

**AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING ORDINANCE, CITY OF WINDER, GEORGIA TO PROVIDE FOR USES IN THE B-1 NEIGHBORHOOD COMMERCIAL ZONE AND FOR OTHER PURPOSES**

It is hereby ordained by the City Council of the City of Winder, Georgia, that the Comprehensive Zoning Ordinance of the City of Winder, Georgia, is hereby amended by deleting Article XIII – B-1 Neighborhood Commercial Zone, Sections 130-135 and inserting in lieu thereof a new Article XIII – B-1 Neighborhood Commercial Zone, Sections 130-138 to read as follows:

**ARTICLE XIII. - B-1 NEIGHBORHOOD COMMERCIAL ZONE**

**Sec. 130. – Scope of article.**

The following sections present those development standards that must be met in the respective Neighborhood Commercial Zone.

**Sec. 131. – Permitted uses.**

Any general offices, restaurants or retail, but not including uses which may cause injurious or obnoxious noise, vibrations, smoke, gas fumes, odor or presents a fire hazard.

**Sec. 132. – Conditional uses.**

Upon application to, and recommendation by the Planning Board and favorable decision thereon by the City Council, the following conditional uses are permitted, provided there is a ten (10) foot wide landscaped buffer along the rear and side yards (other conditions may apply based on a case-by-case review):

- (a) Bar, pub, tavern, brew pub or other alcohol establishments that serve beer, wine or liquor by the drink.
- (b) Boarding house.
- (c) Firearm dealer.
- (d) Massage establishment.
- (e) Tobacco retailer.
- (f) Residential.
- (g) Retirement homes, bed and breakfast, convalescent homes, personal care homes (personal services provided), community living arrangements, assisted living homes, intermediate care homes, hospice homes, nursing homes, senior daycare homes and children daycare homes. The city adopts the State of Georgia definitions, as amended from time to time, for the previously listed types of facilities.

**Sec. 133. – Outdoor storage.**

- (a) Outdoor storage in a Neighborhood Commercial Zone shall be completely enclosed by solid walls, fences or opaque landscaping, or a combination thereof, not less than six (6) feet in height when visible from a public street or residential zone.

(b) No merchandise or materials shall be stored or displayed higher than its screening. This shall not pertain to communication towers or oversized functioning vehicles/vessels (i.e. bus, boat, tractor, etc.) when screening is at a height of eight (8) feet.

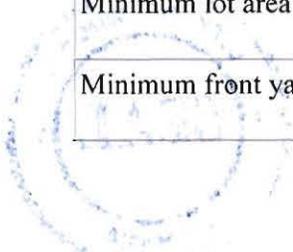
**Sec. 134. – Prohibited uses.**

- (a) Adult entertainment.
- (b) Agricultural harvesting of crops, fruit or vegetables.
- (c) Animal stock yard, livestock grazing or sales.
- (d) Automotive, recreational vehicle and motorcycle displays or sales.
- (e) Automotive or machinery repair or similar operations.
- (f) Beer, wine or liquor by the package.
- (g) Building supply displays, sales or storage.
- (h) Cemeteries.
- (i) Escort services.
- (j) Equipment displays, sales or storage.
- (k) Flea markets.
- (l) Funeral homes and crematories.
- (m) Gas/fueling stations.
- (n) Hotels.
- (o) Indoor gun ranges.
- (p) Industrial conditional uses.
- (q) Manufacturing or fabrication.
- (r) Pain clinics.
- (s) Pawnbrokers/title loans.
- (t) Substance addiction/abuse rehabilitation centers.
- (u) Tattoo artist and/or body piercing establishments.
- (v) Tire sales, repairs or recapping.
- (w) Transmission towers and communication antennae.
- (x) Warehouses.

**Sec. 135. – Development standards.**

Table B-1 Neighborhood Commercial Zone Development Standards

|                            |                    |
|----------------------------|--------------------|
| Minimum lot area           | 10,000 square-feet |
| Minimum front yard setback | 25 feet            |



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|--|---|
| Minimum side yard setback  | 15 feet<br>30 feet when abutting a Residential Zone |
| Minimum rear yard setback  | 15 feet<br>30 feet when abutting a Residential Zone |
| Maximum building height  | 35 feet   |
| In the case of a corner lot which abuts any two intersecting streets, the minimum side yard setback for the side of the building or structure facing a street shall be the same as a front yard setback. |   |
| Setbacks are measured from the edge of the right-of-way, or if no right-of-way exists, the setback shall be measured from the actual property line.  |   |

**Sec. 136. – Parking.**

See Article V Section 53.

**Sec. 137. – Business signs.**

Refer to the Sign Regulations, Article XXIII.

**Sec. 138. – Dumpster screening and pad.**

- (a) All dumpsters shall be enclosed with a wall on three sides by a masonry wall enclosure that is a minimum of eight (8) feet in height, accessed by an opaque gate.
- (b) Dumpsters shall be placed on concrete pads of sufficient size and strength to support the weight of service vehicles. The minimum thickness of the concrete pad shall be six (6) inches.

This Ordinance shall take effect immediately upon its adoption, the public health, safety and welfare requiring same.

IT IS SO ORDAINED this 2nd day of May, 2017.

CITY OF WINDER

By: *Del May*  
Mayor

Attest: *Ani Plana*  
City Clerk

