



PLANNING COMMISSION MEETING MAY 19, 2017

ALPHARETTA CITY HALL
COUNCIL CHAMBERS
2 PARK PLAZA
1:00 PM

- I. CALL TO ORDER
- II. ROLL CALL
- III. PUBLIC HEARING
 - a. PH-17-15 Unified Development Code - Text Amendments
Consideration of text amendments to the Unified Development Code to add a definition to Section 1.4.2 and determine appropriate zoning districts in Section 2.2.
- IV. ITEMS FROM STAFF
- V. ITEMS FROM BOARD MEMBERS
- VI. ADJOURNMENT



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT
SUBMITTED BY: KATHI COOK
DRAFTED BY: MICHAEL WOODMAN

I. AGENDA ITEM TITLE: PH-17-15 UNIFIED DEVELOPMENT CODE TEXT AMENDMENTS – DISCOUNT STORE, BREWERY & DISTILLERY

PLANNING COMMISSION: MAY 19, 2017

CITY COUNCIL: MAY 22, 2017

II. RECOMMENDATION:

Approve text amendments to the Unified Development Code for 'Discount Store', 'Brewery' and 'Distillery' definitions.

III. REPORT IN BRIEF:

Consideration of amendments to the Unified Development Code (UDC) Section 1.4 Definitions to add definitions for 'Discount Store', 'Brewery' and 'Distillery'. Text amendments are proposed within UDC Section 2.2 Permitted Use Districts and Regulations and UDC Appendix A: Alpharetta Downtown Code, Section 3.4 to identify 'Discount Store', 'Brewery' and 'Distillery' as permissible and conditional uses in the appropriate zoning districts.

Discount Store:

Staff proposes adding a definition for 'Discount Store' and to add the use as an allowable use in the LI (Light Industrial) zoning district. Currently, staff interprets a 'Discount Store' to be a 'Retail Establishment, Mixed Sales', which is a permitted use in the C-2 and LI zoning districts and a conditional use in the CUP, C-1 and PSC zoning districts. Staff proposes the following definition:

"Discount Store. A retail store that sells new or used goods or products at prices lower than traditional retail outlets. Discount stores principally engage in offering a category of similar goods or a wide assortment of goods for sale to the general public."

Brewery & Distillery:

Staff proposes adding definitions for 'Brewery' and 'Distillery' and to add the uses as permissible in the LI district and as a conditional use in the CUP, O-I, C-1, C-2, PSC, MU, DT-C and DT-MU districts. Staff proposes the following definitions:

"Brewery. A facility where malt beverages are manufactured or brewed."

"Distillery. A facility where distilled spirits are manufactured (distilled, rectified or blended)."

These definitions were provided by the City Attorney and come directly from State law and the City's Alcohol Ordinance.

IV. ATTACHMENTS:

- UDC Strike Through and Underline Edits

Sec. 3.4. - Uses Allowed by District.

3.4.1. Allowed Use Table.

- A. In order to regulate a variety of similar uses, use categories have been established for principal uses. Use standards for both principal and accessory uses are specified in Section 2.3 and Section 2.7 of the Unified Development Code. Uses not listed may be interpreted by the Director of Community Development. When the Director of Community Development cannot determine placement, an application shall be made to the Board of Appeals for interpretation.
- B. Principal and accessory uses allowed by district are shown in the table below.

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)	X	X	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	X	X	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 Facilities/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	
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		
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,	X	X	O	

and limited to one per block)				
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	
Tattoo Parlor & Body Piercing				
Theater, Cinema	O	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	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	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

3.4.3. Specific Use Standards.

The following principal and accessory uses must conform with the indicated use standards.

- A. **Dwelling, 'For-Sale' Accessory.** Where a Dwelling, 'For-Sale' Accessory is allowed, it is subject to the following:
1. The dwelling shall be accessory to a permitted commercial use and shall be located above or to the rear of such use to which it is accessory.
 2. The dwelling shall be attached by a common wall with the commercial or office structure to which it is accessory.
 3. The dwelling shall be occupied by a single family, a member of whom is the owner or tenant of the commercial structure to which it is accessory.
 4. The square footage of the dwelling shall not exceed 40% of the combined square footage of the commercial structure and the dwelling.
 5. The dwelling and the commercial structure to which it is accessory shall be in compliance with all applicable provisions of the life safety code, the building code, and other codes of the City.
- B. **Live-Work.** Where Live-Work is allowed, it is subject to the following:
1. Live-work is only permitted on the first floor of a dwelling unit.
 2. A minimum of one person must occupy the dwelling containing the live-work use as their primary place of residence.
 3. The live-work use may employ no more than two persons not living on the premises at any one time.
 4. No business storage or warehousing of material, supplies or equipment is permitted outside of the dwelling containing the live-work use.
 5. The nonresidential use of the live-work use is limited to a permitted or conditional use in the zoning district.
 6. No equipment or process may be used in connection with the live-work use that creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses, off the premises.
 7. No more than 5 customers are permitted on the premises at any one time.

SECTION 1.4 - DEFINITIONS

1.4.2 Defined terms.

Words and phrases defined herein shall be interpreted as defined without regard to other meanings in common or ordinary use, unless the context of the word or phrase indicates otherwise. Words and phrases not defined in this Ordinance shall be construed to have the meaning given by common and ordinary use as defined by Webster's New International Dictionary, Latest Edition. Figures associated with defined terms in this Section are provided for illustration only and do not limit or change the meaning of the term as defined in writing.

Acceleration Lane. An added roadway lane which permits integration and merging of slower moving vehicles into the main vehicular stream.

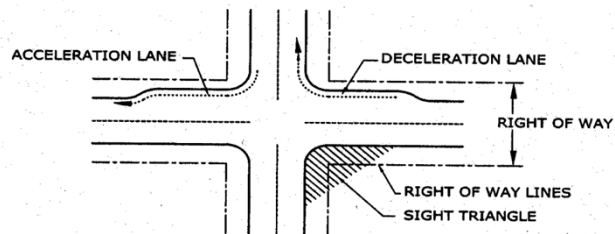
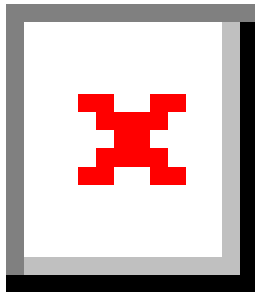


FIGURE 1

Access. A way or means of approach to provide physical entrance to a property.

Accessory Structure. A structure detached from a principal building on the same lot and customarily incidental and subordinate to the principal building or use.

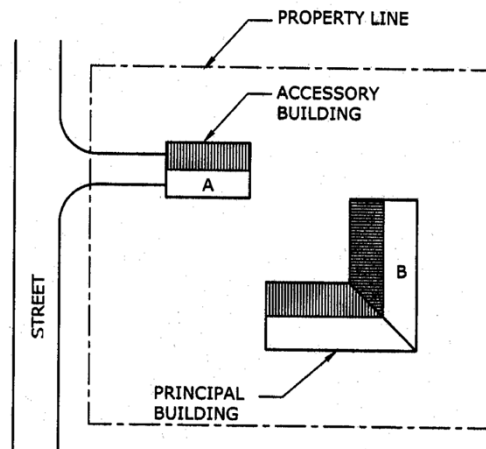
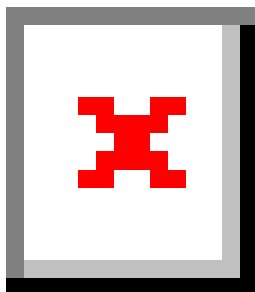


FIGURE 2

Accessory Use. A use customarily incidental and subordinate to the principal use and located on the same lot with such principal use.

Acre. A measure of land area containing 43,560 square feet.

1. **Acreage, Gross.** The total area of a property measured in acres and fractions thereof rounded to the nearest one-tenth acre.
2. **Acreage, Net.** The total buildable area of a property measured in acres to the nearest one-tenth, as existed when originally approved for its current zoning district, less any flood plain, easements and land dedicated to and accepted for streets or other public improvements by the City.

Adult Book Store. A retail establishment, a majority of whose inventory consists of books, magazines, videotapes and similar materials containing sexual activities or specified anatomical parts.

Airport. A property or structure licensed and approved by the Federal Aviation Administration where fixed wing aircraft or helicopters can land and take off, which may be equipped with hangars, facilities for refueling and repair and various accommodations for passengers.

Aisle. The traveled way, which is not the public right-of-way, by which cars enter and depart parking spaces.

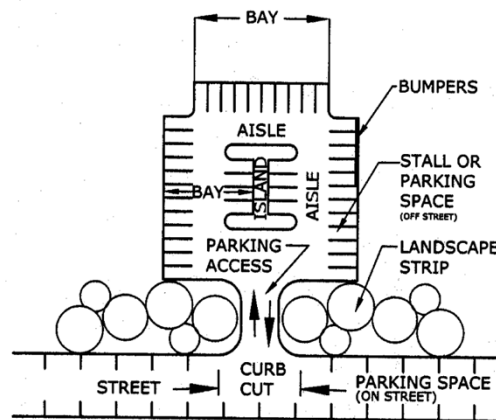
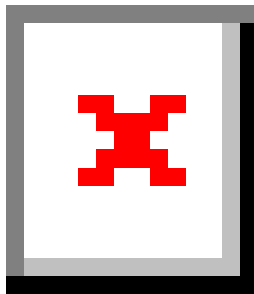


FIGURE 3

Alley. A non-exclusive private easement or publicly dedicated service way providing a secondary means of public access to abutting property and not intended for general traffic circulation.

Alteration of Building. Any change in the supporting members of a building (such as bearing walls, columns or girders); any change in the non-supporting interior walls of a building; any addition or reduction to a building; any change in use; or any relocation of a building from one location or position to another.

Amphitheater. An outdoor area designed or intended for the projection of sound to be heard by a nearby audience.

Amenity. A natural or man-made feature which is intended to enhance or make more attractive or satisfying a particular property.

Animal Hospital, Large Animals. A place where horses, cattle, sheep or other animals normally kept in agricultural settings are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to the hospital use.

Animal Hospital, Small Animals. A place where dogs, cats, birds or other animals normally kept as household pets are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to the hospital use.

Annexation. The incorporation of a land area into the City with a resulting change in the city limit boundaries.

Antenna. See Section 2.8 for definition of 'antenna.'

Apartment. One or more rooms comprising an independent dwelling unit in a 'For-Rent' building.

Applicant. Any person making a request to the City for any approval, permit or authorization under the procedures contained in this Ordinance.

Art Galleries. An establishment engaged in the sale, loan, or display of art books, paintings, sculpture, or other works of art. This does not include libraries, museums, or non-commercial art galleries, or where such display of art is incidental to the primary use.

Asphalt Plant. A business which manufactures, mixes, or blends asphaltic products for distribution.

Assisted Living Facility. See Congregate Housing.

Associations. An organization of persons having common interests or purposes.

Auditorium. An indoor building or structure designed or intended for use for the gathering of people as an audience to hear music, lectures, plays, and other presentations.

Auto Sales and Leasing. The use of any building, land area, or other premises or portions thereof, for the display, sales or lease of automobiles, trucks, vans, trailers or recreational vehicles, including internet transactions where most vehicles are not stored on site.

Automobile. A self-propelled, free moving vehicle, with at least four but no more than six wheels, designed primarily for the transportation of passengers or for conveyance of up to two tons of materials on a street or roadway.

Automobile Service Station. Any building, land area or other premises, or portion thereof used or intended to be used for the retail dispensing or sales of vehicular fuels; and including as an accessory use the sale and installation of lubricants, tires, batteries and similar accessories, or the provision of tune-up or light maintenance services for vehicles.

Automotive Service Establishment. A business principally engaged in the repair of automobiles or other motorized vehicles, or the installation or repair of equipment or parts on motorized vehicles such as mufflers, brakes, tires, radios, transmissions, and engines or engine parts.

Bakery. An establishment primarily engaged in the retail sale of baked products for consumption off site. The products may be prepared either on or off site. Such use may include incidental food service.

Bank. A freestanding building, with or without a drive-up window, for the custody, loan, or exchange of money; for the extension of credit; and for facilitating the transmission of funds. This may include credit unions, savings and loans, and traditional banks.

Barber Shop. Any establishment or place of business within which the practice of barbering is engaged in or carried on by one or more barbers.

Basement. An area below the first floor of a building used for storage, garages, and utilities or for common use of the occupants of the building. A basement used for any one or more of the above purposes shall not be counted as a story.

Beauty Shop. Any commercial establishment, residence, vehicle, or other establishment, place, or event wherein cosmetology is offered or practiced on a regular basis for compensation.

Bed and Breakfast. A building in which lodging and meals are provided for no more than 15 guest and meals are served in a common dining room.

Berm. A mound of earth, or the act of pushing earth into a mound.

Block. A tract of land bounded by streets or a combination of streets and public land, rights-of-way or any other barrier to the community or development.

Board of Appeals. The appointed Board of Appeals of the City of Alpharetta.

Boarding House. A dwelling where more than two, but fewer than six rooms are provided for lodging for definite periods of times. Meals may or may not be provided, but there is one common kitchen facility. No meals are provided to outside guests.

Book or Stationery Store. An establishment for the sale or distribution of books and miscellaneous stationery by direct retail sales to the public.

Bottled Gas Storage and Distribution. An establishment where gas is stored for wholesale distribution.

Brewery. A facility where malt beverages are manufactured or brewed.

Broadcasting Studio. An establishment for the dissemination of radio, television, satellite, or similar medium, which may include a transmission tower.

Buffer Area or Buffer Strip. That portion of a lot set aside for open space and screening purposes pursuant to applicable provisions of this Ordinance to separate different zoning districts or uses on one property from uses on another property. A required set back area may not be included in a required buffer area or visa-versa.

Buffer, Undisturbed. An area of land as defined above that exists in its natural state without intrusion or alteration. The addition of landscaping into areas of sparse vegetation within undisturbed buffers does not constitute intrusion or alteration.

Buildable Area. See "Lot Building Area."

Builder's Equipment. An area designed or intended for the storage and use of equipment or materials common in the construction trade. This may not include sales of such equipment or materials.

Building. Any structure built for or intended for occupancy, storage or shelter of persons, animals, personal or business property, or machinery of any kind which is entirely separated from any other structure.

Building Code. The latest edition of all codes relating to the construction of buildings and their mechanical, electrical and other systems, as adopted by the City of Alpharetta pursuant to the Georgia Uniform Building Code Act and also referred to as the Standard Building Code.

Building Frontage. The linear width of a building facing or most nearly facing a street.

Building Height. The vertical distance to the highest point of the roof surface of a flat roof, the deck line of a mansard roof, and to the mean height level between eaves and ridge of a gable, hip or gambrel roof, as measured from the average finished grade across the building frontage.

Building Inspector. The Building Official of the City of Alpharetta or the Building Official's designated representative.

Building Site. A parcel or lot or land occupied or intended to be occupied by a building or structure having not less than the minimum area permitted by the code.

Bus Shelter. A small, roofed structure, having from one to three walls, located near a street, and designed primarily for the protection and convenience of bus passengers.

Car Wash. Any building or premises or portions thereof dedicated to use for washing automobiles; or a structure containing facilities for washing automobiles.

Carpenter Shop. An establishment utilized for the manufacture or assemblage of wood into usable forms for sale and distribution.

Carpet and Rug Sales. An establishment for the retail or wholesale sale of floor coverings.

Cemetery. Land used or dedicated to the burial or interment of human or animal remains, including crematoriums, mausoleums, necessary sales, and maintenance facilities.

Center Line of Street. Any line surveyed as such by the City of Alpharetta or the Georgia Department of Transportation or their designee, or, if no such survey exists, the line which is midway between the edge of pavement or back of curb of a street.

Central Business District (CBD). That portion of the City bounded by Mayfield Road to the North, Old Milton Parkway to the South, Haynes Bridge Road and Highway 9 to the east and Roswell and Canton Streets to the west. (see page 2-103)

Certificate of Occupancy. A document issued by the Director indicating that a particular building conforms with the requirements of this Ordinance and the building is complete and ready for use.

Church. A facility incorporating one or more buildings where religious services are conducted.

City. The City of Alpharetta, Georgia.

City Administrator. The Chief Operating Officer of the City of Alpharetta or his designee.

City Clerk. The City Clerk of Alpharetta, Georgia, or the City Clerk's designated representative.

City Council or Mayor and Council. The legally constituted and elected governing body of the City of Alpharetta, Georgia.

Clinic. An establishment where patients are admitted for examination and treatment by one or more physicians, dentists, psychologists, medical professionals, or social workers and where patients are not usually lodged overnight.

Club. Buildings and facilities owned or operated by an association or persons for a social or recreational purpose.

Collection Box. A container, trailer, vehicle or other structure, used for the purpose of acquiring donated goods, by a for-profit or not-for-profit entity.

Commercial Parking Lot. An area or structure dedicated to the temporary storage of automobiles or other vehicles for periods of less than 24 hours for a fee, operated as the principal use of the property or structure.

Community Development Director. The Director of the Community Development Department or his designee.

Comprehensive Plan (CP). The long-range plan for guiding development in the City of Alpharetta and the City's urban area to a point in time at least 15 years from when the plan was adopted, with the overall goal being to accommodate development in a timely, orderly, and efficient arrangement of land uses and public facilities and services that meet the needs of present and future residents and businesses.

Concept Plan. A generalized map presenting an image or representation of a proposed development, and showing those plan elements as further required by this Ordinance.

Concrete Plant. A business which manufactures, mixes, or blends concrete products for distribution.

Conditional Use. A use that generally would not be appropriate throughout a zoning district but which, if controlled as to visual appearance, number, area, height, location, or relation to abutting or nearby uses, would not be injurious to the public, health, safety, welfare, morals, order, comfort, convenience, appearance or general welfare. Such uses may be permitted only in zoning districts specified in this Ordinance and are subject to conditions and approval by the Mayor and Council.

Condominium. A legal form of multiple ownership consisting of a building, or group of buildings, in which units are owned individually, and the structure, common areas and facilities are owned by all the owners on a proportional, undivided basis.

Condominium, Office. An office building (or group of buildings) organized, owned and maintained as a condominium.

Condominium, Residential. A building type consisting of individual units located within a single structure. The structure normally has at least two, but no more than six stories. The structure is designed to appear as a single building with no architectural distinction between the units. Architectural elements such as materials, colors and windows are repeated consistently throughout the building and there is usually a single roof element and a single point of primary entry. The architectural style typically expresses the horizontal lines of the building which then accentuates the floors of the building as a primary visual

element. The common areas of the building such as the elevators and lobby may be expressed as special features on the main elevations of the structure.

Congregate Housing. Any group dwelling or facility licensed by the state, public or private, which for gain or otherwise, regularly provides one or more persons with assisted living care. The term "assisted living care" means specialized care and services including the provision of personal services, the administration of medications by a certified medication aide and the provision of assisted self-preservation. The term "personal services" includes, but is not limited to, individual assistance with or supervision of self-administered medication, assistance, essential activities of daily living such as eating, bathing, grooming, dressing, toileting, ambulation and transfer. The term "assisted self-preservation" means the capacity of a resident to be evacuated from an assisted living facility to a designated point of safety and within an established period of time as determined by the Office of Fire Safety Commissioner. Assisted self-preservation is a function of all of the following:

1. The condition of the individual.
2. The assistance that is available to be provided to the individual by the staff of the assisted living facility; and
3. The construction of the building in which the assisted living facility is housed, including whether such building meets the state fire safety requirements applicable to an existing health care occupancy.

Construction Trailer. A temporary structure used as an office and located on an active construction site.

Contractor's Office with outside storage. A room or group of rooms used for conducting business that includes an enclosed exterior space for the storage of business related equipment and supplies.

Contractor's Office without outside storage. A room or group of rooms used for conducting business that does not use any exterior storage area.

Convenience Center with Gas Pumps. A facility that combines a small retail store with the sale and dispensing of gasoline products.

Convenience Store. A retail establishment primarily selling packaged food and household convenience items, which may also dispense automobile fuel, oil and accessories. Excluded from this definition is any establishment providing automotive maintenance services or repairs.

Craftsman Shop or Studio. A facility where products are made or serviced on an individual basis without the use of mechanized or assembly line production equipment.

Curb Break or Curb Cut. Any interruption or break in the line of a street curb for the purpose of connecting a driveway to a street, or otherwise to provide vehicular access to abutting property.

Data Center. A building or complex of buildings in which a substantial portion of the gross square footage is dedicated to the housing of computer or data processing equipment or systems.

Day Care Center. Any establishment operated by an individual, partnership, society, agency, corporation, institution or group, and licensed by or registered with the State of Georgia as a group day care home or day care center, which enrolls therein for pay, for supervision and care, seven or more children or adults. Such facility may provide supervision, care, education, recreation and specialized programmings but does not provide overnight accommodations.

Deed. An instrument that conveys or transfers title to land or other real property.

Density. The average number of dwelling units or gross square feet of building floor area per gross acre of land. For an individual property, the density shall be calculated by dividing the total dwelling units or gross square footage of the building by the total gross acres of the property that existed when originally approved for its current zoning district.

Design Review Board. The Design Review Board of the City of Alpharetta, as established by this Ordinance and appointed by the Mayor and Council.

Development Activity. The construction of public improvements, site improvements, or buildings, including any alteration of a property in preparation for such construction. Development Activity shall also include the "thinning" or removal of trees from undeveloped land in conjunction with a forest management program, and the removal of trees incidental to the development of land or to the marketing of land for development.

Director. Unless otherwise specified, the Director of Community Development of the City of Alpharetta, Georgia, or the Director's designated representative.

Discount Store. A retail store that sells new or used goods or products at prices lower than traditional retail outlets. Discount stores principally engage in offering a category of similar goods or a wide assortment of goods for sale to the general public.

Distillery. A facility where distilled spirits are manufactured (distilled, rectified or blended).

Drainage. See Article III, Section 3.1 for all definitions relating to drainage and storm water control.

Drive or Driveway. A surfaced asphalt or concrete area on a lot which provides direct access for vehicles between a street and a private garage, carport or other permitted parking space or parking area or loading area.

Dry cleaning, pick-up station. An establishment or business maintained for the pickup and delivery of dry cleaning and/or laundry without the maintenance or operation of any laundry or dry-cleaning equipment or machinery on the premises.

Dry cleaning plant. A building, portion of a building, or premises used or intended to be used for cleaning fabrics, textiles, wearing apparel, or articles of any sort by immersion and/or agitation, and other processes incidental thereto.

Duplex. A building type consisting of two independent units that are attached by a common side wall, floor and/or ceiling. Such units normally have at least two, but no more than four floors. These units may share a common front door and are sometimes designed to appear as a single unit.

Dwelling, 'For-Rent' (Downtown, Central Business District).

- a. Unit—A residential unit designed to be leased or rented and occupied by a single family tenant and located within the Central Business District (map page 2-115).
- b. Building—A structure incorporating multiple rental units. (See Apartments.)
- c. See Section 2.7 Standards for Downtown, Central Business District.

Dwelling, 'For-Rent' (Outside of Central Business District).

- a. Unit—A residential unit designed to be leased or rented and occupied by a single family tenant.
- b. Building—A structure incorporating multiple rental units. (See Apartment.)
- c. See Section 2.7 Standards for Units (outside of Central Business District).

Dwelling, 'For-Sale'.

- a. Detached—A free-standing residential unit designed to be purchased and occupied by a single family.
- b. Attached—A residential unit attached to other residential units and designed to be purchased and occupied by a single family.
- c. Condominium—A type of property ownership in which a 'For-Sale' unit is purchased and the purchaser of each unit acquires full title to the unit and an undivided interest in the common elements (the land, roof, elevator, etc.).

Dwelling, Group. A building or portion of a building occupied or intended for occupancy by a number of unrelated persons or families, but in which separate cooking facilities are not provided for such resident persons or families. The term "group dwelling" includes but is not limited to the terms rooming house,

apartment hotel, nursing home, fraternity or sorority house, YMCA or YWCA. A hotel, motel or bed and breakfast tourist home shall not be deemed to be a group dwelling as herein defined.

Dwelling Unit. One or more rooms connected together and constituting a separate, independent housekeeping establishment designed for use by one family with provision for cooking, eating, sleeping, bathing and personal sanitation, and physically set apart from any other rooms or dwelling units in the same structure or another structure.

Easement. A grant by a property owner of any designated part of a property for the use by another for a specified purpose without transfer of title or right of ownership.

Egress. An exit.

Electric power yards, substation. All equipment, fixtures, and personal property operated or maintained in connection with the production of electricity using any source of thermal, steam, wind, or solar energy with a generating capacity of more than 500 kilowatts and less than 50 megawatts.

Existing Use. The use of a lot or structure at the current time or another time if so designated.

Extended Stay Hotel. A building containing guest rooms for lodging, offered to the public for compensation, which are advertised, designed, intended or routinely utilized for weekly or monthly occupancy, or in which at least 30% of all guest rooms have facilities for the refrigeration and preparation of food by guests, such as a refrigerator and a cooktop/stove (or a refrigerator, a microwave, and a dishwasher or kitchenette sink), and a self-serve laundry facility is available for guests use. For the purposes of this Code, extended stay hotels and hotels (or motels) are separate and distinct uses. See, Section 2.7.3.

Family. One or more persons related by blood, adoption, guardianship or marriage and/or not more than three unrelated persons, living and cooking together as a single, nonprofit housekeeping unit.

Family Day Care Home. An accessory use within a private residence, licensed by or registered with the State of Georgia as a family day care home, operated by the occupant of the dwelling who enrolls for pay, for supervision and care without overnight accommodations, three but not more than six children or adults.

Fast Food Restaurant. See Restaurant, Drive-thru or Fast Food.

Fence. A structure made of manufactured materials—and used for the purpose of defining a boundary, creating an enclosure, providing security, privacy or screening, or as a means of protection.

Flood Control. See Article III, Section 3.4, for definitions relating to flooding and flood control.

Floor Area. The total number of square feet of heated floor space within the exterior walls of a building.

Floor, First. The location within a building in which the primary egress and ingress are provided.

Florist, Retail With Greenhouse. Any business establishment which, as its primary business, sells at retail flowers and ornamental plants. A greenhouse or nursery for the growing of plants, or another open or enclosed supplemental display area outside the establishment, is permitted as a normal accessory use.

Florist, Retail Without Greenhouse. Any business establishment which, as its primary business, sells at retail flowers and ornamental plants. A greenhouse or nursery for the growing of plants, or another open or enclosed supplemental display area outside the establishment, is not permitted.

Frontage Lot or Street Frontage. The width in linear feet of a lot where it abuts the right-of-way of any street from which access may be directly gained.

Funeral Home. A building used for the preparation of deceased human beings for burial and the display of the deceased and ceremonies connected therewith before burial or cremation.

Future Land Use Map. The map named as such and contained in the Comprehensive Plan that indicates areas appropriate for various land uses and public facilities over time and as described in the Comprehensive Plan text.

Garage Sale. The sale or offering for sale of miscellaneous personal items on a residential zoned lot, (not including churches and schools).

Garden District. That portion of Canton Street bounded by Church Street to the south and Hopewell Road to the north.

Gasoline Station. A facility where primary use is the dispensation of fuels. (Also see Convenience Center with Gas Pumps)

Gazebo. An accessory, open air structure not exceeding 300 sq. ft. in size.

Governing Body. The Mayor and Council of the City of Alpharetta, Georgia, under whose authority this Ordinance is enacted into law, administered, and enforced.

Grade. The degree rise or descent of a sloping surface. The average elevation of the sidewalk or crown of road surrounding a building site.

Grade, Finished. See Section 3.1, "Site Grading and Land Disturbance."

Greenhouse. A building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of plants for subsequent sale or for personal enjoyment.

Group Home. A dwelling shared by four or fewer persons, excluding resident owner, (or no more than six persons including the resident owner), who live together as a single housekeeping unit and in a long term, family-like environment in which the resident owner, serving as the primary caregiver to the residents, provides care, education and participation in community activities for the residents with the primary goal of enabling the residents to live as independently as possible in order to reach their maximum potential. 1. No group home shall be located within 2,000 ft. of another group home as measured at the property line. 2. A group home shall be limited to one structure and multiple structures located near one another shall not be considered components of one group home. Each structure shall meet distance requirements. The term "group home" shall not include a halfway house, a treatment center for alcoholism or drug abuse, and work release facility for convicts or ex-convicts, a home for detention and/or rehabilitation of juveniles adjudged delinquent or unruly and placed in custody of the state or other housing facilities serving as an alternate to incarceration. The term "group home" shall also not allow the use of a dwelling as an apartment or duplex. A "group home" shall not allow use of the dwelling as a home for individuals on parole, probation, or convicted and released from incarceration, for any crimes including child molestation, aggravated child molestation, or child sexual abuse, as defined in O.C.G.A. 16-6-4 or individuals required to register as sex offenders pursuant to O.C.G.A. 42-1-12. A group home may include a home for the handicapped. As used in this subsection, the term "handicapped" shall mean:

1. Having a physical or mental impairment that substantially limits one or more of such person's major life activities so that such person is incapable of living independently;
2. Having a record of having such an impairment; or
3. Being regarded as having impairment.

However, the term "handicapped" shall not include current illegal use of or addiction to a controlled substance, nor shall it include any person whose residency in the home would constitute a direct threat to the health and safety of other individuals.

Hardware Store. A facility of 30,000 or fewer square feet gross floor area, primarily engaged in the retail sale of various basic hardware lines, such as tools, builders' hardware, plumbing and electrical supplies, paint and glass, housewares and household appliance, garden supplies, etc.; if greater than 30,000 square feet, such a facility is a Home Improvement Center.

Historic Business District. That portion of the Central Business District bounded by Church Street to the north, Highway 9 to the east, Marietta Street to the south and Milton High School to the west. (see page 2-122)

Home Improvement Center. A facility of more than 30,000 square feet gross floor area, engaged in the retail sale of various basic hardware lines, such as tools, builders hardware, paint and glass, houseware and household appliances, garden supplies, and cutlery.

Home Occupation. Any activity carried out as a business and/or for profit by the resident and conducted as an accessory use in the resident's dwelling unit.

Hospital. A building providing primary or tertiary health services and medical or surgical care to persons including in-patients and out-patients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions, and including as an integral part of the institution, related facilities such as laboratories, outpatient facilities or training facilities.

Hotel (or Motel). A building in which lodging along with customary lodging facilities and services, such as meeting rooms, restaurant, maid service and fitness center, are provided for transient guests for an average stay of less than 7 days and offered to the public for compensation. Guest rooms within the building contain no provisions for food preparation other than a mini-fridge and/or microwave, there are no self-serve laundry facilities (for guests use) within the building, and access to each guest room is through an inside lobby which is supervised at all hours.

Improvements. The buildings, public utilities and facilities, and accessory structures built on or serving a property.

- A. *Public Improvements.* Any structure, owned by or to be dedicated to a government or a utility regulated by the Georgia Public Service Commission, together with its associated public land, easement or right-of-way, necessary to provide transportation, drainage, public or private utilities, or other public services such as education, recreation, or public safety.
- B. *Site Improvements.* Any structure, other than a principal building or a structure intended for dedication to public ownership, constructed to support or provide for the use or occupancy of a property, such as driveways, parking and loading areas, retaining walls and other earthen works, erosion and sedimentation control facilities, stormwater drains and detention facilities, and connections to public water, sewer or other utilities.

Industrial Park. A development that contains a number of separate industrial buildings and supporting uses on one or more lots, which is designed, planned, constructed and managed on an integrated and coordinated basis.

Industrialized Buildings. Prefabricated structures as defined in O.C.G.A. 110-2 and usually used for a limited time period such as for a site construction office, portable classroom and site real estate office.

Ingress. Access or entry.

Island. In parking lot and street design, built-up curbs (and in parking lots usually placed at the end of parking rows) as a guide to traffic and also used for landscaping, signing or lighting.

Junk or Salvage Yards. Any area, lot, land, parcel, building or structure or part thereof used for the storage, processing, purchase, sale or abandonment of wastepaper, rags, scrap metal or other scrap or discarded goods, materials, machinery or two or more unregistered, inoperable vehicles or other type of junk. See Also "Recycling Center."

Kennel. An establishment in which more than six dogs or other domesticated animals more than one year old may be housed, groomed, bred, boarded, trained or sold.

Land Disturbance Permit. A permit issued by the City that authorizes Development Activity, and includes, but is not limited to, activity related to soil erosion control, clearing and grubbing, grading, public and site improvements. This permit does not authorize building construction.

Land Use. See "Use," "Principal Use," and "Accessory Use."

Landscape Strip. A portion of a lot required to be reserved for, installed with, and maintained with vegetation. Such a strip may or may not be required to be of a linear form.

Loading Space, Off-street. A space or berth used for the loading or unloading of commercial vehicles, trucks or other vehicles.

Lot. A portion of a subdivision, or any other parcel of land, intended as a unit for transfer of ownership or for development or both. In determining the area and dimensions of a lot, no part of the street right-of-way or private street easement may be included.

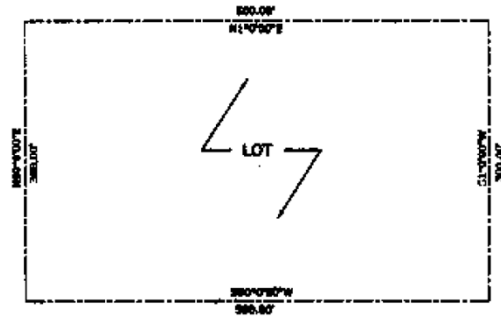
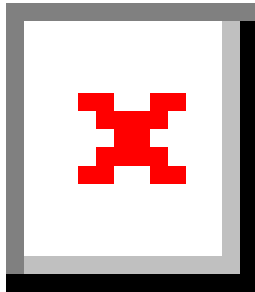


FIGURE 4

Lot Building Area. The portion of a lot located interior to the front, side and rear yard building setback lines; that is, the portion of a lot wherein a building may be located.

Lot, Corner. A lot abutting two or more streets at their intersection.

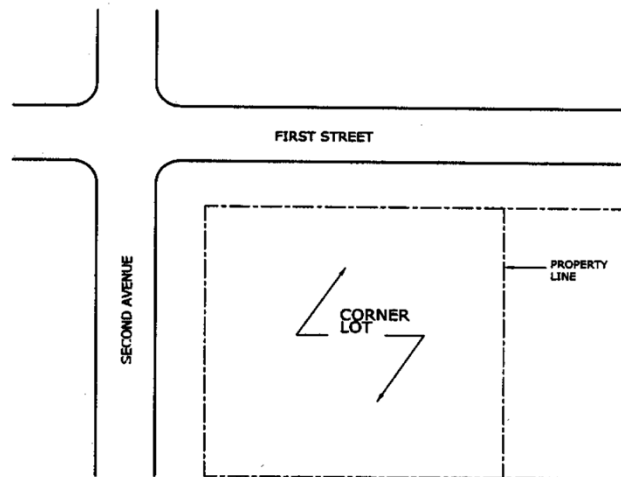
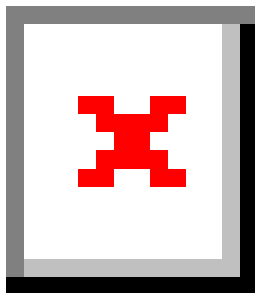


FIGURE 5

Lot Coverage. That portion of the lot that is covered by buildings, structures, and any other impervious surface.

Lot Depth. The distance between front and rear lot lines. If front and rear lines of said lot are not parallel, such least dimension shall be deemed to be the lot depth.

Lot, Double Frontage. A lot which has frontage on more than one street, provided however, that no corner lot shall qualify as a double frontage lot unless said corner lot has frontage on three or more streets.

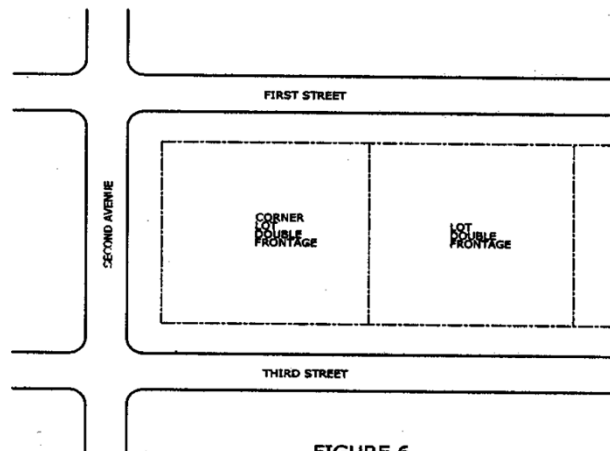
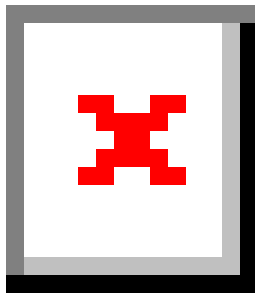


FIGURE 6

Lot, Flag. An "L" shaped lot whose frontage is provided by the driveway access which ties the buildable portion of the property to the street.

Lot Frontage. See "Frontage."

Lot Line. A line of record bounding a lot which divides one lot from another lot or from a street or any public space.

- A. *Front Lot Line.* Any boundary line of a lot which is coterminous with a public street right-of-way line or private street easement line. For a corner lot, the narrow portion is usually considered the front.
- B. *Rear Lot Line.* Any boundary line of a lot which does not intersect with a street right-of-way or private street easement line and which is usually opposite of the front lot line.
- C. *Side Lot Line.* Any boundary line of a lot which intersects with a street right-of-way or private street easement line.

Lot of Record. A lot which exists as shown or described on a plat or deed recorded in the Office of the Clerk of the Superior Court of Fulton County.

Lot Width. The distance measured between side lot lines at the front minimum setback line between intersecting lot lines.

Lot Width—Cul-de-sac. The distance measured between side lot lines at the point of the property that is twice the front setback requirement from the front property line.

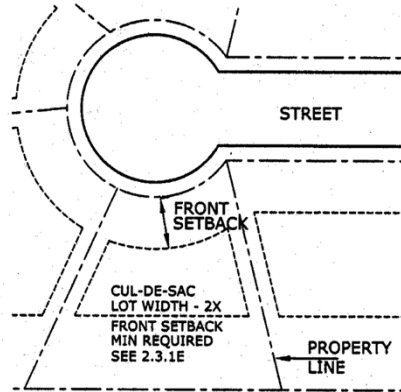
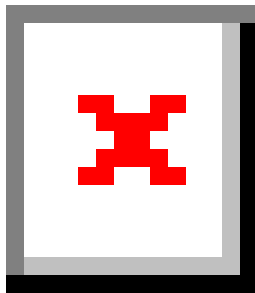


FIG 7

Mansard Façade. An architectural appendage or embellishment to a flat topped structure which is attached to the front external wall and if intended to create the appearance of a mansard roof. See also "Roof."

Manufactured Building. A factory-built, structure that meets national standards for manufactured buildings.

Manufacturing, Heavy. The extraction of natural resources or the transformation of raw materials through mechanical or chemical means into new products ready for assembly, fabrication or use in the production of finished goods.

Manufacturing, Light. The fabrication or assembly of parts into a finished product or component products.

Marquee. Any hood, canopy, awning or permanent construction which projects from a wall of a building, usually above an entrance.

Massage Parlor. Any facility, other than a hospital or clinic, where non-medical manipulative devices or exercises are practiced upon the human body by someone other than a licensed medical professional.

Master Plan. A plan map and associated statement of intent which, at least, includes a depiction of pods, roads, buffers, flood areas, permitted uses and development regulations which represents the framework for development activity on a property. See also "Concept Plan."

Median Break or Cut. Any interruption in the curb separating opposing vehicular travel lanes of a street for the purpose of allowing ingress or egress by left turning movements to a street, or abutting property.

Metes and Bounds. A method of describing the boundaries of land by directions and distances from a known point of reference.

Mezzanine. An intermediate floor between two other stories that does not contain more than 1/3 of the area of the floor below it.

Mini-Warehouse. A structure containing separate storage spaces of varying sizes leased or rented on an individual basis.

Mobile Home. A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used as a dwelling. 'For-Sale', with or without a permanent foundation when connected to public. utilities. The term mobile home shall not include motorized vehicles with temporary living quarters. Mobile homes built after 1976 are referred to as "Manufactured Homes" or "Industrialized Buildings".

Mobile Home Park. A site with required public and/or private improvements and utilities for the long-term parking of two or more mobile homes or manufactured homes each on a single lot, and which may include such accessory uses as retail convenience sales, Laundromat, and recreational facilities for the exclusive use of residents.

Motel. See "Hotel".

Nail Salon. An establishment that offers nail care services such as manicures, pedicures, and nail enhancements.

Natural Resources Commission. The appointed natural resources commission (formerly known as the Tree Commission) for the City of Alpharetta.

Neighborhood Grocery. A facility with a floor area of at least 3,000 square feet but not more than 50,000 square feet that sells primarily grocery items such as prepackaged food, produce, meats, baked goods, beverages and similar food items intended for off-site consumption. At least 60% of the floor area of the facility shall be dedicated to the sale of said grocery items, including any immediately adjacent circulation and service areas, but not including storage.

Nonconforming Lot. A lot of record whose area, frontage, dimensions, or location were lawful prior to the adoption, revision, or amendment of this Ordinance, and which, by reason of such adoption, revision or amendment, no longer meets or exceeds one or more such requirements of the applicable zoning district.

Nonconforming Sign. Any structure or sign which was lawfully erected and maintained prior to the adoption, revision, or amendment of this Ordinance, and which by reason of such adoption, revision or amendment fails to conform to all applicable regulations and restrictions of this Ordinance.

Nonconforming Structure. A structure or building whose size, dimensions, or location on a property were lawful prior to the adoption, revision, or amendment of this Ordinance, but which, by reason of such adoption, revision, or amendment, no longer meets or conforms to one or more such requirements of this Ordinance.

Nonconforming Use. A use or activity that was lawful prior to the adoption, revision, or amendment of this Ordinance, but which, by reason of such adoption, revision, or amendment, is not a use or activity permitted by right or no longer meets or conforms to the requirements of this Ordinance.

Nursery, Plant. Land or greenhouses used to raise flowers, shrubs and plants for sale to distributors or for subsequent replanting by the owner, a landscape company or others. See also "Florist, Retail."

Nursery School. See "Day Care Center."

Nursing Home. An extended or intermediate care facility required to be licensed or approved by the State of Georgia to provide full-time convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.

Office. A room or group of rooms used for conducting the affairs of a business, profession, service, industry or government.

Office Building. A building used primarily for conducting the affairs of a business, profession, service, industry or government, or like activity, that may include ancillary services for office workers such as a restaurant, coffee shop, newspaper or candy stand.

Office Park. A development that contains a number of separate office buildings and supporting uses on one or more lots, which is designed, planned, constructed and managed on an integrated and coordinated basis.

Opaque. Impenetrable to view, or so obscuring to view that buildings, structures, and uses become visually indistinguishable.

Open Space. A privately-owned area on the grounds of a premises outside of any principal building or parking area, which is open to the sky and set aside and intended for the outdoor enjoyment of occupants or visitors to the property, and which may but is not required to include such pedestrian-oriented improvements as landscaping, sidewalks, walkway paths, pergolas, gazebos, bikeways, exercise or play

equipment, and benches, and which may further include up to 20% of its area in water bodies or other areas inappropriate for pedestrian use.

Outdoor Storage. The keeping, in an unroofed area of any goods, material, merchandise or vehicles in the same place for more than 24 hours.

Outdoor Vending. Sale and/or display of products in an area exposed to open air on two or more sides.

Owner. An individual, firm, association, syndicate, partnership or corporation having a majority proprietary interest in land or a building, or their authorized representative.

Parapet. That portion of a wall which extends above the roof line.

Parcel. A lot or tract of land, or several adjoining lots in common ownership.

Park Space. A public- or privately-owned area, which is set aside for the enjoyment for occupants or visitors to the property, and which may include both outdoor and indoor areas developed for active and/or passive recreation.

Parking Area. Any public or private area at grade or within a structure used for the express purpose of temporarily parking automobiles and other vehicles otherwise in operation for personal or business use.

Parking Garage. An accessory building or portion of a principal building used only for the private storage of motor vehicles as an accessory use.

Parking Space. A space identified and set aside for the temporary parking of an automobile or other motor vehicle which is subdivided into the following categories:

- A. **Compact Car Parking Space.** A designated space not less than 8 feet by 16 feet expressly provided within a parking area for purposes of temporarily parking a compact car or other compact motor vehicle.
- B. **Handicapped Parking Space.** A designated space not less than thirteen feet in width (including loading area) and twenty feet in length, laid out and designated by signage in accordance with the requirements of the Georgia Accessibility Code for Buildings and Facilities.
- C. **Handicap - Van Only.** A designated space not less than sixteen feet in width including loading area and twenty feet in length.
- D. **Regular Parking Space.** A designated space not less than 9 feet in width by 19 feet in length.

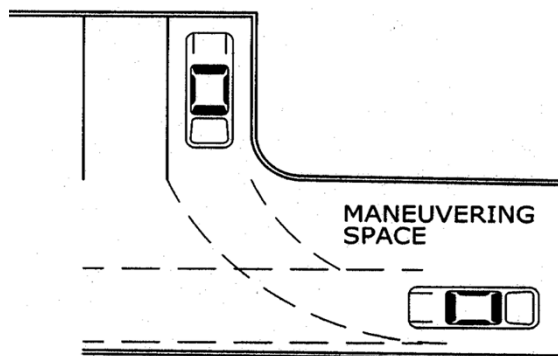
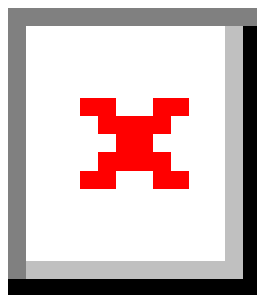


FIGURE 8

Patio House. A 'For-Sale' dwelling in which most, or all, of a lot is used with yard space combined instead of divided. Front, rear and side yard are consolidated into one garden area, either partially or completely bordered by rooms or enclosed by walls. See also "Zero Lot Line."

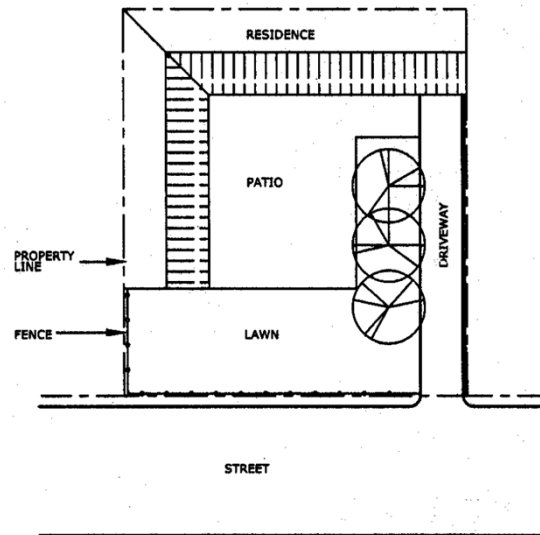
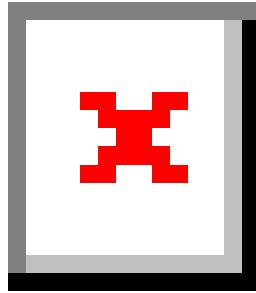


FIGURE 9

Pedestrian Walkway. A right-of-way within a block dedicated to public use, five feet or more in width, intended primarily for pedestrians or bicycles and other non-motorized vehicles.

Perimeter. The boundaries or borders of a lot, tract or parcel of land.

Permit. Written governmental permission issued by an authorized official, empowering the holder thereof to do some act not forbidden by law, but not allowed without such authorization.

Permitted Use. Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.

Person. Any individual, corporation, association, firm, partnership or other legal entity.

Pet Day Care. A facility that provides care on a regular basis to household animals for a period of less than 24 hours with no overnight accommodations.

Planned Center, Office, Commercial or Industrial. A group of rental stores, service establishments, offices, industries and any other businesses planned to serve the public, which is in common ownership or condominium ownership.

Planning Commission. The appointed Planning Commission of the City of Alpharetta, Georgia.

Planted Area. An area of living plant material created for the purpose of establishing open space and consisting of a minimum of 50% of the area devoted to trees and shrubs.

Plat. (1) a map representing a tract of land, showing the boundaries and location of individual properties and streets; (2) a map of a subdivision or site plan.

Plat, Final. The final map of all or a portion of a subdivision which is presented to the proper review authority for final approval and recorded in the office of the Clerk of Superior Court of Fulton County.

Plat, Minor. A division of a tract or parcel of land into not more than four (4) lots and does not dedicate or offer for dedication any new street or require construction of any private road for access to any lots and does not require extension of sanitary sewer, stormwater, or water mains to service lots.

Plat, Preliminary. A preliminary map indicating the proposed layout of the subdivision or site plan which is submitted to the proper review authority for consideration and preliminary approval.

Portable. See Industrialized Buildings.

Premises. An area of land with its appurtenances and buildings which, because of its unity of use, is one unit of real estate.

Principal Building. The building or other structure within which is conducted (or intended to be conducted) the principal use of the lot on which said building is situated.

Principal Use. The primary or predominant use of any lot.

Prohibited Use. A use that is not permitted in a zoning district by right as a principal use, as an accessory use, or as a conditional use.

Public Space. A public- or privately-owned area, which is set aside for the enjoyment for occupants or visitors to the property, and which is developed for recreation, entertainment, and/or civic purposes and may include plazas, outdoor theaters, sculpture gardens, parks, playgrounds, community gardens, or other areas where people can gather. Areas that are restricted to the general public, like residential amenities, may not be included within the public space requirement.

Recreation Facility. A place designed and equipped for the conduct of sports, leisure time activities and other customary and usual recreational activities.

1. *Recreation Facilities, Indoor.* Recreational uses conducted almost wholly indoors, including bowling alley, skating rink, shooting range, health club, etc.
2. *Recreation Facilities, Outdoors.* Recreational uses conducted almost wholly outdoors, including ball fields, soccer, etc.

Recycling Center. A use operated exclusively for the collection and temporary storage of used paper, glass, metal, and similar materials suitable for reprocessing, which are transported elsewhere for separating, processing, or storage.

Rental Services Establishment. Any business establishment which rents or leases items of personal property such as tools, appliances and equipment to the general public.

Residence. A dwelling unit.

Restaurant. An establishment where food and drink are prepared, served and consumed primarily within the principal building, and without a drive-in or drive-thru component.

Restaurant, Drive-thru or Fast-Food. Any establishment, building or structure where food or drink are served for consumption, either on or off the premises, with drive-thru components. This definition shall not include otherwise permitted restaurants where outdoor table service is provided to customers in outdoor dining areas.

Retail Establishment, Mixed Sales. Any business establishment selling a wide variety of goods arranged in several departments including, but not limited to, hardware, automotive, sporting goods, audio and video equipment, and clothing.

Retail Sales Establishment. A business principally engaged in offering a category of similar goods or products for sale to the general public, such as grocery store, hardware store, pharmacy, clothing shop, home furnishings store, office supplies store, and the like.

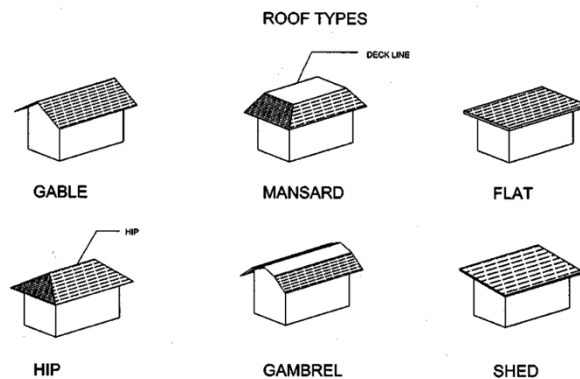
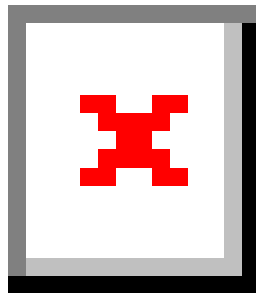
Retail Services Establishment. A business principally engaged in providing a service, as opposed to products, to the general public, such as a banking or financial institution, real estate or insurance office, barber or beauty shop, travel agency, amusement or recreation center, health clinic, legal firm, professional service, and the like.

Retail Strip Center. A group of retail stores designed as one development and being less than 50,000 square feet in size.

Right-of-Way. A strip of land occupied or intended to be occupied by a street, sidewalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for another special purpose use. Rights-of-way intended for streets, crosswalks, water mains, sanitary sewers, sewers,

storm drains, or any other use involving maintenance by a public agency shall be dedicated to public use in fee simple.

Roof. The outside top covering of a building.



Salvage Yard. A facility or area for storing, keeping, selling, dismantling, shredding, compressing, or salvaging scrap or discarded material.

School, Academic. Any building or part thereof which is designed, constructed or used for education or instruction following the same curriculum offered in a public elementary, secondary, trade or technical, or higher education facility, and accredited to award diplomas as such.

School, Commercial. Any building or part thereof which is designed, constructed or used for education or instruction in any branch of knowledge or vocational pursuit, other than an academic school.

Semipublic Use. A use owned or operated by a nonprofit, religious, or educational institution for the purpose of providing educational, cultural, recreational, religious, or social services to the general public.

Service Drive. A minor, permanent, public right-of-way which is used primarily for vehicular service access to the back or side of properties otherwise abutting on a street.

Setback. The straight line distance between a street right-of-way or a lot line and the nearest point of a structure or building or projection therefrom (excluding steps, roof overhang, chimneys, bay windows and patios).

Setback, Front Cul-de-Sac.

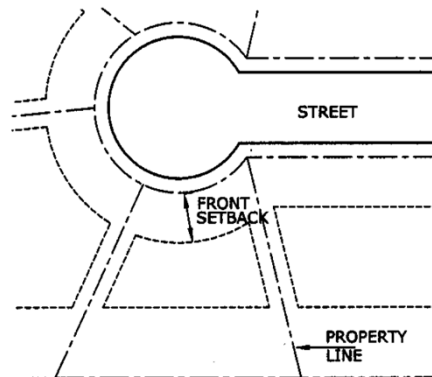
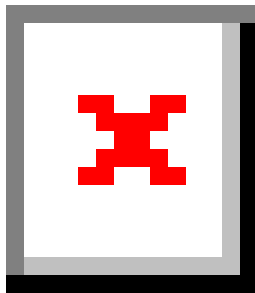


FIG 11

Setback, Minimum. The shortest distance allowed between a property line and any principal or accessory building on a lot, not including any required buffer areas. Minimum setback requirements for buildings are associated with the type of lot line from which the setback is taken; for instance, a "side yard setback" is measured from a side lot line.

Shopping Center. A group of retail sales or services establishments planned, constructed and managed as a total entity with customer and employee parking provided on-site, provision for goods delivery separated from customer access, aesthetic considerations and protection from the elements with a total size of at least 50,000 square feet.

Shopping Center, Specialty. A shopping center whose shops cater to a specific market and are linked together by an architectural, historical or geographic theme or by a commonality of goods and services.

Sidewalk. A paved, surfaced or leveled area, paralleling and usually separated from the street, used as a pedestrian walkway.

Sign. See Article II, Section 2.6, for all definitions relating to signs.

Site Plan. A plan accurately drawn to scale of a development project, depicting the buildings proposed to be placed on the property, related public and site improvements on the site, and additional information as required by this Ordinance or conditions of zoning approval, and other applicable ordinances.

Smoke Shop and Tobacco Store. Any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, or tobacco instruments; provided, however, that any grocery store, supermarket, convenience store or similar retail use that only sells conventional cigars, cigarettes or tobacco as an ancillary sale shall not be defined as a "smoke shop and tobacco store".

Spa Services. A business that provides services, which may include non-medical massage, other personal services such as skin, nail, hair treatments, and hair removal/waxing, and may have the sale of associated retail products. Such business shall be located within a retail center, shall not occupy more than 4,000 sq. ft. and shall not be closer than 2,000 ft. to a comparable business.

Special Care Home. An accessory use in a 'For-Sale' dwelling occupied by one or more persons related by blood, adoption, guardianship or marriage and/or not more than three unrelated persons, some of whom are in need of special care, living together as a nonprofit housekeeping unit. The term "special care home" shall include a home for adolescents, a home for physically handicapped persons and a home for mentally handicapped persons. The term "special care home" shall not include the business of operating a boarding house, rooming house or other similar establishment. Additionally, the term shall not include a penal institution, any place for persons convicted of a crime or any place for persons found to be juvenile delinquents.

Storage, Climate Controlled. A facility consisting of a building or group of buildings that contain individual storage units of varying sizes in a climate controlled environment where customer access is through a lobby and where no commercial transactions or activities take place other than the rental of the storage units (permitted in L-I only).

Storage, Mini-Warehouse. A facility consisting of a building or group of buildings that are surrounded by a security fence with controlled access and which contains individual storage units of varying sizes whose doors open directly to the outside and where no commercial transactions or activities take place other than the rental of the storage units.

Storefront Street. A street, that by virtue of its pre-existing pedestrian-supportive qualities, or its future importance to pedestrian connectivity, requires that new development along it achieves a high standard of design and pedestrian orientation.

Storm Water Management Report. A report prepared by a Professional Engineer registered in the State of Georgia that details the pre and post development activity hydrologic conditions.

Story. That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above, or if there is no floor above, the space between the floor and the ceiling next above. Each floor or level in a multi-story building used for parking, even if below grade, shall be classified as a story.

Street. A dedicated and accepted public right-of-way for vehicular traffic from which direct access may be gained to abutting properties, or an easement or private right-of-way approved by the City Council to serve such purpose. The term "street" shall refer to the full width located between the limits of the right-of-way or easement, and not be limited to the roadway itself.

- A. *Principal Arterials* —are those streets and highways which serve major activity centers and emphasize traffic service rather than access to abutting land access. Principal arterials include all limited access freeways, expressways or parkways, and carry a high proportion of total area travel on a minimum of mileage.
- B. *Major Arterials* —are those streets which interconnect with the principal arterial system and provide service to trips of moderate length with emphasis on both traffic service and land access and generally do not penetrate identifiable single family residential neighborhoods.
- C. *Minor Arterials* —provide intra-community continuity but should not penetrate identifiable neighborhoods.
- D. *Collector Streets* —distribute trips from arterial street to their ultimate origin or destination. Collector streets provide a greater level of land access than arterial streets, may enter or traverse identifiable neighborhoods, and rarely serve significant volumes of through traffic.
- E. *Local Streets* —comprise all facilities not classified as arterial or collector. Local streets provide land access with service to through traffic being actively discouraged.

Street, Future Right-of-Way Line. The right-of-way line which is anticipated by the City, State or other agency for future development.

Street Right-of-Way Line. The limit of public ownership or private easement for property containing or intended to contain a street, dividing it from an adjacent lot.

Structure. A combination of materials to form a construction for use, occupancy or ornamentation which is fastened or attached to the ground.

Structure Height. The vertical distance to the highest point of a structure, as measured in the same manner as "Building Height" herein.

Subdivision. The division of a lot, tract or parcel of land into 2 or more lots, tracts, parcels or other divisions of land for sale, development, finance or lease.

Swimming Pool. A water-filled enclosure, permanently constructed or portable, having a depth of more than 18 inches below the level of the surrounding land, or an above-surface pool having a depth of more than 30 inches, designed, used and maintained for swimming and bathing.

Temporary Use. A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

Theater. A building or part of a building devoted to showing motion pictures, or for dramatic, musical or live performances.

Townhouse/Rowhouse. A building type consisting of at least three, but not more than eight independent units that are attached by common side walls in a linear arrangement. Each unit occupies the space from the ground to the roof and normally has at least two, but no more than four floors. Such units typically feature a primary entrance on the front elevation and variations in materials, colors and/or windows to create a visual distinction between each of the attached units.

Tract. See "Lot."

Tree. See Article III, Section 3.2, for definitions relating to tree protection.

Use. The purpose for which a property or structure is designed, intended, reserved, or occupied.

Use, Accessory. See "Accessory Use."

Use, Conditional. See "Conditional Use."

Use, Principal. See "Principal Use."

Variance. Permission granted under circumstances prescribed herein to depart from the specific requirements of this Ordinance.

Vehicle for Hire Company. An establishment offering to transport passengers for a fee in any motorized or animal-drawn vehicle, the charges for which are determined by agreement, mileage or by the length of time for which the vehicle is engaged and also described as a taxi or limousine service.

Warehouse. A building used primarily for the storage of goods and materials. See also "Mini-Warehouse."

Wholesale Trade. Establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

Wireless Tower. See Section 2.8 for definition of 'wireless tower.'

Yard. An area that lies between the buildings on a lot and the nearest lot line.

1. *Front Yard.* A yard situated along any public street right-of-way or private street easement.
2. *Rear Yard.* A yard situated along a rear lot line.
3. *Side Yard.* A yard situated along a side lot line.

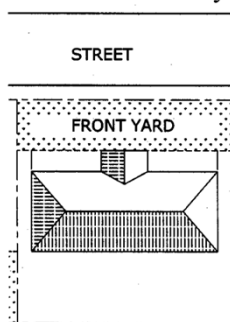
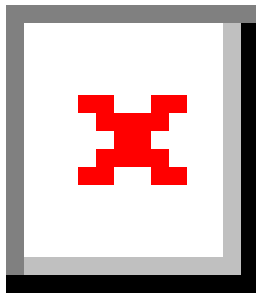


FIG 12

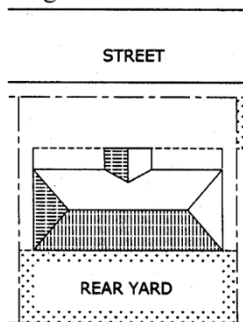


FIG 13

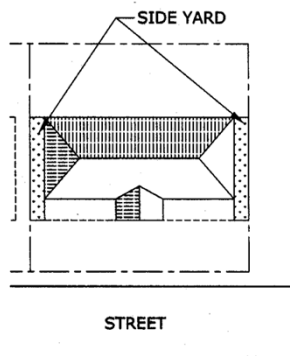


FIG 14

Zero Lot Line. The location of a building on a lot in such a manner that one or more of the building's sides rest directly on a lot line.

Zoning Change. An amendment to the Official Zoning Map or other action having the result of rezoning a property, approval of a Conditional Use on a particular property, or a change in conditions of approval applied to the zoning or conditional uses pertaining to a property.

Zoning Map. The Official Zoning Map of the City of Alpharetta, Georgia, which may include a series of maps in section.

([Ord. No. 689, § 1, 6-2-2014](#) ; [Ord. No. 702, § 1\(Exh. A\), 3-2-2015](#) ; [Ord. No. 704, § 1, 6-1-2015](#) ; [Ord. No. 715, § 1, 9-28-2015](#); [Ord. No. 718, § 1, 12-14-2015](#))

SECTION 2.2 a - CONDITIONAL USE REVIEW CRITERIA

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

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

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 or office parks 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 2.1, 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 (rooming house, assisted living facility, nursing home, fraternity, congregate housing).
 - b. Dwelling, 'For-Sale' Attached.
 - c. Dwelling, 'For-Sale' Detached.
 - d. Dwelling, 'For-Rent'.
 - e. Reserved.
 - f. Bed and Breakfast.
 2. Business Uses.
 - a. Animal Hospital, small animals.
 - b. Art Galleries.
 - c. Automobile Sales and Leasing.
 - d. Automobile Service Station.
 - e. Automotive Parts.
 - f. Automotive Service.
 - g. Bakery.
 - h. Barber Shop.
 - i. Bank, Savings and Loan.
 - j. Beauty Shop.
 - k. Billiards.
 - l. Book Store or Stationery.
 - m. Bowling Alley.
 - [n. Brewery.](#)
 - o. Broadcasting Studio (radio or TV).
 - p. Building Materials, retail with enclosed storage.

- q. Clinic.
- r. Commercial Parking Lot.
- s. Contractor's Office without outside storage.
- t. Contractor's office with outside storage.
- u. Convenience Market with or without gas pumps.
- v. Dance Studio.
- w. Day Care Center.
- [x. Distillery.](#)
- y. Drug Store.
- z. Dry Cleaning Pick-up Station.
- aa. Equestrian Center.
- bb. Extended stay hotel (see Section 2.7).
- cc. Florist, Retail without Greenhouse.
- dd. Funeral Home w/ no cemetery or mausoleum.
- ee. Golf Course, Driving Range.
- ff. Golf, Miniature.
- gg. Grocery Store.
- hh. Hardware and Garden Supply Store.
- ii. Hotel or Motel.
- jj. Laboratory, Research or Commercial.
- kk. Laundry, Self-Serve, Pick-up.
- ll. Liquor Store.
- mm. Manufacturing.
- nn. Office Building or Office Park.
- oo. Outdoor Recreation Facilities.
- pp. Park, playground.
- qq. Pet Day Care.
- rr. Pet Grooming.
- ss. Print Shop.
- tt. Public Building.
- uu. Radio or TV, Transmitter or Studio.
- vv. Rental Services Establishment without outside storage.
- ww. Restaurant.
- xx. Restaurant, with Drive-thru window.
- yy. Retail Sales and Services Establishments not otherwise listed for this zoning district.
- zz. Retail Establishment, Mixed Sales.
- aaa. School, Commercial.

bbb. Shop or Studio, Craftsman/Artist.

ccc. Spa Services.

ddd. Theater, Cinema.

3. Wholesale, Storage and Industrial Uses.

a. Laundry, Industrial.

b. Locker, Frozen Food or Cold Storage.

c. Manufacturing, Light.

d. Wholesale Establishment.

4. Semipublic Uses, Utilities.

a. Airport, public or private.

b. Amphitheater.

c. Athletic Facility.

d. Auditorium.

e. Church, Synagogue, or any other religious institution.

f. Club, association or lodge.

g. Country Club.

h. Fire Station.

i. Heliport, public or private.

j. Hospital.

k. Library.

l. Museum.

m. School, Academic.

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

D. *District Regulations.* Minimum Lot Size; the 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)

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 2.1 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 or office use without public hearing subject to Design Review Board Approval.

1. Residential Uses.

- a. Dwelling, Group (limited to nursing home, children's home congregate housing or 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. Golf Course, Driving Range.
- h. Office Building or Office Park.
- i. Recreational Facilities (Indoor or Outdoor).
- j. Theater, Cinema.

3. Semipublic Uses, Utilities.

- a. Church, Synagogue, or other religious institutions.
- b. Club, association or lodge.
- c. Heliport.
- d. Library.
- e. Museum.
- f. Public Building.
- g. School, Academic.
- h. Recreation Facilities (Indoor or Outdoor).

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. Art Galleries.
 - b. Automobile Service Station.
 - c. Bakery.
 - d. Barber Shop.
 - e. Beauty Shop.
 - f. Book Store.
 - g. Bowling Alley.
 - [h. Brewery.](#)
 - i. Car Wash.
 - j. Contractor's Office without outside storage.

- k. Commercial Parking Lot.
- l. Convenience Market with or without gas pumps.
- m. Dance Studio.
- n. Distillery.
- o. Dry Cleaning Pick-up Station.
- p. Extended Stay Hotel (see Sec. 2.7).
- q. Florist, Retail without Greenhouse.
- r. Funeral Home w/out cemetery or mausoleum.
- s. Hotel/motel.
- t. Golf, Miniature, or Golf Driving Range.
- u. Laboratory, Research or Commercial.
- v. Liquor Store.
- w. Print Shop.
- x. Radio or TV, Transmitter or Studio.
- y. Restaurant.
- z. Restaurant, Drive-In or Fast-Food.
- aa. Retail Sales and Services Establishments subject to the limitation of [subsection] 2.2.13 B 8.
- bb. School, Commercial.
- cc. 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. Hospital.
 - g. Fire Station.
 - h. Park or Playground.
 - i. 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—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)

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 2.1, 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. Reserved.
- c. Bed and Breakfast.

2. Business Uses.

- a. Art Gallery.
- b. Bakery.
- c. Barber Shop.
- d. Bank, Savings and Loan.
- e. Beauty Shop.
- f. Book Store.
- g. Carpet and Rug Sales.
- h. Clinic.
- i. Contractor's Office without outside storage.
- j. Day Care Center.
- k. Drug Store.

- l. Dry Cleaning Pick-up Station.
 - m. Florist, Retail Without Greenhouse.
 - n. Gourmet Food Store.
 - o. Hardware and Garden Supply Store.
 - p. Jewelry Store.
 - q. Laundry, Self-Serve, Pick-up.
 - r. Office Building or Park.
 - s. Pet Day Care.
 - t. Pet Grooming.
 - u. Print Shop.
 - v. Reserved.
 - w. Restaurant, without Drive-thru or Drive-In facilities.
 - x. Retail Sales and Services (Establishments not otherwise listed for this zoning district as a permitted or conditional use).
 - y. School, Commercial.
 - z. Shop or Studio, Craftsman/Artist.
 - aa. Theater, Cinema.
3. Semipublic Uses, Utilities.
- a. Club, association or lodge.
 - b. Library.
 - c. Museum.
 - d. Park or Playground.
 - e. Public Building.

- 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, 'For-Rent'.
 - b. Dwelling, Group (congregate housing, nursing home, etc.).
 2. Business Uses.
 - a. Animal Hospital, small animals.
 - b. Assisted Living, Congregate housing
 - c. Automotive Parts.
 - d. Bowling Alley.
 - e. [Brewery.](#)
 - f. Check Cashing.
 - g. Church, Synagogue.
 - h. Commercial Parking Lot.
 - i. Contractor's Office with outside storage.
 - j. [Distillery.](#)
 - k. Extended Stay Hotel (see Sec. 2.7).
 - l. Funeral home with no cemetery or mausoleum.
 - m. Grocery Store.
 - n. Golf, Miniature.
 - o. Hotel/Motel.
 - p. Liquor Store.
 - q. Pest Control Business.
 - r. School, Academic.
 - s. Rental Services Establishment without outside storage.
 - t. Restaurant, Drive-In or Fast-Food.
 - u. Retail Establishment, Mixed Sales.

- v. Smoke Shop and Tobacco Store.
- w. Spa Services.
- 3. Semipublic Uses, Utilities.
 - a. Athletic Facility.
 - b. Auditorium.
 - c. Hospital.
 - d. Parking Lot, Commercial.
 - 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)

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 2.1, 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. Automobile Service Station.
 - c. Automotive Parts.

- d. Automotive Service.
- e. Bakery.
- f. Barber Shop.
- g. Bank, Savings and Loan.
- h. Beauty Shop.
- i. Book Store.
- j. Bowling Alley.
- k. Broadcasting Studio (radio or TV).
- l. Building Materials, retail with enclosed storage.
- m. Carpet and Rug Sales.
- n. Clinic.
- o. Clubs, fraternity, association or lodge.
- p. Commercial Parking Lot.
- q. Congregate Housing.
- 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. Drug Store.
- w. Dry Cleaning Pick-up Station.
- x. Florist, Retail Without Greenhouse.
- y. Grocery Store.
- z. Hardware Store.
- aa. Home Improvement Store.
- bb. Laundry, Self-Serve, Pick-up.
- cc. Liquor Store.
- dd. Office Building or Park.
- ee. Pet Day Care.
- ff. Pet Grooming.
- gg. Print Shop.
- hh. Public Building.
- ii. Recreation Facilities (Indoor).
- jj. Rental Services Establishment without outside storage.
- kk. Restaurant.
- ll. Restaurant, Drive-In or Fast-Food.
- mm. Retail Sales and Services Establishments not otherwise listed for this zoning district as a permitted or conditional use.

- nn. Retail Establishment, Mixed Sales.
 - oo. School, Commercial.
 - pp. Shop or Studio, Craftsman/Artist.
 - qq. Theater, Cinema.
3. Semipublic Uses, Utilities.
- a. Athletic Facilities.
 - b. Club, association or lodge.
 - c. Hospital.
 - d. Library.
 - e. Museum.
 - f. Park or Playground.
 - g. Parking Lot, Commercial.
 - h. 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.

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, 'For-Rent'.
 - b. Dwelling, 'For Sale' attached in a Vertically Mixed Use Building Over Retail or Restaurant.
 - c. 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. [Brewery.](#)
 - e. Car Wash.
 - f. Check Cashing.
 - g. Church, Synagogue.
 - h. [Distillery.](#)
 - i. Extended Stay Hotel (see Sec. 2.7).
 - j. Florist, Retail with Greenhouse.
 - k. Funeral Homes.
 - l. Golf, Miniature.
 - m. Greenhouse with nursery.
 - n. Hotel or Motel.
 - o. Limousine Service and Taxi.
 - p. Massage Therapy (see Sec. 2.7).
 - q. Spa Services.
 - r. Radio or TV, Transmitter or Studio.
 - s. Recreation Facilities (Outdoor).
 - t. Small Appliance Repair Shop.
 - u. Smoke Shop and Tobacco Store.
3. Wholesale, Storage and Industrial Uses.
 - a. Wholesale Establishment.
4. Semipublic Uses, Utilities.
 - a. Auditorium.
 - b. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - c. Recreational Facilities (Outdoor).

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 Historic Business District—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)

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 2.1, only upon approval as a conditional use by the city council:

1. Business Uses.
 - a. Art Galleries.
 - b. Automobile Service Station.
 - c. Automotive Parts.
 - d. Bakery.
 - e. Barber Shop.
 - f. Bank, Savings and Loan.
 - g. Beauty Shop.
 - h. Book Store.
 - i. [Brewery.](#)
 - j. Car Wash.
 - k. Carpet and Rug Sales.
 - l. Clinic.
 - m. Convenience Market with or without gas pumps.
 - n. Dance Studio.
 - o. Day Care Center.
 - p. [Distillery.](#)
 - q. Florist, Retail Without Greenhouse.
 - r. Grocery Store.
 - s. Hardware Store.

- t. Home Improvement Store.
- u. Laundry, Self-Serve, Pick-up.
- v. Liquor Store.
- w. Office Building or Park.
- x. Pest Control Business.
- y. Pet Grooming.
- z. Public Building.
- aa. Recreational Facilities (Indoor).
- bb. Rental Services Establishment without outside storage.
- cc. Restaurant.
- dd. Restaurant, Drive-In or Fast-Food.
- ee. Retail Sales and Services Establishments not otherwise listed for this zoning district as a permitted or conditional use.
- ff. Retail Establishment, Mixed Sales.
- gg. Theater.

- 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. Automotive Parts.
 - c. Automotive Service.
 - d. Bowling Alley.
 - e. Broadcasting Studio (radio or TV).
 - f. Building Materials, retail with enclosed storage.
 - g. Commercial Parking Lot.
 - h. Convenience Center with gas pumps.

- i. Dry Cleaning Plant.
 - j. Dry Cleaning Plant with pick-up station.
 - k. Extended Stay Hotel (see Section 2.7).
 - l. Florist, Retail with Greenhouse.
 - m. Funeral Home with no cemetery or mausoleum.
 - n. Golf, Miniature.
 - o. Hotel or Motel.
 - p. Pet Day Care.
 - q. Pet Grooming.
 - r. Print Shop.
 - s. Radio or TV, Transmitter or Studio.
 - t. School, Commercial.
 - u. Shop or Studio, Craftsman/Artist.
3. Semipublic Uses, Utilities.
- a. Athletic Facility.
 - b. Auditorium.
 - c. Church, Synagogue.
 - d. Club, fraternity, association or lodge.
 - e. Heliport, public or private.
 - f. Museum.
 - g. Park or Playground.
 - h. Recreational Facilities (Outdoor).
 - i. School, Academic.
 - j. Spa Services.
 - k. Reserved.
 - l. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - m. Wholesale Establishment.

D. District Regulations.

Minimum Lot Area—the shopping center 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).

([Ord. No. 715](#), § 2, 9-28-2015; [Ord. No. 718](#), §§ 3, 4, 12-14-2015)

2.2.17 L-I industrial.

A. *Permitted Principal Uses.* A property in the L-I district may be used for those uses listed in Table 2.1, 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. Greenhouse, Nursery.
2. Business Uses.
 - a. Animal Hospital, small and large animals.
 - b. Art Gallery.
 - c. Automobile Service Station.
 - d. Automotive Parts.
 - e. Automotive Sales and Leasing.
 - f. Automotive Service.
 - g. Bakery.
 - h. Bank, Savings and Loan.
 - i. Book Store.
 - j. Bowling Alley.
 - [k. Brewery.](#)
 - l. Broadcasting Studio (radio or TV).
 - m. Building Materials with Outdoor Storage.
 - n. Building Materials, Retail with enclosed storage.
 - o. Car Wash.
 - p. Carpenter Shop, Woodworking.
 - q. Carpet and Rug Sales.
 - r. Check Cashing.
 - s. Church, Synagogue.
 - t. Commercial Parking Lot.
 - u. Congregate Housing.
 - v. Contractor's Office with and without outside storage.

- w. Convenience Market with or without gas pumps.
- x. Dance Studio.
- y. Day Care Center.
- z. [Discount Store.](#)
- aa. [Distillery.](#)
- bb. Drug Store.
- cc. Dry Cleaning Pick-up Station.
- dd. Fireworks Sales.
- ee. Funeral Home.
- ff. Greenhouse, Nursery.
- gg. Grocery Store.
- hh. Hardware and Garden Center.
- ii. Home, Elderly, Children, Nursing.
- jj. Heliport.
- kk. Home Improvement Store.
- ll. Kennel.
- mm. Laboratory, Research or Commercial.
- nn. Laundry, Self-Serve, Pick-up.
- oo. Liquor Store.
- pp. Massage Therapy (see Sec. 2.7).
- qq. Office Building or Office Park.
- rr. Pawn Shop.
- ss. Pest Control.
- tt. Pet Day Care.
- uu. Pet Grooming.
- vv. Print Shop.
- ww. Radio or TV, Transmitter or Studio.
- xx. Recreation Facilities (Indoor).
- yy. Rental Services Establishment with outside storage.
- zz. Rental Services Establishment without outside storage.
- aaa. Restaurant.
- bbb. Restaurant, Drive-In or Fast-Food.
- 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. Storage, Inside.
- jjj. Tattoo Parlor, Body Piercing.
- kkk. Taxidermist.
- lll. Tire Retreading.
- mmm. Vehicle for Hire Company.
- 3. Wholesale, Storage and Industrial Uses.
 - a. Bottled Gas, storage and distribution.
 - b. Builder's Equipment.
 - c. Concrete Plant.
 - d. Dry Cleaning Plant.
 - e. Locker, Frozen Food or Cold Storage.
 - f. Machine Shop.
 - g. Manufacturing, Light.
 - h. Mini-Warehouse.
 - i. Septic Tank Sales, Construction.
 - j. School, Commercial.
 - k. Storage, Outside.
 - l. Warehouse.
 - m. Welding Shop.
 - n. Wholesale Trade Establishment.
- 4. Semipublic Uses, Utilities.
 - a. Athletic Facility—Outdoor.
 - b. Amphitheater.
 - c. Auditorium.
 - d. Park or Playground.
 - e. Hospital.
 - f. School, Academic.
 - g. 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.
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. Airport, Public/Private.
- c. Golf Driving Range.
- d. Glass Fabrication.
- e. Tattoo Parlor, Body Piercing.
- f. Taxidermist.
- g. Tire Retreading.
- h. Theater, Cinema.

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. Power Station.
- i. Recycling Center.
- j. Salvage Yard.
- k. Sawmill.
- l. Sewage Disposal Plant.
- m. Transfer Station.

3.0 *Semipublic Uses, Utilities.*

- a. Airport, public or private.

- b. Reserved.
 - c. Church, Synagogue, or other religious institutions.
 - d. Museum and Library.
 - e. Power Station.
 - f. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
- 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;
- 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)

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' units shall require conditional use approval.
 3. *Commercial:* At least 25% 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.
 4. *Public Space:* A minimum of 10% of the gross land area must be designed for public use as recreation, entertainment and/or civic space.
 5. *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.
 6. *Park Space:* Each MU development shall set a goal to provide a minimum of one acre of park land/100 population generated by residential uses. Household size shall be calculated using the most current US Census data for the City of Alpharetta. Required park space and public space shall be achieved on-site and exclusive from each other.

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 2.1, 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, progressive care facility).
- b. Dwelling, 'For-Rent'.
- c. Bed and Breakfast.

2. *Commercial Uses:*

- a. Bank, Savings & Loan.
- [b. Brewery.](#)
- c. Contractor's Office (no on site storage).
- d. Day Care Center.
- [e. Distillery.](#)
- f. Entertainment Venue (jazz club, comedy club, dinner theater, etc.).
- g. Hotel/Motel.
- h. Liquor Store.
- i. Outdoor/Indoor Recreation Facilities.
- j. Religious Institution.
- k. School, Commercial.
- l. Spa Services.
- m. Theater, Cinema.

3. *Semipublic Uses, Utilities:*

- a. Athletic Facilities.
- b. Public Building.
- c. 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. 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.

Public Space: Each MU development shall have a minimum of 10% of the gross land area designed for public use. Public space shall be used for recreation, entertainment or civic purposes and may include plazas, outdoor theaters, sculpture gardens, parks, playground, community gardens or any other spaces where people can gather. Business kiosks shall be located outside of public space. Sidewalks and residential amenities may not be included within the public space requirement.

Park Space: Park space may include residential recreational amenities. However, at least 50% of the required park space shall be provided in passive park 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 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.* 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. When reviewing the phasing strategy or timeline, the City Council may link the issuance of 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](#))

TABLE 2.2 LIST OF PERMISSIBLE AND CONDITIONAL USES

On the following table, an open circle "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

zone district subject to the general provisions of the Unified Development Code. 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	AG	RE	R	R-22	R-15	R-12	R-10	R-4A	R-4D	R-8A/D	R-10M	CUP*	OI*	OP	C-1	C-2	PS C	LI	OS-R	SU	M U
Adult Entertainment Establishment																		O			
Airport, Public/Private	O											O						O		X	
Amphitheater												O	O					X	O	X	
Animal Hospital, Small Animal (Veterinarian)	O											O			O	O	O	X			
Animal Hospital, Large Animal	O																	X			
Art Galleries												O	O	O	X	X	O	X			O
Asphalt Plant																		O			
Associations, (Clubs and Lodges)	O			O	O	O	O	O	O	O	O	O	O	O	X	X	O			X	
Athletic Facilities/Fitness Studio	O											O	O	O	X	X	O	X			O
Auditorium	O											O	O	O	O	O	O	X			
Auto Sales and Leasing (Trucks, Vans, Cars and												O				O		X			

Accessories)																			
Automotive Parts											O			O	X	O	X		
Automotive Service											O				X	O	X		
Bakery											O	O	O	X	X	O	X		O
Bank, Savings and Loan, Mortgage Company											O	O	X	X	X	O	X		O
Barber Shop											O	O	X	X	X	O			O
Beauty Shop											O	O	X	X	X	O			O
Bed and Breakfast	X	O	O	O	O					X	O		X	X	X				O
Book Store or Stationery											O	O		X	X	O	X		O
Bottle Gas Storage and Distribution																	X		
Bowling Alley											O	O			X	O	X		
Brewery											O	O		O	O	O	X		O
Broadcasting Studio (Radio and TV)	O										O				X		X		
Builder's Equipment/Material	O										O				X		X		
Car Wash												O			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	O	X		O	O
Clinic, Public/Private												O	O	X	X	X	O					O
Concrete Plant																			O			
Congregate Housing, Assisted Living Facility											O	O	O		X	X		X				O
Contractor's Office without outside storage												O	O	X	X	X		X				O
Contractor's Office with outside storage												O			O	X		X				
Convenience Center w/Gas Pumps												O	O			X	O	X				
Country Club	O	O	O	O	O	O	O	O	O	O	O	O										
Dance Studio												O	O		X	X	O	X				O
Day Care Center												O	O	X	X	X	O	X				O
Discount Store																		X				
Distillery												O	O		O	O	O	X				O

Drug Store (Pharmacy)													O	O		X	X		X				O
Dry Cleaning, Pick- Up Station													O	O	O	X	X	O	X				O
Dry Cleaning, Plant																		O	O				
Dwelling, 'For- Sale', Attached								X		X	X	O											O
Dwelling, 'For- Sale', Detached	X	X	X	X	X	X	X		X	X		O											
Dwelling, 'For- Rent', Group											X	O				O	O						O
Equestrian Center	O												O								X	O	
Extended Stay Hotel (see Section 2.7)													O	O		O	O	O					
Family Day Care Home (accessory use)	X	X	X	X	X	X	X	X	X	X	X	O											
Farmlands (including Livestock, poultry)	X																						
Fire station													O	O							X		
Fireworks Sales																			X				
Florist, Retail													O	O	O	X	X	O					O
Florist, Retail with greenhouse																	O	O					

Funeral Homes with no cemetery or mausoleum															O	O		O	O	O	X				
Glass Fabrication																					O				
Golf Course, Driving Range	O	O	O	O	O	O	O	O	O	O	O	O	O	O										X	
Golf, Miniature															O	O		O	O	O					
Greenhouse, Nursery	O																	O			X				
Grocery Store															O			O	X	O	X				
Group Home, Special Care Home (accessory use)	X	X	X	X	X	X	X																		
Hardware and Garden Supply Store															O			X	X	O	X				
Heliport, Public/Private	O														O	O				O	X		X	O	
Home Improvement Store																		X	O	X					
Home-Elderly, Children, Nursing														O	O	O		X	X		X				
Hospital															O	O		O	X		X		X		
Hotel or Motel															O	O		O	O	O				O	
Indoor Shooting Range																					O				

Junk Yard																		O			
Kennel	O																	X			
Laboratory, Research Commercial											O	O						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	O		O	X	O	X			O	
Locker, Frozen Food or Cold Storage											O						X				
Machine Shop																	X				
Manufacturing, Heavy, General																	O				
Manufacturing, Light, Limited											O	O					X				
Massage Therapy															O		X				
Mini-warehouse Storage, Conditioned or Unconditioned space																	X				

Museum and Libraries													O	O		X	X	O	X		X	O
Nail Salon													O	O		X	X	O	X			O
Office													O	O	X	X	X	O	X			O
Outdoor Recreational Facilities (Commercial) (Playfields, etc.)													O	O		O	O	O	X		X	O
Park and Playground	X	X	X	X	X	X	X	X	X	X	X	X	O	O	X	X	X	O	X	X	X	O
Parking Lot, Commercial													O	O		O	X	O	X			
Pawn Shop																			X			
Pest Control Business (with or without onsite chemical storage)																O	O		X			
Pet Day Care													O			X	X	O	X			
Pet Grooming													O			X	X	O	X			O
Power Station													O						O		O	
Print Shop													O	O	X	X	X	O	X			O
Prison																					O	
Public Building													O	O	X	X	X	O	X		X	O
Radio, TV, Transmitter, Studio	O												O	O			O	O	X			

School, Commercial (Beauty, Business)													O	O	O	X	X	O	X			O
Septic Tank, Sales, Construction																			X			
Service Station, Automotive													O	O			X	O	X			
Sewage, Disposal Plant																			O			
Shop or Studio, Craftsman/Artist													O		O	X	X	O	X			
Small Appliance Repair Shop																O			X			
Smoke Shop and Tobacco Store															O	O			X			
Spa Services													O	O	O	O	O	O	X			O
Storage, Inside																			X			
Storage, Outside																			X			
Switching Station (Telecom)													O						X			
Tattoo Parlor and Body Piercing																			O			
Taxidermist	X																		O			
Theater, Cinema													O	O		X	X	O	O			O
Tire Retreading																						
Wireless Tower																		O	O			

(subject to approval of conditional use permit in accordance with Section 2.8.7)																					
Transfer Station																		O			
Utility Substation	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	X	
Welding Shop																		X			
Wholesale (storage and distribution)											O						O	X			

([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)