

**AN ORDINANCE TO AMEND THE CITY OF JOHNS CREEK CODE OF  
ORDINANCES APPENDIX A – ZONING TO IMPROVE CONSISTENCY WITH THE  
ADOPTED COMPREHENSIVE PLAN**

**WHEREAS,** the City of Johns Creek is subject to the State of Georgia Planning Act of 1989 which calls for a certified Comprehensive Plan in order to obtain and maintain the status of a Qualified Local Government; and

**WHEREAS,** the City adopted its first Comprehensive Plan on November 10, 2008 that met the requirements of State law; and

**WHEREAS,** State law requires the City to update its Comprehensive Plan at least every ten years; and

**WHEREAS,** following a thorough community involvement process, review by the Atlanta Regional Commission and the Department of Community Affairs, on October 8, 2018, the City adopted the updated Comprehensive Plan; and

**WHEREAS,** the City recognizes the Code of Ordinances Appendix A – Zoning (the Zoning Ordinance) should be updated to align with and implement the updated Comprehensive Plan.

**NOW THEREFORE,** the Mayor and Council of the City of Johns Creek hereby ordains that Appendix A – Zoning (the Zoning Ordinance) is amended to read as follows:

***Section 3.3. – Definitions.***

***3.3.12. C.***

*Community Amenity.* Facilities for the enjoyment of the community, such as clubhouses, playgrounds, tennis courts, benches, pavilions.

***3.3.12. L.***

*Large-Scale Retail/Service Commercial Development.* A retail/service commercial development with gross floor area of 75,000 square feet or greater.

*Live-work Unit.* Nonresidential activity conducted wholly within a residential dwelling that allows employees, customers, clients, or patrons to visit.

***3.3.13. M***

*Multi-use Path.* A pathway with a minimum width of 10 feet, for use by pedestrians, bicyclists and other non-motorized users.

3.3.15. *O.*

*Open Space.* A portion of a site consisting of either natural features worthy of preservation that may be left unimproved, or buildable land that is permanently set aside and improved for public or private recreational areas. Active recreational areas may include tennis courts, swimming pools, splash pad, playgrounds, community gardens, and clubhouses. Passive recreational areas may include trails, picnic and fire pit areas, and community greens. Detention facilities, required buffers, landscaped strips, and platted residential lots shall not be included in open space calculations.

3.3.16. *P.*

*Plaza.* A public square where people gather, typically improved from the natural state and landscaped.

3.3.22. *V.*

*Village Green.* Public space for recreational uses, typically with grassy areas and trees.

3.3.26. *Z.*

*Zoning District.* A categorization of land by specific intent, standards, and requirements such as permitted uses, minimum lot size, building form and height restrictions.

***Section 4.4 – Large-Scale Retail/Service Commercial Developments.***

4.4.1. *Purpose and Intent.* "Large-scale retail/service commercial" refers to any retail and/or service commercial development with gross floor area of 75,000 square feet or greater in C-1 and C-2 Zoning Districts.

The purpose of establishing requirements is to apply design standards and additional conditions to large developments proposed in the City of Johns Creek and to ensure such development is appropriate, well-planned, aesthetically pleasing, stimulate economic and social growth, and integrate well with surrounding areas.

As such, these regulations intend to promote high quality materials and design, promote pedestrian-friendly environments, encourage infrastructure concurrency, encourage responsible storm-water management practices, and promote environmental planning policies.

The regulations are to be used in conjunction with the development criteria of the City of Johns Creek Zoning Ordinance and all other adopted development standards and criteria. If any provision of this article is in conflict with any other provisions of the Zoning Ordinance, the Development Regulations, or the Tree Ordinance, the provision of this article shall control.

4.4.2. *Number, Size and Location Criteria.* Large scale retail/service commercial developments shall not be accessed solely via collector or local roads, as defined by the City of Johns Creek guidelines and depicted on the Georgia DOT Road Functional Classification maps. They are solely permitted on sites with at least one frontage on an arterial road.

Developments are encouraged to create a cluster effect in order to achieve a village and/or town center effect with the inclusion of plazas, village greens or other common open space for gathering and events. The ordinance promotes an appropriate mix of large and small scale retail/service commercial with smaller retail buildings located closer to streets in order to reduce the visual scale of the development, encourage pedestrian traffic, and promote the use of architectural details.

The ordinance also recognizes the varied types of developments in the City of Johns Creek and promotes the use of screening and buffers.

4.4.3. *Site Design Guidelines and Requirements.*

A. *General Site Guidelines.*

1. To the extent feasible, on-site creeks should be integrated into the site as amenities.
2. New construction shall conform to the existing topography as much as possible.
3. Buildings shall not be built on existing slopes greater than 33%, unless the building foundation follows the site contour through stepping.
4. Where retaining walls are required, and where a retaining wall is visible from public right-of-way, public parking areas, and residentially zoned and/or used properties, they must be faced with stone, brick or decorative concrete modular block. Use of landscape timber as exterior treatment in retaining walls is prohibited. Retaining walls above 5 feet shall have evergreen plantings in front or as approved by the Director.
5. Detention facilities are encouraged to be designed pursuant to the standards described in the City of Johns Creek Stormwater Regulations in Chapter 109 and Chapter 113 of the Code of Ordinances.
6. To the greatest extent practicable, design of a traditional detention facility shall follow the natural landforms around the perimeter of the basin.

B. *Open Spaces.*

1. A minimum of ten percent (10%) of the site shall be common open space.
2. One open space amenity such as a patio/seating area, water feature, clock tower, or a pedestrian plaza or bench shall be provided for every 25,000 sq. ft. of gross floor area of a retail/service commercial establishment. Such features shall be constructed of materials that are the same or similar to those used for the principal buildings and landscape.

C. *Screening and Fencing.*

1. Landscaping and fencing materials should be used to minimize visual and noise impact of parking, loading areas and accessory site features.
2. All loading areas shall be located to the rear or side of the building. Location should be restricted, however, to whichever location does not abut a residentially zoned property, if applicable. Loading areas shall be screened from view of any public street by a 5-foot berm, a continuous row of evergreen hedges 5 foot in height at the time of planting, or architectural treatment.
3. Refuse areas and receptacles shall be placed in the least visible location from public streets and shall be enclosed on 3 sides with opaque walls. The 4th side shall be a self-closing gate with an architectural finish. Opaque walls shall be a minimum of twelve inches higher than the receptacle. Wall materials shall be noncombustible brick, stone, or split-faced concrete masonry.
4. Accessory site features, as defined in each zoning district of the Zoning Ordinance, shall be placed in the least visible location from public streets, and shall be screened from view of any right-of-way and/or any property zoned, used, or developed for residential uses, including the AG-1 zoning district, by one of the following means:
  - (1) Placement behind the building;
  - (2) 100% opaque fencing which must be constructed of the same type of exterior material used for the building; or
  - (3) By a berm or vegetative screening. The screening shall consist of evergreen shrubs, be 3 ½ to 4 feet at time of planting, and reach a height of 6 feet within 2 years or planting.
5. Fencing materials along public streets and side yards are restricted to brick, stone, iron, decorative wrought iron, and treated wood, and or combinations of the above not resulting in an opaque fence.
6. Fences adjacent to a public street shall not exceed 55 inches from finished grade.
7. Chain link fencing, except as required along detention/retention ponds, is prohibited from public view. All chain link fencing shall be black vinyl clad.
8. All parking areas shall be screened from view of any public street by:
  - (1) A 25 foot-wide landscape strip planted to buffer standards; or
  - (2) A berm planted with a continuous hedge or evergreen shrubs. Plants shall be a minimum height of 3½ to 4 feet at time of planting, and such plants (or in the case of option 2 above, the berm and the planting combined) shall be capable of reaching a height of six feet within two years of planting.

D. *Outdoor Storage and Display.*

1. Display or sale of goods outside the permanent portions of a building is prohibited. Garden centers, and other similar areas, with permanent walls/fencing on the outside are considered permanent structures. Exceptions: Seasonal holiday trees, pumpkins, and open air fairs, provided an administrative permit is obtained, pursuant to Article 19.
2. Vending machines, paper stands and other similar devices must be located interior to the building structure.

E. *Buffer Standards.*

1. A minimum 100-foot wide natural, undisturbed buffer with a 10-foot improvement setback shall be provided along any interior property line adjacent to a residential zoning and/or use. This buffer shall be augmented with plantings if it does not achieve the intended visual screening.
2. To ensure that a visual buffer is achieved (for developments adjacent to a residential zoning and/or use), the City of Johns Creek may require the installation of a four-foot high earthen berm with plantings per the City of Johns Creek Buffer Standards. The City of Johns Creek Arborist will make the determination of a berm requirement based upon a review of the Landscape Plan and existing topography and vegetation.
3. A minimum 15-foot wide landscape strip shall be provided along any interior property line adjacent to a nonresidential zoning and/or use.

F. *Landscaping.*

1. Specimen trees should be preserved to the extent possible.
2. Large overstory street trees in the landscape strips shall be planted in asymmetrical groupings at a minimum density of one tree per 30 feet of street frontage.
3. Street trees shall be a minimum of 2" caliper.
4. Street trees shall be selected from the list provided in Appendix E of the City of Johns Creek Tree Preservation Ordinance and Administrative Guidelines or as may be approved by the City of Johns Creek Arborist.
5. Street trees may be counted towards the required tree density for a site as approved by the City of Johns Creek Arborist.

G. *Parking Lot Landscaping Islands.*

1. Parking lot landscaping shall follow the standards within the City of Johns Creek Zoning Ordinance.

H. *Landscape Installation and Maintenance.*

1. Landscaping must be installed, or a landscape installation guaranty must be provided prior to the release of Certificate of Occupancy (CO), unless appropriate provisions are made to guarantee the installation of landscaping after such certificate is issued, such as approval by the Department of a bond for landscaping. The guaranty shall be stamped and signed by a registered landscape architect certifying that landscaping meets the standards of the City of Johns Creek Tree Ordinance. Landscape plantings must be replaced if damaged or dead.

I. *Sidewalks and Pedestrian Circulation.*

1. Sidewalks or multi-use paths are required along all public and private road frontages and may meander around existing trees subject to the approval of the City of Johns Creek Arborist.
2. Multi-use paths may be installed instead of sidewalks as approved by the Community Development Director.
3. Sidewalks shall be a minimum width of five feet.
4. Multi-use paths shall be a minimum of 10 feet wide and made out of a hard surface material such as concrete, brick or pavers. Paths may be made of pervious surface as approved by the Community Development Director or Public Works Director for paths in the right-of-way.
5. Sidewalks for all new projects should connect with existing walks, where applicable.
6. Pedestrian access should be provided to all entrances including access from rear parking areas.
7. Inter-parcel connectivity shall be required for multi-use paths and sidewalks.
8. All internal pedestrian walkways shall be distinguished from driving surfaces through the use of color and durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.

J. *Parking.*

1. Parking lots should be distributed around large buildings along not less than two facades (front, rear or sides) in order to shorten the distance to other buildings and public sidewalks.
2. A minimum of 50% of the required surface parking for out-parcels shall be located at the rear of the out-parcel building, interior to the overall development or facing the large retail/service commercial parking lot.

3. No parking or loading area shall be used for the sale, repair, dismantling or servicing or storing of any vehicle, equipment, materials or supplies.
4. All developments must provide space for parking bicycles. This area may be within the parking lot or courtyard. A bike rack, permanently attached to the ground accommodating a bicycle lock or chain.
5. No more than fifty (50) percent of the off-street parking area shall be located along the property fronting a public road.

K. *Architectural Standards.*

1. The design and lay-out of a development should build upon and complement the design of the surrounding community. The size, orientation, setback and scale of buildings are integral elements of communities. A building's orientation and placement should complement and relate to adjacent buildings, structures and properties.
2. The location of a building should take into consideration its surrounding and take advantage of opportunities to maintain open views and spaces. Buildings should be in proportion, in scale and characteristic to their natural setting. The building design and material should contribute to the style and surrounding areas. Building design that is based on a standardized formula associated with a business or franchise shall be modified to meet the provisions of this section.
3. Buildings shall include architecture elements such as columns, arcades, covered entry-walkways, arches, facade offsets, windows, balconies, recesses/projections, clock towers, cupolas and/or courtyards.
4. Principal buildings should have articulated building entryways with greater architectural details, to include a minimum of two of the following elements:
  - a. Decorative columns or posts
  - b. Pediments
  - c. Arches
  - d. Brackets
  - e. Transoms over doorways
  - f. Sidelights
  - g. Porticos

L. *Height.*

1. The maximum height shall be governed by the zoning district requirements.

M. *Scale.*

1. For every one hundred feet of building length on a single face, visible from the public street, there shall be variation in the exterior. This exterior variation shall be accomplished through the following means:

- a. For each one hundred feet of building exterior wall, the building exterior and roof shall be offset.
- b. For each one hundred feet of building exterior wall, there shall be a change in details, or patterns or materials.

N. *Building Material.*

1. The exterior wall materials of all buildings shall consist of a minimum of 60% (per vertical wall plane) of the following: brick, stone, stucco, EIFS, solid plank, cementitious plank, or horizontal clapboard siding.
2. Accent wall materials on buildings shall consist of glass, architecturally treated concrete masonry, stone, EIFS, or stucco and shall not exceed 40% per vertical wall plane.
3. Prohibited exterior building facade materials are: metal panel systems, precast, smooth concrete masonry or plain, reinforced concrete slabs, aluminum or vinyl siding, plywood, mirrored glass, press-wood or corrugated steel (exceptions: mechanical penthouses & roof screens).
4. To the extent any rear or side of any building is adjacent to a public street or single-family residence, architectural treatment shall continue through the rear or side.

O. *Colors.*

1. Permitted colors for exterior walls, building components, sign structures, accent and decorative elements shall be as specified by the permitted colors listed in Section 12E.3.D.
2. All aspects of a development should use colors common in the area and in nature. Earth-toned, subtle and muted colors provide for a development that incorporates sensitivity to its natural surroundings. High intensity colors shall be avoided.

P. *Roof.*

1. Permissible roofs types are flat, gable, pyramidal, and hip. Shed roofs are permitted over porches, additions, and accessory structures.
2. Roof pitches shall be in the range of 4 over 12 to 12 over 12.
3. Roof pitch material shall be made out of the following materials: asphalt shingle, wood shingle, wood shake, standing seam metal, or materials designed to give the appearance of the above mentioned materials.
4. A decorative parapet or cornice shall be constructed along all roof lines with a lower pitch than specified in above.



5. Flat roofs and roof-mounted equipment shall be screened from the view of public and private streets by a parapet. No parapet shall be required to be greater than 4 feet above roof.

**Q. *Additional Requirements.***

1. Burglar bars, steel gates, and steel-roll down curtains are prohibited on the exterior and interior of the structure except at the structure's rear. Steel roll down curtains may be located in other areas if not visible from the front of a building or from a public street.
2. Neon lights outlining and/or detailing building features are prohibited.
3. Where additional stores will be located in a large retail/service commercial establishment, each such store that is 5,000 square feet and greater shall have at least one (1) exterior customer entrance, which shall conform to the above requirements.

**4.4.4. *Adaptive Reuse of Properties and Store Closure.*** If an establishment remains empty for a period of 12 consecutive months the owner and/or lessee must work with Fulton County Economic Development Department to create a plan for the removal or adaptive re-use of the principal structure.

**Sec. 8.1. - O-I Office Institutional District.**

**8.1.1. *O-I District Scope and Intent.*** Regulations in this Section are the O-I District regulations. Article XIX should be consulted to determine uses and minimum standards for uses allowed by Administrative Permit or Use Permit. The O-I District is intended to provide land areas for office and institutional uses where proximity to residential, public, commercial and other land uses, and existing and projected traffic patterns make it desirable to locate office and institutional uses.

**8.1.2. *Use Regulations.*** Within the O-I District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.

**A. *Permitted Uses.*** Structures and land may be used for the following purposes:

1. Art Galleries
2. Assembly Halls
3. Churches, Temples or Other Places of Worship
4. Clinics
5. Community Center Buildings
6. Convalescent Centers/Nursing Homes/Hospices
7. Dancing Schools
8. Day Care Facilities
9. Financial Establishments

10. Funeral Homes
11. Group Residences
12. Gymnasiums
13. Health Clubs/Spas
14. Hospitals
15. Hotels
16. Institutions of Higher Learning, Business Colleges, Music Conservatories, and Similar Institutions
17. Libraries
18. Motels
19. Museums
20. Offices
21. Parking Garages /Decks
22. Parking Lots
23. Personal Care Homes
24. Recording Studios
25. Research Laboratories
26. Stadiums
27. Thrift Institutions

- B. *Accessory Uses.* Structures and land may be used for uses customarily incidental to any permitted use. No more than 25 percent of the total floor area of a building may be devoted to storage.
1. Accessory retail and service uses shall be located within a building with a majority of the floor area designed for office uses. Accessory uses shall be located wholly within the principal buildings with no outdoor advertising except that a car wash, detail shop or service station may be located inside a parking garage as long as such uses are not visible from the exterior of the parking garage.
  2. Retail and service uses permitted shall be limited to employee convenience, business oriented retail, and service establishments such as computer hardware and software companies, commercial art, drafting, travel agencies, office equipment and supply stores, reproduction services, stenographic services, typing services, messenger services, delivery services, telecommunications sales and teleconferencing centers, personnel services and training centers, florists, gift shops, tailor shops, radio and television repair shops, shoe repair shops and barber or beauty shops. Restaurants are accessory whenever office and institutional floor area is at least 100,000 square feet. Fast food restaurants shall be limited to no more than 10 percent of the total floor area devoted to retail and service business uses, and shall not occupy more than 10 percent of any floor in a building. A drug store is accessory, provided only drugs, prescription medicines, medicinal supplies and pharmaceutical products shall be sold.

8.1.3. *Development Standards.*

A. *Height Regulations:* Buildings shall be no higher than 60 feet or 4 stories, whichever is higher, except when a Use Permit to exceed the maximum height is approved.

B. *Minimum Front Yard:* 40 feet

C. *Minimum Side Yard:*

40 feet adjacent to street

20 feet interior

D. *Minimum Rear Yard:* 25 feet

E. *Minimum O-I Lot Frontage:*

100 feet adjoining a street

F. *Maximum Lot Coverage:* The area of the footprint of all buildings and parking shall not exceed 70 percent of the total land area.

8.1.4. *Other Regulations.* All other applicable regulations must be satisfied prior to development under this zoning district.

**Sec. 8.2. - MIX Mixed Use District.**

8.2.1. *MIX District Scope and Intent.* Regulations in this Section are the MIX District regulations. Article XIX should be consulted to determine uses and minimum standards for uses allowed by Administrative Permit or Use Permit. The MIX District is encouraged in areas designated as Mixed-Use Low-Intensity and Mixed-Use High-Intensity in the Comprehensive Plan for development.

The MIX District is intended to provide a balanced mix of residential, commercial, office, recreational and institutional uses, whether horizontally, vertically or both that is compatible with surrounding uses. The MIX District is particularly encouraged to promote optimal land planning with greater efficiency through the use of economies of scale, saving in energy, innovative stormwater management techniques, and provision of public facilities and infrastructure beyond the scope of single-purpose projects.

8.2.2. *Use Regulations.* The MIX District shall provide at least two of the following: residential, commercial, office or institutional uses.

Within the MIX District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.

A. *Permitted Uses.* Structures and land may be used for the following purposes:

1. Single-family dwellings
2. Duplexes
3. Triplexes
4. Quadruplexes
5. Townhouses

6. Multifamily dwellings
7. Rooming houses and Boarding houses
8. Senior housing
9. Live-work units
10. Amusements, Indoor
11. Art Galleries
12. Assembly Halls
13. Churches, Temples or Other Places of Worship
14. Clinics
15. Clinics, Veterinary
16. Community Center Buildings
17. Dancing Schools
18. Day Care Centers
19. Financial Establishments
20. Group Residence
21. Gymnasiums
22. Health Clubs/Spas
23. Hospitals
24. Hotels
25. Institutions of Higher Learning including Business Colleges, Music Conservatories,  
and Similar Institutions.
26. Libraries
27. Museums
28. Offices
29. Parking Garages/Decks
30. Parking Lots
31. Personal Care Homes
32. Recording Studios
33. Research Laboratories
34. Retail and/or Service Establishments
35. Restaurants
36. Stadiums
37. Theaters

- B. *Accessory Uses.* Structures and land may be used for uses customarily incidental to any permitted use and a dwelling may be used for a home occupation. No more than 25 percent of the total floor area of a building may be devoted to storage.

8.2.3. *Development Standards.*

- A. *Maximum Residential Area:* Residential use area in the MIX District shall not exceed 75%. Land use calculation shall utilize gross floor area for vertical mix of uses, and land area for horizontal mix of uses.
- B. *Height Regulations:* Structures shall be no higher than 60 feet, except with a Use Permit to exceed the maximum height. However, structures located in areas designated as Mixed-Use High-Intensity in the Comprehensive Plan shall be no higher than 75 feet.
- C. *Minimum Development Front Yard:* As specified in conditions
- D. *Minimum Development Side Yards:* As specified in conditions
- E. *Minimum Development Rear Yard:* As specified in conditions
- F. *Minimum Development Frontage:* 35 feet
- G. *Minimum Internal Setbacks, Separations, Landscaping and Buffering Between Uses:* As specified in conditions
- H. *Minimum Lot Area Per Dwelling Unit for Single-Family or Duplex:* As specified in conditions
- I. *Minimum Lot Frontage for Single-Family or Duplex:* 20 feet adjoining a street
- J. *Minimum Lot Width for Single-Family or Duplex:* None, unless specified in conditions
- K. *Minimum Interior Setbacks for Single-family or Duplex:*
1. *Minimum Front Yard:* As specified in conditions
  2. *Minimum Side Yard:* As specified in conditions
  3. *Minimum Rear Yard:* As specified in conditions
- L. *Minimum Building Separations:* All building separations shall be as specified by the Standard Building Code.
- M. *Minimum Heated Floor Area Per Dwelling Unit:* As specified in conditions
- N. *Minimum Accessory Structure Requirements:*
1. Single-family, duplex and townhouse accessory structures may be located in the rear or side yards only but shall not be located within a minimum yard.
  2. Multifamily accessory structures shall not be located in the minimum front yard.
- O. *Pedestrian Connectivity:* All components are required to be interconnected with sidewalks or multi-use paths constructed of either colored/textured materials or conventional sidewalk materials and clearly identified. Block lengths in non-residential areas shall be conducive to pedestrians.

P. *Parking*: Subject to the approval of the Director of Community Development, off-street parking as required by Article 18 may be reduced and shared parking among uses may be permitted.

Q. *Maximum Impervious Area*: 75% for the entire MIX development.

R. *Development Phasing*: In order to ensure the intent of the MIX District is met and that mixed-use development occurs, submission of a Land Disturbance Permit application must include all approved uses by the Mayor and City Council. Should the property owner desire to phase the MIX development, a phasing strategy shall be established. The Community Development Director shall link the issuance of permits and/or certificates of occupancy for a portion of the development with the completion of other portions of the development.

8.2.4. *Other regulations*. All other applicable regulations must be satisfied prior to development under this zoning district.

#### **Sec. 9.1. - C-1 Community Business District.**

9.1.1. *C-1 District Scope and Intent*. Regulations set forth in this Section are the C-1 District regulations. Article XIX should be consulted to determine uses and minimum standards for uses allowed by Administrative Permits or Use Permits. The C-1 District is intended to provide locations in which neighborhood and community-oriented retail and service activities conclude a transition, or land areas which complement a transition into a more intense activity area.

9.1.2. *Use Regulations*. Within the C-1 District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as permitted shall be prohibited.

A. *Permitted Uses*. Structures and land may be used for only the following purposes:

1. Amusements, Indoor
2. Art Galleries
3. Assembly Halls
4. Automotive Parking Lots
5. Automotive Specialty Shops
6. Catering, Carry-out and Delivery
7. Church, Temple or Other Place of Worship
8. Clinics
9. Convalescent Center/Nursing/Hospice
10. Day Care Facilities
11. Delicatessens
12. Financial Establishments
13. Funeral Homes

14. Garage, Automobile Repair except painting, body repair and overhaul of major components
15. Group Residences
16. Gymnasiums
17. Hotels
18. Health Club/Spa
19. Laundromats
20. Landscaping Business, Garden Center
21. Laundry and Dry Cleaning Shops
22. Lawn Service Businesses
23. Libraries
24. Communication Services
25. Millinery or Similar Trade whenever products are sold retail, exclusively on the site where produced.
26. Motels
27. Museums
28. Offices
29. Parking Garages/Decks
30. Parking Lots
31. Personal Care Homes
32. Personal Services including barber, beauty
33. Pet Grooming (No overnight stay)
34. Photography Studios
35. Plant Nurseries
36. Printing Shops, Convenience
37. Repair Shops not involving any manufacturing on the site
38. Research Laboratories
39. Restaurants
40. Retail Stores or Shops
41. School of Business, Dance, Music or similar schools
42. Service Stations except that repair and service offerings shall not include painting, body repair nor overhaul of major components, and no portion of the site shall be used for the display of cars for sale.
43. Stadiums
44. Theaters

45. Recycling Centers, Collecting

- B. *Accessory Uses.* Structures and land may be used for uses customarily incidental to any permitted use. Automobile and/or moving truck rental may be used in accessory only to an associated permitted use. Not more than 45 percent of the floor area of a building or land may be devoted to storage incidental to primary uses.

9.1.3. *Development Standards.*

- A. *Height Regulations:* No structure shall exceed the higher of 4 stories or sixty 60 feet in height except as approved pursuant to Article XIX.
- B. *Minimum Front Yard:* 40 feet
- C. *Minimum Side Yard:* 40 feet adjacent to streets
- D. *Minimum Rear Yard:* None
- E. *Minimum Lot Area:* None
- F. *Minimum Lot Frontage:* 35 feet adjoining a street
- G. *Minimum Accessory Structure Requirements:* Accessory structures shall not be located in the minimum front yard.

9.1.4. *Other Regulations.* All other applicable regulations must be satisfied prior to development under this zoning district.

**Sec. 9.2. - C-2 Community Business District.**

9.2.1. *C-2 District Scope and Intent.* Regulations set forth in this Section are the C-2 District regulations. Article XIX should be consulted to determine uses and minimum standards for uses allowed by Administrative Permits or Use Permits. The C-2 District is intended to provide locations in which community and regionally-oriented retail and service activities conclude a transition, or locations which complement a transition into a more intense activity area.

9.2.2. *Use Regulations.* Within the C-2 District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as permitted shall be prohibited.

- A. *Permitted Uses.* Structures and land may be used for only the following purposes:
1. Any Use Permitted in the C-1 District
  2. Automotive Garage
  3. Automotive Repair Garage
  4. Automobile & Light Truck Sales/Leasing
  5. Batting Cage, Outdoor
  6. Bowling Alley
  7. Car Wash
  8. Check Cashing Establishment
  9. Drive-in Theater
  10. Garage, Automobile Repair



11. Landscaping Business
12. Lawn Service Business
13. Laundry and/or Dry Cleaning Plant Distribution Center. Not including processing, fabrication or manufacturing.
14. Pawn Shop
15. Plant Nursery
16. Plumbing Shop associated with retail sales
17. Radio and Television Stations
18. Service Establishments
19. Skating Rink
20. Tinsmithing Shop associated with retail sales

B. *Accessory Uses.* Structures and land may be used for uses customarily incidental to any permitted use.

**9.2.3. Development Standards.**

- A. *Height Regulations:* No structure shall exceed the higher of 4 stories or sixty 60 feet in height except as approved pursuant to Article XIX.
- B. *Minimum Front Yard:* 40 feet
- C. *Minimum Side Yard:* 40 feet adjacent to streets
- D. *Minimum Rear Yard:* None
- E. *Minimum Lot Area:* None
- F. *Minimum Lot Frontage:* 35 feet adjoining a street
- G. *Minimum Accessory Structure Requirements:* Accessory structures shall not be located in the minimum front yard.

**9.2.4. Other Regulations.** All other applicable regulations must be satisfied prior to development under this zoning district.

**Sec. 11.1. - CUP Community Unit Plan District.**

**11.1.4. Development Standards.**

- A. *Height Regulations:* No single-family residential dwellings or accessory structures shall exceed 40 feet in height. The height of all other structures are as approved per the conditions of zoning
- B. *Minimum Land Area Per Unit:* As specified in conditions
- C. *Minimum Lot Area Per Unit:* As specified in conditions
- D. *Minimum CUP Size:* 10 contiguous acres
- E. *Maximum Density:*  
*Multi-family:* 9.0 units per gross acre.

*Single-family:* 5.0 units per gross acre.

*F. Minimum Lot Width:* None, unless specified in conditions

*G. Minimum CUP Development Frontage:* 35 feet

*H. Minimum Lot Frontage:* 20 feet adjoining a street

*I. Minimum Heated Floor Area Per Unit:* As specified in conditions

*J. Minimum Perimeter Setback—Entire CUP Development:* As specified in conditions

*K. Minimum Interior Setbacks—Single-family Lots:*

1. *Minimum Front Yard:* As specified in conditions
2. *Minimum Side Yard:* As specified in conditions
3. *Minimum Rear Yard:* As specified in conditions

*L. Minimum Accessory Structure Requirements:*

*Single-Family and Two-Family Uses:* Accessory structures may be located within the side or rear yards subject to perimeter and minimum yard setbacks.

*Multi-family Uses:* Accessory structures may be located in the rear yard only but shall not be located within a minimum yard.

*M. Minimum Building Separation—More Than One Dwelling Per Lot:* All building separations shall be as specified by the Standard Building Code.

*N. Other Minimum Standards:*

1. Setbacks and roof lines shall be varied by at least 2 feet so that no more than 3 adjoining dwelling units within a single building shall have the same front setback or roof line.
2. Land area proposed for common open space shall be allocated among the use areas in proportion to the ratio of a neighborhood population to the total CUP population so that acreage devoted to open space is reasonably accessible to all residents.
3. Multi-family uses shall not be located along the perimeter except adjacent to or across a street from an existing multifamily or more intense use.
4. Agreements, covenants, declarations and other contracts which govern the use, maintenance, and protection of a CUP development among its owners' areas shall be part of the official zoning file, and changes thereto shall have no force and effect until a copy has been provided to the Director of the Community Development Department.
5. Multi-family units shall not exceed 25 percent of the total number of dwelling units in a CUP.

## **Sec. 11.2. - NUP Neighborhood Unit Plan District.**

### **11.2.4. Development Standards.**

- A. *Height Regulations:* No building shall exceed 40 feet in height.
- B. *Minimum Lot Area Per Unit:* 4,000 square feet

- C. *NUP Size:*  
Minimum 4 contiguous acres  
Maximum 12 contiguous acres
- D. *Maximum Density:* 5 units per gross acre
- E. *Minimum Lot Width:* None unless specified in conditions
- F. *Minimum Development Frontage:* 35 feet
- G. *Minimum Lot Frontage:* 20 feet adjoining a street
- H. *Minimum Heated Floor Area Per Unit:* 1000 square feet detached
- I. *Minimum Perimeter Setback for the Entire NUP Development:* When adjacent to single-family zoning/use or AG-1 zoned property, a 40-foot setback shall be provided around the periphery of the development including access drives serving more than one lot, principal and accessory structures and swimming pools. Other yard improvements and access/utility crossings are permitted.
- J. *Minimum Interior Setbacks:*  
1. *Minimum Front Yard:* As specified in conditions  
2. *Minimum Side Yard:* As specified in conditions  
3. *Minimum Rear Yard:* As specified in conditions
- K. *Minimum Interior Building Separations:* To place a building along an interior side lot line at between zero and 7 feet shall require an encroachment and maintenance easement allowing a minimum of 7 feet of access to such buildings. A minimum building separation of 14 feet shall be maintained.
- L. *Minimum Accessory Structure Requirements:* Accessory structures may be located in rear or side yards, but shall not be located within a minimum rear yard except that detached garages may locate along a rear lot line at between zero and 7 feet with an encroachment and maintenance easement allowing a minimum of 7 feet of access to the garage.

**Sec. 12E.3. - Development Standards.**

*A. Common Open Space*

All zoning districts with residential components (including single-family detached) shall provide common open space for the use of the residents to foster a sense of community. The common open space requirements are as follows:

1. A minimum percentage of the site shall be allocated as common open space. The applicable minimum for each zoning district is shown in the table below.

Zoning District	Common Open Space Percentage
AG-1, R-1, R-2, R-2A, R-3, R-3A	5%
R-4, R-4A, R-5, R-5A, R-6, NUP	10%
TR, CUP	15%

MIX	20%
A, A-L	25%
MIX in areas designated as Mixed-Use High-Intensity with 8-story structures	30%

2. A minimum of 50% of the required common open space must be in one contiguous area or only separated by a residential street. Multiple common open spaces shall be connected by sidewalks or multi-use paths.
3. Common open space shall be situated in a central position(s) in the neighborhood to best serve the residents. Common open space may also be placed in a location taking advantage of an important adjacent natural feature or open space.
4. Common open space shall be suitably improved for the use of the residents.

*D. Pedestrian and Bicycle Circulation.*

1. Five-foot wide concrete sidewalks are required along all public road frontages.
2. Hard-surface multi-use paths, a minimum of 10 feet, may be substituted in lieu of sidewalk. Multi-use paths may be located either within the landscape strip or within the public right-of-way as approved by the Director of Public Works. Paths may be made of pervious surface as approved by the Community Development Director or Public Works Director for paths in the right-of-way.
3. Sidewalks or multi-use paths are required from the public sidewalk to the main entrance of the principle use. Truck loading and parking areas of industrial and warehouse-distribution uses are exempted from this requirement.
4. Sidewalks or multi-use paths shall be indicated on the site plan submitted at the time of application for a Land Disturbance Permit.
5. Street furniture shall be located outside the specified width of any sidewalks or multi-use paths.
6. Sidewalks or multi-use paths shall be connected to signalized crosswalks where applicable.
7. Sidewalks or multi-use paths shall be designed to minimize direct auto-pedestrian interaction.
8. Sidewalks or multi-use paths should be direct and convenient routes between points of origin (such as a bus stop) and destination (such as a shop, bank, etc).

**Sec. 19.3. - Minimum Administrative Permit Standards.**

- 19.3.3. *Event, Special Indoor/Outdoor.* As applicable, special events are subject to the requirements of other City of Johns Creek Departments, such as Emergency Medical Services Plans, Emergency Planning and Preparedness Plans, tent permits, pyrotechnics permits, food service permits, etc.

A. *Required Districts:* O-I, MIX, C-1, C-2, M-1A, M-1, AG-1; residential districts in conjunction with an institutional use, such as a place of worship or a school, or for the benefit of charity such as tours of homes, show houses, and the like; or for filming activities; and in a CUP in conjunction with a commercial use. Private events on private property do not require an events permit.

B. *Standards:*

1. No more than four Administrative Permits shall be granted per year and no permit shall be effective for more than 14 consecutive days for a single event on the same property. An application for said permit shall be made no less than 14 days prior to the event. Said permit must be posted on site such that it is visible from the street.
2. The hours of operation shall be 8:00 a.m. to 8:00 p.m., Sunday through Thursday and 8:00 a.m. to 10:00 p.m., Friday through Saturday.
3. Two copies of a drawing, no larger in size than 11" x 17", with dimensions (distances in feet) of the activity's location from the site's property lines and other minimum distance requirements as specified by this Section shall be submitted to the Department of Community Development for approval. Said drawing shall also depict north arrow, curb cuts and traffic patterns.
4. The applicant shall provide a notarized written permission statement of the property owner or lease holder of the subject site to the Department of Community Development. A 24-hour contact number of the property owner or lease holder shall be provided along with permit application.
5. The entire property shall comply with the zoning district's setback requirements.
6. No temporary sanitary facility or trash receptacle may be located within 100 feet of a property line of any residential use.
7. No tent, table or other temporary structure shall be located within 250 feet of a residential structure.  
  
Tents less than 5,000 square feet do not require a building permit; tents equal to or greater than 5,000 square feet require structural plan review and a building permit.  
  
All tents are subject to the approval of the Fire Department.
8. Sales from vehicles are prohibited.
9. The entire property shall comply with the City of Johns Creek parking requirements.
10. No equipment, vehicle, display or sales activity shall block access to a public facility such as a telephone booth, mail box, parking meter, fire hydrant, fire alarm box, traffic control box, driveway or other access point.
11. A sound level of 65 dBA shall not be exceeded at adjacent property lines of any residential use.
12. Signage shall be in accordance with Article 33.

SO ORDAINED, this the 23 day of September 2019.

Approved:

  
Michael E. Bodker, Mayor

Attest:

  
Joan C. Jones, City Clerk

Approved as to Form:

  
E. Ronald Bennett, Jr., City Attorney

