



City of Snellville Planning Commission

**PLANNING COMMISSION REPORT
January 24, 2023**

CASE NUMBER: #UDO 22-03

REQUEST: Text Amendment #5 to the Snellville Unified Development Ordinance ("UDO")

PRESENTED BY: Jason Thompson, Director
Dept. of Planning and Development
The City of Snellville, Georgia
770-985-3518 or jthompson@snellville.org

The Planning Commission considered the six (6) proposed amendments 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.
- 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.

By a unanimous vote of five (5) to zero (0), the Planning Commission recommended **Approval** of the proposed amendments as presented by the Planning Department, attached hereto as Exhibit "A".



EXHIBIT "A"

**SUMMARY OF PROPOSED AMENDMENT #5
TO THE SNELLVILLE UNIFIED DEVELOPMENT ORDINANCE**

**#UDO 23-01 DRAFT AMENDMENT
(V3) – 1-17-2023**

ITEM	PAGE NO.	SECTION	DESCRIPTION OF CHANGE
1.	200-139 200-148 200-149	Sec. 206-2 – Allowed Use Table	Pg. 139 – Add ‘Halfway house’. Provide definition. Prohibited in all zoning districts. Pg. 148 – Add ‘Package store, distilled spirits’ Provide definition and use standards. Pg. 149 – Add ‘Utility or enclosed trailer’ to ‘Boat and Recreational Vehicle’ specific use category.
2.	200-160	Sec. 206-3.2. Group Living	Add “Halfway House’ to list of group living uses.
3.	200-164	Sec. 206-3.2. Group Living	G. Add Halfway House. Provide Definition.
4.	200-190 200-191	206-5.12 – Retail Sales	B. General Retail – amend language to exclude ‘limited’ uses.
5.	200-193 200-195	206-5.12 – Retail Sales	K. Package Store (Distilled Spirits) – Add definition, use standards, and reference to Chapter 6 (Alcoholic Beverage Ordinance).
6.	200-197 to 200-299	206-5.13 – Vehicular	Amend section to add ‘unpowered tow trailers’ to definition. Add ‘utility or enclosed trailer’ to list of vehicular types. Amend ‘Boat, Recreational Vehicle Sales, Rental or Service category to include ‘Utility or Enclosed Trailer’. Amend definition and use standards.

Sec. 206-2. Allowed Use Table

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 [L]	TC-MU	TC-R	CI	
Residential Uses																											
All household Living, as listed below:																											Sec. 206-3.1.A
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:																											Sec. 206-3.2.A
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	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	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	S	Sec. 206-3.2.E
<u>Halfway house</u>	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	<u>Sec. 206-3.2.G</u>
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.H
Nursing facility (skilled)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	P	P	S	S	--	--	S	S	S	P	Sec. 206-3.2.A
Nursing home	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	P	P	S	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	S	S	Sec. 206-3.2.E
Retirement community (continuing care)	--	--	--	--	--	--	S	S	--	--	--	--	--	S	--	--	--	--	S	--	--	--	S	S	S	S	Sec. 206-3.2.F
Shelter	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-3.2.H
Public/Institutional Uses																											

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
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
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
<u>Package store, distilled spirits</u>	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L	L	--	--	--	--	--	--	--	--	<u>Sec 206-5.12.K</u>
Package shipping (UPS)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	P	P	--	--	Sec. 206-5.12.B
Pawn broker	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	--	S	--	--	--	Sec. 206-5.12. LK
Pawn shop	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	--	S	--	--	--	Sec. 206-5.12. LK
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. ML
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. ML
Souvenir shop	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	P	P	--	--	Sec. 206-5.12.B

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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
Title pawn	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	--	--	--	--	Sec. 206-5.12. U K
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 M
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, and recreational vehicle, utility or enclosed 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

Where live-work is allowed as a special or limited use, it is subject to the following:

- a. Live-work is only permitted on the ground floor of a dwelling unit.
- b. A minimum of one person must occupy the dwelling containing the live-work use as their primary place of residence.
- c. The live-work use may employ no more than two persons not living on the premises at any one time.
- d. No business storage or warehousing of material, supplies or equipment is permitted outside of the dwelling containing the live-work use.
- e. The nonresidential use of the live-work use is limited to a permitted or special use allowed in the zoning district.
- f. No equipment or process may be used that creates, without limitation, noise, dust, vibration, glare, fumes, odors, or electrical interference detectable to the normal human senses, off the premises.
- g. No more than five customers are permitted on the premises at any one time.

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. Nursing facility (skilled).
6. Nursing home.
7. Retirement community (continuing care).

8. Halfway house.

~~8-9.~~ _____ Hospice.

~~9-10.~~ _____ Monastery or convent.

~~10-11.~~ _____ Shelter.

B. Addiction Treatment Facility

1. Defined

An inpatient facility for treatment and recovery for substance abuse and addiction.

C. Assisted Living Facility

1. Defined

A facility for the frail elderly that provides rooms, meals, personal care, and supervision for self-administered medication. Facility may also provide specialized memory care.

D. Boarding or Rooming House

1. Defined

A dwelling in which meals, lodging, or both are furnished for compensation to more than two, but not more than ten non-transient persons.

E. Collective Residence

1. Defined

Any residence, whether operated for profit or not, which undertakes through its ownership or management to provide or arrange for the provision of housing, food, one or more personal services, support, care, or treatment exclusively for two or more persons who are not related to the owner or administrator of the residence by blood or marriage and which is licensed as a group home, personal care home, or community living arrangement pursuant to O.C.G.A. § 31-2-4(d)(8). Any residence that Georgia law requires to be licensed as a Community Living Arrangement, Group Home, Personal Care Residence, or any other facility permitted by the State of Georgia to house two or more unrelated persons, is considered to be a collective residence.

2. Use Standards

Where a collective residence is allowed by a special use permit, it is subject to the following:

- a. The facility must be licensed by the Department of Human Resources of the State of Georgia. Before applying for a special use permit, the applicant must seek a specific permit from the State of Georgia for operating the collective residence. All details of the State application must be attached to the special use permit application and must be incorporated by reference as a condition of said permit. If the applicant changes the operation of the collective residence from the type disclosed in the State application, the special use permit will be automatically revoked and the applicant must apply for a new special use permit for the new type of community residence.

wide array of amenities; assisted living, which provides help with daily tasks such as bathing and dressing; and, 24-hour nursing home-style care. As a resident's health needs increase, they transition from one level to the next, all within the same community.

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.

G.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.

H.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.

H.J. Shelter

1. Defined

A facility providing temporary sleeping facilities for displaced persons.

- i. On the roof; or
 - ii. On an exterior wall that has no operable residential windows within 75 feet of the fan (measured in a straight line both vertically and horizontally).
 - c. Additional drive-thru facility requirements are specified in Sec. 206-8.9.
2. **OP and CI District.** Where a restaurant is allowed as a limited use in an OP or CI district, the use must be located within a multi-tenant office or medical complex.

206-5.12. Retail Sales

A. Defined

A facility involved in the sale, lease, or rental of new or used products to end consumers, not other businesses. Retail sales includes the following:

1. General retail.
2. Appliance and electronics store.
3. Art gallery, art studio.
4. Artisan shop.
5. Bakery.
6. Bicycle shop.
7. Bottle shop, growler shop.
8. Building supply store.
9. Consumer fireworks retail sales facility.
10. Department store.
11. Drug store/pharmacy.
12. Guns and ammunition.
13. Lawnmower shop.
14. Meat market.
15. Music, video, and video game store.
16. Pawn shop, pawn broker, title pawn, check cashing.
17. Plant nursery.
18. Smoke or vape shop.

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.

C. Artisan Shop

1. Defined

A facility whose primary use is the retail sale of art glass, clothing, furniture, ceramics, jewelry, packaged food and beverages, and other handcrafted items, where the facility includes an area for the production of the items being sold.

2. Use Standards

Where an artisan shop is allowed as a limited use, no equipment or process may be used that creates, without limitation, noise, dust, vibration, glare, fumes, odors, or electrical interference detectable to the normal human senses, off the premises.

D. Bakery

1. Defined

A facility whose primary use is the retail sale of breads, cakes, cookies, pastries, and other baked goods that have been produced on-site or off-site to the general public.

E. Bottle Shop, Growler Shop

1. Defined

A facility specializing in the sale of beer and/or wine for consumption off-premises; however, such establishments may also offer by-the-drink on-premises consumption in conjunction with a special use permit obtained in Article VI of Chapter 6, Alcoholic Beverages of the City Code of Ordinances.

F. Building Supply Store

1. Defined

A facility specializing in the sale, lease, or rental of one of the following: plumbing supplies, electrical supplies, swimming pools, or home building supplies.

G. Consumer Fireworks Retail Sales Facility

1. Defined

- d. To the main entrance of the existing establishment identified in “ii” above.
- iii. The shopping center must meet this UDO’s off-street parking requirements for all existing and new uses.
- iv. The applicant must obtain a permit for conforming, non-temporary wall signage for the building storefront for the duration of the lease period.

H. Drug store, Pharmacy

1. Use Standards

Where a drug store, pharmacy is allowed a limited use, it must be accessed through and associated with medical clinics, doctors' offices, or dental offices.

I. Lawnmower Shop

1. Defined

A facility involved in the sale, lease, rental, and repair of lawnmowers, chain saws, leaf blowers, snowblowers, string trimmers, woodchippers, and other similar small engine or electric landscaping equipment.

J. Meat Market

1. Defined

A facility whose primary use is the sale of meat for human consumption and which may also include the cutting, grinding, and processing of meat to be sold.

2. Use Standards

Where a meat market is allowed as a limited use, there may be no killing, eviscerating, skinning, plucking, or smoking of food products on the premises.

K. Package Store (Distilled Spirits)

1. Defined

A store that sells unbroken sealed bottles or other sealed containers of alcoholic beverages, beer/malt beverages, wine and distilled spirits (liquor) only at retail to consumers and not for resale for off-premises consumption and 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 a house of worship/place of worship, or
- iii. 130 yards of any school grounds.
 - 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 house of worship/place of worship, or to the nearest portion of the school grounds.
 - 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 frontage.
 - 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.

K-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;

- 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

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, ~~and~~ recreational vehicles, and unpowered tow trailers. Vehicular includes the following:

1. Automobile parts store.
2. Boat, ~~and~~ 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.

B. Automobile Parts Store

1. Defined

A facility where accessories and parts are sold for passenger vehicles, light and medium trucks, and other consumer motor vehicles such as motorcycles. Repairs and accessory/part installation are only allowed in conformance with the standards for major or minor vehicle repair, as applicable, including any required special use permits.

C. Boat, ~~and~~ Recreational Vehicle, Utility or Enclosed Trailer Sales, 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.~~repairs or rents boats or recreational vehicles for a fee.~~

2. Use Standards

Where boat, recreational vehicle, utility or enclosed trailer sales, leasing, rental~~and recreation vehicle, 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, and recreation vehicle, 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 recreational vehicles and boats on the premises sales lots must ~~always~~ be in generally good and operable condition. Wrecked or partially wrecked, dismantled, or non-operable recreational vehicles, boats, or trailers and boats are not allowed, unless parked/stored inside a fully enclosed building.
- e. All new and used product inventory which is parked on the premises recreational vehicles in sales lots must be parked on a hard-surface marked/striped spaces only and only in areas designated for the display of product inventory recreational vehicles being offered for sale, lease, or rent and may not be parked in any landscape strip or buffer grassy areas 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 Recreational vehicles and boats for sale 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. ~~a covered service bay with opaque walls on all sides, except at vehicular entrances and exits.~~
- j. Showrooms and/or service bays that keep the new and used product inventory ~~new/used/service recreational vehicles or boats~~ 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). ~~regarding the storage of hazardous materials.~~
- 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.

D. Car Wash

1. Defined

A facility with mechanical or hand-operated equipment used for the cleaning, washing, polishing, or waxing of motor vehicles, including, but not limited to, self-service, full-service, and hand-detailing service.

2. Use Standards

Where a car wash is allowed as a permitted use or special use, it is subject to the following:

- a. Any facility that employs persons on a full-time or part-time basis or that sub-leases space to car wash or detailing operators shall contain at least one ADA compliant restroom in the building. Shared restrooms from other businesses is prohibited.
- b. Any new conveyor car wash facility constructed after 2-28-2022 where the car moves on a conveyor belt during the wash must install an operation recycled water system, where a minimum of fifty-percent (50%) of water utilized will be recycled. This requirement does not apply to an in-bay car wash facility or self-serve car wash facility.