

AN ORDINANCE
 BY: COUNCIL MEMBER HOWARD SHOOK

AN ORDINANCE TO AMEND CITY OF ATLANTA, GEORGIA CODE OF ORDINANCES, CHAPTER 10 (ALCOHOL BEVERAGES), ARTICLE II (DEALERS AND MANUFACTURERS), DIVISION 2 (LICENSE), SUBDIVISION II (LOCATION RESTRICTIONS), SECTION 10-88; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta Code establishes certain exemptions and distance requirements of establishments from residences, schools, churches, libraries, hospitals and other public places;

WHEREAS, the City of Atlanta Code provides for certain exemptions relating to mixed-use developments; and

WHEREAS, there is a desire to provide a process for licensees within mixed-use developments to obtain approval to provide entertainment, including a process of a letter requesting the Department of Planning to respond by letter confirming whether or not the mixed-use development satisfies the zoning approval requirements for the exemption.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:

That the Code of Ordinances, City of Atlanta, Georgia, be and the same is hereby amended as follows:

Section 1: **EFFECTIVE DATE OF ACTION:** That the effective date of actions contained within this ordinance shall be upon adoption by City Council.

Section 2: That the City of Atlanta Code Section 10-88 be amended to include subsection (f) as follows:

(f) Upon written request by a Licensee operating a restaurant or sidewalk café that satisfies the requirements of Section 10-88(e)(i) or 10-88(e)(iii), the City of Atlanta Mayor shall authorize such Licensee to provide entertainment, as defined in Section 10-1, upon receipt of confirmation from the City of Atlanta Zoning Division that the mixed-use development has zoning approval as required by this section. As used in this section, "zoning approval" shall mean the zoning classification assigned to the mixed-use development would allow development of the minimum square footage set forth in section 10-88(e)(i) or section 10-88(e)(ii); however, zoning approval does not require actual development of the minimum square footage of retail space, office space, or residential units.