweries and distilleries in providing increasingly popular places of communal gathering and recreation; and

WHEREAS, a duly advertised public hearing, in accordance with the Georgia Zoning Procedures Act, has been held by the City of Doraville to consider these revisions.

WHEREAS, it would be in the best interest of the City to allow for the operation of brewpubs, breweries, microbreweries, microdistilleries, and microwineries in certain locations in the City.

THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF DORAVILLE, GEORGIA HEREBY ORDAIN, as follows:

Section 1: That Sec. 23-402 of Chapter 23, Article IV, of the Zoning Ordinance is hereby amended to remove “**Microbrewery**” from the **Definitions** section, to be replaced with new definitions added to the Alcohol Beverage Ordinance.

~~Microbrewery means a beer manufacturing facility (brewery) producing less than two million (2,000,000) gallons of beer per year and whose manufacturing and storage operations are contained solely indoors with no outdoor storage of any ingredients, byproducts or final products produced.~~

Section 2: That Sec. 23-910 of Chapter 23, Article IX, of the Zoning Ordinance is hereby amended to add the following use in alphabetical order under the list of Permitted Uses of the **C-2 (General Business) district** regulations:

“**Brewpub**, subject to Section 23-911 *Performance Standards* pertaining to noise, vibration, smoke, dust or other particular matter, toxic or noxious waste materials, odors, and glare. Manufacturing and storage operations shall be contained solely indoors with no outdoor storage permitted, with the exception that each establishment shall be permitted to have one (1) storage silo placed outside in a location visible to the public, which shall include signage of the company name and logo displayed prominently on the silo (in compliance with the sign ordinance). Each outdoor silo shall be limited to a maximum size of nine (9) feet in diameter by 35 feet tall.”

Section 3: That *Table 10* of Division 5 of Chapter 23, Article XX, of the Livable Community Code of the Zoning Ordinance is hereby amended to add the following use in alphabetical order as a permitted use “R” in the list of uses under the category “d) Retail” of the *Use Table* for the **T-5 and T-6** transect districts:

“**Brewpub**, subject to Section 23-911 *Performance Standards* pertaining to noise, vibration, smoke, dust or other particular matter, toxic or noxious waste materials, odors, and glare. Manufacturing and storage operations shall be contained solely indoors with no outdoor storage permitted, with the exception that each establishment shall be permitted to have one (1) storage silo placed outside in a location visible to the public, which shall include signage of the company name and logo displayed prominently on the silo (in compliance with the sign ordinance). Each outdoor silo shall be limited to a maximum size of nine (9) feet in diameter by 35 feet tall.”

Section 4: That *Table 10 of Section 23-2063* of Chapter 23, Article XX, of the **SD-1 Assembly District** of the Livable Community Code of the Zoning Ordinance is hereby amended to add the following use in alphabetical order as a permitted use “R” in the list of uses under the category “d) Retail” of the *Use Table* for the **T-5, T-5A, T-6 and T-6A** transect zones:

d) RETAIL	T-5	T-5A	T-6	T-6A
<p>“Brewpub, subject to Section 23-911 <i>Performance Standards</i> pertaining to noise, vibration, smoke, dust or other particular matter, toxic or noxious waste materials, odors, and glare. Manufacturing and storage operations shall be contained solely indoors with no outdoor storage permitted, with the exception that each establishment shall be permitted to have one (1) storage silo placed outside in a location visible to the public, which shall include signage of the company name and logo displayed prominently on the silo (in compliance with the sign ordinance). Each outdoor silo shall be limited to a maximum size of nine (9) feet in diameter by 35 feet tall.”</p>	R	R	R	R

Section 5: That *Table 10 of Section 23-2063 of Chapter 23, Article XX*, of the **SD-1 Assembly District** of the Zoning Ordinance is hereby amended to add the following uses in alphabetical order as a permitted use “R” in the list of uses under the category “f) Other: Industrial” of the Use Table for the **T-5A transect zone**:

f) OTHER: INDUSTRIAL	T-5	T-5A	T-6	T-6A
<p>Microbrewery, Microdistillery, and Microwinery:</p> <ul style="list-style-type: none"> Limited to no more than five (5) establishments and a maximum combined total aggregate square footage of 50,000 gross square feet in one or more buildings. No individual establishment may exceed 20,000 gross square feet of floor area. A “tasting room” containing a minimum of 1,000 gross square feet shall be allocated amongst all of the establishments; with each establishment providing at least 100 gross square feet of “tasting room” area. Subject to Section 23-911 <i>Performance Standards</i> pertaining to noise, vibration, smoke, dust or other particular matter, toxic or noxious waste materials, odors, and glare. In addition, manufacturing and storage operations shall be contained solely indoors with no outdoor storage permitted, with the exception that each establishment shall be permitted to have one (1) storage silo placed outside in a location visible to the public, which shall include signage of the company name and logo displayed prominently on the silos (in compliance with the sign ordinance). Each outdoor silo shall be limited to a maximum size of nine (9) feet in diameter by 35 feet tall. Tasting Room hours shall be limited to the “<i>Hours of Sale</i>” authorized in Sec. 3-28 of the Alcoholic Beverage Ordinance. 	-	R	-	-

Section 6: That Sec. 23-908 of Chapter 23, Article IX, of the Zoning Ordinance is hereby amended to add the following uses in alphabetical order under the list of Permitted Uses of the **O-W (Office/Warehouse) district** regulations:

Microbrewery, Microdistillery, and Microwinery. Said uses shall be limited to a maximum building square footage of 20,000 gross square feet and shall be located greater than 500 feet measured in a straight line from residential zoning districts. In addition, a “tasting room” open to the general public shall be provided and shall have a minimum gross floor area of 500 square feet and a maximum gross floor area of 3,000 square feet. Tasting Room hours shall be limited to the “*Hours of Sale*” authorized in Sec. 3-28 of the Alcoholic Beverage Ordinance. Such establishments shall also be subject to Section 23-911 *Performance Standards* pertaining to noise, vibration, smoke, dust or other particular matter, toxic or noxious waste materials, odors, and glare. Manufacturing and storage operations shall be contained solely indoors with no outdoor storage permitted with the exception that each establishment shall be permitted to have one (1) storage silo placed outside in a location visible to the public, which shall include signage of the company name and logo displayed prominently on the silos (in compliance with the sign ordinance). Each outdoor silo shall be limited to a maximum size of nine (9) feet in diameter by 35 feet tall.

Section 7: That Sec. 23-911 of Chapter 23, Article IX, of the Zoning Ordinance is hereby amended to remove “Microbrewery” from the list of Conditional Uses and add the following uses in alphabetical order under the list of Permitted Uses of the **M-1 (Light Manufacturing) district** regulations:

Microbrewery, Microdistillery, and Microwinery. Said uses shall be limited to a maximum building square footage of 20,000 gross square feet and shall be located greater than 500 feet measured in a straight line from residential zoning districts. Manufacturing and storage operations shall be contained solely indoors with no outdoor storage permitted with the exception that each establishment shall be permitted to have one (1) storage silo placed outside in a location visible to the public, which shall include signage of the company name and logo displayed prominently on the silos (in compliance with the sign ordinance). Each outdoor silo shall be limited to a maximum size of nine (9) feet in diameter by 35 feet tall. Tasting Room hours shall be limited to the “*Hours of Sale*” authorized in Sec. 3-28 of the Alcoholic Beverage Ordinance.

Section 8: That Sections 23-911 and 23-912 of Chapter 23, Article IX, of the Zoning Ordinance are hereby amended to add the following uses in alphabetical order under the list of Conditional Uses of the **M-1 (Light Manufacturing)** and the **M-2 (Heavy Manufacturing)** districts:

Microbrewery, Microdistillery, and Microwinery facilities greater than 20,000 gross square feet, and Brewery” Said uses shall be located greater than 500 feet measured in a straight line from residential zoning districts. Manufacturing and storage operations shall be contained solely indoors with no outdoor storage permitted with the exception that each establishment shall be permitted to have one (1) storage silo placed outside in a location visible to the public, which shall include signage of the company name and logo displayed prominently on the silos (in compliance with the sign ordinance). Each outdoor silo shall be limited to a maximum size of nine (9) feet in diameter by 35 feet tall. Tasting Room hours shall be limited to the “*Hours of Sale*” authorized in Sec. 3-28 of the Alcoholic Beverage Ordinance.

Section 9: That the **minimum parking requirements** of “Manufacturing, Freight Terminals” of the *Parking and Loading Spaces* Table of Chapter 23, Article XII, Parking and Loading of the Zoning Ordinance of the City of Doraville are hereby amended to add minimum parking requirements for “**tasting rooms**” in Microbreweries, Microdistilleries, Microwineries to read as follows:

Table of Parking and Loading Spaces Required		
Use	Parking	Loading
Manufacturing, Freight Terminals.	Four (4) spaces per each ten thousand (10,000) square feet or major fraction thereof plus one (1) space for each employee on the largest shift. <i><u>Microbreweries, microdistilleries, and microwineries located in the O-W, M-1 and M-2 zoning districts shall provide a minimum of one (1) space per 150 square feet of Tasting Room area.</u></i>	Sufficient to allow for complete off-street loading but in no event less than required herein for a warehouse

Section 10: All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

Section 11: The Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Doraville.

Section 12: It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of Doraville, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

Section 13: This Ordinance shall become effective on the date of adoption.

Municipal Clerk
Doraville, GA

ORDINANCE NO. 2018-014

Z-18-02

AN ORDINANCE TO AMEND THE ZONING ORDINANCE CHAPTER 23 OF THE CITY OF DORAVILLE TO AMEND THE DEFINITIONS SECTION OF ARTICLE IV, TO ADD NEW PERMITTED AND CONDITIONAL USES TO THE C-2 (GENERAL BUSINESS DISTRICT), THE O-W (OFFICE-WAREHOUSE DISTRICT), THE M-1 (LIGHT MANUFACTURING DISTRICT) AND M-2 (HEAVY MANUFACTURING DISTRICT), THE T-5, T-6 AND SD-1 DISTRICTS OF ARTICLE XX OF THE LIVABLE COMMUNITY CODE; TO AMEND THE PARKING REQUIREMENTS FOR MANUFACTURING USES IN ARTICLE XII; TO REPEAL CONFLICTION CODE SECTIONS; TO PROVIDE FOR AN ADOPTION AND EFFECTIVE DATE; TO PROVIDE FOR CODIFICATION; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

COUNCIL ACTION:

Motion to: APPROVE APPROVE WITH REVISIONS DENY


Effective this 4th day of September, 2018.

ADOPTED by the Doraville City Council September 4, 2018
APPROVED by the Mayor

Attest:


Raquel Gonzalez
City Clerk, City of Doraville


HONORABLE DONNA PITTMAN
Mayor, City of Doraville


Cecil McLendon
Attorney, City of Doraville

THE FOREGOING DECISION WAS OFFERED BY COUNCIL MEMBER ROBERT PATRICK WHO MOVED ITS APPROVAL APPROVAL WITH REVISIONS DENIAL THE MOTION WAS SECONDED BY COUNCIL MEMBER JOSEPH GEIERMAN, BEING PUT TO A VOTE, THE RESULTS ARE LISTED AS FOLLOWS:

	Yea	Nay		Yea	Nay
Pam Fleming	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Stephe Koontz	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joseph Geierman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	M.D. Nasser	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Shannon Hillard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Robert Patrick	<input checked="" type="checkbox"/>	<input type="checkbox"/>

