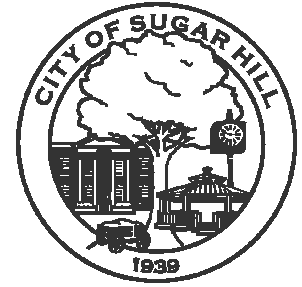


DATE: June 21, 2018  
TO: Mayor and City Council  
FROM: Planning Director  
SUBJECT: Zoning Ordinance Amendment Article 3, 4, & 10



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## SUGGESTED ACTION

**Recommend approval of zoning ordinance amendment as discussed.**

## PLANNING COMMISSION RECOMMENDATION

*The Planning Commission held a scheduled public hearing on June 18, 2018. No one spoke in opposition or support of the proposal.*

***Planning Commission recommends APPROVAL of the amendment to Article 3, 4, and 10 as presented by Staff on June 18, 2018. (4-0)***

## DISCUSSION

- Planning staff has proposed several updates to the use provisions and related articles.
- Check cashing, convenience stores, massage establishments have been identified as special uses.
- Other Principal uses, special uses, temporary uses and formatting have been updated see attached markup.

## ATTACHMENTS

ZOA Article 3, Definitions. ordinance markup.

ZOA Article 4, Section 406, Restrictions on Principal Uses. ordinance markup.

ZOA Article 4, Table 4.1, Permitted Uses. Ordinance markup.

ZOA Article 10, Central Business District Overlay, D. Use Provisions. 5. Special Uses. ordinance markup.

Additions have been shown in double underline text.

~~Deletions have been shown in stricken text~~

ARTICLE 3.

DEFINITIONS

Except as specifically defined herein, all words used in this Ordinance shall be as defined in The Latest Illustrated Book of Development Definitions (~~1981~~2004, Rutgers). Words not defined herein or in the above book shall be construed to have the meaning given by common and ordinary use, and shall be interpreted within the context of the sentence, Section and Article in which they occur.

For the purpose of this Ordinance, certain words or terms used herein shall be defined as follows:

Words used in the singular include the plural and words used in the plural include the singular.

Words used in the present tense include the future tense.

The word "erected" includes the words "constructed", "moved", "located" or "relocated".

The word "lot" includes the word "plot" or "parcel".

The word "map" or "zoning map" means the Zoning Map of Sugar Hill, Georgia.

The word "person" includes the words "individuals", "firms", "partnerships", "corporations", "associations", "governmental bodies" and all other legal entities.

The word "shall" is always mandatory and never discretionary.

The words "used" or "occupied" include the words "intended, arranged or designed to be used or occupied."

Accessory Structure. A structure detached from a principal building on the same lot and customarily incidental and subordinate to the principal building or use.

Accessory Use. A use of land or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with such principal use.

Adult Entertainment Establishment: An adult book store, an adult business, an adult dancing establishment, an adult mini motion picture theater, an adult motion picture theater, an adult motion picture arcade, an adult video store, an erotic dance establishment, or an escort bureau or introduction service as defined in Section 18-152 of the Sugar Hill Code which definitions are specifically incorporated hereby by reference.

**The 2000 Zoning Ordinance  
of the City of Sugar Hill, Georgia**

**Article 3  
Definitions**

Drive-in restaurant. Any place or premises used for the sale, dispensing, or service of food, refreshments, or beverages to automobiles, including those establishments where customers may eat or drink on the premises.

Duplex. A dwelling containing two and only two dwelling units.

Dwelling. A building which is designed or used exclusively for residential purposes, including single-family, duplex and multiple family residential buildings, rooming and boarding houses, fraternities, sororities, dormitories, manufactured homes, and industrialized homes but not including hotels and motels.

Dwelling, Attached. A dwelling containing three or more dwelling units which are joined only by common vertical walls.

Dwelling, Multiple. A dwelling containing three or more dwelling units or designed for occupancy by a fraternity or sorority or by three or more boarders or roomers.

Dwelling, One-Family. See "Dwelling, Single Family."

Dwelling, Single Family. A dwelling containing one and only one dwelling unit, other than a manufactured home.

Dwelling, Two-Family. See "Duplex."

Dwelling Unit. One or more rooms designed for the occupancy, cooking, and sleeping of one or more persons living as a family.

Dwelling Unit, Efficiency. A dwelling unit consisting of not more than one habitable room together with kitchen or kitchenette and sanitary facilities.

Eave: The projecting lower edges of a roof overhanging the wall of a building.

Eave line: The extension of a roofline beyond the vertical wall of a building.

Entablature is a major element of classical architecture, the superstructure of moldings and bands which lies horizontally above the columns, resting on their capitals.

Event facility: Any public place kept, used, maintained, advertised and held out to the public as a place where special events including, but not limited to weddings, wedding receptions, private parties and similar events are held and which provides meals or food services in connection with such events. Any such facility shall be equipped with an adequate and sanitary kitchen and dining facilities and shall have a seating capacity of at least fifty (50) people. The event facility shall be capable of preparing, cooking and serving meals and other food products associated with its special events on site.

**The 2000 Zoning Ordinance  
of the City of Sugar Hill, Georgia**

**Article 3  
Definitions**

when connected to the required utilities and includes the plumbing, heating, and electrical systems contained therein.

Manufactured Home Lot. A parcel of land for the exclusive use of the occupants of a single manufactured home.

Manufactured Home Park. A manufactured home park is a parcel of land that has been planned and improved for the placement of manufactured homes for non-transient use under single or corporate ownership.

Massing the overall visual impact of a structure's volume; a combination of height and width, and the relationship of the heights and widths of the building's components.

Material change in exterior appearance: A change that will affect either the exterior architectural or environmental features of a building, structure, land use activity, or development site. A material change in exterior appearance shall at minimum include the following: the construction of a new building or structure; the reconstruction or alteration of the size, shape, or façade of an existing building or structure, including any of its architectural elements or details; commencement of excavation for construction purposes; and installation of freestanding walls, fences, steps, and pavements, or other appurtenant features.

Massage Establishment: Any business established for profit which employs or contracts with one or more massage therapists or operates or maintains for profit, one or more massage apparatus and which for good or valuable consideration, offers to the public, facilities and personnel for the administration of massages. This term shall not include hospitals or other professional health establishments, separately licensed as such by the state.

Mobile Home. See "Manufactured Home."

Modular Home. See "Industrialized Home."

Modularity: Design composition comprised of a rhythmic organization of parts.

Modulation: A measured setback or offset.

Monofill. A method of solid waste disposal that involves the landfilling of one waste type or wastes having very similar characteristics in a segregated trench or area which is physically separated from dissimilar or incompatible waste. Solid waste means any garbage or refuse; sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility; and other discarded material including solid, semi-solid, or contained gaseous material resulting from industrial, commercial, mining and agricultural operations and community activities, but does not include recovered materials; solid dissolved materials in domestic sewage; solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permit under 33 U.S.C. Section 1342; or source, special nuclear, or by-product material as defined by the Federal Atomic Energy Act of 1954, as amended.

**The 2000 Zoning Ordinance  
of the City of Sugar Hill, Georgia**

**Article 3  
Definitions**

transported or is designed to be transported. Except signs painted or permanently affixed to a single motor vehicle or trailer with an aggregate total of less than 12 square feet of sign face area.

Sign Structure. The structure to which a sign is mounted. Includes, footings, supporting base, frame and finish materials.

Sign, Temporary. A sign of a non-permanent nature.

Sign, Wall. A sign applied to or mounted to any wall or exterior surface of a building or structure visible from the street or adjacent property. The total lettering on one side of a building or structure shall constitute one wall sign.

Spa establishment: Any business established for profit that provides personal services such as body wraps, hydro mineral wraps, body polish, body wash, baths and hydro tub soak.

Solid Waste. Putrescible and non-putrescible wastes, except water-carried body waste, and shall include garbage, rubbish, ashes, street refuse, dead animals, sewage sludges, animal manures, industrial wastes, abandoned automobiles, dredging wastes, construction wastes, hazardous wastes and any other waste material in a solid or semi-solid state not otherwise defined in these regulations.

Solid Waste Transfer Station. Any facility which collects, consolidates, and ships solid waste to a disposal facility or processing operation.

Special Exception. A "Special Exception" is a use listed in the Zoning Ordinance as permitted if it meets stated conditions and is approved by the Zoning Board of Appeals after a public hearing.

Special Use. A "Special Use" is a use listed in the Zoning Ordinance as being permitted if it meets stated conditions and is approved by the City Council of The City of Sugar Hill.

Story. That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it. A basement of a building shall not count as a story if the upper surface of the first floor above such basement complies with all of the following: 1) Is less than seven (7) feet above grade; 2) Is less than seven (7) feet above finished ground level for more than fifty (50) per cent of the perimeter of the building; and 3) Is less than twelve (12) feet above the ground level around the entire building perimeter.

Street. A thoroughfare that affords the principal means of access to abutting property.

Street, Collector. A street shown as such in the Gwinnett County Comprehensive Plan or the City of Sugar Hill Comprehensive Plan, which is on file in the office of the City of Sugar Hill Planning and Development Department. The primary purpose of a Collector Street is to collect and distribute traffic between the Local Streets and the Major and Minor Arterial Streets and to provide access to adjacent properties.

Section 404. Uses in Each Zoning District.

This section identifies the specific uses to which land and structures may be put in the various zoning districts, including uses allowed by right, uses allowed by right subject to certain restrictions, uses for which special use approval is required, uses for which special use approval is required and subject to certain restrictions as well as Temporary Uses.

A principle use is the specific, primary purpose for which land or a building is used. Principle uses are shown in Table 4.1.

An accessory use is permitted on a property in conjunction with a principle use and is incidental to the principal use and shall not exist independent of the principle use. Accessory uses are shown in Table 4.2.

A customary residential accessory use is a use or structure commonly associated with a principal residential use. Customary residential accessory uses and structures are shown in Table 4.3.

404(a) -Allowed uses.

Principal and accessory uses allowed by right are identified on Tables 4.1, 4.2 and 4.3 by the letter code “A”. A blank space indicates the use is prohibited in the corresponding zoning district.

404(b) Allowed uses with restrictions.

Principal and accessory uses allowed only if certain restrictions and conditions are met are identified on Tables 4.1, 4.2 and 4.3 by the ~~two-letter~~two-letter code “A-R”.

404(c) -Special uses.

Principal and accessory uses allowed only by special use approval are identified on Tables 4.1, 4.2 and 4.3 by the ~~two-letter~~two-letter code “SU”. Special uses may be allowed subject to special use approval procedures as set forth in the Special Use Permits and Special Use Permit Procedure sections of this ordinance.

404(d) -Special uses with restrictions.

Principal and accessory uses allowed only by special use approval and only if certain restrictions and conditions are met are identified on Tables 4.1, 4.2 and 4.3 by the ~~three-letter~~three-letter code “SU-R”. Special uses with restrictions may be allowed subject to special use approval procedures as set forth in the Special Use Permits and Special Use Permit Procedure sections of this ordinance.

404(e) Temporary uses.

A use allowed for a limited duration which shall discontinue upon expiration of the specified time period. ~~Temporary uses are only allowed subject to restrictions and are identified on Table 4.1, 4.2 and 4.3 by the two-letter code “T-R”.~~

Temporary uses allowed only by temporary use permit approval are identified on Tables 4.1, 4.2 and 4.3 by the two-letter code “TU”. Temporary uses may be allowed subject to temporary use approval procedures as set forth in the Temporary Use Permits and Temporary Use Permit Procedure sections of this ordinance.

404 (f) Temporary uses with restrictions.

Temporary uses allowed only by temporary use permit approval and only if certain restrictions and conditions are met are identified on tables 4.1, 4.2 and 4.3 by the two-letter code “T-R”. Temporary uses with restrictions may be allowed subject to temporary use approval procedures as set forth in the Temporary Use Permits and Temporary Use Permit Procedure section of this ordinance.

Section 405. Requirements for approval of a temporary use permit.

- a. Written permission of the property owner is provided.
- b. Shall not be located within 50 feet of any public right-of-way.
- c. Adequate parking, ingress and egress are provided on site or written permission is obtained if provided on an adjoining property.
- d. A temporary use permit is applied for and approved by the City Manager.
- e. All other requirements for licenses and regulations of the City of Sugar Hill shall be met.
- f. Unless otherwise specified, no such temporary use permit shall be issued within six (6) months of approval for a prior temporary use permit on the same property.
- g. Unless otherwise specified, a temporary use permit shall expire after 20 days; however, a ten (10) day extension may be granted by the City Manager.

Section 406. Restrictions on principal uses.

Any use shown on Table 4.1 with the codes “A-R”, “SU-R” or “T-R” shall be subject to the restrictions contained in this section, unless otherwise noted or specifically waived as a condition of zoning. These restrictions shall apply in any zoning district where each particular use is shown as an allowed use with restrictions (A-R), a special use with restrictions (SU-R) or temporary use with restrictions (T-R).

	5. Attached front entry garage doors shall be recessed from the building line a distance of at least 1/4 the depth of the principal building and shall be no more than 9' in width.
Equipment rental, sales and service (Commercial & Industrial).	1. Equipment or rental vehicles shall not be parked or stored in the required front yard.
	2. The storage area for the vehicles or equipment to be rented shall be screened by an opaque fence at least six (6) feet high.
	3. The storage areas shall be located no closer than 100 feet from any side or rear property lines zoned residential and shall be appropriately landscaped and maintained.
<u>Event facility</u>	<u>Site shall be located on a site five (5) acres or more with 250 feet of road frontage.</u>
	<u>Provide a 50-foot wide natural and undisturbed buffer adjacent to residential zoning.</u>
	<u>Hours of operation shall be limited to 8 A.M. to 9:00 P.M. Sunday through Thursday and 8:00 A.M. to 11:00 P.M. Friday and Saturday.</u>
Farmer's market or fruit and vegetable stand.	For the sale of products and commodities produced on the premises provided that any structure for such sales shall be located no closer than 35 feet to any property line.
Fruit and vegetable stand, Temporary.	Shall not exceed 3 months.
Fuel pumps.	No closer than 15 feet to the right of way and not closer than the existing setback of any residential structure on abutting lots on either the frontage or a side street.
Fur farm.	Provided than no animal quarters are located closer than 200 feet to any property line.
Growler Shop	Subject to all local, state and federal regulations and licensing requirements. Shall be limited to a business establishment for the sale or refilling of malt beverages, craft beers or hard cider for consumption at a location



A=Allowed by right  
A-R=Allowed with restrictions

SU=Special use permit required  
SU-R=Special use permit required and subject to restrictions

TU=Temporary use permit required  
T-R=Temporary use and subject to restrictions

Principal Uses	AF	RS150, RS175, RS200	RS100	RS72	RM	MH	OI	HSB	BG	LM	HM1	HM2
Adult entertainment establishment.											A-R	A-R
Agricultural building, customary.	A-R											
Agricultural use, customary.	A-R											
Agriculture and horticulture except the raising of livestock.										A	A	A
Aircraft factory.												A
Alcoholic beverage plant or distillery.												A
Appliance repair shop.								A	A	A	A	A
Art gallery.							A	A	A	A	A	A
Asphalt plant.												SU
Assembly plant (durable goods).												A
Assembly plant (non-durable goods).									A	A	A	A
Automatic teller machine (freestanding).								SU		A	A	A
<del>Automotive Automobile</del> body repair shops.											A	A
<del>Automobile inspection services.</del>								<u>SU</u>	<u>SU</u>	<u>A</u>	<u>A</u>	<u>A</u>
<del>Automotive Automobile</del> repair shops or tire stores.											A	A
<del>Automotive Automobile</del> sales lots (new or used).								SU	SU			
<del>Automotive Automobile</del> service station.											A	A
Baking plants.										A	A	A
Banks and other financial institutions.							A	A	A	A	A	A
Barber and beauty shops.		SU	SU		A			A	A			
Boarding and rooming houses.					SU				A			
Body art establishment.									SU-R			
Book or stationery stores.								A	A			
Brew pub.									A-R	A-R	A-R	A-R
Building material sales with outdoor storage.								SU-R	SU-R	A	A	A
Building material yard including milling operations.											A	A
Building supply, indoor retail store.									A			
Bulk storage tanks (argon, carbon dioxide, helium and nitrogen).											SU-R	SU-R
Bulk storage tanks (including natural gas or fuel storage).												SU-R
Bulk storage tanks (oxidizer gases).											SU-R	SU-R
Cabinet shops and furniture manufacturing.										A	A	A
Car wash.								SU-R	SU-R	A-R	A-R	A-R

Table 4.1 - Permitted Uses

A=Allowed by right  
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SU=Special use permit required  
 SU-R=Special use permit required and subject to restrictions

TU=Temporary use permit required  
 T-R=Temporary use and subject to restrictions

Principal Uses	<div style="display: flex; justify-content: space-between; text-align: center;"> <span>AF</span> <span>RS150, RS175, RS200</span> <span>RS100</span> <span>RS72</span> <span>RM</span> <span>MH</span> <span>OI</span> <span>HSB</span> <span>BG</span> <span>LM</span> <span>HM1</span> <span>HM2</span> </div>												
	Cattery.	A-R											
Cemetery.	SU-R												A
Charitable or non-profit event, <u>Temporary</u>	T-R							T-R	T-R	T-R	T-R	T-R	T-R
<u>Check cashing service.</u>								<u>SU</u>	<u>SU</u>				
Chemical plant.													A
Child care facility.					A-R	A-R	SU-R	A-R	A-R	A-R	A-R	A-R	A-R
Christmas tree sales, <u>Temporary</u>	T-R							T-R	T-R	T-R	T-R	T-R	T-R
Church, temple and synagogue, restricted.	A-R	A-R	A-R		A-R	A-R							
Church, temple and synagogue, unrestricted.	SU	SU	SU		SU	SU	A	A	A	A	A	A	A
Cold Storage Plant or commercial cold storage.										SU	A	A	
Composting facility, wood chipping and shredding and yard trimmings.											SU-R	A-R	
Concrete or masonry plant.													A
Contractor office (e.g. building, construction, HVAC, electrical, etc).									A	A	A	A	
Convenience <u>retail</u> store ( <u>with or without fuel pumps</u> ).								A	<del>A-SU-R</del>				
Crematorium.													A-R
Cultural facility.							A	A	A				
Dance studio.								A	A	A	A	A	
Department store.									A				
Depot or passenger terminal (bus, rail).										A	A	A	
Distribution center.										A	A	A	
Dwelling, Attached (townhouse).				A-R	A-R								
Dwelling, Multiple (apartment house and condominium).				SU-R	A-R								
Dwelling, Single-Family.	A	A	A	A-R	A-R	A-R							
Dwelling, Two-Family (Duplex)				A-R	A-R								
Dye casting works.													A
Electronic sales and service.								A	A				
Equipment rental, indoor sales and service (Home and Garden).										A	A	A	
Equipment rental, sales and service (Commercial & Industrial).											A-R	A-R	
Explosives, plant or storage.													SU
<u>Event facility</u>	<u>SU-R</u>	<u>SU-R</u>						<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>

Table 4.1 - Permitted Uses

A=Allowed by right  
A-R=Allowed with restrictions

SU=Special use permit required  
SU-R=Special use permit required and subject to restrictions

TU=Temporary use permit required  
T-R=Temporary use and subject to restrictions

Principal Uses	<div style="display: flex; justify-content: space-between;"> <span>AF</span> <span>RS150, RS175, RS200</span> <span>RS100</span> <span>RS72</span> <span>RM</span> <span>MH</span> <span>OI</span> <span>HSB</span> <span>BG</span> <span>LM</span> <span>HM1</span> <span>HM2</span> </div>												
	Farmers' market or fruit and vegetable stand.	A-R											
Feed processing facility.													A
Fertilizer plant.													A
Fishing club.	A												
Fireworks sales.								SU-R					
Fitness center, health club, <del>spa</del> .									A	A	A	A	
Florist.								A	A				
Foster home.					A								
Fruit and vegetable stand, <del>Temporary</del>								T-R	T-R				
Funeral home.													A
Fur farm.	A-R												
Furniture rental or sales establishments.								A	A				
Garden supply center and greenhouse.								A	A	A	A	A	
<del>Gasoline station.</del>											<del>A</del>	<del>A</del>	
Gift shop.								A	A				
Golf course & golf driving range (except mini golf).	A												
Grocery store, food store.								SU	A				
Group and congregate personal care home.							SU	A	A				
Group day care home.	SU	SU											
Growler Shop								A-R	A-R	A-R	A-R	A-R	
Half-way house.					A								
Hardware store.								A	A	A	A	A	
Hobby shop.								A	A				
Hospital, clinic, convalescent home.										A	A	A	
Hotel, motel.							SU	A	A	A	A	A	
HVAC equipment dealer.										A	A	A	
Ice cream shop.								A	A				
Ice manufacturing or packing plant.										A	A	A	
Industrialized home. (Refer to "Mobile home" in Section 405.)							A-R						
Institutional house for the handicapped.					A								
Interior decorating shop.								A	A				
Jewelry store.								A	A				
Kennel.	A-R									A	A	A	

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Principal Uses	AF	RS150, RS175, RS200	RS100	RS72	RM	MH	OI	HSB	BG	LM	HM1	HM2
Laboratory, medical or dental.										A	A	A
Laboratory, research and testing.										A	A	A
Landfill.												SU-R
Lodge, dormitory, fraternal and social organization with housing.					A-R							
Lodge, fraternal and social organization, no housing.							A	A	A	A	A	A
Machine shop.										A	A	A
Manufactured home. (Refer to "Mobile home" in Section 405.)					A-R							
Manufacturing, outdoor.												A
<u>Massage establishment</u>								<u>SU</u>	<u>SU</u>			
Mausoleum.												A
Meat processing or packaging except slaughtering, poultry killing, packing and dressing.											A	A
Metal smelting, forging works.												A
Microbrewery									SU-R	A-R	A-R	A-R
Mini-warehouse, personal storage warehouse.								SU	SU	A	A	A
Mobile building.								A-R	A-R	A-R	A-R	A-R
Mobile home.					A-R							
Mobile home park.					A-R							
Mobile home or mobile building leasing or sales (new and used).											A	A
Mortuary.												A
Movie studio.										A	A	A
Museum.							A	A	A	A	A	A
Music store.								A	A			
Music studio.								A	A			
Newspaper and printing facility.									A	A	A	A
Nursing and convalescent home.							A	A	A			
Office, professional or business.							A	A	A	A	A	A
Orphanage.					A							
Outdoor storage yard, except junkyard or salvage operation.											A-R	A-R
Paper or pulp mill.												SU

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Principal Uses	<div style="display: flex; justify-content: space-between;"> <span>AF</span> <span>RS150, RS175, RS200</span> <span>RS100</span> <span>RS72</span> <span>RM</span> <span>MH</span> <span>OI</span> <span>HSB</span> <span>BG</span> <span>LM</span> <span>HM1</span> <span>HM2</span> </div>														
	Park and other similar public and semi-public building and land use.	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Parking lot and garage.								SU	SU	SU	SU	SU	SU	SU	
Pawn Shop										SU					
Pest control or extermination business.											A	A	A		
Petroleum refinery or processing plant.														SU	
Pharmacy.									A	A	A	A	A	A	
Photo processing plant.											A	A	A		
Photography shop and studio.									A	A	A	A	A	A	
Plant nursery (wholesale or retail).											A	A	A		
Plant nursery providing lawn and garden supplies and plants.									A	A					
Plastics extrusion plant.											A	A	A		
Plumbing equipment dealer.											A	A	A		
Plumbing, electrical, pool and home building supply showroom and sales center (provided there is no outdoor storage associated with the use).										A					
Printing, bookbinding, publishing plant.											A	A	A		
Psychic reading, fortune telling, astrology, phrenology, palmistry, clairvoyance or related commercial practice.										A					
<del>Public building, office, land use and facility.</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>
Quarry.														SU-R	
Radio and television repair shop.									A	A					
Radio or television station and transmitter.											A	A	A		
Radio, recording or television studio, broadcasting station and facility.										A					
Railroad repair and storage yard.														A	
Railroad sidings, maintenance and terminal facility.											SU	SU	A		
Recording or rehearsal studio.									A	A	A	A	A		
Recovered material processing, recycling station.												A-R	A-R		
Recreation facility, indoor.								<u>SU</u>	SU	A	A	A	A		
Recreation facility, outdoor (e.g. miniature golf, driving range, water slides, drive in theater).								<u>SU</u>	SU	SU					

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T-R=Temporary use and subject to restrictions

Principal Uses	AF	RS150, RS175, RS200	RS100	RS72	RM	MH	OI	HSB	BG	LM	HM1	HM2
<del>Recreational facility, public and semipublic such as parks, country clubs and community centers.</del>							<del>A</del>					
Rental, moving trucks and vans (E.g. Ryder and U-Haul).											A-R	A-R
Rental, passenger vehicles (Cars, trucks and vans).								SU	SU		A	A
Research and testing facility.							A	A	A			
Restaurant.								A	A			
Retail business and service stores except food store.								A	A			
Retail sales showroom and warehouse store.										A	A	A
Retail shopping center over 50,000 square feet gross floor area.								A	A	A	A	A
Retirement community (To include nursing home, cafeteria, care facilities and accessory uses).					A		SU	SU	SU			
Rubber tire retreading plant.												A
Salvage operation or junk yard.												SU-R
School, Business college or business school operated as a business enterprise.							A	SU	SU	A	A	A
School, Educational facility, trade or vocational school.							A	SU	SU	A	A	A
Scrap tire processing plant.												SU
Shelter, commercial.									SU-R			
Shelter, residential and community.					SU		SU	SU		A	A	A
Shoe store and shoe repair shop.								A	A			
Shopping center, including food store.								SU	A			
Small appliance repair shop.								A	A	A	A	A
Soft drink bottling and distribution plant.											A	A
<u>Spa establishment</u>								<u>SU</u>	<u>SU</u>			
Solid waste transfer station.												SU
Stadium, concert hall, amphitheater. (County Board of Education Schools excepted)											SU	A
Sugar refinery.												A
Tannery, leather processing.												A
Taxi or limousine service.									A	A	A	A
Telephone exchange building.										A	A	A

Table 4.1 - Permitted Uses

A=Allowed by right  
 A-R=Allowed with restrictions

SU=Special use permit required  
 SU-R=Special use permit required and subject to restrictions

TU=Temporary use permit required  
 T-R=Temporary use and subject to restrictions

Principal Uses	AF	RS150, RS175, RS200	RS100	RS72	RM	MH	OI	HSB	BG	LM	HM1	HM2
Theater and other place of entertainment and amusement enclosed in a building.								A	A			
Title pawn sales									SU			
Transportation terminal for freight.										SU		
Transportation terminal for passengers.									A			
Truck and bus sales, leasing, repair (heavy truck/tractor trailer).											A	A
Truck terminal.											A	A
Upholstery shop.										A	A	A
Utility office.								A	A			
Utility station including water and wastewater treatment facility, building and grounds for storage of vehicles, equipment, and materials.										A	A	A
Utility structure.	A-R	A-R	A-R		A-R	A-R	A-R	A-R	A-R			
Veterinary clinic, restricted.									A-R			
Veterinary clinic, office, hospital, and laboratory.							SU			A	A	A
Veterinary clinic or hospital, agricultural.	SU-R											
Waste incineration facility.												SU
Weather service station.										A	A	A
Wholesaling and warehousing.										A	A	A
Wild animals, raising and keeping.	A-R											
Wine Bar									A-R	A-R	A-R	A-R

Table 4.1 - Permitted Uses

A=Allowed by right  
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Accessory Uses	AF	RS150, RS175, RS200	RS100	RS72	RM	MH	OI	HSB	BG	LM	HM1	HM2
Accessory building / use, customary residential.	A-R <sup>(1)</sup>	A-R <sup>(1)</sup>	A-R <sup>(1)</sup>		A-R <sup>(1)</sup>	A-R <sup>(1)</sup>						
Beauty parlor or barber shop.	SU	SU	SU		SU							
Bulk storage tanks, (Diesel or Bio-diesel).										A-R	A-R	A-R
Bulk storage tanks, (Liquefied Petroleum and Natural Gas)	A-R	A-R					A-R	A-R	A-R	A-R	A-R	A-R
Café							A-R	A	A	A	A	A
Caretaker or watchman quarters.								SU		A	A	A
Convenience retail business.							A-R			A	A	A
Child care facility located in a church.	SU-R	SU-R	SU-R		SU-R	SU-R	SU-R	SU-R	SU-R	SU-R	SU-R	SU-R
Child care facility.			SU-R		A-R		A-R	A-R	A-R	A-R	A-R	A-R
Compressed natural gas refueling appliance	A-R	A-R	A-R	A-R	A-R	A-R	A-R	A-R	A-R	A-R	A-R	A-R
Dwelling Unit, Accessory	A-R	A-R	A-R	A-R	A-R	A-R						
Dwelling Unit, Efficiency			A-R	A-R	A-R							
Fireworks sales event, Temporary Outdoor.								A-R				
Fuel pumps.								<u>A-R</u>	<u>SU-R</u>		A-R	A-R
Home occupations, customary.	A-R <sup>(2)</sup>	A-R <sup>(2)</sup>	A-R <sup>(2)</sup>	A-R <sup>(2)</sup>	A-R <sup>(2)</sup>	A-R <sup>(2)</sup>						
Household pets, raising and keeping.	A	A	A		A							
Laundrette.						A						
Maintenance shop (fleet vehicles).										A	A	A
<u>Outdoor recreation</u>							<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>	<u>TU</u>
Office associated with wholesaling and warehousing.										A	A	A
Outdoor storage associated with garden supply center, plant nursery and greenhouse.								SU-R	A-R			
Parking lot.	A	A	A	A	A	A	A	A	A	A	A	A
Parking structure.					A		A	A	A	A	A	A
Pharmacy.							A	A	A	A	A	A
Recreational facility, residential neighborhood.		A-R	A-R		A-R	A-R						
Residential or community shelter associated with a church.	SU	SU	SU		SU							
Retail shop associated with a bakery.										A	A	A
Sales event, temporary outdoor								T-R	T-R	T-R	T-R	T-R
Service facilities associated with automotive sales lots (new or used).								SU	SU			
Notes:												
(1) Refer to Table 4.3 for restrictions.												
(2) Refer to Section 607 for restrictions.												

Table 4.2 - Accessory Uses



- a. the appropriateness of the continuation of the use based on the development of surrounding properties;
- b. any benefits or harms to the surrounding properties and the Town Center Overlay District as a result of the continuation of the existing business and use;
- c. whether and how the continued use of the property was negatively affected by the widening of Georgia Highway 20; and
- d. whether appropriate conditions will allow a continuation or expansion of the use that is consistent with the intent of the Town Center Overlay District.

The Council shall have the right to place any conditions upon approval of a special use permit that it deems necessary and appropriate to carry out the intent of this Ordinance.

4. Special Uses along Principal Arterial Corridors. Georgia Highway 20 (Hwy 20) and Peachtree Industrial Boulevard (PIB) intersect each other near the western edge of the TCO. While these regionally important arterial roadways create significant challenges for development within the TCO they move a large amount of people and goods around Downtown Sugar Hill on a daily basis. In consideration of the heavy volume and higher speeds of vehicular traffic along these corridors adequate provisions should be granted to facilitate appropriate commercial development which addresses the needs of our traveling consumers while promoting pedestrian oriented development patterns within Downtown Sugar Hill. Therefore, the uses shown below in table 1001.D.4 ~~may be~~ shall only be allowed if granted a special use permit by the City Council provided that the property abuts Hwy 20 or PIB for at least 350 feet of continuous frontage, does not interfere with the safe and normal flow of traffic, is not within 1,320 feet of Hillcrest Street, has an existing commercial driveway permit from the state or county Department of Transportation, is not within 1,320 feet of a similar use along the same direction of travel and meets the specific conditions associated with each use as shown in table 1001.D.4. In addition to the criteria set forth in Article 17 of this Zoning Ordinance, in deliberating a special use permit under this section, the Council shall consider the:

- a. Appropriateness of the use based on the development of surrounding properties;
- b. Any benefit or harm to the surrounding properties and the TCO as a result of the use; and
- c. Whether the use is consistent with the intent of the TCO and this section.

**Table 1001.D.4 – Special Uses along Principal Arterial Corridors and Associated Conditions**

Use:	Conditions:
1. Convenience store, with or without fuel pumps.	Signs are prohibited on fuel pumps, canopy and other accessory structures.

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4. Conditional Uses. The following uses shall be permitted on all properties within the CBD provided the associated conditions are met.

Use:	Conditions:
1. Single Family Residential.	<p>Shall be limited to townhome, row house, or zero lot-line building type. Refer to Appendix A.</p> <p>Minimum density = 4 dwelling units per acre, Maximum density = 12 dwelling units per acre.</p> <p>Density shall be calculated by dividing the number of residential units by the difference in land area of the development in acres devoted to non-residential uses from the total site area. Where total property area = A. Non-residential area = N. Count of residential units = R. Density = R / (N-A).</p>
2. Multi-Family Residential.	Shall be limited to mid-rise, courtyard building type (Refer to Appendix A): Minimum FAR = 1:1, Maximum FAR = 2:1
3. Customary residential accessory structures and uses.	Refer to Section 600. Accessory Uses or Structures for location requirements and conditions.
4. Brew Pub	Subject to all local, state and federal regulations and licensing requirements. No outdoor storage. Shall be limited to restaurants that brew and sell 25% or more of their own beer for on-premise consumption.
5. Growler Shop	Subject to all local, state and federal regulations and licensing requirements. Shall be limited to a business establishment for the sale or refilling of malt beverages, craft beers or hard cider for consumption at a location other than the licensed premises.
6. Wine Bar	Subject to all local, state and federal regulations and licensing requirements. No outdoor storage. A bar or restaurant where wine sales comprise 50% or more of the alcohol sales for on-premise consumption.

5. Special Uses. Each of the following uses shall be allowed only as a special use permit (approved by Mayor and City Council in accordance with the special use requirements in Article 17 of the Zoning Ordinance) on all properties within the CBD and shall supersede or replace the underlying zoning district's special uses entirely.

Use:

1. Boarding house.

2. Dormitory.

3. Event facility.

~~3.4~~ Group or personal care home.

~~4.5~~ Half-way house.

~~5.6~~ Hospital, clinic, convalescent home.

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~~6.7.~~ Nursing home.

~~7.8.~~ Manufactured home.

~~8.9.~~ Orphanage.

~~9.10.~~ Parking garage.

6. Mixed Use.

Two or more of the allowed uses, conditional uses and special uses may be present and allowed subject to the following restrictions and all other zoning and development requirements unless specifically exempted by this Section. No zoning buffers will be required between parcels within the Central Business District or between parcels within the Central Business District and parcels directly outside of the boundaries.

- a. Residential or office uses in buildings containing retail or other uses are encouraged and the acreage on which such buildings are located may be used in either or both classifications for density purposes.

7. Special Uses along Principal Arterial Corridors. The CBD is bounded on two sides by Georgia State Route 20 (SR20) and Peachtree Industrial Boulevard (PIB). While these regionally important arterial roadways create physical limits to the development and expansion of the CBD they move a large amount of people and goods around Downtown Sugar Hill on a daily basis. In consideration of the heavy volume and higher speeds of vehicular traffic along these corridors adequate provisions should be granted to facilitate appropriate commercial development which addresses the needs of our traveling consumers while promoting pedestrian oriented development patterns within Downtown Sugar Hill. Therefore, the uses shown below in table 1002.D.7 ~~may be~~ shall only be allowed if granted a special use permit by the City Council provided that the property abuts Hwy 20 or PIB for at least 350 feet of continuous frontage, does not interfere with the safe and normal flow of traffic, is not within 1,320 feet of Hillcrest Street, has an existing commercial driveway permit from the state or county Department of Transportation, is not within 1320 feet of a similar use along the same direction of travel and meets the specific conditions associated with each use as shown in table 1002.D.7. In addition to the criteria set forth in Article 17 of this Zoning Ordinance, in deliberating a special use permit under this section, the Council shall consider the:

- a. Appropriateness of the use based on the development of surrounding properties;
- b. Any benefit or harm to the surrounding properties and the CBD as a result of the use; and
- c. Whether the use is consistent with the intent of the CBD and this section.

**Table 1002.D.7 – Special Uses along Principal Arterial Corridors and Associated Conditions**

Use:	Conditions:
1. Convenience store, with or without fuel pumps.	Signs are prohibited on fuel pumps, canopy and other accessory structures.