



Planning Commission

Regular Meeting Agenda
June 12, 2023 | 6:30 PM
Peachtree City City Hall

A quorum of the Peachtree City Mayor & Council may be in attendance.

- I. Pledge of Allegiance**
- II. Additions or Deletions**
- III. Announcements and Reports**
 - 1. Development Status Report
- IV. Approval of Minutes**
 - 1. Planning Commission Meeting May 8, 2023
- V. Public Hearing**
 - 1. PH-23-02 Rezoning of the Mill Farms Subdivision from R-12 to LUR, Limited-Use Residential; includes addresses 2443, 2459, and 2471 Redwine Road
 - 2. PH-23-03 Zoning Ordinance Text Amendment to comply with updated Georgia Zoning Procedures Law (House Bill 1405)
- VI. Old Agenda Items**
- VII. New Agenda Items**
 - 1. 23-06-01 Conceptual Site Plan, Sherwin-Williams, 1110 Crosstown Court
- VIII. Workshop Items**

Peachtree City

Active Development Projects

RESIDENTIAL PROJECTS					
Project Name/Address	Commissioner	Initial Plat	Site Construction Plans	Site Development	Final Plat
Cresswind	Andrew K.	Approved 2015	Approved 2017 - 2021	748 Total Properties 95% Complete	Approved 2016 - 2022
Everton	Mitzi J.	Approved 2016	Approved 2016 - 2020	788 Total Properties 74% Complete	Approved 2016 - 2022
Laurel Brooke Mixed-Use 105 Petrol Point (Single-fam)	Kenneth H.	Approved 2019	Approved 2021	16 Total Properties 20% Complete	Approved 2021
Laurel Brooke Mixed-Use 105 Petrol Point (Townhomes)	Kenneth H.	Approved 2019	Approved 2021	6 Total Properties In Progress	Approved 2021
Mill Farms 2443 Redwine Rd	Felicia R.	Approved 2021	Amendment In Progress	74 Total Properties Site Work in Progress	
Rockaway Townhomes 201 Rockaway Rd	Felicia R.	Approved 2020	Approved 2022	30 Townhomes Site Work in Progress	
Smokerise Corners Sumner Rd	Scott R.	Approved 2019	Approved 2020	26 Total Properties 50% Complete	Approved 2022
Towson Village Mixed-Use Governors Square (Residential)	Mitzi J.	Approved 2020	Approved 2021	94 Total Properties In Progress	PH 1 Approved Feb. 2023
Wilksmoor Woods 100 Caledonia Ct	Michael L.	Approved 2018	Approved 2019	180 Total Properties 91% Complete	Approved 2020 - 2022

Peachtree City

Active Development Projects

COMMERCIAL PROJECTS						
Project Name/Address	Commissioner	Conceptual Site Plan	Site Construction Plans	Site Development	Building Plans	Building Construction
Aberdeen Mixed-Use 215 Northlake Drive	Kenneth H.	Approved Nov. 2022	In Progress			
Aventure Aviation 108 International Dr	Scott R.	Approved 2021	Approved Feb. 2023			
Bradshaw Corners Sumner Rd (Commercial)	Scott R.	Approved 2019	In Progress			
Bridge Park Medical 2035 N Commerce Dr		Approved March 2023				
CertainTEED Expansion 200 Sierra Dr	Felicia R.	NA	In Progress			
Gerber Collision 445 HWY 74 S	Mitzi J.	Approved 2022	Approved Feb. 2023	In Progress		
Gerresheimer Expansion 650 HWY 74 S	Mitzi J.	Approved Sept. 2022	Approved March 2023	In Progress		
Gimme Shelter 1150 HWY 74 S		Approved March 2023				
Guthrie's 2021 N Commerce Dr	Felicia R.	Approved 2021	Approved July 2022	Complete	Approved	In Progress
Laurel Brooke Mixed-Use 105 Petrol Point (condos)	Kenneth H.	Approved 2019	Approved 2021			
Laurel Brooke Mixed-Use 4000 Hayes Sq (amenity)	Kenneth H.	Approved 2019	Approved 2021	Complete	Approved	In Progress
Manufacturing Facility 782 S HWY 74		Approved April 2023				
Maxim Lighting Expansion 101 Gardner Park	Andrew K.	Approved Feb. 2022				
Peachtree Cardiology 100 McWilliams Dr		Approved Feb. 2023	In Progress			
Residence Inn 400 World Drive	Felicia R.	Approved 2020	Approved Feb. 2023			
Starr's Mill Medical Office 110 Wilshire Village Dr	Michael L.	Approved Sept. 2022	Approved May 2023			
SWI Machinery Inc 400 Naeco Way		Approved May 2023				
Take 5 Oil Change 2714 W HWY 54		Approved Feb. 2023	In Progress			
The Gates Medical Office 101 Gates Entry	Scott R.	Approved Dec. 2022	Approved May 2023			

Planning Commission of Peachtree City
Meeting Minutes
Monday, May 8, 2023
6:30 PM

Pledge of Allegiance

The Peachtree City Planning Commission met Monday, May 8, 2023 at City Hall. Chairman Michael Link presided. Also present were Commissioners Kenneth Hamner, Mitzi Johnston, and Felicia Reeves, along with Alternate Andrew Kriz. Others present were Senior Planner Lora Hooks, Recording Secretary Martha Barksdale, and IT Specialists Caleb Thompson and Jady Tallman.

Additions or Deletions

Announcements and Reports

Link welcomed City Council Member Clint Holland to the meeting.

Approval of Minutes

1. Planning Commission Meeting April 24, 2023

Hamner moved to approve the April 24, 2023, Planning Commission meeting minutes. Johnston seconded. Motion was approved unanimously.

Public Hearing

None

Old Agenda Items

None

New Agenda Items

1. 23-05-01 Conceptual Site Plan, SWI Machinery Inc., 400 Naeco Way

Hooks showed the property on a zoning map, saying it did not have an address, so the Planning Department assigned it 400 Naeco Way. Naeco Way did not extend all the way to this site, so there was no access at this time, and she pointed out where the road ended. Road extension was part of this proposal.

The parcel was zoned General Industrial (GI), which permitted the manufacturing use being proposed. It was in the Airport Overlay District, which meant the Federal Aviation Administration (FAA) would have to approve the development, as well.

The proposal included a new manufacturing building of 20,940 square feet on a six-acre parcel, and it would meet all of the building setback requirements, Hooks commented. The minimum parking required was 18 spaces, and the maximum permitted without a variance was 22 spaces; they were requesting 22 spaces. The plan showed one loading dock on the south side and a ramped area for loading on the north side.

The property was currently a heavily wooded vacant lot, Hooks continued, showing its location on an aerial photograph. The developer proposed to extend the roadway 800 feet across the frontage, culminating in a cul-de-sac at the south corner of the property. The right-of-way was already in place for the road and the cul-de-sac, but the City Engineer had requested that, if additional right-of-way was required, it be dedicated to the City.

The proposal included bio-detention facilities at the front of the property, which was an ideal location, Hooks remarked, since the property sloped about 15 feet from east to west.

The site was surrounded by GI-zoned properties on three sides, but on the south side was an open space parcel that contained hole four of the Planterra Golf Course. The new development would not extend all the way to the property line on that side, but Staff recommended the existing vegetation in the buffer there be supplemented with evergreen plant material.

Staff was of the opinion that the proposed conceptual site plan met the City ordinances and recommended approval. Should the plan be approved, Staff recommended the following conditions be attached:

- Any additional right-of-way required for construction of the road extension or the cul-de-sac should be dedicated to the City;
- Enhanced landscaping with evergreen plant material should be required on the south side of the development to supplement existing vegetation as needed to create a visual buffer and screen the development from the golf course;
- FAA determination statements were required to be submitted at the time of final site plan review.

Charles Mitchell of Landmark Resources represented SWI. He said Hooks gave a thorough analysis, and he had nothing to add.

Reeves noted that the site plan showed 10 parking spaces, while Hooks' report showed nine. Mitchell said there was a portion of a space left; he rounded the number up to 10, while Hooks rounded down to 9. Either way, Hooks remarked, the numbers worked out.

Reeves said the plan showed a 30-foot setback in the rear, but the report said 50 feet. Mitchell said he took his information from the Peachtree City Zoning Code. Hooks said she believed it was 50 feet for Industrial, but would confirm. Mitchell stated they had sufficient room if it needed to be 50.

Would Staff set height requirements in order to create an effective landscape buffer? Johnston inquired. Hooks said they would have to see the landscape plan, but she suggested the evergreens be a minimum of six feet at time of planting.

Hamner had no questions. Kriz wanted to know if the developer paid for the road extension? and Hooks answered in the affirmative. Why not extend the road all the way to TDK? Kriz wondered. Hooks said that would be a question for the City Engineer, and Kriz said he would like to know when this came back to the Planning Commission.

Link asked Mitchell if he was okay with the recommendations? Mitchell said he was, on behalf of the owners. Link also asked if they had communicated with Planterra? Mitchell said they had not. Mitchell also observed that extending the road to TDK would require taking out the restrooms on the golf course, so the engineer said to make it a cul-de-sac to keep that traffic from going through there.

Kriz said he agreed with Staff's recommendations and Hamner said the plan looked good, and he was always glad to see this type of development. Hamner said the drawings showed that the road could extend to TDK, but it would be through a golf course, which might not be

optimal. Johnston and Reeves had no comments, while Link agreed with Hamner about this being a natural spot for this development.

Hamner moved to approve New Agenda item 23-05-01, Conceptual Site Plan, SWI Machinery Inc., 400 Naeco Way. Reeves seconded. Motion carried unanimously.

2. 23-05-02 Building Elevations Peachtree Cardiology, 100 McWilliams Drive

Hooks said this was at the intersection of McWilliams Drive and SR 74. The zoning was Office-Institutional (OI), and the intent was to build a 5,000 square foot medical office building for Peachtree Cardiology. Jefferson Architecture was submitting these elevations for review.

The Land Development Ordinance (LDO) established general goals for architectural design that included "high-quality design and innovation" and "compatibility with surrounding development and the natural environment." There was a vacant lot to the south, Hooks continued, and a small medical office at 101 McWilliams that was the closest commercial neighbor. She presented a photo of it in order to compare the appearance with the proposed office building. That building featured stacked stone.

The brick colors and wood accent material proposed were similar to what was being used at a convenience store going up at Rockaway Road that was also designed by Jefferson Architectre, she reported. A prefinished corrugated metal panel was proposed as an accent material. The wood-look cladding was a fiber cement product that was long-lasting and low-maintenance. Staff felt these materials met the intent of the LDO. Hooks said the applicant had material samples to share with the Commissioners.

Hooks presented a rendering showing how the facade facing McWilliams Drive would look in the day and at night. Another rendering showed the building from SR 74. She said since this is a corner lot, both of these sides were considered front facades. They were traditional brick with more modern accent materials and large windows. The facades were articulated with changing materials, heights, and planes. A canopy protected and emphasized the entrance on McWilliams.

Front facades should be 80% primary materials and sides, 50%. Primary materials were brick, stone, or the fiber cement product. The facade facing McWilliams was 84% brick and fiber cement product, and the side facing SR 74 was 76% brick. She showed renderings of the other sides of the building, saying they were 93% and 94% brick.

Staff felt the building materials met the intent of the LDO and that the color selections blended with the natural surroundings and nearby development. They were of the opinion that the elevations for Peachtree Cardiology met the requirements and design standards and recommended approval.

Jefferson Brown of Jefferson Architecture represented the owner. He said they held an elevation design reveal with the neighbors in a nearby subdivision, and they loved it, but had a few comments. Brown said they did a light study to ensure that the lights would illuminate the facade and the immediate area, but not reach into their yards and up into the sky. That was a concern of the residents.

Brown said he did bring some brick samples, but noted that brick had been difficult to obtain. What was available today might not be when it was time to build. They had been successful in working with the City in the past to match what was available with what had been proposed and were still able to accomplish the design intent and feel.

They went with more of the browns, he said, to reflect nature, but they needed it to look

professional, too, so there was a lot of strong massing. However, he said he hoped they felt it looked balanced.

Link asked to see the material samples and also asked Brown what feedback he got from the residents. Brown said they liked the intent and appreciated that the materials were long-lasting.

Kriz noted there seemed to be a lot of big windows, and it didn't look like a medical building. That was the idea, Brown told him; they wanted more of a spa or lodge-type feel. He said the floor plan had been approved, and the corners, where the large windows were, was where staff would be working. The reception area also had lots of natural light, and in the middle was a sub-wait area, which was where patients would go after initial check-in and triage. The exam rooms were in the center.

Hamner had no questions. Johnston clarified that lights would be on when the offices were closed. Brown told her they would be, for security reasons, but would just illuminate the building, not the parking lot. They agreed to go to low site lighting to accommodate the neighbors' request. Hooks added that was a condition for site plan approval, and the lights could be only three feet tall with full cutoff fixtures.

Reeves said she thought the design was beautiful. She was glad Brown accepted input from the community.

She went on to say that there was a deficit in the front as far as the building material standards were concerned, but if all four sides were added, it met the standard.

Hooks said it was just a general rule, not a "shall" statement. The intent of the rule was to meet the general intent of "high-quality design."

Hamner said he, too, thought the building looked great. He appreciated the thought that went into making sure it was functional, and the effort that was made to involve the neighbors.

Link concurred, saying he always wanted to encourage community input. He thought this was a great building for Peachtree City. Johnston and Reeves agreed.

Reeves moved to approve New Agenda item 23-05-02 Building Elevations, Peachtree Cardiology, 100 McWilliams Drive. Johnston seconded. Motion carried unanimously.

Workshop Items

There were no workshop items.

Hooks said there were no items on the agenda for the scheduled May 22 meeting and suggested it be cancelled.

Johnston moved to cancel the May 22 Planning Commission meeting. Reeves seconded. Motion carried unanimously.

There being no further business, Link adjourned the meeting at 7:01 p.m.

Martha Barksdale, Recording Secretary

Michael Link, Chariman

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Planning Commission

FROM: Robin Cailloux, Planning Director 6/2/2023

DATE: June 12, 2023

SUBJECT: PH-23-02 Rezoning of the Mill Farms Subdivision from R-12 to LUR, Limited-Use Residential; includes addresses 2443, 2459, and 2471 Redwine Road

Recommendation:

Staff is of the opinion that the proposed rezoning meets a majority of the criteria for rezoning and recommends approval.

Discussion:

Jeff Lindsey Communities, the Applicant, is requesting the rezoning of 38.7 acres on Redwine Road from R-12 to LUR Limited Use Residential. The proposal will not change the number of lots (74) or the size of lots (minimum 12,000 square feet) permitted by the R-12 zoning district, but will reduce the zoning setbacks in order to allow them to construct larger homes on the lots. There are no other changes proposed by the applicant

The subject property was annexed and rezoned to R-12 in late 2020. A comparison of zoning setbacks for the R-12 district and the proposed LUR district is summarized in the table below:

	Current R-12	Proposed LUR
Front setback	40 ft	25 ft
Side setback	10 ft	5 ft
Rear setback	30 ft	20 ft
Minimum lot frontage	85 ft (35 ft on cul-de-sacs)	85 ft (35 ft on cul-de-sacs)
Minimum lot size	12,000 SF	12,000 SF
Average buildable area	4,680 SF	7,275 SF

Evaluation Criteria:

Per Section 1304 of the Zoning ordinance, City Council shall consider the following factors, where relevant, when evaluating a proposed change to the zoning map:

1. Whether the zoning proposal is in conformity with the policy and intent of the land use plan;
2. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;
3. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;
4. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;
5. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;
6. Whether there are other existing or changing conditions affecting the use and development of the property which give supportive grounds for either approval or disapproval of the zoning proposal.

Comprehensive Plan and Future Land Use Map

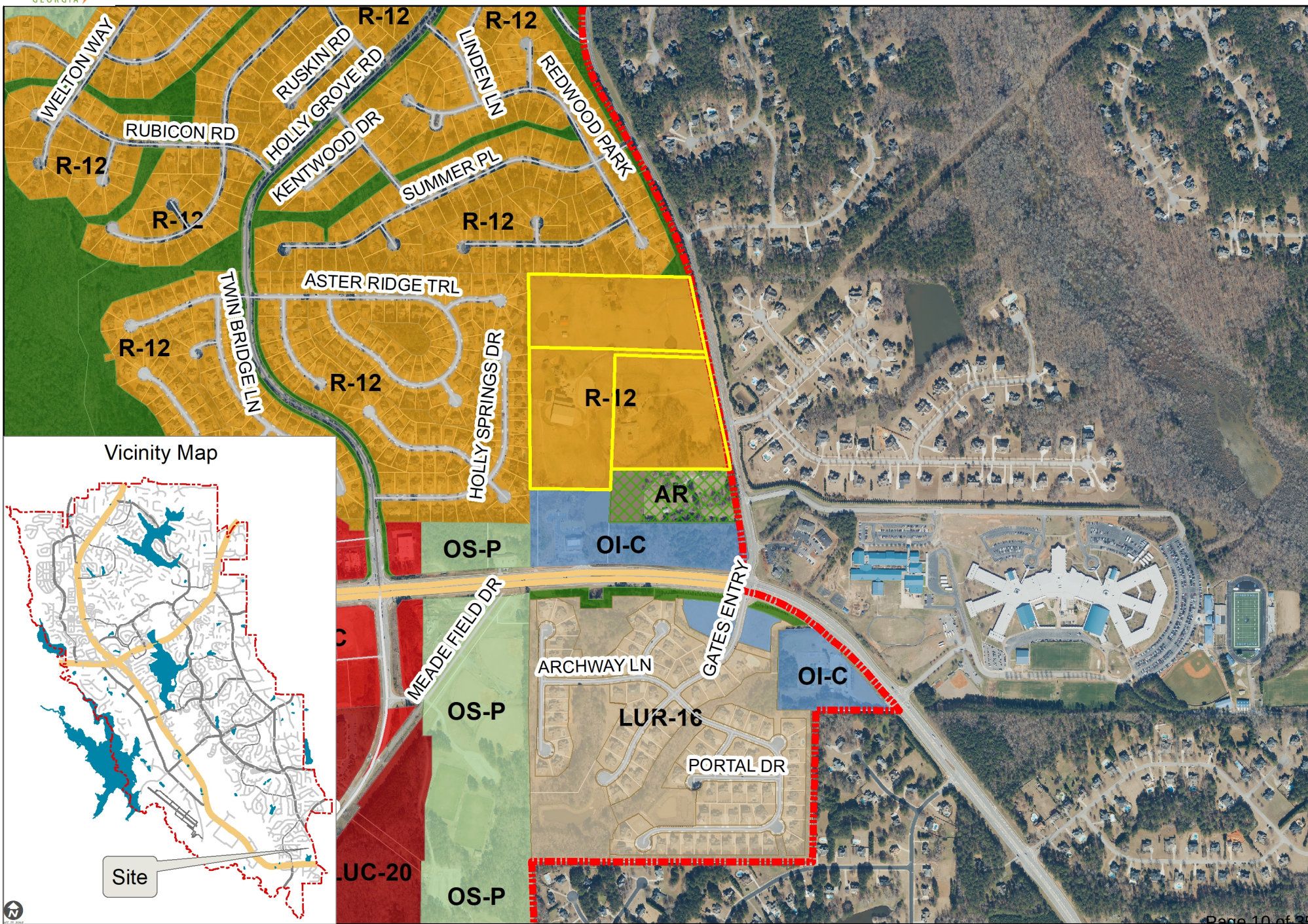
The future land use for the property is Single Family Medium, which requires lots that are a minimum ¼ acre. The proposal conforms with the Future Land Use Map.

Budget Impact:

There are no budget impacts associated with the request

Attachments:

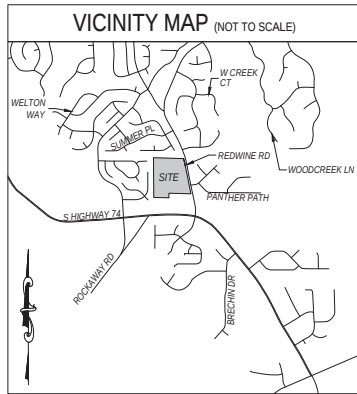
1. Zoning Map
2. Site Plan
3. Applicant Narrative





PROPERTY INFORMATION	
OWNER:	REDWINE ROAD DEVELOPMENT, LLC
ADDRESS:	140 VILLAGE CIRCLE SENOIA, GA 30276
DEVELOPER:	JEFF LINDSEY COMMUNITIES, INC.
ADDRESS:	140 VILLAGE CIRCLE SENOIA, GA 30276
TELEPHONE:	404-725-2237
PARCEL ID:	0603-013, 0603-005, 0603-011
PROPERTY LOCATION:	REDWINE ROAD
CURRENT JURISDICTION:	UNINCORPORATED FAYETTE COUNTY
CURRENT ZONING:	R-12
BOUNDARY SOURCE:	SURVEY BY MOORE BASS CONSULTING, INC.
TOPOGRAPHIC SOURCE:	FAYETTE COUNTY G.I.S.
FLOODPLAIN INFORMATION:	PER FAYETTE MAP #: 13113C0132E DATE: 9/26/2008 PANEL: 132

NOTE: THE PROPERTY SUBJECT TO THIS REZONING REQUEST IS CURRENTLY UNDER CONSTRUCTION. THE PURPOSE OF THIS REZONING REQUEST IS TO ALLOW FOR SMALLER BUILDING SETBACKS TO SUPPORT A LARGER VARIETY OF HOMES. NO ADDITIONAL LOTS OR LAYOUT CHANGES ARE PROPOSED AS A RESULT OF THIS REQUEST.



GRAPHIC SCALE



1 inch = 100 ft.

Page 11 of 35



 LAND USE PLANNING
 CIVIL ENGINEERING
 LAND SURVEYING
 LANDSCAPE ARCHITECTURE
 CONSTRUCTION ADMINISTRATION
 DRONE LIDAR SURVEYING & MAPPING

ATLANTA | 770.914.9394
TALLAHASSEE | 850.222.5678
 moorebass.com

Rezoning
Mill Farms
TIN: 0603.013, 0603-005, 0603-011

Development Narrative

The subject properties consist of three separate tracts of land, consisting of 38.72 acres total, accessed by Redwine Road. The properties are located in the City of Peachtree City and are currently zoned R-12.

Our request is to change the zoning from R-12 to LUR. The Property subject to this rezoning request is currently under construction. The purpose of this rezoning request is to allow for smaller building setbacks to support a larger variety of homes. No additional lots or layout changes are proposed as a result of this request.

The proposed density for the project is 1.91 units/acre. An estimated 185 residents will reside within the project with an estimated 148 residents as being employees in the work force at build-out. The project will have a single entrance that will be aligned with Nesmith Court. A multi-use path will be constructed to connect to the existing path located at the intersection of Foreston Place and Redwine Road. Based on the surrounding properties, an estimated tax base of \$5,300 a year per dwelling unit will be generated to the city.

Please see below for responses to the main components of Peachtree City's Comprehensive Plan:

1. **Land use:** *Whether the proposed zoning and/ or land uses are consistent with the long-range land use designation, as well as:*
 - (a) *Proposed uses, maximum number of dwelling units (if applicable), amenities such as parks and open space.*
 - The proposed use is limited to single-family residential. The proposed number dwelling units is 74 and 9.13 acres is proposed as open space.
 - (b) *Impacts on public & educational facilities.*
 - The subject property is in the Starr's Mill school district. All schools are currently under capacity.
 - (c) *Mitigation of impacts on neighboring properties, including vehicular access plan, landscaping and screening, setback and buffer requirements, and transitioning of density/ intensity of land use.*
 - Buffers ranging from 25' to 75' will be kept along the property's boundary and neighboring properties. The density for the project will not exceed any of the surrounding developments.

(d) *Proposed special amenities including parks and open space, as applicable.*

- A total of 9.13 acres of open space will be provided. Sitting areas will be located in open space for public gathering areas.

(e) *Proposed phasing of development.*

- The development is intended to be constructed in one phase.

2. Community Design: *How the proposal will address the principles & standards of community design, including:*

(a) *How the project fits within the village concept of the city as set forth in the city's comprehensive plan.*

- This project fits into the Village Concept by the proximity to the available shops, stores, schools, and parks. The Village Concept is defined by the City as places where one could live, play, shop, and possibly even work. This project fits with the Village Concept by the proximity to the local shops/stores, schools, public parks, and places of work.

(b) *Providing multi-use path connections between residential and commercial properties and community facilities.*

- A multi-use path will be constructed from the northeast corner of the subject property to the existing path located in the subdivision directly north.

(c) *Preserving natural resources on the site. Preservation of specimen trees and vegetation along roadways or boundaries.*

- 25'-75' buffers have been added along the subject tract.

(d) *Incorporating natural storm water management designs as wet ponds and other community amenities.*

- Sitting areas will be placed around stormwater ponds to serve as a public gathering area located within open space.

(e) *Building architecture, signs, landscaping, lighting, and other urban design elements.*

- These items are to be determined.

(f) *Preserving and/or providing open space.*

- All streams and stream buffers will be located within the open space. A total of 9.13 acres of open space will be provided.

3. Economic Development: *Identify whether or not the proposed use is an existing county-based business or targeted industry, as identified by the Fayette County development authority and/or the development authority of the city. Provide an estimate the development will have on the city's tax base.*

4. Fire and Rescue: *Discuss how fire safety will be addressed:*

(a) *Impacts of the proposal on established level of service (LOS) standards.*

- To be determined by the city.

(b) *Additional mitigation measures such as sprinklers and fire-rated construction if outside travel time.*

- These items are to be determined.

(c) *Proposed improvements, including possible transportation improvements to achieve a satisfactory LOS.*

- To be determined by the city.

5. **Potable Water:** *Describe how water will be provided to the site.*

- Public water will be provided to the site by tapping into the existing water main located at the intersection of Redwine Road and Nesmith Court.

6. **Sewer:** *Describe how sanitary sewer service will be provided to the site.*

- Sanitary sewer will be provided to the project via an off-site extension to the south, connecting to the existing main on the south side of Highway 74.

7. **Transportation:** *Describe measures to achieve level of service 'D' or better. The limits of any traffic study shall be determined by the city engineer and the city's traffic consultant and shall include:*

(a) *Impacts of the proposal on established level of service (LOS) standards.*

- Impacts to be determined by the city.

(b) *Improvements proposed, both motorized and non-motorized.*

- The project will have 3,900 +/- LF of road built within a 50' public right-of-way along with sidewalks built throughout.

(c) *Address connectivity of sidewalks and/ or multi-use path system to adjacent properties, as well as the connectivity of internal roads to adjacent properties.*

- Sidewalks will be constructed throughout the project. A multi-use path will be constructed to connect to the existing path located at the intersection of Foreston Place and Redwine Road.

I trust the above information will allow for the further processing of our request. Should you have any questions regarding the attached or require any additional information, please do not hesitate to call me at (770) 914-9394.

Sincerely,

Moore Bass Consulting, Inc.



Stephen D. Moore

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Planning Commission

FROM: Robin Cailloux, Planning Director 5/22/2023

DATE: June 12, 2023

SUBJECT: PH-23-03 Zoning Ordinance Text Amendment to comply with updated Georgia Zoning Procedures Law (House Bill 1405)

Recommendation:

Staff recommends approval of the zoning text amendments to comply with the updates that the Georgia Legislature made to the Georgia Zoning Procedures Law.

Discussion:

In their 2021-2022 legislative session, the Georgia Legislature passed House Bill 1405 making changes to the Zoning Procedures Law. This law dictates the minimum standards every jurisdiction in the state must comply with in order to have zoning. House Bill 1405 made updates to definitions, advertising requirements, and procedure requirements in certain cases. All municipalities must update their zoning ordinances to comply with the law by July 2023.

HB 1405 clarified exactly which zoning decisions are legislative and which are quasi-judicial. The table below summarizes the definition:

Legislative Decisions	Adoption or repeal of zoning ordinance, zoning text amendments, rezoning, or zoning as a part of annexation
Quasi-Judicial Decisions	Variances and Appeals of administrative decisions (other actions included but do not exist in Peachtree City include Special Administrative Permits, Special Exceptions, and Conditional Use Permits.)

Secondly, the new law increased the required advertising time for variances from 15 days to 30 days. And finally, the new law added additional public hearings and advertising requirements for when a jurisdiction makes text changes to single-family zoning districts that would allow multi-family uses. Please note that these apply only when the jurisdiction is making the changes and not when a property owner is applying for a rezoning from single-family to multi-family.

Please find attached a document showing the proposed changes in red text.

Budget Impact:

There are no budget impacts associated with this item.

Attachments:

1. ZPL Updates in Track Changes

ARTICLE VI. DEFINITIONS

Words and terms not explicitly defined in this ordinance shall have the meaning given by common and ordinary use as defined in Websters New Collegiate Dictionary. The following specific definitions shall apply:

Accessory: A use or structure customarily incidental and subordinate to the principal use or structure, and located on the same zoning lot as such a principal use or structure.

Alley: A secondary way which affords access to the side or rear of abutting property.

Alteration: Any change in the supporting members of a building; any addition to or reduction of a building; any change in use; or any relocation of a building.

Arterial roads: These roads are intended to provide high-speed travel between or within communities, or to and from collectors and expressways. Access is controlled so that only regionally significant land use may take direct access to these roads. (Ord. No. 268, § 1(A), 6-3-1982)

Automobile service station: A land use where gasoline, oils, greases, batteries, tires, and general automobile accessories may be provided, but where no part of the premises is used for the storage or dismantling of wrecked or junk vehicles.

Awning: Any structure made of cloth, metal or other material, attached to a building, wholly supported by its frame and the building, without ground supports. (Ord. No. 607, 9-16-1993)

Awning, retractable: An awning designed to be stored against a building when not in use, but which can be temporarily extended either manually or mechanically. For purposes of administering this ordinance, a retractable awning will be allowed to extend into a rear setback area in a general residential zoning district; provided that, when fully extended, it encroaches no more than ten feet into the rear setback area. (Ord. No. 607, 9-16-1993)

Basement: The area below the first floor level in a building and having not more than one-half of its height above grade.

Buffer: That portion of a lot established for open space purposes and intended to separate properties with different and possibly incompatible types of use. A buffer shall not be occupied with structures and facilities except as permitted by this ordinance. Where required by this ordinance, a buffer may include the installation of a suitable visual screen.

Building: Any structure having a roof and intended for shelter, housing or enclosure of persons, animals or property of any kind.

Building height: The vertical distance of a building measured from the average elevation of the finished grade at the front of the building to the highest point of the building.

Building line: Synonymous with setback. (Ord. No. 366, § 1, 5-22-1985)

Building, principal: A building in which is conducted the principal use of the zoning lot on which said building is situated.

Care home: A rest home, nursing home, convalescent home, home for the aged, or similar use established and operated on a profit or nonprofit basis to provide lodging and/or meals and/or domiciliary care for aged, infirm, chronically ill or convalescent persons.

Clinic: An establishment where medical or dental patients are admitted for examination and treatment, but where there is no overnight lodging.

PART II - CODE OF ORDINANCES
APPENDIX A - ZONING
ARTICLE VI. DEFINITIONS

Collector roads: Collector roads connect residential streets to the highway system's major and high-speed arterials or provide access to nonresidential uses and arterials. Collectors form barriers between neighborhoods and are designed for higher speeds and traffic volumes than are residential streets. Because uncongested traffic flow is necessary for their effective functioning, residential uses are prohibited access to collectors. Collectors will be classified as major collectors and minor collectors.

- (a) *Major collector:* This road cannot permit on-street parking. It may carry some nonlocal traffic and extend beyond Peachtree City's corporate boundaries.
- (b) *Minor collector:* The average daily traffic is less on minor collector roads than major collector roads and serves primarily local traffic. (Ord. No. 268, § 1(A), 6-3-1982)

Because uncongested traffic flow is necessary for their effective functioning, residential uses are prohibited access to collectors unless a variance is granted by the city council pursuant to a procedure contained in the Peachtree City Street Design and Construction Specifications. (Ord. No. 268, § 1(A), 6-3-1982; Ord. No. 295, 3-3-1983)

Curb cut: The point at which vehicular access is provided to a lot from an adjoining street.

Density: The number of dwelling units per acre of land used for residential purposes. Unless otherwise stated, density figures are to be in terms of net acres, or the land devoted to residential use exclusive of streets or other public lands.

Density, high: For purposes of this ordinance, high density is defined as more than ten dwelling units per net acre.

Density, low: Low density is four dwelling units or fewer per net acre.

Density, medium: Medium density is five to ten dwelling units per net acre.

Drive-in: A retail or service enterprise wherein service is provided to the consumer on the outside of the principal building.

Dwelling: A building or portion of a building, other than a mobile home, designed for, or occupied for, residential occupancy, as further defined in applicable state codes.

Dwelling, cluster: One of a series of attached and/or detached dwelling units situated on at least five contiguous acres of land developed under a single ownership.

Dwelling, multifamily: A dwelling designed for, or occupied by, three or more families living independently of each other. Various multifamily dwellings are further defined below:

Apartment: One of a series of three or more attached dwelling units under a single roof, developed and/or operated under single ownership and rental agreements, and occupied by families living independent of each other. (Ord. No. 676, 6-5-1997)

Condominium: One of a series of three or more attached dwelling units under a single roof, each separately owned and listed as real property, and occupied by families living independently of each other. (Ord. No. 676, 6-5-1997)

Health care: One of a series of three or more attached dwelling units under a single roof, developed and/or operated under single ownership and rental agreements/medical fees, and occupied by health care recipients as further defined in applicable Georgia state codes. Health care facilities include nursing homes and assisted living/limited care dwellings, and shall be limited to two stories with ground level entry/exit facilities provided for both stories. (Ord. No. 676, 6-5-1997)

PART II - CODE OF ORDINANCES
APPENDIX A - ZONING
ARTICLE VI. DEFINITIONS

Townhouse: One of a series of three or more attached dwelling units on separate zoning lots which units are separated from each other by party wall partitions extending at least from the lowest floor level to the roof, and are occupied by families living independently of each other. (Ord. No. 676, 6-5-1997)

Dwelling, one-family: A detached dwelling designed for, or occupied exclusively by, a single family.

Dwelling, patio: A single-family dwelling in which all or a portion of the area required for side and rear setback depths may be consolidated into one or more garden court spaces within the walls of the dwelling unit.

Dwelling, townhouse: One of a series of three or more attached dwelling units on separate zoning lots which are separated from each other by party wall partitions extending at least from the lowest floor level to the roof.

Dwelling, two-family: A detached dwelling designed for, or occupied exclusively by, two families living independently of each other.

Dwelling unit: One or more rooms within a dwelling forming a separate, independent housekeeping establishment for use on a basis involving owner occupancy or rental of a weekly, monthly or longer basis, with provision for cooking, eating and sleeping, and which is physically set apart from any other rooms or dwelling units in the same building.

Elevation, front: The view of a building or group of buildings as seen from directly in front of the structures.

Employee: A full-time employee of a business or industry. For purposes of determining parking requirements where employees work in shifts the required parking space shall be adequate for the number of employees on the maximum shift plus the number of employees on the next to maximum shift in order to accommodate the shift change peak parking requirement.

Family: A person, or group of persons, immediately related by blood, marriage, or adoption, living and cooking together as a single housekeeping unit, exclusive of household servants; also, a group of not more than three persons, or a group of not more than eight disabled persons not necessarily related by blood, marriage, or adoption, living and cooking together as a single housekeeping unit.

Flood boundary: The area possibly threatened by a flood, as displayed on the Peachtree City flood boundary and floodway map.

Floor area: The area of a dwelling exclusive of attic, basement, garage, carport, patios, and open porches measured from the exterior face of the exterior walls of a dwelling. Also, the gross leasable floor area for any business or industry based on interior dimensions.

Garage, private: An accessory building or portion of a principal building used only for private storage of permitted motor vehicles.

Garage, public: Any garage other than a private garage which is used for storage, minor repair, rental, servicing, washing, adjusting, or equipping of automobiles or other motor vehicles.

Garage, repair: A public garage intended to be used to make major commercial automobile or other motor vehicle repairs; provided that all body work and painting shall be conducted within fully enclosed buildings, and further provided that there is no open storage of junk, wrecked vehicles, dismantled parts, or supplies visible beyond the premises.

Guest house: Living quarters situated within an attached or detached accessory building located on the same premises as the principal building; such quarters shall be used only by bona fide nonpaying guests or relatives of the owners or occupants of the principal building and shall not be rented or otherwise occupied as a separate dwelling. In certain zoning districts, a guest house may be permitted as the principal building on a zoning lot, but on the same conditions as stated above.

PART II - CODE OF ORDINANCES
APPENDIX A - ZONING
ARTICLE VI. DEFINITIONS

Home occupation: A business carried on by an occupant of a dwelling as a secondary use which is clearly incidental to the use of the dwelling for residential purposes. For purposes of this ordinance, occasional activities at a dwelling like garage sales, Tupperware parties and bazaars are not considered to be home occupations. (Ord. No. 448, 12-3-1987)

Home, patio: See "Dwelling, patio."

Hotel: A building in which overnight accommodations without separate cooking facilities are provided to the public. The term "hotel" includes the terms "motel" and "tourist court."

Industrial/commercial roads: These roads are used specifically for industrial and/or commercial use. (Ord. No. 268, § 1(A), 6-3-1982)

Junk or salvage yard: Any part of a zoning lot used for the storage, abandonment, or sale of junk, salvage, or scrap materials; including the dismantling or demolition of automobiles, other vehicles, machinery, equipment, or parts thereof.

Kennel: Any location where more than three dogs, cats or other animals are kept for commercial or noncommercial purposes. This definition does not include litters of animals of not more than four months of age.

Land area per dwelling unit: The amount of land in square feet required for each dwelling unit permitted on a zoning lot.

Loading space: Space logically and conveniently located for pick-up and delivery service, scaled to the vehicles expected to be used, and accessible to such vehicles at all times.

Lot: A parcel of land of varying size which is designated as a single unit of property. Unless otherwise stated in this ordinance, the word "lot" shall mean the same as "zoning lot" as herein defined.

Lot, corner: A lot located at the intersection of two or more streets.

Lot, double-frontage: A lot, other than a corner lot, which has frontage on more than one street.

Lot, interior: A lot which has frontage on only one street or public way.

Lot, multiple-frontage: Property having boundary lines adjacent to more than one public street, right-of-way or private street shall be deemed multiple frontage property. (Ord. No. 366, § 2, 5-22-1985)

Lot, zoning: A parcel of land in single ownership occupied or intended to be occupied by principal uses and accessory uses in accordance with the provisions of this ordinance. A zoning lot must have frontage on a street or public way, and have at least the minimum land area required by this ordinance for the zoning district within which it is located. A lot of record may or may not be a zoning lot.

Lot depth: The mean horizontal distance between the front and rear lot lines, measured in the general direction of the side lot lines.

Lot of record: An area designated as a separate and distinct parcel of land on a legally recorded subdivision plat or in a legally recorded deed.

Lot width: The distance measured along the front setback line, from end to end. (Ord. No. 366, § 3, 5-22-1985)

Mobile home: Any vehicle or similar portable structure having no foundation other than wheels, jacks or skirting and so designed or constructed as to permit single-family occupancy for dwelling purposes. The term "mobile home" includes the terms "trailer" and "house trailer" and shall also include any structure which has been converted from a portable unit to semi-stationary or stationary structure.

PART II - CODE OF ORDINANCES
APPENDIX A - ZONING
ARTICLE VI. DEFINITIONS

Mobile home park: Any zoning lot where two or more mobile homes are installed for living purposes, including any land or structure used by occupants of mobile homes on such premises.

Mobile home space: A plot of ground within a mobile home park designed to accommodate a single mobile home.

Nonconforming use: A building, structure or land lawfully occupied by a use that does not conform with the regulations of the zoning district in which it is located.

Parking space: An area for off-street automobile parking.

Processing: In manufacturing activities, the changing of materials to a different condition for either use or sale by the industry.

Property line, front: The boundary line adjacent to any public street right-of-way or private street access which the primary access to the property passes, and which shall be used to identify the street address of the property in question. (Ord. No. 366, § 4, 5-22-1985)

Property line, rear: The boundary line most opposite the front boundary line, which intersects two of the side boundary lines (unless the property has fewer than four sides, then one of the side boundary lines intersecting the front boundary line shall be deemed the rear boundary line). (Ord. No. 366, § 5, 5-22-1985)

Property line, side: Any property line not designated as a front or rear property line. (Ord. No. 366, § 5, 5-22-1985)

Quasi-judicial decision: Decisions or hearings of the City Council pertaining to appeals of administrative decisions for permits, variances, special administrative permits, special exceptions, or conditional use permits. This term shall not include decisions or hearings pertaining to "Zoning Decisions" as such term is defined in O.C.G.A. § 36-66-3(4), as such statute may be amended.

Residential streets: Residential streets primarily function to provide access to residential uses. All residential streets are intended to accommodate relatively low traffic volumes at slow speeds in order to minimize the basic incompatibility of vehicles and the pedestrians and children who characterize residential neighborhoods. (Ord. No. 268, § 1(A), 6-3-1982)

Second home: A single-family dwelling unit on an individual lot, where the dwelling is used as a secondary home for a family residing elsewhere in the primary home.

Setback: A required open space on a lot or parcel of land upon which no building or structure may be erected except as permitted by these ordinances. This area is bounded by property lines and setback lines as appropriate. (Ord. No. 366, § 7, 5-22-1985)

Setback area, front: The area bounded by the front property line, the side property lines that intersect the front property line (or one side property line and the rear property line if the property has fewer than four sides) and the front setback line. (Ord. No. 366, § 8, 5-22-1985)

Setback area, rear: The area bounded by the rear property line, the required rear setback line and the two side property lines that intersect the rear property line (or if the property has fewer than four sides, one side yard line and the front yard setback line). (Ord. No. 366, § 9, 5-22-1985)

Setback area, side: The area bounded by the front setback lines, the appropriate side property line(s), the rear setback line and the required side setback line(s). (Ord. No. 366, § 10, 5-22-1985)

Setback depth: The shortest distance between the property line and associated setback lines. (Ord. No. 366, § 11, 5-22-1985)

PART II - CODE OF ORDINANCES
APPENDIX A - ZONING
ARTICLE VI. DEFINITIONS

Setback line, front: The interior boundary of the front setback area, being a straight line extending from side property line to side property line (or side property line to rear property line if the property has fewer than four sides) and located no closer (at no point along such line) to the front property line than the greater of:

- (1) The minimum front setback as specified by the appropriate zoning district requirements; or
- (2) That depth which will create the minimum lot width along the front setback line. (Ord. No. 366, § 12, 5-22-1985)

Setback line, rear: The interior boundary of the rear setback area being a line equidistant from the rear property line and extending from the side property lines (or a side property line and the front setback line if the property has fewer than four sides) at the minimum depth specified by the appropriate zoning district requirements. (Ord. No. 366, § 13, 5-22-1985)

Setback line, side: The interior boundary of a side setback area, being a line equidistant from the appropriate side property line(s) and extending from the front setback line to the rear setback line at a minimum depth as specified by the appropriate zoning district requirements. (Ord. No. 366, § 14, 5-22-1985)

Sign: The term "sign" shall include every sign, billboard, poster panel, freestanding ground sign, roof sign, projecting sign, pylon sign, illuminated sign, sign painted on a wall, window, marquee, awning or canopy, and shall include any announcement, declaration, demonstration, display, ribbon, banner, illustration or insignia used to advertise or promote the interests of any person when the same is placed in view of the general public traveling along a public street right-of-way. This definition includes those displays on doors and windows as well as those which are visible through doors and windows. However, this definition does not include displays on private property not readily visible from public street rights-of-way. (See Peachtree City sign ordinance)

Cross reference(s)—The "sign ordinance" is found in section 66-1 et seq. of the Code.

Special exception: A use which within certain districts specified by this ordinance is not permitted as a matter of right but which may be permitted by the city council in accordance with criteria as set forth in this ordinance.

Story: That portion of a building, not including a basement, between the surface of any floor and the surface of the floor next above it, or if there is no floor above, then the space between the floor and the ceiling next above it.

Street: A public way for traffic which may or may not be publicly owned.

Street access: A street intended to carry traffic between commercial uses and a major thoroughfare.

Street, private: A street that is privately owned and used in accordance with the wishes of the owner.

Street, public: A street that is used for travel by the general public, whether or not it is owned by a public agency.

Structure: Anything constructed or erected which requires a fixed location on the ground or which is attached to something having a fixed location on the ground.

Uses, conditional: Those uses that are permitted in a particular zoning district but only under certain specified conditions.

Uses, principal: The main purpose for which a zoning lot is intended and for which it may be used.

Variance: A modification of the terms of this ordinance granted by the city council in accordance with criteria as set forth in this ordinance.

PART II - CODE OF ORDINANCES
APPENDIX A - ZONING
ARTICLE VI. DEFINITIONS

Vehicle, abandoned: A vehicle which does not bear a current license plate unless said vehicle is stored within a completely enclosed building or unless it is stored on a bona fide sales lot and is in a satisfactory operating condition. This definition does not include vehicles which are not intended to be operated on public streets or roads.

Villa, guest: A dwelling owned and operated within the city limits for the purpose of providing a temporary lodging for visiting employees or associated guests of the owner of the property. (Ord. No. 174(c), 1-25-1979)

Zoning administrator: The person who has been designated by the city council to administer the enforcement of this ordinance.

Zoning Decision. Such term shall be defined as set forth in O.C.G.A. § 36-66-3(4), as such statute may be amended.

(Ord. No. 1093, § 1, 4-2-2015)

Sec. 1201. Purpose.

The purpose of this section is to authorize variances from the terms of this ordinance as will not be contrary to the public interest so that the spirit of this ordinance shall be observed, public safety and welfare secured, and substantial justice done. A variance is a request for relief from the provisions of the zoning ordinance. The power to grant a variance does not extend to use restrictions established within a particular zoning district

(Ord. No. 934, § 1, 2-21-2008)

Sec. 1202. Application.

An application for a variance may be submitted only by the owner of the property for which a variance is desired or his authorized agent. Application requirements shall be as described herein.

Variances may be considered in all districts and shall only be granted upon showing that:

- (a) Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of the zoning ordinance; or
- (b) The application of the particular provision of the zoning ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public.

(Ord. No. 934, § 1, 2-21-2008)

Sec. 1203. Variance type.

The zoning administrator shall determine the type of variance required, and shall classify the request as:

- (a) Administrative variance.
- (b) Variance.

(Ord. No. 934, § 1, 2-21-2008; Ord. No. 1195 , § 1, 12-16-2021)

Sec. 1204. Administrative variance.

Review and approval of a request for an administrative variance shall be administered by a special administrative variance committee consisting of the zoning administrator, the city manager and a member of city council. Applications may be considered only if the following requirements are met:

- (a) The request pertains to either an existing zoning setback violation provided that the property owner making the request is not the same property owner who was responsible for the violation; or
- (b) The request is for a rear setback encroachment that would not exceed 50 percent of the required setback per the zoning district ordinance, provided that the following conditions are satisfied:
 - (1) The proposed structure uses similar building and roof materials, roof pitch, and color scheme as the primary structure; and
 - (2) The applicant provides written consent of the home owners' association, if applicable, and all property owners adjacent to the requested property; or

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- (c) The request is for a decrease of not more than 25 percent of the minimum building setback, provided that the property line in question and the associated building setback adjoins a publicly-owned property and there is no other possible location on the property that would accommodate the proposed building expansion without encroaching into the established building setback, provided that the following conditions are satisfied:
 - (1) The proposed structure uses similar building and roof materials, roof pitch, and color scheme as the primary structure; and
 - (2) The applicant provides written consent of the home owners' association, if applicable, and all property owners adjacent to the requested property; or
 - (d) The request is for a decrease of not more than 25 percent in the minimum number of parking spaces required by the city's parking ordinance' provided the applicant identifies on the site plan where this parking would be located if needed in the future; or
 - (e) The request is for an increase in the maximum height of a fence or wall; provided that:
 - (1) Such wall or fence is justified by reason of safety and security pertaining to pool barriers or other International Building Code standards as adopted by the city, and will not unduly prevent passage of light and air to adjoining properties and is not incompatible with the surrounding neighborhood; or
 - (2) Such greater height is justified for topographic reasons, and is not more than a 25 percent increase in maximum height standards per chapter 18 of this Code, and is not incompatible with the surrounding neighborhood.

In no case shall an administrative variance be granted from the conditions of approval imposed on a parcel through a zoning change granted by the city council.

In reviewing the application, the administrative variance committee shall analyze the application to determine whether granting the request would cause substantial detriment to other property owners in the surrounding area or would impair the purposes of the zoning ordinance. If it is found that the request is in conformance with these requirements and does not adversely affect the area, the administrative variance committee shall issue an official determination in writing approving the request. The property owner, the city clerk, and the building official shall be provided with a copy of this determination.

If it is found that the request is not in conformance with these requirements or may possibly have an adverse effect on the surrounding area, the administrative variance committee shall deny the appeal in writing, stating the reasons for the denial.

The administrative variance committee shall act on all appeals within 15 working days after the application is deemed complete by the zoning administrator.

If a request for an administrative variance is denied by the administrative variance committee, the property owner may appeal this decision to the city council in accordance with the procedures identified herein.

(Ord. No. 934, § 1, 2-21-2008; Ord. No. 1195 , § 2, 12-16-2021)

Sec. 1205. Reserved.

Editor's note(s)—Ord. No. 1195 , § 3, adopted December 16, 2021, repealed § 1205 which pertained to special exception variances and derived from Ord. No. 934, adopted February 21, 2008.

Sec. 1206. Variance.

A variance is recognized as having potential impact on the larger area and may affect enforcement of the zoning ordinance elsewhere in the city. A request for variance shall be reviewed by the zoning administrator, city staff (as applicable), and city council.

(Ord. No. 934, § 1, 2-21-2008)

Sec. 1207. Review criteria.

In reviewing a request for a variance, the city council shall not grant the request unless all of the following findings can be made:

- (a) There are special circumstances applicable to the property, including location, shape, size, surroundings, or topography so that the strict application of this ordinance denies the property of privileges enjoyed by other property in the vicinity and under identical zoning district classification;
- (b) The strict or literal interpretation and application of this ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning ordinance, or would deprive the applicant of privileges granted to others in similar circumstances;
- (c) There are exceptional or extraordinary circumstances or conditions applicable to the property involved or the intended development of the property which preclude the applicant from complying with this ordinance and that do not apply generally to other property in the same zoning district and which prevent the applicant from complying with existing regulations;
- (d) The granting of such variance will not constitute the granting of special privileges inconsistent with the limitations on other property in the same zoning district; and
- (e) The granting of such variance will not be materially detrimental to the public health, safety, or general welfare nor injurious to property or improvements in the zone or neighborhood in which the property is located.
- (f) The granting of such variance will not create inconsistencies with any objective of the comprehensive plan.

If it is found that the request is not in conformance with these requirements or may possibly have an adverse effect on the surrounding area, the city council shall deny the request in writing, stating the reasons for the denial.

(Ord. No. 934, § 1, 2-21-2008)

Sec. 1208. Filing procedure.

All ~~variance~~ applications for a variance, an appeal, a conditional use permit, or any other quasi-judicial decision shall be filed with the zoning administrator on forms provided by the zoning administrator.

Any communication relative to a variance request will be regarded as information only until a proper application is made in the form required.

An application fee, as established within the city's schedule of fees, shall accompany each variance application.

Upon receiving an application, the zoning administrator shall have no less than ten working days to review the application for compliance with these requirements. Once the application is deemed complete, the zoning

administrator shall schedule public hearings with the planning commission and/or city council (as appropriate). Such hearings shall take place within 45 days after the application is deemed complete.

A sign displaying the hearing date and the nature of the hearing shall be placed in a conspicuous location on the property not less than ten days prior to a planning commission meeting and not less than ~~30~~15 days prior to a city council meeting, as appropriate.

A notice of the public hearing date and the nature of the hearing shall be published in the newspaper of general circulation which serves as the legal organ for the city. The newspaper notice shall appear not less than ten days prior to a planning commission meeting and not less than ~~30~~15 days prior to a city council meeting, as appropriate.

At the public hearing, the applicant may appear in person or be represented by an agent or attorney.
(Ord. No. 934, § 1, 2-21-2008)

Sec. 1209. Limitations on authority.

The authority and jurisdiction of individuals as provided herein shall be limited as outlined in the following. In exercising this jurisdiction, each individual shall have authority to determine whether it has jurisdiction.

- (a) There shall be no variances to permitted uses or accessory uses as specified in the zoning district regulations, administrative/use permit or conditions of approval imposed on a parcel through a zoning change granted by the city council.
- (b) There shall be no variances to the minimum lot area or the minimum district size requirements in each zoning district.
- (c) There shall be no variances to the minimum lot frontage on a street as required in designated zoning districts.
- (d) There shall be no modification to increase the density or change the use approved under the zoning case except as to allow the development of a conservation subdivision.
- (e) There shall be no modification to revise a site plan that, as determined by the planning commission and/or city council, results in a significant change in the approved concept.

(Ord. No. 934, § 1, 2-21-2008)

Sec. 1210. Quasi-judicial hearing Appeal procedures.

Quasi-judicial hearings before Appeals to the city council ~~based on decisions of the zoning administrator (administrative variance)~~ shall be filed with the city clerk in writing and shall clearly specify the grounds for the appeal ~~or, variance or permit.~~ All documents constituting the record of the action which is being appealed shall be transmitted to the city council by the city clerk.

- (a) Action shall not be initiated ~~on the same appeal~~ by the same applicant more than once in every 12 months.
- (b) Any communication relative to an appeal will be regarded as information only until a proper application is filed with the city clerk.
- (c) An application fee, as established within the city's schedule of fees, shall accompany each request ~~for appeal.~~

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- (d) ~~Before acting on any appeal, the~~ city council shall hold a public hearing as described herein prior to taking any action.
 - (e) The city clerk shall place notice of the time, place, and subject matter of the hearing in the newspaper of general circulation which serves as the legal organ for the city not less than 15 days prior to the hearing.
 - (f) The process of advertising the public hearing, holding the public hearing, and rendering a decision on the appeal shall not be unduly delayed.
 - (g) Public hearing procedures shall comply with those outlines in Section 2-38 Public hearings of the Peachtree City Code of Ordinances.

(Ord. No. 934, § 1, 2-21-2008)

Sec. 1211. Appeals of city council decision ~~or action.~~

Any person or persons severally or jointly aggrieved by any decision by the City Council which constitutes a Quasi-Judicial Decision may be appealed in the Superior Court of Fayette County, Georgia, pursuant to the provisions of Title 5 of the Official Code of Georgia Annotated for review of lower judicatory bodies.~~on any appeal for variance may appeal such decision to the Superior Court of Fayette County by writ of certiorari.~~

(Ord. No. 934, § 1, 2-21-2008)

Sec. 1301. Authority.

Whenever justified for the public good, the city council may undertake the necessary steps to amend this ordinance.

(Ord. No. 1188, § 1, 2-18-2021)

Sec. 1302. Procedures.

This ordinance, including the zoning map, may be amended from time to time, but no amendment shall be adopted except through the following procedure:

- (1) *Eligibility to initiate procedure.*
 - (a) An application for rezoning of property may be submitted only by the owner of said property or the owner's representative; in addition, a proposal for rezoning may be initiated by the city council;
 - (b) A proposal to amend the text of the zoning ordinance may be initiated only by the city council, except text amendments to specifically numbered LUR and LUC districts may be initiated by the property owner and follow the zoning map amendment hearing process;
 - (c) While any person may request that the city council initiate a proposal for rezoning or a proposal to amend the zoning ordinance, such a request must be adopted as an official proposal of that body before it can be forwarded to the next step in this procedure;
 - (d) A property owner may not apply for rezoning of the same parcel more often than once every six months; provided that a property owner, with the consent of the city council, may voluntarily withdraw the rezoning application once prior to the time same is acted upon by the city council, and the six-month waiting period shall not apply to a subsequent rezoning application for the same parcel; the "same parcel" is one which includes any portion of a parcel for which a rezoning application has been submitted previously; and
 - (e) If an application for rezoning is denied by action of the city council, then the same property may not again be reconsidered for rezoning until the expiration of at least six months immediately following said denial.
- (2) *Filing an application.*
 - (a) Rezoning applications shall be filed with the planning department on forms provided by the planning department. The planning department shall submit the application to the city council for review and recommendation. The proposals initiated by the city council shall proceed to the public hearing as required herein within section 1304.
 - (b) Any communication relative to an amendment request will be regarded as information only until a proper application is made in the form required.
- (3) *Fees.* The city council shall set the fees from time to time by resolution.
- (4) *Stay of permit.* No permit shall be issued for grading or construction on a parcel of land where a proposal for rezoning of said parcel has been initiated prior to submittal of an application for a permit.

(Ord. No. 415, 11-13-1986; Ord. No. 420, 1-8-1987; Ord. No. 1188, § 2, 2-18-2021)

Editor's note(s)—Ord. No. 420, adopted Jan. 8, 1987, amended §§ 1302—1304, to read as herein set out. Said ordinance also added § 1306, repealer and effective date, which has been omitted therefrom at the editor's discretion.

Sec. 1303. Reserved.

Editor's note(s)—Ord. No. 1188, § 3, adopted February 18, 2021, repealed § 1303 which pertained to planning commission hearings and derived from Ord. No. 420, adopted January 8, 1986.

Sec. 1304. Hearings, city council.

(1) *Public hearing.*

- (a) Except as provided in Sec. 1305 of this Ordinance, bBefore enacting an amendment to this ordinance, including the zoning map, the city council shall hold a public hearing thereon, at least 15 days but not more than 45 days' notice of the time, place and purpose of which shall be published in the newspaper of general circulation which serves as the legal organ for the city.

The notice for zoning map amendments shall include the location, present zoning classification, and proposed zoning classification of the property. A sign displaying the hearing date, present zoning classification, and proposed zoning classification shall be placed in a conspicuous location on the property not less than 15 days prior to the hearing date. In addition, at least 15 days prior to the holding of a public hearing under this section, a copy of the notice shall be sent by first class mail to all owners of property adjacent to the property considered for rezoning, and to all owners of property located within 200 feet of the property to be considered for rezoning. Property ownership shall be ownership as shown by the Fayette County Tax Digest for the year in which the zoning application is considered, and the city officials have no duty to inquire into ownership beyond that shown on said tax digest. As used in this section, the phrase "owners of adjacent property" means any owner of property that physically touches the property considered for rezoning.

- (b) The city council shall act on any amendment application as soon as possible, within 60 days from the date of the planning department's determination that the submitted application is complete and correct.
- (c) At a hearing before the city council, any party may appear in person or be represented by an agent or an attorney. Should the applicant or a representative of the applicant fail to appear at the public hearing, the council may take action on the proposed amendment or may continue the public hearing to another date. Should the applicant or a representative of the applicant fail to appear at a public hearing and the amendment be continued to another meeting, the applicant shall be responsible for any costs associated with re-advertising the notice of the public hearing.
- (d) The following factors, where relevant, shall be considered in evaluating a proposed change to the zoning map:
- (1) Whether the zoning proposal is in conformity with the policy and intent of the land use plan;
 - (2) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;
 - (3) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;
 - (4) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;

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- (5) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools; and
 - (6) Whether there are other existing or changing conditions affecting the use and development of the property which give supportive grounds for either approval or disapproval of the zoning proposal.

(2) Public hearing procedures shall comply with those outlined in Section 2-38 Public hearings of the Peachtree City Code of Ordinances

(Ord. No. 420, 1-8-1986; Ord. No. 499, 7-6-1989; Ord. No. 822, 12-18-2003; Ord. No. 823, 12-18-2003; Ord. No. 1188, § 4, 2-18-2021)

Editor's note(s)—There is no subsection 1304(2).

Sec. 1305. Changes pertaining to single-family residential uses of property.

If a zoning decision relates to an amendment of the zoning ordinance to revise one or more zoning classifications or definitions relating to single-family residential uses of property so as to authorize multi-family uses of property pursuant to such classification or definitions, or to grant blanket permission, under certain or all circumstances, for property owners to deviate from the existing zoning requirements of a single-family residential zoning, such zoning decision shall follow the procedures set forth in O.C.G.A. § 36-66-4(h), as the same may be amended, unless excepted from such procedures by said statute, in which event the procedures set forth in Section 1304 shall apply.

Sec. 130~~6~~5. Changes in the zoning map.

Following final action by the city council, any necessary changes shall be made within 90 days to the zoning map.

Temporary notation shall be made within the next working day.

A written record of the type and date of such changes shall be maintained by the city clerk.

The zoning action shall become official once the temporary notations have been made to the zoning map.

(Ord. No. 200, 6-5-1980)

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Planning Commission

FROM: Lora Hooks, Senior Planner 6/7/2023

DATE: June 12, 2023

SUBJECT: 23-06-01 Conceptual Site Plan, Sherwin-Williams, 1110 Crosstown Court

Recommendation:

Staff is of the opinion that the conceptual site plan for the Sherwin-Williams paint store meets the City ordinances and recommends approval of agenda item 23-06-01.

Discussion:

Site Development Partners has submitted a conceptual site plan for a Sherwin-Williams to be located at 1110 Crosstown Court. The site contains an existing building, approximately 2,700 SF, that was the former Pizza Hut. The proposal is to remove the existing building and replace it with a new 4,400 SF building and modify the existing parking lot.

Zoning Requirements

The subject tract is a total of 0.69 acres and is zoned GC, General Commercial, which permits the use as proposed. The proposed site plan conforms to all zoning setbacks:

- front building setback - 40 feet
- front parking setback - 20 feet
- landscape buffer - 40 feet
- side setback - 10 feet
- rear setback - NA (parcel is surrounded on 3 sides by road frontage)

Site Characteristics and Development Standards

This property contains a vacant building and a parking lot. It is located at the intersection of Crosstown Drive and Crosstown Court and is next door to Pep Boys. The site is bordered by road frontages on three sides and the existing buffer along Crosstown Drive is well established with canopy trees.

Crosstown Drive is classified as a community collector road, which is one of the four categories of major thoroughfares, and therefore an architectural review from the Planning Commission is required. The architectural design shall comply with sections 724 through 730 of the Land Development Ordinance.

Access, Circulation, and Parking Standards

The new paint store will use the two existing driveways from Crosstown Ct. and the existing parking area will be modified to accommodate the larger building footprint. The site has 34 existing parking spaces. After the modification, the site will have 19 parking spaces, which exceeds the minimum parking requirement. Per the ordinance, off-street parking shall not exceed 125% of the number of required spaces without a variance (125% of 15 is 18.75, which rounds up to 19 spaces). A 12' x 35' loading area is provided, meeting the requirement for one loading space for every 25,000 SF of floor area for retail businesses with more than 2,000 SF.

PARKING CALCULATIONS

	REQUIRED RATIO	AREA	REQUIRED	PROVIDED
<i>General retail</i>	1/300 SF	4,407 SF	15	19
TOTAL			15	19

Section 706 of the Land Development Ordinance requires multi-use path connections for residential and commercial developments. The multi-use path does not come close to this parcel, but the path system does connect to this shopping area to the south near Taco Bell.

Tree-save Landscape Buffer

This parcel is part of the Crosstown Court Commercial Complex platted in 1992. The plat includes a 40-foot landscape buffer along Crosstown Drive. The proposed building will maintain the current building line along the Crosstown Drive road frontage, which is a minimum of 42 feet from the property line. In addition, the existing curb line of the parking lot will remain as is along the edge of the buffer, therefore meeting the 40-foot buffer requirement.

Budget Impact:

There are no budget impacts associated with this item.

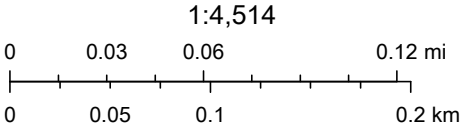
Attachments:

1. Zoning map
2. CONCEPT SITE PLAN



6/7/2023, 11:36:24 AM

Road Centerlines	R-43	LUR	LUR	GR	GR
lakes	R	LUR	LUR	GR	GR
Zoning	R	LUR	LUR	GR	GR
<Null>	R	LUR	LUR	GR	GR
AR	R	LUR	LUR	GR	OI
ER	R	LUR	LUR	GR	LC
VR	LUR	LUR	GR	GR	GC



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