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Staff Recommendation

Date of Report: March 11, 2026

Report by: Reid Turner, City Planner

Public Hearing Dates

Planning Commission March 26, 2026

City Council April 13, 2026

GENERAL APPLICATION

City Zoning Ordinance Article 10, Section 1002 accommodates text amendments initiated by the Planning Department, Planning Commission or City Council. Text Amendments are proposed to **Appendix A, Article 5 Section 502 -Old Town (OT) Overlay District** of the Lilburn Zoning Ordinance to adopt regulations and enact the Design review Board as the board overseeing the Old Town Overlay District Design Guidelines within the Old Town Overlay District.

Further amendments are proposed to **Appendix A, Article 6 Section 602 – Use Table** for the purposes of revising permissions associated with the Funeral Home/Crematorium use to provide consistency with standards adopted by Gwinnett County and to ensure proper separation between this use and residential uses.

Exhibit A

*****NO TEXT ABOVE THIS NOTE OR PRECEEDING THE FOLLOWING TEXT ARE TO BE CHANGED****

Section 502. Old Town (OT) Overlay District.

502-1 Purpose and intent. The Old Town Overlay District provides a template for establishing a mixed-use, main street character. The historic features of the Old Town Overlay District provide Main Street and Old Town with unique opportunities for mixed-use development projects that will give character to the streetscape, relate to the surrounding area through character and design, are close to local services and facilities, are oriented to encourage community interaction, foster the use of pedestrian and bicycle transportation, and include commercial land uses that are intended to serve the needs of local residents.

The Old Town Overlay District is not a zoning district. It is an area that has been identified to provide new residential and commercial opportunities through redevelopment and infill development. Within the Old Town Overlay District, the uses permitted by the underlying zoning district are allowed unless expressly prohibited.

The Old Town Overlay District shall provide an opportunity for development of residential, commercial, and mixed use projects. These regulations are intended to provide flexibility in design; encourage a mixture of uses; promote opportunities to live and work in the same space; and to encourage multiple uses in one building or development.

502-2 Boundaries and map. The Old Town Overlay District standards shall apply to all property within the district boundary as shown on the Official Zoning Map of Lilburn which is hereby adopted and made a part of this ordinance, and which may be amended from time to time in accordance with the procedures established in this zoning ordinance.

This article shall not apply to applications for building permits for accessory structures 400 square feet or less in area. This article shall not apply to a remodel of an existing dwelling or a permit proposal which would increase the existing ground floor area of a dwelling by less than 25%.

502-3 Permitted and conditional uses. Permitted and conditional uses shall be as provided in Article 6, "Use and Supplemental Conditions Tables." In cases where a use is permitted but there are specific use regulations for that use specified in Article 7, such regulations shall also apply and must be complied with.

Encouraged are buildings in this district that are a mix of uses including commercial, office, and residential uses. Mixed-use buildings may include retail service or office uses on the bottom floor, with upper floors used for office or residential uses.

502-4 Old Town Overlay District Design Guidelines.

1. Purpose and Adoption of Guidelines

a. Incorporation by Reference

All development, redevelopment, and exterior modifications within the Old Town Overlay District shall comply with the *Old Town Overlay District Design Guidelines* ("Design Guidelines"), adopted by the Lilburn City Council and incorporated herein by reference as Exhibit A. The Design Guidelines may be amended from time to time by the City Council, and the most current version shall govern. The current version of the Old Town Overlay District Design guidelines shall be maintained in the office of the Director of Planning and made available to the public on the City's official website and at City Hall.

Exhibit A

b. **Authority and Standards:**

The Guidelines are subject to the standards, policies, and amendments adopted by the Lilburn City Council. The City Council retains sole authority to revise, modify, or supplement the Guidelines through subsequent ordinance or resolution to ensure alignment with the City's Comprehensive Plan, zoning regulations, and community priorities.

c. **Compliance:**

All applications for development or building permits within the Old Town Overlay District shall demonstrate compliance with the Guidelines as adopted and amended by the City Council. The Planning Director ~~or and designated review body~~ **Design Review Board** shall administer the Guidelines in accordance with the standards and procedures set forth in this ordinance. Any application that does not demonstrate compliance with the guidelines shall be denied.

- i. To assure that development and redevelopment within the Old Town Overlay District is consistent with the goals of this article, in addition to development regulations provided by City Code, the following is required prior to the issuance of development and building permits by the city

1. Building elevations.
2. Proposed building material samples and "color chips".
3. Proposed landscaping.

d. **Amendments to Guidelines:**

The City Council may amend the Guidelines, including Exhibit A, through a majority vote at a public meeting following notice and a public hearing. Amendments shall be recorded as revised exhibits and made publicly available through the City's official website and at City Hall.

2. **Placement and Orientation**

- a. **General:** Buildings shall be oriented to the sidewalk or accessible open space, with main entrances facing the primary street. Setbacks shall relate to the surrounding context and encourage a comfortable, walkable pedestrian realm.
- b. **Commercial:** Street frontages must provide continuous, active, and safe pedestrian environments. Outdoor dining and supplemental zones must not obstruct pedestrian movement. Parking shall be located to the rear or screened from view.
- c. **Residential:** Front setbacks must allow for a relationship between porches and the sidewalk. Parking areas and garages must be hidden from street view, located to the side or rear of lots.

3. **Architectural Styles**

- a. **General:** New construction and modifications must reflect the historic character of Old Town Lilburn and be compatible with existing context.
- b. **Commercial:** Permitted styles include American Georgian, Romanesque, Greek Revival, Italianate, and Modern Industrial, with features such as arches, ornate windows, and articulated façades
- c. **Residential:** Permitted styles include Craftsman, Greek Revival, Victorian, Queen Anne, and Italianate. Additions must respect original architecture and not obscure defining features.

4. **Color & Materiality**

- a. **General:** Use high-quality, authentic, and durable materials. Muted or neutral tones (warm grays, earth tones, deep reds, soft blues/greens) are encouraged for cohesion with historic Main Street.

Exhibit A

- b. **Commercial:** Exterior walls shall utilize brick, glass, wood siding, cementitious siding, stucco, or stone. Metal may be used but not as the predominant material on any façade unless otherwise approved.
 - c. **Residential:** Exterior walls shall consist of brick, stone, wood clapboards, or fiber cement siding. Vinyl siding is prohibited. Roofs shall be asphalt composition, wood shake, tile, or standing seam metal in city-approved colors.
5. **Massing: Scale, Proportion & Volume**
- a. **General:** Break down large building masses with step-downs, height/plane variations, recessed entrances, balconies, and other dynamic elements.
 - b. **Commercial:** First floor heights shall be consistent with adjacent buildings. Architectural details such as cornices, parapets, and differentiated façades are required.
 - c. **Residential:** Multi-family buildings shall be low-rise (3–6 stories) and use architectural variation to complement surrounding context.
6. **Fenestration**
- a. **Commercial:**
 - i. First-floor commercial façades must have openings (windows/doors) of at least 50% of the street-facing façade.
 - ii. Upper floors must have at least 20% openings.
 - iii. Large windows must be broken down with architectural details (e.g., mullions).
 - iv. Tinted or reflective glass is discouraged.
 - b. **Residential:**
 - i. Fenestration shall be compatible with the selected architectural style and context.
 - ii. Window and door arrangements should provide privacy while contributing to the streetscape.
7. **Walls, Fencing, and Screening**
- a. **General:** Use high-quality, durable materials such as wood, brick, stone, concrete, granite, or steel.
 - b. **Commercial:** Screening and fencing must not obstruct views into storefronts or create unsafe areas.
 - c. **Residential:** Fencing and walls should provide privacy and complement the home and streetscape.
8. **Entry**
- a. **General:** All public entrances must be accessible and clearly pronounced, facing the primary street or pedestrian thoroughfare.
 - b. **Commercial:** Recessed entrances and activated frontages are encouraged.
 - c. **Residential:** Front porches are required for single-family and duplex residences, with minimum depths and railing styles per the Design Guidelines.
9. **Activated Ground floor**

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- a. **Commercial:** Ground-floor street frontages shall be occupied by active, publicly accessible uses such as retail, dining, or community services. Storefronts must provide a high degree of transparency, with unobstructed views into interior spaces. Supplemental outdoor zones (e.g., outdoor dining) are permitted if they do not impede pedestrian movement. Non-active uses such as parking, storage, or circulation areas are not permitted along primary street frontages.
- b. **Residential:** Residential ground-floor units are not required to meet commercial transparency standards. Window tinting or enhanced landscaping may be used to promote privacy while maintaining a positive relationship with the streetscape.

10. Articulation

- a. **General:** Building details and articulation elements (awnings, balconies, cornices, parapets, gables, etc.) must promote a human scale and visual interest.
- b. **Commercial:** Avoid monolithic façades; incorporate variation and detail at the street level.
- c. **Residential:** Architectural variation should enhance the character of the neighborhood.

11. Architectural Lighting

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12. Outdoor Spaces

Outdoor spaces must be designed to promote comfort, safety, and community interaction. Private spaces must be clearly separated from public areas using human-scaled elements.

13. Parking and Parking Structures

- a. **General:** Parking lots and structures must be located to the rear or side of buildings where possible, buffered by landscaping, and designed to minimize curb cuts and pedestrian conflicts.
- b. **Commercial:** Encourage on-street parking where appropriate. Parking structures should include active ground-floor uses or pedestrian amenities along street frontages.
- c. **Residential:** Garages and parking areas must be screened from street view.

14. Planting Zones

Planting zones must use local, resilient species and be designed by a licensed landscape architect. Vegetation should provide shade and aesthetic interest without impeding pedestrian movement or sightlines.

15. Signage

- a. Signage must comply with Chapter 113 of the Lilburn Sign Ordinance and the Design Guidelines. Signs must be indirectly lit, of pedestrian scale, and complementary to the building's architecture. Animated, internally lit, or backlit signs are prohibited.
- b. In this district, "building sign" shall include the following permanent sign types defined in Chapter 113: wall signs, window signs, projecting signs and awning signs and where there is a conflict between this section and Chapter 113, this Section shall control, unless alternative signage is approved by City Council as a condition of zoning or by variance pursuant to Section 113.21.
- c. *Maximum sign area.* The total maximum allowed area for all building signs is 1.5 square feet per linear foot of a tenant's horizontal building façade.

Exhibit A

a. **General:**

- i. Pop-up and temporary structures, including tents, shade structures, kiosks, food vending units, and similar installations, are permitted only in accordance with the standards set forth in the Old Town Overlay District Design Guidelines (Exhibit A) and applicable sections of the Lilburn Zoning Ordinance.
- ii. All such structures must be designed and sited to complement the character of the district and shall not obscure permanent architectural features or impede pedestrian flow.

b. **Commercial:**

- i. Temporary structures for commercial uses (e.g., outdoor retail sales, events, or food vending) must be located on private property, set back from public rights-of-way unless otherwise approved, and must not block required pedestrian pathways or accessible routes.
- ii. Materials and colors shall be compatible with adjacent permanent structures.
- iii. Duration, frequency, and extent of use shall comply with city permit requirements and limitations as set forth in Article 7, Section 731, and Article 12, Section 1204 of the Zoning Ordinance.

c. **Residential:**

- i. Temporary structures for residential uses (e.g., garden tents, event canopies) are permitted for limited durations as specified in the Design Guidelines and city code.
- ii. Temporary structures for residential uses (e.g., garden tents, event canopies) are permitted for limited durations as specified in the Design Guidelines and city code.

d. **Additional Requirements:**

- i. All temporary structures must be maintained in good condition and removed promptly at the end of the approved period.
- ii. Structures related to construction activity (e.g., trailers, portable restrooms) are allowed only during active construction with a valid permit and must be screened from public view to the extent practicable.

17. Public Art

- a. Public art must complement the building and surrounding context, use durable materials, and not obscure architectural features. Murals should be limited to one per block face and be reviewed by the City as required
- b. All new commercial developments with building valuations of more than \$750,000.00 shall provide a single "public art" piece to be located in public view on the property. The art piece shall meet the following criteria:
 - i. Composition of the piece shall be of permanent materials and require no or low maintenance.

Exhibit A

- ii. No product advertisement is allowed on the piece.
- iii. No expressions of profanity or expressions that would be offensive to the general public or violate state laws on obscenity.
- iv. Renderings of all public art pieces shall be submitted to the city and approved by city council prior to the commissioning of the piece or installation on the subject property.
- v. The value of the art piece shall be a minimum of 0.75 percent of the total building valuation according to the city's building permit fee schedule. City council may consider a cash donation (for an art piece to be purchased by the city) or sculpture donated to the city in lieu of art placed on a private site.

502-5 Additional design criteria for approval. The following design criteria will be considered by the department in the review of applications for development projects within the Old Town Overlay District:

1. *Connectivity.* Infill should achieve connectivity between on-site and off-site transportation systems, streetscapes, and open space networks. Sidewalks need to be provided which connect to the existing or planned adjacent sidewalk system, and streets need to connect to the adjacent existing or planned street pattern.
2. *Circulation.* If the infill development is large enough, new street systems should be laid out as an interconnected network and designed to meet the needs of bicyclists, strollers, wheelchairs, pedestrians, and motor vehicles.
3. *Alley garages.* Garages accessed by alleys can enhance the design and function of infill projects and therefore should be considered and implemented as appropriate.

502-6 Design Review Board (DRB).

1. DRB powers.

- a. The Design Review Board (DRB) is hereby created.
- b. The DRB shall be the review authority of permit applications within the Old Town Overlay District related to the following:
 - i. New construction residential facades, including paint color;
 - ii. New construction commercial facades and site design;
 - iii. Modifications to existing commercial facades;
 - iv. Public building facades and site design;
 - v. Public monuments and pavilions;
 - vi. Any other applicable landscape regulations in this Code of Ordinances.
- c. The authority of the DRB shall encompass all areas within the Old Town Overlay District.

2. DRB membership and terms.

- a. The DRB shall consist of five members appointed by the Mayor and City Council. A minimum of three members must be citizens of the city.

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- b. The DRB membership shall include at least one architect or engineer, licensed in the state of Georgia. Preference in membership applications shall be given to those with qualifications in the fields of architectural design, landscape architecture, urban planning, real estate, or engineering.
- c. The DRB shall elect its chairperson and vice-chairperson from among its members. The chairperson and vice-chairperson shall serve for one year or until they are re-elected, or their successors are elected.
- d. The term of office of each member of the DRB shall be one year, starting in January of each year. Members shall serve at the pleasure of the City Council
- e. Any vacancy in membership shall be filled for the unexpired term in the same manner as the initial appointment.
- f. The DRB shall elect its chair and vice-chair from among its members at the first regularly scheduled meeting of the year. The chair and vice-chair shall serve for one year or until they are re-elected, or their successors are elected.
- g. The DRB shall appoint a secretary, who may be a member of the board or an employee of the city.
- h. Any member of the DRB shall be disqualified to act upon a matter in which the member has an interest.
- i. The Mayor and Council shall have the authority to revoke the appointment of a member of the DRB prior to the expiration of their term if the member is unable to serve or not willing to review cases according to the criteria established in the Old Town Overlay District Design Guidelines.

3. DRB rules and standards.

- a. The DRB shall set a meeting date which will recur each month for the purposes of reviewing applications for certificate of appropriateness.
- b. All meetings of the DRB shall be open to the public.
- c. All records of the DRB shall be public record.
- d. The DRB shall adhere to Robert's Rules of Order.
- e. The standards that the DRB shall use as the basis of its approvals are the Old Town Overlay Design Guidelines of the city, the code of ordinances of the city, and the policies of the adopted comprehensive plan. Current copies of such standards shall be printed and maintained at the Planning Department and shall be made available to the public for distribution, inspection and copying to the general public during normal business hours.
- f. Applications shall be provided to the Planning Department. Once deemed complete, the application shall be forwarded to the Design Review Board for review.

4. Appeal of DRB decision. Appeals of decisions of the DRB shall be taken to the City Council in the following manner.

- a. Any person, jointly or severally, aggrieved or adversely affected by any decision of the DRB may within 30 calendar days of the decision request in writing an appeal to the City Council.
- b. The city shall fix a reasonable time for the hearing of the appeal by the City Council and give at least 15 calendar days public notice thereof and due notice to the parties in interest.

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c. City Council shall decide within 30 calendar days from the date of the hearing unless such time is extended with the approval of the appealing party.

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*****NO TEXT ABOVE THIS NOTE OR PRECEEDING THE FOLLOWING TEXT ARE TO BE CHANGED****

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 | Permitted as part of a mixed-use |

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| | | | | | | | | | | Overlay Provisions | 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. |

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| | 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 Overlay Provisions | Permitted as part of a mixed-use development in CB 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 | P | P | P | S | P | | | P | | Permitted as part of a mixed-use |

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| | (subdivision tennis courts and/or pool or building) | | | | | | | | | | | 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, |

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| | | | | | | | | | | | | 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. |

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| | 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 | | P | | |
| | Parks | P | 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 | 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 | P | | |
| Community Sports Facilities | Athletic Fields (with lights) | S | | | S | P | S | P | S | | | |

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| | 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. |

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| | 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. |

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| | 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 | | | C | C | C | C | C | C | Art. 6, § 603 | Internet sales only, no display or inventory. |
| | Brokerage Firm | | | P | P | P | P | P | P | | |
| | Consulting Firm | | | P | P | P | P | P | P | | |

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| | 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. |

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| 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, Beauty Salon, Cosmetology | | | P | P | P | P | P | P | | Subject to state licensing requirements. |
| | Esthetician | | | P | P | P | P | P | P | | Subject to state licensing requirements. |
| | 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. |

Exhibit A

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| | | | | | | | | | | | 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 | | | |
| | Janitorial/Cleaning Service | | | | | P | P | 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 | | |
| | Personal/In-Home Care | | | | | C | C | | C | | Strictly office functions, subject to State Licensing requirements, off-site care only. |
| | 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 | | |

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| | 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. |

Exhibit A

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| | 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. |

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| | 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/Tobacco Shops | | | | | P | | P | P | Art. 6, § 603 | |
| | 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. |

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| | Gift Shops | | | P | P | P | P | 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. |

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| | 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-S | | P | P-S | Art. 6, § 603 | <u>The facility shall be located at least 1,000 feet from residential property lines. Distance shall be measured by a straight line without regard to intervening structures or objects, from the structure to the closest point on a boundary.</u> Crematory allowed in conjunction with funeral home. Stand-alone crematories subject to state law <u>and the above distance requirements.</u> |
| | Cemetery—New | | S | | | S ₁ | S | | | Art. 6, § 603 | New cemetery allowed as accessory |

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| | | | | | | | | | | | 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, Landscape 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. |

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| | 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 | | | | S | 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. |

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| | 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. |

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| | | | | | | | | | | | 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 | | |

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| 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/Outdoor 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 | | | | Chapter 14, Art. 3 | Refer to City Code for requirements. |

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| | Body Piercing/Tattoo Shops | | | | | | | S | | Part I, Ch. 23 | Refer to Municipal Code Part II: Chapter 23, Body Art Studios and Artists for conditions. |
| | Commercial Drone Delivery Hub | | | | | S | | | S | | <p>Permitted only as an accessory use on a lot size of 25 acres or more.</p> <p>The size of the hub, maximum inventory of drones, facilities (structures, utilities, etc.), and elevations shall be approved via the SUP process.</p> <p>The accessory use shall not operate between 11 pm and 7 am.</p> <p>The SUP shall be valid for a period of 24-month, at which time the use shall cease, or an application shall be made for renewal of the SUP.</p> |

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| | | | | | | | | | | | | |
| | 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 | | | | | 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 | |

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| | | | | | | | | | | | | rental. Wall signage limited by office square footage. |
| | Smoke/Vape Shop | | | | | | | | | | | |
| 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. 738 provisions, city licensing and State law | | May include commercial production facilities. |

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| | 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 |

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| | | | | | | | | | | | 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 | | | | | | | | | | | |

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| | 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. 7 § 731 | 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 |

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| | | | | | | | | | | | | 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, § 713 | | 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. |

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***NO TEXT BELOW THIS NOTE OR PROCEEDING THE ABOVE TEXT
ARE TO BE CHANGED**