City of Lilburn
City Council Meeting Agenda

January 12, 2026, at 7:30 PM
Lilburn City Hall, 340 Main St., Lilburn, GA 30047

Council Members:
Johnny Crist, Mayor
Christina van Maanen, Post 1
Scott Batterton, Post 2
Mike Hart, Post 3
Emil Powella, Post 4

I. **Executive Session (if necessary)**

II. **Call to Order**

III. **Roll Call**

IV. **Oath of Office**

Administration of the Oath of Office for Newly Appointed Board Members and Re-Elected Council Members

V. **Pledge to the Flag**

VI. **Approval of Agenda**

VII. **Announcements**

1. Martin Luther King Jr. Day, City Hall and Library closed

January 19,2026, all day

2. Mayor Crist's Town Hall Meeting

January 20, 2026, 7:00PM - 8:15 PM @ Lilburn City Hall, Preston Room

3. Downtown Development Authority Meeting

January 21, 2026, 6:30 PM - 8:00 PM @ Lilburn City Hall, Work Session Room

VIII. Approval of Minutes

December 8th, 2025, City Council Meeting Draft Minutes

Documents:

DECEMBER 8, 2025, CITY COUNCIL MEETING DRAFT MINUTES.PDF

IX. Public Hearing

1. **Public Hearing Item No. 1- Approval of Ordinance No. 2026-663, an Ordinance amending the text of Appendix B – Article 7, Sec. 7.5 – Street Cuts of the Official Code of the City of Lilburn**

Text amendments are proposed to Appendix B, Article 7, Sec. 7.5 – Street Cuts, to provide for a visual detail for restoration of cobblestone roads in the event of street cuts for utility installation.

These amendments are proposed to ensure the proper restoration of Railroad Avenue in the event of street cuts for utility installation. Staff worked with the Developer and TSW to develop the detail per the manufacturers guidelines.

Public Hearing (Y/N)	Y
Department:	Planning
Presenter:	Reid Turner
Staff Recommendations:	Motion to APPROVE Ordinance No. 2026-663, an Ordinance amending the text of Appendix B – Article 7, Sec. 7.5 – Street Cuts of the Official Code of the City of Lilburn.
Department Head Approval:	Reid Turner
Mayor's Signature Required:	Yes

Documents:

PH ITEM NO. 1 - AGENDA FORM - DR TEXT AMENDMENTS.PDF
PH ITEM NO. 1 -ATTACH 1 - STAFF RECOMMENDATION.PDF
PH ITEM NO 1 - ATTACH 2 - DRAFT ORD NR. 2026-663 - DEV REG TEXT AMENDMENTS.PDF
PH ITEM NO. 1 - ATTACH 3 - DRAFT PC MEETING MINUTES - 12.18.25.PDF

X. Consent Agenda

All items listed below are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or citizen so requests, in which event the item will be removed from the Consent Agenda and considered separately.

XI. Agenda

1. **Agenda Item No. 1 - Approval of 2026 Mayor and City Council Appointments**

Each calendar year it is necessary for the Mayor and City Council to appoint the Mayor Pro-Tem, City Attorney, Legal Organ, Council Responsibilities, Municipal Judges and Solicitor(s), and members to all Commissions and Boards.

Public Hearing (Y/N)	N
Department:	City Clerk
Presenter:	Anja Peay
Staff Recommendations:	Motion to approve the various appointments presented.
Department Head Approval:	J. Simpkins
Mayor's Signature Required:	No

Documents:

AGENDA ITEM 1 - AGENDA FORM.PDF
AGENDA ITEM NO. 1 - ATTACH 1 - APPROVAL OF 2026 MAYOR AND CITY COUNCIL APPOINTMENTS.PDF

2. **Agenda Item No. 2 - Approval of Ordinance 2026-665, an Ordinance amending the text of Article IV – Judicial Branch Sec. 4-15**

This amendment will update Article IV Judicial Branch, Section 4-15 Rules of Court,

authorizing the Court to develop operating procedures, forms, and other documents. See text amendment in Exhibit A.

Public Hearing (Y/N)	N
Department:	Municipal Court
Presenter:	Roy Whitehead
Staff Recommendations:	Motion to approve Ordinance No. 2026-665, an Ordinance amending the text of Article IV Judicial Branch, Section 4-15 of the official code of the City of Lilburn.
Department Head Approval:	Jenny Simpkins
Mayor's Signature Required:	Yes

Documents:

AGENDA ITEM NO. 2 - AGENDA FROM.PDF
AGENDA ITEM NO. 2 - ATTACH 1 - ORDINANCE 2026-665.PDF

3. **Agenda Item No. 3 - Approval of Contract No. 2026-01, a settlement agreement with Francis Cole at no cost to the City of Lilburn.**

The city charged Frances Cole, owner of 4415 Lilburn Industrial Way, with 38 counts of various code violations, and the Municipal Court judge found Cole guilty of 35 of the 38 counts on February 20, 2025. Cole was fined $10,000 and placed on probation for 24 months. Cole filed a Petition for Review in the Gwinnett Superior Court. On September 10, 2025, the Superior Court vacated and set aside the judgement and sentence of the Lilburn Municipal Court. Lilburn filed a Petition for Discretionary Review with the Georgia Court of Appeals within 30 days, and the petition was granted.

Since this time, we've been working toward a Settlement Agreement. Staff recommends approval of the proposed Agreement, and it has been approved by Cole and her attorney.

Public Hearing (Y/N)	N
Department:	City Manager
Presenter:	Jenny Simpkins
Staff Recommendations:	Motion to approve Contract No. 2026-01, a settlement agreement with Francis Cole at no cost to the City of Lilburn.
Department Head Approval:	J. Simpkins
Mayor's Signature Required:	Yes

Documents:

AGENDA ITEM NO. 3 - AGENDA FORM.PDF
AGENDA ITEM NO. 3 - ATTACH 1.PDF
AGENDA ITEM NO. 3 - ATTACH 2.PDF

XII. 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. The City Clerk, 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 City Clerk, 340 Main Street, Lilburn, GA 30047, telephone number 770-921-2210.

City of Lilburn
City Council Meeting Draft Minutes

Draft

December 8, 2025, at 7:30 PM
Lilburn City Hall, 340 Main St., Lilburn, GA 30047

Council Members:
Johnny Crist, Mayor
Christina van Maanen, Post 1
Scott Batterton, Post 2
Michael Hart, Post 3
Emil Powella, Post4

I. Executive Session (if necessary)

II. Call to Order

Mayor Crist called the meeting to order at 7:35 pm.

III. Roll Call

IV. Pledge to the Flag

V. Approval of Agenda

Mayor Crist asked for a motion to approve the agenda. Councilmember Hart made the motion to approve, seconded by Councilmember Powella.

Motion passed 4-0.

VI. Announcements

1. Mayor Crist's Town Hall Meeting
   December 15, 2025, 7:00 PM - 8:15 PM @ Lilburn City Hall, Preston Room

2. Special-Called Downtown Development Authority Meeting
December 10, 2025, 6:30 PM - 8:00 PM @ Lilburn City Hall, Work Session Room

3. Christmas Eve, City Hall and Library closed
December 24, 2025, all day

4. Christmas Day, City Hall and Library closed
December 25, 2025, all day

5. New Years Day, City Hall and Library closed
January 1, 2026, all day

VII. Ceremonial Matter

Recognition of Cpt. Robert Worley

Mayor Crist spoke on Captain Worley's accomplishments and years of service. He presented Captain Worley with a certificate and extended well wishes for his retirement. Chief Dusik and Councilmember Batterton also spoke and shared personal anecdotes in recognition of Captain Worley's service.

VIII. Approval of Minutes

Mayor Crist asked for a motion, Councilmember van Maanen made a motion to approve the November 10, 2025, City Council Meeting Draft Minutes, seconded by Councilmember Powella.

Motion passed 4-0.

IX. Public Hearing

X. Consent Agenda

All items listed below are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or citizen so requests, in which event the item will be removed from the Consent Agenda and considered separately.

XI. Agenda

1. Agenda Item No. 1 - Approval of Ordinance No. 2025-661, an Ordinance amending the text of Chapter 62, Article II of the Official Code of the City of Lilburn

Mayor Crist asked for a motion. Councilmember Powella made a motion to approve Ordinance No. 2025-661, seconded by Councilmember Batterton.

Motion passed 4-0.

2. **Agenda Item No. 2 - Approval of Ordinance 2025-662, an Ordinance amending the text of Chapter 105, Section 307 of the official code of the City of Lilburn.**

Mayor Crist asked for a motion. Councilmember van Maanen made a motion to approve Ordinance No. 2025-662, seconded by Councilmember Powella.

Motion passed 4-0.

3. **Agenda Item No. 3 - Approval of Contract No. 2025-87, a contract with CIGNA for health, dental, and vision insurance for eligible employees from January 1 to December 31, 2026, at an estimated cost of $1,547,754. The City's portion of the premium is an estimated $1,208,229.**

Mayor Crist asked for a motion. Councilmember Hart made a motion to approve Contract No. 2025-87, seconded by Councilmember Powella.

Motion passed 4-0.

4. **Agenda Item No. 4 - Approval of Amendment No. 1 to Contract No. 78-2025, a contract with GMEBS for a defined benefit pension plan.**

Assistant City Manager Roy Whitehead explained an amendment was made to the Defined Benefit Pension Plan contract to ensure that employees may purchase years of service using funds saved in their 401 pension plans. This option was not available under the original contract.

Mayor Crist asked for a motion. Councilmember Powella made a motion to approve the Amendment to Contract No. 78-2025, seconded by Councilmember Batterton.

Motion passed 4-0.

XII. Adjournment

Mayor Crist adjourned the meeting at 7:49 pm.

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CITY OF LILBURN
PUBLIC HEARING ITEM NO. 1

Date:	December 19, 2025	**To: Mayor and Council**	December 19, 2025
From:	Reid Turner	**Department:**	Planning
Work Session/Reg. Mtg. Date Requested:	January 12, 2026	**Presenter:**	Reid Turner Planning Director
Agenda Item Type:	**Approval of Ordinance No. 2026-663, an Ordinance amending the text of Appendix B – Article 7, Sec. 7.5 – Street Cuts of the Official Code of the City of Lilburn**		
Audio/Visual Requirements:	Yes		

Agenda Item of Business (Background/History/Details):
Text amendments are proposed to Appendix B, Article 7, Sec. 7.5 – Street Cuts, to provide for a visual detail for restoration of cobblestone roads in the event of street cuts for utility installation. These amendments are proposed to ensure the proper restoration of Railroad Avenue in the event of street cuts for utility installation. Staff worked with the Developer and TSW to develop the detail per the manufacturers guidelines.

Staff Recommendations:
Staff recommends the following: "Motion to APPROVE Ordinance No. 2026-663, an Ordinance amending the text of Appendix B – Article 7, Sec. 7.5 – Street Cuts of the Official Code of the City of Lilburn**."**

Department Head Approval:	**Reid Turner, PD**

Mayor's Signature Required:	YES	NO

List Attachments:
1. **Staff Report and Recommendation** 2. **DRAFT Ordinance No. 2026-663** 3. **DRAFT Special Called PC Meeting Minutes 12.18.25**

Financial Information (For Financial Services Use Only)

Budgeted Yes/No	Fund Name & Code	Current Balance	Requested Allocation	City Manager's Initials

Staff Recommendation
Date of Report: December 16, 2025
Report by: Reid Turner, Planning Director

Public Hearing Dates
Special Called Planning Commission December 18, 2025
City Council January 12, 2026

GENERAL APPLICATION
City Zoning Ordinance Article 10, Section 1002 accommodates text amendments initiated by the Planning Department, Planning Commission or City Council. Planning Department. Text Amendments are proposed to **Article 7 Section 7.5 -Street Cuts** of the Lilburn Development Regulations to provide for a visual detail for restoration of cobblestone roads in the event of street cuts for utility installation.

Sec. 7.5. Street Cuts.

7.5.1 All utility construction plans within County right-of-way shall be reviewed and approved by the Department before construction begins. Street cuts shall not be allowed unless deemed absolutely necessary due to the presence of rock, the need to tap into an existing line beneath the road surface, or other circumstance which makes boring impossible or infeasible.

7.5.2 No street cut shall be authorized until such Street Cut Fees have been paid.

7.5.3 If approved, all trenches shall be backfilled and compacted the same day the trench is opened.

a. Trenches under the paving shall be returned to 95 percent compaction.

b. Trenches elsewhere shall be returned to 90 percent compaction.

c. See Section 6.7 for trench compaction and test requirements.

7.5.4 All trenches under paving shall be concreted with eight inches of Class "A" concrete base and one and one-half inch of type "E" or "F" wearing course asphalt is to be spread.

a. The paving cut shall be widened to a minimum of nine inches beyond the edges of the trench.

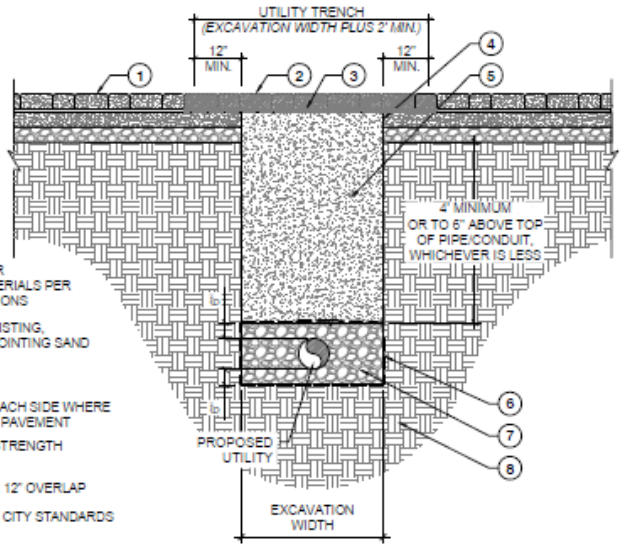
b. The edges of the paving cut shall be smooth.

7.5.5 Contact the Department or Department of Public Utilities for public utility extension information from the existing to the proposed development. Contact the Traffic Engineer at least 24 hours in advance of closure of traffic lanes.

7.5.6 The 'Standard Detail: Utility Cut – Paver Street,' dated December 16, 2025, is hereby adopted as a required restoration standard for any utility trenching or pavement cuts within the Railroad Avenue right-of-way where the existing surface consists of concrete pavers constructed in accordance with City of Lilburn

standards and associated base materials. The purpose of this standard is to ensure that cobblestone and paver street sections disturbed by utility work are restored with matching pavers, base, bedding, and jointing materials to preserve appearance, ride quality, and long-term pavement performance.

In addition to Railroad Avenue, this standard shall apply to any current or future public street, or portion thereof, constructed with a substantially similar concrete paver street section, including use of removable pavers, setting bed, base, geotextile, trench bedding, and flowable fill, as determined by the City Engineer or their designee. On all such streets, contractors shall comply with the general requirements and layer specifications shown on the 'Standard Detail: Utility Cut – Paver Street,' including manual extraction and reinstallation of pavers, use of flowable fill or approved alternate backfill, minimum trench widths and depths, and restoration of any disturbed pavement markings or devices.



DETAIL NOTES

1. EXISTING CONCRETE PAVERS PER CITY STANDARDS AND BASE MATERIALS PER MANUFACTURER RECOMMENDATIONS
2. REINSTATED PAVERS - MATCH EXISTING, INFILL JOINTS WITH POLYMERIC JOINTING SAND
3. SETTING BED - MATCH EXISTING (BITUMINOUS OR SAND BED)
4. SAW CUT VERTICAL EDGE - TYP EACH SIDE WHERE ABUTTING AN UNDERLYING BASE PAVEMENT
5. FLOWABLE FILL - COMPRESSIVE STRENGTH 200-250 P.S.I. IN 48 HOURS
6. NON-WOVEN GEOTEXTILE W/ MIN. 12" OVERLAP
7. TRENCH BEDDING MATERIAL PER CITY STANDARDS
8. COMPACTED SUBGRADE PER GEOTECHNICAL RECOMMENDATIONS

GENERAL REQUIREMENTS

1. **CONTRACTOR MUST CALL 811 TWO TO THREE BUSINESS DAYS IN ADVANCE OF ANY EXCAVATION IN ORDER TO IDENTIFY ANY POTENTIAL UTILITY CONFLICTS BEFORE WORK BEGINS.**
2. PAVERS TO MATCH EXISTING AND MUST BE INSTALLED PER MANUFACTURER'S RECOMMENDATIONS.
3. BASE AND COMPACTION PER GEOTECHNICAL RECOMMENDATIONS.
4. MATERIALS MUST CONFORM TO CITY OF LILBURN STANDARD SPECIFICATIONS. THESE SPECIFICATIONS MUST BE USED AS A REFERENCE WHEN ORDERING MATERIALS. ANY SUBSTITUTIONS TO THE MATERIALS REFERENCED HEREON MUST BE APPROVED BY THE CITY PRIOR TO INSTALLATION.
5. PAVERS MUST BE MANUALLY EXTRACTED BY THE CONTRACTOR AND SET ASIDE FOR UTILITY WORK UNTIL SURFACE IS READY FOR REPAIR. ANY DAMAGED PAVERS MUST BE REPLACED IN-KIND. REINSTATED PAVERS MUST BE MANUALLY INSTALLED.
6. WHERE IT IS IMPRACTICAL TO USE FLOWABLE FILL DUE TO TERRAIN, SLOPE, WIDTH OF TRENCH, OR OTHER SITUATIONS, ALTERNATIVE BACKFILL MATERIAL MUST BE APPROVED BY THE CITY.
7. WHERE LONGITUDINAL CUTS ARE MADE, THE CITY RESERVES THE RIGHT TO REQUIRE ADDITIONAL PAVERS TO BE RESET BEYOND THE LIMITS OF THE REPAIR TO ENSURE THE PROPER RIDING CHARACTERISTICS AND THE STABILITY OF THE PAVEMENT.
8. IF A PERPENDICULAR CUT TRENCH REACHES THE CENTERLINE OF THE ROADWAY, THE PAVER SURFACE MUST BE REPLACED FROM CURB TO CURB AND SHALL BE A MINIMUM OF TEN (10) FEET ON EACH SIDE OF THE CENTERLINE OF EXCAVATION.
9. WHERE EXISTING CONSTRUCTION AND EXPANSION JOINTS ARE ENCOUNTERED IN CONCRETE PAVEMENT CUTS, THE ENGINEER/INSPECTOR SHALL DESIGNATE LOCATION, SIZE, AND MATERIALS TO CONSTRUCT JOINTS IN THE NEW CONCRETE SURFACE.
10. ALL STREET CUTS SHALL BE SAWCUT THE FULL DEPTH OF CONCRETE OR DEPTH OF ASPHALT TOPPING (1-1/2" TYP.) PRIOR TO ANY OTHER DEMOLITION METHODS BEING USED.
11. THE CONTRACTOR THAT CUTS THE STREET SHALL BE RESPONSIBLE FOR REPLACING ANY SIGNAL LOOPS, PAVEMENT MARKINGS, SPEED HUMPS, OR OTHER DEVICES THAT ARE DAMAGED.
12. ALL EXCESS WATER, MUD AND UNSUITABLE MATERIAL MUST BE REMOVED FROM THE UTILITY TRENCH PRIOR TO BACKFILLING. ANY BACKFILL PLACED DURING A RAINY PERIOD OR AT OTHER TIMES WHERE EXCESS WATER CANNOT BE PREVENTED FROM ENTERING THE TRENCH SHALL BE CONSIDERED TEMPORARY AND MUST BE REMOVED AS SOON AS WEATHER PERMITS. ALL BACKFILLS SHALL BE COMPACTED AND SURFACED WITH A MINIMUM OF ONE (1) INCH COLD MIX OR HOT MIX ASPHALT TO IMPROVE TRAFFIC SURFACE UNTIL PERMANENT REPAIR CAN BE ACCOMPLISHED.

STANDARD DETAIL: UTILITY CUT - PAVER STREET

SCALE: NOT TO SCALE
DO NOT SCALE OR MEASURE THESE DRAWINGS
ISSUE DATE: 2025.12.16

CITY OF LILBURN

340 MAIN STREET
LILBURN, GEORGIA 30047
(770) 921-2210
WWW.CITYOFLILBURN.COM

Lilburn GEORGIA

City of Lilburn

in Gwinnett County

State of Georgia

Ordinance Number:

2026-663

DRAFT

Date of Reading and Adoption: January 12, 2026
At the meeting of the Lilburn City Council held at 340 Main Street, Lilburn, Georgia.

AN ORDINANCE TO AMEND THE OFFICIAL CODE OF LILBURN, GEORGIA,
Appendix B, Article 7, Section 7.5 – Street Cuts to provide for a construction detail for the restoration of Cobblestone/Paver roads in the event of a utility street cut.

WHEREAS: pursuant to Chapter 1, Section 1-6 of the City Code of Lilburn, the City Council is authorized to amend the City Code, including the Development Regulations, by official action; and

WHEREAS: the Planning Commission of the City of Lilburn, after duly advertised public notice, held a Special Called Public Hearing on December 18, 2025, to consider the proposed text amendments to the Development Regulations and, following deliberation, recommended approval to the City Council; and

WHEREAS: the City Council finds that the amendments, as set forth herein, are necessary and appropriate to promote the health, safety, convenience, order, prosperity, and general welfare of the present and future inhabitants of the City of Lilburn.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Lilburn, Georgia, sitting in regular session on January 12, 2026, that **Appendix B, Article 7, Section 7.5 – Street Cuts** –of the City of Lilburn is hereby amended as set forth in this ordinance**.**

BE IT FURTHER RESOLVED that this Ordinance shall be effective upon its adoption, and that all ordinances, regulations, or parts of the same in conflict with this Ordinance are hereby rescinded to the extent of said conflict.

This ordinance is effective immediately upon adoption and is adopted this 12th day of January 2026 by recorded vote of the Mayor and Council of the City of Lilburn.

SO ORDAINED this the 12th day of January, 2026.

APPROVED:

_____

Johnny Crist, Mayor City of Lilburn

ATTEST:

_____

Anja Peay, City Clerk

Sec. 7.5. Street Cuts.

7.5.1 All utility construction plans within County right-of-way shall be reviewed and approved by the Department before construction begins. Street cuts shall not be allowed unless deemed absolutely necessary due to the presence of rock, the need to tap into an existing line beneath the road surface, or other circumstance which makes boring impossible or infeasible.

7.5.2 No street cut shall be authorized until such Street Cut Fees have been paid.

7.5.3 If approved, all trenches shall be backfilled and compacted the same day the trench is opened.

a. Trenches under the paving shall be returned to 95 percent compaction.

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7.5.6 The 'Standard Detail: Utility Cut – Paver Street,' dated December 16, 2025, is hereby adopted as a required restoration standard for any utility trenching or pavement cuts within the Railroad Avenue right-of-way where the existing surface consists of concrete pavers constructed in accordance with City of Lilburn standards and associated base materials. The purpose of this standard is to ensure that cobblestone and paver street sections disturbed by utility work are restored with matching pavers, base, bedding, and jointing materials to preserve appearance, ride quality, and long-term pavement performance.

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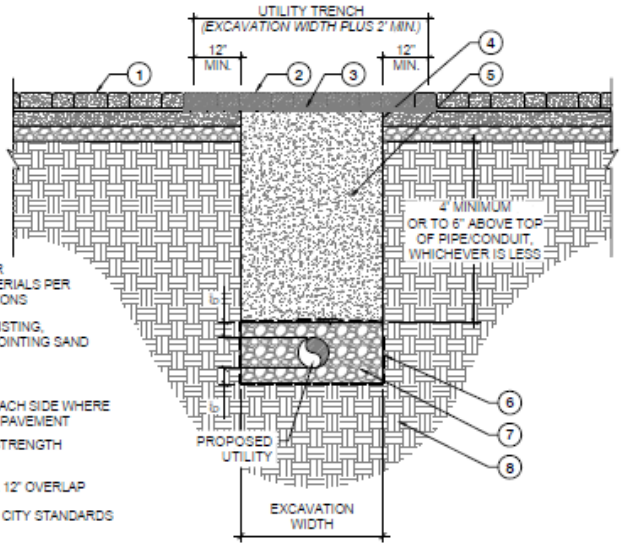

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ISSUE DATE: 2025.12.16

CITY OF LILBURN

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City of Lilburn
Planning Commission Meeting Minutes

DRAFT

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

Board Members:
Hugh Wilkerson, Chair
Kenneth Stephenson
Joe Gennusa
Beanie Danos
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.

12/18/2025 - Minutes

I. **Call to Order**

7:33 PM by Hugh Wilkerson, Chairman.

II. **Roll Call**

Present:

- Chairman Hugh Wilkerson
- Board member Beanie Danos
- Board member James Hampton
- Board member Kenneth Stephenson
- Board member Joe Gennusa

Absent:

- None

Staff Members Present:

- Reid Turner, Planning Director
- Matthew Ferreira, City Planner

III. **Approval of Agenda**

Motion by Board member, James Hampton. Motion seconded by Board member, Kenneth Stephenson. All voted for. Motion passes.

IV. **Approval of Minutes**

Motion by Board member, Kenneth Stephenson to approve Draft Meeting Minutes for the November 20, 2025 Planning Commission Meeting. Seconded by Board member, James Hampton. All voted for. Motion passes.

1. **DRAFT November 20, 2025 Special Called Planning Commission Hearing Minutes**

V. **Old Business**

1. **Development Ordinance Text Amendments**

Text amendments are proposed to Appendix B, Article 7, Sec. 7.5 – Street Cuts, to provide for a visual detail for restoration of cobblestone roads in the event of street cuts for utility installation.

Chairman Wilkerson asks for a staff report from Reid Turner, Planning Director.

Mr. Turner describes the City's intent to revitalize the streetscape of the Old Town District and the nature of the proposed text amendments, which is to provide details for a cobblestone-type paver roadway in the Development Regulations. The details would be provided in the instance that repairs may be needed in any future sections of roadway made of cobblestone.

Chairman Wilkerson asks if there are any comments or questions from the Board or the public. None heard.

Chairman Wilkerson asks the Board if there is a motion on the case.

Motion by Board member, Kenneth Stephenson to approve the text amendments. Seconded by Board member, Beanie Danos. All voted for. Motion passes.

VI. **New Business**

1. **SUP-2025-04**

Applicant, Mustangs LLC is requesting a Special Use Permit to allow for Automotive and Truck Service Center on the property located at 406 Pleasant Hill Rd, R6151 004. The subject property is comprised of 1.26+/- acres. The lot is zoned CB, Commercial Business.

Chairman Wilkerson asked for a staff report from Reid Turner, Planning Director.

Mr. Turner. described the history of the property as well as the zoning and use history of the property. Mr. Turner details the ownership and business licensing history of the property. Mr. Turner describes the application and the intent by the applicant with the proposed use on the property, how it is commensurate with surrounding uses, and that no development would be necessary on the property for the proposed use. Mr. Turner describes that the applicant intends to purchase the property to open a luxury auto repair shop that would specialize in the repair and maintenance of higher-end European automobiles and that the applicant intends to use the existing building with minimal exterior modifications and intend to comply with all Zoning and U.S. 29 Overlay District requirements. Mr. Turner states that after review, staff feels that the applicant is in substantial compliance with the guidelines governing the exercise of zoning power, and that as such would recommend approval of the Special Use Permit with conditions. Mr. Turner lists the recommended conditions per the Staff Analysis in the case of approval of the Special Use Permit. Mr. Turner states that all public advertisements were met by staff for this application and that no public comments have been received.

Chairman Wilkerson welcomes the applicant's representative to the podium.

Mr. Joe Logan comes to the podium to speak. Mr. Blank makes a point to state that the property has been used for some time as an auto service or auto-focused property and has been vacant for two years. Mr. Logan states his client, the purchaser's, plan to comply with the conditions recommended by staff. Mr. Logan states that the applicant intends to adhere to all planting requirements under the Special Use Permit, though he makes a point to clarify that the landscaping would need to come short of the entranceway, in his opinion, because he finds that it is a slight rise to get to Pleasant Hill Road and if landscaping were planted to closely to the entrance it would pose a safety concern for vehicles exiting the property. Mr. Logan requests guidance on how far the landscaping would need to go along the right-of-way.

Board member Danos asks Mr. Logan if the applicant currently owns the property or if they are waiting for a decision from Mayor and City Council to approve the Special Use Permit to close on the purchase of the property.

Mr. Logan responds stating that the applicant intends to purchase the property before the City Council meeting and that whether it passes or not, the applicant is under contract on the property. Mr. Logan adds that the nature of the property, if not approved, would become economically obsolete with the surrounding area.

Chairman Wilkerson opens the meeting to the public for any comments. None heard.

Chairman Wilkerson closes the public comment section.

Chairman Wilkerson asks the Board if there is a motion on the Special Use Permit case.

Motion by Board member, Beanie Danos to approve the Special Use Permit with the following revisions to conditions recommended by staff: revise Condition #1 to read "All cars stowed on the lot must have a valid,

current license plate and be screened from view of the right-of-way; and to add a condition (Condition #12) to read as follows, “Applicant shall be required to restore the vegetated buffer to the rear of the property to adequately screen business operations from the residential properties to the rear.”

Motion seconded by Board member, James Hampton. All voted for. Motion passes.

VII. Adjournment

Chairman Wilkerson asks the Board if there is a motion for adjournment.

Motion to adjourn by Board member, Kenneth Stephenson. Motion seconded by Board member, Beanie Danos. All voted for. Meeting was adjourned at approximately 7:43 PM.

Approved this _____ day of _____, 20__.

_____
Hugh Wilkerson, Planning Commission Chair

ATTEST:

_____

Matthew Ferreira, Secretary

CITY OF LILBURN
AGENDA ITEM NO. 1

Date:	12-18-2025	**To: Mayor and Council**	January 12, 2026
From:	Anja Peay	**Department:**	City Clerk
Work Session/Reg. Mtg. Date Requested:	January 12,2026	**Presenter:**	Anja Peay
Agenda Title:	**Approval of 2026 Mayor and City Council Appointments**		
Audio/Visual Requirements:	Yes/No/NA		

Agenda Item Description (Background/History/Details):
Each calendar year it is necessary for the Mayor and City Council to appoint the Mayor Pro-Tem, City Attorney, Legal Organ, Council Responsibilities, Municipal Judges and Solicitor(s), and members to all Commissions and Boards.

Staff Recommendations (Motion) :
Staff recommends the following: "Motion to approve the various appointments presented"

Department Head Approval:	**J, Simpkins**

Mayor's Signature Required:	YES	NO

List Attachments:
1. **2026 Appointments**

Financial Information (For Financial Services Use Only)

Budgeted Yes/No	Fund Name & Code	Current Balance	Requested Allocation	City Manager's Initials
				JS

2026 Appointments

Mayor Recommendations:

Mayor Pro Tem – Scott Batterton by Mayor Crist
Parliamentary Procedures – Robert's Rules of Order
City Attorney & Parliamentarian – Richard A. Carothers
Legal Organ – Gwinnett Daily Post

Council Responsibilities:

All council members will share equally in all areas of responsibility.

Municipal Court Appointments:

Municipal Judge – Charles L. Barrett, III
Associate Judge(s) – Carla Brown, Erica Dove
Pro Hac (Standby) Judge(s) – Kenneth Wickham, Jennifer Mann, Mike Greene
Solicitor – Kelsey Wiley, Bryan Brown, Laura Mayfield
Assistant Solicitor – Robert "Bob" Giannini

Board and Commission Appointments:

Board/ Commission	Appointed By:				
	Mayor Crist	Council Post 1 van Maanen	Council Post 2 Batterton	Council Post 3 Hart	Council Post 4 Powella
Planning Commission	James Hampton	Beanie Danos		Michael Delashmit	Ken Stephenson
Zoning Board of Appeals	Calum Lewis	Angie Ballard		George Churchill	David Hull
Merit Board	Beth Thompson	Monica Smith		Pamela Hart	Bruno Bischoff

Lilburn Downtown Development Authority:

Appointments to the Lilburn DDA are made every two years on a staggering basis.
Appointments are recommended by the Lilburn DDA and ratified by the Mayor and Council.
The current term of 2 board members concludes at the end of 2026.

Seat #	Current Appointment	Current Term Expiration Date	DDA Recommendation	New Term
1	Tom Mills	12/31/2028	NA	NA
2	Scott Mecredy	12/31/2028	NA	NA
3	Elmer Nash	12/31/2028	NA	NA
4	Hugh Wilkerson	12/31/2028	NA	NA
5	Mark DeArmon	12/31/2028	NA	NA
6	Joe Nocera	12/31/2026	NA	NA
7	Eddie Price	12/31/2026	NA	NA

CITY OF LILBURN
AGENDA ITEM NO. 2

Date:	December 128, 2025	**To: Mayor and Council**	January 12, 2026
From:	R. Whitehead	**Department:**	Municipal Court
Work Session/Reg. Mtg. Date Requested:	January 12, 2026	**Presenter:**	R. Whitehead
Agenda Title:	**Approval of Ordinance 2026-665, an Ordinance amending the text of Article IV – Judicial Branch Sec. 4-15**		
Audio/Visual Requirements:	No		

Agenda Item Description (Background/History/Details):
This amendment will update Article IV Judicial Branch, Section 4-15 Rules of Court, authorizing the Court to develop operating procedures, forms, and other documents. See text amendment in Exhibit A.

Staff Recommendations (Motion) :
Staff recommend the following: "Motion to approve Ordinance No. 2026-665, an Ordinance amending the text of Article IV Judicial Branch, Section 4-15 of the official code of the City of Lilburn."

Department Head Approval:	**JS**

Mayor's Signature Required:	YES	

List Attachments:
1. **Ordinance 2026-665** 2. **Exhibit A**

Financial Information (For Financial Services Use Only)

Budgeted Yes/No	Fund Name & Code	Current Balance	Requested Allocation	City Manager's Initials
N/A				JS

City of Lilburn

in Gwinnett County

State of Georgia

Ordinance Number:

2026-665

DRAFT

Date of Reading and Adoption: January 12, 2026
At the regular meeting of the Lilburn City Council

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LILBURN, GEORGIA, TO AMMEND ARTICLE IV – JUDICIAL BRANCH, SECTION 4-15 RULES FOR COURT.

WHEREAS, the City of Lilburn City Code, Article IV – Judicial Branch, Section 4-15, establishes the authority and responsibilities of the Municipal Court; and

WHEREAS, the effective administration of the Municipal Court requires flexibility to implement consistent and efficient internal practices; and

WHEREAS, allowing the Municipal Court to develop operating procedures, forms, and other documents supports orderly court operations and promotes clarity for court staff, litigants, and the public; and

WHEREAS, the Mayor and City Council of the City of Lilburn find it necessary and in the best interest of the city to amend Article IV – Judicial Branch, Section 4-15 of the City Code to expressly authorize that the court may develop operating procedures, forms, and other documents**.**

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Lilburn, Georgia, sitting in regular session on January 12, 2026, that Article IV – Judicial Branch, Section 4-15 of the Code of the City of Lilburn Georgia, be amended per exhibit A.

Approved:

_____

Johnny Crist, Mayor

ATTEST:

_____

Anja Peay, City Clerk
(Seal)

Exhibit A

Section 4.15. Rules for court.

With the approval of the city council, the judge shall have full power and authority to make reasonable rules and regulations necessary and proper to secure the efficient and successful administration of the municipal court; may develop operating procedures, forms, and other documents; provided, however, that the city council may adopt in part or in toto the rules and regulations applicable to municipal courts. The rules and regulations made or adopted shall be filed with the city clerk, shall be available for public inspection, and, upon request, a copy shall be furnished to all defendants in municipal court proceedings at least 48 hours prior to said proceedings.

CITY OF LILBURN
AGENDA ITEM NO. 3

Date:	December 22, 2025	**To: Mayor and Council**	January 12, 2026
From:	Jenny Simpkins	**Department:**	City Manager
Work Session/Reg. Mtg. Date Requested:	January 12, 2026	**Presenter:**	Jenny Simpkins
Agenda Title:	**Approval of Contract No. 2026-01, a settlement agreement with Francis Cole at no cost to the City of Lilburn.**		
Audio/Visual Requirements:	No		

Agenda Item Description (Background/History/Details):
The city charged Frances Cole, owner of 4415 Lilburn Industrial Way, with 38 counts of various code violations, and the Municipal Court judge found Cole guilty of 35 of the 38 counts on February 20, 2025. Cole was fined $10,000 and placed on probation for 24 months. Cole filed a Petition for Review in the Gwinnett Superior Court. On September 10, 2025, the Superior Court vacated and set aside the judgement and sentence of the Lilburn Municipal Court. Lilburn filed a Petition for Discretionary Review with the Georgia Court of Appeals within 30 days, and the petition was granted. Since this time, we've been working toward a Settlement Agreement. Staff recommends approval of the proposed Agreement, and it has been approved by Cole and her attorney.

Staff Recommendations (Motion) :
Staff recommend the following: "Motion to approve Contract No. 2026-01, a settlement agreement with Francis Cole at no cost to the City of Lilburn."

Department Head Approval:	**JS**

Mayor's Signature Required:	YES	

List Attachments:
1. **Contract No. 2026-01** 2. **Zoning Ordinance**

Financial Information (For Financial Services Use Only)

Budgeted Yes/No	Fund Name & Code	Current Balance	Requested Allocation	City Manager's Initials
N/A				JS

Contract No. 2026-01

IN THE SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

FRANCES M. COLE,	)	
Petitioner	)	**Civil Action File No.:**
	)	**25-A-02548-3**
v.	)	
	)	
CITY OF LILBURN, GEORGIA	)	**Municipal Court Case:**
Respondent	)	**Z24008787**
	)	

SETTLEMENT AGREEMENT

NOW COME, the City of Lilburn, Georgia ("City"), and Frances M. Cole ("Petitioner"), and enter into this Settlement Agreement which shall be a final and complete resolution of the above-referenced cases.

On July 23, 2024, the City filed an Accusation in the Municipal Court of Lilburn containing 38 counts. The counts all alleged that Petitioner had violated either the Lilburn Zoning Ordinance or other provisions of the ordinances of the City and that the violations were occurring on the property identified as 4415 Lilburn Industrial Way, Lilburn, Georgia (Gwinnett Tax Parcel R6133-003) ("Property"). Each count alleged that the violation was occurring on April 19, 2024. The Accusation was served on the Petitioner on July 24, 2024. The Petitioner pled not guilty to all charges, and a trial was held before the Municipal Court of the City of Lilburn on February 20, 2025. The Municipal Court found the Petitioner guilty on 35 of the 38 counts of the Accusation. The Municipal Court placed the Petitioner on probation for twenty-four (24) months and fined the Petitioner Ten Thousand Dollars ($10,000.00). The fine could be reduced by bringing the Subject Property into compliance with City of Lilburn ordinances within

certain time frames. The Petitioner filed a Petition for Review in the Gwinnett Superior Court within the time provided by law.

On September 10, 2025, the Superior Court entered an Order on Petition for Review that "vacated and set aside" the judgement and sentence of the Lilburn Municipal Court. On October 10, 2025, the City of Lilburn filed a Petition for Discretionary Review with the Georgia Court of Appeals. The Petition was granted on October 31, 2025.

The parties desire to enter into this Settlement Agreement to resolve all issues in the current litigation.

NOW THEREFORE, based on the promises and covenants set forth herein and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by the parties, the City of Lilburn and Frances M. Cole, do hereby agree as follows:

1. The City of Lilburn will dismiss its Appeal within five (5) days of the Effective Date of this Agreement, said date being defined below. The parties will enter into a Consent Order asking the Superior Court to Vacate its Order of September 10, 2025, and to enter an Order vacating and setting aside the decision of the Lilburn Municipal Court in Case No. Z24008787 and Approving this Settlement Agreement as the Final Order of the Superior Court in this action.
2. Frances M. Cole covenants not to sue the City of Lilburn for damages as a result of the City's actions against her related to this case, both at the Municipal Court as well as in the Superior Court.
3. The parties agree that the Property may be used for the grandfathered use of a "junkyard." For purposes of this Settlement Agreement, the term junkyard is defined as "Property used for indoor or outdoor storage, keeping or abandonment, whether or not for sale or resale, of junk including scrap metal, rags, paper or other scrap material, used lumber, salvaged house wrecking and structural steel materials and equipment or for the or abandonment of automobiles or other vehicles or machinery or parts thereof." For purposes of this Settlement Agreement, "junkyard" does not include the selling of automobiles and does not allow for the general public, a customer, or a potential buyer to pick or sort through items on the Property for the purposes of purchasing any item located thereon. The parties agree that this grandfathered use shall end on December 31, 2031, and that thereafter the Property

may not be used as a "junkyard" as defined herein.

4. The parties have come to a mutual agreement as to the lawful and legal uses allowed on the Property under the Zoning and Special Use Permit approved as 262-07 and the current City of Lilburn Zoning Ordinance and agree that the uses set forth below are legal and lawful uses for the Property: any of the following uses which are not allowed under any future properly adopted amendments to the City of Lilburn Zoning Ordinance and which are being conducted on the Property now or prior to the adoption of that amendment shall be considered lawful non-conforming uses and shall be subject to the provisions of Section 903 of the City of Lilburn Zoning Ordinance which reads as follows:

Section 903. Nonconforming use.

A nonconforming use may be continued even though such use does not conform with the use provisions of the zoning district in which said use is located, except as otherwise provided in this section.
1. *Change of use.* A nonconforming use shall not be changed to another nonconforming use. A change in tenancy or ownership shall not be considered a change to another nonconforming use, provided that the use itself remains unchanged.
2. *Discontinuance or abandonment.* A nonconforming use shall not be reestablished after discontinuance or abandonment for one year. Vacancy and/or non-use of the building, regardless of the intent of the owner or tenant, shall constitute discontinuance or abandonment under this subsection. If an occupation certificate is required for said nonconforming use and the occupation certificate has lapsed for more than six months, said lapse of occupation certificate shall constitute discontinuance.
3. *Expansion.* A nonconforming use shall not be expanded, enlarged or extended, in land area or in floor space or volume of space in a building or structure, except for a use which complies with the zoning district in which said use is located.
4. *Repair.* A nonconforming use shall not be rebuilt, altered or repaired after damage exceeding 50 percent of its replacement cost at the time of damage as determined by the Planning Department, except for a use which conforms with the zoning district in which said use is located, and provided such rebuilding, alteration or repair is substantially completed within one year of such damage.

LEGAL USES

A. Tow Service, which is defined as an establishment that dispatches towing vehicles and which provides for the temporary storage of vehicles but does not include disposal, disassembly, salvage, or accessory storage of inoperable vehicles. This use does not include a salvage yard or junkyard as that term is defined herein.

B. Wrecked Motor Vehicle Compound, which is defined as an area used to store

disabled or impounded vehicles until such time as their disposition (either by junk, salvage, repair, etc.) has been determined by the insurance company, the owner of the vehicle, or his legal representative. The area where the vehicles are stored must be surrounded by an eight foot fence and the vehicles may not be visible from the public right of way. This use does not include a salvage yard or junkyard as that term is defined herein.

C. Baking Plants

D. Building Material or Other Outdoor Storage Yards including the storage of operable vehicles such as, but not limited to, automobiles, recreational vehicles, boats, work trailers and commercial trucks.

E. Cold Storage Plants

F. Soft Drink Bottling and Disturbing Plants

G. Truck Terminals

H. Wholesaling and Warehousing

I. Newspaper and Printing Plants

J. Office or Office Parks

K. Taxidermists

L. All industrial uses that:

   a. Are not public nuisances

   b. Are not dangerous to the public health, safety or general welfare

   c. Meet all applicable state and federal environmental regulations.

M. All uses permitted as a right in the I-A (Industrial Area) under Article 6 of the of Lilburn Zoning Ordinance as of the date of this Agreement, which is attached hereto as Exhibit A.

5. Petitioner agrees to install a six-foot chain-link fence across the entire frontage of the Property at the location of the current fence line and to install a locked or automated gate on the fence to restrict vehicular access to the Property. The general public, customers, and potential buyers will not be allowed access to the areas of the Property where wrecked or damaged vehicles are stored, and Petitioner will provide for at least three (3) identified parking spaces for any

customers. Petitioner further agrees to install a landscape buffer of Green Giant Arborvita trees within the ten feet in front of the fence at appropriate spacing to create a visual screen. The trees will be approximately six feet in height at the time of planting and shall be spaced so that at the time of planting, there shall be a visual screen. The driveway located on the Property and all areas where vehicles will be driven or parked will be covered with a layer of #57 stone and topped with asphalt millings to reduce dust and create a clean appearance.

6. The City shall provide Petitioner a 2025 Occupation Tax Certificate/ Business license for the business of towing and recovery within three business days of the Effective Date of this Agreement.
7. The Effective Date of this Agreement shall be the date that the Agreement is signed by the last part signing the Agreement.
8. The parties acknowledge that a portion of the Property is being legally used for a cell tower in accordance with a recorded Perpetual Easement Agreement. The parties agree that this use is lawful and the use shall be allowed to continue and shall not be affected by the terms of this Settlement Agreement.
9. This Settlement Agreement shall be binding on the parties, their successors and assigns and shall be recorded on the public deed records of Gwinnett County, Georgia to place the public on notice of the lawful uses of the Property.

Agreed to this 2 day of December, 2025.

Frances M. Cole

V. Lee Thompson, Jr., Esq.
Georgia Bar No. 710050
Attorney for Petitioner Frances M. Cole
Pereira. Kirby, Kinsinger & Nguyen, LLP.
P.O. Box 1250
Lawrenceville, Georgia 30046

770-963-2997 (Phone)
lthompson@pkknlaw.com

Agreed to this ____ day of _____, 2025.

City of Lilburn

By: _____

Title: _____

Attest: _____

Title: _____

(CITY SEAL)

_____

Angela Couch
Georgia Bar Number: 190005
Attorney for the City of Lilburn
Carothers & Mitchell, LLC
1809 Buford Highway
Buford, GA 30518
678-730-0444
Angela.couch@carmitch.com

[Signature Page for Settlement Agreement between Frances M. Cole and the City of Lilburn]

EXHIBIT

A

ARTICLE 6. USE AND SUPPLEMENTAL CONDITIONS TABLES

Section 601. How to use this table.

Each table looks similar to the example below:

PUBLIC INFRASTRUCTURE	SPECIFIC USES	R-1	R-2	MU	OT	CB	O-I	I-A	U.S. 29	Section Reference	Comment/Condition

Transit	Bus, train, or taxi lots and facilities					S		S	S		
	Parking Lot, Deck			P 1	S	P 1	P 1	P 1	S		20 acre minimum for commercial vehicle storage lot.
	Passenger Facilities	P	P	P	P	P	P	P	P		Includes transit stops, GTC stations.
Utilities	Cellular/Wireless Communication Tower			S	S	S	S	S	S	Ch. 117	New Towers. Refer to Telecommunications Towers and Antennas Code for alterations
	Electric Substation or Gas Regulator Station	C	C	C	C	C	C	C	C	Article 6: Sec. 603	As deemed required for location to serve land uses in vicinity.
	Public Utility Facilities	C	C	C	C	C	C	C	C		

- First column lists general groupings (e.g. Public Infrastructure Types for the category listed in the column header (Public Infrastructure)).
- Second column lists specific uses.
- Middle columns represent each City of Lilburn zoning and/or overlay district (OT, and U.S. 29), with a use code.
- The letters corresponding to use codes are as follows:

Blank	Use is **Not Permitted** in that district
P	Use is **Permitted** in that district, subject to comments, Supplemental Conditions (Sec. 603), Specific Use Provisions (Article 7) and business licensing restrictions.
C	Use is **Permitted subject to Administrative Conditional approval,** requiring the Planning Director or designee to review and apply conditions as specified in: Use Table; Supplemental Conditions Table (Sec. 603); and/or Specific Use Provisions (Article 7) in addition to relevant conditions imposed during the review and approval process.
S	Use requires a **Special Use Permit**, requiring public hearing and subject to conditions and approval by City Council.
P 1	Use is Permitted, but only as an **Accessory Use** to a principal use. This letter code does not pertain to those uses specifically identified under the column header 'Accessory Uses'

- Section Reference column indicates ordinance section number(s) with additional standards related to the specific use either in the Supplemental Conditions Table (Article 6 - Section 603): or Article 7.
- Comment/Condition column indicates applicable additional information, conditions or restrictions pertaining to a use for implementation in a particular zoning or overlay district.

(Ord. No. 2016-503, Exh. A, 6-13-2016; Ord. No. 2022-596, Att. 1, 11-14-2022; Ord. No. 2023-602, Exh. A, 5-8-2023; Ord. No. 2023-603, Exh. A, 6-12-2023)

Section 602. Use table.

SPECIFIC USES		R1	R2	MU*	OT	CB	O-I	IA	U.S. 29	Section Reference	Comment/ Condition
*Upon Master Concept Plan approval											
RESIDENTIAL USES											
Residential Dwelling Types	Single-family Detached	P	P	P	P						See development standards for minimum unit size and lot configurations.
	Single-family (cluster-cottage, creative lot configuration)	P	P	P	P	S			S	U.S. 29 Overlay Provisions	Permitted as part of a mixed-use development in CB under the U.S. 29 Overlay with Concept Plan review.
	Single-family Attached (fee simple)		S	P	P	S			S	Sec. 734 U.S. 29 Overlay Provisions Art. 7	Permitted as part of a mixed-use development in CB under the U.S. 29 Overlay with Concept Plan review.
	Single-family Attached (condominium)		S	P	P	S			S	Sec. 734 U.S. 29 Overlay Provisions	Permitted as part of a mixed-use development in CB under the U.S. 29 Overlay with Concept Plan review.
	Boarding and Rooming Houses		S								Limited to not more than 10 non-transient boarders.

	Residential as Component of Mixed-Use Building			P	P	S			S	Sec. 603 U.S. 29 Overlay Sec. 702	Includes accessory apartments and condo or MF units above or behind ground floor commercial in MU and CB under the U.S. 29 Overlay.
	Conservation Subdivision	S	S							Art. 7	Conditions apply.
	Duplex		S	P	P					Sec. 734 U.S. 29 Overlay Provisions Art. 7	
	Live/Work Residence			P	P				P	Sec. 603	Permitted in mixed-use, OT Overlay, and U.S. 29 Overlay. Where resident's business is located.
	Manufactured/Modular Home	C								Art. 7	Mobile home on axles and wheels excluded. Includes pre-fab/modular.
	Multi-family Attached Condominium		S	P	S	S			S	Sec. 736 U.S. 29 Overlay Provisions	Permitted as part of a mixed-use development in CB under the U.S. 29 Overlay with Concept Plan review.
	Multi-family (other)		S	P	S	S			S	Sec. 736 U.S. 29	Permitted as part of a mixed-use development in CB

										Overlay Provisions	under the U.S. 29 Overlay with Concept Plan review.
	Multi-Family (age restricted)		S	P	S	S	S		S	Sec. 603 Sec. 736 U.S. 29 Overlay Provisions	Permitted as part of a mixed-use development in CB under the U.S. 29 Overlay with Concept Plan review. In OT, density restricted to 18 du/ac.
ACCESSORY USES											
Dwelling Uses	Accessory Use — attached	P	P	P	S	S			S	Art. 7, Sec. 701 and Sec. 702	
	Amateur Radio Transmitter	P	P	P	P	P	P	P	P		
	Caretaker or Watchman Quarters					P	P				As an accessory use.
	Community Amenity Recreation Facility (subdivision tennis courts and/or pool or building)	P	P	P	S	P			P		Permitted as part of a mixed-use commercial project in CB under U.S. 29 Overlay in MU. Commercial standards apply.
	Conservation and/or Common Area	P	P	P	P	P	P	P	P		Permitted when integrated into site plan as non-primary use and recorded on final plat.

	Dormitory			P			P				Permitted as ancillary supporting use to a hospital use, medical facility, or associated educational facility.
Residential	Home-based Occupation	C	C	C	C	C	C		C	Art. 716	Subject to HO criteria and licensing. In OI and CB, permitted in existing residential dwellings only.
	Pet House Structure	P	P	P	P						Restricted to rear yard setback area. No kennels.
	Private Tennis Court	P	P	P	P					Art. 7	Administrative conditional approval required for lighting.
	Storage Shed	P	P	P	P						Rear yard only. Subject to setback, bldg. separation and material review.
	Swimming Pool (private)	P	P	P	P					Art. 7	Subject to structure separation and fencing requirements.
Business	Farm Stand Sale of Products Produced on Premises	C			C						Requires a temporary use permit in nonresidential districts and subject to minimum lot size

											and setback requirements.
	Personal Hair Salon	S	S								Single family residence only.
	Short Term Rental	C	C	C	C	C			C	Art. 7	Compliance inspections and business license apply.
Agricultural	Non-commercial Keeping of Fowl/Livestock	C								Art. 7	Subject to minimum lot size and setback requirements on private lot.
	Non-commercial Agriculture	C									Subject to minimum 1 acre lot size, R-1 minimum setback, and floodplain requirements on private lot.
	Agricultural/Livestock Accessory Buildings and Uses	P						P			Includes ponds, fishing lakes, barns, storage/tack sheds. Subject to minimum lot size and setback requirements.
	Private Horse Stables Riding for Residents	C								Art. 6, § 603	Subject to minimum lot size and setback requirements.
PARKS AND RECREATION USES											
Parks and Trails	Community Garden	P	P	P	P	P	P		P		
	Parks	P	P	P	P	P	P	P	P		Permitted use under U.S. 29 Overlay under O-I district.

											The planning director may designate certain areas in parks as allowing dogs and/or other pets to be off-leash.
	Passive Open Space	P	P	P	P	P	P	P	P		Includes greens and non-paved common areas in mixed-use commercial projects in MU and CB under U.S. 29 Overlay.
	Walking Trails/Greenway	P	P	P	P	P	P	P	P		
Community Sports Facilities	Athletic Fields (with lights)	S			S	P	S	P	S		
	Athletic Fields (non-lighted)	S		P	S		P	P	P		
	Community Center/Gymnasiums	S	S	P	S	P	P	P	P		
	Public Swimming Facilities	S	S	S	S	P	P	P	P		
	Public Tennis Facilities	S	S	S	S	P	P	P	P		
PUBLIC/INSTITUTIONAL USES											
Care Facilities	After School Program	C	C	C	C	P	P	P	P	Art. 6, § 603	Permitted in conjunction with a family day care facility in a residential unit, or daycare center in commercial districts.
	Continuing Care Retirement Facilities			S	S	S	P	P	S	Art. 7	May include many levels of

											independent living through nursing home care.
	Day Care Center Facilities (all ages)			C		C	C	C	C	Art. 7	
	Family Daycare Home	C	C	C	C					Art. 7	
	Group Home (small)	S	S	S			S			Art. 7	A community living arrangement with 6 or fewer unrelated adults in a residence, plus caretakers. In R1 & MU limited to 4 adults.
	Group Home (large)		S	S						Art. 7	A community living arrangement with 7 to 12 persons plus caretakers.
	Halfway House				S		S	S			Transitional Housing Facility.
	Homeless Shelter						S	S			
	Hospitals			P			P	P	P		
	Hospice			P		P	P	P	P		
	Institutional Residential Living and Care Facility			S	S	S	P	P	S	Art. 7	Includes assisted living facility, intermediate care home, nursing home, skilled nursing care facility.
Assembly	Assembly Hall			P	P	P	P		P		

	Banquet Halls			P	P	P			P		Min. Square footage requirements for alcohol sales (see Article 6) Prohibited as an accessory use unless associated with a Hotel.
	Club, Private			P	P	P	P	P	P		
	Community Center				P	P	P	P	P		City, Gwinnett County or Non-profit.
	Hookah/Vapor Bar or Lounge					C			C	U.S. 29 Overlay Provisions	Subject to Sec. 735, city licensing and other State laws.
	Meeting Hall, Fraternal Organization, Civic Clubs or Lodges			P	P	P	P	P	P		Non-commercial - not for profit (VA, Elks, Masons, Greek Fraternity). No overnight lodging.
	Religious Assemblies	S	S	S	P	P	P	P	P	Art. 7	
Public Safety/Government	Fire and Police Stations	P	P	P	P	P	P	P	P		
	Government Buildings/Facilities	P	P	P	P	P	P	P	P		Includes post office.
Educational	Educational Facilities (Public)	S	S	S	S	S	S	S	S	Art. 7	
	Library	P	P	P	P	P	P	P	P		
	Museum	P	P	P	P	P	P	P	P		
	Private, Vocational, Trade Schools					S	S	S	S	Art. 7	
PROFESSIONAL SERVICES											

Business Office	Accounting Firm, Bookkeeper Offices			P	P	P	P	P	P		
	Administration			P	P	P	P	P	P		
	Advertising Agency			P	P	P	P	P	P		
	Architect, Engineer, Land Development Office			P	P	P	P	P	P		
	Auto Leasing and Brokerage Office			P	P	P	P	P	P		Internet sales only, no display or inventory.
	Brokerage Firm			P	P	P	P	P	P		
	Consulting Firm			P	P	P	P	P	P		
	Corporate Headquarters			P	P	P	P	P	P		
	Employment Agency			P	P	P	P	P	P		
	Financial Institutions			P	P	P	P	P	P		Automatic teller as accessory use.
	Insurance Sales			P	P	P	P	P	P		
	Law Firm/Attorney			P	P	P	P	P	P		
	Real Estate Office			P	P	P	P	P	P		
	Secretarial Services			P	P	P	P	P	P		
	Travel Agency			P	P	P	P	P	P		
Medical/Clinical	Chiropractor			P	P	P	P	P	P		
	Counseling Services			P	P	P	P	P	P		
	Dentist/Orthodontist/Oral Surgeon			P	P	P	P	P	P		
	Doctors' Office			P	P	P	P	P	P		
	Medical Clinic/Emergency Care			P	P	P	P	P	P		Pain Mgmt. further restricted by licensing requirements (distance to sensitive uses).

	Veterinary Clinic			C		P		P	P		Grooming and care allowed. No outdoor boarding. Adaptive reuse of dwelling permitted in MU.
	Veterinary Clinic with Outdoor Kennel					S		P	S	Art. 6, § 603	Outdoor boarding. May include large animals as appropriate.
Other	Charitable Institution (office)			P	P	P	P	P	P		
	Public Utility or Other Similar Professional Office			P	P	P	P	P	P		Public office in MU and CB limited to tenant or component of mixed-use, office park, or commercial center.
	Office Park			S		S	S	P	S	Art. 6, § 603	
	Office Condominiums			P	P	P	P	P	P		
	Other Similar Professional Office Uses Not Specified			C	C	C	P	P	C		Subject to administrative conditional approval.
COMMERCIAL											
Personal Services	Barber Shop, Hair Salon			P	P	P	P	P	P		
	Clothing Alterations			P	P	P			P		Includes tailors and seamstresses.
	Dance/Fitness/Karate Studio			P	P	P		P	P		Limited to 2,500 sq. ft. in MU* and OT.

	Dry Cleaner and Laundry Facilities (no drive-thru)			P		P		P	P		Includes delivery, pick up and self-service facilities, limited to 2,500 sq. ft. of total floor space.
	Dry Cleaner (with drive-thru)					C		P	C	Art. 7	Limited to 2,500 sq. ft. No less than 3 vehicle stacking for drive through.
	Nail Salons			P	P	P	P	P	P		Subject to licensing requirements.
	Laundromats					P		P			
	Music and Art Instruction			P	P	P		P	P		Includes ancillary sale of equipment, instruments and accessories.
	Shoe Repair			P	P	P		P	P		
	Tanning Salons			P	P	P		P	P		
	Weight Loss/Nutrition Centers			P	P	P		P	P		
	Other Similar Personal Services Not Specified			C	C	C		C	C		Subject to licensing and distance requirements from sensitive uses in all districts.
Food and Convenience Stores	Bakery			P	P	P		P	P		
	Candy Stores			P	P	P		P	P		
	Convenience Store w/out Gas Pumps			C		P		P	P		No automatated car wash as an

											accessory use permitted in MU.
	Convenience Store w/Gas Pumps			S		S		P	S	Art. 6, § 603 Art. 7	Automated car wash as accessory use permitted only in CB.
	Drug Store w/Drive Thru Pharmacy			C		P	P	P	P		Administrative conditional approval required with Drive-Thru in MU. No less than 3 vehicle stacking for drive through.
	Fruit and Nut Stores			P	P	P		P	P		
	Grocery Stores			C		P		P	P	Art. 7	Square footage limitations in MU.
	Health, Nutrition and Vitamin Food Stores			C	C	P		P	P		Limited to 2,500 sq. ft. in MU and OT.
	Ice Cream Shops			P	P	P		P	P		
	Newsstands			P	P	P	P	P	P		
	Specialty Food Stores			P	C	P		P	P		Includes ancillary catering services. Square footage limitations in TC.
Dining	Bars, Taverns, Microbrewery			S	S	S		P	S	Art. 7	Permitted with food service only and administrative conditional review.
	Cafes and Coffee Shops			P	P	P	P[1]	P	P		Permitted in O-I as accessory use.

	Restaurants (no drive-thru)			P	P	P		P	P		Includes bar or lounge subject to liquor sales licensing.
	Restaurants (with drive-thru)			S		S		P	S		No less than 3 vehicle stacking for drive through.
	Wine Shop				P	P			P		Subject to City and State Licensing requirements. Permitted as a primary use or accessory use to a Restaurant (no drive-thru) only.
Clothing	Bridal, Formal Wear			P	P	P		P	P		
	Clothing Store, Boutique or Similar			P	P	P		P	P		
	Consignment Store			P	P	P		P	P		
	Maternity Shop			P	P	P		P	P		
	Shoes or Children's Shoes			P	P	P		P	P		
	Specialty Store			P	P	P		P	P		Includes leather shops, uniform stores, women's foundations/lingerie.
Artists and Craftsmen's Stores	Antique Store			P	P	P		P	P		Refurbishing and restoration only in IA.
	Artists' Studios and Galleries			P	P	P		P	P		Includes pottery.

	Art/Hobby/Craft/School Supply Shop			P	P	P		P	P		Big Box prohibited in MU and OT.
	Frame Shops			P	P	P		P	P		
	Interior Design Services and Shop			P	P	P		P	P		Maximum 2,500 sq. ft. building limitations in OT.
	Music Studio, With Accessory Sales			P	P	P		P	P		
	Photography Sales and Studios, Film Developing			P	P	P		P	P		
Specialty Retail	Bicycle Store			P	P	P		P	P		Temporary outdoor display only.
	Bookstores			P	C	P		P	P		Limited to 2,500 sq. ft. in OT.
	Camera/Photo Supply			P	P	P		P	P		
	Cellular Phone Vendor Sales and Service			P	P	P		P	P		
	Cigar Shops			P	P	P		P	P		
	DVD, Computer Game, and CD Music Rental and Retail Stores			P	P	P		P	P		Big box prohibited in MU and OT. Equipment sales limited to accessories and software.
	Fabric Shop			P	P	P		P	P		
	Florist			P	P	P	P	P	P		
	Furniture Repair and Upholstery			C		P		P			Limited to 2,500 sq. ft. in MU.
	Gift Shops			P	P	P	P[1]	P	P		Accessory use in O-I.

	Hardware Store			C	C	P		P	P		Big Box prohibited in MU and TC. No outside storage.
	Jewelers			P	P	P		P	P		Includes repair.
	Locksmith			P	P	P		P	P		
	Mailbox, Copy and Mailing Service			P	P	P	P	P	P		
	Musical Instrument Sales and Repair			P	P	P		P	P		
	Optical and Hearing Center			P	P	P	P	P	P		
	Pest Control Business			P	P	P		P	P		
	Pet Supply, Pet Shop, w/Grooming			P	C	P		P	P		Size limitations of 2,500 sq. ft. building space in OT. No outdoor facilities.
	School Supply			P	P	P		P	P		
	Small Appliance, Electronics Sales and Service			P		P		P	P		Includes TV, stereo equipment, DVD and similar electronics.
	Stationary Shop			P	P	P		P			
	Toy Store			P	C	P		P	P		Subject to 2,500 sq. ft. building space restriction in OT.
Other	ATM Bank Machines			P	P	P		P	P		
	Bed and Breakfast Inn				S	S			S	Art. 7	Allowed in OT under R-1 zoning.
	Hotel/Motel			P		P			P		No extended stay allowed.
	Kennels							C			All structures and elements used for

											housing animals shall be located at least 300 feet from dwelling or business on any property.
	Funeral Homes/Crematories					P		P	P	Art. 6, § 603	Crematory allowed in conjunction with funeral home. Stand-alone crematories subject to state law.
	Cemetery—New		S			S [1]	S			Art. 6, § 603	New cemetery allowed as accessory to funeral home in CB.
	Planned Commercial Center			C		P		P	P		Within MU, limited to 8,000 square feet per acre.
	Radio, Recording, TV Studios and Broadcasting					P		P	P		
	Similar specialty uses and services not specified			P	P	P	P [1]	P	P		Subject to administrative conditional approval. Retail and service are incidental uses in O-I districts.
Shops and Stores	Big Box Retail Stores					P			P		Includes wholesale/retail.
	Boat Sales and Service					S		P	S		Subject to auto sales and service requirements.

	Computer Sales and Service			P	P	P		P	P		
	Contractor's Office (Building, Electrical, Plumbing Contractor)			P	P	P	P	P	P		Office functions only in MU, OT, CB and US29.
	Contractor's Offices with Outdoor Storage					S		P	S	Art. 6, § 603 Art. 7	
	Copy Centers and Print Shops			C	C	P		P	P		Size limitations of 2,500 sq. ft. building space in MU and OT.
	Department Stores, Discount Stores			C		P		P	P		Size limitations of 2,500 sq. ft. building space in MU and OT.
	Furniture Stores and Showrooms				C	P		P	P		Size limitations of 2,500 sq. ft. building space in OT.
	Garden Supply, Nursery and Greenhouses			P	C	P		P	P		Greenhouse must be enclosed within principal building. Limited to 2,500 sq. ft. in MU or OT.
	Home Improvement Center with Garden Centers				P	P		P	S	Art. 6, § 603	With outdoor storage. In IA, may include open mulch/ground cover storage.
	Retail Package Stores, Liquor Stores			S	S	S		S	S	Art. 7	
	Photocopy and Reproduction Service				P	P		P	P		
	Shoe Stores			P	P	P		P	P		

	Sign Shops					P		P	P		
	Sporting Goods Stores			C	P	P		P	P		Limited to 2,500 sq. ft. in MU. No on-site uniform fabrication or screening.
	Weaving, Knit, Needlecraft Shop			P	P	P		P	P		Includes instruction.
Auto and Equipment Oriented Uses	Auto Supply and Accessory Store					P		P	P		No service, installation or repair.
	Auto and Truck Service Center					S		P	S	Art. 6, § 603	Includes oil/lubrication and similar maintenance repair. No body or paint repair.
	Auto and Truck Dealership					S		P	S	Art. 6, § 603	Includes limited service. No body repair.
	Auto Rental Agency					C		P	C		Office with no service or repair. Must have designated parking spaces in multi-tenant centers and CB/U.S. 29
	Car Washes and Detailing					S		P	S	Art. 7	Includes self-service. Buildings must be oriented so that wash bays do not directly face U.S. 29.
	Emission Inspection					S		P	S		Stand-alone.
	Equipment Rental and Sales					P/S		P			Excluding heavy equipment with no

											service. SUP required for service and outside storage.
	Heavy Equipment Rental, Sales or Service					S		P			Includes heavy equipment, bulldozers, backhoes, forklifts, cranes, and similar. SUP required for outside storage or display in CB. Excludes heavy repair.
	Gas and Service Stations					S		P	S	Art. 7	Stand-alone only.
	Motorcycle Sales and Service					S		P			No outdoor service. Outside storage shall be screened.
	Tire Store					S		P	C	Art. 6, § 603	Installation and service permitted only in enclosed bays. In U.S. 29 Overlay, subject to design criteria.
	Vehicle Storage Lots					S		S		Art. 7, § 733	Minimum lot size 20 acres, security fencing required, no sales, service, washing, or detail operations on premises, and no junk vehicles.

Supply and Wholesale	Building Supply, Equipment Sales and Showroom with Outdoor Storage					P		P	S	Art. 6, § 603	Includes cabinets, kitchen, pool, lumber, electrical plumbing, and similar uses.
	Office Supply Stores					P		P	P		
	Paint, Wallpaper, Flooring Supply and Sales					P		P	P		
Entertainment Venues	Arcades, Billiards					S		S	S		
	Bingo and Trading Card Gaming Establishments					P			P		
	Single or Multiplex Movie Theaters					P			P		
	Theaters			P	P	P		P	P		
Commercial Recreation	Fitness Center, Athletic Club			P	P	P		P	P		
	Golf Driving Range					P		P	S		
	Indoor Recreation Complex					P		P	P		
	Miniature Golf/Go Carts/Water Park					S		S	S		
	Private, Not-For-Profit Recreational Facilities					S		S	S	Art. 7	
	Skateboard Park					S		S	S		Includes ancillary sales and screened outdoor area.
	Skating Rink					P		P	P		Roller and/or ice skating or hockey.
	Swimming Facilities/Swim Schools					P		P	P		Privately owned and operated.

Restricted Uses	Auto and Truck Body and Heavy Repair Services					S		S		Art. 6, § 603	Includes body and paint shops, van conversion, transmission and major vehicle overhaul.
	Adult-Oriented Establishments					S				City Code	Refer to City Code for requirements.
	Body Piercing/Tattoo Shops							S		Part II, Ch. 23	Refer to Municipal Code Part II: Chapter 23, Body Art Studios and Artists for conditions.
	Drive-in Movie Theaters					S					
	Flea Markets					S		S		Art. 7	Outdoor, temporary facility only.
	Manufactured Home and Building Sales							P			New and used.
	Mobile Food Vending	C	C	C	C	C	C	C	C	Art. 7, § 721	Refer to § 738 for brewery policy.
	Pawn Shops/Title Pawn/Check Cashing Business					S				Art. 7	
	Private Clubs, Nightclubs, Taverns					S		S	S	Art. 7	
	Self-Storage, Mini Storage			S		S		S	S		Allowed only on properties fronting an arterial or major collector street. In MU/US29, site dimensions and architectural

											elements consistent with US29 Commercial Corridor Overlay and subject to additional conditions: multi-story, climate controlled, valet or on-demand, no outdoor storage, no truck storage or rental. Wall signage limited by office square footage.
LIGHT INDUSTRIAL											
Research/Science	Agricultural Research						P	P			
	Medical Lab			P		P	P	P	P		Subject to Master Concept Plan approval in MU.
	Research Facilities						P	P			
	Science Laboratories						P	P			
	Similar Research Facilities not Specified						S	S			
Production and Processing	Commercial Bakery/Catering and Food Preparation							P			Includes preparation, cooking and/or baking, and packaging. Short term storage permitted.
	Custom Manufacturing							P			Includes assembly.
	Technology Industry							P			

	Machine, Welding, Radiator/Muffler Repair							S		Art. 6, § 603	Outside storage not permitted in business parks.
	Breweries and Soft Drink Bottling			S	S	S		P	S	Art. 7, Sec. 737 provisions, city licensing and State law	May include commercial production facilities.
	Newspaper Printing Plant							P			
	Distillery					C		P	C		Distillery uses with a gross floor area of 10,000 S.F. or greater are required to have a tasting room component.
Light Storage/Distribution/Warehousing	Building Supply Lumber Yards							C		See Light Outdoor Storage	Outdoor storage screening required subject to administrative conditional review.
	Light Outdoor Storage							C		Art. 6, § 603	Not permitted in office park or planned business park. Vehicle storage prohibited.
	Warehousing, Wholesaling, Storage and Distribution (Light)							C		Art. 6, § 603	
Other	Light Industrial/Business Park							C		Art. 6, § 603	

HEAVY INDUSTRIAL											
Production and Processing	Agricultural Processing							C		Art. 6, § 603	May include activities which create emissions within federal standards.
	Alternative Energy Production							S		Art. 6, § 603	Solid waste incinerator and/or microwave facility prohibited.
	Dry Cleaning Plant							S		Art. 6, § 603	
	Heavy Industrial							C		Art. 6, § 603	May include activities which create emissions within federal standards.
	Manufacturing, Processing							C		Art. 6, § 603	May include activities which create emissions within federal standards.
Distribution and Storage	Bulk Container Storage							S		Art. 6, § 603	
	Distribution Centers							P			
	Towing and Wrecker Service							P		Art. 6, § 603	Business Truck and operable vehicle parking only. Screening requirements apply.
	Wrecked Motor Vehicle Compound							S		Article 6: Sec. 603	Min. Lot Size 2 acres. Temporary Storage

											Only. No dismantling or salvage yard.
	Reclaimed Materials Processing Facility							S		Art. 6, § 603	Recovered materials processing does not include any operation which changes the nature of a material, its chemical composition, or its physical qualities.
	Truck and Railroad Terminals							S			
	Wholesaling, Storage and Distribution (Heavy)							S			
PUBLIC INFRASTRUCTURE											
Transit	Bus, train, or taxi lots and facilities			S		P		S			Within MU and CB, lot or facilities shall be underground or on ground floor of the primary use and screened from views at street level.
	Parking Lot, Deck			P	S	P	P	P	S		20-acre min lot for vehicle storage.
	Passenger Facilities	P	P	P	P	P	P	P	P		Includes transit stops, no lots or GTC or transfer stations in R1, R2, MU or OT Overlay.
Utilities	Cellular/Wireless Communication Tower			S	S	S	S	S	S		Refer to Telecommunications

											Towers and Antennas Code.
	Electric Substation or Gas Regulator Station	S	S	S	S	S	S	S	S	Art. 6, § 603	As deemed required for location to serve land uses in vicinity.
	Public Utility Facilities	S	S	S	S	S	S	S	S		
TEMPORARY USES											
	Temporary Construction Field Office/Mobile Buildings/Portable Storage Units*			C	C	C	C	C	C	Art. 7	Permitted in conjunction with the development or redevelopment of any permitted or special use, during the construction period, subject to a temporary use permit.
	Temporary Outdoor Events			C	C	C	C	C	C	Art. 6, § 603 Art. 7	Includes Christmas Tree lots, Pumpkin Patch/Halloween Sales, carnivals.
	Produce Stands			C	C	C	C	C	C	Art. 7	Temporary use permit required.
	Farmer's Market			C	C	C	C	C	C	Art. 7	Temporary use permit required.
	Charitable/Non-Profit Events			C	C	C	C	C	C	Art. 6, § 603 Art. 7	Exempt from fees, subject to approval of a temporary use permit.
	Temporary Retail Sales and Display Activities			C	C	C	C	C	C	Art. 7	Includes parking lot sales, tent sales, sidewalk sales in

											association with an existing business located on the premises as a principal use, subject to approval of a temporary use permit.
	Yard Sale	P	P	P	P					Art. 6, § 603	On properties zoned and occupied for residential use.
Other	Special Temporary Uses at a Flea Market Facility					C		C	C	Art. 7, § 714-4	Includes but not limited to: auctions, antique shows, farmers markets, traveling road shows, conventions, races, gun shows, boat shows, car shows, live entertainment, circuses, fairs, festivals.

(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; Ord. No. 2020-548, 2-10-2020; Ord. No. 2020-551, Exh. A, 7-13-2020; Ord. No. 2020-553, 9-14-2020; Ord. No. 2021-569, Pt. II, 7-12-2021; Ord. No. 2022-587, § I, 6-13-2022; Ord. No. 2022-596, Att. 1, 11-14-2022; Ord. No. 2023-602, Exh. A, 5-8-2023; Ord. No. 2023-603, Exh. A, 6-12-2023; Ord. No. 2023-613, Exh. A, 8-14-2023; Ord. No. 2023-618, Exh. A, 10-9-2023; Ord. No. 2024-630, Exh. A, 6-10-2024)

Section 603. Supplemental conditions table.

SPECIFIC USE		ZONE	CONDITION
ACCESSORY USES			
Agricultural	Private Horse Riding Stables for Resident	R-1	1. Use of private stables shall be limited to property with a minimum of three acres which is not part of a platted subdivision. 2. No structure or corral shall be located closer than 100 feet to any property line.
Residential Dwelling Types	Multi-family Age Restricted	R2, MU, OT, CB, U.S. 29	1. This use is intended to be located in areas of more intensive development near retail and services, with access to public transportation. 2. Minimum lot area and setbacks apply (two acre lot area with 200 foot frontage width; 40 ft. side and rear yards). 3. Minimum unit size of 550 sq. ft. for one bedroom and 750 sq. ft. for two bedroom. 4. Maximum 25 du/ac density. 5. Six story or 80' height limit. 6. Minimum 150 foot building distance from adjacent R zones. 7. Buildings shall have sprinkler systems in all common areas; standpipe systems on every floor. 8 Entire building will have approved monitoring smoke detection systems installed in accordance with NFPA Codes. 9. Access will be provided in all areas around building to insure proper placement of fire equipment.
	Residential as Component of Mixed-Use Building	MU, OT, CB/U.S. 29	1. A minimum of 30 percent of total square footage of buildings in a MU project shall include residential uses as a component of a mixed-use building

			(commercial and/or office). 2. Residential use component may not exceed 70 percent of square footage of the building. 3. Structure must be two stories or greater. 4. Residential shall be located on upper floors above ground floor business or to the rear of the building. 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. 6. All visible frontages shall be detailed with architectural elements. 7. Required garage and off-street parking must be located to the rear of a minimum of 50 percent of mixed-use buildings. 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.
Business	Live/Work Residence	OT Overlay, MU	1. Permitted use provided additional parking is provided at one space per 1,000 square feet of office use. 2. Residential appearance to be maintained. 3. Permanent occupancy not required. 4. On residential properties a sign not larger than six square feet or four feet in height is allowed.
Dwelling Uses	Subdivision Tennis Courts and/or Pool	R-1, R-2, MU*,	1. Permitted as accessory to residential portion of a mixed-use development in CB under

		CB/U.S. 29	the U.S. 29 Overlay, and in MU. 2. Permitted in R-1 and R-2 when included as dedicated or reserved area on final recorded subdivision plat.
PUBLIC/INSTITUTIONAL			
Care Facilities	After School Program	R-1, R-2, MU*, OT, CB, O-I	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 OT when located within a residence in association with a family day care home with the following conditions. 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. 2. A permanent fence enclosing any designated play areas shall be constructed before commencing the after school program use.
	Day Care Center	MU*, OT, O-I, CB, IA	See Article 7, Section 708
	Family Daycare Home	R-1, R-2, MU*, OT	See Article 7, Section 710
	Group Home	R-1, R-2, MU*, O-I	See Article 7, Section 715
COMMERCIAL USES			
Auto and Equipment Uses	Auto, Motorcycle and Truck Service Center	CB/U.S. 29, IA	1. Special use permit required in CB or U.S. 29 Overlay. 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. 3. No body or paint repair. 4. Service permitted only in enclosed bays. 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. 6. All service bays shall have a 100 percent opaque screen of a minimum of three and one-half feet on surrounding street frontages.
	Auto, Motorcycle and Truck Sales or Dealership	CB, IA	1. SUP required in CB. 2. Sales lots shall have dedicated vehicle inventory parking. 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. 4. Minimum one acre useable site in IA, min. 5 acre site in CB. 5. Minimum 200 foot roadway frontage. 6. Two elevated display racks are permitted per motor vehicle sales lot, not to exceed five feet in height.
	Vehicle Storage Lots	CB, IA	See Art. 7, § 733
Restricted Uses	Auto and Truck Body and Heavy Repair	CB/U.S. 29, IA	1. Special use permit required in CB or U.S. 29. 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. 3. Service permitted only in enclosed bays. 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. 5. All service bays shall have a 100 percent opaque screen of a minimum of three and one-half feet on surrounding street frontages. 6. Damaged vehicles and/or vehicles undergoing repair shall be enclosed within an eight-foot high, opaque fence. 7. Outdoor storage of dismantled and inoperable autos and parts is prohibited. 8. Driveway access on through lots should not be allowed on streets primarily servicing property zoned or used for residential uses. 9. Exterior building elevations facing public streets shall be a minimum of 50 percent of the storefront in clear glass. 10. A five-foot minimum planter should be provided around the footprint of all building elevations except at pedestrian and vehicular entrances to said building and at any building elevation abutting a landscaped perimeter yard. 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. 2. No fabrication or outside storage permitted in CB under the U.S. 29 Overlay. 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 required in CB. 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 for fuel pumps. 2. A ten-foot landscaped strip shall be provides along ROW. 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. 4. No outdoor storage is permitted. 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. 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.
Shops and Non-Food Stores	Home Improvement with Garden Center	CB/U.S. 29, IA	1. A six-foot high solid fence must surround all storage areas for business vehicles, equipment and bulk storage. 2. All principal and accessory structures must conform to the

			building code with no agricultural exceptions. 3. Outdoor plant displays access walks shall comply with site accessibility requirements of the building code. 4. Required parking spaces and drive aisles shall be asphalt or concrete. Business vehicle and equipment parking and drive area may be gravel/crush and run in IA. 5. Customer parking requirements for outdoor retail display areas shall be one space for every 500 square feet of retail space.
Other	New Cemetery	R-2	New cemeteries, provided any new cemetery allowed under this paragraph: 1. Has 100 or more feet of frontage along a street classified as a minor arterial or higher grade thoroughfare, 2. Is adjacent to an existing cemetery or immediately across a public right-of-way from an existing cemetery, 3. Is located entirely outside the Lawrenceville Highway Corridor Overlay, 4. Has its boundaries shown on a plan that is filed with the city, 5. Complies with other all other development regulations of the city, and 6. Burial of human remains shall be entirely within concrete vaults.
	Funeral Home/Crematory	CB/U.S. 29	Subject to state law.
	Hotel, Motel	MU*, CB/U.S. 29	1. Guest rooms shall be accessed internally to the building with no direct room access to the outside.

			2. Lobby shall be a minimum of 700 square feet. 3. Minimum site shall be two acres. 4. On-site management required on 24 hour basis in an office within the primary structure. 5. Each room must have a minimum of 300 square feet and access with a magnetic keycard entry/locking device. 6. For buildings containing three stories or less or no more than 130 rooms, minimum roof pitch is 4:12. 7. Outside storage of commercial equipment is prohibited. 8. No business license shall be issued for any business operating out of a guest room of the facility. 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. 10. Any outdoor recreation areas/pools must be located to the rear of the site or internal courtyards. 11. Extended stay is prohibited.
	Amusement Game Room	CB/U.S. 29	1. Every amusement game room in the city shall comply with the proximity provision for businesses licensed to sell alcohol, set out in ARTICLE III, Sec. 6-64. 2. No amusement game room in the city shall offer to the public more than six bona fide coin operated amusement

			machines. 3. 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. 4. See additional licensing requirements in Chapter 14, Article V.
PROFESSIONAL SERVICES			
Medical/Clinical	Veterinary Hospital with Outdoor Kennel	CB/U.S. 29, IA	1. Special use permit required. 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.
Other	Office Park	MU*, CB/U.S. 29, IA	1. Distributive functions such as loading, unloading, storage, packaging and unpackaging shall be limited to ten percent of the total building area and five percent of the total lot area.
LIGHT INDUSTRIAL			
Production and Processing	Machine, Welding, Radiator, Muffler Repair Shops	IA	Permitted with screening in business/light industrial parks and stand-alone facilities. 1. Outside storage not permitted in business/light industrial parks. 2. In stand-alone establishments, conditions of Light Outdoor Storage establishments shall apply.
Light Storage/Distribution/Warehousing	Light Outdoor Storage	IA	Includes outdoor storage yards for building material and equipment used in the conduct of the business subject to the following conditions: 1. They shall not be located within the required front yard.

			2. They shall be screened by a solid fence a minimum of eight feet in height. 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.
HEAVY INDUSTRIAL			
Heavy Manufacturing and Distribution	Heavy Equipment/Farm Sales, Repair and Service	IA	Subject to following conditions and location compatibility review: 1. The facility is not located closer than 300 feet to a residential, commercial, institutional, mixed-use, Old Town or U.S. 29 Overlay boundary. 2. The sales or repair yard shall be completely enclosed with a 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. 3. All repair bays visible from an adjacent ROW shall be oriented parallel to the roadway. 4. Must meet standards of Article 7, Section 727 Open Display, and all applicable state/federal environmental regulations.
Distribution and Storage	Bulk Storage Tanks	IA	Subject to following conditions and location compatibility

			review: 1. No above ground storage tanks may be located closer than 500 feet to the R-1, R-2, MU, CB and O-I districts or Old Town or U.S. 29 Overlay boundary. 2. All storage is subject to approval of the fire department. 3. Stored materials are not dangerous to public health, safety or welfare.
	Wrecked Motor Vehicle Compound	IA	Subject to following conditions and location compatibility review: 1. The yard is not located closer than 300 feet to a mixed-use, Old Town Overlay district or U.S. 29 Overlay boundary. 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. 3. Meet all applicable state and federal environmental regulations.
	Reclaimed Materials Processing Facility	IA	A special use permit is required to operate a recovered materials processing facility on private property, subject to the following requirements: 1. Activities shall be limited to collection, sorting, packaging, resale, and shipping. 2. Collection area shall be screened by a solid opaque fence or similar screening to a height of six feet. 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. 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. 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. 6. Lighting for such facilities shall be placed in such a fashion as to be directed away from any nearby residential areas.
Production and Processing	Agricultural Processing	IA	Subject to following conditions and location compatibility review: 1. Are not public nuisances. 2. Are not dangerous to public health, safety or welfare. 3. Meet all applicable state and federal environmental regulations.
	Alternative Energy Production	IA	Subject to following conditions and location compatibility review: 1. Are not public nuisances. 2. Are not dangerous to public health, safety or welfare. 3. Meet all applicable state and federal environmental regulations.
	Dry Cleaning Plant	IA	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.

			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. 3. The applicant for such a plant shall certify in writing at the time of application that all the above conditions shall be met.
	Manufacturing, Processing	IA	Subject to following conditions and location compatibility review: 1. Are not public nuisances. 2. Are not dangerous to public health, safety or welfare. 3. Meet all applicable state and federal environmental regulations.
Other	Prohibited Industrial Uses	IA	The following uses shall be prohibited in all districts and may not be approved for the district, even as a special use: 1. Coal Burning Facilities; 2. Paper and pulp manufacturers; 3. Explosives, including fireworks manufacture or storage in bulk quantities; 4. Garbage, offal, dead animal reduction or dumping; 5. Mining and related activity; 6. Quarrying and related activity; 7. Stock yards, commercial; 8. Conversion of energy by nuclear fusion or fission;

			9. Blasting. 10. Salvage yard.
PUBLIC INFRASTRUCTURE			
Utilities	Electric Substation or Gas Regulator Station	All zones	1. The structures are placed at least 50 feet from any property line. 2. The structures are enclosed by a vinyl coated woven wire fence a minimum of eight feet in height. 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. 4. No vehicles are stored on the premises.
TEMPORARY USES			
Temporary Outdoor Events	Yard Sale	R-1, R-2, OT, 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; Ord. No. 2022-596, Att. 1, 11-14-2022; Ord. No. 2023-597, Att. 1, 2-13-2023; Ord. No. 2023-602, Exh. A, 5-8-2023; Ord. No. 2023-603, Exh. A, 6-12-2023)