



**City of Lilburn  
Special Called Planning Commission Meeting Agenda**

**December 15, 2022  
Lilburn City Hall, 340 Main St., Lilburn, GA 30047**

*Board Members:  
Hugh Wilkerson, Chair  
Kenneth Stephenson  
Joe Gennusa  
Daniel Bollinger  
James Hampton*

- I. **Call to Order**
- II. **Roll Call**
- III. **Approval of Agenda**
- IV. **Approval of Minutes**
  - 1. **October 27th, 2022 Planning Commission Meeting Minutes**

Documents:

[PC MEETING MINUTES 10.27.22.PDF](#)

- V. **Old Business**
- VI. **New Business**

- 1. **Text Amendment to Lilburn Zoning Ordinance**

Text amendments to Appendix A, Article 6 Section 603 Supplemental Conditions Table to add a new accessory use, Amusement Game Rooms, and Article 14 - Definitions, to define "Amusement Game Rooms".

Documents:

[STAFF RECOMMENDATIONS TO PC 12.15.22 ZO TEXT AMENDMENTS COAM.PDF](#)

- VII. **Adjournment**

As set forth in the Americans with Disabilities Act of 1990, the City of Lilburn does not discriminate on the basis of disability in the admission or access to, or treatment or employment in its programs or activities. Joellen Wilson, 340 Main Street, Lilburn, GA 30047 has been designated to coordinate compliance with the non-discrimination requirements contained in section 35.107 of the Department of Justice regulations, information concerning the provisions of the Americans with Disabilities Act, and the rights provided thereunder, are available from the ADA coordinator.

The City of Lilburn will assist citizens with special needs given proper notice (seven working days). **Any requests for reasonable accommodations required by individuals to fully participate in any open meeting, program or activity of the City of Lilburn should be directed to the Joellen Wilson, 340 Main Street, Lilburn, GA 30047, telephone number 770-921-2210.**



**City of Lilburn  
Planning Commission Meeting  
Minutes**

**October 27, 2022**

**Lilburn City Hall, 340 Main St., Lilburn, GA 30047**

*Board Members:*

*Hugh Wilkerson, Chair*

*Kenneth Stephenson*

*Joe Gennusa*

*Daniel Bollinger*

*James Hampton*

*A work session was held prior to the regular scheduled meeting, at 7:00 p.m., to allow the board members to discuss this evening's agenda items. No other items were discussed and no actions were taken.*

**10/27/2022 - Minutes**

**I. Call to Order**

Chairman Hugh Wilkerson called the meeting to order at 7:30 P.M.

**II. Roll Call**

Present:

- Hugh Wilkerson, Chairperson
- Joe Gennusa
- James Hampton
- Dan Bollinger

Absent:

- Kenneth Stephenson

Staff Members Present:

- Reid Turner
- Joellen Wilson

### III. Approval of Agenda

- Motion to approve the October 27th, 2022 Agenda by Board Member Daniel Bollinger. Seconded by Board Member James Hampton.

Motion carries, 4-0

### IV. Approval of Minutes

Chairman Hugh Wilkerson asks for a motion to approve the July 28th, 2022 Planning Commission Meeting Minutes.

#### 1. July 28, 2022 Planning Commission Meeting Minutes

Motion by Board Member Daniel Bollinger to approve the July 28th, 2022 Planning Commission Meeting Minutes. Seconded by Board Member James Hmapton.

Motion carries, 4-0

### V. Old Business

### VI. New Business

#### 1. Text Amendment & Map Amendment to Lilburn Zoning Ordinance and the Lilburn Zoning Map

City Planner, Reid Turner discusses overview of text amendments. Amendments include:

- Amendments to the Lilburn Zoning ordinance to rename the Town Center Overlay District to Old Town Overlay District. Including, but not limited to, amendments to articles 2, 3, 4, 5, 6, 7, and 8 and all references throughout City Code.
- Additional amendments to Article 6 provide for a change in the zoning districts where Parking Lots and Decks are currently permitted in every zoning district to permitted as an accessory use.
- Amendments to Article 10 include an amendment to the requirements for initiating a Change in Condition to allow initiation by City Council.
- Amendments to the City of Lilburn Official Zoning Map provide for the renaming of Town Center Overlay district to Old Town Overlay District and three minor amendments to the U.S. 29 Overlay boundaries.

Chairman Hugh Wilkerson asks for any public comment.

Hearing none, Chairman Wilkerson closes the public hearing.

Board Member Daniel Bollinger motions to approve the text amendments and map amendments as presented by staff. Board Member James Hampton seconds the motion.

Motion carries, 4-0

#### 2. RZ-2022-02 & SUP-2022-02

City Planner, Reid Turner, presented summary of proposed rezoning, site plan, building elevations and floor plans provided by the applicant, and he described all public notice efforts. Considering existing uses and poor condition of the existing homes and other R-1 options, City Planner described how the zoning plan has been modified to comply with criteria for attached residential uses, although lot sizes are to be determined and density (8.7 u/a) is slightly higher than specified. City Planner recommended conditions of approval and reads conditions into public record:

1. The property shall be developed as fee-simple, owner-occupied residential use in general accordance with the submitted letter of intent and proposed "Site Plan" entitled "The Village at Lilburn," prepared by Alliance Engineering and Planning, Inc., dated September 28th, 2022, development plans modified to meet conditions of R2 zoning development regulations and design standards for the Town Center Overlay/Old Town Overlay District, as may be amended prior to permitting, and all building elevations are subject to review and approval by Planning Director.
2. There shall be mandatory master protective covenants that will include all phases of the development and be binding on all property or properties within the development; and concurrent therewith, a homeowners association (HOA) shall be formed which will include all component parts of the proposed development. The owners' association shall be responsible for the oversight, upkeep, and maintenance of the entrance areas, common areas, open space areas, the front, rear and side yards on each lot within the community as well as all drives, alleys, streets, sidewalks, streetlights, stormwater facilities and drainage structures that serve the private development.
3. The covenants required by the preceding condition (in addition to standard covenants) shall include the following: a covenant prohibiting rental of more than 40% of units; a covenant prohibiting removal of healthy plants and requiring replacement of diseased plants with similar type plants in landscape strips and buffer areas; a covenant allowing (but not requiring) the City to enforce any covenant required by these conditions.
4. If no site development permit shall have been issued after six consecutive months following zoning approval, or no building permit for a townhome unit shall have been issued within twelve consecutive months of site development permit issuance, the SUP for attached-residential townhomes shall expire and the owner will be required to reapply for SUP approval from Mayor and Council. City may initiate an amendment to the official zoning map if no application is submitted prior to expiration.

City Planner states that after discussions with the applicant regarding the timeline outlined in Condition 4, staff proposes an amended condition to replace Condition 4 as presented. City Planner reads the amended condition into the public record.

Condition 4 to be revised to read:

4. A combination plat and application for demolition of the existing structures must be submitted within 12 months of zoning approval, should no combination plat or application for demolition be submitted in such time, the SUP shall expire and the development will require new approval from Mayor and Council.

Presentation by Tyler Lasser, representative of the applicant, described surrounding uses, urbanizing Town Center developments, and walkability that supports higher densities.

Board Member Joe Gennusa asks the applicant about price points, inquires about details regarding spaces between driveways, and width of the units.

Applicant states that he does not have a firm estimation of price points yet, but expects units to be available at price points starting at \$300+. Applicant states that the space between driveways consists of grass/landscape strip. Applicant states that the units vary between 24' to 25' wide.

Chairman Hugh Wilkerson opens the Public Hearing and asks if anyone in attendance has comments.

Citizen David Griffin presents concerns about adequate parking and the burden placed on city streets and the church parking lot, citing the difficulty that his subdivision, Old Town Lilburn, faces in this regard. States that additional guest parking should be a paramount concern.

Applicant states that there are four parking spaces available per unit (two in the garage, and two in the driveway).

Board Member Gennusa asks if the community will be gated.

Applicant states that the development will not likely be gated, but privacy fencing may be used to screen the rear lots.

Citizen Rebecca Barrett asks for clarification on whether the condition requiring a rental cap refers to short-term or long-term rentals, and asks what school district the development belongs to.

City Planner Reid Turner clarifies that it refers to long-term rentals, and states that the school district is Parkview.

Citizen Therese Besal, a homeowner and resident on Norman Drive directly behind the proposed development, expresses concern over the buffering and stormwater impacts this development could possibly have on her street and neighbors.

Citizen Howard Walker, a representative of Lilburn First Baptist Church, which owns some of the subject parcels and is adjacent to the proposed development expresses the Church's support of the proposed rezoning and development.

Chairman Hugh Wilkerson closes the Public Hearing.

Board Member James Hampton makes a motion to approve RZ-2022-02 and SUP-2022-02 with conditions as presented and revised post-agenda. Board Member Joe Gennusa seconds.

Motion carries, 4-0.

## VII. Adjournment

Motion by Board Member James Hampton to adjourn. Seconded by Board Member Joe Gennusa.

Motion carries, 4-0.

Meeting adjourned at 8:05

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Hugh Wilkerson, Planning Commission Chair

ATTEST:

\_\_\_\_\_  
Joellen Wilson, Secretary



Small town. Big difference.

**Staff Recommendation**  
**Date of Report: December 5, 2022**  
**Report by: Reid Turner**

**Public Hearing Dates:**  
**Planning Commission December 15, 2022**  
**Mayor and Council January 9, 2023**

#### **GENERAL APPLICATION**

City Zoning Ordinance Article 10, Section 1002 accommodates text amendments initiated by planning department, planning commission or city council. Planning department staff recommends the 2011 Lilburn Zoning Ordinance text shall be amended to clarify code sections within Articles 6 and 14 to provide for a **definition of Amusement Game Rooms**, to codify **Amusement Game Rooms as an accessory use**, and to provide for conditions associated with this use.

#### **BACKGROUND**

In August 2021 Mayor and Council enacted Resolution 2021-06 initiating a moratorium on the issuance of business licenses for non-descript “small box” retail stores smaller than 5000 s.f. That moratorium is set to expire on December 31, 2022 and could either be extended or allowed to expire. To devise a more permanent solution, staff is proposing text amendments to allow for the regulation of **Coin Operated Amusement Machines (COAMs)**, a common component of the “small box” stores the moratorium sought to halt.

Staff finds that these text amendments, contained in **Attachment A** are the least restrictive means available, and a legitimate and reasonable exercise of the City's zoning power, and in the best interest of the public health, safety, and welfare of the City's citizens.

Regarding Section **603 Supplemental conditions table**, text amendments are proposed to add **Amusement Game Rooms** as an accessory use permitted in CB-zoned properties and the **U.S. 29 Overlay District**. This amendment also provides for conditions associated with this accessory use. Amendments to **Article 14. – Definitions** provide for a definition of **Amusement Game Rooms**.

## Attachment A

### Section 603. Supplemental conditions table.

| SPECIFIC USE               | ZONE                                      | CONDITION   |
|----------------------------|---|---|
| <b>ACCESSORY USES</b>      |   |   |
| Agricultural               | Private Horse Riding Stables for Resident | R-1<br>1. Use of private stables shall be limited to property with a minimum of three acres which is not part of a platted subdivision.<br>2. No structure or corral shall be located closer than 100 feet to any property line.<br>3. Special use permit required.   |
| Residential Dwelling Types | Multi-family Age Restricted               | R2, MU, TC, CB, U.S. 29<br>1. This use is intended to be located in areas of more intensive development near retail and services, with access to public transportation, primarily in MU, and CB within the U.S. 29 Overlay.<br>2. Minimum lot area and setbacks apply (two acre lot area with 200 foot frontage width; 40 ft. side and rear yards).<br>3. Minimum unit size of 550 sq. ft. for one bedroom and 750 sq. ft. for two bedroom.<br>4. Maximum 25 du/ac density.<br>5. Six story height limit.<br>6. Minimum 150 foot building distance from adjacent R zones.<br>7. Buildings shall have sprinkler systems in all common areas; standpipe systems on every floor.<br>8. Entire building will have approved monitoring smoke detection systems installed in accordance with NFPA Codes.<br>9. Access will be provided in all areas around building to insure proper placement of fire equipment. |
|                            | Residential as Component of               | MU, TC,<br>1. A minimum of 25 percent of total square footage of buildings  |

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|          | Mixed-Use Building  | CB/U.S. 29 | <p>in a MU project shall include residential uses as a component of a mixed-use building (commercial and/or office) with more than one tenant.</p> <ol style="list-style-type: none"> <li>2. Residential use component may not exceed 70 percent of square footage of the building.</li> <li>3. Structure must be two stories or greater.</li> <li>4. Residential shall be located on upper floors above ground floor business or to the rear of the building.</li> <li>5. Where adjacent to a required buffer, the minimum required side yard or rear yard setback(s) may increase an additional five feet for every ten feet of increase in building height above 35 feet.</li> <li>6. All visible frontages shall be detailed with architectural elements.</li> <li>7. Required garage and off-street parking must be located to the rear of a minimum of 50 percent of mixed-use buildings.</li> <li>8. Business portion shall have direct entry from street frontage sidewalk. Entrances to residential, office or other upper story uses shall be clearly apparent in form and location of ground floor uses.</li> </ol> |
| Business | Live/Work Residence | TC Overlay | <ol style="list-style-type: none"> <li>1. Permitted use provided additional parking is provided at one space per 1,000 square feet of office use.</li> <li>2. Residential appearance to be maintained.</li> <li>3. Permanent occupancy not required.</li> <li>4. On residential properties a sign not larger than six square</li> </ol>  |

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|                             |                                       |                           | feet or four feet in height is allowed.  |
| Dwelling Uses               | Subdivision Tennis Courts and/or Pool | R-1, R-2, MU, CB/U.S. 29  | <ol style="list-style-type: none"> <li>1. Permitted as accessory to residential portion of a mixed-use commercial development in CB under the U.S. 29 Overlay, and in MU.</li> <li>2. Permitted in R-1 and R-2 when included as dedicated or reserved area on final recorded subdivision plat.</li> </ol>  |
| <b>PUBLIC/INSTITUTIONAL</b> |                                       |                           |  |
| Care Facilities             | After School Program                  | R-1, R-2, MU, TC, CB, O-I | <p>After-school programs are permitted as an associated use to all schools, religious institutions and day care facilities in the MU, O-I or CB districts with administrative review in R-1, R-2, MU and TC when located within a residence in association with a family day care home with the following conditions.</p> <ol style="list-style-type: none"> <li>1. The after-school program is limited to no more than four consecutive hours per day, and within the hours of 2:00 p.m. and 6:30 pm.</li> <li>2. A permanent fence enclosing any designated play areas shall be constructed before commencing the after school program use.</li> </ol> |
|                             | Day Care Center                       | MU, TC, O-I, CB, IA       | See Article 7, Section 708   |
|                             | Family Daycare Home                   | R-1, R-2, MU, TC          | See Article 7, Section 710   |
|                             | Group Home                            | R-1, R-2, MU, O-I         | See Article 7, Section 715   |
| <b>COMMERCIAL USES</b>      |                                       |                           |  |

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| Auto and Equipment Uses | Auto, Motorcycle and Truck Service Center | CB/U.S. 29, IA | <ol style="list-style-type: none"> <li>1. Special use permit required in CB or U.S. 29 Overlay.</li> <li>2. In CB and U.S. 29 Overlay, buildings shall be designed in consideration of the context of the site and area. The design shall complement and be compatible with the predominant architectural theme of the U.S. 29 Overlay or of the integrated development site.</li> <li>3. No body or paint repair.</li> <li>4. Service permitted only in enclosed bays.</li> <li>5. All service bays shall be oriented so as to parallel U.S. 29 and other major arterial roadways on which they are located, and/or when within 300 feet of property zoned or used for residential uses.</li> <li>6. All service bays shall have a 100 percent opaque screen of a minimum of three and one-half feet on surrounding street frontages.</li> </ol> |
|                         | Auto and Truck Sales or Dealership        | CB, IA         | <ol style="list-style-type: none"> <li>1. SUP required in CB.</li> <li>2. Sales lots shall have dedicated vehicle inventory parking.</li> <li>3. All existing vehicle display areas with frontage on U.S. 29, and any new facilities with frontage on major arterial roadways, shall be screened to a minimum height of two and one-half feet.</li> <li>4. Minimum one acre useable site in IA, min. 5 acre site in CB.</li> <li>5. Minimum 200 foot roadway frontage.</li> <li>6. Two elevated display racks are permitted per motor vehicle sales lot, not to exceed five feet in height.</li> </ol>  |

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| <p>Restricted Uses</p> | <p>Auto and Truck Body and Heavy Repair</p> | <p>CB/U.S. 29, IA</p> | <ol style="list-style-type: none"> <li>1. Special use permit required in CB or U.S. 29.</li> <li>2. In CB, auto repair buildings shall be designed in consideration of the context of the site and area. The design shall complement and be compatible with the predominant architectural theme of the U.S. 29 Overlay or of the integrated development site.</li> <li>3. Service permitted only in enclosed bays.</li> <li>4. All service bays shall be oriented so as to parallel U.S. 29 and other major arterial roadways on which they are located, and/or when within 300 feet of property zoned or used for residential uses.</li> <li>5. All service bays shall have a 100 percent opaque screen of a minimum of three and one-half feet on surrounding street frontages.</li> <li>6. Damaged vehicles and/or vehicles undergoing repair shall be enclosed within an eight-foot high, opaque fence.</li> <li>7. Outdoor storage of dismantled and inoperable autos and parts is prohibited.</li> <li>8. Driveway access on through lots should not be allowed on streets primarily servicing property zoned or used for residential uses.</li> <li>9. Exterior building elevations facing public streets shall be a minimum of 50 percent of the storefront in clear glass.</li> <li>10. A five-foot minimum planter should be provided around the footprint of all building elevations except at pedestrian</li> </ol> |
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|                             |  |                 | and vehicular entrances to said building and at any building elevation abutting a landscaped perimeter yard.<br>11. A safe pedestrian path should be provided from the required on-site parking to the primary customer entrance.  |
| Supply and Wholesale        | Building Supply Center with Outdoor Lumberyard | CB, IA          | 1. SUP required in CB.<br>2. No fabrication or outside storage permitted in CB under the U.S. 29 Overlay.<br>3. Storage or equipment areas must be screened with a six feet high, opaque fence.  |
|                             | Contractor's Offices with Outdoor Storage      | CB, IA          | 1. SUP in CB.<br>2. Storage or equipment areas must be screened with a six-foot high, opaque fence.  |
| Food and Convenience Stores | Convenience Food Store with Pumps              | MU, CB          | 1. SUP required in MU for fuel pumps.<br>2. A ten-foot landscaped strip shall be provides along ROW.<br>3. Fuel pumps and canopies covering fuel pumps are permitted in the front yard setback provided they are located a minimum of 15 feet from the ROW, and the canopies are located at least ten feet from the ROW.<br>4. No outdoor storage is permitted.<br>5. Display of beverages in permanent containers on pump islands as specified in Article 7, Section 724. |
| Personal Services           | Dry Cleaning Facility                          | MU, CB, IA      | 1. Limited to 2,500 square feet and no drive-thru facilities in MU.<br>2. Incidental to primary industrial or business park uses in IA.  |
|                             | Dry Cleaning with Drive-Thru                   | CB, IA, U.S. 29 | See Article 7, Section 710 for additional conditions.  |

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| Shops and Non-Food Stores | Home Improvement and Garden Center | CB/U.S. 29, IA | <ol style="list-style-type: none"> <li>1. A six-foot high solid fence must surround all storage areas for business vehicles, equipment and bulk storage.</li> <li>2. All principal and accessory structures must conform to the building code with no agricultural exceptions.</li> <li>3. Outdoor plant displays access walks shall comply with site accessibility requirements of the building code.</li> <li>4. Required parking spaces and drive aisles shall be asphalt or concrete. Business vehicle and equipment parking and drive area shall be gravel/crush and run.</li> <li>5. Customer parking requirements for outdoor retail display areas shall be one space for every 500 square feet of retail space.</li> </ol> |
| Other                     | New Cemetery                       | R-2            | <p>New cemeteries, provided any new cemetery allowed under this paragraph:</p> <ol style="list-style-type: none"> <li>1. Has 100 or more feet of frontage along a street classified as a minor arterial or higher grade thoroughfare,</li> <li>2. Is adjacent to an existing cemetery or immediately across a public right-of-way from an existing cemetery,</li> <li>3. Is located entirely outside the Lawrenceville Highway Corridor Overlay,</li> <li>4. Has its boundaries shown on a plan that is filed with the city,</li> <li>5. Complies with other all other development regulations of the city, and</li> <li>6. Burial of human remains shall be entirely within concrete vaults.</li> </ol>                           |

|  |                                     |                            |   |
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|  | Funeral Home/Crematory              | CB/U.S. 29                 | Subject to state law.   |
|  | Hotel, Motel                        | MU, CB/U.S. 29             | <ol style="list-style-type: none"> <li>1. Guest rooms shall be accessed internally to the building with no direct room access to the outside.</li> <li>2. Lobby shall be a minimum of 700 square feet.</li> <li>3. Minimum site shall be two acres.</li> <li>4. On-site management required on 24 hour basis.</li> <li>5. Each room must have a minimum of 300 square feet and access with a magnetic keycard entry/locking device.</li> <li>6. For buildings containing three stories or less or no more than 130 rooms, minimum roof pitch is 4:12.</li> <li>7. Outside storage of commercial equipment is prohibited.</li> <li>8. No business license shall be issued for any business operating out of a guest room of the facility.</li> <li>9. When adjacent to residentially zoned property, a 100 foot landscaped buffer is required. On existing vacant/undeveloped sites, and where feasible, 75 feet of such buffer in natural state is required.</li> <li>10. Any outdoor recreation areas/pools must be located to the rear of the site or internal courtyards.</li> <li>11. Extended stay is prohibited.</li> </ol> |
|  | <a href="#">Amusement Game Room</a> | <a href="#">CB/U.S. 29</a> | <a href="#">1. Every amusement game room in the City shall comply with the proximity provision for businesses licensed to</a>   |

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|  |  |  | <p><a href="#">sell alcohol, set out in ARTICLE III, Sec. 6-64</a></p> <p>2. <a href="#">No amusement game room in the City shall offer to the public more than six bona fide coin-operated amusement machines</a></p> <p>3. <a href="#">All machines shall, at all times, be kept and placed in plain view of and open and accessible to any person who may frequent or be in any place of business where such machines are kept or used.</a></p> <p>4. <a href="#">See additional licensing requirements in Sec</a></p> |
|--|--|--|---|

**PROFESSIONAL SERVICES**

|                  |   |                    |  |
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| Medical/Clinical | Veterinary Hospital with Outdoor Kennel | CB/U.S. 29, IA     | <ol style="list-style-type: none"> <li>1. Special use permit required.</li> <li>2. Outdoor boarding and/or runs permitted, located at least 300 feet from any existing residential use or business when measured from property line of subject property to residence or business establishment of closest properties.</li> </ol>   |
| Other            | Office Park                             | MU, CB/U.S. 29, IA | <ol style="list-style-type: none"> <li>1. Subject to additional conditions of Administrative Review, Article 5 site design standards and landscape criteria, and conditions associated with Concept Plan public review and approval process.</li> <li>2. Distributive functions such as loading, unloading, storage, packaging and unpacking shall be limited to ten percent of the total building area and five percent of the total lot area.</li> </ol> |

**LIGHT INDUSTRIAL**



|  |  |    |   |
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| Production and Processing              | Machine, Welding, Radiator, Muffler Repair Shops | IA | Permitted with screening in business/light industrial parks and stand-alone facilities.<br>1. Outside storage not permitted in business/light industrial parks.<br>2. In stand-alone establishments, conditions of Light Outdoor Storage establishments shall apply.  |
| Light Storage/Distribution/Warehousing | Light Outdoor Storage                            | IA | Includes building material and other outdoor storage yards, other than junk yards, subject to the following conditions:<br>1. They shall not be located within the required front yard.<br>2. They shall be screened by a solid fence a minimum of eight feet in height.<br>3. Conditions also apply to outdoor storage established in connection with a permitted building or other use in IA. |
| Other                                  | Light Industrial/Business Park                   | IA | Includes all light industrial uses not objectionable by reason of the emission of noise, vibration, smoke, dust, gas, fumes, odors, or radiation, do not create fire or explosion hazards, and do not require outdoor storage, and ancillary retail and service establishments clearly incidental to primary uses.  |
| <b>HEAVY INDUSTRIAL</b>                |  |    |   |
| Heavy Manufacturing and Distribution   | Heavy Equipment/Farm Sales, Repair and Service   | IA | Subject to following conditions and location compatibility review:<br>1. The facility is not located closer than 300 feet to a residential, commercial, institutional, mixed-use, Town Center district or U.S. 29 Overlay boundary.<br>2. The sales or repair yard shall be completely enclosed with a  |

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|                          |                                |    | <p>solid opaque fence not projecting into the required front yard, not less than eight feet in height, to effectively screen storage and operations from public view.</p> <p>3. All repair bays visible from an adjacent ROW shall be oriented parallel to the roadway.</p> <p>4. Must meet standards of Article 7, Section 727 Open Display, and all applicable state/federal environmental regulations.</p>  |
| Distribution and Storage | Bulk Storage Tanks             | IA | <p>Subject to following conditions and location compatibility review:</p> <p>1. No above ground storage tanks may be located closer than 500 feet to the R-1, R-2, TC, MU, CB and O-I districts or U.S. 29 Overlay boundary.</p> <p>2. All storage is subject to approval of the fire department.</p> <p>3. Stored materials are not dangerous to public health, safety or welfare.</p>  |
|                          | Wrecked Motor Vehicle Compound | IA | <p>Subject to following conditions and location compatibility review:</p> <p>1. The yard is not located closer than 300 feet to a mixed-use, Town Center Overlay district or U.S. 29 Overlay boundary.</p> <p>2. The yard is completely enclosed with a solid opaque fence not projecting into the required front yard, not less than eight feet in height to effectively screen all storage and operations from public view.</p> <p>3. Meet all applicable state and federal environmental regulations.</p> |

|                           |   |    |  |
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|                           | Reclaimed Materials Processing Facility | IA | <p>A special use permit is required to operate a recovered materials processing facility on private property, subject to the following requirements:</p> <ol style="list-style-type: none"> <li>1. Activities shall be limited to collection, sorting, packaging, resale, and shipping.</li> <li>2. Collection area shall be screened by a solid opaque fence or similar screening to a height of six feet.</li> <li>3. All materials delivered outside of structure must be removed from any outdoor unloading area and brought into a fully enclosed interior space within a time limit as established per the special use permit.</li> <li>4. All materials collected shall not be visible once deposited in a bin or bunker. All sorting and collection bins shall be enclosed and stored inside a fully-enclosed building.</li> <li>5. A minimum distance of 1,000 linear feet is required for properties located adjacent to or across the street from any property used for or zoned for residential use.</li> <li>6. Lighting for such facilities shall be placed in such a fashion as to be directed away from any nearby residential areas.</li> </ol> |
| Production and Processing | Agricultural Processing                 | IA | <p>Subject to following conditions and location compatibility review:</p> <ol style="list-style-type: none"> <li>1. Are not public nuisances.</li> <li>2. Are not dangerous to public health, safety or welfare.</li> <li>3. Meet all applicable state and federal environmental regulations.</li> </ol>   |
|                           | Alternative Energy Production           | IA | <p>Subject to following conditions and location compatibility</p>  |

|       |                            |    |   |
|-------|----------------------------|----|---|
|       |                            |    | <p>review:</p> <ol style="list-style-type: none"> <li>1. Are not public nuisances.</li> <li>2. Are not dangerous to public health, safety or welfare.</li> <li>3. Meet all applicable state and federal environmental regulations.</li> </ol>   |
|       | Dry Cleaning Plant         | IA | <ol style="list-style-type: none"> <li>1. Dry cleaning plants using systems which make use of solvents rated at above 40 according to the Underwriters' Laboratories, Inc. Standard of Classification known as class I systems shall be prohibited.</li> <li>2. Dry cleaning plants which make use of solvents rated at more than five, but less than 40, according to the Underwriters' Laboratories, Inc. Standard of Classification, known as class II and III systems, shall not be established in buildings with other occupancy and shall only be established in buildings which shall be setback not less than 20 feet from any side or rear property line and another building.</li> <li>3. The applicant for such a plant shall certify in writing at the time of application that all the above conditions shall be met.</li> </ol> |
|       | Manufacturing, Processing  | IA | <p>Subject to following conditions and location compatibility review:</p> <ol style="list-style-type: none"> <li>1. Are not public nuisances.</li> <li>2. Are not dangerous to public health, safety or welfare.</li> <li>3. Meet all applicable state and federal environmental regulations.</li> </ol>  |
| Other | Prohibited Industrial Uses | IA | The following uses shall be prohibited in the IA district and may not be approved for the district, even as a special use:  |

|                              |  |                  |  |
|------------------------------|--|------------------|--|
|                              |  |                  | <ol style="list-style-type: none"> <li>1. Coal Burning Facilities;</li> <li>2. Paper and pulp manufacturers;</li> <li>3. Explosives, including fireworks manufacture or storage in bulk quantities;</li> <li>4. Garbage, offal, dead animal reduction or dumping;</li> <li>5. Mining and related activity;</li> <li>6. Quarrying and related activity;</li> <li>7. Stock yards, commercial;</li> <li>8. Conversion of energy by nuclear fusion or fission;</li> <li>9. Blasting.</li> <li>10. Salvage yard.</li> </ol>                               |
| <b>PUBLIC INFRASTRUCTURE</b> |  |                  |  |
| Utilities                    | Electric Substation or Gas Regulator Station | All zones        | <ol style="list-style-type: none"> <li>1. The structures are placed at least 50 feet from any property line.</li> <li>2. The structures are enclosed by a vinyl coated woven wire fence a minimum of eight feet in height.</li> <li>3. A minimum 25 foot buffer strip is provided along the side and rear property lines but, not extending into the required front yard, planted with evergreen trees and shrubs that grow at least eight feet in height to provide a visual screen.</li> <li>4. No vehicles are stored on the premises.</li> </ol> |
| <b>TEMPORARY USES</b>        |  |                  |  |
| Temporary Outdoor Events     | Yard Sale                                    | R-1, R-2, TC, MU | Yard sales, where permitted, shall not exceed three consecutive days for each yard sale. A yard sale on a particular property shall not occur more frequently than once in a six-month period.   |

(Ord. No. 2014-473, Exh. A, 9-8-2014; Ord. No. 2016-503, Exh. A, 6-13-2016; Ord. No. 2019-542 , 10-14-2019)

## **Article 14, Definitions**

*Amusement Game Room*, means any location, as provided in O.C.G.A. § 16-12-35(b), (c) or (d), where one or more bona fide coin-operated amusement machines are operated that permit non-cash redemption, as provided in O.C.G.A. § 16-12-35(d)(1)(A), (B), (C), or a combination thereof.