



City Council Meeting & Public Hearing

MARCH 28, 2022

Office of the City Clerk

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

OFFICIAL MINUTES

The public is advised that the following minutes are not a verbatim transcription of business presented at the Council Meeting of the date shown; but are a synopsis of pertinent information. The public is further advised that the tapes recorded at said meeting are a matter of public record and are available to be heard at the City of Alpharetta's Clerk's office during normal business hours or viewed online at <https://www.youtube.com/user/alpharettagov>.

I. CALL TO ORDER

- Mayor Gilvin called the meeting to order at 6:30 p.m.

II. ROLL CALL

- Council Members
 - Mayor Jim Gilvin
 - Mayor Pro Tem Dan Merkel
 - Donald F. Mitchell
 - Brian Will
 - Douglas J. DeRito
 - John Hipes
 - Jason Binder
- Staff
 - Bob Regus, City Administrator
 - Mike Stacy, City Attorney
 - James Drinkard, Asst. City Administrator
 - Lauren Shapiro, City Clerk
 - Kathi Cook, Director of Community and Economic Development
 - John Robison, Director of Public Safety
 - Morgan Rodgers, Director of Recreation, Parks & Cultural Services
 - Peter Sewczwicz, Director of Public Works
 - Michael Woodman, Planning and Development Services Manager
 - Adam Montgomery, Information Technology Manager
 - Eric Graves, Senior Transportation Engineer/Planner
 - Kurt Kirby, Projects Manager

III. PLEDGE TO THE FLAG

IV. PRESENTATIONS & PROCLAMATIONS

A. Planning Commission Service Award & Proclamation – Larry Attig

- Mayor Gilvin presented a Proclamation to former Planning Commissioner, Larry Attig.

V. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 3/21/2022)

- ❖ Council Member Mitchell offered a motion to approve Council Meeting Minutes from 3/21/2022.
 - Council Member Hipes seconded the motion.
 - The motion was approved (6-0-1, as Mayor Pro Tem Merkel abstained from voting since he was not present during the 3/21/2022 City Council meeting).

VI. PARTNERSHIP UPDATES

A. MARTA GA 400 Update

- The following representatives came forward to present the MARTA GA 400 Update:
 - Freda Hardage, MARTA Board of Directors – North Fulton Representative
 - Marcus Arnold, MARTA Project Manager
 - Jacob Vallo, MARTA Senior Director of Transit Oriented Development
 - Colleen Kiernan, MARTA Senior Director of Government & Community Affairs
- Marcus Arnold came forward and presented the following information.
 - 12 miles of Bus Rapid Transit connecting to North Springs Rail Station to Windward Parkway
 - State of Georgia committed to providing \$100M toward this project
 - GDOT SR 400 Express Lanes Procurement Schedule
 - September 2022: Release Draft Request for Proposals
 - March 2023: Release Final RFP
 - June 2023: Proposals Due
 - August 2023: Developer Selection
 - Station Locations: Windward Parkway, Old Milton Parkway, North Point Parkway, Holcomb Bridge Road, and North Springs
- Jacob Vallo came forward and presented the following information regarding economic development.
 - More density around the MARTA projects increases ridership and ROI
 - MARTA owns 12 acres at Windward Parkway.
 - MARTA does not control use or density, jurisdictions/municipalities do.

- Three (3) Station Properties in Alpharetta (Windward, Old Milton, North Point Mall)
- Colleen Kiernan came forward and presented the following information regarding funding sources.
 - 3 Phases: GDOT Express Lanes, Marta BRT Stations, Ongoing Operations and Maintenance
 - The second phase (Marta BRT) is the phase that needs to be determined. The cost for this phase is around \$200-\$325M.
 - This is a collaborative effort and renderings are only to get an idea of the use of the facility and could be changed to a different type of material (stacked stone).

City Council Discussion

- Council Member Hipes shared that he would like to see limitations on advertising (bridges, buses, benches) in order to keep aesthetics of the City.
- Council Member Mitchell shared that he did not like the metal and glass features in the renderings (citizens would prefer to see more traditional architecture), and he is concerned with parking for residents coming from the east or west to use the BRT in Alpharetta.
- Council Member DeRito shared that he would be interested in seeing MARTA continuing further north and was curious to know whether the BRT could be transferred into a light rail station in the future. Further, he wanted to see that bike racks and EV charging stations would be added as well.
- Council Member Binder shared that he wanted to know more about the design guideline process for stations in Alpharetta and the formula for how each local municipality will participate financially.
 - MARTA representatives said that in a recent project, Marta took their station design through the City of Atlanta's Design Review Board.
- Mayor Gilvin shared that to help congestion and the residents in Alpharetta, the BRT needs to go towards Johns Creek, not to the West. A challenge is raising the sales tax (currently about \$16M generated each year), because our residents are not getting that same level of service in return for the taxes paid.

VII. PUBLIC HEARING

A. Z-22-01 / V-22-03 / Wexler / 182 Marietta Street

Consideration of a rezoning from C-2 (General Commercial) to DT-R (Downtown Residential) to allow for 1 'For-Sale' single-family detached home on 0.72 acres in the Downtown Overlay. A variance is requested to reduce buffer requirements. The property is located at 182 Marietta Street and is legally described as being located in Land Lots 694 & 1270, 1st District, 2nd Section, Fulton County, Georgia.

- Michael Woodman, Planning and Development Services Manager, came forward to present this item.
- Staff is recommending that Mayor and Council approve Z-22-01/V-22-03 Wexler /182 Marietta Street, subject to the following conditions:

1. Approximately 0.71 acres shall be zoned DT-R and limited to 1 single-family detached home. Site shall be developed substantially similar to the submitted site layout, labeled Exhibit A, except for modifications required to comply with the conditions below and subject to meeting all City code requirements and conditions of zoning.
 2. Home elevation shall be substantially similar to the submitted home elevation, labeled Exhibit B, with final approval by the Downtown Consultant and DRB.
 3. Home and garage shall maintain a minimum 20' front setback, 10' side setback and 10' rear setback.
 4. Landscape strip along Marietta Street shall be planted with shade trees as a continuation of what has been planted or designed in the Downtown and outside of utility easements and overhead utilities, as approved by Staff.
 5. A decorative low wall, metal fencing or hedge with columns shall frame the front yard.
 6. A 10' planted buffer shall be provided along the east, south, and west property lines and planted with a mix of evergreen trees and shrubs. Existing trees within the 10' buffers identified to be in Good condition shall be saved, with final approval by Staff.
 7. Property owner shall improve Marietta Street frontage with a 6' planter planted with street trees, 6' sidewalk and decorative pedestrian lighting, as approved by Staff.
 8. Property owner acknowledges that redevelopment of the properties to the east and west with a commercial or mixed-use development shall not require a buffer adjacent to the subject property.
 9. Home, accessory structures and infiltration shall be positioned on the property to have the least impact to existing trees along the west and south property lines, as approved by Staff.
 10. Fences and walls visible from the public right-of-way shall be decorative, as approved by Staff. Unfinished wood fences and decks shall not be visible from the street.
- This item was considered at the 3/2/2022 Planning Commission meeting. Staff recommended approval subject to 10 conditions. There were no public comments. Vice Chair Brady requested that building height be updated in the staff report to reflect the latest elevation. After discussion, Planning Commission recommended approval, subject to staff's recommended conditions (Vote 6-0).
 - The CZIM was held on CZIM was held on February 9, 2022. There were no public comments.
 - The submitted request, if approved, would allow for the construction of one (1) 'For-Sale' single family detached home on 0.71 acres in the Downtown. The applicant proposes a rezoning from C-2 (General Commercial) to DT-R (Downtown Residential) and a variance to reduce undisturbed buffers. The subject property is located at 182 Marietta Street on the south side of Marietta Street and just west of Marjean Way.
 - The property is developed with a single-family detached home that has been converted to a Contractor's Office (Sutton's Service Appliance Repair). Surrounding properties are zoned C-2 to the east and south, O-P (Office-Professional) to the west and R-8A (Dwelling, 'For-Sale' Attached) to the north. Windsong townhomes are located to the north, 172 Marietta Street (former residence converted to business use) to the east, 204 Marietta Street (Gibraltar Real Estate Services – former residence converted to business use) to the west

and Alpharetta Beach House office development to the south. The Comprehensive Land Use Plan designation of the property is 'Mixed Use', which allows the proposed single-family detached home.

- A variance is requested to reduce the 50' undisturbed buffers required adjacent to commercial properties. Commercially zoned land abuts the subject property on the east, south and west sides. In most cases, non-residential properties provide the undisturbed buffers. But, since the applicant proposes a rezoning to allow residential use, the buffer requirement becomes the applicant's responsibility. The property to the rear, Alpharetta Beach Houses, already provides a buffered area which ranges in width from 25' to 60'. The properties to the east and west have been converted to commercial uses and could redevelop in the future under the current zoning, C-2 and O-P, or through rezoning to a Downtown zoning district.
- According to the applicant, the home will be two (2) stories and approximately 5,000 square feet. A driveway with Porte cochere is proposed on the east side of the home leading to a garage at the rear of the property. The garage and driveway will accommodate the required resident and guest parking. The home is depicted with a 40' front setback (not including the covered entry) and a minimum fifteen-foot (15') side setback. The garage at the rear of the property is depicted with an eight-foot (8') side setback and 22' rear setback. DT-R allows a minimum ten-foot (10') front setback, zero-foot (0') side setback (ten-feet (10') between structures), and ten-foot (10') rear setback.
- The applicant's arborist identified five (5) specimen-sized Oaks in the front yard of the property, of which all are in Poor condition and should not be considered for preservation.
- The applicant submitted inspiration photos and an elevation depicting the home in the Neoclassical or Beaux Arts style. The City's Downtown Consultant reviewed the inspiration photos and believes the style complies with the Downtown Overlay architectural regulations.
- Staff has reviewed the applicant's proposal and finds that the request for rezoning and variance do not conflict with the established review criteria. The zoning proposal is consistent with the vision of the Downtown Master Plan and comprehensive land use plan designation of the property. The Mixed-Use future land use designation of the property allows for single use development, residential and commercial, as well as mixed-use development.
- Application of the 50' undisturbed buffer requirement would discourage residential development along Marietta Street, which already has a residential presence and feel. If approved, a condition is recommended absolving the properties to the east and west from buffer requirements if those properties redevelop with commercial or mixed-use development.
- The applicants, Andrew and Kourtney Wexler, came forward to speak on behalf of this application.

Public Comment:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve Z-22-01/V-22-03 WEXLER/182 MARIETTA STREET, subject to the following conditions:
 1. Approximately 0.71 acres shall be zoned DT-R and limited to 1 single-family detached

home. Site shall be developed substantially similar to the submitted site layout, labeled Exhibit A, except for modifications required to comply with the conditions below and subject to meeting all City code requirements and conditions of zoning.

2. Home elevation shall be substantially similar to the submitted home elevation, labeled Exhibit B, with final approval by the Downtown Consultant and DRB.
3. Home and garage shall maintain a minimum 20' front setback, 10' side setback and 10' rear setback.
4. Landscape strip along Marietta Street shall be planted with shade trees as a continuation of what has been planted or designed in the Downtown and outside of utility easements and overhead utilities, as approved by Staff.
5. A decorative low wall, metal fencing or hedge with columns shall frame the front yard.
6. A 10' planted buffer shall be provided along the east, south, and west property lines and planted with a mix of evergreen trees and shrubs. Existing trees within the 10' buffers identified to be in Good condition shall be saved, with final approval by Staff.
7. Property owner shall improve Marietta Street frontage with a 6' planter planted with street trees, 6' sidewalk and decorative pedestrian lighting, as approved by Staff.
8. Property owner acknowledges that redevelopment of the properties to the east and west with a commercial or mixed-use development shall not require a buffer adjacent to the subject property.
9. Home, accessory structures and infiltration shall be positioned on the property to have the least impact to existing trees along the west and south property lines, as approved by Staff.
10. Fences and walls visible from the public right-of-way shall be decorative, as approved by Staff. Unfinished wood fences and decks shall not be visible from the street.
 - o Council Member DeRito seconded the motion.
 - o The motion was approved unanimously (7-0).

B. PH-22-01 / Unified Development Code Text Amendments – Research/Development, Laboratory, Athletic Facility & Fitness Studio, and Driveways

Consideration of text amendments to the Unified Development Code (UDC) to add definitions, uses and regulations associated with Research & Development, Laboratory, Athletic Facility & Fitness Studio, and Driveways.

- Director of Community and Economic Development, Kathi Cook, came forward to present this item.
- This item was considered at the 3/2/2022 Planning Commission meeting. There were no public comments. After discussion, Planning Commission recommended approval (6-0).
- If approved, text amendments would be incorporated into the City's Unified Development Code Sections 1.4, 2.2, 2.3, 2.5, 3.4, and Appendix A: Alpharetta Downtown Code. Proposed amendments are attached as "Exhibit A."
- It is recommended that 'Athletic Facility, Fitness Studio' be separated into two (2) distinct uses and that definitions be added for each use. The uses are proposed to be assigned as permitted or conditional uses in commercial, office, light industrial and mixed-use zoning

categories.

- 'Laboratory, Research or Commercial' is a use that is identified in the UDC; however, there is currently no definition. The proposed definition cites the four (4) levels of laboratory biosafety established at the Federal level and limits laboratory containment to biosafety levels 1, 2 and 3.
- In response to market demand for life sciences and biotechnology opportunities, a new use and definition is recommended for 'Research and Development'. The use is proposed as a permitted use in existing Office Buildings and Office Parks and where office is a permitted use within an existing master plan in the CUP (Community Unit Plan) and O-I (Office-Institutional) districts, as well as in the LI (Light Industrial) district.
- Text amendments are recommended to clarify that driveway access on double frontage lots should be from the lower classification street. In addition, an amendment is recommended to clarify that residential lot curb cuts or driveways may be closer than 300' from a curb cut on an adjacent residential lot, but that an individual residential lot may not have more than one (1) curb cut per 300' of street frontage.

City Council Discussion

- Council Member Hipes asked about athletic facilities and incidental uses (tanning beds and massage) and suggested providing a clearer definition of incidental use.
 - Director Cook shared that it an incidental use would need to be a much smaller to the primary portion of the use.
- Mayor Gilvin shared that historically, traffic has been an issue at this location because of the internal traffic patterns (egress and ingress).
- City Attorney Mike Stacy read the ordinance title aloud.

Public Comment:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve PH-22-01 / Unified Development Code Text Amendments – Research/Development, Laboratory, Athletic Facility & Fitness Studio, and Driveways.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (7-0).

C. PH-22-02 / 63 South Main Street Parking In-Lieu

This item has been withdrawn by the applicant and will not be discussed or considered during tonight's meeting

Consideration of a request to allow vehicular parking requirements for approximately thirteen (13) parking spaces to be satisfied through payment of parking in-lieu fees. The property is located at 63 South Main Street and is legally described as being located in Land Lot 1269, 2nd District, 2nd Section, Fulton County, Georgia.

VIII. NEW BUSINESS

A. Alpha Loop Downtown Link – Planning Services Task Order

- Director of Community and Economic Development, Kathi Cook, came forward to present this item.

- Staff is recommending that Mayor and Council approve Task Order 1-Downtown Alpha Link Framework Plan in the amount of \$67,538.00 to Starr Whitehouse, under their contract for on-Call Planning Services.
- The Alpha Loop has proven to be a top resident trail for recreation as well as a dynamic economic driver since its original conception in 2015. Several private developments have advanced the City's concept by incorporating the Loop as amenity space within new developments and redevelopments. Continuing the Alpha Loop expansion through the Downtown District and determining the best connections to alleys, parking facilities and street crossings is vital in order to provide staff with information needed to obtain required easements as part of development.
- The scope of this project will include studying existing downtown roads, parking locations and alley grid to determine a concept plan that will connect the Downtown Spur to Wills Park, the Alpha Loop along Devore Road, and recommendations for an improved pedestrian crosswalk at Old Milton Parkway to connect to the main spur at Northwinds that will connect in the future to the North Point Ecco District. Concept plans will be developed for key crossings at Old Milton Parkway, Roswell Street and South Main Street.
- This effort will be led by Starr Whitehouse, recently awarded an On-Call Planning Services contract with the City. Under this task order, a district-wide framework plan for the Alpha Loop Downtown Link will be developed to further walkability within the Downtown District and enhance connections to the rest of the City. Invoices will be based on the billing rates established in the Master On-Call Contract.

Public Comment:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve Task Order 1-Downtown Alpha Link Framework Plan in the amount of \$67,538.00 to Starr Whitehouse, under their contract for on-Call Planning Services.
 - Council Member Hipes seconded the motion.
 - The motion was approved unanimously (7-0).

B. RFP 22-110 Landscape Maintenance and On-Call Construction Services for Parks

- Director of Recreation, Parks, and Cultural Services, Morgan Rodgers, came forward to present this item.
- Staff is recommending that Mayor and Council approve the award of RFP 22-110 Landscape Maintenance and On-Call Construction Services for Parks as follows:
 - Level I service to Crabapple Turf Management at an annual cost of \$171,624.00;
 - Level II service to Tri Scapes at an annual cost of \$499,901.04;
 - Planter Maintenance to Crabapple Turf Management at an annual cost of \$39,861.00;
 - One-time work for the Main Street Median repairs to Tri Scapes at a one-time cost of \$77,178.50; and
 - To authorize the Mayor to execute all necessary documents.
- The current contract for parks landscape maintenance is set to expire this fiscal year.

- This RFP (22-110) is to provide four (4) different services:
 - Level 1 Work Areas: These areas are designated as such due to greater content of ornamental landscape plants and therefore will be more time-consuming maintenance practices.
 - Level 1 Work Areas: These areas are general park areas, sport/ball fields, and play areas.
 - Planter Containers, Vessels, Urns, and Pots Maintenance: Watering and planting of the approximately 75 planters located throughout the downtown area.
 - Year One, One-time Enhancement Work: Landscape installation and soil preparation for the areas along Main Street and within the medians of Main Street (Marietta Street to Academy Street).
- The duration of the contract will be for five (5) years, beginning on May 1, 2022.

Public Comment:

- There were no public comments.
- Council Member Hipes offered a motion to approve the award of RFP 22-110 Landscape Maintenance and On-Call Construction Services for Parks as follows:
 - Level I service to Crabapple Turf Management at an annual cost of \$171,624.00;
 - Level II service to Tri Scapes at an annual cost of \$499,901.04;
 - Planter Maintenance to Crabapple Turf Management at an annual cost of \$39,861.00;
 - One-time work for the Main Street Median repairs to Tri Scapes at a one-time cost of \$77,178.50; and
 - To authorize the Mayor to execute all necessary documents.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved unanimously (7-0).

C. Approval of Design Contract for Wacky World Restrooms at Wills Park

- Director of Recreation, Parks, and Cultural Services, Morgan Rodgers, came forward to present this item.
- Staff is recommending that Mayor and Council approve a total contract amount not to exceed \$56,580.00 with TSW for construction drawings and cost estimates for design services for the restrooms located at Wacky World Playground in Wills Park and authorize the Mayor to execute all associated documents.
- In March, 2017, TSW, who was an on-call design service for the Recreation, Parks & Cultural Services was contacted to develop several designs for the replacement of the restrooms at Wills Park Wacky World and at North Park Softball fields.
- During the discussion of possible funds coming from the Rescue Act, the restrooms were selected as a possible project to move forward on.
- With the bond passing, the Wills Park Wacky World restrooms are moving forward.
- Staff asked TSW to put together a proposal for the construction drawing, which they did in

the amount of 49,500.00. This amount did not include an alternate to generate a construction cost estimate for the project. The proposal for the cost estimate was \$7080.00, making the grand total for the project \$56,580.00. Funding is available within the Series 2020 Bond account.

City Council Discussion

- Council Member Binder asked about budgeting for this item and whether this bathroom design would be replicated at other parks.
- Council Member DeRito asked about safety and bathroom closing hours (automatic locks) installed in the bathrooms.
- Mayor Gilvin shared that this cost seems high for design of a restroom.
 - Director Rodgers shared that this restroom will be very large (2,000 square foot restroom), since this is the most used restroom in our parks.
- Council Member Mitchell shared that he would like this restroom to look aesthetically pleasing, since it will be in the parks for quite a long time.

Public Comment:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve a total contract amount not to exceed \$56,580.00 with TSW for construction drawings and cost estimates for design services for the restrooms located at Wacky World Playground in Wills Park and authorize the Mayor to execute all associated documents.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved unanimously (7-0).

D. Wills Park Maintenance Facility Construction

This item has been deferred by Staff to the April 18, 2022 City Council Meeting and will not be discussed or considered during tonight's meeting

E. Resolution – City Solicitor

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia providing that the position of City Solicitor will be occupied by a full-time, at-will City employee; providing for the term of the City Solicitor; and for other purposes.

- City Administrator, Bob Regus, came forward to present this item.
- This resolution will make sure that the term of the solicitor is consistent with the duration of the employment of the person serving as solicitor (an indefinite, at-will term).
- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member Will offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia providing that the position of City Solicitor will be occupied by a full-time, at-will City employee; providing for the term of the City Solicitor; and for other purposes.

- Council Member DeRito seconded the motion.
- The motion was approved unanimously (7-0).
- City Attorney, Mike Stacy, explained that the City is in negotiations with property owners, but out of abundance of caution, in order to meet the project and Georgia Condemnation Law deadlines, the City does need to resolve to condemn.

F. Resolution to Authorize the Use of Eminent Domain – 13075 Tidewater Crossing

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13075 Tidewater Crossing, Alpharetta Georgia (Tax parcel No.: 21 -5680-1033-085-2) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13075 Tidewater Crossing, Alpharetta Georgia (Tax parcel No.: 21 -5680-1033-085-2) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Council Member Mitchell seconded the motion.
 - The motion was approved unanimously (7-0).

G. Resolution to Authorize the Use of Eminent Domain – 5015 Tidewater Way

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 5015 Tidewater Way, Alpharetta Georgia (Tax parcel No.: 21 -5680-1033-073-8) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member Mitchell offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 5015 Tidewater Way, Alpharetta Georgia (Tax parcel No.: 21 -5680-1033-073-8) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Council Member Binder seconded the motion.
 - The motion was approved unanimously (7-0).

H. Resolution to Authorize the Use of Eminent Domain – 5035 Tidewater Way

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 5035 Tidewater Way, Alpharetta Georgia (Tax parcel No.: 21 -5680-1054-071-6) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 5035 Tidewater Way, Alpharetta Georgia (Tax parcel No.: 21 -5680-1054-071-6) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved unanimously (7-0).

I. Resolution to Authorize the Use of Eminent Domain – 5055 Tidewater Way

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 5055 Tidewater Way, Alpharetta Georgia (Tax parcel No.: 21 -5680-1054-069-0) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member Binder offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 5055 Tidewater Way, Alpharetta Georgia (Tax parcel No.: 21 -5680-1054-069-0) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Council Member Hipes seconded the motion.
 - The motion was approved unanimously (7-0).

F. Resolution to Authorize the Use of Eminent Domain – 13013 Dartmore Avenue

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13013 Dartmore Avenue, Alpharetta Georgia (Tax parcel No.: 21 -5680-1054-096-3) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13013 Dartmore Avenue, Alpharetta Georgia (Tax parcel No.: 21 -5680-1054-096-3) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (7-0).

G. Resolution to Authorize the Use of Eminent Domain – 13033 Dartmore Circle

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13033 Dartmore Circle, Alpharetta Georgia (Tax parcel No.: 21 -5680-1054-091-4) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member Will offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13033 Dartmore Circle, Alpharetta Georgia (Tax parcel No.: 21 -5680-1054-091-4) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Council Member Hipes seconded the motion.
 - The motion was approved unanimously (7-0).

IX. PUBLIC COMMENT

- Gholam Zainalian (502 Bass Chase NW, Kennesaw, GA 30144) came forward to speak on matter related to a police report filed against him.

X. REPORTS

- Council Member Hipes shared that it is a new day in the City of Alpharetta; this Saturday, April 2nd, the Farmer's Market returns to Downtown Alpharetta.
- Council Member DeRito shared that James Drinkard, Kathi Cook, and Pete Sewczwicz held a meeting last Thursday with residents about concerns with stormwater drainage and there was great attendance and residents provided positive feedback.
- Director Robinson came forward to address comments that were made during the public comment portion of the meeting. Director Robinson shared that this was a criminal trespass case, and there are also federal guidelines for redactions made during responses to open records requests.

XI. ADJOURNMENT TO EXECUTIVE SESSION

- ❖ Council Member Hipes offered a motion to adjourn to executive session.
 - Council Member Binder seconded the motion.
 - The motion was approved unanimously (7-0).
- With there being no further items to consider or discuss, Mayor Gilvin adjourned the meeting at 8:58 p.m.

Respectfully submitted,



Lauren Shapiro, City Clerk

EXHIBIT A

1.4.2 Defined terms.

Athletic Facility. An establishment sometimes referred to as a health club or gym. These facilities are typically located in a large space containing special equipment, and may include indoor and/or outdoor courts (tennis, basketball, etc.) and swimming facilities, where people go to do physical exercise. Establishments tend to be general exercise facilities but often provide specialized classes. Businesses frequently include incidental related services such as, personal training, tanning beds, massage and stretch therapy, nutritional programs, café, juice bars, and retail sales.

Fitness Studio. An establishment where equipment or instruction is provided for a specialized activity related to physical well-being such as, personal training, dance, martial arts, boxing, yoga, barre and other forms of similar physical exercise. These facilities are typically located in a smaller space due to their focused specialty. Businesses frequently include incidental related services such as, tanning beds, massage and stretch therapy, nutritional programs, café, juice bars, and retail sales.

Laboratory, Research or Commercial (also see Research and Development). A facility that provides controlled conditions in which scientific or technological research, experiments, and measurement may be performed. At the Federal level, four levels of laboratory biosafety have been created. The levels denote the types of actions, administrative (procedures, training or physical controls (protective gear, filtration) that should be used to contain the agent(s) being worked with. Containment means protection of the lab workers, those in the building, and the greater environment. Containment level limited to biosafety levels 1, 2 and 3.

Research and Development. A use that includes activities that businesses undertake to innovate and introduce new products and services, such as biomedical, software and technology development and manufacturing, technically oriented services and training facilities, engineering and consulting, scientific laboratories and clean rooms, office and corporate headquarters. Incidental related commercial and services uses are permitted within this use. Space dedicated to manufacturing and laboratory activities shall be limited to no more than 50% of a building or development.

2.2.1 AG agriculture.

- A. *Permitted Principal Uses.* A property in the AG 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. Bed and Breakfast.
 - b. Dwelling, 'For-Sale' Detached.
 - c. Farmlands, including livestock, poultry.
 2. Business Uses.
 - a. Taxidermist.
 3. Semipublic Uses, Utilities.
 - a. Park or Playground.
- B. *Accessory Uses.* A property in the AG 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. Group Home.
 5. Special Care Home in a detached 'For-Sale' dwelling.
 6. Swimming pool, tennis court, detached garage, play house, green house, storage shed, patio, gazebo and other private recreation facilities.
 7. Clubhouse, swimming pool, or community recreation facilities serving a development.
 8. Barns, stables and similar structures for the housing, repair, storing, or processing of farm products of the property.
 9. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 10. Signs, subject to all of the requirements regulating signage herein.
 11. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Uses.* A property in the AG district may be used for any of the following only upon approval as a conditional use by the City Council:
1. Residential and Agricultural Uses.
 - a. Additional 'For-Sale' detached dwelling.
 - b. Greenhouse, Nursery.
 2. Business Uses.

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- a. Animal Hospital, Veterinarian.
 - b. Broadcasting (Radio or TV).
 - c. Builder's Equipment.
 - d. Carpenter Shop, Woodworking.
 - e. Equestrian Center.
 - f. Golf Course, Driving Range.
 - g. Kennel.
 - h. Special Event Facility.
3. Semipublic Uses, Utilities.
- a. Airport.
 - ~~b. Athletic Facility.~~
 - b. Auditorium.
 - c. Cemetery.
 - d. Church, Synagogue or any other religious institution.
 - e. Club or Lodge.
 - f. Country Club.
 - g. Heliport, Public/Private.
 - h. Utility Substation.
 - i. Wireless Tower.

D. District Regulations.

Minimum lot size—5 acres.

Minimum Lot Width—200 feet.

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—25 feet.

Rear yard—50 feet.

Maximum Ground Coverage By Principal Buildings—25%.

Maximum Building Height—35 feet.

Minimum Floor Area of a Dwelling Unit—1,800 square feet.

(Ord. No. 744 , § 6, 7-10-2017; Ord. No. 800 , § 1(Exh. A), 6-22-2020; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 833 , § 2(Exh. B), 7-26-2021)

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 masterplan. 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 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, play house, storage shed, patio and other private recreation facilities.
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).
 - 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.

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- bb. Florist, Retail without Greenhouse.
 - cc. Funeral Home w/no cemetery or mausoleum.
 - dd. Golf, Miniature.
 - ee. Grocery Store.
 - ff. Hardware and Garden Supply Store.
 - gg. Hotel or Motel.
 - hh. Laboratory, Research or Commercial.
 - ii. Laundry, Self-Serve, Pick-up.
 - jj. Liquor Store.
 - kk. 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).
 - ll. Park, playground.
 - mm. Pet Day Care.
 - nn. Pet Grooming.
 - oo. Print Shop.
 - pp. Public Building.
 - qq. Recreation Facilities, Indoor and Outdoor.
 - rr. Rental Services Establishment without outside storage.
 - ss. Research and Development.
 - tt. Restaurant.
 - uu. Restaurant, with Drive-thru window.
 - vv. Retail Sales and Services Establishments not otherwise listed for this zoning district.
 - ww. Retail Establishment, Mixed Sales.
 - xx. School, Commercial.
 - yy. Shop or Studio, Craftsman/Artist.
 - zz. Spa Services.
 - aaa. Special Event Facility.
 - bbb. 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.

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- b. Amphitheater.
 - ~~c. Athletic Facility, Fitness Studio.~~
 - 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. Park or Playground.
 - 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 set backs, 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)

2.2.13 O-I office-institutional.

This district is intended for the development of planned office areas which allow for design flexibility through a master plan. Commercial activities are permitted as subordinate uses to the office development.

- A. *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 masterplan, unless superseded by applicable conditions of approval for rezoning, variance, 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. 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**).
 - h. Recreational Facilities (Indoor or Outdoor).
 - i. Research and Development.**
 - j. Special Event Facility.
 - k. 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.
 - 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.
 - c. Athletic Facility.
 - d. Automobile Service and Service Station.
 - e. Bakery.
 - f. Barber Shop.
 - g. Beauty Shop.
 - h. Book Store.

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- 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. Laboratory, Research or Commercial.
 - y. Liquor Store.
 - z. Parking Lot, Commercial.
 - aa. Print Shop.
 - bb. Restaurant.
 - cc. Restaurant, with Drive-thru window.
 - dd. Retail Sales & Services Establishments subject to the limitation of [subsection] 2.2.13 B 8.
 - ee. School, Commercial.
 - ff. Spa Services.
3. Wholesale, Storage and Industrial Uses.
- a. Manufacturing, Light.
4. Semipublic Uses, Utilities.
- a. Airport.
 - b. Amphitheater.
 - ~~c. Athletic Facility.~~
 - d. Auditorium.
 - e. Country Club.
 - f. Fire Station.
 - g. Park or Playground.

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

2.2.14 C-1 neighborhood commercial.

- A. *Permitted Principal Uses.* A property in the C-1 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. Residential Uses.
 - a. Dwelling, 'For-Sale'—in an existing or historic structure only.
 - b. Bed and Breakfast.
2. Business Uses.
 - a. Art Gallery.
 - b. Bakery.
 - c. Bank, Savings and Loan.
 - d. Barber Shop.
 - e. Beauty Shop.

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- f. Book Store.
 - g. Carpet and Rug Sales.
 - h. Clinic.
 - i. Dance Studio.
 - j. Day Care Center.
 - k. Drug Store.
 - l. Dry Cleaning Pick-up Station.
 - m. Fitness Studio.
 - n. Florist, Retail Without Greenhouse.
 - o. Hardware and Garden Supply Store.
 - p. Laundry, Self-Serve, Pick-up.
 - q. Nail Salon.
 - r. Office Building or Park.
 - s. Pet Day Care.
 - t. Pet Grooming.
 - u. Print Shop.
 - v. Restaurant.
 - w. Retail Sales and Services (Establishments not otherwise listed for this zoning district as a permitted or conditional use).
 - x. School, Commercial.
 - y. Shop or Studio, Craftsman/Artist.
3. Semipublic Uses, Utilities.
- a. Library.
 - b. Museum.
 - c. Park or Playground.
 - d. School, Academic.

- B. *Accessory Uses.* A property in the C-1 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 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 forty percent (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.

C. *Conditional Uses.* A property in the C-1 district may be used for any of the following only upon approval as a conditional use by the City Council:

1. Residential Uses.
 - a. Dwelling, Group (congregate housing, assisted living facility, nursing).
2. Business Uses.
 - a. Animal Hospital, small animals.
 - b. Assisted Living, Congregate housing.
 - c. Athletic Facility.
 - d. Automotive Parts.
 - e. Bowling Alley.
 - f. Brewery.
 - g. Check Cashing.
 - h. Club, association or lodge.
 - i. Contractor's Office without outside storage.
 - j. Distillery.
 - k. Funeral home with no cemetery or mausoleum.
 - l. Golf, Miniature.
 - m. Grocery Store.
 - n. Hotel/Motel.
 - o. Liquor Store.
 - p. Parking Lot, Commercial.
 - q. Pest Control Business.
 - r. Rental Services Establishment without outside storage.

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- s. Restaurant, with Drive-thru Window.
 - t. Retail Establishment, Mixed Sales.
 - u. Smoke Shop and Tobacco Store.
 - v. Spa Services.
 - w. Special Event Facility.
 - x. Theater, Cinema.
3. Semipublic Uses, Utilities.
- ~~a. Athletic Facility, Fitness Studio.~~
 - a. Auditorium.
 - b. Church, Synagogue.
 - c. Hospital.
 - d. Public Building.
 - e. 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 Area—30,000 square feet.

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—45%.

Maximum Building Height—35 feet.

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

(Ord. No. 704 , § 2, 6-1-2015; Ord. No. 718 , §§ 6—8, 12-14-2015; Ord. No. 730 , §§ 3, 4, 12-5-2016; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , § 4, 7-10-2017; Ord. No. 772 , § 2, 2-4-2019; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021)

2.2.15 C-2 general commercial.

A. *Permitted Principal Uses.* A property in the C-2 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. Residential Uses.
 - a. Dwelling, 'For-Sale'—in an existing or historic structure only.
 - b. Bed and Breakfast.

2. Business Uses.

a. Art Gallery.

b. Athletic Facility.

c. Automobile Service and Service Station.

d. Automotive Parts.

e. Bakery.

f. Bank, Savings and Loan.

g. Barber Shop.

h. Beauty Shop.

i. Book Store.

j. Bowling Alley.

k. Broadcasting Studio (radio or TV).

l. Carpet and Rug Sales.

m. Clinic.

n. Contractor's Office without outside storage.

o. Convenience Market with or without gas pumps.

p. Dance Studio.

q. Day Care Center.

r. Drug Store.

s. Dry Cleaning Pick-up Station.

t. Fitness Studio.

u. Florist, Retail Without Greenhouse.

v. Grocery Store.

w. Hardware and Garden Supply Store.

x. Home Improvement Store.

y. Laundry, Self-Serve, Pick-up.

z. Liquor Store.

aa. Nail Salon.

bb. Office Building or Park.

cc. Parking Lot, Commercial.

dd. Pet Day Care.

ee. Pet Grooming.

ff. Print Shop.

gg. Rental Services Establishment without outside storage.

hh. Restaurant.

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- ii. Restaurant, w/Drive-thru Window.
 - jj. Retail Sales and Services Establishments not otherwise listed for this zoning district as a permitted or conditional use.
 - kk. Retail Establishment, Mixed Sales.
 - ll. School, Commercial.
 - mm. Shop or Studio, Craftsman/Artist.
3. Semipublic Uses, Utilities.
- ~~a. Athletic Facilities, Fitness Studio.~~
 - a. Hospital.
 - b. Library.
 - c. Museum.
 - d. Park or Playground.
 - e. School, Academic.

B. *Accessory Uses.* A property in the C-2 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: (See also Supplementary Regulations in this Article.)

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 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.

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- C. *Conditional Uses.* A property in the C-2 district may be used for any of the following only upon approval as a conditional use by the City Council:
1. Residential Uses.
 - a. Dwelling, Group (congregate housing, nursing home, etc.).
 2. Business Uses.
 - a. Animal Hospital, small animals.
 - b. Assisted Living, Congregate housing.
 - c. Automobile Sales and Leasing.
 - d. Boutique Hotel.
 - e. Brewery.
 - f. Builder's Equipment/Material.
 - g. Car Wash.
 - h. Check Cashing.
 - i. Church, Synagogue.
 - j. Club, fraternity, association or lodge.
 - k. Contractor's Office with outside storage.
 - l. Distillery.
 - m. Extended Stay Hotel (see Sec. 2.7).
 - n. Funeral Homes.
 - o. Golf, Miniature.
 - p. Greenhouse with nursery.
 - q. Hotel or Motel.
 - r. Limousine Service and Taxi.
 - s. Massage Therapy (see Sec. 2.7).
 - t. Pest Control Business.
 - u. Spa Services.
 - v. Recreation Facilities, Indoor.
 - w. Recreation Facilities, Outdoor.
 - x. Small Appliance Repair Shop.
 - y. Smoke Shop and Tobacco Store.
 - z. Spa Services.
 - aa. Special Event Facility.
 - bb. Theater, Cinema.
 3. Semipublic Uses, Utilities.
 - a. Auditorium.
 - b. Public Building.

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- c. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - d. Wireless Tower.

D. *District Regulations.*

Minimum Lot Area—none.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—Conditional (based on prevailing development patterns).

Side yard—Conditional (based on prevailing development patterns).

Rear yard—10 feet.

Maximum Coverage By Principal Buildings—70% (for development within Downtown Overlay—90%).

Maximum Building Height—40 feet.

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

(Ord. No. 703 , § 1, 6-1-2015; Ord. No. 704 , § 2, 6-1-2015; Ord. No. 718 , §§ 5—7, 9, 12-14-2015; Ord. No. 730 , §§ 3, 4, 12-5-2016; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , §§ 2, 6, 7-10-2017; Ord. No. 772 , § 3, 2-4-2019; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021)

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.

A. *Conditional Principal Uses.* A property in the PSC district may be used for those uses listed in Table 2.2, 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.

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- i. Carpet and Rug Sales.
 - 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. Nail Salon.
- q. Parking Lot, Commercial.
- r. Pet Day Care.
- s. Pet Grooming.
- t. Print Shop.
- u. Recreation Facilities, Indoor.
- v. School, Commercial.
- w. Shop or Studio, Craftsman/Artist.
- x. Spa Services.
- y. Special Event Facility.
- z. Theater, Cinema.

3. Semipublic Uses, Utilities.

~~a. Athletic Facility, Fitness Studio.~~

- 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.

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- 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)

2.2.17 L-I light-industrial.

A. *Permitted Principal Uses.* A property in the L-I 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, Group (home-elderly, children, nursing).
2. Business Uses.
 - a. Animal Hospital, small and large animals.
 - b. Art Gallery.
 - c. Athletic Facility.
 - d. Automobile Service and Service Station.
 - e. Automotive Parts.
 - f. Automotive Sales and Leasing.
 - g. Bakery.
 - h. Bank, Savings and Loan.
 - i. Book Store.
 - j. Bowling Alley.
 - k. Brewery.
 - l. Broadcasting Studio (radio or TV).
 - m. Builder's Equipment/Material.
 - n. Car Wash.
 - o. Carpenter Shop, Woodworking.
 - p. Carpet and Rug Sales.
 - q. Check Cashing.
 - r. Church, Synagogue.
 - s. Congregate Housing.
 - t. Contractor's Office with and without outside storage.
 - u. Convenience Market with or without gas pumps.
 - v. Dance Studio.
 - w. Day Care Center.
 - x. Discount Store.
 - y. Distillery.
 - z. Drug Store.

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- aa. Dry Cleaning Pick-up Station.
 - bb. Fireworks Sales.
 - cc. Fitness Studio.
 - dd. Funeral Home.
 - ee. Greenhouse, Nursery.
 - ff. Grocery Store.
 - gg. Hardware and Garden Center.
 - hh. Home Improvement Store.
 - ii. Kennel.
 - jj. Laboratory, Research or Commercial.
 - kk. Laundry, Self-Serve, Pick-up.
 - ll. Limousine Service and Taxi.
 - mm. Liquor Store.
 - nn. Massage Therapy (see Sec. 2.7).
 - oo. Nail Salon.
 - pp. Office Building or Office Park.
 - qq. Parking Lot, Commercial.
 - rr. Pawn Shop.
 - ss. Pest Control.
 - tt. Pet Day Care.
 - uu. Pet Grooming.
 - vv. Print Shop.
 - ww. Recreation Facilities, Indoor and Outdoor.
 - xx. Rental Services Establishment with outside storage.
 - yy. Rental Services Establishment without outside storage.
 - zz. Research and Development.
 - aaa. Restaurant.
 - bbb. Restaurant w/Drive-thru Window.
 - ccc. Retail Sales and Services Establishments not otherwise listed for this zoning district as a permitted or conditional use.
 - ddd. Retail Establishment, Mixed Sales.
 - eee. Shop or Studio, Craftsman/Artist.
 - fff. Small Appliance Repair Shop.
 - ggg. Smoke Shop and Tobacco Store.
 - hhh. Spa Services.
 - iii. Special Event Facility.

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- jjj. Tattoo Parlor, Body Piercing.
 - kkk. Taxidermist.
 - III. Theater, Cinema.
 - mmm. Tire Retreading.
 - 3. Wholesale, Storage and Industrial Uses.
 - a. Bottled Gas, storage and distribution.
 - b. Locker, Frozen Food or Cold Storage.
 - c. Machine Shop.
 - d. Manufacturing, Light.
 - e. Mini-Warehouse.
 - f. Septic Tank Sales, Construction.
 - g. School, Commercial.
 - h. Storage, Inside and Outside.
 - i. Welding Shop.
 - j. Wholesale Trade Establishment.
 - 4. Semipublic Uses, Utilities.
 - ~~a. Athletic Facility, Fitness Studio.~~
 - a. Amphitheater.
 - b. Auditorium.
 - c. Church, Synagogue.
 - d. Heliport.
 - e. Hospital.
 - f. Library.
 - g. Museum.
 - h. Park or Playground.
 - i. Public Building.
 - j. School, Academic.
 - k. Switching Station, Telecom.
- B. *Accessory Uses.* A property in the L-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. 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.

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4. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Uses.* 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.

A property in the L-I district may be used for any of the following only upon approval as a conditional use by the City Council:

1.0 *Business Uses.*

- a. Adult Entertainment Establishment (see Sec. 2.7).
- b. Boutique Hotel.
- c. Extended Stay Hotel.
- d. Golf Driving Range.
- e. Glass Fabrication.
- f. Tire Retreading.

2.0 *Wholesale, Storage and Industrial Uses.*

- a. Asphalt Plant.
- b. Dry Cleaning Plant.
- c. Concrete Plant.
- d. Indoor Shooting Range (see Sec. 2.7).
- e. Junk or Salvage Yard.
- f. Laundry Industrial.
- g. Manufacturing, Heavy.
- h. Recycling Center.
- i. Sawmill.
- j. Sewage Disposal Plant.
- k. Transfer Station.

3.0 *Semipublic Uses, Utilities.*

- a. Airport, public or private.
- b. Power Station.
- c. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
- d. Wireless Tower.

4.0 *Transfer Station.* Any facility associated with waste or a facility used to transfer solid waste from one transportation vehicle to another for transportation to a disposal facility or processing operation.

4.1 *General Standards.*

- a. No access to transfer station facility shall be allowed from streets that primarily access residential developments;
- b. Access streets shall be paved and shall be able to withstand maximum load limits established by the State of Georgia as approved by the Engineering Director;
- c. No portion of a new transfer station shall be located within a three-mile radius of the property lines of an existing transfer station;
- d. A minimum 200 foot undisturbed buffer and ten-foot improvement setback shall be required along all property lines except public rights-of-way;
- e. A minimum 50 foot buffer and ten-foot improvement setback shall be required along all public rights-of-way;
- f. A minimum six foot high solid fence or wall shall be located on property lines or interior to the required buffers and improvement setback;
- g. Operation of the facility shall be limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday; 9:00 a.m. to 7:00 p.m., Saturday; 12:00 p.m. to 5:00 p.m., Sunday (for routine maintenance and other non-operational facility activities).
- h. Only municipal solid waste is accepted at the facility. No treated or untreated regulated medical waste, treated and destroyed medical waste or asbestos waste debris shall be accepted;
- i. All solid waste is removed from the transfer station within 24 hours of receipt;
- j. A transfer station with permanent operating mechanical equipment must have an attendant on duty whenever the facility is open;
- k. The facility shall be designed and constructed in a manner to ensure that odor will not be emitted from the site;
- l. The transfer facility must be cleaned at least once every 24 hours;
- m. The entrance and exit shall be cleaned at a frequency which prevents the tracking or off-site migration of waste materials;
- n. The operator shall take adequate measures to minimize the creation, emission, or accumulation of excessive dust and particulates;
- o. The operator shall take adequate steps to control or prevent the propagation, harborage and attraction of pests;
- p. All floors must be free from standing water. All drainage from cleaning areas must be discharged to sanitary sewers, authorized cleaning areas must be discharged to sanitary sewers, authorized sanitary waste treatment facilities, or a corrosion-resistant holding tank;
- q. The facility shall provide fire suppression equipment as directed by the City of Alpharetta Fire Department;
- r. All solid waste passing through the transfer station must be ultimately treated or disposed of at an authorized facility;
- s. The transfer station must have adequate storage space for incoming solid waste;

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- t. Operational records must be maintained at facilities with permanent operating mechanical equipment. These records must include a daily log of the quantity of solid waste received and transported, specifying the origin by hauler and the destination of the solid waste transported daily;
 - u. The facility shall not generate more than 150 total vehicle trips per day;
 - v. An annual report must be submitted to the Community Development Department which summarized the information gathered in (t), above;
 - w. The facility shall be developed, operated and maintained in a safe, nuisance-free manner; and
 - x. The facility and its operation must be in compliance with GA EPD requirements.

4.2 *Additional Permit Application Requirements.*

- a. Application requirements. An application for a solid waste transfer station permit must confirm to the requirements set forth herein. Applications for initial permits to construct and operate a solid waste transfer station must include the following:
 - (1) Regional plan or map. The regional plan or map must delineate the service area of the proposed transfer station.
 - (2) Site plan. The site plan must include:
 - (a) Site conditions and projected site utilization, including all site structures (such as buildings, fences, gates, entrances and exits, parking areas);
 - (b) Property boundaries, access roads, the locations of all surface water bodies, and 100-year floodplain boundaries;
 - (c) All proposed structures and areas designated for unloading, sorting, storage, and loading, including dimensions, elevations and floor plans of these structures and areas, and the general process flow; and
 - (d) Adjacent properties, including the location of public and private water supplies on these properties.
 - (3) Engineering report. The engineering report must include:
 - (a) A description of the general operating plan for the proposed facility, including the origin, composition, and expected weight or volume of all solid waste to be accepted, the maximum time any such waste will be stored, where all waste will be disposed of, and the proposed capacity operating hours, and the expected life of the facility;
 - (b) A description of all machinery and equipment, including the design capacity;
 - (c) A proposed transfer plan specifying the transfer route, the number and type of transfer vehicles to be used, and how often solid waste will be transferred to the disposal site;
 - (d) A description of the facility's drainage system and water supply system; and
 - (e) A contingency plan that details an alternative solid handling system for periods when not operating, or for delays in transporting solid waste due to undesirable conditions, such as delivery of unauthorized waste, fires, dust, odor, vectors, unusual traffic conditions, equipment breakdown or other emergencies.

4.3 *Design Standards.* All transfer stations must meet minimum design requirements as follows:

a. Unloading and loading areas.

- (1) The unloading area must be adequate in size and design to facilitate efficient unloading from the collection vehicles and the unobstructed movement of vehicles;
- (2) The unloading and loading pavement areas must be constructed of concrete or asphalt paving material and equipped with adequate drainage structures;
- (3) Processing, tipping, sorting, storage, and compaction areas must be located within an enclosed building;
- (4) Provisions must be made for weighing or measuring all solid waste transferred to the facility;
- (5) Sufficient internal storage areas must be provided for incoming solid waste;
- (6) Exhaust removal systems must be installed in enclosed areas; and
- (7) The facility must be designed to accommodate expected traffic flow in a safe and efficient manner.

4.4 *Expansion or Modification of Existing Facilities.* No transfer station facility existing as of 12/06/04 may make modifications which require a permit, make changes that require a permit modification from the GA EPD or increase the square footage of any buildings on site without City Council approval. When reviewing modification or expansion plans, the Council may consider the extent to which the proposed modification or expansion meets the standards established in Sections 4.1 and 4.3, herein; however, any existing buildings which do not meet setback requirements shall be considered non-conforming and shall remain, but may not be expanded with regard to the setback non-conformity pursuant to UDC Sec. 2.4.2.

D. *District Regulations.*

Minimum lot size—one acre.

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—35%.

Maximum Building Height—35 feet.

Development on property over 25 acres in size requires masterplan approval through a Public Hearing process.

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

(Ord. No. 708 , § 1, 8-10-2015; Ord. No. 715 , § 3, 9-28-2015; Ord. No. 718 , §§ 7, 10—12, 12-14-2015; Ord. No. 741 , §§ 2, 3, 6-5-2017; Ord. No. 744 , §§ 2, 3, 5, 6, 7-10-2017; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 835 , § 1(Exh. B), 10-4-2021; Ord. No. 836 , § 1(Exh. A), 10-4-2021)

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 master plan. 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 and as further limited below.
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).

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- 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. Liquor Store.
 - v. Nail Salon.
 - w. Office.
 - x. Pet Grooming.
 - y. Print Shop.
 - z. Recreation Facilities, Indoor and Outdoor.
 - aa. Restaurant.
 - bb. Retail Establishment.
 - cc. School, Commercial.
 - dd. Spa Services.
 - ee. Special Event Facility.
 - ff. Theater, Cinema.
3. Semipublic Uses, Utilities:
- ~~a. Athletic Facilities, Fitness Studio.~~
 - 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.

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 "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. 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*	O I*	O P	C - 1	C - 2	P S 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	X			O
Asphalt Plant																		O			
Athletic Facility/ Fit ness Studio	⊖											O	S	⊖	O	X	S	X			O
Auditorium	O											O	S	O	O	O	S	X			
Auto Sales and Leasing (Trucks, Vans, Cars and Accessories)												O				O		X			
Automotive Parts												O			O	X	S	X			

Automotive Service & Service Station													O	S			X	S	X				
Bakery													O	S	O	X	X	O	X				O
Bank, Savings and Loan, Mortgage Company													O	O	X	X	X	O	X				O
Barber/Beauty Shop													O	S	X	X	X	O					O
Bed and Breakfast	X	O	O	O	O						X	O			X	X	X						O
Book Store or Stationery													O	S	A	X	X	O	X				O
Bottle Gas Storage and Distribution																			X				
Boutique Hotel													O	S			O	S	O				O
Bowling Alley													O	S		O	X	S	X				
Brewery													O	S		O	O	O	X				O
Broadcasting Studio (Radio and TV)	O												O	O			X	S	X				
Builder's Equipment /Material	O												O				O		X				
Car Wash														S			O	O	X				
Carpenter Shop, Woodworking	O																		X				
Carpet and Rug Sales																X	X	O	X				
Cemetery	O																					O	
Check Cashing																O	O		X				
Church, Synagogue	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	S	X			O	O
Clinic, Public/Private													O	O	X	X	X	O					O
Club, associations, or Lodge	O			O	O	O	O	O	O	O	O	O	O	O	O	O	O	S				O	

Concrete Plant																		O				
Congregate Housing, Assisted Living Facility												O	O	O			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	O	S								
Dance Studio													O	S			X	X	O	X		O
Day Care Center													O	O	X	X	X	O	X			O
Discount Store																				X		
Distillery													O	S			O	O	O	X		O
Drug Store (Pharmacy)													O	O			X	X	O	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					O				O
Dwelling, 'For-Sale', Detached	X	X	X	X	X	X	X		X	X		O						O				O
Dwelling, 'For-Rent'												X	O									O
Dwelling, Group												O	O	O			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	X	O										
Farmlands (including Livestock, poultry)	X																						
Fire station													O	S								X	
Fireworks Sales																			X				
<u>Fitness Studio</u>													<u>O</u>	<u>S</u>	O	<u>X</u>	<u>X</u>	<u>S</u>	<u>X</u>				<u>O</u>
Florist, Retail													O	S	O	X	X	O					O
Funeral Homes with no cemetery or mausoleum													O	S		O	O	S	X				
Glass Fabrication																			O				
Golf Course, Driving Range	O	O	O	O	O	O	O	O	O	O	O	O	O	O					O			X	
Golf, Miniature													O	S		O	O	S				X	
Greenhouse, Nursery	O																O	S	X				
Grocery Store													O			O	X	O	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	X				O

Heliport, Public/Private	O											O	O				S	X		X	O
Home Improvement Store																X	O	X			
Home- Elderly, Children, Nursing											O	O	O		O	O		X			
Hospital												O	O		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	O	X			
Limousine Service and Taxi (with or without outside vehicle storage)																O		X			
Liquor Store												O	S		O	X	O	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			
Mini-warehouse Storage, Conditioned or Unconditioned space																		X			
Museum and Libraries											O	O		X	X	S	X			X	O
Nail Salon											O			X	X	S	X				O
Office											O	O	X	X	X	O	X				O
Park or Playground	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				
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	O	O	O	O	S	X		O	O	
Recreation Facilities, Indoor (Health Clubs, Skating Rink, Billiards,											O	O			O	S	X				O

Children's event facilities, etc.)																						
Recreational Facilities, Outdoor											O	O				O	S	X			O	O
Recycling Center																		O				
Rental Services Establishment without outside storage											O				O	X	O	X				
Rental Services Establishment with outside storage																		X				
<u>Research and Development</u>											<u>O</u>	<u>O</u>						<u>X</u>				
Restaurant											O	S	O	X	X	O	X					O
Restaurant w/Drive-thru window											O	S		O	X	O	X					
Retail Establishment											O	S	A	X	X	O	X					O
Retail Establishment (Mixed Sales)											O			O	X	O	X					
Sawmill																		O				
School, Academic											O	O	O	X	X	S	X			X		O
School, Commercial (Beauty, Business)											O	S	O	X	X	S	X					O
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		O	O	S	X			O	
Storage, Inside																		X				
Storage, Outside																		X				
Switching Station (Telecom)												O						X				
Tattoo Parlor and Body Piercing																		X				
Taxidermist	X																	X				
Theater, Cinema												O	O		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	O											O	S			O	S	O		O		

in accordanc e with Section 2.8.7)																					
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(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)

* Uses under the CUP and OI Zoning Districts shall be permissible through an approved master plan amendment and statement of intent.

SECTION 2.3 SUPPLEMENTARY REGULATIONS

2.3.1 General exemptions.

- A. *Heights—Exclusions.* The following structures are exempt from the height limitations imposed within each zoning district:
1. Church spires, cupolas, and chimneys.
 2. Agricultural accessory structures, such as barns, silos, windmills, and the like.
 3. Parapets and structures used for ornamental or aesthetic purposes not to exceed twelve (12) feet.
 4. Elevator penthouses not to exceed fifteen (15) feet.
 5. Mechanical equipment on building roofs or rooftop antennas provided any such equipment exceeding 12 feet in height shall be contained within a structure or otherwise screened from ground view from adjoining streets and properties.
- B. *Front Yard Requirements—Existing Residential Areas.* The setback requirements of this Ordinance shall not apply to any residential lot where the average setback on developed lots located adjacent to and on each side of such lot and within the same zoning district and fronting on the same street as such lot is less than the minimum required setback. In such cases, the setback of such a lot may be less than the required setback but not less than the average of the existing setbacks on the developed lots. In no case, however, shall setbacks be less than 15 feet.
- If the adjacent developed lots on both sides of a vacant residential lot, within the same zoning district and fronting on the same street as such lot, have front yard setbacks greater than the minimum required by the zoning district, then the minimum setback on the vacant lot shall be the average of the 2 adjacent developed lots.
- C. *Double Frontage Lots.*
1. Double frontage lots should be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A landscaped or natural buffer of at least twenty feet (20'), across which shall be the right of access, shall be provided along the line of lots abutting such a traffic artery.
 2. On lots having frontage on two (2) streets, but not located on a corner, the minimum front yard setback requirement shall be provided along each street frontage.
 3. Double frontage lots shall obtain access from the street with the lower functional classification, unless this poses a safety hazard or would otherwise be impractical.
- D. *Setbacks—Exclusions.*
1. No building or structure or projection thereof, including porch, deck, terrace or chimney, shall be erected closer to a property line than the applicable setback regulation prescribed herein allows. However, uncovered steps, patio slabs, driveways, walkways, retaining walls of no more than 4' in height, and roof overhangs of up to 18" may be located within setback areas.
 2. Required setbacks may accommodate vegetated runoff reduction measures, provided such setbacks meet fire code standards. The runoff reduction measures may not compromise public safety such as the sight distance triangles required by the City.
- E. *Flag Lots.*

-
1. Flag lots are prohibited for residential development. Residential building sites must meet minimum lot width requirements at the front setback line or at twice the required front setback for cul-de-sac lots.

(Ord. No. 730 , § 6, 12-5-2016; Ord. No. 732 , § 2, 2-6-2017)

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. A curb cut on a residential lot may be closer than 300 feet from a curb cut on an adjacent lot, but 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.

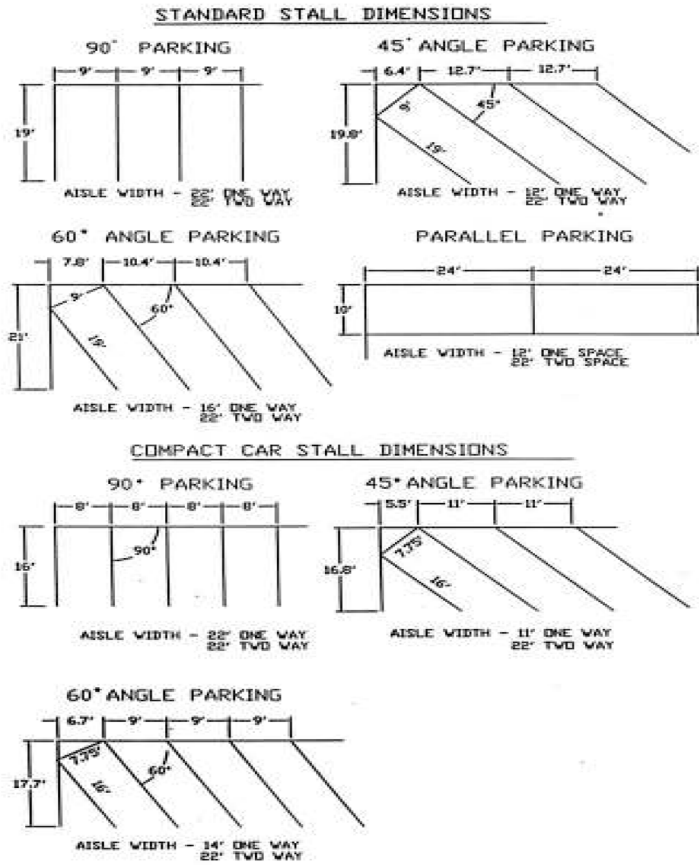
(Ord. No. 718 , § 17(Exh. C), 12-14-2015; Ord. No. 732 , §§ 6—9, 2-6-2017)

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 faces 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)

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".

3.4.2. Use Table Key.

- A. Permitted Use (X). Indicates a use is permitted in the respective district. The use is also subject to all other applicable requirements of the Unified Development Code.
- B. Conditional Use (O). Indicates a use may be permitted in the respective district only where approved by the City Council in accordance with Section 4.2 of the Unified Development Code. Conditional uses are subject to all other applicable requirements of the Unified Development Code, including any applicable use standards, except where the use standards are expressly modified by the City Council as part of the conditional use permit approval.
- C. Use Not Permitted. An empty cell indicates that a use is not permitted in the respective district.

Key: X = Permitted Use O = Conditional Use Empty Cell = Use Not Permitted				
Use Category	Downtown Zoning Districts			
Specific Use	DT-C	DT-MU	DT-LW	DT-R
Open Uses				
Community Garden	X	X	X	X
Equestrian Center				
Farmlands (including Livestock, poultry)				
Greenhouse, Nursery				
Residential Uses				
Household living (see district regulations for additional density and Conditional Use Permit requirements):				
Dwelling, 'For-Sale,' Attached	X	X	X	X
Dwelling, 'For-Sale,' Detached	X	X	X	X
Dwelling, 'For-Rent'	O	O		
Group living:				
Congregate Housing, Assisted Living Facility	O	O		
Home-Elderly, Children, Nursing	X	X		
Public/Institutional Uses				
Associations, (Clubs & Lodges)	O	O	O	O
Cemetery				
Church, Synagogue, Other Place of Worship	O	O	O	O
Country Club				
Fire Station	X	X		
Golf Course, Driving Range				
Museums & Libraries	X	X	O	
Park and Playground	X	X	X	X
Power Station				
Prison				
Public Building	O	O	O	
Sewage, Disposal Plant				
School, Academic	O	X	O	
School, Commercial (Beauty, Business)	X	X	O	
Utility Substation	O	O	O	O
Telecommunications				
Antenna Tower				

Broadcasting Studio (Radio & TV)	O	O	O	
Switching Station (Telecom)				
Commercial Uses				
Adult Entertainment Establishment				
Amphitheater	O	O	O	
Animal Hospital, Small Animal (Veterinarian)	O	O		
Animal Hospital, Large Animal		O		
Art Galleries	X	X	O	
Athletic Facility/ Fitness Studio	X	X	O	
Auditorium	O	O	O	
Auto Sales and Leasing (Trucks, Vans, Cars & Accessories)		O		
Automotive Parts	X	X		
Automotive Service		X		
Bakery (under 8,000 square feet in floor area)	X	X	O	
Bakery (8,000 square feet or more in floor area)		X		
Bank, Savings & Loan, Mortgage Company	X	X	O	
Barber Shop	X	X	O	
Beauty Shop	X	X	O	
Bed & Breakfast	X	X	O	O
Book Store or Stationery	X	X	O	
Boutique Hotel	O	O		
Brewery	O	O		
Car Wash				
Carpet and Rug Sales	O	O		
Check Cashing		O		
Clinic, Public/Private	X	X	O	
Contractor's Office (with no outside storage)	O	X	O	
Contractor's Office (with outside storage)		O		
Convenience Center (with gas pumps)		X	O	
Dance Studio	X	X	O	
Day Care Center	O	X	O	
Discount Store				
Distillery	O	O		
Drug Store, Pharmacy	X	X	O	
Dry Cleaning, Pick-Up Station	X	X		
Fitness Studio	X	X	O	
Florist, Retail (with no greenhouse)	X	X	O	
Florist, Retail (with greenhouse)		O		
Funeral Home (with no cemetery or mausoleum)	O	O	O	
Golf, Miniature		O		
Grocery Store (under 2,000 square feet in floor area, located at a street corner, and limited to one per block)	X	X	O	
Grocery Store (2,000 square feet or more in floor area)	X	X		
Hardware & Garden Supply Store (under 8,000 square feet in floor area)	X	X		

Hardware & Garden Supply Store (8,000 square feet or more in floor area)		X		
Home Improvement Store		X		
Hospital		O		
Hotel	O	O		
Indoor Shooting Range				
Kennel				
Laundry, Self-Serve, Pick-Up		X		
Liquor Store	O	O		
Massage Therapy		O		
Nail Salon	X	X	O	
Office	X	X	X	
Outdoor Recreational Facilities (Commercial) (Playfields, etc.)	O	O	O	
Parking Lot, Commercial (under 30 spaces)	O	O	O	
Parking Lot, Commercial (30 spaces or more)	O	O		
Pawn Shop				
Pet Day Care (with no overnight boarding)	X	X	O	
Pet Grooming	X	X		
Print Shop	X	X	O	
Recreation Facilities, Indoor (Health Clubs, Bowling Alley, Skating Rink, Billiards, Children's event facilities, etc.)	O	O	O	
Rental Services Establishment with no outside storage	O	X		
Restaurant (see Accessory Uses for additional drive-through requirements)	X	X	O	
Retail Establishment (with no mixed-sales)	X	X	O	
Retail Establishment (with mixed-sales)	O	O		
Service Station, Automotive		X		
Shop or Studio, Craftsman/Artist	X	X	O	
Small Appliance Repair Shop	O	O		
Spa Services	O	O	O	
Special Event Facility	O	O		
Tattoo Parlor & Body Piercing				
Theater, Cinema	O	O		
Industrial Uses				
Asphalt Plant				
Bottle Gas Storage & Distribution				
Builder's Equipment/Material				
Carpenter Shop, Woodworking (under 8,000 square feet in floor area)	O	O		
Carpenter Shop, Woodworking (8,000 square feet or more in floor area)				
Concrete Plant				
Dry Cleaning, Plant				
Glass Fabrication (under 8,000 square feet in floor area)				

Glass Fabrication (8,000 square feet or more in floor area)	O	O		
Junk Yard				
Laboratory, Research Commercial				
Laundry, Industrial				
Locker, Frozen Food or Cold Storage				
Machine Shop				
Manufacturing, Heavy, General				
Manufacturing, Light, Limited (under 8,000 square feet in floor area)	O	O		
Manufacturing, Light, Limited (8,000 square feet or more in floor area)				
Mini-warehouse Storage, Conditioned or Unconditioned Space				
Pest Control Business (with or without onsite chemical storage)		O		
Recycling Center				
Rental Services Establishment with outside storage (other than auto related)				
Salvage Yards				
Sawmill				
Septic Tank, Sales, Construction				
Storage, Inside				
Storage, Outside				
Taxidermist				
Tire Retreading				
Transfer Station				
Welding Shop				
Wholesale Storage and Distribution				
Transportation Uses				
Airport, Public/Private				
Heliport, Public/Private				
Limousine Service & Taxi (with or without outside vehicle storage)		O		
Accessory Uses				
Clubhouse, swimming pool, or community recreation facilities serving a development	X	X	X	X
Drive-Through Window		O		
Dwelling, 'For-Sale', Accessory	X	X	X	X
Family Day Care Home	X	X	X	X
Group Home				
Home Occupation	X	X	X	X
Live-Work	X	X	X	
Parking Garage	X	X	O	
Privacy and decorative fences and walls	X	X	X	X

Retail service uses up to 25% of the floor area of an office building for services incidental to the associated office use.	X	X	O	
Retaining walls and other site improvement structures approved as part of the development permit.	X	X	X	X
Signs, subject to all of the requirements regulating signage of the district.	X	X	X	X
Special Care Home	X	X	X	X
Swimming pool, tennis court, detached garage, play house, green house, storage shed, patio, gazebo and other private recreation facilities	X	X	X	X
Vehicle access, parking and loading areas	X	X	X	X

(Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , § 2, 7-10-2017; Ord. No. 808 , § 4(Exh. D), 9-8-2020; Ord. No. 836 , § 1(Exh. C), 10-4-2021)