



City Council Meeting & Public Hearing

JULY 28, 2025

OFFICIAL MINUTES

Office of the City Clerk

ALPHARETTA CITY HALL
COUNCIL CHAMBERS | 2 PARK PLAZA | 6:30 PM

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1. CALL TO ORDER

- Mayor Gilvin called the meeting to order at 6:30 p.m.
- Mayor Gilvin announced that Z-25-06/V-25-13 KOA Land Group/272 & 276 Thompson Street and V-25-14 Hampton Hall – Waiting Period Variance, and PH-25-10/E-25-07 Hampton Hall – Change of Condition & Exception has been postponed by Staff to the August 25, 2025 City Council Meeting. Also, New Business Item H Intergovernmental Agreement: November 5, 2025 General Election and December 2, 2025 Runoff Election has been deferred by Staff to the August 18, 2025 City Council Meeting.

2. ROLL CALL

- **Council Members**
 - Mayor Jim Gilvin
 - Mayor Pro Tem Dan Merkel
 - Donald F. Mitchell
 - John Hipes
 - Fergal M. Brady
 - Douglas J. DeRito
- **Staff**
 - Chris Lagerbloom, City Administrator
 - Molly Esswein, City Attorney
 - Lauren Shapiro, City Clerk
 - Adam Montgomery, Director of Information Technology
 - Brooke Lappin, Director of Courts

- Charlie Jewell, Director of Economic Development
- Cris Randall, Director of Human Resources
- John Robison, Director of Public Safety
- Kathi Cook, Director of Community Development
- Morgan Rodgers, Director of Recreation, Parks, and Cultural Services
- Pete Sewczwicz, Director of Public Works
- Tom Harris, Director of Finance
- Deanna McKay, Public Communication & Engagement Coordinator
- Michael Woodman, Planning and Development Services Manager

3. PLEDGE TO THE FLAG

4. BOARDS & COMMISSIONS

A. Planning Commission Appointment by Council Member Brady and Swearing In

- Council Member Brady appointed Dennis Mitchell to serve on the Planning Commission and Mayor Gilvin swore him in.

5. PUBLIC HEARING

A. Announcement of Public Hearing Procedures

- City Attorney, Molly Esswein, announced the public hearing procedures.

B. CLUP-25-03/Z-25-05/V-25-18 Wooten Tract Townhomes

Consideration of a comprehensive land use plan amendment, rezoning, and variance to allow 67 'For-Sale' townhomes on 10.19 acres in a gated subdivision. A comprehensive land use plan amendment is requested from 'Mixed Use' to 'High Density Residential' and a rezoning is requested from O-I (Office-Institutional) to R-10M (Dwelling, 'For-Rent' or 'For-Sale', Residential). A variance is requested from Unified Development Code (UDC) Subsection 2.10.4(A)(5) to allow a private street to be gated. The property is located at 0 North Fulton Expressway and is legally described as being located in Land Lot 609, 1st District, 2nd Section, Fulton County, Georgia.

- Planning and Development Services Manager, Michael Woodman, came forward to present this item.
- The applicant, David Weekly Homes, is requesting a comprehensive land use plan amendment, rezoning, and variance to allow for the construction of 67 'For-Sale' townhomes on 10.19 acres in North Point. A comprehensive land use plan amendment is requested from 'Mixed Use' to 'High Density Residential' and a rezoning is requested from O-I (Office-Institutional) to R-10M (Dwelling, 'For-Sale' or 'For-Rent, Residential). A variance is requested to allow a private street to be gated. The subject property is

located at 0 North Fulton Expressway in the southeast quadrant of Georgia 400 and Mansell Road.

- This item was considered at the July 10, 2025 Planning Commission meeting. There were no public comments. After discussion, the Commission recommended approval subject to the staff recommended conditions and adding to condition #14 that the developer shall construct a sound barrier on their property if GDOT does not construct a sound barrier as part of the Georgia 400 managed lanes project (vote 6-0).
- Staff is recommending that Mayor and Council approve CLUP-25-05/Z-25-05/V-25-18 Wooten Tract Townhomes, subject to the following conditions:
 1. The 10.19-acre property shall be rezoned to R-10M and shall be developed substantially as depicted on the site plan prepared by LJA Engineering, revised 6/12/25, except for modifications required to comply with these conditions. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
 2. The comprehensive land use plan designation of the property shall be 'High Density Residential'.
 3. Use of the property shall be limited to 'Dwelling, 'For-Sale', Attached' with a maximum density of 6.58 dwelling units per acre.
 4. Architecture and materials shall be developed substantially similar to the submitted renderings, subject to final approval by Staff. Rear and side elevations shall have the same level of materiality and details as the front elevations, as approved by Staff.
 5. Subdivision shall be permitted to be gated substantially as depicted on the site plan by LJA Engineering, revised 6/12/25. Gate access shall be provided by siren, keypad, Knox key and meet 2012 IFC 503.6. Median at gated access shall be planted with decorative landscape material, as approved by Staff.
 6. EcoDistrict points shall be substantially similar to the description provided on the site plan prepared by LJA Engineering, revised 6/12/25, as approved by Staff. Developer shall provide detailed information at LDP and building permit regarding compliance with each requested EcoDistrict measure.
 7. Minimum 4.02 acres of open space, as depicted on the site plan prepared by LJA Engineering, revised 6/12/25, shall be improved within the development, including decorative hardscape, landscape, and North Point EcoDistrict Monument or District Threshold. A unique EcoDistrict monument shall require approval by the Cultural Arts Commission. Hardscape, landscape and monument/district threshold shall be maintained by the HOA.
 8. Green stormwater design techniques shall be employed to address run-off reduction, as approved by Staff.

9. Privacy fences and unfinished wood decks shall not be visible from the public right-of-way or Greenway connection.
10. Townhomes shall have connectivity to the public sidewalk system.
11. New internal street (not including alleys) shall be developed with a minimum 4' planter planted with street trees and 5' sidewalk, as approved by Staff. Decorative pedestrian lighting shall be required throughout the development. Internal streets and alleys shall be private and maintained by the HOA. Development and street names shall be representative of the North Point EcoDistrict.
12. Developer shall investigate the possibility of adding on-street parallel parking to Beaver Creek Road and/or the cul-de-sac. If feasible, design shall include on-street parking, planters planted with street trees, and sidewalk, with final design approved by Staff. If a design is approved, developer shall construct streetscape improvements in exchange for impact fee credits in conjunction with a development agreement. The cost of improvements shall not exceed impact fee credits generated by the development.
13. At a minimum, a row of evergreen trees shall be planted in the 10' landscape strip on the north side of the entrance street between Beaver Creek Road and Unit 67 to screen billboard access easement.
14. Georgia 400 buffer shall be replanted, where sparse. If it's determined that GDOT will not construct a sound barrier along the property as part of the expansion project, the developer will take measures to install a sound barrier on their property between the billboard and the screening landscaping, as approved by Staff.
15. Billboard in Georgia 400 buffer shall be screened from the residential subdivision with a minimum 25' buffer. This condition shall be removed if the billboard is removed.
16. Billboard access shall be separated from the residential development as depicted on the site plan prepared by LJA Engineering, revised 6/12/25. Billboard access easement shall be maintained as a sodded area. This condition shall be removed if the billboard is removed.
17. Landscape strips and buffers shall be exclusive of utilities and easements, except that if Fulton County requires an unencumbered easement shrubs shall replace tree requirements on one side of the street.
18. Pedestrian amenities including paths, lighting, and benches shall be included throughout the development.
19. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.

- Steven Jones, from Taylor Duma located at 1600 Parkwood Circle, Suite 200, came forward on behalf of the applicant David Weekley Homes accompanied by Billy Stadler and Tyler Lasser with LJA, the engineer for the project to present the proposal.
- The applicant offered a rebuttal by affirming that the proximity of the homes follows the city ordinance requirements. Regarding the price point, it reflects the quality of the materials utilized by David Weekley Homes. The neighborhood also includes access points to the Greenway and Beaver Creek Parkway and exceeds the city's open space requirements.

PUBLIC COMMENTS:

- Daniel Porzio (435 Summerfield Drive Alpharetta, GA) spoke in opposition of this item (proximity to GA400, noise pollution, high price point, number of units, fire safety hazard with only one point of entry and exit).
 - ❖ Mayor Pro Tem Merkel offered a motion to approve CLUP-25-05/Z-25-05/V-25-18 Wooten Tract Townhomes, subject to the following conditions:
 1. The 10.19-acre property shall be rezoned to R-10M and shall be developed substantially as depicted on the site plan prepared by LJA Engineering, revised 6/12/25, except for modifications required to comply with these conditions. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
 2. The comprehensive land use plan designation of the property shall be 'High Density Residential'.
 3. Use of the property shall be limited to 'Dwelling, 'For-Sale', Attached' with a maximum density of 6.58 dwelling units per acre.
 4. Architecture and materials shall be developed substantially similar to the submitted renderings, subject to final approval by Staff. Rear and side elevations shall have the same level of materiality and details as the front elevations, as approved by Staff.
 5. Subdivision shall be permitted to be gated substantially as depicted on the site plan by LJA Engineering, revised 6/12/25. Gate access shall be provided by siren, keypad, Knox key and meet 2012 IFC 503.6. Median at gated access shall be planted with decorative landscape material, as approved by Staff.
 6. EcoDistrict points shall be substantially similar to the description provided on the site plan prepared by LJA Engineering, revised 6/12/25, as approved by Staff. Developer shall provide detailed information at LDP and building permit regarding compliance with each requested EcoDistrict measure.
 7. Minimum 4.02 acres of open space, as depicted on the site plan prepared by LJA Engineering, revised 6/12/25, shall be improved within the development, including decorative hardscape, landscape, and North Point EcoDistrict

Monument or District Threshold. A unique EcoDistrict monument shall require approval by the Cultural Arts Commission. Hardscape, landscape and monument/district threshold shall be maintained by the HOA.

8. Green stormwater design techniques shall be employed to address run-off reduction, as approved by Staff.
9. Privacy fences and unfinished wood decks shall not be visible from the public right-of-way or Greenway connection.
10. Townhomes shall have connectivity to the public sidewalk system.
11. New internal street (not including alleys) shall be developed with a minimum 4' planter planted with street trees and 5' sidewalk, as approved by Staff. Decorative pedestrian lighting shall be required throughout the development. Internal streets and alleys shall be private and maintained by the HOA. Development and street names shall be representative of the North Point EcoDistrict.
12. Developer shall investigate the possibility of adding on-street parallel parking to Beaver Creek Road and/or the cul-de-sac. If feasible, design shall include on-street parking, planters planted with street trees, and sidewalk, with final design approved by Staff. If a design is approved, developer shall construct streetscape improvements in exchange for impact fee credits in conjunction with a development agreement. The cost of improvements shall not exceed impact fee credits generated by the development.
13. At a minimum, a row of evergreen trees shall be planted in the 10' landscape strip on the north side of the entrance street between Beaver Creek Road and Unit 67 to screen billboard access easement.
14. Georgia 400 buffer shall be replanted, where sparse.
15. Billboard in Georgia 400 buffer shall be screened from the residential subdivision with a minimum 25' buffer. This condition shall be removed if the billboard is removed.
16. Billboard access shall be separated from the residential development as depicted on the site plan prepared by LJA Engineering, revised 6/12/25. Billboard access easement shall be maintained as a sodded area. This condition shall be removed if the billboard is removed.
17. Landscape strips and buffers shall be exclusive of utilities and easements, except that if Fulton County requires an unencumbered easement shrubs shall replace tree requirements on one side of the street.
18. Pedestrian amenities including paths, lighting, and benches shall be included throughout the development.

19.No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.

- Council Member Hipes seconded the motion.
- The motion was approved unanimously (6-0).

COUNCIL DISCUSSION:

- Council Member Mitchell reiterated his excitement for the 60-foot landscape barrier that will act as a shield between the neighborhood and GA Hwy 400 and will act as a sound barrier.
- Council Member DeRito shared that this project contributes to the future vision of the North Point corridor, making it more accessible and recognized that managing the cost of living is challenging for the City Council to maintain.
- Council Members Hipes and DeRito asked about Condition #14.

C. MP-25-06/CU-25-10 Sandbox VR/City Center MP

Consideration of a master plan amendment and conditional use to allow 'Recreation Facility, Indoor' for Sandbox VR in the City Center mixed-use development. A master plan amendment is requested to the City Center Master Plan to add 'Recreation Facility, Indoor' as a conditional use and a conditional use is requested to allow 'Recreation Facility, Indoor' for Sandbox VR. The property is located at 2001 Commerce Street, Suite 6HJK and is legally described as being located in Land Lots 749 & 802, 1st District, 2nd Section, Fulton County, Georgia.

- Planning and Development Services Manager, Michael Woodman, came forward to present this item.
- The applicant, Aplos VR, LLC, is requesting a master plan amendment and conditional use to allow 'Recreation Facilities, Indoor' in a 4,393 square foot suite in the City Center mixed-use development for Sandbox VR. A master plan amendment is requested to add 'Recreation Facilities, Indoor' as a conditional use in the City Center Master Plan and a conditional use is requested to allow 'Recreation Facilities, Indoor' for Sandbox VR. According to the application, Sandbox VR is an immersive, location-based virtual reality (VR) entertainment venue offering group-oriented, interactive VR adventures. The subject property is located at 2001 Commerce Street, Suite 6HJK in the City Center mixed-use development.
- This item was considered at the July 10, 2025 Planning Commission meeting. There was one (1) public comment in support of the request from a commercial leasing representative indicating that the business would complement and benefit existing businesses in City Center and Downtown. After discussion, the Commission recommended approval subject to the staff recommended conditions (vote 6-0).
- Staff is recommending that Mayor and Council approve MP-25-06/CU-25-10 SANDBOX VR/City Center MP, subject to the following conditions:

1. 'Recreation Facilities, Indoor' shall be added as a conditional use at 2001 Commerce Street, Suite 6HJK and limited to no more than 4,393 square feet.
 2. 'Recreation Facilities, Indoor' shall be added as a conditional use in the City Center Master Plan.
 3. Conditional use approval shall be limited to Sandbox VR; no additional 'Recreation Facilities, Indoor' use or subleasing shall be permitted within the approved space.
 4. 'Recreation Facilities, Indoor' shall be limited to an indoor active entertainment virtual reality experience.
 5. Hours of operation shall be Monday – Thursday 12:00 PM – 9:00 PM, Friday 12:00 PM – 11:00 PM, Saturday 10:00 AM – 11:00 PM, and Sunday 11:00 AM – 9:00 PM.
 6. Noise attenuation measures shall be added to the ceiling within the suite, with final approval by Staff.
- The property is zoned MU (Mixed Use) subject to the City Center Master Plan. The 25-acre City Center mixed-use development was approved in 2015 and is developed with 'For-Rent' residential, 'For-Sale' residential, office, retail, restaurant, Alpharetta City Hall, Fulton County Library, and a variety of park spaces. The property is developed as a mixed-use development, including retail, office, residential and open space. Surrounding properties are zoned MU (Mixed Use). Vitality Bowl is located to the west, City Center parking deck is located to the south, Natural Body Spa is located to the north, and Al's Alpharetta Barber Shop is located to the east. The comprehensive land use plan designation of the property is 'Central Business District', which supports the applicant's proposal.
 - According to the application, Sandbox VR is an immersive, location-based virtual reality (VR) entertainment venue offering group-oriented, interactive VR adventures. The business blends cutting-edge VR technology with full-body motion tracking to transport guests into cinematic worlds. Groups of two (2) to six (6) people participate in a "holodeck"-style (fictional room-sized holographic simulator) gameplay within private rooms. The entertainment experience is geared toward families, kids, tourists, and corporate team building.
 - The business has several locations around the world including two (2) locations in Atlanta at The Battery Atlanta and Interlock Midtown. Hours of operation are proposed to be Monday – Thursday 12:00 PM – 9:00 PM, Friday 12:00 PM – 11:00 PM, Saturday 10:00 AM – 11:00 PM, and Sunday 11:00 AM – 9:00 PM. The applicant anticipates approximately five (5) to six (6) employees.
 - Sandbox VR proposes to occupy 4,393 square foot suite previously occupied by Exquisite Living. The applicant does not propose any changes to the site or building. Parking for City Center is provided in the parking deck and on-street parking. The applicant's use has the same parking requirement as the retail and restaurant uses in City Center. The applicant's proposal is supported by sufficient parking.

- Staff estimates that the proposed use will generate approximately six (6) AM Peak Hour trips and fifteen (15) PM Peak Hour trips.
- The Citizen Participation Plan Report submitted by the applicant states that letters were mailed to each property owner within 500' of the subject property stating the applicant's intent. The report states that no public comments were received.
- The Community Zoning Information Meeting was held on June 11, 2025. There were no public comments.
- Staff has reviewed the applicant's proposal against the review criteria for a master plan amendment and conditional use. The proposal would not adversely affect the existing use or usability of adjacent or nearby properties, which are primarily developed as a mixed-use development. The business is similarly located in mixed-use developments, such as The Battery and Interlock Midtown. Allowing an entertainment use at City Center would draw additional customers benefiting the existing businesses in Downtown.
- The applicant, Jay Mithani (19 Lakeview Point, Dawsonville, GA 30534) came forward to speak on behalf of this application.

PUBLIC COMMENTS:

- There were no public comments.

CITY COUNCIL DISCUSSION:

- Council Member Hipes inquired about the sound levels which will remain similar to entertainment venues nearby.
- Council Member DeRito inquired about selling food or beverage at the facility.
- Council Member Mitchell asked about the party area/room. He also went on to ask about the sound attenuation measures and how the establishment will deal with noise complaints, and also about the pricing of the games.
- ❖ Mayor Pro Tem Merkel offered a motion to approve MP-25-06/CU-25-10 SANDBOX VR/City Center MP, subject to the following conditions:
 1. 'Recreation Facilities, Indoor' shall be added as a conditional use at 2001 Commerce Street, Suite 6HJK and limited to no more than 4,393 square feet.
 2. 'Recreation Facilities, Indoor' shall be added as a conditional use in the City Center Master Plan.
 3. Conditional use approval shall be limited to Sandbox VR; no additional 'Recreation Facilities, Indoor' use or subleasing shall be permitted within the approved space.
 4. 'Recreation Facilities, Indoor' shall be limited to an indoor active entertainment virtual reality experience.

5. Hours of operation shall be Monday – Thursday 12:00 PM – 9:00 PM, Friday 12:00 PM – 11:00 PM, Saturday 10:00 AM – 11:00 PM, and Sunday 11:00 AM – 9:00 PM.
6. Noise attenuation measures shall be added to the ceiling within the suite, with final approval by Staff.
 - Council Member Mitchell seconded the motion.
 - The motion was approved unanimously (6-0).

D. PH-25-11 Delman Circus/North Point Mall MP.

Consideration of a request to allow a temporary use for a circus in the parking lot of North Point Mall. The property is located at 1000 North Point Circle and is legally described as being located in Land Lots 688, 689, 700, 701, 702, 742 & 743, 1st District, 2nd Section, Fulton County, Georgia.

- Planning and Development Services Manager, Michael Woodman, came forward to present the item.
- The applicant, Delman Circus, is requesting consideration of a temporary use for a circus. Unified Development Code (UDC) Subsection 2.3.2 (J) requires City Council approval of a circus, carnival or fair on property zoned and used for non-residential use. The applicant proposes to utilize the surface parking lot between the former Sears and JC Penney at North Point Mall for a temporary circus. The subject property is located at 1000 North Point Circle.
- Staff is recommending that Mayor and Council approve PH-25-11 Delman Circus – North Point Mall MP, subject to the following conditions:
 1. Temporary use approval of a circus shall be granted to Delman Circus and shall not be transferrable.
 2. Delman Circus shall be permitted to operate in the parking lot of North Point Mall for no more than 15 days in 2025 and may be renewed annually, subject to review and approval of a temporary use permit by Staff.
 3. Delman Circus shall employ at a minimum 2 police officers for each show.
 4. The sale or serving of alcohol shall not be permitted.
- North Point Mall and the surrounding area is zoned PSC (Planned Shopping Center). The area is commercial and there are no residential uses in the immediate vicinity. The applicant provided a site plan depicting the circus in the surface parking lot between the former Sears and JC Penney. Parking for the circus is depicted to be accommodated in the adjacent parking lots surrounding North Point Mall.
- Unified Development Code (UDC) Subsection 2.3.2 (J) allows a carnival, circus or fair on property zoned or used for non-residential use, subject to City Council approval. Site shall meet adequate parking, safety, access, noise, and security concerns and limiting impacts to surrounding properties.

- The proposed circus, which has a maximum capacity of 600 people, is scheduled to take place between November 7th and November 17th, with set-up beginning on November 4th and breakdown concluding on November 18th. All showtimes will conclude by 9:30 PM with one (1) show Monday – Friday beginning at 7:30 PM, two (2) shows on Saturday and three (3) shows on Sundays. According to the application, the circus will be human acts only, featuring live performers skilled in acrobatics, clown art, juggling, dancing, and dare devil feats. Delman Circus provides its own concession stand which includes offerings similar to a movie theater. There will be no alcoholic beverages.
- The City's Public Safety Department was consulted regarding the applicant's request. The Department recommends that at least two (2) police officers be present at paid public events with 500 people or more.
- The applicant notified adjacent property owners of the variance request and intent for the property. The citizen participation report states that no comments were received.
- A Community Zoning Information Meeting was held on June 11, 2025. There were no public comments.
- Staff has reviewed the application and is in support of the applicant's request for a circus. Adequate parking is available at this location to support both the circus and North Point Mall parking needs. In addition, the circus is appropriately located in a commercial area, minimizing impacts to surrounding properties. The State Fire Marshal will be responsible for all safety inspections. If approval is considered, it is recommended that at least two (2) police officers be present at each show to support the applicant's safety and security plan.
- The applicant, Mario Morales (1000 North Point Circle, Alpharetta, Georgia 30022), the new General Manager of North Point Mall, came forward to advocate for the proposal.

PUBLIC COMMENTS:

- There were no public comments.

CITY COUNCIL DISCUSSION:

- There were no public comments.
- Mayor Gilvin asked about removing the condition of automatic renewal.
- ❖ Mayor Pro Tem Merkel offered a motion to approve PH-25-11 Delman Circus – North Point Mall MP, subject to the following conditions:
 1. Temporary use approval of a circus shall be granted to Delman Circus and shall not be transferrable.
 2. Delman Circus shall be permitted to operate in the parking lot of North Point Mall for no more than 15 days in 2025, subject to review and approval of a temporary use permit by Staff.
 3. Delman Circus shall employ at a minimum 2 police officers for each show.
 4. The sale or serving of alcohol shall not be permitted.

- Council Member DeRito seconded the motion.
- Council Member Hipes offered a friendly amendment to Condition #2: to strike “and may be renewed annually.”
 - Council Member DeRito accepts the friendly amendment.
 - Mayor Pro Tem Merkel accepts the friendly amendment.
- The motion was approved unanimously (6-0).

E. PH-25-07 Unified Development Code Text Amendments – Parking

FIRST READING

Consideration of text amendments to Appendix A: Alpharetta Downtown Code Section 2.4 Parking and Loading and Section 2.5 Parking and Loading of the Unified development Code to amend certain parking ratios for properties over a certain distance from a public parking facility in the Downtown and to amend parking ratios for an elementary and middle school.

- City Attorney, Molly Esswein, read the ordinance aloud.
- Director of Community Development, Kathi Cook, came forward to present this item.
- A copy of the proposed ordinance is attached hereto as “Exhibit A.”
- This item was considered at the July 10, 2025 Planning Commission meeting. There were no public comments. After discussion, the Commission recommended approval (vote 6-0).
- Staff explored the current Downtown parking ratios to determine if they are appropriate for all areas of Downtown. An article from the National Parking Association in PARKING magazine suggests that parking designers typically use a maximum walking distance of 300’ – 600’ for retail customers. A buffer map depicting those distances from public parking facilities in the Downtown Overlay reveals that properties north of Mayfield Road on the west side of Highway 9 and north of Cumming Street on the east side of Highway 9, as well as properties south of Old Milton Parkway exceed the retail customer maximum walking distance from a public parking facility. Therefore, it is recommended that properties in the Downtown south of Old Milton Parkway and north of Mayfield Road and Cumming Street on Highway 9 should be subject to the City-wide parking ratios in UDC Section 2.5 Parking and Loading.
- Staff researched parking ratios for elementary and middle schools in response to a concern from City Council that the City’s current parking ratio may be insufficient. The UDC requires one (1) parking space per classroom and administrative office, plus five (5) parking spaces for guests for an elementary and middle school.
- Staff looked at school parking ratios in surrounding jurisdictions, as shown in the table below, and compared those to existing parking ratios at Manning Oaks Elementary School and Hopewell Middle School. It is estimated that Manning Oaks Elementary School has 2.12 parking spaces/classroom and administrative office, and Hopewell Middle School

has 1.94 parking spaces/classroom and administrative office. Therefore, it is recommended that two (2) parking spaces per classroom and administrative office be required for elementary and middle schools with all schools having a minimum of five (5) parking spaces.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve PH-25-07 Unified Development Code Text Amendments – Parking.
 - Council Member Brady seconded the motion.
 - The motion was approved unanimously (6-0).

F. PH-25-03 Unified Development Code Text Amendments – Zoning Districts and Permitted Use Districts and Regulations

FIRST READING

Consideration of text amendments to Section 2.1 Zoning Districts and Section 2.2 Permitted Use Districts and Regulations of Article II of the Unified Development Code to clean up zoning district titles and descriptions and to clarify that certain zoning districts are in accordance with a specific master plan.

- City Attorney, Molly Esswein, read the ordinance title aloud.
- Director of Community Development, Kathi Cook, came forward to present this item.
- A copy of the proposed ordinance is attached hereto as "Exhibit B."
- This item was considered at the July 10, 2025 Planning Commission meeting. There were no public comments. After discussion, the Commission recommended approval (vote 6-0).
- Staff recommends text amendments to Unified Development Code (UDC) Article II Section 2.1 Zoning Districts and Section 2.2 to clean up zoning district titles and descriptions and to clarify that certain zoning districts are in accordance with a specific master plan.
- Amend UDC Section 2.1, Subsection 2.2.8, Subsection 2.2.8a, and Subsection 2.2.9 to clean up titles and descriptions. Delete UDC Section 2.2a and Table 2.2a Conditional Use Review Criteria which represents a duplicate of information provided in UDC Subsection 4.2.3(B). Amend UDC Subsection 2.2.11 CUP Community Unit Plan, Subsection 2.2.13 O-I Office-Institutional, Subsection 2.2.16 PSC Planned Shopping Center, Subsection 2.2.20 MU Mixed Use, and Table 2.2 List of Permissible and Conditional Uses to clarify that the CUP, O-I, PSC, and MU zoning districts are in accordance with a specific master plan.

PUBLIC COMMENTS:

- There were no public comments.

- ❖ Mayor Pro Tem Merkel offered a motion to approve PH-25-03 Unified Development Code Text Amendments – Zoning Districts and Permitted Use Districts and Regulations.
 - Council Member Mitchell seconded the motion.
 - The motion was approved unanimously (6-0).

G. THE FOLLOWING ITEMS HAVE BEEN POSTPONED:

1. Z-25-06/V-25-13 KOA Land Group/272 & 276 Thompson Street

POSTPONED: This item has been postponed by Staff to the August 25, 2025 City Council Meeting and Public Hearing.

Consideration of a rezoning and variance to allow a 16-lot 'For-Sale single-family subdivision, consisting of 9 detached homes and seven townhome units on 2.03 acres in the Downtown. A rezoning is requested from R-12 (Dwelling, 'For-Sale', Residential) to DT-LW (Downtown Live-Work). Variances are requested from Unified Development Code (UDC) Appendix A: Alpharetta Downtown Code Subsection 2.3.3(G) to reduce the right-of-way width of a local street residential and from UDC Appendix A: Alpharetta Downtown Code Subsection 2.4.6(C) to eliminate the 20' recess requirement for a street-facing garage on a single-family detached home in the Downtown. The property is located at 272 & 276 Thompson Street and is legally described as being located in Land Lots 749 & 802, 1st District, 2nd Section, Fulton County, Georgia.

2. V-25-14 Hampton Hall – Waiting Period Variance

POSTPONED: This item has been postponed by Staff to the August 25, 2025 City Council Meeting and Public Hearing.

Consideration of a variance to Unified Development Code Subsection 4.2.1(C) to reduce the waiting period for City Council consideration of a request for zoning change affecting the same property from 12 months to 6 months. The property is located at 0 Blake Road and is legally described as being located in Land Lot 917, 1st District, 2nd Section, Fulton County, Georgia.

3. PH-25-10/E-25-07 Hampton Hall – Change of Condition & Exception

POSTPONED: This item has been postponed by Staff to the August 25, 2025 City Council Meeting and Public Hearing.

Consideration of a change to conditions of zoning and exception related to a 9-lot single-family detached subdivision. The requested changes to conditions of zoning relate to landscape buffers, lighting, and streetscape standards. A variance is requested from Unified Development Code (UDC) Subsection 3.2.8(B)(3) to allow a fence in a buffer. The property is located at 0 Blake Road and is legally described as being located in Land Lot 917, 1st District, 2nd Section, Fulton County, Georgia.

6. NEW BUSINESS

A. Request For Proposals 25-116: Comprehensive Plan Update

Consideration of approval of the award of Request For Proposals 25-116 and a contract to MKSK and with authorization for the Mayor to execute all necessary documents.

- Planning and Development Services Manager, Michael Woodman, came forward to present this item.
- Community Development is interested in hiring a qualified consultant to develop its 2045 Comprehensive Plan Update in accordance with the rules established by the Georgia Department of Community Affairs (DCA) in Chapter 110-12-1.
- The two (2) primary objectives are to produce a comprehensive plan update that guides Alpharetta's growth over the next twenty years, and to produce a comprehensive plan update that meets DCA's minimum standards in order to maintain the City's Qualified Local Government status. The comprehensive plan update will include all elements specified for a five (5) year update in Chapter 110-12-1-.03, plus a new Community Work Program, Report of Accomplishments, and Public Participation Plan.
- The comprehensive plan update will utilize the City's Horizon 2040 Comprehensive Plan document which will be updated according to Georgia DCA Chapter 110-12-1. The Public Participation Plan will include, at a minimum, 2 public hearings, 3 stakeholder committee meetings, and 2 community meetings. Community meetings will consist of both in-person and virtual methods of obtaining feedback. The comprehensive plan update process is anticipated to be completed by June 30, 2026.
- The Comprehensive Plan Update RFP #25-116 was issued on April 11, 2025 and proposals were due on May 15, 2025. Eight (8) consultant teams responded to the RFP with the three (3) top-scoring teams that were within budget shortlisted for interviews, which included Pond & Company, Inspire Placemaking Collective, and MKSK.
- MKSK was the top scoring consultant team after the interviews. MKSK's cost proposal to complete the Comprehensive Plan Update is \$115,000, which is within the allocated budget of \$120,000.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve the award of Request For Proposals 25-116 and a contract to MKSK and with authorization for the Mayor to execute all necessary documents.
 - Council Member Hipes seconded the motion.
 - The motion was approved unanimously (6-0).

B. Purchase Approval: Data Center Infrastructure to Carahsoft Technology Corp.

Consideration of approval of the issuance of a purchase order to Carahsoft Technology Corp. as the vendor to provide the refresh of data center infrastructure, using the Georgia state contract for an amount not to exceed \$463,638.78 and with authorization for the Mayor to execute all necessary documents.

- Director of Information Technology, Adam Montgomery, came forward to present this item.
- As discussed in the Executive Session at the July 23rd Council meeting, this renewal is funded in the Fiscal Year 2026 Capital budget. This purchase includes 3 years of support and maintenance coverage. Years 4 and 5 will have an expected operational budget impact of approximately \$100,000 annually. This renewal is being purchased on a Georgia state contract.
- Standard data center life cycle management involves replacing infrastructure every five years. The current infrastructure has reached that life cycle, is out of warranty, and is due for replacement. Each replacement cycle, the Information Technology department reviews the current technology used and whether an improved product exists.

PUBLIC COMMENTS:

- There were no public comments.
 - ❖ Council Member Mitchell offered a motion to approve the issuance of a purchase order to Carahsoft Technology Corp. as the vendor to provide the refresh of data center infrastructure, using the Georgia state contract for an amount not to exceed \$463,638.78 and to authorize the Mayor to execute all necessary documents.
 - Council Member Brady seconded the motion.
 - The motion was approved unanimously (6-0).

C. Purchase Approval: Cloud Infrastructure Services to SHI International, Inc.

Consideration of approval of the issuance of a purchase order to SHI International, Inc., as the vendor to provide annual cloud infrastructure services in an amount not to exceed \$320,000.00 and with authorization for the Mayor to execute all necessary documents.

- Director of Information Technology, Adam Montgomery, came forward to present this item.
- As discussed in the Executive Session at the July 23rd Council meeting, this renewal is funded in the Fiscal Year 2026 budget. This renewal is being purchased on a Georgia state contract and is the same amount as the Fiscal Year 2025 renewal. This renewal is critical to City operations and continuity plans.

PUBLIC COMMENTS:

- There were no public comments.
 - ❖ Council Member Mitchell offered a motion to approve the issuance of a purchase order to SHI International, Inc., as the vendor to provide annual cloud infrastructure

services in an amount not to exceed \$320,000.00 and authorize the Mayor to execute all necessary documents.

- Council Member DeRito seconded the motion.
- The motion was approved unanimously (6-0).

D. Purchase Approval: Remote Meeting Management and Streaming to Granicus

Consideration of approval of the procurement of a remote meeting management and streaming agreement with Granicus for three years, which is renewed annually, with first-year costs of \$115,823.46, and with authorization for the Mayor to execute all necessary documents.

- Director of Information Technology, Adam Montgomery, came forward to present this item.
- The Department of Information Technology seeks approval of a three-year agreement with Granicus for a managed service for remote meeting production, broadcast production, and streaming services in the City Hall Chambers.
- This service and associated equipment would replace the current three-camera system with a camera system that the managed service provider can utilize to produce and distribute the video and audio. The service would provide remote direction and production of the meeting cameras and content, as well as distribute the content to the public through several different sources. This would provide a better-quality product for the public, reduce the equipment on the dais, and the employees' duties during the meetings. Also, reliability is becoming an issue as the current system reaches end-of-life. This is the first step in addressing it by providing the meeting content directly to the managed service provider and improving the meeting quality for our citizens.
- Many employees use the system for council, board, commission, and other meetings in the room. Our goal with Granicus producing all the meetings is to have a reliable and consistent product for the public. Our current setup requires the person on the dais to operate different systems simultaneously. In the standard production design, multiple people often do these duties at the back of the room. Staff have investigated how to implement a back-room production, but the cost and current chambers layout make this prohibitive. By outsourcing the video production to Granicus, we shift the responsibility to production professionals off-site, freeing the person at the dais to conduct other aspects of the meeting more efficiently and effectively.
- In coordination with City Administration and the City Clerk's Office, we researched and discussed with other agencies that use the Granicus meeting management system in the state, including Chamblee and East Point. We did a site visit to Sandy Springs to speak with their City Clerk and AV staff about the system. We concluded that the uniqueness of this system and its capabilities were a good fit for our setup today and as we move forward.
- This operating initiative includes service for 100 meetings annually. The FY26 request is for \$60,149.25 and is fully funded in the operating budget. The estimated operational impacts for FY27 are \$64,359.70, and FY28's \$68,864.88. These prices are in line with

other agencies and are reflective of the cooperative agreement we are using, NCPA contract 01-115. Legal has reviewed and attached an addendum to the agreement, which Granicus has signed and notarized.

- For this first year, there is an accompanying capital initiative. The one-time costs are \$55,674.21 and are fully funded in the capital budget. This cost includes procurement of the remote broadcast system equipment (cameras, switches, cabinet), setup and deployment of the equipment, any necessary wiring, support and warranty of the equipment, and integration with the current agenda management system.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Mitchell offered a motion to approve the the procurement of a remote meeting management and streaming agreement with Granicus for three years, which is renewed annually, with first-year costs of \$115,823.46, and with authorization for the Mayor to execute all necessary documents.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved unanimously (6-0).

E. Request For Proposals 25-1005: Alpharetta Park Improvements for City of Alpharetta

Consideration of approval of the award of a contract for RFP 25-1005 to Integrated Construction and Nobility, LLC for construction of the Alpharetta Park Improvements in an amount totaling \$17,020,895.58, of approval of The F.A. Bartlett Tree Expert Company's proposal for specimen tree care in an amount totaling \$306,932.00, of approval to allocate \$238,228.94 for utility relocation/connections and additional costs, and with authorization for the Mayor to execute all necessary documents.

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Procurement method selected is a two-step process beginning with a Request for Qualifications (RFQ) in which the shortlisted firms participate in a Request for Proposals (RFP).
- The scope of this project includes construction of improvements within three City parks in line with the 2022 Parks Bond. These parks are Old Rucker Park, Union Hill Park, Wills Park/Wills Park Equestrian Center.
- Improvements within Old Rucker Park will include a prefabricated restroom building, gravel and concrete walking trails, covered pavilions, a nature discovery/play area, landscaping, a fenced maintenance area including a pole barn, a paved parking lot, improved entrance and stormwater enhancements. These improvements are budgeted with funding coming from the 2022 Parks Bond.

- Improvements within Union Hill Park will include a skate park, small themed playground, landscaping, a reconfigured and expanded parking lot, and stormwater enhancements. These improvements are budgeted with funding coming from the 2022 Parks Bond.
- Improvements within Wills Park will include the replacement of the Wacky World Playground and nearby restroom building, the renovation of the Waggy World Dog Park (new fencing and drainage enhancements), the construction of gateway entries at the Wills Road/Old Milton Parkway and Roswell Street/Old Milton Parkway corners, the construction of a continuous concrete walking path traversing the park and linking the gateways, the replacement of the cross-tie flume adjacent the Lion's Club Pavilion with a more natural channel, landscaping, expanded parking in the vicinity of Wacky World, and stormwater enhancements. Of note, the construction of the new Wacky World Playground will involve a community build/installation of the playground equipment. These improvements are budgeted with funding coming from the 2022 Parks Bond, the Capital Project Fund (Wacky World 2.0 Donations), the Hotel/Motel Fund, and the Impact Fee Fund.
- Improvements within Wills Park Equestrian Center will include the enlargement of Ring 2, renovation of Ring 4, a new entrance/access drive opposite Wills Lane, renovation of the RV utility connections, landscaping, expanded parking, and stormwater enhancements. Regarding Rings 2 and 4, installation of the new footing material, underdrains, and fencing is the responsibility of Longwood Arenas, LLC, who was awarded RFP 25-107 Equestrian Ring Footings on May 5, 2025. The contractor awarded RFP 25-1005 will be responsible for: removing the existing fences, footing material and underdrains; excavating the ring footprints and grading around the perimeter; installation of storm lines to which the new underdrains will connect; and coordinating their work with Longwood Arenas, LLC. These improvements are budgeted with funding coming from the 2022 Parks Bond and a contribution from the Wills Park Equestrian Foundation. This work, combined with prior work done on Rings 1 and 3, will bring the City's total contribution for improvements to the Wills Park Equestrian Center to \$5,000,000. The Wills Park Equestrian Foundation is committed to funding \$1,662,132.22 for the scope identified herein. Additionally, the Wills Park Equestrian Foundation is funding \$316,241 as part of the previously approved arena footings contract bringing their total contribution to \$1,978,373.22. The Foundation has \$1,400,000 currently on hand and has committed to funding an additional \$578,373.22 to cover the project scope identified.
- The Department of Public Works, with guidance from the Finance Department and the Recreation, Parks, and Cultural Services Department, prepared RFQ 25-1005, which was issued on February 6, 2025.
- RFQ 25-1005 was advertised through the City's e-procurement site (Bonfire) as well as the Georgia Procurement Registry and resulted in over 7,700 vendor invites and 99 document takers. RFQ 25-1005 responses were received on March 6, 2025, and included submissions from 8 firms.

- RFP 25-1005 was issued to qualified RFQ respondents on April 3, 2025. Proposals were received on May 22, 2025, and included submissions from 3 firms.
- ICAN's submitted base cost was divided as follows between the four parks: Old Rucker Park: \$2,988,477.72, Union Hill Park: \$2,517,374.06, Wills Park: \$7,707,385.47, and Wills Park Equestrian Center: \$4,154,560.89.
- While reviewing the cost proposals, staff from PW, RPCS, and Finance determined it to be in the City's best interest to include a 3% project contingency to address any unforeseen conditions that may arise in the field. Inclusion of the contingency increases ICAN's base cost by \$584,097.50 to \$17,951,895.64.
- Contractors were also asked to provide an additional cost for using two-tone concrete in the construction of the skate park at Union Hill Park in their cost proposals. ICAN's cost for this alternate is \$6,900.00. RPCS determined it to be in the best interest of the project to include this alternate, thus increasing the cost of the Union Hill Park component to \$2,524,274.06 and the overall cost to \$17,958,795.64.
- Included in their RFP submission, ICAN identified nineteen potential value engineering items. PW and RPCS staff reviewed these value engineering options and determined thirteen of them, totaling savings of \$655,056.56, were acceptable to the City.
- Applying the addition of the contingency, the inclusion of the two-tone concrete alternate, and the acceptable value engineering items, ICAN's final cost is \$17,020,895.58.
- The proposed improvements will have varying degrees of impact on existing specimen and notable trees within the four parks. To mitigate these impacts, it is necessary to provide tree care in the form of pruning, air spading, and providing compost, fertilizer, mulch, and mycorrhizal inoculum. RPCS staff reached out to the City's On-Call Arboricultural Services contractor, The F.A. Bartlett Tree Expert Company (Bartlett), for a proposal for these services. Bartlett was awarded Contract #25-104 on December 16, 2024, which covers such work. Their proposed cost to provide the tree care is \$306,932.00.
- Additionally, funding totaling \$238,228.94 is allocated to cover all remaining costs including the relocation of various utilities at Old Rucker Park (one utility pole, one utility cabinet), Wills Park (one power pole), and Wills Park Equestrian Center (one utility pole, one power transformer), establishing a new water service at Old Rucker Park, etc. As it relates to utility relocation, these costs will be paid directly to the utility companies.
- Construction of all park improvements is anticipated to be complete within 694 calendar days from notice to proceed. ICAN intends to begin work with the Wills Park and Equestrian Center improvements. Currently, it is anticipated that work at Old Rucker Park will begin approximately seven months later, as work at the Equestrian Center is concluded. Work at Union Hill Park is anticipated to begin approximately an additional five months later, as work within Wills Park is concluded.

PUBLIC COMMENTS:

- There were no public comments.

- ❖ Council Member Hipes offered a motion to approve the award of a contract for RFP 25-1005 to Integrated Construction and Nobility, LLC for construction of the Alpharetta Park Improvements in an amount totaling \$17,020,895.58, of approval of The F.A. Bartlett Tree Expert Company's proposal for specimen tree care in an amount totaling \$306,932.00, of approval to allocate \$238,228.94 for utility relocation/connections and additional costs, and with authorization for the Mayor to execute all necessary documents.
 - Council Member Brady seconded the motion.
 - The motion was approved unanimously (6-0).

F. Contract Approval: North Park Concession and Restroom Building Design/Build

Consideration of approval to award a contract to Prime Contractors, Inc. under the State of Georgia convenience contract (#99999-S20200901) for the complete development cycle including design and buildout of North Park Concession and Restroom Building, as well as, the demolition of the existing structure and related work, in an amount totaling \$794,916.68 and with authorization for the Mayor to execute all necessary documents.

- Director of Recreation, Parks, and Cultural Services, Morgan Rogers, came forward to present this item.
- The restroom and concession stand at North Park softball fields 1-4 is well past its useful life, not structured to adequately serve the community (too few bathroom stalls), and is one of the city's lowest-rated facilities pursuant to the recently completed facility condition assessment.
- Given the layout and structural components of the current facility, renovation is not a practical and financially feasible solution. A new building will provide additional restroom stalls (current facility = 4 stalls; new facility = 10), a new concession area, and a covered seating area.
- The fixed budget for this project totals approximately \$800,000. As such, staff did not want to follow a traditional design-bid-build model which would limit cost control flexibility. Instead, staff is recommending a design-build model, whereby staff will work cooperatively with the contractor and design team to ensure delivery of the improvements at the stated budget.
- The ezIQC (indefinite quantity contract) solution is administered by Gordian through the GA Dept. of Administrative Services (convenience contract #99999-S20200901). The ezIQC program enables governmental entities to take advantage of cooperative volume discounts on contracts that have already been competitively awarded while working with numerous contractors across the state, such as Prime Contractors Inc.
- Utilizing the ezIQC program, staff requested a proposal from Prime Contractors Inc. given the conceptualized plan that was drafted by TSW. Under this streamlined competitive procurement, Prime Contractors Inc. was able to select detailed tasks and quantities utilizing Gordian's pre-approved bid prices per their Construction Task Catalog. The resulting

proposal totaling \$794,916.98, includes all the specifications for the design and buildout of a North Park Concession and Restroom Building, as well as the demolition of the existing structure, and the total cost fell under the target budget.

- The approximate timeline for design and buildout of a North Park Concession and Restroom Building, as well as the demolition of the existing structure, will be 6 months from the execution of a contract (and notice-to-proceed).

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve the award a contract to Prime Contractors, Inc. under the State of Georgia convenience contract (#99999-S20200901) for the complete development cycle including design and buildout of North Park Concession and Restroom Building, as well as, the demolition of the existing structure and related work, in an amount totaling \$794,916.68 and with authorization for the Mayor to execute all necessary documents.
 - Council Member Mitchell seconded the motion.
 - The motion was approved unanimously (6-0).

COUNCIL DISCUSSION:

- Mayor Gilvin commends this accomplishment and discusses the fiscal and physical impact of this project.

G. Intergovernmental Agreement: November 5, 2025 General Election and December 2, 2025 Runoff Election

POSTPONED: This item has been postponed by Staff to the August 18, 2025 City Council Meeting and Public Hearing.

Consideration of approval of an Intergovernmental Agreement for the Provision of Election Services between Fulton County, Georgia and City of Alpharetta, Georgia and with authorization for the Mayor to execute all necessary documents.

H. Resolution: Fiscal Year 2026 City Council Priorities

Consideration of adoption of a resolution adopting the Fiscal Year 2025 City Council Priorities and Annual Action Plan.

- City Attorney, Molly Esswein, read the resolution aloud.
- City Administrator, Chris Lagerbloom, came forward to present this item.
- During the 2025 Annual City Council Planning Retreat, the Mayor and City Council identified five top priorities and five priorities to help guide city staff and the Mayor and City Council as they are conducting City business during the next Fiscal Year. City staff took those priorities and developed a written plan to communicate the goals and initiatives for the City over the next fiscal year.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve the adoption of a resolution adopting the Fiscal Year 2025 City Council Priorities and Annual Action Plan.
 - Council Member Hipes seconded the motion.
 - The motion was approved unanimously (6-0).

I. Resolution: Appointment of Hearing Examiner for Alcohol License Hearings

Consideration of adoption of a resolution appointing a hearing examiner for the purpose of alcoholic beverage license hearings.

- City Attorney, Molly Esswein, read the resolution aloud.
- City Administrator, Chris Lagerbloom, came forward to present this item.
- Section 4.29 of the Code of the City of Alpharetta allows the City Clerk to request the City Council appoint a hearing examiner to hold hearings and make findings and determinations as it relates to alcoholic beverage license hearings.
- When appointed, a hearing examiner will perform the duties of the City Clerk under Section 4.28 and 4.29 of the Code.
- The City Clerk requests that David C. Will be appointed as hearing examiner for alcohol beverage license hearings through December 31, 2025.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve the adoption of a resolution appointing a hearing examiner for the purpose of alcoholic beverage license hearings.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (6-0).

7. PUBLIC COMMENTS

- Bonnie Steadman, residing at 255 Vaughn Drive, Alpharetta, Georgia, requested an update on the pivot project for parking downtown.

8. REPORTS

- Council Member Hipes congratulated Deanna McKay on completing three years at the City of Alpharetta and also congratulated both Deanna McKay and Lauren Shapiro on their recent graduation from The Greater North Fulton Chamber of Commerce's Leadership North Fulton program.
- Council Member Brady thanked City Staff and leadership for doing more with less impact on the fiscal budget.

9. EXECUTIVE SESSION (IF NECESSARY)

- There was not an executive session.

10. ADJOURNMENT

- ❖ Mayor Pro Tem Merkel offered a motion to adjourn the meeting.
 - Council Member Mitchell seconded the motion.
 - The motion was approved unanimously (6-0).
- With there being no further items to consider or discuss, Mayor Gilvin adjourned the meeting at 8:35 p.m.

Respectfully submitted,



Lauren Shapiro, City Clerk

EXHIBIT A



AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AMEND ARTICLE II AND APPENDIX A: ALPHARETTA DOWNTOWN CODE OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ALPHARETTA, GEORGIA; TO AMEND PARKING REQUIREMENTS IN THE DOWNTOWN; TO AMEND THE ELEMENTARY AND MIDDLE SCHOOL PARKING RATIO; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and Council of the City of Alpharetta (the "City Council" or "Council") are charged with the protection of the public health, safety, and welfare of the citizens of the City of Alpharetta;

WHEREAS, the Unified Development Code was designed to be amended from time to time when circumstances warrant that modifications be made in order to make said Codes more responsive to community needs;

WHEREAS, the City Council finds that ordinances and regulations governing the uses of land and development of land within the City, as well as the City's operations, should be continually improved from time to time and modified as necessary to better protect and promote the public health, safety and welfare of the residents and businesses of the City of Alpharetta;

WHEREAS, the City Council desires to amend Article II and Appendix A: Alpharetta Downtown Code of the Unified Development Code for the foregoing purposes; and

WHEREAS, the City Council finds that the following amendments to the Unified Development Code promote the health, safety, morals, convenience, order, prosperity and general welfare of the present and future inhabitants of the City of Alpharetta.

NOW THEREFORE, the Mayor and City Council of the City of Alpharetta hereby ordains, as follows:

Section 1: Article II, Section 2.5 titled "Parking and Loading" of the Unified Development Code is hereby amended by amending same as set forth in Exhibit "A" attached hereto as if fully set forth herein.

Section 2: Appendix A: Alpharetta Downtown Code, Section 2.4 titled "Parking and Loading" of the Unified Development Code is hereby amended by amending same as set forth in Exhibit "B" attached hereto as if fully set forth herein.

Section 3: If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not

so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

Section 4: This Ordinance shall be effective immediately upon its adoption by the City Council and the amendments made herein shall be incorporated into the Unified Development Code of the City of Alpharetta, Georgia, as applicable. This Ordinance hereby repeals any and all conflicting ordinances and amendments.

SO ORDAINED, this ____ day of August ____.

CITY OF ALPHARETTA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS*

Mayor Pro Tem Dan Merkel

Council Member Donald F. Mitchell

Council Member Douglas J. DeRito

Council Member John Hipes

Council Member Fergal Brady

(SEAL)

Attest:

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

[INSERT ATTORNEY], City Attorney

First Reading: _____

Second Reading: _____

*At the time this resolution was considered and adopted, Post 2 of the City Council was vacant.

Exhibit "A"

SECTION 2.5 PARKING AND LOADING¹

Areas suitable for parking vehicles in off-street locations shall be required in all districts at the time of the initial construction of any principal building or when a structural alteration or change in a principal building produces an increase in dwelling units, guest rooms, floor area, seating or bed capacity, or when a conversion in use occurs.

Off-street parking shall be provided and maintained in accordance with the following requirements. A parking study may be submitted to support a request for a proposed parking reduction. This study shall be reviewed by Community Development and must be approved prior to permitting.

(Ord. No. 718, § 17(Exh. C), 12-14-2015; Ord. No. 732, § 5, 2-6-2017)

2.5.1 Number of vehicle parking spaces required.

The following number of off-street vehicle parking spaces shall be required for the respective use:

- A. *Residential Uses.* Residential parking spaces required by this Ordinance shall be standard parking spaces (9 feet by 19 feet).

Dwelling, 'For-Sale', detached:

Two (2) spaces on the same lot for each dwelling unit, plus 1 additional space where a home occupation is permitted.

Dwelling, 'For-Sale', attached; efficiency or one-bedroom units:

One and one-half (1½) spaces for each dwelling unit.

Two or more bedroom units:

One (1) space for each bedroom.

Bed and Breakfast:

One (1) space for each bedroom.

Dwelling, 'For-Rent', residential:

Two (2) spaces for each unit, plus one (1) guest space per 20 units.

Group Home/Congregate Housing:

One (1) space for each two (2) sleeping rooms.

- B. *Business Uses.*

Medical, dental and optical offices:

One (1) space per 200 square feet.

Professional and business offices not otherwise specifically enumerated:

¹Ord. No. 718, § 17(Exh. C), adopted Dec. 14, 2015, repealed the former § 2.5 (2.5.1—2.5.9), and enacted a new 2.5 (2.5.1—2.5.9) as set out herein. The former § 2.5 pertained to similar subject matter and derived from the original codification and Ord. No. 675, § 1, adopted June 3, 2013.

One (1) space for each 250 square feet of gross floor space.

Banks:

One (1) space for each 300 square feet of gross floor space.

Hotels (or Motels) and Extended Stay Hotels:

One (1) space for each guest room, plus 1 employee space for each 20 sleeping rooms, plus one space per 500 sq. ft. of space used for convention rooms, conference rooms, ballrooms, restaurant and/or retail shops.

Day Care:

One (1) space for each 400 square feet. (Stacking for six cars must be provided on site.)

Service and repair establishments not otherwise specifically enumerated:

One (1) space for each 250 square feet of floor area not used for storage.

Retail businesses, not otherwise specifically enumerated:

One (1) space for each 200 square feet of gross floor space.

Auto, truck and mobile home sales, outdoor equipment and machinery sales, commercial nurseries:

One (1) space per 100 square feet of showroom, sales office or other conditioned space.

Restaurants:

One (1) space for each 100 sq. ft. of the entire facility.

Retail Shopping Center:

Less than 50,000 sq. ft.: One (1) space for each 200 sq. ft.

50,000—400,000 sq. ft.: One (1) space for each 250 sq. ft.

Over 400,000 sq. ft.: One (1) space for each 285 sq. ft.

Theaters, night clubs and other such places of public assembly:

One (1) space for each 4 seats accommodations plus 1 employee space for each 10 seats.

Service stations:

Two (2) spaces for each gasoline pump plus 1 space per 250 sq. ft. for convenience store.

Funeral homes:

One (1) space for each 4 seats in chapel or parlor plus sufficient space to park or store all company vehicles.

Technology Centers/Data Processing Centers:

One (1) space per 1,000 square feet per gross area of unmanned space together with parking as required for space dedicated to manned space at 1 space per 300 square feet. Land for additional parking calculated at 1 space per 500 square feet of gross area shall be set aside and preserved until such time as additional parking is needed and/or use changes. This land shall not be subdivided from the remainder of the property so that it can be used for parking in the future.

C. Wholesale and Industrial Uses.

Wholesaling and industrial uses including lumber, brick, coal, junk and supply yards:

One (1) space per 1,000 square feet.

D. *Public and Semipublic Uses.*

Hospitals:

One (1) space per bed, plus 1 space per 200 square feet of floor area used for outpatient treatment.

Churches, stadium and other places of public assembly:

One (1) space for each 2 seats in the principal assembly room.

Places of assembly or indoor recreation without fixed seats:

One (1) space for each 500 square feet of playing court, rink, playing field and spectator area, plus one (1) space for each 200 sq. ft. of gross floor space directed to other patron use areas.

Schools, elementary and middle schools:

~~One (1)~~ Two (2) spaces for each classroom and administrative office ~~plus 5 spaces for visitors ;~~ however, each school property shall have a minimum of 5 parking spaces.

Schools, senior high:

One (1) space for each classroom and administrative office plus 1 space for each 4 students based on the design capacity of the school.

Other public building:

One (1) space for each 300 square feet of gross floor space.

(Ord. No. 718, § 17(Exh. C), 12-14-2015)

2.5.2 Shared parking.

- A. *Common Off-street Parking Areas.* Two (2) or more principal uses may utilize a common area in order to comply with the off-street parking requirements, provided that the total number of individual spaces available in the common area is not less than the sum of the spaces required for the individual uses as separately computed in accordance with the provisions of this Ordinance. If it can be demonstrated that the principal uses would not utilize the shared parking areas during the same hours, the required number of parking spaces may be reduced by 25% in the common area.

(Ord. No. 718, § 17(Exh. C), 12-14-2015)

2.5.3 Off-street loading and unloading spaces.

- A. Every lot on which a business, trade or industry is thereafter established shall provide space as indicated below for the loading and unloading of vehicles off the street. Such space shall have access to an alley or, if there is no alley, to a street. For the purpose of this Section, an off-street loading space shall have the minimum dimensions of 12 by 40 feet and be clear and be free of obstructions at all times.

Required spaces shall be provided as follows:

Retail businesses, office, wholesale, industrial, governmental and institutional uses, including public assembly places, hospitals and educational institutions, 1 space for the first 25,000 square feet of total floor area or fractional part thereof. For anything in excess of 25,000 square feet, such uses shall provide loading spaces according to the following schedule:

SQUARE FEET	NUMBER OF SPACES
25,000—99,999	2
100,000—159,999	3
160,000—239,999	4
240,000—349,999	5
For each additional 100,000 or fraction thereof	1 additional

- B. Vehicles uses for the loading and unloading of retail merchandise may not be parked overnight (between 10:00 p.m. of one day and 8:00 a.m. of the next day) in a location closer to the frontage street than the principal building.

(Ord. No. 718, § 17(Exh. C), 12-14-2015)

2.5.4 Locational criteria for parking.

- A. Location on Other Property. If the required parking cannot reasonably be provided on the same lot on which the principal use is conducted, such parking may be provided on other off-street property provided such property lies within 500 feet of the main entrance to the principal use. Such parking shall be associated with the principal use and shall not thereafter be reduced or encroached upon in any manner.
- B. Location of Required Parking in Residential Districts. Required parking spaces in residential districts shall be subject to applicable area regulations pertaining to setbacks (front, side and rear yard), lot coverage, and accessory and principal structures.

Required parking spaces in 'For-Sale' residential districts shall be contained within a carport, garage or completely enclosed building, in addition:

Each 'For Sale' dwelling unit shall have a minimum 18' long and 10' wide paved driveway, as measured from the garage to the back of sidewalk, or back of curb where a sidewalk is not provided.

Ordinary passenger vehicles and non-commercial pickup trucks may be parked on a paved driveway providing ingress and egress to the lot or on a paved parking space provided that the maximum width of the total paved area cannot exceed 40 (forty) feet.

One (1) business vehicle not prohibited by the provisions of this Ordinance from parking within a residential district and one or more recreational vehicles or boats, or boat trailers may be parked or stored in an area not visible from a street.

The regular parking or storage of any business vehicle, any vehicle used in connection with a home occupation, or any vehicle with a carrying capacity of more than one-and-one-half (1½) tons is prohibited in any residential district. Pickup or panel trucks, used to provide daily transportation to and from work, are allowed in all residential districts.

- C. Parking and Storage of Certain Vehicles. No automobile, truck, motorcycle, trailer or other vehicle of any kind or type without current license plates shall be parked or stored on any lot in a residential district except in a completely enclosed building.

1. Any person who, as of the effective date of this Article (6/94), has established a long-standing practice of parking or storing boats or recreational vehicles which is not in compliance with the provisions of C(1), above, may continue such practice as a lawful nonconforming use, subject only to the provisions of any applicable district regulations.
 2. Any person may apply to the Director of Community Development for a variance to the provisions of C(1), above pertaining to the parking and storage of boats or recreational vehicles. Variances shall be granted only in the case of extreme hardship or unusual circumstance, as contrasted with merely granting an advantage or a convenience. The factors to be taken into consideration by the Director may include the following:
 - a. The ease with which the applicant can comply with the provisions of this ordinance;
 - b. Whether there are extraordinary and exceptional conditions pertaining to the particular lot because of its size, shape, topography or location of the improvements on the lot;
 - c. The economic hardship that would be imposed upon the applicant if the variance were denied; and
 - d. Whether relief, if granted, would cause substantial detriment to the public good or impair the purpose and intent of this ordinance.
 3. Where appropriate, the Director may attach reasonable conditions to the grant of a variance. The Director may also approve an alternative parking practice which, although not in strict compliance with the literal provisions of this Article, is deemed by the Director to be in compliance with the spirit of the Ordinance. All variances are personal to the applicant and shall terminate upon the sale of the lot.
- D. Written variance applications shall be acted upon by the Director within thirty (30) days of receipt. Variance applications denied by the Director may be appealed by filing a written appeal with the Board of Appeals within fifteen (15) days of the date of denial. The Board shall act upon the appeal at its next available meeting following receipt of the appeal.
- E. No parking or loading area shall be used for the sale, repair, dismantling or servicing or storing of any vehicle, equipment, materials or supplies.

(Ord. No. 718, § 17(Exh. C), 12-14-2015; Ord. No. 757, § 2, 5-9-2018; Ord. No. 772, § 4, 2-4-2019)

2.5.5 Design criteria.

- A. **Parking Space Area Requirements.** Including aisles, entrances and exits, each required off-street parking area, lot or other facility shall contain a minimum of 300 square feet of space for each vehicle to be accommodated. Not less than 80% of the parking spaces required by this Ordinance shall be standard parking spaces (9 feet by 19 feet). The dimensions of parking spaces and aisles shall be in accordance with the Parking Standards Illustration (Table 2.3). In order to reduce impervious area, projects using runoff reduction measures may use alternative off street parking dimensions as specified in Table 2.3.a. Accessible parking shall be designed and provided in accordance with the requirements of the Georgia Accessibility Code for Buildings and Facilities.
- B. **Permitted Percentage of Compact Car Parking Spaces.** Up to 20% of the parking spaces required by this Ordinance may be compact car parking spaces (8 feet by 16 feet). Compact spaces shall be located on the periphery of the parking lot wherever possible.
- C. **Minimum Parking Bay Width.** The minimum width for 90 degree parking bays shall be 60 feet for standard spaces and 54 feet for compact spaces, except for projects using runoff reduction measures, as noted in 2.5.5.A above.

- D. Off-street parking lots, whether public or private, shall be graded to insure proper drainage, surfaced with concrete or asphalt on an approved base and maintained in good condition free of weeds, dust, trash and debris. A gravel surface may be used for parking when such parking is in excess of code requirements and located within 700' of a waterway.
- E. Tree Preservation. To allow an existing or new development to preserve healthy existing trees within or adjacent to a parking lot, the number of required off-street parking spaces may be reduced by up to twenty percent (20%).
- F. Within residential districts, gravel parking in existence as of 01/01/01 may remain. Such gravel parking areas shall accommodate a maximum of two vehicles and shall be contained on three sides by landscape timbers.
- G. Pervious paving materials for parking areas are allowed as part of an approved stormwater management plan for the site with a long-term maintenance agreement.
- H. Parking Lot Landscaping. See, Sec. 2.3.5.
- I. Multifunctional Functional Runoff Reduction Measures. To encourage multifunctional runoff reduction measures and provide incentives for their use, bioretention areas, vegetated swales, planter boxes, rainwater harvesting systems, and other vegetated BMPs may be used to meet the perimeter island, interior island, and median island landscaping requirements of this Chapter, and may be constructed in the designated landscape areas if part of an approved stormwater management plan for the site and if screening functions are maintained.
- J. Tandem Parking. Enclosed tandem parking spaces shall only count for one required parking space, since only one space is fully accessible.

(Ord. No. 718, § 17(Exh. C), 12-14-2015; Ord. No. 732, §§ 6—9, 2-6-2017; Ord. No. 772, § 5, 2-4-2019)

2.5.6 Public street access.

- A. *Access to Parking Lots.* A plan of entrances, exits and storm water drainage shall be submitted to the Department of Community Development and approved prior to the issuance of a development permit for off-street parking lots, whether public or private. Installation of entrances, exits and drainage systems shall have been completed prior to the issuance of a certificate of occupancy. All curb cut locations as well as widths shall comply with the Alpharetta Standard Drawings.
- B. *Driveways and Curb Cuts.* Local structures may have access points to parking lots as needed to fit the development, in accordance with professional traffic engineering practice. In general, curb cuts shall be spaced at least 300 feet apart and be located at least 300 feet away from a street intersection. An individual residential lot shall not have more than one (1) curb cut per 300 feet of street frontage.
- C. *Vision Clearance.* In all districts no fence, wall, shrubbery or other obstruction to vision between the heights of 2½ feet and 10 feet above the finished grade of streets shall be erected, permitted or maintained within 20 feet of the intersection of the right-of-way lines of streets.

(Ord. No. 718, § 17(Exh. C), 12-14-2015; Ord. No. 732, §§ 6—9, 2-6-2017; Ord. No. 843, § 3(Exh. C), 4-18-2022)

2.5.7 Electric Vehicle Charging Stations (EVCS).

All non-residential and Dwelling, 'For-Rent' developments requiring 100 or more vehicle parking spaces shall provide electric vehicle charging stations. One (1) Level 2 EVCS for every 25 required vehicle parking spaces or one (1) Level 3 EVCS for every 100 required vehicle parking spaces shall be required.

(Ord. No. 718, § 17(Exh. C), 12-14-2015; Ord. No. 864, § 2(Exh. B), 10-16-2023)

2.5.8 Number of bicycle parking spaces required.

A. *Residential Uses.*

Dwelling, 'For-Rent':

One (1) bicycle space for every two (2) units.

B. *Business Uses.*

Retail, Office, Hotel, Place of Assembly, Entertainment:

One (1) bicycle space for every 25 required vehicle parking spaces.

C. *Public and Semipublic Uses.*

Schools (public/private):

One (1) bicycle space for every ten (10) employees, plus one (1) space for every four (4) students.

D. *Miscellaneous/Other.*

To be determined by the Transportation Engineer and/or Zoning Administrator.

(Ord. No. 718, § 17(Exh. C), 12-14-2015)

2.5.9 Prohibited parking.

A. Except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer, no person shall:

1. Park a vehicle, except temporarily for the purpose of and while actually engaged in loading or unloading of property or passengers, in acceleration or deceleration lane; or
2. Park a vehicle overnight in a cul-de-sac located in a residential district.
3. Park a vehicle on an unpaved surface in any commercial district, the front yard of a residence or the side or rear yard if the side or rear yard fronts on the street, except as provided for in Subsection 2.5.5(F).

B. The City may, but is not required to, post no parking signs in areas where parking is prohibited in Paragraph 'A' above, and the failure to post signs shall not excuse any person from compliance with Paragraph 'A'.

C. Paragraph 'A' of this section shall not apply to the driver of any vehicle which is disabled while on the roadway in such a manner and to such extent that is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position.

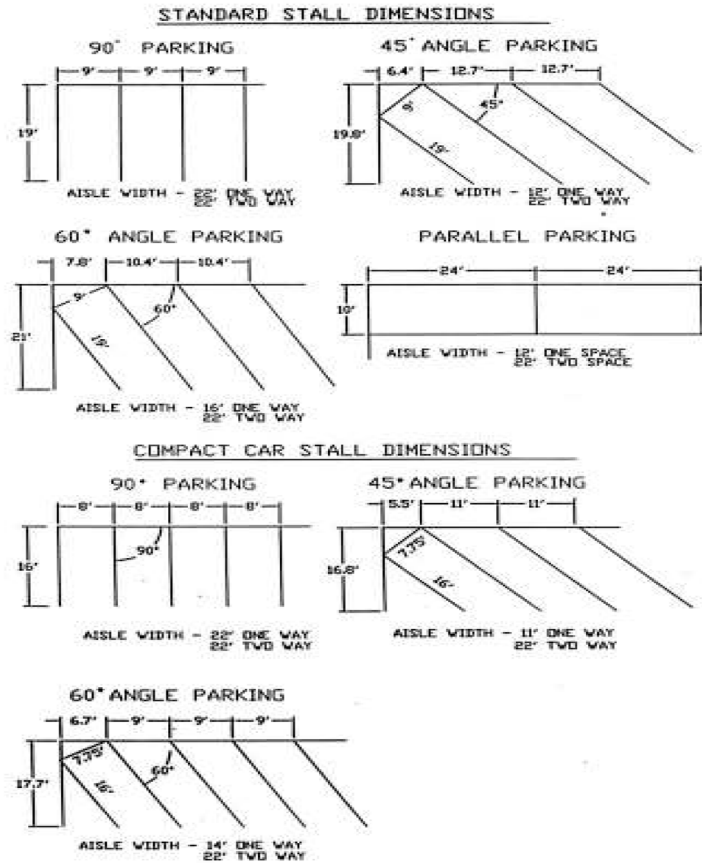
D. No inoperable vehicle shall be parked or stored on a street within a residential district. An automobile or other vehicle shall be deemed inoperable if it meets any one of the following criteria:

1. It does not meet the Official Code of Georgia requirements for operating on a public street;
2. It is extensively damaged, such damage including but not limited to any of the following: missing wheels, tires, motor or transmission;
3. It is not operable on the public streets because it is not currently registered with the Georgia Department of Motor Vehicles;

4. It is not capable of being operated on a public street due to missing or inoperable mechanical or electronic parts; or
5. It has been continuously parked in the same location for a period of thirty (30) consecutive days.

(Ord. No. 718, § 17(Exh. C), 12-14-2015; Ord. No. 843, § 3(Exh. C), 4-18-2022)

TABLE 2.3 - PARKING LOT STANDARDS



NOTES:

1. FIRE LANES SHALL BE A MINIMUM OF TWENTY-FOUR (24) FEET.
2. DIMENSIONS SHOWN FOR PARKING STALLS ARE MINIMUM. COLUMNS & OTHER OBSTRUCTIONS WILL BE ALLOWED IN THE FRONT TWO (2) FEET AND REAR FIVE (5) FEET OF THE LENGTH OF THE STALL, AND SHALL NOT INTRUDE MORE THAN SIX (6) INCHES INTO THE WIDTH OF THE STALL.
3. REFERENCE CITY OF ALPHARETTA STANDARD PLANS FOR CONSTRUCTION DETAILS.

Table 2.3.a Alternative Criteria for Off-Street Parking

The following are recommended alternative criteria for off-street parking design to reduce impervious area of the site.

Angle	Base Module	Vehicle Projection	Aisle Width	Single Loaded Module	Wall to Interlock	Interlock to Interlock	Curb to Curb	Overhang
Θ	M ₁	VP	A	M ₂	M ₃	M ₄	M ₅	Overhang
30	41'-2"	15'-1"	11'-0"	26'-1"	37'-6"	33'-10"	38'-8"	1'-3"

45	47'-0"	17'-7"	11'-10"	29'-5"	44'-0"	41'-0"	43'-6"	1'-9"
60	51'-6"	19'-0"	13'-6"	32'-6"	49'-4"	47'-2"	47'-2"	2'-2"
90	59'-0"	18'-0"	23'-0"	41'-0"	59'-0"	59'-0"	54'-0"	2'-6"
	Low Turnover			Medium Turnover			High Turnover	
Angle	Width Projection	Interlock	Width Projection	Interlock	Width Projection	Interlock	Width Projection	Interlock
Θ	WP	I	WP	I	WP	I	WP	I
30	16'-6"	3'-7"	17'-0"	3'-8"	16'-6"	3'-9"	18'-0"	3'-11"
45	11'-8"	2'-11"	12'-0"	3'-0"	12'-4"	3'-1"	12'-9"	3'-2"
60	9'-6"	2'-1"	9'-10"	2'-2"	10'-1"	2'-2"	10'-5"	2'-3"
90	8'-3"	0'-0"	8'-6"	0'-0"	8'-9"	0'-0"	9'-0"	0'-0"

Source: Urban Land Institute (2010). The Dimensions of Parking, Fifth Edition. National Parking Association.

Notes: Recommendations assume (1) one-way traffic for aisles less than 90 degrees, and two-way traffic for 90 degree parking; (2) double loaded aisles; and (3) a design vehicle that is 6'7" by 17'3".

Exhibit "B"

Sec. 2.4. Parking and Loading.

2.4.1. Vehicle Parking.

- A. Every use must provide and maintain vehicular parking in accordance with the Vehicular Parking Requirements Table, except those properties in the Downtown Overlay that are located south of Old Milton Parkway, north of Mayfield Road on the west side of Highway 9, and north of Cumming Street on the east side of Highway 9 shall provide vehicular parking in accordance with Unified Development Code Section 2.5 Parking and Loading.
- B. Vehicular Parking Requirements Table.

Use	Parking Space Ratio
Residential Activities	
Dwelling, 'For-Sale,' Attached	Min. 1 per bedroom (up to 2 bedrooms), plus 0.50 visitor space per unit
Dwelling, 'For-Sale,' Detached	Min. 1 per bedroom (up to 2 bedrooms), plus 0.50 visitor space per unit
Dwelling, 'For-Rent'	Min. 1 per bedroom (up to 2 bedrooms), plus 0.50 visitor space per unit
Bed & Breakfast	Min. 1 per guest bedroom
Hotel	Min. 1 space per guest room, plus 1 employee space per 20 guest rooms, plus 1 per 500 sf of convention rooms, conference rooms, ballrooms, restaurant and retail shops
Congregate Housing, Assisted Living Facility	Min. 1 per 2 sleeping rooms
Home-Elderly, Children, Nursing	Min. 1 per 2 sleeping rooms
Business Uses	
Bank, Savings & Loan, Mortgage Company	Min. 3 per 1,000 sf
Day Care Center	Min. 1 per 400 sf, plus stacking for 6 cars on the lot
Funeral Home (with no cemetery or mausoleum)	Min. 1 per 4 seats in chapel or parlor, plus sufficient space to park or store all company vehicles
Medical, dental and optical offices	Min. 3 per 1,000 sf
Professional and business offices not otherwise specifically enumerated	Min. 3 per 1,000 sf
Auto, truck and mobile home sales, outdoor equipment and machinery sales, commercial nurseries	Min. 3 per 1,000 sf of showroom, sales office or other conditioned space
Restaurant	Min. 1 per 500 sf
Retail businesses, not otherwise specifically enumerated	Min. 1 per 500 sf
Theaters, night clubs and other such places of public assembly	Min. 1 per 4 seats, plus 1 (employee space) per 10 seats

Service and repair establishments not otherwise specifically enumerated	Min. 3 per 1,000 sf, excluding storage
Service Station, Automotive	Min. 2 per fueling station, plus 1 per 250 sf of retail
Technology Centers/Data Processing Centers	Min. 1 per 500 sf of unmanned areas and min. 1 per 300 sf of manned areas
Wholesale/Industrial Uses	
Wholesaling and industrial uses including lumber, brick, coal, junk and supply yards	Min. 1 per 1,000 sf
Public and Semipublic Uses	
Hospital	Min. 1 per bed, plus 1 per 200 sf for outpatient treatment areas
Church, Synagogue, Other Place of Worship	Min. 1 per 2 seats in the principal assembly room
Places of assembly or indoor recreation without fixed seats	Min. 1 per 500 sf playing court, rink, playing field and spectator area, plus 1 per 200 sf of patron use areas
Schools, elementary and middle schools	Min. 1 <u>two (2)</u> per classroom and administrative office, plus 5 visitor spaces; <u>however, each school property shall have a minimum of 5 parking spaces.</u>
Schools, senior high	Applicants must submit a parking study (prepared by an independent third party) to determine minimum parking requirements. The study must estimate parking demand based on reliable data collected from comparable uses or on external data from credible research organizations (e.g. Institute of Transportation Engineers or American Planning Association). It must also consider the number of students, staff, classrooms, visitors, and the availability of busing. In no case may the minimum requirement be less than 1 per classroom and administrative office, plus 1 per 4 students (based on the design capacity of the school)
Other public building	Min. 1 per 300 sf

C. Parking in the following locations may be used to satisfy the minimum requirements of the Vehicular Parking Requirements Table:

1. Off-street parking located on the same site or lot as the use it serves;
2. On-street parking located adjacent to and on the same side of the street as the site or lot containing the use it serves; and

D. When a use provides more than 120% of the minimum number of spaces required by the Vehicular Parking Requirements Table, any additional spaces in a surface parking lot must be constructed of pervious paving materials. For the purpose of conforming to this requirement, any on-street spaces or off-street spaces in parking structures must be counted towards satisfying the minimum requirement.

E. Parking In-Lieu Fees.

1. The city council may authorize vehicular parking requirements to be satisfied through payment of parking in-lieu fees according to the following fee schedule:

Parking In-Lieu Fee Schedule

If the Number of Required Spaces Satisfied through In-Lieu Program is Between:	The Fee Due is:
1—5 spaces	\$4,500 per space
6—20 spaces	\$22,500 + \$8,000 per space over 5
21—40 spaces	\$142,500 + \$14,000 per space over 20
41 spaces and greater	\$422,500 + \$20,000 per space over 40

2. Applications to use parking in-lieu fees must be made to the city council, which will then hold a public hearing to approve or deny the application. The city council must consider the following in reviewing an application for parking in-lieu:

- a. The availability of parking in the Downtown Overlay;
- b. The availability of alternative transportation in the Downtown Overlay;
- c. The impact on the public health, safety, and general welfare; and
- d. Other considerations deemed material to the application by city council.

3. Following approval of a parking in-lieu fee application, the fee must be paid in a lump sum either:

- a. Prior to the issuance of a building permit; or
- b. Prior to the issuance of a business license for the use for which the parking is required, if no building permit is required.

4. When parking in-lieu fees are utilized, the following apply if the use is changed or discontinued:

- a. If a use is enlarged or replaced by a use that requires more parking, the additional parking requirement may be met by paying additional parking in-lieu fees.
- b. If a use is reduced in area, or wholly or partially becomes vacant, or is replaced by a use that requires less parking, no additional parking in-lieu fees are required.
- c. If a use is destroyed, the property owner may count its parking in-lieu fee spaces towards meeting the requirement of new uses built on-site, subject to "a" and "b" above.
- d. A change of ownership or the dividing or merging of lots will not affect parking in-lieu fees or any determination that parking requirements have been met according to fees paid for a particular use, except when the change of ownership results in one of the conditions identified in "a" through "c" above.

F. On-Site Parking Special Exceptions.

1. The following applies in place of Section 4.5.5 of the Unified Development Code when some or all of the required on-site parking is not provided and said requirement is not otherwise fully or partially satisfied through the payment of parking in-lieu fees.
2. Parking special exceptions shall be heard by the Planning Commission and decided by the City Council utilizing the same process required for conditional use applications under Section 4.2. of the Unified Development Code, except the conditional use standards of Section 4.2.3.C. shall not apply.
3. Parking special exceptions may be granted when the character of the use is such that the full provisions of on-site parking facilities is unnecessary, or when a site is unable to accommodate the required number of parking spaces due to the site's size, shape, topography, existing buildings, existing trees, other natural features, or required buffers.
4. The City Council may impose conditions of approval on the special exception in order to protect the public health, safety, and general welfare.
5. In no case shall a special exception be granted from the conditions of approval imposed on a property through a zoning change granted by the City Council.

(Ord. No. 732, § 43, 2-6-2017; Ord. No. 736, § 3, 3-20-2017; Ord. No. 753, § 1(Exh. A), 3-19-2018; Ord. No. 859, § 1(Exh. A), 6-26-2023)

2.4.2. Bicycle Parking.

- A. Facilities that provide or require 25 or more vehicle parking spaces must provide a minimum of 1 bicycle parking space, plus 1 space for each additional 25 provided vehicle parking spaces, provided that no site may have fewer than 3 spaces nor be required to exceed 30 bicycle spaces.
- B. Bicycle parking facilities must comply with the following provisions.
 1. Each required bicycle parking space must be at least 2 feet by 6 feet. Where a bike can be locked on both sides of a bicycle rack without conflict, each side can be counted as a required space.
 2. Bicycle racks must be securely anchored, be easily usable with both U-locks and cable locks, and support a bicycle at 2 points of contact to prevent damage to the bicycle wheels and frame.
 3. Bicycle parking must be provided in a well-lit area.
 4. Spacing of the bicycle racks must provide clear and maneuverable access.
 5. Bicycle parking may be placed within the public right-of-way, provided the encroachment is approved by the City Transportation Engineer.
 6. Bicycle parking spaces must be as close as or closer than the nearest vehicle parking space (as measured along a pedestrian walkway from the door of the use the parking serves).

2.4.3. Driveways.

- A. Applicability. The following applies to driveways, including those serving alleys, but not to new streets in conformance with Section 2.3.3.
- B. Width. Unless approved by the City Transportation Engineer or required by the Georgia Department of Transportation along a State highway, the maximum width of curb cuts, not including flares or returns at the throat of the facility, for entrances, exits, service drives and similar facilities shall be 24 feet for two-way entrances and 12 feet for one-way entrances.

- C. Number. The maximum number of driveways allowed on a site shall not exceed an amount equal to one driveway for every 300 feet of total street frontage or fraction thereof. All parcels are permitted at least one driveway.
- D. Location. Driveways may not be located on an arterial street when access is available from a collector or local street.

2.4.4. Design of Parking Structures.

- A. When a parking structure fronts an arterial or collector street its ground story must have active uses (such as, but not limited to, residential, commercial, office or civic space) located between the parking structure and the closest adjacent street (not including an alley). Such active use shall have a minimum depth of 20 feet.
- B. Where upper stories of structured parking are adjacent to or visible from any street, they must be screened so that cars and ramps are not clearly visible from ground level view from the adjacent parcel or the adjacent street (not including an alley).
- C. Structured parking facades adjacent to or visible from any street must have the appearance of a horizontal storied building.

2.4.5. Loading.

- A. On-site loading space is not required.
- B. Loading areas must be located to the rear of buildings. Loading areas must not be placed between a building and the closest adjacent street.
- C. Screening. If a loading area is provided, it must meet the following.
 - 1. Where a loading dock designed for tractor-trailers is placed between a shared lot line or building and the closest adjacent street (not including an alley), the entire length of the loading area must be screened.
 - 2. Screening must consist of either:
 - a. An 8-foot high wall compatible with the principal building in terms of texture, quality, material and color; or
 - b. Evergreen plant material that can be expected to reach a height of 8 feet with a spread of 4 feet within 3 years of planting.

2.4.6. Vehicle Access and Parking Locations.

- A. No driveway or off-street parking lots may be located between a building and the closest street unless an intervening approved building type exists.
- B. Off-street parking for the following must be accessed from alleys:
 - 1. Townhouses on lots of any width.
 - 2. All other building types on lots less than 50 feet in width.
- C. Where a garage faces a street the garage must be recessed a minimum distance of 20 feet behind the front building façade.
- D. Each 'For Sale' dwelling unit shall have a minimum 18' long and 10' wide paved driveway, as measured from the garage to the back of sidewalk, or back of curb where a sidewalk is not provided.

- E. Enclosed tandem parking spaces shall only count for one required parking space, since only one space is fully accessible.

(Ord. No. 772, § 7, 2-4-2019)

EXHIBIT B



AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AMEND ARTICLE II OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ALPHARETTA, GEORGIA; TO AMEND CERTAIN ZONING DISTRICT TITLES AND DESCRIPTIONS; TO AMEND CERTAIN ZONING DISTRICTS TO CLARIFY THAT THEY ARE IN ACCORDANCE WITH A MASTER PLAN; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and Council of the City of Alpharetta (the “City Council” or “Council”) are charged with the protection of the public health, safety, and welfare of the citizens of the City of Alpharetta;

WHEREAS, the Unified Development Code was designed to be amended from time to time when circumstances warrant that modifications be made in order to make said Codes more responsive to community needs;

WHEREAS, the City Council finds that ordinances and regulations governing the uses of land and development of land within the City, as well as the City’s operations, should be continually improved from time to time and modified as necessary to better protect and promote the public health, safety and welfare of the residents and businesses of the City of Alpharetta;

WHEREAS, the City Council desires to amend Article II of the Unified Development Code for the foregoing purposes; and

WHEREAS, the City Council finds that the following amendments to the Unified Development Code promote the health, safety, morals, convenience, order, prosperity and general welfare of the present and future inhabitants of the City of Alpharetta.

NOW THEREFORE, the Mayor and City Council of the City of Alpharetta hereby ordains, as follows:

Section 1: Article II, Section 2.1 titled “Zoning Districts” of the Unified Development Code is hereby amended by amending same as set forth in Exhibit “A” attached hereto as if fully set forth herein.

Section 2: Article II, Section 2.2 titled “Permitted Use Districts and Regulations” of the Unified Development Code is hereby amended by amending same as set forth in Exhibit “B” attached hereto as if fully set forth herein.

Section 3: If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional or, if the provisions of any part of this Ordinance as

applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

Section 4: This Ordinance shall be effective immediately upon its adoption by the City Council and the amendments made herein shall be incorporated into the Unified Development Code of the City of Alpharetta, Georgia, as applicable. This Ordinance hereby repeals any and all conflicting ordinances and amendments.

SO ORDAINED, this ____ day of April ____.

CITY OF ALPHARETTA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS*

Mayor Pro Tem Dan Merkel

Council Member Donald F. Mitchell

Council Member Douglas J. DeRito

Council Member John Hipes

Council Member Fergal Brady

(SEAL)

Attest:

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

[INSERT ATTORNEY], City Attorney

*At the time this resolution was considered and adopted, Post 2 of the City Council was vacant.

Exhibit "A"

SECTION 2.1 - ZONING DISTRICTS

2.1.1 Establishment of zoning districts.

In order to regulate, restrict and segregate the uses of land and structures, and to regulate and restrict the height and bulk of structures and the area of yards and other open spaces about structures, to regulate and restrict density of population, and to implement the intent of this Ordinance, the incorporated area of the City of Alpharetta, is hereby divided into the following zoning districts:

AG Agriculture. An area to be used either at present or in the future for agriculturally related uses including the production of crops, general farming, raising and breeding of farm animals and poultry. This would include the development of large lot dwelling, 'For-Sale', detached residential subdivisions (five-acre dwelling, 'For-Sale', lots or larger).

RE Residential Estate. A district intended for detached 'For-Sale' residential dwellings and related uses, developed on lots of no less than 3 acres.

R Dwelling, 'For-Sale' Detached Residential. A district intended for detached 'For-Sale' residential dwellings and related uses, developed on lots of no less than one acre.

R-22 Dwelling, 'For-Sale', Detached Residential. A district intended for detached 'For-Sale' residential dwellings and related uses, developed on lots of no less than 22,000 square feet.

R-15 Dwelling, 'For-Sale', Detached Residential. A district intended for detached 'For-Sale' residential dwellings and related uses, developed on lots of no less than 15,000 square feet.

R-12 Dwelling, 'For-Sale', Detached Residential. A district intended for detached 'For-Sale' residential dwellings and related uses, developed on lots of no less than 12,000 square feet.

R-10 Dwelling, 'For-Sale', Detached Residential. A district intended for detached 'For-Sale' residential dwellings and related uses, developed on lots of no less than 10,000 square feet.

R-4A Dwelling, 'For-Sale', Attached Residential—~~Low~~ Medium Density. A district intended for attached 'For-Sale' residential dwellings and related uses, at a density of up to four (4) dwelling units per gross acre.

R-4D Dwelling, Single-Family 'For Sale' Detached Residential—~~Low~~ Medium Density. A district intended for single-family detached residential and related uses, at a density of up to four (4) dwelling units per gross acre on lots of no less than 5,000 square feet.

R-8A/D Dwelling, 'For-Sale', Attached/Detached Residential—~~Medium~~ High Density. A district intended for attached/detached 'For-Sale' residential dwellings and related uses, at a density of up to eight (8) dwelling units per gross acre Attached and 4,500 sq. ft. Detached.

R-10M Dwelling, 'For-Rent' or 'For-Sale' Residential. A district intended for rental or 'For-Sale' residential and related uses, at a density of up to ten (10) dwelling units per gross acre ~~Attached and 4,500 sq. ft. Detached.~~

CUP Community Unit Plan. A planned mixed-use district which allows the combination of dwelling, 'For-Sale', and dwelling, 'For-Rent', residential uses, neighborhood shopping use, or office and institutional use in accordance with a specific ~~concept~~ master plan.

O-P Office-Professional. A district primarily intended to provide for business and professional offices, hospitals, medical and dental clinics, and limited commercial activity.

O-I Office-Institutional. A district for planned office developments. Commercial activities related to the overall development are also permitted in combination with the office development, but only as accessory uses in accordance with a specific master plan, such as a coffee shop within an office building.

C-1 Neighborhood Commercial. A district for shopping centers and retail establishments with a market orientation serving the surrounding neighborhood and community with convenience goods, limited retail sales, and personal services.

C-2 General Commercial. A mixed-use district which allows general office, commercial and service uses designed to provide convenience goods, shopper goods, and highway commercial sales and services.

PSC Planned Shopping Center. A district intended to accommodate a group of retail sales and services establishments planned, constructed, and managed as a total entity, in accordance with a specific master plan.

L-I Light Industrial. A district primarily intended for limited manufacturing, assembling, wholesaling, warehousing, and related activities.

OSR Open Space and Recreational. Areas set aside for dedicated open space, lakes and recreational facilities for use of City residents.

SU Special Use. A district set aside to include elementary, middle and high schools, colleges and universities, facilities for social and fraternal organizations and governmental institutions and facilities.

MU Mixed Use. A district intended to allow for the development of a mix of uses ~~within the framework of a master plan~~ in accordance with a specific master plan.

Exhibit "B"

SECTION 2.2 - PERMITTED USE DISTRICTS AND REGULATIONS

The following provisions apply to each of the zoning districts, as noted. In addition, requirements are contained in the Supplementary Regulations and in other Sections that apply to some or all of the Zoning Districts collectively.

~~SECTION 2.2 a - CONDITIONAL USE REVIEW CRITERIA~~

~~When reviewing a conditional use, consideration shall be given to factors associated with the use including, but not limited to, the following:~~

- ~~1. Site design.~~
 - ~~2. Property access.~~
 - ~~3. Hours of operation of the business.~~
 - ~~4. Vehicular trips generated by the use.~~
 - ~~5. Impact of the use on surrounding properties.~~
 - ~~6. Impact of the use on the natural features of the site.~~
 - ~~7. Separation from similar uses and conflicting uses.~~
- ~~(Ord. No. 807, § 2(Exh. B), 9-8-2020)~~

2.2.8 R-4A dwelling, 'for-sale', attached residential—~~Low~~ Medium density.

- A. *Permitted Principal Uses.* A property in the R-4A district may be used for those uses listed in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:
1. Agricultural and Residential Uses.
 - a. Dwelling, 'For-Sale' Attached.
 2. Semipublic Uses, Utilities.
 - a. Park or Playground.
- B. *Accessory Uses.* A property in the R-4A district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

Permitted accessory structures and uses include but are not limited to the following:

1. Privacy and decorative fences and walls.

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2. Home Occupation in a residence.
 3. Family Day Care Home in a residence.
 4. Swimming pool, tennis court, detached garage, play house, storage shed, patio and other private recreation facilities.
 5. Clubhouse, swimming pool, or community recreation facilities serving a development.
 6. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 7. Signs, subject to all of the requirements regulating signage herein.
 8. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Uses.* A property in the R-4A district may be used for any of the following only upon approval as a conditional use by the City Council:
1. Semipublic Uses, Utilities.
 - a. Associations, (Clubs and Lodges).
 - b. Church, Synagogue, or other religious institutions.
 - c. Country Club with golf course or driving range.
 - d. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.

D. *District Regulations.*

Minimum Lot Size—1 acre.

Maximum Density of Dwelling Units—4 per acre.

Minimum Lot Width—30 feet for each individual lot, if the development is subdivided or 30 feet for each dwelling unit.

Minimum Setbacks.

Front yard—from all street frontages:

From right-of-way of local street—35 feet.

From right-of-way of all other streets—65 feet.

Side yard:

From lot line of adjacent property—20.

Between building groupings—20 feet.

Between individual lots, if the development is subdivided—none.

Rear yard—30 feet.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—35 feet.

Minimum Floor Area of a Dwelling Unit—1,200 square feet.

2.2.8a R-4D dwelling, 'for sale' detached residential—~~Low~~ Medium density.

A. *Permitted Principal Uses.* A property in the R-4D district may be used for those uses listed in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:

1. Agricultural and Residential Uses.
 - a. Dwelling, Single-Family Detached.
2. Semipublic Uses, Utilities.
 - a. Park or Playground.

B. *Accessory Uses.* A property in the R-4D district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

Permitted accessory structures and uses include but are not limited to the following:

1. Privacy and decorative fences and walls.
2. Home Occupation in a residence.
3. Family Day Care Home in a residence.
4. Swimming pool, tennis court, detached garage, play house, storage shed, patio and other private recreation facilities.
5. Clubhouse, swimming pool, or community recreation facilities serving a development.
6. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
7. Signs, subject to all of the requirements regulating signage herein.
8. Retaining walls and other site improvement structures approved as part of the development permit.

C. *Conditional Uses.* A property in the R-4D district may be used for any of the following only upon approval as a conditional use by the City Council.

1. Semipublic Uses, Utilities.
 - a. Associations, (Clubs and Lodges).
 - b. Church, Synagogue, or other religious institutions.
 - c. Country Club with golf course or driving range.
 - d. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.

D. *District Regulations.*

Minimum Lot Size—5,000 sf.

Maximum Density of Dwelling Units—4 per acre.

Minimum Lot Width—50 ft.

Minimum Setbacks.

Front yard—from all street frontages.

From right-of-way of local street—35 feet.

From right-of-way of all other streets—65 feet.

Side yard—5 feet.

Corner Side Yard—10 feet.

Rear yard:

With Rear Alley—0'.

No Rear Alley—20'.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—35 feet.

Minimum Floor Area of a Dwelling Unit—1,500 square feet.

(Ord. No. 692, § 1(Exh. 1), 7-21-2014)

2.2.9 R-8A/D dwelling, 'for-sale', attached/detached residential—Medium High density.

A. *Permitted Principal Uses.* A property in the R-8A/D district may be used for those uses in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:

1. Agricultural and Residential Uses.

a. Dwelling, 'For-Sale', Attached and Detached.

2. Semipublic Uses, Utilities.

a. Park or Playground.

B. *Accessory Uses.* A property in the R-8A district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

Permitted accessory structures and uses include but are not limited to the following:

1. Privacy and decorative fences and walls.

2. Home Occupation in a residence.

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3. Family Day Care Home in a residence.
 4. Swimming pool, tennis court, play house, storage shed, patio and other private recreation facilities.
 5. Clubhouse, swimming pool, or community recreation facilities serving a development.
 6. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 7. Signs, subject to all of the requirements regulating signage herein.
 8. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Uses.* A property in the R-8A district may be used for any of the following only upon approval as a conditional use by the City Council:
1. Semipublic Uses, Utilities.
 - a. Associations, (Clubs and Lodges).
 - b. Church, Synagogue, or other religious institutions.
 - c. Country Club with golf course or driving range.
 - d. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.

D. *District Regulations.*

Minimum Lot Size—the development shall occupy a total of at least 1 acre Attached, 4,500 sq. ft. Detached. No minimum lot size is required for each dwelling unit within the development.

Maximum Density of Dwelling Units—8 per gross acre.

Minimum Lot Width—50 feet for each individual lot, if the development is subdivided or 30 feet for each dwelling unit.

Minimum Setbacks.

Front yard—from all street frontages:

From right-of-way of local street—35 feet.

From right-of-way of all other streets—65 feet.

Side yard.

From lot line of adjacent property—5 feet.

Between building groupings—10 feet.

Between individual lots, if the development is subdivided—none.

Rear yard—W/Rear Alley—0', No Rear Alley—20'.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—35 feet.

Minimum Floor Area of a Dwelling Unit—1,200 square feet.

Rear Yard: Alley—0', No Rear Alley—20'

(Ord. No. 675, § 1, 6-3-2013)

2.2.11 CUP community unit plan.

This district is intended to allow for the development of a mix of uses ~~within the framework of a~~ in accordance with a specific master plan. Every rezoning to this district must include a condition that development occur in accordance with a master plan, which master plan shall include permitted uses allowed on the property. The district regulations are intended to allow greater design flexibility without increasing overall density.

- A. *Permitted Principal Uses.* A property in the CUP district may be used only for those uses approved as part of the conditions of approval of the CUP zoning on the property including those identified in the master plan, and for related accessory uses, as further limited under "Accessory Uses" and "Conditional Uses" below. The use of land within an overall CUP development is further limited by the following requirements:

Dwelling, 'For-Sale', Detached Residential: A minimum of 25% of the gross land area of the CUP shall be utilized for 'For-Sale' detached dwellings and related accessory uses, streets and other facilities.

Dwelling, 'For-Sale', Attached Residential: No more than 20% of the gross land area of the CUP may be used for 'For-Sale' attached dwellings and related accessory uses, streets and other facilities.

Dwelling, 'For-Rent', Residential: Rental units and related accessory uses, streets and other facilities shall not exceed 20% of the gross land area of the CUP.

Commercial: Uses permitted in the C-1 category shall not exceed (in aggregate) 10% of the gross land area of the CUP.

Open Space: A minimum of 15% of the gross land area must be set aside as open space.

Office and Light Industrial: The following uses shall not exceed (in aggregate) 25% of the gross land area of the CUP:

Office buildings, office parks, research and development and related accessory uses, streets and other facilities.

Wholesale, storage or industrial uses and related accessory uses, streets and other facilities.

- B. *Accessory Uses.* A property in the CUP district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted under the conditions of approval for the CUP zoning on the property.

Permitted accessory structures and uses include but are not limited to the following:

1. Privacy and decorative fences and walls.
2. Home Occupation in a residence.
3. Family Day Care Home in a residence.
4. Special Care Home in a 'For-Sale' detached dwelling.
5. Swimming pool, tennis court, playhouse, storage shed, patio and other private recreation facilities.

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6. Clubhouse, swimming pool, or community recreation facilities serving a development.
 7. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 8. Signs, subject to all of the requirements regulating signage herein.
 9. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Uses.* A property in the CUP district may be used for those uses listed in Table 2.2, including any of the following uses if the uses have been included in the conditions of approval for the CUP zoning on the property; or if the uses are designated on the CUP's Concept Plan; or if the CUP's concepts plan identifies district categories (i.e. commercial, office) wherein the use would otherwise be permitted by right or as a conditional use:
1. *Agricultural and Residential Uses.*
 - a. Dwelling, Group (congregate housing, assisted living facility, home-elderly, nursing).
 - b. Dwelling, 'For-Sale' Attached.
 - c. Dwelling, 'For-Sale' Detached.
 - d. Dwelling, 'For-Rent'.
 - e. Bed and Breakfast.
 2. *Business Uses.*
 - a. Animal Hospital, small animals.
 - b. Art Galleries.
 - c. Athletic Facility.
 - d. Automobile Sales and Leasing.
 - e. Automobile Service and Service Station.
 - f. Automotive Parts.
 - g. Bakery.
 - h. Barber Shop.
 - i. Bank, Savings and Loan.
 - j. Beauty Shop.
 - k. Book Store or Stationery.
 - l. Boutique Hotel.
 - m. Bowling Alley.
 - n. Brewery.
 - o. Broadcasting Studio (radio or TV).

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- p. Building Equipment/Material.
 - q. Clinic.
 - r. Contractor's Office with and without outside storage.
 - s. Convenience Market with or without gas pumps.
 - t. Dance Studio.
 - u. Day Care Center.
 - v. Distillery.
 - w. Drug Store.
 - x. Dry Cleaning Pick-up Station.
 - y. Equestrian Center.
 - z. Extended stay hotel (see Section 2.7).
 - aa. Fitness Studio.
 - bb. Florist, Retail without Greenhouse.
 - cc. Funeral Home wino cemetery or mausoleum.
 - dd. Golf, Miniature.
 - ee. Grocery Store.
 - ff. Hardware and Garden Supply Store.
 - gg. Hotel or Motel.
 - hh. Hotel, Hybrid.
 - ii. Laboratory, Research or Commercial.
 - jj. Laundry, Self-Serve, Pick-up.
 - kk. Liquor Store.
 - ll. Office Building or Office Park (Research and Development shall be a permitted use within an existing Office Building or Office Park or where office is a permitted use within an existing master plan).
 - mm. Park, playground.
 - nn. Pet Day Care.
 - oo. Pet Grooming.
 - pp. Print Shop.
 - qq. Public Building.
 - rr. Recreation Facilities, Indoor and Outdoor.

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- ss. Rental Services Establishment without outside storage.
 - tt. Research and Development.
 - uu. Restaurant.
 - vv. Restaurant, with Drive-thru window.
 - ww. Retail Sales and Services Establishments not otherwise listed for this zoning district.
 - xx. Retail Establishment, Mixed Sales.
 - yy. School, Commercial.
 - zz. Shop or Studio, Craftsman/Artist.
 - aaa. Spa Services.
 - bbb. Special Event Facility.
 - ccc. Theater, Cinema.
3. *Wholesale, Storage and Industrial Uses.*
- a. Laundry, Industrial.
 - b. Locker, Frozen Food or Cold Storage.
 - c. Manufacturing, Light.
 - d. Wholesale Establishment.
4. *Semipublic Uses, Utilities.*
- a. Airport, public or private.
 - b. Amphitheater.
 - c. Auditorium.
 - d. Church, Synagogue.
 - e. Club, association or lodge.
 - f. Country Club.
 - g. Fire Station.
 - h. Golf Course, Driving Range.
 - i. Heliport, public or private.
 - j. Hospital.
 - k. Library.
 - l. Museum.
 - m. Parle or Playground.

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- n. Power Station.
 - o. School, Academic.
 - p. Switching Station (Telecom).
 - q. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - r. Wireless Tower.

D. *District Regulations.* Minimum Lot Size: the minimum area permitted to be zoned for a CUP is 100 acres.

Lot sizes in use areas: Each area within the CUP shall be designated for use in accordance with one of the various zoning districts in this Ordinance and shall comply with the minimum lot size required by such designated zoning district or, if more restrictive, the conditions of approval of the CUP zoning on the property.

Maximum Density of Dwelling Units: Each area within the CUP shall be designated for use in accordance with one of the various zoning districts in this Ordinance, and shall comply with the lot size or, when applicable, density limitations of such designated zoning district or, if more restrictive, the conditions of approval of the CUP zoning on the property.

Minimum Lot Width, Minimum Setbacks, Maximum Coverage by Principal Buildings, Maximum Building Height, Minimum Floor Area of a Dwelling Unit, Screening and Buffers: Each area within the CUP shall be designated for use in accordance with one of the various zoning districts in this Ordinance, and shall comply with the requirements of such designated zoning district or, if more restrictive, the conditions of approval of the CUP zoning on the property.

Open space: Each CUP shall have a minimum of 15% of the gross acres of the CUP dedicated or set aside as open space. Amenities may be included within the 15% open space requirement. However, open space shall not include any other required open areas such as required building setbacks, buffers, landscape strips or other similar requirements of this Ordinance or other applicable laws.

(Ord. No. 718, §§ 2, 4, 12-14-2015; Ord. No. 741, § 4, 6-5-2017; Ord. No. 744, §§ 2, 6, 7-10-2017; Ord. No. 808, § 2(Exh. B), 9-8-2020; Ord. No. 836, § 1(Exh. A), 10-4-2021; Ord. No. 843, § 2(Exh. B), 4-18-2022; Ord. No. 871, § 2(Exh. B), 5-20-2024)

2.2.13 O-I office-institutional.

This district is intended for the development of planned office areas which allow for design flexibility in accordance with a specific master plan. Every rezoning to this district must include a condition that development occur in accordance with a master plan, which master plan shall include permitted uses allowed on the property. Commercial activities are permitted as subordinate uses to ~~the~~ office development.

A. Permitted Principal Uses. A property in the O-I district may be used only for those uses approved as part of the conditions of approval of the O-I zoning on the property including those identified in the master plan, and for related accessory uses, as further limited under "Accessory Uses" and "Conditional Uses" below. The use of land within an overall O-I development is further limited by the following requirements:

1. Business Uses.

- a. Bank (lots less than 5 acres)
- b. Office (lots less than 5 acres)

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- c. Research and Development (lots less than 5 acres subject to Design Review Board approval)
 - d. A use that is permitted in accordance with an approved master plan that is required for rezoning to the O-I district.

B. *Conditional Principal Uses.* A property in the O-I district may be used for the uses listed below and shown in Table 2.2 in accordance with an approved master plan, unless superseded by applicable conditions of approval for rezoning, variance, master plan, master plan amendment, or conditional use. ~~Lots of less than five (5) acres in size may be developed for bank, office or research and development use without public hearing subject to Design Review Board Approval.~~

1. *Residential Uses.*

- a. Dwelling, Group (nursing home, children's home, congregate housing, assisted living facility).

2. *Business Uses.*

- a. Bank, Savings and Loan.
- b. Broadcasting Studio (radio or TV).
- c. Clinic.
- d. Congregate Housing.
- e. Day Care Center.
- f. Drug Store.
- g. Manufacturing, Heavy.
- h. Office Building or Office Park (Research and Development shall be a permitted use within an existing Office Building or Office Park or where office is a permitted use within an existing master plan).
- i. Recreational Facilities (Indoor or Outdoor).
- j. Research and Development.
- k. Special Event Facility.
- l. Theater, Cinema.

3. *Semipublic Uses, Utilities.*

- a. Church, Synagogue.
- b. Club, association or lodge.
- c. Golf Course, Driving Range.
- d. Heliport.
- e. Hospital.
- f. Library.
- g. Museum.

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- h. Public Building.
 - i. School, Academic.
 - B. *Accessory Uses.* A property in the O-I district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

Permitted accessory structures and uses include but are not limited to the following:

 - 1. Dwelling, 'For-Sale', Accessory: A 'For-Sale' accessory dwelling shall be permitted under the following conditions:

The dwelling shall be located above or to the rear of the commercial or office structure to which it is an accessory.

The dwelling shall be attached by a common wall with the commercial or office structure to which it is accessory.

The dwelling shall be occupied by a single family, a member of whom is the owner or tenant of the commercial or office structure to which it is accessory.

The square footage of the dwelling shall not exceed 40% of the combined square footage of the commercial or office structure and the dwelling.

The dwelling and the commercial or office structure to which it is accessory shall be in compliance with all applicable provisions of the life safety code, the building code, and other standard codes of the City.
 - 2. Privacy and decorative fences and walls.
 - 3. Swimming pool, tennis court, patio and other private recreation facilities.
 - 4. Clubhouse, swimming pool, or community recreation facilities serving a development.
 - 5. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 - 6. Signs, subject to all of the requirements regulating signage herein.
 - 7. Retaining walls and other site improvement structures approved as part of the development permit.
 - 8. Retail service uses up to 25% of the floor area of an office building for services incidental to the associated office use.
 - C. *Conditional Subordinate Uses.* A property in the O-I district may be used for any of the following listed uses upon approval as a conditional use by the City Council provided that the uses in aggregate do not constitute more than 25% of the total project and are not segregated so as to create a retail strip center.
 - 1. *Residential Uses.*
 - a. Reserved.
 - 2. *Business Uses.*
 - a. Animal Hospital, Small Animal.
 - b. Art Galleries.

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- c. Athletic Facility.
 - d. Automobile Service and Service Station.
 - e. Bakery.
 - f. Barber Shop.
 - g. Beauty Shop.
 - h. Book Store.
 - i. Boutique Hotel.
 - j. Bowling Alley.
 - k. Brewery.
 - l. Car Wash.
 - m. Contractor's Office without outside storage.
 - n. Convenience Market with or without gas pumps.
 - o. Dance Studio.
 - p. Distillery.
 - q. Dry Cleaning Pick-up Station.
 - r. Extended Stay Hotel (see Sec. 2. 7).
 - s. Fitness Studio.
 - t. Florist, Retail without Greenhouse.
 - u. Funeral Home w/out cemetery or mausoleum.
 - v. Golf, Miniature, or Golf Driving Range.
 - w. Hotel/motel.
 - x. Hotel, Hybrid.
 - y. Laboratory, Research or Commercial.
 - z. Liquor Store.
 - aa. Parking Lot, Commercial.
 - bb. Print Shop.
 - cc. Restaurant.
 - dd. Restaurant, with Drive-thru window.
 - ee. Retail Sales & Services Establishments subject to the limitation of [subsection] 2.2.13 B 8.
 - ff. School, Commercial.

gg. Spa Services.

3. *Wholesale, Storage and Industrial Uses.*

a. Manufacturing, Light.

4. *Semipublic Uses, Utilities.*

a. Airport.

b. Amphitheater.

c. Auditorium.

d. Country Club.

e. Fire Station.

f. Park or Playground.

g. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.

h. Wireless Tower.

D. *District Regulations.*

Minimum Lot Area—the development shall occupy a total of not less than 25 acres. No minimum lot size is required for each building within the development.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

From right-of-way of local street—50 feet.

From right-of-way of all other streets—65 feet.

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—40 feet.

E. *Screening and buffers.* (See Sec. 2.3.5.)

F. *Open space.* All areas zoned O-I shall have a minimum of 10% of the gross acres dedicated or set aside as open space for developments up to 100 acres and shall have a minimum of 15% of the gross acres dedicated or set aside as open space for developments containing 100 acres or more. Amenities may be included and are encouraged within the open space requirement. However, open space shall not include any other required open areas such as required building setbacks, buffers, landscape strips or other similar requirements of this ordinance.

(Ord. No. 718, §§ 3, 6, 12-14-2015; Ord. No. 741, § 4, 6-5-2017; Ord. No. 744, §§ 2, 6, 7-10-2017; Ord. No. 808, § 2(Exh. B), 9-8-2020; Ord. No. 813, § 1(Exh. A), 10-26-2020; Ord. No. 836, § 1(Exh. A), 10-4-2021; Ord. No. 843, § 2(Exh. B), 4-18-2022; Ord. No. 871, § 2(Exh. B), 5-20-2024)

2.2.16 PSC planned shopping center.

~~All uses in the PSC zoning district shall be located within, or as part of a shopping center or specialty shopping center. This district is intended for the development of planned shopping center or specialty shopping center areas which allow for design flexibility in accordance with a specific master plan. Every rezoning to this district must include a condition that development occur in accordance with a master plan, which master plan shall include permitted uses allowed on the property. Certain residential uses are permitted as principal uses in the shopping center development.~~

- A. Permitted Principal Uses. A property in the PSC district may be used only for those uses approved as part of the conditions of approval of the PSC zoning on the property, including those identified in the master plan, and for related accessory uses, as further limited under "Accessory Uses" and "Conditional Uses" below. The use of land within an overall PSC development is further limited by the following requirements:

2. Uses.

- a. A use that is permitted in accordance with an approved master plan that is required for rezoning to the PSC district.
- B. ~~Conditional Principal Uses.~~ A property in the PSC district may be used for ~~those the~~ uses listed below and shown in Table 2.2 in accordance with an approved master plan, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use, ~~only upon approval as a conditional use by the city council.~~

1. *Residential Uses.*

- a. Dwelling, 'For-Sale', Attached (only allowed in the North Point Overlay and not exceeding (8) dwelling units/acre unless additional density is authorized in accordance with said overlay).
- b. Dwelling, 'For-Sale', Detached (only allowed in the North Point Overlay and not exceeding (8) dwelling units/acre unless additional density is authorized in accordance with said overlay).

2. *Business Uses.*

- a. Art Galleries.
- b. Bakery.
- c. Barber Shop.
- d. Bank, Savings and Loan.
- e. Beauty Shop.
- f. Brewery.
- g. Book Store.
- h. Car Wash.
- i. Carpet and Rug Sales.

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- j. Clinic.
 - k. Dance Studio.
 - l. Day Care Center.
 - m. Distillery.
 - n. Drug Store (Pharmacy).
 - o. Florist, Retail without Greenhouse.
 - p. Grocery Store (max. 50,000 SF in the North Point Overlay).
 - q. Hardware Store (max. 50,000 SF in the North Point Overlay).
 - r. Home Improvement Store.
 - s. Laundry, Self-Serve, Pick-up.
 - t. Liquor Store.
 - u. Office Building or Park.
 - v. Pest Control Business.
 - w. Rental Services Establishment without outside storage.
 - x. Restaurant.
 - y. Restaurant w/Drive-thru window.
 - z. Retail Sales and Services Establishments not otherwise listed for this zoning district as a permitted or conditional use.
 - aa. Retail Establishment, Mixed Sales.

- B. *Accessory Uses.* A property in the PSC district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

Permitted accessory structures and uses include but are not limited to the following:

- 1. Privacy and decorative fences and walls.
- 2. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
- 3. Signs, subject to all of the requirements regulating signage herein.
- 4. Retaining walls and other site improvement structures approved as part of the development permit.

- C. *Conditional Subordinate Uses.* A property in the PSC district may be used for any of the following only upon approval as a conditional use by the City Council and provided that these uses in aggregate do not constitute more than 50% of the site area:

- 1. *Residential Uses.*

-
- a. Reserved.
2. *Business Uses.*
- a. Animal Hospital, small animals.
 - b. Athletic Facility.
 - c. Automobile Service and Service Station.
 - d. Automotive Parts.
 - e. Bowling Alley.
 - f. Boutique Hotel.
 - g. Broadcasting Studio (radio or TV).
 - h. Convenience Center with gas pumps.
 - i. Dry Cleaning Plant.
 - j. Dry Cleaning Plant with pick-up station.
 - k. Fitness Studio.
 - l. Funeral Home with no cemetery or mausoleum.
 - m. Greenhouse, Nursery.
 - n. Golf, Miniature.
 - o. Hotel or Motel.
 - p. Hotel, Hybrid.
 - q. Nail Salon.
 - r. Parking Lot, Commercial.
 - s. Pet Day Care.
 - t. Pet Grooming.
 - u. Print Shop.
 - v. Recreation Facilities, Indoor.
 - w. School, Commercial.
 - x. Shop or Studio, Craftsman/Artist.
 - y. Spa Services.
 - z. Special Event Facility.
 - aa. Theater, Cinema.
3. *Semipublic Uses, Utilities.*

-
- a. Auditorium.
 - b. Church, Synagogue.
 - c. Club, fraternity, association or lodge.
 - d. Heliport, public or private.
 - e. Libraries.
 - f. Museum.
 - g. Park or Playground.
 - h. Public Building.
 - i. Recreational Facilities (Outdoor).
 - j. School, Academic.
 - k. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - l. Wholesale Establishment.
 - m. Wireless Tower.

D. *District Regulations.*

Minimum Lot Area—the planned development shall occupy a total of at least 10 acres. No minimum lot size is required for each building or related development site within the overall development.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

From right-of-way of local street—50 feet.

From right-of-way of all other streets—65 feet.

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—40 feet.

E. *Screening and buffers.* (See Sec. 2.3.5)

F. *Review Criteria.* The PSC district is intended to promote specific objectives. Therefore, the following shall be considered when reviewing a PSC master plan:

- 1. Pedestrian connectivity to all uses.
- 2. Large parking areas below grade, in decks or screened. Design efforts to provide shared parking will also be considered.

-
3. Accommodations for public transportation.
 4. Buildings that face or appear to face public roadways.
 5. Appearance standards for buildings and structured parking.
 6. Limitations on uninterrupted building elevations.
 7. Creation of vistas and view corridors within development.
 8. Focal point features at prominent locations and ends of vistas.
 9. Incorporation of natural site features.
 10. Block lengths conducive to pedestrian traffic.
 11. Detention and retention facilities designed to be aesthetically pleasing.
 12. Creative methods for stormwater management to provide additional open space.
 13. Attractive and usable street furniture in public spaces.
 14. Emphasis on a high quality landscape plan.

(Ord. No. 715, § 2, 9-28-2015; Ord. No. 718, §§ 3, 4, 12-14-2015; Ord. No. 741, § 4, 6-5-2017; Ord. No. 744, §§ 2, 4, 6, 7-10-2017; Ord. No. 767, §§ 1—3, 10-22-2018; Ord. No. 808, § 2(Exh. B), 9-8-2020; Ord. No. 836, § 1(Exh. A), 10-4-2021; Ord. No. 843, § 2(Exh. B), 4-18-2022; Ord. No. 871, § 2(Exh. B), 5-20-2024)

2.2.20 MU mixed use district.

This district is intended to allow for the development of a mix of uses ~~within the framework of a in~~ accordance with a specific master plan. Every rezoning to this district must include a condition that development occur in accordance with a master plan, which master plan shall include permitted uses allowed on the property. The district regulations are intended to allow greater design flexibility in order to accommodate a pedestrian focused environment that provides opportunities for living, working, shopping, recreation and entertainment.

A. *Applicability.* This zoning district is applicable to properties located within:

1. Areas that are primarily non-residential in character; or
2. Along major roadways that are primarily commercial in character; or
3. Historic Downtown Alpharetta; or
4. As noted in the Comprehensive Land Use Plan.

B. *Permitted Principal Uses.* A property in the MU district may be used only for those uses approved as part of the conditions of approval of the MU zoning on the property, including those identified in the master plan, and as further limited below, and for "Conditional Uses" below. The use of land within an overall MU development is further limited by the following requirements:

1. Dwelling, attached or detached: At least 25% of the MU development shall be utilized as residential dwellings. Land use calculations shall utilize gross floor area for vertical mix of uses and land area for horizontal mix of uses. Dwelling, 'For-Rent' and 'For-Sale' units shall require conditional use approval as set forth in Table 2.2.

-
2. Commercial: At least 10% of the MU development shall be utilized as commercial uses (as approved in the MU master plan). Land use calculations shall utilize gross floor area for vertical mix of uses and land area for horizontal mix of uses.
 3. Open Space: MU developments shall incorporate the following amounts and types of open space:
 - a. All developments: A minimum of 10% of the gross land area shall be designed for use as civic space in conformance with Sec. 2.10.10.C of the North Point Overlay.
 - b. Developments with residential uses: In addition to the requirements of "a" immediately above, each MU development containing residential uses shall provide a minimum of one acre of open space/100 population generated by residential uses. Household size shall be calculated using the most current US Census data for the City of Alpharetta. This requirement shall not apply in the North Point Overlay, where alternate standards apply.
 4. Office/Institutional: At least 25% of the MU development shall be utilized for office buildings. Land use calculations shall utilize gross floor area for vertical mix of uses and land area for horizontal mix of uses.
 5. Redevelopment projects that incorporate existing buildings and do not conform to the dwelling, commercial, or office/institutional percentages set forth in "1", "2" or "4" above (prior to redevelopment) are not subject to said requirements when all of the following are met:
 - a. At least 75% of the total existing floor area remains after redevelopment; and
 - b. The total floor area of new construction does not exceed the total floor area of existing buildings to remain; and
 - c. The redevelopment does not increase the degree of non-conformity with regards to the percentages set forth in "1", "2" or "4" above.

As determined by City staff, uses shall be calculated using one of the following methods:

Horizontal Mixed Use: Land Use Land Area (acres)/Total MU Land Area (acres) = % Land Use of MU Development

Example: 25 acres of Residential Land Use/100 acres of MU Land Area = 25% Residential Land Use of MU Development

Vertical Mixed Use: Land Use Gross Floor Area (square feet)/Total Gross Floor Area of All MU Development (square feet) = % Land Use of MU Development

Example: 25,000 SF of Commercial Land Use/100,000 SF for All Vertical Development = 25% Commercial Land Use of MU Development

Combination of Horizontal and Vertical Mixed Use: Land Use Gross Floor Area (square feet)/Total Gross Floor Area of All MU Vertical and Horizontal Development (square feet) = % Land Use of MU Development

Example: [25,000 SF of Vertical Commercial Land Use + 25,000 SF of Horizontal Commercial Development]/200,000 SF for All Vertical and Horizontal Development = 25% Commercial Land Use of MU Development

- C. *Conditional Uses.* A property in the MU district may be used for those uses listed below and in Table 2.2, as well as any additional uses included in the conditions of approval for the MU zoning on the property.

Conditional uses not included in the master plan shall require a public hearing by the Planning Commission and approval by the City Council.

1. *Residential Uses:*

- a. Dwelling, Group (assisted living facility, congregate housing).
- b. Dwelling, 'For-Rent'.
- c. Dwelling, 'For-Sale', Attached and Detached.
- d. Bed and Breakfast.

2. *Commercial Uses:*

- a. Art Gallery.
- b. Athletic Facility.
- c. Bakery.
- d. Bank, Savings & Loan.
- e. Barber Shop.
- f. Beauty Shop.
- g. Book Store.
- h. Boutique Hotel.
- i. Brewery.
- j. Clinic.
- k. Dance Studio.
- l. Day Care Center.
- m. Distillery.
- n. Drug Store (Pharmacy).
- o. Dry cleaning, Pickup Station.
- p. Fitness Studio.
- q. Florist, Retail.
- r. Grocery Store (max. 50,000 SF in the North Point Overlay).
- s. Hardware and Garden Supply Store (max. 50,000 SF in the North Point Overlay).
- t. Hotel/Motel.
- u. Hotel, Hybrid.
- v. Liquor Store.
- w. Manufacturing. Heavy.

-
- x. Nail Salon.
 - y. Office.
 - z. Pet Grooming.
 - aa. Print Shop.
 - bb. Recreation Facilities, Indoor and Outdoor.
 - cc. Restaurant.
 - dd. Retail Establishment.
 - ee. School, Commercial.
 - ff. Spa Services.
 - gg. Special Event Facility.
 - hh. Theater, Cinema.
3. *Semipublic Uses, Utilities:*
- a. Church, Synagogue.
 - b. Heliport.
 - c. Library.
 - d. Museum.
 - e. Park or Playground.
 - f. Public Building.
 - g. School, Academic.

D. *District Regulations.*

Minimum Lot Size: The minimum area permitted to be zoned for an MU development is 25 acres.

Maximum Density of Dwelling Units: The MU master plan shall establish maximum density for each area within the development. Density for all residential units combined shall not exceed eight (8) dwelling units/acre, except when City Council approves greater density by conditional use in the North Point Overlay. Density shall be calculated based on the gross acreage of the entire MU master plan.

Development Standards: Regulations governing lot size, lot width, setbacks, principal building coverage, floor area of dwelling unit, and height shall be established for each area within the MU master plan and approved through the public hearing process.

Maximum Impervious Area: 80% for the entire MU development.

Civic Space: See Sec. 2.20.B.3.

Open Space: Open space may include residential recreational amenities. However, at least 50% of the required open space shall be provided in passive land area(s).

E. *Review Criteria.* The MU district is intended to promote specific objectives. Therefore, the following shall be considered when reviewing an MU master plan:

1. Retail, restaurant, office, and personal service uses at ground level.
2. Pedestrian connectivity to all uses.
3. Large parking areas below grade, in decks or screened. Design efforts to provide shared parking will also be considered.
4. Accommodations for public transportation.
5. Buildings that face or appear to face public roadways.
6. Appearance standards for buildings and structured parking.
7. Limitations on uninterrupted building elevations.
8. Creation of vistas and view corridors within development.
9. Focal point features at prominent locations and ends of vistas.
10. Incorporation of natural site features.
11. Block lengths conducive to pedestrian traffic.
12. Detention and retention facilities designed to be aesthetically pleasing.
13. Creative methods for stormwater management to provide additional open space.
14. Attractive and usable street furniture in public spaces.
15. Emphasis on a high quality landscape plan.
16. Number of office jobs internally captured on-site.

F. *Time Linkage/Concurrency.* In order to ensure that the objectives of MU district are met and development occurs which incorporates a mix of uses, a development phasing strategy or time line shall be established for each MU project, subject to the following:

1. *Open Space and Civic Space.* No certificate of occupancy for any use shall be issued until a proportional amount of required open space and civic space has been installed.

Furthermore, when reviewing the phasing strategy or timeline, the City Council may link the issuance of other permits and/or certificates of occupancy for a portion of the development with the completion of other portions of the development.

(Ord. No. 702, § 1(Exh. A), 3-2-2015; Ord. No. 732, § 1, 2-6-2017; Ord. No. 741, § 4, 6-5-2017; Ord. No. 744, § 2, 7-10-2017; Ord. No. 749, §§ 2, 3, 9-18-2017; Ord. No. 767, § 4(Exh. A), 10-22-2018; Ord. No. 808, § 2(Exh. B), 9-8-2020; Ord. No. 836, § 1(Exh. A), 10-4-2021; Ord. No. 843, § 2(Exh. B), 4-18-2022; Ord. No. 871, § 2(Exh. B), 5-20-2024.)

TABLE 2.2 LIST OF PERMISSIBLE AND CONDITIONAL USES

On the following table, an "O" means that the use will be permitted in that district only if a Conditional Use Permit is granted by the City Council. An "X" means that the use is permitted in the zoning district subject to the general provisions of the Unified Development Code. An "M" means that a use that is permitted in accordance with an approved master plan that is required for rezoning to the district. An "A" means that the use is permitted as an accessory use in the zoning district subject to the general provisions of the Unified Development Code. An "S" means that the use will be permitted as a subordinate use ~~in that district if a Conditional Use Permit is granted by the City Council in accordance with an approved master plan that is required for rezoning to the district.~~ For uses not included in this list or when the Director of Community Development is unable to determine placement, application shall be made to the Board of Appeals for interpretation.

USES	A G	R E	R	R - 2 2	R - 1 5	R - 1 2	R - 1 0	R - 4 A	R - 4 D	R- 8A /D	R- 10 M	CU P*	OI *	O P	C - 1	C - 2	PS C*	L I	O S- R	S U	M U*
Adult Entertainment Establishment																		O			
Airport, Public/Private	O											O	S					O		X	
Amphitheater												O	S					X	O	X	
Animal Hospital, Small Animal (Veterinarian)	O											O	S		O	O	S	X			
Animal Hospital, Large Animal	O																	X			
Art Galleries												O	S	O	X	X	O M	X			O
Asphalt Plant																		O			
Athletic Facility												O	S		O	X	S	X			O
Auditorium	O											O	S	O	O	O	S	X			
Auto Sales and Leasing (Trucks, Vans,												O				O		X			

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Cars and Accessories)																					
Automotive Parts												O			O	X	S	X			
Automotive Service & Service Station												O	S			X	S	X			
Bakery												O	S	O	X	X	<u>⊖</u> <u>M</u>	X			O
Bank, Savings and Loan, Mortgage Company												O	<u>⊖</u> <u>M</u>	X	X	X	<u>⊖</u> <u>M</u>	X			O
Barber/Beauty Shop												O	S	X	X	X	<u>⊖</u> <u>M</u>				O
Bed and Breakfast	X	O	O	O	O						X	O		X	X	X					O
Book Store or Stationery												O	S	A	X	X	<u>⊖</u> <u>M</u>	X			O
Bottle Gas Storage and Distribution																		X			

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Boutique Hotel											O	S			O	S	O			O
Bowling Alley											O	S		O	X	S	X			
Brewery											O	S		O	O	⊖ M	X			O
Broadcasting Studio (Radio and TV)	O										O	⊖ M			X	S	X			
Builder's Equipment/Material	O										O				O		X			
Car Wash												S			O	⊖ M	X			
Carpenter Shop, Woodworking	O																X			
Carpet and Rug Sales														X	X	⊖ M	X			
Cemetery	O																		O	
Check Cashing														O	O		X			
Church, Synagogue	O	O	O	O	O	O	O	O	O	O	O	⊖ M	O	O	O	S	X		O	O

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Clinic, Public/Private												O	⊖ M	X	X	X	⊖ M				O
Club, associations, or Lodge	O			O	O	O	O	O	O	O	O	O	⊖ M	O	O	O	S			O	
Concrete Plant																		O			
Congregate Housing, Assisted Living Facility											O	O	⊖ M		O	O		X			O
Contractor's Office without outside storage												O	S	X	O	X		X			
Contractor's Office with outside storage												O				O		X			
Convenience Center w/Gas Pumps												O	S			X	S	X			
Country Club	O	O	O	O	O	O	O	O	O	O	O	O	S								

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Dance Studio											O	S		X	X	<u>⊖</u> <u>M</u>	X			O
Day Care Center											O	<u>⊖</u> <u>M</u>	X	X	X	<u>⊖</u> <u>M</u>	X			O
Discount Store																	X			
Distillery											O	S		O	O	<u>⊖</u> <u>M</u>	X			O
Drug Store (Pharmacy)											O	<u>⊖</u> <u>M</u>		X	X	<u>⊖</u> <u>M</u>	X			O
Dry Cleaning, Pick-Up Station											O	S	O	X	X	S	X			O
Dry Cleaning, Plant																	O			
Dwelling, 'For-Sale', Attached								X		X	X	O				<u>⊖</u> <u>M</u>				O
Dwelling, 'For-Sale', Detached	X	X	X	X	X	X	X		X	X		O				<u>⊖</u> <u>M</u>				O
Dwelling, 'For-Rent'										X	O									O

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Dwelling, Group											O	O	O M		O	O					O
Equestrian Center	O	O	O	O	O							O								X	
Extended Stay Hotel (see Section 2.7)												O	S			O		O			
Family Day Care Home (accessory use)	X	X	X	X	X	X	X	X	X	X	X	O									
Farmlands (including Livestock, poultry)	X																				
Fire station												O	S							X	
Fireworks Sales																		X			
Fitness Studio												O	S	O	X	X	S	X			O
Florist, Retail												O	S	O	X	X	O M				O
Funeral Homes with no cemetery												O	S		O	O	S	X			

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USES	A G	R E	R R	R - 2 2	R - 1 5	R - 1 2	R - 1 0	R - 4 A	R - 4 D	R- 8A /D	R- 10 M	CU P*	OI *	O P	C - 1	C - 2	PS C*	L I	O S- R	S U	M U*
or mausoleum																					
Glass Fabrication																		O			
Golf Course, Driving Range	O	O	O	O	O	O	O	O	O	O	O	O	O M					O		X	
Golf, Miniature												O	S		O	O	S			X	
Greenhouse, Nursery	O															O	S	X			
Grocery Store												O			O	X	O M	X			O
Group Home, Special Care Home (accessory use)	X	X	X	X	X	X	X					O									
Hardware and Garden Supply Store												O			X	X	O M	X			O
Heliport, Public/Private	O											O	O M				S	X		X	O

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USES	A G	R E	R	R - 2 2	R - 1 5	R - 1 2	R - 1 0	R - 4 A	R - 4 D	R- 8A /D	R- 10 M	CU P*	OI *	O P	C - 1	C - 2	PS C*	L I	O S- R	S U	M U*
Home Improvement Store																X	⊖ M	X			
Home-Elderly, Children, Nursing											O	O	⊖ M			O	O		X		
Hospital												O	⊖ M			O	X		X	X	
Hotel or Motel												O	S			O	O	S			O
Indoor Shooting Range																			O		
Junk/Salvage Yard																			O		
Kennel	O																		X		
Laboratory, Research Commercial												O	S						X		
Laundry, Industrial												O							O		
Laundry, Self-Serve, Pick-Up												O				X	X	⊖ M	X		

TABLE 2.2 LIST OF PERMISSIBLE AND CONDITIONAL USES

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USES	A G	R E	R	R - 2 2	R - 1 5	R - 1 2	R - 1 0	R - 4 A	R - 4 D	R- 8A /D	R- 10 M	CU P*	OI *	O P	C - 1	C - 2	PS C*	L I	O S- R	S U	M U*
Limousine Service and Taxi (with or without outside vehicle storage)																O		X			
Liquor Store												O	S		O	X	⊖ <u>M</u>	X			O
Locker, Frozen Food or Cold Storage												O						X			
Machine Shop																		X			
Manufacturing, Heavy, General																		O			
Manufacturing, Light												O	S					X			
Massage Therapy																O		X			
Medical Cannabis or Marijuana Dispensary																		O			

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Mini-warehouse Storage, Conditioned or Unconditioned space																		X			
Museum and Libraries												O	⊖ M		X	X	S	X		X	O
Nail Salon												O			X	X	S	X			O
Office												O	⊖ M	X	X	X	⊖ M	X			O
Park or Playground	X	X	X	X	X	X	X	X	X	X	X	O	S	X	X	X	S	X	X	X	O
Parking Lot, Commercial												O	S		O	X	S	X			
Pawn Shop																		X			
Pest Control Business (with or without onsite chemical storage)															O	O		X			
Pet Day Care												O			X	X	S	X			

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Pet Grooming												O			X	X	S	X			O
Power Station												O							O	O	
Print Shop												O	S	A	X	X	S	X			O
Prison																				O	
Public Building												O	⊖ M	O	O	O	S	X		O	O
Recreation Facilities, Indoor (Health Clubs, Skating Rink, Billiards, Children's event facilities, etc.)												O	⊖ M		O	O	S	X			O
Recreational Facilities, Outdoor												O	⊖ M			O	S	X		O	O
Recycling Center																			O		
Rental Services Establishment without												O			O	X	⊖ M	X			

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outside storage																					
Rental Services Establishment with outside storage																		X			
Research and Development												O	⊖ <u>M</u>					X			
Restaurant												O	S	O	X	X	⊖ <u>M</u>	X			O
Restaurant w/Drive-thru window												O	S		O	X	⊖ <u>M</u>	X			
Retail Establishment												O	S	A	X	X	⊖ <u>M</u>	X			O
Retail Establishment (Mixed Sales)												O			O	X	⊖ <u>M</u>	X			
Sawmill																		O			
School, Academic												O	⊖ <u>M</u>	O	X	X	S	X		X	O
School, Commercial												O	S	O	X	X	S	X			O

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(Beauty, Business)																					
Septic Tank, Sales, Construction																		X			
Sewage, Disposal Plant																		O			
Shop or Studio, Craftsman/Artist												O		O	X	X	S	X			
Small Appliance Repair Shop																O		X			
Smoke Shop and Tobacco Store															O	O		X			
Spa Services												O	S	O	O	O	S	X			O
Special Event Facility	O											O	O M		O	O	S	X			O
Storage, Inside																		X			
Storage, Outside																		X			

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Switching Station (Telecom)												O						X			
Tattoo Parlor and Body Piercing																		X			
Taxidermist	X																	X			
Theater, Cinema												O	⊖ <u>M</u>			O	O	S	X		O
Tire Retreading																		O			
Transfer Station																		O			
Utility Substation	O	O	O	O	O	O	O	O	O	O	O	O	S	O	O	O	S	O	O	X	
Welding Shop																		X			
Wholesale Establishment												O					S	X			
Wireless Tower (subject to approval of conditional use permit in	O											O	S			O	S	O		O	

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accordance with Section 2.8.7)																					

(Ord. No. 671, § 1, 2-4-2013; Ord. No. 675, § 1, 6-3-2013; Ord. No. 692, § 1(Exh. 1), 7-21-2014; Ord. No. 703, § 1, 6-1-2015; Ord. No. 704, § 2, 6-1-2015; Ord. No. 708, § 1, 8-10-2015; Ord. No. 715, § 4, 9-28-2015; Ord. No. 718, § 14(Exh. B), 12-14-2015; Ord. No. 730, § 5, 12-5-2016; Ord. No. 741, § 5(Exh. A), 6-5-2017; Ord. No. 744, § 7(Exh. A), 7-10-2017; Ord. No. 767, § 7(Exh. C), 10-22-2018; Ord. No. 772, § 8(Exh. A), 2-4-2019; Ord. No. 808, § 2(Exh. B), 9-8-2020; Ord. No. 813, § 1(Exh. A), 10-26-2020; Ord. No. 835, § 1(Exh. B), 10-4-2021; Ord. No. 836, § 1(Exh. A), 10-4-2021; Ord. No. 843, § 2(Exh. B), 4-18-2022)

* Uses under the CUP, PSC, MU, and O-I Zoning Districts shall be permissible through an approved master plan ~~amendment~~ and statement of intent.

~~SECTION 2.2 a. — CONDITIONAL USE REVIEW CRITERIA~~

~~When reviewing a conditional use, consideration shall be given to factors associated with the use including, but not limited to, the following:~~

1. Site design	4. Vehicular trips generated by the use
2. Property access	5. Impact of the use on surrounding properties
3. Hours of operation of the business	6. Impact of the use on the natural features of the site