



Agenda

Greenville City Council Workshop

August 11, 2025

4:00 PM

City Hall Conference Room 337, 200 West Fifth Street

- I. Call Meeting To Order**
- II. Roll Call**
- III. Approval of Agenda**
- IV. New Business**
 - 1. Discussion Regarding Potential Changes to the Bar 2022 Use and Standards
- V. Adjournment**



City of Greenville, North Carolina

Meeting Date: 08/11/2025

<u>Title of Item:</u>	Discussion Regarding Potential Changes to the Bar 2022 Use and Standards
<u>Explanation:</u>	<p>At the June 9, 2025, City Council Workshop, City staff provided an overview of alcohol establishments, 500-foot rule, Bar 2022, ABC Commission, and current conditions.</p> <p>There was discussion of potential updates to the Bar 2022 use and standards to offer more opportunities.</p> <p>These potential updates include:</p> <ul style="list-style-type: none">• Increasing the maximum size of Bar 2022 (which is current capped at 2,000 sq. ft.); and/or• Allowing this use city-wide (not only in downtown)
<u>Fiscal Note:</u>	There is no cost to the City for this information.
<u>Recommendation:</u>	Evaluate information from City staff and provide direction regarding next steps.

ATTACHMENTS

☐ [BAR_2022_Fact_Sheet.pdf](#)

BAR 2022

DEFINITION:

Bar 2022. An establishment of which the principal use is entertainment and which meets all of the following:

- (a) Occupies less than 2,000 square feet of space of premises;
- (b) May provide live or recorded amplified music;
- (c) May provide a floor show;
- (d) May provide a dance area;
- (e) Shall only be allowed with a special use permit in the following geographic area: Uptown District: Beginning at the intersection of West Third Street and South Pitt Street, between along West and East Third Streets between South Pitt Street and Reade Street; Reade Street and Reade Circle between East Third Street to Cotanche Street; Cotanche Street between Reade Circle to East Eighth Street; East Eighth Street between Cotanche Street and Evans Street; Evans Street between East Eighth Street and East Tenth Street; West Tenth Street between Evans Street and Coastal Seaboard Railroad; Coastal Seaboard Railroad between West Tenth Street and West Fifth Street; West Fifth Street between Coastal Seaboard Railroad and Pitt-Greene Connector; South Pitt Street between West Fifth Street to West Third Street and returning to the point of beginning. See map on page 6.

STANDARDS:

Bar 2022

(1) (a) *Annual Review*. A special use permit for a bar 2022 is subject to annual review in accordance with the provisions of this section (VV). Nothing herein shall prohibit or restrict the authority of the Board of Adjustment to modify, rescind or revoke a special use permit for a bar 2022 in accordance with the provisions of section [9-4-83](#).

(b) *Control of Premises*. It shall be unlawful for any permit holder to relinquish control of a bar 2022 to any person except an on-site manager. The permit holder or an on-site manager must remain on and in control of the premises during all events, including private parties.

(c) *Reporting*. At the regular January meeting of the Board of Adjustment, the Director of Planning and Development Services or their authorized representative shall present to the Board of Adjustment a written staff report of any violation that has been issued for which the annual review shall include a finding of one or more instances of noncompliance with applicable laws, codes and ordinances, including but not limited to noise regulations, litter control regulations, fire codes, building codes, nuisance and public safety regulations, and special use permit conditions of approval. If the Board of Adjustment votes to hold a modification or revocation of the special use permit, the property owner, as specified under subsection (VV)(4) below, shall be provided notice of the meeting and a copy of the staff report.

(d) *Violations*. The following tables show public safety and public nuisance violations based on the applicable City department, and are not exhaustive of all potential violations of this Chapter.

Public Safety Violations

Table 1: Greenville Police Public Safety Violations Major Violations	
Major Violations	Minor Violations

Aggravated Assault (to include shootings, stabbings, violent assaults resulting in significant injury, employee assaulting patron with significant injury)	Sale of Alcohol to Minors by Outlet Staff
Sexual Assaults	Minor Altercations (fights-little or no injury, verbal disputes requiring police intervention)
Security Neglect	ALE/ABC issues
Prostitution	Security Violation (Minor)
Negligent service of alcohol resulting in severe injury or death	Negligent service of alcohol resulting in injury to persons or property; no injury/treatment required by medical personnel/facility
Selling drugs on premises	Noise Violations
	Other Nuisance Violations

Table 2: Greenville Fire/Rescue/Building Code Public Safety Violations	
Major Violations	Minor Violations
Blocked egress or exit that is inoperable/ Inadequate means of egress	Exit sign not working properly
Fire protection system impairment including sprinkler/fire alarm	Emergency lighting not working properly
Illegal/unapproved use of pyrotechnics	Fire extinguishers expired or not working properly
Installation of unapproved wall coverings that promote flame spread	Misuse of extension cords
Hazardous conditions prone to cause fire	Damaged electrical outlets
Bad condition of walls	Unapproved construction or modification to existing space (potentially major if significant change as determined Fire Marshal)
Overloaded floors	Failure to complete required staff training
Defective construction	
Decay	
Unsafe wiring or heating systems	

Table 3: Public Nuisance Violations	
Violation	Responsible Department
Noise	GPD
Trash and debris	NBS
Lack of required security personnel on-site	GPD, PDS
Other minor SUP violation	GPD, FR, PDS
Non-life safety building/fire/zoning violations	FR, PDS
Lack of permit holder or on-site manager on the premises	GPD, PDS

(e) *Continuing Violations.* If a violation of this article is not corrected within the time specified in the notice and citation or other lawful order issued hereunder, the violator shall be guilty of a new and separate violation, and each day's further continuing violation shall be a separate and distinct violation, enforceable by all the remedies herein set forth, including additional civil penalties.

(f) *Compliance.* Bar 2022s that have not received any violations of one or more instances of noncompliance with applicable laws, codes and ordinances, including but not limited to noise regulations, litter control regulations, fire codes, building codes, nuisance and public safety regulations, and special use permit conditions may be recommended for renewal by the Director of Planning and Development Services or their representative to the Board of Adjustment at the annual review.

(g) *Noncompliance; Modification or Revocation.* Staff may request the Board of Adjustment hold a hearing for a modification or revocation of a special use permit for any establishment that has enforcement actions for numerous violations of one or more instances of noncompliance with applicable laws, codes and ordinances including Notices of Violation and/or numerous calls for service from City departments such as Police, Fire, Public Works, or Planning & Development Services, not limited to noise regulations, litter control regulations, fire codes, building codes, nuisance and public safety regulations, notices of violations and special use permit conditions at any time. The property owner, as specified under subsection (VV)(4), below shall be provided notice of the meeting and a copy of the staff report.

(h) *Quasi-Judicial Hearing.* Any hearing for a modification or revocation of a special use permit shall be in the nature of and in accordance with the requirements for a hearing upon a special use permit application. After the hearing and in accordance with the provisions of section [9-4-81](#), the Board of Adjustment may modify the conditions or revoke a special use permit pursuant to this section (VV) and section [9-4-82](#). The modification or revocation of the special use permit by the Board of Adjustment after the hearing shall constitute a revocation of the previously granted special use permit for a bar 2022.

(i) *Revocation.* If a special use permit is revoked for any reason, use of the property allowed by such special use permit shall be discontinued immediately.

(2) *Litter/Debris.* The owner(s) and/or operator(s) of a bar 2022 shall collect and properly dispose of all litter and debris generated by their establishment or patrons immediately following the closure of business or not later than 7:00 a.m. each morning following any period of operation. All litter or debris shall be collected from within the boundaries of the establishment, associated parking areas, adjacent sidewalks and public rights-of-way or other adjacent public property open to the public. In addition, the owner(s) and operator(s) of a public or private club shall comply with the provisions of Title 11, Chapter 9 of the City Code, whether or not the establishment is a nightclub, bar or tavern.

(3) In addition to subsection (F) above, the Board of Adjustment may establish specific and reasonable litter and trash mitigation standards or requirements.

(4) *Ownership.* The special use permit shall be issued to the property owner as listed on the tax records of the county. When the ownership of any property, which has a special use permit for a bar 2022, is transferred to a new owner by sale or other means, the new owner shall sign and file with the Director of Planning and Development Services an acknowledgment of the rights, conditions and responsibilities of the special use permit prior to operation of the use under the permit. The acknowledgment shall be made on forms provided by the planning office.

(5) *Noise-amplified entertainment.* In no event shall the noise generated by amplified audio entertainment exceed the noise control provisions as provided in Title 12, Chapter 5, of the Greenville City Code. For purposes of this section, “amplified audio entertainment” shall mean any type of music or other entertainment delivered through and by an electronic system; provided, however, televisions operating with no amplification other than their internal speakers or televisions connected to a master sound system operating at low amplification and indoor background music system operating at a low amplification and not intended as a principal form of entertainment shall not be deemed amplified audio entertainment. This section shall apply regardless of the number of patrons actually within the establishment at the time of amplified audio entertainment. Security personnel shall remain on duty until the close of business and later to such time that all patrons and other persons, other than employees, have vacated the premises and associated parking area.

(6) If amplified entertainment is provided after 11PM, the establishment shall employ uniformed security guard(s) provided by a security guard and control profession licensed in accordance with the provisions of G.S. Chapter 74C in the following ratios:

Approved occupancy as determined by the Building Inspector	Number of Security Personnel
1-100	1
101-200	2
201-300	3
301-400	4
401-500	5

If occupancy exceeds 500, the same ratios shall apply as in the above table.

Establishments that have an approved occupancy of no more than 100 and provide amplified entertainment after 11PM, shall employ no less than 2 security guards in order for one guard to be located within the establishment and one guard to patrol the parking lot where applicable.

(7) *Security plan.* A security plan shall be submitted to the Greenville Police Department for review and approval along with the special use permit application. Additional security personnel maybe required at the discretion of the Chief of Police based on location, proximity to similar uses, such as bars and other bar 2022s, and building occupancy. The required security personnel shall remain on duty and visible outside the establishment, and shall be accessible to law enforcement officers at all time. This section shall apply regardless of the number of patrons actually within the establishment at the time of amplified audio entertainment.

(8) *Lighting plan.* A lighting plan shall be submitted to the Director of Planning and Development Services or authorized agent for review and approval, and lighting fixtures shall be installed and maintained pursuant to the approved plan which illuminates all exterior portions of the building, lot area and parking lot as determined appropriate by the Director of Planning and Development Services, or authorized agent. Lighting shall be located and shielded to prevent the light cone of all exterior fixtures from encroaching beyond the property boundary line and into any adjacent public right-of-way, property or dwelling. Required or additional optional lighting shall comply with this subsection and section [9-4-104](#). A lighting plan will only be required when parking is located on private property.

(9) *Parking.* Shall be exempt of parking requirements in Article O in the Uptown District Area. Article O. Parking standards apply in all areas except the Uptown District Area.

(10) Shall use computer applications and software to detect fake identification (IDs).

(11) Shall comply with all current building codes and safety standards.

(12) Within the geographic areas as described in the definition of a Bar 2022(h), there is no separation between a bar 2022 and any other use or zoning district.

(13) Shall only be granted one special use permit for the operation of one Bar 2022 per parcel and/or building regardless of available units, suites, or square footage within the building.

(14) Penalties

(A) Any violation of the provisions of this chapter or a failure to comply with any of its requirements shall subject the violator to a civil penalty as follows:

Type of Violation	First Day	Second Day/Second Violation within 12 Months	Third Day/Second Violation within 12 Months
Major Violation	\$500	\$1,000	\$2,000
Minor Violation	\$250	\$500	\$1,000

(B) *Payment.* Violators shall be issued a citation which must be paid within 72 hours. If a person fails to pay the civil penalty within 72 hours, the city may recover the penalty together with all costs by filing a civil action in the general court of justice in the nature of a suit to collect a debt.

(C) *Other Remedies.* In addition to the issuance of a notice of violation, citation, or some other order, the modification or revocation of a Bar 2022 special use permit, or imposition of civil penalties, any person who violates this article may be subject to any and all civil and equitable remedies set out in G.S. § 160A-175 and G.S. § 160D-404(c) in a court of competent jurisdiction.

(D) *Continuing Violations.* Each day that any violation continues shall be considered a separate violation for purposes of the penalties and remedies specified in this section. Notwithstanding the foregoing, the Zoning Enforcement Officer may invoke the escalating civil penalties authorized by subsection (A) whenever the violation continues and there has been sufficient time, no more than 72 hours, for the violation to be corrected after notification that the violation exists or whenever the violation has occurred previously during a 12-month period.

(E) *Cumulative Penalties and Remedies.* Any one, all, or any combination of the foregoing penalties and remedies may be used to enforce this chapter.

(F) *Interested Parties.* The owner, tenant or occupant of any building or land or part thereof and any architect, builder, contractor, agent, or other person who participates in, assists, directs, creates, or maintains any situation that is contrary to the requirements of this chapter may be held responsible for the violation and suffer the penalties and be subject to the remedies herein provided.

(15) Appeals

(A) Appeals of Zoning Enforcement violations shall be made to the Board of Adjustment in accordance with 9-4-351 and shall be submitted to the City Clerk within 30 days of issuance of Notice of Violation.

(B) Appeals from Greenville Police Department, Fire/Rescue and Public Nuisance violations shall be in accordance with standards and policies of the appropriate department.

BAR 2022 ELIGIBLE AREA

