
ORDINANCE NO. 06-2023

AN AMENDMENT TO ARTICLE II OF THE UNIFIED DEVELOPMENT ORDINANCE OF NORCROSS, GEORGIA TO ADD AND AMEND CERTAIN DEFINITIONS; TO AMEND CONSIDERED SPECIAL USES IN THE OI OFFICE-INSTITUTIONAL ZONING DISTRICT; TO AMEND CONSIDERED SPECIAL USES IN THE C1 NEIGHBORHOOD BUSINESS ZONING DISTRICT; TO AMEND CONSIDERED SPECIAL USES IN THE C2 GENERAL BUSINESS ZONING DISTRICT; TO AMEND CONSIDERED SPECIAL USES IN THE HX HISTORIC MIXED-USE DISTRICT; TO AMEND CONSIDERED SPECIAL USES IN THE CX COMMUNITY MIXED-USE ZONING DISTRICT; AND TO ADD SUPPLEMENTAL STANDARDS FOR CONSIDERING A SPECIAL USE FOR EVENT HALLS; TO REPEAL CONTRARY PROVISIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

ENACTING CLAUSE. The Mayor and City Council of the City of Norcross, Georgia, hereby ordains that the adopted Unified Development Ordinance of Norcross, Georgia (hereinafter, the “Unified Development Ordinance”) is amended as more particularly set forth below. It is the intention of the Mayor and City Council, and it is hereby ordained that the following provisions shall become and be made a part of the Unified Development Ordinance.

I. AMENDMENTS

A. Section 102-2 of the Unified Development Ordinance shall be amended to provide the following definition, which shall be codified in alphabetical order:

Event Hall means a commercial business at which 50% of its business involves the leasing or providing of space for events, celebrations, ceremonies, etc., to celebrate a particular event, anniversary, or holiday (i.e., birthday parties, weddings, etc.) that (i) provides a gathering space for rental purposes; (ii) charges a rental fee pursuant to a written agreement for the use of the event hall for events; (iii) does not allow sexually related adult entertainment to be performed in the event hall.

B. Section 102-2 of the Unified Development Ordinance shall be amended to delete the current definition of “Places of public assembly” and replace the same with the following definition:

Places of public assembly means churches, synagogues, temples, mosques, and other places of worship, along with similar places where groups of people gather, including but not limited to church schools, recreational facilities, and training centers.

C. Sub-section of (e) of Section 201-16 of the Unified Development Ordinance shall be deleted and replaced with the following:

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- (e) *OI special permit uses.* The following uses shall be considered special permit uses in this district. Supplemental regulations for uses are in Article II, supplemental use standards, as applicable.

(1) *Residential—miscellaneous lodging, rooms for rent situations.*

- a. Hotel.

(2) *Services—office, clerical, repair, research, and personal not primarily related to the sale of goods or merchandise.*

- a. Other service establishments not listed but similar to the listed uses compatible with uses on adjoining property and meeting the intent and purpose of this district.

(3) *Educational, cultural, religious, philanthropic, social, or fraternal.*

- a. Private schools, trade or vocational schools.

(4) *Food and drink.*

- a. Catering or food preparation businesses.
b. Restaurants, no drive-in or drive-thru.

D. Sub-section of (e) of Section 201-17 of the Unified Development Ordinance shall be deleted and replaced with the following:

- (e) *C1 special permit uses.* The following uses shall be considered special permit uses in this district. Supplemental regulations for uses are in Article II, supplemental use standards, as applicable.

(1) *Sales and rental of goods, merchandise, and equipment.*

- a. Fuel sales.
b. Fuel sales when accessory to a permitted retail use.
c. Studio or meeting facility 5,000—19,999 square feet.
d. Any retail establishment not specifically permitted but which is similar to the listed uses, compatible with uses on adjoining property, and which meets the intent and purpose of the district, except that no special permit for an Event Hall may be given in the zoning district.

E. Section 201-18 of the Unified Development Ordinance shall be deleted and replaced with the following:

- (a) *Purpose.* The C2 general business district is established to provide adequate space in appropriate locations along major streets, thoroughfares and at intersections for various types of business and service uses. These uses should include the retailing of

major goods and services, general office facilities, and public functions that would serve a community area of several neighborhoods. Development of uses in the district characteristically occupies a larger area than in the C1 neighborhood business district because it is intended to serve a greater population and to offer a wider range of goods and services. Orientation and expansion of this district should occur as an increase in depth at major intersections rather than as a strip-like extension along the street or thoroughfare.

(b) *C2 Lot development standards.*

Lot dimensions	
Minimum lot area	None
Minimum lot width	None
Minimum lot frontage	None
Minimum setbacks	
<i>Principal building</i>	
Front (from right-of-way)	50'
Side	If provided, 10' each yard Required 20' each yard if abutting residential district
Rear	If provided, 10' each yard Required 40' if abutting residential district
<i>Accessory building</i>	
From principal structure	5'
Front	Not allowed
Side	5' unless abutting a residential district, then 15'
Rear	5' unless abutting a residential district, then 15'
Maximum height	
Principal	35'
Accessory	20'
Impervious surface coverage	80%

(c) *C2 supplemental regulations.*

- (1) Accessory use standards—see Chapter 200, article II, supplemental and accessory use standards.
- (2) Landscape and buffering—see Chapter 200, article V, tree conservation, buffers, and landscaping.
- (3) Parking and loading—see Chapter 200, article III, parking and loading requirements.
- (4) Signs—see Chapter 200, article IV, sign regulations.

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- (d) *C2 permitted uses.* The following uses shall be permitted as of right in this district. Supplemental regulations for uses are in Chapter 200, article II, supplemental use standards, as applicable.
- (1) *Residential—miscellaneous, lodging, rooms for rent situations.*
 - a. Hotel.
 - (2) *Sales and rental of goods, merchandise, and equipment.*
 - a. Art gallery.
 - b. Equipment rental—no heavy equipment or outdoor storage.
 - c. Plumbing, electrical, pool, and home building supply showrooms and sales—no outdoor storage.
 - d. Motorcycle sales, rental, and service.
 - e. Retail sales.
 - f. Studio or meeting facility.
 - (3) *Services—office, clerical, repair, research, and personal not primarily related to the sale of goods or merchandise.*
 - a. Banks and financial institutions.
 - b. Building, electrical, or plumbing contractors—no outside storage.
 - c. Business college or business school operated as a business enterprise.
 - d. Day care center.
 - e. Funeral home.
 - f. Massage therapist, certified.
 - g. Medical or dental office or clinic.
 - h. Motorcycle service.
 - i. Outdoor theater.
 - j. Personal service.
 - k. Professional and business office.
 - l. Professional service.
 - m. Taxicab or limousine service.
 - (4) *Manufacturing, wholesale, and warehousing.*
 - a. Radio, recording, or television studio and broadcast station.
 - (5) *Educational, cultural, religious, philanthropic, social, or fraternal.*
 - a. Places of public assembly.
 - b. Private college, university, community college—including associated facilities such as dorms, offices, athletic fields.
 - c. Libraries, museums, art galleries, art centers, and similar uses.
 - d. Private schools, trade or vocational schools.
 - e. Social, fraternal, clubs, and lodges.
 - (6) *Recreation, amusement, entertainment.*

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- a. Activity constructed entirely within a building or substantial structure—theater, bowling alley, skating rink, shooting range, movie theater, game room, etc.
 - b. Pool hall or billiard hall—three or more tables.
- (7) *Food and drink.*
- a. Catering or food preparation businesses.
 - b. Restaurant.
 - c. Microbreweries/microdistilleries.
- d. Brew pubs. (8) *Motor vehicle related sales and service operations.*
- a. Auto parts store—no on-premise installation.
 - b. Emissions inspection station.
 - c. Motor vehicle service and fuel station.
- (9) *Storage and parking.*
- a. Automobile parking garage or parking lot not located on a lot on which there is another principal use to which the parking is related.
- (10) *Services and enterprises related to animals.*
- a. Veterinarian clinic—no outdoor boarding.
- (11) *Miscellaneous semi-public facilities and utilities.*
- a. Library.
 - b. Museum.
 - c. Utility transmission and monitoring facility.
- (e) *C2 special permit uses.* The following uses shall be considered special permit uses in this district. Supplemental regulations for uses are in Article II, supplemental use standards, as applicable.
- (1) *Residential—miscellaneous, lodging, rooms for rent situations.*
- a. Extended stay hotel.
- (2) *Sales and rental of goods, merchandise, and equipment.*
- a. Building material sales.
 - b. Fuel sales.
 - c. Fuel sales when accessory to a permitted retail use.
 - d. Garden supply center and greenhouse.
 - e. Any retail establishment not specifically permitted but which is similar to the listed uses, compatible with uses on adjoining property, and which meets the intent and purpose of the district.
- (3) *Services—office, clerical, repair, research, and personal—not primarily related to the sale of goods or merchandise.*

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- a. Hospital, clinic or other medical treatment facility > 10,000 square feet.
 - b. Tattoo and/or body piercing establishment.
 - c. Any service establishment not specifically permitted but which is similar to the listed uses, compatible with uses on adjoining property, and which meets the intent and purpose of the district.
- (4) *Manufacturing, wholesale, warehousing.*
- a. Wholesale warehouse—no outdoor storage.
- (5) *Recreation, amusement, entertainment.*
- a. Event Halls.
 - b. Activity conducted outside an enclosed building or substantial structure—golf driving range, etc.
- (6) *Motor vehicle related sales and service operations.*
- a. Automobile vehicle rental.
 - b. Car wash.
 - c. Motor vehicle repair and maintenance—including painting and bodywork.
 - d. Motor vehicle repair and maintenance—not including substantial bodywork.
 - e. Motor vehicle sales or rental—with repair and bodywork as an accessory use.
 - f. Motor vehicle service and fuel station.
- (7) *Miscellaneous semi-public facilities and uses.*
- a. Telecommunications antenna.
 - b. Telecommunications tower.
- (f) *C2 accessory uses.* Supplemental regulations for accessory uses are in Chapter 200, article II, supplemental use standards, as applicable.

F. Section 201-19 of the Unified Development Ordinance shall be deleted and replaced with the following:

- (a) *HX purpose.* The HX historic mixed-use district is established to provide for a variety of retail, service, office, public and semi-public uses, with the inclusion of limited residential uses, in a pedestrian-friendly environment to promote live-work and mixed-use opportunities.
- (b) *HX lot development standards.*

Lot dimensions	
Minimum lot area	None
Minimum lot width	None
Minimum lot frontage	None
Minimum setbacks	

<i>Principal building</i>	
Front (from right-of-way) build-to-line	0'-10'
Side	0'
Rear	0'
<i>Accessory building</i>	
From principal structure	5'
Front	Not allowed
Side	5' unless abutting a residential district, then 15'
Rear	5' unless abutting a residential district, then 15'
Maximum height	
Principal	40'
Accessory	20'
Impervious surface coverage	100%
Note: Maximum multi-family density as allowed in the comprehensive plan character area	

- (c) *HX supplemental regulations.*
- (1) Accessory use standards—see Chapter 200, article II, supplemental and accessory use standards.
 - (2) Landscape and buffering—see Chapter 200, article V, tree conservation, buffers, and landscaping.
 - (3) Parking and loading—see Chapter 200, article III, parking and loading requirements.
 - (4) Signs—see Chapter 200, article IV, sign regulations.
- (d) *HX permitted uses.* The following uses shall be permitted as of right in this district. Supplemental regulations for uses are in Chapter 200, article II, supplemental use standards, as applicable.
- (1) *Residential—household residence.*
 - a. Accessory dwelling unit.
 - (2) *Sales and rental of goods, merchandise, and equipment.*
 - a. Retail sales < 5,000 square feet.
 - b. Studio or meeting facility < 19,999 square feet.
 - (3) *Services—office, clerical, repair, research, and personal not primarily related to the sale of goods or merchandise.*
 - a. Banks and financial institutions—no drive-in facilities.
 - b. Business college or business school operated as a business enterprise.
 - c. Day care center.

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- d. Medical or dental office or clinic.
 - e. Personal service.
 - f. Professional and business office.
 - g. Professional service.
- (4) *Educational, cultural, religious, philanthropic, social, or fraternal.*
- a. Libraries, museums, art galleries, art centers, and similar uses.
- (5) *Food and drink.*
- a. Restaurant—no drive-in or drive-thru.
 - b. Microbreweries/microdistilleries.
 - c. Brew pubs.
- (6) *Mixed-use.*
- a. Mixed-use as defined in chapter 100, article II.
- (e) *HX special permit uses.* The following uses shall be considered special permit uses in this district. Supplemental regulations for uses are in Article II, Supplemental use standards, as applicable.
- (1) *Residential—household residence.*
- a. Townhouse.
- (2) *Residential—miscellaneous, lodging, rooms for rent situations.*
- a. Bed and breakfast.
 - b. Hotel.
- (3) *Sales and rental of goods, merchandise, and equipment.*
- a. Retail sales > 5,000 square feet.
 - b. Studio or meeting facility > 20,000 square feet.
 - c. Any retail establishment not specifically permitted but which is similar to the listed uses, compatible with uses on adjoining property, and which meets the intent and purpose of the district.
- (4) *Services—office, clerical, repair, research and personal—not primarily related to the sale of goods or merchandise.*
- a. Outdoor theater.
 - b. Any service establishment not specifically permitted but which is similar to the listed uses, compatible with uses on adjoining property, and which meets the intent and purpose of the district.
- (5) *Educational, cultural, religious, philanthropic, social, or fraternal.*
- a. Places of public assembly.
 - b. Private college, university, community college—including associated facilities such as dorms, offices, athletic fields.

- c. Libraries, museums, art galleries, art centers, and similar uses.
- d. Private schools, trade or vocational schools.
- e. Social, fraternal, clubs, and lodges.

(6) *Recreation, amusement, entertainment.*

- a. Activity conducted entirely within a building or substantial structure—theater, bowling alley, skating rink, movie theater, game room, etc.
- b. Event Halls.

(7) *Storage and parking.*

- a. Automobile parking garage or parking lot not located on a lot on which there is another principal use to which the parking is related.

(f) *HX accessory uses.*

- (1) Supplemental regulations for accessory uses are in Chapter 200, Article II, supplemental use standards, as applicable.
- (2) Accessory dwelling unit in the HX district—may be permitted if it meets the following criteria:
 - a. The principal use and secondary use shall be subject to fire separation as required by the county Fire Marshal;
 - b. The dwelling unit must not occupy ground floor frontage (storefront) on South Peachtree Street or Jones Street;
 - c. The dwelling unit must not displace any space that has been actively used within the preceding 12 months for retail, office, or food service, not including passive storage;
 - d. The exterior appearance of any new construction will be subject to the approval of the HPC; and
 - e. Only one accessory dwelling unit per lot is permitted.

G. Section 201-22 of the Unified Development Ordinance shall be deleted and replaced with the following:

- (a) *CX purpose.* The CX community mixed-use district is established to provide suitable locations for a compatible mix of residential uses, retail goods and services, office uses, and dedicated open space that serves the needs of the region.
- (b) *CX lot development standards.*

Lot dimensions	
Minimum lot area	None
Minimum lot width	None
Minimum lot frontage	None
Maximum residential density	

Townhouse	15 dua
Multi-family residence	35 dua
Minimum setbacks	
<i>Principal building</i>	
Front (from right-of-way)	40'
Side	0' Required 30' each yard if abutting residential district
Rear	0' Required 40' if abutting residential district
<i>Accessory building</i>	
From principal structure	5'
Front	Not allowed
Side	5' unless abutting a residential district, then 15'
Rear	5' unless abutting a residential district, then 15'
Maximum height	
Principal	See the appropriate comprehensive plan character area
Accessory	20'
Impervious surface coverage	80%

Note: Maximum multi-family density as allowed in the comprehensive plan character area.

(c) *CX supplemental regulations.*

- (1) Accessory use standards—see Chapter 200, article II, supplemental and accessory use standards.
- (2) Landscape and buffering—see Chapter 200, article V, tree conservation, buffers, and landscaping.
- (3) Parking and loading—see Chapter 200, article III, parking and loading requirements.
- (4) Signs—see Chapter 200, article IV, sign regulations.

(d) *CX permitted uses.* The following uses shall be permitted as of right in this district. Supplemental regulations for uses are in Chapter 200, article II, supplemental use standards, as applicable.

- (1) *Residential—household residence.*
 - a. Multi-family residence.
 - b. Townhouse.

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- (2) *Residential—miscellaneous, lodging, rooms for rent situations.*
- a. Hotel.
- (3) *Sales and rental of goods, merchandise, and equipment.*
- a. Art gallery.
 - b. Equipment rental—no heavy equipment or outdoor storage.
 - c. Plumbing, electrical, pool, and home building supply showrooms and sales centers—no outdoor storage.
 - d. Retail sales.
 - e. Studio or meeting facility.
- (4) *Services—office, clerical, repair, research, and personal not primarily related to the sale of goods or merchandise.*
- a. Banks and financial institutions.
 - b. Building, electrical or plumbing contractors - Provided no equipment or materials are stored outside.
 - c. Business college or business school operated as a business enterprise.
 - d. Day care center.
 - e. Funeral home.
 - f. Medical or dental office or clinic.
 - g. Outdoor theater.
 - h. Personal service.
 - i. Professional and business office.
 - j. Professional service.
 - k. Taxi cab or limousine service.
- (5) *Manufacturing, wholesale, and warehousing.*
- a. Radio, recording, or television studio and broadcasting station.
 - b. Wholesale trade/distribution office.
 - c. Logistics.
- (6) *Educational, cultural, religious, philanthropic, social, or fraternal.*
- a. Places of public assembly.
 - b. Private college, university, community college.
 - c. Library, museum, art gallery, art center, and similar uses.
 - d. Private school, trade or vocational school.
 - e. Social, fraternal, clubs, and lodges.
 - f. Event Facilities.
- (7) *Recreation, amusement, entertainment.*
- a. Activity conducted entirely within a building or substantial structure (e.g., theater).
 - b. Pool hall or billiard hall—three or more tables.

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- (8) *Food and drink.*
 - a. Catering or food preparation businesses.
 - b. Restaurant—with or without drive-in or drive-thru facility.
 - c. Microbreweries/microdistilleries.
 - d. Brew pubs.
 - (9) *Storage and parking.*
 - a. Automobile parking garages or parking lots not located on a lot on which there is another principal use to which the parking is related.
 - (10) *Services and enterprises related to animals.*
 - a. Veterinarian—including veterinary clinics with no outdoor kennel or boarding.
 - (11) *Mixed-use.*
 - a. Mixed-use as defined in chapter 100, article II.
 - (e) *CX special permit uses.* The following uses shall be considered special permit uses in this district. Supplemental regulations for uses are in Article II, supplemental use standards, as applicable.
 - (1) *Residential—miscellaneous, lodging, rooms for rent situations.*
 - a. Extended stay hotel.
 - (2) *Sales and rental of goods, merchandise, and equipment.*
 - a. Building material sales with outdoor storage.
 - b. Fuel sales.
 - c. Fuel sales when accessory to a permitted retail use.
 - d. Garden supply centers and greenhouses—including outdoor storage.
 - e. Similar retail establishment not listed - Compatible with uses on adjoining property and which meets the intent and purpose of the district.
 - (3) *Services—office, clerical, repair, research, and personal not related to the sale of goods or merchandise.*
 - a. Hospital, clinic, or other medical treatment facility in excess of 10,000 square feet.
 - b. Tattoo and/or body piercing establishment.
 - c. Similar service establishment not listed—compatible with uses on adjoining property and which meets the intent and purpose of the district.
 - (4) *Manufacturing, wholesale, and warehousing.*
 - a. Wholesale warehouse—no outdoor storage.
 - (5) *Recreation, amusement, entertainment.*

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- a. Activity conducted outside enclosed building or substantial structure (e.g., driving range).
 - b. Event Hall.
 - (6) *Storage and parking.*
 - a. Landscaping services.
 - (7) *Miscellaneous public, semi-public facilities, and utilities.*
 - a. Telecommunication antenna.
 - b. Telecommunication tower.
 - (f) *CX accessory uses.* Supplemental regulations for accessory uses are in Chapter 200, Article II, supplemental use standards, as applicable.
 - (g) *CX residential density bonus incentive (available in the I-85 activity center character area only).*
 - (1) *Structured parking.* A density bonus of 40 percent may be applied to the overall residential component if the applicant submits a structured parking plan (garage) that is approved by the Community Development Department, plus an additional ten percent density bonus if providing electric vehicle charging stations for five percent of the parking spaces are provided, with a minimum of five charging stations.
 - (2) *Green building materials.* A density bonus of 25 percent may be applied to the overall residential component if the applicant utilizes a minimum of three green building methods as identified by the Green Building Alliance or LEED or site components that promote energy efficiency, and which reduce surface water run-off. This would include, but not be limited to:
 - a. Green roof components.
 - b. Roof mounted solar panels.
 - c. Cool roofing materials.
 - d. Energy efficient windows.
 - e. Rain gardens or bio-swales.
 - f. Geothermal.
 - g. Permeable pavement.
 - h. Native planting.
 - i. Stormwater planters.
 - j. Parking lot run-off landscaping.
 - (3) *Calculation of density bonuses.*
 - a. Density bonuses are applied to the maximum residential density.
 - b. A density bonus is rounded up on the half, 0.5, unit, or above.
 - c. A structured parking bonus and a green building materials bonus may be combined for a maximum 75 percent increase to the maximum residential density.

H. The following provision shall be added as sub-section (j) of Section 202-2 of the Unified Development Ordinance, and all alphabetically labeled paragraphs preceding the newly inserted paragraph shall be adjusted accordingly:

(j) *Event Hall.*

- (1) Activities at an Event Hall shall be limited to community or private events celebrating a particular event, anniversary or holiday, such as birthday parties, quinceaneras, weddings, showers, holiday parties, etc.
- (2) No Event Hall shall be located in a building of less than 2,500 square feet.
- (3) All events at an Event Hall must be community or private (invitation only) events. No events should be open to the general public except where a part of a community-based event.
- (4) All activities must be subject to a written lease and/or service agreement with the individual or group utilizing the venue.
- (5) The maximum number of guests shall be subject to fire-code limitations or by conditions imposed by council. During inclement weather, there shall be sufficient space to safely shelter guests. Adequate, permanent restroom facilities must be provided, which shall meet the minimum requirements of the Unified Development Ordinance and other applicable city and state regulations.
- (6) Adequate off-street parking must be provided on-site.
- (7) In addition to those standards to be addressed in the applicant's request for a Special Use Permit as provided in Article VI of the Unified Development Ordinance, an applicant seeking a Special Use Permit to allow an Event Hall use on a property must address how additional noise, traffic, and irregular hours of operations (if any) may impact the uses surrounding the property. Further, the applicant must identify similar uses within a mile radius and address whether such a concentration of uses would result in a disproportional proliferation of that or similar uses in the surrounding area.

II. REPEALER.

All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed.

III. EFFECTIVE DATE.

This Ordinance shall become effective immediately and shall remain in effect until revised or repealed by further action by the Mayor and Council of the City of Norcross.

IN WITNESS WHEREOF, I have hereunto set my hand and caused this seal to be affixed this
____ day of _____, 2023.

Craig Newton, Mayor

ATTEST:

Monique Philip, City Clerk