



# CITY OF DAHLONEGA

## City Council Public Hearing Agenda

April 18, 2022 4:00 PM

Gary McCullough Chambers, Dahlonaga City Hall

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In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 706-864-6133.

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CALL TO ORDER

NEW BUSINESS:

*Public Hearing:*

1. Ordinances 2022-05, 2022-06 & 2022-07: Package sale of distilled spirits permitted in B-1 & B-2 districts (Public Hearing Only)

Doug Parks, City Attorney

ADJOURNMENT



## Ordinances and Resolutions

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**DATE:** 04.6.2022  
**TITLE:** Ordinances 2022-05, 2022-06 & 2022-07: Package sale of distilled spirits permitted in B-1 & B-2 districts (Public Hearing Only)  
**PRESENTED BY:** Doug Parks, City Attorney

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### AGENDA ITEM DESCRIPTION:

Included in your packet are independent zoning ordinance amendments restricting distilled spirits package stores to the B-1 and B-2 districts. The alcohol ordinance amendment which restricts land use for distilled spirits package stores is included also. Any ordinance restricting zones in which distilled spirits package stores may exist must comply with the zoning laws. Thus the alcohol ordinance amendment doing so must track the normal zoning procedures along with the actual zoning ordinance amendments.

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### HISTORY/PAST ACTION:

These ordinances have been recommended for approval by the Planning Commission.

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### FINANCIAL IMPACT:

N/A

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### RECOMMENDATION:

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### SUGGESTED MOTIONS:

No motions at this time. Action will be taken at the next regular council meeting.

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### ATTACHMENTS:

Ordinance 2022-05; Ordinance 2022-06; and Ordinance 2022-07

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## **Ordinance 2022-05**

### **AN ORDINANCE TO AMEND THE CODE OF THE CITY OF DAHLONEGA, GEORGIA, SUBPART B: LAND USE AND LAND DEVELOPMENT; APPENDIX B: ZONING; ARTICLE XIV: B-1, NEIGHBORHOOD BUSINESS DISTRICT; SECTION 1402: PERMITTED USES**

Short Title: "An ordinance to allow for distilled spirits package stores in the B-1 district."

WHEREAS, the City Council of Dahlonega, Georgia desires to permit the use of distilled spirits package stores in the B-1 district.

NOW, THEREFORE, be it ordained, and it is so ordained by the authority of the City Council of Dahlonega, that Subpart B, Appendix B, Article XIV, Section 1402, shall be amended in its entirety to read as follows:

#### **Sec. 1402. - Permitted uses.**

1. Accessory uses and structures normally incidental to principal permitted uses and structures.
2. Antique shops.
3. Art and school supply stores.
4. Automated car washes, as accessory to convenience stores with retail gasoline sales.
5. Bake shops and bakeries, but not including wholesale.
6. Banks and financial institutions, including drive-in, drive-through and automatic teller facilities as accessory or principal uses, not to exceed 10,000 square feet of gross floor area.
7. Barber shops and beauty shops.
8. Book or stationary stores.
9. Churches, temples, synagogues and places of worship, and their customary accessory uses and structures, including cemeteries.
10. Clubs, lodges, fraternal institutions and other places of public assembly for membership groups, non-profit or for profit, not to exceed 10,000 square feet of gross floor area.
11. Clothes pressing, repair, sale and rental, but not including department stores.
12. Convenience food and retail stores with or without retail gasoline sales.
- 12.1. Cultural facility.
13. Day care centers.
- 13.1. Distilled spirits package stores (Prohibited in all zones except where expressly permitted.)
14. Dressmaking, millinery, sewing and tailor shops.
15. Drug stores.
16. Dry-cleaners and laundromats not exceeding 2,500 square feet of total floor area.
17. Electronic equipment sales.
18. Food and grocery stores.
19. Food catering establishments.
20. Florist shops.
21. Gift shops.
22. Hardware stores.
23. Hobby shops.

24. Ice cream and yogurt shops.
25. Instructional studios, such as music, dance, gymnastics aerobics and martial arts.
26. Interior decorating shops.
27. Jewelry stores.
28. Libraries, museums and art galleries.
29. Locksmith shops.
30. Music stores.
31. Offices, business, medical, professional, insurance and real estate, and general.
32. Paint stores.
33. Photocopying, printing and reproduction services not exceeding 2,500 square feet of total floor area.
34. Photography shops and studios.
35. Public and semi-public buildings and uses.
36. Radio and television repair and sales stores.
37. Record, tape, and video rental and sales stores.
38. Recycling collection centers, but not including processing of recyclable materials.
39. Residences, single-family detached, but not including mobile homes. Home occupations are permitted as accessory uses.
40. Restaurants, but not including drive-in or drive-through facilities.
41. Schools, public elementary, middle and secondary, and public and private colleges and universities.
42. Schools, parochial, private vocational, technical & others, non-profit or operated for profit.
43. Small appliance repair shops.
44. Snack and sandwich shops, but not including drive-in or drive-through facilities.
45. Sporting goods stores.
46. Toy stores.
47. Travel agencies.
48. Watch and clock sales and repair shops.

Except as modified herein, The Code of the City of Dahlonega, Georgia, is hereby reaffirmed and restated. The codifier is hereby granted editorial license to include this amendment in future supplements of said Code by appropriate section, division, article or chapter. The City Attorney is directed and authorized to direct the codifier to make necessary minor, non-substantive corrections to the provisions of this Code, including but not limited to, the misspelling of words, typographical errors, duplicate pages, incorrect references to state or federal laws, statutes, this Code, or other codes or similar legal or technical sources, and other similar amendments, without necessity of passage of a corrective ordinance or other action of the Mayor and Council. The City Clerk shall, upon the written advice or recommendation of the city attorney and without the necessity of further council action, alter, amend or supplement any non-codified ordinance, resolution or other record filed in his or her office as necessary to effect similar non-substantive changes or revisions and ensure that such public records are correct, complete and accurate.

[EXECUTION ON FOLLOWING PAGE]

SO ORDAINED, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Approved: \_\_\_\_\_  
JoAnne Taylor, Mayor

ATTEST:

\_\_\_\_\_(SEAL)  
Mary Csukas, City Clerk

## **Ordinance 2022-06**

### **AN ORDINANCE TO AMEND THE CODE OF THE CITY OF DAHLONEGA, GEORGIA, SUBPART B: LAND USE AND LAND DEVELOPMENT; APPENDIX B: ZONING; ARTICLE XV: B-2, HIGHWAY BUSINESS DISTRICT; SECTION 1502: PERMITTED USES**

Short Title: "An ordinance to allow for distilled spirits package stores in the B-2 district."

WHEREAS, the City Council of Dahlonega, Georgia desires to permit the use of distilled spirits package stores in the B-2 district.

NOW, THEREFORE, be it ordained, and it is so ordained by the authority of the City Council of Dahlonega, that Subpart B, Appendix B, Article XV, Section 1502, shall be amended in its entirety to read as follows:

#### **Sec. 1502. - Permitted uses.**

1. Any use permitted in the B-1, Neighborhood Business District as enumerated in [Section 1402](#) and any use permitted in the CBD Central Business District as enumerated in [Section 1702](#) of these regulations, but not subject to any specified square footage limitations except as provided in Article XX.
2. Accessory uses and structures normally incidental to permitted principal uses.
3. Agricultural implement and equipment sales, service, rental and repair.
4. Amphitheatres and stadiums.
5. Animal hospitals and veterinary clinics.
6. Assembly halls, auditoriums and meeting halls.
7. Automobile, boat, truck, motorcycle, bicycle and other vehicle rental, repair, service and sales.
8. Automobile, boat, truck, motorcycle, bicycle and other vehicle parts sales.
9. Automobile car washes, including automated, full-service or self-service.
10. Banks and financial institutions.
- 10.1. Banquet Hall.
11. Billiard halls, poolrooms and amusement/video arcades.
12. Blueprinting establishments.
13. Bowling alleys.
14. Building materials sales and lumber yards.
15. Bus passenger stations, terminals.
16. Cabinet shops.
17. Camper and recreational vehicle sales, service and repair.
18. Christmas tree sales.
- 18.1. Conference/Convention Center.
19. Contractor's establishments, building, electrical and plumbing.
20. Convalescent homes, nursing homes, group homes, rehabilitation centers, sanitariums and similar institutionalized residential facilities involving professional care and treatment.
21. Department stores.
- 21.1. Distilled spirits package stores (Prohibited in all zones except where expressly permitted.)

22. Dry-cleaning establishments, laundromats and laundries.
23. Equipment rental, sales and service.
  - 23.1. Event Center.
24. Exterminators and pest control businesses.
25. Firearms sales and service, including gun clubs and indoor shooting ranges.
26. Firewood sales.
27. Flea markets.
28. Floor covering stores.
29. Funeral homes, mortuaries and mausoleums.
30. Furniture, fixtures and home furnishing stores, including rental, finishing, repair and sales but not manufacturing.
31. Garden supply centers, greenhouses and landscaping services.
32. Golf courses, golf driving ranges, miniature golf courses, and baseball batting cages.
33. Health clubs and spas.
34. Heliports and helistops.
35. Hospitals and clinics.
36. Hotels, motels, and bed and breakfast inns.
37. Kennels.
38. Lawn mower rental, repair and sales and service shops.
39. Machine shops.
40. Mini-warehouses and mini-storage facilities, where no individual storage stall or compartment exceeds 500 square feet of total floor area.
41. Mobile home and mobile building sales, but not including residential occupancy of mobile homes.
42. Monument sales establishments.
43. Palm reading and fortune telling establishments.
44. Parking garages and parking lots.
45. Pawn shops.
46. Pet stores and grooming establishments.
47. Printing establishments.
48. Private clubs operated for profit.
49. Race tracks for animals or motor-driven vehicles, provided the site contains a minimum of fifteen (15) acres.
50. Radio and television studios, and cable television stations, including broadcasting towers and satellite receiving antennas as accessory uses.
51. Recycling collection centers, but not including the processing of recyclable materials.
52. Repair of household appliances.
53. Research and scientific laboratories.
54. Residences, single-family detached, attached, duplexes, townhouses, condominiums and apartments. Townhouses and condominiums are subject to all provisions of [Section 1004](#) and [Section 1005](#), respectively.
55. Restaurants, including drive-in and drive-through facilities.
56. Sign fabrication and painting shops, occupying not more than 2,500 square feet of floor area.

- 57. Skating rinks.
- 58. Tattoo Parlors.
- 59. Taxi-cab and limousine services.
- 60. Taxidermist shops.
- 61. Theaters, indoor and outdoor.
- 62. Truck stops and truck terminals.
- 63. Welding shops.

Except as modified herein, The Code of the City of Dahlonega, Georgia, is hereby reaffirmed and restated. The codifier is hereby granted editorial license to include this amendment in future supplements of said Code by appropriate section, division, article or chapter. The City Attorney is directed and authorized to direct the codifier to make necessary minor, non-substantive corrections to the provisions of this Code, including but not limited to, the misspelling of words, typographical errors, duplicate pages, incorrect references to state or federal laws, statutes, this Code, or other codes or similar legal or technical sources, and other similar amendments, without necessity of passage of a corrective ordinance or other action of the Mayor and Council. The City Clerk shall, upon the written advice or recommendation of the city attorney and without the necessity of further council action, alter, amend or supplement any non-codified ordinance, resolution or other record filed in his or her office as necessary to effect similar non-substantive changes or revisions and ensure that such public records are correct, complete and accurate.

SO ORDAINED, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Approved: \_\_\_\_\_  
JoAnne Taylor, Mayor

ATTEST:

\_\_\_\_\_(SEAL)  
Mary Csukas, City Clerk



First Reading: \_\_\_\_\_  
Result: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Result: \_\_\_\_\_

**Ordinance 2022-07**

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF DAHLONEGA, GEORGIA, CHAPTER 4: ALCOHOLIC BEVERAGES; ARTICLE II: LICENSING AND REGULATIONS; SECTION 4-24: REGULATIONS PERTAINING TO CERTAIN CLASSES OF LICENSES ONLY, BY AMENDING SUB-SECTION (e): LICENSE ISSUANCE FOR DISTILLED SPIRITS PACKAGE SALES – RETAIL DEALER BUILDING AND INVENTORY REQUIREMENTS, BY ADDING CLAUSE (17) THAT RESTRICTS THE LOCATION OF DISTILLED SPIRITS PACKAGE STORES TO THE B1 AND B2 ZONING DISTRICTS.**

Short Title: “An ordinance to provide for limiting the location of distilled spirits package stores to the B1 and B2 zoning districts.”

**WHEREAS**, the Mayor and City Council deem it necessary to provide for permitted zoning districts for the sale of distilled spirits by the package.

**NOW, THEREFORE, BE IT ORDAINED** by the Dahlonega City Council, and it is ordained by authority of the same, that Chapter 4, Article II, Section 4-24, Sub-Section (e) is hereby amended by adding a Clause (17) which reads as follows:

(17) No retail license for the sale of distilled spirits by the package shall be granted under this chapter unless the premises to be licensed are, at the time the license application is approved by the city council, located under the zoning ordinance of the City in a B1 or B2 zoning district subject to specific limitations of the respective districts.

Except as modified herein, The Code of the City of Dahlonega, Georgia, is hereby reaffirmed and restated. The codifier is hereby granted editorial license to include this amendment in future supplements of said Code by appropriate section, division, article or chapter. The City Attorney is directed and authorized to direct the codifier to make necessary minor, non-substantive corrections to the provisions of this Code, including but not limited to, the misspelling of words, typographical errors, duplicate pages, incorrect references to state or federal laws, statutes, this Code, or other codes or similar legal or technical sources, and other similar amendments, without necessity of passage of a corrective ordinance or other action of the Mayor and Council. The City Clerk shall, upon the written advice or recommendation of the city attorney and without the necessity of further council action, alter, amend or supplement any non-codified ordinance, resolution or other record filed in his or her office as necessary to effect similar non-substantive changes or revisions and ensure that such public records are correct, complete and accurate.

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

SO ORDAINED, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Approved: \_\_\_\_\_  
JoAnne Taylor, Mayor

ATTEST:

\_\_\_\_\_(SEAL)  
Mary Csukas, City Clerk