

**AUGUSTA-RICHMOND COUNTY PLANNING COMMISSION
ZONING ORDINANCE AMENDMENT
MEMO**

Case Number: ZA-R-247

Hearing Date: 2017

Recommended Amendments: Amend Sections 2 “Definitions”, 4-2 “Off Street Parking” and 22 “B-2 (General Commercial) Zone” in order to address the emerging popularity of Brew Pubs and Craft/Micro Breweries and Distilleries and actions pending before the Georgia State Legislature.

Background:

Currently “Brew Pubs” are defined in Section 6-2-53 of the Augusta Georgia Code as “Any eating establishment in which beer or malt beverages are manufactured or brewed...for retail consumption on the premises...” As restaurants are an as-of-right use in the B-2 zoning districts, so are brew pubs. The limitation to this type of use has been that there were no allowances for package sales of their product. That law has been changed to allow limited sale to a wholesaler for distribution to retailers.

A “Micro / Craft Brewery” is generally considered to be a manufacturer of small-batch beer and other malt beverages. The product is sold to distributors who in turn sell to retail outlets. However, such operations are only required to sell 75% of their product in this manner. Thus, for a fee, they may offer tours of the plant that include a tasting of the product/s. Currently this type of use is only allowed in the industrial zones of LI and HI.

A “Micro / Distillery” is generally considered to be a manufacturer of small-batch liquor/s and wines. The product is sold to distributors who in turn sell to retail outlets. For a fee, they may offer tours of the plant that include a tasting of the product/s. Currently the industrial production of alcohol is only allowed in the HI (Heavy Industrial) Zone.

Proposed amendments:

A brew pub will be recognized as a stand-alone use allowed as-of-right in the B-2 zoning district. Microbreweries and microdistilleries will be allowed by Special Exception approval in the B-2 zoning districts. Micro and Large format breweries will continue to be allowed as-of-right in both industrial zones with large format distilleries reserved to HI zones.

Justification: Currently SB 85 is being considered by the Legislature to allow microbreweries and microdistilleries to sell directly to the public for on-site or off-site consumption. In reviewing the general popularity of the above uses in the State of Georgia and across the country it is determined that the Comprehensive Zoning Ordinance should be modified. This effort is to encourage future business development, particularly within the Downtown Commercial District. To that end, these amendment updates to appropriate Sections will provide more flexibility to business owners wishing to locate in Augusta.

COMPREHENSIVE ZONING ORDINANCE**SECTION 2 – DEFINITIONS**

CURRENT LANGUAGE	PROPOSED LANGUAGE	COMMENT/ EXPLANATION	PLANNING COMMISSIONER COMMENTS
No Citation	“Brew Pub” shall mean a restaurant that produces a limited quantity of an alcoholic malt beverage for on-site consumption.	The Ordinance is being updated to differentiate among allowed production type and sale of alcoholic beverages as allowed by Georgia Statute.	
No Citation	“Brewery” shall mean a large or industrial scale manufacturer of alcoholic malt beverages for the purpose of wholesale distribution.		
No Citation	“Craft/Micro Brewery” shall mean a limited-batch producer of alcoholic malt beverages for the purpose of wholesale distribution of a majority of its product with incidental sales to the public either for on-site consumption or carry-outs.		
No Citation	“Craft/Micro Distillery” shall mean a limited-batch producer of wines or		

	liquors for the purpose of wholesale distribution		
No Citation	“Distillery” shall mean a large or industrial scale manufacturer of liquor/s for the purpose of wholesale distribution.		
No Citation	“Liquor Store” shall mean a retail outlet for the purpose of the sale of alcoholic beverages to include beer, wine and spirits.		

COMPREHENSIVE ZONING ORDINANCE	SECTION 4 – Off Street Parking
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CURRENT LANGUAGE	PROPOSED LANGUAGE	COMMENT / EXPLANATION	PLANNING COMMISSIONER COMMENTS
(9) Restaurant, by type: sit-down	(9) Restaurant, by type: sit-down restaurant and Brew Pub	The Ordinance has been modified to include Brew Pubs as a stand-alone use.	
No Citation			

COMPREHENSIVE ZONING ORDINANCE**SECTION 22 – B-2 (General Business)**

CURRENT LANGUAGE	PROPOSED LANGUAGE	COMMENT / EXPLANATION	PLANNING COMMISSIONER COMMENTS
No Citation	22-1 Permitted Uses (b) The following are authorized in a B-2 Zone: (23) Brew Pub	The Ordinance has been modified to identify additional zones allowing the production and sale of alcoholic beverages (in LI & HI allowed as of right).	
No Citation	22-2 Special Exception (g) Craft/Microbreweries & Craft/Micro Distillery		
No Citation			

Community	Defined Use/s	Permitted Central Business District	Permitted Commercial & Mixed Use Districts	Permitted Industrial Districts	Additional Info
Athens	“Brew Pub” – must be a restaurant with revenue of 50% food, subject to barrel limits	Yes	Yes	Yes	Allow wine-tasting and growler-tasting permits.
Atlanta	Brewpub - restaurant that can have license for on-site and/or license for off-site consumption	Yes	Yes	Yes	
	Manufacturer of alcohol	No	No	Yes	
	Farm winery tasting room (retail consumption license)	Zones where farms are allowed			Allow tastings permit in accordance with state law.
Columbia	“Restaurant” – licensed to sell alcohol % of revenue coming from food;	Yes	Yes	No	Wine or beer tasting
	Retail package sales (growler).	Yes	Yes	Yes	
	No reference to “Brewery”				
Columbus	“Bar/ Pub” – licensed to sell alcohol	Yes	Yes	No	
	“Restaurant” – licensed to sell alcohol	Yes	Yes	Yes	
	No reference to “Brewery”				
Savannah	“Micro Brewery” - fewer than 15,000 barrels a year	Fewer than 5,000 barrels	Fewer than 5,000 barrels	Yes	No regulations in ordinance regarding tours or sampling.
	Brewery and Distillery	No	No	Yes	
Sandy Springs	Large scale Breweries, Distilleries & Wineries	No	No	Yes	Only allowed to sell to wholesalers except where allowed by law. Allow tastings permit in accordance with state law.

Community	Defined Use/s	Permitted Central Business District	Permitted Commercial & Mixed Use Districts	Permitted Industrial Districts	Additional Info
	Brewpub - restaurant and production limits of 10,000 gallons per year for diners; 5,000 barrels for distributors	Yes	Yes	Low intensity	Allow tastings permit in accordance with state law.
	Micro-producers - sq. ft. space limit of 20,000; 25% or more of production sold directly to consumer on-site (bar, tasting room, retail shop, restaurant, etc)	Yes	Yes	Low intensity	Allow tastings permit in accordance with state law.
	Farm winery tasting room (retail consumption license)	Zones where farms are allowed			Allow tastings permit in accordance with state law.