

City of Sugar Hill
Planning Staff Report



DATE: June 21, 2017
TO: Mayor and City Council
FROM: Planning Director
SUBJECT: Municipal Code Amendment,
Alcohol Sales for Consumption on Premises at Indoor Recreation Facilities.

Staff has proposed a text amendment to *Chapter 6, Alcoholic Beverages* of the Municipal Code to include provisions for allowing alcohol sales for consumption on premises at Indoor Recreation Facilities.

DISCUSSION

- New definition in Article IV and Article V for “Indoor commercial recreational establishment”.
- Updated language in Sec. 6-300 and Sec. 6-401 to accommodate issuance of license for an indoor commercial recreational establishment.
- Staff has proposed deleting from Sec. 6-300 and Sec. 6-401 this line in its entirety:

“Such sales shall be permitted in the following zoning districts: BG and HSB.”

- Allows the use provisions of the zoning ordinance to establish where alcohol sales for consumption on premises are permitted.
- Updated text is substantially similar to Gwinnett County and City of Suwanee codes.

ORDINANCE

The Mayor and City Council of the City of Sugar Hill, Georgia, hereby ordain that the Code of the City of Sugar Hill, Georgia and the City of Sugar Hill Alcoholic Beverages Ordinance shall be amended as follows:

By adding the following definition to Article IV. Sec. 6-178:

Indoor commercial recreational establishment" means an establishment which: (1) regularly serves prepared food, with a full service kitchen (a full service kitchen will consist of a three-compartment pot sink, a stove or grill permanently installed, and a refrigerator all of which must be approved by the health and fire departments); prepared to serve food every hour they are open and deriving at least seventy (70) percent of its total annual gross sales from the sale of prepared meals or foods and recreation activities; and (2) wherein the sale of food and alcoholic beverages is incidental to its primary enterprise and activity on the premises. The primary activity on the premises of the indoor commercial recreational establishment shall be family-oriented in nature, generally to mean a use which attracts a range of individuals from all age groups. Uses may specifically include, but are not limited to, dinner theaters, bowling centers, and other similar uses. Outdoor commercial recreation is not included, nor shall concession sales of alcoholic beverages be permitted. Bingo parlors, dance halls, nightclubs, taverns, billiard parlors, video arcades, skating arenas, adult entertainment and/or sexually related entertainment activities, and similar uses are specifically excluded from this definition of indoor commercial recreational establishments, provided that no indoor commercial recreational establishment shall offer alcoholic beverages for sale during the time it is sponsoring events which primarily attract persons under the lawful drinking age in the state.

By deleting Article IV. Sec. 6-300 in its entirety and replacing it with the following text to read as follows:

Sec. 6-300. Issuance of licenses limited to a designated area.

No license permitting the retail sale of malt beverages and wine for consumption on the premises shall be granted to any applicant hereunder unless the proposed premises for the sale of malt beverages and wine for consumption on the premises is a restaurant, event facility, hotel, indoor commercial recreational establishment, or lounge, and is located in the appropriate zoning district permitting such use as provided by the zoning ordinances of the city as now or hereafter amended. Such sales shall be permitted in the following zoning districts: BG and HSB.

By adding the following definition to Article V. Sec. 6-362:

Indoor commercial recreational establishment" means an establishment which: (1) regularly serves prepared food, with a full service kitchen (a full service kitchen will consist of a three-compartment pot sink, a stove or grill permanently installed, and a refrigerator all of which must be approved by the health and fire departments); prepared to serve food every hour they are open and deriving at least seventy (70) percent of its total annual gross sales from the sale of prepared meals or foods and recreation activities; and (2) wherein the sale of food and alcoholic beverages is incidental to its primary enterprise and activity on the premises. The primary activity on the premises of the indoor commercial recreational establishment shall be family-oriented in nature, generally to mean a use which attracts a range of individuals from all age groups. Uses may specifically include, but are not limited to, dinner theaters, bowling centers, and other similar uses. Outdoor commercial recreation is not included, nor shall concession sales of alcoholic beverages be permitted. Bingo parlors, dance halls, nightclubs, taverns, billiard parlors, video arcades, skating arenas, adult entertainment and/or sexually related entertainment activities, and similar uses are specifically excluded from this definition of indoor commercial recreational establishments, provided that no indoor commercial recreational establishment shall offer alcoholic beverages for sale during the time it is sponsoring events which primarily attract persons under the lawful drinking age in the state.

By deleting Article V. Sec. 6-401 in its entirety and replacing it with the following text to read as follows:

Sec. 6-401. Issuance of license limited to designated area.

No license permitting the retail sale of spirituous liquor for consumption on the premises shall be granted to any applicant hereunder unless the proposed premises for the sale of spirituous liquor for consumption on the premises is a restaurant, event facility, hotel, indoor commercial recreational establishment, or lounge, and is located in the appropriate zoning district permitting such use as provided by the zoning ordinances of the city as now or hereafter amended. Such sales shall be permitted in the following zoning districts: BG and HSB.

(Code 1988, § 3-245; Ord. of 12-11-1995); Amend. April, 2011.

IT IS FURTHER ORDAINED that the effective date of this ordinance shall be the date of adoption by the Mayor and Council of the City of Sugar Hill.

IT IS SO ORDAINED, this ____ day of _____, 2017.

Those voting in favor:

Those voting in opposition

Mayor Pro Tem, Curtis Northrup

Mayor Pro Tem, Curtis Northrup

Council Member Marc Cohen

Council Member Marc Cohen

Council Member Susie Gajewski

Council Member Susie Gajewski

Council Member Brandon Hembree

Council Member Brandon Hembree

Council Member Mike Sullivan

Council Member Mike Sullivan

ATTEST:

City Clerk

Submitted to Mayor: ____/____/____

Approved by Mayor, this _____ day of _____ 2017.

Steve Edwards, Mayor