



City Council Meeting & Public Hearing

APRIL 18, 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 6:31 p.m.

II. ROLL CALL

- **Council Members**
 - Mayor Jim Gilvin
 - Mayor Pro Tem Dan Merkel
 - Brian Will
 - Douglas J. DeRito
 - John Hipes
 - Jason Binder
- **Council Members absent**
 - Donald F. Mitchell
- **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
 - Tom Harris, Director of Finance
 - John Robison, Director of Public Safety
 - Morgan Rodgers, Director of Recreation, Parks & Cultural Services
 - Peter Sewczwicz, Director of Public Works
 - Kurt Kirby, Projects Manager

III. PLEDGE TO THE FLAG

IV. CONSENT AGENDA

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

b. Alcoholic Beverage License Applications

1. PH-22-AB-07 Sterling Spoon Culinary Management Co.

d/b/a The Market at Sanctuary Park
1115 Sanctuary Parkway, Alpharetta, GA 30009

Restaurant
Consumption on Premises
Beer, Wine, & Sunday Sales
Owner: Sterling Spoon Culinary Management Co.
Registered Agent: John C. Metz, Jr.

2. PH-22-AB-08 Hembree Commercial Properties, LLC

2005 Hembree Road, Alpharetta, GA 30009

Convenience Store
Retail Package Sales
Beer, Wine, & Sunday Sales
Owner: Minhas Panjwani
Registered Agent: Syed Husnain

3. PH-22-AB-09 ASCB Alpharetta, LLC

d/b/a Cleaver & Cork
11760 Haynes Bridge Road, Suite 1A, Alpharetta, GA 30009

Package Store
Retail Package Sales
Beer, Wine, & Sunday Sales
Owner: ASCB Alpharetta, LLC
Registered Agent: Connor Boney

c. Financial Management Report: Month Ending February 28, 2022

❖ Council Member Hipes offered a motion to approve the Consent Agenda.

○ Council Member DeRito seconded the motion.

○ The motion was approved (4-0-1, as Mayor Pro Tem Merkel stepped out of Council Chambers and Council Member Binder was not yet present).

- Mayor Pro Tem Merkel rejoined the meeting at 6:35 p.m.

V. OFFICE OF THE PROSECUTING ATTORNEY & CITY SOLICITOR

a. A Resolution Creating an Office of Prosecuting Attorney

- City Attorney, Mike Stacy, came forward to present this item.

- This resolution is to comply with a fairly new State law that codifies the duties and responsibilities of the City Solicitor.
- City Attorney Stacy read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member Will offered a motion to approve a Resolution Creating an Office of Prosecuting Attorney.
 - Council Member Hipes seconded the motion.
 - The motion was approved (5-0, as Council Member Binder was not yet present).

b. A Resolution to Appoint Kelsie Mattox as City Solicitor

- City Administrator, Bob Regus, came forward to present this item.
- City Administrator Regus asked the Mayor and City Council to confirm the action that was taken during Executive Session to appoint Kelsie Mattox as the City Solicitor.

Public Comment:

- There were no public comments.
- Council Member Binder joined the meeting at 6:40 p.m.
- ❖ Council Member DeRito offered a motion to approve a Resolution to Appoint Kelsie Mattox as City Solicitor.
 - Mayor Pro Tem Merkel seconded the motion.
 - Council Member DeRito withdrew his motion.
- ❖ Council Member DeRito offered a motion to confirm the appointment of Kelsie Mattox as City Solicitor, as voted upon during Executive Session.
 - Council Member Hipes seconded the motion.
 - The motion was approved (5-0-1, with Mayor Pro Tem Merkel in abstention as he was not present during the Executive Session where this matter was voted upon).
- City Attorney Stacy read the resolution aloud.

Public Comment:

- There were no public comments.
- Council Member Hipes offered a motion to approve a Resolution to Appoint Kelsie Mattox as City Solicitor.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (6-0).

c. Swearing-In of Kelsie Mattox to serve as the City Solicitor

- Municipal Court Judge, Barry Zimmerman, read the oath of office aloud and sworn in Kelsie Mattox to serve as City Solicitor.

d. **Intergovernmental Agreement between the City of Milton and the City of Alpharetta – Municipal Court Facilities and Services**

- City Administrator, Bob Regus, came forward to present this item.
- This IGA is an additional amendment to the agreement with the City of Milton to provide court services.

Public Comment:

- There were no public comments.
- Council Member DeRito offered a motion to approve the Intergovernmental Agreement between the City of Milton and the City of Alpharetta – Municipal Court Facilities and Services.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved unanimously (6-0).

VI. BOARDS & COMMISSIONS APPOINTMENTS

a. **Cultural Arts Commission Alternate Appointment – Francesca Connolly**

- Mayor Pro Tem Merkel announced his recommendation to appoint Francesca Connolly as an alternate member of the Cultural Arts Commission.
- Mayor Pro Tem Merkel offered a motion to appoint Francesca Connolly as an alternate member of the Cultural Arts Commission.
 - Council Member Hipes seconded the motion.
 - The motion was approved unanimously (6-0).

VII. PUBLIC HEARING

a. **PH-22-03 / 380 Milton Avenue**

Consideration of a change to conditions of zoning in order to re-combine 2 lots into 1 lot to allow for 1 'For-Sale' single-family detached home on .63 acres in the Downtown Overlay. The property is located at 380 Milton Avenue and 14 Nathan Circle and is legal described as being located in Land Lot 1271, 2nd District, 2nd Section, Fulton County, Georgia.

- Director of Community and Economic Development, Kathi Cook, came forward to present this item.
- Staff is recommending that Mayor and Council approve PH-22-03 / 380 Milton Avenue/Change to Conditions of Zoning, subject to the following conditions:
 1. The site, consisting of approximately 0.63 acres, shall be zoned R-15 and developed substantially similar to site plan prepared by On Site Civil Group, dated 11/8/2021, except for modifications required to comply with the conditions below.
 2. Property owner shall combine the properties into 1 lot through a combination plat approved by the City, prior to the issuance of an ENG.
 3. Architecture and materials shall be developed substantial similar to elevations prepared by Diana Bolivar, dated 9/28/2021, except for modifications required to comply with the conditions below, as approved by Staff.
 4. Building setbacks shall be: front - 35', side - 10', side corner - 20', and rear - 25'.

5. Property shall have access from Nathan Circle. Driveway apron along Milton Avenue shall be removed, with curbing and planter replaced. A 10' no access easement shall be dedicated along Milton Avenue.
 6. Home shall be oriented to Milton Avenue and shall be side or rear loaded.
 7. Minimum 10' landscape strips, exclusive of overhead utilities, shall be planted along Milton Avenue and Nathan Circle, as approved by Staff.
 8. Property owner shall dedicate 5' of right-of-way and improve the frontage along Milton Avenue with a 4' planter planted with street trees, 6' sidewalk and decorative pedestrian lighting, as approved by Staff.
 9. A 10' landscape buffer shall be provided along the south property line.
 10. Pool area shall be reduced by 25% and pool decking and driveway shall be installed as pervious pavers. Project shall be required to provide full stormwater management including detention and downstream impact analysis, as approved by Staff.
 11. No unfinished wood on decks or porches, with final approval by Staff.
 12. Property shall be connected to the sewer system.
 13. The conditions above shall replace all previous conditions of zoning on the subject property.
- The applicant, McConnell Custom Homes, is requesting changes to conditions of zoning in order to re-combine two (2) residential lots into one (1) lot to allow for the construction of one (1) single-family detached home on 0.63 acres. The property was rezoned in 2015 in order to subdivide one (1) lot into two (2) lots. The subject property is located at 380 Milton Avenue at the southwest corner of Milton Avenue and Nathan Circle.
 - The subject property is undeveloped, with the previous home demolished in 2020, and is located in the Q.A. Wills subdivision (A.K.A. Nathan Circle). The property was rezoned in 2015 from R-15 (Dwelling, 'For-Sale', Residential – Min. 15,000 SF lot) to R-12 (Dwelling, 'For-Sale', Residential – Min. 12,000 SF lot) to allow for the subdivision of a platted lot into two (2) single-family detached lots. Surrounding properties are zoned R-15. Properties to the south and east are located in the Q.A. Wills subdivision, the property to the west is located in Meadowbrook Park Estates and the properties to the north are unplatted single-family detached lots.
 - The site plan depicts a two (2) story, 5,590 square foot home oriented to Milton Avenue. The home is side loaded with access depicted from Nathan Circle. Previous conditions of zoning related to the two (2) lot plan limited building height to no more than two (2) stories and a maximum home size of 3,300 square feet.
 - The home is located in an existing platted neighborhood, which are exempt from complying with the City's Downtown architectural regulations.
 - The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that no comments were received.
 - The CZIM was held on March 9, 2022. There were no public comments. The CZIM was held on March 9, 2022. There were no public comments.
 - The following representatives came forward to speak on behalf of this application:

- Trey McConnell, McConnell Custom Homes
- Jim Kane, Owner of 380 Milton Avenue
- Bill Rowse, On Site Civil Group

City Council Discussion

- Mayor Pro Tem Merkel and Council Members Will, Binder, and DeRito asked about stormwater management and whether or not the reduction in the pool (as defined in staff's recommended condition #10) is necessary.
- Council Member Hipes asked about the maintenance agreement of this underground detention moving forward and whether it runs with the land and is recorded.
- Mayor Gilvin asked about right of the City to inspect stormwater detention (underground) in the future for this property.

Public Comment:

- James Cartmill (390 Milton Avenue, Alpharetta, Georgia 30009) came forward to speak on this item. Mr. Cartmill shared that he was delighted to see that the property is going back to one lot instead of being split into two lots, and he would like to see the applicant follow the tree save plan that was provided in this application.
- ❖ Mayor Pro Tem Merkel offered a motion to approve PH-22-03 / 380 Milton Avenue, subject to the following conditions:
 1. The site, consisting of approximately 0.63 acres, shall be zoned R-15 and developed substantially similar to site plan prepared by On Site Civil Group, dated 11/8/2021, except for modifications required to comply with the conditions below.
 2. Property owner shall combine the properties into 1 lot through a combination plat approved by the City, prior to the issuance of an ENG.
 3. Architecture and materials shall be developed substantial similar to elevations prepared by Diana Bolivar, dated 9/28/2021, except for modifications required to comply with the conditions below, as approved by Staff.
 4. Building setbacks shall be: front - 35', side - 10', side corner - 20', and rear - 25'.
 5. Property shall have access from Nathan Circle. Driveway apron along Milton Avenue shall be removed, with curbing and planter replaced. A 10' no access easement shall be dedicated along Milton Avenue.
 6. Home shall be oriented to Milton Avenue and shall be side or rear loaded.
 7. Minimum 10' landscape strips, exclusive of overhead utilities, shall be planted along Milton Avenue and Nathan Circle, as approved by Staff.
 8. Property owner shall dedicate 5' of right-of-way and improve the frontage along Milton Avenue with a 4' planter planted with street trees, 6' sidewalk and decorative pedestrian lighting, as approved by Staff.
 9. A 10' landscape buffer shall be provided along the south property line.
 10. Project shall be required to provide full stormwater management including detention and downstream impact analysis, as approved by Staff.

11.No unfinished wood on decks or porches, with final approval by Staff.

12.Property shall be connected to the sewer system.

13.The conditions above shall replace all previous conditions of zoning on the subject property.

- Council Member DeRito seconded the motion.
- The motion was approved unanimously (5-1; with Council Member Binder in opposition).
- Discussion during the motion:
 - Council Member Binder shared that he does not feel comfortable going against staff's recommendation in Condition #10 but wished the applicant the best of luck.

b. MP-22-01 / Bridge Road Holdings LLC

This item has been deferred by the applicant to the May 16, 2022 City Council meeting.

This item will not be heard, discussed, or considered during tonight's meeting.

Consideration of a master plan amendment to add a 2.45-acre property to the Preston Ridge Master Plan Pod M to allow for a 2-story, 19,000 square foot retail and medical office building. The property is located at 0 Old Milton Parkway and 11505 Morris Road and is legally described as being located in Land Lots 855 & 856, 1st District, 2nd Section, Fulton County, Georgia.

VIII. OLD BUSINESS

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

Second Reading

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.
- The following changes have been made since the first reading of this item:
 - Refined the definition to state that incidental uses can only make up 10% of the floor area within an Athletic Facility or Fitness Studio
 - Clarified the amount of curb cuts allowed on an individual residential lot
 - Added heavy manufacturing as a conditional use only in MU and O-I
- If approved, the 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."
- City Attorney 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 Hipes seconded the motion.
- The motion was approved unanimously (6-0).

IX. NEW BUSINESS

a. AlphaLoop Design Services – Change Order #4

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff is recommending that Mayor and Council approve Pond & Company's proposal for Change Order #4 to Purchase Order 18000123 for design revisions to the Alpha Loop in an amount not to exceed \$33,521.00 and authorize the Mayor to execute all necessary documents. amount of \$67,538.00 to Starr Whitehouse, under their contract for on-Call Planning Services.
- In February 2022, Public Works Staff noted the development of an erosion issue along a stream being crossed by the existing asphalt trail that will be replaced with the Alpha Loop. The stream is conveyed under the existing trail by an approximately 21' long culvert consisting of two 36" CMP pipes with approximately 8" of fall from the upstream end to the downstream end. Investigation of the erosion issue yielded the discovery that the bottom of one of the culvert barrels had rusted out. This has resulted in the undermining of the culvert and erosion of the stream bed and stream banks on the downstream end of the culvert - existing grade on the downstream end of the culvert is now approximately 4' below the invert of the pipes and the stream banks are near vertical in places.
- If approved, Change Order #4 will increase Purchase Order 18000123 by \$33,521.00 from \$518,494.00 to \$552,015.00.
- Staff reached out to Pond & Company to discuss the issue and request a proposal for the design and permitting of the stream restoration. The scope of work associated with this change order will include:
 - A limited hydrologic and hydraulic analysis to determine the appropriate measures and materials to be utilized
 - Design of stream stabilization measures
 - Revisions to the Alpha Loop design as necessary to accommodate the stabilization measures
 - Permitting through the US Army Corps of Engineers and Georgia Environmental Protection Division

Public Comment:

- There were no public comments.
- Council Member DeRito offered a motion to approve Pond & Company's proposal for Change Order #4 to Purchase Order 18000123 for design revisions to the Alpha Loop in an amount not to exceed \$33,521.00 and authorize the Mayor to execute all necessary documents. amount of \$67,538.00 to Starr Whitehouse, under their contract for on-Call Planning Services.
 - Council Member Binder seconded the motion.

- The motion was approved unanimously (6-0).

b. On-Call Storm Structure Maintenance and Drainage Repairs

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff is recommending that Mayor and Council approve the award of Bid No. 22-113 to Butch Thompson Enterprises, Inc., for the On-Call Storm Structure and Drainage Repairs contract, allocate \$750,000 to accomplish various work orders, and authorize the Mayor to execute all necessary documents.
- During routine inspections of the City's stormwater infrastructure, maintenance needed to any structure, ditch line, curbing, or any other stormwater management infrastructure maintained by the City is noted and entered into the Public Works Asset Management System for repairs.
- There are currently over 400 work orders in the system pertaining to stormwater structures and drainage repairs.
- These repairs include, but are not limited to, regular grouting maintenance of manholes, structure replacement, invert installations, pipe repairs, top and throat replacement, curb and gutter replacement, and sidewalk replacement due to settled panels located behind an improperly sealed catch basin.

Public Comment:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve the award of Bid No. 22-113 to Butch Thompson Enterprises, Inc., for the On-Call Storm Structure and Drainage Repairs contract, allocate \$750,000 to accomplish various work orders, and authorize the Mayor to execute all necessary documents.
 - Council Member Binder seconded the motion.
 - The motion was approved unanimously (6-0).

c. Consideration of 2022 ADA Transition Plan

- Assistant City Administrator, James Drinkard, came forward to present this item.
- Staff is recommending that Mayor and Council adopt a Resolution of the Mayor and City Council of the City of Alpharetta, Georgia adopting the City of Alpharetta 2022 Americans with Disabilities Act Transition Plan.
- As required by Title II of ADA (28 CFR Part 35 Sec. 35.105 and Sec. 35.150), The City of Alpharetta has conducted a self-evaluation of its services, programs, activities, and facilities on public property and within public rights-of-way; and has developed this Transition Plan detailing the methods to be used to ensure compliance with ADA accessibility requirements.
- City Attorney Stacy read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to adopt a Resolution of the Mayor and City Council of the City of Alpharetta, Georgia adopting the City of Alpharetta 2022 Americans

with Disabilities Act Transition Plan.

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

d. FY22 Public Safety Fleet Purchase

- Director of Public Safety, John Robison, came forward to present this item.
- Staff is recommending that Mayor and Council approve the Department of Public Safety to purchase seven (7) vehicles and two (2) motorcycles at a total cost of \$403,319.74.
- Five (5) Ford Police Interceptor Utilities (Explorers) from Wade Ford, available on state contract (9999-001-SPD0000183-0006). This is a continuation of the transition from Chevrolet Impalas (which are no longer being manufactured) to Ford SUVs started 6 years ago. The department utilizes these vehicles for front-line patrol functions as well as detective and administrative police and fire needs. The total cost of these five (5) vehicles is \$172,655.
- One (1) Ford F-150 pickup truck from Wade Ford and one (1) Ford Police Interceptor Utilities (Explorers), both available on state contract (9999-001-SPD0000183-0006). This is to replace two (2) totaled vehicles. These will be paid for by risk management funds. The total cost of these vehicles is \$79,330. The up-fit cost for both of these vehicles is \$23,520.93. This will be paid for by risk management as well.
- Two (2) Harley Davidson motorcycles from Killer Creek Harley Davidson at a cost of \$59,321.66 (2 competitive quotes and 2 no responses).
- Approval to expend \$68,492.15 for estimated costs associated with purchasing and installing necessary emergency equipment for the vehicles on the five (5) Ford Police Interceptor Utilities (Explorers) from Wade Ford.

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).

e. Wills Parks Maintenance Facility Construction

- 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 a contract with Prime Contractors, Inc. under the State of Georgia convenience contract (#99999-S20200901) for construction of a Maintenance Facility at Wills Park in an amount totaling \$649,297, additional funding of \$65,703 representing a 10% contingency, and \$38,634 for construction management services through Gordian and authorize the Mayor to execute all necessary documents.
- Gordian administers the ezIQC program through the Georgia Department of

Administrative Services statewide convenience contract 99999-S20200901. The ezlQC program enables governmental entities to take advantage of cooperative volume discounts on contracts that have already been competitively awarded while working with numerous contractors across the State. In this case, Prime Contractors Inc. An additional key benefit is the ability to work cooperatively with the contractor to value engineer the project to ensure financial constraints are met while still meeting minimum functional needs.

- Utilizing the ezlQC program and value-engineering the facility to focus on needs vs. wants has delivered a proposal totaling \$649,297 to construct a slab, metal Maintenance Facility (50'x120'x22'), bathroom, conditioned space, and mezzanine area to maximize storage while saving significant funds vs. the prior bid proposals.
- This funding request includes current Maintenance Facility funding (\$309,000), a reallocation of departmental capital initiative funding to this project based on a prioritization of needs (detailed above; \$116,000), and a request for funding from the Wills Park Improvements Series 2022 Bond Fund account of \$328,634. Upon approval of this item, \$328,634 will be appropriated through Recreation Impact Fees within the Wills Park Improvements project (allowable use under impact fee guidelines) to maintain the overall funding level for this project at the established \$6 million level.

Public Comment:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve the award of a contract with Prime Contractors, Inc. under the State of Georgia convenience contract (#99999- S20200901) for construction of a Maintenance Facility at Wills Park in an amount totaling \$649,297, additional funding of \$65,703 representing a 10% contingency, and \$38,634 for construction management services through Gordian and authorize the Mayor to execute all necessary documents.
 - Council Member Binder seconded the motion.
 - The motion was approved unanimously (6-0).

X. PUBLIC COMMENT

- Shawn Still (175 Jupiter Hills Point, Johns Creek, Georgia 30097) came forward to announce his candidacy for State Senate District 48.

XI. REPORTS

- Council Member Binder shared that all Council Members should have received a digital copy of the FY 2023 Budget and to see Director Tom Harris if they would like a hard copy. Below is the tentative schedule for the Fiscal Year 2023 Budget and Millage Rate Meetings:

May 2, 2022	City Council Meeting at 6:30 p.m. <i>FY 2023 Budget Work Session</i>
May 16, 2022	City Council Meeting at 6:30 p.m. <i>FY 2023 Budget Work Session</i>
May 23, 2022	1 st Public Hearing and Council Meeting at 6:30 p.m. <i>1st Reading of Budget Ordinance</i> <i>1st Reading of Millage Rate Ordinance</i>
June 6, 2022	2 nd Public Hearing - Budget/Millage Rate Levy at 11:30 a.m.
June 6, 2022	3 rd Public Hearing and Council Meeting at 6:30 p.m. <i>2nd Reading of Budget Ordinance</i> <i>2nd Reading of Millage Rate Ordinance</i>

- Assistant City Administrator, James Drinkard, shared that all of the Directors during tonight's meeting added the word "retirement" to their presentations in order to honor City Administrator, Bob Regus, and his upcoming retirement.

XII. ADJOURNMENT TO EXECUTIVE SESSION

- ❖ Council Member Hipes offered a motion to adjourn to executive session.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved unanimously (6-0).
- With there being no further items to consider or discuss, Mayor Gilvin adjourned the meeting at 8:08 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 (occupying no more than 10% of the floor area) 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 (occupying no more than 10% of the floor area) 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. Manufacturing, Heavy.

- h. Office Building or Office Park (Research and Development shall be a permitted use within an existing Office Building or Office Park or where office is a permitted use within an existing master plan).
- i. Recreational Facilities (Indoor or Outdoor).

j. Research and Development.

- k. Special Event Facility.
- l. Theater, Cinema.

3. Semipublic Uses, Utilities.

- a. Church, Synagogue.
- b. Club, association or lodge.
- c. Golf Course, Driving Range.
- d. Heliport.
- e. Hospital.
- f. Library.
- g. Museum.
- 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. Manufacturing, Heavy.~~
 - w. Nail Salon.
 - x. Office.
 - y. Pet Grooming.
 - z. Print Shop.
 - aa. Recreation Facilities, Indoor and Outdoor.
 - bb. Restaurant.
 - cc. Retail Establishment.
 - dd. School, Commercial.
 - ee. Spa Services.
 - ff. Special Event Facility.
 - gg. 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.

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

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, association, 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												<u>O</u>						O			<u>O</u>	
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. 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.

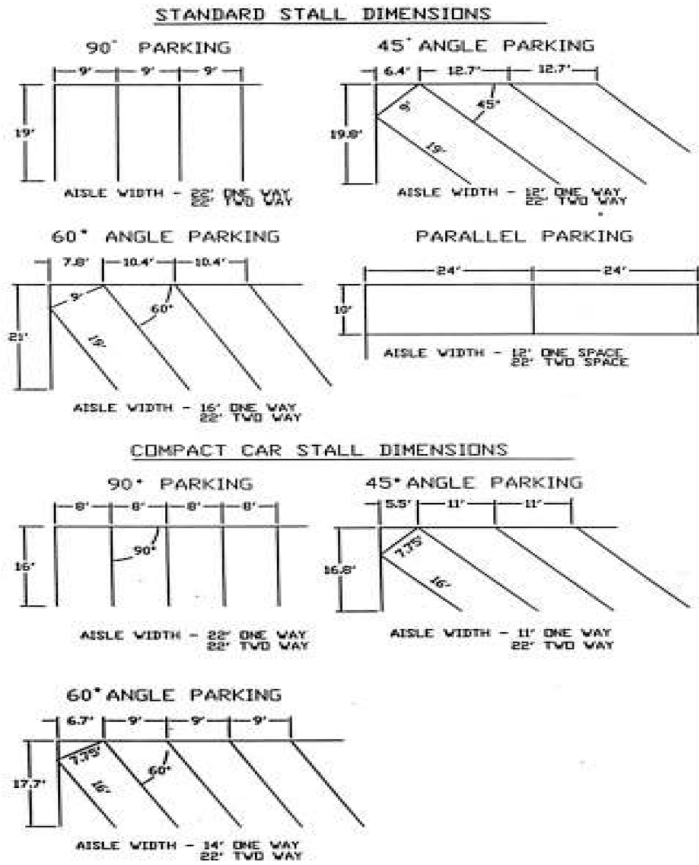
(Ord. No. 718 , § 17(Exh. C), 12-14-2015; Ord. No. 732 , §§ 6—9, 2-6-2017)

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)