

AN ORDINANCE OF THE CITY OF PEACHTREE CORNERS, GEORGIA, TO AMEND THE 2012 ZONING RESOLUTION, AS AMENDED, BY MODIFYING ARTICLE III, DEFINITIONS AND ARTICLE XIII, USE PROVISIONS IN ORDER TO AMEND SECTION 1308, C-2 GENERAL BUSINESS DISTRICT AND SECTION 1308A, C-3 HIGHWAY BUSINESS DISTRICT, IN ORDER TO ADD DEFINITIONS AND REGULATIONS FOR MASSAGE AND SPA ESTABLISHMENTS; REPEALING ALL CONFLICTING ORDINANCES; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the Mayor and Council of the City of Peachtree Corners are charged with the protection of the public health, safety, and welfare of the citizens of Peachtree Corners; and

WHEREAS, pursuant to Section 1.12(a) of the City Charter, the City is charged with exercising the powers of zoning; and

WHEREAS, the Mayor and Council desire to amend the 2012 Zoning Resolution, as amended;

NOW THEREFORE, IT IS HEREBY ORDAINED by the governing authority of the City of Peachtree Corners, Georgia as follows:

Section 1: The City of Peachtree Corners 2012 Zoning Resolution shall be amended by adding (underlined words) and deleting (~~struck through words~~) to Article III, Definitions, Article XIII, Use Provisions, Sec. 1308, C-2 General Business District, and Section 1308A, Highway Business District, as follows:

ARTICLE III. - DEFINITIONS

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Massage. The manipulation and/or treatment of soft tissues of the body, including but not limited to the use of effleurage, petrissage, pressure, friction, tapotement, kneading, vibration, range of motion stretches, a system of structured touch, pressure, movement, and holding to the soft tissue of the body, and any other soft tissue manipulation whether manual or by use of massage apparatus, and may include the use of water, oils, lotions, creams, lubricants, salt glows or scrubs, hydrotherapy, heliotherapy, hot packs, cold packs or other topical preparations. This term shall not include diagnosis, the prescribing of drugs or medicines, spinal or other joint manipulations, or any service or procedure when performed by a person who is licensed by the state to practice chiropractic, physical therapy, podiatry or medicine. This term shall not include touching of the scalp or ears while providing a haircut, or touching of the hands or feet while providing a manicure or pedicure, by a person licensed by the Georgia State Board of Cosmetology and Barbers.

Massage apparatus. Any manual, mechanical, hydraulic, hydrokinetic, electric or electronic device or instrument or any device or instrument operated by manual, mechanical, hydraulic, hydrokinetic or electric power for the purpose of administering a massage.

Massage establishment. A commercial establishment where any person offers or provides massage. This term shall not include hospitals or other professional health care establishments separately licensed as such by the State of Georgia.

Spa/Spa establishment. A business which provides a variety of services for the purpose of improving health, beauty and relaxation through personal care treatments including, but not limited to, ~~therapeutic massages, and skin, body and/or facial treatments, such as.~~ Such permitted spas must offer at least three personal services, two of which shall not involve massage. All employed therapists shall be licensed as required by state law, body wraps, hydro mineral wraps, body polish, body wash, baths and hydro tub soaks. This term shall not include hospitals or other professional health care establishments separately licensed as such by the State of Georgia.

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ARTICLE XIII. – USE PROVISIONS

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SECTION 1308 C-2 GENERAL BUSINESS DISTRICT

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Permitted Uses. Only the following permitted uses shall be allowed in the C-2 General Business District and no structure shall be erected, structurally altered or enlarged for any use other than a use permitted herein with the exception of a) uses lawfully established prior to the effective date of the amendment; b) special uses as permitted herein; or c) accessory uses defined in Article III, Definitions; or d) other uses which are clearly similar to and consistent with the purpose of this District.

A. Retail and Service Uses.

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67. Small appliance repair shops

67a. Spa/Spa establishment, provided the following standards are met if massage is offered as a service:

a. A Special Use Permit shall be required.

b. Compliance with all regulations and standards related to massage in Chapter 14, Business, Article V – Massage Establishments and Spas.

68. Social Hobbyist Facility

69. Social Recreation Facility

70. Sporting Goods Store

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Special Uses. Within the C-2 General Business District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Development and Planning Commission and after a Public Hearing:

- 11a. Lounges/Clubs.
- 12. Machine or welding shops.
- 12a. Massage establishments.
- 13. Mini-warehouse storage facilities.

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18. Residential or community shelters, subject to the provisions of the Rules for Shelters in City of Peachtree Corners.

~~18a. Spas.~~

- 19. Tattoo and body piercing parlors.
- 20. Taxi cab or limousine services.

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SECTION 1308A. C-3 HIGHWAY BUSINESS DISTRICT

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Permitted Uses. Only the following uses shall be permitted in the C-3 Highway Business District and no structure shall be erected, structurally altered or enlarged for any use other than a use permitted herein with the exception of a) uses lawfully established prior to the effective date of this amendment; b) special uses as permitted herein; or c) accessory uses as defined in Article III, Definitions; or d) other uses which are clearly similar to and consistent with the purpose of this district:

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- 78. Small appliance repair shops.
- 78a. Spa/Spa establishments.
- 79. Sporting goods stores.

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Special Uses. Within the C-3 Highway Business District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director Planning and Development and Planning Commission and after a Public Hearing:

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- 3. Residential or community shelters, subject to the provisions of Rules for Shelters in City of Peachtree Corners.
- 4. ~~Spas.~~ Massage establishments.
- 5. Liquor store

Section 2. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SO ORDAINED AND EFFECTIVE, this 17th day of December, 2024.

ATTEST:

APPROVED:



Kym Chereck, City Clerk

Mike Mason, Mayor



VOTE: LYONIA Sadd / LYONIA Christ / LYONIA Wright / LYONIA Mason / LYONIA Sawyer / LYONIA Douglass / LYONIA Gratwick