

The City of Snellville
2342 Oak Road
Snellville, Georgia 30078
(770) 985-3500 • FAX (770) 985-3525



AGENDA

WORK SESSION
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, FEBRUARY 13, 2023

Publication Date: February 9, 2023

TIME: 6:30 p.m.

DATE: February 13, 2023

PLACE: City Hall Conference Room 145

I. CALL TO ORDER

II. REVIEW REGULAR BUSINESS MEETINGS AND PUBLIC HEARING AGENDA ITEMS

III. REVIEW CORRESPONDENCE

IV. CITY ATTORNEY'S REPORT

V. DISCUSSION ITEMS

- a) Update of Ongoing Projects [Bender]
- b) Discussion About Rescheduling the Work Retreat [Bender]
- c) Update from Police on Enforcement Activity [Bender]
- d) Mini Round-About Discussion [Bender]
- e) City of Civility [Bender]

VI. EXECUTIVE SESSION

An Executive Session may be called:

- To discuss pending and/or potential litigation, settlement claims, administrative proceedings or other judicial actions, which is exempt from the Open Meetings Act pursuant to O.C.G.A. Section 50-14-2(1).
- To authorize negotiations to purchase, dispose of, or lease property; authorize the ordering of an appraisal related to the acquisition or disposal of real estate; enter into a contract to purchase, dispose of, or lease property subject to approval in a subsequent public vote; or enter into an option to purchase, dispose of, or lease real estate subject to approval in subsequent public vote, which is excluded from the Open Meetings Act pursuant to Section 50-14-3(b)(1)(C).
- Upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee, which is excluded pursuant to O.C.G.A. Section 50-14-3(b)(2).

VII. ADJOURNMENT

EMBRACE



CIVILITY

CIVILITY PLEDGE

The way we govern ourselves is often as important as the positions we take. Our collective decisions will be better when differing views have had the opportunity to be fully vetted and considered. All people have the right to be treated with respect, courtesy and openness. We value all input. We commit to conduct ourselves at all times with civility and courtesy to each other.





WHAT IS CIVILITY?

Civility is more than just politeness. It is about disagreeing without disrespect, seeking common ground as a starting point for dialogue about differences, listening past one's preconceptions and teaching others to do the same. Civility is the hard work of staying present even with those with whom we have deep-rooted and fierce disagreement.*

WHY CIVILITY MATTERS FOR CITIES?

- 1 Civil behavior and speech are critically important to a healthy, functional and respectful society.
- 2 A 2019 survey revealed that 93 percent of Americans believe that incivility is a problem, with 68 percent identifying incivility as a major problem.**
- 3 Cities need a plan to counteract the growing polarization and challenges caused by incivility.

*The Institute for Civility in Government

** Weber Shandwick's annual poll, Civility in America 2019

“

Civility fosters respect, trust, and belonging. By modeling and practicing civility, city leaders set an expectation that vigorous debate and vetting of ideas can be respectful and productive, leading to better engagement and outcomes for all.

”

**LARRY HANSON, GMA CEO
& EXECUTIVE DIRECTOR**

EMBRACE



CIVILITY

9 PILLARS OF CIVILITY



Be considerate of others' opinions. It's ok to agree to disagree.



Think about the impact of your actions and not the intent.



Manage your emotions. Get curious instead of furious.



Ask questions to learn. Answer questions with respect.



A silent voice is not always a weak voice. Sometimes it's ok not to respond.



Remember the acronym QTIP (Quit Taking It Personal).



Be Kind! Make your point about the issue, not the person.



Have empathy! Just because you have not experienced it, does not mean it does not exist.



Actively listen, to learn how to Engage respectfully!

CIVILITY PLEDGE

The way we govern ourselves is often as important as the positions we take. Our collective decisions will be better when differing views have had the opportunity to be fully vetted and considered. All people have the right to be treated with respect, courtesy and openness. We value all input. We commit to conduct ourselves at all times with civility and courtesy to each other.



ADOPT THE CIVILITY RESOLUTION AND PLEDGE TO BECOME A CITY OF CIVILITY TODAY!



WWW.GACITIES.COM/CIVILITY

**A RESOLUTION
PLEDGING TO PRACTICE AND PROMOTE CIVILITY IN THE City OF Snellville**

WHEREAS, the City Council of the City of Snellville (the “Council”), the governing body of the City of Snellville, Georgia (the “Municipality”), recognizes that robust debate and the right to self-expression, as protected by the First Amendment to the United States Constitution, are fundamental rights and essential components of democratic self-governance; and

WHEREAS, the City Council further recognizes that the public exchange of diverse ideas and viewpoints is necessary to the health of the community and the quality of governance in the Municipality; and

WHEREAS, the members of City Council, as elected representatives of the community and stewards of the public trust, recognize their special role in modeling open, free and vigorous debate while maintaining the highest standards of civility, honesty and mutual respect; and

WHEREAS, City Council meetings are open to the public and thus how City officials execute their legal duties is on public display; and

WHEREAS, civility by City officials in the execution of their legislative duties and responsibilities fosters respect, kindness and thoughtfulness between City officials, avoiding personal ill will which results in actions being directed to issues made in the best interests of residents; and

WHEREAS, civility between City officials presents an opportunity to set a positive example of conduct and promotes thoughtful debate and discussion of legislative issues, resulting in better public policy and a more informed electorate while also encouraging civil behavior between residents; and

WHEREAS, civility between City officials is possible if each member of the elected body remembers that they represent not only themselves, but the constituents of their district and city; and

WHEREAS, in order to publicly declare its commitment to civil discourse and to express its concern for the common good and well-being of all of its residents, the City Council has determined to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION ONE

The City of Snellville pledges to practice and promote civility within the governing body as a means of conducting legislative duties and responsibilities.

SECTION TWO

The elected officials of the City Council enact this civility pledge to build a stronger and more prosperous community by advocating for civil engagement, respecting others and their viewpoints, and finding solutions for the betterment of the City of Snellville.

SECTION THREE

This pledge strives to ensure that all communication be open, honest, and transparent as this is vital for cultivating trust and relationships.

SECTION FOUR

This pledge strives to show courtesy by treating all colleagues, staff and members of the public in a professional and respectful manner whether in-person, online or in written communication, especially when we disagree.

SECTION FIVE

This pledge strives to ensure mutual respect to achieve municipal goals, recognizing that patience, tolerance and civility are imperative to success and demonstrates the Council’s commitment to respect different opinions, by inviting and considering different perspectives, allowing space for ideas to be expressed, debated, opposed, and clarified in a constructive manner.

SECTION SIX

This pledge demonstrates our commitment against violence and incivility in all their forms whenever and wherever they occur in all our meetings and interactions.

SECTION SEVEN

The City of Snellville expects members of the public to be civil in its discussion of matters under consideration by and before the City Council, with elected officials, staff, and each other.

ADOPTED this ___ day of _____, 20__.

Mayor

Councilmember

Councilmember

Councilmember

Councilmember

Councilmember

Councilmember

ATTEST:

City Clerk

The City of Snellville
2342 Oak Road
Snellville, Georgia 30078
(770) 985-3500 • FAX (770) 985-3525



AGENDA

PUBLIC HEARING & REGULAR BUSINESS MEETING
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, FEBRUARY 13, 2023

Publication Date: February 9, 2023

TIME: 7:30 p.m.
DATE: February 13, 2023
PLACE: Council Chambers

- I. **CALL TO ORDER**
- II. **INVOCATION**
- III. **PLEDGE TO THE FLAG**
- IV. **CEREMONIAL MATTERS**
PRO 2023-04 – Black History Month
PRO 2023-05 – Go Red for Women – American Heart Month
PRO 2023-06 – Celebrating the Life of Parks Walter Mann
- V. **MINUTES**
Approve the Minutes of the January 23, 2023 Meetings
- VI. **INVITED GUESTS**
Performance by South Gwinnett High School Music Students Prhust Saleh and Mai Tolar
- VII. **COMMITTEE / DEPARTMENT REPORTS**
- VIII. **APPROVAL OF THE AGENDA**
- IX. **PUBLIC HEARING**
 - a) 1st Reading - SUP 22-07 – Consideration and Action on application by Brian Vu, ABN Investment Group, LLC (property owner) requesting a Special Use Permit and variances from the Unified Development Ordinance for a Drive-Thru Restaurant at the former Krystal restaurant location on the 0.775± acre property, zoned BG (General Business) District and located in the Towne Center Overlay District, 2484 E. Main Street, Snellville, Georgia (Tax Parcel 5026 240)

- b) 1st Reading - RZ 23-01 LUP 23-01 – Consideration and Action on applications by James and Meghan Toney (applicant and property owner) requesting: a) to amend the Snellville 2040 Comprehensive Plan Future Land Use Map from Low-Density Residential to North Road Redevelopment Area; b) to amend the Official Zoning Map from RS-30 (Single-family Residential) District to NR (North Road) District and request for variances from the Unified Development Ordinance to operate a financial services office on a 1.129± acre site located at 2154 North Road, Snellville, Georgia (Tax Parcel 5039 032)
- c) 1st Reading - UDO 23-01 – Consideration and Action on a proposed text amendment to Article 6 (Use Provisions) of Chapter 200 of the Snellville Unified Development Ordinance to establish definitions, applicable zoning districts and use standards for: a) retail sales of beer, wine, and/or distilled spirits for off-premises consumption (Package Store); b) Halfway House; and c) Boat, Recreational Vehicle, Utility or Enclosed Trailer Sales, Leasing, Rental, or Service
- d) 1st Reading – ORD 2023-04 - Consideration and Action on an Ordinance to Amend Portions of Chapter 6 of the Code of Ordinances of the City of Snellville to Allow for the Issuance of Licenses to Sell Distilled Spirits by the Package Pursuant to the Referendum Vote Conducted November 8, 2022

X. **CONSENT AGENDA** (Please see *Note)

XI. **OLD BUSINESS**

XII. **NEW BUSINESS**
None

XIII. **COUNCIL REPORTS**

XIV. **MAYOR'S REPORT**

XV. **PUBLIC COMMENTS**

- Section 2-53
Each member of the public who wishes to address the Mayor and City Council in public session must submit their name, address and the topic (be as specific as possible) of their comments to the City Clerk prior to making such comments. Individuals will be allotted five minutes to make their comments and such comments must be limited to the chosen topic. Members of the public shall not make inappropriate or offensive comments at a City Council meeting and are expected to comply with our adopted rules of decorum.
- Decorum
You must conduct yourself in a professional and respectful manner. All remarks should be directed to the Chairman and not to individual Council Members, staff or citizens in attendance. Personal remarks are inappropriate.

XVI. EXECUTIVE SESSION

An Executive Session may be called:

- To discuss pending and/or potential litigation, settlement claims, administrative proceedings or other judicial actions, which is exempt from the Open Meetings Act pursuant to O.C.G.A. Section 50-14-2(1).
- To authorize negotiations to purchase, dispose of, or lease property; authorize the ordering of an appraisal related to the acquisition or disposal of real estate; enter into a contract to purchase, dispose of, or lease property subject to approval in a subsequent public vote; or enter into an option to purchase, dispose of, or lease real estate subject to approval in subsequent public vote, which is excluded from the Open Meetings Act pursuant to Section 50-14-3(b)(1)(C).
- Upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee, which is excluded pursuant to O.C.G.A. Section 50-14-3(b)(2).

XVII. ADJOURNMENT

***Note: Items on the Consent Agenda may be read by title only. Upon the request of any Council Member, any item may be removed from the Consent Agenda and placed on the Regular Agenda prior to the adoption of the Regular Agenda. The Consent Agenda, or the remainder thereof omitting the challenged items, shall be adopted by unanimous consent.**

CITY OF SNELLVILLE
MEETINGS AND LOCAL EVENTS
FEBRUARY 13, 2023

February 13, 2023

Council Meeting

Monday, February 13, 2023

6:30 pm Work Session – Conference Room 145, City Hall

7:30 pm Meeting - Council Chambers, City Hall

February 14

Board of Appeals Meeting - Cancelled

Tuesday, February 14, 2023

7:30 pm – City Hall Room 259, Second Floor

February 15

DDA Meeting

Wednesday, February 15, 2023

4:00 pm – City Hall Room 259, Second Floor

February 16

DAS & URA Joint Meeting

Thursday, February 16, 2022

4:00 pm – City Hall Room 259, Second Floor

February 19

Broadcast of 2/13/23 Council Meeting

Sunday, February 19 2023

Watch the broadcast of the 2/13/2023 Council Meeting on Comcast Channel 25 at 6:30 pm

February 27

Council Meeting

Monday, February 27, 2023

6:30 pm Work Session – Conference Room 145, City Hall

7:30 pm Meeting - Council Chambers, City Hall

February 28

Planning Commission Meeting - Cancelled

Tuesday, February 28, 2023

7:30 pm – City Hall Room 259, Second Floor



CITY OF SNELLVILLE

Proclamation

PRO 2023-04

FEBRUARY BLACK HISTORY MONTH

- WHEREAS: Black History Month was first proposed by Black educators and the Black United Students at Kent State University in February 1969, and
- WHEREAS: Shiloh Baptist Church was established around 1857 to serve the Negro community in Snellville, GA, and
- WHEREAS: President Gerald Ford recognized Black History Month in 1976, and
- WHEREAS: Beauty Baldwin, who became the first Black female superintendent in the state in 1984, and
- WHEREAS: Bishop William Sheals of Hopewell Missionary Baptist Church in Norcross preach at a historic church built by slaves post-Civil War, and
- WHEREAS: Hooper-Renwick School was founded in 1895 as the first school for African American students in Lawrenceville, and
- WHEREAS: Snellville residents voted for Melvin Everson as the first black city councilman in 2001, and
- WHEREAS: Snellville residents voted for Solange Destang as the first black city councilwoman in 2019,

NOW THEREFORE, I, Barbara Bender, Mayor of the City of Snellville, Georgia, Where Everybody is PROUD to be Somebody, do hereby join with our City Council and the citizens of Snellville to recognize the month of February as Black History Month.

Proclaimed this 13th day of February, 2023.



ATTEST:

Barbara Bender, Mayor

Tod Warner, Mayor Pro Tem

Solange Destang, Council Member

Dave Emanuel, Council Member

Cristy Lenski, Council Member

Melisa Arnold, City Clerk

Gretchen Schulz, Council Member



CITY OF SNELLVILLE

Proclamation

PRO 2023-05

GO RED FOR WOMEN: AMERICAN HEART MONTH

WHEREAS, Heart disease is the number one killer of women, causing 1 in 3 deaths per year. An estimated 43 million women in the U.S. are affected by heart disease, and 90 percent of women have one or more risk factors for developing it; and

WHEREAS, in 2003, Go Red for Women was launched by the American Heart Association to inform and empower women to take charge of their heart health. The funds raised through this campaign go toward education programs to increase women’s understanding about their risk for heart disease and support research to improve heart health; and

WHEREAS, with the knowledge that 80 percent of cardiac events can be prevented with education and lifestyle changes, Go Red aims to encourage all women to make a commitment to take charge of their own heart health as well as those they can’t bear to live without; and

WHEREAS, as part of the American Heart Association’s initiative to raise awareness of cardiovascular disease, the first Friday in February has been recognized as National Wear Red Day and the month of February as American Heart Month; and

WHEREAS, the American Heart Association encourages women to Go Red by wearing red, living a healthy lifestyle, and spreading awareness of heart disease to other women; and

WHEREAS, to raise awareness of an often-overlooked facet of heart health, Wednesday, February 22, 2023 will be observed as Heart Valve Disease Awareness Day to increase recognition of the specific risks and symptoms of heart valve disease, improve detection and treatment, and save lives.

NOW, THEREFORE, I, Barbara Bender, Mayor of the City of Snellville, Where Everybody’s Proud to be Somebody, do hereby join with the City Council and the Citizens of Snellville to proclaim the month of February as GO RED FOR WOMEN: AMERICAN HEART MONTH and encourage residents to participate in Heart Valve Disease Awareness Day and to Go Red to raise awareness for heart disease and the steps we can all take to prevent it.

Proclaimed this 13th day of February 2023.



ATTEST:

Melisa Arnold, City Clerk

Barbara Bender, Mayor

Tod Warner, Mayor Pro Tem

Solange Destang, Council Member

Dave Emanuel, Council Member

Cristy Lenski, Council Member

Gretchen Schulz, Council Member



CITY OF SNELLVILLE

Proclamation

PRO 2023-06

CELEBRATING THE LIFE OF PARKS WALTER MANN

December 5, 1946-January 6, 2023

- Whereas, Parks was born to Parks and Dorothy Mann and was a graduate of Jonesboro High School; In 1965 Parks went on to proudly serve his county in the U.S. Army including time in Vietnam.
Whereas, Parks was committed to family and career, happily wedded to Vivian Ann Thompson for 53 years, while excelling in the food and beverage industry with Kraft Foods and Coca-Cola.
Whereas, Parks was a long-time member of the Smoke Rise Baptist Church, where he served as deacon and spiritual leader.
Whereas, Parks was a lifelong contributor to a number of community organizations, including the Gwinnett County Clinic, which provided medical care to individuals who could not otherwise afford it; Parks was also instrumental in the creation of Ronald Reagan Park at Five Forks Trickum Road.
Whereas, As founder and organizer of the Run the Reagan Road Race since 1994, Parks worked tirelessly to make this an annual community event and fundraiser for several charitable organizations, including the Brookwood and the South Gwinnett School Cluster Foundations, as well as the Southeast Gwinnett and Lilburn Cooperative food pantry ministries. Now in its 28th year, the Run the Reagan Event features a Half Marathon, a 10k, a 5k, a 1k Fun Run, a Family Fun Center, games, vendor booths, mascots, and photo-ops, bringing thousands of participants and volunteers to the City of Snellville.
Whereas, the City of Snellville and its citizens wish to honor Parks Walter Mann for his distinguished service and unwavering commitment to Snellville and the surrounding community, and do hereby express our sincere sympathy upon his passing. Although the passing of Parks Walter Mann has caused a deep void and sadness, his life's efforts leave a legacy of compassion, love, service, and leadership in the community.

NOW, THEREFORE, BE IT PROCLAIMED that I, Barbara Bender, Mayor of the City of Snellville, Georgia, Where Everybody's PROUD to be Somebody, do hereby join with our City Council and the Citizens of Snellville to recognize and to celebrate the life of Parks Walter Mann and his contributions to our City and to the progress of this community.

Proclaimed this ___ day of ___, 2023.



ATTEST:

Barbara Bender, Mayor

Tod Warner, Mayor Pro Tem

Solange Destang, Council Member

Dave Emanuel, Council Member

Cristy Lenski, Council Member

Gretchen Schulz, Council Member

Melisa Arnold, City Clerk



WORK SESSION
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, JANUARY 23, 2023

Present: Mayor Barbara Bender, Mayor Pro Tem Tod Warner, Council Members Solange Destang, Dave Emanuel, Cristy Lenski, and Gretchen Schulz. Also present City Manager Butch Sanders, Assistant City Manager Matthew Pepper, City Attorney Chuck Ross and Assistant City Attorney Jay Crowley with Powell and Edwards Attorneys at Law, Assistant Police Chief Dave Matson, Public Information Officer Brian Arrington, IT Administrator Erika Fleeman and City Clerk Melisa Arnold.

CALL TO ORDER

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

REVIEW REGULAR BUSINESS MEETINGS AND PUBLIC HEARING AGENDA ITEMS

The agendas items were reviewed and discussed.

REVIEW CORRESPONDENCE

None

CITY ATTORNEY'S REPORT

Attorney Chuck Ross updated the Mayor and Council on a new complaint procedure for the Snellville Pavilion. He said that the Police Officers will get possible offender information and pass it on to Code Enforcement for investigation.

DISCUSSION ITEMS

Update of Ongoing Projects [Bender]

City Manager Sanders gave an update on several projects and advised that an executive session would be needed to discuss Towne Center leasing issues.

Mayor Bender reported that based on her meeting with State Representative Shelly Hutchinson she would like to institute a moratorium on CBD/Vape shops. After discussion Council was in favor of amending the agenda to add a resolution for a six (6) month moratorium.

Discussion about Room Rentals in Private Homes [Warner]

Mayor Bender advised that South Fulton recently implemented something to address this issue and that our City Attorney would research it and bring ideas back to the Council.

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Discussion about Package Sales Process [Bender]

Attorney Crowley asked Mayor and Council to review the draft application and ordinance and provide feedback. Discussion was held about the appropriate fees to charge and consensus was \$5000 for the distilled spirits and \$1000 for beer wine for a total of \$6000.

EXECUTIVE SESSION

Mayor Bender read the closed meeting notice into the record as follows:

- To discuss pending and/or potential litigation, settlement claims, administrative proceedings or other judicial actions, which is exempt from the Open Meetings Act pursuant to O.C.G.A. Section 50-14-2(1).
- To authorize negotiations to purchase, dispose of, or lease property; authorize the ordering of an appraisal related to the acquisition or disposal of real estate; enter into a contract to purchase, dispose of, or lease property subject to approval in a subsequent public vote; or enter into an option to purchase, dispose of, or lease real estate subject to approval in subsequent public vote, which is excluded from the Open Meetings Act pursuant to Section 50-14-3(b)(1)(C).

Upon a motion by Council Member Emanuel, 2nd by Council Member Schulz, the meeting was closed, with all Council Members and the Mayor present and voting in favor.

The meeting was closed at 6:58 p.m.

The meeting reconvened at 7:27 p.m.

ADJOURNMENT

Council Member Emanuel made a motion to adjourn, 2nd by Council Member Lenski; voted 6 in favor and 0 opposed, motion approved. The meeting adjourned at 7:28 p.m.

Barbara Bender, Mayor

Melisa Arnold, City Clerk



PUBLIC HEARING & REGULAR BUSINESS MEETING
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, JANUARY 23, 2023

Present: Mayor Barbara Bender, Mayor Pro Tem Tod Warner, Council Members Solange Destang, Dave Emanuel, Cristy Lenski, and Gretchen Schulz. Also present City Manager Butch Sanders, Assistant City Manager Matthew Pepper, City Attorney Chuck Ross and Assistant City Attorney Jay Crowley with Powell and Edwards Attorneys at Law, Assistant Police Chief Dave Matson, Public Information Officer Brian Arrington, IT Administrator Erika Fleeman and City Clerk Melisa Arnold.

CALL TO ORDER

Mayor Bender called the meeting to order at 7:32 p.m.

INVOCATION

Mike Sabbagh gave the invocation.

PLEDGE TO THE FLAG

Snellville Youth Commission Members Winta Momo and Narjise Koko led the Pledge of Allegiance.

CEREMONIAL MATTERS

PRO 2023-03 – Recognition of the Brookwood Marching Band

Mayor Bender read the proclamation into the record and presented it to Brookwood High School faculty and band members.

MINUTES

Approve the Minutes of the January 9, 2023 Meetings

Council Member Emanuel made a motion to approve the minutes of the January 9, 2023 meetings, 2nd by Council Member Destang; voted 6 in favor and 0 opposed, motion approved.

INVITED GUESTS

Gwinnett County District 3 Commissioner Jasper Watkins was present and spoke about County initiatives.

COMMITTEE / DEPARTMENT REPORTS

Snellville Youth Commission

Winta Momo and Narjise Koko spoke about recent activities the SYC has been involved in as well as several upcoming events.

City of Snellville Administration Department

APPROVAL OF THE AGENDA

Council Member Lenski made a motion to approve the agenda with the addition of New Business item “b” Consideration and Action on RES 2023-02 – Moratorium on New CBD/Cannabis stores, 2nd by Council Member Emanuel; voted 6 in favor and 0 opposed, motion approved.

PUBLIC HEARING

None

CONSENT AGENDA

None

OLD BUSINESS

None

NEW BUSINESS

Consideration and Action on Intergovernmental Agreement (IGA) with Gwinnett County for Sidewalk Projects on Skyland Drive and Pinehurst Road [Bender]

City Manager Sanders spoke about the projects being done in conjunction with Gwinnett County. Council Member Schulz made a motion to authorize Mayor Bender to sign the IGA with Gwinnett County for Sidewalk Projects on Skyland Drive and Pinehurst Road, 2nd by Council Member Emanuel; voted 6 in favor and 0 opposed, motion approved.

Consideration and Action on RES 2023-02 – Moratorium on New CBD/Cannabis stores

Mayor Bender explained the City is instituting a six (6) month moratorium on these types of businesses to see if any legislation is brought forward to address the issue of illegal sale of products.

Council Member Lenski made a motion to approve RES 2023-02 a resolution to provide for a study regarding the changes necessary to the Unified Development Ordinance of the City of Snellville related to the regulation of “CBD stores”, 2nd by Council Member Emanuel; voted 6 in favor and 0 opposed, motion approved.

COUNCIL REPORTS

Council Members Destang, Lenski, Schulz, Emanuel and Mayor Pro Tem Warner each gave a report.

MAYOR’S REPORT

Mayor Bender gave a report.

PUBLIC COMMENTS

The following people came forward to speak:

Elaine Tully, 1989 Harbour Oaks Drive, Snellville.

Barry Wiggs, 2210 Stockton Walk Lane, Snellville.

Kurt Schulz, 2027 Tanglewood Drive, Snellville.

**PUBLIC HEARING & REGULAR BUSINESS OF MAYOR AND COUNCIL
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Tricia Rawlins, 2088 Harbour Oaks Drive, Snellville.
Lisa Layton, 1952 Masthaven Court, Snellville.
Gary Murphy, 1979 Harbour Oaks Drive, Snellville.
Rodney Lois, 1948 Harbour Oaks Drive, Snellville.
Randy Layton, 1952 Masthaven Court, Snellville.

EXECUTIVE SESSION

None

ADJOURNMENT

Council Member Emanuel made a motion to adjourn, 2nd by Mayor Pro Tem Warner; voted 6 in favor and 0 opposed, motion approved. The meeting adjourned at 8:31 p.m.

Barbara Bender, Mayor

Melisa Arnold, City Clerk



Agenda Item Summary

TO: The Mayor and Council

FROM: Jason Thompson, Director
Department of Planning and Development

DATE: February 13, 2023

RE: #SUP 22-07 – Bubble Tea & Deli Drive-Thru
0.77± Acres at 2484 E. Main Street, Snellville

STATUS: 1st Reading

Application requesting a Special Use Permit and variance approval for a drive-thru lane and window for a proposed Banh Mi Bubble Tea & Deli on a 0.77± acre parcel (former Krystal restaurant location), zoned BG (General Business) District and located in the Towne Center Overlay District, 2484 E. Main Street, Snellville.

Financial Impact: Building Permit Fees and Occupational Tax License Fees

Planning Department Recommendation: Approval with Conditions

Planning Commission Meeting Date and Recommendation: January 24, 2023 (Approval with Conditions)

Mayor and Council Meetings: February 13, 2023 (1st Reading)
February 27, 2023 (2nd Reading and Public Hearing)

Action Requested: Consideration and Waive the 1st Reading

Draft Ordinance: Attached

Case Documents (website link):

- Letter of Intent (10-11-2022)
- #SUP 22-07 Special Use Permit Application (10-11-2022)
- 1-10-2013 Property Survey (10-11-2022)
- 10-10-2022 Site Plan (10-11-2022)

0.77± Acre Property at 2484 E. Main Street, Snellville, Georgia

Case #SUP 22-07

February 13, 2023

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- 11-15-2022 Planning Department Case Summary & Analysis (10-21-2022)
- *Official* November 15, 2022 Planning Commission Specially Called Meeting Minutes (11-18-2022)
- 11-15-2022 Planning Commission Case Report (11-16-2022)
- 11-28-2022 Planning Department Case Summary & Analysis with Planning Commission Report (11-16-2022)
- 1-15-2023 Letter of Intent Addendum (1-17-2023)
- 1-16-2023 Revised Site Plan with Proposed Interior & Exterior Renovations (1-17-2023)
- 1-24-2023 Planning Department Case Summary & Analysis (1-18-2023)
- *Unofficial* 1-24-2023 Planning Commission Regular Meeting Minutes (1-25-2023)
- 1-24-2023 Planning Commission Case Report (1-25-2023)
- 2-13-2023 Planning Department Case Summary & Analysis with Planning Commission Report (1-25-2023)

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2023-01

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 0.77± ACRE TRACT OF LAND LOCATED IN LAND LOT 26 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 2484 E. MAIN STREET, SNELLVILLE, GEORGIA; TO GRANT A SPECIAL USE PERMIT; TO GRANT VARIANCES; TO ADD CONDITIONS AFFECTING THE PROPERTY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER: #SUP 22-07

APPLICANT/PROPERTY OWNER: Brian Vu, Member
ABN Investment Group, LLC
Snellville, Georgia 30078

LOCATION: 2484 E. Main Street, Snellville, Georgia
(the “Property”)

TAX PARCEL: R5026 240

DEVELOPMENT/PROJECT: Banh Mi Bubble Tea & Deli with
Drive-Thru

CONTACT: Maya Radovic
Radovic Permits, LLC
404-717-4795 or radovicpermits@gmail.com

WHEREAS, the governing authority of the City of Snellville, Georgia is the Mayor and Council thereof; and

WHEREAS, the governing authority of the City of Snellville, Georgia desires to amend its official zoning map as it applies to the 0.77± acre tract of land located at 2484 E. Main Street, Snellville, Georgia (Tax Parcel R5026 240) and grant the requested special use permit for a drive-thru lane and window; and

WHEREAS, the governing authority of the City of Snellville, Georgia desires to grant variances from Article 1, Article 5, and Article 6 of Chapter 200 of the Snellville Unified Development Ordinance; and,

WHEREAS, the health, safety, and welfare of the citizens of Snellville, Georgia, will be positively impacted by the adoption of this Ordinance; therefore:

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

Section 1. For reasons stated in the public hearing and recommendations of the Planning Department and Planning Commission, a special use permit is hereby granted for the use of a drive-thru lane and window for a Banh Mi Bubble Tea & Deli on the 0.77± acre tract of land located at 2484 E. Main Street, Snellville, Georgia (Tax Parcel R5026 240), described and shown on the ALTA survey entitled “Krystal, 2484 Highway 78, Gwinnett County, Snellville, Georgia”, sealed and dated 1-10-2013 (stamped received 10-11-2022) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference, subject to the attachment of the following enumerated variances and conditions:

VARIANCES:

1. Approval of variance from Sec. 201-4.2.C (Exterior Wall Finish Materials) to increase the 30% maximum amount of hard-coat stucco allowed on the front elevation to 62% and to allow painting of the existing brick on all elevations.
2. Approval of variance from Sec. 205-1.6.B.2 (Minimum Building Height) to reduce the 24-foot minimum building height to 17-feet to allow for the removal of the existing metal wall panels and replacement by stucco panels to provide screening of the rooftop mechanical units.

3. Approval of variance from Sec. 206-8.9.G (Drive-Thrus) to allow the drive-thru window and lane to be located between the building and closest public street (Civic Drive).

CONDITIONS:

1. The property shall be developed in accordance with the submitted site plan shown on Sheet A1.3 and exterior building elevations shown on Sheet A2.1 entitled “Special Use Permit Drive-Thru for Banh Mi Bubble Tea & Deli, 2484 Main St., Snellville, GA 30078”, sealed and dated 1-16-2023 in Exhibit “B”, a copy of which is attached hereto and incorporated herein by reference, with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the site plan, as determined by the Director of Planning and Development will require Mayor and Council approval, after receiving recommendations by the Planning Department and Planning Commission.
2. The existing nonconforming pylon sign located between the entry and exit drives on U.S. Highway 78, shall be removed before issuance of any Certificate of Occupancy or Occupational Tax Certificate (Business License). New signage shall comply with the requirements of Sec. 207-6 (Signs) of Chapter 200 of the Snellville Unified development Ordinance.
3. New signs higher than 15 feet or larger than 225 sq. ft. in area are prohibited.
4. Uses involving adult entertainment, including the sale or display of adult magazines, books, videos and as further defined by the Adult Entertainment Ordinance in effect on the date this condition is imposed, are prohibited.
5. Drive-thru screening shall comply with UDO. Sec. 206-8.9.G.

6. All interior and exterior building renovations and site renovation work shall require approved building and site development permits before commencement of any work.

Section 2. The special use permit shall expire after twelve (12) months from date of approval unless a certificate of occupancy or occupational tax license has been approved for the special use. The Director of Planning and Development may extend authorization for an additional period of six (6) months for reasons such as health, financial, or administrative problems incurred by the applicant during the permit period. The director must make a finding that the delay is justified by circumstances beyond the applicant's control, and that the six-month extension can reasonably be expected to remedy the circumstances.

Section 3. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set forth herein.

Section 4. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence,

clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 5. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 6. This Ordinance was adopted on _____, 2023. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this ____ day of _____, 2023.

Barbara Bender, Mayor

ATTEST:

Tod Warner, Mayor Pro Tem

Melisa Arnold, City Clerk

Solange Destang, Council Member

APPROVED AS TO FORM:

Dave Emanuel, Council Member

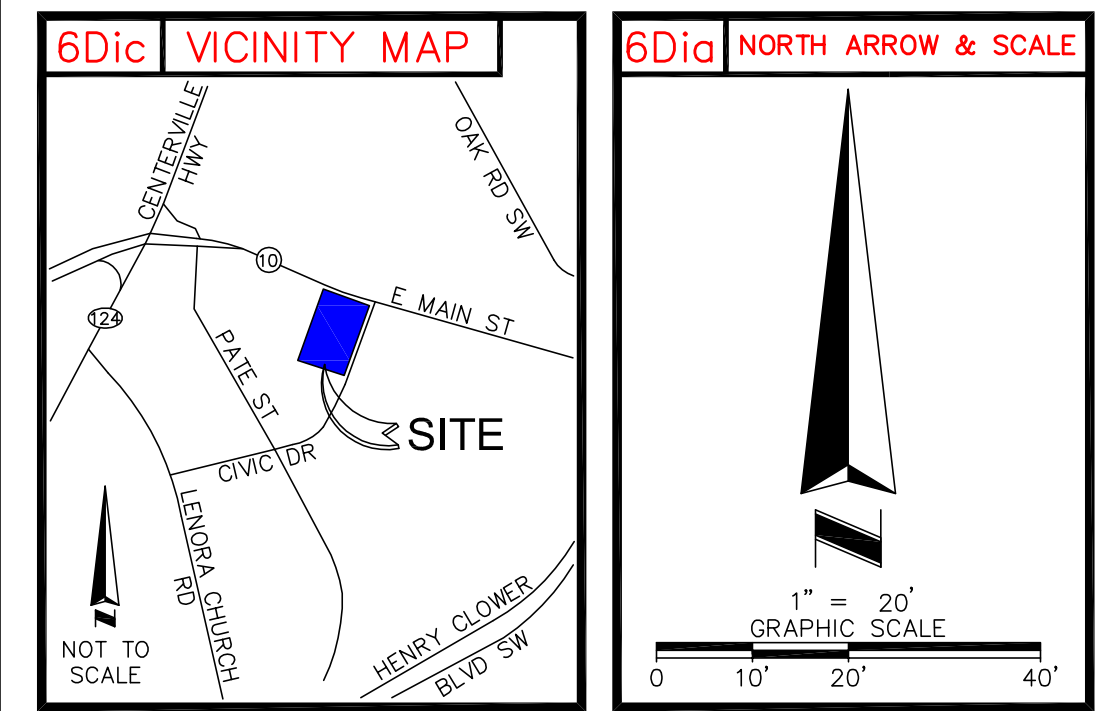
W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Cristy Lenski, Council Member

Gretchen Schulz, Council Member

EXHIBIT "A"

EXHIBIT "B"



5Ciii SURVEYOR OBSERVED POSSIBLE ENCROACHMENTS
 CONCRETE SIDEWALK ENCROACHES ONTO PROPERTY BY NO MORE THAN 2.6'

3 FLOOD INFORMATION
 BY GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES WITHIN ZONE "X", AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 130102 0129 F (MAP NO. 13135C0129F), WHICH BEARS AN EFFECTIVE DATE OF 09/29/2006, AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE. ZONE "X" DENOTES AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

6Dib LEGEND & ABBREVIATIONS

SQ.FT.	SQUARE FEET	LSA	LANDSCAPE AREA
CONC.	CONCRETE SURFACE (CONC.)	SM	SANITARY MANHOLE
NO PARKING	NO PARKING AREA	GP	GREASE MANHOLE
HP	HANDICAP PARKING SPACE	UA	UTILITY POLE
PS	PARKING SPACE(S)	CA	CITY ANCHOR
WM	WATER METER	LP	LIGHT POLE
CO	CLEAN OUT	S	SIGN
L	ARC LENGTH	B	BOLLARD
R	RADIUS	DG	DRAIN GRATE
CB	CHORD BEARING		
CH	CHORD LENGTH		
OH	OVERHANG		
BW	BRICK WALL		
OHU	OVERHEAD UTILITY LINE		
POB	POINT OF BEGINNING		
(C)	CALCULATED DATA		
(D)	DEED DATA		

22 ZONING INFORMATION

ITEM	REQUIRED	OBSERVED	PRELIMINARY ZONING INFORMATION SHOWN HEREON WAS PROVIDED BY INSURED, INFORMATION WAS NOT OBTAINED BY ASM, INC. CONTACT: MASSEY CONSULTING GROUP SITE # 15840 DATE OF REPORT: 08/23/12 PHONE/FAX (866) 786-7153 (866) 786-7154
PERMITTED USE	BG	COMMERCIAL	
MINIMUM LOT AREA (SQ.FT.)	NONE	37,746	
MINIMUM FRONTAGE	NONE	150.0'	
MINIMUM LOT WIDTH	NONE	150.0'	
MAX BUILDING COVERAGE	90%	5%	
MAX BUILDING HEIGHT	80'	12.4'	
MINIMUM SETBACKS			
FRONT	25'	47.8'	
SIDE/SIDE ON STREET	10'/35'	46.6'	
REAR	15'	103.5'	

PARKING REQUIREMENTS: 1 SPACE/3 SEATS, PLUS 1/FULLTIME EMPLOYEE.
 NOTES: ZONED BG, GENERAL BUSINESS DISTRICT

6B RECORDED SETBACKS/RESTRICTIONS
 NONE PROVIDED TO THIS SURVEYOR

5Ei SCHEDULE "B" ITEMS

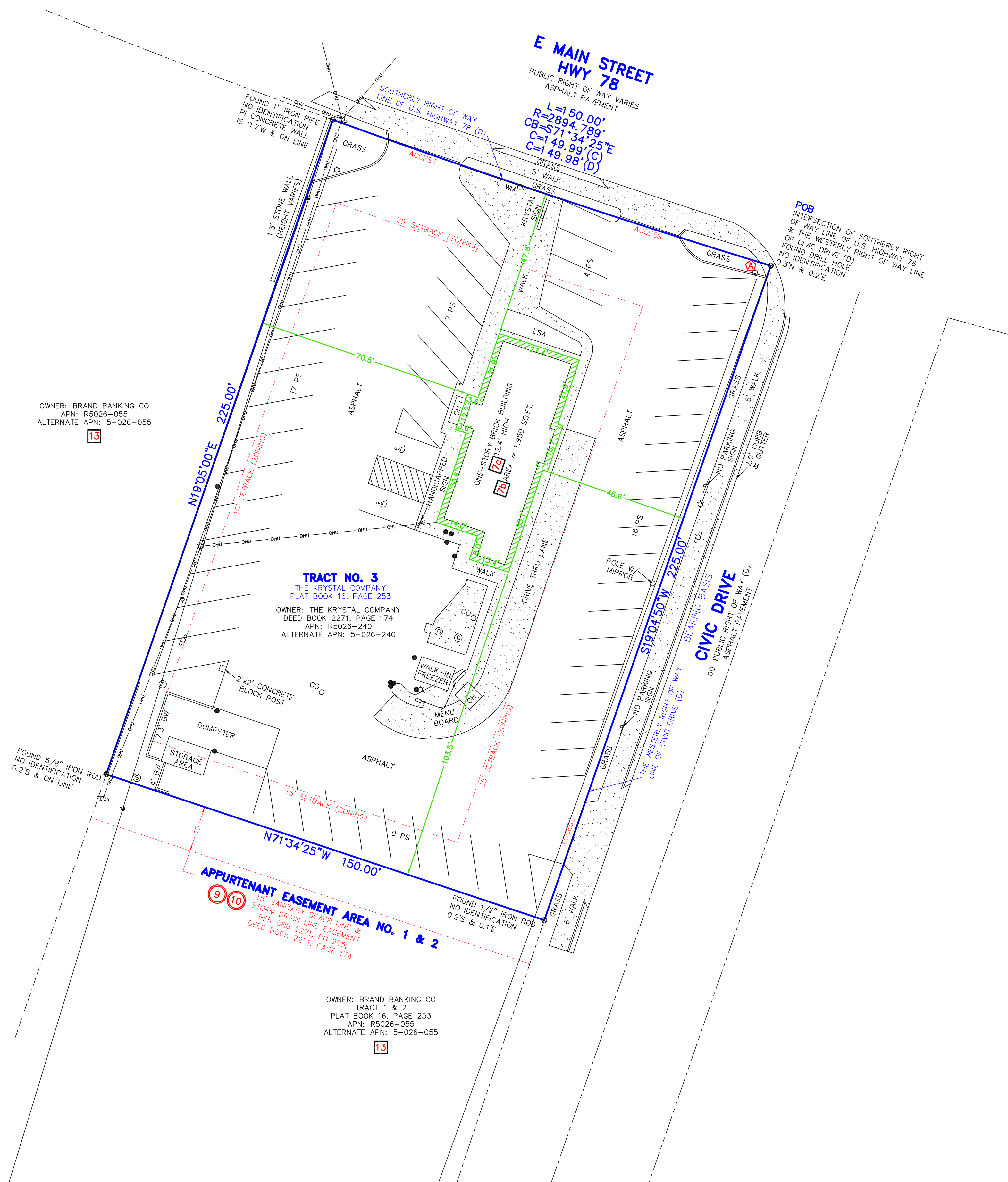
9 - TERMS AND CONDITIONS OF EASEMENT CONTAINED IN THAT CERTAIN WARRANTY DEED FROM TERRA 22 LTD., TO THE KRystal COMPANY, A TENNESSEE CORPORATION, DATED OCTOBER 21, 1981, FILED OCTOBER 21, 1981 AND RECORDED IN DEED BOOK 2271, PAGE 174, GWINNETT COUNTY, GEORGIA RECORDS. (ADJACENT TO SUBJECT PROPERTY, AS SHOWN)

10 - TERMS AND CONDITIONS OF THAT EASEMENT BETWEEN TERRA 22 LTD. AND THE BRAND BANKING COMPANY, DATED OCTOBER 21, 1981, FILED ON OCTOBER 21, 1981 AND RECORDED AT DEED BOOK 2271, PAGE 205, GWINNETT COUNTY, GEORGIA RECORDS. (ADJACENT TO SUBJECT PROPERTY, AS SHOWN)

11 - DRIVES CROSSING SUBJECT PROPERTY AND SUBJECT PROPERTY BOUNDARIES POSSIBLY GIVING RISE TO RIGHTS, OR CLAIMS OF RIGHTS, OF OTHERS AS DISCLOSED BY THAT CERTAIN PLAT OF SURVEY ENTITLED "SURVEY FOR DOUGLAS L. WILKINSON", PREPARED BY HANNON, MEES & BAGWELL, SURVEYORS & ENGINEERS, INC., DATED JULY 22, 1977, RECORDED AT PLAT BOOK 6, PAGE 157 B, GWINNETT COUNTY, GEORGIA RECORDS. (DOES NOT AFFECT)

ALTA/ACSM LAND TITLE SURVEY IDENTIFICATION TABLE

2 TABLE "A" PROPERTY ADDRESS	6Bvii CONTIGUITY STATEMENT	7b TABLE "A" BUILDING AREA
3 TABLE "A" FLOOD INFORMATION	6Bx TITLE INFORMATION	7c TABLE "A" BUILDING HEIGHT
4 TABLE "A" LAND AREA	6Bi TITLE DESCRIPTION	8 SURVEYOR'S NOTES
5Biii ACCESS TO PROPERTY	6Biv BEARING BASIS	9 TABLE "A" PARKING SPACES
5Ciii SURVEYOR OBSERVED POSSIBLE ENCROACHMENT	6Dia NORTH ARROW & SCALE	13 TABLE "A" ADJOINING OWNERS
5Ei SCHEDULE "B" ITEMS	6Dib LEGEND & ABBREVIATIONS	14 TABLE "A" INTERSECTING STREET
5F CEMETERY NOTE	6Dic VICINITY MAP	16 TABLE "A" EARTH MOVING NOTE
6B RECORDED SETBACKS/RESTRICTIONS PROVIDED BY INSURED	6Dvi TYPE OF SURVEY	18 TABLE "A" DUMP, SUMP OR LANDFILL NOTE
	7 SURVEYOR'S CERTIFICATE	22 TABLE "A" ZONING INFORMATION



GENERAL NOTES :

- FIELD TRAVERSE CLOSURE - 1:27,342 - ADJUSTED BY COMPASS RULE
- PLAT CLOSURE - 1:300,000+
- INSTRUMENT USED - LIETZ SET-4 TOTAL STATION
- NO ATTEMPT WAS MADE TO DETERMINE WETLANDS OR OTHER ENVIRONMENTAL ISSUES

DATE	REVISIONS	TECH	SCALE:
8/27/12	CLIENTS COMMENTS	WS	1" = 20'
8/29/12	REMOVE EXCEPTION #11	CSC	
8/30/12	GEORGIA NOTES	WS	
9/5/12	CORRECT CERTIFICATION	CSC	
9/20/12	CLIENTS COMMENTS	CSC	
1/10/13	CERTIFICATION	TT	

APPROVED BY: CSC
 DRAWING FILE NAME: 1200904 - 2484 HWY 78, SNELLVILLE, GA.DWG

6Bx TITLE INFORMATION
 THE TITLE DESCRIPTION AND SCHEDULE B ITEMS HEREON ARE FROM: CHICAGO TITLE INSURANCE COMPANY NB# 14120419 (15-23), HAVING AN EFFECTIVE DATE OF JULY 26, 2012.

6Bi TITLE DESCRIPTION
 ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 26 OF THE 5TH DISTRICT, CITY OF SNELLVILLE, GWINNETT COUNTY, GEORGIA, CONTAINING 0.7725 ACRES AS SHOWN ON TOPOGRAPHIC SURVEY FOR THE KRystal COMPANY BY HANNON, MEES & BAGWELL, SURVEYORS & ENGINEERS, INC., DATED AUGUST 20, 1981 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE CORNER FORMED BY THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 78 AND THE WESTERLY RIGHT-OF-WAY LINE OF CIVIC DRIVE (BEING A 60-FOOT RIGHT-OF-WAY) AND RUNNING THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF CIVIC DRIVE SOUTH 19 DEGREES 04 MINUTES 50 SECONDS WEST A DISTANCE OF 225.00 FEET TO A POINT; THENCE NORTH 71 DEGREES 34 MINUTES 25 SECONDS WEST A DISTANCE OF 150.00 FEET TO A POINT; THENCE NORTH 19 DEGREES 05 MINUTES 00 SECONDS WEST A DISTANCE OF 225.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 78; THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 78 AND FOLLOWING A CURVE TO THE LEFT, HAVING A RADIUS OF 2894.789 FEET AND A CHORD OF SOUTH 71 DEGREES 34 MINUTES 25 SECONDS EAST 149.98 FEET, AN ARC DISTANCE OF 150.00 FEET TO A POINT, BEING THE PLACE OR POINT OF BEGINNING.

APPURTENANT EASEMENT AREA NO. 1:
 TOGETHER WITH ALL RIGHT, TITLE AND INTEREST IN REAL ESTATE CREATED BY VIRTUE OF EASEMENT CONTAINED IN THAT CERTAIN WARRANTY DEED FROM TERRA 22 LTD., TO THE KRystal COMPANY, A TENNESSEE CORPORATION, DATED OCTOBER 21, 1981, FILED OCTOBER 21, 1981 AND RECORDED IN DEED BOOK 2271, PAGE 174, GWINNETT COUNTY, GEORGIA RECORDS.

APPURTENANT EASEMENT AREA NO. 2:
 TOGETHER WITH ALL RIGHT, TITLE AND INTEREST IN REAL ESTATE CREATED BY VIRTUE OF EASEMENT BETWEEN TERRA 22 LTD AND THE BRAND BANKING COMPANY, DATED OCTOBER 21, 1981, FILED ON OCTOBER 21, 1981 AND RECORDED AT DEED BOOK 2271, PAGE 205, GWINNETT COUNTY, GEORGIA RECORDS.

8 SURVEYOR'S NOTES

- NO UNDERGROUND UTILITIES ARE SHOWN ON THIS SURVEY, ONLY ABOVE GROUND VISIBLE EVIDENCE OF UTILITIES ARE SHOWN.
- ALL STATEMENTS WITHIN THE CERTIFICATION, AND OTHER REFERENCES LOCATED ELSEWHERE HEREON, RELATED TO: UTILITIES, IMPROVEMENTS, STRUCTURES, BUILDINGS, PARTY WALLS, PARKING, EASEMENTS, SERVITUDES, AND ENCROACHMENTS ARE BASED SOLELY ON ABOVE GROUND, VISIBLE EVIDENCE, UNLESS ANOTHER SOURCE OF INFORMATION IS SPECIFICALLY REFERENCED HEREON.
- THIS SURVEY MEETS OR EXCEEDS THE SURVEY STANDARDS/STANDARDS OF CARE AS SET FORTH IN SECTION 3 OF THE 2011 ALTA/ACSM SURVEY REQUIREMENTS.

4 LAND AREA 34,746± SQUARE FEET 0.775± ACRES

6Biv BEARING BASIS
 BEARINGS SHOWN HEREON ARE BASED ON WESTERLY RIGHT OF WAY LINE OF CIVIC ROAD BEING S19°04'50"W PER PLAT BOOK 16, PAGE 253.

5F CEMETERY NOTE
 THERE IS NO VISIBLE EVIDENCE OF CEMETERIES ON SUBJECT PROPERTY.

9 PARKING SPACES REGULAR=55 HANDICAP=2

5Biii ACCESS TO PROPERTY
 THE SUBJECT PROPERTY HAS DIRECT PHYSICAL ACCESS TO E MAIN STREET (U.S. HIGHWAY 78 AND CIVIC DRIVE, DEDICATED PUBLIC STREETS OR HIGHWAYS.

16 EARTH MOVING NOTE
 THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.

18 DUMP, SUMP OR LANDFILL NOTE
 THERE IS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.

6Bvii CONTIGUITY STATEMENT
 THE PARCELS CONTAINED IN THE LEGAL DESCRIPTION ARE CONTIGUOUS WITHOUT ANY GAPS, GORES OR OVERLAPS.

7 SURVEYOR'S CERTIFICATE
 TO: AR CAPITAL, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ARC KLSNVGAD01, LLC, A DELAWARE LIMITED LIABILITY COMPANY, CHICAGO TITLE INSURANCE COMPANY, WELLS FARGO BANK, N.A., ITS SUCCESSORS AND ASSIGNS:
 THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 10(c), 11(c), 12, 13, 14, 16, 18, 21 AND 22 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 08/16/2012. DATE OF PLAT OR MAP: 10/18/2012.

REGISTERED SURVEYOR: CARL S. COURSON DATE: 1/10/13
 PROFESSIONAL LAND SURVEYOR NO.: 2272
 STATE OF GEORGIA PROJECT NO.: 1200904
 DRAWN BY/FIELD CREW: SLN
 SURVEY PREPARED BY: AMERICAN SURVEYING AND MAPPING, INC.
 3191 MAGUIRE BLVD., SUITE 200 ORLANDO, FL 32803
 PHONE: (407) 426-7979
 FAX: (407) 426-9741

AMERICAN SURVEYING & MAPPING, INC.
 3191 MAGUIRE BLVD., SUITE 200 ORLANDO, FL 32803
 PHONE: (407) 426-7979
 WWW.ASMCORPORATELCO.COM

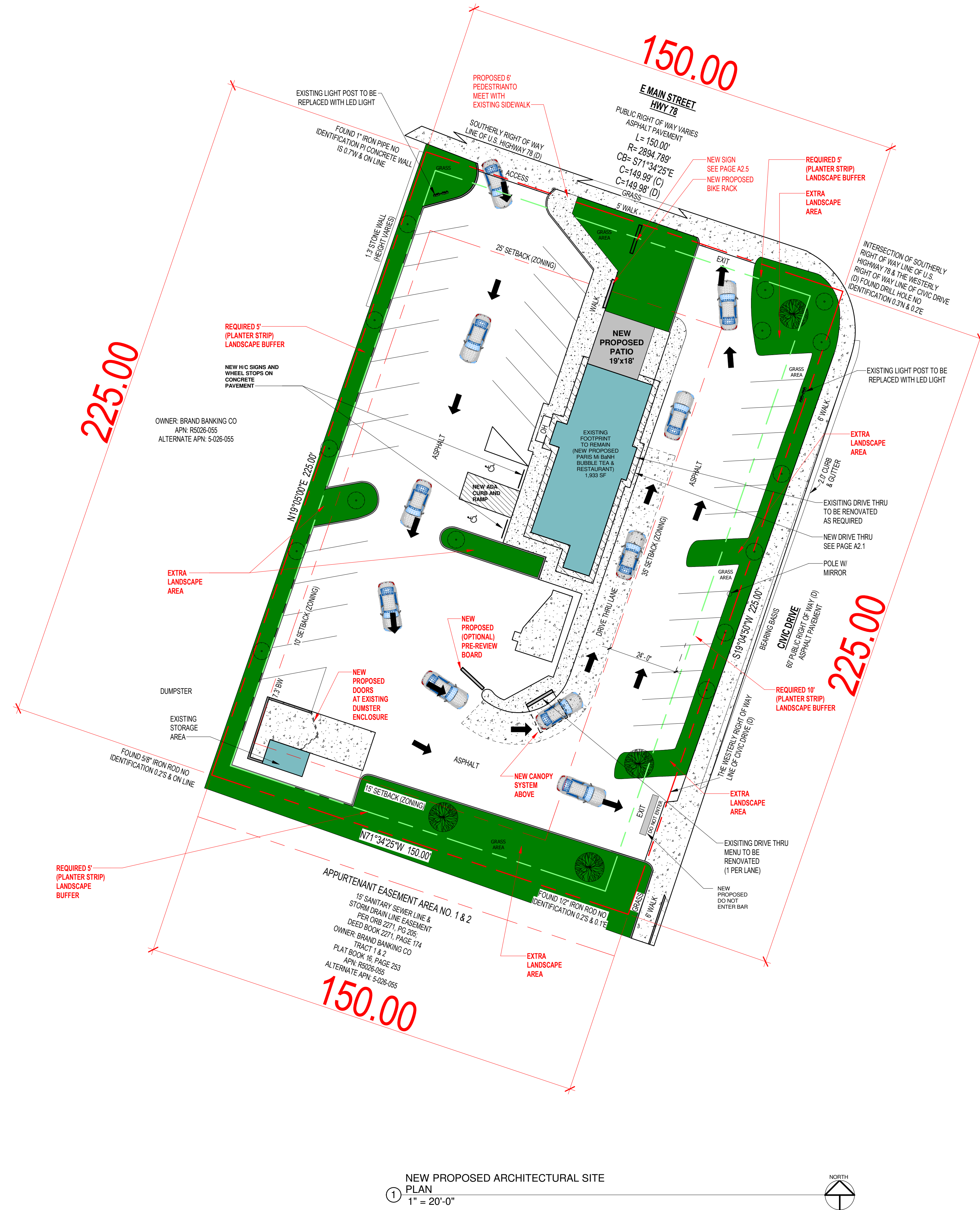
60vi ALTA/ACSM LAND TITLE SURVEY OF KRystal 2484 HIGHWAY 78 SNELLVILLE, GEORGIA GWINNETT COUNTY

EXHIBIT "B"

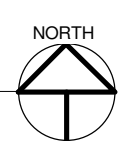
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NEW PROPOSED ARCHITECTURAL SITE PLAN
1" = 20'-0"



PROPERTY DETAILS:

PROPERTY ID.....R5026 240
ALTERNATE ID.....336106
ADDRESS.....2484 MAIN ST
PROPERTY CLASS.....FAST FOOD
NEIGHBORHOOD.....9310 SNELLVILLE
DEEDED ACRES.....0.7700

TOTAL LEASE SPACE.....1,933 SF

SCOPE OF WORK:

SPECIAL USE PERMIT DRIVE-THRU FOR BANH MI BUBBLE TEA & RESTAURANT:
- RENOVATE EXISTING DRIVE-THRU TO MEET 206.2 ALLOWED USE TABLE

THIS PROJECT CONSISTS OF RESURFACING THE PARKING, ADD NEW LANDSCAPE, EXTERIOR BUILDING ELEVATIONS RENOVATIONS & INTERIOR RENOVATIONS. SCOPE OF WORK WILL INCLUDE THE FOLLOWING:

EXTERIOR RENOVATION:

- RESURFACE EXISTING PARKING LOT AND MAINTAIN AS REQUIRED
- REPAIR EXISTING CRACKS @ PARKING LOT AS REQUIRED
- RE-STRIPE PER NEW ARCHITECTURAL SITE PLAN
- REPLACING PARKING LOT LIGHTING BULBS @ LIGHT FIXTURES
- ADDING NEW DOORS AT DUMPSTER ENCLOSURE
- EXTERIOR OF BUILDING TO BE REBRANDED AND REDESIGN AS SHOWN ON THESE DOCUMENTS
- INSTALLATION OF NEW LANDSCAPE PER THESE DOCUMENTS

INTERIOR BUILDING RENOVATION:

- RENOVATING RESTROOM WITH ASSOCIATED PLUMBING FIXTURE AND ACCESSORIES TO MEET ADA STANDARDS
- RENOVATING THE RESTAURANT KITCHEN SPACE
- RENOVATING AND REDESIGN OF THE SEATING AND RECEPTION AREA
- PRESURE WASH AND PAINT EXTERIOR ELEVATIONS OF BUILDING
- MECHANICAL, ELECTRICAL AND PLUMBING (TO BE BROUGHT UP TO CODE)

OCCUPANCY GROUP CLASSIFICATION:
2018 IBC ASSEMBLY GROUP - A-2 LSC ASSEMBLY

NUMBER OF STORIES:

EXISTING: **1** STORY
HEIGHT OF THE STRUCTURE:
12.4 FEET

RENOVATION/ALTERATION MODIFICATION:

EXISTING: YES

INTERIOR: YES

EXTERIOR: YES

TYPE OF CONSTRUCTION:

VB

SPRINKLERED:

N/A

COMMON PATH OF TRAVEL : 75' MAXIMUM
MAXIMUM TRAVEL DISTANCE: PER NFPA: 250'-0"
DEAD END CORRIDOR: 50' MAXIMUM



VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS AT THE SITE BEFORE PROCEEDING WITH EACH PHASE OF THIS WORK.



Banh Mi
1/16/23

SPECIAL USE PERMIT DRIVE-THRU FOR Banh Mi BUBBLE TEA & DELI
2484 Main St
Snellville, GA 30078

PRINT RECORD

No.	Description	Date

PROJECT NUMBER 2022_10_01.1	DATE 01-16-2023
DRAWN BY FU/NVB	CHECKED BY CC

SHEET NAME

NEW PROPOSED ARCHITECTURAL SITE PLAN

SHEET TITLE

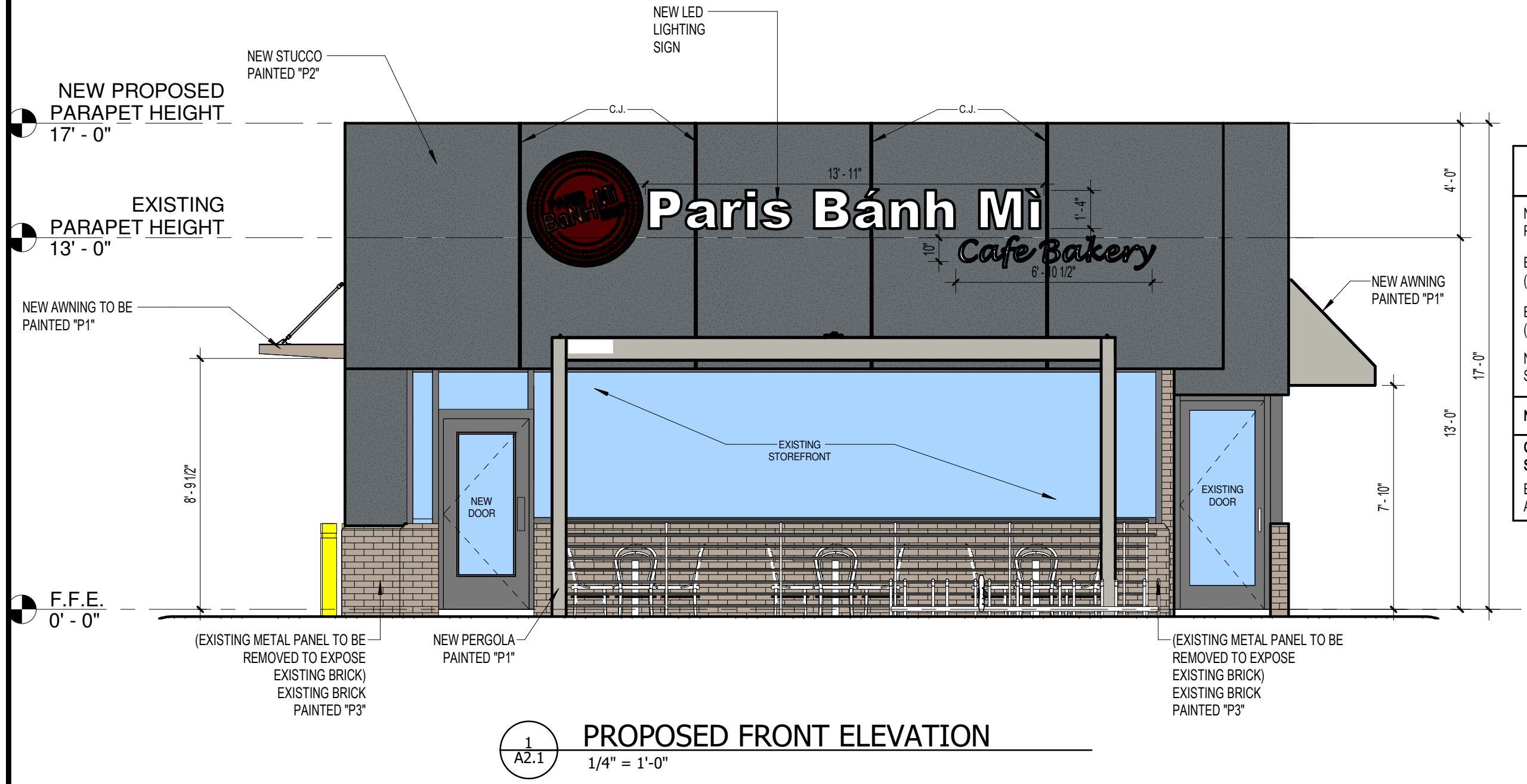
A1.3

SCALE: 1" = 20'-0"
PRINT DATE/TIME 1/16/2023 3:37:00 PM

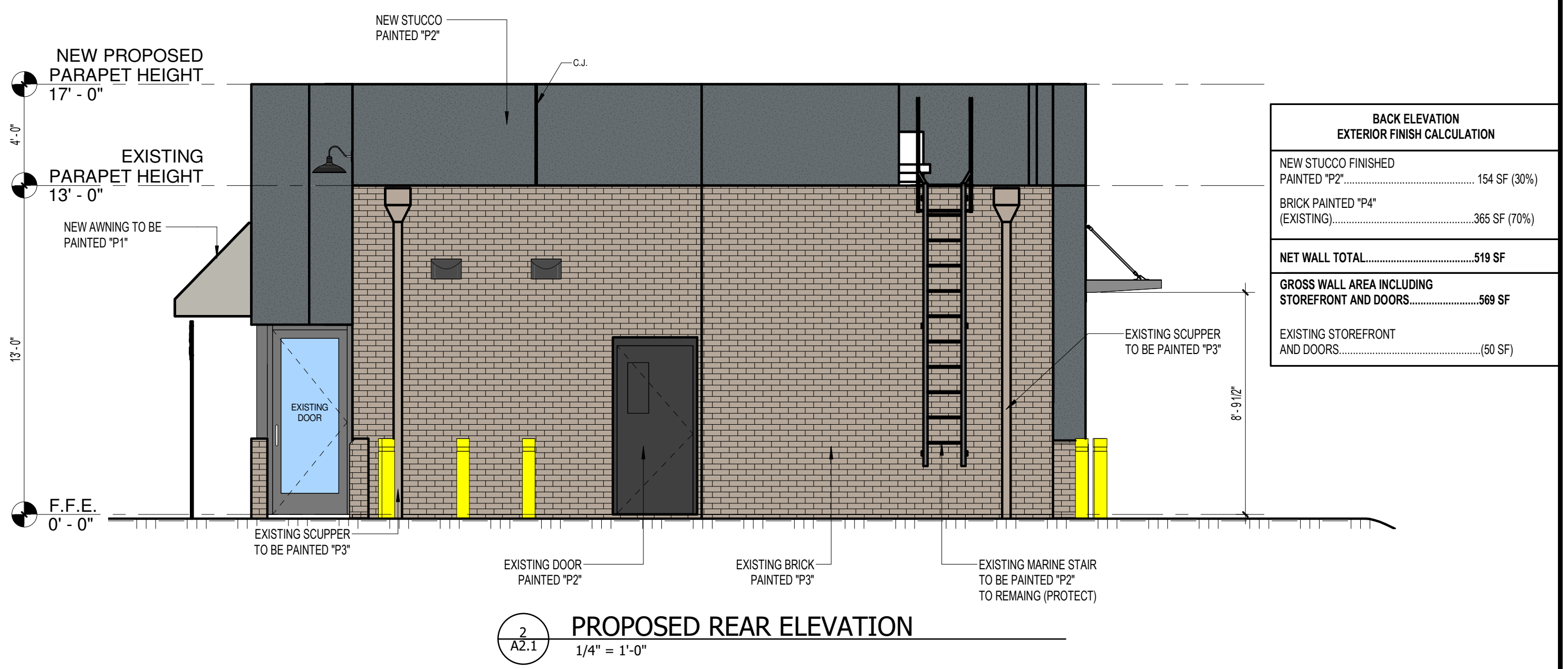
VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS AT THE SITE BEFORE PROCEEDING WITH EACH PHASE OF THIS WORK.



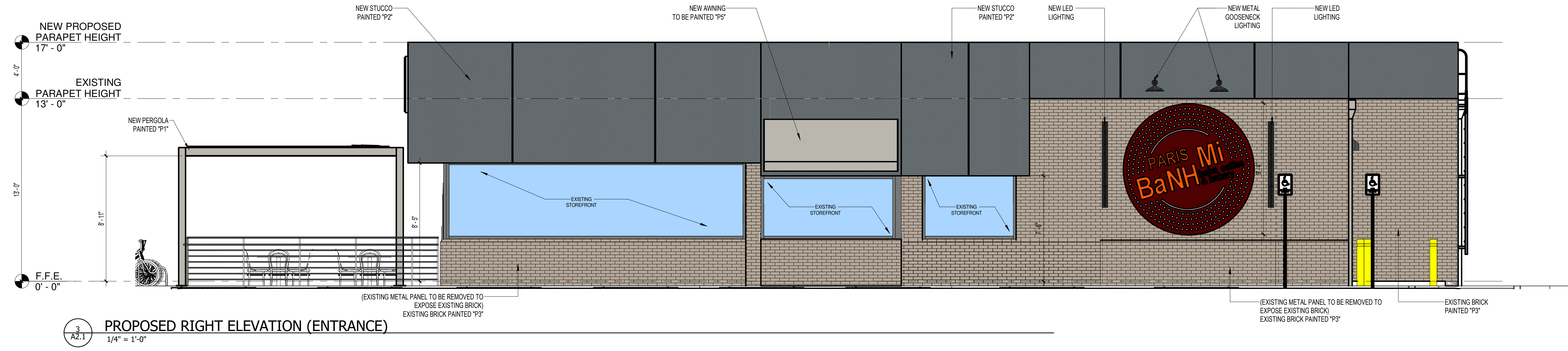
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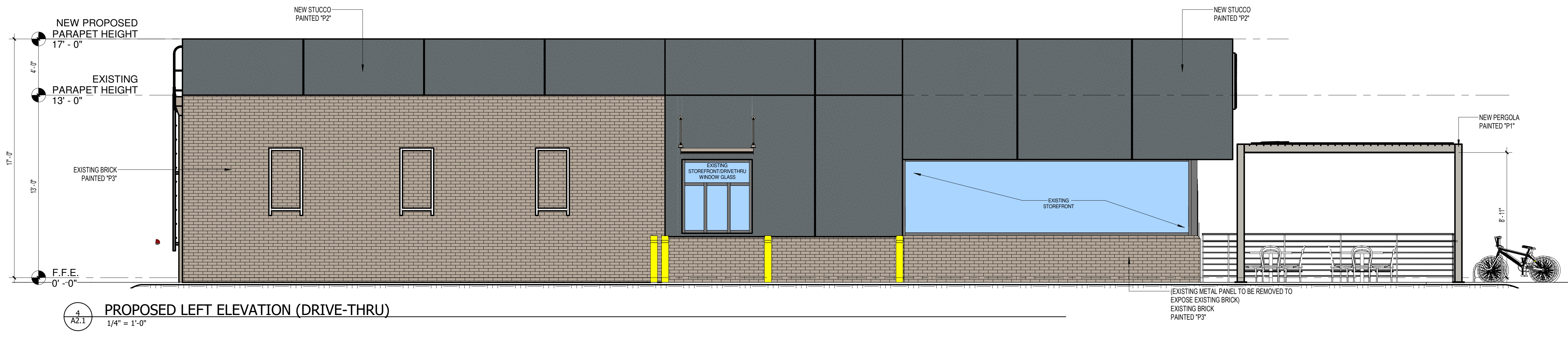
1 A2.1 PROPOSED FRONT ELEVATION
1/4" = 1'-0"



2 A2.1 PROPOSED REAR ELEVATION
1/4" = 1'-0"



3 A2.1 PROPOSED RIGHT ELEVATION (ENTRANCE)
1/4" = 1'-0"



4 A2.1 PROPOSED LEFT ELEVATION (DRIVE-THRU)
1/4" = 1'-0"

**SPECIAL USE PERMIT
DRIVE-THRU FOR Banh Mi
BUBBLE TEA & DELI**
2484 Main St
Snellville, GA 30078

PRINT RECORD

No.	Description	Date

PROJECT NUMBER: 2022_10_01.1
DATE: 01-16-2023
DRAWN BY: FU/NVB
CHECKED BY: CC

SHEET NAME: NEW PROPOSED EXTERIOR ELEVATIONS

SHEET TITLE: A2.1

SCALE: 1/4" = 1'-0"
PRINT DATE/TIME: 1/16/2023 11:03:20 AM



Agenda Item Summary

TO: The Mayor and Council

FROM: Jason Thompson, Director
Department of Planning and Development

DATE: February 13, 2023

RE: #RZ 23-01 LUP 23-01

LOCATION: 1.129± Acre Site at 2154 North Road, Snellville, Georgia

STATUS: 1st Reading

Rezoning from RS-30 (Single-family Residential) District to NR (North Road) District and amendment to the 2040 Comprehensive Plan Future Land Use Map (FLUM) from Low-Density Residential to North Road Redevelopment Area for a financial services office in the existing 2,020± sq. ft. single-story single-family structure.

The applicant is also requesting several variances from the Unified Development Ordinance (“UDO”) to best maintain the historic qualities of the site and generate the least amount of impact to the site and surrounding area.

Financial Impact: Site Development Permit fees; Building Permit fees; Real Property Taxes; and Occupational Taxes

Planning Department Recommendation: Approval with Conditions

Planning Commission Meeting and Recommendation: January 24, 2023 (Approval with Conditions)

Mayor and Council Meetings: February 13, 2023 (1st Reading)
February 27, 2023 (2nd Reading and Public Hearing)

Action Requested: Consideration and Waive the 1st Reading

Draft Ordinance: Attached

1.129± Acre Site at 2154 North Road, Snellville, Georgia
Case #RZ 23-01 LUP 23-01
February 13, 2023
Page... 2

Case Documents (website link):

- Letter of Intent (12-21-2022)
- #RZ 23-01 Rezoning Application (12-21-2022)
- #LUP 23-01 Land Use Plan Amendment Application (12-21-2022)
- 10-12-2022 Boundary Survey (12-13-2022)
- 12-13-2022 Rezoning Site Plan (12-13-2022)
- 1-24-2023 Planning Department Case Summary & Analysis (1-18-2023)
- *Unofficial* 1-24-2023 Planning Commission Regular Meeting Minutes (1-25-2023)
- 1-24-2023 Planning Commission Case Report (1-25-2023)
- 2-13-2023 Planning Department Case Summary & Analysis with Planning Commission Report (1-25-2023)

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2023-02

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 1.129± ACRE TRACT OF LAND LOCATED IN LAND LOT 39 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 2154 NORTH ROAD, SNELLVILLE, GEORGIA; TO GRANT VARIANCES; TO ADD CONDITIONS AFFECTING THE PROPERTY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER:	#RZ 23-01
LOCATION:	2154 North Road, Snellville, Georgia
SIZE:	1.129± Acres
TAX PARCEL:	5039 032
REQUESTED ZONING:	NR (North Road) District
DEVELOPMENT/PROJECT:	Financial Services Office
APPLICANT/PROPERTY OWNER:	Toney Financial Services, Inc. James and Meghan Toney Snellville, Georgia 30078

WHEREAS, the governing authority of the City of Snellville, Georgia is the Mayor and Council thereof; and

WHEREAS, the governing authority of the City of Snellville, Georgia desires to amend its official zoning map as it applies to the 1.129± acre tract of land located at 2154 North Road, Snellville, Georgia (Tax Parcel 5039 032) for a Financial Services Office; and

WHEREAS, the governing authority of the City of Snellville, Georgia desires to grant variances from Article 3 and Article 7 of Chapter 200; Article 1 of Chapter 400 of the Snellville Unified Development Ordinance; and

WHEREAS, the governing authority of the City of Snellville, Georgia desires to repeal conditions of zoning from the 6-9-2008 Mayor and Council approved conditional use permit (case #CUP 08-02) to operate a historical event venue; and,

WHEREAS, the health, safety, and welfare of the citizens of Snellville, Georgia, will be positively impacted by the adoption of this Ordinance; therefore:

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

Section 1. The Official Zoning Map for the City of Snellville, Georgia for the 1.129± acre tract of land described and shown on the zoning site plan entitled “Site Zoning Plan for North Rd. & Eastwood Dr., 2154 North Road, Snellville, GA 30078” sealed and dated 12-13-2022 (stamped received 1-24-2023) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby amended and changed from RS-30 (Single-family Residential) District to NR (North Road) District, subject to the attachment of the following enumerated variances and conditions:

VARIANCES:

1. Approval of variance from Sec. 207-1.7 (Vehicle Parking and Layout Design and Sec. 401-5.13 (Driveways) to allow the existing dirt/gravel driveway to remain.
2. Approval of variance from Sec. 207-2.1.C.1 (Minimum Buffer Strips) to allow encroachment of an existing wood accessory building into the 40-foot undisturbed buffer adjacent to the residential property to the east.

3. Approval of variance from Sec. 401-3.4.H (Inter-parcel Access) to waive the requirement to provide vehicle cross-access points to the adjacent residential properties to the north (Parcel 5039 046) and east (Parcel 5039 192).
4. Approval of variance from Sec. 203-5.11 (Driveways) to allow the site to exceed an amount equal to one driveway every 300 feet of total street frontage or fraction thereof for the two existing dirt/gravel driveways.

CONDITIONS:

1. The property shall be developed in accordance with the rezoning site plan entitled “Site Zoning Plan for North Rd. & Eastwood Dr., 2154 North Road, Snellville, GA 30078”, dated 12-13-2022 (stamped received 1-24-2023), with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the rezoning site plan, as determined by the Director of Planning and Development and the City Manager will require Mayor and Council approval.
2. If not connecting to Gwinnett County sanitary sewer, the applicant shall provide written approval by the Gwinnett County Department of Environmental Health for use of the onsite septic system before issuance of a certificate of occupancy, certificate of completion, or business license.

Section 2. All conditions that are applicable to the 1.129± acre property and previously approved on 6-9-2008 by the Mayor and Council for conditional use permit case #CUP 08-02 are hereby repealed.

Section 3. The changes in zoning classification are to be noted on the Official Zoning Map of the City of Snellville, Georgia as approved by the Mayor and Council as

soon as reasonably possible following the adoption of this Ordinance. The Official Zoning Map of the City of Snellville, Georgia, shall also be amended with an editorial note specifying the date these Snellville zoning amendments were approved by the Mayor and Council and specifying the parcels affected by this Ordinance. Until the changes are indicated on the Official Zoning Map of the City of Snellville, Georgia, as approved by the Mayor and Council, this Ordinance shall govern over Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council to the extent of any discrepancy between this Ordinance and the Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council.

Section 4. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 5. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 6. Penalties in effect for violations of Chapter 1 of the Code of Ordinances, City of Snellville, Georgia at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

Section 7. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed

Section 8. This Ordinance was adopted on February ____, 2023. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this _____ day of February, 2023.

Barbara Bender, Mayor

ATTEST:

Tod Warner, Mayor Pro Tem

Melisa Arnold, City Clerk

Solange Destang, Council Member

APPROVED AS TO FORM:

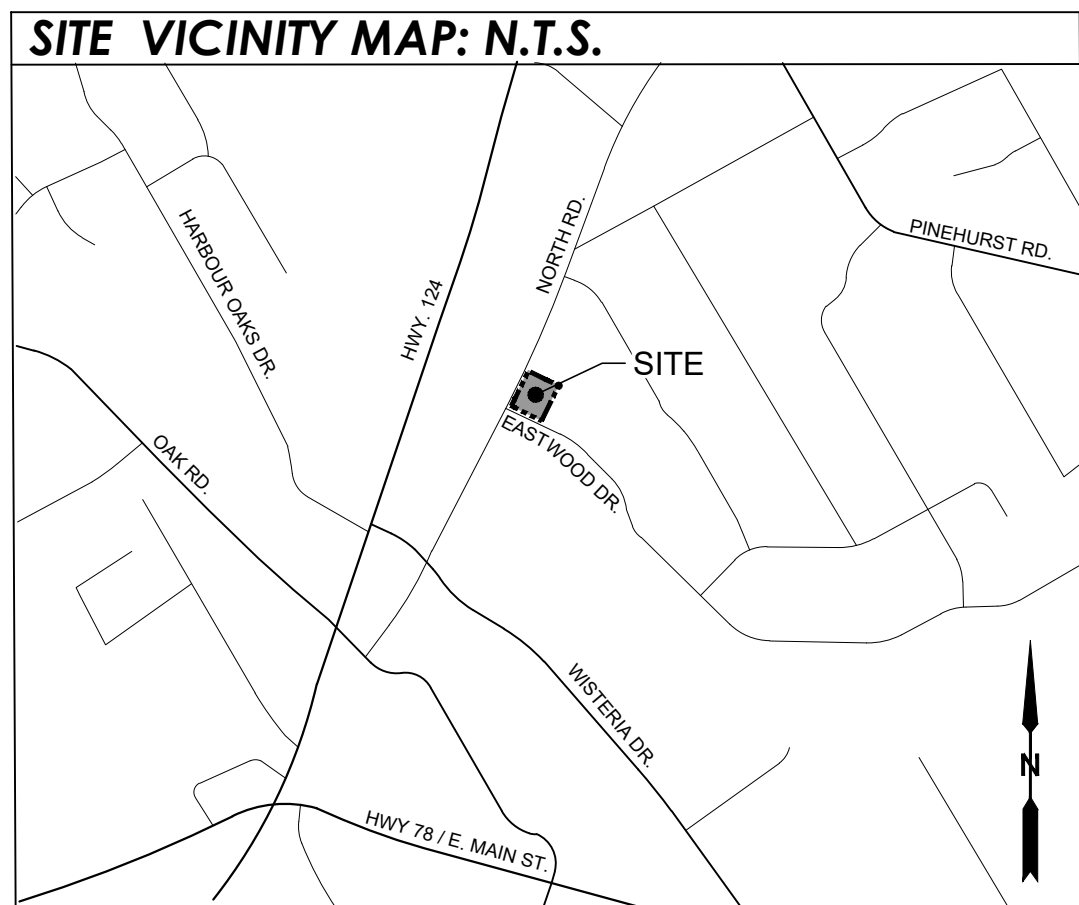
Dave Emanuel, Council Member

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Cristy Lenski, Council Member

Gretchen Schulz, Council Member

EXHIBIT "A"



SITE DATA SUMMARY:	CITY OF SNELLVILLE
GROSS ACRES (EXISTING):	+/- 1.129 ACRES
ZONING (EXISTING):	RS30 ZONING (PROPOSED): NR
SETBACKS	
FRONT YARD:	10'
SIDE YARD:	10'
REAR YARD:	20'
MAX BUILDING HEIGHT:	35'
LANDSCAPE STRIP:	10'

PARKING REQUIREMENTS:

1 SPACE PER 500 SF (OFFICE)
 TOTAL PARKING REQUIRED = 2,183 X 1/500 SF = 4.3 SPACES
 (1 H/C SPACE REQUIRED)

TOTAL PARKING SPACES PROVIDED = 4 SPACES
 (5) 9X18 SPACES = 810 SF
 TOTAL SF OF ADDITIONAL IMPERVIOUS PARKING: +/-1966 SF

PROPERTY ADDRESS:
 2154 NORTH ROAD
 SNELLVILLE, GA 30078

PROPERTY OWNERS:
 PID: 5039 032 - TONEY JAMES MURPHEY, TONEY MEGHAN BANKS

UTILITIES:
 THE DEVELOPER SHALL BE RESPONSIBLE FOR ANY CONFLICTS WITH EXISTING UTILITIES.

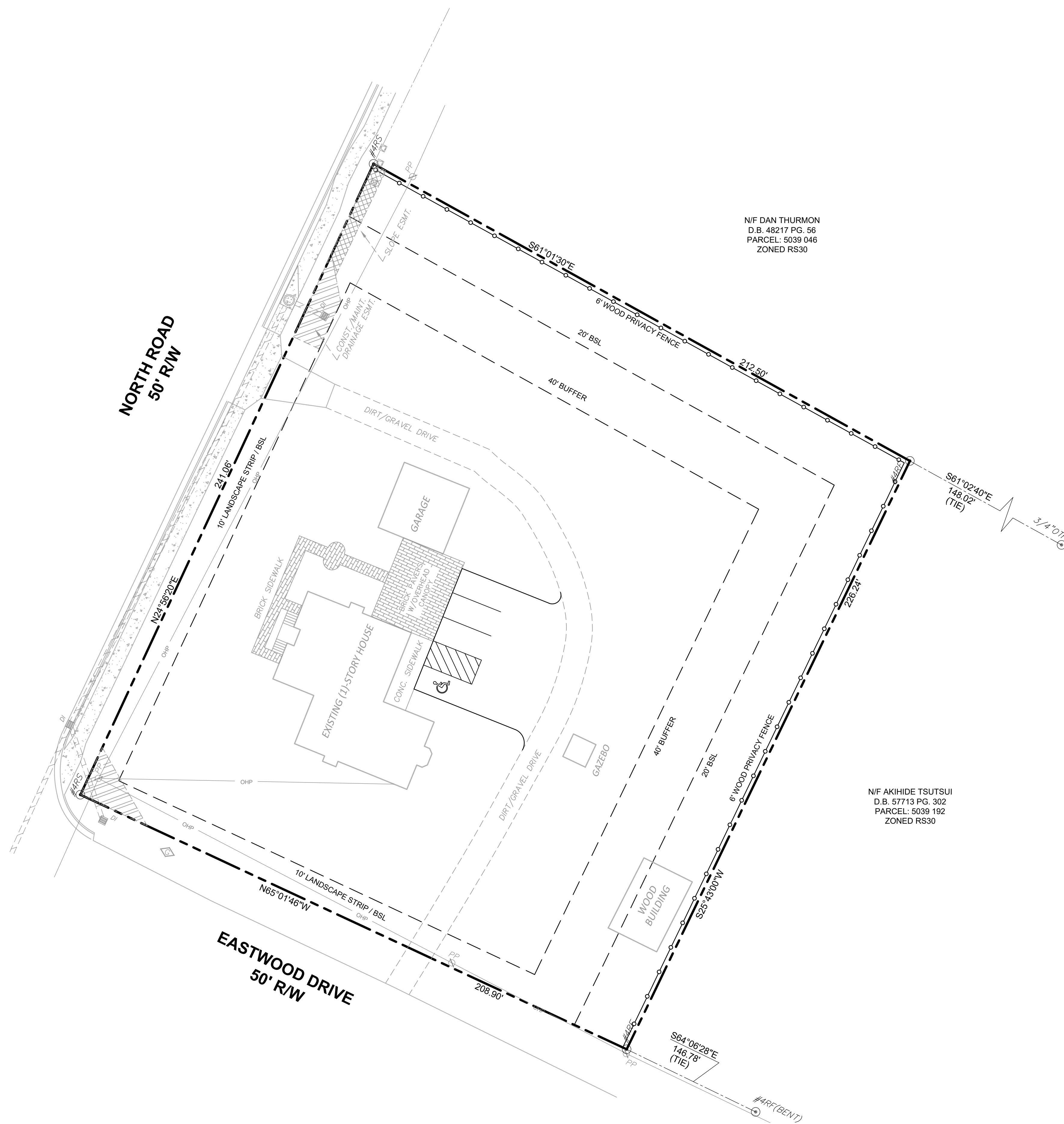
FEMA NOTE:
 NO PORTION OF THIS PROPERTY IS LOCATED IN A FEMA FLOOD HAZARD AREA AS PER FEMA MAP No. 13135C0129F, DATED 09/29/2006.

PLAN NOTE:
 THIS PLAN IS CONCEPTUAL IN NATURE AND DOES NOT CONSTITUTE APPROVAL FOR CONSTRUCTION OR DEVELOPMENT. ADDITIONAL REGULATIONS SHALL APPLY PRIOR TO PERMIT ISSUANCE.

CANOPY:
 EXISTING TREE CANOPY COVERS A PORTION OF THE SITE.

SEPTIC NOTE:
 SEPTIC IS PROVIDED ON SITE. EXACT LOCATION TO BE DETERMINED.

WATER NOTE:
 WATER PROVIDED BY GWINNETT COUNTY. WATER AVAILABLE ON THE PROPERTY.

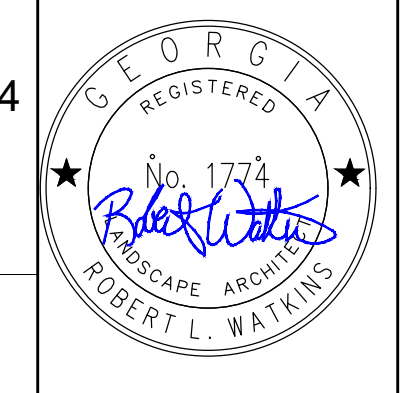


N/F DAN THURMON
 D.B. 48217 PG. 56
 PARCEL: 5039 046
 ZONED RS30

N/F AKIHIDE TSUTSUI
 D.B. 57713 PG. 302
 PARCEL: 5039 192
 ZONED RS30



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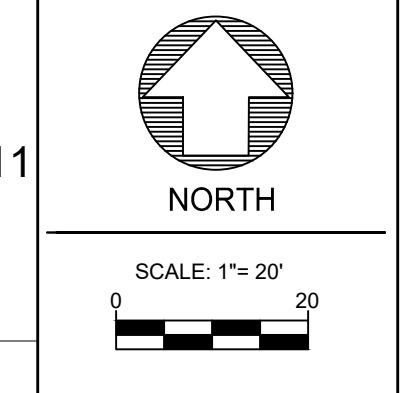


SURVEYING BY:
 Collins Engineering & Design
 PHONE: (732) 383 - 1950

DEVELOPER
JAMES TONEY
 1605 WINDING CREEK CIRCLE
 SNELLVILLE, GA 30078

Site Zoning Plan for North Rd. & Eastwood Dr.
 2154 NORTH ROAD
 SNELLVILLE, GA 30078
 L.L. 39 - DISTRICT 5TH
 PARCEL # 5039 032

Orig. Issue 10.31.22
 Designed by KN
 Checked by BW
 Project # 22204



SITE ZONING PLAN
 12.13.22

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2023-03

AN ORDINANCE TO AMEND THE 2040 COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR THE 1.129± ACRE TRACT OF LAND LOCATED IN LAND LOT 39 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA; 2154 NORTH ROAD, SNELLVILLE, GEORGIA; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER:	#LUP 23-01
LOCATION:	2154 North Road, Snellville, Georgia
SIZE:	1.129± Acres
TAX PARCEL:	5039 032
REQUESTED FUTURE LAND USE MAP AMENDMENT:	North Road Redevelopment Area
DEVELOPMENT/PROJECT:	Financial Services Office
APPLICANT/PROPERTY OWNER:	Toney Financial Services, Inc. James and Meghan Toney Snellville, Georgia 30078

WHEREAS, the governing authority of the City of Snellville, Georgia is the Mayor and Council thereof; and

WHEREAS, the governing authority of the City of Snellville, Georgia desires to amend the 2040 Comprehensive Plan Future Land Use Map as it applies to the 1.129± acre tract of land located at 2154 North Road, Snellville, Georgia (Tax Parcel 5039 032) for a Financial Services Office; and

WHEREAS, the subject property is located just north and outside of the Towne Center Character Area at the southern portion of the North Road Transitional Corridor Character Area of the Snellville 2040 Comprehensive Plan Future Development Map; and

WHEREAS, the North Road Redevelopment Area future land use category is an *Appropriate* future land use category for the NR (North Road) zoning district; and,

WHEREAS, the health, safety, and welfare of the citizens of Snellville, Georgia, will be positively impacted by the adoption of this Ordinance; therefore:

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

Section 1. The future land use designation of the 1.129± acre tract of land described and shown on the zoning site plan entitled “Site Zoning Plan for North Rd. & Eastwood Dr., 2154 North Road, Snellville, GA 30078” sealed and dated 12-13-2022 (stamped received 1-24-2023) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby amended and changed from Low-Density Residential to North Road Redevelopment Area.

This change in the future land use is to be noted on the City of Snellville 2040 Comprehensive Plan Future Land Use Map, as previously amended and as approved by the Mayor and Council as soon as reasonably possible following the adoption of this Ordinance. The future land use map shall also be amended with an editorial note specifying

the date this Snellville Land Use Plan Amendment was approved by the Mayor and Council and specifying the parcel(s) affected by this Ordinance. Until the change is indicated on the City of Snellville 2040 Comprehensive Plan Future Land Use Map approved by the Mayor and Council, this Ordinance shall govern over the City of Snellville 2040 Comprehensive Plan Future Land Use Map approved by the Mayor and Council to the extent of any discrepancy between this Ordinance and the City of Snellville 2040 Comprehensive Plan Future Land Use Map approved by the Mayor and Council.

Section 2. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 3. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent

jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4. Penalties in effect for violations of the Unified Development Ordinance of the City of Snellville at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

Section 5. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 6. This Ordinance was adopted on February _____, 2023. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this _____ day of February, 2023.

Barbara Bender, Mayor

ATTEST:

Tod Warner, Mayor Pro Tem

Melisa Arnold, City Clerk

Solange Destang, Council Member

APPROVED AS TO FORM:

Dave Emanuel, Council Member

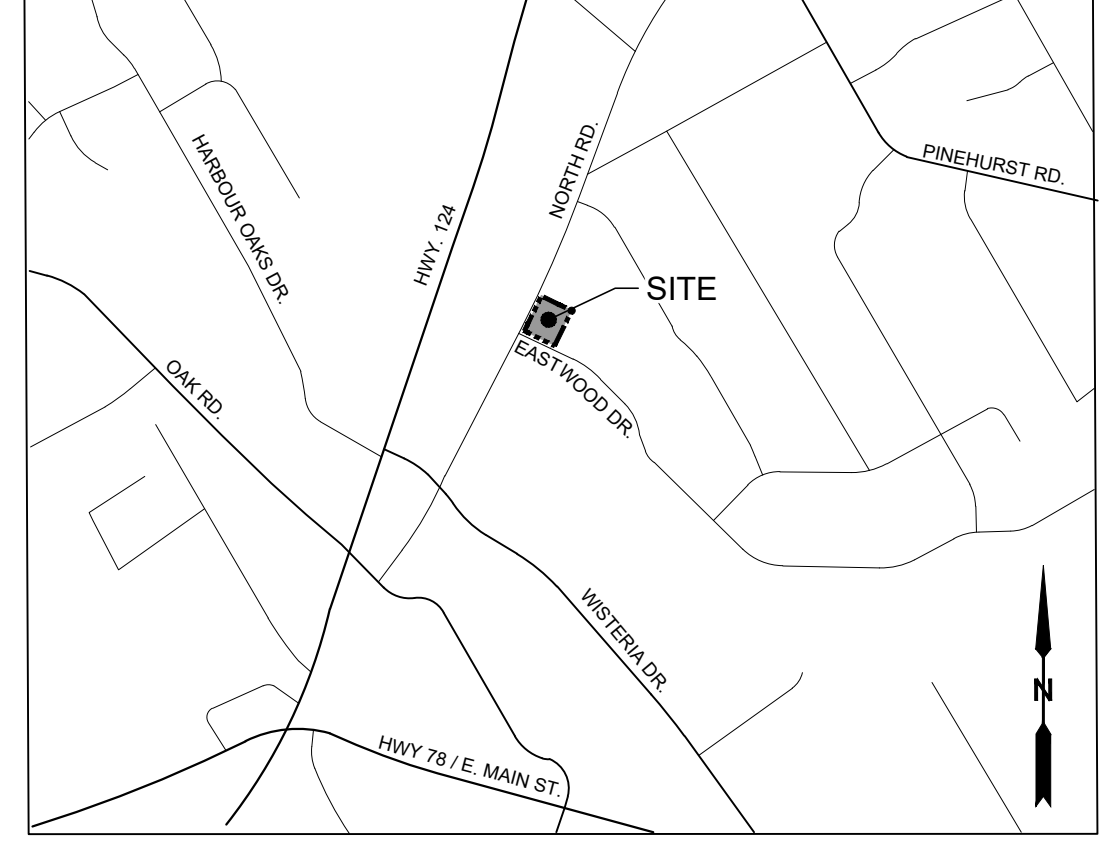
W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Cristy Lenski, Council Member

Gretchen Schulz, Council Member

EXHIBIT "A"

SITE VICINITY MAP: N.T.S.



SITE DATA SUMMARY:	CITY OF SNELLVILLE
GROSS ACRES (EXISTING):	+/- 1.129 ACRES
ZONING (EXISTING):	RS30 ZONING (PROPOSED): NR
SETBACKS	
FRONT YARD:	10'
SIDE YARD:	10'
REAR YARD:	20'
MAX BUILDING HEIGHT:	35'
LANDSCAPE STRIP:	10'

PARKING REQUIREMENTS:

1 SPACE PER 500 SF (OFFICE)
 TOTAL PARKING REQUIRED = 2,183 X 1/500 SF = 4.3 SPACES
 (1 H/C SPACE REQUIRED)

TOTAL PARKING SPACES PROVIDED = 4 SPACES
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 TOTAL SF OF ADDITIONAL IMPERVIOUS PARKING: +/-1966 SF

PROPERTY ADDRESS:
 2154 NORTH ROAD
 SNELLVILLE, GA 30078

PROPERTY OWNERS:
 PID: 5039 032 - TONEY JAMES MURPHEY, TONEY MEGHAN BANKS

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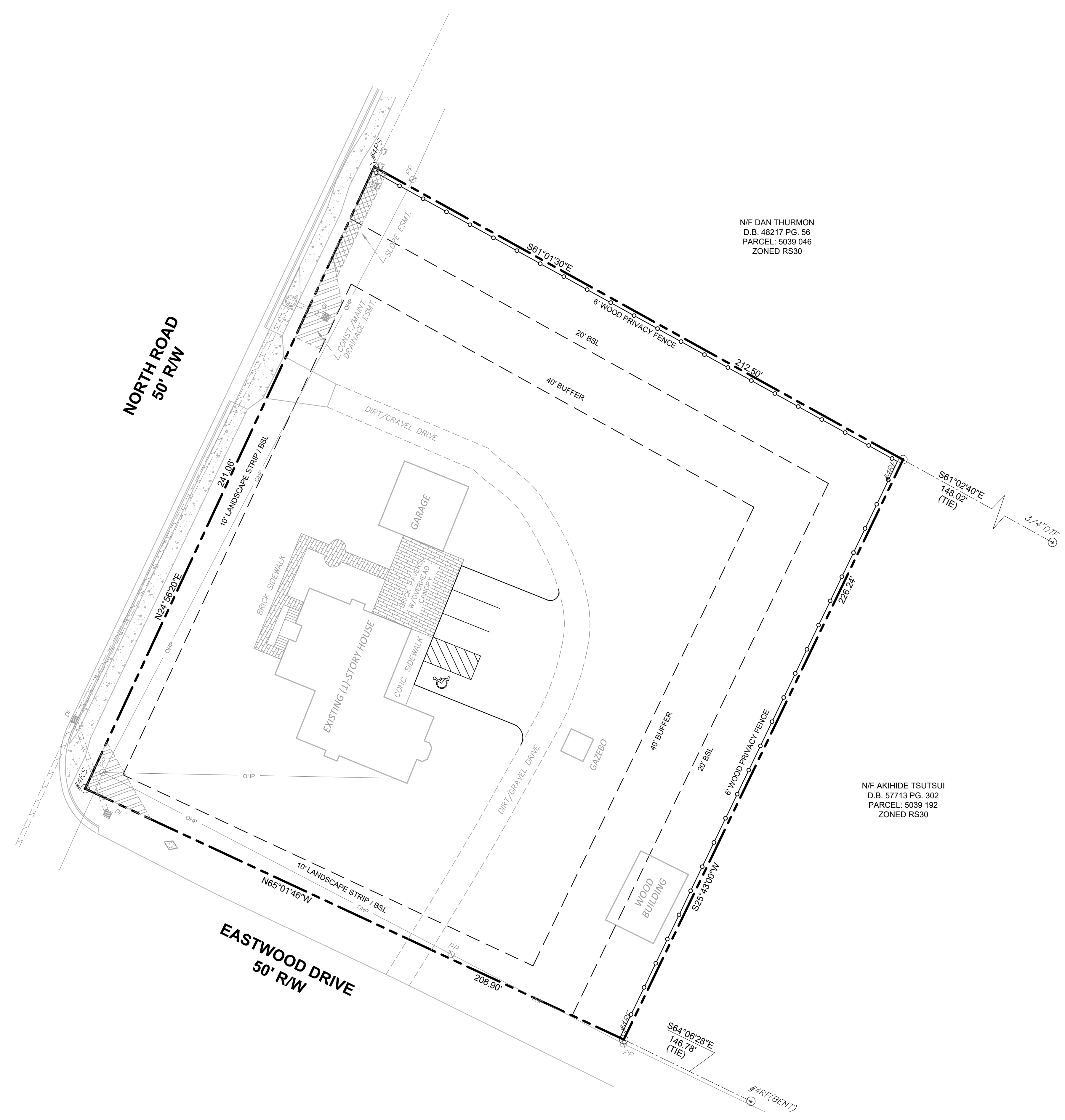
FEMA NOTE:
 NO PORTION OF THIS PROPERTY IS LOCATED IN A FEMA FLOOD HAZARD AREA AS PER FEMA MAP No. 13135C0129F, DATED 09/29/2006.

PLAN NOTE:
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SEPTIC NOTE:
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WATER NOTE:
 WATER PROVIDED BY GWINNETT COUNTY. WATER AVAILABLE ON THE PROPERTY.



N/F DAN THURMON
 D.B. 48217 PG. 56
 PARCEL: 5039 046
 ZONED RS30

N/F AKIHIDE TSUTSUI
 D.B. 57713 PG. 302
 PARCEL: 5039 192
 ZONED RS30

ALLIANCE
 ENGINEERING + PLANNING + LAND SURVEYING
 LANDSCAPE ARCHITECTURE

CIVIL ENGINEERING • LAND PLANNING • LANDSCAPE ARCHITECTURE • LAND SURVEYING
 299 SOUTH WINDING CREEK CIRCLE, SUITE A | ALPHARETTA, GA 30009
 770.225.4730 | www.allianceep.com

REGISTERED PROFESSIONAL ENGINEER
 No. 1774
 ROBERT L. WATKINS

SURVEYING BY:
 COLLIER ENGINEERING & DESIGN
 PHONE: (732) 983-1950

DEVELOPER
 JAMES TONEY
 1605 WINDING CREEK CIRCLE
 SNELLVILLE, GA 30078

Site Zoning Plan for
North Rd. & Eastwood Dr.
 2154 NORTH ROAD
 SNELLVILLE, GA 30078
 L.L. 39 - DISTRICT 5TH
 PARCEL # 5039 032

Orig. Issue	10.31.22
Designed by	KN
Checked by	BW
Project #	22204

NORTH

SCALE: 1" = 20'

SITE ZONING PLAN
 12.13.22

Agenda Item Summary



TO: The Mayor and Council

FROM: Jason Thompson, Director
Department of Planning and Development

DATE: February 13, 2023

RE: #UDO 23-01 - Text Amendment #5 to the Snellville Unified
Development Ordinance (UDO)

STATUS: 1st Reading

Proposed text amendment to the UDO to:

- A. Add *'Halfway house'* to the Allowed Use Table and provide definition (use is not permitted in any zoning district).
- B. Add *'Package store, distilled spirits'* to the Allowed Use Table as a *Limited* use in the BG and HSB Districts; add definition and use standards to match the language in the proposed amendment to Chapter 6 (Alcoholic Beverage Ordinance) of the Snellville Code of Ordinances (see separate agenda item).
- C. Amend *'Boat and recreational vehicle sales, rental, or service'* specific use listing in the All vehicular use category in the Allowed Use Table to also include utility or enclosed trailers. Amend definitions and use standards.

Financial Impact: Alcoholic Beverage Excise Taxes (monthly)
Occupational Tax License Fee (annual)

**Planning Department
Recommendation:** Approval

**Planning Commission
Regular Meeting Date
(and Recommendation)** January 24, 2023 (Approval)

**Mayor and Council
Meetings:** February 13, 2023 (1st Reading)
February 27, 2023 (2nd Reading and Public Hearing)

Action Requested: Consideration and Waive the 1st Reading

Draft Ordinance: Attached

Agenda Item Summary - Case #UDO 23-01
February 13, 2023
Page... 2

Case Documents (website link):

- Summary of Proposed Amendments (V3) 1-17-2023
- (1) Allowed Use Table pgs 139, 148, 149 (V3) 1-17-2023
- (2) Group Living - Halfway House (V3) 1-17-2023
- (3) Group Living - Halfway House (V3) 1-17-2023
- (4) General Retail (V3) 1-17-2023
- (5) Package Store Distilled Spirits (V3) 1-17-2023
- (6) Vehicular (V3) 1-17-2023
- 1-24-2023 Memo to Planning Commission (1-17-2023)
- *Unofficial* 1-24-2023 Planning Commission Regular Meeting Minutes (1-25-2023)
- 1-24-2023 Planning Commission Report (1-31-2023)
- (5) Package Store Distilled Spirits (V4) 2-6-2023

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. UDO 23-01

AN ORDINANCE TO AMEND PORTIONS OF CHAPTER 200 OF THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF SNELLVILLE, GEORGIA; TO ESTABLISH DEFINITIONS AND REGULATIONS FOR CERTAIN ZONING CLASSES FOR “PACKAGE STORE, DISTILLED SPIRITS” AND “HALFWAY HOUSE” AND “UNPOWERED TOW TRAILERS”; TO PROVIDE SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the duly elected governing authority of the City of Snellville, Georgia (the “City”) is the Mayor and Council; and

WHEREAS, the Mayor and the Council of the City of Snellville, Georgia, desire to amend portions of the Unified Development Ordinance for the City of Snellville, Georgia; and

WHEREAS, the Mayor and the Council of the City of Snellville, Georgia is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs and local government; and

WHEREAS, due notice to the public was published in the Gwinnett Daily Post, the legal organ for Gwinnett County and the City of Snellville, Georgia on January 4, 2023 giving notice of the January 24, 2023 7:30 p.m. Planning Commission regular meeting and again on February 8, 2023 giving notice of the February 27, 2023 7:30 p.m. Mayor and Council regular meeting and public hearing; and

WHEREAS, the Planning Commission of the City of Snellville, Georgia considered the proposed amendments at a duly advertised regular meeting and public hearing on January 24, 2023 at 7:30 p.m. and by a vote of five (5) to zero (0), the Planning Commission recommended *Approval* of the proposed amendments; and

WHEREAS, the Mayor and Council of the City of Snellville, Georgia deem such amendment to be for the betterment and general welfare of the City of Snellville and its inhabitants; and,

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

Section 1. Chapter 200, Article 6 of the Unified Development Ordinance of the City of Snellville, Georgia and is hereby amended as follows:

Section 206-2. Allowed Use Table, is hereby amended by deleting the previous Table and Table Note [1] and inserting in its place the following Table and Table Note [1] attached hereto as Exhibit “A”.

Section 206-3.2. Group Living, is hereby amended by deleting the previous Section 206-3.2.A. and inserting in its place the following Section 206-3.2.A.:

206-3.2. Group Living

A. Defined

Residential occupancy of a structure by a group of people that does not meet the definition of household living. Generally, group living facilities have a common eating area for residents, and residents may receive care or training. The Fair Housing Act (42 U.S.C. Section 3604(f)(3)) makes it unlawful to make a dwelling unavailable to a person because of race, color, national origin, sex, familial status, handicap or disability. No policy or practice of this UDO is intended to have a disparate impact on a protected class. Further, in order to avoid prohibited discrimination, if a person or persons identified as a protected class believes a reasonable accommodation can be made to any use restriction, that person or persons must make an application for a special use or zoning text or map change.

Group living includes the following:

1. Addiction treatment facility.
2. Assisted living facility.
3. Boarding or rooming house.
4. Collective residence.
5. Halfway house.
6. Hospice.
7. Monastery or convent.
8. Nursing facility (skilled).
9. Nursing home.
10. Retirement community (continuing care).
11. Shelter.

Section 206-3.2. Group Living, is hereby amended by deleting the previous Section 206-3.2.G. and inserting in its place the following Section 206-3.2.G.:

206-3.2. Group Living

G. Halfway House

1. Defined

A dwelling in which meals, lodging, or both are furnished for compensation to persons with criminal backgrounds or that are on parole to learn (or relearn) the necessary skills to re-integrate into society and better support and care for themselves.

As well as serving as a residence, the halfway house may also provide social, medical, psychiatric, educational, and other similar services.

Section 206-3.2. Group Living, is hereby amended by deleting the previous Section 206-3.2.H. and inserting in its place the following Section 206-3.2.H.:

206-3.2. Group Living

H. Hospice

1. Defined

A health care facility for the terminally ill that emphasizes pain control and emotional support for the patient and family, typically refraining from taking extraordinary measures to prolong life.

Section 206-3.2. Group Living, is hereby amended by deleting the previous Section 206-3.2.I. and inserting in its place the following Section 206-3.2.I.:

206-3.2. Group Living

I. Monastery or Convent

1. Defined

A place of residence providing group living accommodations to a community of persons living in seclusion under religious vows.

Section 206-3.2. Group Living, is hereby amended by adding the following new Section 206-3.2.J.:

206-3.2. Group Living

J. Shelter

1. Defined

A facility providing temporary sleeping facilities for displaced persons.

Section 206-5.12. Retail Sales, is hereby amended by deleting the previous Section 206-5.12.B. and inserting in its place the following Section 206-5.12.B.:

206-5.12. Retail Sales

B. General Retail

1. Defined

A facility whose primary use is the sale, lease, or rental of merchandise, food, or beverages that have been produced off-site to the general public. General retail specifically includes, but is not limited to, antiques, animal supplies, art and school supplies, baked goods, beverages, books, cameras, crafts, clothing, convenience foods, convenience goods, dry goods, fabric, flowers, furniture, garden supplies, gifts and cards, groceries, hardware (including small engine repair as an accessory use), hobbies, home improvement supplies, household products, jewelry, medical supplies, musical instruments, news, office supplies, package shipping, pets, pet supplies, photo finishing, phones, picture frames, plants, pottery, printed materials, produce, seafood, shoes, souvenirs, sporting goods, stationery, toys, trophies, and related products. General retail excludes any principal, limited or accessory use that is otherwise identified in this article.

Section 206-5.12. Retail Sales, is hereby amended by deleting the previous Section 206-5.12.K. and inserting in its place the following Section 206-5.12.K.:

206-5.12. Retail Sales

K. Package Store (Distilled Spirits)

1. Defined

A retail business establishment that sells unbroken sealed bottles or other sealed containers of alcoholic beverages, malt beverages (beer), wine and distilled spirits (liquor) only at retail to consumers and not for resale for off-premises consumption:

- a. Which derives from such retail sale of alcoholic beverages in unbroken packages at least 75 percent of its total annual gross sales from the sale of a combination of distilled spirits, malt beverages, and wine; and
- b. That is not a beverage store, bottle shop, convenience store, drug store, grocery store, or growler shop, or other retail outlet that is not permitted to sell distilled spirits for off-premises consumption.

The store may also sell non-alcoholic beverages, mixers, ice, garnishes, premium cigars and pipes, pipe tobacco and other pipe products, but not sell lottery tickets, magazines, cigarettes, cigarette-like devices, or vaping products.

2. Use Standards

Where a package store is allowed as a limited use, it is subject to the following:

- a. The premises shall not be within:
 - i. 500 yards of another licensee authorized to sell distilled spirits by the package,
 - ii. 100 yards of any place of worship building, or
 - iii. 130 yards of any school building, school grounds, or college campus.
 - a. For purposes of this requirement, distance shall be measured by the most direct route of travel on the ground and shall be measured in the following manner:
 1. From the main entrance of the establishment from which alcoholic beverages are sold or offered for sale;
 2. In a straight line to the nearest public sidewalk, walkway, street, road or highway by the nearest route;
 3. Along such public sidewalk, walkway, street, road or highway by the nearest route;
 4. To the main entrance of the place of worship, school building, or to the nearest portion of the school grounds or college campus.
- b. The premises must contain a minimum of 10,000 square feet of heated and air-conditioned space. If the premises is a freestanding building, it must be located on property that is a minimum of one-half acre in size with a minimum of 100 feet of road frontage on a Principal Arterial roadway or within 350 feet of the

Principal Arterial public right-of-way, as classified on the latest update of The Gwinnett County Long Range Road Classification Map.

- c. Each building in which the business will be located shall contain sufficient lighting so that the building itself and premises on all sides of the building shall be visible at all times from the front of the street on which the building is located. The lighting shall reveal the inside retail area of the building and shall reveal all of the outside of the building.
 - d. The premises shall allow ingress and egress for customers and their purchases through a door opening to the outside and facing a public street or public pedestrian area.
 - e. The premises must have access to a traffic light either directly from the premises parking lot or through access easements through adjacent properties.
 - f. All deliveries shall be made at the rear of the store building and all loading areas, dumpsters, recycling bins, and compactors shall be screened from ground view.
 - g. The premises shall not sell lottery tickets, magazines, or cigarettes, cigarette-like devices, or vaping products. Premium cigars and pipes, pipe tobacco and other pipe products are allowed.
3. Alcoholic Beverage Licensing Requirements
Property owner and/or owner operator shall comply with applicable regulations of Chapter 6 (Alcoholic Beverage Ordinance) of the Code of Ordinances of the City of Snellville, Georgia.

Section 206-5.12. Retail Sales, is hereby amended by deleting the previous Section 206-5.12.L. and inserting in its place the following Section 206-5.12.L.:

206-5.12. Retail Sales

L. Pawn Shop, Pawn Broker, Title Pawn, Check Cashing

1. Defined

- a. Pawn Shop. A facility wherein a substantial part thereof is to take or receive, by way of pledge, pawn, consignment or exchange, any goods, wares, merchandise, or any kind of personal property, or the title to any goods, wares, merchandise, or any kind of personal property whatever, as security for the repayment of money lent thereon.
- b. Pawn Broker. A person engaged in whole or in part in the business of lending money on the security of pledged goods, or in the business of purchasing tangible personal property on the condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time, or in the business of purchasing tangible personal property from persons or sources other than manufacturers or licensed dealers as part of or in conjunction with the business activities described in this paragraph K.
- c. Title Pawn. A pawn shop.
- d. Check Cashing. A facility that provides one or more of the following and has general retail sales constituting less than 75% of the total annual revenue generated on the premises:

- i. An amount of money that is equal to the face of the check or the amount specified in the written authorization for an electronic transfer of money, less any fee charged for the transaction;
 - ii. An agreement not to cash a check or execute an electronic transfer of money for a specified period of time; or
 - iii. The cashing of checks, warrants, drafts, money orders, or other commercial paper for compensation by any person or entity for a fee.
2. Use Standards

Where pawn shop, pawn broker, title pawn, or check cashing is allowed as a special use, the business may not be licensed or operated within 1,000 feet of any residential district, public or private school or college, place of worship, library, day care facility, public park or playground, massage establishment, tattoo studio, existing pawnshop, title pawn shop, check cashing or adult entertainment establishment. For purposes of this requirement, distance is measured by the most direct route of travel on ground in the following manner:

 - a. From the main entrance of the proposed pawn shops/broker, title pawn, or check cashing establishment;
 - b. In a straight line to the nearest public sidewalk, walkway, street, road or highway by the nearest route;
 - c. Along such public sidewalk, walkway, street, road or highway by the nearest route;
 - d. To the main entrance of the existing establishment identified above, or zoning line for properties in a residential district.

Section 206-5.12. Retail Sales, is hereby amended by deleting the previous Section 206-5.12.M. and inserting in its place the following Section 206-5.12.M.:

206-5.12. Retail Sales

M. Plant Nursery

1. Defined

A facility in which the primary operation is the sale of seeds and organic and inorganic materials, including, but not limited to, trees, shrubs, flowers, and other plants for sale or transplanting, mulch, pine straw, and other organic products for landscaping purposes, and other limited retail accessory products for gardening and/or landscaping.

Section 206-5.12. Retail Sales, is hereby amended by deleting the previous Section 206-5.12.N. and inserting in its place the following Section 206-5.12.N.:

206-5.12. Retail Sales

N. Smoke or Vape Shop

1. Defined

A facility whose principal use involves the sale or on-site use of tobacco products, alternative nicotine products, vape juice, or any combination of these. For the purposes of this definition, “alternative nicotine products” refer to any products or

devices that employ an electronic heating element, power source, electronic circuit, battery, or other electronic, chemical, or mechanical means to produce a vapor that delivers nicotine to the person inhaling from the device, including electronic cigarettes, electronic cigars, electronic hookahs, electronic bongos and electronic pipes, whether manufactured, distributed, marketed, or sold as an electronic cigarette, electronic cigar, or electronic pipe. For the purposes of this definition, “vape juice” refers to any liquid that contains compounds containing pharmaceutical grade vegetable glycerin, propylene glycol, nicotine, food-grade flavoring, and water, and can be used for vaping by means of an alternative nicotine product. For purposes of this definition, “principal use” means that the combined total sales of tobacco products, alternative nicotine products, and vape juice constitute at least 25 percent of the business’s aggregate sales. “Principal use” also means that any amount of on-site use of sold tobacco products, alternative nicotine products, vape juice, or any combination of these occurs on the premises. A business will be deemed a smoke or vape shop when either or both of these “principal use” meanings are met.

2. Use Standards

Where a smoke or vape shop is allowed as a limited use, it is subject to the following:

- a. An operational indoor sprinkler system is required.
- b. One thousand linear feet of separation must exist between said business and any public or private school, day care, parking, place of worship, or playground. For purposes of this requirement, distance is measured by the most direct route of travel on ground in the following manner:
 - i. From the main entrance of the proposed smoke or vape shop;
 - ii. In a straight line to the nearest public sidewalk, walkway, street, road or highway by the nearest route;
 - iii. Along such public sidewalk, walkway, street, road or highway by the nearest route;
 - iv. To closest property line of the lot containing the public or private school, day care, parking, place of worship, or playground

Section 206-5.13. Vehicular, is hereby amended by deleting the previous Section 206-5.13.A. and inserting in its place the following Section 206-5.13.A.:

206-5.13. Vehicular

A. Defined

A facility primarily providing the sale, leasing, servicing, repair parts, or storage of passenger vehicles, light and medium trucks, and other consumer motor vehicles such as motorcycles, boats, recreational vehicles, and unpowered tow trailers. Vehicular includes the following:

1. Automobile parts store.
2. Boat, recreational vehicle, utility or enclosed trailer sales, rental, or service.
3. Car wash.
4. Gas station.

5. Internet vehicles sales.
6. Public parking.
7. Remote parking.
8. Vehicle rental.
9. Vehicle sales, rental, or auction.
10. Vehicle repair, minor.
11. Vehicle repair, major.

Section 206-5.13. Vehicular, is hereby amended by deleting the previous Section 206-5.13.C. and inserting in its place the following Section 206-5.13.C.:

206-5.13. Vehicular

C. Boat, Recreational Vehicle, Utility or Enclosed Trailer Sales, Leasing, Rental, or Service

1. Defined

A facility that sells, leases, rents or repairs new or used boats, recreational vehicles, utility or enclosed trailers, but not tractor/semi trailers for a fee.

2. Use Standards

Where boat, recreational vehicle, utility or enclosed trailer sales, leasing, rental and service is allowed as a special use, it is subject to the following:

- a. The minimum lot size is 2 acres.
- b. The property must have at 200 feet of frontage on a street.
- c. One thousand linear feet of separation must exist between said business and any other boat, recreational vehicle, utility or enclosed trailer sales, leasing, rental, and service business. For purposes of this requirement, distance is measured by the most direct route of travel on ground in the following manner:
 - i. From the main entrance of the proposed establishment from which vehicle sales or leasing shall occur;
 - ii. In a straight line to the nearest public sidewalk, walkway, street, road or highway by the nearest route;
 - iii. Along such public sidewalk, walkway, street, road or highway by the nearest route;
 - iv. To the main entrance of the existing establishment from which vehicle sales or leasing will occur.
- d. All new and used product inventory on the premises must be in generally good and operable condition. Wrecked or partially wrecked, dismantled, or non-operable recreational vehicles, boats, or trailers are not allowed unless parked/stored inside a fully enclosed building.
- e. All new and used product inventory which is parked or displayed on the premises must be parked on a hard-surface marked/striped spaces only and only in areas designated for the display of product inventory being offered for sale, lease, or rent and may not be parked in any landscape strip or buffer area or elevated by the use of a ramp, post or other device higher than 5 feet above grade.

- f. All new and used product inventory may not be parked in areas reserved for customer or employee parking.
- g. No outdoor incidental uses such as carwashes or air compressors are allowed.
- h. The sides and rear of the facility must be screened from view of surrounding properties by an opaque 8-foot high fence.
- i. All service and repair work must be performed in an enclosed building that meets all applicable building, zoning, and life safety requirements.
- j. Showrooms and/or service bays that keep the new and used product inventory within building structures must meet all applicable federal, State, County, and local building and life-safety codes (at the time of application for an occupation tax certificate).
- k. Internet sales where there is no temporary or permanent storage, parking, delivery, or display of inventory must apply to the Department for administrative review. The Director must review and prepare a recommendation of the request. The City Manager, after having reviewed the Director's recommendation(s), has final authority to grant administrative variances. Application for an administrative variance must contain the following:
 - i. Administrative variance application.
 - ii. Sworn/notarized affidavit by the applicant/owner certifying that there will be no temporary or permanent storage, parking, delivery or display of vehicles/inventory.
- l. Before the issuance of an occupational tax certificate from the City, all applicants must provide a current copy of any required dealer licenses obtained from the State of Georgia.
- m. Anyone found to be in violation of these use standards is subject to citation(s) of up to \$1,000.00 per day and/or up to 60 days in jail so long as the violation(s) are present on the property.

Section 2. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance

is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 3. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 4. This Ordinance was adopted _____, 2023. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

ORDAINED this ____ day of _____, 2023.

Barbara Bender, Mayor

ATTEST:

Dave Emanuel, Council Member

Melisa Arnold, City Clerk

Cristy Lenski, Council Member

APPROVED AS TO FORM:

Solange Destang, Council Member

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Gretchen Schulz, Council Member

Tod Warner, Mayor Pro Tem

EXHIBIT “A”

Section 206-2.

Allowed Use Table

(18-Pages)

DRAFT

Sec. 206-2. Allowed Use Table

KEY: P = Permitted Use L = Limited Use S = Special Use ‘--’ = Use Not Permitted																											
	Residential	Residential Build-to-Rent	Mixed-Use & Business	Towne Center																							
Use Category	RS-30	RS-15	RS-5	R-DU	R-TH	RM	RX	RO	PRC	RS-30-BTR	RS-15-BTR	RS-5-BTR	R-DU-BTR	R-TH-BTR	RO-BTR	OP	BG	HSB	MU	NR	LM	TCO [1]	TC-MU	TC-R	CI	Definition/ Standards	
Residential Uses																											
All household Living, as listed below:																											
Single-family detached dwelling	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--	--	--	P	P	--	--	S	S	--	Sec. 206-3.1.B	
Two-family dwelling	--	--	--	P	P	P	P	--	--	--	--	--	P	P	--	--	--	--	P	P	--	--	S	S	--	Sec. 206-3.1.C	
Single-family attached dwelling	--	--	--	--	L	L	L	L	--	--	--	--	--	L	L	--	--	--	L	L	--	--	S	S	--	Sec. 206-3.1.D	
Multiple-family dwelling	--	--	--	--	--	P	P	--	--	--	--	--	--	--	--	--	--	--	S	S	--	--	--	--	--	Sec. 206-3.1.E	
Towne Center loft	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	--	Sec. 206-3.1.F	
Towne Center flat	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	Sec. 206-3.1.G
Mobile home	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-3.1.H	
Live-work	--	--	--	--	--	--	S	--	--	--	--	--	--	--	--	--	--	--	--	P	P	--	--	S	S	--	Sec. 206-3.1.I
All group living, as listed below:																											
Addiction treatment facility	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-3.2.B
Assisted living facility	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	P	P	S	S	--	S	S	S	P	Sec. 206-3.2.C	
Boarding and rooming house	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	--	Sec. 206-3.2.D	
Collective residence	S	S	S	S	S	S	S	--	S	S	S	S	S	S	--	--	--	--	S	S	--	--	S	S	S	Sec. 206-3.2.E	
Community living arrangement	S	S	S	S	S	S	S	--	S	S	S	S	S	S	--	--	--	--	S	S	--	--	S	S	S	Sec. 206-3.2.E	
Group home	S	S	S	S	S	S	S	--	S	S	S	S	S	S	--	--	--	--	S	S	--	--	S	S	S	Sec. 206-3.2.E	
Halfway house	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-3.2.G	
Hospice	--	--	--	--	--	--	S	--	--	--	--	--	--	S	--	S	S	S	--	--	--	S	S	P	Sec. 206-3.2.H		
Monastery or convent	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	--	S	S	P	Sec. 206-3.2.I	
Nursing facility (skilled)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	P	P	S	S	--	S	S	P	Sec. 206-3.2.A		
Nursing home	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	P	P	S	S	--	S	S	P	Sec. 206-3.2.A		
Personal care home	S	S	S	S	S	S	S	--	S	S	S	S	S	--	--	--	--	S	S	--	--	S	S	S	Sec. 206-3.2.E		
Retirement community (continuing care)	--	--	--	--	--	--	S	S	--	--	--	--	--	S	--	--	--	S	--	--	--	--	S	S	Sec. 206-3.2.F		
Shelter	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-3.2.J	
Public/Institutional Uses																											

KEY: P = Permitted Use L = Limited Use S = Special Use '--' = Use Not Permitted		Residential								Residential Build-to-Rent					Mixed-Use & Business					Towne Center			Definition/ Standards					
Use Category	Specific Use	RS-30	RS-15	RS-5	R-DU	R-TH	RM	RX	RO	PRC	RS-30-BTR	RS-15-BTR	RS-5-BTR	R-DU-BTR	R-TH-BTR	RO-BTR	OP	BG	HSB	MU	NR	LM		TCO [1]	TC-MU	TC-R	CI	
All civic, as listed below:																												Sec. 206-4.1.A
	Colleges, public or private	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	P	Sec. 206-4.1.B	
	Community center	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	--	P	P	P	Sec. 206-4.1.C	
	Fraternal organization and club, non-profit	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	--	P	P	--	P	Sec. 206-4.1.D	
	Museum, library	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	P	P	--	P	Sec. 206-4.1.E	
	Non-profit private clubhouse	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	--	--	--	--	--	--	--	L	L	--	Sec. 206-4.1.F	
	Non-profit private outdoor recreation	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	--	--	--	--	--	--	--	S	S	--	Sec. 206-4.1.G	
	Place of worship	S	S	S	S	S	S	S	--	S	S	S	S	S	S	--	--	S	S	S	S	--	S	S	S	L	Sec. 206-4.1.H	
	Public buildings and use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 206-4.1.I
	School, public or private	S	S	S	S	S	S	S	--	S	S	S	S	S	S	--	S	S	S	--	--	--	--	S	--	P	Sec. 206-4.1.J	
All park and open space, as listed below:																												Sec. 206-4.2.A
	Cemetery	S	S	S	S	S	S	S	--	S	S	S	S	S	S	--	--	--	--	--	--	--	--	--	--	S	Sec. 206-4.2.B	
	Community garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 206-4.2.C
	Country club, golf course	P	--	--	--	--	--	--	--	--	P	--	--	--	--	--	--	P	P	P	--	--	--	--	--	--	--	Sec. 206-4.2.D
	Park, plaza, square	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 206-4.2.E
	Playground	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 206-4.2.F
All utility, as listed below:																												Sec. 206-4.3.A
	Minor utility	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 206-4.3.B
	Small cell facility	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 206-4.3.C
	Telecommunication antenna and tower	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 206-4.3.D
	Utility substation	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 206-4.3.E
Commercial Uses																												
	Adult entertainment establishment	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	L	--	--	--	--	--	--	--	--	Sec. 206-5.1
All day care, as listed below:																												Sec. 206-5.2.A
	Adult care center	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	S	--	--	P	S	--	P	Sec. 206-5.2.B	
	Day care center	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	S	--	--	P	S	--	P	Sec. 206-5.2.C	
	Family day care home	P	P	P	P	P	P	P	--	P	P	P	P	P	P	--	--	--	--	S	P	--	--	S	S	--	Sec. 206-5.2.D	
All event facility		--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	--	P	P	--	--	Sec. 206-5.3	

KEY: P = Permitted Use L = Limited Use S = Special Use ‘--’ = Use Not Permitted

Use Category Specific Use	Residential								Residential Build-to-Rent					Mixed-Use & Business					Towne Center			Definition/ Standards				
	RS-30	RS-15	RS-5	R-DU	R-TH	RM	RX	RO	PRC	RS-30-BTR	RS-15-BTR	RS-5-BTR	R-DU-BTR	R-TH-BTR	RO-BTR	OP	BG	HSB	MU	NR	LM		TCO [1]	TC-MU	TC-R	CI
All hotels, motels, extended stay hotels	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	S	S	--	--	Sec. 206-5.4
All indoor recreation, except as listed below:	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.5.A
Amusement center, game/video arcade	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.5.A
Assembly hall, auditorium, meeting hall	--	--	--	--	S	--	S	--	--	--	--	--	--	--	S	--	S	S	S	--	--	S	--	--	S	Sec. 206-5.5.A
Billiard hall, pool hall	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.5.A
Bowling alley	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.5.A
Convention center, arena, indoor stadium	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	S	S	--	S	Sec. 206-5.5.A
Electric or gas powered vehicle tracks	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	S	S	--	--	Sec. 206-5.5.A
Extreme sports facility such as BMX, skateboarding or rollerblading	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	S	S	--	--	Sec. 206-5.5.A
Gym, health spa, or yoga studio	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	--	--	--	Sec. 206-5.5.B
Ice or roller skating rink	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	S	S	--	--	Sec. 206-5.5.A
Indoor sports facility	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	S	S	--	--	Sec. 206-5.5.A
Inflatable playground	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	S	S	--	--	Sec. 206-5.5.A
Meditation center	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.5.A
Miniature golf facility	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	S	S	--	--	Sec. 206-5.5.A
School for the arts	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	P	P	--	--	Sec. 206-5.5.C
Indoor shooting range	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	S	S	--	--	Sec. 206-5.5.A
Theaters	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	S	S	--	--	Sec. 206-5.5.D
All medical, except as listed below:	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	Sec. 206-5.6.A
Ambulatory surgical center	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	--	P	Sec. 206-5.6.B
Blood plasma donation center	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	Sec. 206-5.6.A
Chiropractor	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	--	P	P	--	P	Sec. 206-5.6.A
Dental office	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	--	P	P	--	P	Sec. 206-5.6.A
Emergency medical office	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	P	Sec. 206-5.6.A
Hospital	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	p	Sec. 206-5.6.A
Kidney dialysis center	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	S	--	--	p	Sec. 206-5.6.A

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Use Category Specific Use	Residential							Residential Build-to-Rent					Mixed-Use & Business				Towne Center		Definition/ Standards							
	RS-30	RS-15	RS-5	R-DU	R-TH	RM	RX	RO	PRC	RS-30-BTR	RS-15-BTR	RS-5-BTR	R-DU-BTR	R-TH-BTR	RO-BTR	OP	BG	HSB		MU	NR	LM	TCO [1]	TC-MU	TC-R	CI
Medical clinic	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	--	P	P	--	P	Sec. 206-5.6.A
Medical or dental laboratory	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	Sec. 206-5.6.A
Medical office	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	--	P	P	--	P	Sec. 206-5.6.A
Medical practitioner	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	--	P	P	--	P	Sec. 206-5.6.A
Mobile health wellness and screening	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	L	L	L	L	L	L	L	--	L	Sec. 206-5.6.C
Ophthalmologist	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	--	P	P	--	P	Sec. 206-5.6.A
Optometrist	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	--	P	P	--	P	Sec. 206-5.6.A
Osteopath	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	--	P	P	--	P	Sec. 206-5.6.A
Physician's office	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	--	P	P	--	P	Sec. 206-5.6.A
Urgent care	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	P	Sec. 206-5.6.A
All office, except as listed below	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A, Sec. 206-5.7.H
Accountant, bookkeeper, auditor office	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A
Advertising office	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A
Architect office	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A
Attorney's office	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A
Banks	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	--	P	P	--	--	Sec. 206-5.7.B
Business management consulting	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A
Business school	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	--	P	P	--	--	Sec. 206-5.7.G
Business services	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A
Call center	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A
Collection agency	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A
Commercial art	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A
Computer or data processing	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A
Counseling in office setting	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A
Employment center	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A
Engineer office	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A
Finance company	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	--	P	P	--	--	Sec. 206-5.7.C

KEY: P = Permitted Use L = Limited Use S = Special Use ‘--’ = Use Not Permitted

Use Category Specific Use	Residential								Residential Build-to-Rent					Mixed-Use & Business					Towne Center			Definition/ Standards				
	RS-30	RS-15	RS-5	R-DU	R-TH	RM	RX	RO	PRC	RS-30-BTR	RS-15-BTR	RS-5-BTR	R-DU-BTR	R-TH-BTR	RO-BTR	OP	BG	HSB	MU	NR	LM		TCO [1]	TC-MU	TC-R	CI
Financial services	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A
Graphic design	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A
Insurance adjuster	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A
Insurance agent	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A
Interior decorator	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A
Investment or brokerage house	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A
Lawyer’s office	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A
Lender office	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A
Loan office	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	L	L	L	--	--	L	L	--	--	Sec. 206-5.7.D
Mortgage agent	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A
Office showroom	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.E
Professional services	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A
Radio, film, recording, and television studios and stations	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.7.F
Real estate agent	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A
Sales office	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A
Savings and loan institution	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	--	P	P	--	--	Sec. 206-5.7.B
Security system services	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	L	P	P	--	--	Sec. 206-5.7.A
Trade school	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	--	P	P	--	--	Sec. 206-5.7.G
Travel agency	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	L	P	P	--	--	Sec. 206-5.7.A
Vocational school	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	--	P	P	--	--	Sec. 206-5.7.G
All outdoor recreation, including:	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	S	S	--	--	Sec. 206-5.8
Amusement park	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	S	S	--	--	Sec. 206-5.8
Batting cage	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	S	S	--	--	Sec. 206-5.8
Drive-in theater	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	S	S	--	--	Sec. 206-5.8
Electric or gas powered vehicle tracks	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	S	S	--	--	Sec. 206-5.8
Extreme sports facility (BMX, skateboarding or rollerblading)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	S	S	--	--	Sec. 206-5.8
Golf driving range	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	S	S	--	--	Sec. 206-5.8
Miniature golf	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	S	S	--	--	Sec. 206-5.8

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Use Category Specific Use	Residential							Residential Build-to-Rent					Mixed-Use & Business				Towne Center		Definition/ Standards							
	RS-30	RS-15	RS-5	R-DU	R-TH	RM	RX	RO	PRC	RS-30-BTR	RS-15-BTR	RS-5-BTR	R-DU-BTR	R-TH-BTR	RO-BTR	OP	BG	HSB		MU	NR	LM	TCO [1]	TC-MU	TC-R	CI
Outdoor amusements	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	S	S	--	--	Sec. 206-5.8	
Outdoor shooting range	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	S	S	--	--	Sec. 206-5.8	
Outdoor sports field/court	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	S	S	--	--	Sec. 206-5.8	
Outdoor stadium, arena	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	S	S	--	--	Sec. 206-5.8	
Outdoor theater	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	S	S	--	--	Sec. 206-5.8	
Water park	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	S	S	--	--	Sec. 206-5.8	
All passenger terminal (no on-site storage or parking of vehicles), including:	--	--	--	--	--	--	P	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	P	Sec. 206-5.9	
Bus terminal	--	--	--	--	--	--	P	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	P	Sec. 206-5.9	
Limousine service	--	--	--	--	--	--	P	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	P	Sec. 206-5.9	
Non-emergency transport	--	--	--	--	--	--	P	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	P	Sec. 206-5.9	
Taxicab service	--	--	--	--	--	--	P	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	P	Sec. 206-5.9	
All personal services, except the following:	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	P	P	--	--	Sec. 206-5.10.A	
Animal care (indoor)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	P	--	--	Sec. 206-5.10.B
Animal boarding	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	P	--	--	Sec. 206-5.10.B
Animal grooming	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	P	--	--	Sec. 206-5.10.B	
Animal hospital	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	P	--	--	Sec. 206-5.10.B
Animal shelter	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	P	--	--	Sec. 206-5.10.B
Animal care (outdoor)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	S	--	--	Sec. 206-5.10.C	
Beauty salon	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	--	P	P	--	--	Sec. 206-5.10.A
Body piercing	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	S	S	--	--	Sec. 206-5.10.H	
Doggy day care (indoor)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	P	--	--	Sec. 206-5.10.B
Dry cleaning	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	L	--	--	Sec. 206-5.10.D
Eyeglass shop	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	--	P	P	--	--	Sec. 206-5.10.A
Food catering	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	P	--	--	Sec. 206-5.10.A	
Fortune teller	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	S	--	--	--	Sec. 206-5.10.G	
Funeral home, mortuary (without crematorium)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	--	--	--	Sec. 206-5.10.A	
Funeral, mortuary (with crematorium)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	S	--	--	--	Sec. 206-5.10.A	

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Use Category Specific Use	Residential							Residential Build-to-Rent					Mixed-Use & Business				Towne Center		Definition/ Standards								
	RS-30	RS-15	RS-5	R-DU	R-TH	RM	RX	RO	PRC	RS-30-BTR	RS-15-BTR	RS-5-BTR	R-DU-BTR	R-TH-BTR	RO-BTR	OP	BG	HSB		MU	NR	LM	TCO [1]	TC-MU	TC-R	CI	
Hair salon	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	--	P	P	--	--	Sec. 206-5.10.A	
Kennel (indoor)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	P	P	P	--	--	Sec. 206-5.10.B	
Laundry, coin-operating or full-service	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	P	P	L	--	--	Sec. 206-5.10.D		
Locksmith shop	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	P	P	--	--	Sec. 206-5.10.A	
Massage therapy	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	L	L	L	L	--	L	--	--	--	Sec. 206-5.10.E	
Nail salon	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	--	P	P	--	--	Sec. 206-5.10.A	
Personal Repair	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	P	--	--	Sec. 206-5.10.F	
Pet clinic	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	P	P	P	--	--	Sec. 206-5.10.B	
Pet grooming	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	P	--	--	Sec. 206-5.10.B	
Photocopying, printing and reproduction service	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	P	P	P	--	Sec. 206-5.10.A	
Psychic, fortune teller	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	S	--	--	--	Sec. 206-5.10.G	
Tailor or milliner	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	P	P	--	--	Sec. 206-5.10.A	
Tanning salon	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	P	P	--	--	Sec. 206-5.10.A	
Tattoo parlor or body piercing	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	S	S	--	--	Sec. 206-5.10.H	
Taxidermist	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	P	P	P	--	--	Sec. 206-5.10.A	
Tutoring service	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	P	P	--	--	Sec. 206-5.10.A	
Upholster, non-vehicle	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	P	--	--	Sec. 206-5.10.F	
Veterinary clinic	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	P	P	P	--	--	Sec. 206-5.10.B	
All restaurants, except as listed below:	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	L	L	L	--	--	L	L	--	--	Sec. 206-5.11.A, Sec. 206-5.11.E	
Bar	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-5.11.B	
Brewpub	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	L	L	--	L	L	L	--	--	Sec. 206-5.11.A, Sec. 206-5.11.E	
Coffee shop, donut shop	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	L	L	L	--	--	L	L	--	L	Sec. 206-5.11.A, Sec. 206-5.11.E
Drive-in restaurant	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	--	--	--	--	--	--	--	Sec. 206-5.11.D, Sec. 206-5.11.E	
Drive-thru facility (as an accessory use)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	L	L	L	--	L	S	L	--	--	Sec. 206-8.9
Hookah bar or lounge	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206.5.11.F	
Ice cream shop	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	L	L	L	--	--	L	L	--	L	Sec. 206-5.11.A,

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Use Category Specific Use	Residential							Residential Build-to-Rent					Mixed-Use & Business				Towne Center		Definition/ Standards								
	RS-30	RS-15	RS-5	R-DU	R-TH	RM	RX	RO	PRC	RS-30-BTR	RS-15-BTR	RS-5-BTR	R-DU-BTR	R-TH-BTR	RO-BTR	OP	BG	HSB		MU	NR	LM	TCO [1]	TC-MU	TC-R	CI	
																											Sec. 206-5.11.E
Juice shop	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	L	L	L	--	--	L	L	--	L	Sec. 206-5.11.A, Sec. 206-5.11.E	
Lounge	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-5.11.B	
Nightclub	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-5.11.B	
Pizza delivery	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	L	L	--	--	L	--	--	--	Sec. 206-5.11.A, Sec. 206-5.11.E	
Restaurant	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	L	L	L	--	--	L	L	--	L	Sec. 206-5.11.A, Sec. 206-5.11.E	
Restaurant, drive-thru	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	L	L	--	--	S	--	--	--	Sec. 206-5.11.A, Sec. 206-5.11.E	
Restaurant, take-out	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	L	L	L	--	--	L	L	--	L	Sec. 206-5.11.A, Sec. 206-5.11.E	
Tavern	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-5.11.B	
Tea shop	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	L	L	L	--	--	L	L	--	L	Sec. 206-5.11.A, Sec. 206-5.11.E	
Yogurt shop	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	L	L	L	--	--	L	L	--	L	Sec. 206-5.11.A, Sec. 206-5.11.E	
All retail, except as listed below:	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.A	
Animal supplies	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B	
Antique shop	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B	
Appliance store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.A	
Art and school supplies	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B	
Art gallery	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	P	P	--	--	Sec. 206-5.12.A	
Art studio	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	P	P	--	--	Sec. 206-5.12.A	
Artisan shop	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	L	L	L	L	L	L	L	--	--	Sec. 206-5.12.C	
Baked goods	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B	
Bakery	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	P	--	--	Sec. 206-5.12.D
Beverage store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B	
Bicycle shop	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.A	
Book store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B	
Bottle shop	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.E	
Building supply (no outdoor storage)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	P	--	--	Sec. 206-5.12.F

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Use Category Specific Use	Residential							Residential Build-to-Rent					Mixed-Use & Business				Towne Center		Definition/ Standards						
	RS-30	RS-15	RS-5	R-DU	R-TH	RM	RX	RO	PRC	RS-30-BTR	RS-15-BTR	RS-5-BTR	R-DU-BTR	R-TH-BTR	RO-BTR	OP	BG	HSB		MU	NR	LM	TCO [1]	TC-MU	TC-R
Building supply (with outdoor storage)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	P	--	--	--	--	Sec. 206-5.12.F
Camera store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B
Check cashing	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	S	--	--	--	Sec. 206-5.12.L
Clothing store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B
Consumer fireworks retail sales facility	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	L	L	--	--	--	--	--	--	Sec. 206-5.12.G
Convenience food store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B
Convenience goods	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B
Craft store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B
Department store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.A
Drug store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.H
Dry goods store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B
Electronics store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.A
Fabric store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B
Flower shop	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B
Food store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B
Furniture store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B
Garden supplies	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B
General retail	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B
Gift and cards	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B
Grocery store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B
Growler shop	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.E
Guns and ammunition	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.A
Hardware store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B
Hobby store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B
Home building supply store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	--	--	--	Sec. 206-5.12.A
Home improvement supplies	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	--	--	--	Sec. 206-5.12.B
Household products	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B
Jewelry store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B

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Use Category Specific Use	Residential							Residential Build-to-Rent					Mixed-Use & Business				Towne Center		Definition/ Standards							
	RS-30	RS-15	RS-5	R-DU	R-TH	RM	RX	RO	PRC	RS-30-BTR	RS-15-BTR	RS-5-BTR	R-DU-BTR	R-TH-BTR	RO-BTR	OP	BG	HSB		MU	NR	LM	TCO [1]	TC-MU	TC-R	CI
Lawnmower shop and other small engine (sales, rental, repair)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	P	--	--	--	--	Sec. 206-5.12.I	
Meat market	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	L	L	--	L	L	L	--	--	Sec. 206-5.12.J	
Medical supply store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B	
Music and musical instruments store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B	
News store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B	
Office supplies	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B	
Package store, distilled spirits	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	L	--	--	--	--	--	--	--	Sec. 206-5.12.K	
Package shipping (UPS)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B	
Pawn broker	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	S	--	--	--	Sec. 206-5.12.L	
Pawn shop	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	S	--	--	--	Sec. 206-5.12.L	
Pet store and supplies	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B	
Pharmacy	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.H
Phone store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B	
Photo finishing	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B	
Picture frames	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B	
Plant nursery	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	--	--	--	Sec. 206-5.12.M	
Pottery store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B	
Printed materials store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B	
Produce store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B	
Seafood store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B	
Shoe store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B	
Smoke shop	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-5.12.N	
Souvenir shop	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B	
Sporting goods store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B	
Stationery store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.B	
Swimming pool supply store (indoor)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	--	--	Sec. 206-5.12.A	
Swimming pool supply store (outdoor)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	P	--	--	--	--	Sec. 206-5.12.F	

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Use Category Specific Use	Residential							Residential Build-to-Rent					Mixed-Use & Business				Towne Center		Definition/ Standards							
	RS-30	RS-15	RS-5	R-DU	R-TH	RM	RX	RO	PRC	RS-30-BTR	RS-15-BTR	RS-5-BTR	R-DU-BTR	R-TH-BTR	RO-BTR	OP	BG	HSB		MU	NR	LM	TCO [1]	TC-MU	TC-R	CI
Title pawn	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	--	--	--	--	--	Sec. 206-5.12.L
Toy store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	P	P	--	--	Sec. 206-5.12.B
Trophies store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	P	P	--	--	Sec. 206-5.12.B
Vape shop	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-5.12.N
Video game store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	P	P	--	--	Sec. 206-5.12.A
Video store	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	P	P	--	--	Sec. 206-5.12.A
All vehicular, as listed below:																										Sec. 206-5.13.A
Automobile parts store (no repair or installation)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	P	--	--	--	--	--	Sec. 206-5.13.B
Boat, recreational vehicle, enclosed or utility trailer sales, rental, or service	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	S	--	--	--	--	--	Sec. 206-5.13.C
Car wash, self-serve, full-service, detailing	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	P	S	--	P	--	--	--	--	--	Sec. 206-5.13.D
Gas station (with convenience store). No vehicle repair or service	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	--	--	S	--	--	--	--	--	Sec. 206-5.13.E
Internet vehicles sales	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	L	L	--	--	L	L	--	--	--	Sec. 206-5.13.F
Public parking (for off-site uses)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	--	S	Sec. 206-5.13.G
Remote parking (for off-site uses)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	S	--	--	S	S	--	S	Sec. 206-5.13.H
Vehicle rental	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	--	--	S	--	--	--	--	--	Sec. 206-5.13.I
Vehicle sales, rental, or auction	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	--	--	S	--	--	--	--	--	Sec. 206-5.13.J
Vehicle repair (minor), including the following:																S	S				P	S				Sec. 206-5.13.K
Audio and alarm installation	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	--	--	P	S	--	--	--	--	Sec. 206-5.13.K
Bed-liner installation	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	--	--	P	S	--	--	--	--	Sec. 206-5.13.K
Custom accessories	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	--	--	P	S	--	--	--	--	Sec. 206-5.13.K
Emissions testing	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	--	--	P	--	--	--	--	--	Sec. 206-5.13.K
Glass repair and replacement	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	--	--	P	S	--	--	--	--	Sec. 206-5.13.K
Minor scratch and dent repair	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	--	--	P	S	--	--	--	--	Sec. 206-5.13.K
Quick lubrication facility	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	--	--	P	S	--	--	--	--	Sec. 206-5.13.K
Vehicle repair (major), including the following:																						S				Sec. 206-5.13.L

KEY: P = Permitted Use L = Limited Use S = Special Use '--' = Use Not Permitted																										
Use Category Specific Use	Residential							Residential Build-to-Rent				Mixed-Use & Business				Towne Center		Definition/ Standards								
	RS-30	RS-15	RS-5	R-DU	R-TH	RM	RX	RO	PRC	RS-30-BTR	RS-15-BTR	RS-5-BTR	R-DU-BTR	R-TH-BTR	RO-BTR	OP	BG		HSB	MU	NR	LM	TCO [1]	TC-MU	TC-R	CI
Chemical materials or products	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-6.2
Chemical, cosmetics, drug, soap, paints, fertilizers and abrasive products	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-6.2
Clay materials or products	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-6.2
Concrete batch plant	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-6.2
Explosives materials or products	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-6.2
Fireworks materials or products	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-6.2
Food processing, and related products	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-6.2
Glass materials or products	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-6.2
Leather materials or products	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-6.2
Livestock or poultry slaughtering	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-6.2
Lumber production	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-6.2
Lumberyard	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-6.2
Metal products, including enameling and galvanizing	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-6.2
Paper materials or products	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-6.2
Petroleum, liquefied petroleum gas and coal products and refining	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-6.2
Plastic materials or products	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-6.2
Prefabricated building manufacturing	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-6.2
Pulp materials or products	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-6.2
Rubber and plastic products, rubber manufacturing	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-6.2
Rubber materials or products	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-6.2
Sawmill, log production facility	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-6.2
Stone materials or product	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-6.2
Tobacco materials or products	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-6.2
All light industrial uses, as listed below																										Sec. 206-6.3.A

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Use Category Specific Use	Residential								Residential Build-to-Rent					Mixed-Use & Business				Towne Center		Definition/ Standards						
	RS-30	RS-15	RS-5	R-DU	R-TH	RM	RX	RO	PRC	RS-30-BTR	RS-15-BTR	RS-5-BTR	R-DU-BTR	R-TH-BTR	RO-BTR	OP	BG	HSB	MU		NR	LM	TCO [1]	TC-MU	TC-R	CI
Ambulance service (with on-site storage or parking)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	P	--	--	--	--	Sec. 206-6.3.B
Baking plants	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	Sec. 206-6.3.A
Brewery	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	P	S	S	--	--	Sec. 206-6.3.C
Carpet cleaning plant	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	Sec. 206-6.3.A
Contractors storage	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	P	--	--	--	--	Sec. 206-6.3.D
Distillery	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	P	S	S	--	--	Sec. 206-6.3.C
Dry cleaning plant	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	Sec. 206-6.3.A
Food and beverage production	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	Sec. 206-6.3.A
Land-intensive outdoor sales and services	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	Sec. 206-6.3.A
Laundry cleaning plant	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	Sec. 206-6.3.A
Limousine service (with on-site storage or parking)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	Sec. 206-6.3.A
Manufactured building sales	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	Sec. 206-6.3.A
Mobile home sales	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	Sec. 206-6.3.A
Non-emergency transport service (with on-site storage or parking)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	P	--	--	--	--	Sec. 206-6.3.A
Repair or services of business, industrial, machinery, equipment or products by providing centralized services for separate retail outlets	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	S	--	--	--	--	Sec. 206-6.3.A
Sale, rental, or repair of machinery, heavy equipment, or special trade tools	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	S	--	--	--	--	Sec. 206-6.3.E
Taxicab service (with on-site storage or parking)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	P	--	--	--	--	Sec. 206-6.3.A
Winery	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	P	P	P	--	--	Sec. 206-6.3.C
All light manufacturing, except as listed below:	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	Sec. 206-6.4.A
Bookbinding plant	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	Sec. 206-6.4.A
Cabinet makers	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	Sec. 206-6.4.A
Clothing, textile or apparel manufacturing	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	Sec. 206-6.4.A

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Use Category Specific Use	Residential							Residential Build-to-Rent			Mixed-Use & Business				Towne Center		Definition/ Standards																							
	RS-30	RS-15	RS-5	R-DU	R-TH	RM	RX	RO	PRC	RS-30-BTR	RS-15-BTR	RS-5-BTR	R-DU-BTR	R-TH-BTR	RO-BTR	OP		BG	HSB	MU	NR	LM	TCO [1]	TC-MU	TC-R	CI														
Facilities that assemble or manufacture scientific instruments, semiconductor and related devices	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	Sec. 206-6.4.A														
Furniture manufacturing	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	Sec. 206-6.4.A													
Machine shop	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	Sec. 206-6.4.A													
Medical supply manufacturing	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	Sec. 206-6.4.A													
Mini-warehouse	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	Sec. 206-6.7.A													
Pharmaceutical manufacturing	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	Sec. 206-6.4.A													
Printing plant	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	Sec. 206-6.4.A													
Publishing plant	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	Sec. 206-6.4.A													
Sheet metal shop	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	--	P	--	--	--	--	Sec. 206-6.4.A													
Stone, clay, glass or concrete products	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	Sec. 206-6.4.A													
Tool repair	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	--	P	--	--	--	--	Sec. 206-6.4.A													
Welding shop	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	--	P	--	--	--	--	Sec. 206-6.4.A													
Woodworking shop	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	--	P	--	--	--	--	Sec. 206-6.4.A													
Storage Uses																																								
Contractors equipment storage	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	--	P	--	--	--	--	Sec. 206-6.5.A													
Equipment storage	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	--	P	--	--	--	--	Sec. 206-6.5.A													
Fleet storage	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	--	P	--	--	--	--	Sec. 206-6.5.A													
New and operable used vehicle, boat, or other similar operable vehicle storage	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	--	P	--	--	--	--	Sec. 206-6.5.A													
Trailer storage, drop-off lot	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	--	P	--	--	--	--	Sec. 206-6.5.A													
Storage of soil, mulch, stone, lumber, pipe, steel, and other similar material equipment	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	--	P	--	--	--	--	Sec. 206-6.5.A													
Storage and splitting of logs	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	--	P	--	--	--	--	Sec. 206-6.5.A													
Towing/impounding of vehicles	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	P	--	--	P	--	--	--	--	Sec. 206-6.5.A													
Tractor trailers storage	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	--	P	--	--	--	--	Sec. 206-6.5.A													
All self-storage, as listed below:	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	--	P	--	--	--	--	Sec. 206-6.7													
Indoor multi-story storage	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	--	P	--	--	--	--	Sec. 206-6.7.A													

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	Residential	Residential Build-to-Rent	Mixed-Use & Business	Towne Center																							
Use Category	RS-30	RS-15	RS-5	R-DU	R-TH	RM	RX	RO	PRC	RS-30-BTR	RS-15-BTR	RS-5-BTR	R-DU-BTR	R-TH-BTR	RO-BTR	OP	BG	HSB	MU	NR	LM	TCO [1]	TC-MU	TC-R	CI	Definition/ Standards	
Agricultural																											
All crop and tree farming	P	P	P	P	P	P	P	--	P	P	P	P	P	P	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-7.1
Accessory Uses																											
Accessory uses not otherwise listed below, as determined by the Director	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 206-8.2	
Accessory cemetery	S	S	S	S	S	S	S	--	S	S	S	S	S	S	--	--	S	S	S	S	--	--	--	--	S	Sec. 206-8.3	
Accessory dwelling unit (ADU)	--	--	--	--	--	--	L	--	--	--	--	--	--	--	--	--	--	--	L	L	--	--	L	L	--	Sec. 206-8.4	
Automated retail structure	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	L	L	L	--	--	L	L	L	--	Sec. 206-8.5	
Bee keeping	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	--	--	--	L	Sec. 206-8.6	
Caretaker’s residence	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	P	P	P	P	Sec. 206-8.7	
Donation bin	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-8.8	
Drive-thru facility	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	L	L	L	--	--	L	L	L	--	Sec. 206-8.9	
Dumpster	--	--	--	--	L	L	L	L	L	--	--	--	--	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 206-8.10	
Electric vehicle (EV) charging station	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 206-8.31	
Heliport	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	Sec. 206-8.11	
Home occupation	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	--	--	--	L	L	--	--	L	L	--	Sec. 206-8.12	
In-law suite	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	--	--	--	L	L	--	--	L	L	--	Sec. 206-8.13	
Institutional accessory uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 206-8.14	
Keeping of pets	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 206-8.15	
Keeping of livestock	L	--	--	--	--	--	--	--	--	L	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-8.16	
Modular offices/ classroom	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	Sec. 206-8.17	
On-site parking	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 206-8.18	
Outdoor storage, minor	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	L	L	--	L	--	L	--	--	Sec. 206-8.19	
Outdoor storage, major	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	S	--	--	--	--	--	Sec. 206-8.20	
Parking of business vehicles	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 206-8.21	
Parking of recreational vehicles	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	--	--	--	--	L	--	--	--	--	--	Sec. 206-8.22	
Parking and storage of watercraft	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	--	--	--	--	L	--	--	--	L	--	Sec. 206-8.23	
Portable accessory structure (PODS)	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 206-8.24	

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Use Category Specific Use	Residential								Residential Build-to-Rent				Mixed-Use & Business				Towne Center		Definition/ Standards							
	RS-30	RS-15	RS-5	R-DU	R-TH	RM	RX	RO	PRC	RS-30-BTR	RS-15-BTR	RS-5-BTR	R-DU-BTR	R-TH-BTR	RO-BTR	OP	BG	HSB		MU	NR	LM	TCO [1]	TC-MU	TC-R	CI
Religious accessory uses	L	L	L	L	L	L	L	--	L	L	L	L	L	L	--	--	L	L	L	L	--	L	L	L	L	Sec. 206-8.25
Roofed accessory structure	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	P	P	P	P	P	P	P	P	L	P	Sec. 206-8.26
Satellite dish antenna	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 206-8.27
Solar energy system (ground mounted)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-8.32
Solar energy system (intergrated or roof mounted)	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 206-8.32
Swimming pool, hot tub, spa, koi pond	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 206-8.28
Temporary Shelter	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 206-8.30
Unroofed accessory structure	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 206-8.29

Table Note

[1] TCO use standards do not apply to properties zoned TC-MU or TC-R.

Agenda Item Summary



TO: The Mayor and Council

DATE: February 13, 2023

RE: Retail Sales of Distilled Spirits by the Package

STATUS: 1st Reading

Proposed ordinance to amend portions of Chapter 6 of the Code of Ordinances of the City of Snellville to allow for the issuance of licenses to sell distilled spirits by the package pursuant to the referendum vote conducted November 8, 2022.

Financial Impact: Alcoholic Beverage Excise Taxes (monthly)
Occupational Tax License Fee (annual)
Alcoholic Beverage License Fee (annual)

Mayor and Council Meetings: February 13, 2023 (1st Reading)
February 27, 2023 (2nd Reading and Public Hearing)

Action Requested: Consideration and Waive the 1st Reading

Draft Ordinance: Attached

CITY OF SNELLVILLE

STATE OF GEORGIA

ORDINANCE NO. 2023-04

AN ORDINANCE TO AMEND PORTIONS OF CHAPTER SIX OF THE CODE OF ORDINANCES OF THE CITY OF SNELLVILLE TO ALLOW FOR THE ISSUANCE OF LICENSES TO SELL DISTILLED SPIRITS BY THE PACKAGE PURSUANT TO THE REFERENDUM VOTE CONDUCTED NOVEMBER 8, 2022, TO REPEAL CONFLICTING ORDINANCES, AND FOR OTHER PURPOSES

WHEREAS, a referendum pursuant to O.C.G.A. 3-4-41 was conducted during the November 8, 2022 special called election and the majority of voters were in favor of allowing retail package sales of distilled spirits in the City of Snellville, Georgia; and

WHEREAS, the Mayor and the Council of the City of Snellville, Georgia is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs and local government; and,

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

Section 1. Article I of Chapter 6 of the Code of Ordinances of the City of Snellville is hereby amended by adding the following definition:

Sec. 6-1. – Definitions.

Package store (distilled spirits) means a retail business establishment that sells unbroken sealed bottles or other sealed containers of alcoholic beverages, malt beverages (beer), wine and distilled spirits (liquor) only at retail to consumers and not for resale for off-premises consumption:

1. Which derives from such retail sale of alcoholic beverages in unbroken packages at least 75 percent of its total annual gross sales from the sale of a combination of distilled spirits, malt beverages, and wine; and
2. That is not a beverage store, bottle shop, convenience store, drug store, grocery store, or growler shop, or other retail outlet that is not permitted to sell distilled spirits for off-premises consumption.

Section 2. Article II of Chapter 6 of the Code of Ordinances of the City of Snellville is hereby amended by adding the following:

Section 6-48 Additional Application Requirements for Retail Dealers in Distilled Spirits by Package:

(a) Licensed premises' building requirements:

(1) No license to sell distilled spirits by the package shall be effective until the building in which the business will be located is complete, detailed plans of the building and outside premises have been submitted to and approved by the city, and the city has issued a certificate of occupancy for the building. For initial qualification for a license, the applicant must attach to his or her initial application a survey, a rendering of the proposed building, and a site plan. The proposed building shall be subject to final inspection and approval when completed by the building inspector, the fire marshal, the planning director, and shall comply with other ordinances of the city for zoning, storage, parking, buffers and other issues. The proposed building also shall comply with all regulations of the state revenue commissioner and all the laws of the state.

(2) Each building in which the business will be located shall contain sufficient lighting so that the building itself and the premises on all sides of the building shall be readily visible at all times from the front of the street on which the building is located. The lighting shall reveal the inside retail area of the building and shall reveal all of the outside premises of the building.

(3) The licensed premises shall only be allowed in the following zoning classes: General Business (BG) and Highway Service Business (HSB).

(4) The licensed premises shall not be within 500 yards of another licensee authorized to sell distilled spirits by the package, 100 yards of a house of worship building or 130 yards of any school building, school grounds, or college campus as described in Section 6-72(b) of this Ordinance. Distances shall be measured consistent with Section 6-72(d) of this Ordinance.

(5) The licensed premises must contain a minimum of 10,000 square feet of heated and air-conditioned space, must be a free-standing building, and it must be located on property that is a minimum of one-half acre in size with a minimum of 100 feet of road frontage on a Principal Arterial or within 350 feet of the Principal Arterial public right-of-way, as classified by the latest update of The Gwinnett County Long Range Road Classification Map.

(6) The licensed premises shall allow ingress and egress for customers and their purchases through a door opening to the outside and facing a public street or public pedestrian area.

(7) The licensed premises must have access to a traffic light either directly from the licensed premises parking lot or through access easements through adjacent properties.

(8) Deliveries shall be made at the rear of the store building and all loading areas, dumpsters, recycling bins, and compactors shall be screened from ground view.

(9) Licensed premises shall not sell lottery tickets, magazines, or cigarettes, cigarette-like devices, or vaping products. Premium cigars and pipes, pipe tobacco and other pipe products are allowed.

(10) The building shall be owned or leased by the applicant, and proof of ownership or lease is required.

(b) *Proof of insurance required:* The applicant for a license to sell distilled spirits by the package shall provide proof of comprehensive general liability insurance, including liquor liability coverage, for the licensed premises with coverage of at least \$2,000,000.00 per occurrence, inclusive of personal injury, bodily injury, death, and property damage, and an umbrella policy with coverage of at least \$2,000,000.00 per occurrence. At the time a license application is submitted, the city will accept as proof of insurance a quote from a reputable insurance company. The applicant may need to ask the insurance company for an extension of the quote. Prior to opening a package store, and thereafter at the time of renewing a license, a licensee must submit a certificate of insurance to the Department of Planning and Development. Failure to do so is cause for revocation of a license.

(c) *Number of licenses to be determined by population:* The city shall issue no more than two license for the retail sale of distilled spirits, until such time as the number of city residents reaches 30,000, as found in the most recent population estimates published by the United States Bureau of the Census or American Community Survey, at which time the city may issue an additional license or licenses so long as thereafter the number of licenses in operation within the city limits at any one time shall not exceed one license to sell packaged distilled spirits for each 10,000 city residents as found in the most recent population estimates published by the United States Bureau of the Census or American Community Survey.

Sec. 6-49. – Application Approval Process for Retail Dealers in Distilled Spirits by Package

(1) Upon action of the Mayor and Council, the city shall publish notice of availability of any license(s) to sell distilled spirits by the package in a newspaper of general circulation in the city and state the deadline for filing an application. Such notice shall be published at least once a week for two consecutive weeks. The application deadline shall be at least 20 business days after publication. All applications for a license to sell distilled spirits by the package shall be submitted during business hours to the city manager or his/her designee, who shall mark the application with the time and date received.

(2) Upon the filing of an application, the city manager or his/her designee shall have five business days to review the application and to send a copy of the application to all affected departments of city government to determine compliance with city regulations and laws. Each department notified shall submit a report within 20 business days of receipt of the application to the city manager which states whether there are any objections to the application.

(3) Within 20 business days from the date the city manager or his/her designee receives all department notifications, the city manager shall render a written determination as to whether the application complies with the requirements of this chapter.

(4) The written determination shall be sent by certified mail to the applicant whose application was considered.

(5) If the decision of the city manager is to deny the requested license, then the letter to the applicant shall set forth in reasonable detail the grounds upon which the license is being denied. The letter shall further advise the applicant of the right to appeal the decision to the mayor and city council within 20 business days of the date on which the written decision of the city manager is sent by certified mail.

(6) The city manager or his designee may deny a city license or renewal thereof under this article on any of the following grounds:

- a. Failure to meet state requirements for state license;
- b. Failure to pay all required fees and taxes;
- c. Failure to provide valid information, documents and the like required by this article;
- d. False information in the application or attached documents;
- e. Improper residency of applicant, owner or registered agents;
- f. Failure to post and maintain proper signs and advertisements required in this article;
- g. Failure to meet distance, location or number of business requirements;
- h. Prior convictions as herein provided; or
- i. Failure to meet any other requirements in this article for a license or any other requirement in any other provision of this Code or the Charter.

(7) If the city manager determines that the applicant meets the criteria for a license to sell distilled spirits by the package within the Snellville city limits, but there are more qualified applicants than available licenses, then the city manager shall send a letter by certified mail to the applicant notifying him or her that a licensee or licensees to sell distilled spirits by the package shall be selected by lottery at a meeting of the city council and of the date, time and place of said meeting. The Mayor and Council shall appoint an independent third party that resides outside the city limits to conduct the lottery.

(8) The letter shall further advise the applicant of the right to appeal the decision to the mayor and city council within 20 business days of the date on which the lottery takes place.

Sec. 6-50. - Both retail sale of package malt beverages and wine and package distilled spirits.

For licensees who wish to operate a business which conducts both the retail sale of package distilled spirits and the retail sale of package malt beverages and wine, in the case of conflict, the provisions of this article regulating the retail sale of package distilled spirits shall prevail, and compliance with those provisions, rather than the provisions applicable to the license permitting the retail sale of package malt beverages and wine, is required

Section 3. Article II of Chapter 6 of the Code of Ordinances of the City of Snellville is hereby amended as follows:

Section 6-36 - Requirement to publish notice of application to sell distilled spirits by consumption on-premises, is hereby amended by deleting the Section in its entirety and replacing the deleted language with the following:

Section 6-36 - Requirement to publish notice of application to sell distilled spirits by package or consumption on-premises,

A notice of each application to sell distilled spirits, whether by a retail package dealer or by consumption on-premises, shall be advertised in the official newspaper of the city, once a week for two weeks immediately preceding consideration of the application.

Section 4. Article II of Chapter 6 of the Code of Ordinances of the City of Snellville is hereby amended by deleting the following language:

Sec. 6-43. - License fee and amount to defray investigative costs to accompany application to sell packages of malt beverages and wine for off-premises consumption.

and replacing the deleted language with the following:

Sec. 6-43. - License fee and amount to defray investigative costs to accompany application to sell packages of distilled spirits, malt beverages and wine for off-premises consumption.

Section 5. Article VII of Chapter 6 of the Code of Ordinances of the City of Snellville is hereby amended as follows:

Section 6-231 - Type of retail establishment, is hereby amended by deleting the following language:

No beer or wine shall be sold at retail except in establishments located in zoning districts in which these establishments are permitted as a conforming use or in districts where an existing establishment exists as a nonconforming use.

and replacing the deleted language with the following:

No distilled spirits, beer or wine shall be sold at retail except in establishments located in zoning districts in which these establishments are permitted as a conforming use or in districts where an existing establishment exists as a nonconforming use.

Section 6. Article VII of Chapter 6 of the Code of Ordinances of the City of Snellville is hereby amended as follows:

Section 6-233 - Hours and days of sale, is hereby amended by deleting the following language:

- (a) No retail license holder holding a license under this article for sale of beer/malt beverages, wine, or both shall furnish, sell or offer for sale any beer/malt beverage or wine except between the hours of 7:00 a.m. until 12:00 midnight Monday through Saturday and 12:30 p.m. until 11:30 p.m. on Sunday.
- (b) No retail license holder shall furnish, sell, or offer for sale any beer/malt beverage or wine at any time in violation of state law, local ordinance or regulation, or special order of the mayor and council.

and replacing the deleted language with the following:

- (a) No retail license holder holding a license under this article for sale of beer/malt beverages, wine, or both shall furnish, sell or offer for sale any beer/malt beverage or wine except between the hours of 7:00 a.m. until 12:00 midnight Monday through Saturday and 12:30 p.m. until 11:30 p.m. on Sunday.
- (b) No retail license holder holding a license under this article for sale of distilled spirits shall furnish, sell or offer for sale distilled spirits, or any other alcoholic beverages, except between the hours of 9:00 a.m. until 10:00 p.m. Monday through Saturday and 12:30 p.m. until 7:00 p.m. on Sunday.
- (c) No retail license holder shall furnish, sell, or offer for sale any distilled spirits/beer/malt beverage or wine at any time in violation of state law, local ordinance or regulation, or special order of the mayor and council.

Section 7. Article IV of Chapter 6 of the Code of Ordinances of the City of Snellville is hereby amended by deleting the following section in its entirety:

Section 6-123 - Excise tax requirements for distilleries selling packaged distilled spirits directly to consumers

There is hereby levied an excise tax computed at the rate of \$0.22 per, excluding fortified wine, and a proportionate tax at the same rate on all fractional parts of a liter, which shall be paid to the governing authority on all packaged distilled spirits sold by distilleries directly to consumers in the City of Snellville. Such tax shall be paid to the planning and development department with a summary of all retail sales on or before the tenth day of the month following. Excise taxes received in the planning and development department after the 20th day of the month shall be charged a ten percent penalty. It shall be unlawful and a violation of this chapter for any distillery to sell or deliver in any manner any distilled spirits to a consumer without collecting said tax.

and replacing the deleted language with the following:

Section 6-123 - Excise tax requirements for retail package sellers and distilleries selling packaged distilled spirits directly to consumers,

There is hereby levied an excise tax computed at the rate of \$0.22 per liter, excluding fortified wine, and a proportionate tax at the same rate on all fractional parts of a liter, which shall be paid to the governing authority on all packaged distilled spirits sold by retail package sellers or distilleries directly to consumers in the City of Snellville. Such tax shall be paid to the planning and development department with a summary of all retail sales on or before the tenth day of the month following. Excise taxes received in the planning and development department after the 20th day of the month shall be charged a ten percent penalty. It shall be unlawful and a violation of this chapter for any retail package sellers or distillery to sell or deliver in any manner any distilled spirits to a consumer without collecting said tax.

Section 8. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 9. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 10. This Ordinance was adopted _____, 2023. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

ORDAINED this ___ day of _____, 2023.

Barbara Bender, Mayor

ATTEST:

Tod Warner, Mayor Pro Tem

Melisa Arnold, City Clerk

Solange Destang, Council Member

APPROVED AS TO FORM:

Dave Emanuel, Council Member

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Cristy Lenski, Council Member

Gretchen Schulz, Council Member