

## ARTICLE IX

## SCHEDULE OF DISTRICT REGULATIONS ADOPTED

SECTION 9.9 BN, NEIGHBORHOOD BUSINESS DISTRICT.

PURPOSE: The BN, Neighborhood Business District provides a location for limited commercial uses providing convenience goods and services to satisfy the common and frequent needs of the residents of nearby residential neighborhoods.

## (1) PRINCIPAL PERMITTED USES:

## A. Retail and service establishments of the following types::

1. Animal hospital or veterinary clinic;
2. Antique shops;
3. Art and school supply stores;
4. Art galleries and studios;
5. Bakeries;
6. Banks, savings and loan institutions;
7. Barber and beauty shops, including manicurists;
8. Book or stationery stores;
9. Camera and photographic supply stores;
10. Convenience food stores;
11. Custom dressmaking and sewing shops;
12. Dance studios;
13. Day care centers, provided that all state day care requirements and health regulations are met;
14. Dry cleaning establishments including dry cleaning pick-up and delivery stations, not to exceed twenty-five-hundred (2,500) square feet of total floor area;
15. Eye glass shops;
16. Fabric stores;

17. Florist shops;
18. Food stores or grocery stores;
19. Funeral homes and mortuaries;
20. Garden supply centers and greenhouses, provided plants, shrubs and landscaping supplies are not displayed within the minimum front yard;
21. Gift and card shops;
22. Hardware stores with lawnmower repair as an accessory use;
23. Hobby shops and craft shops;
24. Ice cream shops;
25. Interior decorating shops;
26. Jewelry stores;
27. Meat markets, retail, but no killing, eviscerating, skinning, plucking or smoking of food products on the premises;
28. News and tobacco stores;
29. Photography shops and studios;
30. Radio and television repair shops;
31. Shoe stores and shoe repair stores;
32. Shopping centers, neighborhood;
33. Small appliance repair shops;
34. Tailor shops;
35. Tutoring services/establishments. Limited to a maximum of 10 students at any one time;
36. Toy stores;
37. Watch and clock repair shops; and

B. Public and semi-public uses:

1. Public and semi-public buildings and land uses, parks, playgrounds or community centers.

## C. Other Provisions:

1. Automobile parking within the front yard shall be limited to one row of parking stalls and an access aisle;
2. No outdoor storage is permitted except as specified herein; and
3. Other light retail and service establishments which may be determined by the Director of Planning and Development or his/her designee to be similar to the above listed principal permitted uses and which are in harmony with the purpose of this district may be permitted, provided, however, the uses are not specifically listed as a permitted use in another district with a more intense classification.

## D. Temporary Uses:

## 1. Temporary Use Permits:

- a. As used in this article, the phrases used herein shall be defined as follows:

1. Goods and merchandise shall mean tangible or movable personal property, other than money.
1. Holiday activities shall mean seasonal activities associated with federally-recognized holidays and Halloween.
2. Temporary shall mean for a period not to exceed twenty (20) consecutive days. A second permit for a temporary use on the same property may not be applied for or renewed within ninety (90) days from the date of any prior approval of a temporary use.
3. Temporary use shall mean for-profit, non-profit, and charitable event activities involving the temporary outside sale of goods and merchandise in association with an existing business located on the premises as the principal use of the premises with such activities continuing for a period not exceeding 20 consecutive days. The term shall include the sale of farm produce, carnivals, or the sale of Christmas trees from property which is vacant or which contains a separate and distinct primary use. Temporary uses shall occur in non-enclosed areas.
4. Temporary use permit shall mean written authorization by the Director of the Department of Planning and Development, or his/her designee, for the applicant to engage in a temporary use at a specified, fixed location meeting all requirements of this article.

- b. Temporary uses shall comply with the following regulations:

1. Peddling goods and merchandise not customarily sold on a day-to-day basis in the business which constitutes the principal use of the premises is prohibited.
  - a. Exception: Consumer fireworks retail sales stand, licensed in accordance with O.C.G.A. Title 25 for the New Years' Holiday and/or July 4th Holiday.
2. Mobile food services and the preparation of food onsite shall be permitted as a secondary temporary outdoor activity for no more than three (3) days.
3. Written permission of the property owner is provided.
4. Excess parking, ingress and egress are provided on site or written permission is obtained if provided on an adjoining property. Temporary uses shall be permitted only on property where such activities shall not disrupt controlled vehicular ingress and egress or occupy required off-street parking spaces.
5. Provide trash receptacles and/or secure property owner's approval to dispose of refuse properly (if applicable).
6. These uses shall be no closer than two-hundred-fifty-feet (250') from the property line of a residence.
7. No display shall be erected or installed, nor shall any temporary uses take place, within fifty-feet (50') of any right-of-way.
8. Temporary uses shall be permitted only within the BN, BG, or HSB zoning districts.
9. Temporary uses shall not be permitted on parcels of property which are less than two acres in size.
10. No operator, employee, or representative of the operator of a temporary outdoor activity shall solicit directly from the motoring public.
11. All temporary uses shall require an Occupation Tax Certificate issued by the City of Snellville Planning and Development Department.
12. No more than one temporary use shall be permitted simultaneously on a parcel of less than five acres.
13. Temporary uses, other than holiday activities, shall be conducted on a paved surface and not on grassed or landscaped areas.
14. A sign (not a mobile advertising sign) may be erected on the property provided it does not exceed a total of sixteen (16) square feet or ten-feet (10') in height and is not placed within twenty-feet (20') of any public roadway.
15. The noise control ordinance of the Snellville Code of Ordinances shall be complied with.
16. The hours of operation shall be between 7 a.m. to 11 p.m.
17. Indicate where employees have permission to use restroom facilities.
18. Christmas tree sales shall be permitted between November 1 and December 31. Only one temporary use permit shall

be required for the duration of this use, which shall count as one of the six allowable permits per applicant per year.

19. Pumpkin sales shall be permitted from September 15 through October 31. Only one temporary use permit shall be required for the duration of this use, which shall count as one of the six allowable permits per applicant per year.
20. The sale of fruits or vegetables shall be permitted between April 1 and September 30. Only one temporary use permit shall be required for the duration of this use, which shall count as one of the six allowable permits per applicant per year.
21. Carnival event (defined as an amusement show or civic fair usually including rides, games, slideshows or similar activities operated and sponsored by a bona fide civic or charitable organization) not to exceed twenty (20) days, provided no structure or equipment is located within five hundred feet (500') of any residential property line.
22. Carnival events, and the sale of goods and merchandise associated with the primary use shall not be restricted to certain times of year.
23. ~~Reserved. Consumer fireworks retail sales stand, licensed in accordance with O.C.G.A. Title 25 for the New Years' Holiday and/or July 4th Holiday (one stand per property or institution).~~
24. A temporary use permit shall be applied for and approved by the Planning and Development Department. All other permits and regulations of Gwinnett County and the City of Snellville shall be met. A permit for any temporary use may be applied for up to six (6) times per year per applicant. Violation of any of these requirements may result in revocation of the permit or denial of future permits.

2. Outdoor Display of Merchandise:

- a. A ten-foot (10') area abutting the front of the primary building may be used for the purpose of outdoor display of merchandise. Merchandise may not be displayed in the rear or side of a building.
  - b. Merchandise may only be displayed during the hours that the business is open to the public.
  - c. In no case shall such display impede the safe movement of pedestrian traffic.
3. The Director of Planning and Development or his/her designee shall have the power to grant Administrative Variances from the ninety (90) day waiting period for second or renewal permits to any permittee that maintains seventy-five-thousand (75,000) square feet or more of indoor retail sales space.

4. Upon presentment of evidence of such, any organization that maintains a valid registration under Section 501(c)(3) of the Internal Revenue Code of the United States shall not be subject to the temporary use permit fee assessed by the City, however, such permittee must still comply with all other applicable Federal, State, Gwinnett County and the City of Snellville regulations.
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- (2) **PERMITTED ACCESSORY USES:** Accessory uses for commercial development shall include those normally appurtenant to such development, as provided for in other sections of this Ordinance.
  
  - (3) **CONDITIONAL USES:**
    1. Utility substations subject to provisions of Section 9.2; and
    2. Railroad through and spur tracks subject to provisions of Section 9.2.
  
  - (4) **SPACE LIMITS:**
    1. Minimum Lot Area: 1,600 square feet (32' x 50');
    2. Minimum Lot Width: None;
    3. Maximum Height of Building: 2 floors; not to exceed 60 feet;
    4. Minimum Front Yard: 15 feet from right-of-way;
    5. Minimum Rear Yard: 15 feet, but 40 feet when abutting a residential district;
    6. Minimum Side Yard: 10 feet; but 20 feet when abutting a residential district;
    7. Minimum Side Yard on Street Side of Corner: 15 feet.