SANDY SPRINGS
GEORGIA

CITY COUNCIL
Rusty Paul, Mayor
John Paulson – District 1
Melody Kelley – District 2
Melissa Mular – District 3
Jody Reichel – District 4
Tibby DeJulio – District 5
Andy Bauman – District 6

Tuesday, December 5, 2023 **Regular Meeting** **Following Work Session**

The City Council meeting will be held in the Studio Theatre at Sandy Springs City Hall
(1 Galambos Way, Sandy Springs, GA 30328).

Live-stream:	www.SandySpringsGA.gov/stream
Public Comment:	http://spr.gs/publiccomment

I. Call to Order - Mayor Rusty Paul

II. Roll Call and General Announcements - City Clerk

III. Pledge of Allegiance - Mayor Rusty Paul

IV. Public Comment

V. Approval of Meeting Agenda

VI. Consent Agenda

A. **2023-319** Meeting Minutes
November 7, 2023 City Council Work Session
November 7, 2023 City Council Meeting

B. **2023-320** Request for Mayor and City Council Consideration of a Resolution to Accept a Colonial Pipeline Company Encroachment Agreement with the Colonial Pipeline Company for property lying in Land Lots 23, 24, 30 and 31 in the 17th District, Fulton County, Georgia
(Presented by Michael Perry, Director of Recreation and Parks)

C. **2023-321** Request for Mayor and City Council Consideration of a Resolution to Accept a Governmental Encroachment Agreement for Easement with the Georgia Power Company for property lying in Land Lots 23, 24, 30 and 31 in the 17th District, Fulton County, Georgia
(Presented by Michael Perry, Director of Recreation and Parks)

Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in a public meeting, or who have questions regarding the accessibility of the meeting or facilities should contact the City Clerk at 770-730-5600 promptly for assistance. The City will make reasonable accommodations for those persons.

SANDY SPRINGS
GEORGIA

VII. Presentations

VIII. Public Hearing

A. **2023-322** ABL #103981
Request for Mayor and City Council Consideration of Approval of Alcoholic Beverage License Application for Act 3 Productions, Inc. d/b/a Act 3 Productions/The Act 3 Playhouse – 6285-R Roswell Rd., Sandy Springs GA 30328

Applicant is Mary Sorrel for Consumption on the Premises – BYOB Wine
(Presented by Toni Carlisle, Chief Financial Officer)

B. **2023-323** ABL # 103994
Request for Mayor and City Council Consideration of Approval of Alcoholic Beverage License Application for Concourse Athletic F and B LLC d/b/a Concourse Athletic Club – 8 Concourse Pkwy, Sandy Springs GA 30328

Applicant is Brian Nelson for Consumption on the Premises Wine, Malt, & Distilled Spirits.
(Presented by Toni Carlisle, Chief Financial Officer)

C. **2023-324** Request for Mayor and City Council Consideration of a Resolution to Approve the Crossroads Small Area Plan 2023 Update
(Presented by Michele McIntosh-Ross, Planning & Zoning Manager)

D. **2023-325** TA23-0003(a) - Request for Mayor and City Council Consideration of an Ordinance to Amend the Development Code Articles 1 (Introductory Provisions), 11 (Administration), and 12 (Definitions)
(Presented by Ginger Sottile, Director of Community Development)

E. **2023-326** TA23-0003(b) - Request for Mayor and City Council Consideration of an Ordinance to Amend the Development Code Articles 2 through 5 (Protected Neighborhoods, Urban Neighborhoods, Corridors & Nodes, and Perimeter Center)
(Presented by Ginger Sottile, Director of Community Development)

F. **2023-327** TA23-0003(c) - Request for Mayor and City Council Consideration of an Ordinance to Amend to the Development Code Article 6 (Rules for All Districts)
(Presented by Ginger Sottile, Director of Community Development)

G. **2023-328** TA23-0003(d) - Request for Mayor and City Council Consideration of an Ordinance to Amend the Development Code Article 7 (Use Provisions)
(Presented by Ginger Sottile, Director of Community Development)

H. **2023-329** TA23-0003 (e) - Request for Mayor and City Council Consideration of an

Ordinance to Amend the Development Code Articles 8 through 10 (Site Development, Environmental Protection, Streets & Improvements)
(Presented by Ginger Sottile, Director of Community Development)

I. **2023-330** TA23-0004 - Request for Mayor and City Council Consideration of an Ordinance to Amend the Development Code Technical Manual to include the Enhanced Community Benefits List
(Presented by Ginger Sottile, Director of Community Development)

IX. New Business

A. **2023-331** Request for Mayor and City Council to Approve a Resolution Authorizing The City Manager To Execute Contracts With Atelier 7 Architects LLC, Crescent View Engineering, LLC, Blount Construction Company And Complete Demolition Services As It Relates To The Abernathy Arts Center Improvements Project
(Presented by Dave Wells, Director of Facilities/Capital Construction and Building Operations)

B. **2023-332** Request for Mayor and City Council Consideration to Authorize Contract Award to Lumin8 Transportation Technologies, LLC to Construct the Peachtree Dunwoody Road – Windsor Parkway Fiber Connection Project and to Authorize the City Manager to Execute the Contract
(Presented by W. Wesley Waters, P.E., CIP Unit Manager)

C. **2023-333** Request for Mayor and City Council Consideration to Approve Contract Award to Kimley-Horn & Associates, Inc. for Design Services as it Relates to the Lake Forrest Drive at Allen Road Intersection Improvement Project and to Authorize the City Manager to Execute the Contract
(Presented by W. Wesley Waters, P.E., CIP Unit Manager)

D. **2023-334** Request for Mayor and City Council Consideration to Approve a Contract Award to Kimley-Horn and Associates, Inc. for Design Services as it Relates to the Peachtree Dunwoody Bike/Pedestrian Trail Last Mile Connectivity Project, and to Authorize the City Manager to Execute the Contract
(Presented by Allen Johnson, TSPLOST Program Manager)

E. **2023-335** Request for Mayor and City Council Consideration to Authorize a Georgia Power Company Utility Relocation Agreement for Utility Relocation as it Relates to the Spalding Drive at Pitts Road Intersection Improvement Project and Authorizing the City Manager to Execute the Agreement
(Presented by Allen Johnson, TSPLOST Program Manager)

F. **2023-336** Request for Mayor and City Council Consideration to Approve a Contract Award

SANDY SPRINGS
GEORGIA

to Vertical Earth, Inc. for Construction Services for the Roswell Road at Dalrymple Road Intersection Improvements Project, and to Authorize the City Manager to Execute the Contract
(Presented by Christine Schultz, TSPLOST project manager)

G. **2023-337** Request for Mayor and City Council Consideration of a Resolution to Award a Contract to Emory Clinic for a Medical Director for the City of Sandy Springs Fire Department and City of Sandy Springs Police Department and Authorizing the City Manager to Execute Documents to Effectuate Same
(Presented by Keith Sanders, Fire Chief)

X. Reports

A. **2022-338** Mayor and Council Report

B. **2022-339** Staff Reports

1. September 2023 Unaudited Financials
(Presented by Toni Carlisle, Chief Financial Officer)

XI. Executive Session

XII. Adjournment

Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in a public meeting, or who have questions regarding the accessibility of the meeting or facilities should contact the City Clerk at 770-730-5600 promptly for assistance. The City will make reasonable accommodations for those persons.

SANDY SPRINGS

CITY CLERK'S OFFICE

TO: Eden Freeman, City Manager

FROM: Michael Perry, Director of Recreation and Parks

DATE: October 26, 2023 Submission for the December 5, 2023 City Council Meeting

ITEM: Request for Mayor and City Council Consideration of a Resolution to Accept a Colonial Pipeline Company Encroachment Agreement with the Colonial Pipeline Company for property lying in Land Lots 23, 24, 30 and 31 in the 17th District, Fulton County, Georgia

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Recommendation:

Staff recommends that the Mayor and City Council accept a Colonial Pipeline Company Encroachment Agreement with the Colonial Pipeline Company on properties lying in Land Lots 23, 24, 30 and 31 in the 17th District, Fulton County, Georgia.

Background:

This Agreement is related to the City's Master Trail Plan Segment 2E that will encroach within the Colonial Pipeline Company's existing pipeline easement on properties owned by RSWL LLC (Morgan's Landing Apartments); RMF Apartments LLC (Wesley St. James Apartments); and RRE Sandy Springs Holdings LLC (Addison Apartments). The City's proposed project must enter into and cross over Colonial Pipeline Company's existing pipeline easement on the referenced properties.

Discussion:

The Agreement will allow the City to construct Segment 2E of its Master Trail Plan within the existing Colonial Pipeline Company's easement across the referenced properties. A separate Permanent and Temporary Easement Agreement with the respective Fee Simple owners (property owners) will be negotiated at a later date and will be presented to the Mayor and City County in separate agenda items.

Financial Impact:

There is to be no exchange of funds for this Agreement.

Alternatives:

This Agreement is required in order to deliver the desired project. The City can decline to execute this Agreement and seek an alternative route/design of the project.

Review:

Erika Rose, Executive Administrative Assistant	Created/Initiated - 11/14/2023
Michael Perry, Director of Recreation and Parks	Approved - 11/14/2023
Kristin Byars Smith, Assistant City Manager	Approved - 11/14/2023
Toni Carlisle, Chief Financial Officer	Approved - 11/20/2023
Dan Lee, City Attorney	Approved - 11/21/2023

Eden Freeman, City Manager Final Approval - 12/1/2023

Attachments:

1. Trail2E_Colonial PL Encroachment Agreement
2. Trail2E_Easement Graphic
3. CLEAN Trail2E_Colonial Pipeline Encroachment Agreement Resolution

Colonial Pipeline Company
3120 Parrott Avenue
Atlanta, GA 30318

Encroachment No.: 0502-061R8-2023-3
Date: **3/22/2023**
Encroaching Party: City of Sandy Springs
1 Galambos Way
Sandy Springs Georgia 30328
770 730 5600
efreeman@sandyspringsga.gov

Attn:Eden Freeman
Re: Encroachment Agreement – CPC Loc. 0502 Tract No. 061R8, Map:0502021M, Line No.1, 40. in Fulton County, Georgia.
Colonial Pipeline Company has no objections to your proposed **walking trail** encroaching upon Colonial's 40" line 1, petroleum products pipeline as approved by Colonial's field representative, subject to the following conditions:

1. Notify State utilities protection center, in accordance with local, State and Federal laws. Colonial will not inspect or approve any work, until a locate notice (Dial 811) has been issued. Notify **Jerrold Dewberry** by cell phone at **(470) 989-1184** at least two (3) working days prior to any construction, subsequent maintenance, or repair, so that Colonial may provide a representative on the site. If he cannot be reached, then notify **Scotty Davis** at **678/492-3492**
2. No excavation or construction is permitted over Colonial's pipeline(s) or within its right of way without a Colonial representative being present. The location of the pipeline(s) shall be identified prior to the beginning of any mechanical excavation work. If the location of the pipeline(s) is not known, only hand excavation will be allowed. Based on circumstances at the encroachment site, Colonial's representative has the authority to determine the extent of hand excavation required. However, absent special permission from Colonial's Representative, no mechanized ditching or excavation shall be allowed within five (5) feet of the extremities of the pipelines. **IN ANY EVENT, ALL EXCAVATION WITHIN TWO (2) FEET OF THE PIPELINE(S) MUST BE ACCOMPLISHED BY HAND**. Where hand excavation is required, the encroaching party must provide adequate manpower to perform that work. Subgrading, grading, and placement of fill over Colonial's pipeline(s) will require the approval of Colonial's field representative as to method and extent.

3. Full access must be maintained to the pipeline(s) at all times. Stockpiling of fill, including spoil, or topsoil over the pipeline(s), is not permitted, unless approved by the Colonial representative.

4. Underground utilities (i.e. storm drains, water lines, telephone, electric, etc.) may cross the easement, providing they maintain a minimum vertical clearance of twenty four (24) inches, **except where horizontal directional drilling methods are used, then sixty (60) inches will be required** over or under Colonial's pipeline(s), and cross at as near a perpendicular angle as practical. Septic drain fields and or sewage drains used for percolation are not permissible inside the pipeline easement. All utility crossings of Colonial's pipeline(s) and respective easements must be constructed of galvanized steel, ductile iron double wrapped with poly wrap, reinforced concrete, or schedule 80 PVC for the entire width of the right of way being crossed.

5. Blasting within the immediate vicinity of Colonial's right of way shall be conditionally allowed. The contractor, planning blasting within 200 feet (6l m) of a pipeline or when scaled distance values at the pipeline are less than 50, must give advance notification of proposed blasting and submit a completed blasting plan (Form 3005), to be approved by Colonial, prior to the commencement of any blasting operations. A Colonial inspector is required to be on site to observe all drilling, loading, and blasting operations. The contractor shall provide in-progress seismic readings and blasting reports as required in Colonial Standard ES-13-108. All blasting operations must meet the requirements of this standard as well as Occupational Health and Safety regulations contained in CFR Title 29, Part 1926, Subpart U – Blasting and Use of Explosives.

6. Any erosion control measures required for your development including temporary diversion dikes, sediment traps, silt fences, gravel outlets, and emergency spillways that may influence or contribute to the degradation of Colonial's right of way will require the approval of Colonial's field representative as to equipment and method. Under no circumstances shall water be impounded on the pipeline(s) right of way.

7. Upon request of the encroaching party, landowner or their agents, Colonial will determine the approximate location of its pipeline(s) and right of way limits; however, in doing so, Colonial makes no warranty as to the accuracy of the locations and measurements given. Colonial also cannot provide assurance that its permanent line markers are positioned directly over its pipeline(s).

8. Original vegetation on Colonial's right of way shall not be disturbed except in areas of approved construction and approved equipment crossings. Highly visible plastic fence or other approved temporary barricade will be required at contractor's expense along Colonial's easement boundaries if Colonial's field representative deems it necessary; to ensure that contractor traffic does not travel over the pipeline(s).

9. Permanent structures are not permitted on the right of way. Manholes, junction boxes, valve boxes, fire hydrants, service meters, storm drain inlets, and utility poles are considered permanent structures. No fences or temporary structures shall be allowed in the right of way without the express approval of Colonial's representative. Temporary structures include such items as signs, trailers, temporary power poles, etc.

10. Heavy equipment shall not be permitted to operate over the pipeline(s) unless earth padding has been provided to protect the pipeline from vibrating. Temporary equipment crossings over the pipeline(s) are permitted with six (6) vertical feet of cover over the pipeline(s) at selected locations

as approved by Colonial's field representative. Depth of pipe as determined by test holes will determine amount of temporary fill required. Colored sheets of plastic shall be placed under the temporary fill at original grade so that original grade will not be disturbed when temporary fill is removed. No equipment or vehicles may be parked on the right of way. No material may be stored on the right of way.

11. The encroaching party acknowledges that Colonial's pipelines utilize impressed electrical current ("cathodic protection") for the protection of the steel. Only Colonial personnel will correct any loss of this protection caused by the encroaching party. The cost to correct this damage will be paid by the encroaching party. Further, encroaching party recognizes there may be some risk of damage to your facilities because they are in close proximity to said cathodic protection system and, therefore, any damages to encroaching party's facilities resulting from Colonial's impressed electric current shall be encroaching party's responsibility.

12. Only low growing ornamental type shrubbery with a maximum expected height of four (4) feet shall be allowed within the right of way. In addition, no pipeline marker shall be obscured from public view.

13. Relocation or removal of Colonial's pipeline markers shall not be permitted without the approval of a Colonial representative. Pipeline markers made unusable or damaged shall be repaired or replaced at the encroaching party's expense.

14. Parallel occupancy of the pipeline's easement with road right of way, or utilities is not permitted. Crossing shall be as near as a perpendicular angle to the easement as practical.

15. All proposed roadways, driveways and parking areas should maintain a minimum of six feet (6') from top of pipe to top road surface and three (3) feet minimum vertical cover in open drainage or road ditches. Colonial's Engineering may increase these minimum requirements as determined by a stress analysis of the pipe, and other variable conditions and factors. Colonial may consider concrete protection slabs, per Colonial's specifications as an option, to be installed to protect the pipeline(s).

16. Any and all pipeline(s) within the proposed road, parking, or railway area, will be excavated and visually inspected, with the possible reapplication of pipeline coatings applied, by a Colonial contractor, at the full expense of the encroaching party. Colonial requires that the pipeline coating system be evaluated for suitability of service in relation to the proposed encroachment. Should Colonial deem that the coating system is insufficient due to increased soil stresses or other factors, Colonial will, at the developer's expense, upgrade the pipeline coating to accommodate the proposed encroachment. Colonial will backfill the inspected area to its standard, and will not be held responsible for compaction. (NOTE: A Pipeline Accommodation Agreement for reimbursement to Colonial shall be executed between Colonial and the encroaching party prior to such adjustment.)

17. Cover above the pipeline(s) shall be a minimum of 6 feet, and in general a maximum of six (8) feet, unless approved by the Right of Way Coordinator.

18. The burning of trash, debris, etc. shall not be permitted within Colonial's right of way.

19. Should any damage occur to the herein permitted encroachment, as a result of Colonial exercising any of its rights at any time, Colonial will not be responsible for said damage; and any expense or monetary cost involved in the repair of said damages will be borne by owners of said damaged encroachment.

20. Encroaching party agrees to defend and hold Colonial Pipeline Company harmless from all loss, cost, or other expense, including personal property and bodily injuries, whether occurring to it or to Colonial, or the respective employees, agents and servants of either, or to third parties, which are proximately caused by or arise from the installation, maintenance, or repair of the herein permitted works, with the exception of claims due to the sole negligence of Colonial Pipeline Company.

21. This approval is granted only to the extent of and with no actual or implied diminishment of Colonial's rights and interests and without either express or implied warranty.

22. Fences shall be constructed with gates sufficiently large enough to allow Colonial's personnel and equipment the right of ingress and egress. Fence posts shall be installed at least five (5) feet to the side of any pipeline, with the approval of the field representative.

23. If the approximate location of the pipeline(s) is required, steel prod bars, shovels, and electrical sending devices may be used by Colonial's field personnel only. It should be noted that these methods are only approximate and can be misleading. The exact location of the pipeline(s) can best be found with test pitting.

24. If test pitting is required to determine the exact location, and elevation, of the pipeline(s), the Encroaching party agrees to notify the undersigned at least two (2) working days in advance, so that he may provide a Colonial field representative to be at the site. This representative must be present during the test pitting for the protection of the pipeline(s), and for the common verification of its location. All costs for this test pitting, and for the Colonial representative, will be borne by the encroaching party. Any engineering based on Colonial or other design criteria stemming from the amount or location of this test pit data is the responsibility of the encroaching party.

25. Colonial reserves the right to open, cut, excavate and dig across the proposed road, railway, sidewalks, avenues, utility lines, or any other encroachment herein granted by this agreement, and in any such event, Colonial shall not be liable for the restoration of same, or the payment of any damages to the encroaching party.

26. Excavation or grading which might result in erosion or which could render the right of way inaccessible shall not be permitted unless the encroaching party agrees to restore the area and provide protection to Colonial's pipeline(s). Any erosion control measures within the right of way including diversion dikes, sediment traps, silt fences, gravel outlets, and emergency spillways will require approval of the Colonial representative, as to equipment and method.

27. If construction on the aforementioned project is not initiated within one calendar year of the date of this letter of agreement, then Colonial Pipeline shall have the right to reconsider the conditions and privileges herein granted, and have full right to alter same, dependant upon current protocol.

28. The encroaching party agrees that all work on Colonial's right of way shall be performed in a Workmanlike manner and in compliance with all applicable government and industry standards and codes.

29. Upon failure of the encroaching party, owner or his agents to comply with any of the Terms of this Agreement, Colonial will provide Encroaching Party with advance written notice of any intent to revoke this Agreement in its entirety, prevent same from continuing any activity in violation of the terms of this Agreement or its rights under its easements and prior agreements and make any necessary repairs or adjustments to its pipeline(s) or right of way with its own or contract forces at the expense of the party requesting the encroachment.

30. Colonial Pipeline Company will have the option of installing video surveillance camera(s) to provide continuous monitoring of its facilities.

31. Notwithstanding anything to the contrary in this Agreement, Encroaching Party is not allowed to perform the encroaching activities contemplated hereunder without first paying Colonial for any Accommodation Work necessary to be performed by Colonial to protect its pipeline(s) and rights of way from those encroaching activities. Additionally, if such Accommodation Work is required, the encroaching activities will not be initiated until said Accommodation Work is completed. Said Accommodation Work and estimate therefore should have been outlined in detail in previous correspondence to Encroaching Party. If such previous correspondence has not been received, Encroaching Party is required to request same.

32. This agreement approves only the work specified above all utility encroachments will need to be approved by the local inspector for Colonial Pipeline Company.

33. The following special conditions shall apply, and be required for this project.

Please signify acceptance of the above conditions by a proper official in the space provided below, and return to the Right of Way Coordinator's office. Colonial Pipeline will notify you to proceed with your project upon receipt of the signed original.

Sincerely,

_____

Colonial Pipeline Representative

Encroachment No.: 0502-061R8-2023-3

ACCEPTED AND AGREED TO THIS ____ DAY OF _____, 2023.

BY: _____

Eden E. Freeman

TITLE: _____

City Manager

Original: Right of Way Department

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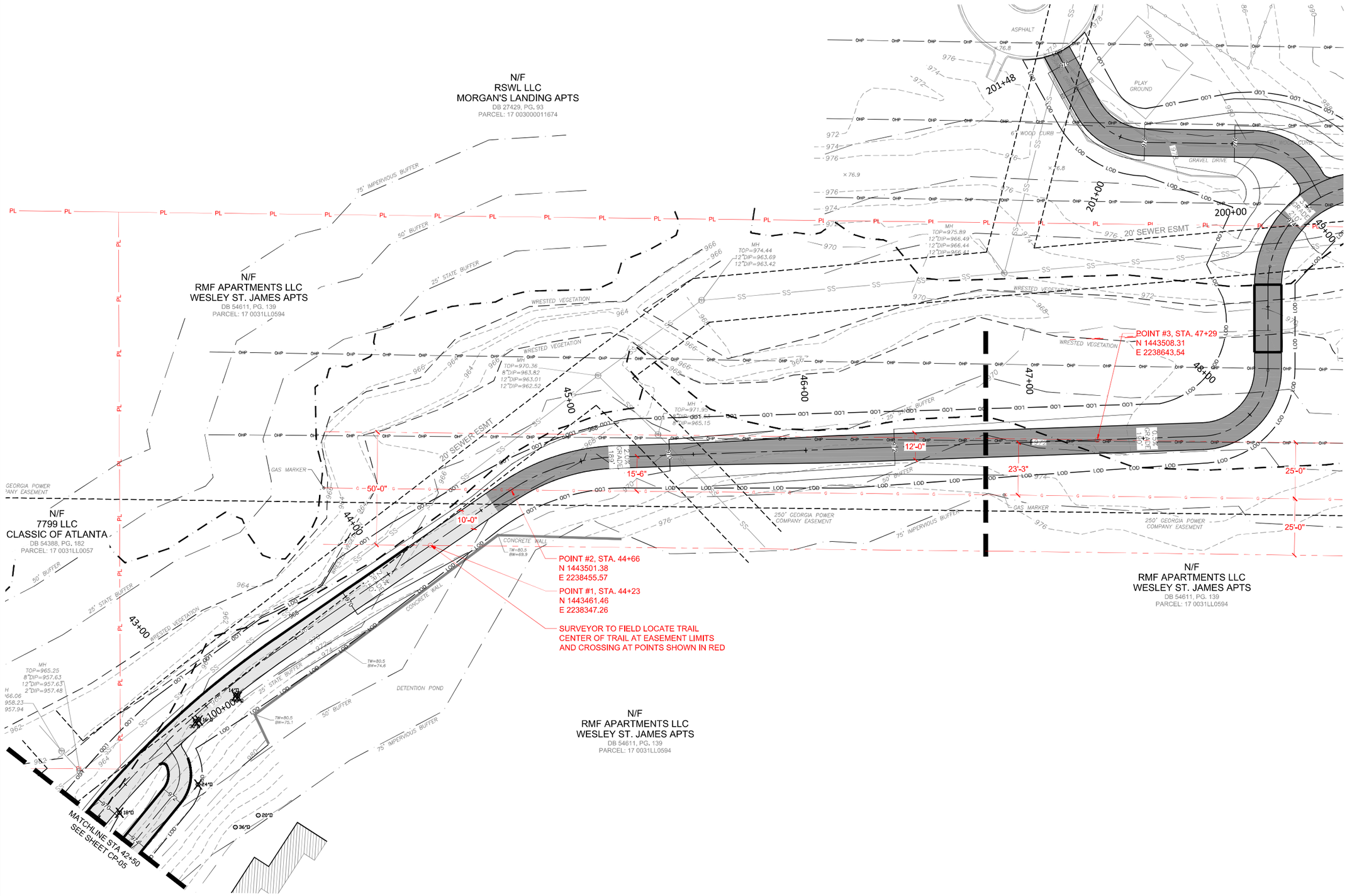
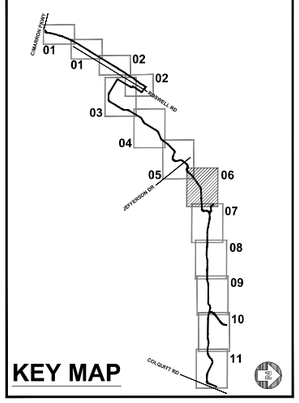


KAIZENCOLLABORATIVE
2390 MAIN STREET | TUCKER, GEORGIA 30084 | 404.239.2521

CHARLES M. ABBOTT JR, P.E.
DESIGN ENGINEER LEVEL II CERTIFICATION
GSWCC # 000004168 EXPIRES: 04/28/2025
CHUCK.ABBOTT@KAIZENCOLLABORATIVE.COM
O: 404-239-2521

PATH FOUNDATION.org
PO BOX 14327, ATLANTA, GA 30324

24 HOUR CONTACT - JONATHAN McCAIG
E: JONATHAN @PATHFOUNDATION.ORG
O: 404-875-7284 x 5 C: 404-433-1900



KEY MAP

	DATE	DESCRIPTION
	06/02/2022	60% DESIGN REVIEW
	09/16/2022	ISSUE FOR REVIEW
	09/23/2022	ISSUE FOR REVIEW

PROJECT #	2022 - 241
PROJECT MANAGER	CMA

SANDY SPRINGS PATH
PHASE 2E
ROSWELL RD TO
COLQUITT RD

20 0 10 20 40
(IN FEET)
1 inch = 20 feet

COLONIAL PIPELINE EXHIBIT

SCALE	1" = 20'-0"
DATE	SEPTEMBER 23, 2022
SHEET #	

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RESOLUTION NO. 2023-_____

STATE OF GEORGIA
COUNTY OF FULTON

A RESOLUTION TO ACCEPT AN ENCROACHMENT AGREEMENT WITH THE COLONIAL PIPELINE COMPANY FOR EXISTING EASEMENTS EXISTING ON PROPERTIES LYING IN LAND LOTS 23, 24, 30 AND 31 IN THE 17TH DISTRICT, FULTON COUNTY, GEORGIA AS IT RELATES TO THE SANDY SPRINGS MASTER TRAIL PLAN-SEGMENT 2E

WHEREAS, the City is currently constructing its Master Trail Plan-Segment 2E (the "Project), spanning through Land Lots 23, 24, 30 and 31 of the 17th District in Fulton County, Georgia; and

WHEREAS, the City Manager directed the Department of Recreation and Parks to develop standard policies for recurring matters, to establish appropriate internal controls and legal compliance, and to provide for an efficient and effective means to serve constituents; and

WHEREAS, in accordance with the design for the Project, the proposed path will be constructed within existing Colonial Pipeline Company ("CPL") pipeline easement areas located at Morgan Landing Apartments, Wesley St. James Apartments, Addison Apartments and the Stone Park at Dunwoody Condominiums; and

WHEREAS, in order to construct the portion of the Project within right-way owned by CPL the attached Encroachment Agreement between CPL and the City must be executed with no costs to the City; and

WHEREAS, it is the desire of the City to accept the attached Encroachment Agreement at no cost to the City, with Colonial Pipeline Company to construct a portion of the City's Master Trail Plan-Segment 2E within Colonial Pipeline Company's existing right-of -way.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA THAT:

1. The attached Encroachment Agreement between the City of Sandy Springs and the Colonial Pipeline Company is hereby approved; and
2. The Mayor is authorized to execute the Agreement, pending any minor revisions by the City Attorney and approval by the Chief Financial Officer; and
3. The City Manager and appropriate City Staff are hereby authorized to take such actions deemed necessary to effectuate the intent of this Resolution.

RESOLVED this 5th day of December 2023.

Approved:

_____
Russell K. Paul, Mayor

Attest:

_____
Raquel D. González, City Clerk
(Seal)

SANDY SPRINGS
CITY CLERK'S OFFICE

TO: Eden Freeman, City Manager

FROM: Michael Perry, Director of Recreation and Parks

DATE: October 26, 2023 Submission for the December 5, 2023 City Council Meeting

ITEM: Request for Mayor and City Council Consideration of a Resolution to Accept a Governmental Encroachment Agreement for Easement with the Georgia Power Company for property lying in Land Lots 23, 24, 30 and 31 in the 17th District, Fulton County, Georgia

---

Recommendation:

Staff recommends that the Mayor and City Council accept a Governmental Encroachment Agreement for Easement with the Georgia Power Company on property lying in Land Lots 23, 24, 30 and 31 in the 17th District, Fulton County, Georgia.

Background:

This Agreement is related to the City's Master Trail Plan Segment 2E that will encroach within the Georgia Power Company Easement on properties owned by RSWL LLC (Morgan's Landing Apartments); RMF Apartments LLC (Wesley St. James Apartments); RRE Sandy Springs Holdings LLC (Addison Apartments); and the Stone Park at Dunwoody Condominiums. The City's proposed project must enter into and cross over an existing Georgia Power Transmission Right-of-Way Easement on the referenced properties.

Discussion:

The Agreement will allow the City to construct Segment 2E of its Master Trail Plan within the existing Georgia Power Transmission Right of Way Easement across the referenced properties. A separate Permanent and Temporary Easement Agreement with the respective fee property owners will be negotiated at a later date and will be presented to the Mayor and City County in separate agenda items.

Financial Impact:

There is to be no exchange of funds for this Agreement.

Alternatives:

This Agreement is required in order to deliver the desired project. The City can decline to execute this Agreement and seek an alternative route/design of the project.

Review:

Erika Rose, Executive Administrative Assistant	Created/Initiated - 11/14/2023
Michael Perry, Director of Recreation and Parks	Approved - 11/14/2023
Kristin Byars Smith, Assistant City Manager	Approved - 11/14/2023
Toni Carlisle, Chief Financial Officer	Approved - 11/20/2023

Dan Lee, City Attorney	Approved - 11/21/2023
Eden Freeman, City Manager	Final Approval - 12/1/2023

Attachments:

1. Trail 2E_Georgia Power Governmental Encroachment Agreement
2. Trail2E_Easement Graphic
3. CLEAN Trail 2E_Georgia Power Encroachment Agreement Resolution

GOVERNMENTAL ENCROACHMENT AGREEMENT FOR EASEMENT

L. F. # _____

APPLICATION # **193777**

SUBJECT: **BULL SLUICE – NORCROSS 500 KV TRANSMISSION LINE RIGHT-OF-WAY**
BULL SLUICE – GLAZE DRIVE 230 KV TRANSMISSION LINE RIGHT-OF-WAY
NORCROSS – PARKAIRE 115 KV TRANSMISSION LINE RIGHT-OF-WAY

The **GEORGIA POWER COMPANY**, hereinafter called the "Power Company," hereby consents for **CITY OF SANDY SPRINGS**, hereinafter called the "Undersigned," to use an area within the Power Company's subject electric transmission line right(s)-of-way described as follows:

Said right(s)-of-way being **250 feet in width** and extending in part through Land Lots 31, 30, 24, & 23**,** 17TH District, of **FULTON County, Georgia**, on which the Power Company has constructed and now maintains and operates said electric transmission line(s) by virtue of certain easements heretofore acquired by the Power Company. The said right(s)-of-way are shown on plat attached hereto and made a part hereof as **Exhibit A**.

The use of the area by the Undersigned within said right(s)-of-way, pursuant to this consent, shall be limited to the construction, operation and maintenance of a **12 feet wide pedestrian trail & associated grading,** at the location and to the extent as shown on said attached plat. It is specifically understood that no buildings or other obstructions of any type will be permitted within or on subject transmission line right(s)-of-way.

The plans and specifications as submitted by the Undersigned meet the Power Company's approval provided the Undersigned conforms to the following terms and conditions:

1. The Undersigned agrees to obtain all necessary rights from the owners of the lands crossed by the Power Company's right(s)-of-way.

2. The Undersigned agrees to use said area within the Power Company's right(s)-of-way in such a manner as will not interfere with the Power Company's activities and facilities as now, or hereafter, exist thereon (hereinafter Power Company's "activities" and "facilities").

3. The Undersigned agrees that the use of Power Company's right(s)-of-way as herein provided shall in no way affect the validity of the Power Company's easement(s) and shall in no way modify or restrict the use or rights of the Power Company, its successors or assigns, in and to the area to be used. The Undersigned acknowledges the Power Company's right and title to said easement(s) and the priority of the Power Company's right of use and hereby agrees not to resist or assail said priority.

4. The use of said area within said right(s)-of-way by the Undersigned shall be at the sole risk and expense of the Undersigned, and the Power Company is specifically relieved of any responsibility for damage to the facilities and property of the Undersigned resulting or occurring from the use of said right(s)-of-way by the Power Company as provided herein. The Undersigned covenants not to sue Power Company in that instance.

5. The Undersigned hereby agrees and covenants not to use and will prohibit agents, employees and contractors of Undersigned from using any tools, equipment or machinery within ten (10) feet of the Power Company's overhead conductors. The Undersigned agrees to comply with Official Code of Georgia, Section 46-3-30 et seq., (HIGH-VOLTAGE SAFETY ACT) and any and all Rules and Regulations of the State of Georgia promulgated in connection therewith, all as now enacted or as hereinafter amended; and further agrees to notify any contractor(s) that may be employed by the Undersigned to perform any of the work referred to in this Agreement of the existence of said code sections and regulations by requiring said work to be performed in compliance with said code sections and regulations by including same as a requirement in its request for bids and including said requirements in any contract let as a result of said bid. The Undersigned further agrees and covenants to warn all persons whom the Undersigned knows or should reasonably anticipate for any reason may resort to the vicinity of such conductors of the fact that such conductors are (a) electrical conductors, (b) energized, (c) uninsulated and (d) dangerous.

6. Notwithstanding anything to the contrary contained herein, the Undersigned agrees to reimburse the Power Company for all cost and expense for any damage to the Power Company's facilities resulting from the use by the Undersigned of said area within said right(s)-of-way. Also, the Undersigned agrees that if in the opinion of the Power Company, it becomes necessary, as a result of the exercise of the permission herein granted, to relocate, rearrange, change or raise any of the Power Company's facilities, to promptly reimburse the Power Company for all cost and expense involved in such relocation, rearrangement or raising of said facilities.

7. The Undersigned agrees to notify or have the Undersigned's contractor notify the Power Company's Representative in **Atlanta, Georgia**, Phone: 912-547-2635, accrews@southernco.com, at least three (3) business days prior to actual construction on the Power Company's right(s)-of-way.

8. The Undersigned agrees, to the extent it may lawfully do so, to indemnify and save harmless and defend the Power Company from the payment of any sum or sums of money to any persons whomsoever (including third persons, subcontractors, the Undersigned, the Power Company and agents and employees of them) on account of claims or suits growing out of injuries to persons (including death) or damage to property (including property of the Power Company) in any way attributable to or arising out of the use of the right(s)-of-way, by the Undersigned as herein provided,

including (but without limiting the generality of the foregoing) all liens, garnishments, attachments, claims, suits, judgments, costs, attorney's fees, cost of investigation and of defense, and excepting only those situations where the personal injury or property damage claimed have been caused by reason of the sole negligence on the part of the Power Company, its agents or employees.

9. The Undersigned hereby agrees to incorporate in any and all of its contracts and/or agreements, for any work or construction done on or to said described right(s)-of-way, with any and all third persons, contractors, or subcontractors, a provision requiring said third parties, contractors or subcontractors to indemnify and defend Power Company, its agents and employees as provided for above from payment of any sum or sums of money by reason of claims or suits resulting from injuries (including death) to any person or damage to any property which is in any manner attributable to or resulting from the construction, use or maintenance of the Undersigned's facilities, projects or programs conducted on Power Company's right(s)-of-way herein described, and excepting only those situations where the personal injury or property damage claimed have been caused by reason of the sole negligence on the part of the Power Company, its agents or employees.

10. The Undersigned further agrees to carry, if performing work or construction, and to require that any such third party, contractor or subcontractor doing or providing any such work or construction on said right(s)-of-way carry liability insurance which shall specifically cover such contractually assumed liability. A certificate of such insurance issued by the appropriate insurance company shall be furnished to the Power Company upon request, said amount of insurance to be not less than $2,000,000 per occurrence for bodily injury and property damage which arise out of or result from the Undersigned's operations under this agreement. The Power Company shall be named as an additional insured on this liability insurance coverage.

11. The Power Company has the right to remove all trees and brush from the limits of the right(s)-of-way. However, Power Company will permit some planting of shrubbery and *low growing trees* provided these plants do not interfere with the access to and operation of Power Company's facilities and are planted at a distance greater than twenty-five (25) feet from any structure or attachment thereto. *A planted low growing tree* is defined as a tree which grows no more than 15 feet in height at maturity.

12. The Undersigned agrees that all construction activity shall be conducted at a distance greater than twenty-five feet (25') from any structure or attachment thereto.

13. This Agreement shall inure to the benefit of and be binding upon the parties, their heirs, successors and/or assigns.

The Undersigned hereby accepts the foregoing consent, and has by Resolution of the Commissioners, or by other legal and proper authorization, duly adopted (a copy of which will be furnished to Power Company on request), authorized the execution and acceptance of this Agreement subject to the terms and conditions set forth above and in the event the Undersigned fails to perform as herein provided and shall not have executed and returned this Agreement on or before the 31 of January, 2024 , this Agreement shall become void and no use of the Power Company's right(s)-of-way as herein provided for shall be made.

IN WITNESS WHEREOF, this Agreement has been duly executed, this the ____ day of _____, 20___.

UNDERSIGNED

CITY OF SANDY SPRINGS

WITNESS: _____ BY: _____

NAME: Eden E. Freeman

NOTARY PUBLIC: _____ TITLE: City Manager

The Power Company has by its duly authorized agent executed this Agreement, this the ____ day of _____, 20___.

GEORGIA POWER COMPANY

WITNESS: _____ BY: _____

NAME: _____

NOTARY PUBLIC: _____ TITLE: Area Transmission Maintenance Supervisor

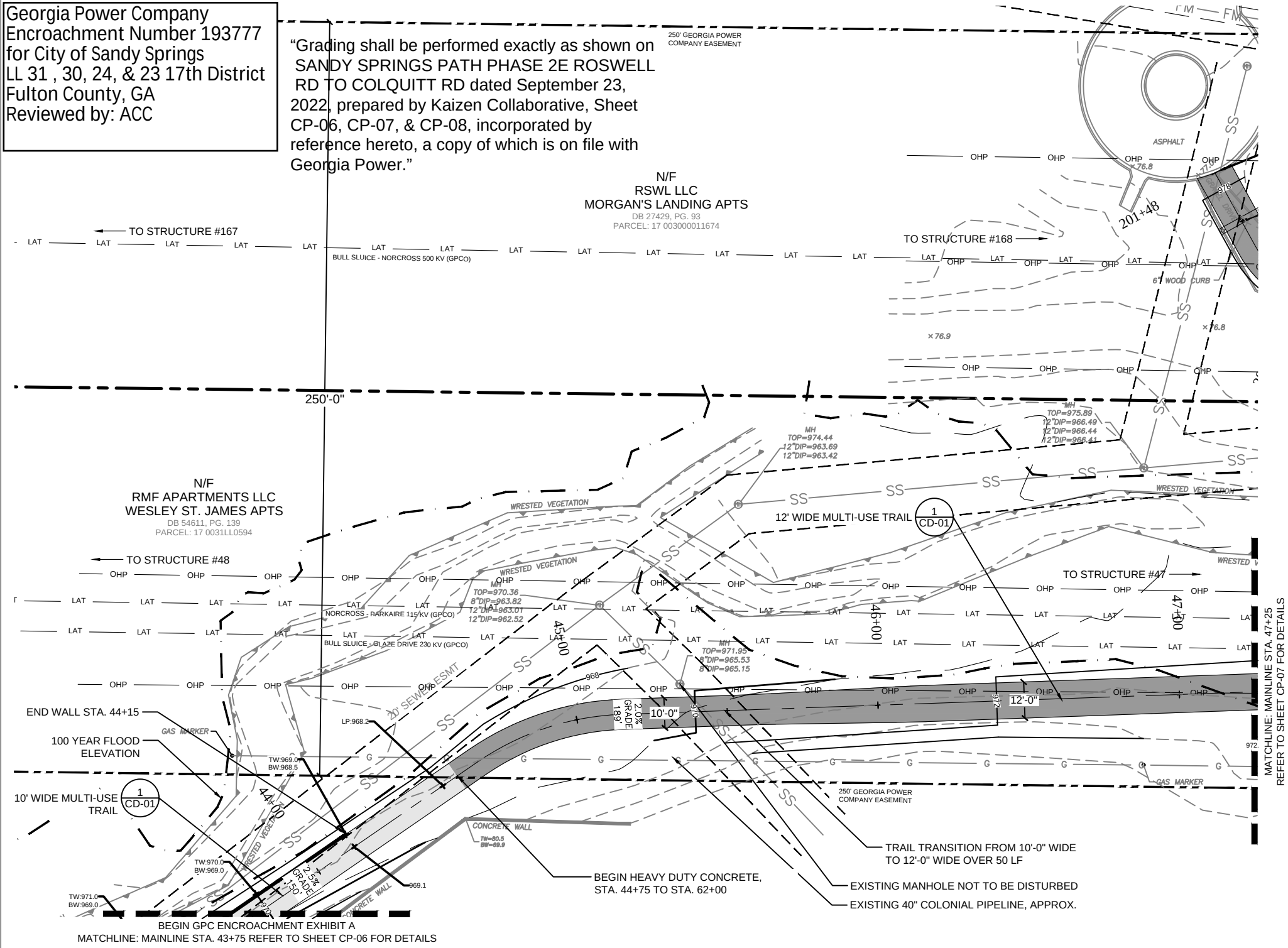
EXHIBIT A
TO GOVERNMENTAL ENCROACHMENT AGREEMENT FOR EASEMENT

Power Company Initials: _____

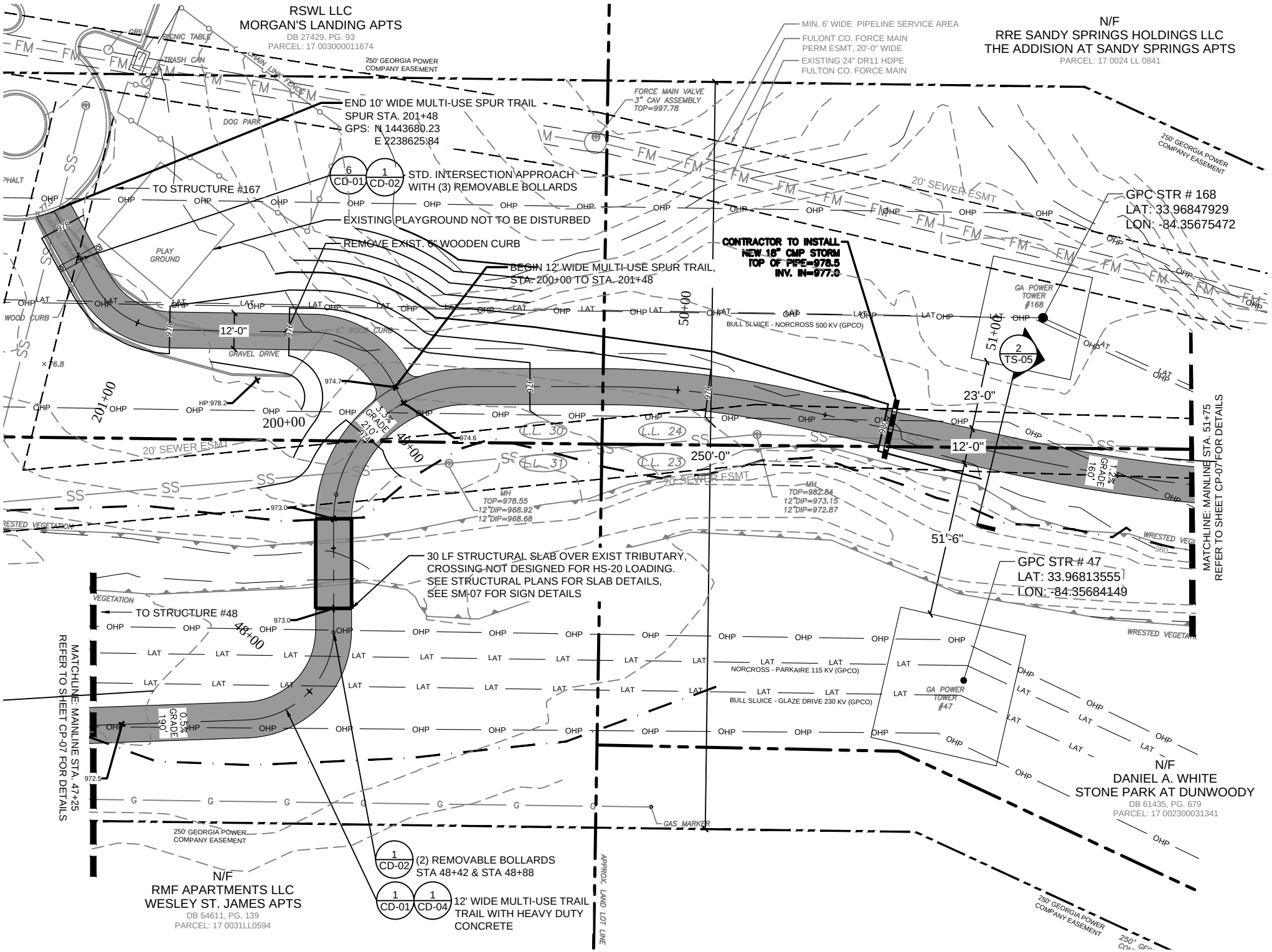
Undersigned Initials: _____

Georgia Power Company
Encroachment Number 193777
for City of Sandy Springs
LL 31 , 30, 24, & 23 17th District
Fulton County, GA
Reviewed by: ACC

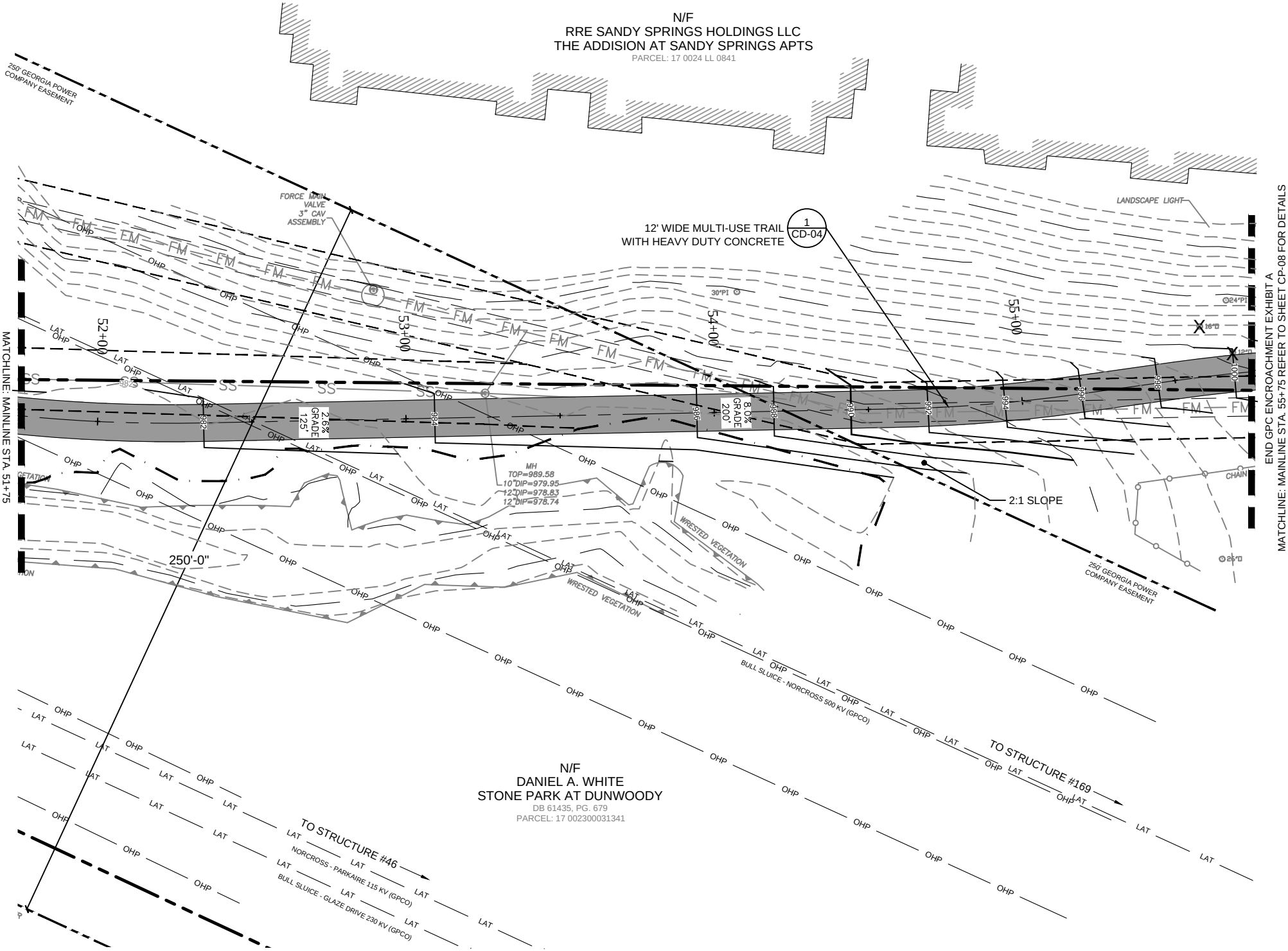
"Grading shall be performed exactly as shown on SANDY SPRINGS PATH PHASE 2E ROSWELL RD TO COLQUITT RD dated September 23, 2022, prepared by Kaizen Collaborative, Sheet CP-06, CP-07, & CP-08, incorporated by reference hereto, a copy of which is on file with Georgia Power."



MORGAN FALLS CONNECTOR PHASE 2E - GPC ENCROACHMENT EXHIBIT A	2023-03-15	SCALE 1" = 40'-0"	SHEET: EX-A.1



MORGAN FALLS CONNECTOR PHASE 2E - GPC ENCROACHMENT EXHIBIT A | **2023-03-15** | **SCALE 1" = 40'-0"** | **SHEET: EX-A.2**



MORGAN FALLS CONNECTOR PHASE 2E - GPC ENCROACHMENT EXHIBIT A	2023-03-15	SCALE 1" = 40'-0"	SHEET: EX-A.3

EXHIBIT B
SPECIAL STIPULATIONS

1. **Trail use**. Trails shall only be used for bicycles or pedestrian use. No motorized vehicles are permitted.

2. **Location**. Trails shall be located at least twenty-five feet (25') from any pole, guy wire, tower or other facility or equipment. No modifications to the trail location depicted on Exhibit A shall be made without Power Company's prior written consent.

3. **Consents**. The Undersigned shall not make any improvements without Power Company's prior written consent. The Undersigned is responsible for obtaining all necessary city, county, state and federal permits.

4. **Surface material**. The composition of surface material used for the trail requires Power Company's prior written approval. The trail shall be constructed in accordance with Georgia Department of Transportation roadway specifications such that it is of a strength sufficient to withstand passage of Power Company's construction and maintenance vehicles and equipment.

5. **Landscaping**. Only landscaping shown on Exhibit A and approved by Power Company may be installed on the right-of-way. All landscaping shall comply with Power Company's then-current allowable vegetation policy.

6. **Signage**. Signage shall not be installed without Power Company's prior written consent. Signage shall be no taller than fifteen feet (15') in height, shall be installed at the Undersigned's expense and shall include opening and closing hours of the trail.

7. **Outdoor Lighting**. Outdoor lighting installations shall not be installed without Power Company's prior written consent. Installations shall be no taller than fifteen feet (15') in height and the Undersigned shall be responsible for the costs of installing and maintaining such outdoor lighting.

8. **Environmental**. The Undersigned shall abide by all local, state, and federal laws regarding wetlands, protected species and stream buffer protection. The Undersigned shall install and maintain the trail using environmental best management practices to ensure proper erosion control. The Undersigned shall not place any hazardous material on the right-of-way.

9. **Construction, Maintenance and Repairs to Trails**. The Undersigned shall construct, maintain and repair the trail at its sole cost and expense. Power Company retains the right to temporarily or permanently prohibit or restrict access to all or any portion of the trail and is not responsible for any damage to the landscaping, trails or paths caused by or resulting from exercise of any rights by Power Company. At no time shall the trail or its use inhibit Power Company's access to the right-of-way. Mechanical grade work during the installation of the trail shall not impact the ground grid located on the right-of-way.

10. **General Cleanliness**. The Undersigned (or any entity with whom the Undersigned contracts, including the City or County) shall routinely remove trash and debris from the right-of-way, and routinely maintain any permitted landscaping.

11. **Termination**. This Agreement shall be terminable upon any of the following:

    a. Power Company deems it necessary to have unrestricted use of the right-of-way for current or future needs;
    b. The trail is not constructed within two (2) years of the date hereof;
    c. The trail is not maintained in a condition acceptable to Power Company;
    d. General cleanliness along the path is not acceptable to Power Company; or
    e. The trail is utilized for purposes outside the scope of the permissions granted in this Agreement.

    Either party may terminate this Agreement with 30 days' written notice. In the event of termination, the Undersigned shall have sixty (60) days to remove all improvements from the right-of-way and restore the right-of-way to its original condition, all at the Undersigned's sole cost and expense. If the improvements are not removed within sixty (60) days, Power Company may remove them and bill the Undersigned, and the Undersigned shall make full payment to Power Company within thirty (30) days from the date of the invoice.

Morgan's
Landing
Apartments
The Addison at
Sandy Springs
Apartments
Colonial Pipeline Encroachment Easement
Georgia Power Encroachment Easement
Trail 2E
Trail Extents
Parcels
N
0
50
100
200 Feet
0
0.01
0.03
0.05 Miles
Wesley
St. James
Apartments
Stonepark
at Dunwoody
The Overlook
Sandy Springs
Apartments
Copyright nearmap 2015

RESOLUTION NO. 2023- _____

STATE OF GEORGIA
COUNTY OF FULTON

A RESOLUTION TO ACCEPT A GOVERNMENTAL ENCROACHMENT AGREEMENT FOR EASEMENT WITH THE GEORGIA POWER COMPANY FOR EXISTING RIGHT-OF-WAY ON PROPERTY LYING IN LAND LOTS 23, 24, 30 AND 31 IN THE 17TH DISTRICT, FULTON COUNTY, GEORGIA AS IT RELATES TO THE SANDY SPRINGS MASTER TRAIL PLAN-SEGMENT 2E

WHEREAS, the City is currently constructing its Sandy Springs Master Trail Plan-Segment 2E (the "Project), spanning through Land Lots 23, 24, 30 and 31 of the 17th District in Fulton County, Georgia; and

WHEREAS, the City Manager directed the Department of Recreation and Parks to develop standard policies for recurring matters, to establish appropriate internal controls and legal compliance, and to provide for an efficient and effective means to serve constituents; and

WHEREAS, in accordance with the design for the Project, the proposed path will be constructed within existing Georgia Power Company ("GPC") Transmission easement areas located at Morgan Landing Apartments, Wesley St. James Apartments, Addison Apartments and the Stone Park at Dunwoody Condominiums; and

WHEREAS, in order to construct the portion of the Project within right-of-way owned by GPC the attached Governmental Encroachment Agreement between GPC and the City must be executed with no costs to the City; and

WHEREAS, it is the desire of the City to accept the attached Governmental Encroachment Agreement for Easement at no cost to the City, with Georgia Power Company to construct a portion of the Sandy Springs Master Trail Plan-Segment 2E within Georgia Power Company's existing Transmission Line right-of-way.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA THAT:

1. The attached Governmental Encroachment Agreement for Easement between the City of Sandy Springs and Georgia Power Company is hereby approved; and
2. The City Manager is authorized to execute the Agreement, pending any minor revisions by the City Attorney and approval by the Chief Financial Officer; and
3. The City Manager and appropriate City Staff are hereby authorized to take such actions deemed necessary to effectuate the intent of this Resolution.

RESOLVED this 5th day of December 2023.

Approved:

_____
Russell K. Paul, Mayor

Attest:

_____
Raquel D. González, City Clerk
(Seal)

SANDY SPRINGS
CITY CLERK'S OFFICE

TO: Eden Freeman, City Manager

FROM: Toni Carlisle, Chief Financial Officer

DATE: November 7, 2023 Submission for the December 5, 2023 City Council Meeting

ITEM: ABL #103981
Request for Mayor and City Council Consideration of Approval of Alcoholic Beverage License Application for Act 3 Productions, Inc. d/b/a Act 3 Productions/The Act 3 Playhouse – 6285-R Roswell Rd., Sandy Springs GA 30328

Applicant is Mary Sorrel for Consumption on the premises – BYOB Wine

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Recommendation:

Approve the application Consumption on the premises – BYOB Wine for Act 3 Productions, Inc, d/b/a Act 3 Productions/The Act 3 Playhouse – 6285-R Roswell Rd., Sandy Springs GA 30328.

Background:

Applicant submitted a completed application on September 11, 2023. Applicant has passed the background investigation.

Discussion:

This is a New Application for Consumption on the premises – BYOB Wine. The business is located at 6285-R Roswell Rd., Sandy Springs GA 30328.

Financial Impact:

Revenue – $1,575

Alternatives:

None

Review:

Yolanda White, Revenue Technician	Created/Initiated - 11/7/2023
Pellum Peters, Revenue Manager	Approved - 11/7/2023
Toni Carlisle, Chief Financial Officer	Approved - 11/20/2023
Dan Lee, City Attorney	Approved - 11/21/2023
Eden Freeman, City Manager	Final Approval - 11/29/2023

Attachments:

1. Final hearing letter- Act 3 Productions
2. public hearing letter- Act 3 Productions

SANDY SPRINGS
GEORGIA

To: Eden Freeman, City Manager

From: Toni Carlisle, Chief Financial Officer

Date: November 7, 2023, for Submission onto the Dec 5, 2023, City Council Meeting

Agenda Item: 103981 - Approval of Alcoholic Beverage License Application for Act 3 Productions, Inc. d/b/a Act 3 Productions/The Act 3 Playhouse – 6285-R Roswell Rd., Sandy Springs GA 30328

Applicant is Mary Sorrel for Consumption on the premises – BYOB Wine.

CMO (City Manager's Office) Recommendation:
Approve the application Consumption on the premises – BYOB Wine for Act 3 Productions, Inc, d/b/a Act 3 Productions/The Act 3 Playhouse – 6285-R Roswell Rd.., Sandy Springs GA 30328.

Background:
Applicant submitted a completed application on September 11, 2023. Applicant has passed the background investigation.

Discussion:
This is a New Application for Consumption on the premises – BYOB Wine. The business is located at 6285-R Roswell Rd., Sandy Springs GA 30328.

Staff has reviewed this application and recommends approval.

Alternatives:
None

Financial Impact:
Revenue – $1,575

Concurrent Review:
Yolanda White, Revenue Specialist

SANDY SPRINGS
GEORGIA

CITY OF SANDY SPRINGS
PUBLIC NOTICE
23-103981

PLACE: City of Sandy Springs City Hall
1 Galambos Way
Sandy Springs, GA 30328

DATE & TIME: December 5, 2023
6:00 P.M.

PURPOSE: Alcoholic Beverage License Application
New Alcohol Beverage Application
Consumptions on the Premises, BYOB - Wine

APPLICANT: Act 3 Productions, Inc.
DBA Act 3 Productions / Act 3 Playhouse
6285-R Roswell Rd.
Sandy Springs GA 30328

SANDY SPRINGS
CITY CLERK'S OFFICE

TO: Eden Freeman, City Manager

FROM: Toni Carlisle, Chief Financial Officer

DATE: October 18, 2023 Submission for the December 5, 2023 City Council Meeting

ITEM: ABL # 103994
Request for Mayor and City Council Consideration of Approval of Alcoholic Beverage License Application for Concourse Athletic F and B LLC d/b/a Concourse Athletic Club – 8 Concourse Pkwy, Sandy Springs GA 30328

Applicant is Brian Nelson for Consumption on the Premises Wine, Malt, & Distilled Spirits.

Recommendation:

Approve the application for Change of Ownership - Consumption on the premises Wine, Malt, and Distilled Spirits for Concourse Athletic F and B LLC d/b/a Concourse Athletic Club – 8 Concourse Pkwy, Sandy Springs GA 30328

Background:

Applicant submitted a completed application on September 11, 2023. Applicant has passed the background investigation.

Discussion:

This is a Change of Ownership for Consumption on the premises Wine, Malt, and Distilled Spirits. The business is located at – 8 Concourse Pkwy, Sandy Springs GA 30328.

Financial Impact:

$6,700

Alternatives:

NONE

Review:

LaKesha Passemore, Revenue Specialist	Created/Initiated - 10/18/2023
Pellum Peters, Revenue Manager	Approved - 10/18/2023
Toni Carlisle, Chief Financial Officer	Approved - 11/20/2023
Dan Lee, City Attorney	Approved - 11/21/2023
Eden Freeman, City Manager	Final Approval - 11/29/2023

Attachments:

1. Final hearing letter- Concourse Acquisitions
2. public hearing letter- CONCOURSE

SANDY SPRINGS
GEORGIA

To: Eden Freeman, City Manager

From: Toni Carlisle, Chief Financial Officer

Date: October 5, 2023 for Submission onto the December 5, 2023 City Council Meeting

Agenda Item: – Approval of Alcoholic Beverage License Application for Concourse Athletic F and B LLC d/b/a Concourse Athletic Club – 8 Concourse Pkwy, Sandy Springs GA 30328

Applicant is Brian Nelson for Consumption on the premises Wine, Malt, and Distilled Spirits.

CMO (City Manager's Office) Recommendation:
Approve the application for Change of Ownership - Consumption on the premises Wine, Malt, and Distilled Spirits for Concourse Athletic F and B LLC d/b/a Concourse Athletic Club – 8 Concourse Pkwy, Sandy Springs GA 30328

Background:
Applicant submitted a completed application on September 11, 2023. Applicant has passed the background investigation.

Discussion:
This is a Change of Ownership for Consumption on the premises Wine, Malt, and Distilled Spirits. The business is located at – 8 Concourse Pkwy, Sandy Springs GA 30328.

Staff has reviewed this application and recommends approval.

Alternatives:
None

Financial Impact:
Revenue – $6,700

Concurrent Review:
Lakesha Passemore, Revenue Specialist

SANDY SPRINGS
GEORGIA

CITY OF SANDY SPRINGS
PUBLIC NOTICE
23-

PLACE: City of Sandy Springs City Hall
1 Galambos Way
Sandy Springs, GA 30328

DATE & TIME: December 5, 2023
6:00 P.M.

PURPOSE: Alcoholic Beverage License Application
Consumption on the Premises
Wine, Malt Beverages & Distilled Spirits

APPLICANT: Concourse Athletic F&B, LLC
DBA Concourse Athletic Club
8 Concourse Pkwy
Sandy Springs GA 30328

SANDY SPRINGS

CITY CLERK'S OFFICE

TO: Eden Freeman, City Manager

FROM: Michele McIntosh-Ross, Planning & Zoning Manager

DATE: September 27, 2023 Submission for the December 5, 2023 City Council Meeting

ITEM: Request for Mayor and City Council Consideration of a Resolution to Approve the Crossroads Small Area Plan 2023 Update

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Recommendation:

Staff recommends approval of the resolution to approve the Crossroads Small Area Plan 2023 Update.

Background:

The Crossroads area was studied as part of the Roswell Road Small Area Plan in 2017, a component of the City's Next Ten Comprehensive Plan 2017. The 2022 5-year Update of the Next Ten recommended updating the Small Area Plans and the Crossroads area was identified as an area to study and update within the Roswell Road Small Area Plan. In late 2022, the City retained the professional consulting services of RHI to oversee development of the Plan Update and RKG & Associates for the economic analysis, to assist the staff planning team and the community with identifying the appropriate projects, policies, and programs.

The Crossroads Small Area Plan Update kicked off in January 2023 with focus group meetings and a site visit to assess the area. Public engagement opportunities included two in-person public open houses, two online engagement activities, stakeholder discussions with commercial property owners, business owners, and residents in the area. Feedback was solicited in both English and Spanish. The feedback gathered from these events has informed the recommendations for the Crossroads Small Area Plan Update.

Discussion:

The Crossroads Small Area Plan Update provides an action plan with policies and programs that are meant to meet the vision and goals identified in the Plan to guide future development and growth for the Crossroads area. On November 13, 2023, the Planning Commission unanimously voted to recommend approval of the Crossroads Small Area Plan 2023 Update.

Financial Impact:

No financial impact is anticipated at this time.

Alternatives:

The Mayor and City Council may choose to deny or defer

Review:

Michele McIntosh-Ross, Planning & Zoning Manager	Created/Initiated - 12/1/2023
Ginger Sottile, Director of Community Development	Approved - 12/1/2023
Kristin Byars Smith, Assistant City Manager	Approved - 12/1/2023
Dan Lee, City Attorney	Approved - 12/1/2023
Eden Freeman, City Manager	Final Approval - 12/1/2023

Attachments:

1. Crossroads Update MCC Presentation
2. Resolution - Crossroads Small Area Plan 2023 Update
3. Draft Crossroads Small Area Plan

Crossroads Small Area Plan Update

Mayor and City Council

December 5, 2023

SANDY SPRINGS™

GEORGIA

Staff Recommends Approval

Planning Commission Recommends Approval

Project Background

- Recommended in the Next Ten 5-year Update

- Study Area

Bilingual Public Planning Process

Sandy Springs hosts bilingual town hall for 'Crossroads' plan

By ALEXANDER POPP May 1, 2023

1 of

EXISTING CONDITIONS ANALYSIS

2022

Kickoff Meeting
Site Visit
Meetings with Key Stakeholders
City Council Work Sessions

NOV

2023

PRELIMINARY CONCEPTS AND PREFERRED CONCEPTS

Community Survey
Community Pop-Up Events
Community Meeting #1 (April)
City Council Work Sessions

JAN

DRAFT PLAN

Community Meeting #2 (August)
City Council Work Sessions
Community Comment Form

AUG

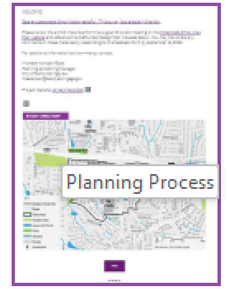
FINAL PLAN AND PLAN ADOPTION

Public Review of Draft Plan
City Council Work Sessions
Planning Commission
City Council Hearing

NOV

Website

Online Polls

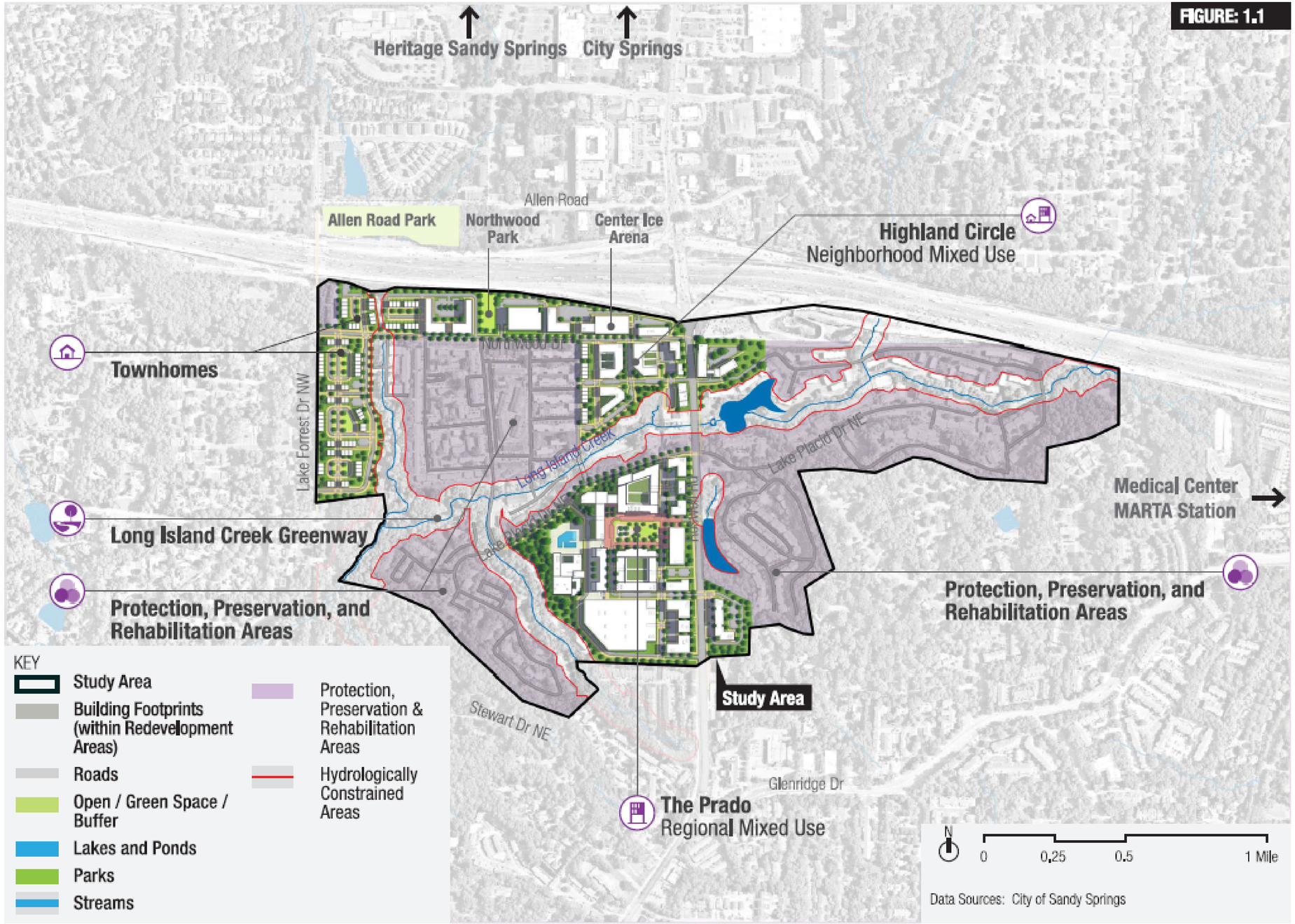


Community Meetings

Pop-Up Events

Study Area Concept

- Protection, Preservation and Rehabilitation
- Open Space and Natural Areas
- Connectivity
- Redevelopment



RESOLUTION NO. _____

STATE OF GEORGIA
COUNTY FULTON

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SANDY SPRINGS TO APPROVE THE CROSSROADS SMALL AREA PLAN 2023 UPDATE

WHEREAS, the Mayor and Council of the City of Sandy Springs ("City") initiated a process to prepare the Crossroads Small Area Plan 2023 Update ("Plan Update"), in November, 2022; and

WHEREAS, the Mayor and City Council approved Roadside Harwell ("RHI") the Master Consultant to oversee development of the Plan Update, and RKG & Associates for the economic analysis in support of the Plan Update; and

WHEREAS, the development of the Plan Update engaged the community, including in-person public open house meetings, virtual input sessions, and active outreach to community events; and

WHEREAS, per City process, the Plan Update was presented to the Planning Commission on November 13, 2023, for its recommendation to Mayor and City Council; and

WHEREAS, the Planning Commission recommended approval of the Plan Update as presented on November 13, 2023; and

WHEREAS, it is desire of the Mayor and City Council to accept the Planning Commission's recommendation to approve the Plan Update;

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL FOR THE CITY OF SANDY SPRINGS, GEORGIA, THAT:

1. The Mayor and City Council hereby approve the Crossroads Small Area Plan 2023 Update, as attached hereto.

2. The City Manager and appropriate City staff are hereby authorized to take such action as may be deemed necessary to effectuate the intent of this Resolution.

RESOLVED this the _____ day of December, 2023.

Approved:

_____
Russell K. Paul, Mayor

Attest:

_____
Raquel Gonzalez, City Clerk

(Seal)

CROSSROADS

SMALL AREA PLAN UPDATE

SANDY SPRINGS, GEORGIA

NOVEMBER 28, 2023

SANDY SPRINGS
GEORGIA

ACKNOWLEDGMENTS

CITY OF SANDY SPRINGS

Mayor & City Council:

Rusty Paul, Mayor
John Paulson, District 1
Melody Kelley, District 2
Melissa Mular, District 3
Jody Reichel, District 4
Tibby Dejulio, District 5 (Crossroads area located in this District)
Andy Bauman, District 6 (Crossroads area located in this District)

City Management:

Eden Freeman, City Manager
Kristin Byars Smith, Assistant City Manager

City Departments:

Community Development

Ginger Sottile, Director
Michele McIntosh-Ross, Planning And Zoning Manager
Matthew Anspach, Senior Planner
Helen Owens, Planner III
Laquita Williams, Planner I
Scotty Porter, Planner Technician
Samantha Brown, Administrative Assistant
Melvin Mungal, Planning And Zoning Reviewer
John Cheek, City Architect/Urban Designer
Jon Amsberry, City Engineer
Jesus Davila, Land Development Manager
James Sanders, Chief Environmental Compliance Officer
William Lipscomb, Post-Development Stormwater Coordinator

Information Technology

Bridget Lawlor, GIS Manager
Tyler Lents, GIS Analyst

Economic Development

Caroline Kinchler, Economic Development Manager

Recreation & Parks

Catherine Mercier-Baggett, Sustainability Manager

Public Works

Kristen Wescott, Traffic/Transportation Unit Manager
Caitlin Shankle, Senior Transportation Planner

Communication and Media

Dan Coffer, Community Relations Manager
Xanthe Tilden, Senior Public Relations Specialist
Candace Finethy, Senior Public Relations Specialist

City Clerk's Office

Raquel Gonzalez, City Clerk

Volunteers:

Maite Fuertes, Los Ninos Primeros
Lizbeth Zamora, Los Ninos Primeros
Lily Catano, Mt Vernon School
Ameyaltzin Palomino, Fulton County Schools
Sarahi Salazar, Fulton County Schools
Ingrid Montenegro, Fulton County Schools
Yurley Melindez
Andrea Buras
Lourdes Marrero
Alegandro Ugarte
Melissa Barajas, City of Sandy Springs

Consultants:

RHI
RKG Associates

Thanks to all community members who participated and contributed to the development of the Crossroads Small Area Plan Update!

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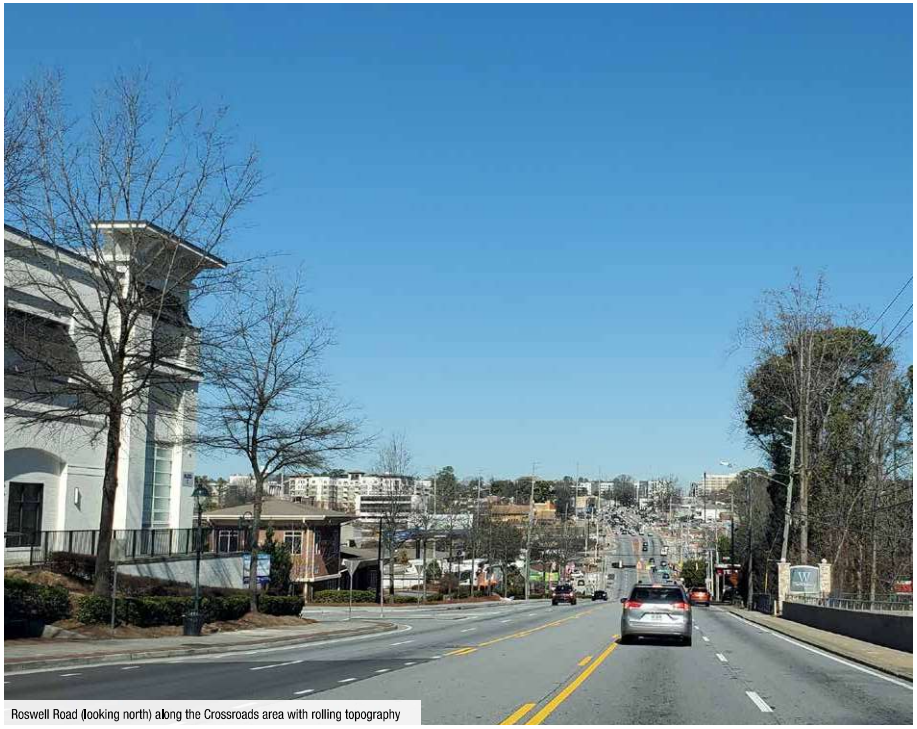


Roswell Road (looking north) along the Crossroads area with rolling topography

1

VISION AND KEY ACTIONS

THE VISION

The Crossroads Small Area Plan Update focuses on protecting the area's assets and existing communities while positioning the area for limited redevelopment that leverages its prime location at a key "crossroads" within the City of Sandy Springs. The plan envisions a green and more-connected area with a mixed-use core that serves as a destination and gathering place for the city while adding a variety of new housing options. The vision for the Crossroads area updates and advances Roswell Road's ongoing transformation into a multimodal boulevard that connects vibrant mixed-use neighborhoods through the heart of the city.

PROTECTION, PRESERVATION & REHABILITATION

Encourage protection, preservation and rehabilitation of existing workforce housing. The plan aims to preserve housing affordability while promoting improved conditions through maintenance and upgrades of existing housing, supported by exploration of housing tax credits and other federal, state and local funding.

OPEN SPACE & NATURAL AREAS

Create a connected network of parks, open spaces, and natural areas that leverages existing natural resources, including the Long Island Creek corridor and offers new recreational amenities for residents. Additional neighborhood-serving open spaces will be constructed as part of redevelopment.

STRATEGIC REDEVELOPMENT

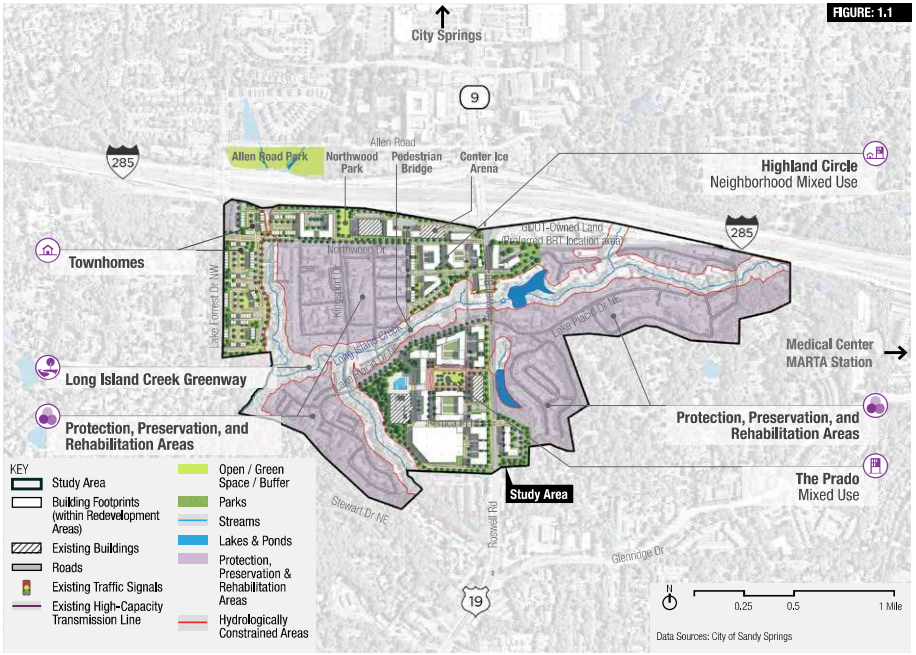
Promote strategic redevelopment based on market feasibility while ensuring compatible transitions between existing and new development. The vision for redevelopment focuses on establishing a context-appropriate and mixed-use core for the area based on properties immediately west of Roswell Road, including The Prado, while promoting contextually appropriate residential development along Northwood Drive and Lake Forrest Drive.

CONNECTIVITY

Establish a connected network of streets, sidewalks, trails, bicycle routes, and transit to provide additional transportation options and potential routes through the area, while also providing safe connections to area destinations.

REDEVELOPMENT GUIDE: **This plan should be used as a guiding document.** Interested property owners and/or developers with development proposals for sites within the study area are required to go through the City's zoning and development plan review processes.

FIGURE: 1.1



PLANNING PROCESS

The planning process was structured in four phases, as follows:

EXISTING CONDITIONS ANALYSIS

The planning process began with an existing conditions analysis phase, during which the planning team conducted site visits, met with key stakeholders and City Council members, and reviewed relevant plans, studies and data on current conditions.

PRELIMINARY CONCEPTS AND PREFERRED CONCEPT

A second phase of the planning process focused on developing preliminary concepts and identifying a preferred concept. This phase began with an online community survey (in English and Spanish) and a series of pop-up events to share information about the planning effort and solicit community input via the survey. Subsequently, the City hosted the first of two community meetings, during which the public had an opportunity to provide input on the existing conditions documentation as well as issues and opportunities identified to date. Based on the input received through these activities and through City Council work sessions, the planning team began exploring preliminary concepts for the area before coalescing around a preferred concept.

DRAFT PLAN

During the third phase of the planning process, a draft urban design plan, based on the preferred concept, was shared with the public at a second community meeting. A presentation, to introduce the draft urban design plan, and meeting exhibits, showcasing the draft plan and its components, were shared in both English and Spanish during the meeting. Based on feedback provided at the meeting, via a community comment form, and from City Council members in work sessions, the team refined the urban design plan and developed it in further detail (see Figure 1.1).

FINAL PLAN AND PLAN ADOPTION

The final phase of the planning process included public review of the draft plan, City Council work session, Planning Commission meeting, and a City Council public hearing to consider the plan for adoption.

DRAFT

PLANNING PROCESS

TIMELINE AND OUTREACH TOOLS

EXISTING CONDITIONS ANALYSIS

2022

NOV

Kickoff Meeting
Site Visit
Meetings with Key Stakeholders
City Council Work Sessions

2023

PRELIMINARY CONCEPTS AND PREFERRED CONCEPTS

JAN

Community Survey
Community Pop-Up Events
Community Meeting #1 (April)
City Council Work Sessions

DRAFT PLAN

AUG

Community Meeting #2 (August)
City Council Work Sessions
Community Comment Form

FINAL PLAN AND PLAN ADOPTION

NOV

Public Review of Draft Plan
City Council Work Session
Planning Commission
City Council Hearing

Website

Online Polls

Community Meetings

Pop-Up Events

KEY ACTIONS

PROTECTION, PRESERVATION & REHABILITATION

A. Encourage housing protection, preservation, and rehabilitation efforts within core residential multifamily communities east and west of Roswell Road.

Protection, preservation, and rehabilitation efforts should focus on multifamily communities located furthest from Roswell Road ensuring a stronger, more diverse Crossroads community. These multifamily properties include those located south of Northwood Drive (west side of Roswell Road) and south of I-285 (east side of Roswell Road).

B. Pursue existing federal and state incentives for housing rehabilitation; augment with city-based programs/policies.

In addition to Federal and State programs such as LIHTC, HOME, and CDBG (if eligible), the City may consider additional City-based programs and policies as part of a future Housing Action Plan. This future plan should include exploration of additional programs and policies such as a Housing Rehabilitation Fund, a Housing Opportunity Bond program, tax abatements, etc.

C. Pursue enhanced Code Enforcement programs and private inspections of all multifamily rental units on an annual basis.

Beginning in 2023, the City will begin enhanced enforcement programs approved by Council as part of new Multifamily Rental Housing program, including third party inspections of all units annually. These efforts will help ensure healthy and safe living conditions in existing multifamily residential units.

STRATEGIC REDEVELOPMENT

A. Update the City's Development Code for identified redevelopment parcels to implement the plan's vision.

The Development Code revisions should reflect options for land uses, building typologies and heights for the redevelopment properties, as envisioned within this small area plan.

B. Transform The Prado into a cohesive, context-appropriate, and well-connected mixed-use development.

Encourage redevelopment and transformation of The Prado with new retail destinations, housing options, and a central open space, leveraging existing commercial destinations as anchors.

C. Encourage mixed-use development on the site of the existing Highland Circle

Incorporate neighborhood-serving commercial uses, a variety of market-rate and workforce housing options, and access to a newly-created Long Island Creek greenway.

D. Encourage development of owner-occupied townhome or cottage-court-style communities along the east side of Lake Forrest Drive.

Include central green spaces, interior courtyards, alley access, porches along primary roads and pedestrian connections to major roads, and trails along greenways.

DRAFT

KEY ACTIONS

OPEN SPACE AND NATURAL AREAS

A. Through redevelopment of adjacent private properties, encourage construction of a greenway system along Long Island Creek and its tributaries, consisting of multi-use trails and boardwalks.

The greenway should serve as a central organizing element for the Crossroads area; its multi-use trail and boardwalk areas should be accessible from future residential and mixed-use development as well as from existing neighborhoods.

CONNECTIVITY

A. Study the feasibility of constructing a new north-south pedestrian bridge across Long Island Creek connecting The Prado to existing residential communities north of Long Island Creek and to the future Highland Circle redevelopment.

The pedestrian bridge is an important strategy for establishing a connected street grid in the Crossroads area; a feasibility study should be completed by the City, either in the short term or as redevelopment occurs.

B. Implement planned/ongoing pedestrian safety upgrades along Roswell Road at Northwood Drive and Lake Placid Drive.

These planned and ongoing safety improvements will address pedestrian safety needs identified by the community and will lay the groundwork for future pedestrian safety and connectivity improvements identified in the plan.

2

EXISTING CONDITIONS

STUDY GOALS

As recommended in the Next Ten Five-Year Update, the Crossroads Small Area Plan Update will:

- **Revisit and expand on development concepts for the "Crossroads" area that were included in the Roswell Road Small Area Plan (2017).**
- **Result in a vision for the future of the area both in the short term and long term.**
- **Include detailed land use and urban design concepts as well as recommendations for achieving a workable, equitable and inspired vision for the area.**

STUDY AREA

The "Crossroads" area is located along Roswell Road just south of I-285. Because of its proximity to I-285 and GA 400, it acts as one of the important gateways from the south side of the city to its core area - City Springs. The area is also close to the Perimeter business district, medical center, and MARTA stations (both Medical Center and Dunwoody stations).

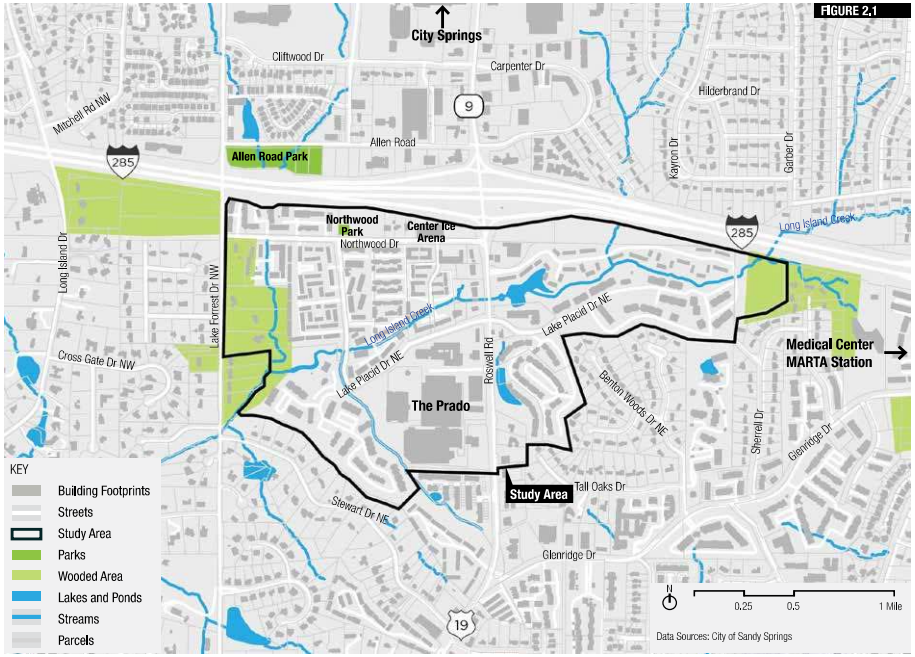
The northern sides of the study area (see Figure 2.1) is primarily multi-family residential - a combination of apartments and condominiums - with a diversity of residents. East-west aligned roads, such as Northwood Drive and Lake Placid Drive NE, provide access to these residential areas. The Prado shopping center occupies the southwestern portion of the study area (west of Roswell Road). The frontage of Roswell Road consists of low intensity commercial uses - primarily gas stations, restaurants, and single-story strip commercial centers.

Long Island Creek is a major stream corridor through this area. It creates a natural east-west corridor perpendicular to Roswell Road.

A view of Roswell Road looking north showing commercial uses

A multi-family residential within the study area

FIGURE 2.1



EXISTING CONDITIONS

STUDY AREA - A VISUAL SUMMARY

Roswell Road Interchange at I-285 - the gateway to the "Crossroads" area

Commercial character (small-small-scale) along Roswell Road

Commercial (large lot): The Prado development

Residential community along Kingsport Drive

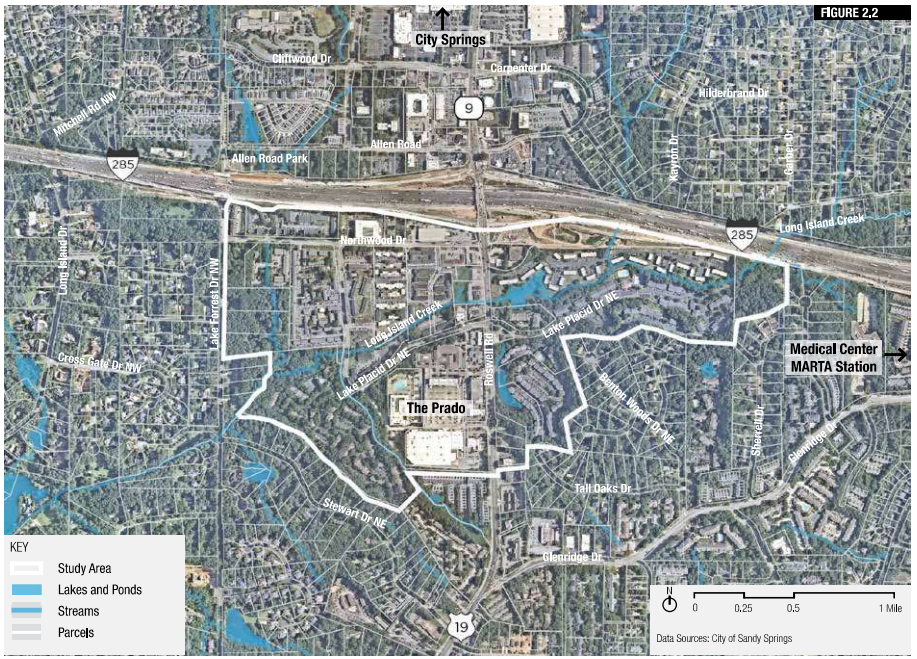
Residential community on the west side of study area

Residential community on the east side of Roswell Road

EXISTING CONDITIONS

STUDY AREA MAP WITH AERIAL VIEW

FIGURE 2.2



EXISTING CONDITIONS

PLANNED LAND USE

The planned land use is based on the Character Area Map developed for the The Next Ten Comprehensive Plan. The Comprehensive Plan Update (2022) and the companion Roswell Road Small Area Plan (2017) both envision the "Crossroads" area as a mixed-use node consisting of retail and professional office closer to and along Roswell Road as well as urban residential away from Roswell Road. In the 5-Year Update, the proposed land uses are to be organized around public gathering and open space areas. Following are the three (3) character areas within the study area boundary (see Figure 2.3).

- Mixed Use: Identified as "special places," the mixed use character area is recommended to have the highest allowable minimum and maximum building heights with a mix of uses that include residential, office and ground floor retail/commercial.
- Commercial / Mixed Use: This designation includes existing commercial sites along Roswell Road. New development and/or redevelopment within this character area is recommended to include a vertical mix of uses as well as free-standing commercial buildings along a pedestrian-friendly streetscape environment. Uses can range from mixed use including residential, office, and ground-floor retail/commercial to standalone commercial (with building heights equivalent to at least two stories), as well as hotels and office.
- Urban Neighborhood: Given the predominance of multifamily residential uses within this character area, provision of similar densities and expanded opportunities for homeownership are encouraged. Uses may include small-lot single family, townhome residential, two-family units, multifamily, as well as schools or places of worship that supports the residential uses.

The character areas within the study boundary provide opportunities to redevelop as nodal mixed use destinations with higher intensities close to Roswell Road, while transitioning to higher to medium intensity residential neighborhoods away from Roswell Road. Based on the vision of this planning and design initiative, the implementation section of this plan recommends development code changes to assist in implementation of the vision.

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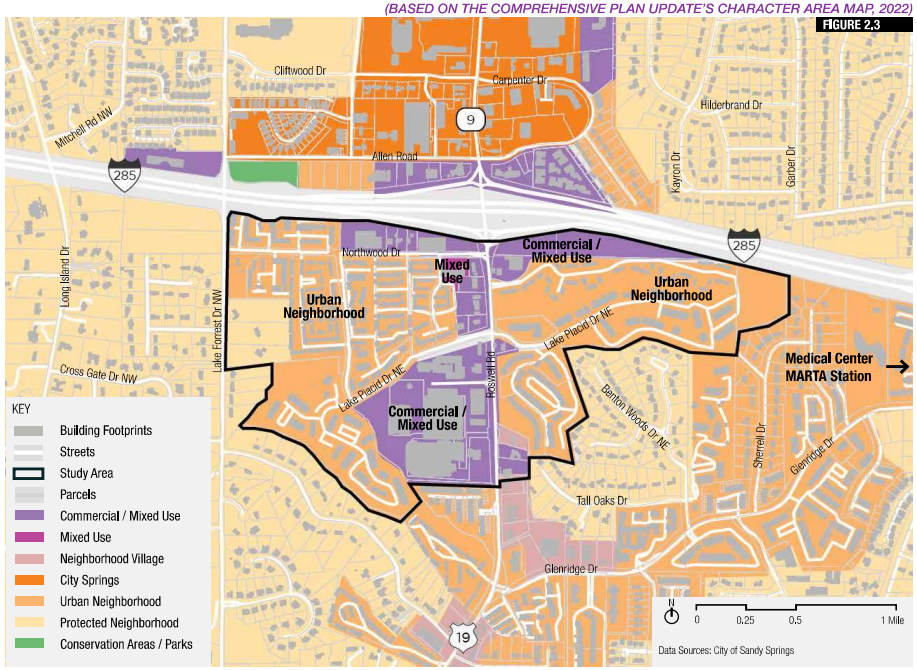
EXISTING CONDITIONS

PLANNED LAND USE

(BASED ON THE COMPREHENSIVE PLAN UPDATE'S CHARACTER AREA MAP, 2022)

FIGURE 2.3



EXISTING CONDITIONS

REGULATORY FRAMEWORK

The regulatory framework is based on the Sandy Springs Development Code, 2017. The Development Code is a legal tool to define how a piece of property can be used as well as types and sizes of structures, and the location of such structures/buildings within a property. The study area consists of several commercial, residential and mixed-use designations (see Figure 2.4). Refer to the Development Code for details regarding each of the districts. Generally, the commercial or mixed-use districts are located along Roswell Road while the residential districts are located away from that corridor. All of the districts allow civic, open space and park uses. Following are the major locational and building placement regulations for each of the districts within the "Crossroads" study area:

- **SX-3** (Shopfront Mixed Use): Primarily consists of the current commercial use parcels along the west side of Roswell Road including the Prado shopping center. This district is intended to provide for a variety of retail, service and commercial uses, as well as upper-story multi-unit residences a high degree of interaction between shoppers, and other pedestrians, and shopfront uses is desirable. Allowable maximum height is 3 stories or 53'.
- **CX-3** (Commercial Mixed Use): This district covers primarily the frontage parcels on Roswell Road on the northern edge of the study area along I-285. Additionally, this designation also consists of the parcel on the southern edge of the study area and on the east side of Roswell Road. This district is intended to provide for a variety of retail, service and commercial uses, as well as multi-unit residences. Allowable maximum height is 3 stories or 53'.
- **ON-3** (Office Neighborhood): This district is located on the southern side of the study area and along the east side of Roswell Road. This district is intended for office and related commercial uses. Allowable maximum height is 3 stories or 53'.
- **RX-5** (Residential Mixed Use): This district is located between Northwood Drive and Lake Placid Drive on the west side of Roswell Road. The district is intended for residential living in multi-unit attached residences (including townhouses) with access to neighborhood-serving commercial uses on up to 25% of the ground floor. Allowable maximum height is 5 stories or 68'.
- **RM-3/8** (Residential Multi-Unit): This district covers multifamily areas on both sides of Roswell Road. This district is intended for residential living in multi-unit residences as well as single-family detached and attached residences. Allowable maximum height is 3 stories or 44' (without bonus) to 8 stories or 104' (with bonus). The height bonus allows for additional height based on the provision of public benefits, as determined by City Council review.
- **RM-3** (Residential Multi-Unit): This district covers multifamily areas on the west side of Roswell Road in close proximity to Lake Forrest Drive. The district is intended for residential living in multi-unit residences, as well as single-family detached and attached residences. Allowable maximum height is 3 stories or 44'.
- **RE-2** (Residential Estate): This district covers single-family residential parcels along Lake Forrest Drive. This district is intended for detached single unit residences on large lots. Allowable maximum height is 3 stories or 40'.

The regulatory districts within the study area boundary generally guide the intent of creating urban neighborhoods, with commercial and mixed-uses along Roswell Road transitioning to multifamily residential and detached/semi-detached residential. However, if any changes to the districts are needed based on the vision for this area, either rezoning and/or revisions to development code / zoning map changes will be required.

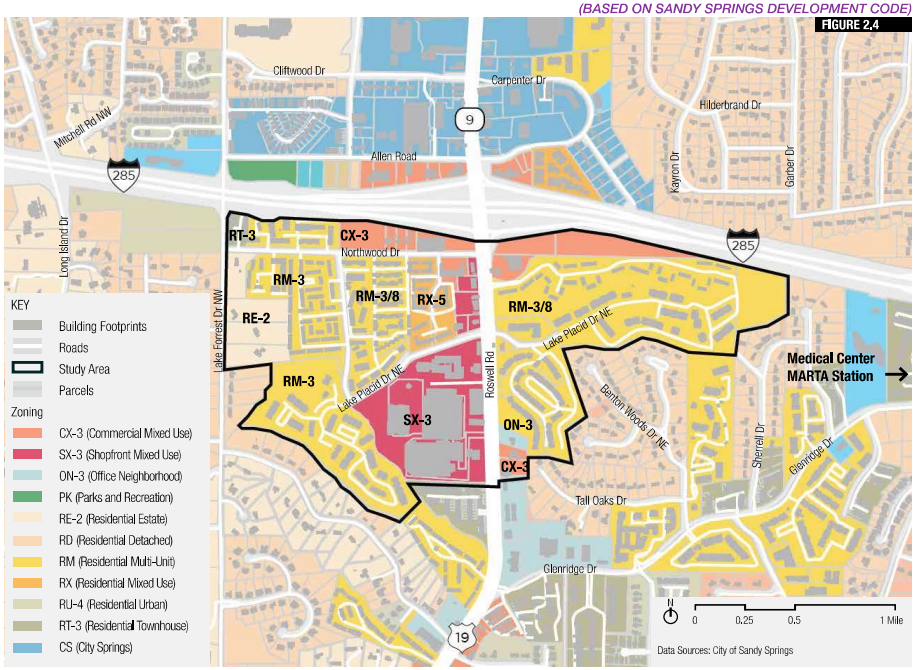
DRAFT

EXISTING CONDITIONS

REGULATORY FRAMEWORK

(BASED ON SANDY SPRINGS DEVELOPMENT CODE)

FIGURE 2.4



EXISTING CONDITIONS

EXISTING LAND USES

The existing land uses map (see Figure 2.5) shows the uses within the buildings/structures.

- Commercial buildings line Roswell Road with the Prado comprising of the largest footprint. Smaller-scale strip commercial centers are located within the northern end of the study area. The remainder of the Roswell Road frontage is primarily occupied by commercial pads consisting of gas stations, standalone restaurants, and convenience stores.
- Large portions of the study area are occupied by multifamily residential units including apartments and owner-occupied condominium communities.
- Single-family residential homes are located along Lake Forrest Drive.
- An office building is located on the southern end of the study area along Roswell Road, currently occupied by a professional office use.

It is desirable to promote a vertical mix of uses (commercial, office, residential) with higher intensity/taller buildings along Roswell Road. Redevelopment opportunities should be explored to promote a variety of housing choices.

Commercial: The Prado shopping center

Commercial: Neighborhood shopping center on Northwood Drive

Residential: An apartment community along Northwood Drive

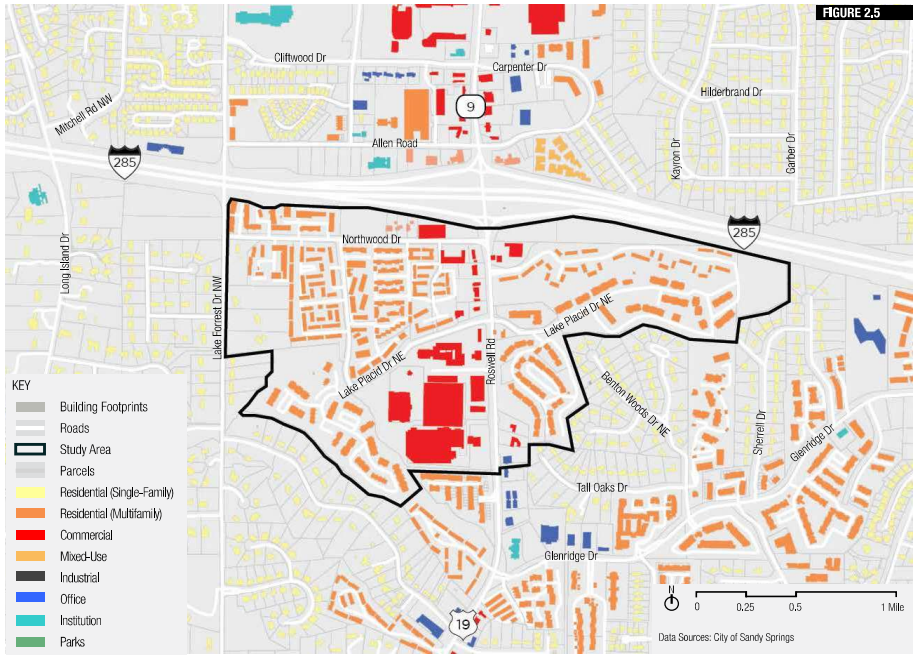
Residential: An apartment community on the east side of Roswell Road

DRAFT

EXISTING CONDITIONS

EXISTING LAND USES

FIGURE 2.5



EXISTING CONDITIONS

PLANNED PROJECTS

Several projects are planned and underway in and around the "Crossroads" area (see Figure 2.6). A majority of the planned projects are related to transportation and mobility-related safety improvements. The following is a list of these planned projects (note: the alphabets for each project corresponds to the map on the next page; see Figure 2.6):

A. Northwood Drive from Roswell Road to Lake Forrest Drive: Repaved and restriped with bicycle lanes; additionally, City has another project to add curb ramps, pedestrian lighting, and potentially a mid-block crossing between Kingsport Drive and Roswell Road.

B. Roswell Road at Lake Placid Drive: Pedestrian safety and signal improvements.

C. Roswell Road Sidewalk/Streetscape and Transit Access: (Project #T0019) Pedestrian safety improvements including sidewalk improvements, a raised median (for specific section of this roadway), and a signalized pedestrian crossing. Funded by FTA with MARTA sponsorship. Additionally, a federally-funded Community Block Development Grant is being utilized to construct sidewalk/streetscape on the west side of Roswell Road between Northwood Drive and Lake Placid Drive.

D. Mini roundabout: Proposed mini-roundabout at Lake Forrest Drive and Allen Road for intersection improvement.

E. I-285 Express Lanes: Innovative interchange improvements with elevated express lanes to relieve congestion and address safety concerns (GDOT-funded project).

F. I-285 BRT: MARTA is exploring BRT options along I-285 express lanes; would need to cross over Roswell Road, with potential station at Roswell Road.

G. The Prado redevelopment: Exploration of higher intensity residential uses along Lake Placid Drive in close proximity to Life Time fitness center.

H. Stormwater Management Improvements: Planned dredging of the pond located within the Lake View multifamily community.

While planned improvements will assist in achieving safer connections and mobility enhancements, additional connectivity and redevelopment activities throughout the "Crossroads" area have the potential to create an expanded grid of streets with a mix of uses along with a diversity of housing choices, thereby creating an urban neighborhood. New developments should also promote affordability and provide amenities that can benefit neighborhood residents. Additionally, explore leveraging the potential location of a BRT station area to connect Crossroads area to Allen Road via a bridge.

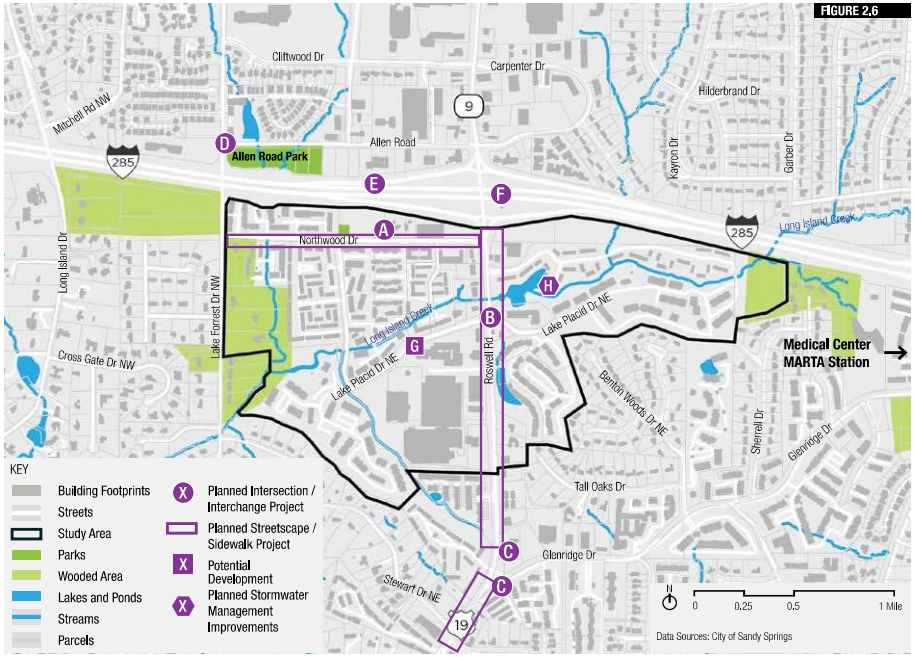
I-285 Top-End project (image credit: GDOT)

Roswell Road safety improvements (image credit: Kimley Horn)

EXISTING CONDITIONS

PLANNED PROJECTS

FIGURE 2.6



EXISTING CONDITIONS

CONNECTIVITY AND TRANSIT

The "Crossroads" area is advantageously located, with proximity to I-285, GA-400, and City Springs, as well as being a short distance away from the medical center area and the Medical Center and Dunwoody MARTA stations. As mentioned within the "Planned Development Projects" section, several connectivity and mobility-related projects are in progress.

The Connectivity and Transit map on the opposite page (see Figure 2.7), shows existing sidewalk connections, trails within Allen Road Park, a planned trail along the alignment of planned I-285 express lanes, on-street bicycle infrastructure, and a bus line along with bus stop locations along Roswell Road.

Additional connectivity and mobility improvements should be implemented, specifically as the area redevelops. Needed sidewalk and bicycle connections should continue to be included within the city's community work program. Any property redevelopment should also include connectivity improvements with accessible sidewalks, bicycle infrastructure, trails, etc.

Streetscape at the interchange of Roswell Road with I-285

Sidewalk treatment along Northwood Drive

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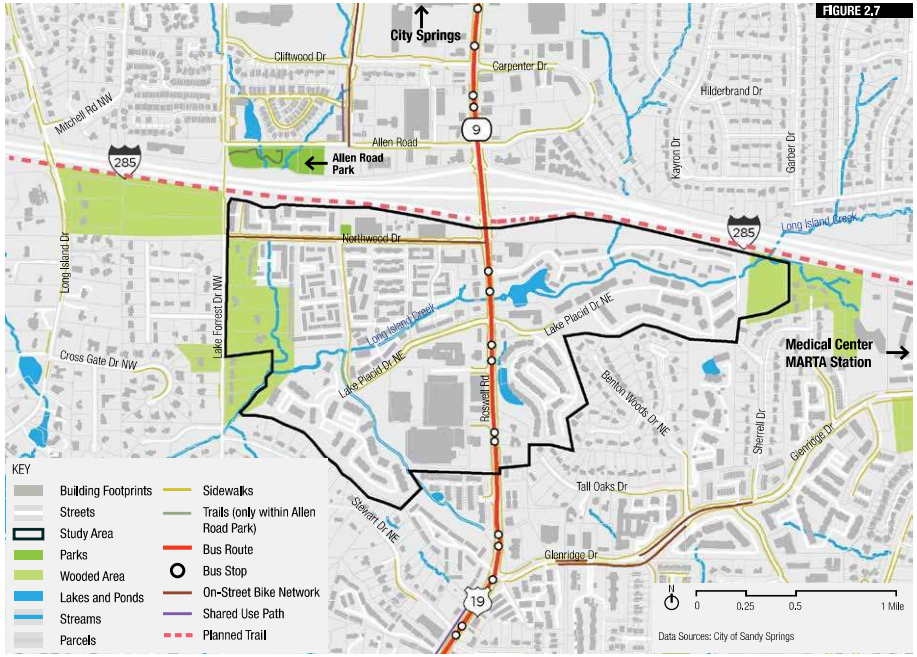
EXISTING CONDITIONS

CONNECTIVITY AND TRANSIT

FIGURE 2.7



EXISTING CONDITIONS

HYDROLOGY

Long Island Creek is an east-west aligned creek that flows through the middle of the study area. While some portion of the creek is under a culvert, specifically in close proximity to Roswell Road, the majority of the creek provides a great natural resource area for the residential neighborhoods lined along both sides (see Figure 2.8). Floodplain areas, both 100-Year* and 500-Year**, are found along the western sections of the study area.

Several retention/detention ponds are also found within the apartment communities located on the east side of Roswell Road. There is a plan to dredge the northern stormwater pond.

Opportunities should be explored to utilize the Long Island Creek and stormwater ponds as natural resource amenities for the adjoining residential and commercial communities. Stream bank restoration, non-disturbance of the assigned buffer areas on either side of the creek and the reduction of impervious surfaces are encouraged, as is the policy of encouraging additional environmentally sensitive development.

Definitions:

*100-Year Floodplain: flood boundary having a 1% chance of being equaled or exceeded in any given year (also known as "base flood")

**500-Year Floodplain: flood boundary having a 0.2% chance of being equaled or exceeded in any given year

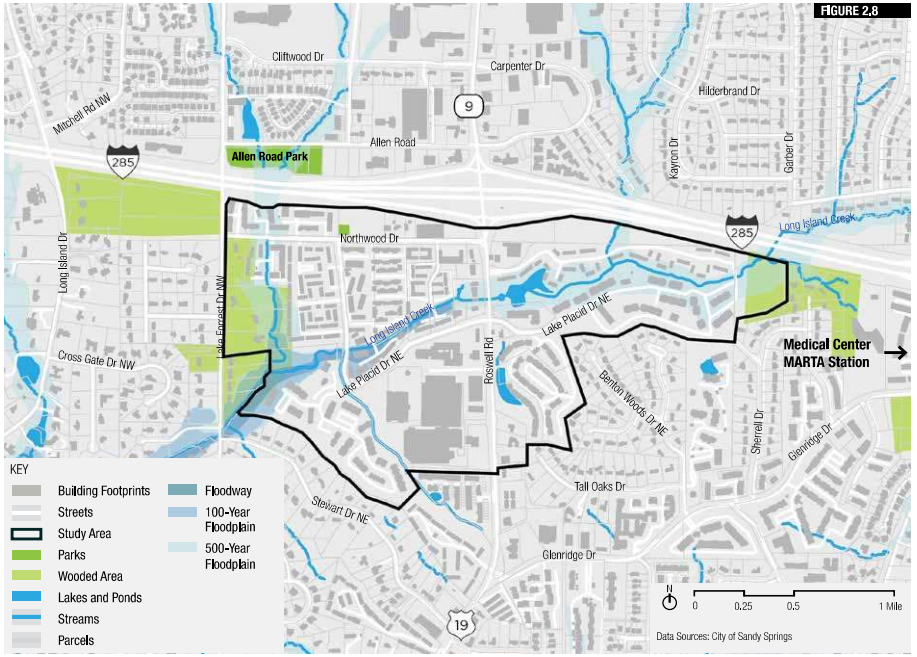
Stream bank condition along Long Island Creek

Trail and pedestrian bridge crossing Long Island Creek

Stream bank conditions along Long Island Creek

A dam/embankment across Long Island Creek

FIGURE 2.8



EXISTING CONDITIONS

TREE CANOPY

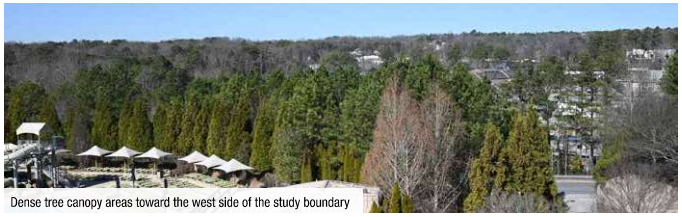
A majority of the tree canopy is located along the Long Island Creek as well along significant areas on the west side of the study area (see Figure 2.9).

With redevelopment, additional planting of trees should be explored, specifically within the public realm areas, including streets, parks, plazas, etc.

Wooded areas within residential communities

Roswell Road with street trees

Tree canopy along a neighborhood roadway



Dense tree canopy areas toward the west side of the study boundary

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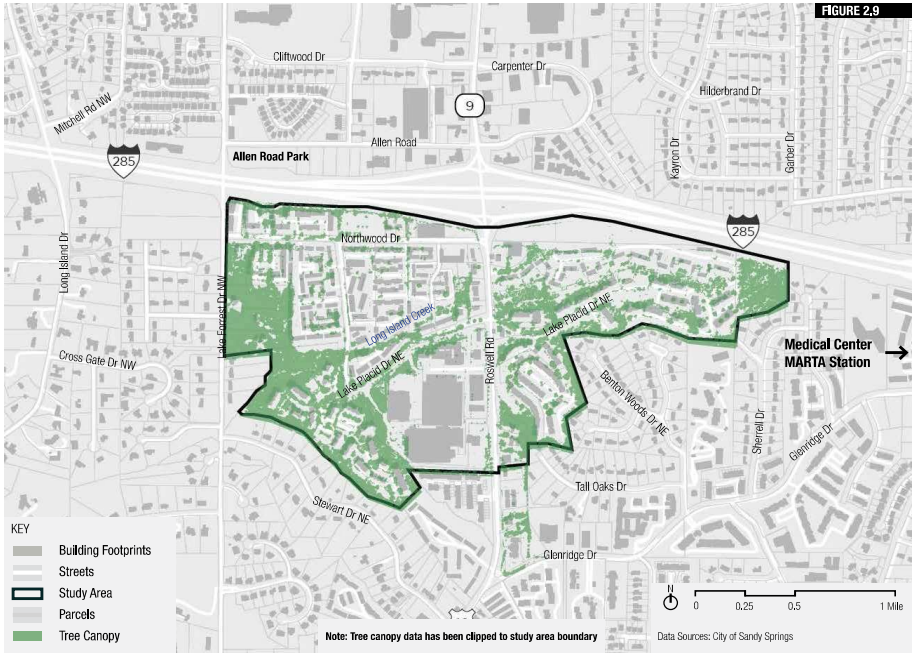
EXISTING CONDITIONS

TREE CANOPY

FIGURE 2.9



Note: Tree canopy data has been clipped to study area boundary

Data Sources: City of Sandy Springs

EXISTING CONDITIONS

TOPOGRAPHY

The northern portion of the study area is generally gently sloping while steeper sloped areas exist toward the southern side of the area on both sides of Roswell Road (see Figure 2.10).

Redevelopment should be carefully considered within topographically challenged areas - by taking into consideration several factors including availability of buildable areas, feasibility of construction, costs, etc.

Roswell Road (looking south) with rolling topography

Challenging topography between adjoining residential structures

Residential communities with challenging slopes adjoining Roswell Road (foreground)

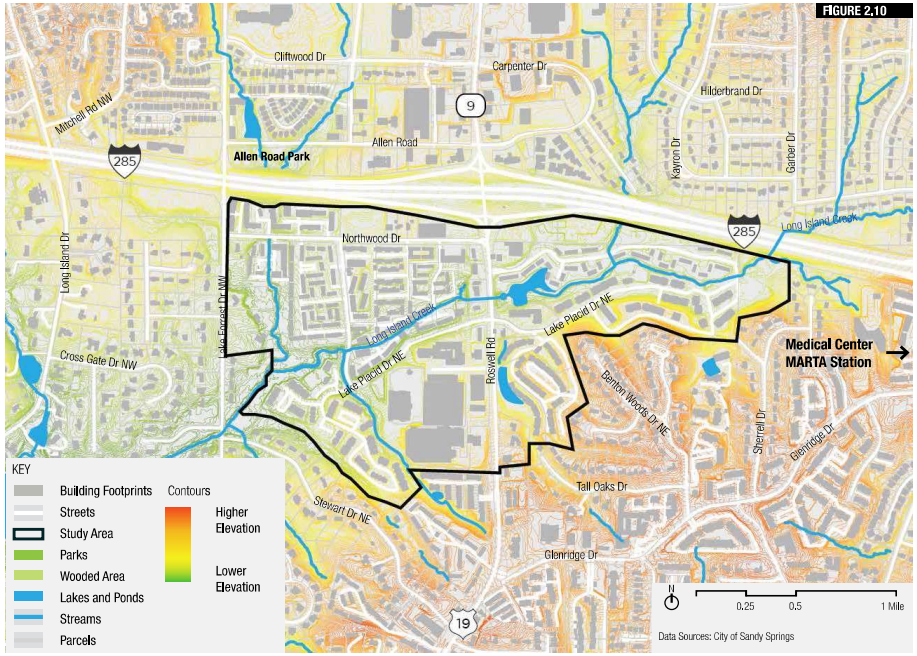
Steep slope areas within residential communities

DRAFT

EXISTING CONDITIONS

TOPOGRAPHY

FIGURE 2.10



EXISTING CONDITIONS

ENVIRONMENTAL CONSTRAINTS

In order to determine the potential development areas, a constraints and challenges map was developed showing hydrological constraints and topographical challenges (see Figure 2.11).

Hydrologically constraining features include:

- Surface Water
- 100-Year Floodplain (Base Flood)
- 500-Year Floodplain
- Stream Setbacks (25ft-50ft-75ft) on both sides of the creek
- Current & Future Floodways

The topographically challenging areas include:

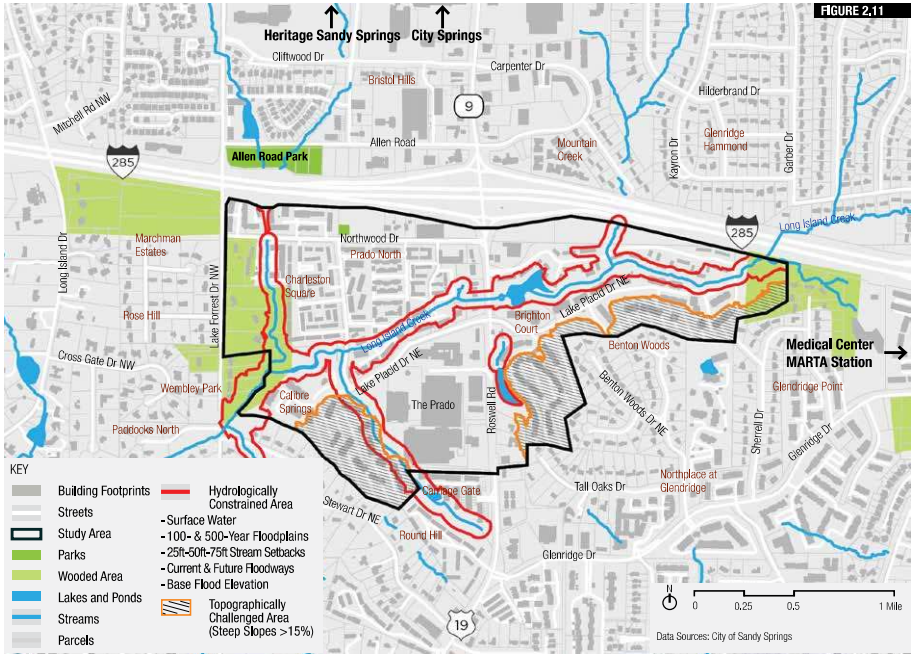
- Steep Slopes greater than 15% gradient

Redevelopment potential was then explored outside of the above-mentioned environmentally constrained areas.

EXISTING CONDITIONS

ENVIRONMENTALLY CONSTRAINED AND TOPOGRAPHICALLY CHALLENGED AREAS

FIGURE 2.11



EXISTING CONDITIONS

MARKET ANALYSIS OVERVIEW

The intent of this effort is to understand the community vision, assess the market viability for rehabilitation and reinvestment, and revise the existing long-term plan that connects the vision with viable solutions. Since both rehabilitation and redevelopment would involve a considerable financial investment, the team including RKG Associates evaluated these costs and assessed the financial realities to help guide short-term and long-term strategies within the Crossroads market.

RKG's comprehensive analysis involved conducting market research, interviewing stakeholders, and working with City to understand the financial sensitivity of various redevelopment scenarios and design interventions. The detailed market analysis is included as an appendix to the small area plan report. The detailed market analysis includes the methodology to evaluate the financial feasibility, model inputs (such as, rent structure, residential and non-residential factors, expenditures, etc.), and scenario analysis (including existing conditions and different levels of density/intensity of development.

SUMMARY OF FINDINGS

Based on the results of the analysis, there are three primary conclusions that should be considered as the City plans the long-term future for the Crossroads area.

A. The existing developments are viable

Each of the communities within the Crossroads marketplace is financially strong. Based on market research, occupancy in the Crossroads study area is more than 97%. This is above the city and regional average. Simply put, most of these communities offer comparatively lower-cost housing in a well-positioned location in North Fulton County. As such, workforce households continue to seek availability in these communities. This makes these properties very profitable, and therefore very costly for acquisition. From a planning perspective, the acquisition costs are prohibitive for a market-based repositioning of the area.

B. Workforce housing / Naturally Occurring Affordable Housing (NOAH) is scarce within the City of Sandy Springs

The Crossroads area has significant amount of workforce housing compared to other areas within the City. However, the overall amount of such housing within the City is not sufficient for current market demand levels for Sandy Springs workers. Redevelopment of some of the workforce housing in Crossroads area will have a far-reaching impact on residents, as they most likely will not be able to find other price-appropriate housing opportunities in the City.

C. Rehabilitation of developments off of Roswell Road is a better short-term strategy

Market data indicate that the most likely location within the Crossroads study area to accommodate new development in the short-term is along Roswell Road (the road frontage and the Prado property). Communities further west from Roswell Road (and closer to Lake Forrest Drive) are less strategically located, being at a lower elevation and thus less visible from both Roswell Road and Interstate 285. Further, the community's desires for [1] preservation of affordability and [2] limiting building heights off of Roswell Road supports this approach to focus on rehabilitation.

D. Repositioning of commercial assets are viable

The financial strength of the residential market in Sandy Springs does not translate for commercial assets (e.g., retail, office, or residential). Not only are vacancy rates higher for commercial uses, but development intensities are also much lower in the Crossroads area. To this point, the commercial assets fronting Roswell Road have the lowest financial challenge for reinvestment/redevelopment in the short term. Focusing catalytic strategies on the commercial assets west of Roswell Road makes the most financial and economic sense within the Crossroads study area.

3

ISSUES AND OPPORTUNITIES

ISSUES AND OPPORTUNITIES

KEY ISSUES AND OPPORTUNITIES

An issues and opportunities framework, based on the existing conditions analysis and input from stakeholders, served as a guide for developing preliminary concepts (see accompanying Figure 3.1 that summarizes the issues and opportunities).

KEY ISSUES AND CONSTRAINTS INCLUDE:

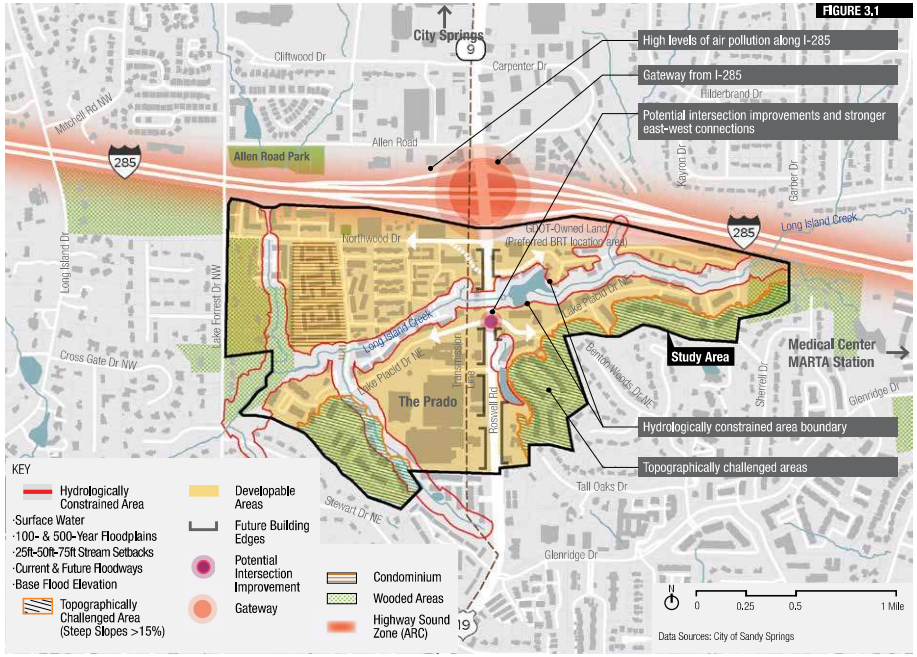
- Hydrological constraints and wooded areas along Long Island Creek and its tributaries, including 100- and 500-year floodplains and current and future floodways.
- Topographical constraints related to steep slopes along much of the southern portion of the study area.
- The impacts of I-285, including air pollution and noise on adjacent parcels as well as the highway's role as both a physical and psychological barrier affecting north-south connections to destinations to the north.
- Existing homeownership patterns, including those in condominium areas.

OPPORTUNITIES FOR FUTURE DEVELOPMENT AND CONNECTIONS INCLUDE:

- Identified developable areas located outside of hydrologically and topographically constrained areas.
- Opportunities to create stronger east-west connections across Roswell Road, such as opportunities for potential or planned intersection improvements.
- The potential to create a more welcoming gateway from I-285, including a potential future bus rapid transit stop along I-285.

ISSUES AND OPPORTUNITIES MAP

FIGURE 3.1



EXISTING PLANNING DOCUMENTS

RELEVANT RECOMMENDATIONS ABOUT THE CROSSROADS AREA

2017, 2022

NEXT TEN COMPREHENSIVE PLAN (2017) & 5-YEAR UPDATE (2022)

Relevant Recommendations:

- Promote transitional density along

2019

RECREATION AND PARKS MASTER PLAN

Relevant Recommendations:

- Connect trails: Lake Forrest Drive via Long Island Creek and Northam Lane

2020

HOUSING NEEDS ASSESSMENT

Key Findings:

- Renters earning less than $50K annually are leaving the city because the housing supply below

2021

TRANSPORTATION MASTER PLAN

Relevant Recommendations:

- Connectivity, intersection, and BRT studies are proposed for the I-285 and Roswell Rd intersection.

COMMUNITY ENGAGEMENT

STAKEHOLDER ENGAGEMENT

STAKEHOLDER INTERVIEWS

The existing conditions analysis was informed by a series of group stakeholder interviews. Interviews were conducted to identify the issues and opportunities within the study area across a range of topics in order to understand the unique and shared needs of community members.

- The interviews were conducted in January 2023.
- Several community members were interviewed. They include the Sandy Springs government leadership, City staff, residents, business owners, property owners, representatives from local non-profits etc.

KEY TAKEAWAYS

The following summarizes the key takeaways from those meetings.

HOUSING

Housing Affordability and Quality

- There is a lack of affordable housing opportunities in the area.
- The quality of the most affordable housing stock is poor and deteriorating.
- Rents are continuously increasing, but the quality of the housing units is not improving.
- Code enforcement is difficult as trust needs to be built between the community and City

residents rely on public transportation, walking, and shared rides / taxi service to reach destinations.

- There is a need for better pedestrian connections from residential areas to jobs and commercial centers.
- Some streets lack sidewalk connections (e.g., Lake Placid Drive, Kingsport Drive).
- East-west connectivity is limited, including west of Lake Forrest Drive and between Calibre Springs and the Prado.

Connections Along and Across Roswell Road

- Roswell Road is a barrier that divides neighborhoods east and west.
- Better streetscaping that buffers traffic and encourages walking is desired.
- Roswell Road sees heavy traffic regularly.
- Ingress and egress are difficult along Roswell Road and within The Prado, which affects local businesses.
- Safety improvements at Roswell Road and Northwood Drive need to be enhanced.
- MARTA Bus stops are being moved to make them safer to access.
- There are concerns about access to/from properties along Roswell Road.

Access to The Prado

- The Prado is disconnected from surrounding neighborhoods.
- Access in and out of the Prado is inconvenient and sometimes dangerous.

Northwood Drive is a Focal Point and Connector

- Northwood Drive is a key connection between residential areas and the Roswell Road commercial corridor.
- Pedestrian safety is a major concern along Northwood Drive; there is an opportunity to build on current pedestrian and traffic safety improvements already underway along Roswell Road.

I-285 is a Barrier

- I-285 is very difficult to cross and is viewed as a dividing line between the planning area and points north.
- Pedestrians do not usually travel north to south across I-285.
- Opportunities for new north-south connections across I-285 should be considered.
- I-285 is currently being widened for express lanes (I-285 Top End Express Lanes), presenting coordination challenges for future BRT and adjacent development.
- I-285 generates air quality and noise impacts for adjacent development.

Lake Forrest Drive as a North-South Connector

- Lake Forrest Drive is a frequently-used alternative to Roswell Road for north-south connections.
- Lake Forrest Drive is a key connection for residents to destinations outside the planning area, including Lake Forrest Elementary School, Solidarity Sandy Springs, and Allen Road Park.
- There are limited east-west connections to and across Lake Forrest Drive, particularly on its west side.
- Pedestrian access from the western portion is minimal.

DRAFT

COMMUNITY ENGAGEMENT

STAKEHOLDER ENGAGEMENT

ENVIRONMENT AND NATURAL RESOURCE AREAS

Environmental Constraints

- The floodplains and stream buffers of Long Island Creek.
- Segments of Long Island Creek are not visible.
- Steep slopes and wooded areas limit development potential.

Natural Resources as Opportunities

- The creek can serve as an identity for the area and can promote environmental wellness.
- Restore existing streams and make them amenities.
- Identify viable places for trails and walking paths.

OPEN SPACE AND COMMUNITY FACILITIES

Desire for Community Amenities

- There is currently a lack of open space and green space amenities in the area.
- Few playgrounds exist in the area.
- There is significant need for community gathering spaces; a community center; and other family-oriented amenities.
- Develop recreational facilities in parallel with natural amenities.
- Incorporate additional open space amenities as part of redevelopment.
- Enhance Allen Road Park, which currently is popular and used for sports.

BUSINESSES, AMENITIES, AND SERVICES

Competing in Changing Conditions

- Demand for existing amenities and service options is limited.
- People are going to other areas, such as City Springs and Buckhead, for certain services.
- The City Springs redevelopment has changed the business dynamics of the area by drawing customers away from the Crossroads area.

Long-term Vision for the Prado

- Redevelop the Prado with more walkable streetscapes to benefit shoppers.
- Develop family-friendly experiences would serve surrounding neighborhoods better.

IMAGE/IDENTITY

Identity and branding of the Crossroads Area

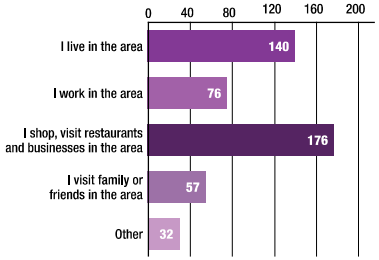
- Sandy Springs is perceived as an older community and less “hip” than surrounding cities, making it difficult to lure restaurants and other businesses.
- Develop an attractive area in which restaurants and businesses can thrive.
- Prioritize development for residents so they can live and work in the area.
- Identify a brand for the “Crossroads” area that residents and businesses relate to; residents know it as “Northwood”.
- The community is young, active in schools, and values education.

COMMUNITY SURVEY RESULTS

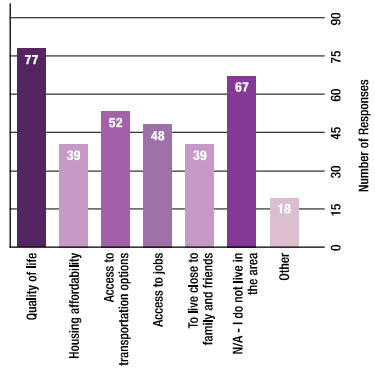
The following graphics summarize the responses to various questions included in the Crossroads Community Survey. This online questionnaire was open to the public between April 8 and May 9, 2023 and was available in both English and Spanish. Questions addressed topics that included respondents' connection to the area, likes and dislikes regarding the Crossroads planning area, and the types of improvements respondents would like to see in the area. In total, the questionnaire resulted in 303 responses, including 217 responses to the English survey and 86 responses to the Spanish survey.

RESPONDENTS' CONNECTION TO THE AREA

What is **your connection** to the Crossroads Small Area Plan Study Area? (Responses: 297)



If you live in the area, **why did you choose to live here**? (Responses: 184)



COMMUNITY SURVEY RESULTS

LIKES AND DISLIKES

Participants were asked to describe their top three likes and dislikes about the study area. The word clouds below represent the quantity of responses by topic. Larger words indicate a greater quantity while smaller words indicate a lesser quantity of associated comments.

What are the **top 3 things you LIKE** about the Crossroads Small Area Plan study area?

What are the **top 3 things you DISLIKE** about the Crossroads Small Area Plan study area?

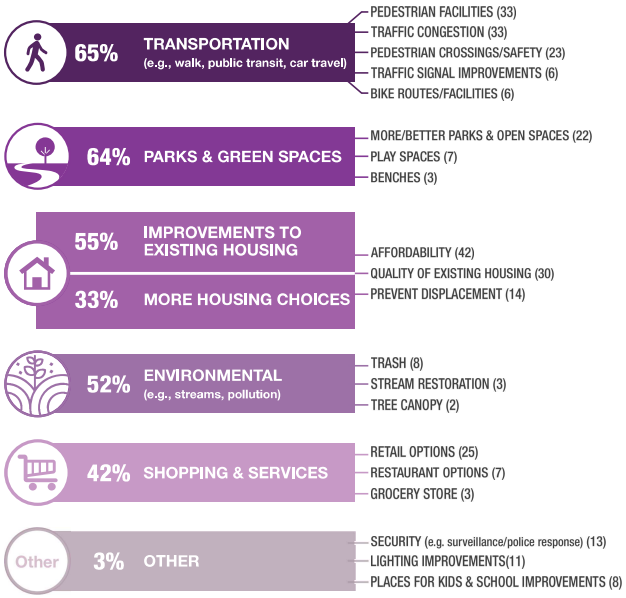
COMMUNITY SURVEY RESULTS

DESIRED IMPROVEMENTS

Respondents were asked to indicate the broader types of improvements they would like to see in the Crossroads area. They also had the opportunity to list up to three specific categories of improvements they think are most critical. Responses are summarized in the accompanying graphic. The most frequently-mentioned subcategories of improvements are listed to the right, with the corresponding number of comments in parentheses.

Which **types of improvements** would you most like to see in the area?

Please explain **up to three improvements** that you think are **most critical**.



COMMUNITY ENGAGEMENT SUMMARY

PUBLIC MEETING #1 (APRIL 2023) - MAJOR THEMES FROM PUBLIC FEEDBACK

Housing and Affordability

- Maintaining housing affordability for area workforce
- Concern about rising rents
- Code enforcement / housing quality issues

Displacement concerns and retaining existing community

- Retaining existing affordable housing
- Maintaining existing community and social fabric
- Retaining Charleston Square community
- Apartment rental requirements (e.g., social security number, citizenship)

Redevelopment

- Some want to see redevelopment of existing apartments and shopping centers
- Some concerned about redevelopment and mixed-use designation, especially east of Roswell Road

Beautification

- Improve the appearance of the area

Safety and security

- Lighting
- Traffic safety

Businesses and services

- Limited service options
- Loss of grocery store in area
- Changing business dynamics and competition from businesses in other areas

Green space

- Lack of open space, green amenities, playgrounds
- Need for community gathering spaces
- Opportunity for trails and walking paths
- Enhancements to Allen Road Park

Pedestrian improvements

- Slowing traffic
- Pedestrian connections and safety improvements
- Grade changes/accessibility

Traffic

- Timing of traffic lights on Roswell Road
- Traffic congestion (e.g., Roswell Road at the Prado, Lake Placid Drive)
- Lake Forrest Drive connections
- Connections to and from the Prado
- I-285: concerns about impact of widening; connections across I-285

Transit

- Bus shelters/shade at bus stops
- Shuttle bus service
- Dedicated alignment for BRT
- Community center

Environmental

- Stream bank restoration

COMMUNITY ENGAGEMENT SUMMARY

PUBLIC MEETING #2: AUGUST 2023

The goal of the second round of public engagement in August and September 2023 was to share progress with plan development and receive feedback on a draft urban design plan. Building on feedback received at the April 25, 2023 open house and via an online survey, the urban design plan provided a vision for how the area could evolve in the next 10-15 years. At an in-person public meeting on August 30, 2023 at City Hall, participants had the opportunity to review and provide feedback on the draft urban design concept. The public had an additional opportunity following the meeting to provide comments on the draft urban design plan via an online comment form.

The purpose of the meeting was to share progress updating the "Crossroads" node from the Roswell Road Small Area Plan. Building on feedback received at the April 25, 2023 open house and via an online questionnaire, the project team prepared a draft urban design concept that provided a vision for how the area could evolve in the next 10-15 years. At the meeting, participants had the opportunity to review and provide feedback on the draft urban design concept as well as speak with members of the project team.

In total, 45 people attended the public meeting. The meeting included a bilingual presentation followed by an opportunity to view exhibits summarizing prior public feedback to date and describing aspects of the urban design plan in detail.

FEEDBACK OPPORTUNITIES

Urban Design Plan Map Activity

During the public meeting, attendees were asked to complete a live feedback activity. This activity involved drawing, writing, and commenting on enlarged prints of the proposed urban design plan for the Crossroads area. Meeting participants provided feedback on the plan, including aspects they liked and disliked as well as specific concerns and ideas related to several topics as mentioned below.

Overall, 27 total map comments addressed a variety of topics including housing affordability, redevelopment, transportation and connectivity issues, and green space. Specific feedback on these and other topics are summarized under "Key Takeaways" below.

Comment Form

Comment forms were distributed to all participants during the meeting. An online version of the same form was made available on the project website and was open for additional comments from September 1st through September 25th, 2023. In total, 52 comment forms were submitted by members of the public, including 25 submitted at the meeting and 27 submitted via the online form. 16 of 25 comment forms submitted at the meeting were in Spanish, while all of the online comment forms were submitted in English.

In addition to asking for optional identification information (first name, last name, and email address), the comment form contained two questions:

- The first question asked if respondents were comfortable with the draft concepts for the Crossroads Small Area Plan. Responses were provided by checking a box beside the preferred option of "Yes", "No", or "I am not sure".
- The second question was open-ended and asked respondents for any additional comments.

COMMUNITY ENGAGEMENT SUMMARY

KEY THEMES FROM PUBLIC FEEDBACK

KEY TAKEAWAYS

Question 1 from the comment form yielded 15 responses for "Yes", 14 responses for "No", and 17 responses for "I am not sure". Two comment forms that were recorded left this question unanswered.

Those respondents expressing support for the urban design plan noted that they generally liked extent of affordable housing recommended for protection, the increased amounts of parks and green space, and the goal of increasing walkability to area destinations. A number of respondents who marked "I am not sure" expressed similar sentiments.

Of those respondents who indicated that they were not comfortable with, or were not sure but had some concerns about, the urban design plan, 12 of 14 responses focused exclusively or in part on concerns regarding the density of proposed housing development in the vicinity of Lake Forrest Drive as well as potential impacts on traffic and property values. Other concerns noted included concerns about affordability and potential displacement, traffic and road design concerns on Northwood Drive and just outside the study area, and mitigating the impact I-285 on air and noise pollution.

Major Themes

Based on comments provided during the map exercise and via the comment form, public feedback on the urban design plan centered on a set of broad themes described below.

Housing Affordability and Displacement Concerns

A significant amount of feedback expressed concerns about the impact of the Crossroads small area plan on housing affordability and the ability of current residents to remain in their homes. These comments addressed the following:

- Several residents requested confirmation of the City's commitment to preserving affordable housing and preventing displacement.
- Concerns about displacement and losing access to area schools and employment were mentioned repeatedly in comments.
- Comments also included the need for zoning code updates to preserve affordability.

Housing Conditions and Management

Many respondents described the poor condition of existing housing and unhealthy living conditions:

- Residents cited specific complaints about living conditions including mold, a lack of air conditioning, flooding, and trash collection issues as well as concerns about drug use in apartment complexes.
- Numerous residents also cited concerns about property management, including refusal to address reported issues and repair requests, and a general lack of empathy from management.

Pedestrian Safety and Walkability

Numerous comments addressed pedestrian safety concerns, including:

COMMUNITY ENGAGEMENT SUMMARY

KEY THEMES FROM PUBLIC FEEDBACK

- Concerns about traffic speeds along Northwood Drive and Roswell Road.
- Concerns about unsafe pedestrian crossings.
- A desire for walkability to destinations in the area.

Specific locations cited as safety concerns included the following: intersections of Roswell Road and I-285, Northwood Drive and Roswell Road, and Lake Placid Drive and Roswell Road, as well as the entrance to and exit from The Prado.

Housing Types and Development Intensity

Numerous commenters raised concerns about the development intensity of housing proposed in the urban design plan.

- Most of these comments focused on the intensity of housing development near Lake Forrest Drive and related concerns about potential impacts on traffic, property values, and infrastructure.

Parks, Green Spaces, and Playspaces

Comments related to parks and open space addressed a range of related considerations, including:

- Favorable comments about the urban design plan and its inclusion of proposed parks and green spaces.
- The need for more parks, green spaces, and playspaces generally, including the specific needs for communal gathering spaces and spaces for children.
- A desire for supporting facilities in parks and playspaces, such as shade structures and seating.

Future of The Prado

Comments expressed mixed perspectives on the proposed redevelopment of The Prado:

- Several comments indicated it would be positive for the community generally and for the supply and affordability of housing.
- Other comments articulated concerns about construction feasibility, traffic and parking.

Public Safety and Security

Many comments from residents addressed public safety and security concerns, including:

- The need for improved street lighting.
- Requests for increased police surveillance.
- The need to address high traffic speeds.

Retail and Service Options

Several residents noted the lack of retail and service options in the area:

- Commenters cited specific needs including a reliable grocery store and more diverse shopping options generally as well as family entertainment options.

Other Topics

While not mentioned as frequently as the themes described above, comments also addressed the following topics:

Public Transportation

- Better pedestrian connectivity to bus stops.
- More/better bus service options.
- Bus stop improvements such as better benches and shelters.

Business Displacement

- Concern about displacement of businesses along Northwood Drive and Roswell Road.

Tree Preservation

- Preserving existing trees and canopy cover throughout the area.
- Preserving trees during the construction process.

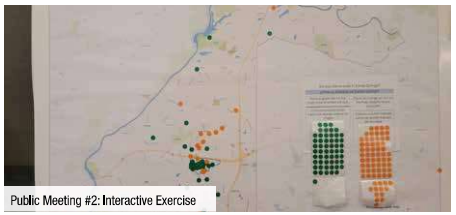
COMMUNITY ENGAGEMENT SUMMARY

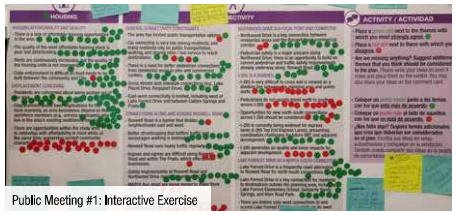
COMMUNITY ENGAGEMENT IMAGES

Pop-Up Event

Public Meeting #1: Community Discussions

Public Meeting #2: Presentation


Public Meeting #2: Interactive Exercise


Public Meeting #1: Interactive Exercise

Public Meeting #2: Interaction with Draft Urban Design Plan

SITE SELECTION CRITERIA

PROTECTION, PRESERVATION, REHABILITATION AND REDEVELOPMENT

The following properties have been assessed to understand the feasibility and extent of potential redevelopment. The assessment is based on market and financial feasibility as well and for placemaking, connectivity and environmental factors.

A. HIGHLAND CIRCLE

General Property Attributes

Highland Circle is a multifamily rental complex that stretches between Lake Placid Drive and Northwood Drive. The complex is equipped with approximately 130 rental units, distributed amongst several two-story, garden-style walk-up buildings. The garden-style design reflects a prototypical multifamily rental complex developed several decades ago. While "modern" at the time it was built, the development standards for Highland Circle have become increasingly outdated. The complex lacks contemporary household and community amenities typical for recent apartment buildings—stainless steel appliances, in-unit washer/dryers, manicured outdoor terraces, etc. Moreover, the community lacks walkability to nearby retail and services, including the Prado.

Market Assessment

Highland Circle's low walkability levels and outdated property conditions limit its market performance. Redevelopment of the existing buildings, designed to contemporary construction standards, can enhance the property's marketability. Moreover, given the heightened demand for mixed-use apartment living in Sandy Springs, co-locating retail and services on the property, along with the commercial parcels to the east that front Roswell Road, will attract prospective investors. All that said, pursuing redevelopment can lead to unintended consequences. As a Naturally Occurring Affordable Housing (NOAH) property, Highland Circle offers rents that cater to low-to-moderate income households. Redevelopment could cause existing residents to have to relocate.

Financial Feasibility

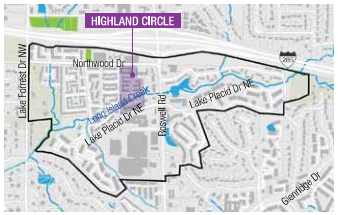
Like all of the residential communities in the Crossroads study area, Highland Circle is financially viable, having low vacancy rates, increasing rent levels, and being well capitalized. That said, the opportunity to assemble the Highland Circle community with the commercial assets to the east for a mixed-use development opportunity at a higher density level than the current project makes reinvestment there more feasible. The potential investment to accommodate a new project at this location is comparably lower than other properties in the Crossroads study area.

Connectivity

While being close to Roswell Road, access to Highland Circle is from Northwood Drive across from the Center Ice Arena. Opportunities exist to connect this area more effectively with pedestrian pathways and multimodal trails to Roswell Road and environmental resources along Long Island Creek.

Environmental Constraints

Long Island Creek, including both its open stream channel as well its culverted portions, is located on the southern side of the site. Some sections of the buildings are within hydrologically constrained areas.



SITE SELECTION CRITERIA

PROTECTION, PRESERVATION, REHABILITATION AND REDEVELOPMENT

B. THE HARRISON

General Property Attributes

The Harrison is located near the southeast corner of I-285 and Roswell Road. Encompassing over 500 rental units distributed across 40 acres, The Harrison is by far the largest multifamily rental complex in the Crossroads study area. Other than Monarch Villas, the Harrison's monthly rents are priced the highest in the Crossroads study area. The price premium may largely reflect The Harrison's upgraded in-unit features, including stainless steel appliances, granite countertops, and in-unit washer/dryers. Moreover, the Harrison is equipped with several recreational amenities, including a swimming pool, athletic courts, and a fitness center.

Market Assessment

Due to The Harrison's existing in-demand, in-unit features and community amenities, it seems unnecessary to invest in a major redevelopment program. But rather, the more desirable option points to investing in cost-effective rehabilitation programs to sustain its market performance if consumer preferences shift overtime. Furthermore, enhancing the property's surrounding environment can be effective for improving The Harrison's marketability. This includes redeveloping the existing commercial properties on the northwest corner of The Harrison's property (Chevron, Food Mart) into mixed use with retail establishments. Further, the property's proximity to both Roswell Road and Interstate 285 make it a stronger location from a market perspective.

Financial Feasibility

The Harrison faces two primary challenges. First, it is one of the most valuable assets within the Crossroads study area due to its size and performance. Second, it is substantially impacted by environmentally sensitive land area (100-year floodplain). As a result, the redevelopment potential is severely limited. To these points, the Harrison has the highest potential cost for reinvestment of all ten residential communities within the Crossroads marketplace.

Connectivity

Access to the Harrison is via a private road and Lake Placid Drive from Roswell Road. The buildings are placed along the east-west aligned loop road.

Environmental Constraints

Several natural resource areas exist within this area - Long Island Creek flows through the middle of the site while there is an existing stormwater pond connected to Long Island Creek. The community is characterized by rolling topography and significant topographically challenged areas are located toward the southern side.

SITE SELECTION CRITERIA

PROTECTION, PRESERVATION, REHABILITATION AND REDEVELOPMENT

C. THE WHITNEY

General Property Attributes

The Whitney is located east of the Prado, across Roswell Road. Along with Sierra Creek, The Whitney is the most densely developed rental community in the Crossroads study area, scaled at approximately 21 units per acre. Like The Harrison, The Whitney is owned and managed by the Venterra Realty group, who invested to provide similar upgraded features such as stainless steel appliances, granite countertops, and in-unit washer/dryers. The Whitney is located on a steep slope, making potential reuse more challenging.

Market Assessment

The Whitney benefits from its relative proximity to the Prado and frontage along Roswell Road. However, accessibility to the site is limited. Tenants are unable to walk directly eastward to the Prado's main entrance on Prado Place due to restrictive natural barriers, including the steep slopes and the retention pond. While the Whitney's regional location has made it a very successful site for residential development, its natural and physical barriers limit its marketability for reinvestment. Cost-effective interventions to improve connectivity, such as integrating walking routes, may improve its desirability. Since The Whitney is located on restrictive slope gradients (15% or higher), a redevelopment program may be financially infeasible.

Financial Feasibility

Like the Harrison, the Whitney is a very successful residential community facing substantial limitations for reinvestment. As such, the financial feasibility for reinvestment is very limiting. Only Charleston Square (ownership challenges) and Calibre Springs (financial and market limitations) are less financially feasible for redevelopment.

Connectivity

The Whitney has limited access from Roswell Road via Lake Placid Drive. There is an internal loop network that provides access to individual buildings.

Environmental Constraints

Most of the Whitney is located within steep slopes and topographically challenged areas (where slopes are greater than 15%). This provides a challenge for redevelopment efforts as it will incur higher construction costs.

DRAFT

SITE SELECTION CRITERIA

PROTECTION, PRESERVATION, REHABILITATION AND REDEVELOPMENT

D. LAKE PLACID VILLAGE

General Property Attributes

Lake Placid Village is located south of Northwood Drive and east of Kingsport Drive. The complex constitutes roughly 100 rental units, distributed amongst six two-story, garden-style walk-up buildings. Rents at Lake Placid Village are among the lowest in the Crossroads Study Area, which may reflect its lack of comprehensive modern unit features and substandard building conditions. According to the Fulton County Board of Assessors, the property's buildings were appraised at the lowest value per square foot relative to all other multifamily rental communities in the Crossroads study area. Typically, low value appraisals are associated with buildings in poorer condition.

Market Assessment

Like the other communities off Roswell Road, Lake Placid Village's location is considered to be less competitive within the Crossroads study area. Nestled between adjacent rental communities, such as Prado North to the east and Sierra Creek to the south, its structures do not face any commercial development and lack convenient walkability to activity centers such as the Prado. While its inconvenient location doesn't justify a redevelopment program, improving Lake Placid Village's living conditions can benefit existing residents. This is essential as the complex is likely home to critical segments of the city's workforce, especially those employed in service-based industries.

Financial Feasibility

The lower rental rates and market value of the Lake Placid Village makes it ma better candidate for reinvestment compared to other communities within the Crossroads study area. While Lake Placid offers a comparable value, Lake Placid Village being located in the 'middle' of the Crossroads study area makes it more challenging as a location to initiate catalytic investment in the area. Properties closer to Roswell Road likely offer stronger financial opportunity in the short-term.

Connectivity

Lake Placid Village is connected through Northwood Drive to both Roswell Road and Lake Forrest Drive. North-south aligned Kingsport Drive provides access to the south of Long Island Creek and to the Prado area via Lake Placid Drive. Internally, it is connected via driveways/alleys and adjoining parking lots.

Environmental Constraints

The majority of the property is generally in flat terrain while the southern portion of the site is near the Long Island Creek floodplain areas.

SITE SELECTION CRITERIA

PROTECTION, PRESERVATION, REHABILITATION AND REDEVELOPMENT

E. CALIBRE SPRINGS

General Property Attributes

Calibre Springs is located on the southwest corner of Crossroads study area just west of The Prado. After The Harrison, Calibre Springs is the second largest multifamily rental complex in the Crossroads study area with nearly 340 units distributed across 3-story garden-style walk-ups. The property boasts several community-based amenities, including a swimming pool, tennis courts, and fitness center. Similar to the Whitney, Calibre Springs is adjacent to the Prado but is largely inaccessible on foot due to restrictive barriers. Not only is Calibre Springs fenced in as a gated community, but an active creek runs parallel between Calibre Springs and the Prado.

Market Assessment

Despite its inconvenient location, Calibre Springs boasts the largest two-bedroom units on average throughout the Crossroads at roughly 1,300 square feet. These deluxe-sized units are suitable for young families or working professionals in a roommate situation. While current amenities and features seem to align with Calibre's present target market, a long-term strategy could involve implementing cost-effective upgrades as consumer preferences evolve.

Financial Feasibility

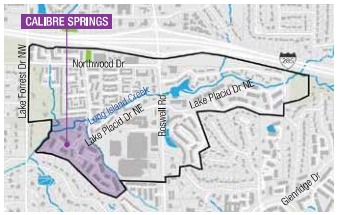
Calibre Springs' comparatively higher value and revenue levels make it a more challenging option for reinvestment from a financial perspective. In addition, it is located the furthest from Roswell Road and is bounded by environmentally sensitive lands, making improved accessibility difficult, if not impossible. As a result, the potential to develop a sufficient program that will overcome the existing capitalized value is challenging.

Connectivity

Calibre Springs community is located at the western end of Lake Placid Drive through a series of loop roads and internal streets. It is a gated community with limited sidewalk infrastructure.

Environmental Constraints

The property lies within topographically challenged areas.



SITE SELECTION CRITERIA

PROTECTION, PRESERVATION, REHABILITATION AND REDEVELOPMENT

F. SIERRA CREEK

General Property Attributes

Sierra Creek's apartment buildings are located just north of Long Island Creek and just south of Lake Placid Village. Sierra Creek consists of approximately 83 units distributed across garden-style walk up buildings. Alongside Lake Placid Village, Sierra Creek reports the lowest rents on a square foot basis in relation to other rental communities throughout the Crossroads study area. This is largely attributable to the community's lack of modern day amenities and in-unit upgrades.

Market Assessment

Sierra Creek is in the 'middle' of the properties within the Crossroads area geographically and for market viability. The lack of access to Roswell Road, the elevation restriction of gaining access to Lake Placid Drive, and being located off of Northwood Drive inhibit the market potential of the site. Further, much of the land area encompassing Sierra Creek Apartments is environmentally sensitive due to having Long Island Creek run through the property. As a result, any redevelopment strategy would likely not replace the existing units.

Financial Feasibility

The property's physical condition and comparatively lower rent rates have kept its market value low. A redevelopment strategy that maximizes the developable land with 5-story buildings is more financially feasible than any other residential property (this excludes Highland Circle combined with the commercial frontage and The Prado shopping Center). However, it has the same challenges as the other communities further off Roswell Road from a potential reinvestment timing perspective.

Connectivity

Primary access to Sierra Creek is via Kingsport Drive which connects to Northwood Drive to the north and Lake Placid Drive to the south. Internally, it is connected via driveways/alleys and adjacent parking lots.

Environmental Constraints

The southern portion of the site is adjacent to Long Island Creek. Some buildings are situated very close to the creek and are within the floodplain areas.

SITE SELECTION CRITERIA

PROTECTION, PRESERVATION, REHABILITATION AND REDEVELOPMENT

G. MONARCH VILLAS

General Property Attributes

Monarch Villas is located on the northwest corner of Crossroads study area, between I-285 and Northwood Drive. The apartment community was developed in 1969 and consists of 130 units in two-story garden-style walk up buildings. Its buildings and in-unit features resemble typical multifamily rental complexes developed in the late 1960s and early 1970s.

Market Assessment

Given Monarch Villas' outdated structures and lack of community amenities, its buildings are ripe for redevelopment. This includes redevelopment of its existing buildings into owner-occupied townhomes which continue to increase in-demand throughout the City of Sandy Springs. While the property's frontage along I-285 may lower market desirability, other developments in similar locations have performed well. That said, developing units at a higher livable square footage (4 stories instead of 3 stories) may recompense for exposure to traffic views and noise concerns along Interstate 285.

Financial Feasibility

While the location is not the most logical from a short-term market perspective, the financial gap is relatively lower to encourage new investment. That said, this action might require 5-story buildings to achieve financial feasibility, which may not be considered preferable. Further, this site is more appropriate for ownership development due to its location and adjacent uses. However, ownership (townhouse) development has a lower valuation than does a 5-story multifamily development.

Connectivity

Monarch Villas are located along Northwood Drive and have easy access to Lake Forrest Drive as well as to Roswell Road. The acoustic sound wall for I-285 is located at the north side of the property which provides buffers from I-285 noise impacts.

Environmental Constraints

The site is generally within a rolling topography and sits in a slightly higher elevation compared to the grade of Northwood Drive.

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SITE SELECTION CRITERIA

PROTECTION, PRESERVATION, REHABILITATION AND REDEVELOPMENT

H. PRADO NORTH

General Property Attributes

Prado North is a mixture of condominium and rental units located between Sierra Creek and Northwood Drive. The community consists of approximately 100 units distributed across garden-style walk up buildings. Similar to other multifamily rental complexes located in the Crossroads study area (e.g., Sierra Creek, Monarch Villas, Highland Circle etc.), Prado North lacks community amenities and upgraded in-unit features. Given the Prado North community's outdated development structure, most units are reserved as rental units that are affordable to low-to-moderate income households.

Market Assessment

Prado North is located to the west of Highland Circle. While it does not have access to Roswell Road, it is the 'next closest' behind Highland Circle and the communities that have direct frontage (The Whitney and The Harrison). As such, it is comparably more market viable than many of the other communities. However, its greatest market value is remaining as a naturally occurring affordable housing (NOAH) community.

Financial Viability

Prado North is comparatively more viable from a financial perspective than other communities in the Crossroads study area. The community's comparatively lower rent rates and value make reinvestment more viable financially. Only Highland Circle (when assembled with the Roswell Road frontage) and Sierra Creek (lower existing value) have better financial viability. Further, Prado North's adjacency to Highland Creek creates a market potential to be included in a larger assemblage with the commercial frontage along Roswell Road. This would positively impact the financial feasibility of the property.

Connectivity

Prado North is connected through Northwood Drive to both Roswell Road and Lake Forrest Drive. North-south aligned Kingsport Drive provides access to the Prado area via Lake Placid Drive. Internally it is connected via driveways/alleys and adjoining parking lots.

Environmental Constraints

The majority of the property is generally on flat terrain while the southern portion of the site is near the Long Island Creek floodplain areas.

I. HIGHLAND SPRINGS

General Property Attributes

Highland Springs is located on the far west side of the Crossroads study area, located along the south side of Northwood Drive. The complex is the smallest among other rental communities in the Crossroads study area, with only 66 rental units distributed amongst 2-story brick buildings. Highland Springs is similar to other rental communities in the Crossroads study area, especially those located between Lake Placid Drive and Northwood Drive. Highland Springs was developed in the late 1960s, lacking community amenities and in-unit upgraded features. Rehabilitation of these units can enhance the living conditions for existing residents, while reducing the vulnerability of displacement.

Market Assessment

Highland Springs has a similar situation to Sierra Creek Apartments. The parcel is relatively smaller than other communities in the Crossroads study area, and the property is impacted by a body of water bisecting the site. As a result, the potential 'reusable' land is limited. Further, the Highland Springs community is the furthest west in the study area (along with Monarch Villas), making it the least desirable for larger scale redevelopment in the short term. Finally, the community is adjacent to Charleston Square, a mostly intact individual-owner community in the Crossroads area. Assemblage will be challenging, making a continued progression of investment west from Roswell Road unlikely to reach Highland Springs.

Financial Feasibility

Despite its comparatively low market viability, Highland Springs is comparatively strong in financial feasibility due to its lower development density and comparatively weaker revenue levels. However, this calculation was done for a 5-story multifamily development, which conflicts with the stated goals of unit preservation and the development density for the western side of the Crossroads study area. Using a lower density level consistent with the stated vision would make the financial feasibility fall more in line with other properties where a 5-story structure is more suitable.

Connectivity

Located along Northwood Drive, Highland Springs is well connected to major roads that connect it to adjacent local destinations.

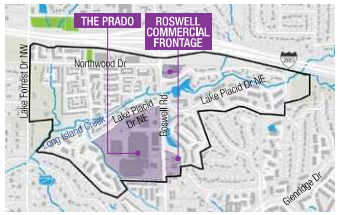
Environmental Constraints

Highland Springs is located within the hydrologically constrained areas related to one of the stream channels leading to Long Island Creek.

J. THE PRADO AND ROSWELL ROAD COMMERCIAL FRONTAGE

General Property Attributes

Roswell Road south of Interstate 285 within the Crossroads study area is fronted with commercial uses. The commercial space closest to Interstate 285 primarily consists of strip commercial frontage parcels that include gas stations, restaurants, and other smaller commercial uses. None of these lots is substantial in size. At the southern end of Roswell Road, with the Crossroads study area, is The Prado. The Prado is a large retail center located on the west side of Roswell Road. The development is home to Target and Lifetime Fitness, which serve as its primary anchor tenants. Developed in 1973, the Prado has faced competition from other retail centers built since then, especially north of Interstate 285. The increased competition has led to an over saturated marketplace, leaving The Prado with underperforming assets and vacated retail spaces (particularly along Lake Placid Drive). According to REIS, The Prado was 25% vacant as of 2023. The site has substantial grading, and a central parking structure with 4 floors of parking is the only connector between the Roswell Road frontage (a converted Publix grocery store into a Lifetime Work facility) and the rear of the site (a Lifetime Fitness facility.)



Market Assessment

The retail marketplace is changing, as increasing competition elsewhere in the City and rising eCommerce demand are adversely impacting businesses in the Crossroads area and along Roswell Road in general. Based on feedback from existing retailers in The Prado, business is shifting and those businesses that cater to niche markets are performing better than others. While the Target remains a strong draw to Crossroads, the lack of connectivity between other commercial parcels—and even within The Prado development—are affecting market potential to retain a commercial-only focus.

That said, re-visioning Roswell Road's commercial frontage and The Prado's product concept can increase market demand for commercial space (by adding new consumers), improve interconnectivity (through improved streetscaping and design along Roswell Road), and preserve commercial activity (through mixed-use development). From a market perspective, The Prado reimagined as a catalytic work-live-play destination that includes infilling high-density multifamily through mixed-use development, and preserving most of the existing commercial space are logical initial investments in the Crossroads study area. The site is the only large parcel that can accommodate the critical mass needed to refocus the Crossroads area. Additional retailers can be added on the ground-floor of new residential development to create the opportunity for dual incomes (rental and commercial) for developers.

Financial Feasibility

Due to the more modest financial performance of commercial development (compared to multifamily residential development), the revenue potential for reinvestment (Roswell Road commercial frontage lots) and infill development (The Prado) create positive financial feasibility. In other words, the reimagined uses for these commercial sites create sufficient value to encourage owners to reposition these properties. These are the only properties in the Crossroads study area that

SITE SELECTION CRITERIA

PROTECTION, PRESERVATION, REHABILITATION AND REDEVELOPMENT

have a positive financial feasibility (meaning the market would likely implement the changes without any cost savings of public offsets). Further, the reinvestment of these properties will also improve the quality of life for existing Crossroad residents with increased commercial offerings and better connectivity along Roswell Road.

Connectivity

The Prado is situated at the highest elevation within the study area. It is well connected from both Roswell Road and Lake Placid Drive. However, because of significant grade changes, the internal connections are confusing to visitors. As part of the Roswell Road frontage located on the west side of Roswell Road, establishing safe pedestrian connections should be part of future redevelopment plans.

Environmental Constraints

The front portion of the Prado site (near Roswell Road) sits around 40 feet above the back portion (Lifetime Fitness area) of the site – this difference in elevation creates challenges for interconnectivity within different parcels. During redevelopment, accessible pedestrian ramps/stairs/elevators should be provided for interconnectivity between the site parcels and related buildings.

SITE SELECTION CRITERIA MATRIX

MATRIX ELEMENTS

To help determine the sites most appropriate for development, as opposed to preservation and rehabilitation, the planning team assessed individual properties based on a set of site selection criteria. These criteria included a general assessment of property attributes (property description), the findings of a market assessment, the results of a financial feasibility analysis, factors affecting site connectivity, and the presence of environmental constraints. Each property was assigned a score for each criterion (the lower the score, the higher the property rated), and each score was subsequently weighted based on the relative importance of individual criteria for redevelopment potential. Under this "weighting" approach, financial feasibility, market assessment and connectivity were weighted more strongly than environmental constraints and general property attributes due to their importance as indicators of redevelopment potential.

A final weighted total was calculated for each property based on scores for all criteria, with higher weighted totals corresponding with higher redevelopment potential, and lower weighted totals indicating lower redevelopment potential.

The **three highlighted properties (The Prado, Highland Circle, Monarch Villas) scored highest for higher redevelopment potential**, providing the basis for a master plan level vision and concepts that explored redevelopment options on these properties while prioritizing other properties for preservation and rehabilitation.

SITE SELECTION CRITERIA MATRIX

COMMUNITY / SITE	GENERAL ATTRIBUTES	MARKET ASSESSMENT	FINANCIAL FEASIBILITY	CONNECTIVITY FACTORS	ENVIRONMENTAL CONSTRAINTS	WEIGHTED TOTAL
WEIGHTING	0.05	0.25	0.35	0.25	0.10	1.00
HIGHLAND CIRCLE	3	2	2	2	5	0.43
THE HARRISON	2	3	9	8	7	0.10
THE WHITNEY	7	4	8	8	7	0.15
LAKE PLACID VILLAGE	8	8	5	2	3	0.20
CALIBRE SPRINGS	5	10	9	10	10	0.11
SIERRA CREEK	6	7	3	5	8	0.19
MONARCH VILLAS	7	5	6	1	1	0.25
PRADO NORTH	4	6	6	5	5	0.18
HIGHLAND SPRINGS	10	9	4	3	8	0.18
THE PRADO & ROSWELL ROAD COMMERCIAL FRONTAGE	1	1	1	2	1	0.80

4

RECOMMENDATIONS

RECOMMENDATIONS FRAMEWORK

This section summarizes the overall recommendations of the plan (see Figure 4.1 for the concept plan). Recommendations are organized according to four overarching categories, representing major themes that emerged through the planning process. These categories include:

A. Protection, Preservation, and Rehabilitation

B. Open Space and Natural Areas

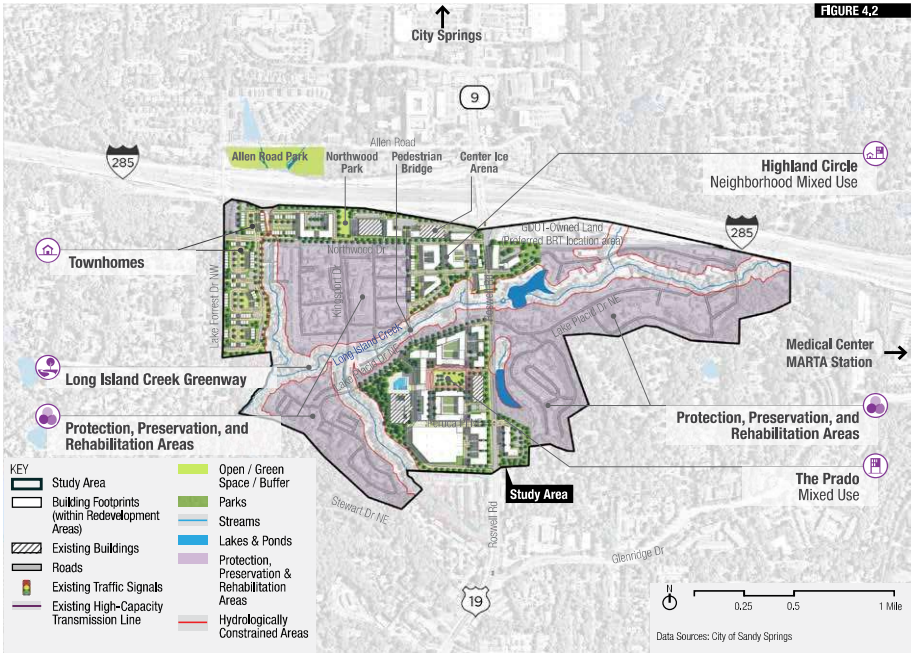
C. Connectivity

D. Redevelopment

For each category of recommendations, the plan provides a series of broad recommendations that are accompanied by a set of specific actions to fulfill each recommendation.

For certain recommendations, additional information is provided to expand on both the recommendations and their associated actions. The Protection, Preservation, and Rehabilitation recommendations are accompanied by additional details regarding recommended policies, programs, and funding strategies to implement housing rehabilitation, along with examples of how the federal Low-Income Housing Tax Credit program was utilized to preserve and rehabilitate workforce housing in other jurisdictions. In addition, the Redevelopment recommendations include a detailed "Redevelopment Approach" summarizing site-specific redevelopment context and strategies for each identified redevelopment site.

FIGURE 4.2



THEME A

PROTECTION, PRESERVATION, AND REHABILITATION

RECOMMENDATION A1

Encourage the protection, preservation, and rehabilitation of existing workforce housing in the Crossroads area (see Figure 4.2). Retaining these housing units is necessary to:

- Support and maintain existing communities with ties to the area.
- Support local businesses in the Crossroads area and the broader Sandy Springs/North Fulton economy, which rely on employees who live in the area's 1,400 workforce units.
- Maintain the substantial economic and ethnic diversity of the Crossroads area.

ACTIONS

a. Focus housing protection, preservation and rehabilitation efforts on communities located furthest from Roswell Road. As these communities have the lowest market and financial feasibility for reinvestment, targeting their protection, preservation, and rehabilitation is the most logical approach for ensuring a stronger, more diverse Crossroads community.

b. Consider the Crossroads area within any future Housing Action Plan or other housing policy discussions, with particular focus on evaluating the following tools which would directly benefit the implementation of this Small Area Plan:

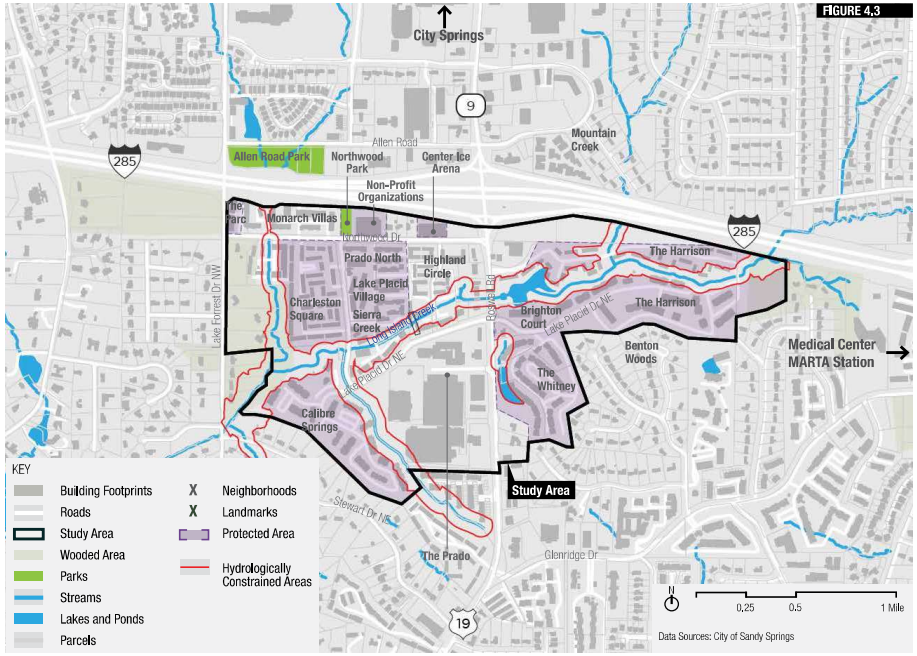
i. Pursue existing federal and state incentives for housing rehabilitation, such as Low Income Housing Tax Credits (LIHTC), Community Development Block Grants (CDBG), and HOME Investment Partnership Program (HOME).

ii. Creation of a Housing Rehabilitation Fund to help defray the costs of improving the condition of existing properties by offering low/no interest loans or forgivable loans for the rehabilitation of units occupied by income-qualifying households.

iii. Creation of a Housing Opportunity Bond to subsidize the development and/or rehabilitation of deed-restricted housing, providing gap assistance to new/existing housing communities that will commit to long term (e.g., 15 years) cost controlled (e.g., prices set at 60% of Area Median Income) housing.

PROTECTION, PRESERVATION, AND REHABILITATION MAP

FIGURE 4.3



RECOMMENDATIONS

PROTECTION, PRESERVATION, AND REHABILITATION

iv. Offer tax abatements to property owners to defray the cost of property rehabilitation in exchange for a long-term commitment (e.g., 15 years) from property owners to maintain affordability based on a defined level of Area Median Income (AMI).

See accompanying summary of programs, policies and funding strategies.

RECOMMENDATION A2

Enhance quality of life for residents of existing rental units through improvements to the condition of existing housing units and other improvements in the broader community that serve existing residents.

ACTIONS

a. Foster collaboration between property owners and the City to enhance quality of life for existing residents. Through a collaborative partnership, work with existing property owners to implement open space and connectivity improvements that benefit the residents of existing workforce housing by incorporating and connecting to these residential communities. For detailed recommendations and actions related to open space and connectivity, see Recommendation Themes B and C below.

b. Pursue enhanced enforcement of existing codes. Beginning in 2023, the City will begin enhanced enforcement programs approved by Council as part of new Multifamily Rental Housing program, including third party inspections of all units annually.

RECOMMENDATION A3

Encourage replacement of workforce housing units as reinvestment and redevelopment occurs to ensure that Sandy Springs residents contributing to the community's economy will continue to have access to price-appropriate housing in the Crossroads area.

ACTIONS

c. Enact a strategy to require minimum replacement of workforce housing as part of reinvestment efforts. The financial analysis indicates that requiring a minimal (e.g., 10% of units at 80% of AMI) component of workforce housing replacement does not have a substantial impact on financial feasibility. This strategy could be incentivized through height bonuses and consideration of options during rezoning to require replacement.

RECOMMENDATIONS

PROTECTION, PRESERVATION, AND REHABILITATION TOOLS

TOOLS

Literature on the federal and state incentives for housing rehabilitation is robust. Programs such as Low Income Housing Tax Credits (LIHTC), Community Development Block Grants (CDBG), and HOME Investment Partnership Program (HOME) have clearly defined parameters around [1] how to access these resources, [2] how these resources can be implemented, and [3] how to qualify for these resources. To this point, this section focuses on programs and policies that Sandy Springs could consider implementing, in order to augment these other programs.

CREATION OF A HOUSING REHABILITATION FUND

Naturally Occurring Affordable Housing (NOAH) generally has three consistent characteristics. First, these communities are typically much older, offering obsolete features and amenities. Second, they tend to be in modest condition, as much of the interior and exterior are decades old. Finally, they are not locationally advantageous. These communities often do not have strong multimodal connectivity or direct access to support services. The cost of rehabilitation of these communities is often [1] infeasible for communities that cannot attract higher rents or [2] will trigger substantial rent increases in well-situated NOAH communities. One way Sandy Springs can address these challenges is to create a Housing Rehabilitation Fund (HRF).

An HRF offers a financial vehicle for money to further the City's protect, preserve, and rehabilitate goals for the Crossroads study area. In this case, the fund would offer low/no interest loans or forgivable loans for the proper rehabilitation of units occupied by income-qualifying households. Money leveraged through other funding sources can be applied to this program (e.g., LIHTC 4% credits, CDBG funds, HOME funds, etc.). Establishing an HRF can serve as a 'carrot' to property owners by helping to mitigate price-appropriate housing rehabilitation. Considerations for creating a HRF fund include:

a. Establishing parameters for the terms of loans

The HRF is intended to be a loan to property owners to help defray costs of property condition issues. This loan can take several forms, ranging from low interest or no interest loans to partially forgivable or 100% forgivable loans. The parameters of which loan types to use is dependent on the intent of the rehab program. For example, will the city make the resources available to non-deed restricted units? If so, do deed restricted units have differing terms from non-deed restricted units? The city's intent of the program will help define the approaches to how—and what—resources are available to each applicant.

b. Determining how to capitalize the fund

The potential rehabilitation costs in the Crossroads area can be substantial. Simply put, the City does not have the resources to address all needs. To this point, there are limitations to how much money Sandy Springs can commit to housing rehabilitation investment. Creating a Housing Rehabilitation Fund can be costly. The City Council will need to determine how much it is willing to invest in housing issues and where to allocate those resources.

TOOLS

c. Funding Sources

Bonding is one source of revenue for a housing program, but it is a single infusion that may or may not provide subsequent funds in the future (e.g., recouping an investment when that investment is sold). Continued resources are not guaranteed and do not come in at regular intervals. Many communities commit a small portion of the real estate tax millage to a housing trust fund. This commitment ranges from one penny (per $100 dollars) to a fraction of a penny. The decision on how much to commit oftentimes is determined by how much annual revenue the community wants to invest in its housing program. Further, many communities work with local, regional, and state partners to inventory and identify potential grant resources to help augment an HRF. Sources can be public (e.g., Community Development Block Grants), non-profits (e.g., The Blank Foundation), or private (e.g., community benefactors). Grants are a good one-time infusion of funds since they generally do not have perpetual commitments. A dedicated housing staff position within City government can manage the ongoing administrative requirements for an HRF.

CREATION OF A HOUSING OPPORTUNITY BOND

The most substantial barrier to maintaining NOAH and deed restricted housing units is the financial differential between the operation of these units and the revenue potential. Simply put, market dynamics make developing and maintaining deed restricted housing infeasible without some form of cost subsidy. While these subsidies can come in many forms, financial assistance is the most common and direct.

One of the most flexible tools that communities in Georgia can utilize to support housing initiatives is a Housing Opportunity Bond (HOB). The City of Atlanta recently issued a HOB in the amount of $150 million and previously issued one for $75 million. NOAH community owners can use HOB funds in several ways. A HOB can be utilized for design costs to address rehabilitation needs. They have also been used as subordinate debt for multifamily affordable development rehabilitation projects. A portion also could fund the Housing Rehabilitation Fund as amortizing loans with the repayments typically reserved for other affordable housing projects.

A HOB is a publicly sponsored bond where the principal value is used to subsidize the development and/or rehabilitation of deed restricted housing. Effectively, the bond amount is used to provide gap assistance to new/existing housing communities that will commit to long term (e.g., 15 years) cost controlled (e.g., prices set at 60% of Area Median Income) housing. A HOB fund creates a vehicle where the bond proceeds are retained until they can be deployed to the next development/rehabilitation project.

USE OF TAX ABATEMENTS

Another tool communities can employ is the ability to commit future tax revenues to mitigate the cost of property rehabilitation. In these cases, the property owner is abated (or reimbursed) real property tax expenditures to defray the cost of property rehabilitation. In exchange, the property owner commits to a long-term (e.g., 15 years) price point (typically benchmarked to a defined AMI level). Most common arrangements maintain existing

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RECOMMENDATIONS

PROTECTION, PRESERVATION, AND REHABILITATION TOOLS

TOOLS

affordability thresholds in the community. One avenue for this is the bond-lease program. The City of Sandy Springs is familiar with the use of bond-lease arrangements through its Development Authority. The Development Authority provides catalytic funding for desirable projects in Sandy Springs by providing access to capital and other financial incentives. The goal of the Authority is to market Sandy Springs as a prime location for new and expanding businesses, which is achieved by working with city staff, government leaders and other regional economic development organizations to attract development and promote job growth and the public good in the City of Sandy Springs. The Authority provides both taxable and tax-exempt bond financing opportunities pursuant to the Georgia Development Authorities Law.

RECOMMENDATIONS

PROTECTION, PRESERVATION, AND REHABILITATION CASE STUDY

CASE STUDY A

Rehabilitation structured to preserve affordability for residents earning between 40 and 70 percent area median income (AMI).

GA LIHTC requires at least 30 years of affordability commitment.

Developed through partnerships with key stakeholders, including the City of Atlanta, Invest Atlanta, Enterprise Community Partners, Atlanta Housing, Partners for Home, Bank of America, and through a pre-development grant from The Annie E. Casey Foundation.

Location: 1191 Metropolitan Pkwy SW, Atlanta, GA

Number of Units: 120 (will be 100% affordable)

Condition Before LIHTC: market-rate, substandard apartment

Amount of 4% LIHTC dedicated to the project: $777,122

Other Funding Sources:

Suntrust, Freddie Mac, DCA HOME, Housing Opportunity Bonds (from Invest Atlanta), Partners for Home (PBRA, not Section 8), Historic Rehab Credit

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RECOMMENDATIONS

PROTECTION, PRESERVATION, AND REHABILITATION CASE STUDY

CASE STUDY B

Location: 308 Scott Street SW, Atlanta, GA

Number of Units: 194 (180 units will be for 60% of AMI, and 14 market-rate units)

Condition Before LIHTC: market-rate co-op community facing foreclosure

Amount of LIHTC dedicated to the project: $1,278,900

Other Funding Sources:

Berkadia, Atlanta Housing, Atlanta Housing Bridge Loan, Atlanta Housing Authority's 15-year HomeFlex program for 150 units (PBRA, not Section 8)

Rescued from the brink of foreclosure, when developer stepped in and purchased the delinquent note.

Project preserved almost 200 affordable housing units that would have been lost and redeveloped as market rent apartments.

Developer engaged Atlanta Housing and Invest Atlanta to map out the plan to finance the redevelopment and subsidize rents in the community.

The $40 million renovation will include an updated infrastructure, energy-efficient appliances, inviting outdoor living spaces, and other new amenities.

LIHTC requires at least 30 years of affordability commitment.

THEME B

OPEN SPACE AND NATURAL RESOURCES

RECOMMENDATION B1

Utilize existing natural resource areas as opportunities for community amenities. Long Island Creek and its adjoining floodplain areas are a great natural resource and create a central organizing element for the urban design plan. The plan envisions future greenways along Long Island Creek. Creation of such greenways should be developed when individual properties are redeveloped (see Figure 4.3).

ACTIONS

a. Restore and naturalize Long Island Creek to enhance the ecological function of the creek and its riparian areas.

b. Through redevelopment of adjacent private properties, encourage the construction of a greenway system along Long Island Creek and its tributaries, consisting of multi-use trails and boardwalks.

c. Through redevelopment, encourage the construction of a secondary greenway along the north side of the stream channel that extends from Kingsport Drive, southeast of Lake Placid Drive, to Roswell Road.

d. Enhance the visual and ecological quality and accessibility of existing stormwater retention ponds east of Roswell Road to create community amenities.

RECOMMENDATION B2

Expand open space and recreational options. Explore opportunities for new parks, open spaces, and recreational amenities as redevelopment occurs.

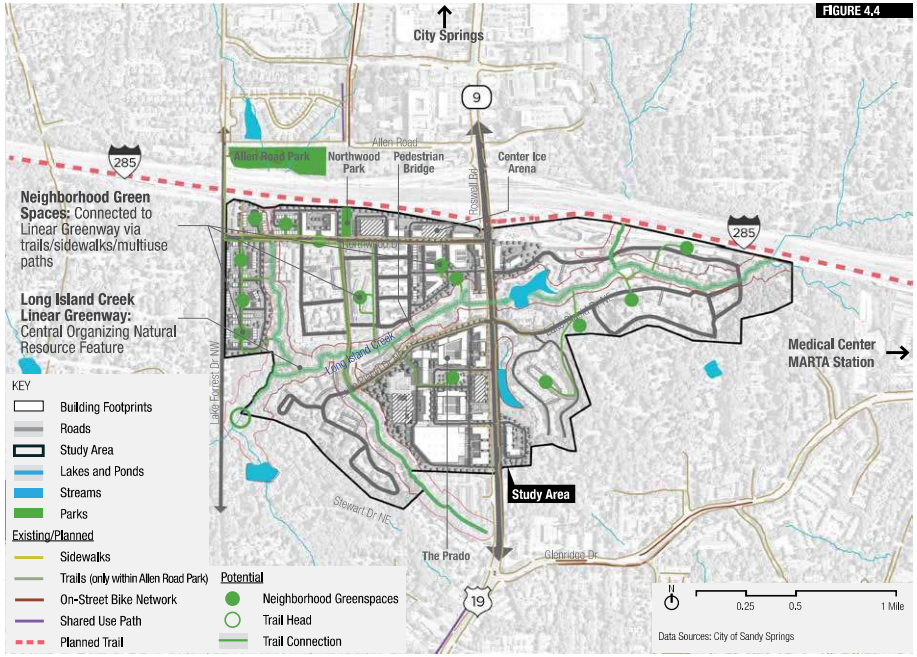
ACTIONS

a. Work with property owners and developers to ensure that parks, neighborhood open space, and/or other outdoor public amenities are incorporated into new residential and mixed-use development, providing a variety of new active and passive recreational amenities near residences.

b. Construct a central public space and gathering place as part of the redevelopment of the Prado to serve as a community focal point with a range of programmed activities.

OPEN SPACE FRAMEWORK MAP

FIGURE 4.4



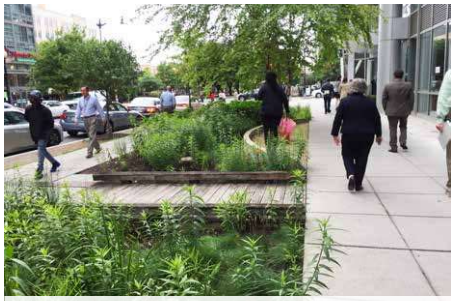
RECOMMENDATIONS

OPEN SPACE AND NATURAL SYSTEMS

c. Pursue opportunities for new playspaces and other child-friendly spaces to serve families who live in the area.

d. Connect existing Allen Road Park and Lake Forest Elementary School (north of I-285) and Northwood Park with improved sidewalks and crosswalks for safe access. As new parks and green spaces are added along with new developments, provide safe walking and bicycling connections to these green spaces from the residential and mixed-use neighborhoods via sidewalks/multi-use trails and crosswalks across roadways.

e. Incorporate green infrastructure, such as rain gardens and stormwater planters, along streetscapes and in public spaces to capture and filter stormwater runoff before it enters Long Island Creek and its tributaries.



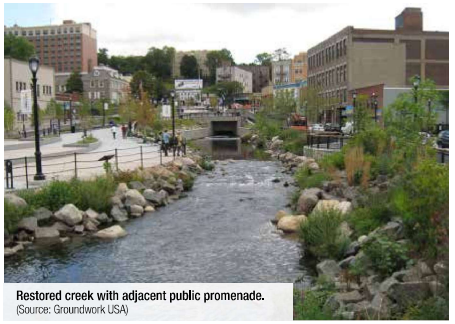
(Source: RHI)

(Source: landperspectives.com)

Examples of streetscapes with integrated stormwater management facilities.

RECOMMENDATIONS

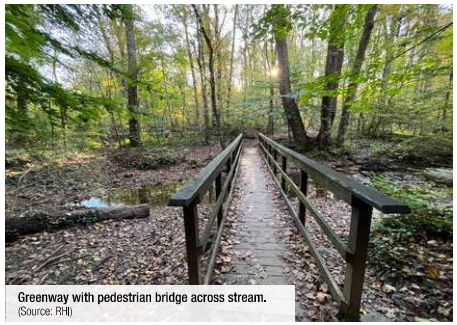
OPEN SPACE FRAMEWORK



Restored creek with adjacent public promenade. (Source: Groundwork USA)

Pedestrian bridge over stream providing access to residential development. (Source: streetlife.nl)

Restored creek with pedestrian bridge connecting adjacent housing. (Source: GreenWorks PC)



Greenway with pedestrian bridge across stream. (Source: RHI)

THEME C

CONNECTIVITY

RECOMMENDATION C1

Establish a connected street grid. Connect and expand the network of streets to provide additional routes and street connections for all modes of transportation, with an emphasis on providing more east-west connections through the planning area.

ACTIONS

a. Through redevelopment, encourage the creation of internal networks of streets with connections to existing roadways by constructing new streets and converting existing internal access drives into public streets:

- Establish a connected street network within the Prado, redevelopment north and south of Northwood Drive, and east of Roswell Road at north and south ends of the study area.
- Design streets according to the street typologies in the accompanying diagram and corresponding typical street cross-sections.
- Ensure careful design of on-street parking to ensure clear lines of sight at intersections, particularly in areas where an increase in pedestrian traffic is anticipated.

b. Study the feasibility of constructing a new north-south bridge connection across Long Island Creek to provide a connection between the Prado and Highland Circle redevelopment.

RECOMMENDATION C2

Enhance pedestrian and bicycle connections to and from destinations, parks and open spaces, and transit facilities. Construct new sidewalks, bicycle facilities and trails, while enhancing the quality and safety of existing facilities, to provide both more and higher-quality routes through the area and improved access to transit.

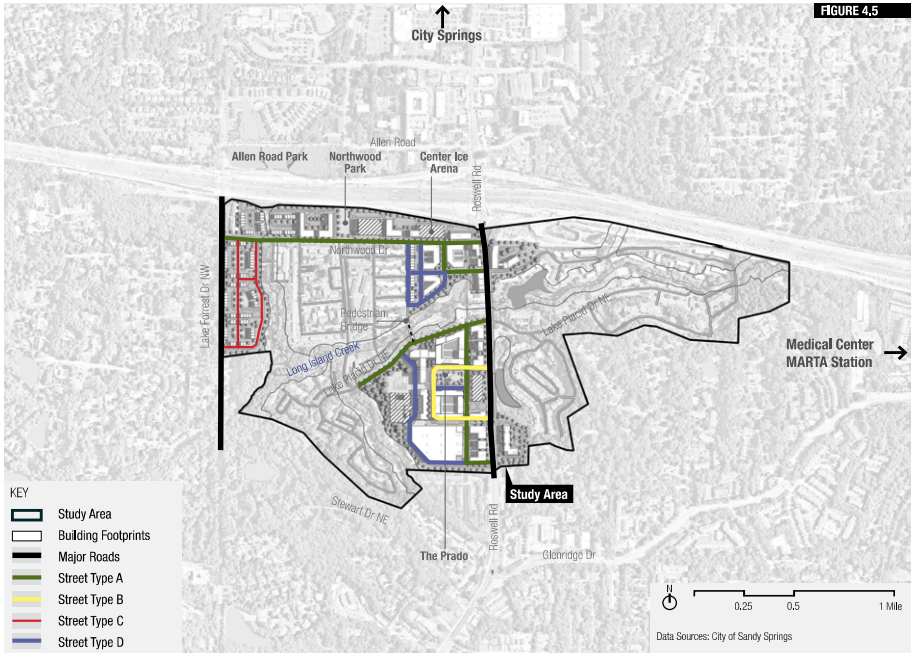
ACTIONS

a. As part of redevelopment, construct new sidewalks and bicycle facilities, and fill existing gaps in the pedestrian and bicycle network to ensure a connected environment.

b. Create a connected network of pedestrian-friendly streetscapes that incorporate dedicated spaces

STREET TYPOLOGIES DIAGRAM

FIGURE 4.5



RECOMMENDATIONS

CONNECTIVITY

for pedestrian travel, plantings, and stormwater management facilities as well as special pavers to highlight parks and major destinations. Implement streetscapes as redevelopment occurs and through phased retrofits of existing sidewalks.

c. Construct a system of greenways along stream corridors, as described in Theme B above , accessed via a trailhead where Long Island Creek meets the southwestern corner of the study area (east of Lake Forrest Drive and west of the Calibre Springs residential development).

d. Provide trail and/or sidewalk connections to commercial uses in the Prado, along Roswell Road, and along Northwood Drive.

e. Provide trail and/or sidewalk connections to and between existing or potential open spaces and/or parks as well as to the Long Island Creek greenway and secondary greenway connections.

f. Partner with MARTA and GDOT to identify placement of the future BRT station, ideally situated on the GDOT-owned property on the southeastern side of the Roswell Road/I-285 interchange. Provide pedestrian and bicycle connections between the Crossroads area and a potential future bus rapid transit (BRT) station in the vicinity of I-285.

g. Establish pedestrian and bicycle connections to regional trails, such as a potential regional trail associated with I-285 improvements, to the extent feasible.

h. Provide bike and scooter parking and maintenance hubs in proximity to bus stops, in a location near the west side of the study area, and where significant redevelopment occurs within the Prado and Highland circle.

RECOMMENDATION C3

Improve the safety and comfort of the pedestrian environment through a combination of traffic calming measures, pedestrian crossing improvements, and public realm enhancements.

ACTIONS

a. Implement on-going intersection and pedestrian crossing improvements along Roswell Road and Northwood Drive as identified through prior studies.

b. Explore opportunities to consolidate curb cuts along Roswell Road to improve pedestrian safety and accessibility.

c. Study and, as needed, implement measures to slow traffic and improve pedestrian crossings where safety concerns exist. Specific examples include addition of crosswalks across Northwood Drive at the intersections with Kingsport Drive and Lake Forrest Drive.

d. Improve street lighting along highly traveled pedestrian routes and at pedestrian crossings.

e. In coordination with GDOT and MARTA, enhance pedestrian connections across I-285 through a separate bicycle/pedestrian bridge across I-285 in conjunction with future I-285 projects including BRT and the I-285/Roswell Road Innovative Interchange Study.

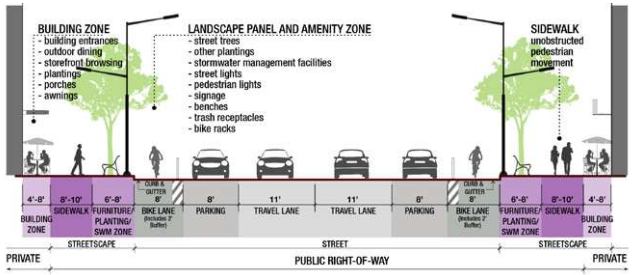
f. Improve access to and amenities at bus stops, in coordination with MARTA. Improvements may include sidewalk improvements, crossing improvements, ADA compliance, and the addition of or improvements to bus shelters.

RECOMMENDATIONS

STREET TYPOLOGIES DIAGRAM

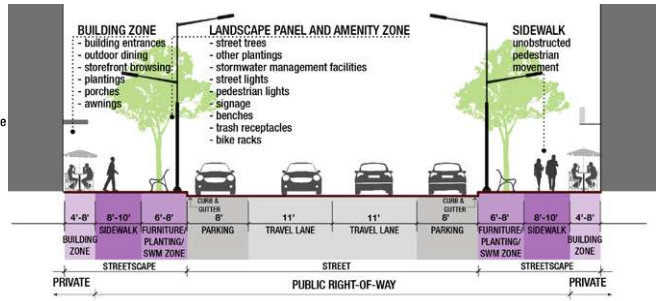
STREET TYPOLOGY A

Street Typology A includes two travel lanes, two protected bike lanes, and two on-street parking lanes. Outside the curbs, the streetscape is the most expansive of the four street typologies (along with Street Typology B), including a furniture/planting/ stormwater management zone, sidewalk, and a building zone that is wide enough to accommodate outdoor dining.



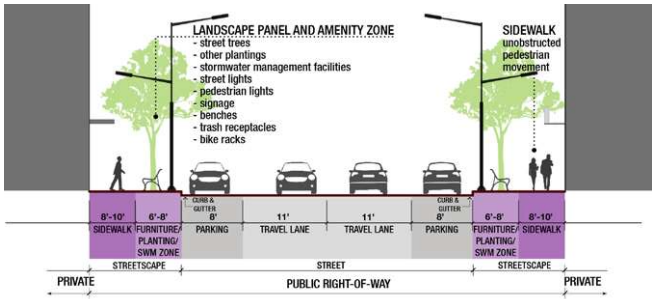
STREET TYPOLOGY B

Street Typology B includes two travel lanes, shared by automobiles and bicycles, and two on-street parking lanes. Outside the curbs, the streetscape is the most expansive of the four street typologies (along with Street Typology A), including a furniture/planting zone/ stormwater management, sidewalk, and a building zone that is wide enough to accommodate outdoor dining.



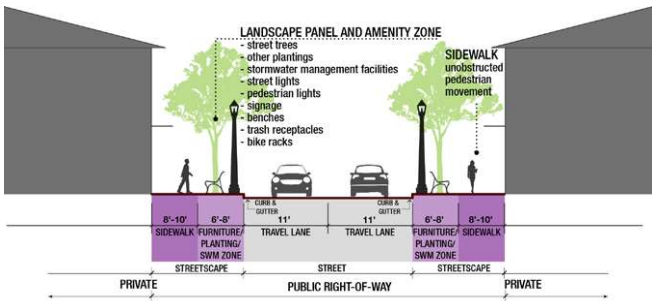
RECOMMENDATIONS

STREET TYPOLOGIES DIAGRAM



STREET TYPOLOGY C

Street Typology C includes two travel lanes, shared by automobiles and bicycles, and two on-street parking lanes. Outside the curbs, streetscape elements include a sidewalk and furniture/planting/stormwater management zone.



STREET TYPOLOGY D

Street Typology D includes two travel lanes, shared by automobiles and bicycles and located immediately adjacent to the curb (with no parking lanes). Outside the curbs, streetscape elements include a sidewalk and furniture/planting/stormwater management zone.

RECOMMENDATIONS

STREET TYPOLOGY PRECEDENT IMAGES

Streetscape with sidewalk, outdoor seating in the building zone, and a planting/ amenity strip along the curb. (Source: Kopley Wolff)

Streetscape with (from right to left) building zone, sidewalks and amenity zone/ planting strip, and parking lane. (Source: Terrain.org)

Redevelopment incorporating a connected street grid and multimodal transportation options. (Source: Complete Streets via Flickr)

Protected bike lane and parking adjacent to streetscape with trees in the planting strip. (Source: Gillian Burgess, Greater Greater Washington)

THEME D

REDEVELOPMENT

RECOMMENDATION D1

Encourage redevelopment in select locations to create a series of context-appropriate and mixed-use nodes near Roswell Road and Northwood Drive while providing a range of new housing options and recreational amenities. The form and character of redevelopment (see Figure 4.5) should be guided by strategies detailed in the accompanying "Redevelopment Approach," which includes detailed strategies aimed at promoting placemaking, compatible transitions between land uses, a well-connected transportation network, and environmental sustainability through each redevelopment opportunity.

ACTIONS

a. Encourage redevelopment and transformation of The Prado into a cohesive, context-appropriate, and well-connected mixed-use development with new retail destinations, housing options, and a central open space, leveraging existing commercial destinations as anchors.

b. Encourage mixed-use development on the site of the existing Highland Circle incorporating neighborhood-serving commercial uses, a variety of market-rate and workforce housing options, and access to a potential Long Island Creek greenway.

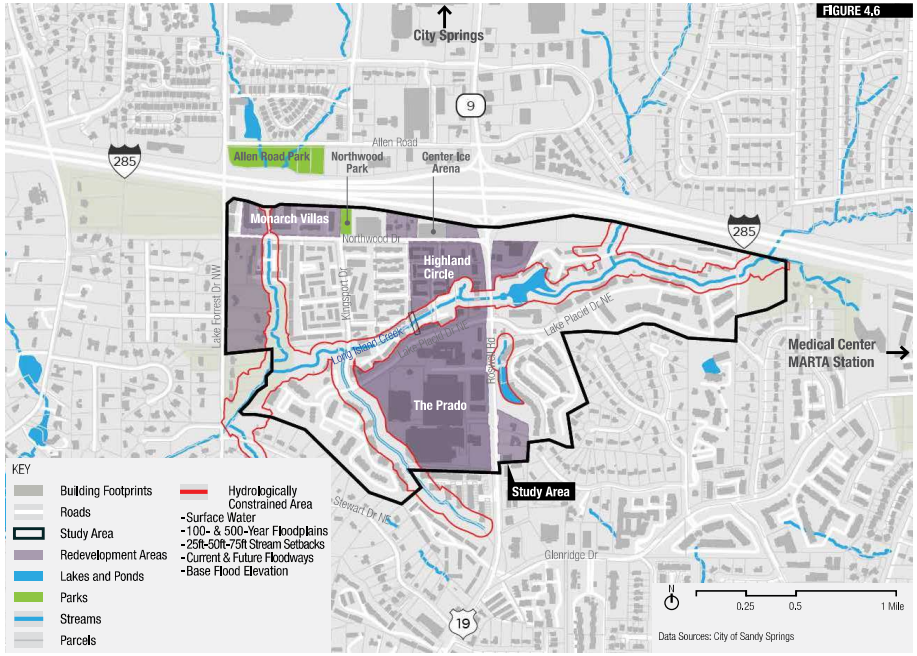
c. Encourage development of owner-occupied townhome or cottage-court-style communities (single-unit-attached residential) along Lake Forrest Drive.

d. Encourage infill mixed-use and residential (single-unit-attached and multifamily) development along the north side of Northwood Drive, incorporating a variety of context-compatible, market-rate and workforce housing as well as neighborhood-serving commercial uses. Residential development should transition from multifamily buildings closest to Roswell Road to single-unit-attached/townhomes closest to Lake Forrest Drive.

e. Encourage the development of neighborhood-scale mixed-use clusters along the east side of Roswell Road that accommodate a mix of professional office space, live/work opportunities, and workforce housing.

REDEVELOPMENT AREA MAP

FIGURE 4.6



RECOMMENDATION D2

Undertake a series of City-led actions to incentivize and implement redevelopment on identified sites, including policy updates, outreach to property owners, and other initiatives.

ACTIONS

a. Update the City's Development Code to reflect options for land uses, building typologies and heights for the redevelopment properties based on the vision of this small area plan update.

b. Work with current property owners and/or their representatives to understand their current plans and gauge interest for redevelopment.

c. Explore economic development and project funding initiatives. Discuss associated funding/financing initiative, if applicable, to implement potential redevelopment.

d. Discuss and review potential detailed site master plans with property owners.

e. In tandem with future plan updates, update the City's Community Work Program to reflect the action items for redevelopment areas, including streetscape improvements and new streets, to help implement projects should City funding or participation be needed.

Mixed-use development with central open space and anchored by "big-box" retail such as Target at Mosaic District, Northern Virginia (Source: Terrain.org)

REDEVELOPMENT APPROACH

The site-specific recommendations for the strategic redevelopment areas organized as:

- Overall vision for the specific area
- Existing Character
- Challenges/Constraints
- Concept

A. REDEVELOPMENT AREAS AND LAND USE

1. THE PRADO

Vision

The area, with its excellent location and access from Roswell Road and I-285, is envisioned to evolve into a premier mixed-use development with retail, shopping and new residential anchored by the current commercial establishments such as Target and Lifetime Fitness & Work.

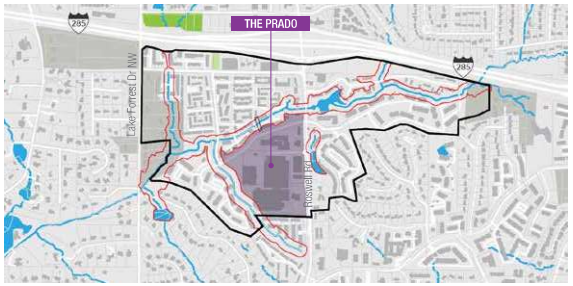
Existing Character

The Prado Shopping Center is located on the southern side of the study area along the western edge of Roswell Road. As a shopping and food destination, it is anchored by retail establishments such as Target, Lifetime Fitness and Lifetime Work. The area includes a range of restaurants as well as health and fitness related businesses.

The site has a rolling topography with the southern end, at Roswell Road, at the highest elevation. The site slopes west and north toward existing wooded areas and Long Island Creek. The site has direct access from Roswell Road and from Lake Placid Drive. A large parking garage dominates the site's core area. The Lifetime Fitness area, which sits at a much lower elevation compared to buildings closer to Roswell Road, can be accessed via Lake Placid Drive as well as via access ramps within the parking garage structure.

Challenges / Constraints

- There are topographical constraints between the front and back half of the site: elevation drops significantly (40 feet+) from the garage/restaurant/Target to Lifetime Fitness. Similarly, the site slopes towards Lake Placid Drive and Long Island Creek.
- The internal circulation of the site is currently confusing. Once within the site, there is a poor sense of place, and orientation is difficult.
- There are numerous vacant commercial areas on site.
- A high-voltage transmission line goes through the site along a north-south alignment close to the eastern façade of the garage building.



Concept

The redevelopment concept for this area (see Figure 4.6) is based on discussions with both the community and the current property owners' representatives. This is a high-level concept, and future development proposals can be expected to vary from this concept.

- The envisioned future site would be organized around a central green at its core. This will provide a public amenity that can be utilized for multipurpose urban outdoor uses covering a wide range of active to passive recreational opportunities – ranging from community gathering events, such as concerts or movie nights, access to retail kiosks in a park setting, to casual relaxation in a park. The streetscape areas around the park would be treated with special paving to help create a better sense of place and a memorable public realm.
- The proposed new central park is envisioned to be surrounded by mixed-use buildings (residential above commercial / retail uses). Visitors would frequent this area, providing benefits for both retailers and commercial tenants. The residents of the residential properties will be able to use the park for family-oriented recreational uses. Most importantly, the central

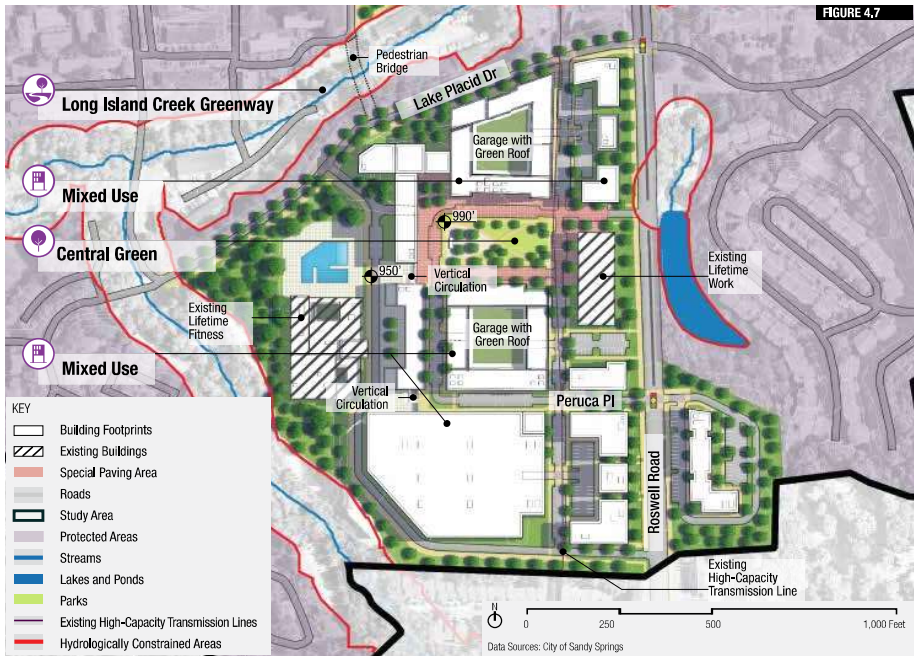
Mixed-use redevelopment with active storefronts on the ground floor. (Source: apartments.com)

Central green with programmed activities. (Source: Mosaic District via Facebook)

Mixed-use redevelopment with connected street network and ground floor retail. (Source: pikenotes.com)

Central green with adjacent mixed-use development. (Source: Visit Austin)

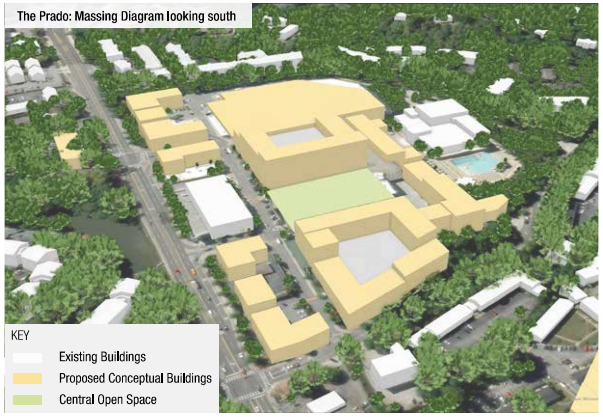
FIGURE 4.7



park/green space will open up a substantial portion of the site to create a strong sense of place – visitors will be able to orient themselves within the site and will have better visibility and access to its park, public spaces and building amenities.

- A strong grid of multimodal streets is further envisioned for this area – providing a stronger connection within the site. Because of the topographical constraints of the site, the front section of the site along Roswell Road and the central green is conceptualized at a higher elevation than the back half – the location of the Lifetime Fitness facilities. Outdoor steps/ramps and elevator cores (with see-through/transparent facades to ensure safety of users) will provide access between the two levels. Additional access to the back portion of the site would be provided via existing Lake Placid Drive and the road that currently exists behind the existing Target building.
- Building heights are envisioned as generally mid-rise (4-5 floors) along Roswell Road while they would generally be higher (7-10 floors) around the central green and along Lake Placid Drive to take advantage of the view corridors. Heights would transition down (to 5-7 floors) on both the west and south sides of the site in order to be contextually compatible with adjacent existing residential neighborhoods.
- Appropriate buffers and transitions – both architectural (through building step downs and stepbacks) as well as landscaped (via trees and vegetation) – are provided between existing neighborhoods and proposed redevelopment areas.
- To accommodate the higher intensity of growth, multiple parking garages would be included.
- Additional green infrastructure elements are included as appropriate, including sustainable stormwater management facilities along streetscape areas, green roofs, etc. Lighter colored pavements and street trees are recommended for shaded public spaces and to provide a cooler overall setting.
- Integration of public art within public spaces, such as the central green and entry plaza areas, will help to create a meaningful place for the redeveloped Prado.

The Prado: Massing Diagram looking south



2. HIGHLAND CIRCLE

Vision

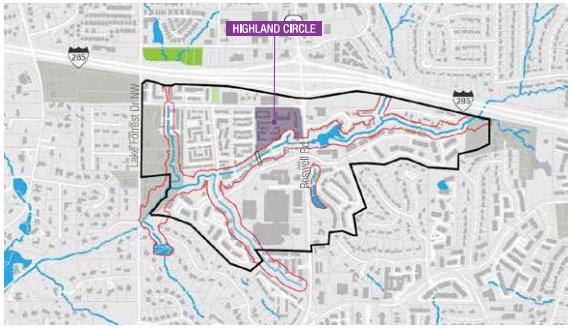
As a gateway to the Northwood area, Highland Circle will grow into a diverse neighborhood-oriented mixed-use development that will incorporate existing and future commercial establishments based on varied demographic needs, and will promote a variety of market-rate and workforce housing options along the revitalized Long Island Creek greenway along with associated recreational amenities.

Existing Character

Located near the I-285 interchange, this area includes smaller-scale commercial establishments along Roswell Road including gas stations, restaurants, convenience uses, and most notably the Copeland Village Shopping Center along Northwood Drive – home to shopping for the area's Latino communities. Center Ice Arena is located on the north side of Northwood Drive with a surface parking lot occupying the prime corner of Roswell Road and Northwood Drive. Apartment communities are located just west of the retail/commercial establishments.

Challenges / Constraints

- Provide additional market-rate and workforce housing while protecting current affordable housing to allow existing residents to continue living in this area.
- While the businesses along Roswell Road cater to a diversity of needs, the disparate nature of building types promotes an incoherent feel along Roswell Road.
- There is a lack of additional amenities within this area, including shopping, neighborhood recreation and community facilities.
- Numerous curb-cuts and fragmented sidewalks along Roswell Road create mobility challenges for pedestrians.
- There is, in general, a lack of proper east-west connections within this area as well as to the east side of Roswell Road.



(Source: Brian Peterson Art)

Examples of mixed-use developments incorporating workforce housing, community uses, and spaces for local businesses. Above: La Placita Cinco (Santa Ana, CA) and Right: Plaza Roberto Maestas (Seattle, WA).

Concept

Redevelopment of this area to create the following:

- A mixed-use community in a neighborhood-scale with shops and diversity of housing (both market-rate and workforce housing) (see Figure 4.7).
- Building heights along Roswell Road that are 3-4 floors while the core of the redevelopment area is 4-5 floors. The height would transition down to 2-3 stories along the western edge of the site to be compatible with existing residential neighborhoods.
- The Center Ice Arena parking lot, at the corner of Roswell Road and Northwood Drive, could be redeveloped as a gateway (near I-285 interchange) mixed-use building with residential above commercial ground floor spaces. The building also provides a framing for both sides of the street as one enters Northwood Drive from Roswell Road, thereby creating a gateway feel near the I-285 interchange. Parking for this new building as well as replacement parking for existing off-street parking should be considered as part of garage parking in conjunction with Highland Circle development.

(Source: SMR Architects)

- An internal grid of new streets would connect to existing Roswell Road, Northwood Drive and a north-south aligned unnamed roadway along the western edge of the redevelopment area. These new 300' – 400' block lengths would create a walkable urban fabric with multimodal streets and pedestrian-oriented streetscape areas. This internal network of streets would provide alternative connections to commercial areas along Roswell Road, thereby reducing traffic on Roswell Road.
- These changes would leverage planned Roswell Road improvements and would create a safe pedestrian environment along and across Roswell Road.
- Potential improvements would include a pedestrian bridge connecting the redeveloped Highland Circle to the Prado via Lake Placid Drive.
- Inter-parcel connections and shared parking would promote optimal usability of parking areas located behind buildings along Roswell Road.
- Higher intensity buildings would include parking garages to accommodate parking needs for building tenants.
- Ground floor activation along primary streets would help to create welcoming outdoor social spaces.
- Appropriate green infrastructure elements are to be included – they consist of sustainable stormwater management facilities along streetscape areas, green roofs, etc. Lighter colored pavements and street trees would be included to help in providing shade resulting in a cooler public realm environment.
- Integration of context-compatible public art within public realm areas, including pedestrian plazas and streetscape areas, will help to create a memorable and identifiable "place" for the community.

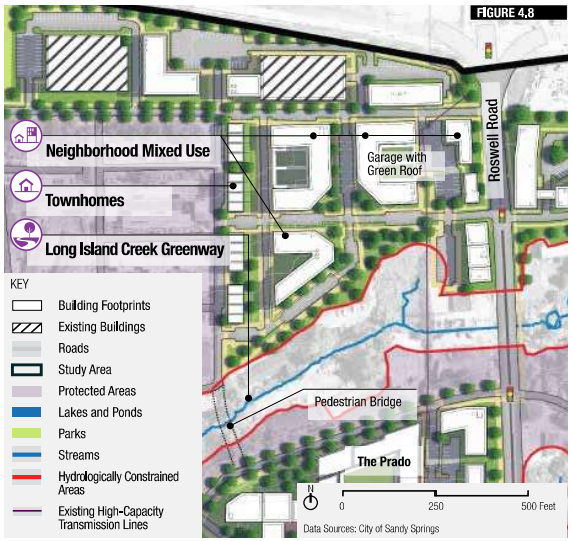
(Source: Pappas Properties)

(Source: Turner Construction)

(Source: Doug Dun, BAR Architects)

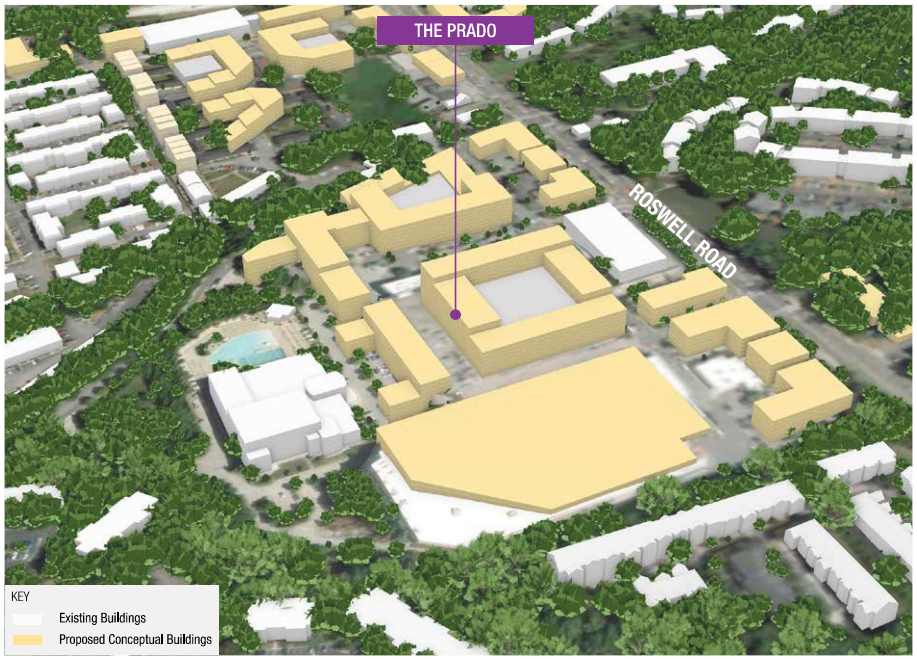
Above: Examples of mixed-use development with active storefronts on the ground floor.

FIGURE 4.8



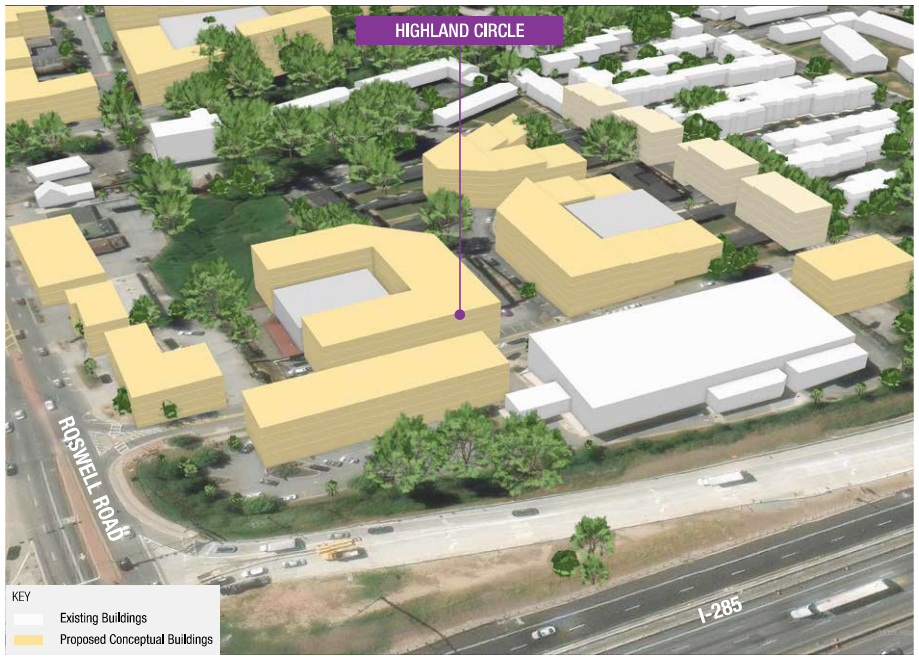
RECOMMENDATIONS

MASSING DIAGRAM - PRADO LOOKING NORTH



RECOMMENDATIONS

MASSING DIAGRAM - HIGHLAND CIRCLE LOOKING SOUTH



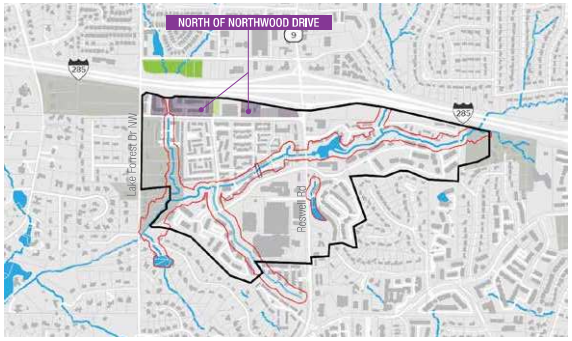
3. Along the north side of Northwood Drive

Vision

Develop targeted sites for infill mixed use and a variety of housing types to fulfill additional commercial, community and residential needs.

Existing Character

The area along the north side of Northwood Drive is characterized by small-scale commercial buildings and strip commercial centers (including a Super Mercado) as well as a few apartment communities punctuated by a relatively new storage building that houses the community's non-profit organizations within the ground floor areas. Northwood Park has been a great addition to this area providing family-oriented recreation amenities for the Northwood area.



Challenges / Constraints

- The area has the potential for higher and better uses with additional intensity of development since this area is in proximity to the I-285 interchange with Roswell Road.
- The area offers the opportunity to provide a variety of additional housing types.

Concept

- Consider a new 3-4 story infill mixed use building between Center Ice Arena and the new storage building.
- Targeted properties would be redeveloped into a variety of housing types including apartments and townhomes (see Figure 4.8).
- Buildings would front Northwood Drive while off-street parking lots would be located behind these buildings.
- Continued improvement of Northwood Drive would include pedestrian friendly streetscape with sidewalks along with dedicated planting and stormwater management areas.
- Green/open spaces would be integrated within new residential development.
- Building heights would generally vary within 3-4 floors and would be compatible with adjacent residential neighborhoods.

DRAFT

RECOMMENDATIONS

REDEVELOPMENT APPROACH - ALONG NORTHWOOD DRIVE

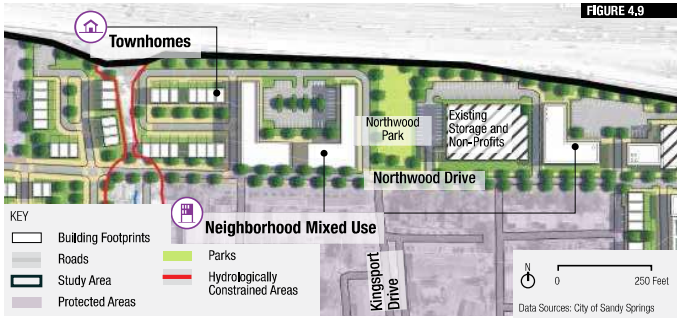
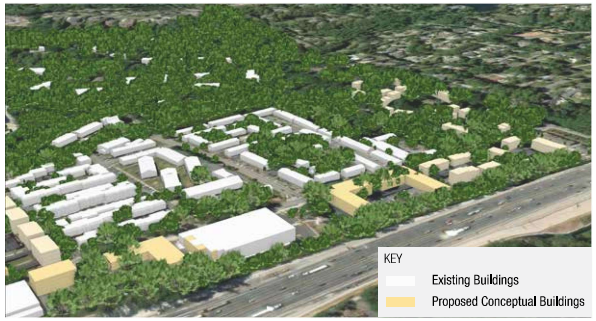


FIGURE 4.9

(Source: liveinthepearl.com)



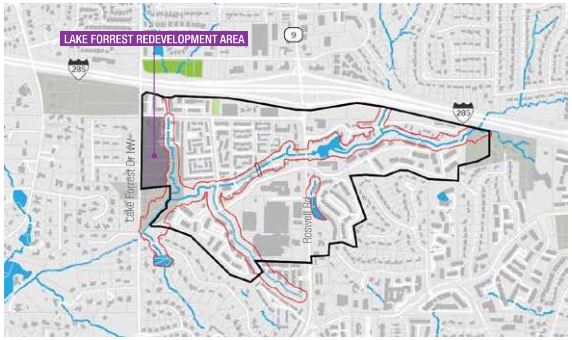
(Source: bouldercolorado.com)

Above: Examples of townhomes and mixed-use development

4. Along Lake Forrest Drive

Vision

Encourage development of owner-occupied townhome or cottage-court-style communities (single-unit-attached residential) with highly-valued quality of life amenities including open spaces/parks as well as trails along Lake Forrest Drive.



Existing Character

Single family detached homes are located on large lots along Lake Forrest Drive, which can be utilized as a parallel north-south aligned connection and can provide access to the City Springs area for communities located on the south side of I-285. A new single-unit attached townhome development would be located on the northeast side of the intersection of Lake Forrest Drive and Northwood Drive.

Challenges / Constraints

- Address the opportunity to add residential uses compatible with newly-developed townhomes.
- Resolve topographical challenges along Long Island Creek. Preserve the residential and wooded character of this area.

Concept

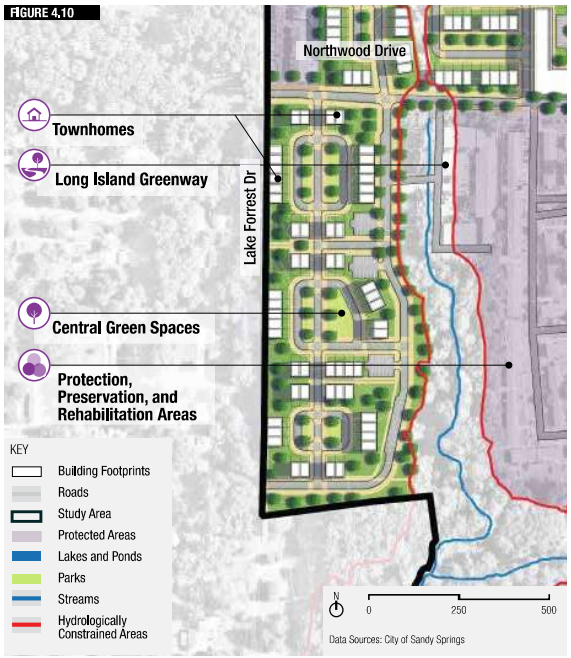
- Single-unit attached townhome or cotteage-court-style communities would be developed as separate clusters organized around neighborhood green/open spaces (see Figure 4.9).
- Building typology and character would be compatible with newly-developed townhomes along Lake Forrest Drive.
- Building heights would vary between 2-3 floors with lower heights closest to existing residential neighborhoods.
- Trail access to potential multiuse paths/trails would be located along Long Island Creek.
- Create tree-lined neighborhood streets with pedestrian amenities, such as benches, with existing vegetation in order to preserve the charm of the neighborhood and provide quality of life amenities.

DRAFT

RECOMMENDATIONS

REDEVELOPMENT APPROACH - LAKE FORREST

FIGURE 4.10



(Source: EYA)

(Source: Duncan Prime Realty)

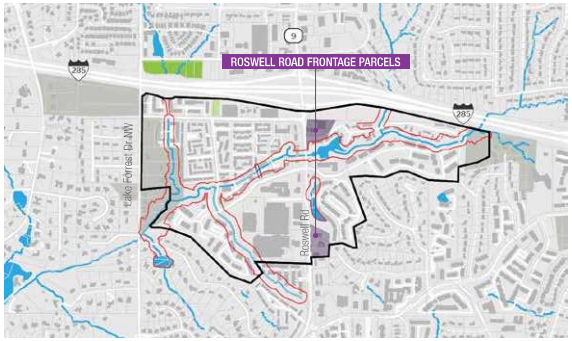
(Source: Mews on Butler)

Above: Examples of townhome development.

5. East of Roswell Rd.

Vision

Develop clusters of mid-rise, neighborhood-scale mixed-use developments with commercial/professional office spaces with live/work opportunities with market-rate and workforce housing.



Existing Character

The potential redevelopment areas east of Roswell Road are located in two clusters – one on the north side of the study area across Northwood Drive and is the site of a storage building and gas station; while the other cluster is located toward the southern side and is currently home to professional office spaces, healthcare and retail including a bookstore.

Challenges / Constraints

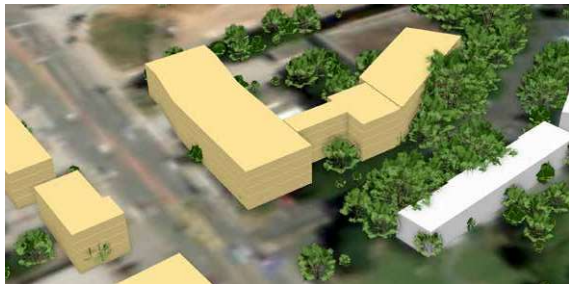
- Numerous curb-cuts create a fragmented streetscape environment.
- There is a lack of appropriate building massing along Roswell Road to help frame the roadway.

Concept

- Mixed-use buildings with residential above ground floor retail/commercial/professional office spaces located along Roswell Road.
- Off street surface parking lots that would be located behind buildings away from Roswell Road (see Figures 4.10 and 4.11).
- Building heights would vary between 3-4 floors.

FIGURE 4.11

FIGURE 4.12



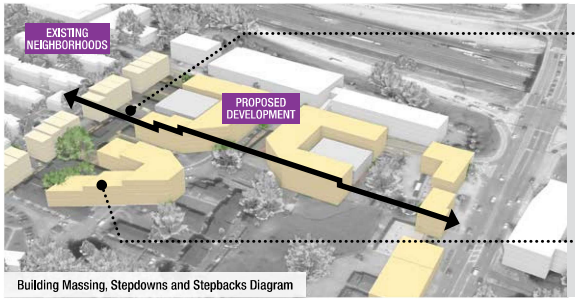
Examples of mixed-use development with active storefronts and mix of uses on upper floors (Source: Broken Sidewalk)

(Source: nashvilleguru.com)

B. BUILDING FORM AND CHARACTER

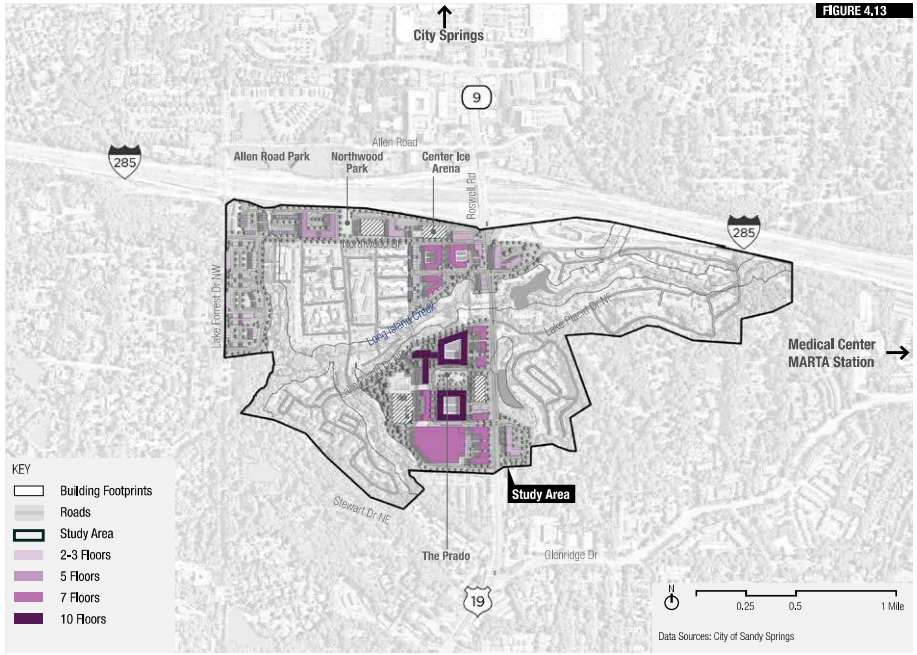
1. HEIGHTS, MASSING, STEPDOWNS AND STEPBACKS

- Mid-rise buildings (3-5 floors) are recommended along Roswell Road. While the building heights rise to 5-10 floors, one property deep, from Roswell Road, the heights would step down to lower heights (2-3 floors) to be context-compatible with existing neighborhoods (see Figure 4.12).
- Buildings massing variations would include step-backs and terracing. These variations create visual interest, promote variety, allow light to permeate down to the street adjacent to the building, and create usable outdoor terraces. Building step-backs, specifically above second or third floor, would be considered for building heights beyond 5 floors. Such step-backs are to be encouraged along the side of the buildings facing residential communities.
- Façade modulations should help break up large horizontal and vertical massing, and create a sense of rhythm along streets. Architectural projections façade breaks, roof line modulations and recesses could be employed to achieve building façade modulations. Ground/first floor of mixed-use buildings with commercial uses would be at the same level as adjacent sidewalks for ease of access. The ground/first floor level of residential buildings (plinth level) would be elevated above sidewalk level for privacy of residents.
- Livable balconies for residential units should be included within building facades above the first floor of mixed-use buildings to enhance façade modulations.
- Activated rooftops and green roofs should be incorporated into mixed-use buildings above five floors.



Building Massing, Stepdowns and Stepbacks Diagram

FIGURE 4.13



2. LANDSCAPING

- Landscaping, including trees and understory plantings, and street furnishings will assist to create a walkable pedestrian environment and enhance public realm by creating a sense of enclosure, providing shade and creating cooler outdoor spaces.
- Streetscape, public plaza areas and rooftops should incorporate sustainable stormwater management systems.
- Residential developments, including townhomes, would incorporate landscaping in front setback areas to create an attractive streetscape environment while promoting privacy for residents. Landscaped areas can include plantings, berms and low height architectural walls/ fences with high-quality materials and aesthetics.

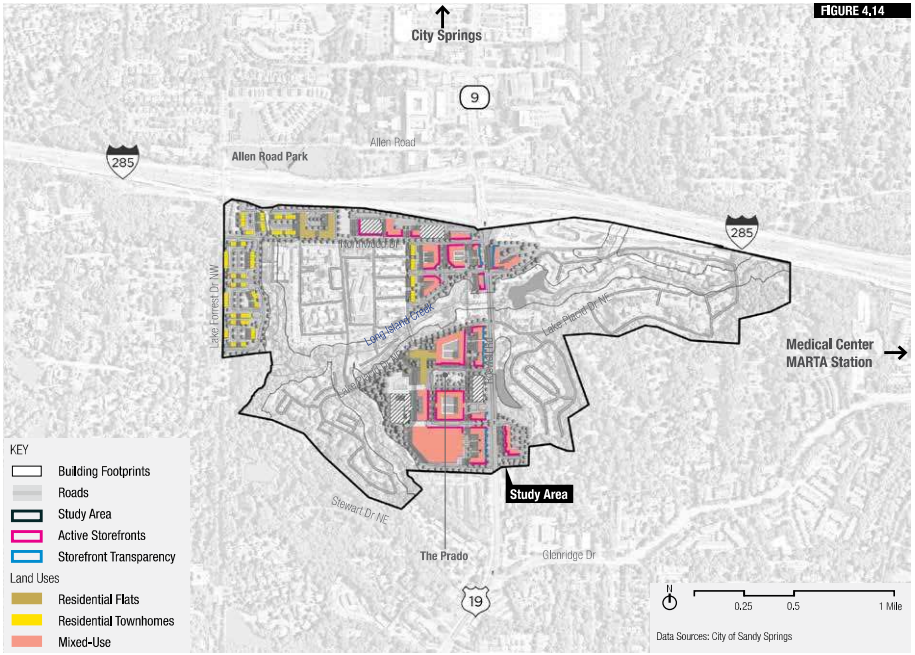
3. BUFFERS

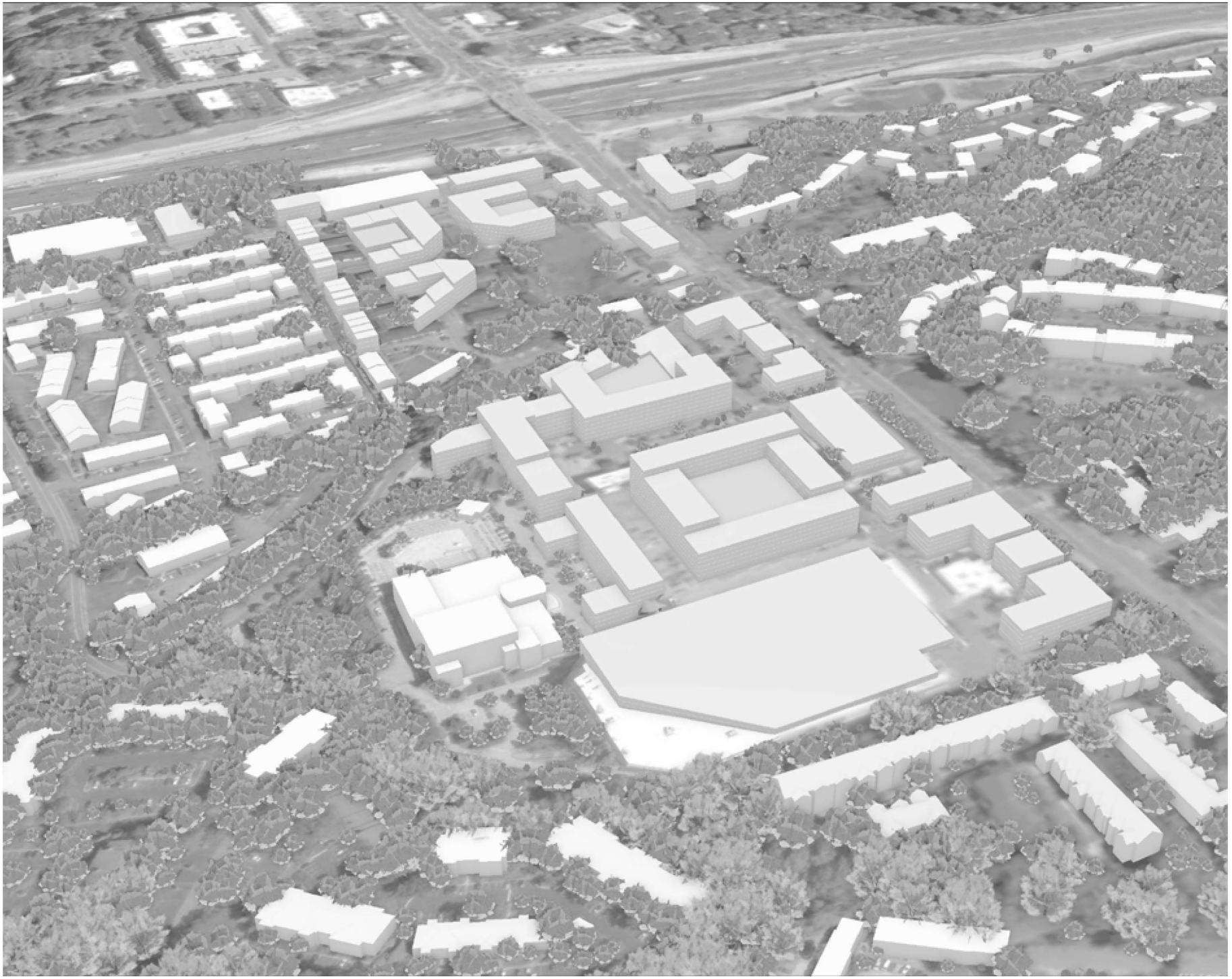
- Buffers should be provided between different types of land uses as well as between existing neighborhoods and new developments. Such buffers can be high-quality landscaped areas or architectural treatments such as screens, etc.
- Trees, shrubs and low height plantings would be used to create landscape buffers between different types of land uses as well as between sidewalks and off-street surface parking lots.

4. ACTIVE STOREFRONTS AND STOREFRONT TRANSPARENCY

- Buildings with active storefronts (e.g., outdoor dining areas) would be located close to or fronting the street with minimal to zero setbacks from sidewalks (see Figure 4.13).
- Ground/first floor transparency is recommended for mixed-use buildings with commercial establishments occupying ground floors along sidewalk areas. Such transparency can be achieved via storefront windows and doors. This helps to create a safe and walkable pedestrian environment.
- Storefronts with retail/shopping should have visible signage, where possible.

FIGURE 4.14





4

IMPLEMENTATION

IMPLEMENTATION

IMPLEMENTATION MATRIX

The plan recommendations and related actions provide guidance for realizing the vision for the Crossroads area. This chapter details the phasing of key projects and initiatives, roles and responsibilities for implementation, and potential funding sources.

The accompanying implementation matrix consists of a series of **Actions** identified in the **Recommendations**, organized according to the four recommendation **Themes** (Protection, Preservation, and Rehabilitation; Open Space and Natural Areas; Connectivity; and Redevelopment).

The matrix consists of the following:

- Themes
- Recommendations
- Description of the Actions
- Responsible Party
- Timeframe
- Potential Funding Sources

Key actions that should be prioritized are listed in Chapter 1, Vision and Key Actions.

IMPLEMENTATION MATRIX

THEME A: PROTECTION, PRESERVATION & REHABILITATION

#	RECOMMENDATIONS & ACTIONS	RESPONSIBLE PARTY	TIMEFRAME	POTENTIAL FUNDING SOURCE/S
A1: Encourage the protection, preservation, and rehabilitation of existing workforce housing in the Crossroads area.				
A1-a	Focus housing protection, preservation and rehabilitation efforts on communities located furthest from Roswell Road. Engage with property owners.	City, property owners	Immediate (engage property owners) and ongoing (maintain relationships)	City staff time
A1-b	Consider the Crossroads area within any future Housing Action Plan or other housing policy discussions, with particular focus on evaluating the following tools which would directly benefit the implementation of this Small Area Plan: existing federal and state incentives for housing rehabilitation, such as Low Income Housing Tax Credits (LIHTC), Community Development Block Grants (CDBG), and HOME Investment Partnership Program (HOME); a Housing Rehabilitation Fund (HRF); a Housing Opportunity Bond program; and tax abatements.	City, Sandy Springs Development Authority, Housing Commission (new, created for HRF), property owners	Immediate (seek regional/ state partnerships) and ongoing (allocate existing and pursue new resources)	City, Local Foundations, Housing Advocacy Groups (fundraising), LIHTC (State), CDBG (City, County, State), HOME (City, County, State), Housing Tax Credits (State)
A2: Enhance quality of life for residents of existing rental units through improvements to the condition of existing housing units and other improvements in the broader community that serve existing residents.				
A2-a	Through a collaborative partnership, work with existing property owners to implement open space and connectivity improvements that benefit the residents of existing workforce housing by incorporating and connecting to these residential communities.	City, property owners	Immediate (relationship building) and ongoing (relationship management)	City staff time; flexible resource matching program from City in conjunction with rehabilitation funding
A2-b	Pursue enhanced enforcement programs approved by Council as part of new Multifamily Rental Housing program.	City	Immediate and ongoing	City staff time
A3: Encourage replacement of workforce housing units as reinvestment and redevelopment occurs to ensure that Sandy Springs residents contributing to the community's economy will continue to have access to price-appropriate housing in the Crossroads area.				
A3-a	Enact a strategy to require minimum replacement of workforce housing as part of reinvestment efforts. This strategy could be incentivized through height bonuses and consideration of options during rezoning to require replacement.	City	Immediate	City staff time

IMPLEMENTATION MATRIX

THEME B: OPEN SPACE AND NATURAL RESOURCES

#	RECOMMENDATIONS & ACTIONS	RESPONSIBLE PARTY	TIMEFRAME	POTENTIAL FUNDING SOURCE/S
B1: Utilize existing natural resource areas as opportunities for community amenities. The plan envisions future greenways along Long Island Creek. Creation of such greenways should be developed when individual properties are redeveloped.				
B1-a	Restore and naturalize Long Island Creek to enhance the ecological function of the creek and its riparian areas.	City	Immediate (explore feasibility) and ongoing (seek funding and implement)	City funds
B1-b	Through redevelopment of adjacent private properties, encourage the construction of a greenway system along Long Island Creek and its tributaries, consisting of multi-use trails and boardwalks.	City	Short Term (start in the next 2-3 years) and ongoing in phases	Transportation grants, TSPLOST, GOSP grants, City & private funds
B1-c	Through redevelopment, encourage the construction of a secondary greenway along the north side of the stream channel that extends from Kingsport Drive, southeast of Lake Placid Drive, to Roswell Road.	City	With redevelopment initiatives of adjacent properties	Transportation grants, TSPLOST, GOSP grants, City & private funds
B1-d	Enhance the visual and ecological quality and accessibility of existing stormwater retention ponds east of Roswell Road to create community amenities.	City	Short Term (start in the next 2-3 years)	City funds
B2: Expand open space and recreational options. Explore opportunities for new parks, open spaces, and recreational amenities as redevelopment occurs.				
B2-a	Work with property owners and developers to ensure that parks, neighborhood open space, and/or other outdoor public amenities are incorporated into new residential and mixed-use development, providing a variety of new active and passive recreational amenities near residences.	City, property owners	With redevelopment initiatives	City staff time
B2-b	Through redevelopment, construct a central public space and gathering place as part of the redevelopment of the Prado to serve as a community focal point with a range of programmed activities.	Property owner	With redevelopment initiatives	Private funds
B2-c	Pursue opportunities for new playspaces and other child-friendly spaces to serve families who live in the area.	City, property owners	With redevelopment initiatives (short term)	City staff time
B2-d	Connect existing Allen Road Park and Lake Forest Elementary School (north of I-285) and Northwood Park with improved sidewalks and crosswalks for safe access.	City, property owners, GDOT	Ongoing and with redevelopment initiatives	City funds; City staff time
B2-e	Incorporate green infrastructure, such as rain gardens and stormwater planters, along streetscapes and in public spaces to capture and filter stormwater runoff before it enters Long Island Creek.	City, property owners	Ongoing and with redevelopment initiatives	Environmental and City funds

IMPLEMENTATION MATRIX

THEME C: CONNECTIVITY

#	RECOMMENDATIONS & ACTIONS	RESPONSIBLE PARTY	TIMEFRAME	POTENTIAL FUNDING SOURCE/S
C1: Establish a connected street grid. Connect and expand the network of streets to provide additional routes and street connections for all modes of transportation, with an emphasis on providing more east-west connections through the planning area.				
C1-a	Through redevelopment, encourage the creation of internal networks of streets with connections to existing roadways by constructing new streets and converting existing internal access drives into public streets.	Property owners, City	With redevelopment initiatives	Private funds
C1-b	Study the feasibility of constructing a new north-south pedestrian bridge across Long Island Creek connecting The Prado to existing residential communities north of Long Island Creek and to the future Highland Circle redevelopment.	City	Within 2-5 years or with redevelopment initiatives	City staff time
C1-c	Through redevelopment of adjacent private properties, encourage the construction of a greenway system along Long Island Creek and its tributaries, consisting of multi-use trails and boardwalks.	Property owners; City	Within 5-10 years or with redevelopment initiatives	City funds and potential transportation enhancements grant funding
C2: Enhance pedestrian and bicycle connections to and from destinations, parks and open spaces, and transit facilities.				
C2-a	As part of redevelopment, construct new sidewalks and bicycle facilities, and fill existing gaps in the pedestrian and bicycle network to ensure a connected environment.	City, property owners, transportation/mobility advocates	Ongoing (planned projects) and with redevelopment initiatives	Private funds
C2-b	Create a connected network of pedestrian-friendly streetscapes that incorporate dedicated spaces for pedestrian travel, plantings, and stormwater management facilities as well as special pavers to highlight parks and major destinations. Implement streetscapes as redevelopment occurs and through phased retrofits of existing sidewalks.	City	Ongoing (with redevelopment initiatives)	Private funds
C2-c	Construct a system of greenways along stream corridors with trailhead access to Long Island Creek at the southwestern corner of the study area.	City	Start exploration in short term (2-3 years); implement with redevelopment initiatives	City funds; City staff time
C2-d	Provide trail and/or sidewalk connections to commercial uses in the Prado, along Roswell Road, and along Northwood Drive.	City, property owners	Ongoing (planned projects)	City funds, TSPLOST

IMPLEMENTATION MATRIX

THEME C: CONNECTIVITY

#	RECOMMENDATIONS & ACTIONS	RESPONSIBLE PARTY	TIMEFRAME	POTENTIAL FUNDING SOURCE/S
C2-e	Provide trail and/or sidewalk connections to and between existing or potential open spaces and/or parks as well as to the Long Island Creek greenway and secondary greenway connections.	City	Ongoing (explore feasibility) and implement with redevelopment initiatives	City funds; City staff time
C2-f	Partner with MARTA and GDOT to identify placement of the future BRT station, ideally situated on the GDOT-owned property on the southeastern side of the Roswell Road/I-285 interchange. Provide pedestrian and bicycle connections between the Crossroads area and a potential future bus rapid transit station in the vicinity of I-285.	City, MARTA, GDOT	Discuss with GDOT in short term (0-2 years)	City funds, TSPLOST, Transportation/ Mobility grants
C2-g	Establish pedestrian and bicycle connections to regional trails, such as a potential regional trail associated with I-285 improvements, to the extent feasible.	City	Discuss with GDOT in short term (0-2 years)	City funds, TSPLOST
C2-h	Provide bike and scooter parking and maintenance hubs in proximity to bus stops, in a location near the west side of the study area, and where significant redevelopment occurs within the Prado and Highland circle.	Property owners	With redevelopment initiatives	Private property owners/developers
C3: Improve the safety and comfort of the pedestrian environment through a combination of traffic calming measures, pedestrian crossing improvements, and public realm enhancements.				
C3-a	Implement ongoing intersection and pedestrian crossing improvements along Roswell Road and Northwood Drive as identified through prior studies.	City	Ongoing (with planned projects)	City funds
C3-b	Explore opportunities to consolidate curb cuts along Roswell Road to improve pedestrian safety and accessibility.	City, property owners	Ongoing (with planned projects) and with redevelopment initiatives	City funds, private funds, TSPLOST
C3-c	Study and, as needed, implement measures to slow traffic and improve pedestrian crossings where safety concerns exist.	City and private sector	Immediate (explore need and feasibility in the next 1-2 years)	City funds, private funds (private-public investment)
C3-d	Improve street lighting along highly traveled pedestrian routes and at pedestrian crossings.	City	Immediate (explore need and feasibility in the next 1-2 years)	City funding
C3-e	Enhance pedestrian connections across I-285 through a separate bicycle/pedestrian bridge across I-285 in conjunction with future I-285 projects including BRT and the I-285/Roswell Road Innovative Interchange Study.	City, GDOT, MARTA	Discuss with GDOT and MARTA in short term (0-2 years)	City funds, TSPLOST
C3-f	Improve access to and amenities at bus stops, in coordination with MARTA. Improvements may include sidewalk improvements, crossing improvements, ADA compliance, and the addition of or improvements to bus shelters.	City in coordination with MARTA	Ongoing; continue discussing with MARTA	MARTA, City funds

IMPLEMENTATION MATRIX

THEME D: REDEVELOPMENT

#	RECOMMENDATIONS & ACTIONS	RESPONSIBLE PARTY	TIMEFRAME	POTENTIAL FUNDING SOURCE/S
D1: Encourage redevelopment in select locations to create a series of mixed-use nodes near Roswell Road and Northwood Drive while providing a range of new housing options and recreational amenities.				
D1-a	Encourage the redevelopment and transformation of The Prado into a cohesive and well-connected mixed-use development with new retail destinations, housing options, and a central open space	City; property owners	Phased redevelopment starting in short term (1+ year)	Private funds; redevelopment by property owner
D1-b	Encourage mixed-use development on the site of the existing Highland Circle incorporating neighborhood-serving commercial uses and a variety of market-rate and workforce housing options.	City; Housing Commission (new); property owners	Start in 3-5 years	City's housing opportunity bond
D1-c	Encourage development of owner-occupied townhome or cottage-court-style communities (single-unit-attached residential) along Lake Forrest Drive.	City; property owners	Short term (start in next 1-2 years)	Private funds
D1-d	Encourage infill mixed-use and residential (single-unit-attached and multifamily) development along the north side of Northwood Drive.	City; Housing Commission (new); property owners	Infill mixed-use: 2+ years; Monarch Villas: 8+ years	City's housing opportunity bond
D1-e	Encourage the development of neighborhood-scale mixed-use clusters along the east side of Roswell Road.	Property owners	Long term (8+ years)	Private funds
D2: Undertake a series of City-led actions to incentivize and implement redevelopment on identified sites, including policy updates, outreach to property owners, and other initiatives.				
D2-a	Update the City's Development Code based on the vision of this small area plan update.	City	Immediate, following approval of this plan	City staff time
D2-b	Work with current property owners and/or their representatives to understand their current plans and gauge interest for redevelopment.	City with property owners	Immediate (0-2 years) and ongoing with development	City staff time
D2-c	Explore economic development and project funding initiatives. Discuss associated funding/financing initiative, if applicable, to implement potential redevelopment.	City, Sandy Springs Development Authority	Immediate (0-2 years) ongoing with development	City staff time; Bond-Lease Program
D2-d	Discuss and review potential detailed site master plans with property owners.	City with property owners	Immediate (0-2 years) and ongoing with development	City staff time
D2-e	Update the City's Community Work Program to reflect the action items for redevelopment areas, including streetscape improvements and new streets, to help implement projects should City funding or participation be needed.	City	Immediate, following approval of this plan	Transportation & infrastructure grants; City funding

SANDY SPRINGS
CITY CLERK'S OFFICE

TO: Honorable Mayor and City Council Members

FROM: Matthew Anspach, Senior Planner

DATE: September 27, 2023 Submission for the December 5, 2023 Meeting

ITEM: TA23-0003(a) - Request for Mayor and City Council Consideration of an Ordinance to Amend the Development Code Articles 1 (Introductory Provisions), 11 (Administration), and 12 (Definitions)

Recommendation:

Staff recommends that Mayor and City Council approve the text amendment as proposed.

At the Special Called Planning Commission meeting on November 13, 2023, the Planning Commission voted to recommend that Mayor and City Council approve the text amendment as proposed.

Background:

The Next Ten Comprehensive Plan Policy E recommends a review of development management tools to implement the vision and goals of the Comprehensive Plan, Small Area Plans, and other planning documents. Both the 10 Key Actions for the Next Ten and Policy LU-E1 recommends comprehensive updates to the Sandy Springs Development Code. Furthermore, the Next Ten Community Work Program item LU-E1.1 recommends that staff conduct a comprehensive review of the Development Code in 2022 and 2023.

Discussion:

Over the last 13 months, city staff have worked toward execution of this comprehensive review of the city's Development Code. Staff, with the assistance of consultant Code Studio, have received input from a variety of stakeholders, including residents and neighborhood groups, business and property owners, contractors and developers, and the Planning Commission as well as overall policy guidance from the Mayor and City Council to help formulate a recommended 5-Year Development Code Update. The code review process consisted of three (3) distinct phases:

1. **Phase I (Intake)** - Hosted more than 25 stakeholder meetings covering a range of topics and facilitated discussion with Council at the 2023 Retreat; met with residents, business owners, Planning Commissioners, electric vehicle and gas station representatives, hotel and hospitality industry representatives, office and medical industry representatives, civic institutions, developers, residential home builders, automotive dealers, attorneys, and others.

2. **Phase II (Draft)** - Worked amongst relevant staff and the consultants' background and code expertise to clean up technical aspects of the existing Development Code, as well researching and proposing edits to the topics deemed by Council to be of particular priority to the City's vitality.

For the Mayor and City Council's September 19 Work Session, city staff and the consultants at Code Studio presented the initial Development Code Update draft after a thorough input process and direction from Council earlier in the year. City staff and Code Studio replicated the work session the following evening with the Planning Commission at their Special Called Work Session on September 20.

3. **Phase III (Publication and Adoption)** – Staff published draft Development Code documents on the City's website, accepted public feedback, and finalized the draft, including:

- September 22: Online posting of the initial proposed draft to the dedicated Development Code Update webpage (spr.gs/development)
- September 26 – October 18: Online comment form input/submittal period (in addition to the traditional forms of available public comment submission)
- September 26: Public Open House hosted at City Hall
- November 11: Final draft Development Code published on Development Code Update webpage, including summary of key changes
- November 13: Special Called Planning Commission Public Hearing
- December 5: Mayor and City Council Public Hearing for consideration of adoption

The attached presentation and Planning and Zoning detailed Staff Report address the major modifications proposed to the Development Code.

Financial Impact:

No financial impact is anticipated at this time.

Alternatives:

Mayor and City Council may also vote to defer, modify, or deny the proposed text amendment.

Review:

Michele McIntosh-Ross, Planning & Zoning Manager	Created/Initiated - 12/1/2023
Ginger Sottile, Director of Community Development	Approved - 12/1/2023
Kristin Byars Smith, Assistant City Manager	Approved - 12/1/2023
Dan Lee, City Attorney	Approved - 12/1/2023
Eden Freeman, City Manager	Final Approval - 12/1/2023

Attachments:

1. TA23-0003(a) Presentation
2. TA23-0003 Package
3. TA23-0003 Post-Open House Summary Changes

4. TA23-0003(a) Ordinance
5. TA23-0003(a) Final Draft Art 1 11 12

Mayor & City Council

December 5, 2023

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5-Year Development Code Update

A key component of The Next Ten Comprehensive Plan, Community Work Program

TA23-0003 Amendment Breakdown

- **TA23-0003(a)** - Articles 1 (*Introductory Provisions*), 11 (*Administration*), and 12 (*Definitions*)
- **TA23-0003(b)** - Articles 2 through 5 (*Protected Neighborhoods, Urban Neighborhoods, Corridors & Nodes, and Perimeter Center*)
- **TA23-0003(c)** - Article 6 (*Rules for All Districts*)
- **TA23-0003(d)** - Article 7 (*Use Provisions*)
- **TA23-0003(e)** - Articles 8 through 10 (*Site Development, Environmental Protection, Streets & Improvements*)

TA23-0003(a) (Art. 1, 11, & 12)

Article 1 Introductory Provisions
Article 11 Administration
Article 12 Definitions

TA23-0003(a) (Art. 1, 11, & 12)

- **Article 1 Introductory Provisions**
  - Several technical/cleanup items
  - Sec. 1.1.10. Added “Amortization” language for Refuse Area screening
  - Sec. 1.2.1. Clarified “Districts Established” by adding “Character Area Group” column
    - This especially helps clarify Character Area breakdown in the Use Table (Div. 7.2.)
  - Sec. 1.3.2.D. Clarified zoning for remnant pieces abandoned or sold by public entities

TA23-0003(a) (Art. 1, 11, & 12)

- **Article 11 Administration**
  - Several technical/cleanup items
  - Variance Approval Criteria – simplified language and clarification on criteria
  - Move Stream Buffer Variance to Division 11.6. from Article 9
  - BOA and Director decisions to mirror recent changes to State Law
- **Article 12 Definitions**
  - Minor tweaks and additional definitions

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P&Z STAFF REPORT

Mayor and City Council Meeting, December 5, 2023

Case: **TA23-0003 – Comprehensive Development Code Review & Update**
Staff Contact: Matthew Anspach (manspach@sandyspringsga.gov)
Report Date: November 21, 2023

PURPOSE

An Ordinance to amend the Development Code with edits to each article, 1 through 12.

RECOMMENDATION

Planning Commission

The Planning Commission at their Special Called Meeting on November 13 voted per the following for each of the five (5) items comprising the 5-Year Development Code Update:

Commissioner Settles made a motion to **recommend approval of TA23-0003(a)**, Articles 1 (Introductory Provisions), 11 (Administration), and 12 (Definitions) as proposed. Commissioner Conklin seconded the motion. **The motion passed unanimously.**

Commissioner Settles made a motion to **recommend approval of TA23-0003(b)**, Articles 2 through 5 (Protected Neighborhoods, Urban Neighborhoods, Corridors & Nodes, and Perimeter Center) as proposed. Commissioner Nickles seconded the motion. **The motion passed unanimously.**

Commissioner Nickles made a motion to **recommend approval of TA23-0003(c)**, Article 6 (Rules for All Districts) as proposed. Commissioner Kelly seconded the motion. **The motion passed unanimously.**

Discussion from the Planning Commission on item (d) was varied from Neighborhood Eateries to Fuel Stations. Several comments from the public were heard, speaking on topics ranging from a request to consider up to 12 stories of (bonus) height allowance for the CX zoning district to Neighborhood Eateries. Commissioner Nickles discussed proposing an amendment that would effectively allow Fuel Stations in any “commercial” district, so long as they met all the basic and conditional use standards.

Ultimately, Commissioner Settles made a motion to **recommend approval of TA23-0003(d)**, Article 7 (Use Provisions) with the amendment that Neighborhood Eateries be permitted in Office Neighborhood only with community meetings as a requirement, and with specific operating hours. Commissioner Kelly seconded the motion. **The motion passed 5-1 with Commissioner Porter dissenting.**

After the motion was heard and voted for in the affirmative, Commissioner Nickles made a point of personal privilege-to make a motion to reconsider the previous motion. The motion failed for lack of a second.

Commissioner Porter made a motion to **recommend approval of TA23-0003(e)**, Articles 8 through 10 (Site Development, Environmental Protection, Streets & Improvements) with the following edits to Sec. 9.4.2.G.4.:
-Remove subsection a.
-Modify subsection b. to read "Also, where a side or rear yard is the only feasible option for a construction entrance, grading disturbance may be approved by the Director, so long as the width of the area of activity within the buffer does not impact an existing tree with a 15" DBH or greater and is replaced with a mitigation zone. *(paraphrase) "The Director shall conduct a physical inspection of the work site where alternative access is being requested."*

Commissioner Settles seconded the motion. **The motioned carried unanimously.**

Department of Community Development

Staff recommends **Approval** of **Text Amendment TA23-0003** in its entirety, grouping (a) through (e).

-**TA23-0003(a)**, Articles 1 (Introductory Provisions), 11 (Administration), and 12 (Definitions)
-**TA23-0003(b)**, Articles 2 through 5 (Protected Neighborhoods, Urban Neighborhoods, Corridors & Nodes, and Perimeter Center)
-**TA23-0003(c)**, Article 6 (Rules for All Districts)
-**TA23-0003(d)**, Article 7 (Use Provisions)
-**TA23-0003(e)**, Articles 8 through 10 (Site Development, Environmental Protection, Streets & Improvements)

PROCESS	
Planning Commission Hearing: November 13, 2023	Mayor and City Council Hearing: December 5, 2023

The following excerpts from the Final Draft are not exhaustive, but simply snapshot of the more substantive material changes proposed and the more purely sizeable, proposed changes. For a full account of all proposed changes, be sure to review the Final Draft document(s).

TA23-0003(a), Articles 1 (Introductory Provisions), 11 (Administration), and 12 (Definitions)

Article 1. Introductory Provisions

Section 1.1.3.

Sec. 1.1.3. Effective Date

This Development Code was adopted on August 15, 2017 and became effective on September 15, 2017 (the "effective date").

This Development Code was subsequently updated and adopted on December 5,2023 (the "5-Year Development Code Update").

Section 1.1.9.

D. For development sites in the CS-, CX-, and SX- districts which received a zoning approval between September 15, 2017 and prior to December 5, 2023, a conditional use permit is not required for any multi-unit housing component over three (3) stories.

Sec. 1.1.10.

Sec. 1.1.10. Amortization for ~~Vehicle-Related Uses~~Specific Uses and Standards

A. **Intent** It is the intent of this Section to bring into conformity the parking lot landscaping and perimeter screening, foundation planting, mechanical and other equipment screening, and site lighting of vehicle-related uses and screening requirements for all service areas. It is the intent of the City Council to protect the investment-backed expectations of property owners, and to accomplish conformity while allowing property owners a reasonable return on their investment.

B. **Applicability** The requirements of this Section apply to all of the following uses, provided they do not meet the standards referenced in paragraph C. below, where the affected lot abuts Roswell Road, or the lot is visible from the right-of-way of Roswell Road:

1. Fuel pumps;
2. ~~Gas~~ Fuel stations;

3. Vehicle sales and rental (major and minor); and

4. Vehicle service and repair (major and minor).

C. **Standards** The following requirements must be met where practicable:

1. Sec. 8.3~~2~~.2.B. regarding perimeter screening of parking lots;

2. Sec. 8.3~~2~~.4. regarding foundation planting~~;~~;

3. Sec. 8.3~~2~~.9. regarding screening~~; and~~;

4. Div. 8.~~4~~5 regarding site lighting~~.~~; and

5. Sec. 8.8.9.A. regarding screening for service areas.

D. **Time for Compliance**

1. The standards in paragraph C.1 through C.4 above must be met within 7 years of the effective date of this Development Code. The standards in C.5 above must be met within 3 years of the 5-Year Development Code Update.

2. Owners of property subject to this Section may apply for an extension of time at any time prior to or within 30 days after the expiration of the 7-year or 3-year period. Such application shall contain the following information:

   a. Name of the property owner making application;

   c. A statement from the property owner of how long of an extension is anticipated to be needed to ensure compliance.

   b. Address and tax parcel number of affected property;

3. Upon receipt of the application, the Director will review the request, including any steps taken to ensure compliance, and grant or deny the request. In no case may the extension exceed 6 months.

E. **Alternative Solutions**

1. Where the Director determines compliance with the standards of this Section are infeasible, due to site limitations or otherwise, alternative standards may be considered that meet or exceed the standards of this Section.

Section 1.2.1.

Sec. 1.2.1. Districts Established

In order to carry out the purpose and intent of this Development Code, the City is divided into the following zoning districts, as established on the Official Zoning Map in Div. 1.3. These districts are intended to implement the specific Character Areas established in the Comprehensive Plan, as set out in the table below.

The creation of new districts must be approved through the Planning Commission and City Council under the procedures for Legislative Review (see Div. 11.3) as a Text Amendment.

Character Areas and Zoning Districts		
Character Area Group	**Character Areas Implemented**	**Zoning Districts Permitted**
Protected Neighborhood	Protected Neighborhood	Residential Estate: RE-2, RE-1

		Residential Detached: RD-27, RD-18, RD-15, RD-12, RD-9, RD-7.5
	Conservation Area/Park	Parks: PK
		Conservation: CON
Urban Neighborhood	Urban Neighborhood	Residential Urban: RU-4, RU-3
	Urban Neighborhood, Powers Ferry	Residential Townhouse: RT-3
		Residential Multi-Unit: RM-3, RM-3/8
		Residential Mixed Use: RX-3, RX-3/6, RX-4, RX-5
Corridor & Node	Neighborhood Village	Office Neighborhood: ON-3
	Commercial/Mixed Use, Powers Ferry, Powers Ferry Village	Office Mixed Use: OX-3, OX-4, OX-5, OX-6, OX-8
		Commercial Mixed Use: CX-3, CX-3/6, CX-6, CX-6/8
	Mixed Use, Powers Ferry Village	Shopfront Mixed Use: SX-3, SX-3/6, SX-4, SX-6, SX-6/10
	MARTA Transit-Oriented Development	Transit-Mixed Use: TX-4, TX-6
	City Springs	City Springs: CS-3, CS-4, CS-5, CS-6, CS-6/8
	Commercial/Mixed Use	Industrial Mixed Use: IX-3
	Commercial/Mixed Use, Powers Ferry Village	Commercial Corridor: CC-3
	Mixed Use	North End Mixed Use: NEX-5/6, NEX-5/10/12
Perimeter	Perimeter Center	Perimeter Residential: PR-3, PR-5
	Perimeter Center, Perimeter Medical	Perimeter Mixed Use: PX-3, PX-5, PX-8, PX-10/12, PX-20/35
	Perimeter Medical	Perimeter Medical: PM-5, PM-8, PM-12/15, PM-20/35

Section 1.3.2.

Sec. 1.3.2. Interpretation of Map Boundaries

Where uncertainty exists with respect to the boundaries of any zoning district on the Official Zoning Map, the Director is authorized to interpret the boundaries using the following methods.

A. Where a district boundary line is shown as approximately following the centerline of a street or highway, or an extension of a street or highway, the district boundary is the centerline of that street or highway.

B. Where more than one district applies to a property, and the district boundary line is shown as running approximately parallel at a distance from a street, the distance from the centerline must be determined by the use of the map scale.

C. Where a district boundary line is shown as approximately following a lot line, the district boundary is the lot line.

D. Whenever any street, alley, ~~or~~ other public way, or un-zoned remnant property is vacated, ~~or~~ abandoned, or sold by official action of the City Council, or other state or local entity, the least intense zoning district adjoining ~~each~~ either side of the street, alley, ~~or~~ public way, or public property, will be automatically ~~extended to the center of~~applied to the street, alley, ~~or~~ public way or public property, as determined by the Director.

E. Where a boundary line is shown and its location is not fixed by any of the rules of this Division, its precise location is determined by scaling from streets, objects or structures shown on the Map.

Article 11. Administration

Sec. 11.6.2.

G. **Approval Criteria**

1. Variances will only be granted upon showing that:

a. The variance request would not result in negating the general intent of this Development Code or with the Comprehensive Plan policies;

b. The variance if granted will not be detrimental to the public safety, health, or welfare of the public or injurious to other property;

c. The conditions on which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property;

d. Because of the particular physical surroundings, shape, size, or topographical conditions of the specific property involved, an extraordinary hardship would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;

e. The variance requested is the minimum necessary to accomplish the development or building;

f. In the case of an amendment to a buffer or setback required by this Code, the variance application shows how equal or greater protection will be achieved of the adjacent property or natural resource affected by the proposed development, should the variance be granted; and.

g. Such conditions are not the result of action or inaction of the current property owner; and

~~a. The application of this Development Code would create an unnecessary hardship, and not merely an inconvenience to the applicant; or~~

~~b. There are extraordinary and exceptional conditions due to the size, shape, or topography, which are specific to the subject property and not generally found in similar properties that prohibits the proposed scope of work from being able to comply with the Development Code.~~

2. Failure of an applicant to obtain a land disturbance, building or any other permit required by this Code shall not in and of itself constitute a justification for a variance absent a showing of the criteria listed under Section 1 above.~~Further, the application must demonstrate that:~~

~~a. Such conditions are not the result of action or inaction of the current property owner; and~~

~~b. The variance request would provide the minimum relief necessary to make possible the reasonable use of the property; and~~

~~c. The variance request would result in development that is consistent with the general intent of this Development Code, with the Comprehensive Plan policies, and would not be detrimental to the public good, safety and welfare.~~

H. **Denied Application** Decisions of the Board of Appeals are final. Those not satisfied with a decision of the Board of Appeals may pursue an appeal ~~by filing a writ of certiorari~~ with the Fulton County Superior Court within 30 calendar days of the decision. Denial of an application bars resubmittal of the application for 1 year.

Sec. 11.6.4.

Sec. 11.6.4. ~~Reserved~~Stream Buffer Variance

~~B.~~ **Variance Procedures** Variances from ~~paragraph A~~Stream Buffer requirements as provided in Div. 9.2. ~~above~~ may be granted in accordance with the following provisions:

1. Where a parcel was platted prior to December 12, 2005, and its shape, topography or other existing physical condition prevents land development consistent with this Division, and the City finds and determines that the requirements of this Division prohibit the otherwise lawful use of the property by the owner, the Board of Appeals may grant a variance from paragraph A. above, provided such variance requires mitigation measures to offset the effects of any proposed land development on the parcel.
2. The Board of Appeals will follow the procedure set forth in Sec. 11.6.2.
3. Variances will be considered only in the following cases:

a. When a property's shape, topography or other physical conditions existing on December 12, 2005 prevents land development unless a buffer or setback variance is granted.

b. Unusual circumstances when strict adherence to the minimal buffer and setback requirements in this Division would create an extreme hardship.

4. Variances will not be considered when actions of any property owner of a given property after December 12, 2005 have created conditions of a hardship on that property.

5. At a minimum, a variance request must include the following information:

a. A site map that includes locations of all state waters, wetlands, floodplain boundaries and other natural features, as determined by field survey;

b. A description of the shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;

c. A detailed site plan that shows the locations of all existing and proposed structures and other impervious cover, the limits of all existing and proposed land disturbance, both inside and outside the buffer and setback. The exact area of the buffer and setback to be affected is accurately and clearly indicated;

d. Documentation of unusual hardship should the buffer and setback be maintained;

e. At least one alternative plan that does not include a buffer or setback intrusion, or an explanation of why such a site plan is not possible;

f. A calculation of the total area and length of the proposed intrusion;

g. A stormwater management site plan, if applicable; and

h. Proposed mitigation, if any, for the intrusion. If no mitigation is proposed, the request must include an explanation of why none is being proposed.

6. The following factors will be considered in determining whether to issue a variance:

a. The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;

b. The locations of all state waters, wetlands, floodplain boundaries and other natural features on the property, including along property boundaries, as determined by field survey;

c. The location and extent of the proposed buffer or setback intrusion;

d. Whether alternative designs are possible which require less intrusion or no intrusion;

e. The long-term and water quality impacts of the proposed variance; and

f. Whether issuance of the variance is at least as protective of natural resources and the environment.

Article 12. Definitions

Tweaks and some new development related definitions

TA23-0003(b), Articles 2 through 5 (Protected Neighborhoods, Urban Neighborhoods, Corridors & Nodes, and Perimeter Center)

Article 2. Protected Neighborhoods

Sec. 2.1.3. (Div. 7.2.)

Sec. 2.1.3. Parks District

The Parks district is intended for publicly-accessible parks and active or passive recreational facilities. Government facilities are permitted.

Sec. 2.1.4. (Div. 7.2.)

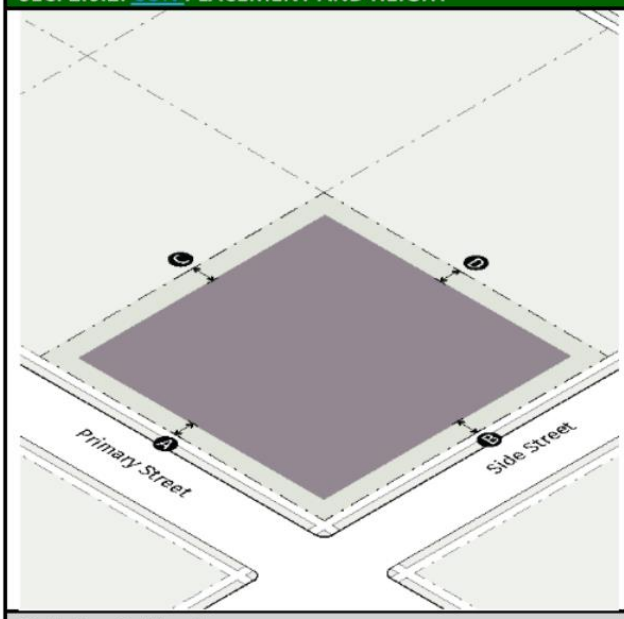
Sec. 2.1.4. Conservation District

The Conservation district is intended for land designated as permanent conservation, passive park or other open space. Lands within the district are intended to be predominantly unoccupied by buildings or parking; however, government facilities are also permitted.

Sec. 2.6.2.

Sec. 2.6.2. CON Placement and Height

SEC. 2.6.2. CON PLACEMENT AND HEIGHT



Building Setbacks		
A	Primary street	~~n/a~~10'-min
B	Side street	~~n/a~~10'-min
C	Side: common lot line	~~n/a~~ 10' min
D	Rear: common lot line	~~n/a~~ 10' min
Building Height		
	Maximum height	15' max

Article 3. Urban Neighborhoods

Sec. 3.1.1. (Div. 7.2.)

Sec. 3.1.1. Residential Urban (RU-)

The Residential Urban districts are intended for neighborhood-scale development including single unit detached residences on small urban lots. The districts also allow for limited civic, open space and park uses. The districts include:

A. **RU-4: Residential Urban** 4,000 square foot minimum lot size~~.~~

B. **RU-3: Residential Urban** 3,000 square foot minimum lot size~~.~~

Sec. 3.1.2. (Div. 7.2.)

Sec. 3.1.2. Residential Townhouse (RT-)

The Residential Townhouse district is intended for neighborhood-scale development including single unit attached and neighborhood unit residences on individual lots. The district also allows for limited civic, open space and park uses, as well as single unit ~~family~~ residences on small urban lots.

A. **RT-3: Residential Townhouse** 3 stories maximum height~~.~~

Sec. 3.1.3.

Sec. 3.1.3. Residential Multi-Unit (RM-)

The Residential Multi-Unit district is intended for neighborhood-scale development including residential living in multi-unit residences. The district also allows for limited commercial, civic, open space and park uses, as well as single unit ~~family~~ detached and attached residences.

A. **RM-3: Residential Multi-Unit** 3 stories maximum height~~.~~

B. **RM-3/8: Residential Multi-Unit** 3 stories base height, up to 8 stories with bonus

Sec. 3.1.4.

Sec. 3.1.4. Residential Mixed Use (RX-)

The Residential Mixed Use districts are intended for neighborhood-scale development including residential living in multi-unit ~~attached~~ residences with access to neighborhood-serving commercial uses on no less than 2% of the development's ground floor. The districts ~~also~~ allows for limited commercial uses, as well as civic, open space and

Article 4. Corridors & Nodes

Sec. 4.1.1.

Sec. 4.1.1. Office Neighborhood (ON-)

The Office Neighborhood district is intended for office and related commercial uses. The district- also allows for civic, open space and park uses, legacy office to residential multi-unit conversions, and age-restricted multi-unit. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. ON-3: Office Neighborhood, 3 stories maximum height

Sec. 4.1.2.

Sec. 4.1.2. Office Mixed Use (OX-)

The Office Mixed Use districts are intended for office, hotel and related commercial uses, as well as single unit attached residences, legacy office to residential multi-unit conversions, and age-restricted multi-unit. The districts also allow for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, ~~a~~ transition ~~area is~~ areas are required. The districts include:

A. OX-3: Office Mixed Use, 3 stories maximum height

B. OX-4: Office Mixed Use, 4 stories maximum height

C. OX-5: Office Mixed Use, 5 stories maximum height

D. OX-6: Office Mixed Use, 6 stories maximum height

E. OX-8: Office Mixed Use, 8 stories maximum height

Sec. 4.1.3.

Sec. 4.1.3. Commercial Mixed Use (CX-)

The Commercial Mixed Use districts are intended to provide for a variety of retail, service and commercial uses, as well as multi-unit residences. The districts also allow for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. CX-3: Commercial Mixed Use, 3 stories maximum height

B. CX-3/6: Commercial Mixed Use, 3 stories maximum base height, up to 6 stories with bonus

C~~B~~. CX-6: Commercial Mixed Use, 6 stories maximum height

D. CX-6/8: Commercial Mixed Use, 6 stories maximum base height, up to 8 stories with bonus

Sec. 4.1.4.

Sec. 4.1.4. Shopfront Mixed Use (SX-)

The Shopfront Mixed Use districts are intended to provide for a variety of retail, service and commercial uses, as well as upper-story multi-unit residences. In the Shopfront districts, a high degree of interaction between shoppers and other pedestrians and shopfront uses is desirable. The districts also allow for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. SX-3: Shopfront Mixed Use, 3 stories maximum height

B. SX-3/6: Shopfront Mixed Use, 3 stories maximum base height, up to 6 stories with bonus

~~B~~C. SX-4: Shopfront Mixed Use, 4 stories maximum height

~~C~~D. SX-6: Shopfront Mixed Use, 6 stories maximum height

E. SX-6/10: Shopfront Mixed Use, 6 stories maximum base height, up to 10 stories with bonus

Sec. 4.1.6.

Sec. 4.1.6. City Springs (CS-)

The City Springs districts are intended to implement the Sandy Springs City Center Master Plan, which is formed around a nucleus of civic facilities. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. CS-3: City Springs, 3 stories maximum height

B. CS-4: City Springs, 4 stories maximum height

C. CS-5: City Springs, 5 stories maximum height

D. CS-6: City Springs, 6 stories maximum height

E. CS-6/8: City Springs, 6 stories maximum base height, up to 8 stories with bonus

Div. 4.10.

Sec. 4.10.5. NEX- District Standards

A. **Primary Internal Street**

1. A continuous primary internal street must be established in any NEX- District. The street must connect to Roswell Road.

   a. **C-Street** Where the development site faces only Roswell Road, the primary internal street must connect with Roswell Road at a minimum of two points, providing a loop road servicing the entire development. Additional, or side streets may be necessary depending on whether they meet the block face lengths found in Sec. 10.3.1.

   b. **L/T-Street** Where the development site ~~is a corner lot facing Roswell Road at an intersection with a collector or higher designated street~~faces multiple streets including Roswell Road, the primary internal street must connect through the site from Roswell Road to the intersecting street or streets. At least one street connection to Roswell Road must be considered as a part of the primary internal street. Additional, or side streets may be necessary depending on whether they meet the block face lengths found in Sec. 10.3.1.

2. The ground floor of a multi-unit building facing a primary or internal primary street must be constructed to be ~~retail ready~~commercial-ready ~~(built to meet or exceed the minimum requirements for ground floor elevation, ground story height, transparency, and entrance spacing required for a retail use). Retail ready space is allowed to be occupied by any use allowed in the zoning district.~~ (See Sec. 6.6.2.E.).

B. **Phasing of Residential Construction** Where construction occurs in phases, each phase that includes multi-unit residential development must meet the following standards.

1. Each phase must maintain or exceed the required percentage of single unit residential required for the amount of multi-unit residential proposed.

2. Certificates of occupancy for any multi-unit residential may only be issued after the issuance of certificates of occupancy of the required percentage of single unit residential associated with the multi-unit residential.

3. No additional height associated with an affordable housing bonus is allowed prior to the construction of the necessary affordable housing units required to receive the bonus.

C. **Structured Parking**

1. Structured parking must not be visible from any ~~the adjacent primary or primary internal~~ streets of the development.

Div. 4.11.

Sec. 4.11.5. NEX- District Standards

A. **Primary Internal Street**

1. A continuous primary internal street must be established in any NEX- District. The street must connect to Roswell Road.

   a. **C-Street** Where the development site faces only Roswell Road, the primary internal street must connect with Roswell Road at a minimum of two points, providing a loop road servicing the entir

development. Additional, or side streets may be necessary depending on whether they meet the block face lengths found in Sec. 10.3.1.

b. **L/T-Street** Where the development site faces multiple streets including Roswell Road, the primary internal street must connect through the site from Roswell Road to the intersecting street or streets. At least one street connection to Roswell Road must be considered as a part of the primary internal street. Additional, or side streets may be necessary depending on whether they meet the block face lengths found in Sec. 10.3.1.~~a. Where the development site faces only Roswell Road, the primary internal street must connect at two points, providing a loop road servicing the entire development.~~

~~b. Where the development site is a corner lot facing Roswell Road at an intersection with a collecto or higher designated street, the primary internal street must connect through the site from Roswell Road to the intersecting street.~~

2. The ground floor of a multi-unit building facing a primary or internal primary street must be constructed to be ~~retail-ready~~commercial-ready (See Sec. 6.6.2.E.). ~~(built to meet or exceed the minimum requirements for ground floor elevation, ground story height, transparency, and entrance spacing required for a retail use). Retail-ready space is allowed to be occupied by any use allowed in the zoning district.~~

Article 5. Perimeter Center

Sec. 5.1.1.

Sec. 5.1.1. Perimeter Residential

The Perimeter Residential district is intended for residential living in attached single unit and multi-unit residences. The district also allows for limited commercial, and for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. PR-3: Perimeter Residential, 3 stories maximum height

B. PR-5: Perimeter Residential, 5 stories maximum height

Sec. 5.3.3. through 5.5.3.

		max
B	Minimum height	
	PX-3, PX-5	2 stories min*
	PX-8	34 stories min*
	PX-12	36 stories min*
		*See Div. 5.76.7 for Adjustedable Minimum Heightminimum height reduction

Article 6. Rules for All Districts

Sec. 6.1.1.B.

3. **Rear Lot Line**

   a. A lot line which is opposite and most distant from the primary street lot line.

   b. In the case of a lot that fronts on two streets, a lot may have no rear lot line.

   c. Where no lot line is clearly opposite to the primary street lot line or where there are multiple primary street lot lines, the lot line having the highest portion of its length serving as the rear lot line of abutting lots is the rear lot line. When a rear lot line cannot be determined in this manner, the rear lot line will be determined by the Director.

   ~~b. On irregularly shaped lots, the rear lot line is determined as the line connecting two points each measured 10 feet along the side lot lines starting from the intersection of the two side lot lines. This rear lot line is intended for the purpose of establishing the rear setback and lot depth only. When a rear lot line cannot be determined in this manner, the rear lot line will be determined by the Director.~~

Sec. 6.1.1.F.

1. Lot frontage is the length of any lot line abutting a primary street, side street, alley (for rear-loaded townhouses only) or courtyard (for a cottage court).

2. Every lot or unit on a lot must have frontage upon a public street, or private street designed and built to public standards, or meet the requirements of Development Patterns found in Div. 6.3.~~required courtyard for a cottage court.~~

Sec. 6.1.1.I.2.n.

n. **Pedestrian Amenity Space Allowance**

i. **General**

Pedestrian Amenity Space is a type of Outdoor Amenity Space intended to create a pedestrian-friendly environment, and therefore has more standards than other Outdoo Amenity Spaces. In addition to the standards below, Pedestrian Amenity Space is intended to be publicly accessible and located in close proximity to the public sidewalk. Examples include patios and plazas.

ii. **Standards**

The Director may approve outdoor amenity space meeting the requirements of pedestrian amenity space to fulfill the outdoor amenity space requirement. Pedestrian amenity space requirements include:

a) Each square foot of pedestrian amenity space counts as 2 square feet of the required outdoor amenity space.

b) Pedestrian amenity space must be accessible and usable by the public.

c) Pedestrian amenity space must have a minimum area of 400 square feet with no dimension less than 15 feet.

d) At least 25% of the pedestrian amenity space must abut and be directly accessible from the sidewalk of a primary street or side street.

e) Pedestrian amenity space cannot be separated from the sidewalk by any structure for more than 40% of the width of the amenity space.

f) The finished elevation of the pedestrian amenity space must be located at the same grade as the sidewalk or the ground story.

g) All building facades abutting the pedestrian amenity space must meet the transparency and entrance requirements of the zoning district.

h) A minimum of 15% of the pedestrian amenity space must be a planted area with trees or groundcover and a minimum of 25% of the pedestrian amenity space must be hardscaped.

i) Pedestrian amenity space cannot be used for vehicle parking or access, except for emergency access or permitted temporary events.

j) Mechanical equipment cannot be located in a pedestrian amenity space or between the pedestrian amenity space and the building.

Sec. 6.1.2.A.4.

4. **Irregular Rights-of Way** The Director may determine primary or side street setbacks will be measured from the back of curb when rights-of-way widths vary.

Sec. 6.1.2.B.3.e.

e. In all instances, mechanical equipment must be screened (see Sec. 8.3~~2~~.9.). and may not be located between the primary building and a primary street, unless the lot meets the following exceptions.

i. Where the primary building has multiple offsets in the street-facing façade, mechanical equipment must be located at least 15 feet behind the frontmost street-facing façade.

ii. In Protected Neighborhoods where the primary structure is located more than 100' from primary street lot line, mechanical equipment can be located between the building and primary street so long as the equipment is screened with a masonry wall.

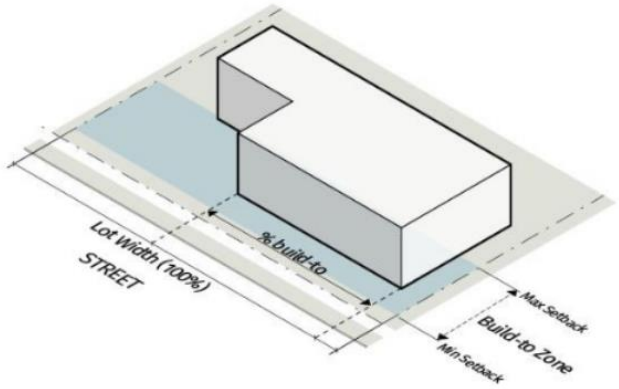
Sec. 6.1.2.C.

1. The build-to zone (BTZ) is an area of a lot or site where building facades, in whole or in part, must be located to satisfy the required build-to percentage. The build-to zone is the area between a minimum and maximum primary or side street setback, measured from the edge of the right-of-way or private street easement. Freestanding walls and opaque fences over 42" in height are prohibited within any BTZ. Other walls or fences that are part of a landscape design prepared by a licensed landscape architect may be permitted by the Director.

2. Where the build-to zone lies within a stream buffer or easement that does not allow construction, or buffers or setbacks as required by zoning conditions, transitional buffers or otherwise, the Director may waive the build-to requirement, in whole or in part.

3. The required percentage specifies the amount of the building façade that must be located in the ~~build-to zone~~BTZ. The percentage is calculated as the width of the street-facing building façade in the BTZ divided by the total width of the street-facing building façade. Where a proposed building will not fill the entire street frontage of a site, the longer façade of the building must be street-facing.

~~This percentage is calculated as the width of the building façade within the build-to zone divided by the total street frontage of the lot.~~



4. The width of a parking entrance into or through a building does not count towards the build-to requirement. However, in no case will access to an irregularly-shaped parcel that has no alternative access options be denied due to application of the build-to requirement. In all cases where access is necessary, a driveway of the minimum acceptable width for fire safety purposes is allowed, even where it reduces the building width below the required build-to percentage.

5. On a corner lot, a building must be placed within or abutting the area where the build-to zones of 2 intersecting streets overlap. The building must extend within the build-to zone for a minimum of 30 feet in both directions. If in neither direction, a proposed development has 30 feet of length, the building must be placed in the corner of the intersecting streets.

6. The ~~build-to-zone~~BTZ ~~-~~applies up to the height designated as the minimum height of a building. Upper stories beyond this point may be set further back or reduced in width.

7. The Director may allow a courtyard, ~~forecourt~~ plaza, or other similar pedestrian activated space ~~meeting the requirements of Sec. 6.2.4 is~~ meeting the requirements of pedestrian amenity space to be considered part of the building for the purpose of meeting the build-to requirement. A chamfered corner on the ground floor of no more than 20 feet in width that extends outside of the build-to zone is considered part of the building for the purpose of meeting the build-to requirement.

Sec. 6.1.2.G.

~~H~~5. **Parking Structures**

a. Required parking setbacks apply only to the ground floor of the parking structure.

b. In order to meet the parking setback requirement, parking structures must adhere to one of the following standards:

i. The ground story of a structure parking garage facing any street (not including an alley), ~~in the SX- District or where the -SH Frontage applies~~ must have active uses (such as, but not limited to, residential, commercial, office, or civic space, where permitted) within the parking setback. No active uses are required for portions of the parking structure located ~~interior to~~behind the minimum parking setback; or

ii. The entire parking structure must be constructed to be adaptable, requiring the floor plates to be level except to the minimum extent required for drainage, the structure must be constructed to accommodate standard design loads of office uses according to the International Building Code, and the floor-to-floor heights must be a minimum of 12 feet.

c. Parking structure screening is required (see Sec. 8.1.8.K).

Sec. 6.1.3.A.6.

6. For any building type other than residential single unit detached or attached, there is no restriction on the number of stories added on a lower, rear portion of a lot. This also applies to developments where the lower, rear portion of the lot abuts a new street required by the Development Code. When a new street is required, two additional stories may be constructed along the new street in the rear portion of the lot. However, any additional buildings fronting on the new street are required to meet the story maximum for the district.

Sec. 6.1.3.B.

B. **Minimum Height**

1. Where a minimum height of two or more stories is required, each required story must contain habitable space for at least 50% of the floor. A mezzanine can be used in lieu of a second floor upon request at the director's discretion.

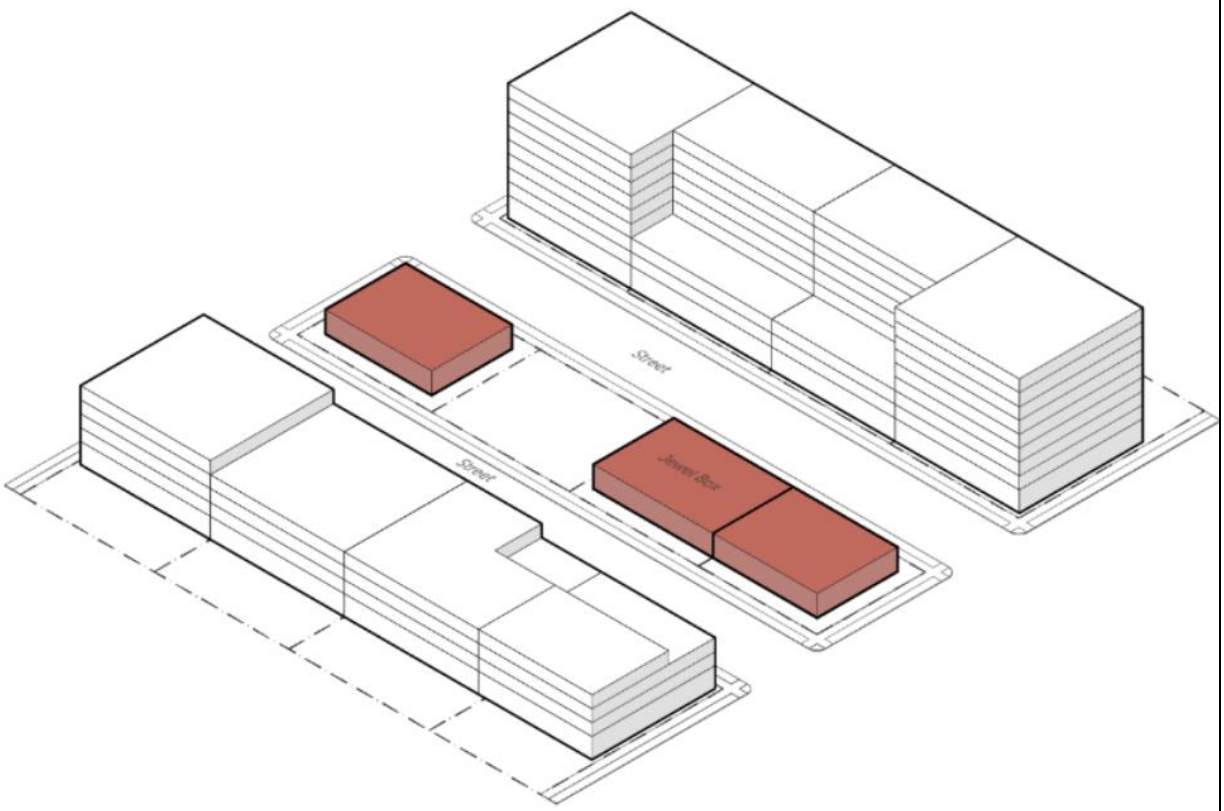
~~2. Up to 20% of the ground floor area of all buildings on a lot (or a development site, where approved by the Director - see Sec. 6.1.1) may be single-story, provided the ground story is at least 18 feet in height measured to the deck of a flat roof, and 24 feet in height as measured to the top of any street-facing parapet wall. This particular allowance does not apply to districts within the Perimeter Center that have a minimum height of 6 stories. For adjusted minimum height for districts that require a minimum of 6 stories within the Perimeter Center, see Div. 5.7.~~

2. The Director may allow the following buildings to be exempt from minimum height requirements:

   a. Buildings internal to a site not directly serviced by on-site parking or a drive-through, such as a jewel box building or kiosk, so long as it is integrated into the overall site plan.

   b~~3~~. Buildings with a footprint of 2,000 square feet or less.

   d. Buildings with single unit detached, single unit attached, or neighborhood unit uses.



Sec. 6.1.3.C.

3. The following accessory structures may exceed the established height, provided they do not exceed the maximum height by more than 18 feet, do not occupy more than ~~2~~50% of the roof area~~, are screened (see Sec. 8.2.9) and are set back at least 12 feet from the edge of the roof~~:

   a. Cabana, pool house, rooftop restaurant, or other amenity, and

   b. Pergola, trellis, gazebo, or other similar minor structure architecturally integrated with the building, and

   c. Elevator or stairway access to the roof; and

   d~~b~~. Mechanical equipment.

Sec. 6.1.3.D.

3. The Director may provide relief to the extent necessary from the maximum ground floor elevation requirements on sites with significant topography.

Sec. 6.1.3.F.

F. **Building Mass**

1. **Street-Facing Building Length** Street-facing building length is the maximum length of a building or structure facing a public or private street, and located within the build-to zone.

2. **Building Break Allowance**

   Buildings that meet one of the following standards, the Director may allow the maximum street facing building length to be exceeded.

   a. When a continuous structure provides an open space meeting the following requirements, the portions of the building on each side of the open space may be considered as a separate building:

      i. One building break per street-facing façade is allowed;

      ii. The open space must meet the requirements of Pedestrian Amenity Space;

      iii. The building break width must be at least 1/4 the width of the widest adjacent street-facing building length; and

      iv. The building break depth must be at least equal to the width of the open space or 20 feet, whichever is less.

   b. When a continuous structure provides an articulation to the building façade that meets the following requirements, each façade articulation may be considered as a separate building:

      i. Two portions of the street-facing building façade must have a variation in setback of at least 4 fee. The combined length of the setbacks must total no less than 25% of the length of the building.

      ii. Contrasting colors or material is used on the primary façade and the abutting façade setback to emphasize the articulation and variation along the street-facing building façade.

Sec. 6.1.4. Activation

A. **Transparency**

1. Transparency is the minimum percentage of windows and glazed doors that must cover a ground or upper story facade.

2. Transparency applies to primary and side street facing building facades only, and may be reduced or waived by the Director when particular conditions (such as required buffers or other visual obstructions) significantly reduce the visibility of the building from the public realm.

a. For single-unit attached, transparency applies to any façade visible from a street or path.

Sec. 6.3.1.
Tweaks to design parameters (see draft).

Sec. 6.3.2.
Creation of additional Design Patterns (see draft).

Div. 6.4.
Moved to Article 8. (see draft).

Sec. 6.5.1.

Sec. 6.5.1. Applicability

Any residential garage, parking, or paving-related construction~~ed~~ in the RD-, RU-, or RT- zoning districts and all single-unit attached development after the effective date of this code must meet the following standards. In addition to the standards provided below, attached and detached garages must meet all applicable requirements for either principal buildings or accessory structures as specified in this Code. This division also applies to the RE- zoning districts when specified and when the term "all" is used to describe which residential zones.

Sec. 6.5.2.

Sec. 6.5.2. Single Unit Detached Dwelling

A. **Front and Side Yard Paving**

1. Only one driveway is allowed for every 65 feet of residential frontage on a same lot. Only a single driveway is allowed on streets with a functional classification of Collector or Arterial.

B. **Garage**

1. In all residential zones, n~~N~~o attached garage may encroach into a required setback, except where:

a. ~~a~~An alley provides access, in which case the garage may encroach into the rear setback.

b. A residence with an existing street-facing garage or carport prior to December 1, 2005 may construct a garage that encroaches into the primary street setback if the following requirements are met:

i. The garage or carport is limited to 1-story in height, with no living space in an attic above the garage or carport;

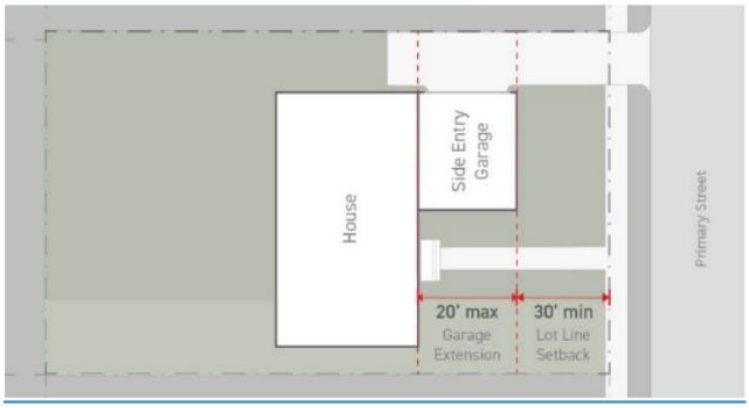
ii. The garage or carport must be constructed as a side or courtyard entry garage (see illustration below);

iii. The garage or carport must be positioned no more than 30 feet in front of the front wall plane of the house;

iv. The garage or carport can encroach a maximum of 20 feet into the primary street setback;

v. The garage must be at least 30 feet from the primary street lot line; and

vi. A single-car garage door, 10 feet in width or less, may continue to face the street if the existing garage door is a street-facing door.



2. Garage doors or carport entries must be positioned at least 5 feet behind the front wall plane of the house, extending no more than 40% of any street-facing width of the house. This requirement does not apply to side-entry garages. Architectural finish and windows must be provided for any side-entry garage wall facing a primary or side street.

5. Parking or storage of a junk or salvage vehicle constitutes an unlawful use, except that no more than 2 junk or salvage vehicles are permitted if parked or stored in a garage or carport not visible from a street or adjacent residential property.

6. In RX-, Corridor and Node districts, or Perimeter Center districts, all single unit detached development must be rear-loaded.

D. Specialized Vehicles

1. Specialized vehicles such as recreational vehicles, campers, trailers, motor coaches, boats, and boat trailers, may be parked or stored in all residential zones under the following conditions:

   a. The vehicles must not be used as permanent living quarters.

   b. The location of the parking area must be in the buildable area of the lot and not in front of the principal structure. Also, the surface of the area must be constructed as a parking area as described in Sec. 6.5.2.C.5. above.

   c. Specialized vehicles must be screened from view of adjoining properties and rights-of-way with a minimum 6-foot tall fence or wall meeting the standards of Sec. 8.3~~2~~.9. unless they are viewable for less than 48 consecutive hours as a visitor's means of transportation. Enhanced screening standards such as height, materials, or otherwise may be practically necessary to properly screen and may be requested at the discretion of the Director.

   d. For construction trailers, see Sec. 7.9.9.

C. **Parking Design & Location**

1. In required front setbacks, no parking pad is allowed, however a turnaround extension of no more than 200 square feet is allowed.

2. In RE- zones, there is a parking setback of twenty (20) feet from any property line, or the grading setback, whichever is less. Parking areas may alternatively be screened with evergreen trees (full to the ground and at least 6-feet tall at time of planting), as long as the surface parking is no less ten (10) feet from any property line or the grading setback (Sec. 9.4.2.), whichever is more, maintained in perpetuity.

3. The visible storage or parking of more than 4 vehicles at a single-family residence is unlawful.

4. In all residential zones, parking space lines, wheel stops, and other apparatus germane to commercial parking are prohibited.

Sec. 6.5.3.A.

4. On sites 3 acres or larger, the Director may allow up to 20% of the townhouses in the development to have front-loaded garages. The front-loaded garages must be located on streets internal to the site. Townhouses fronting on streets at the perimeter of the development site must be rear loaded.

Sec. 6.6.2.B.

2. **Prohibited**

a. Prohibited exterior building materials include:

~~i. exterior building materials which are not textured;~~

ii. non-architectural metal panel systems;

iii. ~~As-cast smooth~~Unfinished cast-in-place or precast concrete ~~or plain concrete~~vertical elements, e.g., walls, columns, exposed elevated slab edges ~~slabs~~(except as noted in 6.6.2.B.3.b.vii, below);

iv. ~~Plain~~ Exposed standard concrete masonry units (CMU);

v. ~~Plywood or press-wood; or~~ Softwood plywood grade B or lower, oriented-strand board and particle boards

vi. Vinyl siding.

b. Prohibited exterior building components, include: steel gates, burglar bars and ~~steel~~ roll-down security curtains. Interior security measures are not regulated.

3. **Required**

a. All exterior walls (not including windows and doors) for all new construction must consist of one or a combination of the following durable materials in the quantity required below:

i. Up to ~~7~~ten (10) vertical feet from grade: 100% durable materials; and

ii. Remaining building height: minimum 70% durable materials.

b. Durable materials include:

i. Clay Brick;

ii. Ceramic and Porcelain Tile;

iii. Dressed Stone with ~~weathered, polished or fluted face~~ rusticated, flamed, honed, polished, bush-hammered or other standard face finish;

iv. ~~Textured~~ traditional cement stucco (real stucco);

v. Architectural concrete masonry units (CMU) with fluted, split-face, ground, glazed or ~~brokenface~~ other architectural finish; painted standard CMU is not an acceptable finish

vi. Portland cement plaster and lath systems;

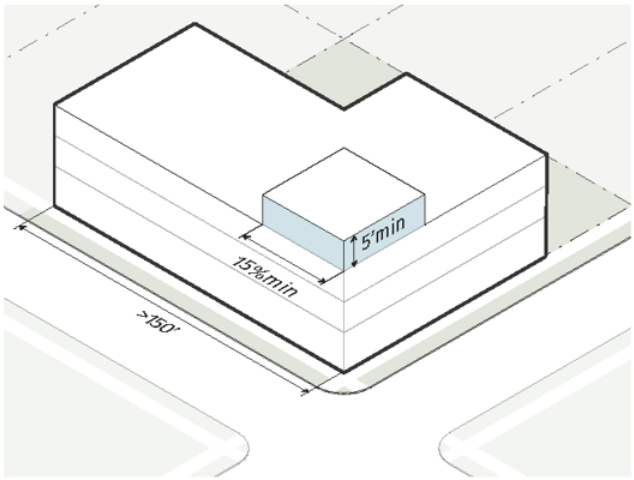
vii. Architectural (either cast-in-place, pre-cast or tilt-up) concrete ~~either fluted or with exposed aggregate finish~~ with a finish proposed by the architect and approved by the Director; or

viii. Fiber cement-board, painted

ix. Exterior Insulation and Finish Systems (EIFS) which employ a high-impact mesh as a system component.

c. Sloped roofs (pitch greater than 2:12) must be standing seam metal~~;~~ slate, concrete or metal roof tiles or composition shingles. A decorative parapet or cornice must be constructed along all flat roof lines (*i.e.*, roofs with slopes less that 2:12).

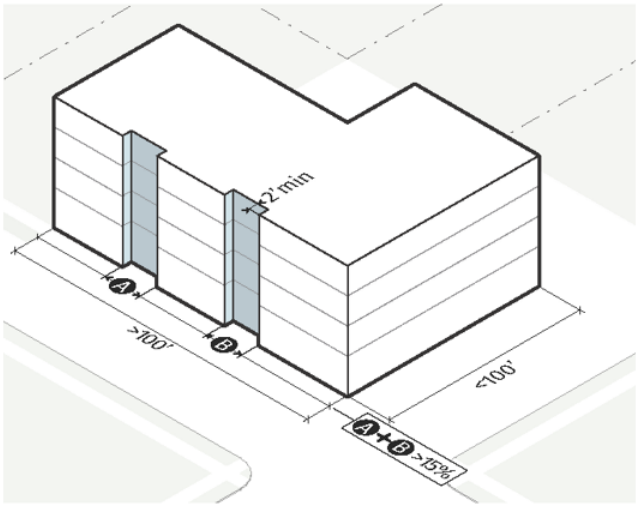
d. Alternate materials may be approved for use by the Director, provided they are considered equivalent or better than the listed materials.



2. **Articulation in Building ~~Facade~~Façade**

a. For buildings 100 feet or more in length, at least 2 portions of the street-facing building facade must have a variation in setback of at least 2 feet. The combination of the required variations in setback must total no less than 15% of the length of the building.

b. The Director may require contrasting colors or materials must be used on the primary façade and abutting façade setbacks to emphasize the articulation and variation along the street-facing building façade.



D. **Ground Floor Retail Tenant ~~SizeIn~~Size:** in the City Springs and Perimeter Districts, no ground floor retail tenant may occupy more than 30,000 contiguous rentable square feet. No variances to this standard are allowed; however, the Director may approve renovation of existing tenant spaces so long as the renovation does not increase the gross square footage of an existing tenant space.

E. **Commercial-Active Space** Where required by the zoning district or use, the ground story must be constructed to meet or exceed the minimum requirements for ground floor elevation, ground story height, transparency, and entrance spacing required for a retail or commercial use. Commercial-active space is restricted to only commercial use.

F. **Commercial-Ready Space** Where required by the zoning district or use, the ground story must be constructed to meet or exceed the minimum requirements for ground floor elevation, ground story height, transparency, and entrance spacing required for a retail or commercial use. Commercial-ready space is allowed to be occupied by any use allowed in the zoning district.

Div. 6.7.

Sec. 6.7.1. Applicability

A. Districts with a bonus height will qualify for additional height based on the Enhanced Community Benefits Matrix described in this Division. Districts with a minimum height may also qualify for reduced minimum height requirements based on the Enhanced Community Benefits Matrix and List in the Technical Manual.

B. Credits are allotted for any item included by a developer above the minimum if already required in the Development Code.

Sec. 6.7.2. Enhanced Community Benefit Matrix

Stories	Percent of Site	30%	40%	50%	60%	70%
Under 4	Reduction	8 credits	10 credits	26 credits	50 credits	75 credits
Under 3	Reduction	16 credits	20 credits	52 credits	70 credits	100 credits
Under 2	Reduction	24 credits	--	--	--	--
Up to 3	By right	--	--	--	--	--
Up to 4	Bonus	30 credits	40 credits	50 credits	60 credits	70 credits
Up to 5	Bonus	38 credits	50 credits	63 credits	75 credits	88 credits
Up to 6	Bonus	45 credits	60 credits	75 credits	90 credits	105 credits
Up to 7	Bonus	53 credits	70 credits	88 credits	105 credits	123 credits
Up to 8	Bonus	60 credits	80 credits	100 credits	120 credits	140 credits
Up to 9	Bonus	68 credits	90 credits	113 credits	135 credits	158 credits
Up to 10	Bonus	75 credits	100 credits	125 credits	150 credits	175 credits
Up to 11	Bonus	83 credits	110 credits	138 credits	165 credits	193 credits
Up to 12	Bonus	90 credits	120 credits	150 credits	180 credits	210 credits
Up to 13	Bonus	98 credits	130 credits	163 credits	195 credits	228 credits
Up to 14	Bonus	105 credits	140 credits	175 credits	210 credits	245 credits
Up to 15	Bonus	113 credits	150 credits	188 credits	225 credits	263 credits

Sec. 6.7.4. Community Benefit Impact Equivalency

A. Many of the Enhanced Community Benefit features are space and size contingent. To measure the impact of installment of Community Benefits, the following formula will be used and the resulting points will be added to the total credits established based the list above.

B. Square footage tallied from any items in either "Housing", "Tenants & Uses", or any parking related percentage may not be included in the calculating of the Community Benefit Impact Scale formula.

C. The formula will be calculated as follows:

1. **Formula Base Variables**

    a. Benefit Square Footage (*BSF*): BSF is the total square footage of amenity space above required OASIS for a site, and total square footage of community benefit site features above required seating in OASIS.

    b. Total Square Footage of site (*TSF*)

2. **Formula:**

    a. *BSF / TSF* = Square Footage Scale (*SFS*)

    b. *SFS* x 10 = Benefit Credit Equivalency (*BCE*)

    c. BCE x Initial Benefit Credit = Total Enhanced Community Benefit Credit

Article 7. Use Provisions

Sec. 7.3.1.

Sec. 7.3.1. Household Living

A. **Defined** Residential occupancy of a dwelling unit by a household. A household means one or more person related by blood, marriage, adoption, guardianship or other duly authorized custodial relationship, or up t unrelated persons, occupying a dwelling unit and living as a single housekeeping unit.

B. **Single Unit Detached**

1. **Defined** One dwelling unit on a single lot.

2. ~~**Additional**~~ Limited **Use Standards**

~~a. In the RM- District, new construction of single unit detached is allowed only to implement bon height (see Sec. 6.7.1).~~

a. In PX- and PM- Districts on sites 5 acres or larger, the total gross floor area of single unit detached, single unit attached, and neighborhood unit uses cannot exceed 50% of the total square footage of the development footprint.

C. **Single Unit Attached**

1. **Defined** Two or more dwelling units attached with common walls where each dwelling unit is locate on an individual lot and has its primary pedestrian access on the ground story.

2. **Limited Use Standards**

a. In PX- and PM- Districts on sites 5 acres or larger, the total gross floor area of single unit attached, single unit detached, and neighborhood unit uses cannot exceed 50% of the total square footage of the development footprint.

~~**Reserved**~~

D. **Accessory Dwelling, Guest House**

A. **Defined** A dwelling unit accessory to the principal dwelling on a single unit detached or single unit attached lot.

B. **Basic Use Standards**

a. A guest house must be located on a lot with a primary dwelling unit, and may be attached or detached from the primary dwelling unit.

b. No more than one guest house per lot allowed.

c. A separate kitchen facility is allowed.

d. Total heated floor area (HFA) must be less than 1,500 square feet.

e. When separate from the principal dwelling unit, minimum separation between buildings is 20

f. Principal building setbacks apply.

g. Height must be no greater than 2 stories.

h. When separate from the principal dwelling unit, the location is limited to the rear yard and must meet all district setbacks.

i. A guest house may be located over a garage, provided the location and size meet all other use standards.

E. **Neighborhood Unit**

1. **Defined** Two or more dwelling units on a lot designed to be at a scale that blends into a low-density neighborhood context.

2. **Basic Use Standards**

a. No more than one building per lot is permitted.

b. No more than 12 dwelling units per building are permitted, except as listed below.

c. Height must be no greater than 2.5 stories.

d. Buildings with a height greater than 2 stories must have a sloped roof of 6:12 or greater.

e. Street-facing building width must be no greater than 100 feet.

f. Any attached or detached garage or carport located on the same lot must be located behind the principal building.

3. Limited Use Standard

a. In RU- districts, no more than 4 dwelling units per building are permitted.

b. In ON- districts, Neighborhood Unit uses require a CUP and are only allowed on parcels with access onto a street with a functional classification as a collector or greater.

c. In PX- and PM- Districts on sites 5 acres or larger, the total gross floor area of single unit attached, single unit detached, and neighborhood unit uses cannot exceed 50% of the total square footage of the development footprint.

~~**Reserved**~~

~~E~~F. **Age-Restricted (55+) Unit**

1. **Defined** Two or more dwelling units on a lot, intended to be occupied by residents 55 year of age or older.

2. **Basic Use Standards**

a. Age-restricted units must follow all of the design standards required for multi-unit.

b. New construction or additions must adhere to the Federal Fair Housing Act standards for Age-Restricted Units, including the following standards:

i. A minimum of 80% of the units must be occupied by at least one occupant who is 55 years of age or older;

ii. The project developer must publish and adhere to policies and procedures that demonstrate the intent to operate as age-restricted housing; and

iii. The project developer must comply with HUD's regulatory requirements for age verification of residents.

c. **Limited Use Standards**

i. In RM- Districts, a new construction or addition project must provide a minimum of 10% of the total number of units in the development as single unit detached or single unit attached.

~~**Single Unit Attached**~~

~~1. **Defined** Two or more dwelling units in a row in which each unit is located on an individual lot and has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common walls.~~

~~2. **Additional Use Standards**~~

~~a. In the PX-3, PX-5 and PM-5 districts, single unit attached is not subject to the minimum height standards.~~

~~b. Single unit attached is not allowed in any PX- or PM-district allowing over 5 stories of height unless the proposed development meets the requirements provided in Div. 5.7. for Adjusted Minimum Height; in which case the single unit attached would have the following minimum lot parameters in addition to other applicable lot parameters provided in Article. 5.~~

~~Perimeter Center:~~

~~i. 1,300 SF minimum lot area.~~

~~ii. 16' minimum lot width.~~

~~A.~~ G. **Multi-Unit**

1. **Defined** A lot containing two or more attached ~~or detached~~ dwelling units. Multi-unit includes structures ~~apartments, condominiums and "stacked flats"~~ which are not designed and built to the Neighborhood Unit use standards.

2. **Basic Use Standards**

a. In addition to any storage space available within a particular residential unit, any multi-unit~~family~~ project with over 20 units must provide a minimum of 16 square feet of additional storage area, with a minimum height of 8 feet, for each residential unit. The storage space must be internal to the residential building or within an associated parking structure.

3. **Limited Use Standards**

a. In RM- Districts, a new construction or addition project must provide a minimum of 10% of the total number of units in the development as single unit detached or single unit attached.

b. In ON- Districts, multi-unit is only permitted with a Conditional Use Permit and the following standards apply:

i. Multi-unit is only allowed in existing buildings where the building was intended for a Commercial use for a minimum of 5 years prior to the application for a Conditional Use Permit.

c. In OX- Districts, the following standards apply:

i. Multi-unit is only allowed in existing buildings where the building was intended for a Commercial use for a minimum of 5 years prior to the application for a Conditional Use Permit.

ii. Multi-unit is only permitted on the third floor of a building and above.

iii. Multi-unit is permitted on the first and second floor of a building with a Conditional Use Permit.

d. The following districts require a minimum amount of commercial-ready space for street-facing portions of the development. The percentage determines the minimum amount of the street-facing building that must be constructed as commercial-ready space. The commercial-ready space must be a minimum of 25' deep when measured from the building façade into the interior of the building. When commercial-ready space is required, 20% must be used for a commercial use, or commercial-active space. The remaining 80% may have noncommercial uses in the commercial-ready space. The Director may vary the requirement based on the balance of commercial uses surrounding the site.

	Commercial-Ready	Commercial-Active
i.	CX- districts: 40% min.	8% min.
ii.	SX- districts: 50% min.	10% min.
iii.	TX- districts: 50% min.	10% min.
iv.	CS- districts: 50% min.	10% min.
v.	IX- districts: 60% min.	12% min.
vi.	CC- districts: 50% min.	10% min.
vii.	PX- districts: 60% min.	12% min.
viii.	PM- districts: 40% min.	8% min.

Sec. 7.5.1.

Sec. 7.5.1. General Standards

D. In RM- and RX- Districts, the following standards apply:

1. In the RM- District, the total gross floor area of commercial uses cannot exceed 25% of the total square footage of the development footprint.
2. In the RX- District, each commercial tenant space must not exceed 6,000 square feet in gross floor area, except for Grocery tenants. Grocery tenants must not exceed 15,000 square feet in gross floor area.
3. Hours of operation limited to 6AM-11PM, including all deliveries.
4. Drive-through or drive-in facilities are not permitted.

E. In all CX Districts located between Abernathy Road and US 285, each commercial tenant space must not exceed 30,000 square feet in gross floor area.

F. In a SX Districts located between Abernathy Road and US 285, each commercial tenant space must not exceed 30,000 square feet in gross floor area.

G. In CS District, each commercial tenant space must not exceed 30,000 square feet in gross floor area.

Sec. 7.5.14. Restaurant

A. **Defined** A facility that prepares and sells food and drink for on- or off-premises consumption. ~~Restaurant includes the following:~~ For information on drive-through facilities, see Sec. 7.8.3.

~~1. Brewpub (subject to the barrel limitation prescribed in O.C.G.A. Sec. 3-5-36).~~

~~2. Bakery, cake shop.~~

~~3. Coffee, tea shop.~~

~~4. Juice bar, smoothie shop.~~

~~5. Restaurant.~~

~~6. Yogurt or ice cream shop.~~

B. General Restaurant

C. **Neighborhood Eatery**

1. **Defined** An establishment that prepares and sells food and drink for on- or off-premises consumption that is limited in size. Examples include bakery or cake shop, bistro, brewpub (subject to the barrel limitation prescribed in O.C.G.A. Sec. 3-5-36.), coffee or tea shop, deli, juice or smoothie bar, ice cream shop, or similar.

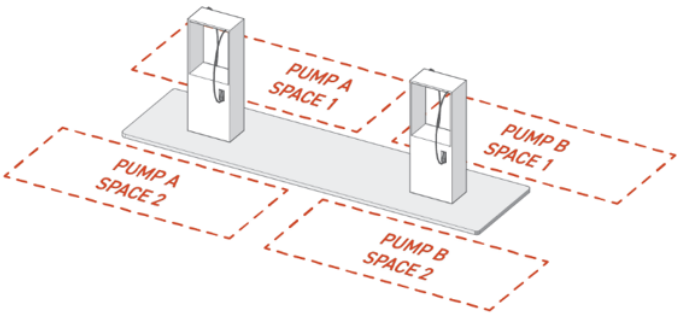
2. **Basic Use Standards**
   a. Each tenant space must not exceed of 3,000 square feet in gross floor area.
   b. Drive-through or drive-in facilities are prohibited.

Sec. 7.5.15.D.

1. **Defined** A retail facility that sells fuel for motor vehicles, with or without personnel. The facility may or may not include a convenience or other retail store.

2. **Basic Use Standards**

a. A fuel pump is considered to be a single fuel pumping apparatus. Fuel pumps are generally two-sided, with a fueling space on each side.



b. A canopy for fuel pumps or a fuel station must be architecturally-integrated with any associated commercial building on the site, and must not include any signs. Canopy support columns must be fully encased with materials that are complementary to those used on the main building. The canopy band face must be of a color consistent with the main structure. Primary or fluorescent colors must not exceed 10% of each canopy band face.

c. Any pavement associated with vehicles must be screened from view, except for drive entrances, using landscaping (see Sec. 8.3.2, Parking Lot Landscaping).

d. Fuel pumps must be located a minimum of 100 feet from the lot line of a Protected Neighborhood property.

e. Fuel pumps must be located a minimum of 10' from the build-to zone.

f. A masonry wall may count toward the minimum build-to requirement of the District provided the following standards are met:

i. The building must meet the minimum width requirements of Sec. 6.1.2.C.5;

ii. The masonry wall must have openings meeting the transparency requirements of Div. 6.3. and must provide similar architectural elements to the building, such as materials, cornices, and awnings; and

iii. The masonry wall is not required to meet the minimum story requirement of the District so long as the wall is a minimum of 12 feet in height.

g. Direct pedestrian access to the building is required for each street frontage.

h. Fuel pumps are permitted in any parking structure, where fuel pumps are a permitted use.

i. **Improvements to Existing Fuel Pumps, Fuel Stations**

i. Existing nonconforming stations as of the date of the adoption of this code may be upgraded, replaced or redeveloped when, as determined by the Director, such upgrade, replacement or redevelopment is for the purpose of remedying a use that is dangerous to the general public or to ensure that such use complies with any fire code, life safety code, or other safety ordinance or regulation.

ii. Fuel pumps or ~~gas~~ fuel stations may be upgraded, replaced or redeveloped, including an increase in building size but not an increase in the number of pumps, on the existing site with the approval of the Director.

j. **Expansion of Fuel Pumps at Existing Fuel Stations**

i. Existing nonconforming fuel pumps as of the date of the adoption of this code may be expanded in accordance with this section when, as determined by the Director, such expansion is for the purpose of remedying a use as that is dangerous to the general public or to ensure that such use complies with any fire code, life safety code, or other safety ordinance or regulation.

ii. The Director may approve the addition of up to 4 fuel pumps to an existing site, provided the following standards are met:

a) The Director determines the site has adequate room for additional fuel pumps and vehicle spacing;

b) The building façade and fuel canopy have been brought into compliance with all of the standards of this Code;

c) The vehicle and pedestrian access points have been brought into compliance with all of the standards of this Code;

d) All paved areas have been screened in accordance with Sec. 8.3.2. Parking Lot Screening; and

e) Any nonconforming signs on the property have been removed.

~~Fuel pumps or gas stations may be expanded to an adjacent site with conditional use permit approval by the City Council.~~

k. **Relocation of Existing Fuel Pumps or Fuel Stations**~~–~~

Existing f~~F~~uel pumps or ~~gas~~ fuel stations may be relocated to an alternative site within the CX-, CC- or IX- districts with a C~~c~~onditional U~~u~~se P~~p~~permit approval by the City Council. Any new fuel pumps or gas station must be located at least ½-mile from any existing fuel pump or gas station. The ½-mile measurement must be taken without regard to the City limits of Sandy Springs and is measured to the property line, regardless of where the fuel pumps are located on the site. Conditional U~~u~~se P~~p~~permit approval is predicated on the elimination of an existing site with fuel pumps or ~~gas~~ fuel station and the mitigation of the former site such that it is ready for any other permitted use in the district.

d. ~~Open~~

~~A canopy for fuel pumps or a gas station may be considered to meet the build to requirement of this Development Code, provided it is located within the build-to zone, isshall be architecturally integrated with any associated commercial building on the site, and does shall not include any signs. Canopy support columns shall be fully encased with materials that are complementary to those used on the main building. The canopy band face shall be of a color consistent with that of~~

~~the main structure or an accent color. Primary or fluorescent colors must not exceed ten percent (10%) of each façade.~~

f. ~~Any pavement associated with vehicles must be screened from view, except for drive entrances, using landscaping (see Sec. 8.2.2, Parking Lot Landscaping).~~

g. ~~No fuel pumps or gas station apparatus may shall be located within 10050 feet of the lot line of a Protected Neighborhood property.~~

Sec. 7.5.16.

k. Car vending machines are not permitted on the property.

D. **Vehicle Showroom**

1. **Defined** A facility that showcases and sells, rents or leases passenger vehicles, trucks, ~~and~~/or other consumer vehicles such as motorcycles, boats and recreational vehicles.

2. **Basic Use Standards**

a. All vehicles on must be displayed indoors.

c. No vehicle maintenance or repair apparatus can be located on site.

d. Total square footage of the business and its operations must not exceed 5,000 square feet.

Sec, 7.6.3.

D. Film Studios

1. **Defined** Facilities for the production of film, including stages, exterior sets, sound recording facilities, related commercial vehicles, and accessory fabrication activities.
2. **Limited Use Standards**
   a. In CX- and OX- districts, film studios are limited to 20% of the site.
   b. In PX- districts, film studios must be located on sites with a minimum size of 4 acres and are limited to 50% of the site.

Sec. 7.6.4. Research and Development

A. **Defined** A facility focused primarily on the research and development of new products. Research and development includes the following:

1. Laboratories, offices and other facilities used for research and development by or for any individual, organization or concern, whether public or private.
2. Prototype production facilities that manufacture a limited amount of a product in order to fully investigate the merits of such a product.
3. Pilot plants used to test manufacturing processes planned for use in production elsewhere.

B. **Life Sciences, Bio-Safety Level 1**

1. ~~1.~~ **Defined** BSL-1 labs are used to study infectious agents or toxins not known to consistently cause disease in healthy adults. They follow basic safety procedures, called Standard Microbiological Practices and require no special equipment or design features. Standard engineering controls in BSL-1 laboratories include easily cleaned surfaces that are able to withstand the basic chemicals used in the laboratory.

2. **Basic Standards**
   a. Life Sciences, Bio-Safety Level 1 is not permitted on lots that directly abut a Protected Neighborhood or Urban Neighborhood district.
   b. Buildings with Life Sciences, Bio-Safety Level 1 uses are not permitted to be within 100' from any Protected Neighborhood, RU-, or RT- district.

C. **Life Sciences, Bio-Safety Level 2**

1. ~~2.~~ **Defined** BSL-2 laboratories are used to study moderate-risk infectious agents or toxins that pose a risk if accidentally inhaled, swallowed, or exposed to the skin. Design requirements for BSL-2 laboratories include hand washing sinks, eye washing stations in case of accidents, and doors that close automatically and lock. BSL-2 labs must also have access to equipment that can decontaminate laboratory waste, including an incinerator, an autoclave, and/or another method, depending on the biological risk assessment.
2. **Basic Standards**
   a. Life Sciences, Bio-Safety Level 2 is not permitted on lots that directly abut a Protected Neighborhood or Urban Neighborhood district.
   b. Buildings with Life Sciences, Bio-Safety Level 2 uses are not permitted to be within 200' from any Protected Neighborhood, RU-, or RT- district.

D. These requirements are in addition to, and do not replace or supersede, any other applicable requirements established under state law, and approval of or exemption from these requirements does not constitute approval of or exemption from requirements established under state law or from other applicable local, county, state, or federal regulations.

Sec. 7.6.7.

C. Self-Service Storage, Mini-Warehouse

1. **Defined** Facilities providing separate storage areas for personal or business use designed to allow private access by the tenant for storing or removing personal property. May include accessory sales of boxes, tape and other packing-related materials. Does not include truck rental.

2. **Basic Use Standards**

   a. An existing self-storage or mini-warehouse may be upgraded on its existing site with approval of the Director, provided it meets all the basic use standards.

   b. No outside storage is allowed, including vehicle or trailer leasing.

   c. All buildings must be at least two stories tall and have windows ~~or architectural treatments that appear as windows~~at 50% transparency for every level. Roller/storage unit doors must not be visible from any exterior point. The transparency requirement is for the three most visible sides (from a street or streets) of the building, as determined by the director.

   d. Storage buildings must be finished with brick or stone for a minimum of 80% of the three most visible sides (from a street or streets) of the building.

   e~~d~~. No activities other than the dead storage or transfer of nonvolatile goods or leasing of storage space are permitted within the storage establishment or portion of any development.

   f~~e~~. Prohibited accessory uses include, but are not limited to, the following:

      ~~i. Miscellaneous sales;~~

      i~~i~~. Fabrication or repair of vehicles, equipment or other goods;

      ii~~i~~. Transfer-storage business based on-site;

      iii~~v~~. Residential uses (other than the resident manager's apartment); or

      iv. Any use which creates a nuisance due to noise, odor, dust, light or electrical interference.

Sec. 7.8.3.

Sec. 7.8.3. Day Care

A. **Defined** A facility meeting the definition of Sec. 7.5.5. Day Care.

B. **Basic Use Standards**

Day care as an accessory use is only permitted when the following standards are met:

1. The day care must be associated with a permitted place of worship or private school (K-12); and
2. The day care must meet all the use standards of Sec. 7.5.5. Day Care.
3. Day care facilities in association with a place of worship do not require a separate conditional use permit.

Sec. 7.8.5.

Sec. 7.8.5. EV Charging Facility

A. **Defined** A facility that provides electric vehicle infrastructure for the purpose of charging electric vehicles as an accessory to another primary use.

1. **Charging Level** The standardized indicators of electrical force, or voltage, at which an electric vehicle's battery is recharged:

   a. **Level 1** The slowest type of charging equipment plugs directly into a standard 120-volt AC outlet supplying an average power output of 1.3 kW to 2.4 kW.

   b. **Level 2** Considered medium charging; typically requires a 40-100 amp breaker on a 240-volt AC circuit.

   c. **Level 3 or greater** Considered rapid charging; typically requires a 60 amp or higher dedicated breaker on a 480-volt or higher three (3)-phase circuit with special grounding equipment. DC fast charging uses an off-board charger to provide the AC to DC conversion, delivering AC directly to the car battery.

2. **Electric vehicle infrastructure** The structures, machinery, and equipment necessary and integral to supporting an electric vehicle, including the electrical conduit and wiring requirements for the installation of electric vehicle charging equipment.

B. **Exempt** The following EV charging facilities are exempt from these regulations:

   a. **Single unit residential** Charging facilities located on single unit detached or attached lots designated as private, restricted use only. All installations must comply with the placement and screening requirements of mechanical equipment found in Sec. 6.1.2.B.3. and Sec. 8.3.9.

   b. **Enclosed in parking structure** Any EV charging facilities located within an enclosed parking structure or garage. These installations must comply with the signs and maintenance requirements below.

C. **Basic Use Standards**

   a. **Signs**

      i. Signs must be posted identifying voltage and amperage levels and use, fee, and safety information related to the EV charging facility.

      ii. Signs must be posted at public EV charging facilities indicating that the space is reserved for EV charging purposes only. For purposes of this provision, "charging" means that an electric vehicle is parked at an EV charging facility and connected to the battery charging station equipment, otherwise known as "actively charging."

      iii. Prohibited signs (Sec. 8.4.3.) are not allowed.

      iv. Level 2 charging facilities must have no more than 25% of the total charger used for signs or an otherwise illuminated display. Level 2 charging facilities do not require a sign permit but will instead be verified as a part of the building permit. This sign percentage requirement does not apply when the charger is located within a parking structure or garage.

v. Level 3 or greater charging facility must have no more than 50% of the total charger used for signs or otherwise illuminated display. Level 3 or greater charging facilities do not require a sign permit but will instead be verified as a part of the commercial building permit. This sign percentage requirement does not apply when the charger is located within a parking structure.

b. No portion of the EV charging facility can impede pedestrian, bicycle, or wheelchair movement, or create a safety hazard.

c. EV charging facilities, including electrical transformers and other mechanical equipment associated with the charger, must conform to any applicable screening requirements in Sec. 8.3.9.

d. All proposed or improved on-street parking is required to install conduit for future EV charging facilities.

e. A Level 2 charging facility must be no wider than 24 inches at any point, not including the plug handle, hook, hose, and related components.

f. A group of 6 or more Level 3 or greater EV charging facilities is considered a designation EV installation and must be an accessory to a primary retail use.

g. An EV charging facility must be located a minimum of 10 feet from the build-to zone. In Perimeter Districts, the charger must be located a minimum of 20 feet from the build-to zone.

h. A masonry wall may count toward the minimum build-to requirement of the District provided the following standards are met:

i. The building must meet the minimum width requirements of Sec. 6.1.2.C.5;

ii. The masonry wall must have openings meeting the transparency requirements of Div. 6.3. and must provide similar architectural elements to the building, such as materials, cornices, and awnings; and

iii. The masonry wall is not required to meet the minimum story requirement of the District so long as the wall is a minimum of 12 feet in height.

i. EV charging facilities must be maintained, including the functioning of the equipment. A phone number or other form of contact information must be provided on the equipment to report when it is not functioning, or other problems are encountered.

j. EV charging facility canopies must be architecturally integrated with any associated commercial building on the site and not include any signs. Canopy support columns must be fully encased with masonry materials that are complementary to those used on the main building. The canopy band face must be of a color consistent with that of the main structure or an accent color. Primary or fluorescent colors must not exceed 10% of each canopy band face.

k. No charging facility may be located within 50 feet of the lot line of a Protected Neighborhood.

l. **Existing Fuel Pumps or Fuel Stations**

Level 2 charging facilities may be installed at existing fuel pumps on existing parking spaces, so long as they are at least 10 feet from any build-to zone. Level 3 or greater charging facilities may replace existing fuel pumps on a site.

Sec. 7.8.8.

Sec. 7.8.8. Fuel Pumps

A. **Defined** A facility for the sale of motor vehicle fuel, typically located on the same lot and associated with a retail use.

B. **Basic Use Standards**

1. Up to 8 fuel pumps may be established as an accessory use to an existing retail use that has a minimum floor area of 35,000 square feet.
2. The fuel pumps must not impact the compliance of any other use on the site with any requirement of this Code.
3. The fuel pumps must meet all of the requirements of this Code, including build-to, landscape screening, and signs.
4. No convenience sales or vending machines are allowed in association with the fuel pumps.
5. The proposed site layout will be reviewed by the Director for compliance with vehicle stacking, vehicle access, and pedestrian access requirements.
6. **Existing Accessory Fuel Pumps**
   a. Sites with existing accessory fuel pumps may expand to provide a maximum of 8 fuel pumps without meeting the build-to requirement. All other use standards apply.

ARTICLE 8.
SITE DEVELOPMENT

Div. 8.1. General Provisions

Sec. 8.1.1. Applicability

A. Standards apply based on the type of activity proposed, as shown in the table below. For all zoning districts, the development standards apply as shown in the table below:

Development Activity	*6.2 Building Design Standards*	*8.1 Parking*	*8.2 Site Landscaping*	*8.2 Screening*	*8.3 Signage*	*10.3 Driveways and Cross-Access Connections*	*9.6.3 Stormwater Management*	*9.6.3 Water Quality*	*10.4 Streetscape Improvements*	*All Standards*	*Additional References*
Parking Area Expansion											
Minor: <1,000 sf		□	□	□	□	□		■			
Major: >1,000 sf		■	■	■	■	■	■	■	■		
Site Modification											
Remediation Due to Disaster (Fire, Flood, etc.)					■						
Re-occupation after Extended Vacancy (Greater than 180 days)			■	■	■	□					
Site Disturbance <1,000 sf of site				□	■	□		■			
Site Disturbance 1,000 sf-5,000 sf of site	□			■	■	□	■	■			
Site Disturbance >5,000 sf of site		□	■	■	■	□	■	■			
Building Renovation or Expansion											

-	**Renovation Due to Disaster** (Fire, Flood, etc.)	□	.	.	.	■	.	.	.	.	.	-
-	**Re-occupation after Extended Vacancy** (Greater than 180 days)	■	■	■	■	■	■	:	:	.	.	-
-	**Renovation without Expansion:** <50% of FMV of building	□	.	□	■	■	.	.	.	.	.	-
-	**Minor Expansion:** <25% of Total Floor Area	□	□	□	■	■	□	:	:	■	.	6.1.2
-	**Substantial Renovation without Expansion:** >50% of FMV of Building	□	□	□	■	■	□	:	:	.	.	-
-	**Partial Expansion** 25%-<>50% of Total Floor Area	□	■	□	■	■	■	:	:	■	■	6.1.2
-	**Major Expansion:** >50% of Total Floor Area	■	■	■	■	■	■	:	:	■	■	6.1.2
	Façade Modification					■						
■	*Compliance with all applicable standards required*											
□	*Compliance required of only the expanded building or lot area only to the extent practical*											

B. Where a section applies according to the table above, the project activity must meet all of the applicable requirements in that Section. Where a Section is listed as not applying, no requirements in that Section apply.

C. The general applicability in this Section may be further modified by the detailed provisions of that Section.

Sec. 9.4.2.G.

4. **Common, side street, and rear grading setback exceptions**

The following may be granted exceptions from common, side street, and rear grading setback requirements:

a. Where a building setback encroachment is allowed (certain accessory structures and site elements) for site area within the grading setback, the grading is permitted with the installation of a mitigation zone (Described under "Mitigation Zone" below), and;

b. Also, where a side or rear yard is the only feasible option for a construction entrance, grading disturbance may be approved by the Director, so long as the width of the area of activity within the buffer does not impact an existing tree with a 15" DBH or greater and is replaced with a mitigation zone.

c. **Mitigation Zone:** Regardless of the original state of the affected grading buffer area, mitigation in the form of plantings, a mix of evergreen and deciduous trees, and shrubs is required per the prescription provided:

i. The mitigation zone must be at least 5 feet deep bordering the entire project area within the grading setback;

ii. Evergreen trees spaced at 1 per 25 linear feet, minimum of 1, full to the ground and at least 6 feet tall at the time of planting;

iii. Understory trees spaced at 1 per 25 linear feet, minimum of 1, with a minimum caliper of 2 inches;

iv. Shrubs spaced 8 per 25 linear feet, minimum of 8, with a minimum size of 3; and

v. Additional BMPs determined to be necessary by the Director to preserve existing vegetation.

45. In all districts, resulting graded slopes must not exceed 3 feet (horizontal) to 1 foot (vertical). Steeper slopes may be approved by the Director upon certification of stability by a soils engineer or geologist.

6. Any unauthorized clearing and grading must replant the cleared area according to the requirements of the Mitigation Zone in Sec. 9.4.2.G.4.c.

Sec. 9.4.3.

iii. **Interior Facing**

a) Retaining walls that are entirely interior facing are permitted up to 12 feet in exposed height. This includes Wing Walls (retaining wall extensions from the building foundation walls that allow daylighting of a basement and/or egress from a basement) that are inward facing and finished with a permitted material finish.

1. **Setbacks**

If they are to encroach into building setbacks and are entirely inward facing the walls ~~shall~~must be a maximum of six (6) feet in exposed wall height and meet the retaining wall setback requirements found in Sec. 9.4.3.C. below.

2. **Length**

Maximum length of any wall exceeding the normal maximum retaining wall height is 36 feet (based on the maximum 3:1 allowable grading slope). Any length of wall past 36 feet ~~shall~~must meet the requirements of a retaining wall as outlined above.

b) The Director may permit retaining walls that are entirely interior facing on campuses with civic or institutional uses to have up to 24 feet in exposed height. This includes wing walls that are finished with a permitted material finish.

iv. Exterior Facing

Retaining walls that are exterior facing and at least 100' from a street lot line and 75' from a common lot line are permitted up to 12 feet in exposed height. This includes wing walls that are finished with a permitted material finish.

Sec. 9.5.3.

C. **General Standards**

1. The following uses are permitted within the 100-year floodplain:

a. Agriculture, including forestry and livestock raising, requiring no structure. Agriculture and forestry access roads are permitted provided they are constructed in conformance with the development regulations.

b. Dams, provided that they are constructed in accordance with the requirement of this article, the United States Department of Agriculture Soil and Conservation Service and when applicable, meet the specifications of the U.S. Army Corps of Engineers and/or the Georgia Department of Natural Resources.

c. Fences having sufficient open area to permit the free flow of water and/or debris.

d. Identification, regulatory and warning signs.

e. Public and private parks and recreational areas including boat ramps and docks and other functionally dependent uses not including temporary or permanent structures; provided, such use is approved by the department of community development and, if applicable, the U.S. Corps of Engineers.

f. Parking.

g. Utility lines, pipelines, sewers, roads and stream crossings (if no other means of access is available), and similar features, provided they are constructed in such a manner as to permit the free flow of waters.

Sec. 9.5.4.

Sec. 9.5.4. Flood Damage Reduction

A. **General Standards** In all areas of special flood hazard and areas of future-conditions flood hazard the following provisions apply:

1. New construction and substantial improvements of structures (residential or nonresidential), including manufactured homes, ~~shall~~will not be allowed within the limits of the future-conditions floodplain, unless all requirements of Sec. 9.5.3 have been met.

2. If, due to site conditions, an existing single-family residential structure cannot comply with section 9.5.4.A.1, the structure may be elevated in accordance with either section 9.5.4.B.1.C or section 9.5.4.B.1.d: provided however, section 9.5.4.A.5 ~~shall~~will apply to all elevated structures regardless of whether section 9.5.4.B.1.c or section 9.5.4.B.1.d applies.

Sec. 9.5.4.B.

c. **Elevation of existing structures via jacking on existing foundation** An existing structure that ha been substantially damaged or is proposed for substantial improvement may be elevated by jacking, intact, on an existing foundation, provided the criteria of section 9.5.4.A.5 are met in addition to the following criteria:

i. No elevated structure can exceed the original geometric footprint area or horizontally expand living space into or over the future conditions floodplain;

ii. Foundations must contain a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding as provide in 44 C.F.R. § 60.3;

iii. The bottom of all openings must be no higher than one foot above grade; and

iv. Openings may be equipped with screens, louvers or other coverings provided they permit the flow of floodwater in both directions.

d. **Elevation of existing structures via demolition and rebuilding on an equivalent footprint area** An existing structure that has been substantially damaged or is proposed for substantial improvement may be demolished and relocated on the lot such that the passage of water is facilitated or the floodplain is otherwise enhanced or protected, provided the criteria of section 9.5.4.A.5 are met in addition to the following criteria:

i. No elevated structure can exceed the original footprint area or increase the net encroachment into or over the floodplain; and

ii. Foundations must be designed to resist anticipated hydrodynamic loads, potential for debris impact, and scour pursuant to FEMA Technical Bulletin I (August 2008). Foundation must be designed with the following criteria:

a. The total area of the walls below the base flood elevation exposed to flood waters must be at least 50 percent open. Wall openings must be distributed along all walls exposed to flood waters;

b. The bottoms of all wall openings must be at grade;

c. Garage doors not allowing the natural flow of floodwaters when closed must not be considered wall openings; and

d. Openings may be equipped with grilles, louvers, or bars provided they allow the natural flow of floodwater in both directions.

Article 10. Streets & Improvements

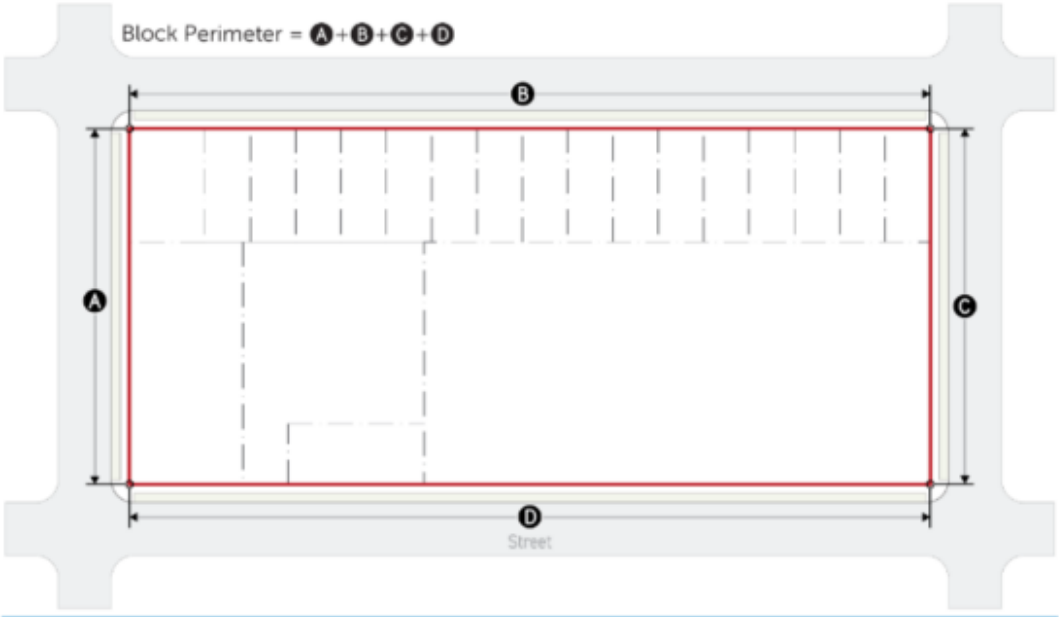
Div. 10.4.

Sec. 10.3.1.A.

	Block Face	Maximum Block Perimeter
Protected Neighborhoods		
RE-	n/a	n/a
RD-27, RD-18, RD-15, RD-12	1,320' max	3,960' max.
RD-9, RD-7.5	660' max	2,400' max.
PK, CON	n/a	n/a
Urban Neighborhoods		
RU-, RT, RM-, RX-	660' max	2,000' max.
Corridors and Nodes		
OX-, CX-, SX-, NEX-	660' max	2,000' max.
TX-, CS-	500' max	2,000' max.
IX-, CC-	660' max	2,000' max.
Perimeter Center		
PRL-, PXL-, PXM-, PXH-, PMH-	500' max	2,000' max.

Sec. 10.3.1.B,

6. Block perimeter is the total length measured along all lot lines abutting public or private streets.



BACKGROUND

The Next Ten Comprehensive Plan Policy E recommends a review of development management tools to implement the vision and goals of the Comprehensive Plan, Small Area Plans, and other planning documents. Both the 10 Key Actions for the Next Ten and Policy LU-E1 recommends comprehensive updates to the Sandy Springs Development Code. Furthermore, the Next Ten Community Work Program item LU-E1.1 recommends that staff conduct a comprehensive review of the Development Code in 2022 and 2023.

Over the last 13 months, city staff have worked toward execution of this comprehensive review of the city's Development Code. Staff, with the assistance of consultant Code Studio, have received input from a variety of stakeholders, including residents and neighborhood groups, business and property owners, contractors and developers, and the Planning Commission as well as overall policy guidance from the Mayor and City Council to help formulate a recommended 5-Year Development Code Update. The code review process consisted of three (3) distinct phases:

1. Phase I (Intake) - Hosted more than 25 stakeholder meetings covering a range of topics and facilitated discussion with Council at the 2023 Retreat; met with residents, business owners, Planning Commissioners, electric vehicle and gas station representatives, hotel and hospitality industry representatives, office and medical industry representatives, civic institutions, developers, residential home builders, automotive dealers, attorneys, and others.

2. Phase II (Draft) - Worked amongst relevant staff and the consultants' background and code expertise to clean up technical aspects of the existing Development Code, as well researching and proposing edits to the topics deemed by Council to be of particular priority to the City's vitality.

For the Mayor and City Council's September 19 Work Session, city staff and the consultants at Code Studio presented the initial Development Code Update draft after a thorough input process and direction from Council earlier in the year. City staff and Code Studio replicated the work session the following evening with the Planning Commission at their Special Called Work Session on September 20.

3. Phase III (Publication and Adoption) – Staff published draft Development Code documents on the City’s website, accepted public feedback, and finalized the draft, including:

- September 22: Online posting of the initial proposed draft to the dedicated Development Code Update webpage (spr.gs/development)
- September 26 – October 18: Online comment form input/submittal period (in addition to the traditional forms of available public comment submission)
- September 26: Public Open House hosted at City Hall
- November 11: Final draft Development Code published on Development Code Update webpage, including summary of key changes
- November 13: Special Called Planning Commission Public Hearing
- December 5: Mayor and City Council Public Hearing for consideration of adoption

ANALYSIS

This Development Code Update is Comprehensive, with edits in every Article. Of the substantive use changes, staff's proposals were formulated primarily through the lens of the many changing conditions and trends in the commercial and residential realms. However, some proposed edits, such as many of those found in Article 11. (Administration) were proposed in response to changes in State law.

Post 2020, much of the City's fundamental commercial inventory (office) has quickly become less viable in the new world of hybrid and remote work. With the office market trend of hybrid and remote work, proposed Development Code modifications will work to ensure reasonable development opportunities in areas most affected by modifying permitted and conditional use allowances, principally in the office-centric zoning districts. In alignment with the Next Ten Policy LU-E1.3, Staff proposes alternative uses such as Vehicle Showroom, accessory Film Studio, Life Sciences (BSL-1 and BSL-2), Office to Residential conversions, Neighborhood Eateries, and allowing or requiring a limited amount of commercial in all multi-unit and mixed-use districts.

To address regional and national housing challenges, staff proposes a number of new household living use types and parameters: Neighborhood Units (type of manor home); reduced lot size requirements (lot width and square footage) and expanded use permissions (in the Perimeter Center) for townhouse (Single Unit Attached); the addition of 'Shared Court' to the highly prescriptive Development Patterns; and promotion of Age-Restricted housing by separating it out as a residential use on its own. These proposals promote at least four (4) Next Ten goals:

1. Increase housing stock and diversity of options;
2. Promote single unit housing (the most likely type of housing stock to offer ownership opportunities);
3. Reduce housing costs or conversely seek ways to encourage affordability (moderately smaller townhouses reduces per square foot total, thus reducing down-payment and rent or mortgage amount); and
4. Provide opportunities for downsizing or aging in place.

Aligning with the Next Ten Policy LU-E1.2, staff proposed an overhaul of the "bonus division" of the Development Code (Div. 6.7.). Beyond incentivizing benefits to our community through additional height, staff now proposes a bonus system that breaks the bonus height allowance down further by considering the height for the percentage of the site. The proposal, called the "Enhanced Community Benefits Matrix," is an update to the previous bonus table in two ways: first, the Matrix provides more options for receiving bonus credit (provided in the Benefits List); and second, the Matrix is laid out in such a way that each row representing a story on the chart intersects with a column representing the percentage of that site that may be developed up to that story. The more credits earned through installment of Benefits, the more the percentage of a site may receive a height bonus of varying amounts. This helps the City ensure that impacts incurred from increased height in developments are effectively offset through improved public amenities.

To go along with the improved bonus system, staff proposes several new bonus height zoning districts. The goal is that the City will realize more thoughtful, quality developments in the future. In addition, to protect the investment-backed expectations of property owners, and to accomplish conformity while allowing property owners a reasonable return on their investment staff proposes community improvements through additional amortization requirements (Sec. 1.1.10.) for refuse or commercial dumpster areas, as well as additional design standards in Div. 6.6.

One of the major topics of conversation throughout the 5-Year Development Code Update process has been about Fuel or Gas Stations. Staff propose the addition of Fuel Pumps as an accessory use (via a Conditional Use Permit in the same three districts where Fuel Stations are allowed) and increased standards and incentives for redeveloping or more holistically improving existing sites. Staff included many standards that will ensure that fuel stations will be required to be developed or redeveloped in a manner where they contribute to the urban fabric by addressing the street first, helping to continue the pedestrian realm and not creating gaps instead. Increased design and screening standards are also proposed to support this concept.

Per the Next Ten Comprehensive Plan Policy LU-A1, Staff continues to work to maintain the integrity of existing single-family residential neighborhoods within the Protected Neighborhood Character Area. Staff proposes a few adjustments to the code that relate to the Residential Estate and Residential Detached zoning districts. The first proposed edit would allow limited single-story garage expansion into the Primary Street Setback for homes existing before Sandy Springs became a city. This modification is designed to encourage reinvestment into existing housing stock.

The second proposed edit would modify fence pier requirements for Residential Estate (RE) and Residential Detached (RD) zoning districts. Currently fences that run parallel to a street require the installation of piers in both districts. Staff proposes that only Estate lots continue to be required to install piers when parallel to a street.

Lastly, of note, staff recommends a more contextual approach to construction entrance regulations where there is a grading setback in RE and RD districts. The goal with this amendment is to allow for a case-by-case evaluation when necessary to determine the least-impactful entry into a construction site on a property. From time to time, what is currently prescribed as the appropriate and permittable entrance is not what is best for the environment. This edit would not only require additional BMPs (best management practices such as silt fences, site stabilization techniques, additional root protection) but would also ensure abundant replanting prescription (equivalent to the existing Protected Neighborhood Buffer vegetation standards), regardless of the amount of vegetation initially disturbed.

Staff finds that the proposed changes align with the stated purpose and intent of the Development Code to "guide the future growth of the City of Sandy Springs in alignment with the vision set forth by The Next Ten Comprehensive Plan…to foster more predictable results and a higher-quality public realm…," to "balance conservation and development," to "achieve design excellence in the built environment," and to "guide Sandy Springs' prosperous and sustainable future."

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

Staff recommends **Approval** of **Text Amendment TA23-0003** in its entirety, grouping (a) through (e):

-**TA23-0003(a)**, Articles 1 (Introductory Provisions), 11 (Administration), and 12 (Definitions)
-**TA23-0003(b)**, Articles 2 through 5 (Protected Neighborhoods, Urban Neighborhoods, Corridors & Nodes, and Perimeter Center)
-**TA23-0003(c)**, Article 6 (Rules for All Districts)
-**TA23-0003(d)**, Article 7 (Use Provisions)
-**TA23-0003(e)**, Articles 8 through 10 (Site Development, Environmental Protection, Streets & Improvements)

Development Code Update Public Comment Received Between 9/26/23 – 10/18/2023	
Name	**Comment(s)**
Tochie, Blad	There is so much to unpack in this large document of changes. This is just my first glance. In Article I, it empowers the Development director to make final decision on variances, the applicant may then appeal to Fulton County Superior Court. Why not keep the Board of Appeals and let them decide cases before tying up the courts time? Article 1, pg. 34, item 5. Action by the Director, there is a clause that requires the director to submit a response in a 30 day timeframe. The concern is if the economy is booming and numerous applications need responses by the director, will staff be able to meet the deadline. If not, does that automatically grant the applicant the appeal? Article 2 District Intent Statements Pg. 9 of 98 â€“ Strikes minimum height district in Perimeter Center. Buildings can be a single story next to transit station, is this the best use of the land? Article 7 Use Provisions RX of page 24 of 57, allows Grocery tenants to 15,000 s. ft. RX allows commercial up to 6000 s ft. with hours of operation 6 a.m to 11 p.m. Why are hours of operation dictated by the code, will that conflict with the noise ordinance? Do we want a large store, I thought we were promoting walkability. Allowing retail use in residential areas for both RM and RX and not controlling the use may allow Vape shops, tattoo parlors and other non-conforming uses. Retail is a challenge when folks live beside it. Finally, Gas pumps/stations are now allowed most places with the removal of the distance rule. City Springs prohibits gas pumps in the district. As gas stations close their operations in City Springs district, due to the cap, the city allows a new gas station to open in areas outside City Springs district. I disagree with the change in policy and recommend no change. I am all for encouraging EV charging stations and establishing rules for electric vehicle charging stations on both location and design aesthetics. EV charging stations should be added to the cityâ€™s Enhance Community Benefit list to encourage new developments to include the stations. Thanks for your time and consideration to my thoughts on the code changes in Sandy Springs.
Elizabeth, Fite	Iâ€™m curious how the elimination of the distance requirement between gas stations reflects changes in the community and ensures the dev code is consistent with the cityâ€™s goals for growth. We donâ€™t seem to be lacking gas stations. Existing sites should be held more accountable and made better. And if you canâ€™t regulate what we have to be more satisfactory, how are we assured anything new will solve whatever perceived issues the consultants have identified? Do you want to live near a gas station-regardless if itâ€™s shiny or new? And are the people voting on this at jeopardy of having a gas station in their neighborhood? Or

	an abandoned gas station that some other gas station is tasked with revising? Iâ€™m from Arkansas originally, and I have seen more abandoned Walmarts than I thought possible.
Manisha, Lance	I hope that when you are considering changes to the development code .. you will use an equitable lens to keep housing development affordable. Please take steps to ensure that affordability is at the core so that middle and low income individuals can thrive in Sandy Springs.
Jane, Kelley	Dear Staff, I am incensed that once again my neighborhood (Windsor Park Community Association) has to fight for common sense regulation. I was heavily involved in getting the restrictions on gas stations put in place earlier. My neighborhood has fought multiple times to prevent a gas station from going in on the corner of Windsor Parkway and Roswell Rd, spitting distance from a Shell Station. Roswell Rd inside 285 has plenty of gas stations already. There at least EIGHT within a two-mile stretch! If more are allowed to open, competition will force some to close, leaving us with additional toxic waste issues. PLEASE protect your residents!! How many times must we fight the same battle?! This makes no sense! Thank you! Mrs. Jane Kelley President, Windsor Park Community Association
Bill, Odrey	I feel that 9755 Roberts Drive due to its location on Roswell Rd, the many right of ways demanded by the City of Sandy Springs and Fulton County that this property should be Re zoned as commercial instead of residential

Vladimir, Shklovsky	I am writing in opposition to proposals to build more gas stations on Roswell Road, and increase the size of garages, described at https://roughdraftatlanta.com/2023/09/27/sandy-springs-residents-reject-code-updates-for-gas-station-expansion/ .1) Sandy Springs should not allow garages that existed before 2005 to be enlarged in violation of existing codes, like front yard setbacks. Larger vehicles are a public safety threat to our community, and do not need more subsidies. They also increase wear and tear on our roads, increasing maintenance costs. Parking spaces for oversize vehicles are already available, at a price. People buying larger and more expensive vehicles should pay their own way, not ask for welfare from the community for their irresponsible decisions. 2) Roswell Road is dangerous and it is irresponsible to make the safety problem by allowing more gas stations here. Sidewalks and crosswalks are inadequate. Police do not enforce speed limits, cell phone bans, restrictions on tinted windshields, etc. There is a lot of traffic. Gas stations inherently have a lot of curb cuts (for tankers to go in and out) and the business model requires frequent vehicle traffic. This combination of a lot of drivers entering and exiting the premises, plus a large volume of traffic on Roswell, creates a lot of opportunities for drivers to injure or kill members of the community. Everyone involved will be culpable if somebody gets hurt.3) This is fiscally irresponsible land use. Land bordering Roswell Road is commercially valuable. It should be used accordingly, and generate a lot of tax revenue to reduce the burden on other constituents. Gas stations inherently need a lot of land, for tankers and customers to maneuver, but sell relatively low-value goods, pay relatively little, and can't generate as much tax revenue.4) Public health is harmed by particulates from vehicle emissions, and Sandy Springs should do the bare minimum of discouraging burning gas and diesel by not approving new stations.5) It is fiscally irresponsible to build a new Sandy Springs fuel depot. Police vehicles have heavy use. EVs are more efficient per mile, and much more efficient for idling (when AC and electric systems can be run without running an entire combustion engine). The fuel and maintenance savings of switching to electric vehicles are clear, and will become stronger over time. Just in terms of fueling, level 2 chargers are basically 240V extension cords, and we should be able to install and maintain them at lower cost than a gas station. Sandy Springs government agencies should be transitioning the fleet away from gas to EVs, not making further investments into an expensive and out of date technology.6) Roswell Road, especially between City Springs and the south edge of the city at Meadowbrook, should be a priority for dense development accessible by transit and pedestrians. This is the section with the easiest MARTA access and the worst traffic. Businesses already rely on a workforce that does not drive. The city could make the most tax revenue by encouraging dense residential construction and valuable commercial use that is not entirely car dependent, as opposed to cut-off walkable developments that still require visitors to drive there, and either use valuable land for surface parking or even more expensive parking decks like the underground lot at City Springs to subsidize drivers. More gas stations along the Roswell in the vicinity of 285 are inherently contrary to this goal, because they offer nothing to nearby residents and are hostile to pedestrians trying to walk to a more valuable business or a higher-paying employer.

ruth, sprinkle	Please do NOT change the codes so that there are more gas stations on Roswell Road, inside the Perimeter!
James Duffy, Hickey	I appreciate the work that has been done by city staff as the development code goes under review. I also appreciate the opportunity to learn from the full disclosure on the web site and the open house last week. Having said that, I have a few concerns on some items. First, and with emphasis, I do NOT favor eliminating fuel stations distance requirements. I live at the southern end of Sandy Springs and we currently have NINE gas stations between the south end (including Shell just 10 yards south of the city line) and Hilderbrand Dr. We do not need more stations in that area. We do not need large (QT, Race Trac, etc.) stations anywhere along that corridor. They would only attract more traffic getting off I-285 and Roswell Rd, an already miserable intersection. We do not need a gas station at the NE corner of Windsor Pkwy and Roswell Rd. Any â€œ1 for 1â€ exchange should be within a reasonably close proximity, to prevent someone from buying and taking down one small station in a remote location, to add a large one along Roswell Rd south of Abernathy. I understand that our mayor's son works for one of these large gas station operators and, if true, I would expect the mayor to recuse himself in the discussion and in any tie-breaking vote that might be necessary. Second, with regard to garage setback changes. This does not make sense to me. It is said to be able to accommodate citizens who have larger cars. We do not need to incentivize people to buy larger cars! Additionally, only one car opening would face the road. Any additional cars would have to be on the side of the garage, which means a) adding more driveway space to the side of the garage for cars to go in and out; b) many houses do not have the space to do that, and; c) more driveway means more impervious surface, which then requires a large amount of costly mediation. Third, Age restricted multi units should NOT be permitted in O/N. Such buildings do not apply to either word: office or neighborhood. Fourth, Retail establishments should NOT be allowed in the same O/N for the same reasons. This is encroachment into a neighborhood setting of more active commercial activity and traffic. Fifth, I do NOT favor increasing any current height restrictions. As Andy Bauman told me at the open house, we have a very desirable location for lots of people interested in development. Because we are so desirable, we can be picky and do not have to accommodate every request. Let's grow wisely, but with the top priority always being the high quality of living that the new and long term residents of Sandy Springs expect. Thank you again for the opportunity to express my opinions and for the open attitude that you have about the project and for all that you do for the citizens of Sandy Springs.

	Duffy Hickey
Susan, Maziar	Please donâ€™t eliminate the Â½ mile spacing requirement between gas stations.Councilman Paulson told me the other night at the DC open house that we have 27 gas stations in SS. I have since learned 18 of these are on Roswell Rd that is 10.7 miles long (city of Atlanta line to North River Tavern). (Thatâ€™s one gas station for q 0.6 mile.) It is my understanding we also have 60 automotive uses on roswell rd -this includes the 18 gas stations - definitely an over abundance (thatâ€™s an automotive use or gas station every 0.18mile). Automotive Uses and gas stations are everywhere: we are saturated.There are also more gas stations sitting on our borders or close to our borders not included in the count: for ex shell station at Meadowbrook drive on Roswell Rd. on the City of atlanta line and another Chevron a little further south, Mt Paran RD. country store with 4 pumps, brookhaven Costco 18 pumps, and more in Perimeter area near us on Ashford Dunwoody. There are Prob more close to our borders in Panhandle and Powers ferry landing areas, Iâ€™m not sure. Looking a little deeper, we have 6gas stations within City Springs, 6 within Â½ mile of I285 roswell rd exit, and 7 down on our south end with an 8th sitting directly on our border. I know the North end has plenty too.Iâ€™m saying all this because we donâ€™t want or need a new large-scale Racetrac/Gas Station at RoswellRd and Carpenter Drive in the heart of our city. It is a prime spot, one of our most visible Gateways. This would not help beautify Roswell rd; it would not enhance City Springs; it would not create a healthy mix of uses; it would not encourage walkability in our downtown ;it would not fulfill any â€œ community need;â€ and it would not add anything to our brand or SSidentity. The added traffic be a nightmare. Six stations here are enough. Mayor, I loved it when you once said â€œwe can afford to wait.â€ (to get what we want). I think we have that sort of a situation here. Letâ€™s get this right.Give the new financial incentives staff is proposing a chance to work: more fuel pumps if an existing station makes improvements.Support small business owners. The newly rebuilt station down at East Belle Island when finished will hopefully set a shining example.And lastly, please re-evaluate the 1 for 1 replacement proposal . This means a developer can buy out the 2 Citgo fuel pumps on Dunwoody Place up near the river and then be allowed to build a 20 pump station on Roswell Rd. at Carpenter drive 8.3 miles away. That doesnâ€™t even make sense. We already have 6 gas stations here: We donâ€™tneed another. The 1 for 1 replacement idea only makes sense if they are close to each other.Thank you. Susan Maziar
Franziska, Shepard	I Do not recommend changing gas station 1/2 mile apart restriction. We do not need more gas stations on Roswell Rd.
Zach, Wilson	I think weâ€™re OK for gas stations. Who has to drive more than 3 miles to get to one?
Casey, DeSandre	In addition to clarifying General Standards in Zoning, please provide a standard, orderly method to requesting a Variance on anything. Navigating the permit and zoning process was extremely difficult and required insider-level knowledge to assist from an Architect side. Also, the requirements for retaining walls, although understandable, are quite prohibitive to multiple story development when considered in concert with building height restrictions.

Sam, Manjiyani	The CSX district is already very congested and has enough number of fueling stations. Allowing any new stations will only add to the traffic and congestion. Any new stations should be allowed outside of the CSX district about 2 miles away from the I 285 and Roswell Rd intersection. The focus should be more on allowing EV stations and not fueling stations.
Melanie, Couchman	I would like to see more housing at various income levels, especially entry level homebuyers and entry level rentals. We are missing both of these types of housing and many of the studies the city has conducted indicate we need both of these. Please make sure you are offering codes that will incentivize this type of housing to be offered.
Soheb, Roy	I am opposed to the three code development changes being made. I do not believe Roswell road needs another gas station there are over 10 in a 3 mile span. Changing the rules for one or two specific locations is unfair to the existing businesses that have put in time, money, and years of hard work into the community.
Leslie, Rose	Please do not Eliminate the 1/2 mile rule spacing requirement for gas stations. We already have too many on Roswell Rd. Please do not Allowing accessory fuel sales. We have plenty of gas stations and plenty of pumps located in Sandy spring. I never have to wait in line for gas - ANYWHERE. We don't need any more pumps or stations or accessory fuel sales on Roswell Road or anywhere in Sandy Springs and I've lived here over 30 years. My family and I are completely against the recommended changes regarding gas stations which relax the regulations. The residents and administration together worked hard to install the code language that limits auto uses and gas stations for a very specific reason...they are NOT beneficial to the city's appearance and quality of life in Sandy Springs. My concern is these changes COULD allow in the future for leverage of large parcels to become gas stations at key City gateways; at the southern City border at Windsor Pkwy and Roswell Rd, at the River at North River Pkwy and Roswell Rd and the entry to the City Springs district at Carpenter Drive where RaceTrac is known to own 2 parcels. Thank you for the time and consideration for the RESIDENTS of Sandy Springs. Next up, please create a right turn lane from Windsor Parkway (headed west) onto Roswell Rd (headed north). The traffic is backed up at that light, to in front of my house on a regular basis.
VAZIR, ROY	TOO MANY GAS STATION AND CONV STORE IN THE SANDY SPRINGS AREA SPECIALLY NEAR INTER STATE 285
SHAMA, ROY	TOO MUCH TRAFFIC FOR EXTRA GAS & COV STORE IT WILL BRING MORE CRIME IN THE NEIGHBORWOOD
NEELAM, KESHWANI	MORE GAS STATION AND COVENIENCE STORE WILL BRING MORE CRIME AND TRAFFIC CONGESION THANKS
JALAL, DHOLAKIA	SANDY SPRINGS HAS NO NEED FOR MORE FUEL STATION OR CONV SHOP TO BRING MORE CRIME & TRAFFIC
RAVI, SHAHANI	TRAFFIC CONGESATION & CRIME NO NEED FOR MORE FUEL & RETAIL CONV

Carolyn, Axt	I strongly urge you to keep the 1/2 mile limit between gas stations. As we work to redevelop the north end - we don't want to have any opportunities for purchasing properties such as near the river and putting in a large gas station - we already have more than enough gas station options. We need to encourage upscale redevelopment, not open flood gates for more gas stations anywhere in our city. As for allowing additional pumps with certain improvements, I believe it is imperative to require community/neighbor involvement not all "improvements are equal." Please place some more specifics on allowing bio-tech industries to locate near our residential areas. What types can go where and with what buffers, again requiring neighborhood input. Thank you for considering making these changes before moving forward with the recommended codes.
Sam, Matty	Loads of traffic increase in and around, so it is better to control the flow and not to get any more or gas stations or other projects.
Samuel, Lake	There is a lot of increasing traffic in and around sandy springs, bringing new locations would result in more dense traffic i feel.
Stefanie, Paulos	I want to preserve my neighborhood and avoid further density. I support the CPCA-EB recommendations shown below: ADDITIONAL GASOLINE STATIONS ON ROAD â€“ Currently there is a Â½ mile distance requirement between new gas stations. We already have 27 gas stations in Sandy Springs with 18 on Roswell Road. RaceTrac or another multi pump station would like to build a gas station at Windsor Parkway and Roswell Road . Currently SSS recommends a 1 for 1 replacement. But a large company could buy two smaller existing stations, close them and build a mega multi pump station at another location like Windsor Pky and Roswell Road. CPCA-EB RECOMMENDATION: Ask that SSS keep the Â½ mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations) on areas like corner of Windsor Pkwy and Roswell Road. HIGHER DENSITY HOUSING GROUPS from GLENRIDGE SOUTH TO CITY OF ATLANTA â€“ Currently NEIGHBORHOOD UNIT (NU) is not allowed in OFFICE NEIGHBORHOOD (ON) areas. SSS wants the NU added to ON areas. NU is 2 or more dwelling units with 4 to 12 units in each dwelling unit. A possible example of this problem in our neighborhood is if Cat Doctor and the office at corner Mystic Place and Roswell Road sell their properties to a developer. This could increase the density and traffic. CPCA-EB RECOMMENDATION: 1. Deny or 2. Allow only if less than 12 units and only one access directly to Roswell Road with the requirement of a conditional use permit (CUP) to allow neighborhood input on any rezoning or site changes. INCREASED DENSITY IN COTTAGE COURT DEVELOPMENT PATTERN â€“ Currently Cottage Court (CC) is in Development Code (DC) with a minimum 2 acre lot and no more than 18 units. Again the site of the Cat Doctor and Corner of Mystic Place could be developed with CC. SSS wants to remove the maximum of 18 and allow 50 units with only one street outlet to an existing public street. CPCA-EB RECOMMENDATION: 1. Deny and keep current language or 2. Support only with caveat that the only access from CC is to Roswell Road not via any

	Protected Neighborhood street (like Mystic Place) and require a conditional use permit (CUP)to allow neighborhood input on any rezoning or site changes. ADDITIONAL RETAIL USES ON ROSWELL ROAD from GLENRIDGE SOUTH TO CITY OF ATLANTA- Currently Office Neighborhood (ON) is limited to residential (not multifamily, only single family), museums, libraries and private schools. Retail is not allowed in ON. There are 3 nodes on Roswell Road that do allow retail. Glenridge/Mt Paran, Fountain Oaks (both sides of street) and Chastain Square (use to be called Gateway). There are sections on Roswell Road that have townhomes, 2 story medical and professional office buildings and other low density/low traffic uses. Staff wants additional Neighborhood Retail sites. These would include changes in the ON areas to retail-like structures, such as pawn shops, cigar stores, pay day title loans, vehicle parts and accessories, etc. This SSS proposal could destroy the character of the area. CPCA-EB RECOMMENDATION: 1. Total denial since any additional retail in Office Neighborhoods would destroy the character of the area with higher density. The three current nodes that allow retail have plenty of space for additional retail use (For example, the empty Sprouts or empty space at Fountain Oaks) ALLOW BUILDING of NEIGHBORHOOD EATERYs ON ROSWELL ROAD - This SSS proposal would allow a Neighborhood Eatery of 3000 SqFt. A drive thru would still be denied with new proposal but large restaurants like Waffle House etcâ€¦ would now be allowed. CPCA-EB RECOMMENDATION: 1. Total denial or 2. Reduce size to 1000 SqFt and require design standards. 6. SSS wants to allow construction entrances and accessory buildings into the rear buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. This would reduce the buffer approximately in half with loss of trees, privacy, etc as a result. CPCA-EB RECOMMENDATION: Deny totally.
Patrick, Stellar	=-@ more parking spaces needed sometimes -@ good community centers needed for kids and senior citizens -@electrical stations required -@Traffic caused due to gas stations
Shirley, Mayy	Improving the city infrastructure is good but we need to limit the gas stations as they might be the reason for a lot of traffic in and around them.
Nilofer, Noorani	I would like to oppose the 1/2 mile rule. In my opinion there is no need for any more gas stations in the area. There are already so many and a lot a traffic flow an additional gas station would bring more traffic into an already congest space.
Virginia, Smith	As a resident of Cherokee Park, I am opposed to several of the proposed changes to the development code. Please do not permit additional gas stations on Roswell Road; do not reduce the distance between gas stations so that more gas stations could be built. Secondly, please do not allow higher density housing groups to build

	in ON areas. Third, do not allow increases in density in cottage court development pattern. Fourth. do not allow increased retail on Roswell rd in the area near Cherokee Park; we already have two shopping centers that have vacanciesâ€¦ most notable is gateway with considerable retail space sitting vacant. Similarly, I am opposed to the building of neighborhood eateries on Roswell Road as once again, they could be incorporated into the already partially vacant shopping centers noted before. Finally, and very importantly, make no changes to the setback/tree buffer on the rear of our properties as this would invite unwanted construction that would seriously upset the character of our community and the privacy of homeowners lots.
Jamie, Pennington	I strongly oppose any changes to the development code and certainly to the existing rules regarding gas stations. It seems like the council is prioritizing commercial demands over the tax paying citizens of our community. There are plenty of existing vacancies along Roswell Road and never once have I seen lines at any gas station. We have plenty of current retail/food/gas options and do not need any changes to our current development code at this time. I also oppose any changes along the CN lines as well. These changes do not preserve the beauty of our city and would not enhance the lives of those who live in Sandy Springs.
Matthew, Payne	My wife Clare Payne & I are currently 25 year residents of Sandy Springs and serve on several NON PROFIT ORG boards. Our children have all gone through our cities Fulton public schools. We strongly oppose all changes to the development code for all reasons. We understand the 10 year plan does not align with these changes, nor adhere to any restrictive codes that are currently purposefully in place to protect the hard working tax payers and voters that elected the current politicians who are pushing these changes for either professional or PERSONAL reasons.
Nancy, Buck	I am filing this form to voice my total displeasure regarding the proposed changes to the Development Code. I have lived in my home/neighborhood for 27 years. The neighborhood is a quiet haven off of Roswell Road. The proposed changes will increase the cut through traffic in the neighborhood making it dangerous for children playing and neighbors walking. We do not need additional gas stations on Roswell Road. The current 18 is plenty. I ask that you keep the 1/2 mile spacing and make no change to the Office Neighborhood use. Traffic is horrendous on Roswell Road thus we do not need increased density south of Glenridge. Please deny the higher density housing and the increased density in cottage court development patterns. Again, the traffic on Roswell is horrendous thus we do not need additional retail uses or more restaurants on Roswell Road from Glenridge south to the city of Atlanta. And please do not kill any more trees by allowing construction entrances and accessory building into the rear buffers of areas marked RE1 and 2, RD 18, RD27, RD15, RD12, RD9, RD7.5 and RU.

Lori and John, Mayfield	Regarding the proposed changes in the Development Code for the area Glenridge south to City of Atlanta:1) Gas stations - keep the Â½ mile spacing requirement between stations and make no change from Office Neighborhood use for large intersections like corner of Windsor Pkwy and Roswell Road.2) We are opposed to allowing Neighborhood Units in Office Neighborhood zone areas. If that isn't possible, they need to be severely limited in size and only allow access via Roswell Road. 3) Keep Cottage Court requirements to a minimum 2 acre lot and no more than 18 units. 4) We are against additional retail sites in the current Office Neighborhood areas. We can't keep all of the retail filled as it is; we don't need more new retail.5) Reduce size of additional neighborhood eateries.6) Do not allow construction entrances and accessory buildings into the rear buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. In general, we are most concerned about increasing density to the point of creating cut through traffic in our neighborhood where we don't have sidewalks. The traffic in the City of Atlanta from 10 Degree South to Windsor Pkwy adds 10 minutes to my commute getting home. Trying to go towards the Perimeter on Roswell Rd north of Glenridge is a mess. The last thing we need is to add more standstill traffic between Windsor and Glenridge where it currently moves at a decent pace. The best part of our area of town is that we are not gridlocked with traffic. Please don't change that!
Will, Henderson	Too much Crime anyways for the gas station, theft and life risks .We do not need anymore gas stations
Chase, Smith	We need a new branch for Chicago Pizza and Oven Grinder
Steve, Leahy	Need a new burger place "whataburger"
Karen, Woods	Need a sports Arcade not too much things for the kids to do
Shaluvi, Gautam	Need good dancing and training school for our girls.
Olcay, kursun	Need Gymnastic for the girls and classed like pottery, dancing, etc
Theo, M	more dog parks and senior wheelchair accessible parks
Rurh, Sprinkle	I m opposed to changing the current code regarding the gas stations proximity to each other, â€¦and I am opposed to any changes or additions to the Office. Neighborhood code
Sallie, Duncan	Dear Members of the City Council and City Staff Members, Regarding the code changes you are considering. I am very against changing the code to allow more gas stations. We already have more than enough. I don't care to see large gas companies come into our city and develop. We have plenty of those nearby. I also am against changing any of the ON code for now. Almost all of the ON code is inside 285 and I believer we need more time and consideration to change the code for now. Thank you, Sallie Duncan
Norris, Broyles	I am opposed to any change to the 1/2 mile separation of gas stations requirement. I am opposed to any alteration to the ON zoning use character.
Warren, Fergus	I support the current code regarding gas stations can only be placed within 1/2 mile of one another. I would like this code to stay as is and not be loosened.
Phillip, Kemp	We got enough traffic issues in our area if we can find space lets have atleast a dog park.

Samantha, Ridge	Please let's not have more gas stations here got enough already with traffic issues.
Chris, Laird	Gas Station Spacing Requirement â€“ Please DO NOT eliminate the 0.5-mile spacing requirement between gas stations. I live in District 5. There are already 6 gas stations between ATL City limit and I285 along Roswell Rd.; 7 if you include the Shell station just inside ATL at the south. Plus, there are additional automotive use businesses along that same corridor. Why is the City considering changing an entire city code for a single corporate entity with no allegiance to our city or community ? Why ?! The City already has 60 automotive use businesses on Roswell Rd. (south to north) and this includes 18 gas stations. And this number doesnâ€™t include peripheral stations at our borders. We as a City are saturated ! I donâ€™t need or want a new large scale gas station at Windsor Pkwy & Roswell Rd. or at Roswell Rd. at Carpenter Dr. These are prime/visible entrances to our beautiful city. Elimination of this requirement does not beautify our city, it does not enhance a healthy mix of uses, it does not fulfill a â€œcommunity needâ€, and it adds nothing to our brand or community identity. Do Not eliminate this requirement. â€œWE CAN AFFORD TO WAIT FOR A BETTER OPPORTUNITYâ€. And thatâ€™s a quote from Mayor Paul !
Mary, Laird	Please DO NOT eliminate the 0.5-mile spacing requirement between gas stations. I live in District 5. There are already 6 gas stations between ATL City limit and I285 along Roswell Rd.; 7 if you include the Shell station just inside ATL at the south. Plus, there are additional automotive use businesses along that same corridor. Why is the City considering changing an entire city code for a single corporate entity with no allegiance to our city or community ? Why ?! The City already has 60 automotive use businesses on Roswell Rd. (south to north) and this includes 18 gas stations. And this number doesnâ€™t include peripheral stations at our borders. We as a City are saturated ! I donâ€™t need or want a new large scale gas station at Windsor Pkwy & Roswell Rd. or at Roswell Rd. at Carpenter Dr. These are prime/visible entrances to our beautiful city. Elimination of this requirement does not beautify our city, it does not enhance a healthy mix of uses, it does not fulfill a â€œcommunity needâ€, and it adds nothing to our brand or community identity. Do Not eliminate this requirement. â€œWE CAN AFFORD TO WAIT FOR A BETTER OPPORTUNITYâ€. And thatâ€™s a quote from Mayor Paul !
Jean, Sykes	I would like to vote against the planned building development on the 1/2 acre lot at the corner of Windsor Parkway and Roswell Rd.
Lindsey, Sykes	I would like to vote against the planned building on the 1/2 acre lot at Roswell and Windsor Parkway
Kristi, Gaffney	We are very opposed to the elimination of the 1/2 mile distance requirement for gas stations and allowing large parcels to be used for this purpose. -Specifically, the intersection of Roswell Road and Windsor Parkway leads to single family home neighborhoods for the entirety of Windsor Parkway. The addition of a large commercial-style gas station would bring additional traffic at all hours of the day and night, more opportunity for crime and isn't consistent with the neighborhood along Windsor parkway. Vote no to rescind this development requirement.
Eileen, Gordon	I Vote to oppose any construction towards a gas station/Quiktrip on this parcel of land. It would be disastrous for the neighborhoods around the area.
Ryan Watson, Ryan	Against the change in the gas station code

Mary, Ford	Hello - As a follow-up to the comments I made at the City Council meeting on October 3rd, I am submitting this comment on behalf of the High Point Civic Association. Our Board has reviewed the proposed development code changes and is unanimously against any Code changes to Gas Stations in Sandy Springs, including the proposed elimination of the 1/2 mile spacing requirement between gas stations.. In addition, the board is unanimously opposed to any changes to ON (Office Neighborhood). The ON designation is still relatively new and is working. We recommend that any changes to ON be evaluated as part of the upcoming Next 10 Development plan update in 2025. Thank you Mary Ford President High Point Civic Association
Mira, Liniado	My preference is that there are no changes made to the development code related to gas stations and the half mile spacing requirement does not change. I do not want more traffic in the heart of our city and it would not beautify our city.
Deborah, De Genova	I am a Sandy Spring's resident writing to respectfully oppose all the proposed SSS changes to zoning on Roswell Road. The City of Sandy Springs is walking a fine line with development for commerical tax income and commerce and maintaining the sanctity and peace of the City for residents. Adding too much commerce and congestion will deteriote the City and its brand by eliminating green space, increasing traffic congestion and not respecting residential zones for families to live and thrive. Having stricter zoning ordinances will only help the City and its brand/image. Adding commerce and traffic congestion will make it a less attractive place to live. Keeping with a clear Sandy Spring identity is really important for our community as sometimes maintaining your identity and appeal is more about what you do not do/allow vs what you change. Specifically, the following changes will result in the following negative impacts to residents and thus I recommend they are denied in totality: -ADDITIONAL GASOLINE STATIONS ON ROAD â€“ Please deny this proposed change. More gas stations means more traffic and potetnial underground contamination with leaky tanks -HIGHER DENSITY HOUSING GROUPS - Please deny this proposed change as it will result in an urban type of feel and more traffic. -ADDITIONAL RETAIL USES ON ROSWELL ROAD from GLENRIDGE SOUTH TO CITY OF ATLANTA- Please deny. This is critical to deny as it will very much extend mini mall sprawl to long-standing established neighborhoods with many religous residents who need to walk to church posing a danger to them. ALLOW BUILDING of NEIGHBORHOOD EATERYs ON ROSWELL ROAD - Please deny. More eateries will result in the odor, rodents and more traffic for existing residents. There are plenty of eaterys already on Roswell Road. Do we really need more? SSS wants to allow construction entrances and accessory buildings into the rear buffers - Please deny and keep our green space and have principles on what can be developed and not. Speaking as a resident impacted by significant construction since 2018, the last thing we need is to enable more construction entrances via rear

	buffers. The builders already have it way to easy with few consequences for violating the zones ALREADY in place. Thank you very much for respectfully consider our feedback. Deborah Ross De Genova
Atul, Agarwal	This is about the planned development at the corner of Windsor Parkway and Roswell Rd., where PuppyHaven is located. We need to make traffic more free flowing and need a right turn lane from Windsor onto Roswell. There are two gas stations within half mile on each side of that intersection, and 3 more within 1 mile; we really do not need more gas stations!!
Madhuvanti, Deshmukh	Listen to your residents! The HPCA voted unanimously 21-0 against any Code changes to Gas Stations in Sandy Springs, including the proposed elimination of the 1/2 mile spacing requirement between gas stations. They also voted unanimously 21-0 to deny any changes or additions to ON (Office Neighborhood). We do NOT want any more development, other than a dedicated right turn lane from Windsor Pkwy onto Roswell Rd.
Allen, Bell	In The Relocation of Existing Fuel Pumps or Fuel Stations Section via a Conditional Use Permit: o There was language that this option was limited to certain zoning districts, but that language was struck. Does this mean this is an option in all zoning districts? o Clarification that Alternative Site means another property and not necessarily rebuilding a new fuel station on the same lot as the one to be removed. o Does the gas station that is to be eliminated have to be in the same zoning district as the new one? o What does mitigation of the former site mean? Is that just the removal of the fuel pumps and tanks?
Mary, Serth	I am very concerned about the potential development of the land parcel at the corner of Windsor Parkway and Roswell Road. I use that intersection at least 4 times a week and with the current volume of traffic, it is extremely difficult to get through. Two days ago at 11:35am it took two cycles of the traffic light to take a left from Windsor Parkway to Roswell. Traffic is bad all over Atlanta, by allowing a commercial property to be built on this corner, you will be ensuring that traffic will get even worse! When the intersection was redesigned and moved north a few years ago there should have been a dedicated right turn lane to ease the congestion.

Susan, Maziar	Please deny all proposed changes/ additions to ON (Office Neighborhood).I live in District 5 and our 2 mile stretch of Roswell Rd. (that we share with District 6) does not need â€œRetailâ€ (way too broad) nor â€œ Restaurant Retailâ€ added to ON as Allowed Uses. Do not change our entire Code to accommodate one developer.There is no community â€œ wantâ€ nor â€œneedâ€ for more retail or restaurant space in this area.. We already have 3 huge retail centers/nodes that are working: Gateway, Fountain Oaks, and the Prado (on our border) with lots of shops and restaurants. New retail could locate here in all the empty spaces.ON was intended to minimize extra curb cuts and traffic that â€œretailâ€ creates as we have many residential streets that empty onto Roswell Rd. We are a Neighborhood Village on the Character Map. Please donâ€™t unravel all the years of hard work and community support we have in this area. ON is working!
Jimmy, Kim	Regarding SSS's proposed change to the number of gas stations to be allowed on Roswell Road, I strongly ask that SSS keep the Â½ mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations) on areas like corner of Windsor Pkwy and Roswell Road. There is more than enough gas stations on Roswell Road (there are 4 within a mile from my neighborhood), and frankly gas stations attract unnecessary congregation of individuals in and around the neighborhoods. If SSS wants Sandy Springs to continue to be a place where million dollar homes are built and/or home values continue to increase (which leads to higher property taxes that SS can collect), allowing more gas stations is NOT something to allow.
Marsha, Holcomb	With regard to proposed changes to the development code and the negative impact on Cherokee Park Neighborhood: 1. We do not want or need additional gas stations on Roswell Road. We want to keep 1/2 mile spacing and make zero changes to Office Neighborhood. 2. We do not want higher density south of 285. Do not change Neighborhood Unit added to Office Neighborhood. Allow change only if less than 12 units and only one access directly onto Roswell Road with the requirement of a Conditional Use Permit and neighborhood input on any changes. 3. Do not increase density of Cottage Court Development Pattern. Do not decrease 2 acre lots . Do not allow more than the current 18 units. Any access should be to Roswell Road not neighborhood like Cherokee Park. 4. Currently there are three nodes south of Glenridge on Roswell Road allowing retail. In those nodes (Ex. Fountain Oaks & Chastain Square) there is plenty of empty space to be used as retail. We would like denial of any of the recommended changes to this area . 5. We do not want eateries on Roswell Road larger than 1000 sqft at most and add a requirement of design standards. 6. We do not want construction entrances and accessory buildings in rear buffers of areas marked as RE1, RE2,RD18,RD27,RD15,RD12,RD9,RD7.5 and RU so request total denial of this recommendation.

Charlie, Kontz	I would like staff & the council to not make any changes to the Development Code in regard to two proposed changes. 1) Code Changes to Gas Stations should not be changed. I know this has nothing to do with the code but why would we want to put more stations & traffic on Roswell Rd & why change the 1/2 mile spacing? 2) Deny any changes to ON (Office Neighborhood). The current code seems to be working to protect Neighborhoods. Let's have the present code stay the same & not open up "Pandor's Box." I vigorously oppose these two potential changes. Sandy Springs is pro neighborhood please do not make either of these code changes. Thank You, Charlie Kontz
Linda, MacLean	I oppose the development proposed for Roswell road. We do not need more gas stations , retail space or otherwise.
Penelope, Malone	1. ADDITIONAL GASOLINE STATIONS ON ROAD -- I request that the COSS maintain the current 1/2 mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations). 2. HIGHER DENSITY HOUSING GROUPS FROM GLENRIDGE SOUTH TO CITY OF ATLANTA â€“ I am opposed to allowing NEIGHBORHOOD UNITS (NU) in OFFICE NEIGHBORHOOD (ON) areas. 3. INCREASED DENSITY IN COTTAGE COURT DEVELOPMENT PATTERN â€“ I request that the COSS keep the current Cottage Court (CC) in Development Code (DC) with a minimum 2 acre lot and no more than 18 units. 4. ADDITIONAL RETAIL USES ON ROSWELL ROAD FROM GLENRIDGE SOUTH TO CITY OF ATLANTA- I request that the COSS keep the current limit of Office Neighborhood (ON) to residential (not multifamily, only single family), museums, libraries and private schools. We DO NOT NEED any further Retail in this area. The existing retail nodes have extensive storefronts and square footage with empty retail space. No further additions of retail are needed. 5. ALLOW BUILDING OF NEIGHBORHOOD EATERYS ON ROSWELL ROAD - I request a Total Denial of this proposal. 6. Allow construction entrances and accessory buildings into the rear buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. I am TOTALLY OPPOSED to this change. At the present moment the lot next door to us is being built out to the last square inch allowed in the current development code. I do not want any further diminution of our forest canopy or setbacks. In conclusion, I continue to be appalled at the extent to which the COSS has lost its focus, completely and utterly, from the original intent for which the City was organized. The COSS was incorporated because its residents wanted to maintain our wonderful neighborhoods, forests and wildlife therein. Each year the COSS seems intent on destroying our neighborhoods, our forests and our quality of life for the benefit of commercial and residential developers who seek to make a fast dollar and depart, leaving destruction and ugliness in their wake. Thank you for your consideration of these requests.

John, Champion	1. ADDITIONAL GASOLINE STATIONS ON ROAD -- I request that the COSS maintain the current 1/2 mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations). 2. HIGHER DENSITY HOUSING GROUPS FROM GLENRIDGE SOUTH TO CITY OF ATLANTA â€“ I am opposed to allowing NEIGHBORHOOD UNITS (NU) in OFFICE NEIGHBORHOOD (ON) areas. 3. INCREASED DENSITY IN COTTAGE COURT DEVELOPMENT PATTERN â€“ I request that the COSS keep the current Cottage Court (CC) in Development Code (DC) with a minimum 2 acre lot and no more than 18 units. 4. ADDITIONAL RETAIL USES ON ROSWELL ROAD FROM GLENRIDGE SOUTH TO CITY OF ATLANTA- I request that the COSS keep the current limit of Office Neighborhood (ON) to residential (not multifamily, only single family), museums, libraries and private schools. We DO NOT NEED any further Retail in this area. The existing retail nodes have extensive storefronts and square footage with empty retail space. No further additions of retail are needed. 5. ALLOW BUILDING OF NEIGHBORHOOD EATERYS ON ROSWELL ROAD - I request a Total Denial of this proposal. 6. Allow construction entrances and accessory buildings into the rear buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. I am TOTALLY OPPOSED to this change. At the present moment the lot next door to us is being built out to the last square inch allowed in the current development code. I do not want any further diminution of our forest canopy or setbacks.In conclusion, I continue to be appalled at the extent to which the COSS has lost its focus, completely and utterly, from the original intent for which the City was organized. The COSS was incorporated because its residents wanted to maintain our wonderful neighborhoods, forests and wildlife therein. Each year the COSS seems intent on destroying our neighborhoods, our forests and our quality of life for the benefit of commercial and residential developers who seek to make a fast dollar and depart, leaving destruction and ugliness in their wake. Thank you for your consideration of these requests.
David, Couchman	Omitted from the code is the city's need for workforce housing. Being silent on this issue allows developers to build without having to incorporate plans for affordability for essential workforce needs, i.e. police, teachers, emergency workers, and other essential lower paying occupations. Ignoring this requirement stymies the economic success for the city, increases the traffic burden for everyone, and fails to promote diversity at all economic levels.

Krista, Friedman	1. In regard to more gas stations on the road please keep the current spacing and make no change from Office Neighborhood use (which excludes gas stations. 2. Regards to higher density housing groups south of Glenridge to City of Atlanta - DO NOT allow any change. The traffic is already so bad and do not need more multifamily housing to further increase traffic. 3. Increased density in cottage court development pattern- keep it as is and do not make any changes. 4. Additional retail uses on Roswell Road- deny any change to prevent destroying the current character of the area. There is already plenty of retail use some of which sits empty as is. 5.Allow building of neighborhood eaters on Roswell Road- deny. We already have enough! 6. Allow construction entrances and accessory buildings into rear buffers of areas- Please DENY any changes. The reduced buffer would result in loss of trees and privacy.
Andrew, Jones	The notion of yet another gas station at the junction of Windsor Parkway and Roswell Road is preposterous. A little way north on Roswell there is Kroger and a gas station that is being remodeled. A little way south are two further gas stations. Our community has more pressing needs than another gas station. In sum, a silly proposal which should be blocked.
Leslie, Laird	1.) I ADAMANTLY OPPOSE the elimination of the 1/2 mile spacing requirements for gas stations. This is totally unnecessary as there are already TWENTY SEVEN 27 gas stations in Sandy Springs with EIGHTEEN ON ROSWELL ROAD. Traffic at Windsor Pkwy and Roswell Rd is BAD ENOUGH ALREADY. 2.) I ADAMANTLY OPPOSE higher density housing groups from Glenridge South to the city of Atlanta. I OPPOSE the NU added to ON areas. If this passed, it would ONLY mean an increase in both density and traffic. As I see it, IT'S BAD ENOUGH ALREADY. 3.) I ADAMANTLY OPPOSE increased density in cottage court development pattern. NO NO NO NO...NO! It is dense enough already. 4.) I ADAMANTLY OPPOSE additional retail uses on Roswell Rd from Glenridge South to the city of Atlanta. We do NOT need additional neighborhood retail sites. We have enough pawn shops, cigar stores, day day title loans, vape stores ALREADY. 5.) I ADAMANTLY OPPOSE allowing the building of neighborhood eaters on Roswell Road. We have enough restaurants as it is, and I know they could all use more business, not more restaurants to take away from their existing business. 6.) I ADAMANTLY AND VEHEMENTLY OPPOSE allowing construction entrances and accessory buildings into the rear buffers of areas marked as RE1 and 2; RD 18; RD 27; RD15 RD 12; RD 9; RD 7.5 and RU. This would reduce the buffer approximately in half with a MAJOR loss of trees, privacy, places for our birds and animals to live and thrive, etc as a result. NO NO NO...NO to allowing for the destruction of mature canopy trees.

jack (vazir), thalia	please already as is lot of traffic and crime more fuel station will bring more traffic and crime
Christan, Carter	The code lacks acknowledgment from the city regarding the essential need for affordable housing to accommodate key city workers such as teachers, emergency personnel, law enforcement officers, and other essential but lower-paying occupations. By failing to mandate developers to include affordable housing, it impedes economic growth, exacerbates traffic congestion, and restricts income diversity within the city.
Robert, Richards	Been located here for 22 years and the traffic is already unbearable. I vote not to use that parcel of land for any commercial development.
Tochie, Blad	Sandy Springs needs to consider more innovative ways to provide housing. Most of the proposed changes in regulations may lead to demolishing existing houses/units and building newer more expensive housing and not solving the affordable housing issue cited in the Housing Needs Assessment study. One idea to consider is Community Land Trusts, CLTs run by non-profits. The idea is that people buy a house but lease the land underneath from the trust. Because theyâ€™re not buying the land, this lowers the home price and, when it comes time to sell, the homeowner agrees to do so at a lower price, thus keeping costs more reasonable over the long term. Another key is to limit the use of commercial businesses in residential areas and stop treating the house as a commodity for investors. People need to live in houses. The city not enforcing regulations of short-term rentals in neighborhoods is allowing unregulated hotels next to homes. Staff say they are not the bed police but allowing whole houses to be rented for a night creates commercial property, hotels next to homes. Proliferation of short term rentals also limit the places where people call home - worsening our housing shortage. Where is the safety for these occupants, are they adhering to fire and public health requirements required for lodging? Finally, are all these numerous code changes needed at this time? People make their biggest investment in their home; they need a guarantee about the character of the area that itâ€™s in. There are numerous changes in this proposed code that will alter the community and lead to the commercialization of their homes. The protected neighborhood term is used but the meaning is diluted when you allow retail into neighborhoods as a new use. As the author of Homesick, Brendan Oâ€™Brien describes, â€œIn turning housing into simply another commodity, weâ€™ve ensured that it is bound up in desperation and uncertainty. That our neighborhoods are hollowed out to make room for tourists and investors.â€ Sandy Springs became a city fifteen years ago to meet the needs of the community. We all have an expectation of creating a sense of place, letâ€™s not lose it by tossing out the communityâ€™s work in the Next 10 plan with unnecessary changes in the zoning code. â€¢ The Â½ mile rule between gas stations is still needed. â€¢ Board of Appeals should remain a step in the appeals process. â€¢ Retail should not be allowed in new areas. Neighborhood Eateries only make sense if Design Review Board and a better signage code are in place. â€¢ All for Senior housing and more Daycare being available in the city. â€¢ Mobile services, only 7 days over a 3-month period. How will the city enforce that requirement? â€¢ EV Charging stations, glad you are regulating them would prefer Design Review

	Board approve the design and location Thanks for your time and consideration.
Jordan, Edwards	NADG owns and hopes to redevelop the Prado in the near future. For that reason, NADG makes the follow comments to the proposed text amendment: 1. Regarding Sec. 4.1.4. and Div. 4.5., NADG requests that the proposed SX-6/10 district be changed to SX-6/12, to allow height up to a total of 12 stories with bonuses. The increase in maximum height with bonuses from 10 to 12 stories will materially increase site design flexibility, which is critical for properties with physical challenges. And since a Conditional Use Permit will be required for any multi-unit proposals this tall anyway, the community and city council will have the same ability to affect development proposals regardless of the maximum bonus height limit. 2. Regarding Div. 7.2., NADG requests that â€œMulti-unit up to 3 storiesâ€ be changed to â€œMulti-unit up to the districtâ€™s maximum base heightâ€, and â€œMulti-unit above 3 storiesâ€ be changed to â€œMulti-unit above the districtâ€™s maximum base heightâ€. These changes would avoid inconsistency in the Development Code: a zoning districtâ€™s maximum base height is understood to be developable by right, but a CUP requirement necessarily infringes that right. For example, the SX-6/10 district allows a maximum base height of 6 stories, but as currently drafted the proposed language requires a CUP for multi-unit use proposal over 3 stories. So in effect, the current proposed language makes the SX-6/10 district the SX-3/10 district for multi-unit uses. The change NADG requests avoids this confusion but preserves the CUP requirement for height above the base maximum. 3. Regarding the Enhanced Community Benefit List, NADG requests establishing different square footage options for the items listed under the Amenity Space and Landscaping category. The Shared Greenspace, Active Water Feature, Additional Amenity Spaces, and Furnished Dog Park are all limited by a minimum area of 5,445 square feet each, but this area is a large footprint in a development context and very expensive to provide. NADG requests, first, awarding â€œpointsâ€ for smaller amenity provisions too, and assigning points on a progressive scale so that larger amenity spaces, which have much higher opportunity costs to provide, are incentivized. For example: 1,000 SF = 4 points; 2,000 SF = 10 points; 3,000 SF = 18 points; 4,000 SF = 28 points, etc.). A 5,445-square foot amenity space would need to be worth substantially more ECB credits to ever be realistic for a developer. The smaller area options also extends the incentive to developers of smaller properties who could never amenitize 5,445 square feet and would allow more diversity of amenities. Second, add â€œactive greenspaceâ€ as an amenity option to incentivize provision of a playground or recreation facilities. Third, because itâ€™s impossible to anticipate every scenario, authorize the Director to award bonus points for the provision of unlisted community benefitsâ€”this will provide additional flexibility, and because a CUP is required for the taller multi-unit proposals that would need bonuses anyway, these discretionary bonus points will still receive public and legislative review. Thank you.

Clare, Jones	Re proposed gas station at corner of Windsor parkway/roswell road Unnecessary as there are 2 under a mile on the same side and one just over a mile on that side. There is Kroger petrol on the other side just over a mile. The changes to that junction have helped with congestion, but itâ€™s far from perfect and the proposed petrol station will not improve traffic flow
Charles, Conklin	I strongly oppose making any changes in the development plan regarding gas stations. We have plenty of gas stations already. There needs to be restrictions limiting the locations. I also oppose any changes allowing any buiding of any structures whatsoever in setbacks. Setbacks are designed to limit developable area and protect neighbors whose property abuts those setbacks. That protected area should not be permeated.
Karen meinzen, McEnerny	Karen Meinzen McEnerny District 6 just North of the City of ATl limits west of Roswell Road aka Chastain Park Area 4604 Meadow Valley Drive Sandy Springs, GA Since I have the ability to share all my written viewpoints unlimited by public speaking timeframes, I am taking that advantage at this opportunity, and thank each of you in advance for your time reading it and perhaps keeping it as a reference when I speak before you soon at the upcoming public hearings .. Background: I live in a subdivision called Cherokee Park touching the southern border of City of ATL limits . Originally 90 homes built in the midcentury by Howard Chatham. In fact his first subdivision. Grading was very costly then as compared to the land so he graded only where he had to to construct our ranch homes. The unintended but positive long term consequence was leaving the huge majority of our 90 homes with forested rear yards , places for children to play; Trees and critters to live and thrive . Fulton CTY provided me years ago with our average sized lots of 34,490 sf versus our then and now (1990) zoning of 18,000 sft lots now known as RD-18. (I have never figured out how we got reduced to 18,000 sf but thatâ€™s old news,) Our neighborhood has been successfully re-developed about 2/3 of the ranches to multimillion 10K sf residences predominantly on the original lots (1 for 1 tear downs for 1 rebuild) leaving a nice subdivision with no variances of substance asked for or granted by the developer and citizen community . This has provided a lovely area of forested or at a minimum tree coverage in most of our rear yards .Context for my comments : [Note: Since April 2005 our neighborhood has successful redeveloped Except for the 3 homes recently constructed on one of our largest original home site (1) that had exceptionally long road frontage This large amount of frontage on a (to the rear) pie shaped lot and without a public variance required allowed an almost complete clear cut to make room for 3 new houses with pool on a 1.2 acre original lot. These three houses do not fit into our community as they are by far the most dense . They donâ€™t have enough parking despite 3 garages each so their contractor and private overflow vehicles cause congestion in our neighborhood as we try to go thru this pinch point. 10 lbs. in a 5 lb. bag. ALL without a variance by right)) . Get to the point you may be thinking . But the cramming in of all those improvements for those 3 houses by spec developers (not the ultimate purchasers of the 3 houses) totally destroyed the 20 ft. rear set back and I hope only left the 15 foot rear grading set back in place with tree cover and vegetation. This harmed also the adjacent neighbors of their privacy

	and quiet enjoyment . To the point ..the damage this 3 home massacre of vegetation did to our less dense surrounding neighborhood and will be further eroded if the council and Planning Commission donâ€™t recognize the danger of a very damaging proposal of the consultant and supported by staff to allow further encroachments into the rear grading setback . For Cherokee Parkâ€™s RD-18 zoning, it is 15 feet from the property line (versus the 35 feet in our rear set back). Other districts RE etc. have proportionally similar distances based on their size. Currently the rear grading set back represent 11% of an RD -18 lot area lot area (assuming a square lot calculated as its square root x 15 feet is 11%.) Thatâ€™s a small part of residential land in SS protected from grading. As we know , its grading that destroys trees and habitat. Recommendations : Please deny totally this Protected Neighborhood change allowing further grading for accessory uses inside the 15 foot rear grading set back in Article 9.4.2 subsection G. 3. Sub d. page 81. In fact consideration should be made to add more protected area to the rear grading set back of 5 -10 feet according to the sizes of the current residential zoning districts of RD RE etc. to prioritize tree canopy and habitat for the general welfare of our citizens the city is charged with protecting . (Pursuant to the charter of the City OF Sandy Springs it â€œis charged with the PROTECTION OF the public health, safety and general welfare of the citizens of the City of Sandy Springsâ€ .) Enacting new laws that seriously adversely affect Protected Neighborhoods which represents approx. 71% of the cityâ€™s land area is a travesty . Thatâ€™s due to the fact that all the other setbacks (front , 2 side) allow grading now with mitigation . Plus the building envelope itself leaves ONLY the rear setback for vegetative buffers for habitat trees and privacy of adjacent and owner for quiet enjoyment. But the rear setback understandably also allows grading for accessory structure already. So the existence of this little â€œgemâ€ called â€œrear grading set backâ€™ is really the only real way the city can prevent grading in the rear buffer to protect the tree canopy necessary to the health and general welfare of our citizens . The rear grading set back needs to be made LARGER not allow more encroachments . Allowing a 14 foot wide construction entrance in a rear grading set back violates the need for a rear set back at all. The mitigation zone will take years to mature . plus if evergreens are planted they are not canopy trees in the first place, Its not a quid pro quo for mature tree canopy loss in my view. So â€¦ for the tabulation of my 6 comments: 1. No to Further intrusion into the rear grading set back of Protected Neighborhoods â€¢ including NO allowance in the rear sets backs a usually 14 ft. wide construction entrance. â€¢ With the growing threats of climate extremes as evidenced by our even hotter summers ; hurricanes; flooding etc. greater pressure to retain our tree canopy is a reality so we can live a higher quality of life as we benefit from the tree canopyâ€™s ecological services. â€¢ Now is NOT the time to increase destruction of our rear buffer grading set back but to strengthen it .â€¢ Deny staffâ€™s recommendation (page 81; 9.4.2.G.3 d.) to allow further building/construction exceptions into the 15 ft. rear buffer grading set back. 2. No to Gasoline station proliferation along Roswell Road : â€¢ NO to Removal of the Â½ mile distance requirement currently in place for a new gas stations (currently 27 in Sandy Springs of which 18 are along Roswell Roadâ€™s 10.7 miles) â€¢ This spacing requirement puts the NE corner of Windsor Park- way and Roswell Road into jeopardy as a RaceTrac or other multi pump quick trip or like operator . As they could apply to change that corner from Office Neighborhood use

	(which excludes gas stations) via a 1) character area map change and then 2) go thru rezoning with a CUP (conditional Use Permit) as they have the time, money and profit motive to do so. â€¢ Staff has recommends a 1 for 1 replacement required for gas stations. That is an old one comes down for a new one to be built despite the number of pumps . So it t wonâ€™t forestall a large pump operator from buying a 2 pump existing station anywhere in SS and then going to Roswell Road or along 285 somewhere and building a megaplex. Thatâ€™s the reason we have to keep the Â½ spacing requirement in place ; Additional higher density Housing Groups being recommended along Roswell Road from Glenridge south to the ATL city limits in a Character Area/ Allowable Use called Office Neighborhood ON: Section 7.3.1 Household living 3. Neighborhood Unit being allowed in Office neighborhood Not currently in ON . proposed as adding 2 or more dwelling units each having 4 to 12 units . ; Recommend denial for 2 dwelling units of 4 to 12 units . or if wonâ€™t deny totally support with caveat: 1) that requires access directly to Roswell Road and not on a street going thru a Protected Neighborhood street to prevent cut thru traffic into our neighborhood and others and 2) require a CUP (conditional Use permit) approval process which will allow the neighborhood to weigh in on any rezoning and site changes ; Increased density in Cottage Court Development Pattern (see Article 6 Rules of All Development in earlier link) . 4.Cottage Court is already in the DC : minimum 2 acre lot; no more than 18 units ; single family detached or attached with a center courtyard . Staffs proposal is to remove the maximum of 18 units which reduces the land area made available for the passive court. PLUS Section 10.4.18 Additional Street Standards (page 157) allows up to 50 residential units to be constructed if only one street outlet is used to an existing public street . Recommend denial and live with the current Cottage Court Language. Alternatively , support with caveat: 1) that this proposed Cottage court on steroids requires access directly to Roswell Road and not on a Protected Neighborhood street to prevent cut thru traffic into our neighborhood and others and 2) require a CUP (conditional Use permit) approval process which will allow the neighborhood to weigh in on any rezoning and site changes; Addition of RETAIL USES all along Roswell Road from Glenridge south to the city of ATL. Some context needed here for background on Our unique Character Area not found elsewhere in Sandy Springs . Itâ€™s called Office Neighborhood and was created in 2006 by the current Planning Director Jim Tolbert to mirror the on ground zoning uses of retail, office multi family; single family and Town Houses and condoâ€™s . There have been 2 major updates to the Development Code since we became a city in 2006; in 2017 and a minor one in 2018. Plus innumerable Text AMENDMENTS BROUGHT FORWARD THAT ALSO UPDATED the Development Code. In all instances ON was consistently upheld as limited to Office, residential (not multifamily) town houses condos and Museums, libraries, private schools . IN OTHER WORDS NO RETAIL USES . Reason: there are ample places on both sides of Roswell Road south of Glenridge for retail uses . Retail can go into the 3 nodes of Glenridge/Mt Paran; Fountain Oaks (both sides of the road) and the Gateway development now called Chastain Square. Only at Windsor and Roswell Road is there a patch of ON by the Wieuca Animal Clinic. Where we need a right hand turn lane going North. So as you travel North from the city limits of Atlanta you will find sections of medical and professional 2 story office buildings and townhouses and other low density and low traffic generation uses . That is being blown away in this proposed draft by

	staffâ€™s recommendations which I call the tank coming down the road. Unless we want to lose that special rhythm and character of the stretches of office and residential between the 3 nodes we need to prevent the 2 retail uses being proposed by staffâ€¦ Specifically. 5. Something called Neighborhood Retail in Section 7.5.15 Retail page 24 Gas stations are excluded so is fire cracker sales as examples . But Neighborhood Retail is defined as all the uses in section 7.5.15 Pawn shops, cigar stores, pay day title loans, video stores ; vehicle parts and accessories . The only limitation is that the store must be 3000 sft no more. Since there are plenty of other places in the nodes for this retail, I support a total denial required to protect our ON sections from an all-out Tally ho anything goes retail use with no design standards other that 3000 sf. Finally the 6th piece is the Neighborhood eatery piece. (just above section 7.5.15 page 24 item C. Neighborhood Eatery. Defined as â€œan establishment that prepares and sells food and drink for on or off premises consumption that is limited in size to 3,000 sft Examples, brew pub, bakery, tea shop; . All nice sounding but that could also allow dunk in donuts â€˜ stop and shop boxes like 7-11â€™s or more waffle houses and other in and out retail food shop s to proliferate in ON . Positive is that no drive thruâ€™s are allowed as proposed. Perhaps recommend straight up denial since there are plenty of places inside the nodes or alternatively limit size to a lower number say 1,000 -1500 sf . We again have plenty of eateryâ€™s in Gate way Fountain Oaks Summary : 6 issues of proposed Development Code 9.19.231. Deny allowing further construction and grading in the Protected Neighborhoods (single Family) rear grading setbacks which are already less than 50 % shorter than the rear property set back buffer depending on zoning classification (example RD-18 rear property buffer is 35 ft. rear grading set back buffer is 15 feet. 2. Deny removing the Â½ mile spacing requirement for gas stations;3. Deny allowing a new use in ON of multifamily (probably owner occupied) called Neighborhood Unit up to 12 units per building unless direct access is required for the units onto Roswell Road not thru our Protected Neighborhoods and a CUP is required for a new development . 4. Either deny additional changes to Cottage Court Development Pattern that takes off the maximum 18 units or require direct access to Roswell road so no cut thru traffic goes thru Protected Neighborhoods and a CUP is required. â€¢ 5. Deny allowing the breach of ON which currently excludes retail to allow 3,000 sf Neighborhood Retail as overly broad and would basically destroy ON as it exists today ; and â€¢ 6. deny Neighborhood Eatery or reduce its size and require design standards that prevent waffle houses and 7-11â€™s Note to staff when tabulating my public comments above .. if my intent is unclear as I describe above alternatives Mark it as denial of the proposal . . Karen Meinzen McEnerny4604 Meadow Valley DriveSandy Springs, Georgia 30342
Ronda, Smith	Development Standards Page 28 8.3.10.C.2.b.ii ii. All street-facing fences in Residential Estate districts must have masonry (brick stone, or stucco finish) piers separating fence panels with a maximum length of approximately 24 feet. Piers are required at any point where the fence changes direction. Piers must be at least 12 inches wide. CONSIDER CHANGING THE ABOVE LANGUAGE TO: ii. All street-facing fences LOCATED ON A COLLECTOR OR HIGHER STREET CLASSIFICATION must have masonry (brick stone, or stucco finish) piers separating

	fence panels with a maximum length of approximately 24 feet. Piers are required at any point where the fence changes direction. Piers must be at least 12 inches wide. THE ABOVE CHANGE MAINTAINS THE REQUIREMENT IN RD ZONING DISTRICTS ALONG MANY MAJOR CORRIDORS YET ALLOWS FOR FENCES WITHOUT PIERS INSIDE THE NEIGHBORHOODS ON STREETS CLASSIFIED AS â€œMINOR STREETSâ€. BE AWARE THAT LAKE FORREST IS A COLLECTOR AND HAS ALL Residential Detached PROPERTIES FRONTING IT FROM MT PARAN TO THE CITY LINEâ€¦ AS IS: HIGH POINT WITH Residential Detached PROPERTIES FRONTING IT FROM FRANKLIN RD. TO THE CITY LINE AS WELL AS WINDSOR PKWY WITH Residential Detached PROPERTIES FRONTING IT FROM ROSWELL RD TO 400. RIVERSIDE FROM JOHNSON FERRY TO DALRYMPLE IS ALL Residential Detached PROPERTIES. SPALDING IN THE PANHANDLE FROM JUST EAST OF DUNWOODY CLUB TO THE EASTERN CITY LINE IS ALL Residential Detached AND THAT IS ALSO A COLLECTOR. 9.4.2.3 Rear grading setback exceptions and mitigation zone: SSCN is opposed to this change. Changes to grading allowances that make it easier to remove the existing tree canopy in protected neighborhoods are detrimental to the overall health of the cityâ€™s canopy. The mitigation zone cannot replace what will be removed by installing a construction entrance through a rear yard. The access points through rear yards are along roadways, many of them major corridors, and these yards are generally dense tree canopy that serve as buffers from road noise and were historically developed in this pattern. These are not rare one-off properties. Many many neighborhoods have cul de sacs where the rear yards of the properties at the top of the bulb abut the main roadway from which the neighborhood was accessed. If today tree loss is occurring in rear yards and setbacks due to general negligence during installation of accessory uses and the thought process is this allowance and mitigation zone would help fix that, it can be assumed that giving permission to go through the rear yard will result in even greater damage to surrounding canopy than what is happening today as the construction entrance tends towards violating the width maximum due to this same negligence. Article 6 General Rules 6.1.1.I.2.n You do not define Pedestrian Amenity Space PLEASE CLARIFY THE INTENT OF THE PEDESTRIAN AMENITY SPACE AND CLARIFY WHAT PEDESTRIAN AMENITY SPACE IS. On page 5 in section 6.1.1.I.1.a you define Outdoor Amenity Space. CLARIFY THAT IT MUST BE AVAILABLE TO THE PUBLIC. Uses 7.3.1.E Neighborhood Unit: SSCN opposes this in its current form as a permitted use. While this housing type could precipitate some new housing availability and possibly create building conversions and some new construction along Roswell Road for underutilized properties that very fact means an increase in overall density on Roswell Rd. That density may or may not have walkability for basic services and retail depending on location. Protected Neighborhood adjacencies is where cut through traffic is a

	concern. Please change this from a Permitted Use by right to a Conditional Use Permit for Urban Neighborhood and Corridor and Node Districts so that the impacted neighborhoods can participate in ensuring that the access points for new developments are only on Roswell Rd. 7.4.1.F. Place of Worship: 1. Defined A building or structure that by design and construction is primarily intended for conducting organized religious services. Associated accessory uses include, but are not limited to, schools, gymnasiums, meeting halls, indoor and outdoor recreational facilities, clergy house, rectory, day care, counseling, and kitchens. 2. Basic Use Standards a. No buildings and use areas/structures other than parking and pedestrian walkways may be located within 75 feet of any Protected Neighborhood district used for residential purposes. DO NOT REDUCE THE BUILDING SETBACK FOR PLACE OF WORSHIP FROM 100' TO 75'. THE PROTECTIONS PROVIDED BY THE 100â€™ BUILDING SETBACK ARE VERY MEANIGFUL SINCE MOST CHURCHES ARE ADJACENT TO OR SANDWICHED BETWEEN PROTECTED NEIGHBORHOOD PROPERTIES. FOR SIDE LOT LINE ABUTMENTS WHERE PROTECTED NEIGHBORHOOD IS LEFT AND RIGHT OF A CHURCH PROPERTY (WHICH IS THE CASE FOR LIKELY ALL CHURCHES EXCEPT SSUMC AND NSUMC) DOES THIS CHANGE REALLY MAKE SIGNIFICANT DIFFERENCE TO THE FUTURE OF THESE CHURCH PROPERTIES? CHURCH BUILDINGS DO NOT NEED TO GET CLOSER TO THEIR LEFT OR RIGHT ADJACENT PROTECTED NEIGHBORHOOD NEIGHBORS. PLEASE LEAVE THIS AS 100 FEET!.THIS PROTECTION IS IMPORTANT TO THE NEIGHBORHOODS. SINCE SSUMC (WHICH IS LOOKING TO REBUILD) HAS A COMMECIAL ADJACENCY TO THE EAST (CS ZONED PROPERTY) THERE IS ROOM TO BUILD NEARER TO THEIR EASTERN PROPERTY LINE IF NEED BE. ANOTHER CLARIFIER YOU COULD CONSIDER ALLOWING FOR 75â€™ DISTANCE â€œIF THE CHURCH IS ADJACENT TO PROPERTY DEVELOPED WITH ANOTHER CIVIC USEâ€. SINCE A CEMETERY IS CONSIDERED A CIVIC USE IT ALSO GIVES SSUMC MORE ROOM TO ITâ€™S WEST ADJACENT TO ARLINGTON AND THE HISTORIC CEMETERY ON MT VERNON. 7.5.14.C Neighborhood Eatery: SSCN opposes this change as written with a size threshold of 3000 square feet which is about a 55â€™ by 55â€™ footprint. If the commercial kitchen is 1000sf and typical restaurants allocate 20 square feet per person for fine or fast casual dining the remainder is a 100 person capacity establishment. Scale this back to 1000 or 1500 square feet and then you are at â€œsmall scaleâ€. 7.5.15.C Neighborhood Retail:

	SSCN is opposed to this in its current form as a Permitted Use in most districts. The goal of creating small scale retail is a worthy one. However, no guardrails or restrictions on the kinds of tenant occupants that might open businesses in these spaces are in place. The proliferation of vape shops and the potential for convenience stores is too great of a risk to the complexion of Roswell Rd and particularly in the ON district and pn other major corridors in Perimeter Center districts. Find a way to put some restrictions in place for retail types and bring this back at a later time. Under 7.5.15 (further numbering is wonky) Relocation of Existing Fuel Pumps or Fuel Stations: SSCN is opposed to the removal of the 1/2 mile distance requirement for fuel stations. The risk of a large scale station installation at key city gateways is too great to allow for removal of this rule. The present condition of RaceTrac ownership of 2 key parcels at the gateway to City Springs should not be a catalyst for this change in the district where the goal is to move away from auto centric uses. The public is not asking for this. Sandy Springs does not need large scale gas stations. 7.6.4.B Life Sciences, Bio-Safety Level 1 and 2: SSCN is opposed to this use as written and allowed as an Administrative Use on the Allowed Use table. There are no limits to the concentration of the number of labs on any one property or specifics dictated as to the allowed proximity to Residential uses. The unknown nature of the work and potential for harmful impacts makes the risk to life safety too great. Raise the regulatory bar to put some restrictions on this use. 7.8.8 Fuel Pumps: SSCN is opposed to this change. The prevalence of gas stations (27 in Sandy Springs) and gas as an accessory use to grocery and warehouse uses means the total number of fuel pumps available is probably near to or over 200. There is not a shortage of availability. The public is not asking for this. Sandy Springs does not need more gas pumps.
Bob, Sheehan	Please consider this as our objection to all of the proposed changes. You seem to emphasize density and diversity of low end commercial development over reasonable development. Roswell rd is already overdeveloped. Why encourage changes that only increase traffic and density when the road cannot be widened? Please do not adopt any of these shortsighted ideas. Bob Sheehan
Nikki, Seaman	Hi there- I absolutely love my neighborhood. There are many folks who live here who have been here since the 1970s including our next door neighbors, and for good reason! In order to keep our neighborhood as good as can be, I have a few kind requests. I request Sandy Springs keep the Â½ mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations) on areas like corner of Windsor Pkwy and Roswell Road. We already have multiple gas stations on the next block, and they offer great prices too. I am against higher density housing groups, which will create even more traffic than we already face on Roswell Road. I deny additional retail uses on Roswell between Glenridge and city of atlanta. I deny

	building of neighborhood eateries on Roswell Road, there is already so much traffic and the drive throughs get backed up onto Roswell Road causing extremely unsafe driving conditions with cars stopping short in the middle of the road particularly around lunchtime. Thank you for hearing me out and I hope we can keep our neighborhood as amazing as it is!
Kristina, Ellis	SSS PROPOSED CHANGES and My Response/vote/request to said changes: ADDITIONAL GASOLINE STATIONS ON ROAD â€“ Currently there is a Â½ mile distance requirement between new gas stations. We already have 27 gas stations in Sandy Springs with 18 on Roswell Road. RaceTrac or another multi pump station would like to build a gas station at Windsor Parkway and Roswell Road . Currently SSS recommends a 1 for 1 replacement. But a large company could buy two smaller existing stations, close them and build a mega multi pump station at another location like Windsor Pky and Roswell Road.REQUEST: Ask that SSS keep the Â½ mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations) on areas like corner of Windsor Pkwy and Roswell Road. HIGHER DENSITY HOUSING GROUPS from GLENRIDGE SOUTH TO CITY OF ATLANTA â€“ Currently NEIGHBORHOOD UNIT (NU) is not allowed in OFFICE NEIGHBORHOOD (ON) areas. SSS wants the NU added to ON areas. NU is 2 or more dwelling units with 4 to 12 units in each dwelling unit. REQUEST: 1. Deny or 2. Allow only if less than 12 units and only one access directly to Roswell Road with the requirement of a conditional use permit (CUP) to allow neighborhood input on any rezoning or site changes.INCREASED DENSITY IN COTTAGE COURT DEVELOPMENT PATTERN â€“ Currently Cottage Court (CC) is in Development Code (DC) with a minimum 2 acre lot and no more than 18 units. SSS wants to remove the maximum of 18 and allow 50 units with only one street outlet to an existing public street. REQUEST: Deny and keep current language ADDITIONAL RETAIL USES ON ROSWELL ROAD from GLENRIDGE SOUTH TO CITY OF ATLANTA- Currently Office Neighborhood (ON) is limited to residential (not multifamily, only single family), museums, libraries and private schools. Retail is not allowed in ON. There are 3 nodes on Roswell Road that do allow retail. Glenridge/Mt Paran, Fountain Oaks (both sides of street) and Chastain Square (use to be called Gateway). There are sections on Roswell Road that have townhomes, 2 story medical and professional office buildings and other low density/low traffic uses. Staff wants additional Neighborhood Retail sites. These would include changes in the ON areas to retail-like structures, such as pawn shops, cigar stores, pay day title loans, vehicle parts and accessories, etc. This SSS proposal could destroy the character of the area. REQUEST: denial since any additional retail in Office Neighborhoods would destroy the character of the area with higher density. The three current nodes that allow retail have plenty of space for additional retail use (For example, the empty Sprouts or empty space at Fountain Oaks) ALLOW BUILDING of NEIGHBORHOOD EATERYs ON ROSWELL ROAD - This SSS proposal would allow a Neighborhood Eatery of 3000 SqFt. A drive thru would still be denied with new proposal but large restaurants like Waffle House etcâ€¦ would now be allowed. REQUEST: Reduce size to 1000 SqFt and require design standards. 6. SSS wants to allow construction entrances and accessory buildings into the rear

	buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. This would reduce the buffer approximately in half with loss of trees, privacy, etc as a result.REQUEST: Deny.
Gregory, Ellis	SSS PROPOSED CHANGES and my vote on the changes: ADDITIONAL GASOLINE STATIONS ON ROAD â€“ Currently there is a Â½ mile distance requirement between new gas stations. We already have 27 gas stations in Sandy Springs with 18 on Roswell Road. RaceTrac or another multi pump station would like to build a gas station at Windsor Parkway and Roswell Road . Currently SSS recommends a 1 for 1 replacement. But a large company could buy two smaller existing stations, close them and build a mega multi pump station at another location like Windsor Pky and Roswell Road. REQUEST: Ask that SSS keep the Â½ mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations) on areas like corner of Windsor Pkwy and Roswell Road. HIGHER DENSITY HOUSING GROUPS from GLENRIDGE SOUTH TO CITY OF ATLANTA â€“ Currently NEIGHBORHOOD UNIT (NU) is not allowed in OFFICE NEIGHBORHOOD (ON) areas. SSS wants the NU added to ON areas. NU is 2 or more dwelling units with 4 to 12 units in each dwelling unit. REQUEST: 1. Deny or 2. Allow only if less than 12 units and only one access directly to Roswell Road with the requirement of a conditional use permit (CUP) to allow neighborhood input on any rezoning or site changes. INCREASED DENSITY IN COTTAGE COURT DEVELOPMENT PATTERN â€“ Currently Cottage Court (CC) is in Development Code (DC) with a minimum 2 acre lot and no more than 18 units. SSS wants to remove the maximum of 18 and allow 50 units with only one street outlet to an existing public street. REQUEST: Deny and keep current language ADDITIONAL RETAIL USES ON ROSWELL ROAD from GLENRIDGE SOUTH TO CITY OF ATLANTA- Currently Office Neighborhood (ON) is limited to residential (not multifamily, only single family), museums, libraries and private schools. Retail is not allowed in ON. There are 3 nodes on Roswell Road that do allow retail. Glenridge/Mt Paran, Fountain Oaks (both sides of street) and Chastain Square (use to be called Gateway). There are sections on Roswell Road that have townhomes, 2 story medical and professional office buildings and other low density/low traffic uses. Staff wants additional Neighborhood Retail sites. These would include changes in the ON areas to retail-like structures, such as pawn shops, cigar stores, pay day title loans, vehicle parts and accessories, etc. This SSS proposal could destroy the character of the area. REQUEST: denial since any additional retail in Office Neighborhoods would destroy the character of the area with higher density. The three current nodes that allow

	retail have plenty of space for additional retail use (For example, the empty Sprouts or empty space at Fountain Oaks) ALLOW BUILDING of NEIGHBORHOOD EATERYs ON ROSWELL ROAD - This SSS proposal would allow a Neighborhood Eatery of 3000 SqFt. A drive thru would still be denied with new proposal but large restaurants like Waffle House etcâ€¦ would now be allowed. REQUEST: Reduce size to 1000 SqFt and require design standards. 6. SSS wants to allow construction entrances and accessory buildings into the rear buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. This would reduce the buffer approximately in half with loss of trees, privacy, etc as a result. REQUEST: Deny.
Ann, Deal	WE do not want any changes to use codes on property uses currently in place. Please do not change the density/code and use of retail/ commercial property in Sandy Springs. Thank you for your consideration. Ann & Robert Deal
Peter, Pathak	In general, the existing zoning and development plan represent a commitment from Sandy Springs government to residents regarding the type of development we could expect. Sandy Sorings was formed as a city to provide increased local control. We could have unfettered development on a whim with Fulton County government. 1.We oppose eliminating the 1/2 mile spacing requirements for gas stations. This is totally unnecessary as there are already 5 gas stations between Wieuca and Glenridge, with many more at Roswell / 285. 2.) We oppose higher density housing groups from Glenridge South to the city of Atlanta. I OPPOSE the NU added to ON areas. If this passed, it would ONLY mean an increase in both density and traffic. Increased density is only appropriate with walking distance of MARTA rail. 3.) we oppose increased density in cottage court development pattern. This is a change from the development pattern we expected with existing zoning. developers should plan to work with existing zoning. 4.) we oppose additional retail uses on Roswell Rd from Glenridge South to the city of Atlanta, other than as permitted by existing zoning. We do NOT need additional retail. There is adequate space in existing retail buildings 5.) we oppose changing zoning to allow building of additional neighborhood eateries on Roswell Road. We have enough restaurants as it is, with vacant properties all along Roswell from Atlanta to 2856.) we must not allow construction entrances and accessory buildings into the rear buffers of areas marked as RE1 and 2; RD 18; RD 27; RD15 RD 12; RD 9; RD 7.5 and RU. This would reduce the buffer approximately in half with a MAJOR loss of trees, privacy, places for our birds and animals to live and thrive, etc as a result. This would be a major destruction of property values for neighboring owners, and would set a dangerous precedent for developers throughout Sandy Springs.

Sally, Patton	I am opposed to 3 proposed changes to the Development Code, as follows: 1) I oppose the proposal to remove the one-half mile distance requirement for gas stations. There are already 9 gas stations on on the short stretch of Roswell Road from the City of Atlanta/Sandy Springs city limit to I-285. Even more stations are not needed! If the city would like to ensure that stations already in existence are upgraded, incentives (which I understand have been discussed) would be a more appropriate way to address this issue. The worst possible move would be to remove the one-half mile distance requirement. 2) I oppose the proposal to relax the standards that regulate grading on Protected Neighborhood properties. I believe this relaxation would allow for construction entrance access through rear yards, which could lead to further destruction of mature tree canopy (a result that the City of Sandy Springs has said it opposes!). 3) I oppose the proposed code changes that would allow new uses in the Office Neighborhood zoning district, most of which exists along Roswell Road. In particular, allowing a new retail type called Neighborhood Retail does not provide ANY controls to prevent these retails shops from becoming pawn shops, vape stores, or other types of retail that could degrade the quality of our neighborhoods.
Melissa, Mular	Article 1, Introductory Provisions P 38, Section 11.6.3 Administrative Appeals: A. Last sentence should read 'of' instead of 'off'. Enhanced Community Benefit List-Why are there no benefits for sustainability items beyond 'permeable parking'? What about recycling collection, pollinator gardens, etc.? Article 2, Protected Neighborhood -- No definition of 'Other Residential Uses'. ? Article 6, General Rules, p139 section 6.5.2: Single Unit Detached Dwelling, B. Garage. This only allows for 1 single 10 ft. wide garage door. Lot/home may not allow for other 'side' doors. Please update this requirement to accommodate a 2 car garage with a single door of up to 18 ft. Article 7, p 3, The Allowed Use Table page is blank. This should have a link and reference to the stand alone document. The final document needs to have this table inside the document in the appropriate place. p 24 Sec 7.5.15 Retail, C. Neighborhood Retail -- this needs more thought. Concern about Vape stores, package stores, 'convenience stores' opening in this area. This will ruin the character of the adjacent neighborhoods. p 25-26 E. Fuel Pumps, Fuel Station 2. Basic Use Standards b-h -- How does this apply to existing fuel stations? How does this relate to the current "Amortization Language"? Does not state how existing fuel stations will be handled.

	p 27; f. Relocation of existing Fuel Pumps or Stations -- DO NOT REMOVE THE 1/2 MILE REQUIREMENT. A) THERE ARE ALREADY ENOUGH GAS STATIONS IN SANDY SPRINGS; THERE ARE 28 AND 18 ALONG ROSWELL ROAD FOR A CITY THAT IS 38+ SQUARE MILES. B) NO NEW GAS STATIONS IN CITY SPRINGS (CS DISTRICT). THIS IS OUR CITY CENTER AND IT IS A COVETED ZONING DISTRICT. CONDITIONAL USE PERMIT SHOULD NOT APPLY TO THIS DISTRICT FOR ADDING NET-NEW FUEL/GAS STATIONS. C) THE FUTURE FUEL FOR MOTOR VEHICLES IS NOT FOSSIL FUELS BUT RATHER ELECTRIC BATTERY AND OTHER, NOT YET FOUND/PROVEN TECHNOLOGIES (HYDROGEN FUEL CELLS, AS EXAMPLE). WITH THIS CHANGE OF VEHICLE DESIGN AND MANUFACTURER DIRECTION, NET-NEW GAS STATIONS ARE NOT NEEDED. D) THE CITY SHOULD NOT BE ADJUSTING THE ZONING CODE TO SATISFY A PARTICULAR COMPANY (RACETRAK). The company purchased the property before Sandy Springs became a city and a gas station was not allowed on the property when under Fulton County. There is already more than enough gas stations on Roswell Road between I-285 and Hammond Drive. Adding additional gas stations in this stretch will make traffic even more treacherous and challenging. p 33, Sec 7.6.4 Research and Development Restrictions need to be added to safe guard near residential and multi-family homes. This applies to General Research and Development and both BSL-1 and BSL-2 lab designations. 1) Cannot exceed 3000 sq. ft. of gross floor area 2) Cannot exceed more than 40% of existing building space 3) Cannot be adjacent to residential/multi-family housing 4) Cannot be within 1320 feet of a residential/multi-family housing 5) If near residential/multi-family housing, cannot create or use carcinogenic or explosive agents in the research and development or BSL-1/2 testing. p 43, Sec 7.8.8 Fuel Pumps, B Basic Standards, no net-new Accessory Fuel Stations; strike 1-6 in this section. Refer to comments for section f. Relocation of existing fuel pumps or fuel stations. ALLOW expansion of pumps for existing businesses (do not allow net-new in this category). p 48, Sec 7.8.15 Murals--need to add 5) Murals may not contain vulgar or profane words, pictures, or images. p 51, Sec 7.8.24 Accessory Structures, A. Residential Accessory Structures, Minor. Section g. Carports, detached has been removed. There are many existing detached carports in the City on older, mature properties. Are these no longer allowed, or does striking this line only indicate that no net-new detached carports can be built?

Robin Conklin	All, I don't necessarily have an amendment but at this time, I am not in favor of the garage setback changes. As Duffy Hickey commented, "we do not need to incentivize people to buy larger cars. Additionally, only one car opening would face the road. Any additional cars would have to be on the side of the garage, which means a) adding more driveway space to the side of the garage for cars to go in and out; b) many houses do not have the space to do that, and; c) more driveway means more impervious surface, which then requires a large amount of costly mediation." I feel that we should be tightening our code rather than loosening. I also want to tell you how thrilled I am that you have eliminated the change to the 1/2 mile fuel station distance requirements! It is evident that you all have listened to the citizens and it is appreciated. Thank you for all of your time and effort! It has not gone unnoticed. Regards, Robin

Post-Open House Draft Changes Summary | 11 8 23

No Substantive Changes from Open House Draft

Article 2, Article 4, Article 5, Article 12

General Changes (Throughout)

-Any cleanup items such as items not removed as intended

-Edits to “shall” and “must”

-Reductions to single unit attached parameters, as originally proposed

-Added (as originally proposed) “Commercial Active” and its distinction from “Commercial Ready”

Art. 1.

Sec. 1.1.3. Added Effective Date for 5-Year Code Update

Sec. 1.1.9. Added language to clarify status of rezonings from 2017 to 2023 as it pertains to 3+ stories of multi-unit in CS, CX, and SX

Sec. 1.1.10. Added an amortization language concerning screening of Service Areas (refuse)

Sec. 1.3.2.D. Clarified the edit to this section which describes the zoning process for remnant parcels from public entities

Art. 3.

Sec. 3.4.3. Corrected height for RM- 3/8 when adjacent to Protected Neighborhood (flipped)

Sec. 3.5.3. Corrected existing height elements as they were incorrect from their original adoption; added a commercial minimum and maximum as originally intended

Art. 6.

Sec. 6.1.1.B.3.b. Added clarifying language for setbacks for corner and irregular lots

Sec. 6.1.1.n. Better defined Pedestrian Amenity Space, gave it a minimum amount requirement, clarified need for public access

Sec. 6.1.2.H. Changed listing order to be a subsection of G.

Sec. 6.1.3.B.2. Added in illustration for Jewel Box development style

Sec. 6.1.3.D.3. Added in ability for administrative relief to floor elevation, taking into account extreme topography, as originally intended

Sec. 6.1.4.A.2. Added in original proposal for façade requirements for single unit attached end units facing a street or path, as originally intended

Sec. 6.5.2.B.1. Added graphic to better illustrate allowance; updated text for clarity, and corrected encroachment allowance setbacks, as originally intended

Sec. 6.5.3.A.4. Added in allowance for up to 20% of single unit attached developments to be front loaded, as originally intended

Sec. 6.6.2.C.2.b. Added in clarity for max building width options, such as material change and offset

Art. 7.

Div. 7.2 Identify Cottage Court and Neighborhood Unit both as CUP in ON-

Sec. 7.3.1. Neighborhood Unit use standard in ON-, access from Collector or greater street

Sec. 7.4.1.F. and H. Added allowing 3rd party daycare at private schools and places of worship as permitted accessory uses

Sec. 7.4.1.F.2. Removed proposed edit to Place of Worship setback

Sec. 7.5.1. Moved all “District Standards (Sec. 4.4.5., Sec. 4.5.5., etc.)” to new location at the beginning of Commercial Section

Sec. 7.5.15.B. Removed Neighborhood Retail from the proposal

Sec. 7.5.15.C. Added in clarifying language for intent of fuel station redevelopment and improvement allowances; also reinserted ½ mile distance requirement

Sec. 7.6.3. Added limited use standards for motion picture studios, expanding allowance in limited capacity for PX, OX, and CX-

Sec. 7.6.4.B. and C. Added restrictions to proposed life sciences based on level, when near and adjacent to single unit residential

Sec. 7.8.23.A. Removed reference to fuel pumps

Art. 8.

Art. 8. Corrected references throughout Code, with addition of new General Provisions division offsetting former references

Sec. 8.1(2).8. Corrected parking graphics to show 8 spaces

Sec. 8.2(3).6. and 8.2(3).7. Reverted back to wall only option, with director discretion based on topography/environmental/neighbor considerations

Sec. 8.3(4).18. Removed Channel Letter Roof Sign

Art. 9.

Div. 9.4. Mitigation requirement added for any clearing/grading violations

Sec. 9.4.2.G.2. and G.3. Added clarifying language for general mitigation planting and grading setback incision allowance, further restrictions, additional best management practices (bmps). Prohibited tree removal size; added in to include originally intended rear setback as well as side, as originally intended

Art. 10.

Sec. 10.3.1.B.6. Added graphic to go along with Block Perimeter regulation, as originally intended

Art. 11.

Sec. 11.3.5.J. Removed proposed edit which would have added back “concurrent variances”

STATE OF GEORGIA
CITY OF SANDY SPRINGS

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA TO AMEND DEVELOPMENT CODE ARTICLE 1 INTRODUCTORY PROVISIONS, ARTICLE 11 ADMINISTRATION, AND ARTICLE 12 DEFINITIONS OF THE SANDY SPRINGS DEVELOPMENT CODE AS FURTHER DESCRIBED BELOW; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the City of Sandy Springs is charged with providing for the health, safety and welfare of the citizens of the City; and

WHEREAS, the City of Sandy Springs previously adopted and amended the Development Code and has identified text amendments necessary to the proper implementation of The Next Ten Comprehensive Plan; and

WHEREAS, the Mayor and City Council have conducted a properly-advertised Public Hearing prior to adoption of this Ordinance in accordance with the Zoning Procedures Act.

NOW THEREFORE, THE MAYOR AND COUNCIL FOR THE CITY OF SANDY SPRINGS HEREBY ORDAIN AS FOLLOWS:

SECTION I: The City of Sandy Springs Development Code is hereby amended by revising Article 1 "Introductory Provisions," Article 11 "Administration," and Article 12 "Definitions" to reflect those changes contained within Attachment "A", the same being expressly incorporated herein by this reference.

SECTION II: It is the intention of the City Council and it is hereby ordained by the authority of the City Council that the provisions of this Ordinance shall become and be made a part of the City of Sandy Springs Development Code, and the codifier is authorized to make the specified deletions, insertions, additions, and to insert headings, article numbers and section numbers as and where appropriate.

SECTION IV: All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION V: If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional, or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

SECTION VI: This Ordinance shall become effective immediately upon adoption.

APPROVED AND ADOPTED this the 5th day of December, 2023.

Approved:

_____
Russell K. Paul, Mayor

Attest:

_____
Raquel Gonzalez, City Clerk

(Seal)

ARTICLE 1.
INTRODUCTORY PROVISIONS

Div. 1.1. Legal Requirements

Sec. 1.1.1. Introduction

The following districts and standards were designed to preserve existing neighborhoods while promoting predictable urban development that aligns with the vision and policies set forth by The Next Ten Comprehensive Plan. This plan defines a vision for growth that strives for a balance between maintaining the quality of existing neighborhoods and creating urban, mixed-use, walkable, neighborhood-friendly development that contributes to a high-quality public realm.

Sec. 1.1.2. Title

This document is the Sandy Springs Development Code and is referred to or cited throughout this document as "this Development Code."

Sec. 1.1.3. Effective Date

This Development Code was adopted on August 15, 2017 and became effective on September 15, 2017 (the "effective date").

This Development Code was subsequently updated and adopted on December 5,2023 (the "5-Year Development Code Update").

Sec. 1.1.4. Purpose

A. This Development Code is intended to guide the future growth of the City of Sandy Springs in alignment with the vision set forth by The Next Ten Comprehensive Plan.

B. This Development Code was developed to help foster more predictable results and a higher-quality public realm by prescribing the physical form of buildings and addressing the relationship between building facades and the public realm, the form and mass of buildings in relation to one another and the scale and types of streets and blocks.

Sec. 1.1.5. Intent

A. This Development Code is intended to balance conservation and development by:

1. Ensuring conservation of land and natural resources.
2. Promoting the preservation and enhancement of the City's tree canopy.
3. Guiding reinvestment in established neighborhoods that preserves and reinforces their unique characteristics.
4. Promoting development along transit corridors that enhance their function as mixed-use, walkable centers that serve surrounding residential neighborhoods.
5. Providing standards for compatible transitions of use, building scale, and height between existing and new development.
6. Providing clear and consistent procedures for appropriate and effective public involvement in land use and development decisions.

B. This Development Code is intended to ~~achieve~~ encourage design excellence in the built environment by:

1. Providing building and site design standards that address the public aspects of private development and how building form, placement, and uses contribute to the quality of the public realm.
2. Providing parking and access standards that appropriately balance pedestrian and vehicular needs and result in safe pedestrian environments of the highest quality.
3. Promoting quality landscape and building design that advance the function and beauty of Sandy Springs.

C. This Development Code is intended to guide Sandy Springs' prosperous and sustainable future by:

1. Providing clear regulations and processes that result in predictable, efficient, and coordinated development review.
2. Promoting conservation of land, energy, and natural resources.
3. Promoting sustainable building and site design practices.
4. Promoting diverse housing options along the City's major corridors and within its nodes.
5. Providing standards for interconnected streets and development patterns that support all modes of

Sec. 1.1.6. Authority

This Development Code is adopted under the authority of the Constitution of the State of Georgia and laws enacted pursuant to the Constitution, including but not limited to:

A. O.C.G.A. Title 36, Chapter 66. Zoning Procedures; and

B. O.C.G.A. Title 44, Chapter 2. Recordation and Registration of Deeds and Other Instruments.

Sec. 1.1.7. Application

A. **Territorial Application** This Development Code applies to all land, uses, buildings and structures within the corporate boundaries of the City.

B. **General Application** In their interpretation and application, the provisions of this Development Code are the minimum requirements for the promotion and protection of the public health, safety and welfare.

C. **Required Conformance** All buildings, structures or land, in whole or in part, must be used or occupied in conformance with this Development Code. All buildings or structures, in whole or in part, must be erected, constructed, moved, enlarged or structurally altered in conformance with this Development Code.

D. **Control Over Less Restrictive Private Agreements** This Development Code does not nullify any private agreement or covenant. However, where this Development Code is more restrictive than a private agreement or covenant, this Development Code controls. The City will not enforce any private agreement or covenant.

E. **Control Over Less Restrictive Laws and Regulations** If any condition or requirement imposed by this Development Code is more restrictive than a condition or requirement imposed by any other law, rule or regulation of any kind, the more restrictive condition or requirement governs.

F. **Conflicting Provisions** If any condition or requirement imposed by this Development Code contains an actual, implied or apparent conflict, the more restrictive condition or requirement controls.

G. **References to Other Laws** Whenever a provision of this Development Code refers to any other part of the Sandy Springs City Code or to any other law, the reference applies to any subsequent amendment of that law.

H. **Text and Graphics**

1. Illustrations, photographs and graphics are included in this Development Code to illustrate the intent and requirement of the text. In the case of a conflict between the text of this Development Code and any illustrations, the text governs. Where no text describes conditions or arrangements illustrated in graphics, the conditions or arrangements illustrated govern. When subsequent text is developed to describe conditions or arrangements illustrated in the graphics, that text shall be consistent with the conditions or arrangements illustrated.

2. If any section, paragraph, subdivision, clause, sentence or provision of this Development Code is adjudged by any court of competent jurisdiction to be invalid, that judgment does not affect, impair, invalidate or nullify the remainder of this Development Code. The effect of the judgment is confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which judgment or decree was rendered.

Sec. 1.1.8. Transitional Provisions

A. **Existing Applications and Permits**

1. Any subdivision or other project for which a valid and complete application for a land disturbance permit was received prior to the effective date of this Development Code remains valid and, at the developer's option, may proceed to completion and building permits may be issued under the regulations of the City of Sandy Springs in place immediately prior to the effective date of this Development Code, provided that the land disturbance permit is or can be issued within 90 calendar days of this Development Code's effective date and all time frames associated with the permit are observed.

2. Any project for which a land disturbance permit cannot be issued within 90 calendar days from the effective date of this Development Code must proceed in accordance with these development regulations.

3. Any subdivision or other project for which a modified or conditional land disturbance permit was issued, i.e. any permit which may have been issued for clearing and grubbing or grading only purposes prior to the effective date of this Development Code must be brought into conformance with this

Development Code prior to issuance of any other land disturbance permit or permit modification that would authorize additional work on the project.

4. Administrative modifications will be granted as necessary and appropriate where full compliance is not feasible or cannot reasonably be achieved because of the stage of development, limitations imposed by the site, or design parameters.

B. **Land Disturbance Permit** This Development Code applies to any land disturbance permit for which an application is received after the effective date of this Development Code.

C. **Building Permit** Nothing in this Development Code should be construed to affect the validity of any building permit, fence permit, pool permit, retaining wall permit, sign permit or other similar permit lawfully issued prior to the effective date of this Development Code.

Sec. 1.1.9. Prior Approval Conditions

A. The adoption of an Official Zoning Map implementing this Development Code will remove all prior conditions of rezoning, with the exception of:

1. Buffers or setbacks adjacent to Protected Neighborhoods that exceed the requirements in this Development Code;

2. Any provision for preservation or donation of park or open space land; and

3. Development of Regional Impact (DRI) transportation conditions that exceed the requirements imposed by this Development Code.

4. Any conditions that restrict the provision of ballfield or playground lighting or sound amplification.

5. Any provision in an approved condition or site plan that restricts vehicular access to or from a particular direction.

B. Relief from any prior rezoning condition must be granted through the Planning Commission and City Council under the procedures for Legislative Review (see Div. 11.3.) as a Zoning Map Amendment.

C. All conditions attached to previously approved Use Permits remain in effect. Relief from any prior use permit condition must be granted through the Planning Commission and City Council under the procedures for Legislative Review (see Div. 11.3.) as a Conditional Use Permit.

D. For development sites in the CS-, CX-, and SX- districts which received a zoning approval between September 15, 2017 and prior to December 5, 2023, a conditional use permit is not required for any multi-unit housing component over three (3) stories.

Sec. 1.1.10. Amortization for ~~Vehicle-Related Uses~~Specific Uses and Standards

A. **Intent** It is the intent of this Section to bring into conformity the parking lot landscaping and perimeter screening, foundation planting, mechanical and other equipment screening, and site lighting of vehicle-related uses and screening requirements for all service areas. It is the intent of the City Council to protect the investment-backed expectations of property owners, and to accomplish conformity while allowing property owners a reasonable return on their investment.

B. **Applicability** The requirements of this Section apply to all of the following uses, provided they do not meet the standards referenced in paragraph C. below, where the affected lot abuts Roswell Road, or the lot is visible from the right-of-way of Roswell Road:

1. Fuel pumps;

2. ~~Gas~~ Fuel stations;

3. Vehicle sales and rental (major and minor); and

4. Vehicle service and repair (major and minor).

C. **Standards** The following requirements must be met where practicable:

1. Sec. 8.3~~2~~.2.B. regarding perimeter screening of parking lots;

2. Sec. 8.3~~2~~.4. regarding foundation planting;~~:~~

3. Sec. 8.3~~2~~.9. regarding screening~~: and~~;

4. Div. 8.~~4~~ 5 regarding site lighting~~.~~; and

5. Sec. 8.8.9.A. regarding screening for service areas.

D. **Time for Compliance**

1. The standards in paragraph C.1 through C.4 above must be met within 7 years of the effective date of this Development Code. The standards in C.5 above must be met within 3 years of the 5-Year Development Code Update.

2. Owners of property subject to this Section may apply for an extension of time at any time prior to or within 30 days after the expiration of the 7-year or 3-year period. Such application shall contain the following information:

   a. Name of the property owner making application;

   c. A statement from the property owner of how long of an extension is anticipated to be needed to ensure compliance.

   b. Address and tax parcel number of affected property;

3. Upon receipt of the application, the Director will review the request, including any steps taken to ensure compliance, and grant or deny the request. In no case may the extension exceed 6 months.

E. **Alternative Solutions**

1. Where the Director determines compliance with the standards of this Section are infeasible, due to site limitations or otherwise, alternative standards may be considered that meet or exceed the standards of this Section.

Div. 1.2. Districts

Sec. 1.2.1. Districts Established

In order to carry out the purpose and intent of this Development Code, the City is divided into the following zoning districts, as established on the Official Zoning Map in Div. 1.3. These districts are intended to implement the specific Character Areas established in the Comprehensive Plan, as set out in the table below.

The creation of new districts must be approved through the Planning Commission and City Council under the procedures for Legislative Review (see Div. 11.3) as a Text Amendment.

Character Areas and Zoning Districts		
Character Area Group	**Character Areas Implemented**	**Zoning Districts Permitted**
Protected Neighborhood	Protected Neighborhood	Residential Estate: RE-2, RE-1

		Residential Detached: RD-27, RD-18, RD-15, RD-12, RD-9, RD-7.5
	Conservation Area/Park	Parks: PK
		Conservation: CON
Urban Neighborhood	Urban Neighborhood	Residential Urban: RU-4, RU-3
	Urban Neighborhood, Powers Ferry	Residential Townhouse: RT-3
		Residential Multi-Unit: RM-3, RM-3/8
		Residential Mixed Use: RX-3, RX-3/6, RX-4, RX-5
Corridor & Node	Neighborhood Village	Office Neighborhood: ON-3
	Commercial/Mixed Use, Powers Ferry, Powers Ferry Village	Office Mixed Use: OX-3, OX-4, OX-5, OX-6, OX-8
		Commercial Mixed Use: CX-3, CX-3/6, CX-6, CX-6/8
	Mixed Use, Powers Ferry Village	Shopfront Mixed Use: SX-3, SX-3/6, SX-4, SX-6, SX-6/10
	MARTA Transit-Oriented Development	Transit-Mixed Use: TX-4, TX-6
	City Springs	City Springs: CS-3, CS-4, CS-5, CS-6, CS-6/8
	Commercial/Mixed Use	Industrial Mixed Use: IX-3
	Commercial/Mixed Use, Powers Ferry Village	Commercial Corridor: CC-3
	Mixed Use	North End Mixed Use: NEX-5/6, NEX-5/10/12
Perimeter	Perimeter Center	Perimeter Residential: PR-3, PR-5
	Perimeter Center, Perimeter Medical	Perimeter Mixed Use: PX-3, PX-5, PX-8, PX-10/12, PX-20/35
	Perimeter Medical	Perimeter Medical: PM-5, PM-8, PM-12/15, PM-20/35

~~Zoning District Categories~~		
	~~Established Zoning Districts~~	~~Character Areas Implemented~~
~~Protected Neighborhood Districts~~		
	~~Residential Estate: RE-2, RE-1~~	~~Protected Neighborhood~~
	~~Residential Detached: RD-27, RD-18, RD-15, RD-12, RD-9, RD-7.5~~	~~Protected Neighborhood~~
	~~Parks: PK~~	~~Conservation Area/Park~~

	~~Conservation:~~ ~~CON~~	~~Conservation Area/Park~~
~~**Urban Neighborhood Districts**~~		
	~~Residential Urban:~~ ~~RU-4, RU-3~~	~~Urban Neighborhood~~
	~~Residential Townhouse:~~ ~~RT-3~~	~~Urban Neighborhood, Powers Ferry~~
	~~Residential Multi-Unit:~~ ~~RM-3, RM-3/8~~	~~Urban Neighborhood, Powers Ferry~~
	~~Residential Mixed Use:~~ ~~RX-3, RX-4, RX-5~~	~~Urban Neighborhood, Powers Ferry~~
~~**Corridor & Node Districts**~~		
	~~Office Neighborhood:~~ ~~ON-3~~	~~Neighborhood Village~~
	~~Office Mixed Use:~~ ~~OX-3, OX-4, OX-5, OX-6, OX-8~~	~~Commercial/Mixed Use, Powers Ferry, Powers Ferry Village~~
	~~Commercial Mixed Use:~~ ~~CX-3, CX-6~~	~~Commercial/Mixed Use, Powers Ferry, Powers Ferry Village~~
	~~Shopfront Mixed Use:~~ ~~SX-3, SX-4, SX-6~~	~~Mixed Use, Powers Ferry Village~~
	~~Transit-Mixed Use:~~ ~~TX-4, TX-6~~	~~MARTA Transit-Oriented Development~~
	~~City Springs:~~ ~~CS-3, CS-4, CS-5, CS-6~~	~~City Springs~~
	~~Industrial Mixed Use:~~ ~~IX-3~~	~~Commercial/Mixed Use~~
	~~Commercial Corridor:~~ ~~CC-3~~	~~Commercial/Mixed Use, Powers Ferry Village~~
	~~North End Mixed Use: NEX-5/6, NEX-5/10/12~~	~~Mixed Use~~
~~**Perimeter Center Districts**~~		
	~~Perimeter Residential:~~ ~~PR-3, PR-5~~	~~Perimeter Center~~
	~~Perimeter Mixed Use:~~ ~~PX-3, PX-5, PX-8, PX-10/12, PX-20/35~~	~~Perimeter Center~~
	~~Perimeter Medical:~~ ~~PM-5, PM-8, PM-12/15, PM-20/35~~	~~Perimeter Center~~

Sec. 1.2.2. Frontages Established

In order to carry out the purposes and intent of this Development Code, the following frontages are established on the Official Zoning Map in Div. 1.3. These frontages are intended to implement specific character as established in the Roswell Road and Perimeter Center small area plans of the Comprehensive Plan.

~~**A. Corridor and Node Frontages**~~

~~1. PL Parking Limited~~

~~**B**~~**A. Perimeter Center Frontages**

1. Standard
2. -UL Urban Limited
3. -UG Urban General
4. -SH Shopfront

Div. 1.3. Official Zoning Map

Sec. 1.3.1. Official Zoning Map Established

A. The boundaries of the zoning districts and frontages established in Div. 1.2 are shown and established on the Official Zoning Map The Official Zoning Map for the City of Sandy Springs is incorporated and made part of this Development Code.

B. The Official Zoning Map was adopted on August 15, 2017 and became effective on September 15, 2017.

C. The Official Zoning Map may be kept electronically in a Geographic Information System. Any copy of the Official Zoning Map published on the web or otherwise portrayed electronically does not constitute the original Official Zoning Map.

D. The Director may make paper copies of the Official Zoning Map available to the public for a reasonable fee.

Sec. 1.3.2. Interpretation of Map Boundaries

Where uncertainty exists with respect to the boundaries of any zoning district on the Official Zoning Map, the Director is authorized to interpret the boundaries using the following methods.

A. Where a district boundary line is shown as approximately following the centerline of a street or highway, or an extension of a street or highway, the district boundary is the centerline of that street or highway.

B. Where more than one district applies to a property, and the district boundary line is shown as running approximately parallel at a distance from a street, the distance from the centerline must be determined by the use of the map scale.

C. Where a district boundary line is shown as approximately following a lot line, the district boundary is the lot line.

D. Whenever any street, alley, ~~or~~ other public way, or un-zoned remnant property is vacated, ~~or~~ abandoned, or sold by official action of the City Council, or other state or local entity, the least intense zoning district adjoining ~~each~~ either side of the street, alley, ~~or~~ public way, or public property, will be automatically ~~extended to the center of~~applied to the street, alley, ~~or~~ public way or public property, as determined by the Director.

E. Where a boundary line is shown and its location is not fixed by any of the rules of this Division, its precise location is determined by scaling from streets, objects or structures shown on the Map.

ARTICLE 11.
ADMINISTRATION

Div. 11.1. Review Authority

Sec. 11.1.1. Summary of Review Authority

The following table summarizes the review, approval and appeal authority of the various review bodies and officials that implement and administer the Development Code.

APPROVAL PROCESS		APPROVAL AUTHORITY				PUBLIC NOTICE				
	Cross-reference	Director	Board of Appeals	Planning Commission	City Council	Community Meetings	Web	Posted	Mailed	Published
Legislative Review	Div. 11.3.									
Text Amendment		R	—	R-PH	D-PH	—	Y	—	—	Y
Character Area Map Amendment		R	—	R-PH	D-PH	Y	Y	Y	Y	Y
Zoning Map Amendment (Rezoning)		R	—	R-PH	D-PH	Y	Y	Y	Y	Y
Conditional Use Permit		R	—	R-PH	D-PH	Y	Y	Y	Y	Y
Subdivision Review	Div. 11.4									
Preliminary Plat		D	A-PH	—	—	—	—	—	—	—
Final Plat without dedication		D	A-PH	—	—	—	—	—	—	—
Final Plat with dedication		R	—	—	D-PH	—	—	—	—	—
Permit Review	Div. 11.5									
Land Disturbance Permit		D	A-PH	—	—	—	—	Y*	—	—
Building Permit		D	A-PH	—	—	—	—	Y*	—	—
Tree Removal Permit		D	A-PH	—	—	—	—	Y*	—	—
Temporary Use Permit		D	A-PH	—	—	—	—	—	—	—
Relief	Div. 11.6									
Administrative Variance		D	—	—	—	—	—	—	—	—
Variance		R	D-PH	—	—	—	Y	Y	Y	Y
Appeal of an Administrative Decision		R	D-PH	—	—	—	Y	—	—	Y
~~Beneficial Use Determination~~		~~R~~	~~—~~	~~R-PH~~	~~D-PH~~	~~—~~	~~Y~~	~~Y~~	~~Y~~	~~Y~~

KEY: R = Review & Recommendation D = Final Decision A = Appeal PH = Public Hearing
Y = Required Y* = Plan box posted on site at time of application — = Not Required

Sec. 11.1.2. Director

The Director has those powers and duties expressly identified in this Development Code and the Sandy Springs Technical Manual, including, but not limited to, the following. All other ordinances or regulations referenced in this Development Code such as the fire prevention and life safety codes, building and other technical codes, regulations and ordinances, are administered by the Directors of the Departments responsible for such ordinances, as established by the City Council. The requirements of this Development Code are interpreted by the Director.

A. **Review and Recommendation** To review and provide recommendations on applications for:

1. Legislative review;
2. Final plats with dedication;
3. Variances; and
4. Appeals of administrative decisions.

B. **Decision** To review and decide on applications for:

1. All plats without dedication;
2. All permits handled by the Department of Community Development; and
3. Administrative variances.

C. **Delegation** The Director may delegate any review authority to the Department staff; however, any decisions remain the responsibility of the Director.

D. **Interpretation** The Director interprets the provisions of this Development Code, and may use opinions of the City Attorney and others in arriving at interpretations.

E. **Enforcement** The Director enforces the provisions of this Development Code. See also Div. 11.8.

Sec. 11.1.3. Board of Appeals

The Board of Appeals has those powers and duties expressly identified in this Article, including, but not limited to:

A. **Decision** To review and decide on applications for:

1. Appeals of the Director's administrative decision or interpretation of this Development Code~~;~~ as it pertains to the issuance of Stop Work Orders (SWO).

~~2. Appeals regarding approval or denial of preliminary plat or final plat without any public dedication;~~ and

2~~3~~. Variance from the standards of this Development Code.

Sec. 11.1.4. Planning Commission

The Planning Commission has those powers and duties expressly identified in this Article, including, but not limited to, the following.

A. **Review and Recommendation** To review and provide recommendations on applications for:

1. Legislative review.

Sec. 11.1.5. City Council

The City Council has those powers and duties expressly identified in this Article, including, but not limited to, the following.

A. **Decision** To review and decide on applications for:

1. Legislative review; and
2. Final plats that include any acceptance of public dedication.

Div. 11.2. Common Review Provisions

Sec. 11.2.1. Applicability

The following requirements are common to the procedures in Div. 11.3 through Div. 11.6 and apply to applications submitted under this Article.

Sec. 11.2.2. Consistency with State Law

A. This Article is intended to comply with the provisions of the Georgia Zoning Procedures Act, O.C.G.A. § 36-66 et seq., incorporated by reference in its entirety into this Development Code. This Article is also intended to comply with O.C.G.A. § 36-67, pertaining to zoning decisions.

B. This Article is intended to comply with the provisions of the Georgia Plat Act, O.C.G.A. § 15-6-67 et seq., incorporated by reference in its entirety into this Development Code.

C. Where any provision of this Article is in conflict with any provision of State law, State law controls.

D. Where this Article is incomplete in having failed to incorporate a provision necessarily required for the implementation of State law, the provision of State law must be fully met.

Sec. 11.2.3. Application Requirements

A. **Application Submittal**

1. All applications must be filed with the City on forms and in such numbers as required by the Director.
2. Application forms are found on the City's website (http://sandyspringsga.gov) or hard copies may be obtained from the Department.

B. **Application Deadline** Complete applications must be submitted in accordance with the published schedule. Schedules indicating submittal dates are developed each year and made available on-line on the City's website and to the public at the Department.

C. **Fee Schedule**

1. Filing fees have been established to help defray the cost of processing applications. The current fee schedule is available on-line on the City's website and kept on file by the Department and is updated and adopted by the City Council.
2. Before review of an application, all filing fees must be paid in full.

3. If review of an application is postponed or delayed due to the applicant's failure to comply with any of the provisions of this Article, the Director will assess additional fees as may be determined by the Department to be the additional administrative costs associated with such postponement or delay.

D. **Completeness Determination**

1. All applications must be complete before the City is required to review the application.
2. In order to be accepted, all applications may require both electronic format and paper copies, as prescribed by the Director.
3. An application is considered complete when it contains all of the information necessary to decide whether or not the application will comply with all of applicable requirements of this Development Code. Additional application materials may be required of the applicant following the initial submittal where the submittal details are insufficient to make the necessary determination of compliance with this Development Code.
4. The presumption is that all of the information required in the City's application form is necessary to satisfy the requirements of this Article. However, it is recognized that each application is unique, and more or less information may be required according to the specifics of a particular case. The applicant may rely on the Director to determine whether more or less information has to be submitted.
5. Where a Community Meeting is required, no application will be accepted without evidence such Community Meeting has occurred (see Sec. 11.2.5).

E. **Revised Application Materials**

1. All revised application materials must be submitted to the Department, which will route the materials to the appropriate review bodies. No materials may be sent directly to any Board or Commission, or directly to the Mayor or City Council.
2. No revised application materials, either hard copy or electronic, may be submitted to the Director less than 30 days prior to a scheduled public meeting or public hearing.
3. An application amended beyond this deadline will be put on administrative hold until the following regularly scheduled public hearing or public meeting, and the applicant will be responsible for reimbursing the City for re-advertising fees.
4. No revised, additional or supplementary application materials may be submitted at any board or commission meeting or hearing.

F. **Withdrawal of an Application** An applicant may choose to withdraw their application according to the following procedures.

1. If an application has not been advertised for public hearing or public meeting, it may be withdrawn. The applicant must submit a written request for withdrawal stating the reason for the request. The request must be made to and accepted by the Director. No refund of application fees will be made.
2. Where an application has been advertised, it can be withdrawn prior to the public hearing. The item will remain on the agenda and noted as "Withdrawn."
3. A withdrawal is not a final action, however, withdrawal of an application bars resubmission of a similar application for 6 months.

Sec. 11.2.4. Public Hearings and Meetings

A. **Maximum Hearings Scheduled**

1. **Legislative Review** No more than 5 new and complete applications, of which no more than one may be a Development of Regional Impact as determined by the Atlanta Regional Commission, will be placed on the same Planning Commission regular agenda. Those in excess will be placed on the next available Planning Commission regular agenda, in the order in which they are received.

2. **Variance Review** No more than 5 new and complete applications will be placed on the same Board of Appeals regular agenda. Those in excess will be placed on the next available Board of Appeals regular agenda, in the order in which they are received.

Sec. 11.2.5. Community Meetings

A. **Intent** The intent of the community meeting is to ensure that applicants pursue early and effective public participation in conjunction with their applications, to ensure that the citizens of the City have an adequate opportunity to learn about applications that may affect them, and to ensure ongoing communication between applicants, adjoining property owners, environmentally stressed communities, community associations and other organizations, elected officials and City staff.

B. **Community Meeting Required**

1. Where required by this Article, an application must be presented at two community meetings:

   a. Following the pre-application meeting, but prior to application; and

   b. Following application, but prior to being placed on the Planning Commission public hearing agenda.

   c. Where a rezoning follows an amendment to the Character Area Map, only the second community meeting is required.

2. The location, date and time of the community meeting must be confirmed with the Department prior to advertising.

3. If the applicant fails to follow the sequence of events or to advertise according to the rules established by the Director, the application will be put on hold until the requirements are fully met.

4. Where an application is significantly revised following the initial Community Meeting or Planning Commission public hearing, the Director may require an additional community meeting on the revised application prior to placing the application on the Planning Commission or City Council public hearing agenda, respectively.

C. **Advertisement** The applicant is responsible for organizing and conducting the community meeting, in accordance with rules established by the Director. The community meeting must be advertised by mail and by a sign posted on the subject property.

1. **Sign Posting** The applicant must prepare and post a sign on the subject property no later than 15 calendar days prior to the meeting date. The sign must contain the time, place and purpose of the scheduled meeting, and must be formatted consistent with rules established by the Director.

2. **Notice by Mail**

   a. The applicant must provide notice by regular mail to all property owners within 500 feet of the boundaries of the subject property who appear in the City's Geographic Information System (GIS). Notices must be postmarked at least 15 calendar days prior to the community meeting. Even If the mail is not delivered, proof of mailing will be considered adequate notice.

   b. Mailed notices must contain the date, time, place and purpose of the scheduled meeting, the location of the subject property, and the nature of the application requested.

c. Applicant must produce a Certificate of Mailing from the Post Office upon request from staff.

D. **Conduct of Community Meeting**

1. The community meeting must be held after the pre-application meeting.
2. The applicant is responsible for securing a location close to the subject property for the community meeting.
3. The applicant is responsible for collecting the names and addresses of all attendees.
4. The applicant is responsible for conducting the community meeting, allocating at least 30 minutes to address questions and comments from the audience.
5. Reserved.
6. The City will make the project information sheet and the site plan available on the City website once the community meeting is scheduled.
7. The applicant must provide a summary of the community meeting, including attendees, at the time of filing, as part of any application.

Sec. 11.2.6. Public Notice Requirements

A. **In General**

1. For public notice requirements, see the summary table in Sec. 11.1.1.
2. The fact that notice is not received due to an error that was not the fault of the City does not prevent the public hearing from being held, change any decision made at the public hearing, or prevent the application from continuing to move forward through the review process.

B. **Web Notice** Where web notice is required, notice of the public hearing or public meeting must be posted on the City's website at least 15 calendar days prior to the date of the public hearing or meeting.

C. **Posted Notice**

1. Where posted notice is required, a sign must be posted by the applicant on the property on each public or private street frontage at a point visible from the nearest public or private street. In the case of multiple lots, sufficient signs must be posted to provide reasonable notice to interested persons. Signs must be posted before 8:30 AM at least 15 calendar days prior to the date of the public hearing.
2. Property that is not posted as required will be administratively removed from the agenda until all sign posting requirements have been met. The applicant will be responsible for publishing a new notice and mailing new notices as required in this Section.
3. It is the applicant's responsibility to remove or cause to be removed any public notice sign required by this Section. All public notice signs must be removed within 48 hours of final action on the petition (any signs not removed within the period will constitute a violation of this Development Code and the Director will issue a citation).
4. The failure of an applicant to post notice on two consecutive occasions will be considered willful disregard of the applicant's obligation to comply with this Development Code. Any related application will be automatically denied, and subject to all provisions of this Development Code regarding denied applications.
5. Posted notice for permit review, when applicable, is only required in the form of a plan box posted on the project lot at the time of application. The plan box must include a conceptual site plan as well as

any approved building plans (where applicable). Permits for interior construction are exempt from this requirement.

6. Public notice signs regulated in this Section are exempt from the requirements of Div. 8.43.

D. **Mailed Notice** Where mailed notice is required, the applicant must notify by mail all owners of property included in the proposed application and all owners of property within 500 feet on all sides, as shown on the Fulton County tax records. Notice must be mailed at least 15 calendar days, but not more than 45 calendar days, prior to the date of the public hearing.

E. **Published Notice**

1. Where published notice is required, notice of the public hearing must be published by the Director at least once in a newspaper generally circulated within the City at least 15 calendar days, but not more than 45 calendar days, prior to the date of the public hearing. Published notice is not required when a public hearing or meeting is deferred by City Council, Planning Commission or Board of Appeals.

2. Where the applicant provides revisions after the deadline or does not provide public notice as required in this Division, the applicant will reimburse the City for any additional advertisement costs that result.

Sec. 11.2.7. Conduct of Public Hearing

A required public hearing will be conducted in accordance with the bylaws of the applicable hearing body.

Sec. 11.2.8. Notice of Decision

Within 5 working days after the approval of meeting minutes reporting a decision, an approval letter must be sent to the applicant by the Director. In the case of permit issuance, the permit constitutes written notice of the decision.

Div. 11.3. Legislative Review

Sec. 11.3.1. Authority

The City Council approves applications for Legislative Review.

Sec. 11.3.2. Applicability

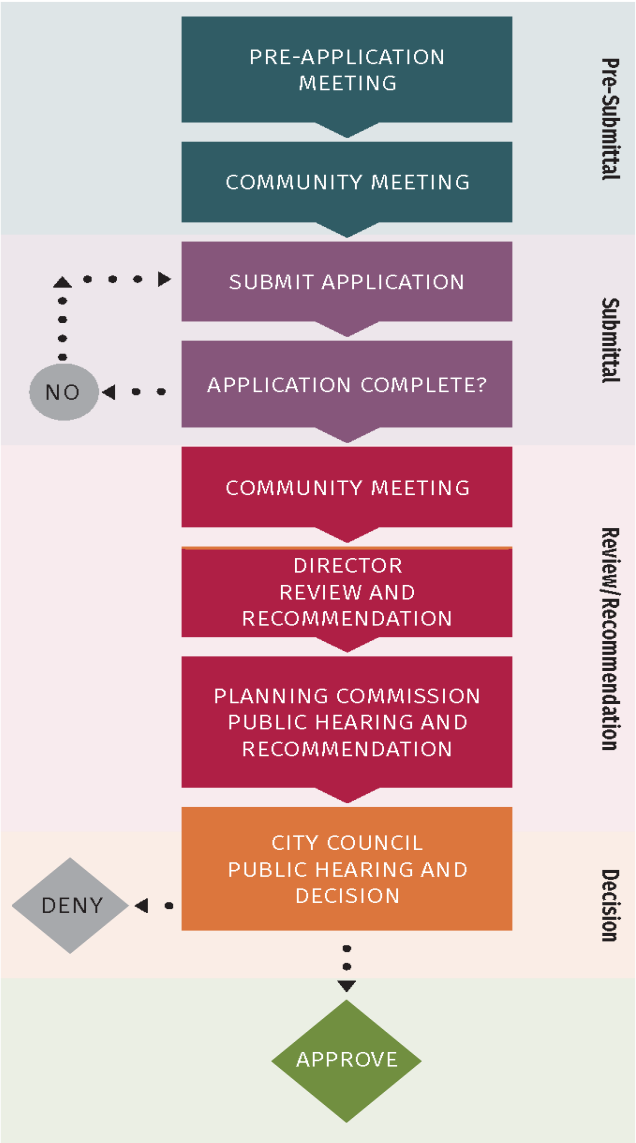
Legislative Review is required for the following.

A. **Text Amendments** A request to amend the text of this Development Code or the Comprehensive Plan. This process may only be initiated by staff or an elected official, receives the Director's review, and does not require Community Meetings.

B. **Comprehensive Plan Character Area Map Amendments** A request to amend the Character Area Map of the Comprehensive Plan. Such requests will be considered twice annually, with application in January and July for action in April and October, respectively. A Character Area Map Amendment is required prior to a rezoning application where the proposed zoning is not allowed in the applicable character area. See the District Intent Statement for the proposed district to make this determination.

C. **Zoning Map Amendments (Rezoning)** A request to amend the Official Zoning Map from one zoning district to another, to change the boundaries of an existing zoning district, or to modify any existing condition of rezoning. If a change to the Character Area Map is required in order to maintain consistency with the

Comprehensive Plan, the Character Area Map Amendment must be approved prior to initiation of the rezoning, and the application for rezoning must be filed within one year of the Character Map decision.



Legislative Review Generalized Procedure

D. **Conditional Use Permits** A request to change or expand an existing use identified as a conditional use in Article 3 through Article 7 or expressly requiring a conditional use permit elsewhere in this Development Code. Conditional use may not be used to allow additional height beyond the allocated district or beyond the maximum bonus height.

Sec. 11.3.3. Application Initiation

A. The City Council, the Planning Commission or the Director may initiate an application for Legislative Review.

B. Any person, firm, corporation or agency may initiate a Zoning Map Amendment or Conditional Use Permit application, provided they are the owner or the owner's representative of the subject property.

C. Any zoning map amendment must be consistent with the Character Area Map of the Comprehensive Plan. Where a proposed zoning map amendment would be inconsistent with the Character Area Map based on its implementing zoning districts, an amendment of the Character Area Map must be approved by the City Council prior to submittal of the zoning map amendment.

Sec. 11.3.4. Submittal Process

A. **Pre-Application Meeting**

1. Before submitting an application, the applicant must schedule a pre-application meeting to discuss the request, procedures, standards and regulations required for approval.

B. **Community Meetings**

1. An applicant or authorized representative must organize and participate in at least two community meetings to discuss the proposed application. See Sec. 11.2.5.

2. The intent of this meeting is to inform and initiate discussion with the community.

C. **Application Submittal**

1. A complete application form and any required attachments, along with the required review fee, must be submitted to the Department in accordance with the adopted schedule.

2. Where a Zoning Map Amendment and a Conditional Use Permit are requested simultaneously, two separate applications must be filed but will be treated as one case.

D. **Conditions**

1. The City policy is to limit the number of conditions to those deemed essential to the proper development and use of the subject property, and to the safety and quality of life of the community.

2. Applicants for zoning map amendments and conditional use permits may propose conditions. The Director will make a recommendation on their adoption to the Planning Commission and City Council.

3. The Director and Planning Commission may recommend and City Council may adopt any conditions deemed necessary.

Sec. 11.3.5. Application Review

A. **Initial Distribution of an Application** Upon determination of a complete application, the Director will promptly distribute the application for review by internal City Departments and external agencies.

B. **Public Hearing Notice** Legislative Review requires a public hearing before the Planning Commission and before the City Council. Notice requirements for public hearings are specified in the Summary of Review Authority in Div. 11.1.

C. **Director Review**

1. Reserved.

2. If, after the internal and external review, the Director finds that the application meets the approval criteria in Sec. 11.3.6, the application will be certified as complying with all applicable requirements of the Development Code and scheduled for the next available Planning Commission hearing.

3. Upon certification by the Director that the application complies with the approval criteria in Sec. 11.3.6, no changes to the application are permitted prior to the Planning Commission hearing.

D. **Text Amendment Analysis** The Director must review the application and make a written recommendation to the Planning Commission, based on an analysis of the criteria in Sec. 11.3.6.

E. **Character Area Map Analysis**

1. At the time of the request, the applicant must provide a written analysis of the impact of the proposed Character Area Map change with respect to each of the approval criteria in Sec. 11.3.6.

2. The Director must review any application for a change to the Character Area Map and make a written recommendation to the Planning Commission, based on an analysis of the approval criteria in Sec. 11.3.6.

F. **Zoning Impact Analysis**

1. At the time of the request, the applicant must provide a written analysis of the impact of the proposed Official Zoning Map change with respect to each of the approval criteria in Sec. 11.3.6.

2. The Director must review any application for a change to the Official Zoning Map and make a written recommendation to the Planning Commission, based on an analysis of the approval criteria in Sec. 11.3.6.

G. **Conditional Use Analysis**

1. In the interest of the public health, safety and welfare, the City Council may exercise discretion in evaluating the site proposed for a conditional use.

2. At the time of the request, the applicant must provide a written analysis of the impact of the proposed conditional use with respect to each of the approval criteria in Sec. 11.3.6.

3. The Director must review any application for a conditional use permit and make a written recommendation to the Planning Commission, based on an analysis of the approval criteria in Sec. 11.3.6.

4. In granting such permits, conditions may be attached as are deemed necessary in the particular case for the protection or benefit of neighbors to ameliorate the potential impacts of the proposed conditional use.

H. **Planning Commission Public Hearing**

1. The Planning Commission will conduct a public hearing and provide a recommendation to the City Council on the application.

2. The Planning Commission has 65 calendar days from the date of the public hearing to submit their recommendations to the City Council. This time period may be extended if both the applicant and the Planning Commission agree on an extension.

3. The pre-application meeting and the Planning Commission public hearing must not be more than 6 months apart, unless the Applicant submits a written request to the Director, stating the reasons for the delay. The Director has the discretion to allow a one-time extension of no more than 3 months.

I. **City Council Public Hearing**

1. Following the recommendation of the Planning Commission, the City Council will conduct a public hearing.

2. The City Council has 65 calendar days from the date of the public hearing to approve, approve with conditions, deny, or send the application back to the Planning Commission for additional consideration. This time period may be extended if both the applicant and the City Council agree on an extension.

J. **Concurrent Variances** Concurrent variances to Zoning Map or Character Area Map amendment requests are not allowed. A separate variance application must be submitted to the Board of Appeals following action by the City Council.

Sec. 11.3.6. Approval Criteria

Different legislative approvals have different review criteria. The following lists are not exhaustive, but provide guidance for making decisions on each type of approval.

A. **For a Text Amendment**

1. The Text Amendment corrects an error or meets the challenge of some changing condition, trend or fact.
2. The Text Amendment is in response to changes in State law, as established through amendments to the Georgia General Statutes or by court decision.
3. The Text amendment is in response to revised City policies, newly adopted plans, or changes in other City Ordinances.
4. The Text Amendment substantially conforms with the Comprehensive Plan, contemporary planning practices, and local, state and federal laws.
5. The Text Amendment substantially conforms with the stated purpose and intent of this Development Code.
6. The Text Amendment constitutes a benefit to the City as a whole and is not solely for the good or benefit of a particular landowner or owners at a particular point in time.
7. The Text Amendment will not significantly impact the natural environment negatively, including air, water, noise, stormwater management, wildlife and vegetation.
8. The Text Amendment will not significantly impact existing conforming development patterns, standards or zoning regulations.

B. **For a Character Area Map Amendment**

1. The Character Area Map Amendment corrects an error or meets the challenge of some changing condition, trend or fact.
2. The Character Area Map Amendment substantially conforms with the remainder of the Comprehensive Plan.
3. The Character Area Map Amendment will reinforce the existing or planned character of the area.
4. The Character Area Map Amendment will not significantly impact the natural environment, including air, water, noise, stormwater management, wildlife and vegetation.
5. The Character Area Map Amendment will not have a significant adverse impact on property in the vicinity of the subject property.

C. **For a Zoning Map Amendment**

1. The Zoning Map Amendment corrects an error or meets the challenge of some changing condition, trend or fact.

2. The Zoning Map Amendment substantially conforms with the Comprehensive Plan.

3. The Zoning Map Amendment substantially conforms with the stated purpose and intent of this Development Code.

4. The Zoning Map Amendment will reinforce the existing or planned character of the area.

5. The subject property is appropriate for the development allowed in the proposed district and the use and development of adjacent properties.

6. There are substantial reasons why the property must not be used according to the existing zoning.

7. There is a need for the proposed use at the proposed location.

8. The City and other service providers will be able to provide sufficient public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, police, fire and emergency medical services, while maintaining sufficient levels of service to existing development.

9. The Zoning Map Amendment will not significantly impact the natural environment, including air, water, noise, stormwater management, wildlife and vegetation.

10. The Zoning Map Amendment will not have a significant adverse impact on property in the vicinity of the subject property.

D. **For a Conditional Use**

1. The use is allowed as a conditional use in the respective zoning district (see Div. 7).

2. The use complies with the applicable specific use standard listed in Article 7 without the granting of any variance.

3. The use is compatible with adjacent uses in terms of location, scale, site design, hours of operation and operating characteristics.

4. Any significant adverse impacts resulting from the proposed use in the affected area will be effectively mitigated or offset.

5. The City and other service providers will be able to provide sufficient public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, police, fire and emergency medical services, while maintaining sufficient levels of service to existing development.

Sec. 11.3.7. Denied Application

A. Decisions of the City Council are final. Anyone not satisfied with a decision may pursue an appeal to Fulton County Superior Court, within 30 calendar days of the decision.

B. No application for Legislative Review affecting the same or any portion of property that was denied by the City Council will be accepted for filing within 12 months of the date the application was denied.

Sec. 11.3.8. Action Following Approval

Approval of an application for Legislative Review allows applicants to move forward with additional approvals applicable to their development.

A. For information on subdividing property, see Div. 11.4.

B. Reserved.

Sec. 11.3.9. Modification of Conditions

Any modification of a condition of approval following City Council approval requires full review under this Section as a rezoning or conditional use permit, as applicable.

Div. 11.4. Subdivision Review

Sec. 11.4.1. Applicability

Subdivision Review is required for any:

A. Division of land into 2 or more lots;

B. Combination of 2 or more lots, when the lots are under different ownership;

C. Revision or reconfiguration of lot lines;

D. Extension of public utilities (other than individual service lines) or other municipal facilities;

E. Dedication of public right-of-way;

F. Abandonment of existing public right-of-way; and

G. Extension of public or private streets.

Sec. 11.4.2. Approval Authority

All plats are approved by the Director. Where a final plat includes dedications to the City, they must be accepted by the City Council.

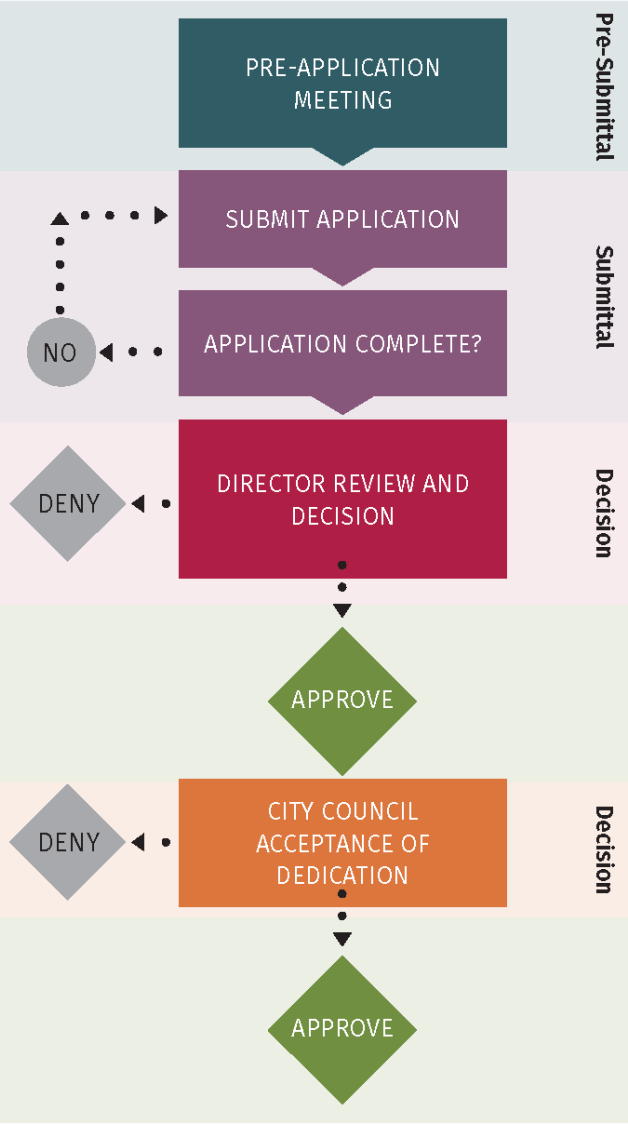
Sec. 11.4.3. Lot Size Reduction

A. When a lot or property is reduced in area, all resulting subdivided lots and all structures must meet the minimum requirements of this Development Code.

B. Where a lot or property is reduced in area to less than the minimum lot size as a result of government action (including, but not limited to, right-of-way condemnation), the lot will not be deemed nonconforming.

Sec. 11.4.4. Application Initiation

Any person, firm, corporation or agency may initiate an application for Subdivision Review, provided they are the owner or the owner's representative of the property for which the application is being submitted.



Subdivision Review Generalized Procedure

Sec. 11.4.5. Submittal Process

A. **Schedule a Pre-Application Meeting** Before submitting an application, the applicant may schedule a pre-application meeting with the Department to discuss the procedures, standards and regulations required for approval.

B. **Submit Application** Following the pre-application meeting, the applicant may start the application process. To begin, submit a complete application form and any required attachments, along with the required review fee, to the Department.

Sec. 11.4.6. Application Review

A. **Public Meeting Notice**

1. A public hearing is not required for approval of a plat without public dedication, therefore, no formal notice of the submittal is published, mailed or posted.

2. Final Plats with public dedication are advertised on the City Council agenda at least 7 days before the scheduled meeting.

Sec. 11.4.7. Preliminary ~~Plat and Conceptual~~ Plan Applicability

A. **Applicability**

1. The Director may consider several existing or proposed parcels as a single development project for the purposes of meeting jointly certain requirements of this Code, upon the following findings:

   a. The proposed uses are compatible with and complementary to each other, and

   b. All the parts of the development are interconnected physically by streets, drives, sidewalks or trails; and

   c. The development is subject to an approved preliminary ~~plat and conceptual~~ plan.

B. **Requirements**

1. The review process for the preliminary ~~plat and conceptual~~ plan is the same as for a land disturbance permit.

2. The preliminary plan~~t~~ must show all existing and proposed property lines and rights-of-way, building setbacks and build-to zones, buffers, easements and areas associated with each proposed parcel.

3. a. The ~~conceptual~~ preliminary plan must show all proposed site improvements and identify proposed uses.

   b. The ~~conceptual~~preliminary plan must be to scale and include all data and dimensions necessary to demonstrate compliance with this Code. The use of exhibits in addition to the site plan are encouraged.

   c. Primary and side streets must be designated, and their type and frontage (if applicable) must be identified.

   d. Conceptual grading and stormwater management strategies must be indicated.

   e. Construction phasing diagrams must be included, if applicable.

   f. The submittal must include data demonstrating compliance of the overall site with zoning requirements, in particular, parking, lot coverage, outdoor amenity space, build-to zone and protected neighborhood transition (if applicable).

4. The approval of the preliminary plan~~t~~ ~~and conceptual plan~~ does not constitute approval of a Final Plat or a variance or a waiver from any requirements of this Development Code. Rather, it is approval of a generalized subdivision layout and is to be used as a guide for the preparation of an application for a Land Disturbance Permit.

5. A traffic impact study may be required before the approval of a ~~conceptual~~ preliminary plan.

6. The update of the ~~conceptual plan and~~ preliminary plan~~t~~ must proceed in the same manner as the original approval. Such update may be required if the change in the proposed development results in an increase in the size of the building footprint, a reduction in the provision of outdoor amenity space, a change in circulation patterns, or other changes, at the discretion of the Director.

7. Should an amendment to the Development Code render the ~~conceptual~~ preliminary plan nonconforming, the Director may require an update of the ~~conceptual~~ preliminary plan to bring it into compliance.

Sec. 11.4.8. Approval Criteria

When reviewing or approving a Preliminary Plan~~t~~, the Director considers the following:

A. Recommendations from internal City Departments and external agencies;

B. Compliance with the applicable requirements of this Development Code; and

C. Substantial conformance with the City's applicable adopted plans and policies.

Sec. 11.4.9. Action Following Preliminary Approval

Upon approval of a preliminary ~~plat and conceptual~~ plan, plans and specifications for the installation of improvements required for a land disturbance permit may be prepared and submitted pursuant to Sec. 11.5.1.

Sec. 11.4.10. Performance Sureties

A. When deemed appropriate by the Director, a performance surety may be required prior to approval of development conformance for those improvements not yet completed. A performance surety meeting the following requirements must be filed by the applicant:

   1. Be conditioned upon the faithful performance by the applicant or developer of all work required to complete all improvements and installations for the development, or any approved portion, in compliance with this Development Code, within a specified time;

   2. Be payable to, and for the indemnification of, the City;

   3. Be in an amount equal to 125% of the cost of construction of the required improvements not yet completed, as calculated by the Director on the basis of yearly contract prices or City contracts, where available. When contract prices are not available, the Director may use cost estimates from any source deemed reasonable by the Director to approximate the cost of the proposed work;

   4. Where a surety is acceptable it must be issued by a company entered and licensed to do business in the State of Georgia; and

   5. The only acceptable form for a surety is:

      a. Cashier's check; OR

      b. Irrevocable letter of credit.

B. If the applicant fails to complete the work as stated in the surety agreement within the stated time frame the City may call the surety and use the proceeds to complete the work.

C. Additional surety funds may be required for work that is completed within the right-of-way, City easement or other City property under a right-of-way/utility permit.

Sec. 11.4.11. Validity of Preliminary ~~Plat and Conceptual~~ Plan

A. An approved preliminary plat expires 2 years after the approval date, unless the applicant has filed a complete application for a final plat.

B. An approved ~~conceptual~~ preliminary plan expires 2 years after the approval date, unless an LDP has been approved in accordance with the ~~conceptual~~ preliminary plan.

C. For phased development, the ~~conceptual~~ preliminary plan expires 2 years after a certificate of occupancy is issued for a phase, unless an LDP has been approved in accordance with the ~~conceptual~~ preliminary plan for the following phase.

Sec. 11.4.12. Preliminary Plat Revisions

A. Minor revisions to an approved Preliminary Plat that reflect the same basic street and lot configurations as the original approval may be approved by the Director.

B. Any request for a revision to an approved Preliminary Plat that increases the number of building lots, decreases the amount of common open space, or alters a street or block pattern, must be initiated and processed as a new Preliminary Plat application.

Sec. 11.4.13. Preliminary Plat Denial

If unsatisfied with the decision of the Director, the applicant may file an appeal within 30 calendar days of the decision (see Div. 11.6).

Sec. 11.4.14. Final Plat Approval

A. **Approval by the Director**

1. Before applying for Final Plat approval, the requirements of Sec. 11.4.8. must be met.
2. Upon determination of a complete application, the Director will promptly distribute the application for review by internal City Departments and external agencies.
3. If, after the internal and external review, the Director finds that the Final Plat does not meet all the applicable requirements of the Development Code or substantially conform with the Preliminary Plat, the Director will notify the applicant in writing of the specific provisions that have not been met and offer the applicant the opportunity to make changes to the Final Plat.
4. If, after the internal and external review, the Director finds that the Final Plat meets all applicable requirements of this Development Code and substantially conforms with the Preliminary Plat, the application will be certified as complying with all applicable requirements of the Development Code.
5. Where an approved final plat does not require public dedication, the applicant will record the Final Plat in the records of the Clerk of the Superior Court of Fulton County and file a copy with the Director.
6. Where the approved final plat includes public dedication, the application will be scheduled for the next available City Council meeting. Upon certification by the Director that the application complies with all applicable requirements of the Development Code, no changes to the application are permitted prior to the City Council meeting.

B. **Dedication Acceptance by the City Council**

1. The City Council must accept or decline any dedication of land or public improvements. The Final Plat must be signed by the Mayor.
2. Decisions of the City Council are final. Any party not satisfied with a decision of the City Council may pursue appeals to Fulton County Superior Court within 30 calendar days of the decision.
3. Once a public dedication has been approved by the City Council, the applicant will record the Final Plat in the records of the Clerk of the Superior Court of Fulton County and file a copy with the Director.

Div. 11.5. Permit Review

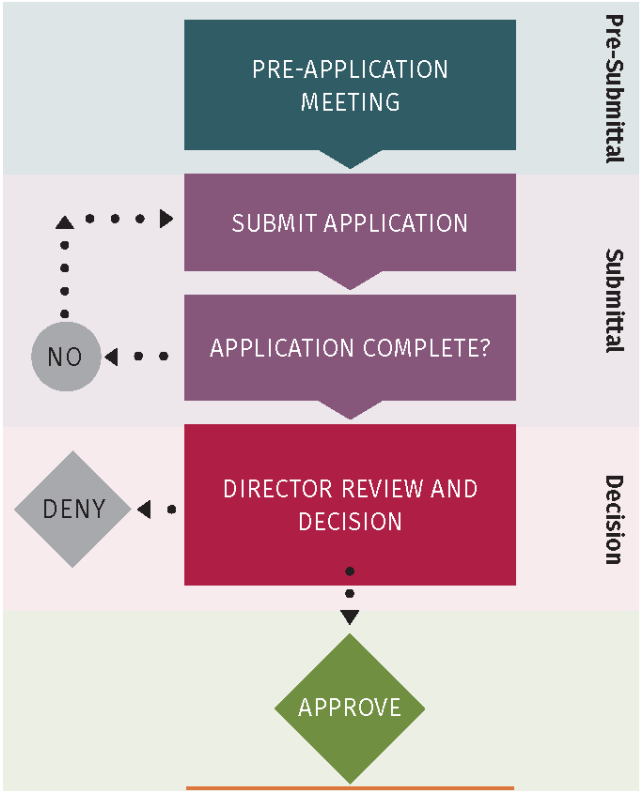
Sec. 11.5.1. Land Disturbance Permits

A. **Authority** The Director oversees the issuance of Land Disturbance Permits to ensure that site work conforms to federal, state and local regulations.

B. **Applicability**

1. A Land Disturbance Permit is required for land disturbance activity, including, but not limited to, clearing and grubbing, dredging, grading, excavating, filling, tree removal, storage or transporting of materials on or off a site, and the construction of improvements such as streets, surface parking areas and drives, stormwater drainage facilities, sidewalks, or other structures permanently placed on or in the property except for buildings or other structures requiring the issuance of a building permit. A permit is required for all such work, even when it is temporary in nature.
2. Water and sanitary sewer system improvements must be authorized by the utility provider; however, the location and land disturbing activities associated with those facilities will be reviewed and permitted by the City to ensure compliance with applicable tree protection, stream buffer, zoning buffer or other City standards that may be affected by the construction of utilities.
3. A major Land Disturbance Permit is required for projects that:
    a. Propose more than half an acre of disturbance; or
    b. Add more than 5,000 square feet of impervious surface; or
    c. More than 1 acre of grubbing; or
    d. The maximum height/depth of excavation or fill over 10 feet; or
    e. The maximum quantity of 50 cy total movement on the site.

    Projects meeting these criteria will likely qualify as major land disturbance projects, but the City will consider all factors of the project to make the final determination.



Permit Review Generalized Procedure

4. A minor Land Disturbance Permit is required for projects that:
   a. Do not include any work in the right-of-way; or
   b. Have less than half an acre of disturbance;
   c. And/or are adding less than 5,000 square feet of impervious surface;
   d. And/or have less than 1 acre of grubbing;
   e. And/or maximum height/depth of excavation or fill over 10 feet;
   f. And/or maximum quantity of 50 cy total movement on the site;
   g. And/or less than a 15% slope.

   Projects meeting these criteria will likely qualify as minor land disturbance projects, but the City will consider all factors of the project to make the final determination.
5. A land disturbance permit is not required for any proposed ground disturbance that does not exceed 2,500 square feet, does not result in the need for erosion control BMPs, and does not result in changes to topography or stormwater drainage patterns.
6. It is recommended that you contact The City of Sandy Springs to verify a permit is not required before proceeding with any work.
7. The calculation of the area of disturbance applies to the cumulative disturbed area of a project regardless of property boundaries.

C. **Application Initiation** Any person, firm, corporation or agency may submit an application for a Land Disturbance Permit, provided they are the owner or the owner's representative of the property for which the application is being submitted.

D. **Submittal Process**

1. **Schedule a Developer meeting**

a. Before submitting an application for a Major Land Disturbance Permit, the applicant must schedule a Developer Meeting with the Director to discuss the procedures, standards and regulations required for approval. If it cannot be clearly determined whether the LDP will be a Major or Minor LDP under the criteria in 11.5.1.B, this initial meeting will establish what type of Land Disturbance Permit is required for the project.

b. To schedule a Developer Meeting, call, email, or visit the Department.

2. **Submit Application**

a. Following the Developer Meeting, the applicant may start the application process by completing an application form and providing plan sets along with the required review fees, to the Department.

~~b. Expedited review may be available for an additional fee, as established by the City Council.~~

E. **Application Review**

1. **Initial Distribution of an Application** Upon determination of a complete application, the Director will promptly distribute the application for review by internal City Departments and external agencies.

2. **Public Hearing Notice** A public hearing is not required for a Land Disturbance Permit, therefore, no formal notice of the submittal is published, mailed or posted.

3. **Developer Meeting** The public is allowed to observe the Developer Meeting to enhance the transparency and public awareness of the permitting process.

4. **Traffic Impact Study** A traffic impact study is required when any development generates 100 or more trips during the peak hour.

5. **Director Review**

a. If, after the internal and external review, the Director finds that the application does not meet all applicable requirements of this Development Code, the Director will notify the applicant in writing of the specific provisions that have not been met and offer the applicant the opportunity to make changes to the application. If revised application materials are required, see Sec. 11.2.3.E.

b. If, after the internal and external review, the Director finds that the application meets all applicable requirements of this Development Code, the Director will accept the application as complete.

F. **Approval Criteria** The approval of or requirement of revisions to a land disturbance permit application are based solely on whether or not the submittal meets or fails to meet the applicable requirements of this Development Code.

G. **Denied Application** If unsatisfied with the Director's decision, the applicant may file an appeal within 30 calendar days of the decision with the Superior Court of Fulton County~~Board of Appeals~~.

H. **Permit Revisions** Revisions to an approved Land disturbance permit may be approved by the Director following review by applicable internal and external agencies consistent with this Section.

I. **Application Expiration** An application submitted for a land disturbance permit expires after 6 months from the issuance of the latest letter of permit revisions. At this time, the City will issue a written notice of expiration of permit application to the applicant and require that comments be addressed or permit be resubmitted within 30 days of issuance of the notice.

J. **Permit Validity** A land disturbance permit remains valid for the duration of the project subject to the following time restrictions:

1. Land disturbance permits expire 6 months from the date of issuance if no inspection has been requested; or
2. If 1 year elapses between inspection requests.

K. **Permit Extension**

1. **Extension by Director**
   a. The Director is authorized to grant, in writing, an extension of a land disturbance permit for a period not more than 180 calendar days, subject to the qualifying conditions set forth in this section. To request an extension by the Director, an application must be submitted to the Department at least 30 days prior to the expiration of the land disturbance permit.
   b. No more than one 180-calendar-day extension per land disturbance permit may be granted by the Director for any of the qualifying conditions set forth in this section (except a court action delay).
2. **Extension by the City Council**
   a. Reserved.
   b. To request an extension by the City Council, an application must be submitted to the Department at least 30 days prior to the expiration of the 180-calendar-day extension period granted by the Director pursuant to this section.
   c. The Department must prepare an analysis and recommendation as to whether the documentation in the application is sufficient based on one of the 4 criteria which may validate an extension request by the City Council.
3. **Qualifying Conditions** In every application for an extension of a land disturbance permit, the applicant shall provide an affidavit documenting at least one of the following:
   a. A delay resulting from court actions involving the land disturbance permit or a previous extension on the subject property for which an extension is sought. Extensions approved in connection with court action shall remain valid for 1 year beyond the granting of an order or the expiration of an appeal period before any court with jurisdiction;
   b. Nonavailability of utilities resulting from government and/or private utility inaction. In those instances where wastewater and water facilities are available for a fraction of the desired capacity, or when capacity was available at some time during the one-year period, but not during the 60 days prior to expiration, the City Council ~~shall~~ evaluate such case's qualifications for an extension on its individual merits considering any evidence that might indicate a diligent effort to proceed with development.
   c. A delay in development resulting from wetlands regulatory procedures requires the applicant to provide a copy of the application acknowledgment letter from the Savannah Regulatory Branch of the Corps of Engineers as documented evidence. The application must have been filed at least 6 months before the expiration of the land disturbance permit.

d. An inability to obtain financing, despite documentation of the property owner's efforts during the 3 months prior to the applicant seeking an extension and continuing until 1 week prior to consideration of the extension request to the City Council. Documentation must consist of two official denials signed by officers of 2 different lending institutions who have final jurisdiction over such financial transactions.

L. **Lapse in Construction Activity** For the purposes of this Section, a lapse in or suspension of development activity, as authorized by a land disturbance permit, as a direct result of action or inaction on the part of the City which is completely beyond the control of the developer, will not be considered as a lapse in activity causing the development permit to expire. The 180 calendar days within which development activity must begin will exclude any such time period during which the activity is prohibited or has been caused to lapse by said City's action or inaction. Any action or inaction on the part of the developer which results in a suspension of development activity will be counted toward the 12-month time period.

M. **Bonding Infrastructure Improvements** Prior to the approval of a Final Plat, a bond is required for right-of-way infrastructure improvements, landscaping and stormwater improvements that have not been installed. The required bond amount will be 125% of the total estimated cost for infrastructure. The City must approve any cost estimate used for bond purposes. The bond will be released upon installation and City approval of the improvements.

N. **Action Following Work** Upon completion of the work required under a Land Disturbance Permit, application for Final Plat and Building Permits may be made.

Sec. 11.5.2. Building Permit

A. **Building Code** Building permits, including associated certificates of occupancy, are issued consistent with Chapter 105, Article 2 of the City Code.

B. **Other Applicable Codes** Building permits for all structures or interior finishes are issued after meeting the applicable requirements of the Fire Prevention and Life Safety Codes, and the various health, water, sewer, and building codes of the City or utility providers, as well as the provisions of any certificate approved under the Chattahoochee River Corridor, if applicable and the provisions of this Development Code.

C. **Sanitary Sewage Disposal**

1. **Septic System** For any structure for which on-site sewage disposal (septic systems) will be provided, a permit issued by the Fulton County Health and Wellness Department must be required prior to issuance of a building permit. The permit may first require approval of a plan showing the location of the sewage disposal system and other site improvements, in accordance with Fulton County Section 34-568, Wastewater Discharge.

2. **Connection to Public Sanitary Sewer** Any structure that requires a connection to or modification of the existing sanitary sewer system requires approval from Fulton County prior to the issuance of a building permit.

D. **Potable Water Supply** Any structure for which a connection to the potable water system is required must provide proof of payment of all applicable fees to the water provider.

E. **Single Family**

1. A building permit for a ~~single-family~~single unit residence may only be issued after the recording of a final plat or after the lot on which the building is to be located has otherwise become a buildable lot of record.

2. Reserved.

F. **Reserved.**

G. **Fee-Simple Townhouse Subdivisions** A building permit may be issued on a buildable lot of record established for each building (containing any number of townhouse dwelling units) through recording of a final plat following completion of all required public improvements. Upon completion of the buildings, the final plat must be re-recorded to establish individual lots for the townhouse units, based on their actual locations, prior to issuance of certificates of occupancy.

H. **Multifamily and Nonresidential Structures**

1. Issuance of a building permit for any principal building other than a single-unit detached (and associated accessory structure) requires issuance of a land disturbance permit for the building site, and the building permit must be consistent with the land disturbance permit.

2. Building plans must be received and approved by the Department prior to permitting for all structures.

3. Fulton County approval may be required prior to the issuance of a building permit for construction activities involving, food service, commercial swimming pools, dumpster pads, hotels or motels, grease traps, and similar uses requiring review by a department of Fulton County.

I. **Demolition Permits** Demolition permits may be required for the partial or complete demolition of the interior or exterior of any structure within the City. Pursuant to the State of Georgia's Asbestos Safety Act, an asbestos survey is required.

J. **Expiration of Building Permits** A building permit remains valid for the time period specified in the building codes adopted by the City.

K. **Expiration of Building Permit Application** An application submitted for a building permit expires after 60 days from the issuance of the latest letter of permit revisions. At that time, the City will issue a written notice of expiration of permit application to the applicant and require that comments be addressed or the permit be obtained within 30 days of issuance of the notice of expiration.

L. **Issuance of Permits Prior to Final Plat** Building permits will only be issued on buildable lots of record, as defined in this Development Code, except under special circumstances limited to and as specifically described in this section.

1. ~~Single-family~~Single unit and two-family residential model homes.

2. Nonresidential subdivisions. Building permits may be issued on the basis of an approved preliminary ~~plat/conceptual~~ plan and after a land disturbance permit has been approved reflecting the site plan and construction drawings for specific buildings and associated site improvements. Issuance of the building permits will be conditioned on the following:

a. An approved surety must have been received in a form acceptable to the City Attorney, drawn in favor of the City and in an amount not less than 125% of the cost of completing all public improvements as authorized and required by the land disturbance permit.

b. The performance bond or other approved surety must not exceed an aggregate total for all required public improvements of $12,000.00 per acre for the total acreage included within the subdivision or portion of the subdivision where the improvements are proposed, except by approval of the City Council.

c. Fire Marshal approval is required prior to issuance of any building permit, which may include approval of acceptable access and water under pressure for combustible construction.

d. Approval of the Fulton County Health and Wellness Department for on-site sewage disposal or the Fulton County Sewer Department for a building to be served by public sewer is required prior to issuance of any building permit.

e. Construction of the required public improvements must proceed concurrently with construction of the buildings.

f. No certificate of occupancy will be approved for any structure within the subdivision prior to recording of the final plat without the express approval of the Director.

g. The Director must find that the public interest is best served and that a public purpose is involved in the acceptance of the surety.

Sec. 11.5.3. Certificate of Occupancy

A. A Certificate of Occupancy indicating that a building, lot and use comply with the Building Code and this Development Code is required under provisions of the ~~Sandy Springs~~adopted Building Code.

B. The City provides for multi-phased certificates of occupancy when certain criteria are met, as further described in established Department policy.

C. The Certificate of Occupancy must be posted on site where it is visible for inspection for a period of 30 days from the date of issuance. After such period, the Certificate of Occupancy must be kept on the premises.

D. Any owner, authorized agent, or contractor who desires to change the use of a building or structure must apply to the building official, obtain the required permits, and obtain a Certificate of Occupancy prior to occupying the structure.

Sec. 11.5.4. Other Permits

A. **Right-of-Way Encroachment/Utility Permit** No person or company may perform construction work in the street right-of-way without a permit issued by the City. The permit must be posted at the construction site at all times. Such construction must conform to the construction/maintenance guidelines and specifications of the City or the State Department of Transportation.

B. **Tree Removal Permit** When tree removal is anticipated and the activity may result in the removal, damage or destruction of any tree, please see Sec. 9.3.3 for permit requirements.

C. **Groundwater Well and Septic Permit** No person or company may install or perform construction of groundwater wells or septic systems without prior approval from the Fulton County Department of Health and Wellness and completion of a pre-construction meeting with the City of Sandy Springs.

D. **Sign Permit**

1. **Applicability** All free-standing signs require a separate building permit.

2. **Application** An application for a sign permit must be completed as required in the Sandy Springs Technical Manual.

3. **Incomplete; False Application** The Director must, within 30 days of receipt of an application, reject any application that is incomplete, that contains false material statements or omissions, or that is for a sign which would violate any standard in Div. 8. The Director may reject at any time prior to the expiration of the 30-day period, if the application is incomplete or contains false material statements or omissions.

4. **Processing Time; Denial** The City will process all complete and accurate sign permit applications within 30 business days of the City's actual receipt of a complete and accurate application and upon remittance of the appropriate sign permit fee. The Director will give notice to the applicant of the decision by email or mail on or before the 30th business day. If the decision of the Director is to deny the application, the decision must state the grounds upon which the denial is based. Failure of the City

to act within the 30-day period is deemed a denial of the permit. If notice is mailed in conformity with this Section, notice is deemed to have been given upon the date of mailing. Any application meeting the standards of this Div. 8.3 will be granted. Any application not meeting the standards of Div. 8.3 will be denied.

5. **Resubmission** A rejected application later resubmitted in conformity with Div. 8.3 is deemed to have been submitted on the date of resubmission, instead of the original submission date. An application which is resubmitted must meet all the standards for an original application.

E. **Fence or Wall Permit**

1. **Applicability**

a. A wall that retains earth requires a retaining wall permit (see Sec. 9.4.3). A wall that does not retain earth is considered a fence for permitting purposes.

b. Fence permits are required when installing a new fence or wall that does not retain earth, non-vehicular gate, or when a replacement of an existing fence results in a change in placement, height, materials or design.

c. Electronic vehicular gates require a building permit.

d. A swimming pool enclosure fence will be approved as part of the pool permit.

e. A fence permit is not required for temporary security purposes during construction.

2. **Application** An application for a fence permit must be completed as required in the Sandy Springs Technical Manual.

F. **Trenching Permit**

1. **Prohibition** No individual, partnership, corporation, or other entity of any kind whatsoever may engage in any excavation or trenching except in compliance with the provisions of this Development Code and in compliance with any applicable laws of the State of Georgia or of the United States or any rules and regulations of the U.S. Department of Labor, Occupational Safety and Health Administration, or any other state or federal governmental entity or Department promulgating rules and regulations applicable to excavating and trenching.

2. **Adoption of Federal Regulations** All safety and health regulations adopted by OSHA with regard to excavating and trenching operations, particularly Part 1926, Subpart P-Excavations, Trenching, and Shoring, Section 1926.650, 1926.651, 1926.652, 1926.653 of the Code of Federal Regulations, as the same now exist or may be amended, are adopted as a part of this Development Code as if quoted verbatim here.

3. **Permit Required** No excavation or trenching may be performed until a permit or authorization for the work has been obtained from the City in accordance with this Article. Applicants are required to acknowledge receipt and understanding of safety requirements before any permit will be issued.

4. **Certificate Required** No equipment operator or supervisory personnel may participate in any excavation or trenching or in any way work in an excavation or trench unless such person holds a valid certificate evidencing satisfactory completion of a required educational program on safe trench/excavation practices. No other person may participate in or work in any excavation or trenching site unless a certificate holder is present at the excavation or trench site where work is being performed.

5. **Inspection** The City will periodically inspect trench/excavation sites. Such inspectors will, among other things, verify the presence of the required permit, verify existence of required certificates, and verify

compliance to OSHA safety standards adopted in paragraph B. The inspectors may operate pursuant to a contract between the City and a third-party entity.

G. **Swimming Pool Permit** Issuance of a permit for a swimming pool as an accessory use to a ~~single-family~~single unit residence, whether to be issued at the same time or subsequent to the permitting or construction of the house, requires approval of a swimming pool site plan. The plan must show the proposed location of the swimming pool, associated deck, pool equipment, pool enclosing fence and gate details, the property boundaries, setback lines, topography lines, septic tank and septic tank drain field (if any), and any easements on the site, and all requirements of this Development Code and the swimming pool code found in the International Swimming Pool & Spa Code. A certificate of occupancy or a certificate of completion will not be issued until conformance to the swimming pool site plan and all applicable building codes has been field verified by the Department. Additionally, all permitted swimming pools must conform to the swimming pool discharge policy.

H. **Administrative Use Permit**

1. **Intent** Administrative use permits are intended to be used where complex or unusual technical determinations are involved and/or in conjunction with temporary uses and structures where the matter is not of such a nature as to require public notice and hearing. Such permits shall be processed by the community development department.

2. **Authority** The Director shall be responsible for processing administrative use permits, making or causing to be made all necessary studies and referrals, and deciding thereon.

3. **Conditions** In granting administrative use permits, such conditions may be attached as are deemed necessary in the particular case to protect the public interest and surrounding properties. Such conditions shall generally be of a nature as stated below, in addition to policy or regulations specific to the use otherwise required by the City:

   a. Ingress and egress to the property and proposed structure or uses thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other catastrophe.

   b. Off-street parking and loading areas where required, with particular attention to the items in a. above.

   c. Refuse and service areas.

   d. Appropriate buffering or screening to alleviate such potentially adverse effects as may be created by noise, glare, odor, lighting, signs or traffic congestion.

   e. Hours and manner of operations.

   f. Length of time regarding the duration of such permit, if any.

   g. Tree preservation and replacement in accordance with the requirements of the City of Sandy Springs Tree Conservation Ordinance (Div. 9.3.).

4. **Applications** A property owner, or any other person with notarized written consent of the property owners, may file with the Director an application for an administrative use permit on such property, provided that such permit is generally authorized in the district in which such purpose is so designated. The application shall be filed on a form provided for such purposes and shall be accompanied by plans, reports or other information, exhibits or documents as may reasonably be required by the Director to make the necessary findings in the case.

5. **Action by Director** The Director shall examine the application and supporting materials for conformance with the requirements and stated intent of this Code, make such referrals as are called for in the circumstances of the case, and within 30 days (unless a longer period is mutually agreed

upon) decide on the application.
The Director may issue the permit as applied for, issue a permit conditional upon changes to the application, set forth in writing, as necessary to assure conformance with the requirements and stated intent of this Code, or deny the application, with written reasons for such denial.

6. **Withdrawal of application** An application for an administrative use permit may be withdrawn at any time without limitation on resubmittal.

7. **Appeals of decision made by the Director** Appeals of decisions made by the Director shall be submitted to the ~~Board of Appeals~~Superior Court of Fulton County, as provided in Sec. 11.6.3.

~~8. **Appeals of decision made by the Board of Appeals** Appeals of a decision made by the Board of Appeals under the provisions of this section shall be as provided for in Sec. 11.6.3.~~

Sec. 11.5.5. Reserved~~Temporary Use Permit~~

~~A. A. The Director may approve a Temporary Use Permit in accordance with the standards of 7.9.10.~~

Div. 11.6. Relief

Sec. 11.6.1. Administrative Variance

A. **Authority** The Director is authorized to approve Administrative Variances for up to 10% of any measurable standard in this Development Code.

B. **Limitations** Variances are not allowed for any of the following:

1. Minimum lot area, minimum lot frontage on a street or minimum lot width;
2. Building height;
3. Sign height, sign area allocation or individual sign area;
4. Fence and building materials;
5. Standards for Conditional Use Permits;
6. Elimination of frontage improvement requirements; and
7. Permitted or accessory uses.

C. **Application Initiation** Any person, firm, corporation or agency may submit an application for an Administrative Variance, provided they are the owner or the owner's representative of the property for which the application is being submitted.

D. **Submittal Process** The process begins with the submittal of fees, plans and supporting documents in the application checklist to the Department.

E. **Director Review**

1. If after review, including consideration of any public objections filed, the Director finds that the request meets the criteria for approval below, the Director will approve the application.
2. The Director must issue a decision no later than 21 working days after the date of filing of a complete application.

F. **Approval Criteria** The Director will approve an administrative variance where all of the following conditions exist:

1. There are practical (not financial) difficulties pertaining to the particular piece of property in question because of its size, shape or topography;
2. The requested variance will be in harmony with the purpose and intent of this Development Code and will not be injurious to the neighborhood or to the general welfare; and
3. The variance requested is the minimum variance that will make possible the proposed use of the land, building or structure.

G. **Denied Application** If the Director denies the request, the applicant may file an application for a variance with the Superior Court of Fulton County~~Board of Appeals~~ under Sec. 11.6.3~~2~~, within 30 calendar days of the decision.

H. **Validity** An administrative variance runs with the land and remains valid in perpetuity, until such time as the land is redeveloped.

Sec. 11.6.2. Variances

A variance is a request for relief from the provisions of this Development Code.

A. ~~**Approval**~~ **Authority** Variances are approved or denied by the Board of Appeals.

B. **Limitations** Variances are not allowed for any of the following:

1. Minimum lot area, minimum lot frontage on a street or minimum lot width at the time of subdivision (this does not include a nonconforming lot of record platted prior to the effective date of this Development Code — see Sec. 11.7.4.);
2. Building height;
3. Sign height, sign area allocation or individual sign area;
4. Fence, wall and building materials;
5. Standards for Conditional Use Permits;
6. Elimination of frontage improvement requirements; and
7. Permitted or accessory uses; and
8. Construction classification and building height requirements provided in Sec. 6.6.3.

C. **Application Initiation** Any person, firm, corporation or agency may submit an application for a Variance, provided they are the owner or the owner's representative of the property for which the application is being submitted.

D. **Submittal Process**

1. To begin, submit a complete application form, along with the required review fees, to the Department.
2. The general submittal requirements for all development review applications are listed in Sec. 11.2.3 and must be followed.

E. **Director Review**

1. After review, the Director will schedule the application for the next available Board of Appeals hearing.
2. Upon certification by the Director that the application complies with all applicable requirements of the Development Code, no changes to the application are permitted prior to the Board of Appeals hearing.

F. **Board of Appeals Public Hearing** Following the recommendation of the Director, the Board of Appeals will conduct a public hearing.

G. **Approval Criteria**

1. Variances will only be granted upon showing that:

a. The variance request would not result in negating the general intent of this Development Code or with the Comprehensive Plan policies;

b. The variance if granted will not be detrimental to the public safety, health, or welfare of the public or injurious to other property;

c. The conditions on which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property;

d. Because of the particular physical surroundings, shape, size, or topographical conditions of the specific property involved, an extraordinary hardship would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;

e. The variance requested is the minimum necessary to accomplish the development or building;

f. In the case of an amendment to a buffer or setback required by this Code, the variance application shows how equal or greater protection will be achieved of the adjacent property or natural resource affected by the proposed development, should the variance be granted; and.

g. Such conditions are not the result of action or inaction of the current property owner; and

~~a. The application of this Development Code would create an unnecessary hardship, and not merely an inconvenience to the applicant; or~~

~~b. There are extraordinary and exceptional conditions due to the size, shape, or topography, which are specific to the subject property and not generally found in similar properties that prohibits the proposed scope of work from being able to comply with the Development Code.~~

2. Failure of an applicant to obtain a land disturbance, building or any other permit required by this Code shall not in and of itself constitute a justification for a variance absent a showing of the criteria listed under Section 1 above.~~Further, the application must demonstrate that:~~

~~a. Such conditions are not the result of action or inaction of the current property owner; and~~

~~b. The variance request would provide the minimum relief necessary to make possible the reasonable use of the property; and~~

~~c. The variance request would result in development that is consistent with the general intent of this Development Code, with the Comprehensive Plan policies, and would not be detrimental to the public good, safety and welfare.~~

H. **Denied Application** Decisions of the Board of Appeals are final. Those not satisfied with a decision of the Board of Appeals may pursue an appeal ~~by filing a writ of certiorari~~ with the Fulton County Superior Court within 30 calendar days of the decision. Denial of an application bars resubmittal of the application for 1 year.

I. **Validity** A variance runs with the land and remains valid in perpetuity, until such time as the land is redeveloped.

J. **Noise Variance** A noise variance may be requested. See Sandy Springs City Code Article III, Division 2, Noise, Sec. 38-86.

Sec. 11.6.3. Administrative Appeals

A. **Authority** The ~~Board of Appeals~~Superior Court of Fulton County has the authority to hear and decide on appeals regarding administrative decisions made by the Director. For appeals of Stop Work Orders, which are heard by the Board of Appeals, see process requirements below.

B. **Application Initiation** Any applicant or immediate neighbor unsatisfied with a decision by the Director on an application may file ~~an appeal with~~with a writ of certiorarian appeal with with the Fulton County Superior Court, or if the appeal is in regards to a Stop Work Order, it must be heard by the Board of Appeals.

C. **Submittal Process**

1. To begin the appeal process, submit a complete application form, along with the required review fees, to the Department. The appeal application must be filed within 30 calendar days of the date of decision of the Director.

2. The general submittal requirements for all development review applications are listed in Sec. 11.2.3 and must be followed.

D. **Notice** Notice of a public hearing before the Board of Appeals is required as shown in Div. 11.1.

E. **Review by Board of Appeals** Any appeal received and all papers constituting the record relating to the action appealed will be transmitted by the Director to the Board of Appeals. The review by the Board of Appeals is conducted on the record established as part of the Director's decision.

F. **Board of Appeals Public Hearing** The Board of Appeals will conduct a public hearing, make findings, and render a decision at the public hearing. Alternatively, only once, the Board of Appeals may choose to defer the appeal to a future date.

G. **Other Approvals** The filing of an appeal means the applicant may no longer move forward with any other approvals related to their development project, unless the Director certifies to the Board of Appeals that in the Director's opinion, not moving forward would cause immediate peril to life or property.

H. **Approval Criteria** The criteria for approving or denying the request are the same used for the original decision by the Director.

I. **Denied Application** Decisions of the Board of Appeals are final. Those not satisfied with a decision of the Board of Appeals may pursue an appeal ~~by filing a writ of certiorari~~ with the Fulton County Superior Court within 30 calendar days of the decision.

Sec. 11.6.4. ~~Reserved~~Stream Buffer Variance

~~B.~~ **Variance Procedures** Variances from ~~paragraph A~~Stream Buffer requirements as provided in Div. 9.2. ~~above~~ may be granted in accordance with the following provisions:

1. Where a parcel was platted prior to December 12, 2005, and its shape, topography or other existing physical condition prevents land development consistent with this Division, and the City finds and determines that the requirements of this Division prohibit the otherwise lawful use of the property by the owner, the Board of Appeals may grant a variance from paragraph A. above, provided such variance requires mitigation measures to offset the effects of any proposed land development on the parcel.

2. The Board of Appeals will follow the procedure set forth in Sec. 11.6.2.

3. Variances will be considered only in the following cases:

a. When a property's shape, topography or other physical conditions existing on December 12, 2005 prevents land development unless a buffer or setback variance is granted.

b. Unusual circumstances when strict adherence to the minimal buffer and setback requirements in this Division would create an extreme hardship.

4. Variances will not be considered when actions of any property owner of a given property after December 12, 2005 have created conditions of a hardship on that property.

5. At a minimum, a variance request must include the following information:

a. A site map that includes locations of all state waters, wetlands, floodplain boundaries and other natural features, as determined by field survey;

b. A description of the shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;

c. A detailed site plan that shows the locations of all existing and proposed structures and other impervious cover, the limits of all existing and proposed land disturbance, both inside and outside the buffer and setback. The exact area of the buffer and setback to be affected is accurately and clearly indicated;

d. Documentation of unusual hardship should the buffer and setback be maintained;

e. At least one alternative plan that does not include a buffer or setback intrusion, or an explanation of why such a site plan is not possible;

f. A calculation of the total area and length of the proposed intrusion;

g. A stormwater management site plan, if applicable; and

h. Proposed mitigation, if any, for the intrusion. If no mitigation is proposed, the request must include an explanation of why none is being proposed.

6. The following factors will be considered in determining whether to issue a variance:

a. The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;

b. The locations of all state waters, wetlands, floodplain boundaries and other natural features on the property, including along property boundaries, as determined by field survey;

c. The location and extent of the proposed buffer or setback intrusion;

d. Whether alternative designs are possible which require less intrusion or no intrusion;

e. The long-term and water quality impacts of the proposed variance; and

f. Whether issuance of the variance is at least as protective of natural resources and the environment.

Div. 11.7. Nonconformities

When a structure, site element or lot of record becomes nonconforming as a direct result of government acquisition of real property through eminent domain or threat of eminent such as of right-of-way, said structure, site element or lot of record will be considered conforming. This applies solely to the specific parameters impacted by the government action. The application of the requirements of this Code will be based on the original condition of the property immediately prior to the government action.

Sec. 11.7.1. Nonconforming Use

A. **Defined** Any use of a building or land lawfully occupied at the time of passage of this Development Code, or any amendment to this Development Code, that does not conform with the use regulations of the zoning district in which it is situated.

B. **Continuance** A nonconforming use is allowed to continue legally even though such use does not conform with the provisions of this Development Code, subject to the following provisions:

1. The nonconforming use must not be expanded to occupy a greater area of land or building.
2. The nonconforming use must continue in the original building, structure or on land area that was originally occupied by the nonconforming use.
3. The nonconforming use will not be reinstated after it has been abandoned. It is considered prima facia evidence of abandonment for the owner and/or operator of the nonconforming use to:
    a. Discontinue the nonconforming use for 12 months; or
    b. Fail to obtain a new or renew an existing business license, as required under the City Code, for the operation of such nonconforming use; or
    c. Fail to declare and remit the sales tax required by State law for the nonconforming use.
    d. Failure to follow any state, federal or local administrative procedure or regulation that is required for the nonconforming use.
4. The nonconforming use must not be changed to another nonconforming use.
5. The nonconforming use must maintain any screening or buffering that existed prior to the use becoming a nonconforming use or that was later voluntarily added.
6. If the use constitutes a nuisance as defined by state law, the City may revoke the certificate of occupancy or business license if the nuisance cannot be extinguished.
7. Nothing in this Section will be construed to allow a use that is dangerous to the general public to continue to exist.
8. Nothing in this Section will be construed not to require changes to buildings and structures to comply with any fire code, life safety code or other safety ordinance or regulation.
9. Notwithstanding anything in this Div. 11.7 to the contrary, the amortization of any lawful, nonconforming adult establishment use shall continue to be governed by Sec. 26-37 of the City Code. As established in prior judicial decisions, however, there are no lawful, nonconforming adult establishments in the City as of the adoption of this Development Code.

Sec. 11.7.2. Nonconforming Structure

A. **Defined** A building or structure that does not conform with the requirements of this Development Code. For the purposes of this Section, any building legally constructed prior to the adoption of this Development Code that exceeds the zoning district height limit established in this Development Code will be considered a conforming structure, and not subject to the requirements of this nonconforming structure Section.

B. **Continuance** A nonconforming structure is allowed to continue legally even though the structure does not conform with the provisions of this Development Code, subject to the following provisions:

1. Regular maintenance and repairs to a nonconforming structure are allowed.

2. A nonconforming structure may be expanded, altered or rebuilt where such expansion, alteration or rebuilding conforms with all the applicable requirements of this Development Code.

3. No new nonconformity may be created by any expansion, alteration or rebuilding.

4. Expansion on the vertical plane, such as the addition of another story to a nonconforming structure that does not meet the district setback, is considered an expansion of the nonconformity and therefore prohibited. Expansion on the vertical plane in conformance with all the applicable requirements of this Development Code is allowed.

5. The nonconforming structure may not be rebuilt, altered or repaired after damage or deterioration exceed 75% of its replacement cost at the time of destruction, except in conformity with this Development Code. Where a residential structure is damaged or destroyed through natural catastrophe, the Director may allow it to be reconstructed without regard to the extent of damage, provided that the extent of any prior structure nonconformity remains the same or is reduced for the new structure.

6. A permit to begin such restoration shall be applied for no later than 6 months from the date the damages were incurred. At the request of the applicant, the Director may grant one extension of a maximum of 6 months, upon demonstration of extenuating circumstances outside of the owner's control. The applicant must request an extension in writing, no later than 30 days prior to the expiration of the grace period.

7. This section does not apply to signs. See Sec. 11.7.5.

8. A request to expand, alter or rebuild an existing nonconforming structure may be brought before the Board of Appeals as a request for a variance.

Sec. 11.7.3. Nonconforming Site Element

Where a lot does not conform with the requirements of Article 8, Site Development, the following requirements apply:

A. When a new principal structure is constructed on the lot, the area of the lot that accommodates the building, any required stormwater facility, and any parking area must be brought into conformance. On a lot with multiple buildings, only that portion of the lot associated with the new construction must be brought into conformance with Article 8.

B. The following requirements apply when the scope of work on a project ~~(façade modification)~~ involves a ~~structural~~ change of the building which requires a building permit. Minor upgrade, repair or maintenance such as painting, ~~shingling of a roof~~ reroofing, replacing windows or doors do not trigger this requirement.

   1. Short-term bicycle parking;

   2. Parking lot perimeter landscaping;

   3. Foundation planting;

   4. Screening;

   5. Fences and walls (if any are installed);

   6. Signs (all), including elimination of any prohibited signs; and

   7. Site lighting for any new fixtures installed, along with elimination of any prohibited lighting.

C. When an existing principal structure is increased in floor area by less than 50% cumulatively over 5 years from the effective date of this Development Code, the area of the lot that accommodates the expanded

building, any required stormwater expansion, and any expanded parking area must be brought into conformance with Article 8.

D. When an existing principal structure is increased in floor area by 50% or more cumulatively over 5 years from the effective date of this Development Code, the entire lot, including any building, any required stormwater facility, and any parking area must be brought into conformance with Article 8.

E. When an existing fence or wall is reconstructed or repaired along at least 50% of its length, the entire fence or wall must be brought into conformance with Article 8.

F. When 25% or more of an existing parking lot is reconstructed (excavated or milled and repaved) for any reason, the entire parking lot must be brought into complete conformance with the parking and landscaping provisions.

G. Resealing or restriping an existing parking lot does not trigger conformance with Article 8, except with regard to the minimum dimensions for striping.

Sec. 11.7.4. Nonconforming Lot of Record

A. **Defined** A lot that was legally platted and recorded in the deed records of Fulton County that no longer meets the standards of this Development Code.

B. **Buildable**

1. A nonconforming lot of record that is inadequate in area or width is considered buildable under this Development Code, provided it meets all of the other remaining standards of the Code, including setbacks. Where relief is necessary to make an existing nonconforming lot of record buildable, a variance may be considered by the Board of Appeals.

2. Where a nonconforming lot of record adjoins another vacant lot of record, it must either:

   a. Be used as a nonconforming lot of record without resorting to a variance of any kind; OR

   b. Be combined with the adjacent lot to create a conforming lot.

Sec. 11.7.5. Nonconforming Sign

A. **Defined** A sign that does not comply with the requirements of this Development Code.

B. **Maintained**

1. All nonconforming signs must be maintained in good repair.

2. A nonconforming sign must not be replaced by another nonconforming sign, except that the substitution or interchange of poster panels, painted boards, or dismountable material on nonconforming signs is permitted, provided that the replacement does not constitute a material change to the sign.

C. **Repairs**

1. Minor repairs and maintenance of nonconforming signs are permitted; provided that no structural repairs or changes in the size or shape of a nonconforming sign are permitted except to make the sign comply with the standards of this Development Code.

2. To the extent that any sign allowable under this Development Code is damaged or destroyed by Act of God or by other circumstances beyond control of the owner of the sign, then such sign may be repaired without regard to the restrictions of this paragraph B.

3. The replacement of an existing sign face utilizing LED, plasma or similar technology is expressly prohibited.

D. **Continuance** Nonconforming signs may stay in place until one of the following conditions occurs:

1. The advertised business ceases at that location;
2. The facade of the associated principal building is modified;
3. The deterioration of the sign or damage to the sign makes it a hazard or renders it dilapidated, unsightly, or unkempt; OR
4. The sign has been damaged to such extent that more than minor repairs or a material change is required to restore the sign.
5. No structural repairs or change in shape or size are permitted except to make the sign comply with all standards of this Development Code.

Sec. 11.7.6. Burden of Proof.

The owner of the property upon which exists a nonconforming use, nonconforming structure or nonconforming sign carries the burden of demonstrating that the nonconformity was established legally prior to the adoption of this Development Code, and, for nonconforming uses, that the use has been continuous since that time.

Div. 11.8. Violations and Enforcement

Sec. 11.8.1. Enforcement

A. It is the duty of the Director to enforce the provisions of this Development Code.

B. In addition, it is the duty of all officers and employees of the City, especially members of the Code Enforcement, Police and Fire Departments, to assist the Director by reporting any seeming violations, including violations in new construction, redevelopment or land use.

Sec. 11.8.2. Violation

A. Any person, firm, partnership or corporation prosecuted for violating any of the provisions of this Development Code may be deemed guilty of an ordinance violation, punishable as prescribed in Section 1-10 of the City of Sandy Springs Code of Ordinances.

B. Each day's continuance of a violation may be considered a separate offense.

C. The prosecution of any owner and tenants of any buildings or premises, or parts of buildings or premises, where anything in violation of this Development Code is placed or exists, and any architect, design professional, builder, contractor or agent, or the owner or tenants who may have assisted in the commission of any such violation may each be deemed guilty of a separate offense.

Sec. 11.8.3. Work in Violation

In any case in which activities are undertaken in violation of this Development Code, not in compliance with the provisions of a permit issued under the authorization of this chapter, or without authorization of a permit which would otherwise be required, the Director is authorized to:

A. Suspend or invalidate such permits;

B. Order that all unauthorized or improper work be stopped;

C. Direct correction of deficiencies;

D. Issue summonses to any court of competent jurisdiction; or

E. Take any other legal or administrative action appropriate to the severity of the violation and degree of threat to the public health, safety and welfare.

ARTICLE 12.
DEFINITIONS

Div. 12.1. General

Sec. 12.1.1. Rules of Interpretation

A. Words used in this Development Code are defined by their general dictionary meaning unless specifically defined in this Article.

B. The words must, will and shall are mandatory and not discretionary.

C. When appropriate to the context, words used in the singular include the plural, and the plural the singular; words used in the present tense include the future tense, and vice versa.

Sec. 12.1.2. Abbreviations

The following abbreviations appear in this Development Code.

Abbreviation	Full Term
AASHTO	American Association of State Highway Transportation Officials
ADA	Americans with Disabilities Act
AMI	Area Median Income
avg	Average
CPESC	Certified Professional in Erosion and Sediment Control
DBH	Diameter at Breast Height
FEMA	Federal Emergency Management Agency
max	Maximum
min	Minimum
MUTCD	Manual for Uniform Traffic Control Devices
NPDES	National Pollutant Discharge Elimination System
O.C.G.A.	Official Code of Georgia Annotated
OSHA	Occupational Safety and Health Administration
SF	Square feet
STCP	Site/Tree Conservation Plan

Div. 12.2. Defined Terms

A

Abutting. To share a common border with.

Access improvement. Any improvement or facility that is planned and designed to provide service or access for a particular project and which is necessary for the use and convenience of the occupants or users of the project and is not a system improvement. A project access improvement includes but is not limited to: pedestrian access improvements; site driveways; new streets; median cuts; right turn lanes, left turn lanes, acceleration lanes, and deceleration lanes made necessary to serve site driveways or new streets leading to or from the project; traffic control measures made necessary to serve site driveways or new streets; intersection improvements whose primary purpose at the time of construction is to provide access to the project; and, necessary right-of-way dedications required for any project access improvement.

Accessory structure. A structure on the same property as the principal structure and the use of which is incidental to the use of the primary structure.

Accidental discharge. Discharge prohibited by this chapter that occurs by chance and without planning or thought prior to occurrence.

Addition. Any walled and roofed expansion to the perimeter or height of a building.

Adjoining. To share a common border with (See also, Abutting).

Alley. A minor public or private accessway used primarily for vehicular service access to the back or the side for properties otherwise abutting on a street.

Appeal. See Sec. 11.6.3.

Area Median Income (AMI). The amount that divides the income distribution of an area into two equal groups, half having income above that amount, and half having income below that amount. The US Department of Housing and Urban Development (HUD) establishes area median income every fiscal year.

Area of future-conditions flood hazard. The land area that would be inundated by the one-percent-annual-chance flood based on future-conditions hydrology (100-year future-conditions flood).

Area of shallow flooding. A designated AO or AH zone on a community's flood insurance rate map (FIRM) with a one percent or greater chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of special flood hazard. The land area subject to a one percent or greater chance of flooding in any given year. This includes all floodplain and flood prone areas at or below the base flood elevation designated as zones A, A1-30, A-99, AE, AO, AH, and AR on a community's flood insurance rate map (FIRM).

Arterial. A principal arterial, major arterial, or minor arterial street as defined and designated in the City's Transportation Master Plan.

As-built survey or plan. A sealed survey or other drawing based on a field survey that shows existing features or components and horizontal or vertical information (grades or location of improvements).

B

Barrel. A volume of alcoholic beverage that does not exceed 31 gallons.

Base flood. The flood having a one percent chance of being equaled or exceeded in any given year, e.g., the 100-year flood.

Base flood elevation. The highest water surface elevation anticipated at any given location during the base flood.

Basement. For the purposes of Article 9, any area of a building having its floor subgrade (below ground level) on all sides.

Best management practices (BMPs). Sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the "Manual for Erosion and Sediment Control in Georgia" published by the commission as of January 1 of the year in which the land-disturbing activity was permitted.

~~Bike~~Bicycle **path.** A path that serves to separate ~~bike~~bicycle riders from vehicle and pedestrian traffic. ~~Bike~~Bicycle paths may meander through wooded areas, traverse the edge of open areas, and may (in many instances) parallel existing roadways or walks.

Blank wall. See Sec. 6.1.4.B.

Block. A piece or parcel, or several parcels of land comprising an area entirely surrounded by public streets, other than alleys.

Brewery/distillery/winery. An industrial facility where malt beverages, wine, or distilled spirits are produced (in spaces in excess of the micro-producer limits) on the premises and then sold or distributed for off premises consumption in compliance with state law and Department of Revenue licensing requirements.

Brewpub. A restaurant in which malt beverages are manufactured or brewed, subject to the barrel production limitation prescribed in O.C.G.A. § 3-5-36.

Buffer. A natural undisturbed portion of a lot, except for approved access and utility crossings, that is set aside to achieve a visual barrier between the use on the lot and adjacent lots or uses. See also State waters buffer.

Buildable area. The area of a lot within a given zoning district located outside the minimum required setbacks.

Building. A type of structure intended for occupancy and enclosed by exterior walls on at least three sides and a roof. Several buildings otherwise independent but connected by a breezeway or other partially unenclosed structure are consider a single building for the purposes of this Code. Buildings include, as examples, dwellings, garden sheds, detached garages. For the purposes of Article 9, the term building has the same meaning as structure.

Building setback. The required minimum distance a building must be set back from a lot line.

Build-To Zone. See Sec. 6.1.2.C.

C

Cabana. A small building for use as a changing room, accessory to a hot tub or swimming pool.

Caliper. The trunk diameter measurement of nursery stock trees measured at 6 inches above the ground for trees with a trunk diameter up to 4 inches and measured at 12 inches above the ground for trees with a trunk diameter of greater than 4 inches.

Canopy mitigation. Any tree used to meet the minimum canopy requirement or mitigation for landmark trees. Trees used for canopy mitigation must be a minimum of 2.5 inches in diameter.

Canopy requirement. The percentage of tree canopy coverage as set forth in the canopy requirement table contained in Sec. 9.3.2. The canopy percentage on any property is the square footage of the total existing tree canopy on a property, divided by the total square footage of the property.

Certified arborist. An arborist certified by the International Society of Arboriculture as possessing the minimum level of competency required to practice arboriculture.

Certified personnel. For the purposes of Div. 9.7 a person who has successfully completed the appropriate certification course approved by the Georgia Soil and Water Conservation Commission.

Channel. A natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

City Arborist. The individual authorized by the Director to administer and enforce the requirements and standards of Div. 9.3.

City separate storm sewer system. Any facility designed or used for collecting and/or conveying stormwater, including but not limited to any roads with drainage systems, highways, City streets, curbs, gutters, inlets, ~~catchbasins~~catch basins, piped storm drains, pumping facilities, structural stormwater controls, ditches, swales, natural and manmade or altered drainage channels, reservoirs, and other drainage structures, and which is: (1) Owned or maintained by the City; (2) Not a combined sewer; and (3) Not part of a publicly owned treatment works.

Clean Water Act. The Federal Water Pollution Control Act (33 USC section 1251 et seq.), and any subsequent amendments thereto.

Commission. For the purposes of Div. 9.7 the Georgia Soil and Water Conservation Commission (GSWCC).

~~**Conceptual Plan.** A site plan for a proposed development showing the location of improvements, including infrastructure, buildings and common space.~~

Connection, Illegal. Either of the following:

1. Any pipe, open channel, drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the storm drain system including but not limited to any conveyances which allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system, regardless of whether such pipe, open channel, drain or conveyance has been previously allowed, permitted, or approved by an authorized enforcement agency; or
2. Any pipe, open channel, drain or conveyance connected to the city separate storm sewer system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

Conservation easement. An agreement between a landowner and the City or other government agency or land trust that permanently protects open space or greenspace on the owner's land by limiting the amount and type of development that can take place, but continues to leave the remainder of the fee interest in private ownership.

Construction activity. Activities subject to the Georgia Erosion and Sedimentation Control Act of 1975 (O.C.G.A. § 12-7-1 et seq.) or NPDES general construction permits. These include construction projects resulting in land disturbance. Such activities include but are not limited to clearing and grubbing, grading, excavating, ~~and~~ demolition, and construction.

Cut. A portion of land surface or area from which earth has been removed or will be removed by excavation; the depth below original ground surface to the excavated surface.

Comprehensive Plan. The adopted City of Sandy Springs Comprehensive Plan.

Construction, existing. For the purposes of Div. 9.5, any structure for which the start of construction commenced before July 5, 2006.

Cottage court. See Div. 6.3.

County. Fulton County, Georgia.

Critical root zone. The minimum rooting volume of a tree necessary to sustain the tree's life, generally defined as a circle on the ground corresponding to the tree's drip line or 1.25 feet for every inch DBH, whichever is greater. The critical root zone depth is 3 feet.

D

Damage , substantial. For the purposes of Div. 9.5, damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. This term also includes repetitive loss.

Department. The Community Development Department of the City of Sandy Springs.

Design professional. A professional licensed by the State of Georgia in the field of: engineering, architecture, landscape architecture, forestry, geology, or land surveying; or a person that is a certified professional in erosion and sediment control (CPESC) with a current certification by EnviroCert, Inc. Design professionals shall practice in a manner that complies with applicable Georgia law governing professional licensure.

Detention. The temporary storage of stormwater runoff in a stormwater management facility for the purpose of controlling the peak discharge.

Detention, Extended. The detention of stormwater runoff for an extended period, typically 24 hours or greater.

Detention facility. A detention basin or structure designed for the detention of stormwater runoff and gradual release of stored water at controlled rates.

Developer. A person who undertakes land development activities.

Development. Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, clearing, grubbing, grading, paving, and any other installation of impervious cover, excavation or drilling operations or storage of equipment or materials.

Development, new. A land development activity on a previously undeveloped site.

Development, ~~single family~~single unit residential. For the purposes of Div. 9.6, development or redevelopment of a lot containing a single one- or two-family dwelling or accessory structures.

Development, stand-alone residential. For the purposes of Div. 9.6, development or redevelopment of a ~~single-family~~single unit dwelling and associated accessory structures on an individual parcel where proposed disturbance is less than one acre and not part of a larger common development for which an active NPDES general permit is in place.

Development agreement. A written contract between the City and a property owner or developer, that specifies the system improvements to be provided by the developer for a specific project.

Development of Regional Impact (DRI) Study. A review by the Atlanta Regional Commission and the Georgia Regional Transportation Authority of large scale projects that are of sufficient size that they are likely to create impacts beyond the jurisdiction in which each project will be located.

Development plan. The detailed and professional plan showing the layout and design, site work and construction activities proposed for a project (other than architectural building plans) and including the preliminary plat or site plan (as applicable), grading plan, tree preservation/replacement plan, erosion and sediment control plan, buffer and landscape plan, and construction drawings for streets, stormwater drainage facilities, sanitary sewers, water supply facilities, and other site improvements.

Development Site. See Sec. 6.1.1.

Diameter at breast height (DBH). The diameter of a tree's trunk measured at 4.5 feet above the ground. For multi-trunk trees, the diameter is measured at the narrowest point beneath the point of attachment of the multiple trunks.

Director. The Director of the Community Development Department.

Discharge, accidental. A discharge prohibited by this chapter that occurs by chance and without planning or thought prior to occurrence.

Discharge, illicit. Any direct or indirect nonstormwater discharge to the City separate storm sewer system, except as exempted in Div. 9.8.

Discharge, non-stormwater. Any discharge to the storm drain system that is not composed entirely of stormwater.

District. For the purposes of Article 9, the Region 3 Soil and Water Conservation District.

Drainage easement. An easement appurtenant or attached to a tract or parcel of land allowing the owner of adjacent tracts or other persons to discharge stormwater runoff onto the tract or parcel of land subject to the drainage easement.

Drainage structure. A device composed of a virtually non-erodible material such as concrete, steel, plastic or other such material that conveys water from one place to another by intercepting the flow and carrying it to a release point for stormwater management, drainage control, or flood control purposes.

Drainage structure, roadway. A device such as a bridge, culvert, or ditch, composed of a virtually nonerodible material such as concrete, steel, plastic, or other such material that conveys water under a roadway by intercepting the flow on one side of a traveled roadway consisting of one or more defined lanes, with or without shoulder areas, and carrying water to a release point on the other side.

Driveway. A vehicular access way in private ownership, other than a private street, providing access primarily to only one property or project, or to no more than 3 single -unit detached residences.

Dwelling/Dwelling Unit. One (1) or more rooms of a building constructed with cooking, sleeping and sanitary facilities designed for and limited to use as living quarters for one (1) housekeeping unit for periods of more than thirty (30) consecutive days.

E

Easement. Recorded authorization by a property owner of a designated area of real property to another entity for a specified purpose or use.

Ecological compatibility. The suitability and functionality of a given tree species for its growing site based on its potential size, slope, exposure, soil, and drainage preferences; growth and structural characteristics; and use in the landscape.

Elevated building. A non-basement building which has its lowest elevated floor raised above the ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

Elevation, ground . The original elevation of the ground surface prior to grading, cutting or filling.

Erosion and sedimentation control plan. A plan that is designed to minimize the accelerated erosion and sediment runoff at a site during land disturbance activities.

Erosion, sedimentation and pollution control plan. A plan required by the Georgia Erosion and Sedimentation Act, that includes, as a minimum, protections at least as stringent as the state general permit, best management practices, and requirements in the Development Code of Sandy Springs and amendments to the manual approved by the Georgia Soil and Water Conservation Commission, as specified in O.C.G.A. § 12-7-6, adopted herein and commonly referred to as the "Green Book."

Excavation. Any man-made cavity or depression in the earth's surface, including its sides, walls, or faces, formed by earth removal and producing unsupported earth conditions as results of the excavation. If installed forms or similar structures reduce the depth to width relationship, an excavation may become a trench.

Existing construction. Means for the purposes of determining rates, structures for which the 'start of construction' commenced before the effective date of the Flood Insurance Rate Map (FIRM) (May 7, 2001) or before January 1, 1975 for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."

F

Fill. A portion of land surface to which soil or other solid material has been added; the depth above the original ground surface or an excavation.

Finished grade. The final elevation and contour of the ground after cutting or filling and conforming to the proposed design.

Flood or **flooding.**

(a) A general and temporary condition of partial or complete inundation of normally dry land areas from:

(1) The overflow of inland or tidal waters.

(2) The unusual and rapid accumulation or runoff of surface waters from any source.

(3) Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (a)(2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of

normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

(b) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

Flood elevation, future-conditions. The highest water surface elevation anticipated at any given location during the future-conditions flood.

Flood, future-conditions. The flood having a one percent chance of being equaled or exceeded in any given year based on future-conditions hydrology. Also known as the 100-year future-conditions flood.

Flood insurance rate map or **FIRM.** An official map of a community, issued by FEMA, delineating the areas of special flood hazard and/or risk premium zones applicable to the community.

Flood insurance study or **FIS.** The official report by FEMA providing an examination, evaluation and determination of flood hazards and corresponding flood profiles and water surface elevations of the base flood.

Flood protection, extreme. Measures taken to prevent adverse impacts from large low-frequency storm events with a return frequency of 100 years or more.

Floodplain or **flood prone area.** Any land area susceptible to being inundated by water from any source (see definition of 'flooding')

Floodplain, Future-conditions. Any land area susceptible to flooding by the future-conditions flood.

Floodproofing. Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduces or eliminates flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway or **regulatory floodway.** The channel of a stream, river, or other watercourse and the adjacent areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Floodway boundaries. The width of a floodway is determined from the FIS or FEMA-approved flood study. For all streams with a drainage area of 100 acres or greater, the regulatory floodway is provided by the City. If floodway data is not available from the City, then it is determined by a licensed professional engineer using a method approved by FEMA and the City.

Floor Area or **Gross Floor Area.** The sum of all floors of a structure as measured to the outside surfaces of exterior walls. Gross floor area is used to determine required parking when floor area is the designated measure for a use.

Floor Area, Heated. The sum of all heated areas of a dwelling or dwelling unit, as appropriate, measured to the inside surfaces of exterior walls, excluding porches, balconies, attics, basements (finished or unfinished), garages, patios and decks.

Freeboard. The distance between the 100-year base flood elevation and the top of a stormwater detention structure.

Front wall plane. The building facade facing the primary street right-of-way. If the facade is articulated, the front wall plane is the wall of a conditioned space closest to the right-of-way.

Frontage. Additional standards that apply to a zoning district, as illustrated on the Official Zoning Map.

Fully enclosed. Located within an enclosed structure. May or may not included conditioned space.

Functionally dependent use. A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

G

Gazebo. A roofed structure open on all sides (may include screening or lattice-work). Often includes seating.

Grading. Altering the shape of ground surfaces to a predetermined condition; this includes stripping, cutting, filling, stockpiling and shaping or any combination of the above, and including land in its cut or filled condition.

Ground elevation. The original elevation of the ground surface prior to cutting or filling.

Ground floor elevation. See 6.1.3.D.

Groundcover. Any of a series of dense, low-growing, spreading, herbaceous plants that form a layer and provide protection for topsoil from erosion and drought. Sod, mulch, pine straw and stone do not count as groundcover.

Grubbing. The removal of stumps or roots from a property.

H

Habitable space. An area within a building, typically a residential occupancy, used for living, sleeping, eating or cooking purposes. Those areas not considered to meet this definition include bathrooms, closets, hallways, laundry rooms, storage rooms and utility spaces. It is not necessary that a room or area be finished in order to be considered habitable space, such as an unfinished basement.

Height, bonus. See Div. 6.7.

Height, building. See Sec. 6.1.3.A.

Height, story. See Sec. 6.1.3.E.

Highest adjacent grade. The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic structure. Any structure that is:

(a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

(c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

(d) Individually listed on a local inventory of historic places by communities with historic preservation programs that have been certified either:

(1) By an approved state program as determined by the Secretary of the Interior or

(2) Directly by the Secretary of the Interior in states without the approved programs.

Hotspot. An area where the use of the land has the potential to generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in stormwater.

Hydrologic soil group (HSG). A natural resource conservation service classification system in which soils are categorized into four runoff potential groups. The groups range from group A soils, with high permeability and little runoff produced, to group D soils, which have low permeability rates and produce much more runoff.

Hydrology, future-conditions. The flood discharges associated with projected land-use conditions based on a community's zoning maps, comprehensive land-use plans, and/or watershed study projections, and without consideration of projected future construction of stormwater management (flood detention) structures or projected future hydraulic modifications within a stream or other waterway, such as bridge and culvert construction, fill, and excavation.

I

Illegal connection. Either of the following: any pipe, open channel, drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the storm drain system including but not limited to any conveyances which allow any nonstormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system, regardless of whether such pipe, open channel, drain or conveyance has been previously allowed, permitted, or approved by an authorized enforcement agency; or (2) Any pipe, open channel, drain or conveyance connected to the City separate storm sewer system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

Illicit discharge. Any direct or indirect nonstormwater discharge to the City separate storm sewer system, except as exempted in Section 9.8

Impervious cover or **impervious surface.** Any man-made paved, hardened or structural surface, regardless of material, that significantly impedes or prevents the natural infiltration of water into soil. The term impervious cover includes, but is not limited to, rooftops, buildings, streets, parking lots, driveways, sidewalks, uncovered decks and patios, swimming pools and any concrete or asphalt.

Industrial activity. Activities subject to NPDES industrial permits as defined in 40 CFR 122.26 (b)(14).

Industrial stormwater permit. A National Pollutant Discharge Elimination System (NPDES) permit issued to an industry or group of industries that regulates the pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies.

Infiltration. The process of percolating stormwater runoff into the subsoil.

Inspection and maintenance agreement. A written agreement providing for the long-term inspection and maintenance of stormwater management facilities and practices on a site or with respect to a land development project, which when properly recorded in the deed records constitutes a restriction on the title to a site or other land involved in a land development project.

J

Jurisdictional wetland. An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

L

Land development. Any land change, including, but not limited to, clearing, digging, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, construction, paving, and any other installation of impervious cover.

Land development project. A discrete land development undertaking.

Land disturbing activity: Alteration of the land surface by:

(1) Any grading, scraping, excavating, dredging, transporting or filling of land;

(2) Any clearing of vegetation;

(3) Any construction, rebuilding, or alteration of a building, road, driveway, parking area, or other structure, not including routine maintenance such as painting or repair of existing structures or surfaces;

(4) Any substantial activity or use which may result in soil erosion from water or wind and the movement of sediments into waters or onto adjacent lands.

(5) Land disturbing activity shall not include activities such as ordinary maintenance and landscaping operations, individual home gardens, repairs of an existing single-family dwelling.

Larger common plan of development. A contiguous area where multiple separate and distinct construction activities are occurring under one plan of development.

Light fixture, full cutoff. A luminaire where the emission does not exceed 2.5% of the lamp lumens at an angle of 90 degrees above nadir and does not exceed 10% at a vertical angle of 80 degrees above nadir.

Limited Use. See Sec. 7.1.5.

Local issuing authority (LIA). The governing authority of any county or municipality which is certified pursuant to subsection O.C.G.A. § 12-7-8(a).

Lot. See Sec. 6.1.1.A.

Lot Coverage. See Sec. 6.1.1.H.

Lot Frontage. See Sec. 6.1.1.F.

Lot line. See Sec. 6.1.1.B.

Lot width. See Sec. 6.1.1.E.

Lowest floor. For the purposes of Div. 9.5, the lowest floor of the lowest enclosed area, including basement. An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area

other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of other provisions of Div. 9.5.

M

Manufactured home. A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term includes any structure commonly referred to as a "mobile home" regardless of the date of manufacture. The term 'manufactured home' does not include a 'recreational vehicle' or modular construction.

Manufactured home park or subdivision. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Manufactured home park or subdivision, existing. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before July 5, 2006.

Manufactured home park or subdivision, expansion to existing. The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Manufactured home park or subdivision, new. For the purposes of Article 9, a manufactured home park completed on or after July 5, 2006.

Manufactured home park or subdivision, substantially improved. Means when the repair, reconstruction, rehabilitation, or improvement of streets, utilities, and pads equals or exceeds 50 percent of the value of the streets, utilities, or pads.

Mean sea level. The datum to which base flood elevations shown on a community's flood insurance rate map (FIRM) are referenced. For purposes of this Division, the term is synonymous with National Geodetic Vertical Datum (NGVD) of 1929 or the North American Vertical Datum (NAVD) of 1988.

Metropolitan River Protection Act (MRPA) Chattahoochee Corridor Plan. State law referenced as O.C.G.A. § 12-5-440 et seq. that addresses development impacts within 2,000 feet of the Chattahoochee River and its impoundments.

Minor land disturbance activity - exempt. For the purposes of Article 9, activities such as home gardens and individual home landscaping, minor repairs, maintenance work, fences, and other related activities, which do not require permits for soil and erosion control purposes.

N

National Pollutant Discharge Elimination System (NPDES). Stormwater discharge permit means a permit issued by the state EPD under authority delegated pursuant to 33 USC 1342(b) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Natural ground surface. The ground surface in its original state before any grading, excavation or filling.

Neighborhood transition. See ~~Div. 6.4.~~Sec. 8.3~~2~~.6.

Nephelometric turbidity units (NTU). Numerical units of measure based upon photometric analytical techniques for measuring the light scattered by finely divided parts of a substance in suspension. This technique is used to estimate the extent of turbidity in water in which colloidally dispersed or suspended parts are present.

New construction. For the purposes of determining insurance rates, structures for which the 'start of construction' commenced on or after the effective date of an initial FIRM (May 7, 2001) or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, new construction means structures for which the start of construction commenced on July 5, 2006, as adopted by the Mayor and City Council, and includes any subsequent improvements to such structures.

New development. A land development activity on a previously undeveloped site.

~~**New manufactured home park or subdivision.** For the purposes of Article 9, a manufactured home park completed on or after July 5, 2006.~~

Nonpoint source pollution. A form of water pollution that does not originate from a discrete point such as a sewage treatment plant or industrial discharge, but involves the transport of pollutants such as sediment, fertilizers, pesticides, heavy metals, oil, grease, bacteria, organic materials and other contaminants from land to surface water and groundwater via mechanisms such as precipitation, stormwater runoff, and leaching. Nonpoint source pollution is a byproduct of land use practices such as agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

Nonstormwater discharge. Any discharge to the storm drain system that is not composed entirely of stormwater.

Nonstructural stormwater management practice or **nonstructural practice.** Any natural or planted vegetation or other nonstructural component of the stormwater management plan that provides for or enhances stormwater quantity and/or quality control or other stormwater management benefits, and includes, but is not limited to, riparian buffers, open and greenspace areas, overland flow filtration areas, natural depressions, and vegetated channels.

Notice or **official notice.** For the purposes of Div. 9.7, a written communication by the City to the owner, operator, or person conducting land-disturbing activity, including a notice to comply, a stop work order and/or a fine, as authorized by this Development Code in Div. 9.7. Notice shall be deemed official when it meets one of the following requirements: (1) Communicated in writing to the owner or operator via U.S. mail; (2) Hand-delivered to the owner, operator, or person conducting land-disturbing activity; (3) Posted in a conspicuous location on the site; or (4) Electronic communications such as email or phone text messages. NOI means a notice of intent form provided by EPD for coverage under the state general permit. NOT means a notice of termination form provided by EPD to terminate coverage under the state general permit.

O

Off-site facility. A stormwater management facility located outside the boundaries of the site.

On-site facility. A stormwater management facility located within the boundaries of the site.

Operator. The party or parties that have (A) operational control of construction project plans and specifications, including the ability to make modifications to those plans and specifications; or (B) day-to-day operational control of those activities that are necessary to ensure compliance with an erosion, sedimentation and pollution control plan for the site or other permit conditions, such as a person authorized to direct workers at a site to carry out

activities required by the erosion, sedimentation and pollution control plan or to comply with other permit conditions.

Outdoor amenity space. See Sec. 6.1.1.I.

Outfall. The location where stormwater in a discernible, confined and discrete conveyance, leaves a facility or site or, if there is a receiving water on site, becomes a point source discharging into that receiving water.

Overbank flood protection. Measures taken to prevent an increase in the frequency and magnitude of out-of-bank flooding (i.e., flow events that exceed the capacity of the channel and enter the floodplain), and that are intended to protect downstream properties from flooding for the two-year through 25-year frequency storm events.

Owner. The legal or beneficial owner of a site, including, but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person in control of the site.

P

Parcel. ~~A piece of land that has not yet been subdivided and recorded as a lot of record in the Fulton County deed records~~A contiguous portion of land that is assigned a unique identification number by the Fulton County deed records.

Parking structure, commercial. Structure means a building or structure principally used for the parking of motor vehicles and includes a building or structure where motor vehicles are stored.

Path: A pathway physically separated from motor vehicles designed to accommodate the movement of pedestrians and bicyclists.

Permit. The authorization necessary to conduct a land-disturbing activity under the provisions of this Development Code.

Person. Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, state agency, municipality or other political subdivision of the State of Georgia, any interstate body or any other legal entity.

Phase or **phased.** Subparts or segments of construction projects where the subpart or segment is constructed and stabilized prior to completing construction activities on the entire construction site. Phased construction is not intended to be used in stand-alone residential development.

Plan, approved. For the purposes of Div. 9.7, an erosion and sedimentation control plan approved in writing by the City of Sandy Springs or the Fulton County Soil and Water Conservation District.

Plan, preliminary. A conceptual site plan for a proposed development showing the location of improvements, including infrastructure, buildings and common space.

Plat. A map indicating the subdivision, re-subdivision, or recombination of land.

Plat, final. A finished drawing of a subdivision showing completely and accurately all legal and boundary information and certifications required by this Development Code.

Plat, minor. A finished drawing of a subdivision of no more than three lots that, at the time of subdivision, does not necessarily, but may involve a land disturbance permit, new streets, the extension of a utility or other municipal facility and depicts all legal and engineering information required by this Development Code.

Plat, Preliminary. A plat intended to show existing and proposed property lines, in conjunction with a ~~conceptual~~ preliminary plan.

Pollutant. Anything that causes or contributes to pollution. Pollutants may include, but are not limited to, paints, varnishes, and solvents; petroleum hydrocarbons; automotive fluids; cooking grease; detergents (biodegradable or otherwise); degreasers; cleaning chemicals; nonhazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; liquid and solid wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; concrete and cement; and noxious or offensive matter of any kind.

Pollution. The contamination or other alteration of any water's physical, chemical or biological properties by the addition of any constituent and includes, but is not limited to, a change in temperature, taste, color, turbidity, or odor of such waters, or the discharge of any liquid, gaseous, solid, radioactive, or other substance into any such waters as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety, welfare, or environment, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.

Postdevelopment. The time period, or the conditions that may reasonably be expected or anticipated to exist, after completion of the land development activity on a site as the context may require.

Predevelopment. The time period, or the conditions that exist, on a site prior to the commencement of a land development project and at the time that plans for the land development of a site are approved by the plan approving authority. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time prior to the first item being approved or permitted shall establish pre-development conditions.

Premises. Any building, lot, parcel of land, or portion of land, whether improved or unimproved, including adjacent sidewalks and parking ~~strips~~.

Primary street. See Sec. 6.1.1.C.

Project. The entire proposed development project regardless of the size of the area of land to be disturbed.

Properly designed. Designed in accordance with the design requirements and specifications contained in the "Manual for Erosion and Sediment Control in Georgia" (manual) published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted and amendments to the manual as approved by the commission up until the date of NOI submittal or issuance of a building permit or land disturbance permit.

Protected Neighborhood. A character area described and mapped in the City's Comprehensive Plan.

Protection area or **stream protection area.** The combined areas of all required buffers and setbacks applicable to such stream.

Q

Qualified professional. For the purpose of Div. 9.3, any individual possessing a degree in forestry, urban forestry, landscape architecture, or horticulture, trained in the implementation of Div. 9.3 and tree protection in building construction.

R

Redevelopment. A land development project on a previously developed site, but excludes ordinary maintenance activities, remodeling of existing buildings, resurfacing of paved areas, and exterior changes or improvements which do not materially increase or concentrate stormwater runoff, or cause additional non-point source pollution.

Regional stormwater management facility or **regional facility.** Stormwater management facilities designed to control stormwater runoff from multiple properties, where the owners or developers of the individual properties may assist in the financing of the facility, and the requirement for on-site controls is either eliminated or reduced.

Repetitive loss. Flood related damage sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

Responsible party. The owner or owner's agent.

Road. See "Street, public".

Roadway. The paved portion of a street from back of curb to back of curb (or edge to edge of pavement for streets not having curbs), excluding driveway aprons, bridges, and large single and multicell culverts which in a hydrologic sense may be considered to function as a bridge.

Runoff reduction. The interception, evaporation, evapotranspiration, infiltration or capture and reuse of stormwater runoff.

S

Sandy Springs Tree Bank. The account established by the City for fines and penalties associated with loss of or damage to the tree canopy. Tree bank funding is restricted to the planting of trees and preservation of the Sandy Springs tree canopy.

Setback. See Sec. 6.1.2.A.

Shed. A simple roofed structure typically made of wood or metal and used for additional storage space.

Sheet flow. Diffused water running overland to a defined watercourse.

Side street. See Sec. 6.1.1.C.

Sign. Any device, fixture, placard, or structure affixed to, supported by, or suspended by a stationary object, building or the ground that uses any color, form, graphic, illumination, symbol, or writing to communicate information of any kind to the public. See additional details in Div. 8.4~~3~~.

Site. The parcel of land being developed, or the portion thereof, on which the land development project is located.

Site work. Development activity to prepare a property for construction of buildings or finished structures, including clearing, grubbing, grading and installation of soil sedimentation and erosion control facilities.

Site/tree conservation plan (STCP). A plan as required in Div. 9.3 for a Boundary Tree, Setback Tree, Landmark Tree or Protected Tree.

Sketch plan. See ~~Concept~~ preliminary plan.

Soil and Water Conservation District approved plan. An erosion, sedimentation and pollution control plan approved in writing by the Region 3 Soil and Water Conservation District.

Stabilization. The process of establishing an enduring soil cover of vegetation by the installation of temporary or permanent structures for the purpose of reducing to a minimum the erosion process and the resultant transport of sediment by wind, water, ice or gravity.

Stabilization, final. All soil disturbing activities at the site have been completed, and that for unpaved areas and areas not covered by permanent structures and areas located outside the waste disposal limits of a landfill cell that has been certified by EPD for waste disposal, 100 percent of the soil surface is uniformly covered in permanent vegetation with a density of 70 percent or greater, or landscaped according to the Plan (uniformly covered with landscaping materials in planned landscape areas) or equivalent permanent stabilization measures as defined in the Manual (excluding a crop of annual vegetation and seeding of target crop perennials appropriate for the region). Final stabilization applies to each phase of construction.

Standard details. Illustrative minimum standards for land development activities authorized under this Development Code or other codes of the City. These standards do not supersede more restrictive or prudent design requirements or good engineering practices as applied to specific situations on a case-by-case basis. All construction must meet or exceed the standards established in this Development Code or those adopted by the State Department of Transportation.

Start of construction (includes substantial improvement). Means the date the permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of the structure on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading, and filling; nor does it include installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

State General Permit. The National Pollution Discharge Elimination System (NPDES) general permit or permits for stormwater runoff from construction activities as is now in effect or as may be amended or reissued in the future pursuant to the state's authority to implement the same through federal delegation under the Federal Water Pollution Control Act, as amended, 33 U.S.C. Section 1251 et seq., and O.C.G.A. § 12-5-30(f).

State waters. State waters include any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface or subsurface water, natural and artificial, lying within or forming a part of the boundaries of the State which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation, except as may be defined in O.C.G.A. § 12-7-17(8) (O.C.G.A. § 12-7-3(16)).

State waters buffer. Buffer means the area of land immediately adjacent to the banks/points of wrested vegetation of state waters in its natural state of vegetation, which facilitates, when properly vegetated, the protection of water quality and aquatic habitat (O.C.G.A. § 12-7-3(2)). Also includes stream buffer(s).

Stormwater better site design. Nonstructural site design approaches and techniques that can reduce a site's impact on the watershed and can provide for nonstructural stormwater management. The term "stormwater better site design" includes conserving and protecting natural areas and greenspace, reducing impervious cover and using natural features for stormwater management.

Stormwater management facility. Any infrastructure that controls or conveys stormwater runoff.

Stormwater management. The collection, conveyance, storage, treatment and disposal of stormwater runoff in a manner intended to prevent increased flood damage, stream bank channel erosion, habitat degradation and water quality degradation, and to enhance and promote the public health, safety and general welfare.

Stormwater management measure. Any stormwater management facility or nonstructural stormwater practice.

Stormwater management plan. A document describing how existing runoff characteristics will be affected by a land development project and containing measures for complying with the provisions of this Division.

Stormwater management site plan. A drawing depicting how and where stormwater management facilities and practices will be installed on the site.

Stormwater management system. The entire set of structural and nonstructural stormwater management facilities and practices that are used to capture, convey and control the quantity and quality of the stormwater runoff from a site.

Stormwater retrofit. A stormwater management practice designed for a currently developed site that previously had either no stormwater management practice in place or a practice inadequate to meet the stormwater management requirements of the site.

Stormwater runoff or stormwater. Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

Stream. Any stream, beginning at:

1. The location of a spring, seep, or groundwater outflow that sustains stream flow;
2. A point in the stream channel with a drainage area of 25 acres or more; or
3. Where evidence indicates the presence of a stream in a drainage area of other than 25 acres, the Department may require field studies to verify the existence of a stream.

Stream bank. The sloping land that contains the stream channel and the normal flows of the stream.

Street, private. An accessway similar to and having the same construction and function as a public street, providing access to more than one property, but held in private ownership (as distinct from a "driveway").

Street, public. A right-of-way dedicated to and accepted by the City for vehicular traffic over which the City may hold a prescriptive easement for public access, and including designated and numbered U. S. and State highways. For the purposes of this Development Code, the term "public street" is limited to those which afford or could afford a direct means of vehicular access to abutting property, and exclude limited access roadways which abut a property but from which direct access is not allowed.

Streetscape. The design of a street, including the sidewalks, landscape planting, lighting and other furnishings along the street and street furniture.

Structural erosion, sedimentation and pollution control practices. Practices for the stabilization of erodible or sediment-producing areas by utilizing the mechanical properties of matter for the purpose of either changing the surface of the land or storing, regulating or disposing of runoff to prevent excessive sediment loss. Approved practices can be found in the publication "Manual for Erosion and Sediment Control in Georgia."

Structural stormwater control. A structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow.

Structure. Any construction attached to the ground or a building, whether permanently or temporarily. Structures include, as examples, fences, kiosks, mechanical equipment, pergolas, gazebos, monument signs, gas or liquid storage tanks, and swimming pools.

Subdivision. Any division or re-division of a lot, tract or parcel, regardless of its existing or future use, into two or more lots, tracts or parcel.

1. The term subdivision means the act or process of dividing property. Lots that do not abut or are not directly across a public street from other subdivided lots shall be considered a separate distinct subdivision with a separate name.
2. Where appropriate to the context, the term subdivision also may be used in reference to the aggregate of all lots held in common ownership at the time of division.

Subdivision entrance. A public street, or publicly approved private street, that provides access to subdivided lots.

Substantial Improvement. Means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the 'start of construction' of the improvement. This term includes structures which have incurred 'substantial damage,' regardless of the actual repair work performed. The term does not, however, include either:

(1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or

(2) Any alteration of a 'historic structure,' provided that the alteration will not preclude the structure's continued designation as a 'historic structure.'

System improvement. Any improvement or facility such as streets, bridges, paths, trails or rights-of-way identified ~~on the long range road classification map~~in the Capital Improvements Element (i.e. "the System"), and any traffic control measures, landscaping or other related features, that is included in the Comprehensive Plan and which is further designed to provide service to the community at large.

T

Thoroughfare, major. Any public street, existing or proposed, that carries the functional classification of arterial or collector.

Trail. An extended and usually continuous strip of land established independently of other routes of travel and dedicated, through ownership or easement, to recreational travel including hiking, horseback riding, and similar activities.

Transparency. See Sec. 6.1.4.A.

Tree. A self-supporting woody plant material capable of reaching a minimum DBH of 6 inches and a height of 15 feet.

Tree canopy. The square footage of the aggregate of the canopy of all trees 18 inches DBH or larger contained on a property.

Tree, boundary. A tree 10 inches DBH or larger located on a property adjacent to a permitting property whose critical root zone or canopy extends into that permitting property.

Tree, canopy. A large or medium tree with a crown size and shape that will typically provide at maturity significant shade and beneficial effects on temperature, air quality, water quality, and other environmental conditions. A canopy tree is also referred to as a "shade tree," and includes, but is not limited to Oak, Birch, Elm and Ash.

Tree, damaged. A tree that has 25% or more of the critical root zone disturbed.

Tree, destroyed. A tree which has damage to any of its parts causing, as determined by the City Arborist, the tree's survival beyond 3 growing seasons to be unlikely.

Tree, hardwood. The botanical group of trees that have broad leaves, produce a fruit or nut, and generally go dormant in the winter. Hardwood Trees include, but are not limited to, oak, maple, magnolia, beech, ash and cherry tree species.

Tree, hazardous. A tree that is at risk for failure because it is dead or structurally defective, and where that failure could result in personal injury or property damage.

Tree, landmark. Landmark tree means:

1. Hardwood tree 27 inches DBH or larger;
2. Pine tree 30 inches DBH or larger; or
3. Dogwood or redbud tree ten inches DBH or larger being in fair or better condition.

Tree, protected. A tree 18 inches DBH or larger, other than a landmark tree or setback tree, in fair or better condition.

Tree, setback. A tree 18 inches DBH or larger located in the minimum required yards/setbacks of any property.

Treehouse. A structure built at least 8 feet above the ground within the branches of a tree. May or may not use the tree for support.

Tree removal permit. A permit as required pursuant to Div. 9.3 issued by the City Arborist for land disturbance or the removal of trees.

Trout streams. All streams or portions of streams within the watershed as designated by the Wildlife Resources Division of the Georgia Department of Natural Resources under the provisions of the Georgia Water Quality Control Act, O.C.G.A. § 12-5-20, in the Rules and Regulations for Water Quality Control, Chapter 391-3-6. Streams designated as primary trout waters are defined as water supporting a self-sustaining population of rainbow, brown or brook trout. Streams designated as secondary trout waters are those in which there is no evidence of natural trout reproduction but are capable of supporting trout throughout the year. First order trout waters are streams into which no other streams flow except springs.

U

Urban Neighborhood. A character area described and mapped in the City's Comprehensive Plan.

V

Variance. See Div. 11.6.

Vegetative erosion and sedimentation control measures. Technical measures approved within the Georgia Manual for Erosion and Sediment Control for the stabilization of erodible or sediment-producing areas.

Vehicle. As used in this Development Code, vehicle may include not just motor vehicles, but also non-motorized vehicles such as bicycles used for transport, based on the context of the specific code section.

Vehicle, recreational. A vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light-duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

Violation. A violation is any failure to comply with the Development Code.

W

Watercourse. Any natural or artificial watercourse, stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows either continuously or intermittently and which has a definite channel, bed and banks, and including any area adjacent thereto subject to inundation due to overflow or floodwater.

Y

Yard. The land area located between the property line and the principal structure.

SANDY SPRINGS
CITY CLERK'S OFFICE

TO: Eden Freeman, City Manager

FROM: Matthew Anspach, Senior Planner

DATE: November 13, 2023 Submission for the December 5, 2023 City Council Meeting

ITEM: TA23-0003(b) - Request for Mayor and City Council Consideration of an Ordinance to Amend the Development Code Articles 2 through 5 (Protected Neighborhoods, Urban Neighborhoods, Corridors & Nodes, and Perimeter Center)

Recommendation:

Staff recommends that Mayor and City Council approve the text amendment as proposed.

At the Special Called Planning Commission meeting on November 13, 2023, the Planning Commission voted to recommend that Mayor and City Council approve the text amendment as proposed.

Background:

The Next Ten Comprehensive Plan Policy E recommends a review of development management tools to implement the vision and goals of the Comprehensive Plan, Small Area Plans, and other planning documents. Both the 10 Key Actions for the Next Ten and Policy LU-E1 recommends comprehensive updates to the Sandy Springs Development Code. Furthermore, the Next Ten Community Work Program item LU-E1.1 recommends that staff conduct a comprehensive review of the Development Code in 2022 and 2023.

Discussion:

Over the last 13 months, city staff have worked toward execution of this comprehensive review of the city's Development Code. Staff, with the assistance of consultant Code Studio, have received input from a variety of stakeholders, including residents and neighborhood groups, business and property owners, contractors and developers, and the Planning Commission as well as overall policy guidance from the Mayor and City Council to help formulate a recommended 5-Year Development Code Update. The code review process consisted of three (3) distinct phases:

1. **Phase I (Intake)** - Hosted more than 25 stakeholder meetings covering a range of topics and facilitated discussion with Council at the 2023 Retreat; met with residents, business owners, Planning Commissioners, electric vehicle and gas station representatives, hotel and hospitality industry representatives, office and medical industry representatives, civic institutions, developers, residential home builders, automotive dealers, attorneys, and others.

2. **Phase II (Draft)** - Worked amongst relevant staff and the consultants' background and code expertise to clean up technical aspects of the existing Development Code, as well researching and proposing edits to the topics deemed by Council to be of particular priority to the City's vitality.

For the Mayor and City Council's September 19 Work Session, city staff and the consultants at Code Studio presented the initial Development Code Update draft after a thorough input process and direction from Council earlier in the year. City staff and Code Studio replicated the work session the following evening with the Planning Commission at their Special Called Work Session on September 20.

3. **Phase III (Publication and Adoption)** – Staff published draft Development Code documents on the City's website, accepted public feedback, and finalized the draft, including:

- September 22: Online posting of the initial proposed draft to the dedicated Development Code Update webpage (spr.gs/development)
- September 26 – October 18: Online comment form input/submittal period (in addition to the traditional forms of available public comment submission)
- September 26: Public Open House hosted at City Hall
- November 11: Final draft Development Code published on Development Code Update webpage, including summary of key changes
- November 13: Special Called Planning Commission Public Hearing
- December 5: Mayor and City Council Public Hearing for consideration of adoption

The attached presentation and Planning and Zoning detailed Staff Report address the major modifications proposed to the Development Code.

Financial Impact:

No financial impact is anticipated at this time.

Alternatives:

Mayor and City Council may also vote to defer, modify, or deny the proposed text amendment.

Review:

Matthew Anspach, Senior Planner	Created/Initiated - 12/1/2023
Ginger Sottile, Director of Community Development	Approved - 12/1/2023
Kristin Byars Smith, Assistant City Manager	Approved - 12/1/2023
Dan Lee, City Attorney	Approved - 12/1/2023
Eden Freeman, City Manager	Final Approval - 12/1/2023

Attachments:

1. TA23-0003(b) Presentation
2. TA23-0003 Package
3. TA23-0003 Post-Open House Summary Changes
4. TA23-0003(b) Ordinance

5. TA23-0003(b) Final Draft Art 2 - 5

Mayor & City Council

December 5, 2023

SANDY SPRINGS™
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TA23-0003(b) (Art. 2 – 5)

Article 2 Protected Neighborhoods
Article 3 Urban Neighborhoods
Article 4 Corridors & Nodes
Article 5 Perimeter Center

TA23-0003(b) (Art. 2 – 5)

- **Article 2 Protected Neighborhoods**

  - Government facilities as permitted (P) use in Parks districts (PK) and in Conservation districts (CON)

  - Various technical edits

TA23-0003(b) (Art. 2 – 5) cont'd

- **Article 3 Urban Neighborhoods**
  - Introduced Neighborhood Units (Manor-type houses)
  - Reduced Single Unit Attached minimum lot sizes and widths
  - Added limited commercial use to RM
  - Added a commercial ready minimum to RX
  - Added RX-3/6 as bonus district

TA23-0003(b) (Art. 2 – 5) cont'd

- **Article 4 Corridors & Nodes**
  - Added office to residential conversion in ON and OX
  - Added bonus districts to:
    - City Springs- CS-6/8
    - Commercial Mixed Use- CX-3/6, 6/8, and;
    - Shopfront Mixed Use- SX-3/6, 6/10
  - Removal of minimum height in City Springs
  - Reduction in minimum lot size/width for single unit attached

TA23-0003(b) (Art. 2 – 5) cont'd

- **Article 5 Perimeter Center**
  - Added commercial maximum to Perimeter Residential
  - Reduced minimum stories in all Perimeter districts
  - Reduced regulations on single unit to allow for more mix of housing options

SANDY SPRINGS
GEORGIA

P&Z STAFF REPORT

Mayor and City Council Meeting, December 5, 2023

Case: **TA23-0003 – Comprehensive Development Code Review & Update**
Staff Contact: Matthew Anspach (manspach@sandyspringsga.gov)
Report Date: November 21, 2023

PURPOSE

An Ordinance to amend the Development Code with edits to each article, 1 through 12.

RECOMMENDATION

Planning Commission

The Planning Commission at their Special Called Meeting on November 13 voted per the following for each of the five (5) items comprising the 5-Year Development Code Update:

Commissioner Settles made a motion to **recommend approval of TA23-0003(a)**, Articles 1 (Introductory Provisions), 11 (Administration), and 12 (Definitions) as proposed. Commissioner Conklin seconded the motion. **The motion passed unanimously.**

Commissioner Settles made a motion to **recommend approval of TA23-0003(b)**, Articles 2 through 5 (Protected Neighborhoods, Urban Neighborhoods, Corridors & Nodes, and Perimeter Center) as proposed. Commissioner Nickles seconded the motion. **The motion passed unanimously.**

Commissioner Nickles made a motion to **recommend approval of TA23-0003(c)**, Article 6 (Rules for All Districts) as proposed. Commissioner Kelly seconded the motion. **The motion passed unanimously.**

Discussion from the Planning Commission on item (d) was varied from Neighborhood Eateries to Fuel Stations. Several comments from the public were heard, speaking on topics ranging from a request to consider up to 12 stories of (bonus) height allowance for the CX zoning district to Neighborhood Eateries. Commissioner Nickles discussed proposing an amendment that would effectively allow Fuel Stations in any “commercial” district, so long as they met all the basic and conditional use standards.

Ultimately, Commissioner Settles made a motion to **recommend approval of TA23-0003(d)**, Article 7 (Use Provisions) with the amendment that Neighborhood Eateries be permitted in Office Neighborhood only with community meetings as a requirement, and with specific operating hours. Commissioner Kelly seconded the motion. **The motion passed 5-1 with Commissioner Porter dissenting.**

After the motion was heard and voted for in the affirmative, Commissioner Nickles made a point of personal privilege-to make a motion to reconsider the previous motion. The motion failed for lack of a second.

Commissioner Porter made a motion to **recommend approval of TA23-0003(e)**, Articles 8 through 10 (Site Development, Environmental Protection, Streets & Improvements) with the following edits to Sec. 9.4.2.G.4.:
-Remove subsection a.
-Modify subsection b. to read "Also, where a side or rear yard is the only feasible option for a construction entrance, grading disturbance may be approved by the Director, so long as the width of the area of activity within the buffer does not impact an existing tree with a 15" DBH or greater and is replaced with a mitigation zone. *(paraphrase) "The Director shall conduct a physical inspection of the work site where alternative access is being requested."*

Commissioner Settles seconded the motion. **The motioned carried unanimously.**

Department of Community Development

Staff recommends **Approval** of **Text Amendment TA23-0003** in its entirety, grouping (a) through (e).

-**TA23-0003(a)**, Articles 1 (Introductory Provisions), 11 (Administration), and 12 (Definitions)
-**TA23-0003(b)**, Articles 2 through 5 (Protected Neighborhoods, Urban Neighborhoods, Corridors & Nodes, and Perimeter Center)
-**TA23-0003(c)**, Article 6 (Rules for All Districts)
-**TA23-0003(d)**, Article 7 (Use Provisions)
-**TA23-0003(e)**, Articles 8 through 10 (Site Development, Environmental Protection, Streets & Improvements)

PROCESS	
Planning Commission Hearing: November 13, 2023	Mayor and City Council Hearing: December 5, 2023

The following excerpts from the Final Draft are not exhaustive, but simply snapshot of the more substantive material changes proposed and the more purely sizeable, proposed changes. For a full account of all proposed changes, be sure to review the Final Draft document(s).

TA23-0003(a), Articles 1 (Introductory Provisions), 11 (Administration), and 12 (Definitions)

Article 1. Introductory Provisions

Section 1.1.3.

Sec. 1.1.3. Effective Date

This Development Code was adopted on August 15, 2017 and became effective on September 15, 2017 (the "effective date").

This Development Code was subsequently updated and adopted on December 5,2023 (the "5-Year Development Code Update").

Section 1.1.9.

D. For development sites in the CS-, CX-, and SX- districts which received a zoning approval between September 15, 2017 and prior to December 5, 2023, a conditional use permit is not required for any multi-unit housing component over three (3) stories.

Sec. 1.1.10.

Sec. 1.1.10. Amortization for ~~Vehicle-Related Uses~~Specific Uses and Standards

A. **Intent** It is the intent of this Section to bring into conformity the parking lot landscaping and perimeter screening, foundation planting, mechanical and other equipment screening, and site lighting of vehicle-related uses and screening requirements for all service areas. It is the intent of the City Council to protect the investment-backed expectations of property owners, and to accomplish conformity while allowing property owners a reasonable return on their investment.

B. **Applicability** The requirements of this Section apply to all of the following uses, provided they do not meet the standards referenced in paragraph C. below, where the affected lot abuts Roswell Road, or the lot is visible from the right-of-way of Roswell Road:

1. Fuel pumps;
2. ~~Gas~~ Fuel stations;

3. Vehicle sales and rental (major and minor); and

4. Vehicle service and repair (major and minor).

C. **Standards** The following requirements must be met where practicable:

1. Sec. 8.3~~2~~.2.B. regarding perimeter screening of parking lots;

2. Sec. 8.3~~2~~.4. regarding foundation planting~~;~~;

3. Sec. 8.3~~2~~.9. regarding screening~~; and~~;

4. Div. 8.~~4~~5 regarding site lighting~~.~~; and

5. Sec. 8.8.9.A. regarding screening for service areas.

D. **Time for Compliance**

1. The standards in paragraph C.1 through C.4 above must be met within 7 years of the effective date of this Development Code. The standards in C.5 above must be met within 3 years of the 5-Year Development Code Update.

2. Owners of property subject to this Section may apply for an extension of time at any time prior to or within 30 days after the expiration of the 7-year or 3-year period. Such application shall contain the following information:

   a. Name of the property owner making application;

   c. A statement from the property owner of how long of an extension is anticipated to be needed to ensure compliance.

   b. Address and tax parcel number of affected property;

3. Upon receipt of the application, the Director will review the request, including any steps taken to ensure compliance, and grant or deny the request. In no case may the extension exceed 6 months.

E. **Alternative Solutions**

1. Where the Director determines compliance with the standards of this Section are infeasible, due to site limitations or otherwise, alternative standards may be considered that meet or exceed the standards of this Section.

Section 1.2.1.

Sec. 1.2.1. Districts Established

In order to carry out the purpose and intent of this Development Code, the City is divided into the following zoning districts, as established on the Official Zoning Map in Div. 1.3. These districts are intended to implement the specific Character Areas established in the Comprehensive Plan, as set out in the table below.

The creation of new districts must be approved through the Planning Commission and City Council under the procedures for Legislative Review (see Div. 11.3) as a Text Amendment.

Character Areas and Zoning Districts		
Character Area Group	**Character Areas Implemented**	**Zoning Districts Permitted**
Protected Neighborhood	Protected Neighborhood	Residential Estate: RE-2, RE-1

		Residential Detached: RD-27, RD-18, RD-15, RD-12, RD-9, RD-7.5
	Conservation Area/Park	Parks: PK
		Conservation: CON
Urban Neighborhood	Urban Neighborhood	Residential Urban: RU-4, RU-3
	Urban Neighborhood, Powers Ferry	Residential Townhouse: RT-3
		Residential Multi-Unit: RM-3, RM-3/8
		Residential Mixed Use: RX-3, RX-3/6, RX-4, RX-5
Corridor & Node	Neighborhood Village	Office Neighborhood: ON-3
	Commercial/Mixed Use, Powers Ferry, Powers Ferry Village	Office Mixed Use: OX-3, OX-4, OX-5, OX-6, OX-8
		Commercial Mixed Use: CX-3, CX-3/6, CX-6, CX-6/8
	Mixed Use, Powers Ferry Village	Shopfront Mixed Use: SX-3, SX-3/6, SX-4, SX-6, SX-6/10
	MARTA Transit-Oriented Development	Transit-Mixed Use: TX-4, TX-6
	City Springs	City Springs: CS-3, CS-4, CS-5, CS-6, CS-6/8
	Commercial/Mixed Use	Industrial Mixed Use: IX-3
	Commercial/Mixed Use, Powers Ferry Village	Commercial Corridor: CC-3
	Mixed Use	North End Mixed Use: NEX-5/6, NEX-5/10/12
Perimeter	Perimeter Center	Perimeter Residential: PR-3, PR-5
	Perimeter Center, Perimeter Medical	Perimeter Mixed Use: PX-3, PX-5, PX-8, PX-10/12, PX-20/35
	Perimeter Medical	Perimeter Medical: PM-5, PM-8, PM-12/15, PM-20/35

Section 1.3.2.

Sec. 1.3.2. Interpretation of Map Boundaries

Where uncertainty exists with respect to the boundaries of any zoning district on the Official Zoning Map, the Director is authorized to interpret the boundaries using the following methods.

A. Where a district boundary line is shown as approximately following the centerline of a street or highway, or an extension of a street or highway, the district boundary is the centerline of that street or highway.

B. Where more than one district applies to a property, and the district boundary line is shown as running approximately parallel at a distance from a street, the distance from the centerline must be determined by the use of the map scale.

C. Where a district boundary line is shown as approximately following a lot line, the district boundary is the lot line.

D. Whenever any street, alley, ~~or~~ other public way, or un-zoned remnant property is vacated, ~~or~~ abandoned, or sold by official action of the City Council, or other state or local entity, the least intense zoning district adjoining ~~each~~ either side of the street, alley, ~~or~~ public way, or public property, will be automatically ~~extended to the center of~~applied to the street, alley, ~~or~~ public way or public property, as determined by the Director.

E. Where a boundary line is shown and its location is not fixed by any of the rules of this Division, its precise location is determined by scaling from streets, objects or structures shown on the Map.

Article 11. Administration

Sec. 11.6.2.

G. **Approval Criteria**

1. Variances will only be granted upon showing that:

a. The variance request would not result in negating the general intent of this Development Code or with the Comprehensive Plan policies;

b. The variance if granted will not be detrimental to the public safety, health, or welfare of the public or injurious to other property;

c. The conditions on which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property;

d. Because of the particular physical surroundings, shape, size, or topographical conditions of the specific property involved, an extraordinary hardship would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;

e. The variance requested is the minimum necessary to accomplish the development or building;

f. In the case of an amendment to a buffer or setback required by this Code, the variance application shows how equal or greater protection will be achieved of the adjacent property or natural resource affected by the proposed development, should the variance be granted; and.

g. Such conditions are not the result of action or inaction of the current property owner; and

~~a. The application of this Development Code would create an unnecessary hardship, and not merely an inconvenience to the applicant; or~~

~~b. There are extraordinary and exceptional conditions due to the size, shape, or topography, which are specific to the subject property and not generally found in similar properties that prohibits the proposed scope of work from being able to comply with the Development Code.~~

2. Failure of an applicant to obtain a land disturbance, building or any other permit required by this Code shall not in and of itself constitute a justification for a variance absent a showing of the criteria listed under Section 1 above.~~Further, the application must demonstrate that:~~

~~a. Such conditions are not the result of action or inaction of the current property owner; and~~

~~b. The variance request would provide the minimum relief necessary to make possible the reasonable use of the property; and~~

~~c. The variance request would result in development that is consistent with the general intent of this Development Code, with the Comprehensive Plan policies, and would not be detrimental to the public good, safety and welfare.~~

H. **Denied Application** Decisions of the Board of Appeals are final. Those not satisfied with a decision of the Board of Appeals may pursue an appeal ~~by filing a writ of certiorari~~ with the Fulton County Superior Court within 30 calendar days of the decision. Denial of an application bars resubmittal of the application for 1 year.

Sec. 11.6.4.

Sec. 11.6.4. ~~Reserved~~Stream Buffer Variance

~~B.~~ **Variance Procedures** Variances from ~~paragraph A~~Stream Buffer requirements as provided in Div. 9.2. ~~above~~ may be granted in accordance with the following provisions:

1. Where a parcel was platted prior to December 12, 2005, and its shape, topography or other existing physical condition prevents land development consistent with this Division, and the City finds and determines that the requirements of this Division prohibit the otherwise lawful use of the property by the owner, the Board of Appeals may grant a variance from paragraph A. above, provided such variance requires mitigation measures to offset the effects of any proposed land development on the parcel.
2. The Board of Appeals will follow the procedure set forth in Sec. 11.6.2.
3. Variances will be considered only in the following cases:

a. When a property's shape, topography or other physical conditions existing on December 12, 2005 prevents land development unless a buffer or setback variance is granted.

b. Unusual circumstances when strict adherence to the minimal buffer and setback requirements in this Division would create an extreme hardship.

4. Variances will not be considered when actions of any property owner of a given property after December 12, 2005 have created conditions of a hardship on that property.

5. At a minimum, a variance request must include the following information:

a. A site map that includes locations of all state waters, wetlands, floodplain boundaries and other natural features, as determined by field survey;

b. A description of the shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;

c. A detailed site plan that shows the locations of all existing and proposed structures and other impervious cover, the limits of all existing and proposed land disturbance, both inside and outside the buffer and setback. The exact area of the buffer and setback to be affected is accurately and clearly indicated;

d. Documentation of unusual hardship should the buffer and setback be maintained;

e. At least one alternative plan that does not include a buffer or setback intrusion, or an explanation of why such a site plan is not possible;

f. A calculation of the total area and length of the proposed intrusion;

g. A stormwater management site plan, if applicable; and

h. Proposed mitigation, if any, for the intrusion. If no mitigation is proposed, the request must include an explanation of why none is being proposed.

6. The following factors will be considered in determining whether to issue a variance:

a. The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;

b. The locations of all state waters, wetlands, floodplain boundaries and other natural features on the property, including along property boundaries, as determined by field survey;

c. The location and extent of the proposed buffer or setback intrusion;

d. Whether alternative designs are possible which require less intrusion or no intrusion;

e. The long-term and water quality impacts of the proposed variance; and

f. Whether issuance of the variance is at least as protective of natural resources and the environment.

Article 12. Definitions

Tweaks and some new development related definitions

TA23-0003(b), Articles 2 through 5 (Protected Neighborhoods, Urban Neighborhoods, Corridors & Nodes, and Perimeter Center)

Article 2. Protected Neighborhoods

Sec. 2.1.3. (Div. 7.2.)

Sec. 2.1.3. Parks District

The Parks district is intended for publicly-accessible parks and active or passive recreational facilities. Government facilities are permitted.

Sec. 2.1.4. (Div. 7.2.)

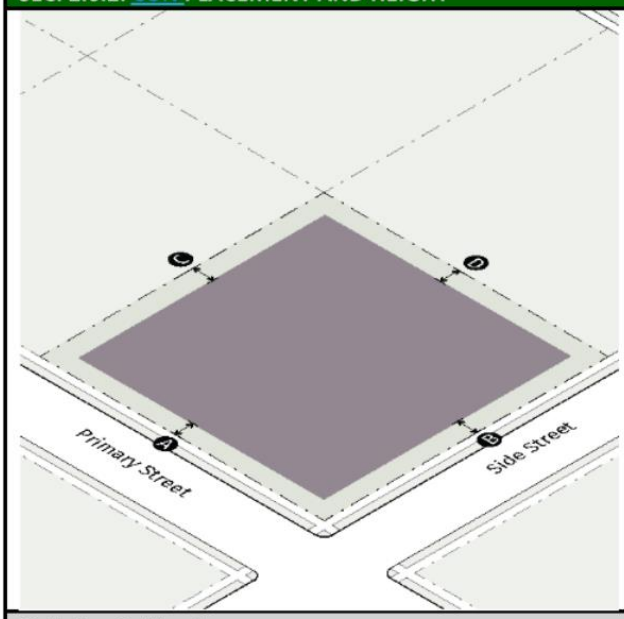
Sec. 2.1.4. Conservation District

The Conservation district is intended for land designated as permanent conservation, passive park or other open space. Lands within the district are intended to be predominantly unoccupied by buildings or parking; however, government facilities are also permitted.

Sec. 2.6.2.

Sec. 2.6.2. CON Placement and Height

SEC. 2.6.2. CON PLACEMENT AND HEIGHT



Building Setbacks		
A	Primary street	~~n/a~~10'-min
B	Side street	~~n/a~~10'-min
C	Side: common lot line	~~n/a~~ 10' min
D	Rear: common lot line	~~n/a~~ 10' min
Building Height		
	Maximum height	15' max

Article 3. Urban Neighborhoods

Sec. 3.1.1. (Div. 7.2.)

Sec. 3.1.1. Residential Urban (RU-)

The Residential Urban districts are intended for neighborhood-scale development including single unit detached residences on small urban lots. The districts also allow for limited civic, open space and park uses. The districts include:

A. **RU-4: Residential Urban** 4,000 square foot minimum lot size~~.~~

B. **RU-3: Residential Urban** 3,000 square foot minimum lot size~~.~~

Sec. 3.1.2. (Div. 7.2.)

Sec. 3.1.2. Residential Townhouse (RT-)

The Residential Townhouse district is intended for neighborhood-scale development including single unit attached and neighborhood unit residences on individual lots. The district also allows for limited civic, open space and park uses, as well as single unit ~~family~~ residences on small urban lots.

A. **RT-3: Residential Townhouse** 3 stories maximum height~~.~~

Sec. 3.1.3.

Sec. 3.1.3. Residential Multi-Unit (RM-)

The Residential Multi-Unit district is intended for neighborhood-scale development including residential living in multi-unit residences. The district also allows for limited commercial, civic, open space and park uses, as well as single unit ~~family~~ detached and attached residences.

A. **RM-3: Residential Multi-Unit** 3 stories maximum height~~.~~

B. **RM-3/8: Residential Multi-Unit** 3 stories base height, up to 8 stories with bonus

Sec. 3.1.4.

Sec. 3.1.4. Residential Mixed Use (RX-)

The Residential Mixed Use districts are intended for neighborhood-scale development including residential living in multi-unit ~~attached~~ residences with access to neighborhood-serving commercial uses on no less than 2% of the development's ground floor. The districts ~~also~~ allows for limited commercial uses, as well as civic, open space and

Article 4. Corridors & Nodes

Sec. 4.1.1.

Sec. 4.1.1. Office Neighborhood (ON-)

The Office Neighborhood district is intended for office and related commercial uses. The district- also allows for civic, open space and park uses, legacy office to residential multi-unit conversions, and age-restricted multi-unit. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. ON-3: Office Neighborhood, 3 stories maximum height

Sec. 4.1.2.

Sec. 4.1.2. Office Mixed Use (OX-)

The Office Mixed Use districts are intended for office, hotel and related commercial uses, as well as single unit attached residences, legacy office to residential multi-unit conversions, and age-restricted multi-unit. The districts also allow for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, ~~a~~ transition ~~area is~~ areas are required. The districts include:

A. OX-3: Office Mixed Use, 3 stories maximum height

B. OX-4: Office Mixed Use, 4 stories maximum height

C. OX-5: Office Mixed Use, 5 stories maximum height

D. OX-6: Office Mixed Use, 6 stories maximum height

E. OX-8: Office Mixed Use, 8 stories maximum height

Sec. 4.1.3.

Sec. 4.1.3. Commercial Mixed Use (CX-)

The Commercial Mixed Use districts are intended to provide for a variety of retail, service and commercial uses, as well as multi-unit residences. The districts also allow for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. CX-3: Commercial Mixed Use, 3 stories maximum height

B. CX-3/6: Commercial Mixed Use, 3 stories maximum base height, up to 6 stories with bonus

C~~B~~. CX-6: Commercial Mixed Use, 6 stories maximum height

D. CX-6/8: Commercial Mixed Use, 6 stories maximum base height, up to 8 stories with bonus

Sec. 4.1.4.

Sec. 4.1.4. Shopfront Mixed Use (SX-)

The Shopfront Mixed Use districts are intended to provide for a variety of retail, service and commercial uses, as well as upper-story multi-unit residences. In the Shopfront districts, a high degree of interaction between shoppers and other pedestrians and shopfront uses is desirable. The districts also allow for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. SX-3: Shopfront Mixed Use, 3 stories maximum height

B. SX-3/6: Shopfront Mixed Use, 3 stories maximum base height, up to 6 stories with bonus

~~B~~C. SX-4: Shopfront Mixed Use, 4 stories maximum height

~~C~~D. SX-6: Shopfront Mixed Use, 6 stories maximum height

E. SX-6/10: Shopfront Mixed Use, 6 stories maximum base height, up to 10 stories with bonus

Sec. 4.1.6.

Sec. 4.1.6. City Springs (CS-)

The City Springs districts are intended to implement the Sandy Springs City Center Master Plan, which is formed around a nucleus of civic facilities. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. CS-3: City Springs, 3 stories maximum height

B. CS-4: City Springs, 4 stories maximum height

C. CS-5: City Springs, 5 stories maximum height

D. CS-6: City Springs, 6 stories maximum height

E. CS-6/8: City Springs, 6 stories maximum base height, up to 8 stories with bonus

Div. 4.10.

Sec. 4.10.5. NEX- District Standards

A. **Primary Internal Street**

1. A continuous primary internal street must be established in any NEX- District. The street must connect to Roswell Road.

   a. **C-Street** Where the development site faces only Roswell Road, the primary internal street must connect with Roswell Road at a minimum of two points, providing a loop road servicing the entire development. Additional, or side streets may be necessary depending on whether they meet the block face lengths found in Sec. 10.3.1.

   b. **L/T-Street** Where the development site ~~is a corner lot facing Roswell Road at an intersection with a collector or higher designated street~~faces multiple streets including Roswell Road, the primary internal street must connect through the site from Roswell Road to the intersecting street or streets. At least one street connection to Roswell Road must be considered as a part of the primary internal street. Additional, or side streets may be necessary depending on whether they meet the block face lengths found in Sec. 10.3.1.

2. The ground floor of a multi-unit building facing a primary or internal primary street must be constructed to be ~~retail ready~~commercial-ready ~~(built to meet or exceed the minimum requirements for ground floor elevation, ground story height, transparency, and entrance spacing required for a retail use). Retail ready space is allowed to be occupied by any use allowed in the zoning district.~~ (See Sec. 6.6.2.E.).

B. **Phasing of Residential Construction** Where construction occurs in phases, each phase that includes multi-unit residential development must meet the following standards.

1. Each phase must maintain or exceed the required percentage of single unit residential required for the amount of multi-unit residential proposed.

2. Certificates of occupancy for any multi-unit residential may only be issued after the issuance of certificates of occupancy of the required percentage of single unit residential associated with the multi-unit residential.

3. No additional height associated with an affordable housing bonus is allowed prior to the construction of the necessary affordable housing units required to receive the bonus.

C. **Structured Parking**

1. Structured parking must not be visible from any ~~the adjacent primary or primary internal~~ streets of the development.

Div. 4.11.

Sec. 4.11.5. NEX- District Standards

A. **Primary Internal Street**

1. A continuous primary internal street must be established in any NEX- District. The street must connect to Roswell Road.

   a. **C-Street** Where the development site faces only Roswell Road, the primary internal street must connect with Roswell Road at a minimum of two points, providing a loop road servicing the entir

development. Additional, or side streets may be necessary depending on whether they meet the block face lengths found in Sec. 10.3.1.

b. **L/T-Street** Where the development site faces multiple streets including Roswell Road, the primary internal street must connect through the site from Roswell Road to the intersecting street or streets. At least one street connection to Roswell Road must be considered as a part of the primary internal street. Additional, or side streets may be necessary depending on whether they meet the block face lengths found in Sec. 10.3.1.~~a. Where the development site faces only Roswell Road, the primary internal street must connect at two points, providing a loop road servicing the entire development.~~

~~b. Where the development site is a corner lot facing Roswell Road at an intersection with a collecto or higher designated street, the primary internal street must connect through the site from Roswell Road to the intersecting street.~~

2. The ground floor of a multi-unit building facing a primary or internal primary street must be constructed to be ~~retail-ready~~commercial-ready (See Sec. 6.6.2.E.). ~~(built to meet or exceed the minimum requirements for ground floor elevation, ground story height, transparency, and entrance spacing required for a retail use). Retail-ready space is allowed to be occupied by any use allowed in the zoning district.~~

Article 5. Perimeter Center

Sec. 5.1.1.

Sec. 5.1.1. Perimeter Residential

The Perimeter Residential district is intended for residential living in attached single unit and multi-unit residences. The district also allows for limited commercial, and for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. PR-3: Perimeter Residential, 3 stories maximum height

B. PR-5: Perimeter Residential, 5 stories maximum height

Sec. 5.3.3. through 5.5.3.

		max
B	Minimum height	
	PX-3, PX-5	2 stories min*
	PX-8	34 stories min*
	PX-12	36 stories min*
		*See Div. 5.76.7 for Adjustedable Minimum Heightminimum height reduction

Article 6. Rules for All Districts

Sec. 6.1.1.B.

3. **Rear Lot Line**

   a. A lot line which is opposite and most distant from the primary street lot line.

   b. In the case of a lot that fronts on two streets, a lot may have no rear lot line.

   c. Where no lot line is clearly opposite to the primary street lot line or where there are multiple primary street lot lines, the lot line having the highest portion of its length serving as the rear lot line of abutting lots is the rear lot line. When a rear lot line cannot be determined in this manner, the rear lot line will be determined by the Director.

   ~~b. On irregularly shaped lots, the rear lot line is determined as the line connecting two points each measured 10 feet along the side lot lines starting from the intersection of the two side lot lines. This rear lot line is intended for the purpose of establishing the rear setback and lot depth only. When a rear lot line cannot be determined in this manner, the rear lot line will be determined by the Director.~~

Sec. 6.1.1.F.

1. Lot frontage is the length of any lot line abutting a primary street, side street, alley (for rear-loaded townhouses only) or courtyard (for a cottage court).

2. Every lot or unit on a lot must have frontage upon a public street, or private street designed and built to public standards, or meet the requirements of Development Patterns found in Div. 6.3.~~required courtyard for a cottage court.~~

Sec. 6.1.1.I.2.n.

n. **Pedestrian Amenity Space Allowance**

i. **General**

Pedestrian Amenity Space is a type of Outdoor Amenity Space intended to create a pedestrian-friendly environment, and therefore has more standards than other Outdoo Amenity Spaces. In addition to the standards below, Pedestrian Amenity Space is intended to be publicly accessible and located in close proximity to the public sidewalk. Examples include patios and plazas.

ii. **Standards**

The Director may approve outdoor amenity space meeting the requirements of pedestrian amenity space to fulfill the outdoor amenity space requirement. Pedestrian amenity space requirements include:

a) Each square foot of pedestrian amenity space counts as 2 square feet of the required outdoor amenity space.

b) Pedestrian amenity space must be accessible and usable by the public.

c) Pedestrian amenity space must have a minimum area of 400 square feet with no dimension less than 15 feet.

d) At least 25% of the pedestrian amenity space must abut and be directly accessible from the sidewalk of a primary street or side street.

e) Pedestrian amenity space cannot be separated from the sidewalk by any structure for more than 40% of the width of the amenity space.

f) The finished elevation of the pedestrian amenity space must be located at the same grade as the sidewalk or the ground story.

g) All building facades abutting the pedestrian amenity space must meet the transparency and entrance requirements of the zoning district.

h) A minimum of 15% of the pedestrian amenity space must be a planted area with trees or groundcover and a minimum of 25% of the pedestrian amenity space must be hardscaped.

i) Pedestrian amenity space cannot be used for vehicle parking or access, except for emergency access or permitted temporary events.

j) Mechanical equipment cannot be located in a pedestrian amenity space or between the pedestrian amenity space and the building.

Sec. 6.1.2.A.4.

4. **Irregular Rights-of Way** The Director may determine primary or side street setbacks will be measured from the back of curb when rights-of-way widths vary.

Sec. 6.1.2.B.3.e.

e. In all instances, mechanical equipment must be screened (see Sec. 8.3~~2~~.9.). and may not be located between the primary building and a primary street, unless the lot meets the following exceptions.

i. Where the primary building has multiple offsets in the street-facing façade, mechanical equipment must be located at least 15 feet behind the frontmost street-facing façade.

ii. In Protected Neighborhoods where the primary structure is located more than 100' from primary street lot line, mechanical equipment can be located between the building and primary street so long as the equipment is screened with a masonry wall.

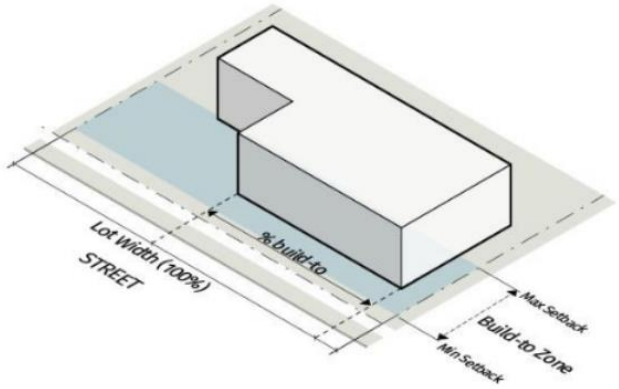
Sec. 6.1.2.C.

1. The build-to zone (BTZ) is an area of a lot or site where building facades, in whole or in part, must be located to satisfy the required build-to percentage. The build-to zone is the area between a minimum and maximum primary or side street setback, measured from the edge of the right-of-way or private street easement. Freestanding walls and opaque fences over 42" in height are prohibited within any BTZ. Other walls or fences that are part of a landscape design prepared by a licensed landscape architect may be permitted by the Director.

2. Where the build-to zone lies within a stream buffer or easement that does not allow construction, or buffers or setbacks as required by zoning conditions, transitional buffers or otherwise, the Director may waive the build-to requirement, in whole or in part.

3. The required percentage specifies the amount of the building façade that must be located in the ~~build-to zone~~BTZ. The percentage is calculated as the width of the street-facing building façade in the BTZ divided by the total width of the street-facing building façade. Where a proposed building will not fill the entire street frontage of a site, the longer façade of the building must be street-facing.

~~This percentage is calculated as the width of the building façade within the build-to zone divided by the total street frontage of the lot.~~



4. The width of a parking entrance into or through a building does not count towards the build-to requirement. However, in no case will access to an irregularly-shaped parcel that has no alternative access options be denied due to application of the build-to requirement. In all cases where access is necessary, a driveway of the minimum acceptable width for fire safety purposes is allowed, even where it reduces the building width below the required build-to percentage.

5. On a corner lot, a building must be placed within or abutting the area where the build-to zones of 2 intersecting streets overlap. The building must extend within the build-to zone for a minimum of 30 feet in both directions. If in neither direction, a proposed development has 30 feet of length, the building must be placed in the corner of the intersecting streets.

6. The ~~build-to-zone~~BTZ ~~-~~applies up to the height designated as the minimum height of a building. Upper stories beyond this point may be set further back or reduced in width.

7. The Director may allow a courtyard, ~~forecourt~~ plaza, or other similar pedestrian activated space ~~meeting the requirements of Sec. 6.2.4 is~~ meeting the requirements of pedestrian amenity space to be considered part of the building for the purpose of meeting the build-to requirement. A chamfered corner on the ground floor of no more than 20 feet in width that extends outside of the build-to zone is considered part of the building for the purpose of meeting the build-to requirement.

Sec. 6.1.2.G.

~~H~~5. **Parking Structures**

a. Required parking setbacks apply only to the ground floor of the parking structure.

b. In order to meet the parking setback requirement, parking structures must adhere to one of the following standards:

i. The ground story of a structure parking garage facing any street (not including an alley), ~~in the SX- District or where the -SH Frontage applies~~ must have active uses (such as, but not limited to, residential, commercial, office, or civic space, where permitted) within the parking setback. No active uses are required for portions of the parking structure located ~~interior to~~behind the minimum parking setback; or

ii. The entire parking structure must be constructed to be adaptable, requiring the floor plates to be level except to the minimum extent required for drainage, the structure must be constructed to accommodate standard design loads of office uses according to the International Building Code, and the floor-to-floor heights must be a minimum of 12 feet.

c. Parking structure screening is required (see Sec. 8.1.8.K).

Sec. 6.1.3.A.6.

6. For any building type other than residential single unit detached or attached, there is no restriction on the number of stories added on a lower, rear portion of a lot. This also applies to developments where the lower, rear portion of the lot abuts a new street required by the Development Code. When a new street is required, two additional stories may be constructed along the new street in the rear portion of the lot. However, any additional buildings fronting on the new street are required to meet the story maximum for the district.

Sec. 6.1.3.B.

B. **Minimum Height**

1. Where a minimum height of two or more stories is required, each required story must contain habitable space for at least 50% of the floor. A mezzanine can be used in lieu of a second floor upon request at the director's discretion.

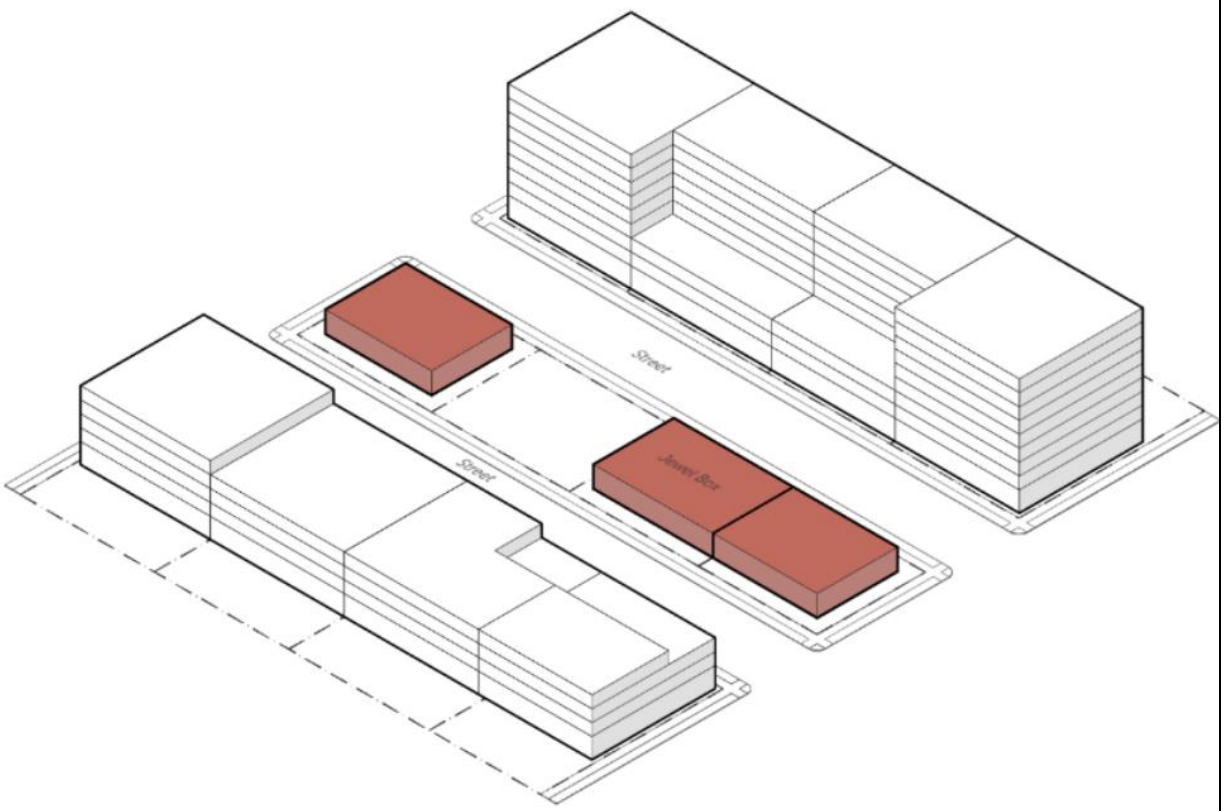
~~2. Up to 20% of the ground floor area of all buildings on a lot (or a development site, where approved by the Director - see Sec. 6.1.1) may be single-story, provided the ground story is at least 18 feet in height measured to the deck of a flat roof, and 24 feet in height as measured to the top of any street-facing parapet wall. This particular allowance does not apply to districts within the Perimeter Center that have a minimum height of 6 stories. For adjusted minimum height for districts that require a minimum of 6 stories within the Perimeter Center, see Div. 5.7.~~

2. The Director may allow the following buildings to be exempt from minimum height requirements:

   a. Buildings internal to a site not directly serviced by on-site parking or a drive-through, such as a jewel box building or kiosk, so long as it is integrated into the overall site plan.

   b~~3~~. Buildings with a footprint of 2,000 square feet or less.

   d. Buildings with single unit detached, single unit attached, or neighborhood unit uses.



Sec. 6.1.3.C.

3. The following accessory structures may exceed the established height, provided they do not exceed the maximum height by more than 18 feet, do not occupy more than ~~2~~50% of the roof area~~, are screened (see Sec. 8.2.9) and are set back at least 12 feet from the edge of the roof~~:

   a. Cabana, pool house, rooftop restaurant, or other amenity, and

   b. Pergola, trellis, gazebo, or other similar minor structure architecturally integrated with the building, and

   c. Elevator or stairway access to the roof; and

   d~~b~~. Mechanical equipment.

Sec. 6.1.3.D.

3. The Director may provide relief to the extent necessary from the maximum ground floor elevation requirements on sites with significant topography.

Sec. 6.1.3.F.

F. **Building Mass**

1. **Street-Facing Building Length** Street-facing building length is the maximum length of a building or structure facing a public or private street, and located within the build-to zone.

2. **Building Break Allowance**

   Buildings that meet one of the following standards, the Director may allow the maximum street facing building length to be exceeded.

   a. When a continuous structure provides an open space meeting the following requirements, the portions of the building on each side of the open space may be considered as a separate building:

      i. One building break per street-facing façade is allowed;

      ii. The open space must meet the requirements of Pedestrian Amenity Space;

      iii. The building break width must be at least 1/4 the width of the widest adjacent street-facing building length; and

      iv. The building break depth must be at least equal to the width of the open space or 20 feet, whichever is less.

   b. When a continuous structure provides an articulation to the building façade that meets the following requirements, each façade articulation may be considered as a separate building:

      i. Two portions of the street-facing building façade must have a variation in setback of at least 4 fee. The combined length of the setbacks must total no less than 25% of the length of the building.

      ii. Contrasting colors or material is used on the primary façade and the abutting façade setback to emphasize the articulation and variation along the street-facing building façade.

Sec. 6.1.4. Activation

A. **Transparency**

1. Transparency is the minimum percentage of windows and glazed doors that must cover a ground or upper story facade.

2. Transparency applies to primary and side street facing building facades only, and may be reduced or waived by the Director when particular conditions (such as required buffers or other visual obstructions) significantly reduce the visibility of the building from the public realm.

a. For single-unit attached, transparency applies to any façade visible from a street or path.

Sec. 6.3.1.
Tweaks to design parameters (see draft).

Sec. 6.3.2.
Creation of additional Design Patterns (see draft).

Div. 6.4.
Moved to Article 8. (see draft).

Sec. 6.5.1.

Sec. 6.5.1. Applicability

Any residential garage, parking, or paving-related construction~~ed~~ in the RD-, RU-, or RT- zoning districts and all single-unit attached development after the effective date of this code must meet the following standards. In addition to the standards provided below, attached and detached garages must meet all applicable requirements for either principal buildings or accessory structures as specified in this Code. This division also applies to the RE- zoning districts when specified and when the term "all" is used to describe which residential zones.

Sec. 6.5.2.

Sec. 6.5.2. Single Unit Detached Dwelling

A. **Front and Side Yard Paving**

1. Only one driveway is allowed for every 65 feet of residential frontage on a same lot. Only a single driveway is allowed on streets with a functional classification of Collector or Arterial.

B. **Garage**

1. In all residential zones, n~~N~~o attached garage may encroach into a required setback, except where:

a. ~~a~~An alley provides access, in which case the garage may encroach into the rear setback.

b. A residence with an existing street-facing garage or carport prior to December 1, 2005 may construct a garage that encroaches into the primary street setback if the following requirements are met:

i. The garage or carport is limited to 1-story in height, with no living space in an attic above the garage or carport;

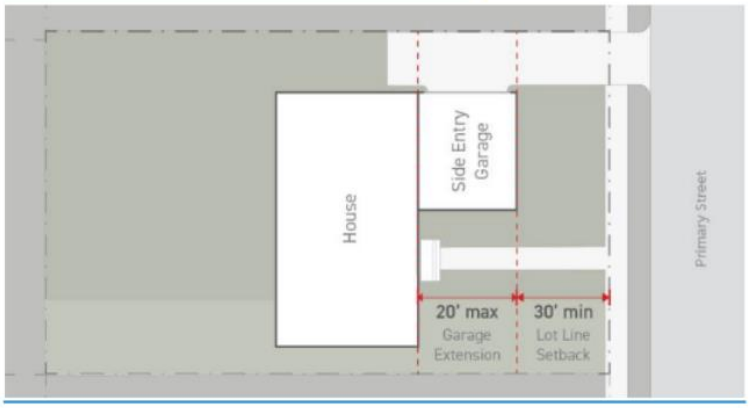
ii. The garage or carport must be constructed as a side or courtyard entry garage (see illustration below);

iii. The garage or carport must be positioned no more than 30 feet in front of the front wall plane of the house;

iv. The garage or carport can encroach a maximum of 20 feet into the primary street setback;

v. The garage must be at least 30 feet from the primary street lot line; and

vi. A single-car garage door, 10 feet in width or less, may continue to face the street if the existing garage door is a street-facing door.



2. Garage doors or carport entries must be positioned at least 5 feet behind the front wall plane of the house, extending no more than 40% of any street-facing width of the house. This requirement does not apply to side-entry garages. Architectural finish and windows must be provided for any side-entry garage wall facing a primary or side street.

5. Parking or storage of a junk or salvage vehicle constitutes an unlawful use, except that no more than 2 junk or salvage vehicles are permitted if parked or stored in a garage or carport not visible from a street or adjacent residential property.

6. In RX-, Corridor and Node districts, or Perimeter Center districts, all single unit detached development must be rear-loaded.

D. Specialized Vehicles

1. Specialized vehicles such as recreational vehicles, campers, trailers, motor coaches, boats, and boat trailers, may be parked or stored in all residential zones under the following conditions:

   a. The vehicles must not be used as permanent living quarters.

   b. The location of the parking area must be in the buildable area of the lot and not in front of the principal structure. Also, the surface of the area must be constructed as a parking area as described in Sec. 6.5.2.C.5. above.

   c. Specialized vehicles must be screened from view of adjoining properties and rights-of-way with a minimum 6-foot tall fence or wall meeting the standards of Sec. 8.32.9. unless they are viewable for less than 48 consecutive hours as a visitor's means of transportation. Enhanced screening standards such as height, materials, or otherwise may be practically necessary to properly screen and may be requested at the discretion of the Director.

   d. For construction trailers, see Sec. 7.9.9.

C. **Parking Design & Location**

1. In required front setbacks, no parking pad is allowed, however a turnaround extension of no more than 200 square feet is allowed.

2. In RE- zones, there is a parking setback of twenty (20) feet from any property line, or the grading setback, whichever is less. Parking areas may alternatively be screened with evergreen trees (full to the ground and at least 6-feet tall at time of planting), as long as the surface parking is no less ten (10) feet from any property line or the grading setback (Sec. 9.4.2.), whichever is more, maintained in perpetuity.

3. The visible storage or parking of more than 4 vehicles at a single-family residence is unlawful.

4. In all residential zones, parking space lines, wheel stops, and other apparatus germane to commercial parking are prohibited.

Sec. 6.5.3.A.

4. On sites 3 acres or larger, the Director may allow up to 20% of the townhouses in the development to have front-loaded garages. The front-loaded garages must be located on streets internal to the site. Townhouses fronting on streets at the perimeter of the development site must be rear loaded.

Sec. 6.6.2.B.

2. **Prohibited**

a. Prohibited exterior building materials include:

~~i. exterior building materials which are not textured;~~

ii. non-architectural metal panel systems;

iii. ~~As-cast smooth~~Unfinished cast-in-place or precast concrete ~~or plain concrete~~vertical elements, e.g., walls, columns, exposed elevated slab edges ~~slabs~~(except as noted in 6.6.2.B.3.b.vii, below);

iv. ~~Plain~~ Exposed standard concrete masonry units (CMU);

v. ~~Plywood or press-wood; or~~ Softwood plywood grade B or lower, oriented-strand board and particle boards

vi. Vinyl siding.

b. Prohibited exterior building components, include: steel gates, burglar bars and ~~steel~~ roll-down security curtains. Interior security measures are not regulated.

3. **Required**

a. All exterior walls (not including windows and doors) for all new construction must consist of one or a combination of the following durable materials in the quantity required below:

i. Up to ~~7~~ten (10) vertical feet from grade: 100% durable materials; and

ii. Remaining building height: minimum 70% durable materials.

b. Durable materials include:

i. Clay Brick;

ii. Ceramic and Porcelain Tile;

iii. Dressed Stone with ~~weathered, polished or fluted face~~ rusticated, flamed, honed, polished, bush-hammered or other standard face finish;

iv. ~~Textured~~ traditional cement stucco (real stucco);

v. Architectural concrete masonry units (CMU) with fluted, split-face, ground, glazed or ~~brokenface~~ other architectural finish; painted standard CMU is not an acceptable finish

vi. Portland cement plaster and lath systems;

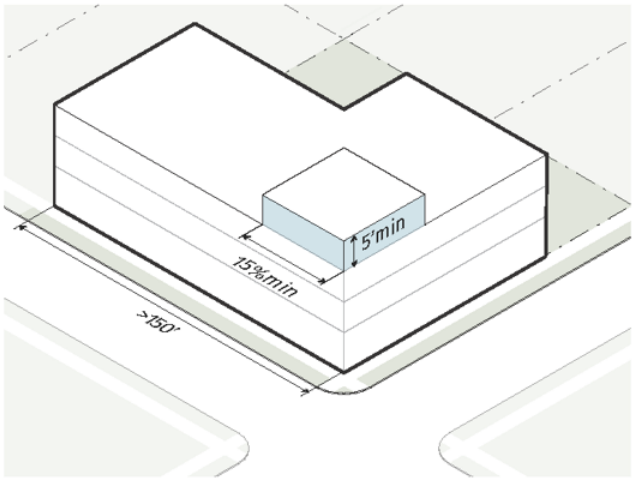
vii. Architectural (either cast-in-place, pre-cast or tilt-up) concrete ~~either fluted or with exposed aggregate finish~~ with a finish proposed by the architect and approved by the Director; or

viii. Fiber cement-board, painted

ix. Exterior Insulation and Finish Systems (EIFS) which employ a high-impact mesh as a system component.

c. Sloped roofs (pitch greater than 2:12) must be standing seam metal~~;~~ slate, concrete or metal roof tiles or composition shingles. A decorative parapet or cornice must be constructed along all flat roof lines (*i.e.*, roofs with slopes less that 2:12).

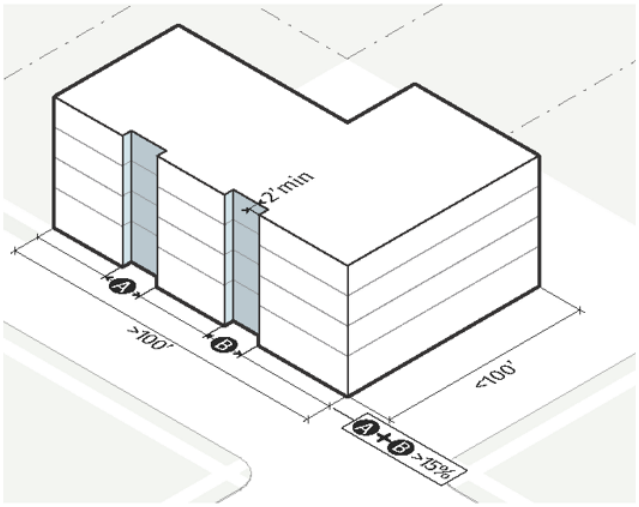
d. Alternate materials may be approved for use by the Director, provided they are considered equivalent or better than the listed materials.



2. **Articulation in Building ~~Facade~~Façade**

a. For buildings 100 feet or more in length, at least 2 portions of the street-facing building facade must have a variation in setback of at least 2 feet. The combination of the required variations in setback must total no less than 15% of the length of the building.

b. The Director may require contrasting colors or materials must be used on the primary façade and abutting façade setbacks to emphasize the articulation and variation along the street-facing building façade.



D. **Ground Floor Retail Tenant ~~SizeIn~~Size:** in the City Springs and Perimeter Districts, no ground floor retail tenant may occupy more than 30,000 contiguous rentable square feet. No variances to this standard are allowed; however, the Director may approve renovation of existing tenant spaces so long as the renovation does not increase the gross square footage of an existing tenant space.

E. **Commercial-Active Space** Where required by the zoning district or use, the ground story must be constructed to meet or exceed the minimum requirements for ground floor elevation, ground story height, transparency, and entrance spacing required for a retail or commercial use. Commercial-active space is restricted to only commercial use.

F. **Commercial-Ready Space** Where required by the zoning district or use, the ground story must be constructed to meet or exceed the minimum requirements for ground floor elevation, ground story height, transparency, and entrance spacing required for a retail or commercial use. Commercial-ready space is allowed to be occupied by any use allowed in the zoning district.

Div. 6.7.

Sec. 6.7.1. Applicability

A. Districts with a bonus height will qualify for additional height based on the Enhanced Community Benefits Matrix described in this Division. Districts with a minimum height may also qualify for reduced minimum height requirements based on the Enhanced Community Benefits Matrix and List in the Technical Manual.

B. Credits are allotted for any item included by a developer above the minimum if already required in the Development Code.

Sec. 6.7.2. Enhanced Community Benefit Matrix

Stories	Percent of Site	30%	40%	50%	60%	70%
Under 4	Reduction	8 credits	10 credits	26 credits	50 credits	75 credits
Under 3	Reduction	16 credits	20 credits	52 credits	70 credits	100 credits
Under 2	Reduction	24 credits	--	--	--	--
Up to 3	By right	--	--	--	--	--
Up to 4	Bonus	30 credits	40 credits	50 credits	60 credits	70 credits
Up to 5	Bonus	38 credits	50 credits	63 credits	75 credits	88 credits
Up to 6	Bonus	45 credits	60 credits	75 credits	90 credits	105 credits
Up to 7	Bonus	53 credits	70 credits	88 credits	105 credits	123 credits
Up to 8	Bonus	60 credits	80 credits	100 credits	120 credits	140 credits
Up to 9	Bonus	68 credits	90 credits	113 credits	135 credits	158 credits
Up to 10	Bonus	75 credits	100 credits	125 credits	150 credits	175 credits
Up to 11	Bonus	83 credits	110 credits	138 credits	165 credits	193 credits
Up to 12	Bonus	90 credits	120 credits	150 credits	180 credits	210 credits
Up to 13	Bonus	98 credits	130 credits	163 credits	195 credits	228 credits
Up to 14	Bonus	105 credits	140 credits	175 credits	210 credits	245 credits
Up to 15	Bonus	113 credits	150 credits	188 credits	225 credits	263 credits

Sec. 6.7.4. Community Benefit Impact Equivalency

A. Many of the Enhanced Community Benefit features are space and size contingent. To measure the impact of installment of Community Benefits, the following formula will be used and the resulting points will be added to the total credits established based the list above.

B. Square footage tallied from any items in either "Housing", "Tenants & Uses", or any parking related percentage may not be included in the calculating of the Community Benefit Impact Scale formula.

C. The formula will be calculated as follows:

1. **Formula Base Variables**

    a. Benefit Square Footage (*BSF*): BSF is the total square footage of amenity space above required OASIS for a site, and total square footage of community benefit site features above required seating in OASIS.

    b. Total Square Footage of site (*TSF*)

2. **Formula:**

    a. *BSF / TSF* = Square Footage Scale (*SFS*)

    b. *SFS* x 10 = Benefit Credit Equivalency (*BCE*)

    c. BCE x Initial Benefit Credit = Total Enhanced Community Benefit Credit

Article 7. Use Provisions

Sec. 7.3.1.

Sec. 7.3.1. Household Living

A. **Defined** Residential occupancy of a dwelling unit by a household. A household means one or more person related by blood, marriage, adoption, guardianship or other duly authorized custodial relationship, or up t unrelated persons, occupying a dwelling unit and living as a single housekeeping unit.

B. **Single Unit Detached**

1. **Defined** One dwelling unit on a single lot.

2. ~~**Additional**~~ Limited **Use Standards**

~~a. In the RM- District, new construction of single unit detached is allowed only to implement bon height (see Sec. 6.7.1).~~

a. In PX- and PM- Districts on sites 5 acres or larger, the total gross floor area of single unit detached, single unit attached, and neighborhood unit uses cannot exceed 50% of the total square footage of the development footprint.

C. **Single Unit Attached**

1. **Defined** Two or more dwelling units attached with common walls where each dwelling unit is locate on an individual lot and has its primary pedestrian access on the ground story.

2. **Limited Use Standards**

a. In PX- and PM- Districts on sites 5 acres or larger, the total gross floor area of single unit attached, single unit detached, and neighborhood unit uses cannot exceed 50% of the total square footage of the development footprint.

~~**Reserved**~~

D. **Accessory Dwelling, Guest House**

A. **Defined** A dwelling unit accessory to the principal dwelling on a single unit detached or single unit attached lot.

B. **Basic Use Standards**

a. A guest house must be located on a lot with a primary dwelling unit, and may be attached or detached from the primary dwelling unit.

b. No more than one guest house per lot allowed.

c. A separate kitchen facility is allowed.

d. Total heated floor area (HFA) must be less than 1,500 square feet.

e. When separate from the principal dwelling unit, minimum separation between buildings is 20

f. Principal building setbacks apply.

g. Height must be no greater than 2 stories.

h. When separate from the principal dwelling unit, the location is limited to the rear yard and must meet all district setbacks.

i. A guest house may be located over a garage, provided the location and size meet all other use standards.

E. **Neighborhood Unit**

1. **Defined** Two or more dwelling units on a lot designed to be at a scale that blends into a low-density neighborhood context.

2. **Basic Use Standards**

a. No more than one building per lot is permitted.

b. No more than 12 dwelling units per building are permitted, except as listed below.

c. Height must be no greater than 2.5 stories.

d. Buildings with a height greater than 2 stories must have a sloped roof of 6:12 or greater.

e. Street-facing building width must be no greater than 100 feet.

f. Any attached or detached garage or carport located on the same lot must be located behind the principal building.

3. Limited Use Standard

a. In RU- districts, no more than 4 dwelling units per building are permitted.

b. In ON- districts, Neighborhood Unit uses require a CUP and are only allowed on parcels with access onto a street with a functional classification as a collector or greater.

c. In PX- and PM- Districts on sites 5 acres or larger, the total gross floor area of single unit attached, single unit detached, and neighborhood unit uses cannot exceed 50% of the total square footage of the development footprint.

~~**Reserved**~~

~~E~~F. **Age-Restricted (55+) Unit**

1. **Defined** Two or more dwelling units on a lot, intended to be occupied by residents 55 year of age or older.

2. **Basic Use Standards**

a. Age-restricted units must follow all of the design standards required for multi-unit.

b. New construction or additions must adhere to the Federal Fair Housing Act standards for Age-Restricted Units, including the following standards:

i. A minimum of 80% of the units must be occupied by at least one occupant who is 55 years of age or older;

ii. The project developer must publish and adhere to policies and procedures that demonstrate the intent to operate as age-restricted housing; and

iii. The project developer must comply with HUD's regulatory requirements for age verification of residents.

c. **Limited Use Standards**

i. In RM- Districts, a new construction or addition project must provide a minimum of 10% of the total number of units in the development as single unit detached or single unit attached.

~~**Single Unit Attached**~~

~~1. **Defined** Two or more dwelling units in a row in which each unit is located on an individual lot and has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common walls.~~

~~2. **Additional Use Standards**~~

~~a. In the PX-3, PX-5 and PM-5 districts, single unit attached is not subject to the minimum height standards.~~

~~b. Single unit attached is not allowed in any PX- or PM-district allowing over 5 stories of height unless the proposed development meets the requirements provided in Div. 5.7. for Adjusted Minimum Height; in which case the single unit attached would have the following minimum lot parameters in addition to other applicable lot parameters provided in Article. 5.~~

~~Perimeter Center:~~

~~i. 1,300 SF minimum lot area.~~

~~ii. 16' minimum lot width.~~

~~A.~~ G. **Multi-Unit**

1. **Defined** A lot containing two or more attached ~~or detached~~ dwelling units. Multi-unit includes structures ~~apartments, condominiums and "stacked flats"~~ which are not designed and built to the Neighborhood Unit use standards.

2. **Basic Use Standards**

a. In addition to any storage space available within a particular residential unit, any multi-unit~~family~~ project with over 20 units must provide a minimum of 16 square feet of additional storage area, with a minimum height of 8 feet, for each residential unit. The storage space must be internal to the residential building or within an associated parking structure.

3. **Limited Use Standards**

a. In RM- Districts, a new construction or addition project must provide a minimum of 10% of the total number of units in the development as single unit detached or single unit attached.

b. In ON- Districts, multi-unit is only permitted with a Conditional Use Permit and the following standards apply:

i. Multi-unit is only allowed in existing buildings where the building was intended for a Commercial use for a minimum of 5 years prior to the application for a Conditional Use Permit.

c. In OX- Districts, the following standards apply:

i. Multi-unit is only allowed in existing buildings where the building was intended for a Commercial use for a minimum of 5 years prior to the application for a Conditional Use Permit.

ii. Multi-unit is only permitted on the third floor of a building and above.

iii. Multi-unit is permitted on the first and second floor of a building with a Conditional Use Permit.

d. The following districts require a minimum amount of commercial-ready space for street-facing portions of the development. The percentage determines the minimum amount of the street-facing building that must be constructed as commercial-ready space. The commercial-ready space must be a minimum of 25' deep when measured from the building façade into the interior of the building. When commercial-ready space is required, 20% must be used for a commercial use, or commercial-active space. The remaining 80% may have noncommercial uses in the commercial-ready space. The Director may vary the requirement based on the balance of commercial uses surrounding the site.

	Commercial-Ready	Commercial-Active
i.	CX- districts: 40% min.	8% min.
ii.	SX- districts: 50% min.	10% min.
iii.	TX- districts: 50% min.	10% min.
iv.	CS- districts: 50% min.	10% min.
v.	IX- districts: 60% min.	12% min.
vi.	CC- districts: 50% min.	10% min.
vii.	PX- districts: 60% min.	12% min.
viii.	PM- districts: 40% min.	8% min.

Sec. 7.5.1.

Sec. 7.5.1. General Standards

D. In RM- and RX- Districts, the following standards apply:

1. In the RM- District, the total gross floor area of commercial uses cannot exceed 25% of the total square footage of the development footprint.
2. In the RX- District, each commercial tenant space must not exceed 6,000 square feet in gross floor area, except for Grocery tenants. Grocery tenants must not exceed 15,000 square feet in gross floor area.
3. Hours of operation limited to 6AM-11PM, including all deliveries.
4. Drive-through or drive-in facilities are not permitted.

E. In all CX Districts located between Abernathy Road and US 285, each commercial tenant space must not exceed 30,000 square feet in gross floor area.

F. In a SX Districts located between Abernathy Road and US 285, each commercial tenant space must not exceed 30,000 square feet in gross floor area.

G. In CS District, each commercial tenant space must not exceed 30,000 square feet in gross floor area.

Sec. 7.5.14. Restaurant

A. **Defined** A facility that prepares and sells food and drink for on- or off-premises consumption. ~~Restaurant includes the following:~~ For information on drive-through facilities, see Sec. 7.8.3.

~~1. Brewpub (subject to the barrel limitation prescribed in O.C.G.A. Sec. 3-5-36).~~

~~2. Bakery, cake shop.~~

~~3. Coffee, tea shop.~~

~~4. Juice bar, smoothie shop.~~

~~5. Restaurant.~~

~~6. Yogurt or ice cream shop.~~

B. General Restaurant

C. **Neighborhood Eatery**

1. **Defined** An establishment that prepares and sells food and drink for on- or off-premises consumption that is limited in size. Examples include bakery or cake shop, bistro, brewpub (subject to the barrel limitation prescribed in O.C.G.A. Sec. 3-5-36.), coffee or tea shop, deli, juice or smoothie bar, ice cream shop, or similar.

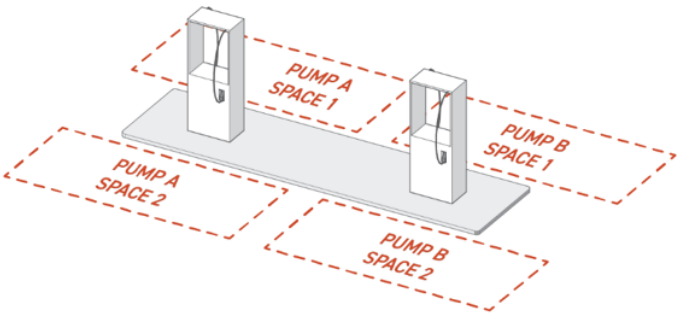
2. **Basic Use Standards**
   a. Each tenant space must not exceed of 3,000 square feet in gross floor area.
   b. Drive-through or drive-in facilities are prohibited.

Sec. 7.5.15.D.

1. **Defined** A retail facility that sells fuel for motor vehicles, with or without personnel. The facility may or may not include a convenience or other retail store.

2. **Basic Use Standards**

a. A fuel pump is considered to be a single fuel pumping apparatus. Fuel pumps are generally two-sided, with a fueling space on each side.



b. A canopy for fuel pumps or a fuel station must be architecturally-integrated with any associated commercial building on the site, and must not include any signs. Canopy support columns must be fully encased with materials that are complementary to those used on the main building. The canopy band face must be of a color consistent with the main structure. Primary or fluorescent colors must not exceed 10% of each canopy band face.

c. Any pavement associated with vehicles must be screened from view, except for drive entrances, using landscaping (see Sec. 8.3.2, Parking Lot Landscaping).

d. Fuel pumps must be located a minimum of 100 feet from the lot line of a Protected Neighborhood property.

e. Fuel pumps must be located a minimum of 10' from the build-to zone.

f. A masonry wall may count toward the minimum build-to requirement of the District provided the following standards are met:

i. The building must meet the minimum width requirements of Sec. 6.1.2.C.5;

ii. The masonry wall must have openings meeting the transparency requirements of Div. 6.3. and must provide similar architectural elements to the building, such as materials, cornices, and awnings; and

iii. The masonry wall is not required to meet the minimum story requirement of the District so long as the wall is a minimum of 12 feet in height.

g. Direct pedestrian access to the building is required for each street frontage.

h. Fuel pumps are permitted in any parking structure, where fuel pumps are a permitted use.

i. **Improvements to Existing Fuel Pumps, Fuel Stations**

i. Existing nonconforming stations as of the date of the adoption of this code may be upgraded, replaced or redeveloped when, as determined by the Director, such upgrade, replacement or redevelopment is for the purpose of remedying a use that is dangerous to the general public or to ensure that such use complies with any fire code, life safety code, or other safety ordinance or regulation.

ii. Fuel pumps or ~~gas~~ fuel stations may be upgraded, replaced or redeveloped, including an increase in building size but not an increase in the number of pumps, on the existing site with the approval of the Director.

j. **Expansion of Fuel Pumps at Existing Fuel Stations**

i. Existing nonconforming fuel pumps as of the date of the adoption of this code may be expanded in accordance with this section when, as determined by the Director, such expansion is for the purpose of remedying a use as that is dangerous to the general public or to ensure that such use complies with any fire code, life safety code, or other safety ordinance or regulation.

ii. The Director may approve the addition of up to 4 fuel pumps to an existing site, provided the following standards are met:

a) The Director determines the site has adequate room for additional fuel pumps and vehicle spacing;

b) The building façade and fuel canopy have been brought into compliance with all of the standards of this Code;

c) The vehicle and pedestrian access points have been brought into compliance with all of the standards of this Code;

d) All paved areas have been screened in accordance with Sec. 8.3.2. Parking Lot Screening; and

e) Any nonconforming signs on the property have been removed.

~~Fuel pumps or gas stations may be expanded to an adjacent site with conditional use permit approval by the City Council.~~

k. **Relocation of Existing Fuel Pumps or Fuel Stations**~~–~~

Existing f~~F~~uel pumps or ~~gas~~ fuel stations may be relocated to an alternative site within the CX-, CC- or IX- districts with a C~~c~~onditional U~~u~~se P~~p~~permit approval by the City Council. Any new fuel pumps or gas station must be located at least ½-mile from any existing fuel pump or gas station. The ½-mile measurement must be taken without regard to the City limits of Sandy Springs and is measured to the property line, regardless of where the fuel pumps are located on the site. Conditional U~~u~~se P~~p~~permit approval is predicated on the elimination of an existing site with fuel pumps or ~~gas~~ fuel station and the mitigation of the former site such that it is ready for any other permitted use in the district.

d. ~~Open~~

~~A canopy for fuel pumps or a gas station may be considered to meet the build to requirement of this Development Code, provided it is located within the build-to zone, isshall be architecturally integrated with any associated commercial building on the site, and does shall not include any signs. Canopy support columns shall be fully encased with materials that are complementary to those used on the main building. The canopy band face shall be of a color consistent with that of~~

~~the main structure or an accent color. Primary or fluorescent colors must not exceed ten percent (10%) of each façade.~~

f. ~~Any pavement associated with vehicles must be screened from view, except for drive entrances, using landscaping (see Sec. 8.2.2, Parking Lot Landscaping).~~

g. ~~No fuel pumps or gas station apparatus may shall be located within 10050 feet of the lot line of a Protected Neighborhood property.~~

Sec. 7.5.16.

k. Car vending machines are not permitted on the property.

D. **Vehicle Showroom**

1. **Defined** A facility that showcases and sells, rents or leases passenger vehicles, trucks, ~~and~~/or other consumer vehicles such as motorcycles, boats and recreational vehicles.

2. **Basic Use Standards**

a. All vehicles on must be displayed indoors.

c. No vehicle maintenance or repair apparatus can be located on site.

d. Total square footage of the business and its operations must not exceed 5,000 square feet.

Sec, 7.6.3.

D. Film Studios

1. Defined Facilities for the production of film, including stages, exterior sets, sound recording facilities, related commercial vehicles, and accessory fabrication activities.

2. Limited Use Standards

a. In CX- and OX- districts, film studios are limited to 20% of the site.

b. In PX- districts, film studios must be located on sites with a minimum size of 4 acres and are limited to 50% of the site.

Sec. 7.6.4. Research and Development

A. **Defined** A facility focused primarily on the research and development of new products. Research and development includes the following:

1. Laboratories, offices and other facilities used for research and development by or for any individual, organization or concern, whether public or private.
2. Prototype production facilities that manufacture a limited amount of a product in order to fully investigate the merits of such a product.
3. Pilot plants used to test manufacturing processes planned for use in production elsewhere.

B. **Life Sciences, Bio-Safety Level 1**

1. ~~1.~~ **Defined** BSL-1 labs are used to study infectious agents or toxins not known to consistently cause disease in healthy adults. They follow basic safety procedures, called Standard Microbiological Practices and require no special equipment or design features. Standard engineering controls in BSL-1 laboratories include easily cleaned surfaces that are able to withstand the basic chemicals used in the laboratory.

2. **Basic Standards**
   a. Life Sciences, Bio-Safety Level 1 is not permitted on lots that directly abut a Protected Neighborhood or Urban Neighborhood district.
   b. Buildings with Life Sciences, Bio-Safety Level 1 uses are not permitted to be within 100' from any Protected Neighborhood, RU-, or RT- district.

C. **Life Sciences, Bio-Safety Level 2**

1. ~~2.~~ **Defined** BSL-2 laboratories are used to study moderate-risk infectious agents or toxins that pose a risk if accidentally inhaled, swallowed, or exposed to the skin. Design requirements for BSL-2 laboratories include hand washing sinks, eye washing stations in case of accidents, and doors that close automatically and lock. BSL-2 labs must also have access to equipment that can decontaminate laboratory waste, including an incinerator, an autoclave, and/or another method, depending on the biological risk assessment.
2. **Basic Standards**
   a. Life Sciences, Bio-Safety Level 2 is not permitted on lots that directly abut a Protected Neighborhood or Urban Neighborhood district.
   b. Buildings with Life Sciences, Bio-Safety Level 2 uses are not permitted to be within 200' from any Protected Neighborhood, RU-, or RT- district.

D. These requirements are in addition to, and do not replace or supersede, any other applicable requirements established under state law, and approval of or exemption from these requirements does not constitute approval of or exemption from requirements established under state law or from other applicable local, county, state, or federal regulations.

Sec. 7.6.7.

C. Self-Service Storage, Mini-Warehouse

1. **Defined** Facilities providing separate storage areas for personal or business use designed to allow private access by the tenant for storing or removing personal property. May include accessory sales of boxes, tape and other packing-related materials. Does not include truck rental.

2. **Basic Use Standards**

   a. An existing self-storage or mini-warehouse may be upgraded on its existing site with approval of the Director, provided it meets all the basic use standards.

   b. No outside storage is allowed, including vehicle or trailer leasing.

   c. All buildings must be at least two stories tall and have windows ~~or architectural treatments that appear as windows~~at 50% transparency for every level. Roller/storage unit doors must not be visible from any exterior point. The transparency requirement is for the three most visible sides (from a street or streets) of the building, as determined by the director.

   d. Storage buildings must be finished with brick or stone for a minimum of 80% of the three most visible sides (from a street or streets) of the building.

   e~~d~~. No activities other than the dead storage or transfer of nonvolatile goods or leasing of storage space are permitted within the storage establishment or portion of any development.

   f~~e~~. Prohibited accessory uses include, but are not limited to, the following:

      ~~i. Miscellaneous sales;~~

      i~~i~~. Fabrication or repair of vehicles, equipment or other goods;

      ii~~i~~. Transfer-storage business based on-site;

      iii~~v~~. Residential uses (other than the resident manager's apartment); or

      iv. Any use which creates a nuisance due to noise, odor, dust, light or electrical interference.

Sec. 7.8.3.

Sec. 7.8.3. Day Care

A. **Defined** A facility meeting the definition of Sec. 7.5.5. Day Care.

B. **Basic Use Standards**

Day care as an accessory use is only permitted when the following standards are met:

1. The day care must be associated with a permitted place of worship or private school (K-12); and

2. The day care must meet all the use standards of Sec. 7.5.5. Day Care.

3. Day care facilities in association with a place of worship do not require a separate conditional use permit.

Sec. 7.8.5.

Sec. 7.8.5. EV Charging Facility

A. **Defined** A facility that provides electric vehicle infrastructure for the purpose of charging electric vehicles as an accessory to another primary use.

1. **Charging Level** The standardized indicators of electrical force, or voltage, at which an electric vehicle's battery is recharged:

   a. **Level 1** The slowest type of charging equipment plugs directly into a standard 120-volt AC outlet supplying an average power output of 1.3 kW to 2.4 kW.

   b. **Level 2** Considered medium charging; typically requires a 40-100 amp breaker on a 240-volt AC circuit.

   c. **Level 3 or greater** Considered rapid charging; typically requires a 60 amp or higher dedicated breaker on a 480-volt or higher three (3)-phase circuit with special grounding equipment. DC fast charging uses an off-board charger to provide the AC to DC conversion, delivering AC directly to the car battery.

2. **Electric vehicle infrastructure** The structures, machinery, and equipment necessary and integral to supporting an electric vehicle, including the electrical conduit and wiring requirements for the installation of electric vehicle charging equipment.

B. **Exempt** The following EV charging facilities are exempt from these regulations:

   a. **Single unit residential** Charging facilities located on single unit detached or attached lots designated as private, restricted use only. All installations must comply with the placement and screening requirements of mechanical equipment found in Sec. 6.1.2.B.3. and Sec. 8.3.9.

   b. **Enclosed in parking structure** Any EV charging facilities located within an enclosed parking structure or garage. These installations must comply with the signs and maintenance requirements below.

C. **Basic Use Standards**

   a. **Signs**

      i. Signs must be posted identifying voltage and amperage levels and use, fee, and safety information related to the EV charging facility.

      ii. Signs must be posted at public EV charging facilities indicating that the space is reserved for EV charging purposes only. For purposes of this provision, "charging" means that an electric vehicle is parked at an EV charging facility and connected to the battery charging station equipment, otherwise known as "actively charging."

      iii. Prohibited signs (Sec. 8.4.3.) are not allowed.

      iv. Level 2 charging facilities must have no more than 25% of the total charger used for signs or an otherwise illuminated display. Level 2 charging facilities do not require a sign permit but will instead be verified as a part of the building permit. This sign percentage requirement does not apply when the charger is located within a parking structure or garage.

v. Level 3 or greater charging facility must have no more than 50% of the total charger used for signs or otherwise illuminated display. Level 3 or greater charging facilities do not require a sign permit but will instead be verified as a part of the commercial building permit. This sign percentage requirement does not apply when the charger is located within a parking structure.

b. No portion of the EV charging facility can impede pedestrian, bicycle, or wheelchair movement, or create a safety hazard.

c. EV charging facilities, including electrical transformers and other mechanical equipment associated with the charger, must conform to any applicable screening requirements in Sec. 8.3.9.

d. All proposed or improved on-street parking is required to install conduit for future EV charging facilities.

e. A Level 2 charging facility must be no wider than 24 inches at any point, not including the plug handle, hook, hose, and related components.

f. A group of 6 or more Level 3 or greater EV charging facilities is considered a designation EV installation and must be an accessory to a primary retail use.

g. An EV charging facility must be located a minimum of 10 feet from the build-to zone. In Perimeter Districts, the charger must be located a minimum of 20 feet from the build-to zone.

h. A masonry wall may count toward the minimum build-to requirement of the District provided the following standards are met:

i. The building must meet the minimum width requirements of Sec. 6.1.2.C.5;

ii. The masonry wall must have openings meeting the transparency requirements of Div. 6.3. and must provide similar architectural elements to the building, such as materials, cornices, and awnings; and

iii. The masonry wall is not required to meet the minimum story requirement of the District so long as the wall is a minimum of 12 feet in height.

i. EV charging facilities must be maintained, including the functioning of the equipment. A phone number or other form of contact information must be provided on the equipment to report when it is not functioning, or other problems are encountered.

j. EV charging facility canopies must be architecturally integrated with any associated commercial building on the site and not include any signs. Canopy support columns must be fully encased with masonry materials that are complementary to those used on the main building. The canopy band face must be of a color consistent with that of the main structure or an accent color. Primary or fluorescent colors must not exceed 10% of each canopy band face.

k. No charging facility may be located within 50 feet of the lot line of a Protected Neighborhood.

l. **Existing Fuel Pumps or Fuel Stations**

Level 2 charging facilities may be installed at existing fuel pumps on existing parking spaces, so long as they are at least 10 feet from any build-to zone. Level 3 or greater charging facilities may replace existing fuel pumps on a site.

Sec. 7.8.8.

Sec. 7.8.8. Fuel Pumps

A. **Defined** A facility for the sale of motor vehicle fuel, typically located on the same lot and associated with a retail use.

B. **Basic Use Standards**

1. Up to 8 fuel pumps may be established as an accessory use to an existing retail use that has a minimum floor area of 35,000 square feet.
2. The fuel pumps must not impact the compliance of any other use on the site with any requirement of this Code.
3. The fuel pumps must meet all of the requirements of this Code, including build-to, landscape screening, and signs.
4. No convenience sales or vending machines are allowed in association with the fuel pumps.
5. The proposed site layout will be reviewed by the Director for compliance with vehicle stacking, vehicle access, and pedestrian access requirements.
6. **Existing Accessory Fuel Pumps**
   a. Sites with existing accessory fuel pumps may expand to provide a maximum of 8 fuel pumps without meeting the build-to requirement. All other use standards apply.

ARTICLE 8.
SITE DEVELOPMENT

Div. 8.1. General Provisions

Sec. 8.1.1. Applicability

A. Standards apply based on the type of activity proposed, as shown in the table below. For all zoning districts, the development standards apply as shown in the table below:

Development Activity	*6.2 Building Design Standards*	*8.1 Parking*	*8.2 Site Landscaping*	*8.2 Screening*	*8.3 Signage*	*10.3 Driveways and Cross-Access Connections*	*9.6.3 Stormwater Management*	*9.6.3 Water Quality*	*10.4 Streetscape Improvements*	*All Standards*	*Additional References*
Parking Area Expansion											
Minor: <1,000 sf		□	□	□	□	□	:	■	.		
Major: >1,000 sf		■	■	■	■	■	■	■	■		
Site Modification											
Remediation Due to Disaster (Fire, Flood, etc.)	.	.	.	.	■	.	.	.	.	.	
Re-occupation after Extended Vacancy (Greater than 180 days)	:	:	■	■	■	□	:	:	.	.	
Site Disturbance <1,000 sf of site	:	:	:	□	■	□	:	■	.	.	
Site Disturbance 1,000 sf-5,000 sf of site	□	.	.	■	■	□	■	■	.	.	
Site Disturbance >5,000 sf of site	.	□	■	■	■	□	■	■	.	.	
Building Renovation or Expansion											

-	**Renovation Due to Disaster** (Fire, Flood, etc.)	□	.	.	.	■	.	.	.	.	.	-
-	**Re-occupation after Extended Vacancy** (Greater than 180 days)	■	■	■	■	■	■	:	:	.	.	-
-	**Renovation without Expansion:** <50% of FMV of building	□	.	□	■	■	.	.	.	.	.	-
-	**Minor Expansion:** <25% of Total Floor Area	□	□	□	■	■	□	:	:	■	.	6.1.2
-	**Substantial Renovation without Expansion:** >50% of FMV of Building	□	□	□	■	■	□	:	:	.	.	-
-	**Partial Expansion** 25%-<>50% of Total Floor Area	□	■	□	■	■	■	:	:	■	■	6.1.2
-	**Major Expansion:** >50% of Total Floor Area	■	■	■	■	■	■	:	:	■	■	6.1.2
	Façade Modification					■						
■	*Compliance with all applicable standards required*											
□	*Compliance required of only the expanded building or lot area only to the extent practical*											

B. Where a section applies according to the table above, the project activity must meet all of the applicable requirements in that Section. Where a Section is listed as not applying, no requirements in that Section apply.

C. The general applicability in this Section may be further modified by the detailed provisions of that Section.

Sec. 9.4.2.G.

4. **Common, side street, and rear grading setback exceptions**

The following may be granted exceptions from common, side street, and rear grading setback requirements:

a. Where a building setback encroachment is allowed (certain accessory structures and site elements) for site area within the grading setback, the grading is permitted with the installation of a mitigation zone (Described under "Mitigation Zone" below), and;

b. Also, where a side or rear yard is the only feasible option for a construction entrance, grading disturbance may be approved by the Director, so long as the width of the area of activity within the buffer does not impact an existing tree with a 15" DBH or greater and is replaced with a mitigation zone.

c. **Mitigation Zone:** Regardless of the original state of the affected grading buffer area, mitigation in the form of plantings, a mix of evergreen and deciduous trees, and shrubs is required per the prescription provided:

i. The mitigation zone must be at least 5 feet deep bordering the entire project area within the grading setback;

ii. Evergreen trees spaced at 1 per 25 linear feet, minimum of 1, full to the ground and at least 6 feet tall at the time of planting;

iii. Understory trees spaced at 1 per 25 linear feet, minimum of 1, with a minimum caliper of 2 inches;

iv. Shrubs spaced 8 per 25 linear feet, minimum of 8, with a minimum size of 3; and

v. Additional BMPs determined to be necessary by the Director to preserve existing vegetation.

45. In all districts, resulting graded slopes must not exceed 3 feet (horizontal) to 1 foot (vertical). Steeper slopes may be approved by the Director upon certification of stability by a soils engineer or geologist.

6. Any unauthorized clearing and grading must replant the cleared area according to the requirements of the Mitigation Zone in Sec. 9.4.2.G.4.c.

Sec. 9.4.3.

iii. **Interior Facing**

a) Retaining walls that are entirely interior facing are permitted up to 12 feet in exposed height. This includes Wing Walls (retaining wall extensions from the building foundation walls that allow daylighting of a basement and/or egress from a basement) that are inward facing and finished with a permitted material finish.

1. **Setbacks**

If they are to encroach into building setbacks and are entirely inward facing the walls ~~shall~~must be a maximum of six (6) feet in exposed wall height and meet the retaining wall setback requirements found in Sec. 9.4.3.C. below.

2. **Length**

Maximum length of any wall exceeding the normal maximum retaining wall height is 36 feet (based on the maximum 3:1 allowable grading slope). Any length of wall past 36 feet ~~shall~~must meet the requirements of a retaining wall as outlined above.

b) The Director may permit retaining walls that are entirely interior facing on campuses with civic or institutional uses to have up to 24 feet in exposed height. This includes wing walls that are finished with a permitted material finish.

iv. Exterior Facing

Retaining walls that are exterior facing and at least 100' from a street lot line and 75' from a common lot line are permitted up to 12 feet in exposed height. This includes wing walls that are finished with a permitted material finish.

Sec. 9.5.3.

C. **General Standards**

1. The following uses are permitted within the 100-year floodplain:

a. Agriculture, including forestry and livestock raising, requiring no structure. Agriculture and forestry access roads are permitted provided they are constructed in conformance with the development regulations.

b. Dams, provided that they are constructed in accordance with the requirement of this article, the United States Department of Agriculture Soil and Conservation Service and when applicable, meet the specifications of the U.S. Army Corps of Engineers and/or the Georgia Department of Natural Resources.

c. Fences having sufficient open area to permit the free flow of water and/or debris.

d. Identification, regulatory and warning signs.

e. Public and private parks and recreational areas including boat ramps and docks and other functionally dependent uses not including temporary or permanent structures; provided, such use is approved by the department of community development and, if applicable, the U.S. Corps of Engineers.

f. Parking.

g. Utility lines, pipelines, sewers, roads and stream crossings (if no other means of access is available), and similar features, provided they are constructed in such a manner as to permit the free flow of waters.

Sec. 9.5.4.

Sec. 9.5.4. Flood Damage Reduction

A. **General Standards** In all areas of special flood hazard and areas of future-conditions flood hazard the following provisions apply:

1. New construction and substantial improvements of structures (residential or nonresidential), including manufactured homes, ~~shall~~will not be allowed within the limits of the future-conditions floodplain, unless all requirements of Sec. 9.5.3 have been met.

2. If, due to site conditions, an existing single-family residential structure cannot comply with section 9.5.4.A.1, the structure may be elevated in accordance with either section 9.5.4.B.1.C or section 9.5.4.B.1.d: provided however, section 9.5.4.A.5 ~~shall~~will apply to all elevated structures regardless of whether section 9.5.4.B.1.c or section 9.5.4.B.1.d applies.

Sec. 9.5.4.B.

c. **Elevation of existing structures via jacking on existing foundation** An existing structure that ha been substantially damaged or is proposed for substantial improvement may be elevated by jacking, intact, on an existing foundation, provided the criteria of section 9.5.4.A.5 are met in addition to the following criteria:

i. No elevated structure can exceed the original geometric footprint area or horizontally expand living space into or over the future conditions floodplain;

ii. Foundations must contain a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding as provide in 44 C.F.R. § 60.3;

iii. The bottom of all openings must be no higher than one foot above grade; and

iv. Openings may be equipped with screens, louvers or other coverings provided they permit the flow of floodwater in both directions.

d. **Elevation of existing structures via demolition and rebuilding on an equivalent footprint area** An existing structure that has been substantially damaged or is proposed for substantial improvement may be demolished and relocated on the lot such that the passage of water is facilitated or the floodplain is otherwise enhanced or protected, provided the criteria of section 9.5.4.A.5 are met in addition to the following criteria:

i. No elevated structure can exceed the original footprint area or increase the net encroachment into or over the floodplain; and

ii. Foundations must be designed to resist anticipated hydrodynamic loads, potential for debris impact, and scour pursuant to FEMA Technical Bulletin I (August 2008). Foundation must be designed with the following criteria:

a. The total area of the walls below the base flood elevation exposed to flood waters must be at least 50 percent open. Wall openings must be distributed along all walls exposed to flood waters;

b. The bottoms of all wall openings must be at grade;

c. Garage doors not allowing the natural flow of floodwaters when closed must not be considered wall openings; and

d. Openings may be equipped with grilles, louvers, or bars provided they allow the natural flow of floodwater in both directions.

Article 10. Streets & Improvements

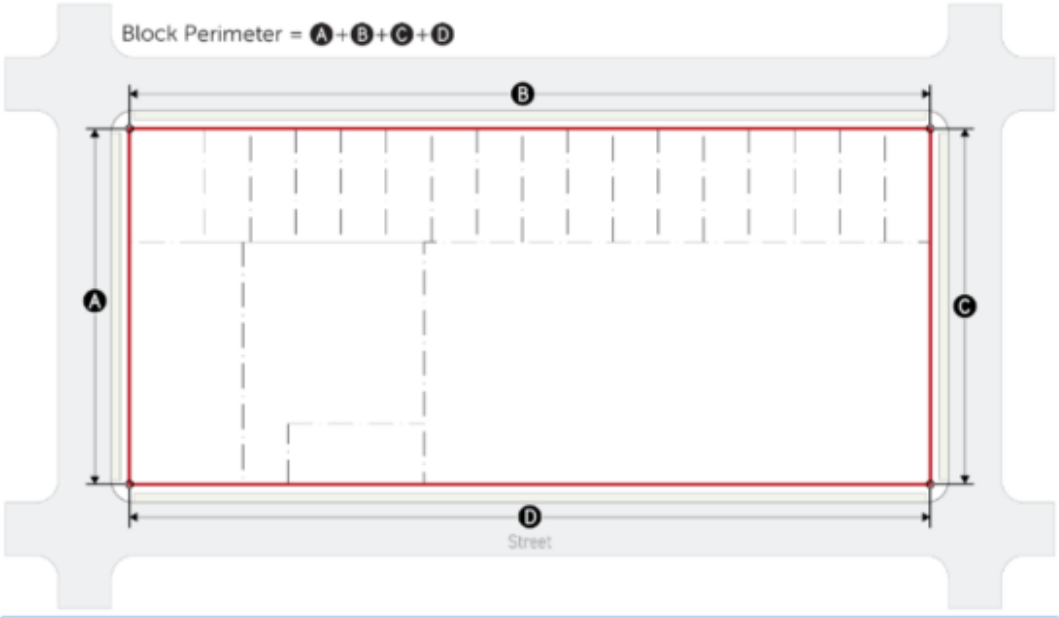
Div. 10.4.

Sec. 10.3.1.A.

	Block Face	Maximum Block Perimeter
Protected Neighborhoods		
RE-	n/a	n/a
RD-27, RD-18, RD-15, RD-12	1,320' max	3,960' max.
RD-9, RD-7.5	660' max	2,400' max.
PK, CON	n/a	n/a
Urban Neighborhoods		
RU-, RT, RM-, RX-	660' max	2,000' max.
Corridors and Nodes		
OX-, CX-, SX-, NEX-	660' max	2,000' max.
TX-, CS-	500' max	2,000' max.
IX-, CC-	660' max	2,000' max.
Perimeter Center		
PRL-, PXL-, PXM-, PXH-, PMH-	500' max	2,000' max.

Sec. 10.3.1.B,

6. Block perimeter is the total length measured along all lot lines abutting public or private streets.



BACKGROUND

The Next Ten Comprehensive Plan Policy E recommends a review of development management tools to implement the vision and goals of the Comprehensive Plan, Small Area Plans, and other planning documents. Both the 10 Key Actions for the Next Ten and Policy LU-E1 recommends comprehensive updates to the Sandy Springs Development Code. Furthermore, the Next Ten Community Work Program item LU-E1.1 recommends that staff conduct a comprehensive review of the Development Code in 2022 and 2023.

Over the last 13 months, city staff have worked toward execution of this comprehensive review of the city's Development Code. Staff, with the assistance of consultant Code Studio, have received input from a variety of stakeholders, including residents and neighborhood groups, business and property owners, contractors and developers, and the Planning Commission as well as overall policy guidance from the Mayor and City Council to help formulate a recommended 5-Year Development Code Update. The code review process consisted of three (3) distinct phases:

1. Phase I (Intake) - Hosted more than 25 stakeholder meetings covering a range of topics and facilitated discussion with Council at the 2023 Retreat; met with residents, business owners, Planning Commissioners, electric vehicle and gas station representatives, hotel and hospitality industry representatives, office and medical industry representatives, civic institutions, developers, residential home builders, automotive dealers, attorneys, and others.

2. Phase II (Draft) - Worked amongst relevant staff and the consultants' background and code expertise to clean up technical aspects of the existing Development Code, as well researching and proposing edits to the topics deemed by Council to be of particular priority to the City's vitality.

For the Mayor and City Council's September 19 Work Session, city staff and the consultants at Code Studio presented the initial Development Code Update draft after a thorough input process and direction from Council earlier in the year. City staff and Code Studio replicated the work session the following evening with the Planning Commission at their Special Called Work Session on September 20.

3. Phase III (Publication and Adoption) – Staff published draft Development Code documents on the City’s website, accepted public feedback, and finalized the draft, including:

- September 22: Online posting of the initial proposed draft to the dedicated Development Code Update webpage (spr.gs/development)
- September 26 – October 18: Online comment form input/submittal period (in addition to the traditional forms of available public comment submission)
- September 26: Public Open House hosted at City Hall
- November 11: Final draft Development Code published on Development Code Update webpage, including summary of key changes
- November 13: Special Called Planning Commission Public Hearing
- December 5: Mayor and City Council Public Hearing for consideration of adoption

ANALYSIS

This Development Code Update is Comprehensive, with edits in every Article. Of the substantive use changes, staff's proposals were formulated primarily through the lens of the many changing conditions and trends in the commercial and residential realms. However, some proposed edits, such as many of those found in Article 11. (Administration) were proposed in response to changes in State law.

Post 2020, much of the City's fundamental commercial inventory (office) has quickly become less viable in the new world of hybrid and remote work. With the office market trend of hybrid and remote work, proposed Development Code modifications will work to ensure reasonable development opportunities in areas most affected by modifying permitted and conditional use allowances, principally in the office-centric zoning districts. In alignment with the Next Ten Policy LU-E1.3, Staff proposes alternative uses such as Vehicle Showroom, accessory Film Studio, Life Sciences (BSL-1 and BSL-2), Office to Residential conversions, Neighborhood Eateries, and allowing or requiring a limited amount of commercial in all multi-unit and mixed-use districts.

To address regional and national housing challenges, staff proposes a number of new household living use types and parameters: Neighborhood Units (type of manor home); reduced lot size requirements (lot width and square footage) and expanded use permissions (in the Perimeter Center) for townhouse (Single Unit Attached); the addition of 'Shared Court' to the highly prescriptive Development Patterns; and promotion of Age-Restricted housing by separating it out as a residential use on its own. These proposals promote at least four (4) Next Ten goals:

1. Increase housing stock and diversity of options;
2. Promote single unit housing (the most likely type of housing stock to offer ownership opportunities);
3. Reduce housing costs or conversely seek ways to encourage affordability (moderately smaller townhouses reduces per square foot total, thus reducing down-payment and rent or mortgage amount); and
4. Provide opportunities for downsizing or aging in place.

Aligning with the Next Ten Policy LU-E1.2, staff proposed an overhaul of the "bonus division" of the Development Code (Div. 6.7.). Beyond incentivizing benefits to our community through additional height, staff now proposes a bonus system that breaks the bonus height allowance down further by considering the height for the percentage of the site. The proposal, called the "Enhanced Community Benefits Matrix," is an update to the previous bonus table in two ways: first, the Matrix provides more options for receiving bonus credit (provided in the Benefits List); and second, the Matrix is laid out in such a way that each row representing a story on the chart intersects with a column representing the percentage of that site that may be developed up to that story. The more credits earned through installment of Benefits, the more the percentage of a site may receive a height bonus of varying amounts. This helps the City ensure that impacts incurred from increased height in developments are effectively offset through improved public amenities.

To go along with the improved bonus system, staff proposes several new bonus height zoning districts. The goal is that the City will realize more thoughtful, quality developments in the future. In addition, to protect the investment-backed expectations of property owners, and to accomplish conformity while allowing property owners a reasonable return on their investment staff proposes community improvements through additional amortization requirements (Sec. 1.1.10.) for refuse or commercial dumpster areas, as well as additional design standards in Div. 6.6.

One of the major topics of conversation throughout the 5-Year Development Code Update process has been about Fuel or Gas Stations. Staff propose the addition of Fuel Pumps as an accessory use (via a Conditional Use Permit in the same three districts where Fuel Stations are allowed) and increased standards and incentives for redeveloping or more holistically improving existing sites. Staff included many standards that will ensure that fuel stations will be required to be developed or redeveloped in a manner where they contribute to the urban fabric by addressing the street first, helping to continue the pedestrian realm and not creating gaps instead. Increased design and screening standards are also proposed to support this concept.

Per the Next Ten Comprehensive Plan Policy LU-A1, Staff continues to work to maintain the integrity of existing single-family residential neighborhoods within the Protected Neighborhood Character Area. Staff proposes a few adjustments to the code that relate to the Residential Estate and Residential Detached zoning districts. The first proposed edit would allow limited single-story garage expansion into the Primary Street Setback for homes existing before Sandy Springs became a city. This modification is designed to encourage reinvestment into existing housing stock.

The second proposed edit would modify fence pier requirements for Residential Estate (RE) and Residential Detached (RD) zoning districts. Currently fences that run parallel to a street require the installation of piers in both districts. Staff proposes that only Estate lots continue to be required to install piers when parallel to a street.

Lastly, of note, staff recommends a more contextual approach to construction entrance regulations where there is a grading setback in RE and RD districts. The goal with this amendment is to allow for a case-by-case evaluation when necessary to determine the least-impactful entry into a construction site on a property. From time to time, what is currently prescribed as the appropriate and permittable entrance is not what is best for the environment. This edit would not only require additional BMPs (best management practices such as silt fences, site stabilization techniques, additional root protection) but would also ensure abundant replanting prescription (equivalent to the existing Protected Neighborhood Buffer vegetation standards), regardless of the amount of vegetation initially disturbed.

Staff finds that the proposed changes align with the stated purpose and intent of the Development Code to "guide the future growth of the City of Sandy Springs in alignment with the vision set forth by The Next Ten Comprehensive Plan…to foster more predictable results and a higher-quality public realm…," to "balance conservation and development," to "achieve design excellence in the built environment," and to "guide Sandy Springs' prosperous and sustainable future."

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

Staff recommends **Approval** of **Text Amendment TA23-0003** in its entirety, grouping (a) through (e):

-**TA23-0003(a)**, Articles 1 (Introductory Provisions), 11 (Administration), and 12 (Definitions)
-**TA23-0003(b)**, Articles 2 through 5 (Protected Neighborhoods, Urban Neighborhoods, Corridors & Nodes, and Perimeter Center)
-**TA23-0003(c)**, Article 6 (Rules for All Districts)
-**TA23-0003(d)**, Article 7 (Use Provisions)
-**TA23-0003(e)**, Articles 8 through 10 (Site Development, Environmental Protection, Streets & Improvements)

Development Code Update Public Comment Received Between 9/26/23 – 10/18/2023	
Name	**Comment(s)**
Tochie, Blad	There is so much to unpack in this large document of changes. This is just my first glance. In Article I, it empowers the Development director to make final decision on variances, the applicant may then appeal to Fulton County Superior Court. Why not keep the Board of Appeals and let them decide cases before tying up the courts time? Article 1, pg. 34, item 5. Action by the Director, there is a clause that requires the director to submit a response in a 30 day timeframe. The concern is if the economy is booming and numerous applications need responses by the director, will staff be able to meet the deadline. If not, does that automatically grant the applicant the appeal? Article 2 District Intent Statements Pg. 9 of 98 â€“ Strikes minimum height district in Perimeter Center. Buildings can be a single story next to transit station, is this the best use of the land? Article 7 Use Provisions RX of page 24 of 57, allows Grocery tenants to 15,000 s. ft. RX allows commercial up to 6000 s ft. with hours of operation 6 a.m to 11 p.m. Why are hours of operation dictated by the code, will that conflict with the noise ordinance? Do we want a large store, I thought we were promoting walkability. Allowing retail use in residential areas for both RM and RX and not controlling the use may allow Vape shops, tattoo parlors and other non-conforming uses. Retail is a challenge when folks live beside it. Finally, Gas pumps/stations are now allowed most places with the removal of the distance rule. City Springs prohibits gas pumps in the district. As gas stations close their operations in City Springs district, due to the cap, the city allows a new gas station to open in areas outside City Springs district. I disagree with the change in policy and recommend no change. I am all for encouraging EV charging stations and establishing rules for electric vehicle charging stations on both location and design aesthetics. EV charging stations should be added to the cityâ€™s Enhance Community Benefit list to encourage new developments to include the stations. Thanks for your time and consideration to my thoughts on the code changes in Sandy Springs.
Elizabeth, Fite	Iâ€™m curious how the elimination of the distance requirement between gas stations reflects changes in the community and ensures the dev code is consistent with the cityâ€™s goals for growth. We donâ€™t seem to be lacking gas stations. Existing sites should be held more accountable and made better. And if you canâ€™t regulate what we have to be more satisfactory, how are we assured anything new will solve whatever perceived issues the consultants have identified? Do you want to live near a gas station-regardless if itâ€™s shiny or new? And are the people voting on this at jeopardy of having a gas station in their neighborhood? Or

	an abandoned gas station that some other gas station is tasked with revising? Iâ€™m from Arkansas originally, and I have seen more abandoned Walmarts than I thought possible.
Manisha, Lance	I hope that when you are considering changes to the development code .. you will use an equitable lens to keep housing development affordable. Please take steps to ensure that affordability is at the core so that middle and low income individuals can thrive in Sandy Springs.
Jane, Kelley	Dear Staff, I am incensed that once again my neighborhood (Windsor Park Community Association) has to fight for common sense regulation. I was heavily involved in getting the restrictions on gas stations put in place earlier. My neighborhood has fought multiple times to prevent a gas station from going in on the corner of Windsor Parkway and Roswell Rd, spitting distance from a Shell Station. Roswell Rd inside 285 has plenty of gas stations already. There at least EIGHT within a two-mile stretch! If more are allowed to open, competition will force some to close, leaving us with additional toxic waste issues. PLEASE protect your residents!! How many times must we fight the same battle?! This makes no sense! Thank you! Mrs. Jane Kelley President, Windsor Park Community Association
Bill, Odrey	I feel that 9755 Roberts Drive due to its location on Roswell Rd, the many right of ways demanded by the City of Sandy Springs and Fulton County that this property should be Re zoned as commercial instead of residential

Vladimir, Shklovsky	I am writing in opposition to proposals to build more gas stations on Roswell Road, and increase the size of garages, described at https://roughdraftatlanta.com/2023/09/27/sandy-springs-residents-reject-code-updates-for-gas-station-expansion/ .1) Sandy Springs should not allow garages that existed before 2005 to be enlarged in violation of existing codes, like front yard setbacks. Larger vehicles are a public safety threat to our community, and do not need more subsidies. They also increase wear and tear on our roads, increasing maintenance costs. Parking spaces for oversize vehicles are already available, at a price. People buying larger and more expensive vehicles should pay their own way, not ask for welfare from the community for their irresponsible decisions. 2) Roswell Road is dangerous and it is irresponsible to make the safety problem by allowing more gas stations here. Sidewalks and crosswalks are inadequate. Police do not enforce speed limits, cell phone bans, restrictions on tinted windshields, etc. There is a lot of traffic. Gas stations inherently have a lot of curb cuts (for tankers to go in and out) and the business model requires frequent vehicle traffic. This combination of a lot of drivers entering and exiting the premises, plus a large volume of traffic on Roswell, creates a lot of opportunities for drivers to injure or kill members of the community. Everyone involved will be culpable if somebody gets hurt.3) This is fiscally irresponsible land use. Land bordering Roswell Road is commercially valuable. It should be used accordingly, and generate a lot of tax revenue to reduce the burden on other constituents. Gas stations inherently need a lot of land, for tankers and customers to maneuver, but sell relatively low-value goods, pay relatively little, and can't generate as much tax revenue.4) Public health is harmed by particulates from vehicle emissions, and Sandy Springs should do the bare minimum of discouraging burning gas and diesel by not approving new stations.5) It is fiscally irresponsible to build a new Sandy Springs fuel depot. Police vehicles have heavy use. EVs are more efficient per mile, and much more efficient for idling (when AC and electric systems can be run without running an entire combustion engine). The fuel and maintenance savings of switching to electric vehicles are clear, and will become stronger over time. Just in terms of fueling, level 2 chargers are basically 240V extension cords, and we should be able to install and maintain them at lower cost than a gas station. Sandy Springs government agencies should be transitioning the fleet away from gas to EVs, not making further investments into an expensive and out of date technology.6) Roswell Road, especially between City Springs and the south edge of the city at Meadowbrook, should be a priority for dense development accessible by transit and pedestrians. This is the section with the easiest MARTA access and the worst traffic. Businesses already rely on a workforce that does not drive. The city could make the most tax revenue by encouraging dense residential construction and valuable commercial use that is not entirely car dependent, as opposed to cut-off walkable developments that still require visitors to drive there, and either use valuable land for surface parking or even more expensive parking decks like the underground lot at City Springs to subsidize drivers. More gas stations along the Roswell in the vicinity of 285 are inherently contrary to this goal, because they offer nothing to nearby residents and are hostile to pedestrians trying to walk to a more valuable business or a higher-paying employer.

ruth, sprinkle	Please do NOT change the codes so that there are more gas stations on Roswell Road, inside the Perimeter!
James Duffy, Hickey	I appreciate the work that has been done by city staff as the development code goes under review. I also appreciate the opportunity to learn from the full disclosure on the web site and the open house last week. Having said that, I have a few concerns on some items. First, and with emphasis, I do NOT favor eliminating fuel stations distance requirements. I live at the southern end of Sandy Springs and we currently have NINE gas stations between the south end (including Shell just 10 yards south of the city line) and Hilderbrand Dr. We do not need more stations in that area. We do not need large (QT, Race Trac, etc.) stations anywhere along that corridor. They would only attract more traffic getting off I-285 and Roswell Rd, an already miserable intersection. We do not need a gas station at the NE corner of Windsor Pkwy and Roswell Rd. Any â€œ1 for 1â€ exchange should be within a reasonably close proximity, to prevent someone from buying and taking down one small station in a remote location, to add a large one along Roswell Rd south of Abernathy. I understand that our mayor's son works for one of these large gas station operators and, if true, I would expect the mayor to recuse himself in the discussion and in any tie-breaking vote that might be necessary. Second, with regard to garage setback changes. This does not make sense to me. It is said to be able to accommodate citizens who have larger cars. We do not need to incentivize people to buy larger cars! Additionally, only one car opening would face the road. Any additional cars would have to be on the side of the garage, which means a) adding more driveway space to the side of the garage for cars to go in and out; b) many houses do not have the space to do that, and; c) more driveway means more impervious surface, which then requires a large amount of costly mediation. Third, Age restricted multi units should NOT be permitted in O/N. Such buildings do not apply to either word: office or neighborhood. Fourth, Retail establishments should NOT be allowed in the same O/N for the same reasons. This is encroachment into a neighborhood setting of more active commercial activity and traffic. Fifth, I do NOT favor increasing any current height restrictions. As Andy Bauman told me at the open house, we have a very desirable location for lots of people interested in development. Because we are so desirable, we can be picky and do not have to accommodate every request. Let's grow wisely, but with the top priority always being the high quality of living that the new and long term residents of Sandy Springs expect. Thank you again for the opportunity to express my opinions and for the open attitude that you have about the project and for all that you do for the citizens of Sandy Springs.

	Duffy Hickey
Susan, Maziar	Please donâ€™t eliminate the Â½ mile spacing requirement between gas stations.Councilman Paulson told me the other night at the DC open house that we have 27 gas stations in SS. I have since learned 18 of these are on Roswell Rd that is 10.7 miles long (city of Atlanta line to North River Tavern). (Thatâ€™s one gas station for q 0.6 mile.) It is my understanding we also have 60 automotive uses on roswell rd -this includes the 18 gas stations - definitely an over abundance (thatâ€™s an automotive use or gas station every 0.18mile). Automotive Uses and gas stations are everywhere: we are saturated.There are also more gas stations sitting on our borders or close to our borders not included in the count: for ex shell station at Meadowbrook drive on Roswell Rd. on the City of atlanta line and another Chevron a little further south, Mt Paran RD. country store with 4 pumps, brookhaven Costco 18 pumps, and more in Perimeter area near us on Ashford Dunwoody. There are Prob more close to our borders in Panhandle and Powers ferry landing areas, Iâ€™m not sure. Looking a little deeper, we have 6gas stations within City Springs, 6 within Â½ mile of I285 roswell rd exit, and 7 down on our south end with an 8th sitting directly on our border. I know the North end has plenty too.Iâ€™m saying all this because we donâ€™t want or need a new large-scale Racetrac/Gas Station at RoswellRd and Carpenter Drive in the heart of our city. It is a prime spot, one of our most visible Gateways. This would not help beautify Roswell rd; it would not enhance City Springs; it would not create a healthy mix of uses; it would not encourage walkability in our downtown ;it would not fulfill any â€œ community need;â€ and it would not add anything to our brand or SSidentity. The added traffic be a nightmare. Six stations here are enough. Mayor, I loved it when you once said â€œwe can afford to wait.â€ (to get what we want). I think we have that sort of a situation here. Letâ€™s get this right.Give the new financial incentives staff is proposing a chance to work: more fuel pumps if an existing station makes improvements.Support small business owners. The newly rebuilt station down at East Belle Island when finished will hopefully set a shining example.And lastly, please re-evaluate the 1 for 1 replacement proposal . This means a developer can buy out the 2 Citgo fuel pumps on Dunwoody Place up near the river and then be allowed to build a 20 pump station on Roswell Rd. at Carpenter drive 8.3 miles away. That doesnâ€™t even make sense. We already have 6 gas stations here: We donâ€™tneed another. The 1 for 1 replacement idea only makes sense if they are close to each other.Thank you. Susan Maziar
Franziska, Shepard	I Do not recommend changing gas station 1/2 mile apart restriction. We do not need more gas stations on Roswell Rd.
Zach, Wilson	I think weâ€™re OK for gas stations. Who has to drive more than 3 miles to get to one?
Casey, DeSandre	In addition to clarifying General Standards in Zoning, please provide a standard, orderly method to requesting a Variance on anything. Navigating the permit and zoning process was extremely difficult and required insider-level knowledge to assist from an Architect side. Also, the requirements for retaining walls, although understandable, are quite prohibitive to multiple story development when considered in concert with building height restrictions.

Sam, Manjiyani	The CSX district is already very congested and has enough number of fueling stations. Allowing any new stations will only add to the traffic and congestion. Any new stations should be allowed outside of the CSX district about 2 miles away from the I 285 and Roswell Rd intersection. The focus should be more on allowing EV stations and not fueling stations.
Melanie, Couchman	I would like to see more housing at various income levels, especially entry level homebuyers and entry level rentals. We are missing both of these types of housing and many of the studies the city has conducted indicate we need both of these. Please make sure you are offering codes that will incentivize this type of housing to be offered.
Soheb, Roy	I am opposed to the three code development changes being made. I do not believe Roswell road needs another gas station there are over 10 in a 3 mile span. Changing the rules for one or two specific locations is unfair to the existing businesses that have put in time, money, and years of hard work into the community.
Leslie, Rose	Please do not Eliminate the 1/2 mile rule spacing requirement for gas stations. We already have too many on Roswell Rd. Please do not Allowing accessory fuel sales. We have plenty of gas stations and plenty of pumps located in Sandy spring. I never have to wait in line for gas - ANYWHERE. We don't need any more pumps or stations or accessory fuel sales on Roswell Road or anywhere in Sandy Springs and I've lived here over 30 years. My family and I are completely against the recommended changes regarding gas stations which relax the regulations. The residents and administration together worked hard to install the code language that limits auto uses and gas stations for a very specific reason...they are NOT beneficial to the city's appearance and quality of life in Sandy Springs. My concern is these changes COULD allow in the future for leverage of large parcels to become gas stations at key City gateways; at the southern City border at Windsor Pkwy and Roswell Rd, at the River at North River Pkwy and Roswell Rd and the entry to the City Springs district at Carpenter Drive where RaceTrac is known to own 2 parcels. Thank you for the time and consideration for the RESIDENTS of Sandy Springs. Next up, please create a right turn lane from Windsor Parkway (headed west) onto Roswell Rd (headed north). The traffic is backed up at that light, to in front of my house on a regular basis.
VAZIR, ROY	TOO MANY GAS STATION AND CONV STORE IN THE SANDY SPRINGS AREA SPECIALLY NEAR INTER STATE 285
SHAMA, ROY	TOO MUCH TRAFFIC FOR EXTRA GAS & COV STORE IT WILL BRING MORE CRIME IN THE NEIGHBORWOOD
NEELAM, KESHWANI	MORE GAS STATION AND COVENIENCE STORE WILL BRING MORE CRIME AND TRAFFIC CONGESION THANKS
JALAL, DHOLAKIA	SANDY SPRINGS HAS NO NEED FOR MORE FUEL STATION OR CONV SHOP TO BRING MORE CRIME & TRAFFIC
RAVI, SHAHANI	TRAFFIC CONGESATION & CRIME NO NEED FOR MORE FUEL & RETAIL CONV

Carolyn, Axt	I strongly urge you to keep the 1/2 mile limit between gas stations. As we work to redevelop the north end - we don't want to have any opportunities for purchasing properties such as near the river and putting in a large gas station - we already have more than enough gas station options. We need to encourage upscale redevelopment, not open flood gates for more gas stations anywhere in our city. As for allowing additional pumps with certain improvements, I believe it is imperative to require community/neighbor involvement not all "improvements are equal." Please place some more specifics on allowing bio-tech industries to locate near our residential areas. What types can go where and with what buffers, again requiring neighborhood input. Thank you for considering making these changes before moving forward with the recommended codes.
Sam, Matty	Loads of traffic increase in and around, so it is better to control the flow and not to get any more or gas stations or other projects.
Samuel, Lake	There is a lot of increasing traffic in and around sandy springs, bringing new locations would result in more dense traffic i feel.
Stefanie, Paulos	I want to preserve my neighborhood and avoid further density. I support the CPCA-EB recommendations shown below: ADDITIONAL GASOLINE STATIONS ON ROAD â€“ Currently there is a Â½ mile distance requirement between new gas stations. We already have 27 gas stations in Sandy Springs with 18 on Roswell Road. RaceTrac or another multi pump station would like to build a gas station at Windsor Parkway and Roswell Road . Currently SSS recommends a 1 for 1 replacement. But a large company could buy two smaller existing stations, close them and build a mega multi pump station at another location like Windsor Pky and Roswell Road. CPCA-EB RECOMMENDATION: Ask that SSS keep the Â½ mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations) on areas like corner of Windsor Pkwy and Roswell Road. HIGHER DENSITY HOUSING GROUPS from GLENRIDGE SOUTH TO CITY OF ATLANTA â€“ Currently NEIGHBORHOOD UNIT (NU) is not allowed in OFFICE NEIGHBORHOOD (ON) areas. SSS wants the NU added to ON areas. NU is 2 or more dwelling units with 4 to 12 units in each dwelling unit. A possible example of this problem in our neighborhood is if Cat Doctor and the office at corner Mystic Place and Roswell Road sell their properties to a developer. This could increase the density and traffic. CPCA-EB RECOMMENDATION: 1. Deny or 2. Allow only if less than 12 units and only one access directly to Roswell Road with the requirement of a conditional use permit (CUP) to allow neighborhood input on any rezoning or site changes. INCREASED DENSITY IN COTTAGE COURT DEVELOPMENT PATTERN â€“ Currently Cottage Court (CC) is in Development Code (DC) with a minimum 2 acre lot and no more than 18 units. Again the site of the Cat Doctor and Corner of Mystic Place could be developed with CC. SSS wants to remove the maximum of 18 and allow 50 units with only one street outlet to an existing public street. CPCA-EB RECOMMENDATION: 1. Deny and keep current language or 2. Support only with caveat that the only access from CC is to Roswell Road not via any

	Protected Neighborhood street (like Mystic Place) and require a conditional use permit (CUP)to allow neighborhood input on any rezoning or site changes. ADDITIONAL RETAIL USES ON ROSWELL ROAD from GLENRIDGE SOUTH TO CITY OF ATLANTA- Currently Office Neighborhood (ON) is limited to residential (not multifamily, only single family), museums, libraries and private schools. Retail is not allowed in ON. There are 3 nodes on Roswell Road that do allow retail. Glenridge/Mt Paran, Fountain Oaks (both sides of street) and Chastain Square (use to be called Gateway). There are sections on Roswell Road that have townhomes, 2 story medical and professional office buildings and other low density/low traffic uses. Staff wants additional Neighborhood Retail sites. These would include changes in the ON areas to retail-like structures, such as pawn shops, cigar stores, pay day title loans, vehicle parts and accessories, etc. This SSS proposal could destroy the character of the area. CPCA-EB RECOMMENDATION: 1. Total denial since any additional retail in Office Neighborhoods would destroy the character of the area with higher density. The three current nodes that allow retail have plenty of space for additional retail use (For example, the empty Sprouts or empty space at Fountain Oaks) ALLOW BUILDING of NEIGHBORHOOD EATERYs ON ROSWELL ROAD - This SSS proposal would allow a Neighborhood Eatery of 3000 SqFt. A drive thru would still be denied with new proposal but large restaurants like Waffle House etcâ€¦ would now be allowed. CPCA-EB RECOMMENDATION: 1. Total denial or 2. Reduce size to 1000 SqFt and require design standards. 6. SSS wants to allow construction entrances and accessory buildings into the rear buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. This would reduce the buffer approximately in half with loss of trees, privacy, etc as a result. CPCA-EB RECOMMENDATION: Deny totally.
Patrick, Stellar	=-@ more parking spaces needed sometimes -@ good community centers needed for kids and senior citizens -@electrical stations required -@Traffic caused due to gas stations
Shirley, Mayy	Improving the city infrastructure is good but we need to limit the gas stations as they might be the reason for a lot of traffic in and around them.
Nilofer, Noorani	I would like to oppose the 1/2 mile rule. In my opinion there is no need for any more gas stations in the area. There are already so many and a lot a traffic flow an additional gas station would bring more traffic into an already congest space.
Virginia, Smith	As a resident of Cherokee Park, I am opposed to several of the proposed changes to the development code. Please do not permit additional gas stations on Roswell Road; do not reduce the distance between gas stations so that more gas stations could be built. Secondly, please do not allow higher density housing groups to build

	in ON areas. Third, do not allow increases in density in cottage court development pattern. Fourth. do not allow increased retail on Roswell rd in the area near Cherokee Park; we already have two shopping centers that have vacanciesâ€¦ most notable is gateway with considerable retail space sitting vacant. Similarly, I am opposed to the building of neighborhood eateries on Roswell Road as once again, they could be incorporated into the already partially vacant shopping centers noted before. Finally, and very importantly, make no changes to the setback/tree buffer on the rear of our properties as this would invite unwanted construction that would seriously upset the character of our community and the privacy of homeowners lots.
Jamie, Pennington	I strongly oppose any changes to the development code and certainly to the existing rules regarding gas stations. It seems like the council is prioritizing commercial demands over the tax paying citizens of our community. There are plenty of existing vacancies along Roswell Road and never once have I seen lines at any gas station. We have plenty of current retail/food/gas options and do not need any changes to our current development code at this time. I also oppose any changes along the CN lines as well. These changes do not preserve the beauty of our city and would not enhance the lives of those who live in Sandy Springs.
Matthew, Payne	My wife Clare Payne & I are currently 25 year residents of Sandy Springs and serve on several NON PROFIT ORG boards. Our children have all gone through our cities Fulton public schools. We strongly oppose all changes to the development code for all reasons. We understand the 10 year plan does not align with these changes, nor adhere to any restrictive codes that are currently purposefully in place to protect the hard working tax payers and voters that elected the current politicians who are pushing these changes for either professional or PERSONAL reasons.
Nancy, Buck	I am filing this form to voice my total displeasure regarding the proposed changes to the Development Code. I have lived in my home/neighborhood for 27 years. The neighborhood is a quiet haven off of Roswell Road. The proposed changes will increase the cut through traffic in the neighborhood making it dangerous for children playing and neighbors walking. We do not need additional gas stations on Roswell Road. The current 18 is plenty. I ask that you keep the 1/2 mile spacing and make no change to the Office Neighborhood use. Traffic is horrendous on Roswell Road thus we do not need increased density south of Glenridge. Please deny the higher density housing and the increased density in cottage court development patterns. Again, the traffic on Roswell is horrendous thus we do not need additional retail uses or more restaurants on Roswell Road from Glenridge south to the city of Atlanta. And please do not kill any more trees by allowing construction entrances and accessory building into the rear buffers of areas marked RE1 and 2, RD 18, RD27, RD15, RD12, RD9, RD7.5 and RU.

Lori and John, Mayfield	Regarding the proposed changes in the Development Code for the area Glenridge south to City of Atlanta:1) Gas stations - keep the Â½ mile spacing requirement between stations and make no change from Office Neighborhood use for large intersections like corner of Windsor Pkwy and Roswell Road.2) We are opposed to allowing Neighborhood Units in Office Neighborhood zone areas. If that isn't possible, they need to be severely limited in size and only allow access via Roswell Road. 3) Keep Cottage Court requirements to a minimum 2 acre lot and no more than 18 units. 4) We are against additional retail sites in the current Office Neighborhood areas. We can't keep all of the retail filled as it is; we don't need more new retail.5) Reduce size of additional neighborhood eateries.6) Do not allow construction entrances and accessory buildings into the rear buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. In general, we are most concerned about increasing density to the point of creating cut through traffic in our neighborhood where we don't have sidewalks. The traffic in the City of Atlanta from 10 Degree South to Windsor Pkwy adds 10 minutes to my commute getting home. Trying to go towards the Perimeter on Roswell Rd north of Glenridge is a mess. The last thing we need is to add more standstill traffic between Windsor and Glenridge where it currently moves at a decent pace. The best part of our area of town is that we are not gridlocked with traffic. Please don't change that!
Will, Henderson	Too much Crime anyways for the gas station, theft and life risks .We do not need anymore gas stations
Chase, Smith	We need a new branch for Chicago Pizza and Oven Grinder
Steve, Leahy	Need a new burger place "whataburger"
Karen, Woods	Need a sports Arcade not too much things for the kids to do
Shaluvi, Gautam	Need good dancing and training school for our girls.
Olcay, kursun	Need Gymnastic for the girls and classed like pottery, dancing, etc
Theo, M	more dog parks and senior wheelchair accessible parks
Rurh, Sprinkle	I m opposed to changing the current code regarding the gas stations proximity to each other, â€¦and I am opposed to any changes or additions to the Office. Neighborhood code
Sallie, Duncan	Dear Members of the City Council and City Staff Members, Regarding the code changes you are considering. I am very against changing the code to allow more gas stations. We already have more than enough. I don't care to see large gas companies come into our city and develop. We have plenty of those nearby. I also am against changing any of the ON code for now. Almost all of the ON code is inside 285 and I believer we need more time and consideration to change the code for now. Thank you, Sallie Duncan
Norris, Broyles	I am opposed to any change to the 1/2 mile separation of gas stations requirement. I am opposed to any alteration to the ON zoning use character.
Warren, Fergus	I support the current code regarding gas stations can only be placed within 1/2 mile of one another. I would like this code to stay as is and not be loosened.
Phillip, Kemp	We got enough traffic issues in our area if we can find space lets have atleast a dog park.

Samantha, Ridge	Please let's not have more gas stations here got enough already with traffic issues.
Chris, Laird	Gas Station Spacing Requirement â€“ Please DO NOT eliminate the 0.5-mile spacing requirement between gas stations. I live in District 5. There are already 6 gas stations between ATL City limit and I285 along Roswell Rd.; 7 if you include the Shell station just inside ATL at the south. Plus, there are additional automotive use businesses along that same corridor. Why is the City considering changing an entire city code for a single corporate entity with no allegiance to our city or community ? Why ?! The City already has 60 automotive use businesses on Roswell Rd. (south to north) and this includes 18 gas stations. And this number doesnâ€™t include peripheral stations at our borders. We as a City are saturated ! I donâ€™t need or want a new large scale gas station at Windsor Pkwy & Roswell Rd. or at Roswell Rd. at Carpenter Dr. These are prime/visible entrances to our beautiful city. Elimination of this requirement does not beautify our city, it does not enhance a healthy mix of uses, it does not fulfill a â€œcommunity needâ€, and it adds nothing to our brand or community identity. Do Not eliminate this requirement. â€œWE CAN AFFORD TO WAIT FOR A BETTER OPPORTUNITYâ€. And thatâ€™s a quote from Mayor Paul !
Mary, Laird	Please DO NOT eliminate the 0.5-mile spacing requirement between gas stations. I live in District 5. There are already 6 gas stations between ATL City limit and I285 along Roswell Rd.; 7 if you include the Shell station just inside ATL at the south. Plus, there are additional automotive use businesses along that same corridor. Why is the City considering changing an entire city code for a single corporate entity with no allegiance to our city or community ? Why ?! The City already has 60 automotive use businesses on Roswell Rd. (south to north) and this includes 18 gas stations. And this number doesnâ€™t include peripheral stations at our borders. We as a City are saturated ! I donâ€™t need or want a new large scale gas station at Windsor Pkwy & Roswell Rd. or at Roswell Rd. at Carpenter Dr. These are prime/visible entrances to our beautiful city. Elimination of this requirement does not beautify our city, it does not enhance a healthy mix of uses, it does not fulfill a â€œcommunity needâ€, and it adds nothing to our brand or community identity. Do Not eliminate this requirement. â€œWE CAN AFFORD TO WAIT FOR A BETTER OPPORTUNITYâ€. And thatâ€™s a quote from Mayor Paul !
Jean, Sykes	I would like to vote against the planned building development on the 1/2 acre lot at the corner of Windsor Parkway and Roswell Rd.
Lindsey, Sykes	I would like to vote against the planned building on the 1/2 acre lot at Roswell and Windsor Parkway
Kristi, Gaffney	We are very opposed to the elimination of the 1/2 mile distance requirement for gas stations and allowing large parcels to be used for this purpose. -Specifically, the intersection of Roswell Road and Windsor Parkway leads to single family home neighborhoods for the entirety of Windsor Parkway. The addition of a large commercial-style gas station would bring additional traffic at all hours of the day and night, more opportunity for crime and isn't consistent with the neighborhood along Windsor parkway. Vote no to rescind this development requirement.
Eileen, Gordon	I Vote to oppose any construction towards a gas station/Quiktrip on this parcel of land. It would be disastrous for the neighborhoods around the area.
Ryan Watson, Ryan	Against the change in the gas station code

Mary, Ford	Hello - As a follow-up to the comments I made at the City Council meeting on October 3rd, I am submitting this comment on behalf of the High Point Civic Association. Our Board has reviewed the proposed development code changes and is unanimously against any Code changes to Gas Stations in Sandy Springs, including the proposed elimination of the 1/2 mile spacing requirement between gas stations.. In addition, the board is unanimously opposed to any changes to ON (Office Neighborhood). The ON designation is still relatively new and is working. We recommend that any changes to ON be evaluated as part of the upcoming Next 10 Development plan update in 2025. Thank you Mary Ford President High Point Civic Association
Mira, Liniado	My preference is that there are no changes made to the development code related to gas stations and the half mile spacing requirement does not change. I do not want more traffic in the heart of our city and it would not beautify our city.
Deborah, De Genova	I am a Sandy Spring's resident writing to respectfully oppose all the proposed SSS changes to zoning on Roswell Road. The City of Sandy Springs is walking a fine line with development for commerical tax income and commerce and maintaining the sanctity and peace of the City for residents. Adding too much commerce and congestion will deteriote the City and its brand by eliminating green space, increasing traffic congestion and not respecting residential zones for families to live and thrive. Having stricter zoning ordinances will only help the City and its brand/image. Adding commerce and traffic congestion will make it a less attractive place to live. Keeping with a clear Sandy Spring identity is really important for our community as sometimes maintaining your identity and appeal is more about what you do not do/allow vs what you change. Specifically, the following changes will result in the following negative impacts to residents and thus I recommend they are denied in totality: -ADDITIONAL GASOLINE STATIONS ON ROAD â€“ Please deny this proposed change. More gas stations means more traffic and potetnial underground contamination with leaky tanks -HIGHER DENSITY HOUSING GROUPS - Please deny this proposed change as it will result in an urban type of feel and more traffic. -ADDITIONAL RETAIL USES ON ROSWELL ROAD from GLENRIDGE SOUTH TO CITY OF ATLANTA- Please deny. This is critical to deny as it will very much extend mini mall sprawl to long-standing established neighborhoods with many religous residents who need to walk to church posing a danger to them. ALLOW BUILDING of NEIGHBORHOOD EATERYs ON ROSWELL ROAD - Please deny. More eateries will result in the odor, rodents and more traffic for existing residents. There are plenty of eaterys already on Roswell Road. Do we really need more? SSS wants to allow construction entrances and accessory buildings into the rear buffers - Please deny and keep our green space and have principles on what can be developed and not. Speaking as a resident impacted by significant construction since 2018, the last thing we need is to enable more construction entrances via rear

	buffers. The builders already have it way to easy with few consequences for violating the zones ALREADY in place. Thank you very much for respectfully consider our feedback. Deborah Ross De Genova
Atul, Agarwal	This is about the planned development at the corner of Windsor Parkway and Roswell Rd., where PuppyHaven is located. We need to make traffic more free flowing and need a right turn lane from Windsor onto Roswell. There are two gas stations within half mile on each side of that intersection, and 3 more within 1 mile; we really do not need more gas stations!!
Madhuvanti, Deshmukh	Listen to your residents! The HPCA voted unanimously 21-0 against any Code changes to Gas Stations in Sandy Springs, including the proposed elimination of the 1/2 mile spacing requirement between gas stations. They also voted unanimously 21-0 to deny any changes or additions to ON (Office Neighborhood). We do NOT want any more development, other than a dedicated right turn lane from Windsor Pkwy onto Roswell Rd.
Allen, Bell	In The Relocation of Existing Fuel Pumps or Fuel Stations Section via a Conditional Use Permit: o There was language that this option was limited to certain zoning districts, but that language was struck. Does this mean this is an option in all zoning districts? o Clarification that Alternative Site means another property and not necessarily rebuilding a new fuel station on the same lot as the one to be removed. o Does the gas station that is to be eliminated have to be in the same zoning district as the new one? o What does mitigation of the former site mean? Is that just the removal of the fuel pumps and tanks?
Mary, Serth	I am very concerned about the potential development of the land parcel at the corner of Windsor Parkway and Roswell Road. I use that intersection at least 4 times a week and with the current volume of traffic, it is extremely difficult to get through. Two days ago at 11:35am it took two cycles of the traffic light to take a left from Windsor Parkway to Roswell. Traffic is bad all over Atlanta, by allowing a commercial property to be built on this corner, you will be ensuring that traffic will get even worse! When the intersection was redesigned and moved north a few years ago there should have been a dedicated right turn lane to ease the congestion.

Susan, Maziar	Please deny all proposed changes/ additions to ON (Office Neighborhood).I live in District 5 and our 2 mile stretch of Roswell Rd. (that we share with District 6) does not need â€œRetailâ€ (way too broad) nor â€œ Restaurant Retailâ€ added to ON as Allowed Uses. Do not change our entire Code to accommodate one developer.There is no community â€œ wantâ€ nor â€œneedâ€ for more retail or restaurant space in this area.. We already have 3 huge retail centers/nodes that are working: Gateway, Fountain Oaks, and the Prado (on our border) with lots of shops and restaurants. New retail could locate here in all the empty spaces.ON was intended to minimize extra curb cuts and traffic that â€œretailâ€ creates as we have many residential streets that empty onto Roswell Rd. We are a Neighborhood Village on the Character Map. Please donâ€™t unravel all the years of hard work and community support we have in this area. ON is working!
Jimmy, Kim	Regarding SSS's proposed change to the number of gas stations to be allowed on Roswell Road, I strongly ask that SSS keep the Â½ mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations) on areas like corner of Windsor Pkwy and Roswell Road. There is more than enough gas stations on Roswell Road (there are 4 within a mile from my neighborhood), and frankly gas stations attract unnecessary congregation of individuals in and around the neighborhoods. If SSS wants Sandy Springs to continue to be a place where million dollar homes are built and/or home values continue to increase (which leads to higher property taxes that SS can collect), allowing more gas stations is NOT something to allow.
Marsha, Holcomb	With regard to proposed changes to the development code and the negative impact on Cherokee Park Neighborhood: 1. We do not want or need additional gas stations on Roswell Road. We want to keep 1/2 mile spacing and make zero changes to Office Neighborhood. 2. We do not want higher density south of 285. Do not change Neighborhood Unit added to Office Neighborhood. Allow change only if less than 12 units and only one access directly onto Roswell Road with the requirement of a Conditional Use Permit and neighborhood input on any changes. 3. Do not increase density of Cottage Court Development Pattern. Do not decrease 2 acre lots . Do not allow more than the current 18 units. Any access should be to Roswell Road not neighborhood like Cherokee Park. 4. Currently there are three nodes south of Glenridge on Roswell Road allowing retail. In those nodes (Ex. Fountain Oaks & Chastain Square) there is plenty of empty space to be used as retail. We would like denial of any of the recommended changes to this area . 5. We do not want eateries on Roswell Road larger than 1000 sqft at most and add a requirement of design standards. 6. We do not want construction entrances and accessory buildings in rear buffers of areas marked as RE1, RE2,RD18,RD27,RD15,RD12,RD9,RD7.5 and RU so request total denial of this recommendation.

Charlie, Kontz	I would like staff & the council to not make any changes to the Development Code in regard to two proposed changes. 1) Code Changes to Gas Stations should not be changed. I know this has nothing to do with the code but why would we want to put more stations & traffic on Roswell Rd & why change the 1/2 mile spacing? 2) Deny any changes to ON (Office Neighborhood). The current code seems to be working to protect Neighborhoods. Let's have the present code stay the same & not open up "Pandor's Box." I vigorously oppose these two potential changes. Sandy Springs is pro neighborhood please do not make either of these code changes. Thank You, Charlie Kontz
Linda, MacLean	I oppose the development proposed for Roswell road. We do not need more gas stations , retail space or otherwise.
Penelope, Malone	1. ADDITIONAL GASOLINE STATIONS ON ROAD -- I request that the COSS maintain the current 1/2 mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations). 2. HIGHER DENSITY HOUSING GROUPS FROM GLENRIDGE SOUTH TO CITY OF ATLANTA â€“ I am opposed to allowing NEIGHBORHOOD UNITS (NU) in OFFICE NEIGHBORHOOD (ON) areas. 3. INCREASED DENSITY IN COTTAGE COURT DEVELOPMENT PATTERN â€“ I request that the COSS keep the current Cottage Court (CC) in Development Code (DC) with a minimum 2 acre lot and no more than 18 units. 4. ADDITIONAL RETAIL USES ON ROSWELL ROAD FROM GLENRIDGE SOUTH TO CITY OF ATLANTA- I request that the COSS keep the current limit of Office Neighborhood (ON) to residential (not multifamily, only single family), museums, libraries and private schools. We DO NOT NEED any further Retail in this area. The existing retail nodes have extensive storefronts and square footage with empty retail space. No further additions of retail are needed. 5. ALLOW BUILDING OF NEIGHBORHOOD EATERYS ON ROSWELL ROAD - I request a Total Denial of this proposal. 6. Allow construction entrances and accessory buildings into the rear buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. I am TOTALLY OPPOSED to this change. At the present moment the lot next door to us is being built out to the last square inch allowed in the current development code. I do not want any further diminution of our forest canopy or setbacks. In conclusion, I continue to be appalled at the extent to which the COSS has lost its focus, completely and utterly, from the original intent for which the City was organized. The COSS was incorporated because its residents wanted to maintain our wonderful neighborhoods, forests and wildlife therein. Each year the COSS seems intent on destroying our neighborhoods, our forests and our quality of life for the benefit of commercial and residential developers who seek to make a fast dollar and depart, leaving destruction and ugliness in their wake. Thank you for your consideration of these requests.

John, Champion	1. ADDITIONAL GASOLINE STATIONS ON ROAD -- I request that the COSS maintain the current 1/2 mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations). 2. HIGHER DENSITY HOUSING GROUPS FROM GLENRIDGE SOUTH TO CITY OF ATLANTA â€“ I am opposed to allowing NEIGHBORHOOD UNITS (NU) in OFFICE NEIGHBORHOOD (ON) areas. 3. INCREASED DENSITY IN COTTAGE COURT DEVELOPMENT PATTERN â€“ I request that the COSS keep the current Cottage Court (CC) in Development Code (DC) with a minimum 2 acre lot and no more than 18 units. 4. ADDITIONAL RETAIL USES ON ROSWELL ROAD FROM GLENRIDGE SOUTH TO CITY OF ATLANTA- I request that the COSS keep the current limit of Office Neighborhood (ON) to residential (not multifamily, only single family), museums, libraries and private schools. We DO NOT NEED any further Retail in this area. The existing retail nodes have extensive storefronts and square footage with empty retail space. No further additions of retail are needed. 5. ALLOW BUILDING OF NEIGHBORHOOD EATERYS ON ROSWELL ROAD - I request a Total Denial of this proposal. 6. Allow construction entrances and accessory buildings into the rear buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. I am TOTALLY OPPOSED to this change. At the present moment the lot next door to us is being built out to the last square inch allowed in the current development code. I do not want any further diminution of our forest canopy or setbacks.In conclusion, I continue to be appalled at the extent to which the COSS has lost its focus, completely and utterly, from the original intent for which the City was organized. The COSS was incorporated because its residents wanted to maintain our wonderful neighborhoods, forests and wildlife therein. Each year the COSS seems intent on destroying our neighborhoods, our forests and our quality of life for the benefit of commercial and residential developers who seek to make a fast dollar and depart, leaving destruction and ugliness in their wake. Thank you for your consideration of these requests.
David, Couchman	Omitted from the code is the city's need for workforce housing. Being silent on this issue allows developers to build without having to incorporate plans for affordability for essential workforce needs, i.e. police, teachers, emergency workers, and other essential lower paying occupations. Ignoring this requirement stymies the economic success for the city, increases the traffic burden for everyone, and fails to promote diversity at all economic levels.

Krista, Friedman	1. In regard to more gas stations on the road please keep the current spacing and make no change from Office Neighborhood use (which excludes gas stations. 2. Regards to higher density housing groups south of Glenridge to City of Atlanta - DO NOT allow any change. The traffic is already so bad and do not need more multifamily housing to further increase traffic. 3. Increased density in cottage court development pattern- keep it as is and do not make any changes. 4. Additional retail uses on Roswell Road- deny any change to prevent destroying the current character of the area. There is already plenty of retail use some of which sits empty as is. 5.Allow building of neighborhood eaters on Roswell Road- deny. We already have enough! 6. Allow construction entrances and accessory buildings into rear buffers of areas- Please DENY any changes. The reduced buffer would result in loss of trees and privacy.
Andrew, Jones	The notion of yet another gas station at the junction of Windsor Parkway and Roswell Road is preposterous. A little way north on Roswell there is Kroger and a gas station that is being remodeled. A little way south are two further gas stations. Our community has more pressing needs than another gas station. In sum, a silly proposal which should be blocked.
Leslie, Laird	1.) I ADAMANTLY OPPOSE the elimination of the 1/2 mile spacing requirements for gas stations. This is totally unnecessary as there are already TWENTY SEVEN 27 gas stations in Sandy Springs with EIGHTEEN ON ROSWELL ROAD. Traffic at Windsor Pkwy and Roswell Rd is BAD ENOUGH ALREADY. 2.) I ADAMANTLY OPPOSE higher density housing groups from Glenridge South to the city of Atlanta. I OPPOSE the NU added to ON areas. If this passed, it would ONLY mean an increase in both density and traffic. As I see it, IT'S BAD ENOUGH ALREADY. 3.) I ADAMANTLY OPPOSE increased density in cottage court development pattern. NO NO NO NO...NO! It is dense enough already. 4.) I ADAMANTLY OPPOSE additional retail uses on Roswell Rd from Glenridge South to the city of Atlanta. We do NOT need additional neighborhood retail sites. We have enough pawn shops, cigar stores, day day title loans, vape stores ALREADY. 5.) I ADAMANTLY OPPOSE allowing the building of neighborhood eaters on Roswell Road. We have enough restaurants as it is, and I know they could all use more business, not more restaurants to take away from their existing business. 6.) I ADAMANTLY AND VEHEMENTLY OPPOSE allowing construction entrances and accessory buildings into the rear buffers of areas marked as RE1 and 2; RD 18; RD 27; RD15 RD 12; RD 9; RD 7.5 and RU. This would reduce the buffer approximately in half with a MAJOR loss of trees, privacy, places for our birds and animals to live and thrive, etc as a result. NO NO NO...NO to allowing for the destruction of mature canopy trees.

jack (vazir), thalia	please already as is lot of traffic and crime more fuel station will bring more traffic and crime
Christan, Carter	The code lacks acknowledgment from the city regarding the essential need for affordable housing to accommodate key city workers such as teachers, emergency personnel, law enforcement officers, and other essential but lower-paying occupations. By failing to mandate developers to include affordable housing, it impedes economic growth, exacerbates traffic congestion, and restricts income diversity within the city.
Robert, Richards	Been located here for 22 years and the traffic is already unbearable. I vote not to use that parcel of land for any commercial development.
Tochie, Blad	Sandy Springs needs to consider more innovative ways to provide housing. Most of the proposed changes in regulations may lead to demolishing existing houses/units and building newer more expensive housing and not solving the affordable housing issue cited in the Housing Needs Assessment study. One idea to consider is Community Land Trusts, CLTs run by non-profits. The idea is that people buy a house but lease the land underneath from the trust. Because theyâ€™re not buying the land, this lowers the home price and, when it comes time to sell, the homeowner agrees to do so at a lower price, thus keeping costs more reasonable over the long term. Another key is to limit the use of commercial businesses in residential areas and stop treating the house as a commodity for investors. People need to live in houses. The city not enforcing regulations of short-term rentals in neighborhoods is allowing unregulated hotels next to homes. Staff say they are not the bed police but allowing whole houses to be rented for a night creates commercial property, hotels next to homes. Proliferation of short term rentals also limit the places where people call home - worsening our housing shortage. Where is the safety for these occupants, are they adhering to fire and public health requirements required for lodging? Finally, are all these numerous code changes needed at this time? People make their biggest investment in their home; they need a guarantee about the character of the area that itâ€™s in. There are numerous changes in this proposed code that will alter the community and lead to the commercialization of their homes. The protected neighborhood term is used but the meaning is diluted when you allow retail into neighborhoods as a new use. As the author of Homesick, Brendan Oâ€™Brien describes, â€œIn turning housing into simply another commodity, weâ€™ve ensured that it is bound up in desperation and uncertainty. That our neighborhoods are hollowed out to make room for tourists and investors.â€ Sandy Springs became a city fifteen years ago to meet the needs of the community. We all have an expectation of creating a sense of place, letâ€™s not lose it by tossing out the communityâ€™s work in the Next 10 plan with unnecessary changes in the zoning code. â€¢ The Â½ mile rule between gas stations is still needed. â€¢ Board of Appeals should remain a step in the appeals process. â€¢ Retail should not be allowed in new areas. Neighborhood Eateries only make sense if Design Review Board and a better signage code are in place. â€¢ All for Senior housing and more Daycare being available in the city. â€¢ Mobile services, only 7 days over a 3-month period. How will the city enforce that requirement? â€¢ EV Charging stations, glad you are regulating them would prefer Design Review

	Board approve the design and location Thanks for your time and consideration.
Jordan, Edwards	NADG owns and hopes to redevelop the Prado in the near future. For that reason, NADG makes the follow comments to the proposed text amendment: 1. Regarding Sec. 4.1.4. and Div. 4.5., NADG requests that the proposed SX-6/10 district be changed to SX-6/12, to allow height up to a total of 12 stories with bonuses. The increase in maximum height with bonuses from 10 to 12 stories will materially increase site design flexibility, which is critical for properties with physical challenges. And since a Conditional Use Permit will be required for any multi-unit proposals this tall anyway, the community and city council will have the same ability to affect development proposals regardless of the maximum bonus height limit. 2. Regarding Div. 7.2., NADG requests that â€œMulti-unit up to 3 storiesâ€ be changed to â€œMulti-unit up to the districtâ€™s maximum base heightâ€, and â€œMulti-unit above 3 storiesâ€ be changed to â€œMulti-unit above the districtâ€™s maximum base heightâ€. These changes would avoid inconsistency in the Development Code: a zoning districtâ€™s maximum base height is understood to be developable by right, but a CUP requirement necessarily infringes that right. For example, the SX-6/10 district allows a maximum base height of 6 stories, but as currently drafted the proposed language requires a CUP for multi-unit use proposal over 3 stories. So in effect, the current proposed language makes the SX-6/10 district the SX-3/10 district for multi-unit uses. The change NADG requests avoids this confusion but preserves the CUP requirement for height above the base maximum. 3. Regarding the Enhanced Community Benefit List, NADG requests establishing different square footage options for the items listed under the Amenity Space and Landscaping category. The Shared Greenspace, Active Water Feature, Additional Amenity Spaces, and Furnished Dog Park are all limited by a minimum area of 5,445 square feet each, but this area is a large footprint in a development context and very expensive to provide. NADG requests, first, awarding â€œpointsâ€ for smaller amenity provisions too, and assigning points on a progressive scale so that larger amenity spaces, which have much higher opportunity costs to provide, are incentivized. For example: 1,000 SF = 4 points; 2,000 SF = 10 points; 3,000 SF = 18 points; 4,000 SF = 28 points, etc.). A 5,445-square foot amenity space would need to be worth substantially more ECB credits to ever be realistic for a developer. The smaller area options also extends the incentive to developers of smaller properties who could never amenitize 5,445 square feet and would allow more diversity of amenities. Second, add â€œactive greenspaceâ€ as an amenity option to incentivize provision of a playground or recreation facilities. Third, because itâ€™s impossible to anticipate every scenario, authorize the Director to award bonus points for the provision of unlisted community benefitsâ€”this will provide additional flexibility, and because a CUP is required for the taller multi-unit proposals that would need bonuses anyway, these discretionary bonus points will still receive public and legislative review. Thank you.

Clare, Jones	Re proposed gas station at corner of Windsor parkway/roswell road Unnecessary as there are 2 under a mile on the same side and one just over a mile on that side. There is Kroger petrol on the other side just over a mile. The changes to that junction have helped with congestion, but itâ€™s far from perfect and the proposed petrol station will not improve traffic flow
Charles, Conklin	I strongly oppose making any changes in the development plan regarding gas stations. We have plenty of gas stations already. There needs to be restrictions limiting the locations. I also oppose any changes allowing any buiding of any structures whatsoever in setbacks. Setbacks are designed to limit developable area and protect neighbors whose property abuts those setbacks. That protected area should not be permeated.
Karen meinzen, McEnerny	Karen Meinzen McEnerny District 6 just North of the City of ATl limits west of Roswell Road aka Chastain Park Area 4604 Meadow Valley Drive Sandy Springs, GA Since I have the ability to share all my written viewpoints unlimited by public speaking timeframes, I am taking that advantage at this opportunity, and thank each of you in advance for your time reading it and perhaps keeping it as a reference when I speak before you soon at the upcoming public hearings .. Background: I live in a subdivision called Cherokee Park touching the southern border of City of ATL limits . Originally 90 homes built in the midcentury by Howard Chatham. In fact his first subdivision. Grading was very costly then as compared to the land so he graded only where he had to to construct our ranch homes. The unintended but positive long term consequence was leaving the huge majority of our 90 homes with forested rear yards , places for children to play; Trees and critters to live and thrive . Fulton CTY provided me years ago with our average sized lots of 34,490 sf versus our then and now (1990) zoning of 18,000 sft lots now known as RD-18. (I have never figured out how we got reduced to 18,000 sf but thatâ€™s old news,) Our neighborhood has been successfully re-developed about 2/3 of the ranches to multimillion 10K sf residences predominantly on the original lots (1 for 1 tear downs for 1 rebuild) leaving a nice subdivision with no variances of substance asked for or granted by the developer and citizen community . This has provided a lovely area of forested or at a minimum tree coverage in most of our rear yards .Context for my comments : [Note: Since April 2005 our neighborhood has successful redeveloped Except for the 3 homes recently constructed on one of our largest original home site (1) that had exceptionally long road frontage This large amount of frontage on a (to the rear) pie shaped lot and without a public variance required allowed an almost complete clear cut to make room for 3 new houses with pool on a 1.2 acre original lot. These three houses do not fit into our community as they are by far the most dense . They donâ€™t have enough parking despite 3 garages each so their contractor and private overflow vehicles cause congestion in our neighborhood as we try to go thru this pinch point. 10 lbs. in a 5 lb. bag. ALL without a variance by right)) . Get to the point you may be thinking . But the cramming in of all those improvements for those 3 houses by spec developers (not the ultimate purchasers of the 3 houses) totally destroyed the 20 ft. rear set back and I hope only left the 15 foot rear grading set back in place with tree cover and vegetation. This harmed also the adjacent neighbors of their privacy

	and quiet enjoyment . To the point ..the damage this 3 home massacre of vegetation did to our less dense surrounding neighborhood and will be further eroded if the council and Planning Commission donâ€™t recognize the danger of a very damaging proposal of the consultant and supported by staff to allow further encroachments into the rear grading setback . For Cherokee Parkâ€™s RD-18 zoning, it is 15 feet from the property line (versus the 35 feet in our rear set back). Other districts RE etc. have proportionally similar distances based on their size. Currently the rear grading set back represent 11% of an RD -18 lot area lot area (assuming a square lot calculated as its square root x 15 feet is 11%.) Thatâ€™s a small part of residential land in SS protected from grading. As we know , its grading that destroys trees and habitat. Recommendations : Please deny totally this Protected Neighborhood change allowing further grading for accessory uses inside the 15 foot rear grading set back in Article 9.4.2 subsection G. 3. Sub d. page 81. In fact consideration should be made to add more protected area to the rear grading set back of 5 -10 feet according to the sizes of the current residential zoning districts of RD RE etc. to prioritize tree canopy and habitat for the general welfare of our citizens the city is charged with protecting . (Pursuant to the charter of the City OF Sandy Springs it â€œis charged with the PROTECTION OF the public health, safety and general welfare of the citizens of the City of Sandy Springsâ€ .) Enacting new laws that seriously adversely affect Protected Neighborhoods which represents approx. 71% of the cityâ€™s land area is a travesty . Thatâ€™s due to the fact that all the other setbacks (front , 2 side) allow grading now with mitigation . Plus the building envelope itself leaves ONLY the rear setback for vegetative buffers for habitat trees and privacy of adjacent and owner for quiet enjoyment. But the rear setback understandably also allows grading for accessory structure already. So the existence of this little â€œgemâ€ called â€œrear grading set backâ€™ is really the only real way the city can prevent grading in the rear buffer to protect the tree canopy necessary to the health and general welfare of our citizens . The rear grading set back needs to be made LARGER not allow more encroachments . Allowing a 14 foot wide construction entrance in a rear grading set back violates the need for a rear set back at all. The mitigation zone will take years to mature . plus if evergreens are planted they are not canopy trees in the first place, Its not a quid pro quo for mature tree canopy loss in my view. So â€¦ for the tabulation of my 6 comments: 1. No to Further intrusion into the rear grading set back of Protected Neighborhoods â€¢ including NO allowance in the rear sets backs a usually 14 ft. wide construction entrance. â€¢ With the growing threats of climate extremes as evidenced by our even hotter summers ; hurricanes; flooding etc. greater pressure to retain our tree canopy is a reality so we can live a higher quality of life as we benefit from the tree canopyâ€™s ecological services. â€¢ Now is NOT the time to increase destruction of our rear buffer grading set back but to strengthen it .â€¢ Deny staffâ€™s recommendation (page 81; 9.4.2.G.3 d.) to allow further building/construction exceptions into the 15 ft. rear buffer grading set back. 2. No to Gasoline station proliferation along Roswell Road : â€¢ NO to Removal of the Â½ mile distance requirement currently in place for a new gas stations (currently 27 in Sandy Springs of which 18 are along Roswell Roadâ€™s 10.7 miles) â€¢ This spacing requirement puts the NE corner of Windsor Park- way and Roswell Road into jeopardy as a RaceTrac or other multi pump quick trip or like operator . As they could apply to change that corner from Office Neighborhood use

	(which excludes gas stations) via a 1) character area map change and then 2) go thru rezoning with a CUP (conditional Use Permit) as they have the time, money and profit motive to do so. â€¢ Staff has recommends a 1 for 1 replacement required for gas stations. That is an old one comes down for a new one to be built despite the number of pumps . So it t wonâ€™t forestall a large pump operator from buying a 2 pump existing station anywhere in SS and then going to Roswell Road or along 285 somewhere and building a megaplex. Thatâ€™s the reason we have to keep the Â½ spacing requirement in place ; Additional higher density Housing Groups being recommended along Roswell Road from Glenridge south to the ATL city limits in a Character Area/ Allowable Use called Office Neighborhood ON: Section 7.3.1 Household living 3. Neighborhood Unit being allowed in Office neighborhood Not currently in ON . proposed as adding 2 or more dwelling units each having 4 to 12 units . ; Recommend denial for 2 dwelling units of 4 to 12 units . or if wonâ€™t deny totally support with caveat: 1) that requires access directly to Roswell Road and not on a street going thru a Protected Neighborhood street to prevent cut thru traffic into our neighborhood and others and 2) require a CUP (conditional Use permit) approval process which will allow the neighborhood to weigh in on any rezoning and site changes ; Increased density in Cottage Court Development Pattern (see Article 6 Rules of All Development in earlier link) . 4.Cottage Court is already in the DC : minimum 2 acre lot; no more than 18 units ; single family detached or attached with a center courtyard . Staffs proposal is to remove the maximum of 18 units which reduces the land area made available for the passive court. PLUS Section 10.4.18 Additional Street Standards (page 157) allows up to 50 residential units to be constructed if only one street outlet is used to an existing public street . Recommend denial and live with the current Cottage Court Language. Alternatively , support with caveat: 1) that this proposed Cottage court on steroids requires access directly to Roswell Road and not on a Protected Neighborhood street to prevent cut thru traffic into our neighborhood and others and 2) require a CUP (conditional Use permit) approval process which will allow the neighborhood to weigh in on any rezoning and site changes; Addition of RETAIL USES all along Roswell Road from Glenridge south to the city of ATL. Some context needed here for background on Our unique Character Area not found elsewhere in Sandy Springs . Itâ€™s called Office Neighborhood and was created in 2006 by the current Planning Director Jim Tolbert to mirror the on ground zoning uses of retail, office multi family; single family and Town Houses and condoâ€™s . There have been 2 major updates to the Development Code since we became a city in 2006; in 2017 and a minor one in 2018. Plus innumerable Text AMENDMENTS BROUGHT FORWARD THAT ALSO UPDATED the Development Code. In all instances ON was consistently upheld as limited to Office, residential (not multifamily) town houses condos and Museums, libraries, private schools . IN OTHER WORDS NO RETAIL USES . Reason: there are ample places on both sides of Roswell Road south of Glenridge for retail uses . Retail can go into the 3 nodes of Glenridge/Mt Paran; Fountain Oaks (both sides of the road) and the Gateway development now called Chastain Square. Only at Windsor and Roswell Road is there a patch of ON by the Wieuca Animal Clinic. Where we need a right hand turn lane going North. So as you travel North from the city limits of Atlanta you will find sections of medical and professional 2 story office buildings and townhouses and other low density and low traffic generation uses . That is being blown away in this proposed draft by

	staffâ€™s recommendations which I call the tank coming down the road. Unless we want to lose that special rhythm and character of the stretches of office and residential between the 3 nodes we need to prevent the 2 retail uses being proposed by staffâ€¦ Specifically. 5. Something called Neighborhood Retail in Section 7.5.15 Retail page 24 Gas stations are excluded so is fire cracker sales as examples . But Neighborhood Retail is defined as all the uses in section 7.5.15 Pawn shops, cigar stores, pay day title loans, video stores ; vehicle parts and accessories . The only limitation is that the store must be 3000 sft no more. Since there are plenty of other places in the nodes for this retail, I support a total denial required to protect our ON sections from an all-out Tally ho anything goes retail use with no design standards other that 3000 sf. Finally the 6th piece is the Neighborhood eatery piece. (just above section 7.5.15 page 24 item C. Neighborhood Eatery. Defined as â€œan establishment that prepares and sells food and drink for on or off premises consumption that is limited in size to 3,000 sft Examples, brew pub, bakery, tea shop; . All nice sounding but that could also allow dunk in donuts â€˜ stop and shop boxes like 7-11â€™s or more waffle houses and other in and out retail food shop s to proliferate in ON . Positive is that no drive thruâ€™s are allowed as proposed. Perhaps recommend straight up denial since there are plenty of places inside the nodes or alternatively limit size to a lower number say 1,000 -1500 sf . We again have plenty of eateryâ€™s in Gate way Fountain Oaks Summary : 6 issues of proposed Development Code 9.19.231. Deny allowing further construction and grading in the Protected Neighborhoods (single Family) rear grading setbacks which are already less than 50 % shorter than the rear property set back buffer depending on zoning classification (example RD-18 rear property buffer is 35 ft. rear grading set back buffer is 15 feet. 2. Deny removing the Â½ mile spacing requirement for gas stations;3. Deny allowing a new use in ON of multifamily (probably owner occupied) called Neighborhood Unit up to 12 units per building unless direct access is required for the units onto Roswell Road not thru our Protected Neighborhoods and a CUP is required for a new development . 4. Either deny additional changes to Cottage Court Development Pattern that takes off the maximum 18 units or require direct access to Roswell road so no cut thru traffic goes thru Protected Neighborhoods and a CUP is required. â€¢ 5. Deny allowing the breach of ON which currently excludes retail to allow 3,000 sf Neighborhood Retail as overly broad and would basically destroy ON as it exists today ; and â€¢ 6. deny Neighborhood Eatery or reduce its size and require design standards that prevent waffle houses and 7-11â€™s Note to staff when tabulating my public comments above .. if my intent is unclear as I describe above alternatives Mark it as denial of the proposal . . Karen Meinzen McEnerny4604 Meadow Valley DriveSandy Springs, Georgia 30342
Ronda, Smith	Development Standards Page 28 8.3.10.C.2.b.ii ii. All street-facing fences in Residential Estate districts must have masonry (brick stone, or stucco finish) piers separating fence panels with a maximum length of approximately 24 feet. Piers are required at any point where the fence changes direction. Piers must be at least 12 inches wide. CONSIDER CHANGING THE ABOVE LANGUAGE TO: ii. All street-facing fences LOCATED ON A COLLECTOR OR HIGHER STREET CLASSIFICATION must have masonry (brick stone, or stucco finish) piers separating

	fence panels with a maximum length of approximately 24 feet. Piers are required at any point where the fence changes direction. Piers must be at least 12 inches wide. THE ABOVE CHANGE MAINTAINS THE REQUIREMENT IN RD ZONING DISTRICTS ALONG MANY MAJOR CORRIDORS YET ALLOWS FOR FENCES WITHOUT PIERS INSIDE THE NEIGHBORHOODS ON STREETS CLASSIFIED AS â€œMINOR STREETSâ€. BE AWARE THAT LAKE FORREST IS A COLLECTOR AND HAS ALL Residential Detached PROPERTIES FRONTING IT FROM MT PARAN TO THE CITY LINEâ€¦ AS IS: HIGH POINT WITH Residential Detached PROPERTIES FRONTING IT FROM FRANKLIN RD. TO THE CITY LINE AS WELL AS WINDSOR PKWY WITH Residential Detached PROPERTIES FRONTING IT FROM ROSWELL RD TO 400. RIVERSIDE FROM JOHNSON FERRY TO DALRYMPLE IS ALL Residential Detached PROPERTIES. SPALDING IN THE PANHANDLE FROM JUST EAST OF DUNWOODY CLUB TO THE EASTERN CITY LINE IS ALL Residential Detached AND THAT IS ALSO A COLLECTOR. 9.4.2.3 Rear grading setback exceptions and mitigation zone: SSCN is opposed to this change. Changes to grading allowances that make it easier to remove the existing tree canopy in protected neighborhoods are detrimental to the overall health of the cityâ€™s canopy. The mitigation zone cannot replace what will be removed by installing a construction entrance through a rear yard. The access points through rear yards are along roadways, many of them major corridors, and these yards are generally dense tree canopy that serve as buffers from road noise and were historically developed in this pattern. These are not rare one-off properties. Many many neighborhoods have cul de sacs where the rear yards of the properties at the top of the bulb abut the main roadway from which the neighborhood was accessed. If today tree loss is occurring in rear yards and setbacks due to general negligence during installation of accessory uses and the thought process is this allowance and mitigation zone would help fix that, it can be assumed that giving permission to go through the rear yard will result in even greater damage to surrounding canopy than what is happening today as the construction entrance tends towards violating the width maximum due to this same negligence. Article 6 General Rules 6.1.1.I.2.n You do not define Pedestrian Amenity Space PLEASE CLARIFY THE INTENT OF THE PEDESTRIAN AMENITY SPACE AND CLARIFY WHAT PEDESTRIAN AMENITY SPACE IS. On page 5 in section 6.1.1.I.1.a you define Outdoor Amenity Space. CLARIFY THAT IT MUST BE AVAILABLE TO THE PUBLIC. Uses 7.3.1.E Neighborhood Unit: SSCN opposes this in its current form as a permitted use. While this housing type could precipitate some new housing availability and possibly create building conversions and some new construction along Roswell Road for underutilized properties that very fact means an increase in overall density on Roswell Rd. That density may or may not have walkability for basic services and retail depending on location. Protected Neighborhood adjacencies is where cut through traffic is a

	concern. Please change this from a Permitted Use by right to a Conditional Use Permit for Urban Neighborhood and Corridor and Node Districts so that the impacted neighborhoods can participate in ensuring that the access points for new developments are only on Roswell Rd. 7.4.1.F. Place of Worship: 1. Defined A building or structure that by design and construction is primarily intended for conducting organized religious services. Associated accessory uses include, but are not limited to, schools, gymnasiums, meeting halls, indoor and outdoor recreational facilities, clergy house, rectory, day care, counseling, and kitchens. 2. Basic Use Standards a. No buildings and use areas/structures other than parking and pedestrian walkways may be located within 75 feet of any Protected Neighborhood district used for residential purposes. DO NOT REDUCE THE BUILDING SETBACK FOR PLACE OF WORSHIP FROM 100' TO 75'. THE PROTECTIONS PROVIDED BY THE 100â€™ BUILDING SETBACK ARE VERY MEANIGFUL SINCE MOST CHURCHES ARE ADJACENT TO OR SANDWICHED BETWEEN PROTECTED NEIGHBORHOOD PROPERTIES. FOR SIDE LOT LINE ABUTMENTS WHERE PROTECTED NEIGHBORHOOD IS LEFT AND RIGHT OF A CHURCH PROPERTY (WHICH IS THE CASE FOR LIKELY ALL CHURCHES EXCEPT SSUMC AND NSUMC) DOES THIS CHANGE REALLY MAKE SIGNIFICANT DIFFERENCE TO THE FUTURE OF THESE CHURCH PROPERTIES? CHURCH BUILDINGS DO NOT NEED TO GET CLOSER TO THEIR LEFT OR RIGHT ADJACENT PROTECTED NEIGHBORHOOD NEIGHBORS. PLEASE LEAVE THIS AS 100 FEET!.THIS PROTECTION IS IMPORTANT TO THE NEIGHBORHOODS. SINCE SSUMC (WHICH IS LOOKING TO REBUILD) HAS A COMMECIAL ADJACENCY TO THE EAST (CS ZONED PROPERTY) THERE IS ROOM TO BUILD NEARER TO THEIR EASTERN PROPERTY LINE IF NEED BE. ANOTHER CLARIFIER YOU COULD CONSIDER ALLOWING FOR 75â€™ DISTANCE â€œIF THE CHURCH IS ADJACENT TO PROPERTY DEVELOPED WITH ANOTHER CIVIC USEâ€. SINCE A CEMETERY IS CONSIDERED A CIVIC USE IT ALSO GIVES SSUMC MORE ROOM TO ITâ€™S WEST ADJACENT TO ARLINGTON AND THE HISTORIC CEMETERY ON MT VERNON. 7.5.14.C Neighborhood Eatery: SSCN opposes this change as written with a size threshold of 3000 square feet which is about a 55â€™ by 55â€™ footprint. If the commercial kitchen is 1000sf and typical restaurants allocate 20 square feet per person for fine or fast casual dining the remainder is a 100 person capacity establishment. Scale this back to 1000 or 1500 square feet and then you are at â€œsmall scaleâ€. 7.5.15.C Neighborhood Retail:

	SSCN is opposed to this in its current form as a Permitted Use in most districts. The goal of creating small scale retail is a worthy one. However, no guardrails or restrictions on the kinds of tenant occupants that might open businesses in these spaces are in place. The proliferation of vape shops and the potential for convenience stores is too great of a risk to the complexion of Roswell Rd and particularly in the ON district and pn other major corridors in Perimeter Center districts. Find a way to put some restrictions in place for retail types and bring this back at a later time. Under 7.5.15 (further numbering is wonky) Relocation of Existing Fuel Pumps or Fuel Stations: SSCN is opposed to the removal of the 1/2 mile distance requirement for fuel stations. The risk of a large scale station installation at key city gateways is too great to allow for removal of this rule. The present condition of RaceTrac ownership of 2 key parcels at the gateway to City Springs should not be a catalyst for this change in the district where the goal is to move away from auto centric uses. The public is not asking for this. Sandy Springs does not need large scale gas stations. 7.6.4.B Life Sciences, Bio-Safety Level 1 and 2: SSCN is opposed to this use as written and allowed as an Administrative Use on the Allowed Use table. There are no limits to the concentration of the number of labs on any one property or specifics dictated as to the allowed proximity to Residential uses. The unknown nature of the work and potential for harmful impacts makes the risk to life safety too great. Raise the regulatory bar to put some restrictions on this use. 7.8.8 Fuel Pumps: SSCN is opposed to this change. The prevalence of gas stations (27 in Sandy Springs) and gas as an accessory use to grocery and warehouse uses means the total number of fuel pumps available is probably near to or over 200. There is not a shortage of availability. The public is not asking for this. Sandy Springs does not need more gas pumps.
Bob, Sheehan	Please consider this as our objection to all of the proposed changes. You seem to emphasize density and diversity of low end commercial development over reasonable development. Roswell rd is already overdeveloped. Why encourage changes that only increase traffic and density when the road cannot be widened? Please do not adopt any of these shortsighted ideas. Bob Sheehan
Nikki, Seaman	Hi there- I absolutely love my neighborhood. There are many folks who live here who have been here since the 1970s including our next door neighbors, and for good reason! In order to keep our neighborhood as good as can be, I have a few kind requests. I request Sandy Springs keep the Â½ mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations) on areas like corner of Windsor Pkwy and Roswell Road. We already have multiple gas stations on the next block, and they offer great prices too. I am against higher density housing groups, which will create even more traffic than we already face on Roswell Road. I deny additional retail uses on Roswell between Glenridge and city of atlanta. I deny

	building of neighborhood eateries on Roswell Road, there is already so much traffic and the drive throughs get backed up onto Roswell Road causing extremely unsafe driving conditions with cars stopping short in the middle of the road particularly around lunchtime. Thank you for hearing me out and I hope we can keep our neighborhood as amazing as it is!
Kristina, Ellis	SSS PROPOSED CHANGES and My Response/vote/request to said changes: ADDITIONAL GASOLINE STATIONS ON ROAD â€“ Currently there is a Â½ mile distance requirement between new gas stations. We already have 27 gas stations in Sandy Springs with 18 on Roswell Road. RaceTrac or another multi pump station would like to build a gas station at Windsor Parkway and Roswell Road . Currently SSS recommends a 1 for 1 replacement. But a large company could buy two smaller existing stations, close them and build a mega multi pump station at another location like Windsor Pky and Roswell Road.REQUEST: Ask that SSS keep the Â½ mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations) on areas like corner of Windsor Pkwy and Roswell Road. HIGHER DENSITY HOUSING GROUPS from GLENRIDGE SOUTH TO CITY OF ATLANTA â€“ Currently NEIGHBORHOOD UNIT (NU) is not allowed in OFFICE NEIGHBORHOOD (ON) areas. SSS wants the NU added to ON areas. NU is 2 or more dwelling units with 4 to 12 units in each dwelling unit. REQUEST: 1. Deny or 2. Allow only if less than 12 units and only one access directly to Roswell Road with the requirement of a conditional use permit (CUP) to allow neighborhood input on any rezoning or site changes.INCREASED DENSITY IN COTTAGE COURT DEVELOPMENT PATTERN â€“ Currently Cottage Court (CC) is in Development Code (DC) with a minimum 2 acre lot and no more than 18 units. SSS wants to remove the maximum of 18 and allow 50 units with only one street outlet to an existing public street. REQUEST: Deny and keep current language ADDITIONAL RETAIL USES ON ROSWELL ROAD from GLENRIDGE SOUTH TO CITY OF ATLANTA- Currently Office Neighborhood (ON) is limited to residential (not multifamily, only single family), museums, libraries and private schools. Retail is not allowed in ON. There are 3 nodes on Roswell Road that do allow retail. Glenridge/Mt Paran, Fountain Oaks (both sides of street) and Chastain Square (use to be called Gateway). There are sections on Roswell Road that have townhomes, 2 story medical and professional office buildings and other low density/low traffic uses. Staff wants additional Neighborhood Retail sites. These would include changes in the ON areas to retail-like structures, such as pawn shops, cigar stores, pay day title loans, vehicle parts and accessories, etc. This SSS proposal could destroy the character of the area. REQUEST: denial since any additional retail in Office Neighborhoods would destroy the character of the area with higher density. The three current nodes that allow retail have plenty of space for additional retail use (For example, the empty Sprouts or empty space at Fountain Oaks) ALLOW BUILDING of NEIGHBORHOOD EATERYs ON ROSWELL ROAD - This SSS proposal would allow a Neighborhood Eatery of 3000 SqFt. A drive thru would still be denied with new proposal but large restaurants like Waffle House etcâ€¦ would now be allowed. REQUEST: Reduce size to 1000 SqFt and require design standards. 6. SSS wants to allow construction entrances and accessory buildings into the rear

	buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. This would reduce the buffer approximately in half with loss of trees, privacy, etc as a result.REQUEST: Deny.
Gregory, Ellis	SSS PROPOSED CHANGES and my vote on the changes: ADDITIONAL GASOLINE STATIONS ON ROAD â€“ Currently there is a Â½ mile distance requirement between new gas stations. We already have 27 gas stations in Sandy Springs with 18 on Roswell Road. RaceTrac or another multi pump station would like to build a gas station at Windsor Parkway and Roswell Road . Currently SSS recommends a 1 for 1 replacement. But a large company could buy two smaller existing stations, close them and build a mega multi pump station at another location like Windsor Pky and Roswell Road. REQUEST: Ask that SSS keep the Â½ mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations) on areas like corner of Windsor Pkwy and Roswell Road. HIGHER DENSITY HOUSING GROUPS from GLENRIDGE SOUTH TO CITY OF ATLANTA â€“ Currently NEIGHBORHOOD UNIT (NU) is not allowed in OFFICE NEIGHBORHOOD (ON) areas. SSS wants the NU added to ON areas. NU is 2 or more dwelling units with 4 to 12 units in each dwelling unit. REQUEST: 1. Deny or 2. Allow only if less than 12 units and only one access directly to Roswell Road with the requirement of a conditional use permit (CUP) to allow neighborhood input on any rezoning or site changes. INCREASED DENSITY IN COTTAGE COURT DEVELOPMENT PATTERN â€“ Currently Cottage Court (CC) is in Development Code (DC) with a minimum 2 acre lot and no more than 18 units. SSS wants to remove the maximum of 18 and allow 50 units with only one street outlet to an existing public street. REQUEST: Deny and keep current language ADDITIONAL RETAIL USES ON ROSWELL ROAD from GLENRIDGE SOUTH TO CITY OF ATLANTA- Currently Office Neighborhood (ON) is limited to residential (not multifamily, only single family), museums, libraries and private schools. Retail is not allowed in ON. There are 3 nodes on Roswell Road that do allow retail. Glenridge/Mt Paran, Fountain Oaks (both sides of street) and Chastain Square (use to be called Gateway). There are sections on Roswell Road that have townhomes, 2 story medical and professional office buildings and other low density/low traffic uses. Staff wants additional Neighborhood Retail sites. These would include changes in the ON areas to retail-like structures, such as pawn shops, cigar stores, pay day title loans, vehicle parts and accessories, etc. This SSS proposal could destroy the character of the area. REQUEST: denial since any additional retail in Office Neighborhoods would destroy the character of the area with higher density. The three current nodes that allow

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Ann, Deal	WE do not want any changes to use codes on property uses currently in place. Please do not change the density/code and use of retail/ commercial property in Sandy Springs. Thank you for your consideration. Ann & Robert Deal
Peter, Pathak	In general, the existing zoning and development plan represent a commitment from Sandy Springs government to residents regarding the type of development we could expect. Sandy Sorings was formed as a city to provide increased local control. We could have unfettered development on a whim with Fulton County government. 1.We oppose eliminating the 1/2 mile spacing requirements for gas stations. This is totally unnecessary as there are already 5 gas stations between Wieuca and Glenridge, with many more at Roswell / 285. 2.) We oppose higher density housing groups from Glenridge South to the city of Atlanta. I OPPOSE the NU added to ON areas. If this passed, it would ONLY mean an increase in both density and traffic. Increased density is only appropriate with walking distance of MARTA rail. 3.) we oppose increased density in cottage court development pattern. This is a change from the development pattern we expected with existing zoning. developers should plan to work with existing zoning. 4.) we oppose additional retail uses on Roswell Rd from Glenridge South to the city of Atlanta, other than as permitted by existing zoning. We do NOT need additional retail. There is adequate space in existing retail buildings 5.) we oppose changing zoning to allow building of additional neighborhood eateries on Roswell Road. We have enough restaurants as it is, with vacant properties all along Roswell from Atlanta to 2856.) we must not allow construction entrances and accessory buildings into the rear buffers of areas marked as RE1 and 2; RD 18; RD 27; RD15 RD 12; RD 9; RD 7.5 and RU. This would reduce the buffer approximately in half with a MAJOR loss of trees, privacy, places for our birds and animals to live and thrive, etc as a result. This would be a major destruction of property values for neighboring owners, and would set a dangerous precedent for developers throughout Sandy Springs.

Sally, Patton	I am opposed to 3 proposed changes to the Development Code, as follows: 1) I oppose the proposal to remove the one-half mile distance requirement for gas stations. There are already 9 gas stations on on the short stretch of Roswell Road from the City of Atlanta/Sandy Springs city limit to I-285. Even more stations are not needed! If the city would like to ensure that stations already in existence are upgraded, incentives (which I understand have been discussed) would be a more appropriate way to address this issue. The worst possible move would be to remove the one-half mile distance requirement. 2) I oppose the proposal to relax the standards that regulate grading on Protected Neighborhood properties. I believe this relaxation would allow for construction entrance access through rear yards, which could lead to further destruction of mature tree canopy (a result that the City of Sandy Springs has said it opposes!). 3) I oppose the proposed code changes that would allow new uses in the Office Neighborhood zoning district, most of which exists along Roswell Road. In particular, allowing a new retail type called Neighborhood Retail does not provide ANY controls to prevent these retails shops from becoming pawn shops, vape stores, or other types of retail that could degrade the quality of our neighborhoods.
Melissa, Mular	Article 1, Introductory Provisions P 38, Section 11.6.3 Administrative Appeals: A. Last sentence should read 'of' instead of 'off'. Enhanced Community Benefit List-Why are there no benefits for sustainability items beyond 'permeable parking'? What about recycling collection, pollinator gardens, etc.? Article 2, Protected Neighborhood -- No definition of 'Other Residential Uses'. ? Article 6, General Rules, p139 section 6.5.2: Single Unit Detached Dwelling, B. Garage. This only allows for 1 single 10 ft. wide garage door. Lot/home may not allow for other 'side' doors. Please update this requirement to accommodate a 2 car garage with a single door of up to 18 ft. Article 7, p 3, The Allowed Use Table page is blank. This should have a link and reference to the stand alone document. The final document needs to have this table inside the document in the appropriate place. p 24 Sec 7.5.15 Retail, C. Neighborhood Retail -- this needs more thought. Concern about Vape stores, package stores, 'convenience stores' opening in this area. This will ruin the character of the adjacent neighborhoods. p 25-26 E. Fuel Pumps, Fuel Station 2. Basic Use Standards b-h -- How does this apply to existing fuel stations? How does this relate to the current "Amortization Language"? Does not state how existing fuel stations will be handled.

	p 27; f. Relocation of existing Fuel Pumps or Stations -- DO NOT REMOVE THE 1/2 MILE REQUIREMENT. A) THERE ARE ALREADY ENOUGH GAS STATIONS IN SANDY SPRINGS; THERE ARE 28 AND 18 ALONG ROSWELL ROAD FOR A CITY THAT IS 38+ SQUARE MILES. B) NO NEW GAS STATIONS IN CITY SPRINGS (CS DISTRICT). THIS IS OUR CITY CENTER AND IT IS A COVETED ZONING DISTRICT. CONDITIONAL USE PERMIT SHOULD NOT APPLY TO THIS DISTRICT FOR ADDING NET-NEW FUEL/GAS STATIONS. C) THE FUTURE FUEL FOR MOTOR VEHICLES IS NOT FOSSIL FUELS BUT RATHER ELECTRIC BATTERY AND OTHER, NOT YET FOUND/PROVEN TECHNOLOGIES (HYDROGEN FUEL CELLS, AS EXAMPLE). WITH THIS CHANGE OF VEHICLE DESIGN AND MANUFACTURER DIRECTION, NET-NEW GAS STATIONS ARE NOT NEEDED. D) THE CITY SHOULD NOT BE ADJUSTING THE ZONING CODE TO SATISFY A PARTICULAR COMPANY (RACETRAK). The company purchased the property before Sandy Springs became a city and a gas station was not allowed on the property when under Fulton County. There is already more than enough gas stations on Roswell Road between I-285 and Hammond Drive. Adding additional gas stations in this stretch will make traffic even more treacherous and challenging. p 33, Sec 7.6.4 Research and Development Restrictions need to be added to safe guard near residential and multi-family homes. This applies to General Research and Development and both BSL-1 and BSL-2 lab designations. 1) Cannot exceed 3000 sq. ft. of gross floor area 2) Cannot exceed more than 40% of existing building space 3) Cannot be adjacent to residential/multi-family housing 4) Cannot be within 1320 feet of a residential/multi-family housing 5) If near residential/multi-family housing, cannot create or use carcinogenic or explosive agents in the research and development or BSL-1/2 testing. p 43, Sec 7.8.8 Fuel Pumps, B Basic Standards, no net-new Accessory Fuel Stations; strike 1-6 in this section. Refer to comments for section f. Relocation of existing fuel pumps or fuel stations. ALLOW expansion of pumps for existing businesses (do not allow net-new in this category). p 48, Sec 7.8.15 Murals--need to add 5) Murals may not contain vulgar or profane words, pictures, or images. p 51, Sec 7.8.24 Accessory Structures, A. Residential Accessory Structures, Minor. Section g. Carports, detached has been removed. There are many existing detached carports in the City on older, mature properties. Are these no longer allowed, or does striking this line only indicate that no net-new detached carports can be built?

Robin Conklin	All, I don't necessarily have an amendment but at this time, I am not in favor of the garage setback changes. As Duffy Hickey commented, "we do not need to incentivize people to buy larger cars. Additionally, only one car opening would face the road. Any additional cars would have to be on the side of the garage, which means a) adding more driveway space to the side of the garage for cars to go in and out; b) many houses do not have the space to do that, and; c) more driveway means more impervious surface, which then requires a large amount of costly mediation." I feel that we should be tightening our code rather than loosening. I also want to tell you how thrilled I am that you have eliminated the change to the 1/2 mile fuel station distance requirements! It is evident that you all have listened to the citizens and it is appreciated. Thank you for all of your time and effort! It has not gone unnoticed. Regards, Robin

Post-Open House Draft Changes Summary | 11 8 23

No Substantive Changes from Open House Draft

Article 2, Article 4, Article 5, Article 12

General Changes (Throughout)

-Any cleanup items such as items not removed as intended

-Edits to “shall” and “must”

-Reductions to single unit attached parameters, as originally proposed

-Added (as originally proposed) “Commercial Active” and its distinction from “Commercial Ready”

Art. 1.

Sec. 1.1.3. Added Effective Date for 5-Year Code Update

Sec. 1.1.9. Added language to clarify status of rezonings from 2017 to 2023 as it pertains to 3+ stories of multi-unit in CS, CX, and SX

Sec. 1.1.10. Added an amortization language concerning screening of Service Areas (refuse)

Sec. 1.3.2.D. Clarified the edit to this section which describes the zoning process for remnant parcels from public entities

Art. 3.

Sec. 3.4.3. Corrected height for RM- 3/8 when adjacent to Protected Neighborhood (flipped)

Sec. 3.5.3. Corrected existing height elements as they were incorrect from their original adoption; added a commercial minimum and maximum as originally intended

Art. 6.

Sec. 6.1.1.B.3.b. Added clarifying language for setbacks for corner and irregular lots

Sec. 6.1.1.n. Better defined Pedestrian Amenity Space, gave it a minimum amount requirement, clarified need for public access

Sec. 6.1.2.H. Changed listing order to be a subsection of G.

Sec. 6.1.3.B.2. Added in illustration for Jewel Box development style

Sec. 6.1.3.D.3. Added in ability for administrative relief to floor elevation, taking into account extreme topography, as originally intended

Sec. 6.1.4.A.2. Added in original proposal for façade requirements for single unit attached end units facing a street or path, as originally intended

Sec. 6.5.2.B.1. Added graphic to better illustrate allowance; updated text for clarity, and corrected encroachment allowance setbacks, as originally intended

Sec. 6.5.3.A.4. Added in allowance for up to 20% of single unit attached developments to be front loaded, as originally intended

Sec. 6.6.2.C.2.b. Added in clarity for max building width options, such as material change and offset

Art. 7.

Div. 7.2 Identify Cottage Court and Neighborhood Unit both as CUP in ON-

Sec. 7.3.1. Neighborhood Unit use standard in ON-, access from Collector or greater street

Sec. 7.4.1.F. and H. Added allowing 3rd party daycare at private schools and places of worship as permitted accessory uses

Sec. 7.4.1.F.2. Removed proposed edit to Place of Worship setback

Sec. 7.5.1. Moved all “District Standards (Sec. 4.4.5., Sec. 4.5.5., etc.)” to new location at the beginning of Commercial Section

Sec. 7.5.15.B. Removed Neighborhood Retail from the proposal

Sec. 7.5.15.C. Added in clarifying language for intent of fuel station redevelopment and improvement allowances; also reinserted ½ mile distance requirement

Sec. 7.6.3. Added limited use standards for motion picture studios, expanding allowance in limited capacity for PX, OX, and CX-

Sec. 7.6.4.B. and C. Added restrictions to proposed life sciences based on level, when near and adjacent to single unit residential

Sec. 7.8.23.A. Removed reference to fuel pumps

Art. 8.

Art. 8. Corrected references throughout Code, with addition of new General Provisions division offsetting former references

Sec. 8.1(2).8. Corrected parking graphics to show 8 spaces

Sec. 8.2(3).6. and 8.2(3).7. Reverted back to wall only option, with director discretion based on topography/environmental/neighbor considerations

Sec. 8.3(4).18. Removed Channel Letter Roof Sign

Art. 9.

Div. 9.4. Mitigation requirement added for any clearing/grading violations

Sec. 9.4.2.G.2. and G.3. Added clarifying language for general mitigation planting and grading setback incision allowance, further restrictions, additional best management practices (bmps). Prohibited tree removal size; added in to include originally intended rear setback as well as side, as originally intended

Art. 10.

Sec. 10.3.1.B.6. Added graphic to go along with Block Perimeter regulation, as originally intended

Art. 11.

Sec. 11.3.5.J. Removed proposed edit which would have added back “concurrent variances”

STATE OF GEORGIA
CITY OF SANDY SPRINGS

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA TO AMEND DEVELOPMENT CODE ARTICLE 2 PROTECTED NEIGHBORHOODS, ARTICLE 3 URBAN NEIGHBORHOODS. ARTICLE 4 CORRIDORS & NODES, AND ARTICLE 5 PERIMETER CENTER OF THE SANDY SPRINGS DEVELOPMENT CODE AS FURTHER DESCRIBED BELOW; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the City of Sandy Springs is charged with providing for the health, safety and welfare of the citizens of the City; and

WHEREAS, the City of Sandy Springs previously adopted and amended the Development Code and has identified text amendments necessary to the proper implementation of The Next Ten Comprehensive Plan; and

WHEREAS, the Mayor and City Council have conducted a properly-advertised Public Hearing prior to adoption of this Ordinance in accordance with the Zoning Procedures Act.

NOW THEREFORE, THE MAYOR AND COUNCIL FOR THE CITY OF SANDY SPRINGS HEREBY ORDAIN AS FOLLOWS:

SECTION I: The City of Sandy Springs Development Code is hereby amended by revising Article 2 "Protected Neighborhoods," Article 3 "Urban Neighborhoods," Article 4 "Corridors & Nodes," and Article 5 "Perimeter Center" to reflect those changes contained within Attachment "A", the same being expressly incorporated herein by this reference.

SECTION II: It is the intention of the City Council and it is hereby ordained by the authority of the City Council that the provisions of this Ordinance shall become and be made a part of the City of Sandy Springs Development Code, and the codifier is authorized to make the specified deletions, insertions, additions, and to insert headings, article numbers and section numbers as and where appropriate.

SECTION IV: All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION V: If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional, or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

SECTION VI: This Ordinance shall become effective immediately upon adoption.

APPROVED AND ADOPTED this the 5th day of December, 2023.

Approved:

_____
Russell K. Paul, Mayor

Attest:

_____
Raquel Gonzalez, City Clerk

(Seal)

ARTICLE 2.
PROTECTED NEIGHBORHOODS

Div. 2.1. District Intent Statements

The Protected Neighborhood~~s~~ districts are intended to maintain the integrity of existing ~~single-family~~single -unit detached neighborhoods in Sandy Springs. By retaining the lot area of the former zoning of the City's residential areas, the Protected Neighborhoods districts help ensure that these ~~single-family~~single unit areas retain their existing character. The corresponding Character Area Map categories for each zoning district are provided in Sec. 1.2.1.

Sec. 2.1.1. Residential Estate Districts (RE-)

The Residential Estate districts are intended for detached single unit residences on large lots. The districts also allow for limited civic, open space and park uses. The districts include:

A. **RE-2: Residential Estate**

2 acre minimum lot size~~.~~

B. **RE-1: Residential Estate**

1 acre minimum lot size~~.~~

Sec. 2.1.2. Residential Detached Districts (RD-)

The Residential Detached districts are intended for detached single unit residences on typical suburban lot sizes. The districts also allow for limited civic, open space and park uses. The districts include:

A. **RD-27: Residential Detached**

27,000 square foot minimum lot size~~.~~

B. **RD-18: Residential Detached**

18,000 square foot minimum lot size~~.~~

C. **RD-15: Residential Detached**

15,000 square foot minimum lot size~~.~~
No rezoning from another zoning district to RD-15 is allowed~~.~~

D. **RD-12: Residential Detached**

12,000 square foot minimum lot size~~.~~

E. **RD-9: Residential Detached**

9,000 square foot minimum lot size~~.~~

F. **RD-7.5~~1~~: Residential Detached**

7,500 square foot minimum lot size~~.~~

Sec. 2.1.3. Parks District

The Parks district is intended for publicly-accessible parks and active or passive recreational facilities. Government facilities are permitted.

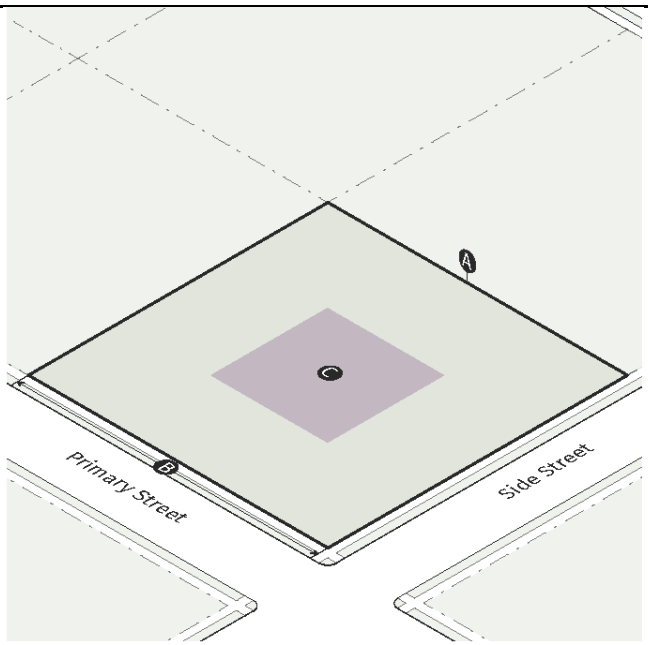
Sec. 2.1.4. Conservation District

The Conservation district is intended for land designated as permanent conservation, passive park or other open space. Lands within the district are intended to be predominantly unoccupied by buildings or parking; however, government facilities are also permitted.

Div. 2.2. Residential Estate (RE-~~2, 1~~)[1]

Sec. 2.2.1. RE-~~2~~ Lot Parameters

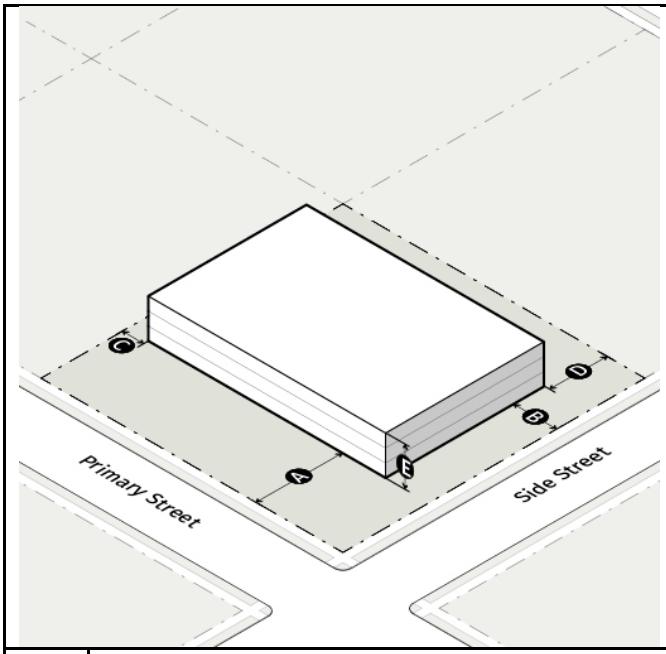
SEC. 2.2.1. RE-~~2~~ LOT PARAMETERS



		RE-2	RE-1
	Lot		
A	Area		
	Single unit detached	2 acre min	1 acre min
	All other allowed uses	10,000 SF min	10,000 SF min
B	Width		
	Single unit detached	200' min	150' min
	All other allowed uses	100' min	100' min
	Coverage		
C	Lot coverage		
	Residential use	25% max	25% max
	All other principal uses	By use permit	
~~D~~	Canopy coverage		
	Residential use	35% min	35% min
	All other uses	40% min	40% min

Sec. 2.2.2. RE-~~2~~ Placement and Height

SEC. 2.2.2. RE-~~2~~ PLACEMENT AND HEIGHT

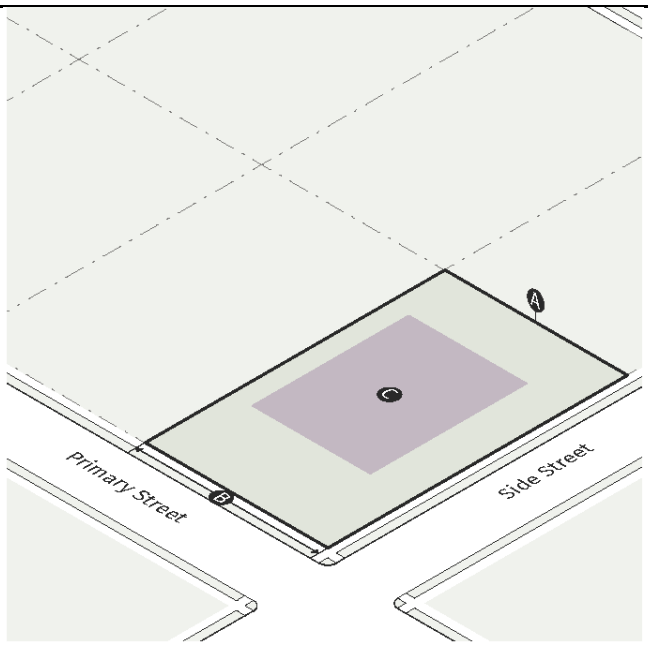


		RE-2	RE-1
Building Setbacks			
A	Primary street	60' min	60' min
B	Side street	40' min	30' min
C	Side: common lot line	25' min	15' min
D	Rear: common lot line	50' min	40' min
Building Height			
E	Single unit detached ~~dwelling~~	3 stories/40' max	
	All other principal uses	By use permit	

Div. 2.3. Residential Detached (RD-27, -18, -15)

Sec. 2.3.1. RD-~~x~~ Lot Parameters

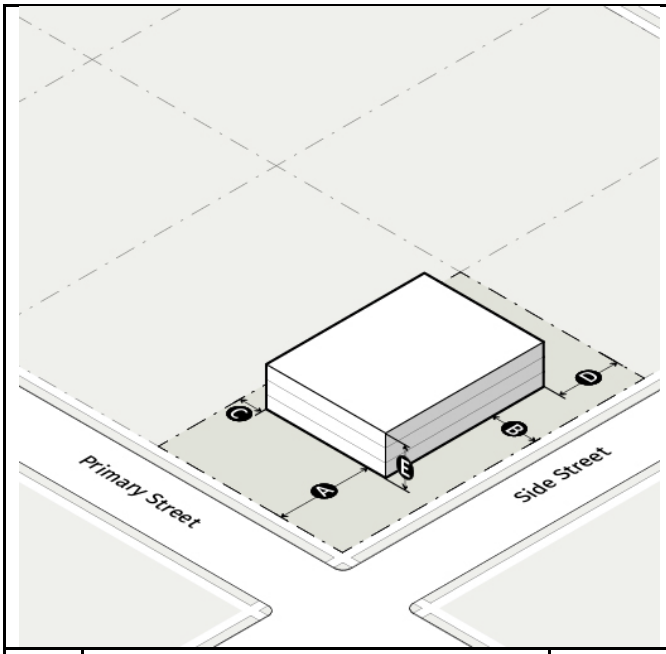
SEC. 2.3.1. RD-~~x~~ LOT PARAMETERS



		RD-27	RD-18	RD-15
Lot				
A	Area			
	Single unit detached	27,000 SF min	18,000 SF min	15,000 SF min
	All other allowed uses	10,000 SF min	10,000 SF min	10,000 SF min
B	Width			
	Single unit detached	120' min	100' min	90' min
	All other allowed uses	100' min	100' min	100' min
Coverage				
C	Lot coverage			
	Residential use	30% max	35% max	38% max
	All other principal uses	By use permit		
~~D~~	Canopy coverage			
	Residential use	35% min	35% min	35% min
	All other uses	40% min	40% min	40% min

Sec. 2.3.2.RD-~~x~~ Placement and Height

SEC. 2.3.2. RD-~~x~~ PLACEMENT AND HEIGHT

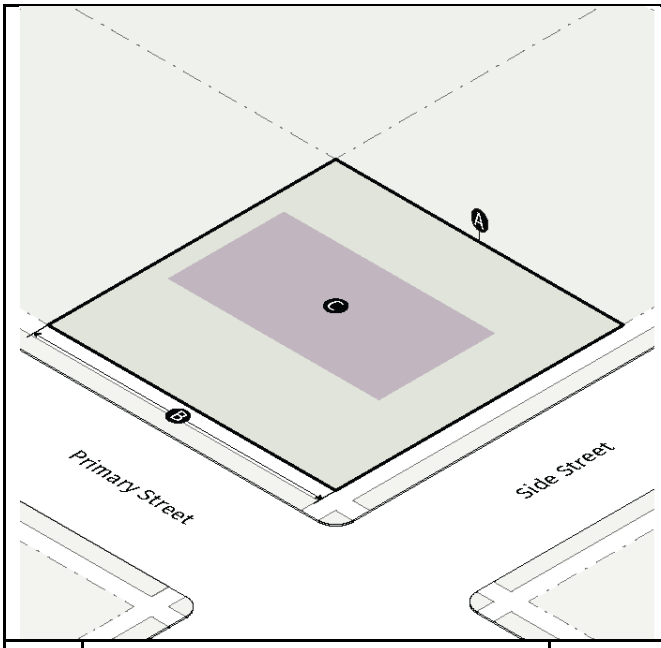


		RD-27	RD-18	RD-15
Building Setbacks				
A	Primary street	60' min	50' min	Avg.*
B	Side street	30' min	20' min	20' min
C	Side: common lot line	15' min	10' min	10' min
D	Rear: common lot line	40' min	35' min	35' min
Building Height				
E	Single unit detached ~~dwelling~~	3 stories/40' max		
	All other principal uses	By use permit		
*Average front setback. Measured using 2 lots to either side of proposed site. New building must be no closer to the front lot line than the shallowest setback and no further than the deepest setback of the adjacent lots.				

Div. 2.4. Residential Detached (RD-12, -9, -7.5)

Sec. 2.4.1. RD-~~y~~ Lot Parameters

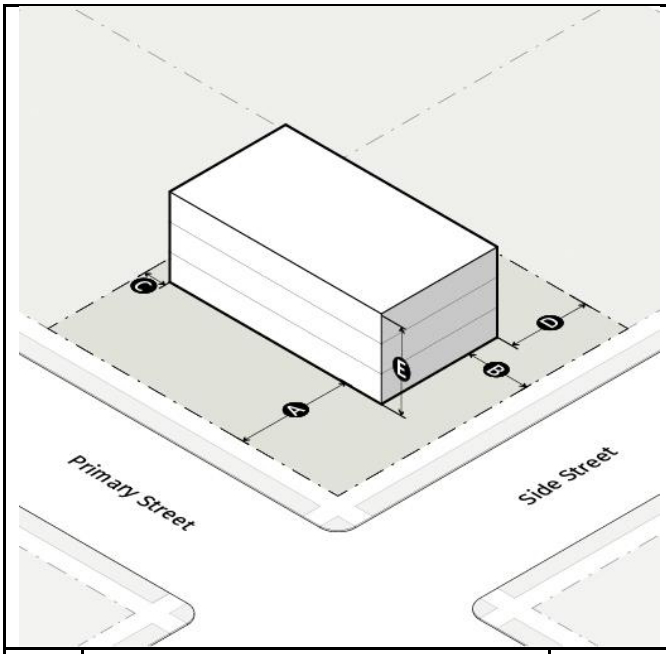
SEC. 2.4.1. RD-~~y~~ LOT PARAMETERS



		RD-12	RD-9	RD-7.5
Lot				
A	Area			
	Single unit detached	12,000 SF min	9,000 SF min	7,500 SF min
	All other allowed uses	10,000 SF min	10,000 SF min	10,000 SF min
B	Width			
	Single unit detached	85' min	70' min	60' min
	All other allowed uses	100' min	100' min	100' min
Coverage				
C	Lot coverage			
	Residential use	38% max	42% max	47% max
	All other principal uses	By use permit		
D	Canopy coverage			
	Residential use	35% min	35% min	35% min
	All other uses	40% min	40% min	40% min

Sec. 2.4.2. RD-~~1~~ Placement and Height

SEC. 2.4.2. RD-~~1~~ PLACEMENT AND HEIGHT

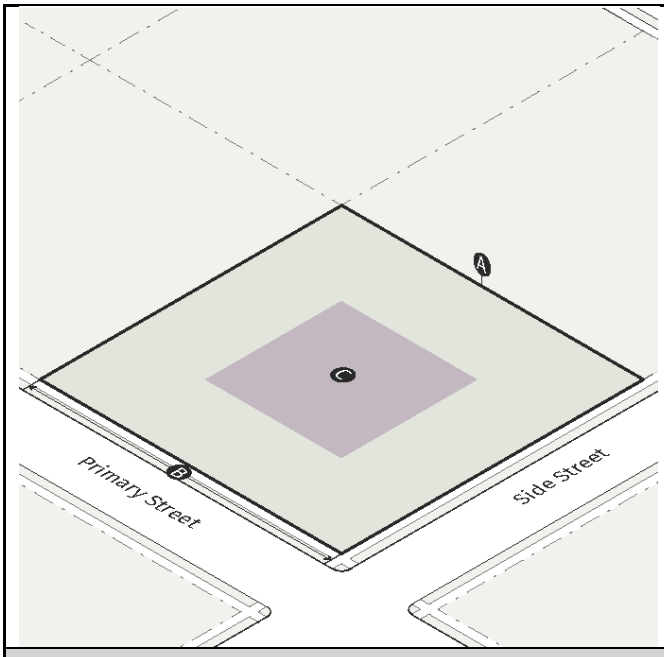


		RD-12	RD-9	RD-7.5
Building Setbacks				
Ⓐ	Primary street	35' min	35' min	20' min
Ⓑ	Side street	20' min	20' min	15' min
Ⓒ	Side: common lot line	7' min	7' min	5' min
Ⓓ	Rear: common lot line	25' min	25' min	20' min
Building Height				
Ⓔ	Single unit detached ~~dwelling~~	3 stories/40' max		
	All other principal uses	By use permit		

Div. 2.5. Parks (PK)

Sec. 2.5.1. PK Lot Parameters

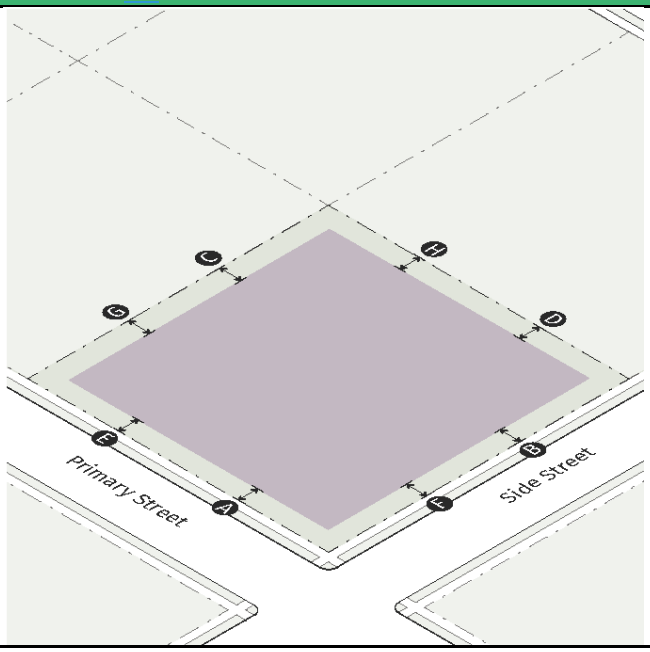
SEC. 2.5.1. PK LOT PARAMETERS



Lot		
A	Area	1 acre min
B	Width	20' min
Coverage		
C	Lot coverage	25% max

Sec. 2.5.2. PK Placement and Height

SEC. 2.5.2. PK PLACEMENT AND HEIGHT

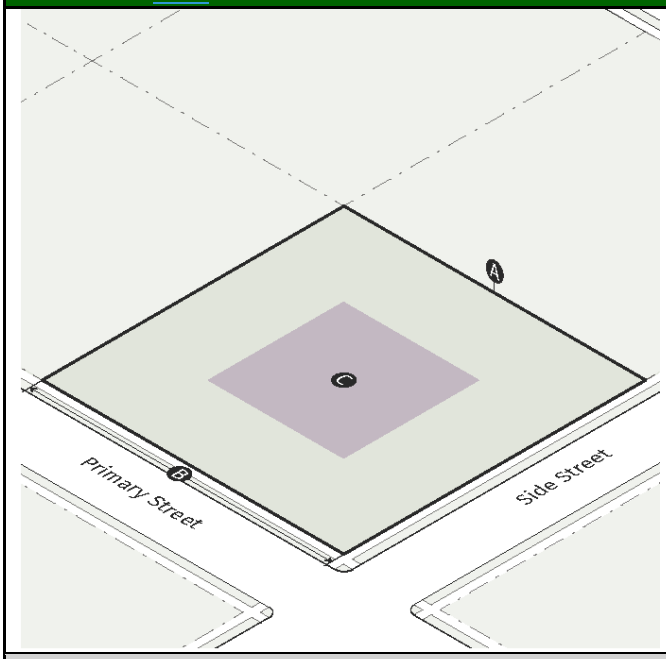


Building Setbacks		
Ⓐ	Primary street	10' min
Ⓑ	Side street	10' min
Ⓒ	Side: common lot line	10' min
Ⓓ	Rear: common lot line	10' min
Parking Setbacks		
Ⓔ	Primary street	10' min
Ⓕ	Side street	10' min
Ⓖ	Side: common lot line	10' min
Ⓗ	Rear: common lot line	10' min
Building Height		
	Maximum height	35' max

Div. 2.6. Conservation (CON)

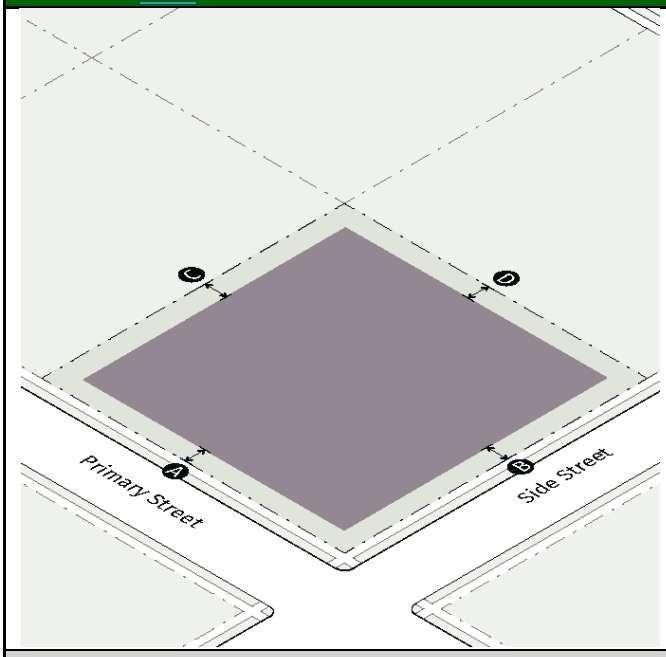
Sec. 2.6.1. CON Lot Parameters

SEC. 2.6.1. CON LOT PARAMETERS



Lot		
Ⓐ	Area	n/a
Ⓑ	Width	n/a
Coverage		
Ⓒ	Lot coverage	10% max

Sec. 2.6.2. CON Placement and Height

SEC. 2.6.2. CON PLACEMENT AND HEIGHT		
		
Building Setbacks		
A	Primary street	~~n/a~~10’ ~~-~~min
B	Side street	~~n/a~~10’ ~~-~~min
C	Side: common lot line	~~n/a~~ 10’ min
D	Rear: common lot line	~~n/a~~ 10’ min
Building Height		
	Maximum height	15' max

ARTICLE 3.
URBAN NEIGHBORHOODS

Div. 3.1. District Intent Statements

The Urban Neighborhoods districts are intended to allow enhancement of transitional urban neighborhoods. A variety of housing types, including urban ~~single-family~~single unit ~~ownership~~ options such as attached units and small lot detached units, are allowed as additional options to neighborhood unit and multi-unit living. The corresponding Character Area Map categories for each zoning district are provided in Sec. 1.2.1.

Sec. 3.1.1. Residential Urban (RU-)

The Residential Urban districts are intended for neighborhood-scale development including single unit detached residences on small urban lots. The districts also allow for limited civic, open space and park uses. The districts include:

A. **RU-4: Residential Urban** 4,000 square foot minimum lot size~~.~~

B. **RU-3: Residential Urban** 3,000 square foot minimum lot size~~.~~

Sec. 3.1.2. Residential Townhouse (RT-)

The Residential Townhouse district is intended for neighborhood-scale development including single unit attached and neighborhood unit residences on individual lots. The district also allows for limited civic, open space and park uses, as well as single unit ~~family~~ residences on small urban lots.

A. **RT-3: Residential Townhouse** 3 stories maximum height~~.~~

Sec. 3.1.3. Residential Multi-Unit (RM-)

The Residential Multi-Unit district is intended for neighborhood-scale development including residential living in multi-unit residences. The district also allows for limited commercial, civic, open space and park uses, as well as single unit ~~family~~ detached and attached residences.

A. **RM-3: Residential Multi-Unit** 3 stories maximum height~~.~~

B. **RM-3/8: Residential Multi-Unit** 3 stories base height, up to 8 stories with bonus

Sec. 3.1.4. Residential Mixed Use (RX-)

The Residential Mixed Use districts are intended for neighborhood-scale development including residential living in multi-unit ~~attached~~ residences with access to neighborhood-serving commercial uses on no less than 2% of the development's ground floor. The districts ~~also~~ allows for limited commercial uses, as well as civic, open space and

park uses, as well as townhouses. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. **RX-3: Residential Mixed Use** 3 stories maximum height.

B. **RX-3/6: Residential Mixed Use** 3 stories maximum base height, up to 6 stories with bonus

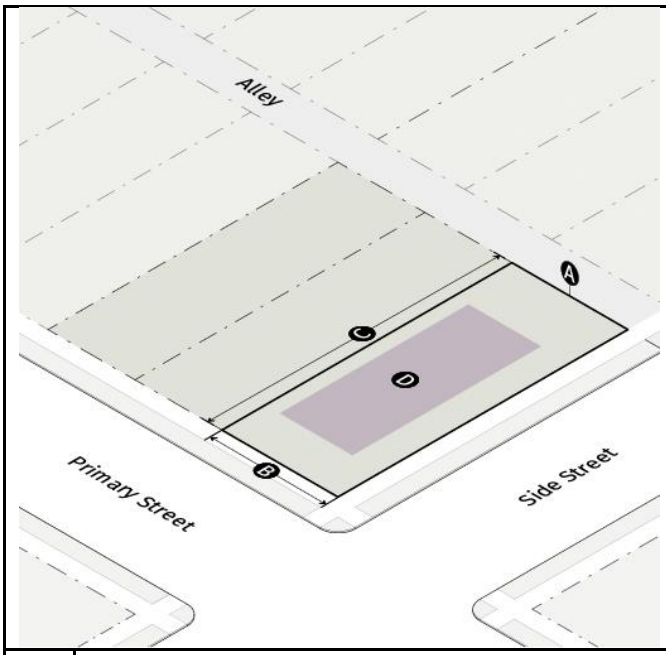
~~B~~C. **RX-4: Residential Mixed Use** 4 stories maximum height.

~~C~~D. **RX-5: Residential Mixed Use** 5 stories maximum height.

Div. 3.2. Residential Urban (RU-~~4, 3~~)

Sec. 3.2.1. RU-~~4~~ Lot Parameters

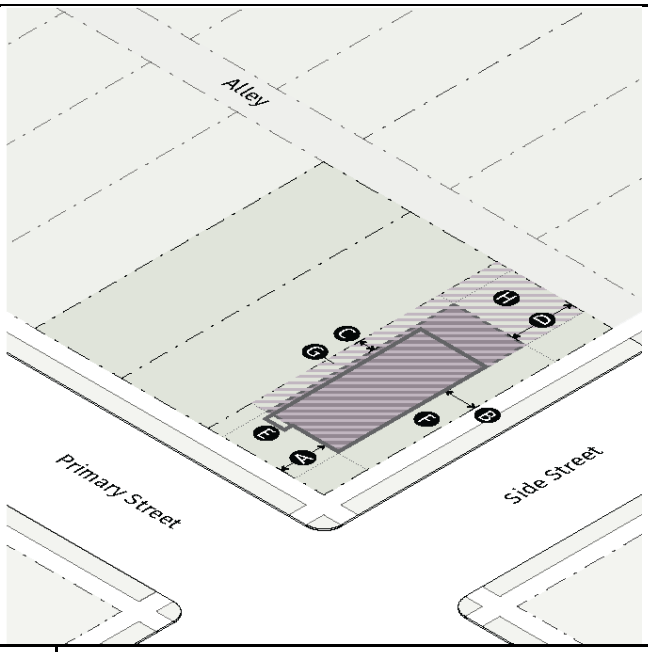
SEC. 3.2.1. RU-~~4, 3~~ LOT PARAMETERS



		RU-4	RU-3
Lot			
A	Area		
	~~Single unit detached~~Residential use	4,000 SF min	3,000 SF min
	All other allowed uses	10,000 SF min	10,000 SF min
B	Width		
	~~Single unit detached~~Residential use	40' min	30' min
	All other allowed uses	100' min	100' min
~~C~~	~~Depth~~	~~100' min~~	~~100' min~~
Coverage			
D	Lot coverage	80% max	80% max
~~E~~	Canopy coverage		
	Residential use	35% min	
	All other uses	40% min	

Sec. 3.2.2. RU- Building Placement

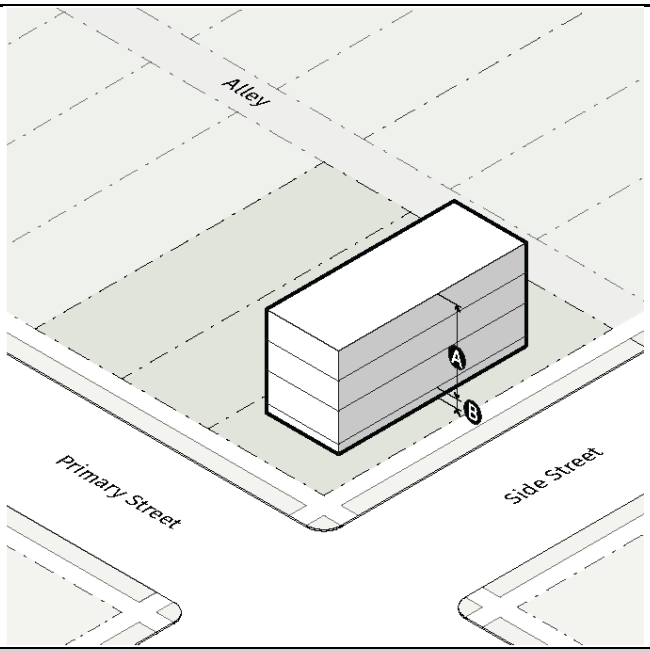
SEC. 3.2.2. RU- BUILDING PLACEMENT



		RU-4	RU-3
Building Setbacks			
A	Primary street	15' min	15' min
B	Side street	10' min	10' min
C	Side: common lot line	5' min	5' min
D	Rear: common lot line	20' min	20' min
D	Rear: alley	5' min	5' min
	Abutting a Protected Neighborhood		see ~~Div. 6.4~~ Sec. 8.3.6.
Parking Location			
E	Primary street yard	Not allowed	
F	Side street yard	Not allowed	
G	Side yard		Allowed
H	Rear yard		Allowed
	Abutting a Protected Neighborhood		see Sec. 8.3.6.~~Div. 6.4~~

Sec. 3.2.3. RU- Height and Mass

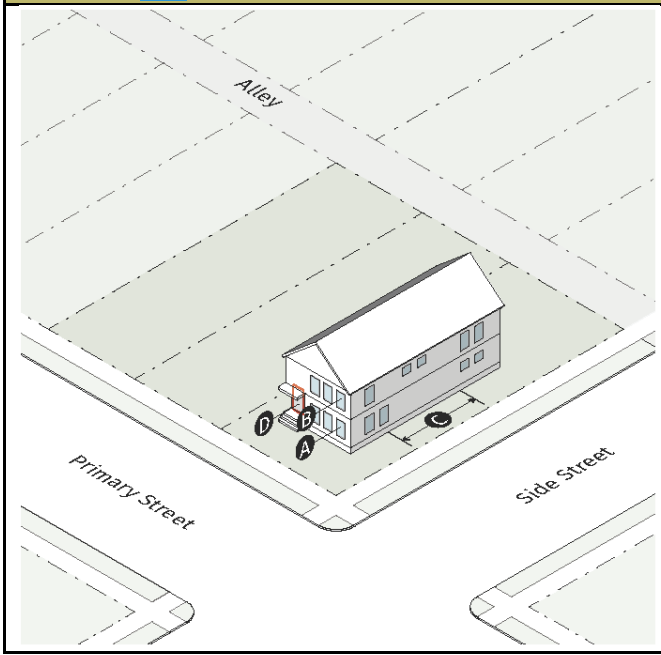
SEC. 3.2.3. RU- HEIGHT AND MASS



Building Height		
A	Maximum height	3 stories/40' max
	Within a transition area	2 stories/24' max
Story Height		
B	Ground floor elevation	2' min/5' max

Sec. 3.2.4. RU- Activation

SEC. 3.2.4. RU- ACTIVATION

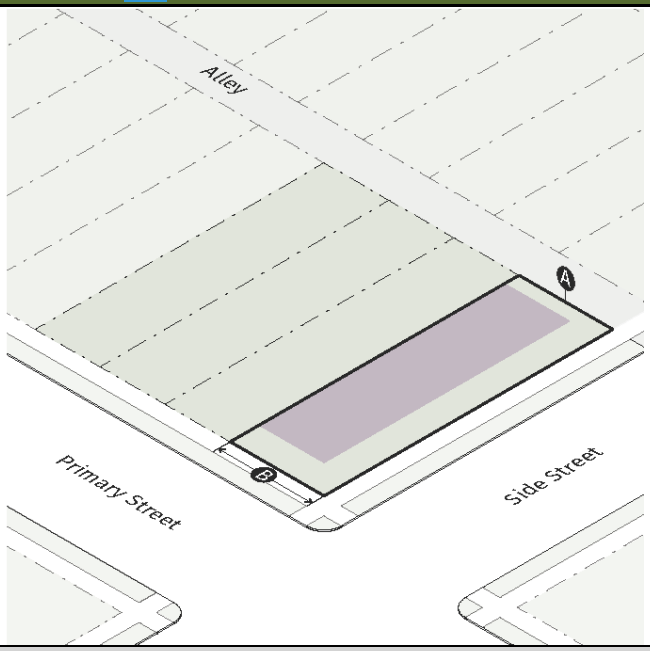


Transparency		
Ⓐ	Ground story	20% min
Ⓑ	Upper story	20% min
Ⓒ	Blank wall length	30' max
Pedestrian Access		
Ⓓ	Entrance facing primary street	Required
~~**Development Patterns Allowed**~~		
	~~Cottage Court~~	~~see Div. 6.3~~

Div. 3.3. Residential Townhouse (RT-)

Sec. 3.3.1. RT- Lot Parameters

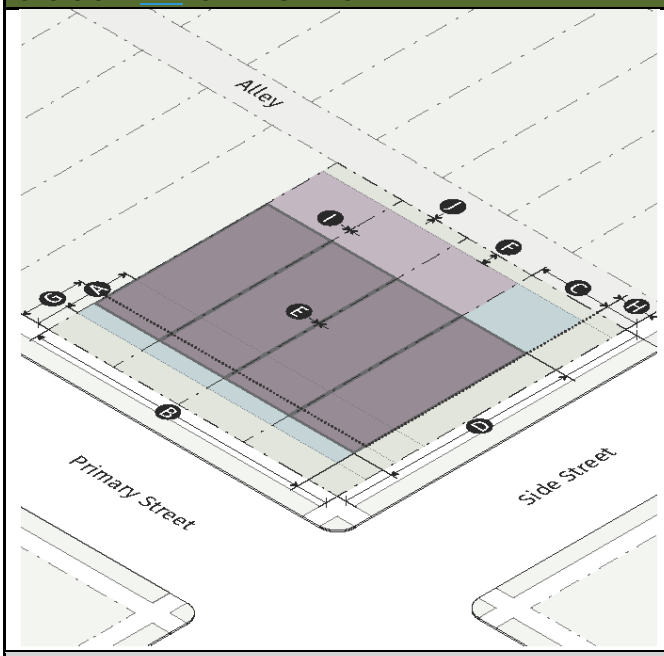
SEC. 3.3.1. RT- LOT PARAMETERS



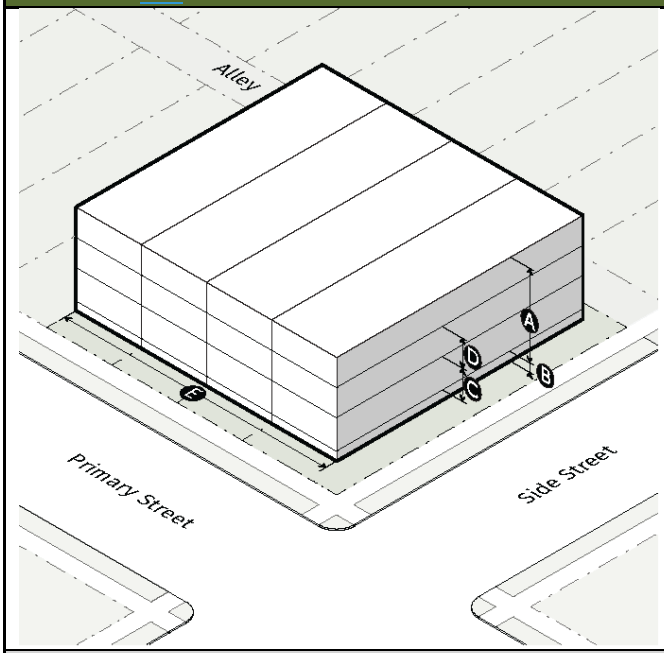
Lot		
Ⓐ	Area	
	~~Single unit detached~~	~~3,000 SF min~~
	Single unit attached	~~1,800~~700 SF min
	Other residential uses	3,000 SF min
	All other allowed uses	10,000 SF min
Ⓑ	Width	
	~~Single unit detached~~	~~30' min~~
	Single unit attached	~~24'~~ 14' min
	Other residential uses	30’ min
	All other allowed uses	100' min
Coverage		

C	Lot coverage	80% max
D	Canopy coverage	
	Residential use	35% min
	All other uses	40% min

Sec. 3.3.2. RT- Building Placement

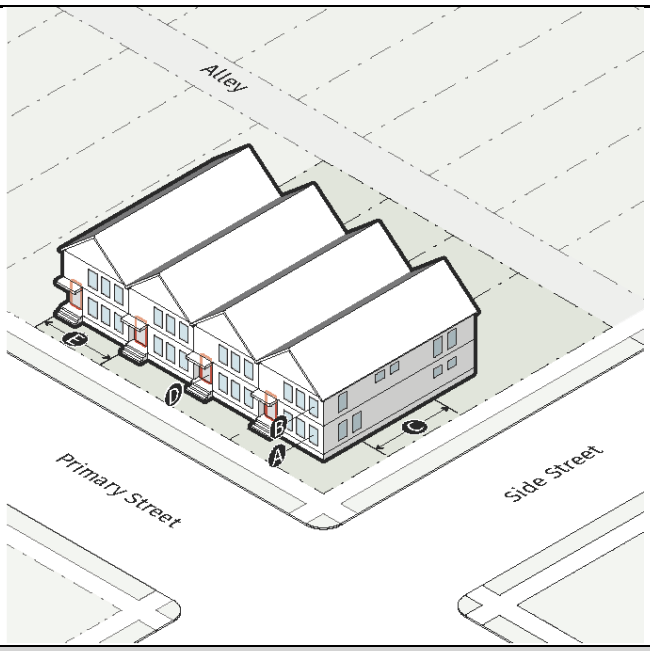
SEC. 3.3.2. RT- BUILDING PLACEMENT		
		
Build-to Zone		
A	Primary street	10' min/30' max
B	% of building facade in primary street build-to zone	60% min
C	Side street	10' min/30' max
D	% of building facade in side street build-to zone	30% min
Side and Rear Building Setbacks		
E	Side: common lot line/alley	5' min
E	Side: single unit attached, between abutting units	0' min
F	Rear: common lot line/alley	5' min
	Abutting a Protected Neighborhood	see Sec. 8.3.6.~~Div. 6.4~~
Parking Setbacks		
G	Primary street	20' min
H	Side street	10' min
I	Side: common lot line/alley	0' min
J	Rear: common lot line/alley	0' min
	Abutting a Protected Neighborhood	see Sec. 8.3.6.~~Div. 6.4~~

Sec. 3.3.3. RT- Height and Mass

SEC. 3.3.3. RT- HEIGHT AND MASS		
		
Building Height		
A	Maximum height	3 stories/40' max
	Within a transition area	2 stories/24' max
Story Height		
B	Ground floor elevation	2' min/5' max
C	Ground story	11' min
D	Upper story	10' min
Building Mass		
E	Street-facing building length	200' max

Sec. 3.3.4. RT- Activation

SEC. 3.3.4. RT- ACTIVATION

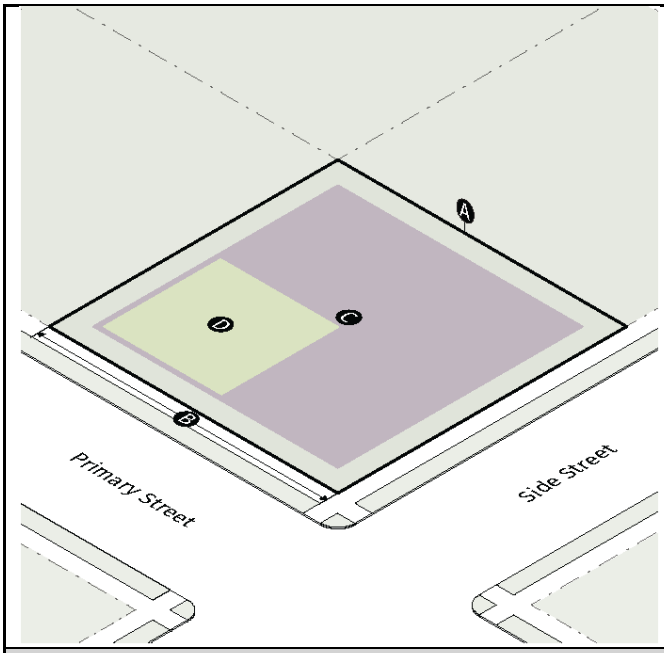


Transparency		
A	Ground story	20% min
B	Upper story	20% min
C	Blank wall length	30' max
Pedestrian Access		
D	Entrance facing primary street	Required
E	Entrance spacing along primary street	50' max
~~**Development Patterns Allowed**~~		
	~~Cottage Court~~	~~see Div. 6.3~~

Div. 3.4. Residential Multi-Unit (RM-)

Sec. 3.4.1. RM- Lot Parameters

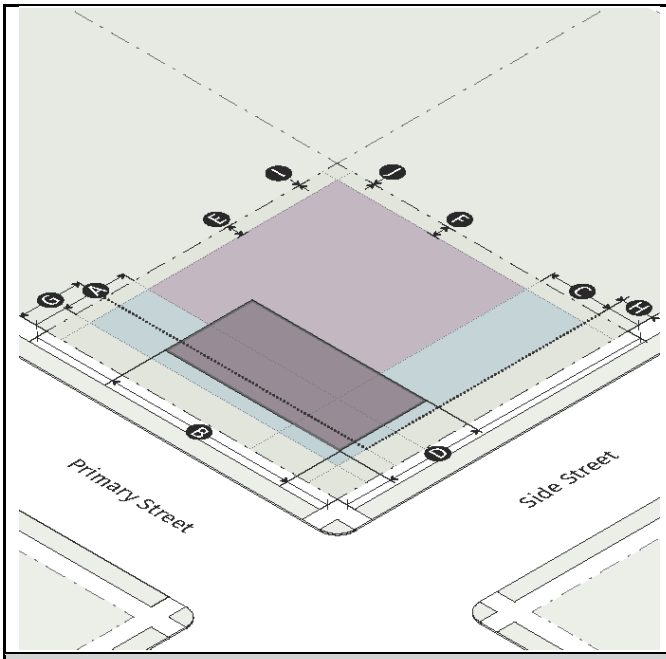
SEC. 3.4.1. RM- LOT PARAMETERS



Lot		
A	Area	
	~~Single unit detached~~	~~3,000 SF min~~
	Single unit attached	~~1,250~~700 SF min
	Multi-unit	~~7,500~~5,000 SF min
	Other residential uses	3,000 SF
	All other allowed uses	10,000 SF min
B	Width	
	~~Single unit detached~~	~~30' min~~
	Single unit attached	~~16'~~ 14' min
	Multi-unit	75' min
	Other residential uses	30' min
	All other allowed uses	100' min
Coverage		
C	Lot coverage	70% max
D	Outdoor amenity space	Required
	Location	at grade
E	Canopy coverage	
	Residential use	35% min
	All other uses	40% min

Sec. 3.4.2. RM- Building Placement

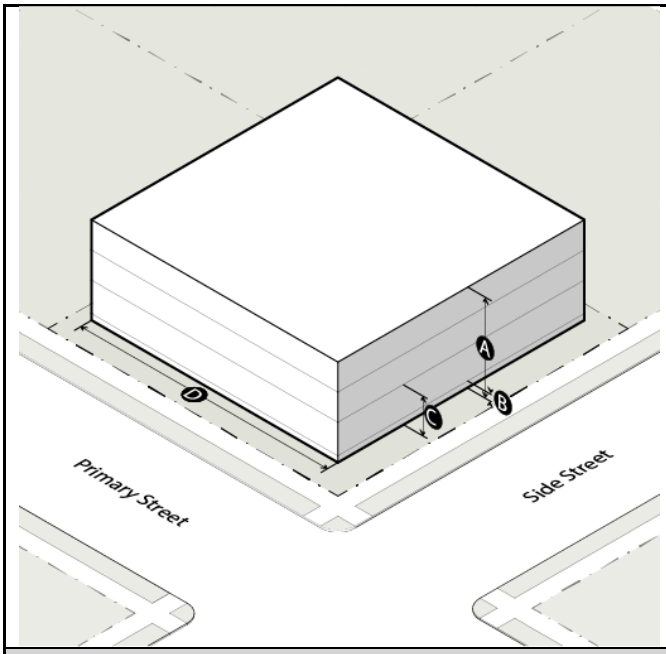
SEC. 3.4.2. RM- BUILDING PLACEMENT



Build-to Zone		
A	Primary street	10' min/~~30'~~ 20' max
B	% of building facade in primary street build-to zone	~~60~~70% min
C	Side street	10' min/~~30'~~ 20' max
D	% of building facade in side street build-to zone	~~30~~40% min
Side and Rear Building Setbacks		
E	Side: common lot line/alley	5' min
	Side: single unit attached, between abutting units	0' min
F	Rear: common lot line/alley	5' min
	Abutting a Protected Neighborhood	see Sec. 8.3.6.~~Div. 6.4~~
Parking Setbacks		
G	Primary street	20' min
H	Side street	10' min
I	Side: common lot line/alley	0' min
J	Rear: common lot line/alley	0' min
	Abutting a Protected Neighborhood	see Sec. 8.3.6.~~Div. 6.4~~

Sec. 3.4.3. RM- Height and Mass

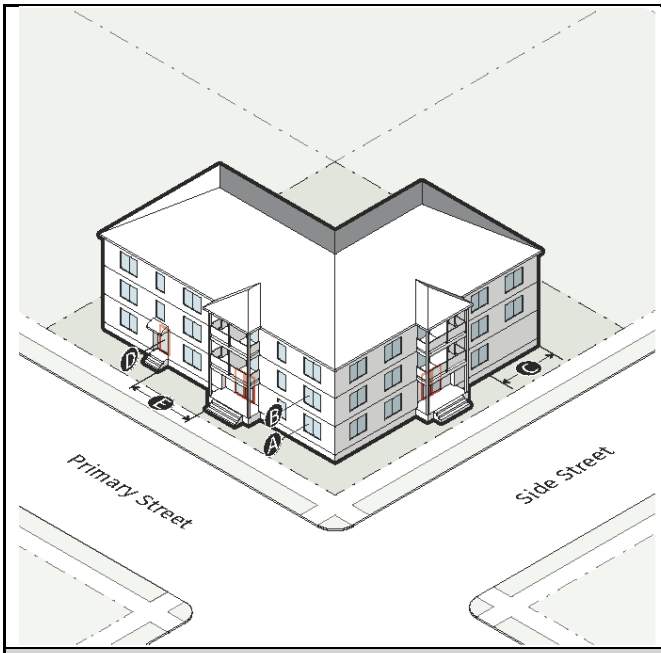
SEC. 3.4.3. RM- HEIGHT AND MASS



Building Height		
A	**Base: maximum height**	
	RM-3, RM-3/8	3 stories / 44' max
	Adjacent to RE- or RD-	3 stories / 42' max
	Within a transition area	2 stories / 28' max
	Bonus: maximum height (see Div. 6.7.)*	
	~~RM-3~~	~~No bonus allowed~~
	RM-3/8	8 stories / ~~104'~~ 112' max
	Adjacent to RE- or RD-	8 stories / ~~112'~~ 104' max
	Within a transition area	2 stories / 28' max
	~~*See Div. 6.7~~	
Story Height		
B	Ground floor elevation	2' min/5' max
C	Ground story	12' min
Building Mass		
D	Street-facing building length	200' max

Sec. 3.4.4. RM- Activation

SEC. 3.4.4. RM- ACTIVATION

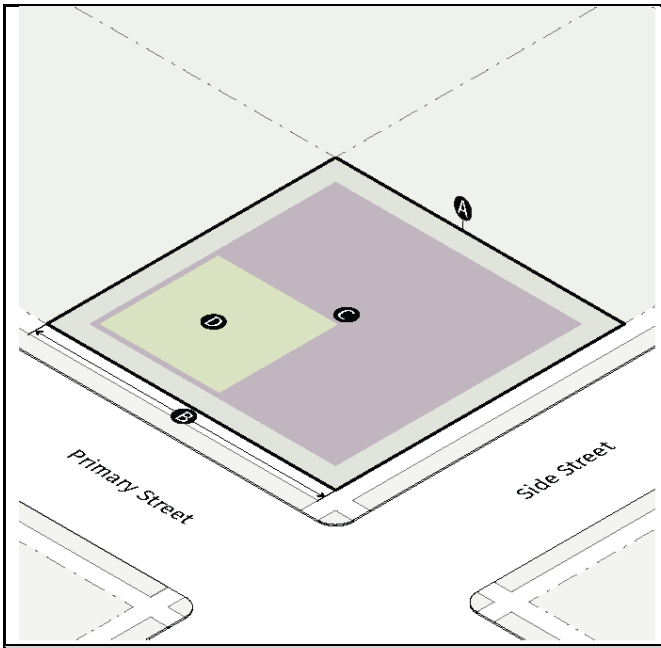


Transparency		
Ⓐ	Ground story	20% min
Ⓑ	Upper story	20% min
Ⓒ	Blank wall length	30' max
Pedestrian Access		
Ⓓ	Entrance facing primary street	Required
Ⓔ	Entrance spacing along primary street	100' max
~~**Development Patterns Allowed**~~		
	~~Cottage Court~~	~~see Div. 6.3~~

Div. 3.5. Residential Mixed Use (RX-)

Sec. 3.5.1. RX- Lot Parameters

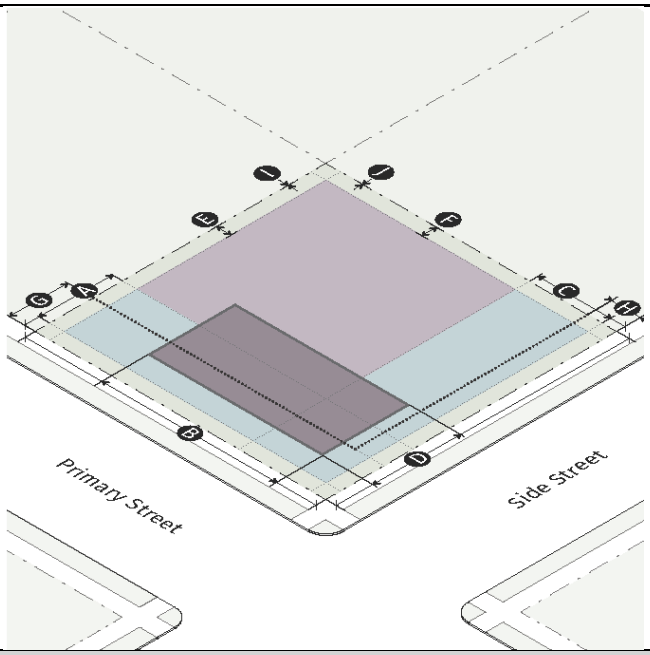
SEC. 3.5.1. RX- LOT PARAMETERS



Lot		
Ⓐ	Area	
	Single unit attached	~~1,250~~700 SF min
	Multi-unit	~~7,500~~5,000 SF min
	Other residential uses	3,000 SF min
	All other allowed uses	10,000 SF min
Ⓑ	Width	
	Single unit attached	~~16'~~ 14' min
	Multi-unit	75' min
	Other residential uses	30’ min
	All other allowed uses	100' min
Coverage		
Ⓒ	Lot coverage	70% max
Ⓓ	Outdoor amenity space	Required
	Location	at grade
Ⓔ	Canopy coverage	
	Residential use	35% min
	All other uses	40% min

Sec. 3.5.2. RX- Building Placement

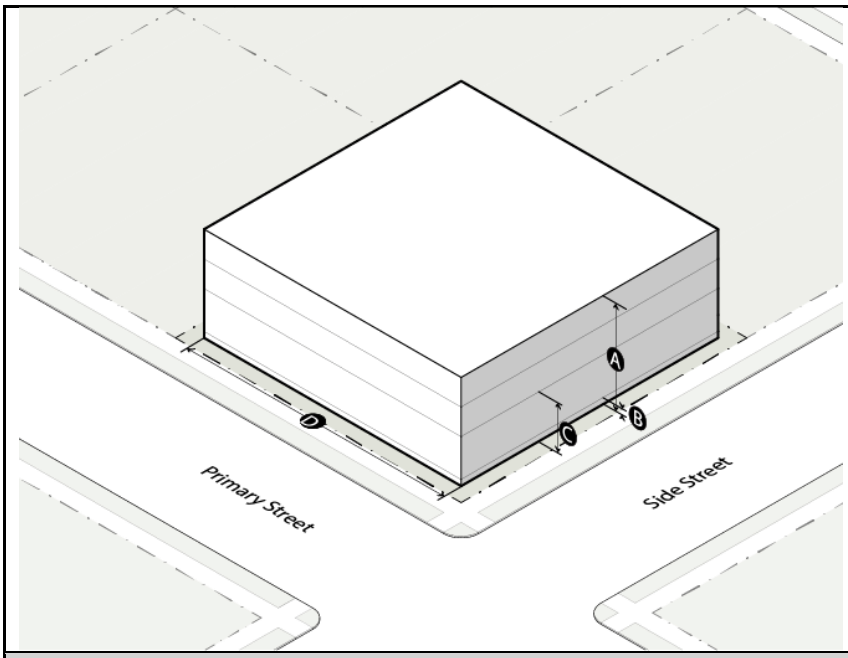
SEC. 3.5.2. RX- BUILDING PLACEMENT



Build-to Zone		
A	Primary street	5' min/~~30'~~ 20' max
B	% of building facade in primary street build-to zone	~~60~~70% min
C	Side street	5' min/~~30'~~ 20' max
D	% of building facade in side street build-to zone	~~30~~40% min
Side and Rear Building Setbacks		
E	Side: common lot line/alley	5' min
	Side: single unit attached, between abutting units	0' min
F	Rear: common lot line/alley	5' min
	Abutting a Protected Neighborhood	see Sec. 8.3.6.~~Div. 6.4~~
Parking Setbacks		
G	Primary street	20' min
H	Side street	10' min
I	Side: common lot line/alley	0' min
I	Rear: common lot line/alley	0' min
	Abutting a Protected Neighborhood	see Sec. 8.3.6.~~Div. 6.4~~

Sec. 3.5.3. RX- Height and Mass

SEC. 3.5.3. RX- HEIGHT AND MASS



Building Height		
A	**Base: Maximum height**	
	RX-3, RX-3/6	3 stories / 44’ max
	Adjacent to RE- or RD-	3 stories / 42’ max
	RX-4	4 stories / 56’ max
	Adjacent to RE- or RD-	4 stories / ~~56’~~ 52’ max
	RX-5	5 stories / ~~68’~~ 70’ max
	Adjacent to RE- or RD-	5 stories / ~~70’~~ 64’ max
	Within a transition area	2 stories / 28’ max
	Bonus: maximum height (See Div. 6.7.)	
	RX-3/6	6 stories / 95’ max
	Adjacent to RE- or RD-	6 stories / 84’ max
	Within a transition area	2 stories / 28’ max
Story Height		
B	Ground floor elevation, residential	2' min/5' max
	Ground floor elevation, nonresidential	0' min/2' max
C	Ground story, residential	12' min
	Ground story, nonresidential	~~14'~~ 16’ min
Building Mass		
D	Street-facing building length	200' max

Sec. 3.5.4. RX- Activation

SEC. 3.5.4. RX- ACTIVATION

Transparency		
A	Ground story, residential	30% min
	Ground story, nonresidential	50% min
B	Upper story	20% min
C	Blank wall length	30' max
Pedestrian Access		
D	Entrance facing primary street	Required
E	Entrance spacing along primary street	100' max
~~**Development Patterns Allowed**~~		
	~~Cottage Court~~	~~see Div. 6.3~~

~~Sec. 3.5.5. District Standards~~

~~**Sec. 3.5.5. District Standards**~~

~~1. Each commercial tenant space must not exceed 4,000 square feet in gross floor area.~~

~~2. The total commercial tenant space in each building must not exceed 25% of the ground floor.~~

~~3. Hours of operation limited to 6AM-11PM, including all deliveries.~~

~~4. Drive-thru or drive-in facilities are not permitted.~~

ARTICLE 4.
CORRIDORS & NODES

Div. 4.1. District Intent Statements

The Corridors & Nodes districts are intended to allow enhancement of the City's major corridors and those mixed use nodes other than Perimeter Center. The corresponding Character Area Map categories for each zoning district are provided in Sec. 1.2.1.

Sec. 4.1.1. Office Neighborhood (ON-)

The Office Neighborhood district is intended for office and related commercial uses. The district~~-~~ also allows for civic, open space and park uses, legacy office to residential multi-unit conversions, and age-restricted multi-unit. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. ON-3: Office Neighborhood, 3 stories maximum height

Sec. 4.1.2. Office Mixed Use (OX-)

The Office Mixed Use districts are intended for office, hotel and related commercial uses, as well as single unit attached residences, legacy office to residential multi-unit conversions, and age-restricted multi-unit. The districts also allow for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, ~~a~~ transition ~~area is~~ areas are required. The districts include:

A. OX-3: Office Mixed Use, 3 stories maximum height

B. OX-4: Office Mixed Use, 4 stories maximum height

C. OX-5: Office Mixed Use, 5 stories maximum height

D. OX-6: Office Mixed Use, 6 stories maximum height

E. OX-8: Office Mixed Use, 8 stories maximum height

Sec. 4.1.3. Commercial Mixed Use (CX-)

The Commercial Mixed Use districts are intended to provide for a variety of retail, service and commercial uses, as well as multi-unit residences. The districts also allow for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. CX-3: Commercial Mixed Use, 3 stories maximum height

B. CX-3/6: Commercial Mixed Use, 3 stories maximum base height, up to 6 stories with bonus

CB. CX-6: Commercial Mixed Use, 6 stories maximum height

D. CX-6/8: Commercial Mixed Use, 6 stories maximum base height, up to 8 stories with bonus

Sec. 4.1.4. Shopfront Mixed Use (SX-)

The Shopfront Mixed Use districts are intended to provide for a variety of retail, service and commercial uses, as well as upper-story multi-unit residences. In the Shopfront districts, a high degree of interaction between shoppers and other pedestrians and shopfront uses is desirable. The districts also allow for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. SX-3: Shopfront Mixed Use, 3 stories maximum height

B. SX-3/6: Shopfront Mixed Use, 3 stories maximum base height, up to 6 stories with bonus

BC. SX-4: Shopfront Mixed Use, 4 stories maximum height

CD. SX-6: Shopfront Mixed Use, 6 stories maximum height

E. SX-6/10: Shopfront Mixed Use, 6 stories maximum base height, up to 10 stories with bonus

Sec. 4.1.5. Transit Mixed Use (TX-)

The Transit Mixed Use district is intended to provide for a variety of mixed uses, as well as upper-story multi-unit residences in areas served by MARTA or other significant public transit. In the Transit Mixed Use district, a high degree pedestrian connection and a focus on transit access is desirable. The district also allows for civic, open space and park uses. Where this district abuts Protected Neighborhood districts, a transition area is required.

A. TX-4: Transit Mixed Use, 4 stories maximum height

B. TX-6: Transit Mixed Use, 6 stories maximum height

Sec. 4.1.6. City Springs (CS-)

The City Springs districts are intended to implement the Sandy Springs City Center Master Plan, which is formed around a nucleus of civic facilities. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. CS-3: City Springs, 3 stories maximum height

B. CS-4: City Springs, 4 stories maximum height

C. CS-5: City Springs, 5 stories maximum height

D. CS-6: City Springs, 6 stories maximum height

E. CS-6/8: City Springs, 6 stories maximum base height, up to 8 stories with bonus

Sec. 4.1.7. Industrial Mixed Use (IX-)

The Industrial Mixed Use districts are intended to provide for light industrial uses, limited commercial uses and multi-unit residences. The districts also allow for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. IX-3: Industrial Mixed Use, 3 stories maximum height

Sec. 4.1.8. Commercial Corridor (CC-)

The Commercial Corridor districts are intended to provide for a variety of retail, service and commercial uses, including auto-oriented uses, as well as multi-unit residences. The districts also allow for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts zones include:

A. CC-3: Commercial Corridor, 3 stories maximum height

Sec. 4.1.9. North End Mixed Use (NEX-)

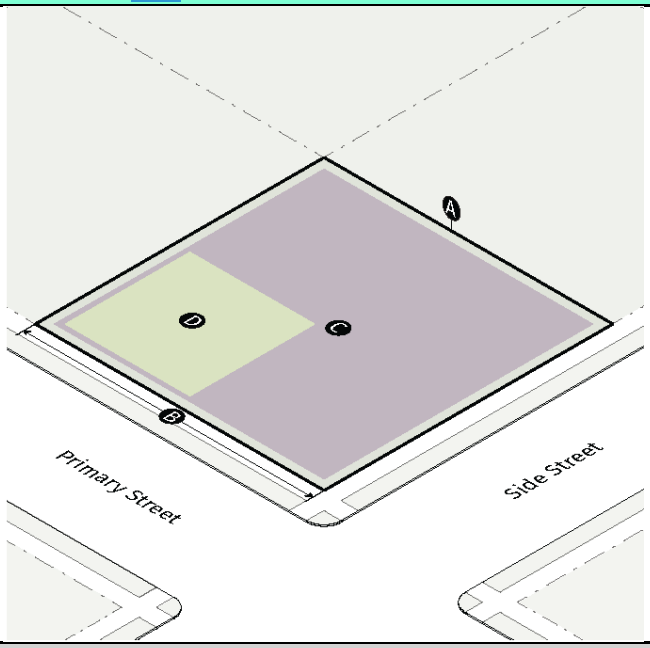
The North End Mixed Use districts are intended for residential living in multi-unit residences, balanced with a minimum of 25% of all units provided as single unit residential. In buildings where multi-unit residences are provided, neighborhood serving uses are allowed as an option on the ground floor. The NEX- Districts also allow for civic, open space and park uses. Where NEX- Districts abut Protected Neighborhood districts, a transition area is required. These districts have been crafted for sites of at least 8 acres in area that are located along Roswell Road north of Dalrymple, and are not intended to be applied in other portions of the City. The NEX- Districts include:

A. **NEX-5/6: North End Mixed Use** 5 stories max height without bonus;
6 stories max height with all residential, using affordable bonus; OR
6 stories max height with retail ground floor, using retail bonus.

B. **NEX-5/10/12: North End Mixed Use** 5 stories max height plus special allowance for 10 stories max height in rear of site without bonus;
12 stories max height with all residential, in rear of site using affordability bonus; OR
12 stories max height with retail ground floor, in rear of site using retail bonus.

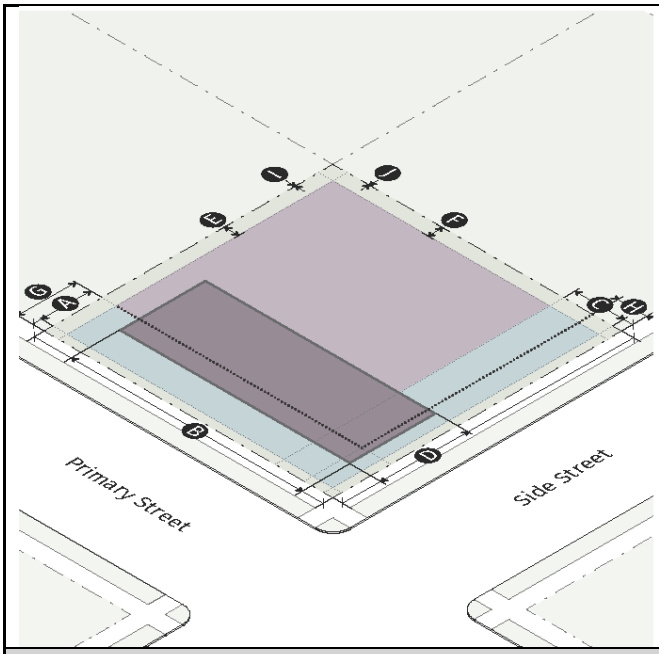
Div. 4.2. Office Neighborhood (ON-)

Sec. 4.2.1. ON- Lot Parameters

SEC. 4.2.1. ON- LOT PARAMETERS		
		
Lot		
A	Area	
	Single unit attached	700 SF min
	Neighborhood unit	3,000 SF min
	All other allowed uses	7,500 SF min
B	Width	
	Single unit attached	14’ min
	Neighborhood unit	30’ min
	All other allowed uses	75' min
Coverage		
C	Lot coverage	75% max
D	Outdoor amenity space	Required
E	Canopy coverage	
	Residential use	35% min
	All other uses	40% min

Sec. 4.2.2. ON- Building Placement

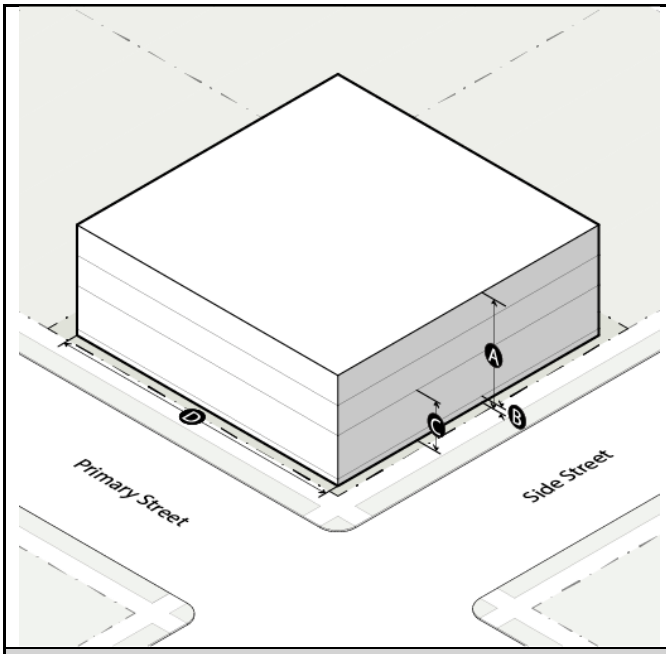
SEC. 4.2.2.ON- BUILDING PLACEMENT



Build-to Zone		
A	Primary street	3' min/20' max
B	% of building facade in primary street build-to zone	70% min
C	Side street	3' min/20' max
D	% of building facade in side street build-to zone	35% min
Side and Rear Building Setbacks		
E	Side: common lot line/alley	5' min
	Side: single unit attached, between abutting units	0' min
F	Rear: common lot line/alley	5' min
	Abutting a Protected Neighborhood	Sec. 8.3.6.~~see Div. 6.4~~
Parking Setbacks		
G	Primary street	20' min
H	Side street	10' min
I	Side: common lot line/alley	0' min
J	Rear: common lot line/alley	0' min
	Abutting a Protected Neighborhood	Sec. 8.3.6.~~see Div. 6.4~~

Sec. 4.2.3. ON- Height and Mass

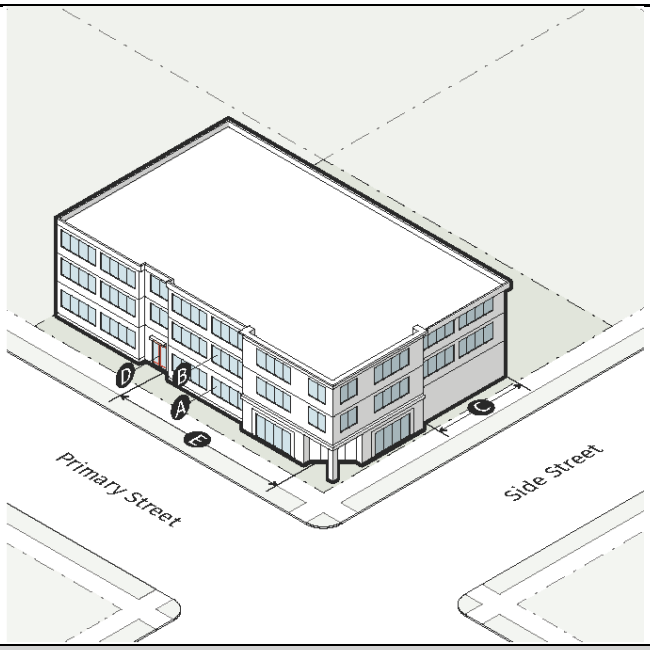
SEC. 4.2.3. ON- HEIGHT AND MASS



Building Height		
A	Maximum height	
	ON-3	3 stories max/53' max
	Adjacent to RE- or RD-	3 stories max/42' max
	Within a transition area	2 stories/28' max
Story Height		
B	Ground floor elevation	2' min/5' max
C	Ground story	14' min
Building Mass		
D	Street-facing building length	~~300'~~ 200' max

Sec. 4.2.4. ON- Activation

SEC. 4.2.4. ON- ACTIVATION

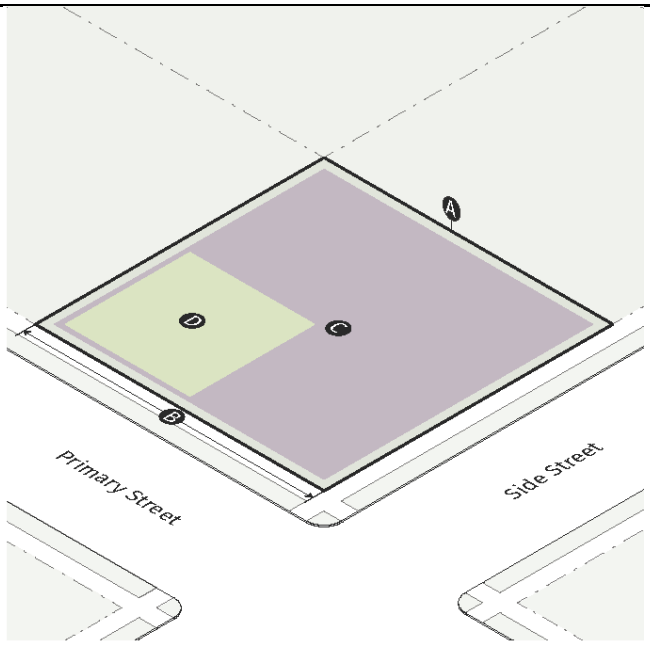


Transparency		
A	Ground story	50% min
B	Upper story	20% min
C	Blank wall length	30' max
Pedestrian Access		
D	Entrance facing primary street	Required
E	Entrance spacing along primary street	100' max

Div. 4.3. Office Mixed Use (OX-)

Sec. 4.3.1. OX- Lot Parameters

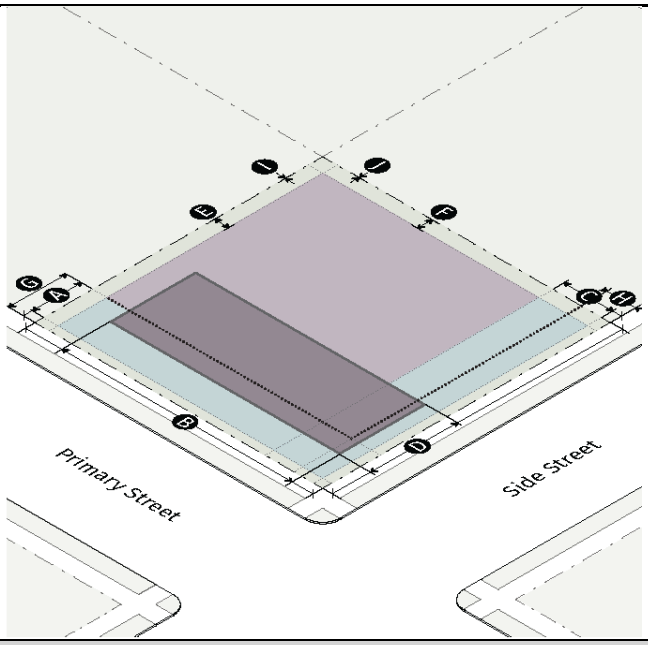
SEC. 4.3.1. OX- LOT PARAMETERS



Lot		
A	Area	
	Single unit attached	~~1,3800~~700 SF min
	Multi-unit	5,000 SF min
	Other residential uses	3,000 SF min
	All other allowed uses	~~7,~~5,000 SF min
B	Width	
	Single unit attached	~~16'~~ 14' min
	Multi-unit	75' min
	Other residential uses	30’ min
	All other allowed uses	75' min
Coverage		
C	Lot coverage	85% max
D	Outdoor amenity space	Required
E	Canopy coverage	
	Residential use	35% min
	All other uses	40% min

Sec. 4.3.2. OX- ~~Lot Parameters~~Building Placement

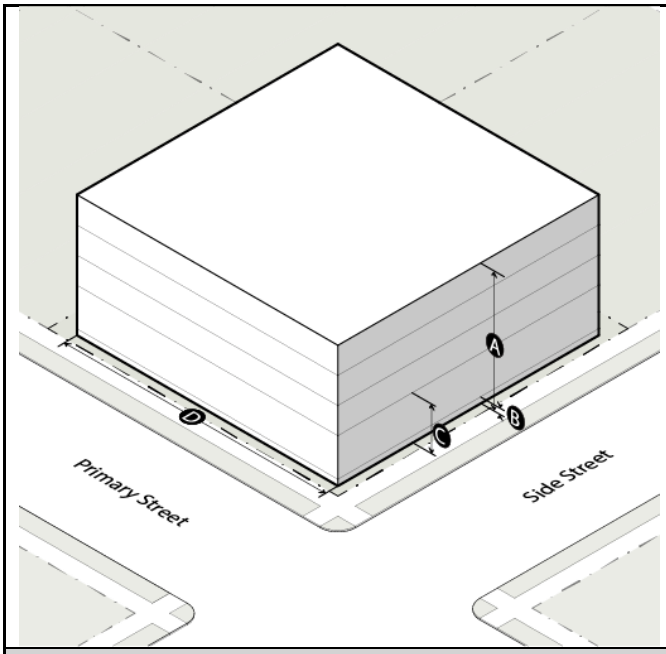
SEC. 4.3.2. OX- BUILDING PLACEMENT



Build-to Zone		
Ⓐ	Primary street	3' min/20' max
Ⓑ	% of building facade in primary street build-to zone	80% min
Ⓒ	Side street	3' min/20' max
Ⓓ	% of building facade in side street build-to zone	~~4~~50% min
Side and Rear Building Setbacks		
Ⓔ	Side: common lot line/alley	5' min
	Side: single unit attached, between abutting units	0' min
Ⓕ	Rear: common lot line/alley	5' min
	Abutting a Protected Neighborhood	see Sec. 8.3.6.~~Div. 6.4~~
Parking Setbacks		
Ⓖ	Primary street	20' min
Ⓗ	Side street	10' min
Ⓘ	Side: common lot line/alley	0' min
Ⓙ	Rear: common lot line/alley	0' min
	Abutting a Protected Neighborhood	see Sec. 8.3.6.~~Div. 6.4~~

Sec. 4.3.3. OX- Height and Mass

SEC. 4.3.3. OX- HEIGHT AND MASS

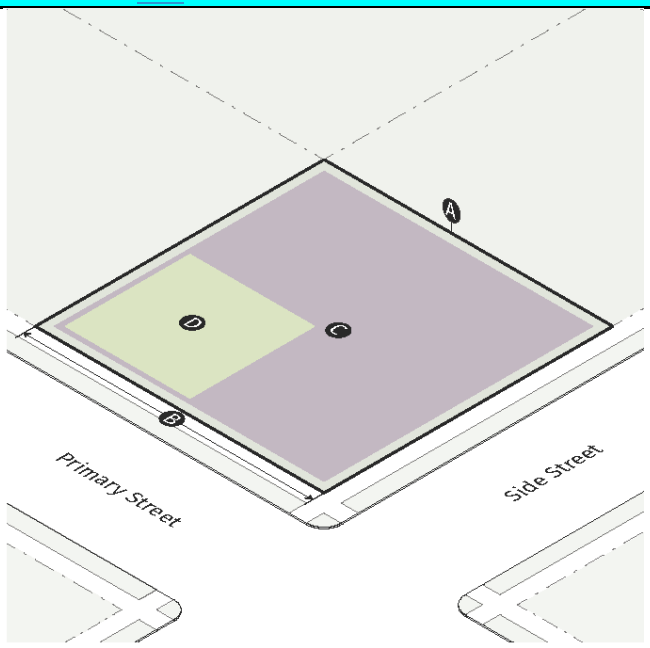


Building Height		
A	Maximum height	
	OX-3	3 stories max/53' max
	Adjacent to RE- or RD-	3 stories max/42' max
	OX-4	4 stories max/67' max
	Adjacent to RE- or RD-	4 stories max/56' max
	OX-5	5 stories max/81' max
	Adjacent to RE- or RD-	5 stories max/70' max
	OX-6	6 stories max/95' max
	Adjacent to RE- or RD-	6 stories max/84' max
	OX-8	8 stories max/123' max

	Adjacent to RE- or RD-	8 stories max/112' max
	Within a transition area	2 stories/28' max
Story Height		
B	Ground floor elevation, residential	2' min/5' max
	Ground floor elevation, nonresidential	0' min/2' max
C	Ground story, residential	12' min
	Ground story, nonresidential	14' min
Building Mass		
D	Street-facing building length	~~300'~~ 200' max

Sec. 4.3.4. OX- Activation

SEC. 4.3.4. OX- ACTIVATION

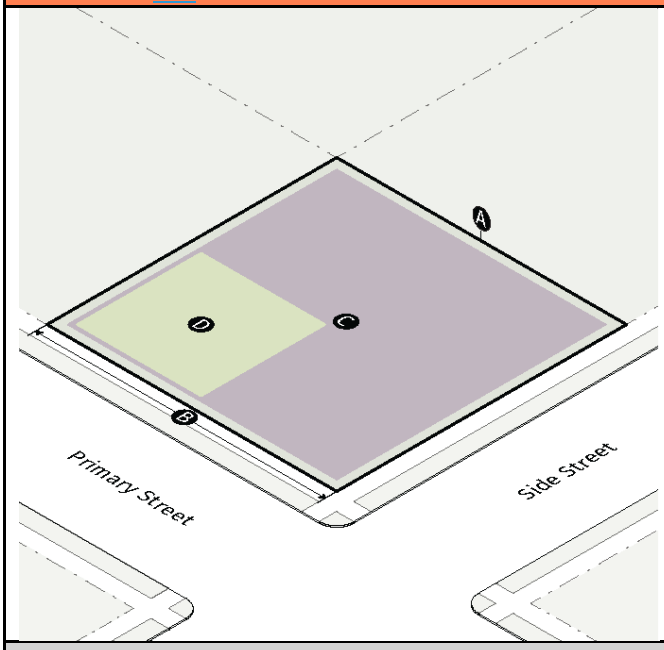


Transparency		
A	Ground story, residential	20% min
	Ground story, nonresidential	50% min
B	Upper story	20% min
C	Blank wall length	30' max
Pedestrian Access		
D	Entrance facing primary street	Required
E	Entrance spacing along primary street	100' max

Div. 4.4. Commercial Mixed Use (CX-)

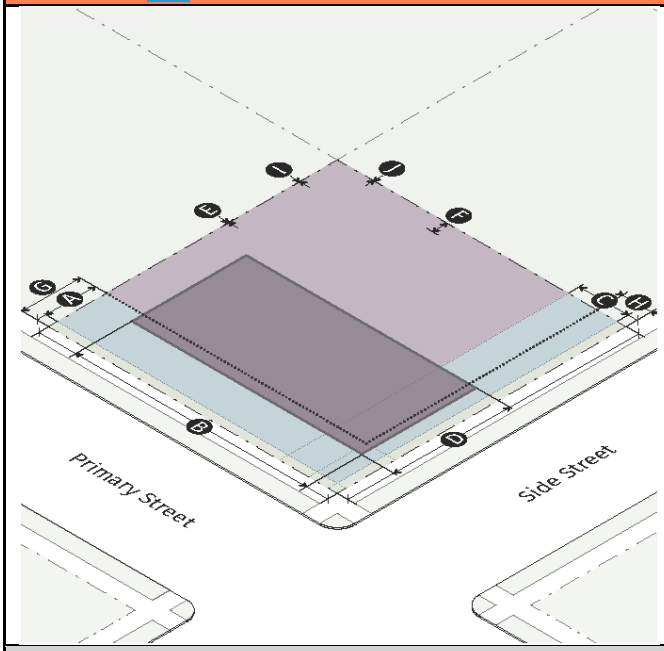
Sec. 4.4.1. CX- Lot Parameters

SEC. 4.4.1. CX- LOT PARAMETERS



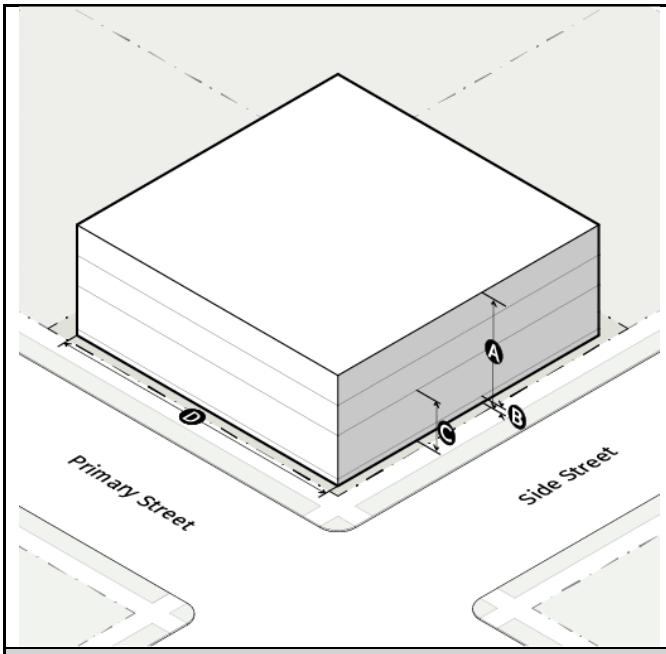
Lot		
Ⓐ	Area	
	Single unit attached	~~1,3800~~700 SF min
	Multi-unit	~~7,~~5,000 SF min
	Other residential uses	3,000 SF min
	All other allowed uses	7,500 SF min
Ⓑ	Width	
	Single unit attached	~~16'~~ 14' min
	Multi-unit	75' min
	Other residential uses	30’
	All other allowed uses	75' min
Coverage		
Ⓒ	Lot coverage	85% max
Ⓓ	Outdoor amenity space	Required
Ⓔ	Canopy coverage	
	Residential use	35% min
	All other uses	40% min

Sec. 4.4.2. CX- Building Placement

SEC. 4.4.2. CX- BUILDING PLACEMENT		
		
Build-to Zone		
A	Primary street	3' min/20' max
B	% of building facade in primary street build-to zone	80% min
C	Side street	3' min/20' max
D	% of building facade in side street build-to zone	450% min
Side and Rear Building Setbacks		
E	Side: common lot line	0' min
	Side: alley	5' min
F	Rear: common lot line	0' min
	Rear: alley	5' min
	Abutting a Protected Neighborhood	see Sec. 8.3.6.~~Div. 6.4~~
Parking Setbacks		
G	Primary street	20' min
H	Side street	10' min
I	Side: common lot line/alley	0' min
J	Rear: common lot line/alley	0' min
	Abutting a Protected Neighborhood	see Sec. 8.3.6.~~Div. 6.4~~

Sec. 4.4.3. CX- Height and Mass

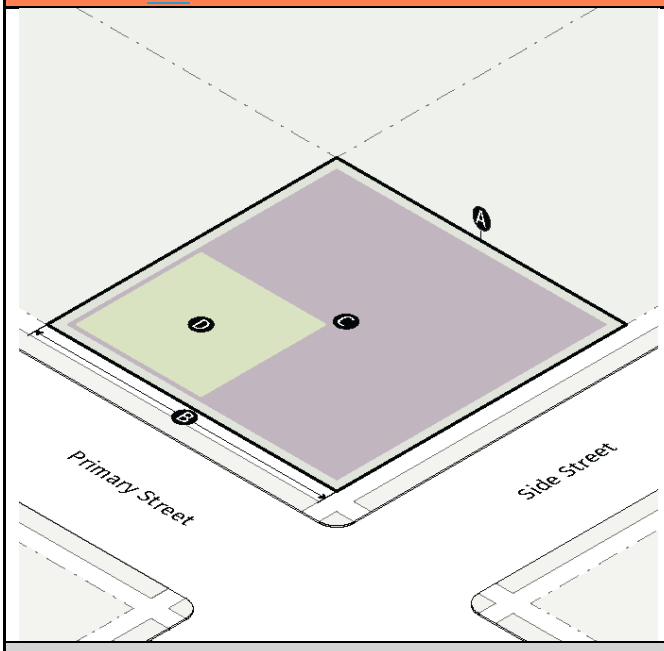
SEC. 4.4.3. CX- HEIGHT AND MASS



Building Height		
Ⓐ	**Base: maximum height**	
	CX-3, CX-3/6	3 stories / 53’ max
	Adjacent to RE- or RD-	3 stories / 42’ max
	CX-6, CX-6/8	6 stories / 95’ max
	Adjacent to RE- or RD-	6 stories / 84’ max
	Within a transition area	2 stories / 28’ max
	Bonus: maximum height (see Div. 6.7.)	
	CX-3/6	6 stories / 95’ max
	Adjacent to RE- or RD-	6 stories / 84’ max
	Within a transition area	2 stories / 28’ max
	CX-6/8	8 stories / 123' max
	Adjacent to RE- or RD-	8 stories / 112' max
	Within a transition area	2 stories / 28’ max
Story Height		
Ⓑ	Ground floor elevation, residential	2' min/5' max
	Ground floor elevation, nonresidential	0' min/2' max
Ⓒ	Ground story, residential	12' min
	Ground story, nonresidential	~~14'~~ 16’ min
Building Mass		
Ⓓ	Street-facing building length	2~~3~~00' max

Sec. 4.4.4. CX- Activation

SEC. 4.4.4. CX- ACTIVATION



Transparency		
A	Ground story, residential	20% min
	Ground story, nonresidential	50% min
B	Upper story	20% min
C	Blank wall length	30' max
D	Entrance facing primary street	Required
E	Entrance spacing along primary street	100' max

~~Sec. 4.4.5. CX- District Standards~~

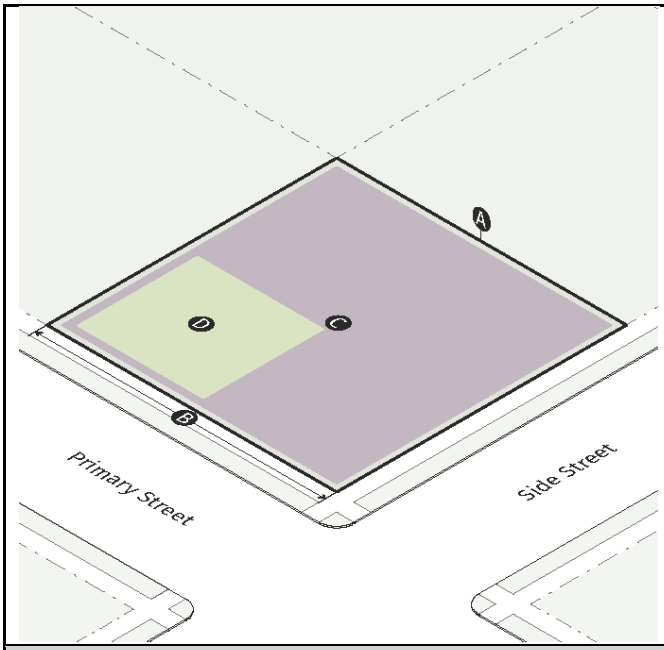
~~**Sec. 4.4.5. CX- District Standards**~~

~~A1. In all CX Districts located between Abernathy Road and US 285, each commercial tenant space must not exceed 30,000 square feet in gross floor area.~~

Div. 4.5 Shopfront Mixed Use (SX-)

Sec. 4.5.1. SX- Lot Parameters

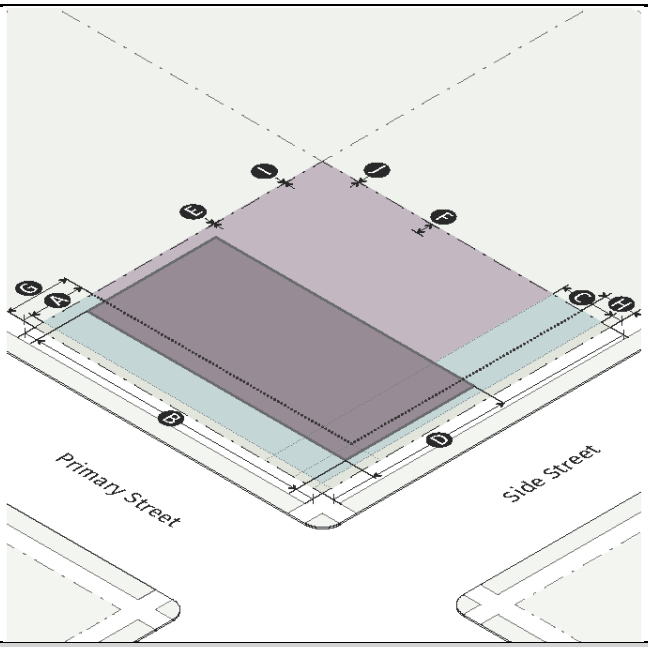
SEC. 4.5.1. SX- LOT PARAMETERS



Lot		
A	Area	
	Single unit attached	700 SF min
	All allowed uses	5,000 SF min
B	Width	
	Single unit attached	14' min
	All allowed uses	50' min
Coverage		
C	Lot coverage	90% max
D	Outdoor amenity space	Required
E	Canopy coverage	40% min

Sec. 4.5.2. SX- Building Placement

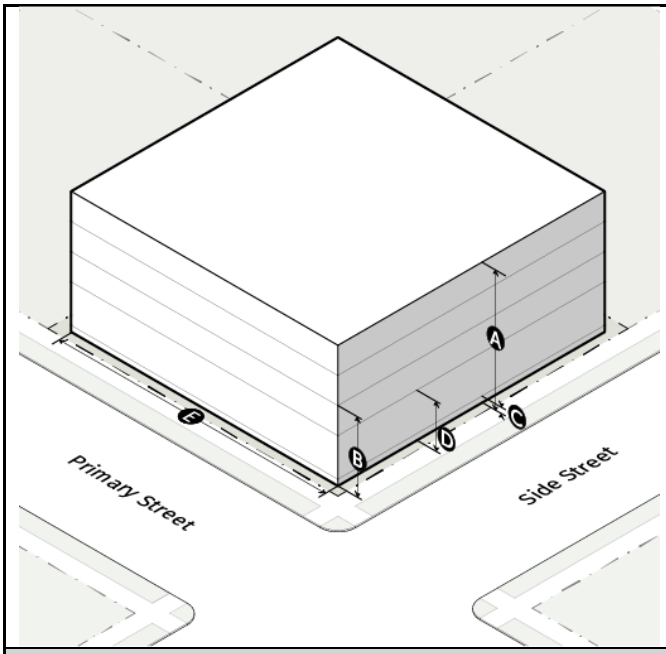
SEC. 4.5.2. SX- BUILDING PLACEMENT



Build-to Zone		
A	Primary street	3' min/20' max
B	% of building facade in primary street build-to zone	90% min
C	Side street	3' min/20' max
D	% of building facade in side street build-to zone	~~4~~50% min
Side and Rear Building Setbacks		
E	Side: common lot line	0' min
	Side: alley	5' min
F	Rear: common lot line	0' min
	Rear: alley	5' min
	Abutting a Protected Neighborhood	see Sec. 8.3.6.~~Div. 6.4~~
Parking Setbacks		
G	Primary street	20' min
H	Side street	10' min
I	Side: common lot line/alley	0' min
J	Rear: common lot line/alley	0' min
	Abutting a Protected Neighborhood	see Sec. 8.3.6.~~Div. 6.4~~

Sec. 4.5.3. SX- Height and Mass

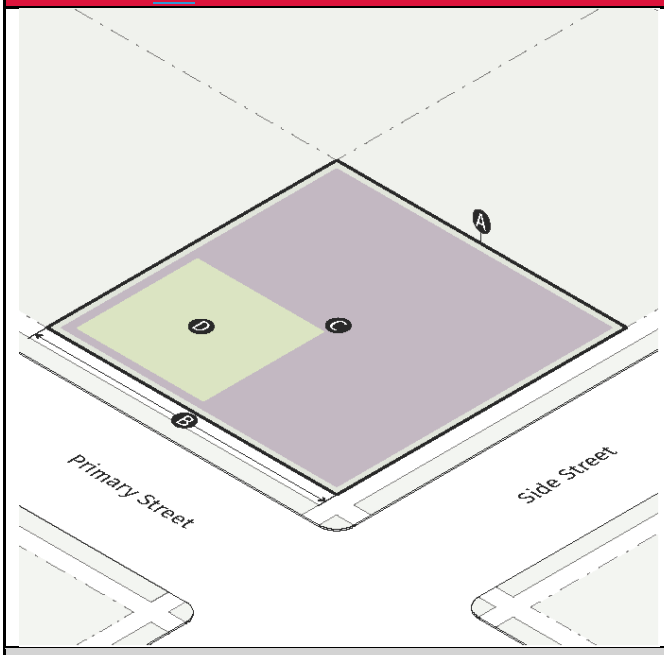
SEC. 4.5.3. SX- HEIGHT AND MASS



Building Height		
A	**Base: Maximum height**	
	SX-3, SX-3/6	3 stories / 53' max
	Adjacent to RE- or RD-	3 stories / 42' max
	SX-4	4 stories / 67' max
	Adjacent to RE- or RD-	4 stories / 56' max
	SX-6, SX-6/10	6 stories / 95' max
	Adjacent to RE- or RD-	6 stories / 84' max
	Within a transition area	2 stories / 28' max
	Bonus: maximum height (see Div. 6.7.)	
	SX-3/6	6 stories / 95' max
	Adjacent to RE- or RD-	6 stories / 84' max
	Within a transition area	2 stories / 28' max
	SX-6/10	10 stories / 140' max
	Adjacent to RE- or RD-	10 stories / 129' max
	Within a transition area	2 stories / 28' max
~~B~~	~~**Minimum height**~~	~~**2 stories min**~~
Story Height		
C	**Ground floor elevation**	**0' min/2' max**
D	**Ground story**	**14' min**
Building Mass		
E	**Street-facing building length**	**2~~3~~00' max**

Sec. 4.5.4. SX- Activation

SEC. 4.5.4. SX- ACTIVATION

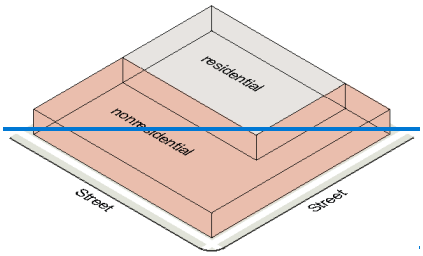


Transparency		
A	Ground story	70% min
B	Upper story	20% min
C	Blank wall length	20' max
Pedestrian Access		
D	Entrance facing primary street	Required
E	Entrance spacing along primary street	50' max

~~Sec. 4.5.5. District Standards~~

~~Sec. 4.5.5. District Standards~~

~~1. Ground floor residential must not be visible from a street and must be located behind space constructed for nonresidential occupancy. There are no restrictions on upper floors.~~

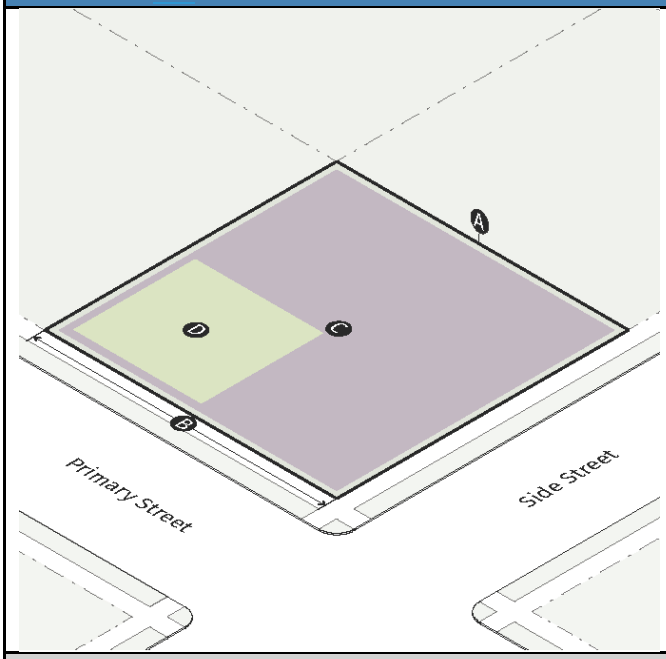


~~A2.~~

Div. 4.6. Transit Mixed Use (TX-)

Sec. 4.6.1. TX- Lot Parameters

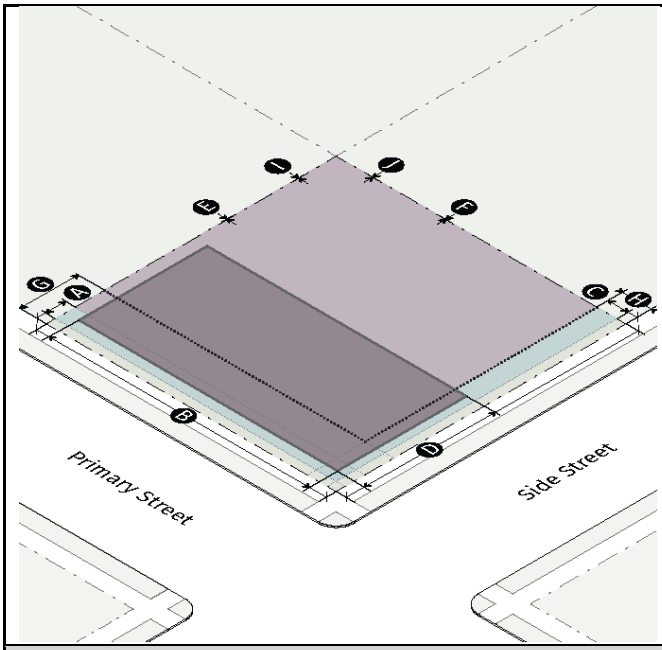
SEC. 4.6.1. TX- LOT PARAMETERS



Lot		
A	Area	
	Single unit attached	700 SF min
	All allowed uses	5,000 SF min
B	Width	
	Single unit attached	14’ min
	All allowed uses	50' min
Coverage		
C	Lot coverage	90% max
D	Outdoor amenity space	Required
E	Canopy coverage	
	Residential use	35% min
	All other uses	40% min

Sec. 4.6.2. TX- Building Placement

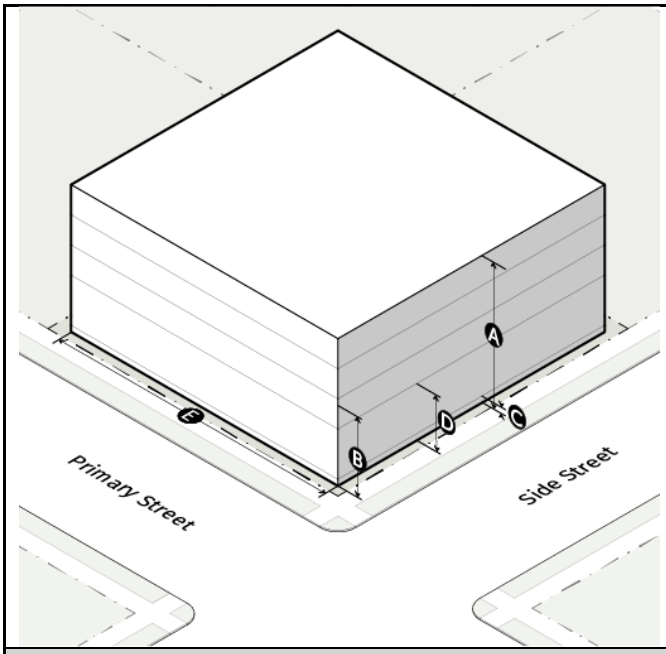
SEC. 4.6.2. TX- BUILDING PLACEMENT



Build-to Zone		
A	Primary street	3' min/10' max
B	% of building facade in primary street build-to zone	90% min
C	Side street	3' min/10' max
D	% of building facade in side street build-to zone	~~4~~50% min
Side and Rear Building Setbacks		
E	Side: common lot line	0' min
	Side: alley	5' min
F	Rear: common lot line	0' min
	Rear: alley	5' min
	Abutting a Protected Neighborhood	see Sec. 8.3.6.~~Div. 6.4~~
Parking Setbacks		
G	Primary street	20' min
H	Side street	10' min
I	Side: common lot line/alley	0' min
J	Rear: common lot line/alley	0' min
	Abutting a Protected Neighborhood	see Sec. 8.3.6.~~Div. 6.4~~

Sec. 4.6.3. TX- Height and Mass

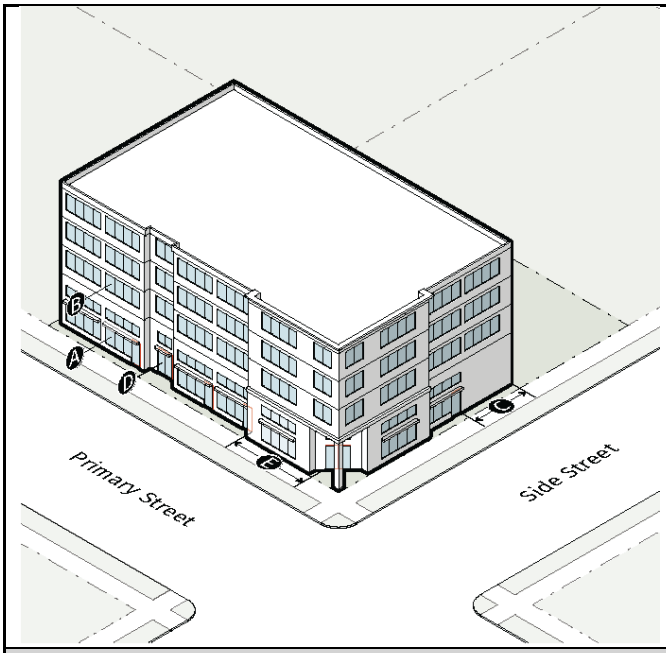
SEC. 4.6.3. TX- HEIGHT AND MASS



Building Height		
A	Maximum height	
	TX-4	4 stories max/67' max
	Adjacent to RE- or RD-	4 stories max/56' max
	TX-6	6 stories max/95' max
	Adjacent to RE- or RD-	6 stories max/84' max
	Within a transition area	2 stories/28' max
B	~~Minimum height~~	~~2 stories min~~
Story Height		
C	Ground floor elevation	0' min/2' max
D	Ground story	14' min
Building Mass		
E	Street-facing building length	~~150'~~ 300' max

Sec. 4.6.4. TX- Activation

SEC. 4.6.4. TX- ACTIVATION

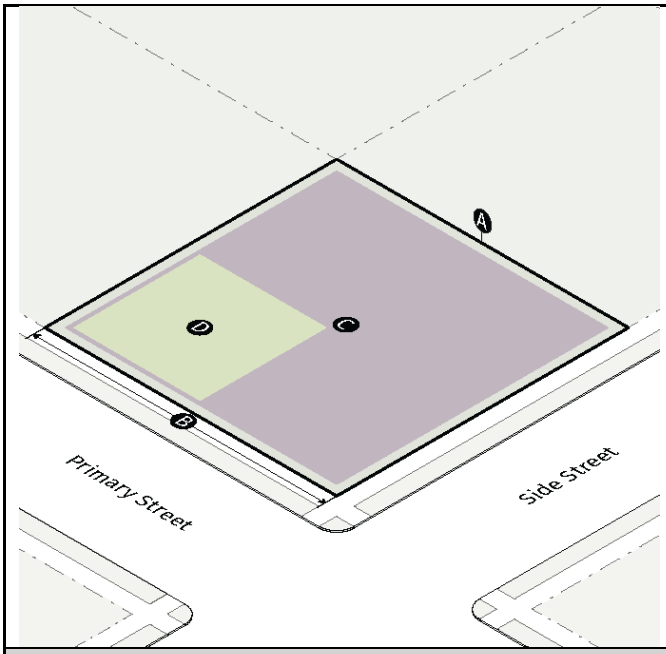


Transparency		
A	Ground story	70% min
B	Upper story	20% min
C	Blank wall length	20' max
Pedestrian Access		
D	Entrance facing primary street	Required
E	Entrance spacing along primary street	50' max

Div. 4.7. City Springs (CS-)

Sec. 4.7.1. CS- Lot Parameters

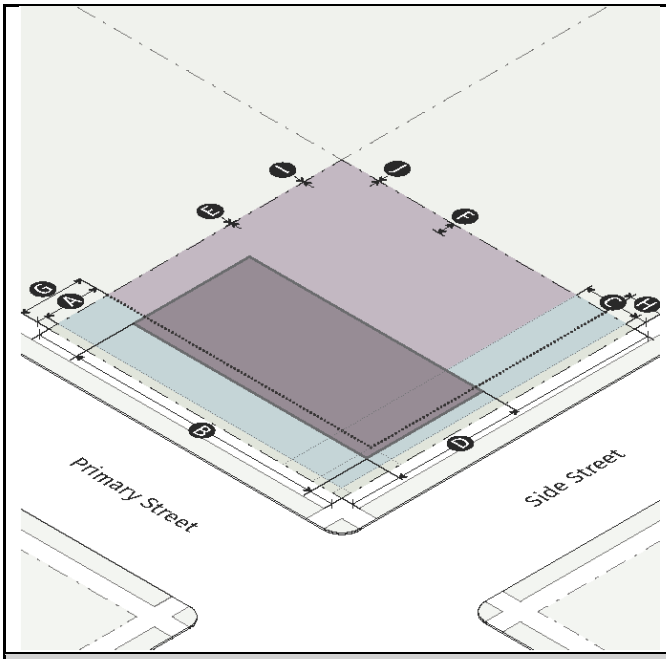
SEC. 4.7.1. CS- LOT PARAMETERS



Lot		
A	Area	
	Single unit attached	~~1,300~~700 SF min
	Multi-unit	~~7,500~~5,000 SF min
	Other residential uses	3,000 SF min
	All other allowed uses	~~7,~~5,000 SF min
B	Width	
	Single unit attached	1~~6~~' min
	Multi-unit	~~7~~50' min
	Other residential uses	30' min
	All other allowed uses	~~7~~50' min
Coverage		
C	Lot coverage	85% max
D	Outdoor amenity space	Required
E	Canopy coverage	
	Residential use	35% min
	All other uses	40% min

Sec. 4.7.2. CS- Building Placement

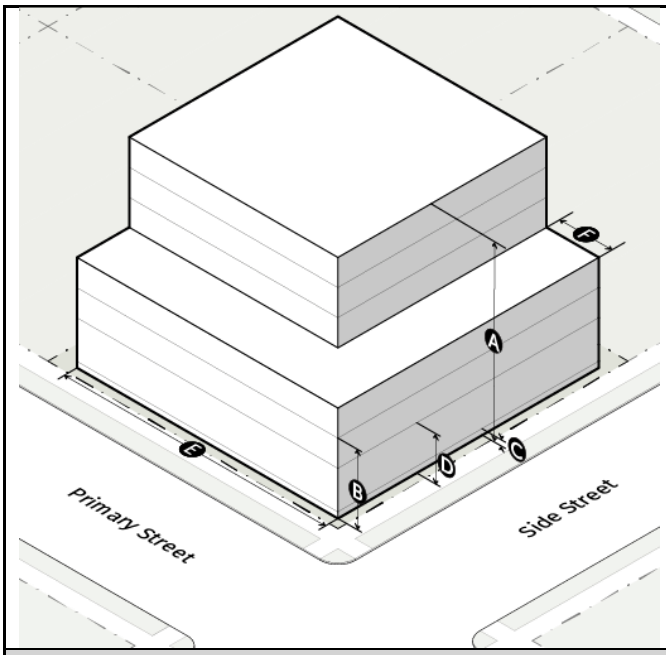
SEC. 4.7.2. CS- BUILDING PLACEMENT



Build-to Zone		
A	Primary street	3' min/20' max
B	% of building facade in primary street build-to zone	70% min
C	Side street	3' min/20' max
D	% of building facade in side street build-to zone	450% min
Side and Rear Building Setbacks		
E	Side: common lot line	0' min
	Side: alley	5' min
F	Rear: common lot line	0' min
	Rear: alley	5' min
	Abutting a Protected Neighborhood	see Sec. 8.3.6.~~Div. 6.4~~
Parking Setbacks		
G	Primary street	20' min
H	Side street	10' min
I	Side: common lot line/alley	0' min
J	Rear: common lot line/alley	0' min
	Abutting a Protected Neighborhood	see Sec. 8.3.6.~~Div. 6.4~~

Sec. 4.7.3. CS- Height and Mass

SEC. 4.7.3. CS- HEIGHT AND MASS

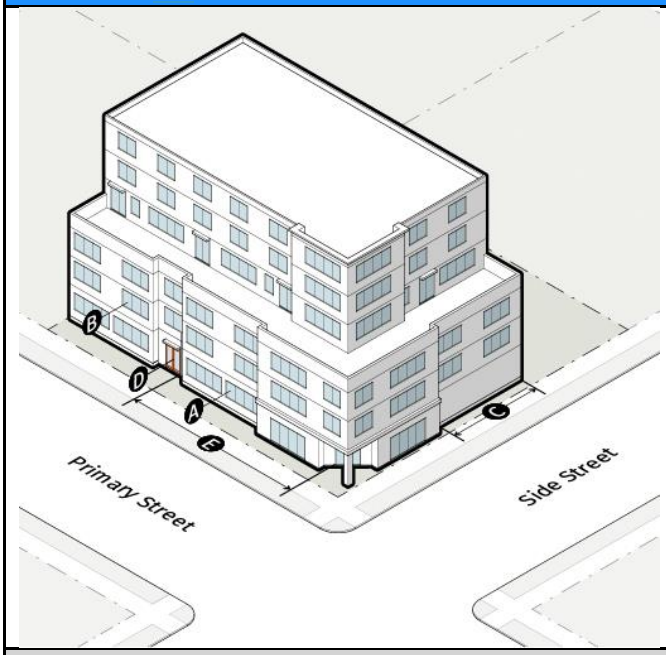


Building Height		
A	Base: maximum height	
	CS-3	3 stories max/53' max
	Adjacent to RE- or RD-	3 stories max/42' max
	CS-4	4 stories max/67' max
	Adjacent to RE- or RD-	4 stories max/56' max
	CS-5	5 stories max/81' max
	Adjacent to RE- or RD-	5 stories max/70' max
	CS-6, CS-6/8	6 stories max/95' max
	Adjacent to RE- or RD-	6 stories max/84'
	Within a transition area	2 stories/28' max
	Bonus: maximum height (see Div. 6.7.)	
	CS-6/8	8 stories / 123' max

	Adjacent to RE- or RD-	8 stories / 112' max
	Within a transition area	2 stories / 28' max
~~B~~	~~Minimum height~~	~~2 stories min~~
Story Height		
C	Ground floor elevation, residential	2' min/5' max
	Ground floor elevation, nonresidential	0' min/2' max
D	Ground story, residential	12' min
	Ground story, nonresidential	14' min
Building Mass		
E	Street-facing building length	200' max
~~F~~	~~Upper floors setback (4th, 5th and 6th)~~	~~20' min~~

Sec. 4.7.4. CS- Activation

SEC. 4.7.4. CS- ACTIVATION



Transparency		
A	Ground story, residential	20% min
	Ground story, nonresidential	50% min
B	Upper story	20% min
C	Blank wall length	30' max
Pedestrian Access		
D	Entrance facing primary street	Required
E	Entrance spacing along primary street	100' max
~~**Development Patterns Allowed**~~		
	~~Cottage Court~~ All	~~see Div. 6.3~~

~~Sec. 4.7.5. District Standards~~

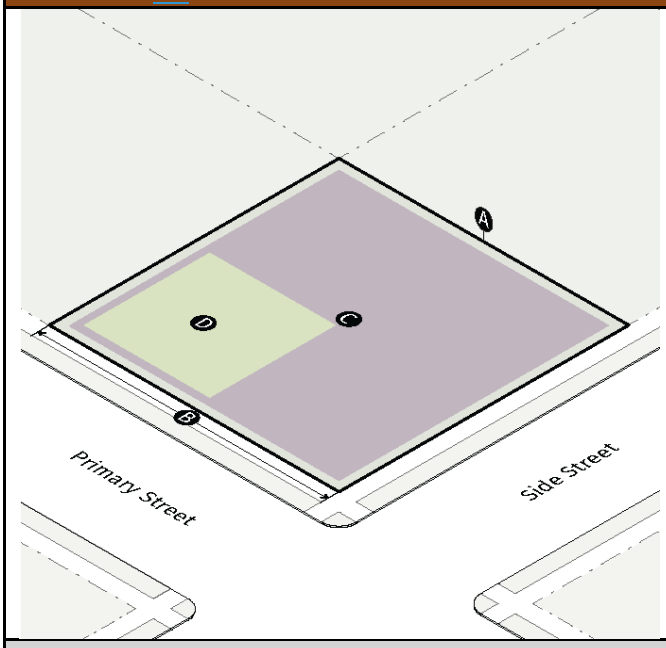
~~Sec. 4.7.5. District Standards~~

~~Each commercial tenant space must not exceed 30,000 square feet in gross floor area.~~

Div. 4.8. Industrial Mixed Use (IX-)

Sec. 4.8.1. IX- Lot Parameters

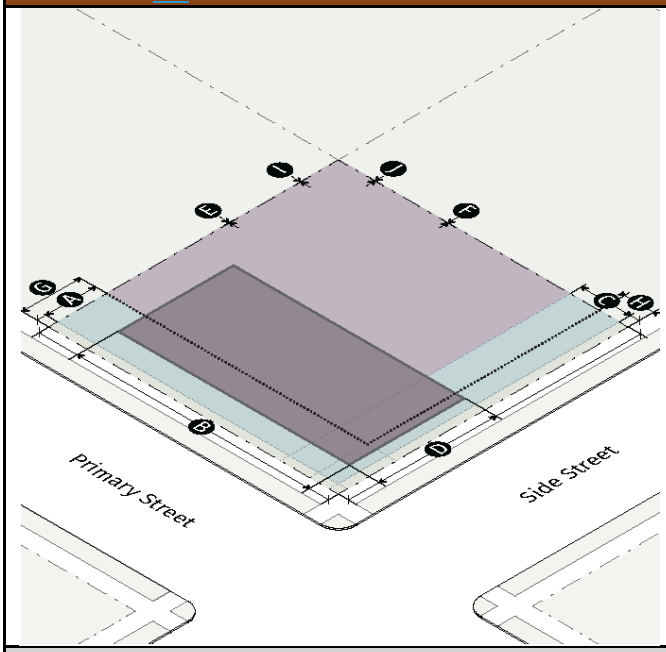
SEC. 4.8.1. IX- LOT PARAMETERS



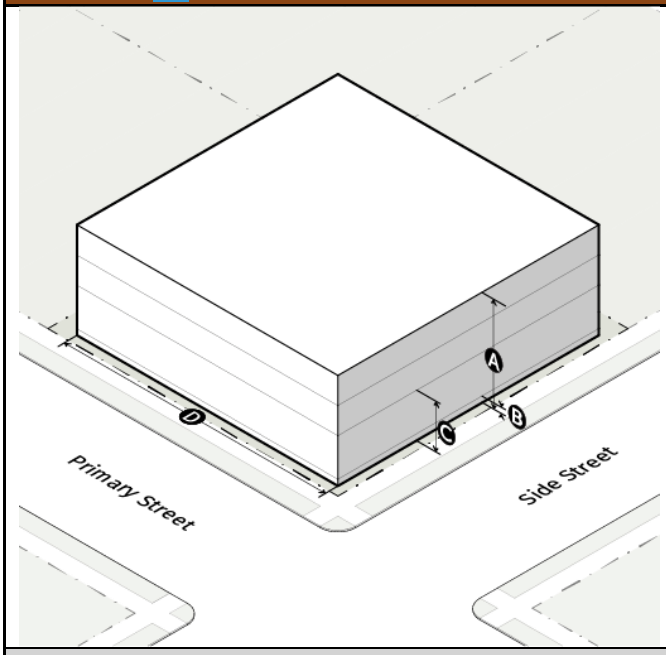
Lot		
A	Area	
	Single unit attached	~~1,300~~700 SF min
	Multi-unit	~~7,500~~5,000 SF min
	Other residential uses	3,000 SF min
	All other allowed uses	7,500 SF min
B	Width	
	Single unit attached	~~16'~~ 14' min
	Multi-unit	75' min
	Other residential uses	30’ min
	All other allowed uses	75' min
Coverage		
C	Lot coverage	85% max
D	Outdoor amenity space	Required

E	Canopy coverage	
	Residential use	35% min
	All other uses	40% min

Sec. 4.8.2. IX- Building Placement

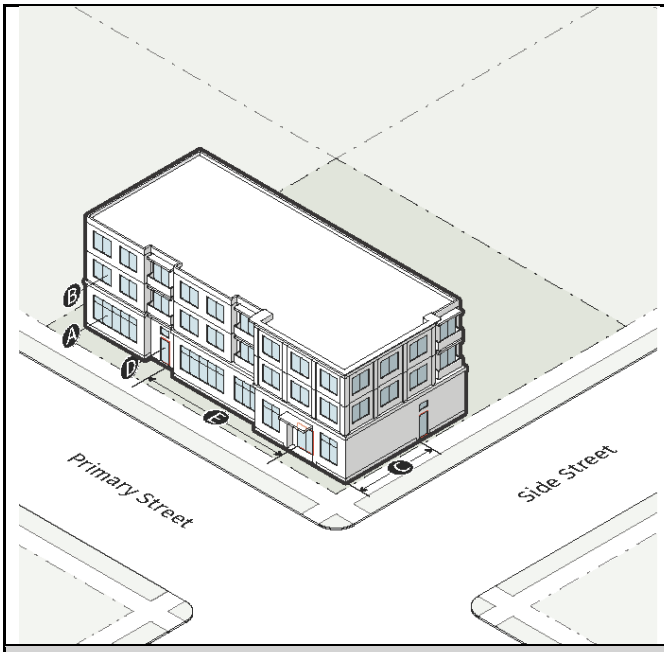
SEC. 4.8.2. IX- BUILDING PLACEMENT		
		
Build-to Zone		
A	Primary street	3' min/20' max
B	% of building facade in primary street build-to zone	80% min
C	Side street	3' min/20' max
D	% of building facade in side street build-to zone	450% min
Side and Rear Building Setbacks		
E	Side: common lot line	0' min
	Side: alley	5' min
F	Rear: common lot line	0' min
	Rear: alley	5' min
	Abutting a Protected Neighborhood	see Sec. 8.3.6.~~Div. 6.4~~
Parking Setbacks		
G	Primary street	20' min
H	Side street	10' min
I	Side: common lot line/alley	0' min
J	Rear: common lot line/alley	0' min
	Abutting a Protected Neighborhood	see Sec. 8.3.6.~~Div. 6.4~~

Sec. 4.8.3. IX- Height and Mass

SEC. 4.8.3. IX- HEIGHT AND MASS		
		
Building Height		
A	Maximum height	
	IX-3	3 stories max/53' max
	Adjacent to RE- or RD-	3 stories max/42' max
	Within a transition area	2 stories/28' max
Story Height		
B	Ground floor elevation, residential	2' min/5' max
	Ground floor elevation, nonresidential	0' min/2' max
C	Ground story, residential	12' min
	Ground story, nonresidential	14' min
Building Mass		
D	Street-facing building length	300' max

Sec. 4.8.4. IX- Activation

SEC. 4.8.4. IX- ACTIVATION

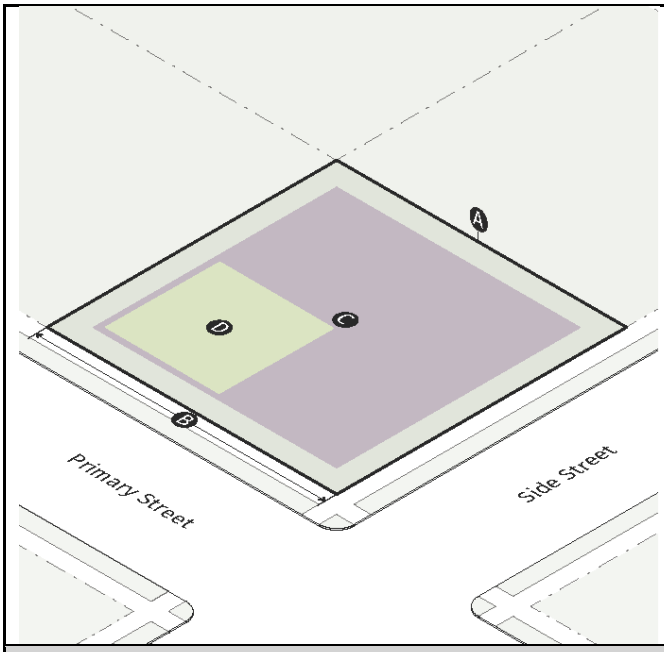


Transparency		
A	Ground story, residential	20% min
	Ground story, nonresidential	50% min
B	Upper story	20% min
C	Blank wall length	30' max
Pedestrian Access		
D	Entrance facing primary street	Required
E	Entrance spacing along primary street	100' max

Div. 4.9. Commercial Corridor (CC-)

Sec. 4.9.1. CC- Lot Parameters

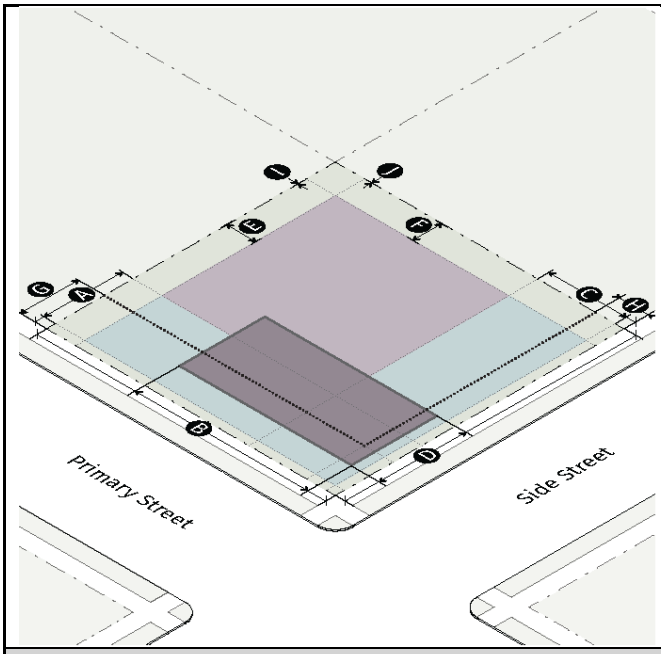
SEC. 4.9.1. CC- LOT PARAMETERS



Lot		
A	Area	
	Single unit attached	1~~2~~,000 SF min
	Multi-unit	7,500 SF min
	Other residential uses	3,000 SF min
	All other allowed uses	7,500 SF min
B	Width	
	Single unit attached	2~~0~~4' min
	Multi-unit	75' min
	Other residential uses	30' min
	All other allowed uses	75' min
Coverage		
C	Lot coverage	70% max
D	Outdoor amenity space	Required
	Location	at grade
E	Canopy coverage	
	Residential use	35% min
	All other uses	40% min

Sec. 4.9.2. CC- Building Placement

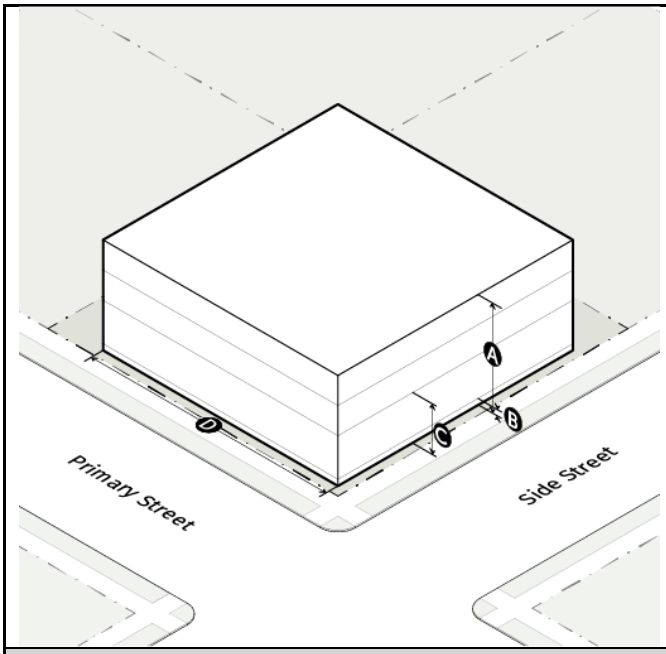
SEC. 4.9.2. CC- BUILDING PLACEMENT



Build-to Zone		
A	Primary street	3' min/~~3~~20' max
B	% of building facade in primary street build-to zone	~~6~~70% min
C	Side street	3' min/~~3~~20' max
D	% of building facade in side street build-to zone	~~3~~50% min
Side and Rear Building Setbacks		
E	Side: common lot line/alley	10' min
	Side: single unit attached, between abutting units	0' min
F	Rear: common lot line/alley	10' min
	Abutting a Protected Neighborhood	see Sec. 8.3.6.~~Div. 6.4~~
Parking Setbacks		
G	Primary street	20' min
H	Side street	10' min
I	Side: common lot line/alley	0' min
J	Rear: common lot line/alley	0' min
	Abutting a Protected Neighborhood	see Sec. 8.3.6.~~Div. 6.4~~

Sec. 4.9.3. CC- Height and Mass

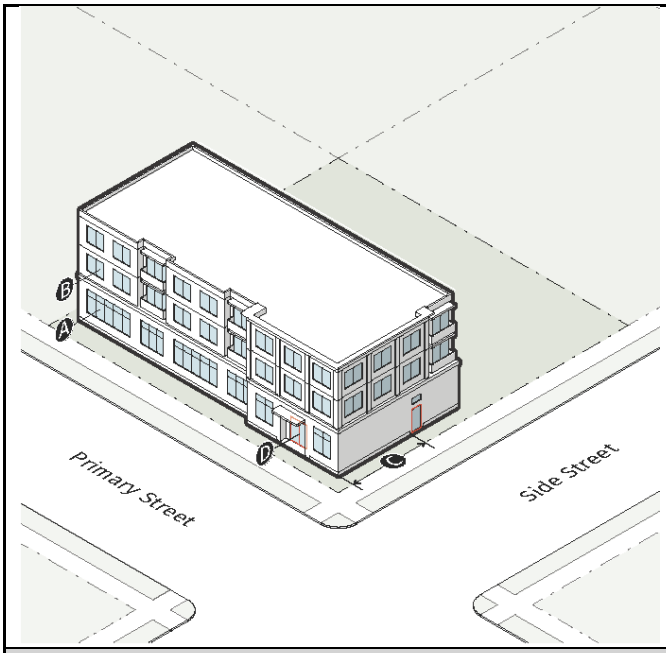
SEC. 4.9.3. CC- HEIGHT AND MASS



Building Height		
A	Maximum height	
	CC-3	3 stories max/53' max
	Adjacent to RE- or RD-	3 stories max/42' max
	Within a transition area	2 stories/28' max
Story Height		
B	Ground floor elevation, residential	2' min/5' max
	Ground floor elevation, nonresidential	0' min/2' max
C	Ground story, residential	12' min
	Ground story, nonresidential	14' max
Building Mass		
D	Street-facing building length	300' max

Sec. 4.9.4. CC- Activation

SEC. 4.9.4. CC- ACTIVATION



Transparency		
A	Ground story, residential	20% min
	Ground story, nonresidential	50% min
B	Upper story	20% min
C	Blank wall length	30' max
Pedestrian Access		
D	Entrance facing primary street	Required

Div. 4.10. North End Mixed Use (NEX-5/6)

Sec. 4.10.1. NEX- Lot Parameters

SEC. 4.10.1. NEX- LOT PARAMETERS		
[Graphic not available]		
Lot		
	Area	
	Single unit attached	~~1,25800~~700 SF min
	Multi-unit	7,500 SF min

	Other residential uses	3,000 SF min
	All other allowed uses	10,000 SF min
	Width	
	Single unit attached	~~16'~~ 14' min
	Multi-unit	75' min
	Other residential uses	30' min
	All other allowed uses	100' min
Coverage		
	Lot coverage	~~7~~80% max
	Outdoor amenity space, total	15% min
	Location at grade	10% min

Sec. 4.10.2. NEX- Building Placement

SEC. 4.10.2. NEX- BUILDING PLACEMENT		
[Graphic not available]		
Build-to Zone		
	Primary or primary internal street	5' min/30' max
	% of building facade in primary internal street build-to zone	~~6~~70% min
	Side street	5' min/30' max
	% of building facade in primary street or side street build-to zone	~~3~~50% min
Side and Rear Building Setbacks		
	Side: common lot line/alley	5' min
	Side: single unit attached, between abutting units	0' min
	Rear: common lot line/alley	5' min
	Abutting a Protected Neighborhood	see Sec. 8.3.6.~~Div. 6.4~~
Parking Setbacks		
	Primary or primary internal street	20' min
	Side street	10' min
	Side: common lot line/alley	0' min
	Rear: common lot line/alley	0' min
	Abutting a Protected Neighborhood	see Sec. 8.3.6.~~Div. 6.4~~

Sec. 4.10.3. NEX- Height and Mass

SEC. 4.10.3. NEX- HEIGHT AND MASS		
[Graphic not available]		
Building Height		
	Single unit residential	3 stories/40' max
	All other uses without bonus	5 stories/65' max
	All other uses with bonus for retail ground floor; OR with bonus for affordable housing	6 stories/80' max
	All uses within a transition area	2 stories/24' max
	~~Required minimum height~~	~~2 stories min~~
Story Height		
	Ground floor elevation, residential	2' min/5' max
	Ground floor elevation, ~~retail~~ or ~~retail-ready~~commercial-ready	0' min/2' max
	Ground story, residential	11' min
	Ground story, ~~retail~~/~~retail-ready~~commercial-ready	14' min
	Upper story	10' min
Building Mass		
	Street-facing building length	200' max

Sec. 4.10.4. NEX- Activation

SEC. 4.10.4. NEX- ACTIVATION		
[Graphic not available]		
Transparency		
	Ground story, residential	30% min
	Ground story, ~~retail-ready~~commercial-ready	50% min
	Upper story	20% min

	Blank wall length	30' max
Pedestrian Access		
	Entrance facing ~~primary or primary internal~~ street	Required
	Entrance spacing along primary or primary internal street	100' max
~~**Development Patterns Allowed**~~		
	~~Cottage Court~~ All	~~see Div. 6.3~~
Residential Units Required		
	Single unit residential (% of total units)	25% min

Sec. 4.10.5. NEX- District Standards

A. **Primary Internal Street**

1. A continuous primary internal street must be established in any NEX- District. The street must connect to Roswell Road.

   a. **C-Street** Where the development site faces only Roswell Road, the primary internal street must connect with Roswell Road at a minimum of two points, providing a loop road servicing the entire development. Additional, or side streets may be necessary depending on whether they meet the block face lengths found in Sec. 10.3.1.

   b. **L/T-Street** Where the development site ~~is a corner lot facing Roswell Road at an intersection with a collector or higher designated street~~faces multiple streets including Roswell Road, the primary internal street must connect through the site from Roswell Road to the intersecting street or streets. At least one street connection to Roswell Road must be considered as a part of the primary internal street. Additional, or side streets may be necessary depending on whether they meet the block face lengths found in Sec. 10.3.1.

2. The ground floor of a multi-unit building facing a primary or internal primary street must be constructed to be ~~retail-ready~~commercial-ready ~~(built to meet or exceed the minimum requirements for ground floor elevation, ground story height, transparency, and entrance spacing required for a retail use). Retail-ready space is allowed to be occupied by any use allowed in the zoning district.~~ (See Sec. 6.6.2.E.).

B. **Phasing of Residential Construction** Where construction occurs in phases, each phase that includes multi-unit residential development must meet the following standards.

1. Each phase must maintain or exceed the required percentage of single unit residential required for the amount of multi-unit residential proposed.

2. Certificates of occupancy for any multi-unit residential may only be issued after the issuance of certificates of occupancy of the required percentage of single unit residential associated with the multi-unit residential.

3. No additional height associated with an affordable housing bonus is allowed prior to the construction of the necessary affordable housing units required to receive the bonus.

C. **Structured Parking**

1. Structured parking must not be visible from any ~~the adjacent primary or primary internal~~ streets of the development.

2. No multi-unit building over 3 stories in height may be served by surface parking only. The Director may allow a split between surface and structured parking after consideration of the impact on stormwater management and availability of project open space.

Div. 4.11. North End Mixed Use (NEX-5/10/12)

Sec. 4.11.1. NEX- Lot Parameters

SEC. 4.11.1. NEX- LOT PARAMETERS		
[Graphic not available]		
Lot		
	Area	
	Single unit attached	~~1,~~ 25800700 SF min
	Multi-unit	7,500 SF min
	Other residential uses	3,000 SF min
	All other allowed uses	10,000 SF min
	Width	
	Single unit attached	~~16'~~ 14' min
	Multi-unit	75' min
	Other residential uses	30’ min
	All other allowed uses	100' min
Coverage		
	Lot coverage	~~70~~80% max
	Outdoor amenity space	15% min
	Location at grade	10% min

Sec. 4.11.2. NEX- Building Placement

SEC. 4.11.2. NEX- BUILDING PLACEMENT
[Graphic not available]

Build-to Zone		
	Primary or primary internal street	5' min/30' max
	% of building facade in primary or internal street build-to zone	~~6~~70% min
	Side street	5' min/30' max
	% of building facade in side street build-to zone	~~3~~50% min
Side and Rear Building Setbacks		
	Side: common lot line/alley	5' min
	Side: single unit attached, between abutting units	0' min
	Rear: common lot line/alley	5' min
	Abutting a Protected Neighborhood	see Sec. 8.3.6.~~Div. 6.4~~
Parking Setbacks		
	Primary or internal street	20' min
	Side street	10' min
	Side: common lot line/alley	0' min
	Rear: common lot line/alley	0' min
	Abutting a Protected Neighborhood	see Sec. 8.3.6.~~Div. 6.4~~

Sec. 4.11.3. NEX- Height and Mass

SEC. 4.11.3. NEX- HEIGHT AND MASS		
[Graphic not available]		
Building Height		
	Single unit residential	3 stories/40' max
	Within 400 feet of Roswell Road	
	All other allowed uses	5 stories/65' max
	All other allowed uses with affordable housing bonus	6 stories/80' max
	Beyond 400 feet from Roswell Road	
	All other allowed uses	10 stories/ 140' max
	If adjacent to RE- or RD-	10 stories/ 129' max
	All other allowed uses with affordable housing bonus or retail bonus	12 stories/ 165' max
	If adjacent to RF- or RD-	12 stories/ 154' max

	All uses within a transition area	2 stories/24' max
	~~Required minimum height~~	~~2 stories min~~
Story Height		
	Ground floor elevation, residential	2' min/5' max
	Ground floor elevation, ~~retail~~ or ~~retail-ready~~commercial-ready	0' min/2' max
	Ground story, residential	11' min
	Ground story, ~~retail~~/~~retail-ready~~commercial-ready	14' min
	Upper story	10' min
Building Mass		
	Street-facing building length	200' max

Sec. 4.11.4. NEX- Activation

SEC. 4.11.4. NEX- ACTIVATION		
[Graphic not available]		
Transparency		
	Ground story, residential	30% min
	Ground story, ~~retail-ready~~commercial-ready	50% min
	Upper story	20% min
	Blank wall length	30' max
Pedestrian Access		
	Entrance facing primary or internal street	Required
	Entrance spacing along primary or internal street	100' max
~~**Development Patterns Allowed**~~		
	~~Cottage Court~~ All	~~see Div. 6.3.~~
Residential Units Required		
	Single unit residential (% of total units)	20~~5~~% min

Sec. 4.11.5. NEX- District Standards

A. **Primary Internal Street**

1. A continuous primary internal street must be established in any NEX- District. The street must connect to Roswell Road.

   a. **C-Street** Where the development site faces only Roswell Road, the primary internal street must connect with Roswell Road at a minimum of two points, providing a loop road servicing the entire

development. Additional, or side streets may be necessary depending on whether they meet the block face lengths found in Sec. 10.3.1.

b. **L/T-Street** Where the development site faces multiple streets including Roswell Road, the primary internal street must connect through the site from Roswell Road to the intersecting street or streets. At least one street connection to Roswell Road must be considered as a part of the primary internal street. Additional, or side streets may be necessary depending on whether they meet the block face lengths found in Sec. 10.3.1.~~a. Where the development site faces only Roswell Road, the primary internal street must connect at two points, providing a loop road servicing the entire development.~~

~~b. Where the development site is a corner lot facing Roswell Road at an intersection with a collector or higher designated street, the primary internal street must connect through the site from Roswell Road to the intersecting street.~~

2. The ground floor of a multi-unit building facing a primary or internal primary street must be constructed to be ~~retail-ready~~commercial-ready (See Sec. 6.6.2.E.). ~~(built to meet or exceed the minimum requirements for ground floor elevation, ground story height, transparency, and entrance spacing required for a retail use). Retail-ready space is allowed to be occupied by any use allowed in the zoning district.~~

B. **Phasing of Residential Construction** Where construction occurs in phases, each phase that includes multi-unit residential development must meet the following standards.

1. Each phase must maintain or exceed the required percentage of single unit residential required for the amount of multi-unit residential proposed.

2. Certificates of occupancy for any multi-unit residential may only be issued after the issuance of certificates of occupancy of the required percentage of single unit residential associated with the multi-unit residential.

3. No additional height associated with an affordable housing bonus is allowed prior to the construction of the necessary affordable housing units required to receive the bonus.

C. **Structured Parking**

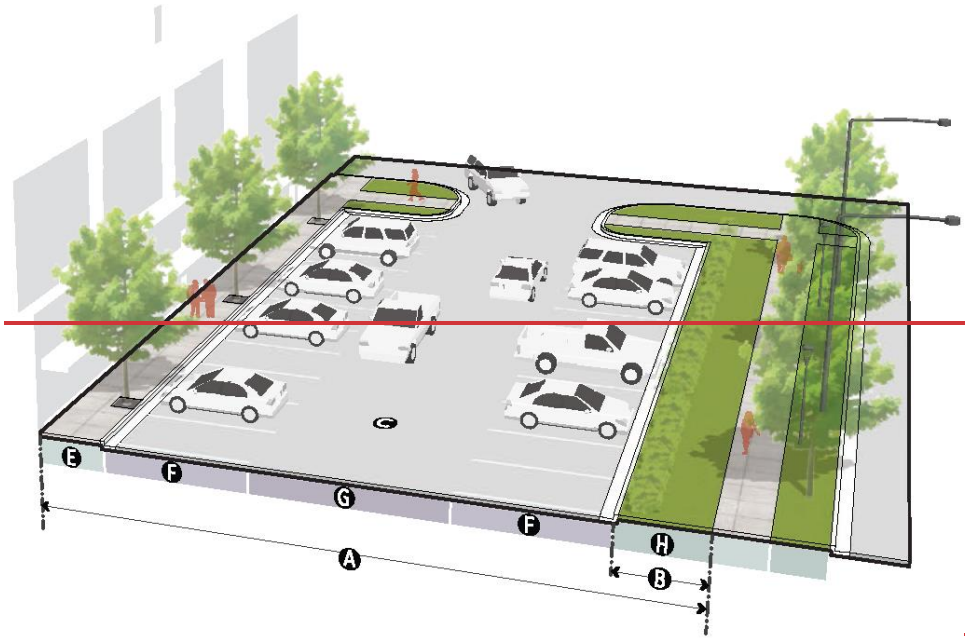
1. Structured parking must not be visible from ~~the adjacent primary or primary internal~~any streets of the development.

2. No multi-unit building over 3 stories in height may be served by surface parking only. The Director may allow a split between surface and structured parking after consideration of the impact on stormwater management and availability of project open space.

Div. 4.15. ~~Corridor & Node Frontages~~[2]Reserved

Sec. 4.15.1. Parking Limited (-PL)

The Parking Limited Frontage acts like an overlay that modifies standards in the underlying zoning district. If any Parking Limited Frontage requirement is in conflict with the underlying zoning district, the Parking Limited Frontage requirements control.



Description		
Intended for areas where access to buildings by automobile is desired but where some level of walkability is maintained. Permits a maximum of two bays of on-site parking with a single drive aisle between the building and the street.		
Build-to Zone		
A	Primary Street	10' min/100' max
	Side street	10' min/100' max
Parking Setbacks		
B	Primary Street	10' min
	Side street	10' min
Additional Parking Limitations		
C	A maximum of two bays of on-site parking is allowed between the public sidewalk and the primary street-facing entrance of the building.	
Pedestrian Access		
	Direct pedestrian access is required from the public sidewalk to the primary entrance of the building.	
Front Yard*		
D	Sidewalk	8' min
E	Parking lot configuration	
	90° angle parking	18' min
	60° angle parking	20' min
	Parallel parking	8' min

	~~Access lane (2-way)~~	~~24' min~~
	~~Landscape strip~~	~~10' min~~
~~* see Sec. 8.2.2 for parking lot landscaping requirements~~		

ARTICLE 5.
PERIMETER CENTER

Div. 5.1. District Intent Statements

The Perimeter Center districts are intended to allow enhancement of the Perimeter Center. The corresponding Character Area Map categories for each zoning district are provided in Sec. 1.2.1.

Sec. 5.1.1. Perimeter Residential

The Perimeter Residential district is intended for residential living in attached single unit and multi-unit residences. The district also allows for limited commercial, and for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. PR-3: Perimeter Residential, 3 stories maximum height

B. PR-5: Perimeter Residential, 5 stories maximum height

Sec. 5.1.2. Perimeter Mixed Use

The Perimeter Center districts are intended to provide for an intense office neighborhood, supplemented by a variety of retail, service and commercial uses, as well as multi-unit residences. The districts also allow for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. PX-3: Perimeter Mixed Use, 3 stories maximum height

B. PX-5: Perimeter Mixed Use, 5 stories maximum height

C. PX-8: Perimeter Mixed Use, 8 stories maximum height

D. PX-10/12: Perimeter Mixed Use, 10 stories maximum base height, up to 12 stories with bonus

E. PX-20/35: Perimeter Mixed Use, 20 stories maximum base height, up to 35 stories with bonus

Sec. 5.1.3. Perimeter Medical

The Perimeter Medical districts are intended to provide for an intense hospital and medical office neighborhood, supplemented by a variety of retail, service and commercial uses, as well as multi-unit residences. The districts also allow for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. PM-5: Perimeter Medical, 5 stories maximum height

B. PM-8: Perimeter Medical, 8 stories maximum height

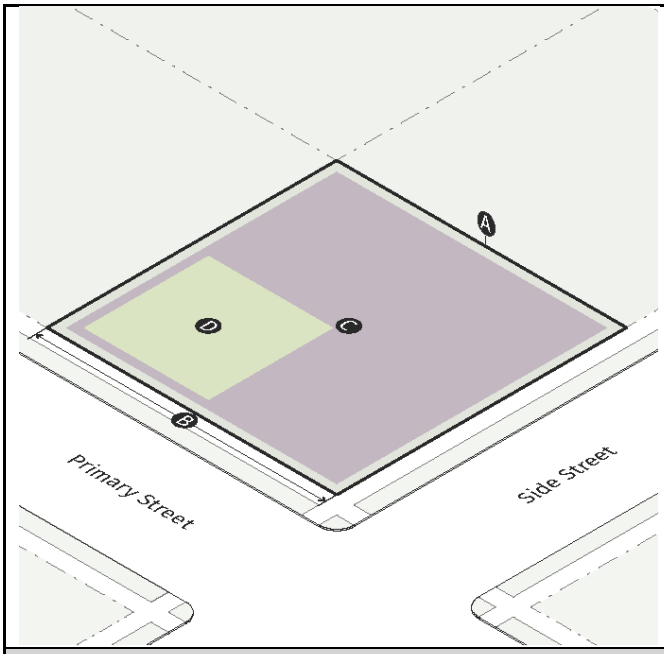
C. PM-12/15: Perimeter Medical, 12 stories base maximum height, up to 15 stories with bonus

D. PM-20/35: Perimeter Medical, 20 stories base maximum height, up to 35 stories with bonus

Div. 5.2. Perimeter Residential (PR-)

Sec. 5.2.1. PR- Lot Parameters

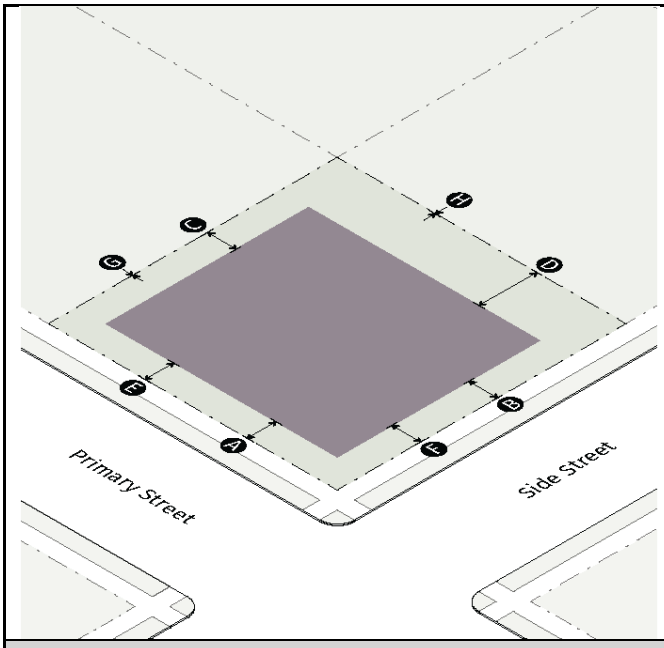
SEC. 5.2.1. PR- LOT PARAMETERS



Lot		
A	Area	
	Single unit attached	~~1,300~~700 SF min
	Neighborhood unit	3,000 SF min
	All other allowed uses	7,500 SF min
B	Width	
	Single unit attached	1~~6~~4' min
	Neighborhood unit	30' min
	All other allowed uses	75' min
Coverage		
C	Lot coverage	85% max
D	Outdoor amenity space	Required
E	Canopy coverage	
	Residential use	35% min
	All other uses	40% min

Sec. 5.2.2. PR- Building Placement

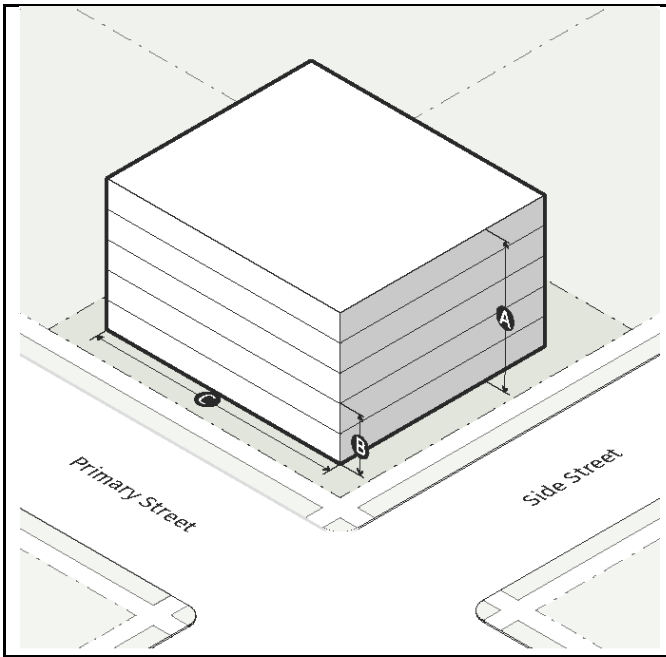
SEC. 5.2.2. PR- BUILDING PLACEMENT



Building Setbacks		
A	Primary street, local	10' min
	Primary street, all other	20' min
B	Side street	10' min
C	Side: common lot line	10' min
	Side: single unit attached, between abutting units	0' min
D	Rear: common lot line	20' min
	Rear: single unit attached	5' min
Parking Setbacks		
E	Primary street	10' min
F	Side street	10' min
G	Side: common lot line	0' min
H	Rear: common lot line	0' min

Sec. 5.2.3. PR- Height and Mass

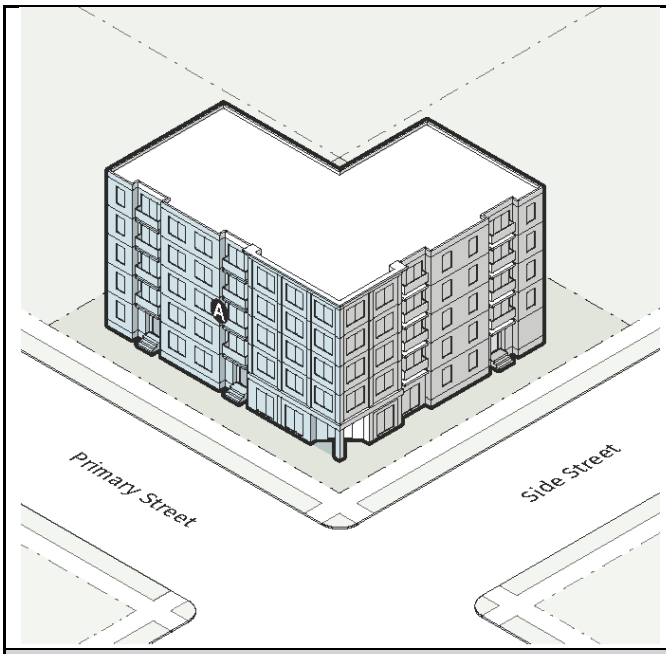
SEC. 5.2.3. PR- HEIGHT AND MASS



Building Height		
A	Maximum height	
	PR-3	3 stories/40' max
	PR-5	5 stories/70' max
B	Minimum height	2 stories min
Building Mass		
C	Street-facing building length	200' max

Sec. 5.2.4. PR- Activation

SEC. 5.2.4. PR- ACTIVATION

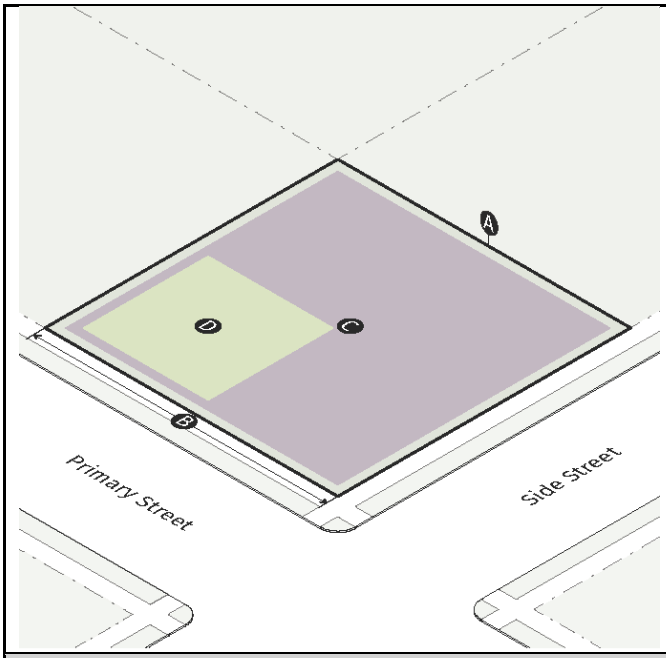


Frontages		
A	Applicability	All stories
	Frontage type	See Div. 5.6

Div. 5.3 Perimeter Mixed Use, Low/Mid-Rise (PX-)[3]

Sec. 5.3.1. PX- Lot Parameters

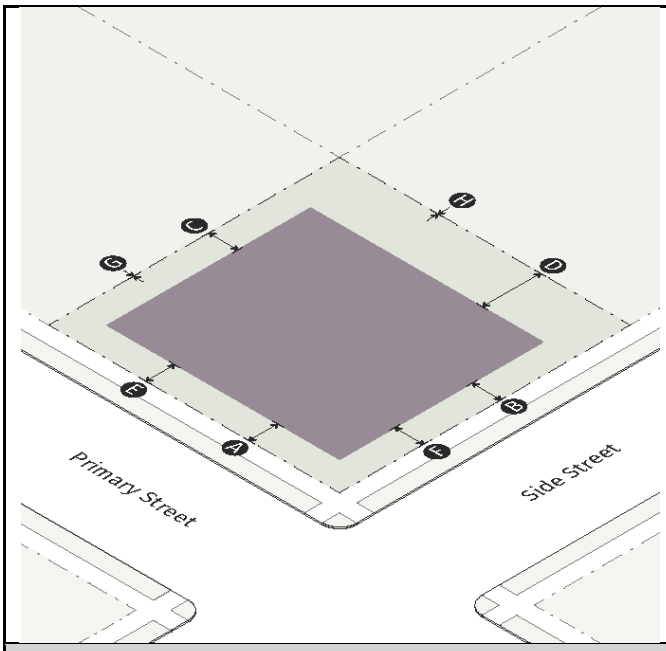
SEC. 5.3.1. PX- LOT PARAMETERS



Lot		
A	Area	
	Single unit attached	~~1,300~~700 SF min
	Neighborhood unit	3,000 SF min
	All other allowed uses	~~7,~~5,000 SF min
B	Width	
	Single unit attached	1~~4~~6' min
	Neighborhood unit	30’ min
	All other allowed uses	75' min
Coverage		
C	Lot coverage	85% max
D	Outdoor amenity space	Required
E	Canopy coverage	
	Residential use	35% min
	All other uses	40% min

Sec. 5.3.2. PX- Building Placement

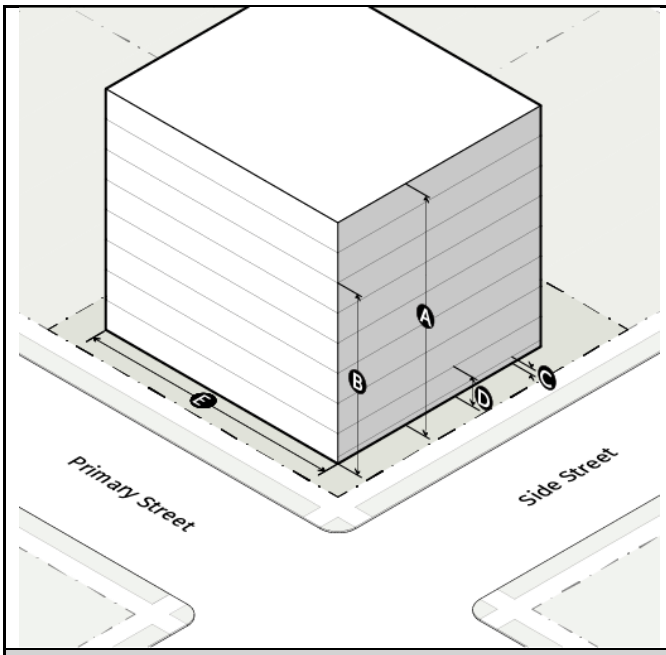
SEC. 5.3.2. PX- BUILDING PLACEMENT



Building Setbacks		
A	Primary street, local	10' min
	Primary street, all other	20' min
B	Side street	10' min
C	Side: common lot line	20' min
	Side: single unit attached, between abutting units	0' min
D	Rear: common lot line	20' min
	Rear: single unit attached	5' min
Parking Setbacks		
E	Primary street	10' min
F	Side street	10' min
G	Side: common lot line	0' min
H	Rear: common lot line	0' min

Sec. 5.3.3. PX- Height and Mass

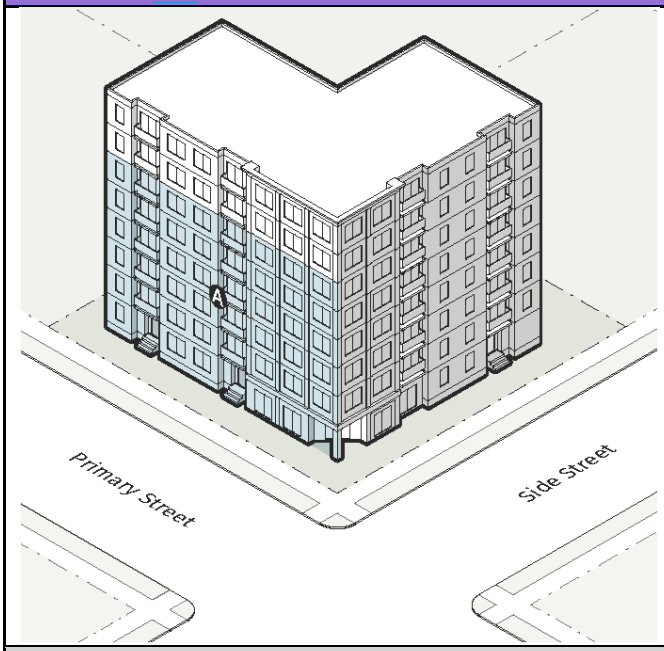
SEC. 5.3.3. PX- HEIGHT AND MASS



Building Height		
A	Maximum height	
	PX-3	3 stories max/53' max
	Adjacent to RE- or RD-	3 stories max/42' max
	PX-5	5 stories max/81' max
	Adjacent to RE- or RD-	5 stories max/70' max
	PX-8	8 stories max/123' max
	Adjacent to RE- or RD-	8 stories max/112' max
	Within a transition area	2 stories/28' max
B	Minimum height	
	PX-3, PX-5	2 stories min*
	PX-8	3~~4~~ stories min*
	PX-12	3~~6~~ stories min*

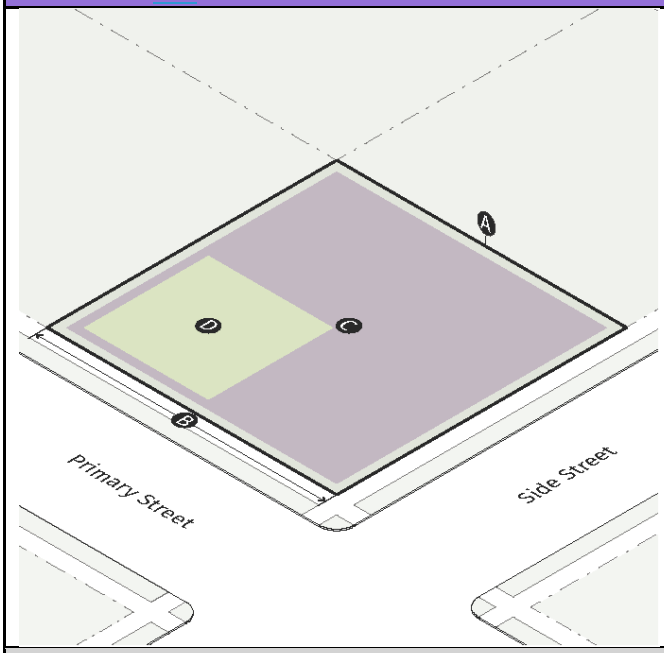
		*See Div. ~~5.7~~6.7 for ~~Adjustedable Minimum Height~~minimum height reduction
Story Height		
C	Ground floor elevation	0' min/2' max
D	Ground story	14' min
Building Mass		
E	Street-facing building length	300' max

Sec. 5.3.4. PX- Activation

SEC. 5.3.4. PX- ACTIVATION		
		
Applicable Frontages		
A	Applicability	6 stories
	Frontage type	See Div. 5.6.

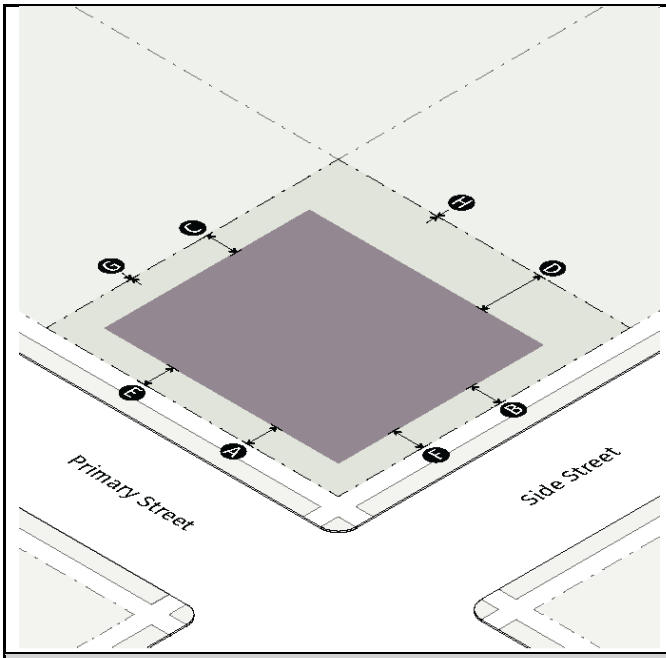
Div. 5.4. Perimeter Mixed Use, High-Rise (PX-)[4]

Sec. 5.4.1. PX- Lot Parameters

SEC. 5.4.1. PX- LOT PARAMETERS		
		
Lot		
A	Area	
	Single unit attached	700 SF min
	Neighborhood unit	3,000 SF min
	All other allowed uses	5,000 SF min
B	Width	
	Single unit attached	14’ min
	Neighborhood unit	30’ min
	All other allowed uses	75’ min
Coverage		
C	Lot coverage	85% max
D	Outdoor amenity space	Required
E	Canopy coverage	
	Residential use	35% min
	All other uses	40% min

Sec. 5.4.2. PX- Building Placement

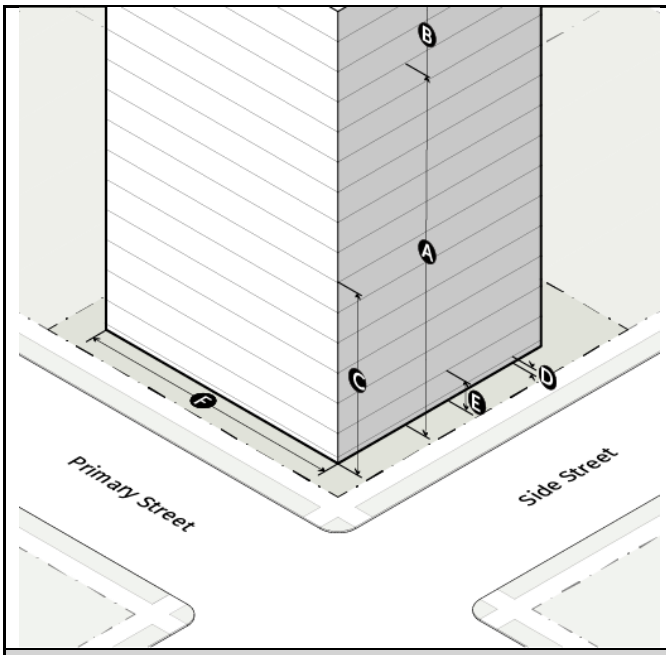
SEC. 5.4.2. PX- BUILDING PLACEMENT



Building Setbacks		
A	Primary street, local	10' min
	Primary street, all other	20' min
B	Side street	10' min
C	Side: common lot line	20' min
	Side: single unit attached, between abutting units	0' min
D	Rear: common lot line	20' min
Parking Setbacks		
E	Primary street	10' min
F	Side street	10' min
G	Side: common lot line	0' min
H	Rear: common lot line	0' min

Sec. 5.4.3. PX- Height and Mass

SEC. 5.4.3. PX- HEIGHT AND MASS

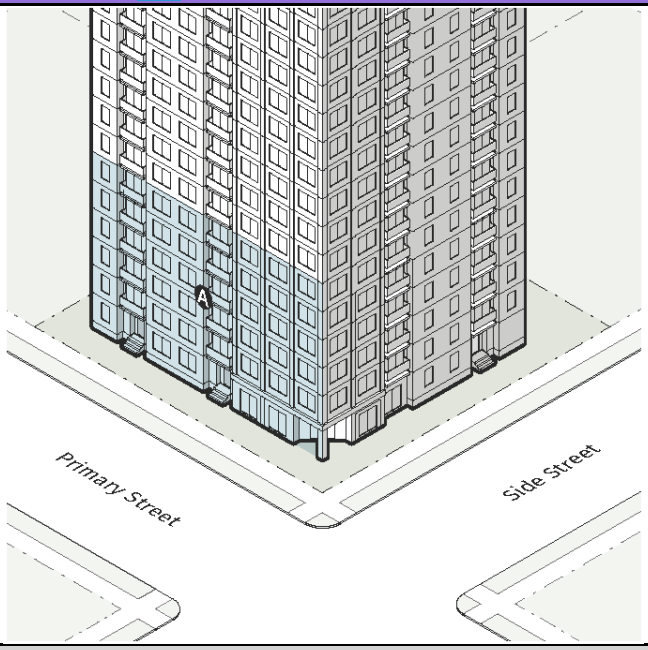


Building Height		
A	Maximum height	
	PX-10/12	10 stories max/151' max
	Adjacent to RE- or RD-	10 stories max/140' max
	PX-20/35	20 stories max/291' max
	Adjacent to RE- or RD-	20 stories max/280' max
	Within a transition area	2 stories/28' max
B	Bonus: maximum height (see Div. 6.7.)*	
	PX-10/12	12 stories max/179' max
	Adjacent to RE- or RD-	12 stories max/168' max
	PX-20/35	35 stories max/501' max
	Adjacent to RE- or RD-	35 stories max/490' max
	Within a transition area	2 stories/28' max
	~~* See Div. 6.7~~	

C	Minimum height	4~~6~~ stories min*
		*See Div. ~~5.7~~6.7 for minimum height reduction~~Adjustable Minimum Height~~
Story Height		
D	Ground floor elevation	0' min/2' max
E	Ground story	14' min
Building Mass		
F	Street-facing building length	300' max

Sec. 5.4.4. PX- Activation

SEC. 5.4.4. PX- ACTIVATION

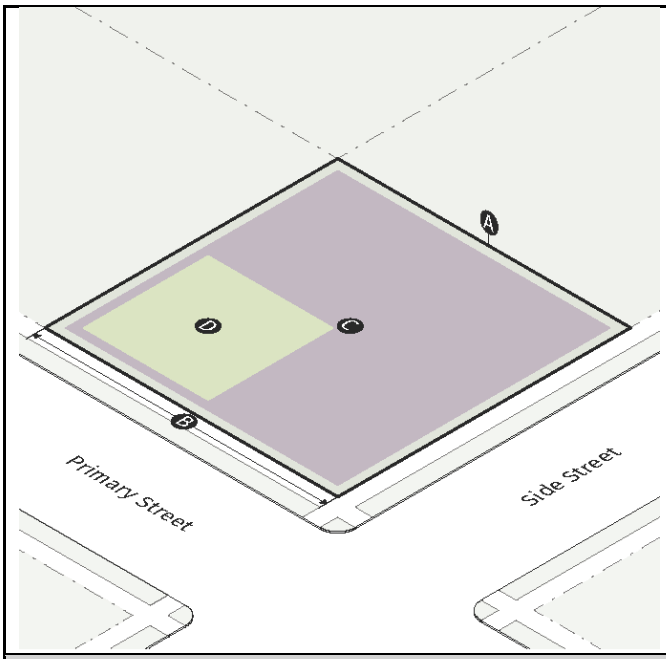


Frontages		
A	Applicability	6 stories
	Frontage type	See Div. 5.6

Div. 5.5. Perimeter Medical (PM-)

Sec. 5.5.1. PM- Lot Parameters

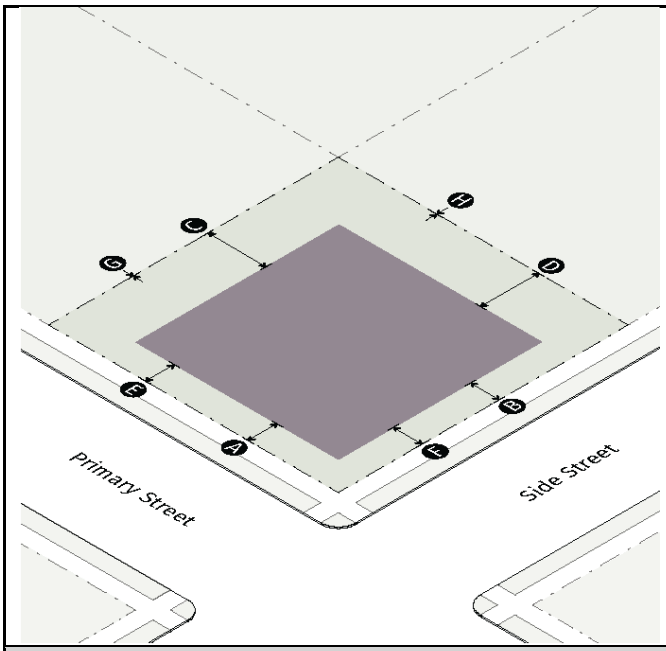
SEC. 5.5.1. PM- LOT PARAMETERS



Lot		
A	Area	
	Single unit attached	~~800~~ 700 SF min
	Neighborhood unit	3,000 SF min
	All other allowed uses	7,500 SF min
B	Width (All uses other than as listed below)	
	Single unit attached	14' min
	Neighborhood unit	30' min
	All other allowed uses	75' min
Coverage		
C	Lot coverage	85% max
D	Outdoor amenity space	Required
E	Canopy coverage	
	Residential use	35% min
	All other uses	40% min

Sec. 5.5.2. PM- Building Placement

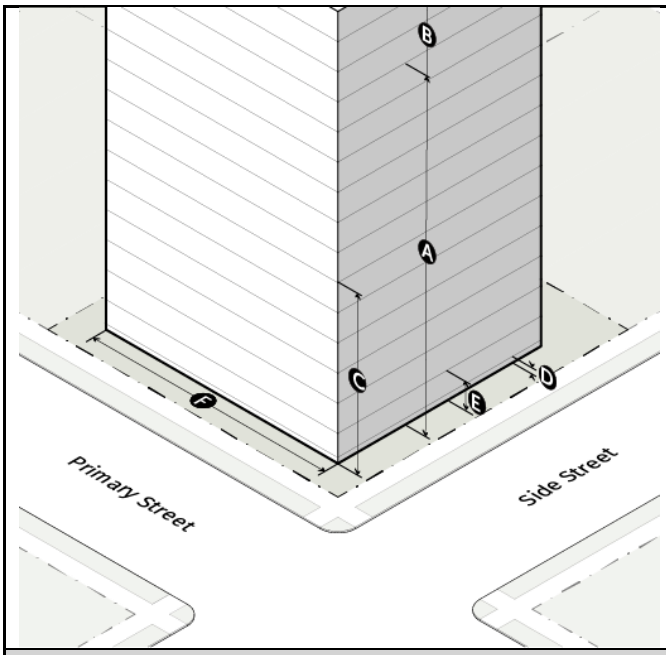
SEC. 5.5.2. PM- BUILDING PLACEMENT



Building Setbacks		
A	Primary street, local	10' min
	Primary street, all other	20' min
B	Side street	10' min
C	Side: common lot line	20' min
	Side: single unit attached, between abutting units	0' min
D	Rear: common lot line	20' min
Parking Setbacks		
E	Primary street	10' min
F	Side street	10' min
G	Side: common lot line	0' min
H	Rear: common lot line	0' min

Sec. 5.5.3. PM- Height and Mass

SEC. 5.5.3. PM- HEIGHT AND MASS

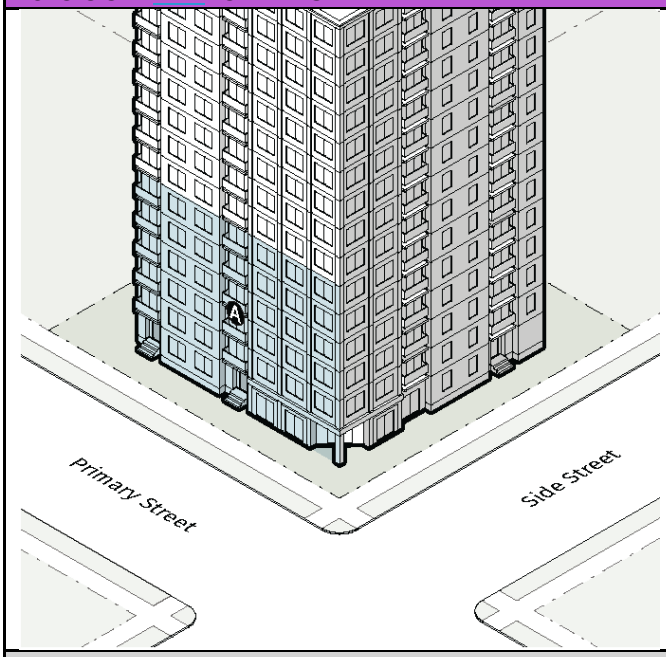


Building Height		
A	Maximum height	
	PM-5	5 stories max/81' max
	Adjacent to RE- or RD-	5 stories max/70' max
	PM-8	8 stories max/123' max
	Adjacent to RE- or RD-	8 stories max/112' max
	PM-12/15	12 stories max/179' max
	Adjacent to RE- or RD-	12 stories max/168' max
	PM-20/35	20 stories max/291' max
	Adjacent to RE- or RD-	20 stories max/280' max
	Within a transition area	2 stories/28' max
B	B-Bonus: maximum height*	
	PM-12/15	15 stories max/221' max
	Adjacent to RE- or RD-	15 stories max/210' max
	PM-20/35	35 stories max/501' max
	Adjacent to RE- or RD-	35 stories max/490' max
	Within a transition area	2 stories/28' max
C	Minimum height	
	PM-5	2 stories min
	PM-8	3~~4~~ stories min*
	PM-12/15, PM-20/35	4~~6~~ stories min*
		*See Div. ~~5.7~~6.7 for ~~Adjustable Minimum Height~~ minimum height reduction
Story Height		
D	Ground floor elevation	0' min/2' max
E	Ground story	~~14'~~ 16′ min
Building Mass		

F	Street-facing building length	300' max

Sec. 5.5.4. PM- Activation

SEC. 5.5.4. PM- ACTIVATION



Frontages		
A	Applicability	6 stories
	Frontage type	See Div. 5.6

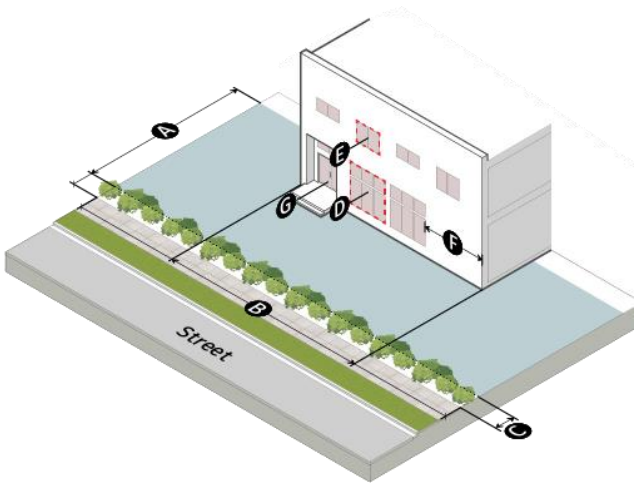
Div. 5.6. Perimeter Center Frontages

Sec. 5.6.1. Applicability

The Perimeter Center Frontages ~~act like~~ are overlays that modify standards in the underlying Perimeter Center Districts. If any Perimeter Center Frontage requirement is in conflict with the underlying zoning district, the Perimeter Center Frontages requirements control.

Sec. 5.6.2. Standard (-ST)*

SEC. 5.6.2. Standard (-ST)*

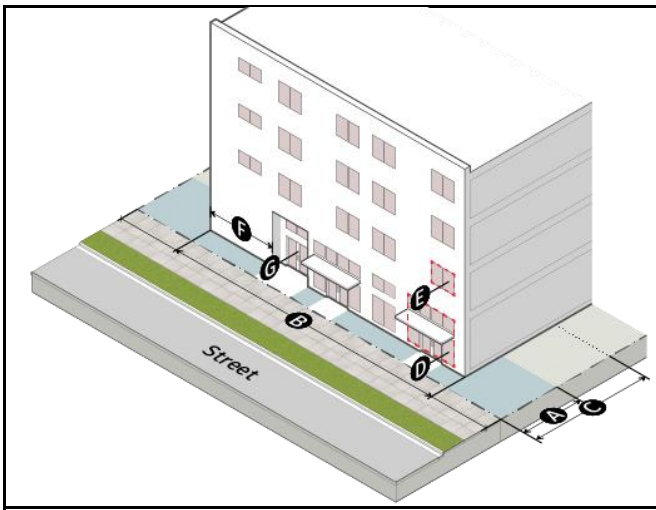


		Nonresidential Ground Floor	Residential Ground Floor
Setbacks			
Ⓐ	(-ST) requirements ~~Applies~~ apply only to building within 30' of ROW		
Ⓑ	% of building facade in build-to zone	—	—
Ⓒ	Parking setback	—	—
Transparency			
Ⓓ	Ground story	50% min	20% min
Ⓔ	Upper story	20% min	20% min
Ⓕ	Blank wall length	50' max	50' max
Pedestrian Access			
Ⓖ	Entrance facing street	Required	Required
	Entrance spacing along street	—	—

* Only building facades located within 30 feet of a street are subject to the Standard Frontage requirements.

Sec. 5.6.3. Urban Limited (-UL)

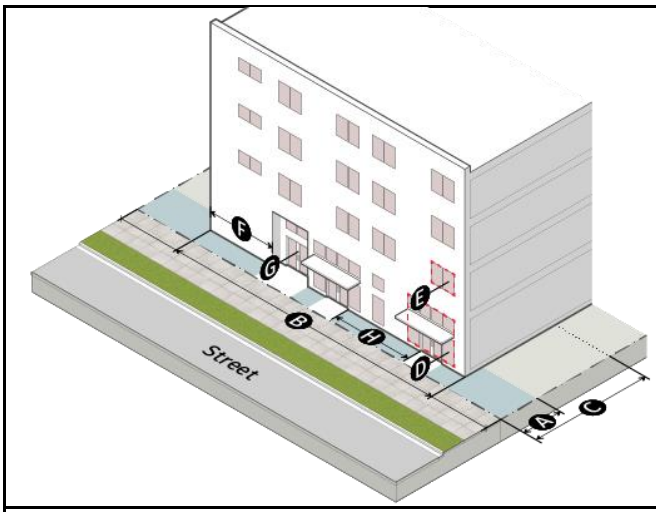
SEC. 5.6.3. URBAN LIMITED (-UL)



		Nonresidential Ground Floor	Residential Ground Floor
Setbacks			
Ⓐ	Build-to zone	5' min/30' max	10' min/~~40'~~ 30’ max
Ⓑ	% of building facade in build-to zone	50% min	50% min
Ⓒ	Parking setback	20' min	20' min
Transparency			
Ⓓ	Ground story	50% min	20% min
Ⓔ	Upper story	20% min	20% min
Ⓕ	Blank wall length	50' max	50' max
Pedestrian Access			
Ⓖ	Entrance facing street	Required	Required
	Entrance spacing along street	—	—

Sec. 5.6.4. Urban General (-UG)

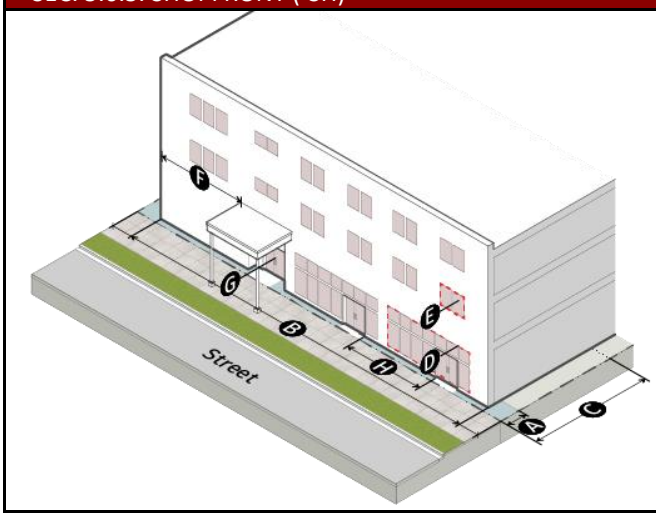
SEC. 5.6.4. URBAN GENERAL (-UG)



		Nonresidential Ground Floor	Residential Ground Floor
Setbacks			
A	Build-to zone	5' min/30' max	10' min/340' max
B	% of building facade in build-to zone	75% min	75% min
C	Parking setback	20' min	20' min
Transparency			
D	Ground story	50% min	20% min
E	Upper story	20% min	20% min
F	Blank wall length	50' max	50' max
Pedestrian Access			
G	Entrance facing street	Required	Required
H	Entrance spacing along street	~~75'~~ 100' max	125' max

Sec. 5.6.5. Shopfront (-SH)*

SEC. 5.6.5. SHOPFRONT (-SH)*



		Nonresidential Ground Floor
Setbacks		
Ⓐ	Build-to zone	5' min/30' max
Ⓑ	% of building facade in build-to zone	100% min
Ⓒ	Parking setback	20' min or 10' behind building façade, whichever is greater
Transparency		
Ⓓ	Ground story	70% min
Ⓔ	Upper story	20% min
Ⓕ	Blank wall length	20' max
Pedestrian Access		
Ⓖ	Entrance facing street	Required
Ⓗ	Entrance spacing along street	50 ' max
*Lots or portions of lots subject to the Shopfront Frontage must contain at a minimum, commercial ~~retail~~ ready ~~or personal service uses~~ units in any building constructed that faces ~~the~~ a street. Shopfront Frontage applies only to the first 125 feet from the street intersection, where the two property lines intersect.		

Div. 5.7. ~~Perimeter Center Adjusted Minimum Height~~Reserved

~~Sec. 5.7.1. Applicability~~

~~The Perimeter Center Adjusted Minimum Height requirements act like~~ are an overlay that modifies standards in ~~the following Perimeter Center Zoning Districts: Perimeter Mixed Use (PX-8, -12, -10/12, -20/35) and Perimeter Medical (PM-8, -12/15, -20/35). If any Perimeter Center Adjusted Minimum Height requirement is in conflict with the underlying zoning district, the Perimeter Center Adjusted Minimum Height requirements govern.~~

~~Sec. 5.7.2. Standards~~

~~The following uses meeting the following Use Standards within mixed-use infill developments are permitted with adjusted minimum heights:~~

~~1. Basic Use Standards~~

~~a. Mixed-use building (a minimum of two (2) stories), provided:~~

~~i. The proposed building square footage is less than 10% of the overall total building square footage of the development of contiguous lots, as described in Sec. 6.1.1.A.3.~~

~~ii. Any uses in the first two (2) stories ground level of the building must be personal service, office, restaurant, or retail uses.~~

~~iii. Retail, restaurant, or personal service uses must be reasonably located within the development so as to be accessible to the general public.~~

~~b. Single unit attached (a minimum of two (2) stories), intended appropriate (?) for home ownership, provided:~~

~~i. The total parcel site area devoted to single unit attached residential uses shall be no more than 20% of the total area of contiguous lots, as described in Sec. 6.1.1.A.3.~~

ii. An equivalent area of permitted commercial uses shall be constructed constructed prior to the issuance of permits for residential uses.

iii. A parking study must be performed to determine if opportunities exist for shared parking to reduce the overall number of parking spaces.

2. **Additional Use Standards**

a. Urban General (UG) frontage requirements apply where streets are internal, whether private or public, when no Perimeter Center Frontage is otherwise required.

SANDY SPRINGS
CITY CLERK'S OFFICE

TO: Eden Freeman, City Manager

FROM: Matthew Anspach, Senior Planner

DATE: November 13, 2023 Submission for the December 5, 2023 City Council Meeting

ITEM: TA23-0003(c) - Request for Mayor and City Council Consideration of an Ordinance to Amend to the Development Code Article 6 (Rules for All Districts)

Recommendation:

Staff recommends that Mayor and City Council approve the text amendment as proposed.

At the Special Called Planning Commission meeting on November 13, 2023, the Planning Commission voted to recommend that Mayor and City Council approve the text amendment as proposed.

Background:

The Next Ten Comprehensive Plan Policy E recommends a review of development management tools to implement the vision and goals of the Comprehensive Plan, Small Area Plans, and other planning documents. Both the 10 Key Actions for the Next Ten and Policy LU-E1 recommends comprehensive updates to the Sandy Springs Development Code. Furthermore, the Next Ten Community Work Program item LU-E1.1 recommends that staff conduct a comprehensive review of the Development Code in 2022 and 2023.

Discussion:

Over the last 13 months, city staff have worked toward execution of this comprehensive review of the city's Development Code. Staff, with the assistance of consultant Code Studio, have received input from a variety of stakeholders, including residents and neighborhood groups, business and property owners, contractors and developers, and the Planning Commission as well as overall policy guidance from the Mayor and City Council to help formulate a recommended 5-Year Development Code Update. The code review process consisted of three (3) distinct phases:

1. **Phase I (Intake)** - Hosted more than 25 stakeholder meetings covering a range of topics and facilitated discussion with Council at the 2023 Retreat; met with residents, business owners, Planning Commissioners, electric vehicle and gas station representatives, hotel and hospitality industry representatives, office and medical industry representatives, civic institutions, developers, residential home builders, automotive dealers, attorneys, and others.

2. **Phase II (Draft)** - Worked amongst relevant staff and the consultants' background and code expertise to clean up technical aspects of the existing Development Code, as well researching and proposing edits to the topics deemed by Council to be of particular priority to the City's vitality.

For the Mayor and City Council's September 19 Work Session, city staff and the consultants at Code

Studio presented the initial Development Code Update draft after a thorough input process and direction from Council earlier in the year. City staff and Code Studio replicated the work session the following evening with the Planning Commission at their Special Called Work Session on September 20.

3. **Phase III (Publication and Adoption)** – Staff published draft Development Code documents on the City's website, accepted public feedback, and finalized the draft, including:

- September 22: Online posting of the initial proposed draft to the dedicated Development Code Update webpage (spr.gs/development)
- September 26 – October 18: Online comment form input/submittal period (in addition to the traditional forms of available public comment submission)
- September 26: Public Open House hosted at City Hall
- November 11: Final draft Development Code published on Development Code Update webpage, including summary of key changes
- November 13: Special Called Planning Commission Public Hearing
- December 5: Mayor and City Council Public Hearing for consideration of adoption

The attached presentation and Planning and Zoning detailed Staff Report address the major modifications proposed to the Development Code.

Financial Impact:

No financial impact is anticipated at this time.

Alternatives:

Mayor and City Council may also vote to defer, modify, or deny the proposed text amendment.

Review:

Matthew Anspach, Senior Planner	Created/Initiated - 12/1/2023
Ginger Sottile, Director of Community Development	Approved - 12/1/2023
Kristin Byars Smith, Assistant City Manager	Approved - 12/1/2023
Dan Lee, City Attorney	Approved - 12/1/2023
Eden Freeman, City Manager	Final Approval - 12/1/2023

Attachments:

1. TA23-0003(c) Presentation
2. TA23-0003 Package
3. TA23-0003 Post-Open House Summary Changes
4. TA23-0003(c) Ordinance
5. TA23-0003(c) Final Draft Art 6

Mayor & City Council

December 5, 2023

SANDY SPRINGS™
GEORGIA

TA23-0003(c) (Art. 6)

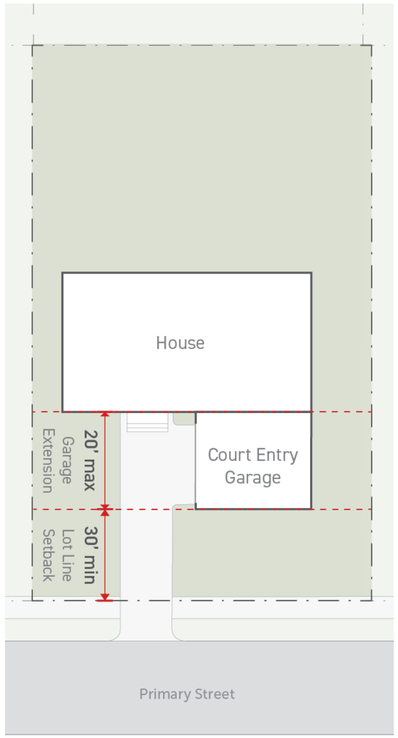
Article 6 Rules for All Districts
(General Rules)

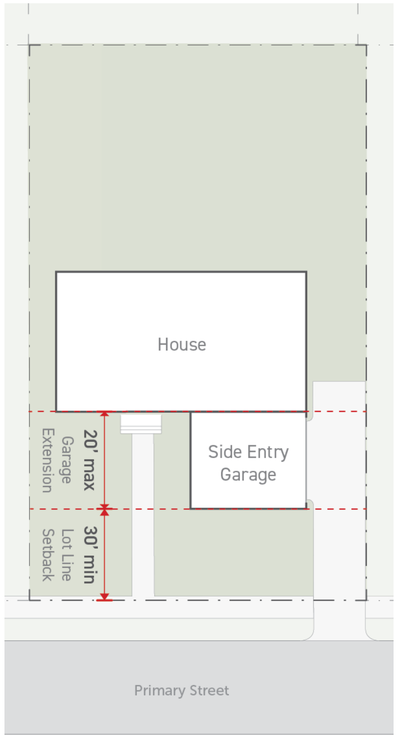
TA23-0003(c) (Art. 6)

- **Article 6 Rules for All Districts (General Rules)**
  - Div. 6.1.
    - Added criteria to Outdoor Amenity Space, including Pedestrian Amenity Space standards
    - Allow mezzanines, single unit, jewel box, and buildings under 2,000 square feet
    - Expanded rooftop allowance

TA23-0003(c) (Art. 6) cont'd

- **Article 6 Rules for All Districts**
  - Div. 6.3.
    - Added new development pattern Shared Court, very similar to Cottage Court, but with emphasis on the path between units
  - Div. 6.4.
    - Moved Protected Neighborhood Transitions sections to Article 8 along with other buffer language
  - Div. 6.5.
    - Added garage encroachment allowance for established (pre-cityhood) homes





TA23-0003(c) (Art. 6) cont'd

- **Article 6 Rules for All Districts (General Rules)**
  - Div. 6.6.
    - Added further design requirements for commercial buildings
    - Removed Construction Classification and Building Height Sec. 6.6.3., construction materials solely regulated by the International Building Code
  - Div. 6.7.
    - Overhauled bonus section, to create Enhanced Community Benefit Matrix (Accompanying Enhanced Community Benefits List to be placed within the Technical Manual)

SANDY SPRINGS
GEORGIA

P&Z STAFF REPORT

Mayor and City Council Meeting, December 5, 2023

Case: **TA23-0003 – Comprehensive Development Code Review & Update**
Staff Contact: Matthew Anspach (manspach@sandyspringsga.gov)
Report Date: November 21, 2023

PURPOSE

An Ordinance to amend the Development Code with edits to each article, 1 through 12.

RECOMMENDATION

Planning Commission

The Planning Commission at their Special Called Meeting on November 13 voted per the following for each of the five (5) items comprising the 5-Year Development Code Update:

Commissioner Settles made a motion to **recommend approval of TA23-0003(a)**, Articles 1 (Introductory Provisions), 11 (Administration), and 12 (Definitions) as proposed. Commissioner Conklin seconded the motion. **The motion passed unanimously.**

Commissioner Settles made a motion to **recommend approval of TA23-0003(b)**, Articles 2 through 5 (Protected Neighborhoods, Urban Neighborhoods, Corridors & Nodes, and Perimeter Center) as proposed. Commissioner Nickles seconded the motion. **The motion passed unanimously.**

Commissioner Nickles made a motion to **recommend approval of TA23-0003(c)**, Article 6 (Rules for All Districts) as proposed. Commissioner Kelly seconded the motion. **The motion passed unanimously.**

Discussion from the Planning Commission on item (d) was varied from Neighborhood Eateries to Fuel Stations. Several comments from the public were heard, speaking on topics ranging from a request to consider up to 12 stories of (bonus) height allowance for the CX zoning district to Neighborhood Eateries. Commissioner Nickles discussed proposing an amendment that would effectively allow Fuel Stations in any “commercial” district, so long as they met all the basic and conditional use standards.

Ultimately, Commissioner Settles made a motion to **recommend approval of TA23-0003(d)**, Article 7 (Use Provisions) with the amendment that Neighborhood Eateries be permitted in Office Neighborhood only with community meetings as a requirement, and with specific operating hours. Commissioner Kelly seconded the motion. **The motion passed 5-1 with Commissioner Porter dissenting.**

After the motion was heard and voted for in the affirmative, Commissioner Nickles made a point of personal privilege-to make a motion to reconsider the previous motion. The motion failed for lack of a second.

Commissioner Porter made a motion to **recommend approval of TA23-0003(e)**, Articles 8 through 10 (Site Development, Environmental Protection, Streets & Improvements) with the following edits to Sec. 9.4.2.G.4.:
-Remove subsection a.
-Modify subsection b. to read "Also, where a side or rear yard is the only feasible option for a construction entrance, grading disturbance may be approved by the Director, so long as the width of the area of activity within the buffer does not impact an existing tree with a 15" DBH or greater and is replaced with a mitigation zone. *(paraphrase) "The Director shall conduct a physical inspection of the work site where alternative access is being requested."*

Commissioner Settles seconded the motion. **The motioned carried unanimously.**

Department of Community Development

Staff recommends **Approval** of **Text Amendment TA23-0003** in its entirety, grouping (a) through (e).

-**TA23-0003(a)**, Articles 1 (Introductory Provisions), 11 (Administration), and 12 (Definitions)
-**TA23-0003(b)**, Articles 2 through 5 (Protected Neighborhoods, Urban Neighborhoods, Corridors & Nodes, and Perimeter Center)
-**TA23-0003(c)**, Article 6 (Rules for All Districts)
-**TA23-0003(d)**, Article 7 (Use Provisions)
-**TA23-0003(e)**, Articles 8 through 10 (Site Development, Environmental Protection, Streets & Improvements)

PROCESS	
Planning Commission Hearing: November 13, 2023	Mayor and City Council Hearing: December 5, 2023

The following excerpts from the Final Draft are not exhaustive, but simply snapshot of the more substantive material changes proposed and the more purely sizeable, proposed changes. For a full account of all proposed changes, be sure to review the Final Draft document(s).

TA23-0003(a), Articles 1 (Introductory Provisions), 11 (Administration), and 12 (Definitions)

Article 1. Introductory Provisions

Section 1.1.3.

Sec. 1.1.3. Effective Date

This Development Code was adopted on August 15, 2017 and became effective on September 15, 2017 (the "effective date").

This Development Code was subsequently updated and adopted on December 5,2023 (the "5-Year Development Code Update").

Section 1.1.9.

D. For development sites in the CS-, CX-, and SX- districts which received a zoning approval between September 15, 2017 and prior to December 5, 2023, a conditional use permit is not required for any multi-unit housing component over three (3) stories.

Sec. 1.1.10.

Sec. 1.1.10. Amortization for ~~Vehicle-Related Uses~~Specific Uses and Standards

A. **Intent** It is the intent of this Section to bring into conformity the parking lot landscaping and perimeter screening, foundation planting, mechanical and other equipment screening, and site lighting of vehicle-related uses and screening requirements for all service areas. It is the intent of the City Council to protect the investment-backed expectations of property owners, and to accomplish conformity while allowing property owners a reasonable return on their investment.

B. **Applicability** The requirements of this Section apply to all of the following uses, provided they do not meet the standards referenced in paragraph C. below, where the affected lot abuts Roswell Road, or the lot is visible from the right-of-way of Roswell Road:

1. Fuel pumps;
2. ~~Gas~~ Fuel stations;

3. Vehicle sales and rental (major and minor); and

4. Vehicle service and repair (major and minor).

C. **Standards** The following requirements must be met where practicable:

1. Sec. 8.32.2.B. regarding perimeter screening of parking lots;

2. Sec. 8.32.4. regarding foundation planting;

3. Sec. 8.32.9. regarding screening; and

4. Div. 8.4 5 regarding site lighting; and

5. Sec. 8.8.9.A. regarding screening for service areas.

D. **Time for Compliance**

1. The standards in paragraph C.1 through C.4 above must be met within 7 years of the effective date of this Development Code. The standards in C.5 above must be met within 3 years of the 5-Year Development Code Update.

2. Owners of property subject to this Section may apply for an extension of time at any time prior to or within 30 days after the expiration of the 7-year or 3-year period. Such application shall contain the following information:

   a. Name of the property owner making application;

   c. A statement from the property owner of how long of an extension is anticipated to be needed to ensure compliance.

   b. Address and tax parcel number of affected property;

3. Upon receipt of the application, the Director will review the request, including any steps taken to ensure compliance, and grant or deny the request. In no case may the extension exceed 6 months.

E. **Alternative Solutions**

1. Where the Director determines compliance with the standards of this Section are infeasible, due to site limitations or otherwise, alternative standards may be considered that meet or exceed the standards of this Section.

Section 1.2.1.

Sec. 1.2.1. Districts Established

In order to carry out the purpose and intent of this Development Code, the City is divided into the following zoning districts, as established on the Official Zoning Map in Div. 1.3. These districts are intended to implement the specific Character Areas established in the Comprehensive Plan, as set out in the table below.

The creation of new districts must be approved through the Planning Commission and City Council under the procedures for Legislative Review (see Div. 11.3) as a Text Amendment.

Character Areas and Zoning Districts		
Character Area Group	**Character Areas Implemented**	**Zoning Districts Permitted**
Protected Neighborhood	Protected Neighborhood	Residential Estate: RE-2, RE-1

		Residential Detached: RD-27, RD-18, RD-15, RD-12, RD-9, RD-7.5
	Conservation Area/Park	Parks: PK
		Conservation: CON
Urban Neighborhood	Urban Neighborhood	Residential Urban: RU-4, RU-3
	Urban Neighborhood, Powers Ferry	Residential Townhouse: RT-3
		Residential Multi-Unit: RM-3, RM-3/8
		Residential Mixed Use: RX-3, RX-3/6, RX-4, RX-5
Corridor & Node	Neighborhood Village	Office Neighborhood: ON-3
	Commercial/Mixed Use, Powers Ferry, Powers Ferry Village	Office Mixed Use: OX-3, OX-4, OX-5, OX-6, OX-8
		Commercial Mixed Use: CX-3, CX-3/6, CX-6, CX-6/8
	Mixed Use, Powers Ferry Village	Shopfront Mixed Use: SX-3, SX-3/6, SX-4, SX-6, SX-6/10
	MARTA Transit-Oriented Development	Transit-Mixed Use: TX-4, TX-6
	City Springs	City Springs: CS-3, CS-4, CS-5, CS-6, CS-6/8
	Commercial/Mixed Use	Industrial Mixed Use: IX-3
	Commercial/Mixed Use, Powers Ferry Village	Commercial Corridor: CC-3
	Mixed Use	North End Mixed Use: NEX-5/6, NEX-5/10/12
Perimeter	Perimeter Center	Perimeter Residential: PR-3, PR-5
	Perimeter Center, Perimeter Medical	Perimeter Mixed Use: PX-3, PX-5, PX-8, PX-10/12, PX-20/35
	Perimeter Medical	Perimeter Medical: PM-5, PM-8, PM-12/15, PM-20/35

Section 1.3.2.

Sec. 1.3.2. Interpretation of Map Boundaries

Where uncertainty exists with respect to the boundaries of any zoning district on the Official Zoning Map, the Director is authorized to interpret the boundaries using the following methods.

A. Where a district boundary line is shown as approximately following the centerline of a street or highway, or an extension of a street or highway, the district boundary is the centerline of that street or highway.

B. Where more than one district applies to a property, and the district boundary line is shown as running approximately parallel at a distance from a street, the distance from the centerline must be determined by the use of the map scale.

C. Where a district boundary line is shown as approximately following a lot line, the district boundary is the lot line.

D. Whenever any street, alley, ~~or~~ other public way, or un-zoned remnant property is vacated, ~~or~~ abandoned, or sold by official action of the City Council, or other state or local entity, the least intense zoning district adjoining ~~each~~ either side of the street, alley, ~~or~~ public way, or public property, will be automatically ~~extended to the center of~~applied to the street, alley, ~~or~~ public way or public property, as determined by the Director.

E. Where a boundary line is shown and its location is not fixed by any of the rules of this Division, its precise location is determined by scaling from streets, objects or structures shown on the Map.

Article 11. Administration

Sec. 11.6.2.

G. **Approval Criteria**

1. Variances will only be granted upon showing that:

a. The variance request would not result in negating the general intent of this Development Code or with the Comprehensive Plan policies;

b. The variance if granted will not be detrimental to the public safety, health, or welfare of the public or injurious to other property;

c. The conditions on which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property;

d. Because of the particular physical surroundings, shape, size, or topographical conditions of the specific property involved, an extraordinary hardship would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;

e. The variance requested is the minimum necessary to accomplish the development or building;

f. In the case of an amendment to a buffer or setback required by this Code, the variance application shows how equal or greater protection will be achieved of the adjacent property or natural resource affected by the proposed development, should the variance be granted; and.

g. Such conditions are not the result of action or inaction of the current property owner; and

~~a. The application of this Development Code would create an unnecessary hardship, and not merely an inconvenience to the applicant; or~~

~~b. There are extraordinary and exceptional conditions due to the size, shape, or topography, which are specific to the subject property and not generally found in similar properties that prohibits the proposed scope of work from being able to comply with the Development Code.~~

2. Failure of an applicant to obtain a land disturbance, building or any other permit required by this Code shall not in and of itself constitute a justification for a variance absent a showing of the criteria listed under Section 1 above.~~Further, the application must demonstrate that:~~

~~a. Such conditions are not the result of action or inaction of the current property owner; and~~

~~b. The variance request would provide the minimum relief necessary to make possible the reasonable use of the property; and~~

~~c. The variance request would result in development that is consistent with the general intent of this Development Code, with the Comprehensive Plan policies, and would not be detrimental to the public good, safety and welfare.~~

H. **Denied Application** Decisions of the Board of Appeals are final. Those not satisfied with a decision of the Board of Appeals may pursue an appeal ~~by filing a writ of certiorari~~ with the Fulton County Superior Court within 30 calendar days of the decision. Denial of an application bars resubmittal of the application for 1 year.

Sec. 11.6.4.

Sec. 11.6.4. ~~Reserved~~Stream Buffer Variance

~~B.~~ **Variance Procedures** Variances from ~~paragraph A~~Stream Buffer requirements as provided in Div. 9.2. ~~above~~ may be granted in accordance with the following provisions:

1. Where a parcel was platted prior to December 12, 2005, and its shape, topography or other existing physical condition prevents land development consistent with this Division, and the City finds and determines that the requirements of this Division prohibit the otherwise lawful use of the property by the owner, the Board of Appeals may grant a variance from paragraph A. above, provided such variance requires mitigation measures to offset the effects of any proposed land development on the parcel.
2. The Board of Appeals will follow the procedure set forth in Sec. 11.6.2.
3. Variances will be considered only in the following cases:

a. When a property's shape, topography or other physical conditions existing on December 12, 2005 prevents land development unless a buffer or setback variance is granted.

b. Unusual circumstances when strict adherence to the minimal buffer and setback requirements in this Division would create an extreme hardship.

4. Variances will not be considered when actions of any property owner of a given property after December 12, 2005 have created conditions of a hardship on that property.

5. At a minimum, a variance request must include the following information:

a. A site map that includes locations of all state waters, wetlands, floodplain boundaries and other natural features, as determined by field survey;

b. A description of the shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;

c. A detailed site plan that shows the locations of all existing and proposed structures and other impervious cover, the limits of all existing and proposed land disturbance, both inside and outside the buffer and setback. The exact area of the buffer and setback to be affected is accurately and clearly indicated;

d. Documentation of unusual hardship should the buffer and setback be maintained;

e. At least one alternative plan that does not include a buffer or setback intrusion, or an explanation of why such a site plan is not possible;

f. A calculation of the total area and length of the proposed intrusion;

g. A stormwater management site plan, if applicable; and

h. Proposed mitigation, if any, for the intrusion. If no mitigation is proposed, the request must include an explanation of why none is being proposed.

6. The following factors will be considered in determining whether to issue a variance:

a. The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;

b. The locations of all state waters, wetlands, floodplain boundaries and other natural features on the property, including along property boundaries, as determined by field survey;

c. The location and extent of the proposed buffer or setback intrusion;

d. Whether alternative designs are possible which require less intrusion or no intrusion;

e. The long-term and water quality impacts of the proposed variance; and

f. Whether issuance of the variance is at least as protective of natural resources and the environment.

Article 12. Definitions

Tweaks and some new development related definitions

TA23-0003(b), Articles 2 through 5 (Protected Neighborhoods, Urban Neighborhoods, Corridors & Nodes, and Perimeter Center)

Article 2. Protected Neighborhoods

Sec. 2.1.3. (Div. 7.2.)

Sec. 2.1.3. Parks District

The Parks district is intended for publicly-accessible parks and active or passive recreational facilities. Government facilities are permitted.

Sec. 2.1.4. (Div. 7.2.)

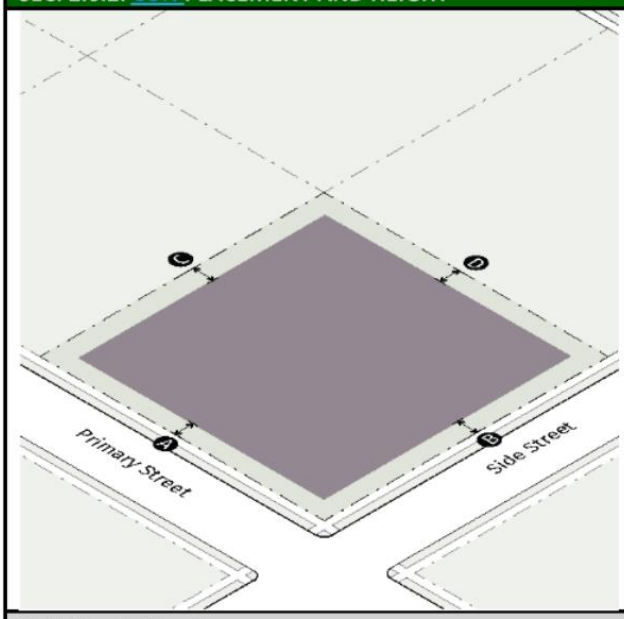
Sec. 2.1.4. Conservation District

The Conservation district is intended for land designated as permanent conservation, passive park or other open space. Lands within the district are intended to be predominantly unoccupied by buildings or parking; however, government facilities are also permitted.

Sec. 2.6.2.

Sec. 2.6.2. CON Placement and Height

SEC. 2.6.2. CON PLACEMENT AND HEIGHT



Building Setbacks		
A	Primary street	~~n/a~~10'-min
B	Side street	~~n/a~~10'-min
C	Side: common lot line	~~n/a~~ 10' min
D	Rear: common lot line	~~n/a~~ 10' min
Building Height		
	Maximum height	15' max

Article 3. Urban Neighborhoods

Sec. 3.1.1. (Div. 7.2.)

Sec. 3.1.1. Residential Urban (RU-)

The Residential Urban districts are intended for neighborhood-scale development including single unit detached residences on small urban lots. The districts also allow for limited civic, open space and park uses. The districts include:

A. **RU-4: Residential Urban** 4,000 square foot minimum lot size~~.~~

B. **RU-3: Residential Urban** 3,000 square foot minimum lot size~~.~~

Sec. 3.1.2. (Div. 7.2.)

Sec. 3.1.2. Residential Townhouse (RT-)

The Residential Townhouse district is intended for neighborhood-scale development including single unit attached and neighborhood unit residences on individual lots. The district also allows for limited civic, open space and park uses, as well as single unit ~~family~~ residences on small urban lots.

A. **RT-3: Residential Townhouse** 3 stories maximum height~~.~~

Sec. 3.1.3.

Sec. 3.1.3. Residential Multi-Unit (RM-)

The Residential Multi-Unit district is intended for neighborhood-scale development including residential living in multi-unit residences. The district also allows for limited commercial, civic, open space and park uses, as well as single unit ~~family~~ detached and attached residences.

A. **RM-3: Residential Multi-Unit** 3 stories maximum height~~.~~

B. **RM-3/8: Residential Multi-Unit** 3 stories base height, up to 8 stories with bonus

Sec. 3.1.4.

Sec. 3.1.4. Residential Mixed Use (RX-)

The Residential Mixed Use districts are intended for neighborhood-scale development including residential living in multi-unit ~~attached~~ residences with access to neighborhood-serving commercial uses on no less than 2% of the development's ground floor. The districts ~~also~~ allows for limited commercial uses, as well as civic, open space and

Article 4. Corridors & Nodes

Sec. 4.1.1.

Sec. 4.1.1. Office Neighborhood (ON-)

The Office Neighborhood district is intended for office and related commercial uses. The district- also allows for civic, open space and park uses, legacy office to residential multi-unit conversions, and age-restricted multi-unit. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. ON-3: Office Neighborhood, 3 stories maximum height

Sec. 4.1.2.

Sec. 4.1.2. Office Mixed Use (OX-)

The Office Mixed Use districts are intended for office, hotel and related commercial uses, as well as single unit attached residences, legacy office to residential multi-unit conversions, and age-restricted multi-unit. The districts also allow for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, ~~a~~ transition ~~area is~~ areas are required. The districts include:

A. OX-3: Office Mixed Use, 3 stories maximum height

B. OX-4: Office Mixed Use, 4 stories maximum height

C. OX-5: Office Mixed Use, 5 stories maximum height

D. OX-6: Office Mixed Use, 6 stories maximum height

E. OX-8: Office Mixed Use, 8 stories maximum height

Sec. 4.1.3.

Sec. 4.1.3. Commercial Mixed Use (CX-)

The Commercial Mixed Use districts are intended to provide for a variety of retail, service and commercial uses, as well as multi-unit residences. The districts also allow for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. CX-3: Commercial Mixed Use, 3 stories maximum height

B. CX-3/6: Commercial Mixed Use, 3 stories maximum base height, up to 6 stories with bonus

C~~B~~. CX-6: Commercial Mixed Use, 6 stories maximum height

D. CX-6/8: Commercial Mixed Use, 6 stories maximum base height, up to 8 stories with bonus

Sec. 4.1.4.

Sec. 4.1.4. Shopfront Mixed Use (SX-)

The Shopfront Mixed Use districts are intended to provide for a variety of retail, service and commercial uses, as well as upper-story multi-unit residences. In the Shopfront districts, a high degree of interaction between shoppers and other pedestrians and shopfront uses is desirable. The districts also allow for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. SX-3: Shopfront Mixed Use, 3 stories maximum height

B. SX-3/6: Shopfront Mixed Use, 3 stories maximum base height, up to 6 stories with bonus

~~B~~C. SX-4: Shopfront Mixed Use, 4 stories maximum height

~~C~~D. SX-6: Shopfront Mixed Use, 6 stories maximum height

E. SX-6/10: Shopfront Mixed Use, 6 stories maximum base height, up to 10 stories with bonus

Sec. 4.1.6.

Sec. 4.1.6. City Springs (CS-)

The City Springs districts are intended to implement the Sandy Springs City Center Master Plan, which is formed around a nucleus of civic facilities. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. CS-3: City Springs, 3 stories maximum height

B. CS-4: City Springs, 4 stories maximum height

C. CS-5: City Springs, 5 stories maximum height

D. CS-6: City Springs, 6 stories maximum height

E. CS-6/8: City Springs, 6 stories maximum base height, up to 8 stories with bonus

Div. 4.10.

Sec. 4.10.5. NEX- District Standards

A. **Primary Internal Street**

1. A continuous primary internal street must be established in any NEX- District. The street must connect to Roswell Road.

   a. **C-Street** Where the development site faces only Roswell Road, the primary internal street must connect with Roswell Road at a minimum of two points, providing a loop road servicing the entire development. Additional, or side streets may be necessary depending on whether they meet the block face lengths found in Sec. 10.3.1.

   b. **L/T-Street** Where the development site ~~is a corner lot facing Roswell Road at an intersection with a collector or higher designated street~~faces multiple streets including Roswell Road, the primary internal street must connect through the site from Roswell Road to the intersecting street or streets. At least one street connection to Roswell Road must be considered as a part of the primary internal street. Additional, or side streets may be necessary depending on whether they meet the block face lengths found in Sec. 10.3.1.

2. The ground floor of a multi-unit building facing a primary or internal primary street must be constructed to be ~~retail ready~~commercial-ready ~~(built to meet or exceed the minimum requirements for ground floor elevation, ground story height, transparency, and entrance spacing required for a retail use). Retail ready space is allowed to be occupied by any use allowed in the zoning district.~~ (See Sec. 6.6.2.E.).

B. **Phasing of Residential Construction** Where construction occurs in phases, each phase that includes multi-unit residential development must meet the following standards.

1. Each phase must maintain or exceed the required percentage of single unit residential required for the amount of multi-unit residential proposed.

2. Certificates of occupancy for any multi-unit residential may only be issued after the issuance of certificates of occupancy of the required percentage of single unit residential associated with the multi-unit residential.

3. No additional height associated with an affordable housing bonus is allowed prior to the construction of the necessary affordable housing units required to receive the bonus.

C. **Structured Parking**

1. Structured parking must not be visible from any ~~the adjacent primary or primary internal~~ streets of the development.

Div. 4.11.

Sec. 4.11.5. NEX- District Standards

A. **Primary Internal Street**

1. A continuous primary internal street must be established in any NEX- District. The street must connect to Roswell Road.

   a. **C-Street** Where the development site faces only Roswell Road, the primary internal street must connect with Roswell Road at a minimum of two points, providing a loop road servicing the entir

development. Additional, or side streets may be necessary depending on whether they meet the block face lengths found in Sec. 10.3.1.

b. **L/T-Street** Where the development site faces multiple streets including Roswell Road, the primary internal street must connect through the site from Roswell Road to the intersecting street or streets. At least one street connection to Roswell Road must be considered as a part of the primary internal street. Additional, or side streets may be necessary depending on whether they meet the block face lengths found in Sec. 10.3.1.~~a. Where the development site faces only Roswell Road, the primary internal street must connect at two points, providing a loop road servicing the entire development.~~

~~b. Where the development site is a corner lot facing Roswell Road at an intersection with a collecto or higher designated street, the primary internal street must connect through the site from Roswell Road to the intersecting street.~~

2. The ground floor of a multi-unit building facing a primary or internal primary street must be constructed to be ~~retail-ready~~commercial-ready (See Sec. 6.6.2.E.). ~~(built to meet or exceed the minimum requirements for ground floor elevation, ground story height, transparency, and entrance spacing required for a retail use). Retail-ready space is allowed to be occupied by any use allowed in the zoning district.~~

Article 5. Perimeter Center

Sec. 5.1.1.

Sec. 5.1.1. Perimeter Residential

The Perimeter Residential district is intended for residential living in attached single unit and multi-unit residences. The district also allows for limited commercial, and for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. PR-3: Perimeter Residential, 3 stories maximum height

B. PR-5: Perimeter Residential, 5 stories maximum height

Sec. 5.3.3. through 5.5.3.

		max
B	Minimum height	
	PX-3, PX-5	2 stories min*
	PX-8	34 stories min*
	PX-12	36 stories min*
		*See Div. 5.76.7 for Adjustedable Minimum Heightminimum height reduction

Article 6. Rules for All Districts

Sec. 6.1.1.B.

3. **Rear Lot Line**

   a. A lot line which is opposite and most distant from the primary street lot line.

   b. In the case of a lot that fronts on two streets, a lot may have no rear lot line.

   c. Where no lot line is clearly opposite to the primary street lot line or where there are multiple primary street lot lines, the lot line having the highest portion of its length serving as the rear lot line of abutting lots is the rear lot line. When a rear lot line cannot be determined in this manner, the rear lot line will be determined by the Director.

   ~~b. On irregularly shaped lots, the rear lot line is determined as the line connecting two points each measured 10 feet along the side lot lines starting from the intersection of the two side lot lines. This rear lot line is intended for the purpose of establishing the rear setback and lot depth only. When a rear lot line cannot be determined in this manner, the rear lot line will be determined by the Director.~~

Sec. 6.1.1.F.

1. Lot frontage is the length of any lot line abutting a primary street, side street, alley (for rear-loaded townhouses only) or courtyard (for a cottage court).

2. Every lot or unit on a lot must have frontage upon a public street, or private street designed and built to public standards, or meet the requirements of Development Patterns found in Div. 6.3.~~required courtyard for a cottage court.~~

Sec. 6.1.1.I.2.n.

n. **Pedestrian Amenity Space Allowance**

i. **General**

Pedestrian Amenity Space is a type of Outdoor Amenity Space intended to create a pedestrian-friendly environment, and therefore has more standards than other Outdoo Amenity Spaces. In addition to the standards below, Pedestrian Amenity Space is intended to be publicly accessible and located in close proximity to the public sidewalk. Examples include patios and plazas.

ii. **Standards**

The Director may approve outdoor amenity space meeting the requirements of pedestrian amenity space to fulfill the outdoor amenity space requirement. Pedestrian amenity space requirements include:

a) Each square foot of pedestrian amenity space counts as 2 square feet of the required outdoor amenity space.

b) Pedestrian amenity space must be accessible and usable by the public.

c) Pedestrian amenity space must have a minimum area of 400 square feet with no dimension less than 15 feet.

d) At least 25% of the pedestrian amenity space must abut and be directly accessible from the sidewalk of a primary street or side street.

e) Pedestrian amenity space cannot be separated from the sidewalk by any structure for more than 40% of the width of the amenity space.

f) The finished elevation of the pedestrian amenity space must be located at the same grade as the sidewalk or the ground story.

g) All building facades abutting the pedestrian amenity space must meet the transparency and entrance requirements of the zoning district.

h) A minimum of 15% of the pedestrian amenity space must be a planted area with trees or groundcover and a minimum of 25% of the pedestrian amenity space must be hardscaped.

i) Pedestrian amenity space cannot be used for vehicle parking or access, except for emergency access or permitted temporary events.

j) Mechanical equipment cannot be located in a pedestrian amenity space or between the pedestrian amenity space and the building.

Sec. 6.1.2.A.4.

4. **Irregular Rights-of Way** The Director may determine primary or side street setbacks will be measured from the back of curb when rights-of-way widths vary.

Sec. 6.1.2.B.3.e.

e. In all instances, mechanical equipment must be screened (see Sec. 8.3~~2~~.9.). and may not be located between the primary building and a primary street, unless the lot meets the following exceptions.

i. Where the primary building has multiple offsets in the street-facing façade, mechanical equipment must be located at least 15 feet behind the frontmost street-facing façade.

ii. In Protected Neighborhoods where the primary structure is located more than 100' from primary street lot line, mechanical equipment can be located between the building and primary street so long as the equipment is screened with a masonry wall.

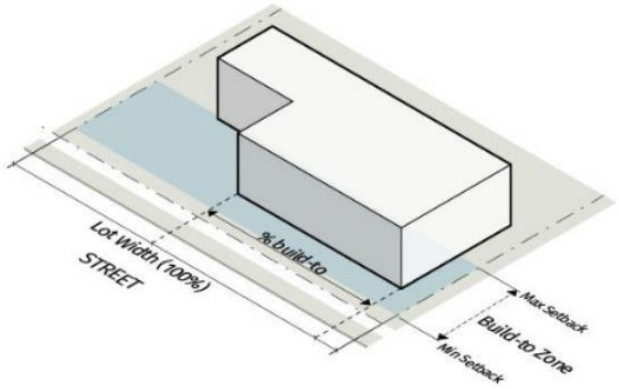
Sec. 6.1.2.C.

1. The build-to zone (BTZ) is an area of a lot or site where building facades, in whole or in part, must be located to satisfy the required build-to percentage. The build-to zone is the area between a minimum and maximum primary or side street setback, measured from the edge of the right-of-way or private street easement. Freestanding walls and opaque fences over 42" in height are prohibited within any BTZ. Other walls or fences that are part of a landscape design prepared by a licensed landscape architect may be permitted by the Director.

2. Where the build-to zone lies within a stream buffer or easement that does not allow construction, or buffers or setbacks as required by zoning conditions, transitional buffers or otherwise, the Director may waive the build-to requirement, in whole or in part.

3. The required percentage specifies the amount of the building façade that must be located in the ~~build-to zone~~BTZ. The percentage is calculated as the width of the street-facing building façade in the BTZ divided by the total width of the street-facing building façade. Where a proposed building will not fill the entire street frontage of a site, the longer façade of the building must be street-facing.

~~This percentage is calculated as the width of the building façade within the build-to zone divided by the total street frontage of the lot.~~



4. The width of a parking entrance into or through a building does not count towards the build-to requirement. However, in no case will access to an irregularly-shaped parcel that has no alternative access options be denied due to application of the build-to requirement. In all cases where access is necessary, a driveway of the minimum acceptable width for fire safety purposes is allowed, even where it reduces the building width below the required build-to percentage.

5. On a corner lot, a building must be placed within or abutting the area where the build-to zones of 2 intersecting streets overlap. The building must extend within the build-to zone for a minimum of 30 feet in both directions. If in neither direction, a proposed development has 30 feet of length, the building must be placed in the corner of the intersecting streets.

6. The ~~build-to-zone~~BTZ ~~-~~applies up to the height designated as the minimum height of a building. Upper stories beyond this point may be set further back or reduced in width.

7. The Director may allow a courtyard, ~~forecourt~~ plaza, or other similar pedestrian activated space ~~meeting the requirements of Sec. 6.2.4 is~~ meeting the requirements of pedestrian amenity space to be considered part of the building for the purpose of meeting the build-to requirement. A chamfered corner on the ground floor of no more than 20 feet in width that extends outside of the build-to zone is considered part of the building for the purpose of meeting the build-to requirement.

Sec. 6.1.2.G.

~~H~~5. **Parking Structures**

a. Required parking setbacks apply only to the ground floor of the parking structure.

b. In order to meet the parking setback requirement, parking structures must adhere to one of the following standards:

i. The ground story of a structure parking garage facing any street (not including an alley), ~~in the SX- District or where the -SH Frontage applies~~ must have active uses (such as, but not limited to, residential, commercial, office, or civic space, where permitted) within the parking setback. No active uses are required for portions of the parking structure located ~~interior to~~behind the minimum parking setback; or

ii. The entire parking structure must be constructed to be adaptable, requiring the floor plates to be level except to the minimum extent required for drainage, the structure must be constructed to accommodate standard design loads of office uses according to the International Building Code, and the floor-to-floor heights must be a minimum of 12 feet.

c. Parking structure screening is required (see Sec. 8.1.8.K).

Sec. 6.1.3.A.6.

6. For any building type other than residential single unit detached or attached, there is no restriction on the number of stories added on a lower, rear portion of a lot. This also applies to developments where the lower, rear portion of the lot abuts a new street required by the Development Code. When a new street is required, two additional stories may be constructed along the new street in the rear portion of the lot. However, any additional buildings fronting on the new street are required to meet the story maximum for the district.

Sec. 6.1.3.B.

B. **Minimum Height**

1. Where a minimum height of two or more stories is required, each required story must contain habitable space for at least 50% of the floor. A mezzanine can be used in lieu of a second floor upon request at the director's discretion.

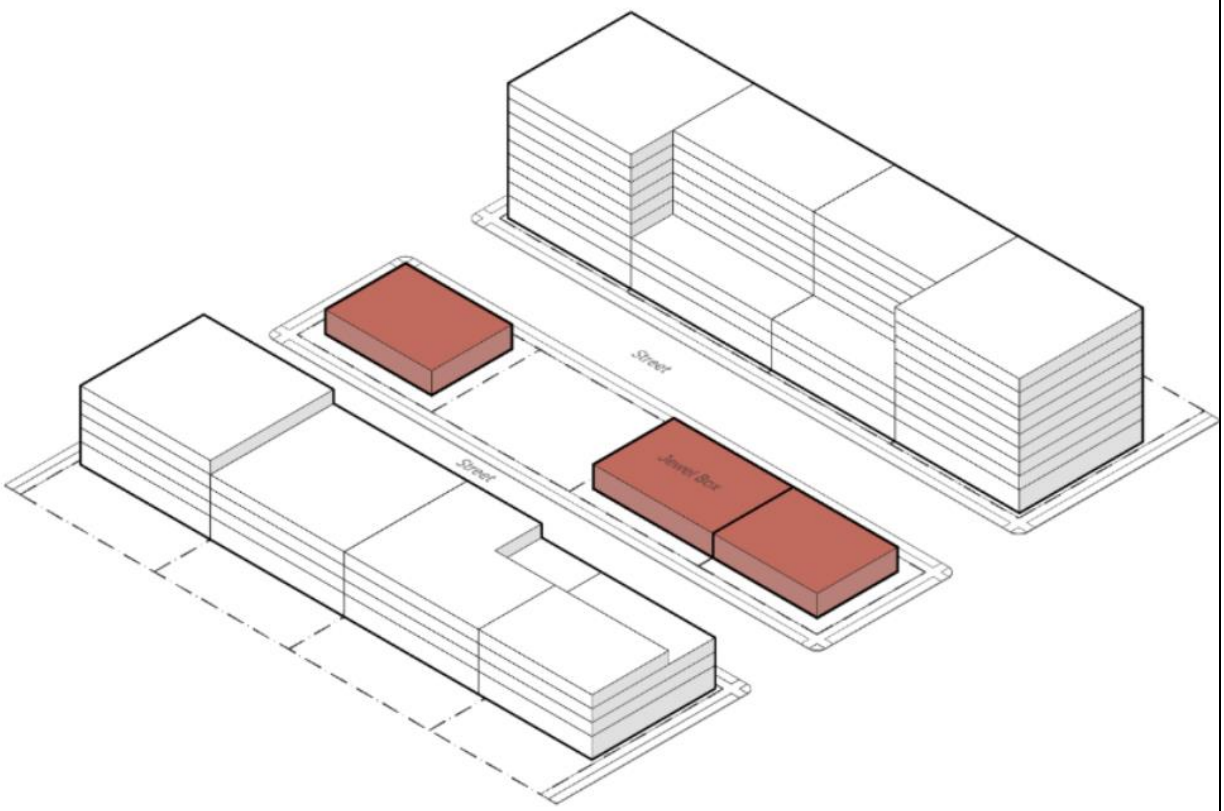
~~2. Up to 20% of the ground floor area of all buildings on a lot (or a development site, where approved by the Director - see Sec. 6.1.1) may be single-story, provided the ground story is at least 18 feet in height measured to the deck of a flat roof, and 24 feet in height as measured to the top of any street-facing parapet wall. This particular allowance does not apply to districts within the Perimeter Center that have a minimum height of 6 stories. For adjusted minimum height for districts that require a minimum of 6 stories within the Perimeter Center, see Div. 5.7.~~

2. The Director may allow the following buildings to be exempt from minimum height requirements:

   a. Buildings internal to a site not directly serviced by on-site parking or a drive-through, such as a jewel box building or kiosk, so long as it is integrated into the overall site plan.

   b~~3~~. Buildings with a footprint of 2,000 square feet or less.

   d. Buildings with single unit detached, single unit attached, or neighborhood unit uses.



Sec. 6.1.3.C.

3. The following accessory structures may exceed the established height, provided they do not exceed the maximum height by more than 18 feet, do not occupy more than ~~2~~50% of the roof area~~, are screened (see Sec. 8.2.9) and are set back at least 12 feet from the edge of the roof~~:

   a. Cabana, pool house, rooftop restaurant, or other amenity, and

   b. Pergola, trellis, gazebo, or other similar minor structure architecturally integrated with the building, and

   c. Elevator or stairway access to the roof; and

   d~~b~~. Mechanical equipment.

Sec. 6.1.3.D.

3. The Director may provide relief to the extent necessary from the maximum ground floor elevation requirements on sites with significant topography.

Sec. 6.1.3.F.

F. **Building Mass**

1. **Street-Facing Building Length** Street-facing building length is the maximum length of a building or structure facing a public or private street, and located within the build-to zone.

2. **Building Break Allowance**

Buildings that meet one of the following standards, the Director may allow the maximum street facing building length to be exceeded.

a. When a continuous structure provides an open space meeting the following requirements, the portions of the building on each side of the open space may be considered as a separate building:

i. One building break per street-facing façade is allowed;

ii. The open space must meet the requirements of Pedestrian Amenity Space;

iii. The building break width must be at least 1/4 the width of the widest adjacent street-facing building length; and

iv. The building break depth must be at least equal to the width of the open space or 20 feet, whichever is less.

b. When a continuous structure provides an articulation to the building façade that meets the following requirements, each façade articulation may be considered as a separate building:

i. Two portions of the street-facing building façade must have a variation in setback of at least 4 fee. The combined length of the setbacks must total no less than 25% of the length of the building.

ii. Contrasting colors or material is used on the primary façade and the abutting façade setback to emphasize the articulation and variation along the street-facing building façade.

Sec. 6.1.4. Activation

A. **Transparency**

1. Transparency is the minimum percentage of windows and glazed doors that must cover a ground or upper story facade.

2. Transparency applies to primary and side street facing building facades only, and may be reduced or waived by the Director when particular conditions (such as required buffers or other visual obstructions) significantly reduce the visibility of the building from the public realm.

a. For single-unit attached, transparency applies to any façade visible from a street or path.

Sec. 6.3.1.
Tweaks to design parameters (see draft).

Sec. 6.3.2.
Creation of additional Design Patterns (see draft).

Div. 6.4.
Moved to Article 8. (see draft).

Sec. 6.5.1.

Sec. 6.5.1. Applicability

Any residential garage, parking, or paving-related construction~~ed~~ in the RD-, RU-, or RT- zoning districts and all single-unit attached development after the effective date of this code must meet the following standards. In addition to the standards provided below, attached and detached garages must meet all applicable requirements for either principal buildings or accessory structures as specified in this Code. This division also applies to the RE- zoning districts when specified and when the term "all" is used to describe which residential zones.

Sec. 6.5.2.

Sec. 6.5.2. Single Unit Detached Dwelling

A. **Front and Side Yard Paving**

1. Only one driveway is allowed for every 65 feet of residential frontage on a same lot. Only a single driveway is allowed on streets with a functional classification of Collector or Arterial.

B. **Garage**

1. In all residential zones, n~~N~~o attached garage may encroach into a required setback, except where:

a. ~~a~~An alley provides access, in which case the garage may encroach into the rear setback.

b. A residence with an existing street-facing garage or carport prior to December 1, 2005 may construct a garage that encroaches into the primary street setback if the following requirements are met:

i. The garage or carport is limited to 1-story in height, with no living space in an attic above the garage or carport;

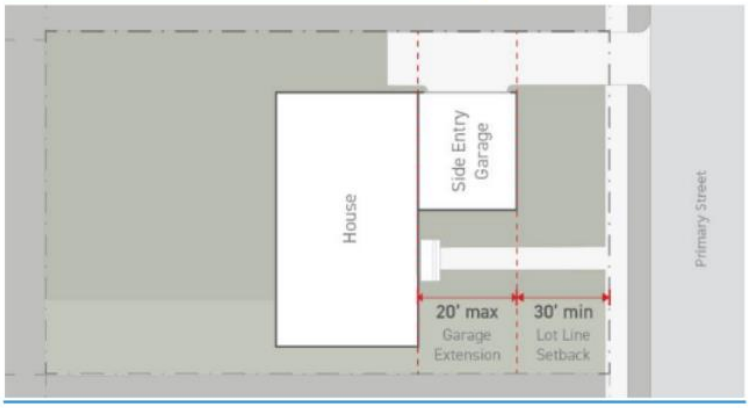
ii. The garage or carport must be constructed as a side or courtyard entry garage (see illustration below);

iii. The garage or carport must be positioned no more than 30 feet in front of the front wall plane of the house;

iv. The garage or carport can encroach a maximum of 20 feet into the primary street setback;

v. The garage must be at least 30 feet from the primary street lot line; and

vi. A single-car garage door, 10 feet in width or less, may continue to face the street if the existing garage door is a street-facing door.



2. Garage doors or carport entries must be positioned at least 5 feet behind the front wall plane of the house, extending no more than 40% of any street-facing width of the house. This requirement does not apply to side-entry garages. Architectural finish and windows must be provided for any side-entry garage wall facing a primary or side street.

5. Parking or storage of a junk or salvage vehicle constitutes an unlawful use, except that no more than 2 junk or salvage vehicles are permitted if parked or stored in a garage or carport not visible from a street or adjacent residential property.

6. In RX-, Corridor and Node districts, or Perimeter Center districts, all single unit detached development must be rear-loaded.

D. Specialized Vehicles

1. Specialized vehicles such as recreational vehicles, campers, trailers, motor coaches, boats, and boat trailers, may be parked or stored in all residential zones under the following conditions:

   a. The vehicles must not be used as permanent living quarters.

   b. The location of the parking area must be in the buildable area of the lot and not in front of the principal structure. Also, the surface of the area must be constructed as a parking area as described in Sec. 6.5.2.C.5. above.

   c. Specialized vehicles must be screened from view of adjoining properties and rights-of-way with a minimum 6-foot tall fence or wall meeting the standards of Sec. 8.32.9. unless they are viewable for less than 48 consecutive hours as a visitor's means of transportation. Enhanced screening standards such as height, materials, or otherwise may be practically necessary to properly screen and may be requested at the discretion of the Director.

   d. For construction trailers, see Sec. 7.9.9.

C. **Parking Design & Location**

1. In required front setbacks, no parking pad is allowed, however a turnaround extension of no more than 200 square feet is allowed.

2. In RE- zones, there is a parking setback of twenty (20) feet from any property line, or the grading setback, whichever is less. Parking areas may alternatively be screened with evergreen trees (full to the ground and at least 6-feet tall at time of planting), as long as the surface parking is no less ten (10) feet from any property line or the grading setback (Sec. 9.4.2.), whichever is more, maintained in perpetuity.

3. The visible storage or parking of more than 4 vehicles at a single-family residence is unlawful.

4. In all residential zones, parking space lines, wheel stops, and other apparatus germane to commercial parking are prohibited.

Sec. 6.5.3.A.

4. On sites 3 acres or larger, the Director may allow up to 20% of the townhouses in the development to have front-loaded garages. The front-loaded garages must be located on streets internal to the site. Townhouses fronting on streets at the perimeter of the development site must be rear loaded.

Sec. 6.6.2.B.

2. **Prohibited**

a. Prohibited exterior building materials include:

~~i. exterior building materials which are not textured;~~

ii. non-architectural metal panel systems;

iii. ~~As-cast smooth~~Unfinished cast-in-place or precast concrete ~~or plain concrete~~vertical elements, e.g., walls, columns, exposed elevated slab edges ~~slabs~~(except as noted in 6.6.2.B.3.b.vii, below);

iv. ~~Plain~~ Exposed standard concrete masonry units (CMU);

v. ~~Plywood or press-wood; or~~ Softwood plywood grade B or lower, oriented-strand board and particle boards

vi. Vinyl siding.

b. Prohibited exterior building components, include: steel gates, burglar bars and ~~steel~~ roll-down security curtains. Interior security measures are not regulated.

3. **Required**

a. All exterior walls (not including windows and doors) for all new construction must consist of one or a combination of the following durable materials in the quantity required below:

i. Up to ~~7~~ten (10) vertical feet from grade: 100% durable materials; and

ii. Remaining building height: minimum 70% durable materials.

b. Durable materials include:

i. Clay Brick;

ii. Ceramic and Porcelain Tile;

iii. Dressed Stone with ~~weathered, polished or fluted face~~ rusticated, flamed, honed, polished, bush-hammered or other standard face finish;

iv. ~~Textured~~ traditional cement stucco (real stucco);

v. Architectural concrete masonry units (CMU) with fluted, split-face, ground, glazed or ~~brokenface~~ other architectural finish; painted standard CMU is not an acceptable finish

vi. Portland cement plaster and lath systems;

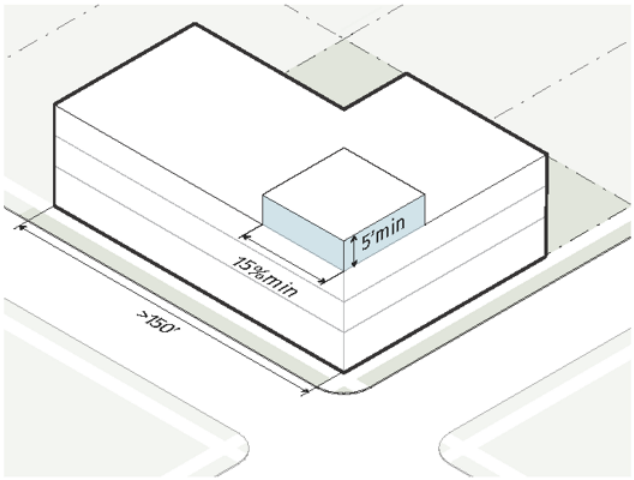
vii. Architectural (either cast-in-place, pre-cast or tilt-up) concrete ~~either fluted or with exposed aggregate finish~~ with a finish proposed by the architect and approved by the Director; or

viii. Fiber cement-board, painted

ix. Exterior Insulation and Finish Systems (EIFS) which employ a high-impact mesh as a system component.

c. Sloped roofs (pitch greater than 2:12) must be standing seam metal~~;~~ slate, concrete or metal roof tiles or composition shingles. A decorative parapet or cornice must be constructed along all flat roof lines (*i.e.*, roofs with slopes less that 2:12).

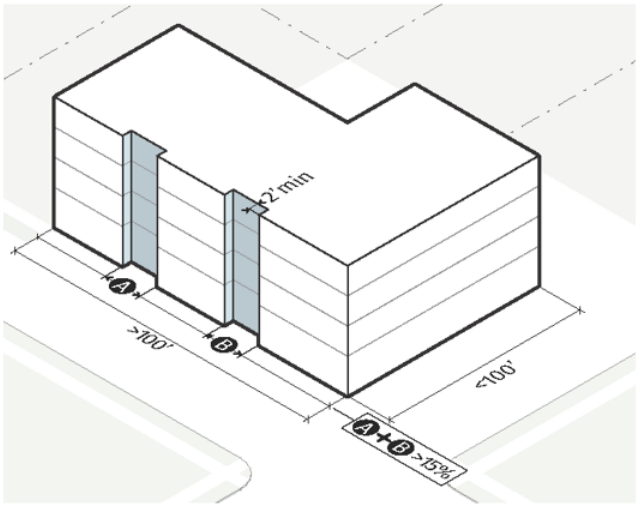
d. Alternate materials may be approved for use by the Director, provided they are considered equivalent or better than the listed materials.



2. **Articulation in Building ~~Facade~~Façade**

a. For buildings 100 feet or more in length, at least 2 portions of the street-facing building facade must have a variation in setback of at least 2 feet. The combination of the required variations in setback must total no less than 15% of the length of the building.

b. The Director may require contrasting colors or materials must be used on the primary façade and abutting façade setbacks to emphasize the articulation and variation along the street-facing building façade.



D. **Ground Floor Retail Tenant ~~SizeIn~~Size:** in the City Springs and Perimeter Districts, no ground floor retail tenant may occupy more than 30,000 contiguous rentable square feet. No variances to this standard are allowed; however, the Director may approve renovation of existing tenant spaces so long as the renovation does not increase the gross square footage of an existing tenant space.

E. **Commercial-Active Space** Where required by the zoning district or use, the ground story must be constructed to meet or exceed the minimum requirements for ground floor elevation, ground story height, transparency, and entrance spacing required for a retail or commercial use. Commercial-active space is restricted to only commercial use.

F. **Commercial-Ready Space** Where required by the zoning district or use, the ground story must be constructed to meet or exceed the minimum requirements for ground floor elevation, ground story height, transparency, and entrance spacing required for a retail or commercial use. Commercial-ready space is allowed to be occupied by any use allowed in the zoning district.

Div. 6.7.

Sec. 6.7.1. Applicability

A. Districts with a bonus height will qualify for additional height based on the Enhanced Community Benefits Matrix described in this Division. Districts with a minimum height may also qualify for reduced minimum height requirements based on the Enhanced Community Benefits Matrix and List in the Technical Manual.

B. Credits are allotted for any item included by a developer above the minimum if already required in the Development Code.

Sec. 6.7.2. Enhanced Community Benefit Matrix

Stories	Percent of Site	30%	40%	50%	60%	70%
Under 4	Reduction	8 credits	10 credits	26 credits	50 credits	75 credits
Under 3	Reduction	16 credits	20 credits	52 credits	70 credits	100 credits
Under 2	Reduction	24 credits	--	--	--	--
Up to 3	By right	--	--	--	--	--
Up to 4	Bonus	30 credits	40 credits	50 credits	60 credits	70 credits
Up to 5	Bonus	38 credits	50 credits	63 credits	75 credits	88 credits
Up to 6	Bonus	45 credits	60 credits	75 credits	90 credits	105 credits
Up to 7	Bonus	53 credits	70 credits	88 credits	105 credits	123 credits
Up to 8	Bonus	60 credits	80 credits	100 credits	120 credits	140 credits
Up to 9	Bonus	68 credits	90 credits	113 credits	135 credits	158 credits
Up to 10	Bonus	75 credits	100 credits	125 credits	150 credits	175 credits
Up to 11	Bonus	83 credits	110 credits	138 credits	165 credits	193 credits
Up to 12	Bonus	90 credits	120 credits	150 credits	180 credits	210 credits
Up to 13	Bonus	98 credits	130 credits	163 credits	195 credits	228 credits
Up to 14	Bonus	105 credits	140 credits	175 credits	210 credits	245 credits
Up to 15	Bonus	113 credits	150 credits	188 credits	225 credits	263 credits

Sec. 6.7.4. Community Benefit Impact Equivalency

A. Many of the Enhanced Community Benefit features are space and size contingent. To measure the impact of installment of Community Benefits, the following formula will be used and the resulting points will be added to the total credits established based the list above.

B. Square footage tallied from any items in either "Housing", "Tenants & Uses", or any parking related percentage may not be included in the calculating of the Community Benefit Impact Scale formula.

C. The formula will be calculated as follows:

1. **Formula Base Variables**

    a. Benefit Square Footage (*BSF*): BSF is the total square footage of amenity space above required OASIS for a site, and total square footage of community benefit site features above required seating in OASIS.

    b. Total Square Footage of site (*TSF*)

2. **Formula:**

    a. *BSF / TSF* = Square Footage Scale (*SFS*)

    b. *SFS* x 10 = Benefit Credit Equivalency (*BCE*)

    c. BCE x Initial Benefit Credit = Total Enhanced Community Benefit Credit

Article 7. Use Provisions

Sec. 7.3.1.

Sec. 7.3.1. Household Living

A. **Defined** Residential occupancy of a dwelling unit by a household. A household means one or more person related by blood, marriage, adoption, guardianship or other duly authorized custodial relationship, or up t unrelated persons, occupying a dwelling unit and living as a single housekeeping unit.

B. **Single Unit Detached**

1. **Defined** One dwelling unit on a single lot.

2. ~~**Additional**~~ Limited **Use Standards**

~~a. In the RM- District, new construction of single unit detached is allowed only to implement bon height (see Sec. 6.7.1).~~

a. In PX- and PM- Districts on sites 5 acres or larger, the total gross floor area of single unit detached, single unit attached, and neighborhood unit uses cannot exceed 50% of the total square footage of the development footprint.

C. **Single Unit Attached**

1. **Defined** Two or more dwelling units attached with common walls where each dwelling unit is locate on an individual lot and has its primary pedestrian access on the ground story.

2. **Limited Use Standards**

a. In PX- and PM- Districts on sites 5 acres or larger, the total gross floor area of single unit attached, single unit detached, and neighborhood unit uses cannot exceed 50% of the total square footage of the development footprint.

~~**Reserved**~~

D. **Accessory Dwelling, Guest House**

A. **Defined** A dwelling unit accessory to the principal dwelling on a single unit detached or single unit attached lot.

B. **Basic Use Standards**

a. A guest house must be located on a lot with a primary dwelling unit, and may be attached or detached from the primary dwelling unit.

b. No more than one guest house per lot allowed.

c. A separate kitchen facility is allowed.

d. Total heated floor area (HFA) must be less than 1,500 square feet.

e. When separate from the principal dwelling unit, minimum separation between buildings is 20

f. Principal building setbacks apply.

g. Height must be no greater than 2 stories.

h. When separate from the principal dwelling unit, the location is limited to the rear yard and must meet all district setbacks.

i. A guest house may be located over a garage, provided the location and size meet all other use standards.

E. **Neighborhood Unit**

1. **Defined** Two or more dwelling units on a lot designed to be at a scale that blends into a low-density neighborhood context.

2. **Basic Use Standards**

a. No more than one building per lot is permitted.

b. No more than 12 dwelling units per building are permitted, except as listed below.

c. Height must be no greater than 2.5 stories.

d. Buildings with a height greater than 2 stories must have a sloped roof of 6:12 or greater.

e. Street-facing building width must be no greater than 100 feet.

f. Any attached or detached garage or carport located on the same lot must be located behind the principal building.

3. Limited Use Standard

a. In RU- districts, no more than 4 dwelling units per building are permitted.

b. In ON- districts, Neighborhood Unit uses require a CUP and are only allowed on parcels with access onto a street with a functional classification as a collector or greater.

c. In PX- and PM- Districts on sites 5 acres or larger, the total gross floor area of single unit attached, single unit detached, and neighborhood unit uses cannot exceed 50% of the total square footage of the development footprint.

~~**Reserved**~~

~~E~~F. **Age-Restricted (55+) Unit**

1. **Defined** Two or more dwelling units on a lot, intended to be occupied by residents 55 year of age or older.

2. **Basic Use Standards**

a. Age-restricted units must follow all of the design standards required for multi-unit.

b. New construction or additions must adhere to the Federal Fair Housing Act standards for Age-Restricted Units, including the following standards:

i. A minimum of 80% of the units must be occupied by at least one occupant who is 55 years of age or older;

ii. The project developer must publish and adhere to policies and procedures that demonstrate the intent to operate as age-restricted housing; and

iii. The project developer must comply with HUD's regulatory requirements for age verification of residents.

c. **Limited Use Standards**

i. In RM- Districts, a new construction or addition project must provide a minimum of 10% of the total number of units in the development as single unit detached or single unit attached.

~~**Single Unit Attached**~~

~~1. **Defined** Two or more dwelling units in a row in which each unit is located on an individual lot and has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common walls.~~

~~2. **Additional Use Standards**~~

~~a. In the PX-3, PX-5 and PM-5 districts, single unit attached is not subject to the minimum height standards.~~

~~b. Single unit attached is not allowed in any PX- or PM-district allowing over 5 stories of height unless the proposed development meets the requirements provided in Div. 5.7. for Adjusted Minimum Height; in which case the single unit attached would have the following minimum lot parameters in addition to other applicable lot parameters provided in Article. 5.~~

~~Perimeter Center:~~

~~i. 1,300 SF minimum lot area.~~

~~ii. 16' minimum lot width.~~

~~A.~~ G. **Multi-Unit**

1. **Defined** A lot containing two or more attached ~~or detached~~ dwelling units. Multi-unit includes structures ~~apartments, condominiums and "stacked flats"~~ which are not designed and built to the Neighborhood Unit use standards.

2. **Basic Use Standards**

a. In addition to any storage space available within a particular residential unit, any multi-unit~~family~~ project with over 20 units must provide a minimum of 16 square feet of additional storage area, with a minimum height of 8 feet, for each residential unit. The storage space must be internal to the residential building or within an associated parking structure.

3. **Limited Use Standards**

a. In RM- Districts, a new construction or addition project must provide a minimum of 10% of the total number of units in the development as single unit detached or single unit attached.

b. In ON- Districts, multi-unit is only permitted with a Conditional Use Permit and the following standards apply:

i. Multi-unit is only allowed in existing buildings where the building was intended for a Commercial use for a minimum of 5 years prior to the application for a Conditional Use Permit.

c. In OX- Districts, the following standards apply:

i. Multi-unit is only allowed in existing buildings where the building was intended for a Commercial use for a minimum of 5 years prior to the application for a Conditional Use Permit.

ii. Multi-unit is only permitted on the third floor of a building and above.

iii. Multi-unit is permitted on the first and second floor of a building with a Conditional Use Permit.

d. The following districts require a minimum amount of commercial-ready space for street-facing portions of the development. The percentage determines the minimum amount of the street-facing building that must be constructed as commercial-ready space. The commercial-ready space must be a minimum of 25' deep when measured from the building façade into the interior of the building. When commercial-ready space is required, 20% must be used for a commercial use, or commercial-active space. The remaining 80% may have noncommercial uses in the commercial-ready space. The Director may vary the requirement based on the balance of commercial uses surrounding the site.

	Commercial-Ready	Commercial-Active
i.	CX- districts: 40% min.	8% min.
ii.	SX- districts: 50% min.	10% min.
iii.	TX- districts: 50% min.	10% min.
iv.	CS- districts: 50% min.	10% min.
v.	IX- districts: 60% min.	12% min.
vi.	CC- districts: 50% min.	10% min.
vii.	PX- districts: 60% min.	12% min.
viii.	PM- districts: 40% min.	8% min.

Sec. 7.5.1.

Sec. 7.5.1. General Standards

D. In RM- and RX- Districts, the following standards apply:

1. In the RM- District, the total gross floor area of commercial uses cannot exceed 25% of the total square footage of the development footprint.
2. In the RX- District, each commercial tenant space must not exceed 6,000 square feet in gross floor area, except for Grocery tenants. Grocery tenants must not exceed 15,000 square feet in gross floor area.
3. Hours of operation limited to 6AM-11PM, including all deliveries.
4. Drive-through or drive-in facilities are not permitted.

E. In all CX Districts located between Abernathy Road and US 285, each commercial tenant space must not exceed 30,000 square feet in gross floor area.

F. In a SX Districts located between Abernathy Road and US 285, each commercial tenant space must not exceed 30,000 square feet in gross floor area.

G. In CS District, each commercial tenant space must not exceed 30,000 square feet in gross floor area.

Sec. 7.5.14. Restaurant

A. **Defined** A facility that prepares and sells food and drink for on- or off-premises consumption. ~~Restaurant includes the following:~~ For information on drive-through facilities, see Sec. 7.8.3.

~~1. Brewpub (subject to the barrel limitation prescribed in O.C.G.A. Sec. 3-5-36).~~

~~2. Bakery, cake shop.~~

~~3. Coffee, tea shop.~~

~~4. Juice bar, smoothie shop.~~

~~5. Restaurant.~~

~~6. Yogurt or ice cream shop.~~

B. General Restaurant

C. **Neighborhood Eatery**

1. **Defined** An establishment that prepares and sells food and drink for on- or off-premises consumption that is limited in size. Examples include bakery or cake shop, bistro, brewpub (subject to the barrel limitation prescribed in O.C.G.A. Sec. 3-5-36.), coffee or tea shop, deli, juice or smoothie bar, ice cream shop, or similar.

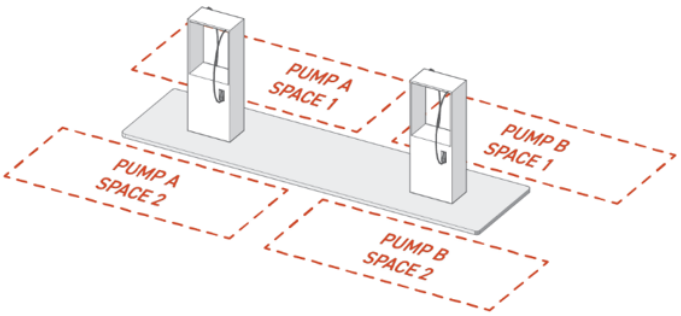
2. **Basic Use Standards**
   a. Each tenant space must not exceed of 3,000 square feet in gross floor area.
   b. Drive-through or drive-in facilities are prohibited.

Sec. 7.5.15.D.

1. **Defined** A retail facility that sells fuel for motor vehicles, with or without personnel. The facility may or may not include a convenience or other retail store.

2. **Basic Use Standards**

a. A fuel pump is considered to be a single fuel pumping apparatus. Fuel pumps are generally two-sided, with a fueling space on each side.



b. A canopy for fuel pumps or a fuel station must be architecturally-integrated with any associated commercial building on the site, and must not include any signs. Canopy support columns must be fully encased with materials that are complementary to those used on the main building. The canopy band face must be of a color consistent with the main structure. Primary or fluorescent colors must not exceed 10% of each canopy band face.

c. Any pavement associated with vehicles must be screened from view, except for drive entrances, using landscaping (see Sec. 8.3.2, Parking Lot Landscaping).

d. Fuel pumps must be located a minimum of 100 feet from the lot line of a Protected Neighborhood property.

e. Fuel pumps must be located a minimum of 10' from the build-to zone.

f. A masonry wall may count toward the minimum build-to requirement of the District provided the following standards are met:

i. The building must meet the minimum width requirements of Sec. 6.1.2.C.5;

ii. The masonry wall must have openings meeting the transparency requirements of Div. 6.3. and must provide similar architectural elements to the building, such as materials, cornices, and awnings; and

iii. The masonry wall is not required to meet the minimum story requirement of the District so long as the wall is a minimum of 12 feet in height.

g. Direct pedestrian access to the building is required for each street frontage.

h. Fuel pumps are permitted in any parking structure, where fuel pumps are a permitted use.

i. **Improvements to Existing Fuel Pumps, Fuel Stations**

i. Existing nonconforming stations as of the date of the adoption of this code may be upgraded, replaced or redeveloped when, as determined by the Director, such upgrade, replacement or redevelopment is for the purpose of remedying a use that is dangerous to the general public or to ensure that such use complies with any fire code, life safety code, or other safety ordinance or regulation.

ii. Fuel pumps or ~~gas~~ fuel stations may be upgraded, replaced or redeveloped, including an increase in building size but not an increase in the number of pumps, on the existing site with the approval of the Director.

j. **Expansion of Fuel Pumps at Existing Fuel Stations**

i. Existing nonconforming fuel pumps as of the date of the adoption of this code may be expanded in accordance with this section when, as determined by the Director, such expansion is for the purpose of remedying a use as that is dangerous to the general public or to ensure that such use complies with any fire code, life safety code, or other safety ordinance or regulation.

ii. The Director may approve the addition of up to 4 fuel pumps to an existing site, provided the following standards are met:

a) The Director determines the site has adequate room for additional fuel pumps and vehicle spacing;

b) The building façade and fuel canopy have been brought into compliance with all of the standards of this Code;

c) The vehicle and pedestrian access points have been brought into compliance with all of the standards of this Code;

d) All paved areas have been screened in accordance with Sec. 8.3.2. Parking Lot Screening; and

e) Any nonconforming signs on the property have been removed.

~~Fuel pumps or gas stations may be expanded to an adjacent site with conditional use permit approval by the City Council.~~

k. **Relocation of Existing Fuel Pumps or Fuel Stations**~~–~~

Existing f~~F~~uel pumps or ~~gas~~ fuel stations may be relocated to an alternative site within the CX-, CC- or IX- districts with a C~~c~~onditional U~~u~~se P~~p~~permit approval by the City Council. Any new fuel pumps or gas station must be located at least ½-mile from any existing fuel pump or gas station. The ½-mile measurement must be taken without regard to the City limits of Sandy Springs and is measured to the property line, regardless of where the fuel pumps are located on the site. Conditional U~~u~~se P~~p~~permit approval is predicated on the elimination of an existing site with fuel pumps or ~~gas~~ fuel station and the mitigation of the former site such that it is ready for any other permitted use in the district.

d. ~~Open~~

~~A canopy for fuel pumps or a gas station may be considered to meet the build to requirement of this Development Code, provided it is located within the build-to zone, isshall be architecturally integrated with any associated commercial building on the site, and does shall not include any signs. Canopy support columns shall be fully encased with materials that are complementary to those used on the main building. The canopy band face shall be of a color consistent with that of~~

~~the main structure or an accent color. Primary or fluorescent colors must not exceed ten percent (10%) of each façade.~~

f. ~~Any pavement associated with vehicles must be screened from view, except for drive entrances, using landscaping (see Sec. 8.2.2, Parking Lot Landscaping).~~

g. ~~No fuel pumps or gas station apparatus may shall be located within 10050 feet of the lot line of a Protected Neighborhood property.~~

Sec. 7.5.16.

k. Car vending machines are not permitted on the property.

D. **Vehicle Showroom**

1. **Defined** A facility that showcases and sells, rents or leases passenger vehicles, trucks, ~~and~~/or other consumer vehicles such as motorcycles, boats and recreational vehicles.

2. **Basic Use Standards**

a. All vehicles on must be displayed indoors.

c. No vehicle maintenance or repair apparatus can be located on site.

d. Total square footage of the business and its operations must not exceed 5,000 square feet.

Sec, 7.6.3.

D. Film Studios

1. Defined Facilities for the production of film, including stages, exterior sets, sound recording facilities, related commercial vehicles, and accessory fabrication activities.

2. Limited Use Standards

a. In CX- and OX- districts, film studios are limited to 20% of the site.

b. In PX- districts, film studios must be located on sites with a minimum size of 4 acres and are limited to 50% of the site.

Sec. 7.6.4. Research and Development

A. **Defined** A facility focused primarily on the research and development of new products. Research and development includes the following:

1. Laboratories, offices and other facilities used for research and development by or for any individual, organization or concern, whether public or private.
2. Prototype production facilities that manufacture a limited amount of a product in order to fully investigate the merits of such a product.
3. Pilot plants used to test manufacturing processes planned for use in production elsewhere.

B. **Life Sciences, Bio-Safety Level 1**

1. ~~1.~~ **Defined** BSL-1 labs are used to study infectious agents or toxins not known to consistently cause disease in healthy adults. They follow basic safety procedures, called Standard Microbiological Practices and require no special equipment or design features. Standard engineering controls in BSL-1 laboratories include easily cleaned surfaces that are able to withstand the basic chemicals used in the laboratory.

2. **Basic Standards**
   a. Life Sciences, Bio-Safety Level 1 is not permitted on lots that directly abut a Protected Neighborhood or Urban Neighborhood district.
   b. Buildings with Life Sciences, Bio-Safety Level 1 uses are not permitted to be within 100' from any Protected Neighborhood, RU-, or RT- district.

C. **Life Sciences, Bio-Safety Level 2**

1. ~~2.~~ **Defined** BSL-2 laboratories are used to study moderate-risk infectious agents or toxins that pose a risk if accidentally inhaled, swallowed, or exposed to the skin. Design requirements for BSL-2 laboratories include hand washing sinks, eye washing stations in case of accidents, and doors that close automatically and lock. BSL-2 labs must also have access to equipment that can decontaminate laboratory waste, including an incinerator, an autoclave, and/or another method, depending on the biological risk assessment.
2. **Basic Standards**
   a. Life Sciences, Bio-Safety Level 2 is not permitted on lots that directly abut a Protected Neighborhood or Urban Neighborhood district.
   b. Buildings with Life Sciences, Bio-Safety Level 2 uses are not permitted to be within 200' from any Protected Neighborhood, RU-, or RT- district.

D. These requirements are in addition to, and do not replace or supersede, any other applicable requirements established under state law, and approval of or exemption from these requirements does not constitute approval of or exemption from requirements established under state law or from other applicable local, county, state, or federal regulations.

Sec. 7.6.7.

C. Self-Service Storage, Mini-Warehouse

1. **Defined** Facilities providing separate storage areas for personal or business use designed to allow private access by the tenant for storing or removing personal property. May include accessory sales of boxes, tape and other packing-related materials. Does not include truck rental.

2. **Basic Use Standards**

   a. An existing self-storage or mini-warehouse may be upgraded on its existing site with approval of the Director, provided it meets all the basic use standards.

   b. No outside storage is allowed, including vehicle or trailer leasing.

   c. All buildings must be at least two stories tall and have windows ~~or architectural treatments that appear as windows~~at 50% transparency for every level. Roller/storage unit doors must not be visible from any exterior point. The transparency requirement is for the three most visible sides (from a street or streets) of the building, as determined by the director.

   d. Storage buildings must be finished with brick or stone for a minimum of 80% of the three most visible sides (from a street or streets) of the building.

   e~~d~~. No activities other than the dead storage or transfer of nonvolatile goods or leasing of storage space are permitted within the storage establishment or portion of any development.

   f~~e~~. Prohibited accessory uses include, but are not limited to, the following:

      ~~i. Miscellaneous sales;~~

      i~~i~~. Fabrication or repair of vehicles, equipment or other goods;

      ii~~i~~. Transfer-storage business based on-site;

      iii~~v~~. Residential uses (other than the resident manager's apartment); or

      iv. Any use which creates a nuisance due to noise, odor, dust, light or electrical interference.

Sec. 7.8.3.

Sec. 7.8.3. Day Care

A. **Defined** A facility meeting the definition of Sec. 7.5.5. Day Care.

B. **Basic Use Standards**

Day care as an accessory use is only permitted when the following standards are met:

1. The day care must be associated with a permitted place of worship or private school (K-12); and
2. The day care must meet all the use standards of Sec. 7.5.5. Day Care.
3. Day care facilities in association with a place of worship do not require a separate conditional use permit.

Sec. 7.8.5.

Sec. 7.8.5. EV Charging Facility

A. **Defined** A facility that provides electric vehicle infrastructure for the purpose of charging electric vehicles as an accessory to another primary use.

1. **Charging Level** The standardized indicators of electrical force, or voltage, at which an electric vehicle's battery is recharged:

    a. **Level 1** The slowest type of charging equipment plugs directly into a standard 120-volt AC outlet supplying an average power output of 1.3 kW to 2.4 kW.

    b. **Level 2** Considered medium charging; typically requires a 40-100 amp breaker on a 240-volt AC circuit.

    c. **Level 3 or greater** Considered rapid charging; typically requires a 60 amp or higher dedicated breaker on a 480-volt or higher three (3)-phase circuit with special grounding equipment. DC fast charging uses an off-board charger to provide the AC to DC conversion, delivering AC directly to the car battery.

2. **Electric vehicle infrastructure** The structures, machinery, and equipment necessary and integral to supporting an electric vehicle, including the electrical conduit and wiring requirements for the installation of electric vehicle charging equipment.

B. **Exempt** The following EV charging facilities are exempt from these regulations:

    a. **Single unit residential** Charging facilities located on single unit detached or attached lots designated as private, restricted use only. All installations must comply with the placement and screening requirements of mechanical equipment found in Sec. 6.1.2.B.3. and Sec. 8.3.9.

    b. **Enclosed in parking structure** Any EV charging facilities located within an enclosed parking structure or garage. These installations must comply with the signs and maintenance requirements below.

C. **Basic Use Standards**

    a. **Signs**

        i. Signs must be posted identifying voltage and amperage levels and use, fee, and safety information related to the EV charging facility.

        ii. Signs must be posted at public EV charging facilities indicating that the space is reserved for EV charging purposes only. For purposes of this provision, "charging" means that an electric vehicle is parked at an EV charging facility and connected to the battery charging station equipment, otherwise known as "actively charging."

        iii. Prohibited signs (Sec. 8.4.3.) are not allowed.

        iv. Level 2 charging facilities must have no more than 25% of the total charger used for signs or an otherwise illuminated display. Level 2 charging facilities do not require a sign permit but will instead be verified as a part of the building permit. This sign percentage requirement does not apply when the charger is located within a parking structure or garage.

v. Level 3 or greater charging facility must have no more than 50% of the total charger used for signs or otherwise illuminated display. Level 3 or greater charging facilities do not require a sign permit but will instead be verified as a part of the commercial building permit. This sign percentage requirement does not apply when the charger is located within a parking structure.

b. No portion of the EV charging facility can impede pedestrian, bicycle, or wheelchair movement, or create a safety hazard.

c. EV charging facilities, including electrical transformers and other mechanical equipment associated with the charger, must conform to any applicable screening requirements in Sec. 8.3.9.

d. All proposed or improved on-street parking is required to install conduit for future EV charging facilities.

e. A Level 2 charging facility must be no wider than 24 inches at any point, not including the plug handle, hook, hose, and related components.

f. A group of 6 or more Level 3 or greater EV charging facilities is considered a designation EV installation and must be an accessory to a primary retail use.

g. An EV charging facility must be located a minimum of 10 feet from the build-to zone. In Perimeter Districts, the charger must be located a minimum of 20 feet from the build-to zone.

h. A masonry wall may count toward the minimum build-to requirement of the District provided the following standards are met:

i. The building must meet the minimum width requirements of Sec. 6.1.2.C.5;

ii. The masonry wall must have openings meeting the transparency requirements of Div. 6.3. and must provide similar architectural elements to the building, such as materials, cornices, and awnings; and

iii. The masonry wall is not required to meet the minimum story requirement of the District so long as the wall is a minimum of 12 feet in height.

i. EV charging facilities must be maintained, including the functioning of the equipment. A phone number or other form of contact information must be provided on the equipment to report when it is not functioning, or other problems are encountered.

j. EV charging facility canopies must be architecturally integrated with any associated commercial building on the site and not include any signs. Canopy support columns must be fully encased with masonry materials that are complementary to those used on the main building. The canopy band face must be of a color consistent with that of the main structure or an accent color. Primary or fluorescent colors must not exceed 10% of each canopy band face.

k. No charging facility may be located within 50 feet of the lot line of a Protected Neighborhood.

l. **Existing Fuel Pumps or Fuel Stations**

Level 2 charging facilities may be installed at existing fuel pumps on existing parking spaces, so long as they are at least 10 feet from any build-to zone. Level 3 or greater charging facilities may replace existing fuel pumps on a site.

Sec. 7.8.8.

Sec. 7.8.8. Fuel Pumps

A. **Defined** A facility for the sale of motor vehicle fuel, typically located on the same lot and associated with a retail use.

B. **Basic Use Standards**

1. Up to 8 fuel pumps may be established as an accessory use to an existing retail use that has a minimum floor area of 35,000 square feet.
2. The fuel pumps must not impact the compliance of any other use on the site with any requirement of this Code.
3. The fuel pumps must meet all of the requirements of this Code, including build-to, landscape screening, and signs.
4. No convenience sales or vending machines are allowed in association with the fuel pumps.
5. The proposed site layout will be reviewed by the Director for compliance with vehicle stacking, vehicle access, and pedestrian access requirements.
6. **Existing Accessory Fuel Pumps**
   a. Sites with existing accessory fuel pumps may expand to provide a maximum of 8 fuel pumps without meeting the build-to requirement. All other use standards apply.

ARTICLE 8.
SITE DEVELOPMENT

Div. 8.1. General Provisions

Sec. 8.1.1. Applicability

A. Standards apply based on the type of activity proposed, as shown in the table below. For all zoning districts, the development standards apply as shown in the table below:

Development Activity	*6.2 Building Design Standards*	*8.1 Parking*	*8.2 Site Landscaping*	*8.2 Screening*	*8.3 Signage*	*10.3 Driveways and Cross-Access Connections*	*9.6.3 Stormwater Management*	*9.6.3 Water Quality*	*10.4 Streetscape Improvements*	*All Standards*	*Additional References*
Parking Area Expansion											
Minor: <1,000 sf		□	□	□	□	□		■			
Major: >1,000 sf		■	■	■	■	■	■	■	■		
Site Modification											
Remediation Due to Disaster (Fire, Flood, etc.)					■						
Re-occupation after Extended Vacancy (Greater than 180 days)			■	■	■	□					
Site Disturbance <1,000 sf of site				□	■	□		■			
Site Disturbance 1,000 sf-5,000 sf of site	□			■	■	□	■	■			
Site Disturbance >5,000 sf of site		□	■	■	■	□	■	■			
Building Renovation or Expansion											

-	**Renovation Due to Disaster** (Fire, Flood, etc.)	□	.	.	.	■	.	.	.	.	.	-
-	**Re-occupation after Extended Vacancy** (Greater than 180 days)	■	■	■	■	■	■	:	:	.	.	-
-	**Renovation without Expansion:** <50% of FMV of building	□	.	□	■	■	.	.	.	.	.	-
-	**Minor Expansion:** <25% of Total Floor Area	□	□	□	■	■	□	:	:	■	.	6.1.2
-	**Substantial Renovation without Expansion:** >50% of FMV of Building	□	□	□	■	■	□	:	:	.	.	-
-	**Partial Expansion** 25%-<>50% of Total Floor Area	□	■	□	■	■	■	:	:	■	■	6.1.2
-	**Major Expansion:** >50% of Total Floor Area	■	■	■	■	■	■	:	:	■	■	6.1.2
	Façade Modification					■						
■	*Compliance with all applicable standards required*											
□	*Compliance required of only the expanded building or lot area only to the extent practical*											

B. Where a section applies according to the table above, the project activity must meet all of the applicable requirements in that Section. Where a Section is listed as not applying, no requirements in that Section apply.

C. The general applicability in this Section may be further modified by the detailed provisions of that Section.

4. **Common, side street, and rear grading setback exceptions**

The following may be granted exceptions from common, side street, and rear grading setback requirements:

a. Where a building setback encroachment is allowed (certain accessory structures and site elements) for site area within the grading setback, the grading is permitted with the installation of a mitigation zone (Described under "Mitigation Zone" below), and;

b. Also, where a side or rear yard is the only feasible option for a construction entrance, grading disturbance may be approved by the Director, so long as the width of the area of activity within the buffer does not impact an existing tree with a 15" DBH or greater and is replaced with a mitigation zone.

c. **Mitigation Zone:** Regardless of the original state of the affected grading buffer area, mitigation in the form of plantings, a mix of evergreen and deciduous trees, and shrubs is required per the prescription provided:

i. The mitigation zone must be at least 5 feet deep bordering the entire project area within the grading setback;

ii. Evergreen trees spaced at 1 per 25 linear feet, minimum of 1, full to the ground and at least 6 feet tall at the time of planting;

iii. Understory trees spaced at 1 per 25 linear feet, minimum of 1, with a minimum caliper of 2 inches;

iv. Shrubs spaced 8 per 25 linear feet, minimum of 8, with a minimum size of 3; and

v. Additional BMPs determined to be necessary by the Director to preserve existing vegetation.

45. In all districts, resulting graded slopes must not exceed 3 feet (horizontal) to 1 foot (vertical). Steeper slopes may be approved by the Director upon certification of stability by a soils engineer or geologist.

6. Any unauthorized clearing and grading must replant the cleared area according to the requirements of the Mitigation Zone in Sec. 9.4.2.G.4.c.

Sec. 9.4.3.

iii. **Interior Facing**

a) Retaining walls that are entirely interior facing are permitted up to 12 feet in exposed height. This includes Wing Walls (retaining wall extensions from the building foundation walls that allow daylighting of a basement and/or egress from a basement) that are inward facing and finished with a permitted material finish.

1. **Setbacks**

If they are to encroach into building setbacks and are entirely inward facing the walls ~~shall~~must be a maximum of six (6) feet in exposed wall height and meet the retaining wall setback requirements found in Sec. 9.4.3.C. below.

2. **Length**

Maximum length of any wall exceeding the normal maximum retaining wall height is 36 feet (based on the maximum 3:1 allowable grading slope). Any length of wall past 36 feet ~~shall~~must meet the requirements of a retaining wall as outlined above.

b) The Director may permit retaining walls that are entirely interior facing on campuses with civic or institutional uses to have up to 24 feet in exposed height. This includes wing walls that are finished with a permitted material finish.

iv. Exterior Facing

Retaining walls that are exterior facing and at least 100' from a street lot line and 75' from a common lot line are permitted up to 12 feet in exposed height. This includes wing walls that are finished with a permitted material finish.

Sec. 9.5.3.

C. **General Standards**

1. The following uses are permitted within the 100-year floodplain:

a. Agriculture, including forestry and livestock raising, requiring no structure. Agriculture and forestry access roads are permitted provided they are constructed in conformance with the development regulations.

b. Dams, provided that they are constructed in accordance with the requirement of this article, the United States Department of Agriculture Soil and Conservation Service and when applicable, meet the specifications of the U.S. Army Corps of Engineers and/or the Georgia Department of Natural Resources.

c. Fences having sufficient open area to permit the free flow of water and/or debris.

d. Identification, regulatory and warning signs.

e. Public and private parks and recreational areas including boat ramps and docks and other functionally dependent uses not including temporary or permanent structures; provided, such use is approved by the department of community development and, if applicable, the U.S. Corps of Engineers.

f. Parking.

g. Utility lines, pipelines, sewers, roads and stream crossings (if no other means of access is available), and similar features, provided they are constructed in such a manner as to permit the free flow of waters.

Sec. 9.5.4.

Sec. 9.5.4. Flood Damage Reduction

A. **General Standards** In all areas of special flood hazard and areas of future-conditions flood hazard the following provisions apply:

1. New construction and substantial improvements of structures (residential or nonresidential), including manufactured homes, ~~shall~~will not be allowed within the limits of the future-conditions floodplain, unless all requirements of Sec. 9.5.3 have been met.

2. If, due to site conditions, an existing single-family residential structure cannot comply with section 9.5.4.A.1, the structure may be elevated in accordance with either section 9.5.4.B.1.C or section 9.5.4.B.1.d: provided however, section 9.5.4.A.5 ~~shall~~will apply to all elevated structures regardless of whether section 9.5.4.B.1.c or section 9.5.4.B.1.d applies.

Sec. 9.5.4.B.

c. **Elevation of existing structures via jacking on existing foundation** An existing structure that ha been substantially damaged or is proposed for substantial improvement may be elevated by jacking, intact, on an existing foundation, provided the criteria of section 9.5.4.A.5 are met in addition to the following criteria:

i. No elevated structure can exceed the original geometric footprint area or horizontally expand living space into or over the future conditions floodplain;

ii. Foundations must contain a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding as provide in 44 C.F.R. § 60.3;

iii. The bottom of all openings must be no higher than one foot above grade; and

iv. Openings may be equipped with screens, louvers or other coverings provided they permit the flow of floodwater in both directions.

d. **Elevation of existing structures via demolition and rebuilding on an equivalent footprint area** An existing structure that has been substantially damaged or is proposed for substantial improvement may be demolished and relocated on the lot such that the passage of water is facilitated or the floodplain is otherwise enhanced or protected, provided the criteria of section 9.5.4.A.5 are met in addition to the following criteria:

i. No elevated structure can exceed the original footprint area or increase the net encroachment into or over the floodplain; and

ii. Foundations must be designed to resist anticipated hydrodynamic loads, potential for debris impact, and scour pursuant to FEMA Technical Bulletin I (August 2008). Foundation must be designed with the following criteria:

a. The total area of the walls below the base flood elevation exposed to flood waters must be at least 50 percent open. Wall openings must be distributed along all walls exposed to flood waters;

b. The bottoms of all wall openings must be at grade;

c. Garage doors not allowing the natural flow of floodwaters when closed must not be considered wall openings; and

d. Openings may be equipped with grilles, louvers, or bars provided they allow the natural flow of floodwater in both directions.

Article 10. Streets & Improvements

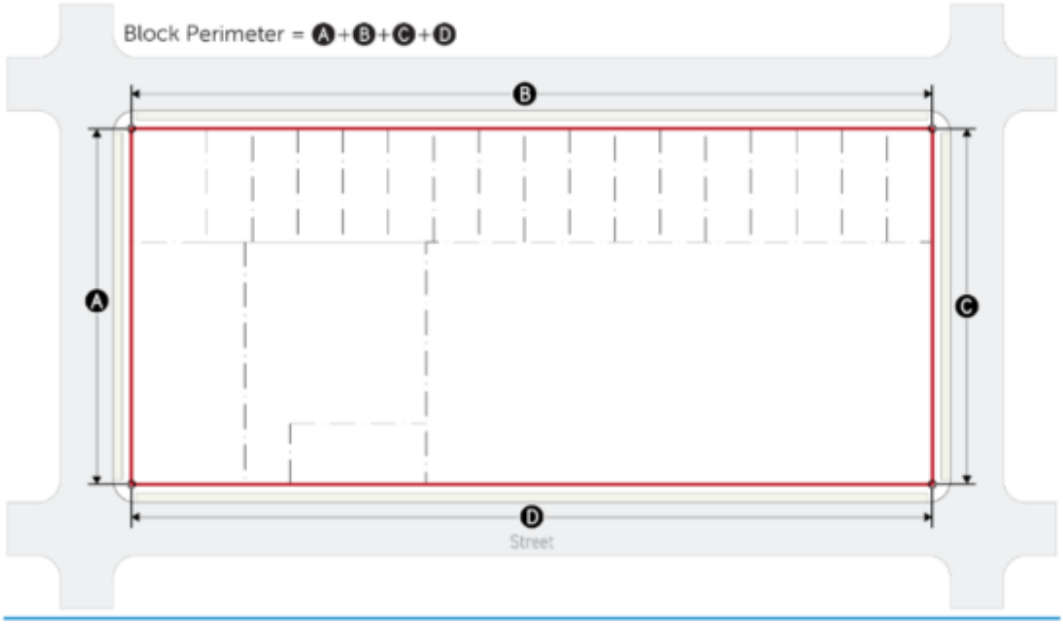
Div. 10.4.

Sec. 10.3.1.A.

	Block Face	Maximum Block Perimeter
Protected Neighborhoods		
RE-	n/a	n/a
RD-27, RD-18, RD-15, RD-12	1,320' max	3,960' max.
RD-9, RD-7.5	660' max	2,400' max.
PK, CON	n/a	n/a
Urban Neighborhoods		
RU-, RT, RM-, RX-	660' max	2,000' max.
Corridors and Nodes		
OX-, CX-, SX-, NEX-	660' max	2,000' max.
TX-, CS-	500' max	2,000' max.
IX-, CC-	660' max	2,000' max.
Perimeter Center		
PRL-, PXL-, PXM-, PXH-, PMH-	500' max	2,000' max.

Sec. 10.3.1.B,

6. Block perimeter is the total length measured along all lot lines abutting public or private streets.



BACKGROUND

The Next Ten Comprehensive Plan Policy E recommends a review of development management tools to implement the vision and goals of the Comprehensive Plan, Small Area Plans, and other planning documents. Both the 10 Key Actions for the Next Ten and Policy LU-E1 recommends comprehensive updates to the Sandy Springs Development Code. Furthermore, the Next Ten Community Work Program item LU-E1.1 recommends that staff conduct a comprehensive review of the Development Code in 2022 and 2023.

Over the last 13 months, city staff have worked toward execution of this comprehensive review of the city's Development Code. Staff, with the assistance of consultant Code Studio, have received input from a variety of stakeholders, including residents and neighborhood groups, business and property owners, contractors and developers, and the Planning Commission as well as overall policy guidance from the Mayor and City Council to help formulate a recommended 5-Year Development Code Update. The code review process consisted of three (3) distinct phases:

1. Phase I (Intake) - Hosted more than 25 stakeholder meetings covering a range of topics and facilitated discussion with Council at the 2023 Retreat; met with residents, business owners, Planning Commissioners, electric vehicle and gas station representatives, hotel and hospitality industry representatives, office and medical industry representatives, civic institutions, developers, residential home builders, automotive dealers, attorneys, and others.

2. Phase II (Draft) - Worked amongst relevant staff and the consultants' background and code expertise to clean up technical aspects of the existing Development Code, as well researching and proposing edits to the topics deemed by Council to be of particular priority to the City's vitality.

For the Mayor and City Council's September 19 Work Session, city staff and the consultants at Code Studio presented the initial Development Code Update draft after a thorough input process and direction from Council earlier in the year. City staff and Code Studio replicated the work session the following evening with the Planning Commission at their Special Called Work Session on September 20.

3. Phase III (Publication and Adoption) – Staff published draft Development Code documents on the City’s website, accepted public feedback, and finalized the draft, including:

- September 22: Online posting of the initial proposed draft to the dedicated Development Code Update webpage (spr.gs/development)
- September 26 – October 18: Online comment form input/submittal period (in addition to the traditional forms of available public comment submission)
- September 26: Public Open House hosted at City Hall
- November 11: Final draft Development Code published on Development Code Update webpage, including summary of key changes
- November 13: Special Called Planning Commission Public Hearing
- December 5: Mayor and City Council Public Hearing for consideration of adoption

ANALYSIS

This Development Code Update is Comprehensive, with edits in every Article. Of the substantive use changes, staff's proposals were formulated primarily through the lens of the many changing conditions and trends in the commercial and residential realms. However, some proposed edits, such as many of those found in Article 11. (Administration) were proposed in response to changes in State law.

Post 2020, much of the City's fundamental commercial inventory (office) has quickly become less viable in the new world of hybrid and remote work. With the office market trend of hybrid and remote work, proposed Development Code modifications will work to ensure reasonable development opportunities in areas most affected by modifying permitted and conditional use allowances, principally in the office-centric zoning districts. In alignment with the Next Ten Policy LU-E1.3, Staff proposes alternative uses such as Vehicle Showroom, accessory Film Studio, Life Sciences (BSL-1 and BSL-2), Office to Residential conversions, Neighborhood Eateries, and allowing or requiring a limited amount of commercial in all multi-unit and mixed-use districts.

To address regional and national housing challenges, staff proposes a number of new household living use types and parameters: Neighborhood Units (type of manor home); reduced lot size requirements (lot width and square footage) and expanded use permissions (in the Perimeter Center) for townhouse (Single Unit Attached); the addition of 'Shared Court' to the highly prescriptive Development Patterns; and promotion of Age-Restricted housing by separating it out as a residential use on its own. These proposals promote at least four (4) Next Ten goals:

1. Increase housing stock and diversity of options;
2. Promote single unit housing (the most likely type of housing stock to offer ownership opportunities);
3. Reduce housing costs or conversely seek ways to encourage affordability (moderately smaller townhouses reduces per square foot total, thus reducing down-payment and rent or mortgage amount); and
4. Provide opportunities for downsizing or aging in place.

Aligning with the Next Ten Policy LU-E1.2, staff proposed an overhaul of the "bonus division" of the Development Code (Div. 6.7.). Beyond incentivizing benefits to our community through additional height, staff now proposes a bonus system that breaks the bonus height allowance down further by considering the height for the percentage of the site. The proposal, called the "Enhanced Community Benefits Matrix," is an update to the previous bonus table in two ways: first, the Matrix provides more options for receiving bonus credit (provided in the Benefits List); and second, the Matrix is laid out in such a way that each row representing a story on the chart intersects with a column representing the percentage of that site that may be developed up to that story. The more credits earned through installment of Benefits, the more the percentage of a site may receive a height bonus of varying amounts. This helps the City ensure that impacts incurred from increased height in developments are effectively offset through improved public amenities.

To go along with the improved bonus system, staff proposes several new bonus height zoning districts. The goal is that the City will realize more thoughtful, quality developments in the future. In addition, to protect the investment-backed expectations of property owners, and to accomplish conformity while allowing property owners a reasonable return on their investment staff proposes community improvements through additional amortization requirements (Sec. 1.1.10.) for refuse or commercial dumpster areas, as well as additional design standards in Div. 6.6.

One of the major topics of conversation throughout the 5-Year Development Code Update process has been about Fuel or Gas Stations. Staff propose the addition of Fuel Pumps as an accessory use (via a Conditional Use Permit in the same three districts where Fuel Stations are allowed) and increased standards and incentives for redeveloping or more holistically improving existing sites. Staff included many standards that will ensure that fuel stations will be required to be developed or redeveloped in a manner where they contribute to the urban fabric by addressing the street first, helping to continue the pedestrian realm and not creating gaps instead. Increased design and screening standards are also proposed to support this concept.

Per the Next Ten Comprehensive Plan Policy LU-A1, Staff continues to work to maintain the integrity of existing single-family residential neighborhoods within the Protected Neighborhood Character Area. Staff proposes a few adjustments to the code that relate to the Residential Estate and Residential Detached zoning districts. The first proposed edit would allow limited single-story garage expansion into the Primary Street Setback for homes existing before Sandy Springs became a city. This modification is designed to encourage reinvestment into existing housing stock.

The second proposed edit would modify fence pier requirements for Residential Estate (RE) and Residential Detached (RD) zoning districts. Currently fences that run parallel to a street require the installation of piers in both districts. Staff proposes that only Estate lots continue to be required to install piers when parallel to a street.

Lastly, of note, staff recommends a more contextual approach to construction entrance regulations where there is a grading setback in RE and RD districts. The goal with this amendment is to allow for a case-by-case evaluation when necessary to determine the least-impactful entry into a construction site on a property. From time to time, what is currently prescribed as the appropriate and permittable entrance is not what is best for the environment. This edit would not only require additional BMPs (best management practices such as silt fences, site stabilization techniques, additional root protection) but would also ensure abundant replanting prescription (equivalent to the existing Protected Neighborhood Buffer vegetation standards), regardless of the amount of vegetation initially disturbed.

Staff finds that the proposed changes align with the stated purpose and intent of the Development Code to "guide the future growth of the City of Sandy Springs in alignment with the vision set forth by The Next Ten Comprehensive Plan…to foster more predictable results and a higher-quality public realm…," to "balance conservation and development," to "achieve design excellence in the built environment," and to "guide Sandy Springs' prosperous and sustainable future."

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

Staff recommends **Approval** of **Text Amendment TA23-0003** in its entirety, grouping (a) through (e):

-**TA23-0003(a)**, Articles 1 (Introductory Provisions), 11 (Administration), and 12 (Definitions)
-**TA23-0003(b)**, Articles 2 through 5 (Protected Neighborhoods, Urban Neighborhoods, Corridors & Nodes, and Perimeter Center)
-**TA23-0003(c)**, Article 6 (Rules for All Districts)
-**TA23-0003(d)**, Article 7 (Use Provisions)
-**TA23-0003(e)**, Articles 8 through 10 (Site Development, Environmental Protection, Streets & Improvements)

Development Code Update Public Comment Received Between 9/26/23 – 10/18/2023	
Name	**Comment(s)**
Tochie, Blad	There is so much to unpack in this large document of changes. This is just my first glance. In Article I, it empowers the Development director to make final decision on variances, the applicant may then appeal to Fulton County Superior Court. Why not keep the Board of Appeals and let them decide cases before tying up the courts time? Article 1, pg. 34, item 5. Action by the Director, there is a clause that requires the director to submit a response in a 30 day timeframe. The concern is if the economy is booming and numerous applications need responses by the director, will staff be able to meet the deadline. If not, does that automatically grant the applicant the appeal? Article 2 District Intent Statements Pg. 9 of 98 â€“ Strikes minimum height district in Perimeter Center. Buildings can be a single story next to transit station, is this the best use of the land? Article 7 Use Provisions RX of page 24 of 57, allows Grocery tenants to 15,000 s. ft. RX allows commercial up to 6000 s ft. with hours of operation 6 a.m to 11 p.m. Why are hours of operation dictated by the code, will that conflict with the noise ordinance? Do we want a large store, I thought we were promoting walkability. Allowing retail use in residential areas for both RM and RX and not controlling the use may allow Vape shops, tattoo parlors and other non-conforming uses. Retail is a challenge when folks live beside it. Finally, Gas pumps/stations are now allowed most places with the removal of the distance rule. City Springs prohibits gas pumps in the district. As gas stations close their operations in City Springs district, due to the cap, the city allows a new gas station to open in areas outside City Springs district. I disagree with the change in policy and recommend no change. I am all for encouraging EV charging stations and establishing rules for electric vehicle charging stations on both location and design aesthetics. EV charging stations should be added to the cityâ€™s Enhance Community Benefit list to encourage new developments to include the stations. Thanks for your time and consideration to my thoughts on the code changes in Sandy Springs.
Elizabeth, Fite	Iâ€™m curious how the elimination of the distance requirement between gas stations reflects changes in the community and ensures the dev code is consistent with the cityâ€™s goals for growth. We donâ€™t seem to be lacking gas stations. Existing sites should be held more accountable and made better. And if you canâ€™t regulate what we have to be more satisfactory, how are we assured anything new will solve whatever perceived issues the consultants have identified? Do you want to live near a gas station-regardless if itâ€™s shiny or new? And are the people voting on this at jeopardy of having a gas station in their neighborhood? Or

	an abandoned gas station that some other gas station is tasked with revising? Iâ€™m from Arkansas originally, and I have seen more abandoned Walmarts than I thought possible.
Manisha, Lance	I hope that when you are considering changes to the development code .. you will use an equitable lens to keep housing development affordable. Please take steps to ensure that affordability is at the core so that middle and low income individuals can thrive in Sandy Springs.
Jane, Kelley	Dear Staff, I am incensed that once again my neighborhood (Windsor Park Community Association) has to fight for common sense regulation. I was heavily involved in getting the restrictions on gas stations put in place earlier. My neighborhood has fought multiple times to prevent a gas station from going in on the corner of Windsor Parkway and Roswell Rd, spitting distance from a Shell Station. Roswell Rd inside 285 has plenty of gas stations already. There at least EIGHT within a two-mile stretch! If more are allowed to open, competition will force some to close, leaving us with additional toxic waste issues. PLEASE protect your residents!! How many times must we fight the same battle?! This makes no sense! Thank you! Mrs. Jane Kelley President, Windsor Park Community Association
Bill, Odrey	I feel that 9755 Roberts Drive due to its location on Roswell Rd, the many right of ways demanded by the City of Sandy Springs and Fulton County that this property should be Re zoned as commercial instead of residential

Vladimir, Shklovsky	I am writing in opposition to proposals to build more gas stations on Roswell Road, and increase the size of garages, described at https://roughdraftatlanta.com/2023/09/27/sandy-springs-residents-reject-code-updates-for-gas-station-expansion/ .1) Sandy Springs should not allow garages that existed before 2005 to be enlarged in violation of existing codes, like front yard setbacks. Larger vehicles are a public safety threat to our community, and do not need more subsidies. They also increase wear and tear on our roads, increasing maintenance costs. Parking spaces for oversize vehicles are already available, at a price. People buying larger and more expensive vehicles should pay their own way, not ask for welfare from the community for their irresponsible decisions. 2) Roswell Road is dangerous and it is irresponsible to make the safety problem by allowing more gas stations here. Sidewalks and crosswalks are inadequate. Police do not enforce speed limits, cell phone bans, restrictions on tinted windshields, etc. There is a lot of traffic. Gas stations inherently have a lot of curb cuts (for tankers to go in and out) and the business model requires frequent vehicle traffic. This combination of a lot of drivers entering and exiting the premises, plus a large volume of traffic on Roswell, creates a lot of opportunities for drivers to injure or kill members of the community. Everyone involved will be culpable if somebody gets hurt.3) This is fiscally irresponsible land use. Land bordering Roswell Road is commercially valuable. It should be used accordingly, and generate a lot of tax revenue to reduce the burden on other constituents. Gas stations inherently need a lot of land, for tankers and customers to maneuver, but sell relatively low-value goods, pay relatively little, and can't generate as much tax revenue.4) Public health is harmed by particulates from vehicle emissions, and Sandy Springs should do the bare minimum of discouraging burning gas and diesel by not approving new stations.5) It is fiscally irresponsible to build a new Sandy Springs fuel depot. Police vehicles have heavy use. EVs are more efficient per mile, and much more efficient for idling (when AC and electric systems can be run without running an entire combustion engine). The fuel and maintenance savings of switching to electric vehicles are clear, and will become stronger over time. Just in terms of fueling, level 2 chargers are basically 240V extension cords, and we should be able to install and maintain them at lower cost than a gas station. Sandy Springs government agencies should be transitioning the fleet away from gas to EVs, not making further investments into an expensive and out of date technology.6) Roswell Road, especially between City Springs and the south edge of the city at Meadowbrook, should be a priority for dense development accessible by transit and pedestrians. This is the section with the easiest MARTA access and the worst traffic. Businesses already rely on a workforce that does not drive. The city could make the most tax revenue by encouraging dense residential construction and valuable commercial use that is not entirely car dependent, as opposed to cut-off walkable developments that still require visitors to drive there, and either use valuable land for surface parking or even more expensive parking decks like the underground lot at City Springs to subsidize drivers. More gas stations along the Roswell in the vicinity of 285 are inherently contrary to this goal, because they offer nothing to nearby residents and are hostile to pedestrians trying to walk to a more valuable business or a higher-paying employer.

ruth, sprinkle	Please do NOT change the codes so that there are more gas stations on Roswell Road, inside the Perimeter!
James Duffy, Hickey	I appreciate the work that has been done by city staff as the development code goes under review. I also appreciate the opportunity to learn from the full disclosure on the web site and the open house last week. Having said that, I have a few concerns on some items. First, and with emphasis, I do NOT favor eliminating fuel stations distance requirements. I live at the southern end of Sandy Springs and we currently have NINE gas stations between the south end (including Shell just 10 yards south of the city line) and Hilderbrand Dr. We do not need more stations in that area. We do not need large (QT, Race Trac, etc.) stations anywhere along that corridor. They would only attract more traffic getting off I-285 and Roswell Rd, an already miserable intersection. We do not need a gas station at the NE corner of Windsor Pkwy and Roswell Rd. Any â€œ1 for 1â€ exchange should be within a reasonably close proximity, to prevent someone from buying and taking down one small station in a remote location, to add a large one along Roswell Rd south of Abernathy. I understand that our mayor's son works for one of these large gas station operators and, if true, I would expect the mayor to recuse himself in the discussion and in any tie-breaking vote that might be necessary. Second, with regard to garage setback changes. This does not make sense to me. It is said to be able to accommodate citizens who have larger cars. We do not need to incentivize people to buy larger cars! Additionally, only one car opening would face the road. Any additional cars would have to be on the side of the garage, which means a) adding more driveway space to the side of the garage for cars to go in and out; b) many houses do not have the space to do that, and; c) more driveway means more impervious surface, which then requires a large amount of costly mediation. Third, Age restricted multi units should NOT be permitted in O/N. Such buildings do not apply to either word: office or neighborhood. Fourth, Retail establishments should NOT be allowed in the same O/N for the same reasons. This is encroachment into a neighborhood setting of more active commercial activity and traffic. Fifth, I do NOT favor increasing any current height restrictions. As Andy Bauman told me at the open house, we have a very desirable location for lots of people interested in development. Because we are so desirable, we can be picky and do not have to accommodate every request. Let's grow wisely, but with the top priority always being the high quality of living that the new and long term residents of Sandy Springs expect. Thank you again for the opportunity to express my opinions and for the open attitude that you have about the project and for all that you do for the citizens of Sandy Springs.

	Duffy Hickey
Susan, Maziar	Please donâ€™t eliminate the Â½ mile spacing requirement between gas stations.Councilman Paulson told me the other night at the DC open house that we have 27 gas stations in SS. I have since learned 18 of these are on Roswell Rd that is 10.7 miles long (city of Atlanta line to North River Tavern). (Thatâ€™s one gas station for q 0.6 mile.) It is my understanding we also have 60 automotive uses on roswell rd -this includes the 18 gas stations - definitely an over abundance (thatâ€™s an automotive use or gas station every 0.18mile). Automotive Uses and gas stations are everywhere: we are saturated.There are also more gas stations sitting on our borders or close to our borders not included in the count: for ex shell station at Meadowbrook drive on Roswell Rd. on the City of atlanta line and another Chevron a little further south, Mt Paran RD. country store with 4 pumps, brookhaven Costco 18 pumps, and more in Perimeter area near us on Ashford Dunwoody. There are Prob more close to our borders in Panhandle and Powers ferry landing areas, Iâ€™m not sure. Looking a little deeper, we have 6gas stations within City Springs, 6 within Â½ mile of I285 roswell rd exit, and 7 down on our south end with an 8th sitting directly on our border. I know the North end has plenty too.Iâ€™m saying all this because we donâ€™t want or need a new large-scale Racetrac/Gas Station at RoswellRd and Carpenter Drive in the heart of our city. It is a prime spot, one of our most visible Gateways. This would not help beautify Roswell rd; it would not enhance City Springs; it would not create a healthy mix of uses; it would not encourage walkability in our downtown ;it would not fulfill any â€œ community need;â€ and it would not add anything to our brand or SSidentity. The added traffic be a nightmare. Six stations here are enough. Mayor, I loved it when you once said â€œwe can afford to wait.â€ (to get what we want). I think we have that sort of a situation here. Letâ€™s get this right.Give the new financial incentives staff is proposing a chance to work: more fuel pumps if an existing station makes improvements.Support small business owners. The newly rebuilt station down at East Belle Island when finished will hopefully set a shining example.And lastly, please re-evaluate the 1 for 1 replacement proposal . This means a developer can buy out the 2 Citgo fuel pumps on Dunwoody Place up near the river and then be allowed to build a 20 pump station on Roswell Rd. at Carpenter drive 8.3 miles away. That doesnâ€™t even make sense. We already have 6 gas stations here: We donâ€™tneed another. The 1 for 1 replacement idea only makes sense if they are close to each other.Thank you. Susan Maziar
Franziska, Shepard	I Do not recommend changing gas station 1/2 mile apart restriction. We do not need more gas stations on Roswell Rd.
Zach, Wilson	I think weâ€™re OK for gas stations. Who has to drive more than 3 miles to get to one?
Casey, DeSandre	In addition to clarifying General Standards in Zoning, please provide a standard, orderly method to requesting a Variance on anything. Navigating the permit and zoning process was extremely difficult and required insider-level knowledge to assist from an Architect side. Also, the requirements for retaining walls, although understandable, are quite prohibitive to multiple story development when considered in concert with building height restrictions.

Sam, Manjiyani	The CSX district is already very congested and has enough number of fueling stations. Allowing any new stations will only add to the traffic and congestion. Any new stations should be allowed outside of the CSX district about 2 miles away from the I 285 and Roswell Rd intersection. The focus should be more on allowing EV stations and not fueling stations.
Melanie, Couchman	I would like to see more housing at various income levels, especially entry level homebuyers and entry level rentals. We are missing both of these types of housing and many of the studies the city has conducted indicate we need both of these. Please make sure you are offering codes that will incentivize this type of housing to be offered.
Soheb, Roy	I am opposed to the three code development changes being made. I do not believe Roswell road needs another gas station there are over 10 in a 3 mile span. Changing the rules for one or two specific locations is unfair to the existing businesses that have put in time, money, and years of hard work into the community.
Leslie, Rose	Please do not Eliminate the 1/2 mile rule spacing requirement for gas stations. We already have too many on Roswell Rd. Please do not Allowing accessory fuel sales. We have plenty of gas stations and plenty of pumps located in Sandy spring. I never have to wait in line for gas - ANYWHERE. We don't need any more pumps or stations or accessory fuel sales on Roswell Road or anywhere in Sandy Springs and I've lived here over 30 years. My family and I are completely against the recommended changes regarding gas stations which relax the regulations. The residents and administration together worked hard to install the code language that limits auto uses and gas stations for a very specific reason...they are NOT beneficial to the city's appearance and quality of life in Sandy Springs. My concern is these changes COULD allow in the future for leverage of large parcels to become gas stations at key City gateways; at the southern City border at Windsor Pkwy and Roswell Rd, at the River at North River Pkwy and Roswell Rd and the entry to the City Springs district at Carpenter Drive where RaceTrac is known to own 2 parcels. Thank you for the time and consideration for the RESIDENTS of Sandy Springs. Next up, please create a right turn lane from Windsor Parkway (headed west) onto Roswell Rd (headed north). The traffic is backed up at that light, to in front of my house on a regular basis.
VAZIR, ROY	TOO MANY GAS STATION AND CONV STORE IN THE SANDY SPRINGS AREA SPECIALLY NEAR INTER STATE 285
SHAMA, ROY	TOO MUCH TRAFFIC FOR EXTRA GAS & COV STORE IT WILL BRING MORE CRIME IN THE NEIGHBORWOOD
NEELAM, KESHWANI	MORE GAS STATION AND COVENIENCE STORE WILL BRING MORE CRIME AND TRAFFIC CONGESION THANKS
JALAL, DHOLAKIA	SANDY SPRINGS HAS NO NEED FOR MORE FUEL STATION OR CONV SHOP TO BRING MORE CRIME & TRAFFIC
RAVI, SHAHANI	TRAFFIC CONGESATION & CRIME NO NEED FOR MORE FUEL & RETAIL CONV

Carolyn, Axt	I strongly urge you to keep the 1/2 mile limit between gas stations. As we work to redevelop the north end - we don't want to have any opportunities for purchasing properties such as near the river and putting in a large gas station - we already have more than enough gas station options. We need to encourage upscale redevelopment, not open flood gates for more gas stations anywhere in our city. As for allowing additional pumps with certain improvements, I believe it is imperative to require community/neighbor involvement not all "improvements are equal." Please place some more specifics on allowing bio-tech industries to locate near our residential areas. What types can go where and with what buffers, again requiring neighborhood input. Thank you for considering making these changes before moving forward with the recommended codes.
Sam, Matty	Loads of traffic increase in and around, so it is better to control the flow and not to get any more or gas stations or other projects.
Samuel, Lake	There is a lot of increasing traffic in and around sandy springs, bringing new locations would result in more dense traffic i feel.
Stefanie, Paulos	I want to preserve my neighborhood and avoid further density. I support the CPCA-EB recommendations shown below: ADDITIONAL GASOLINE STATIONS ON ROAD â€“ Currently there is a Â½ mile distance requirement between new gas stations. We already have 27 gas stations in Sandy Springs with 18 on Roswell Road. RaceTrac or another multi pump station would like to build a gas station at Windsor Parkway and Roswell Road . Currently SSS recommends a 1 for 1 replacement. But a large company could buy two smaller existing stations, close them and build a mega multi pump station at another location like Windsor Pky and Roswell Road. CPCA-EB RECOMMENDATION: Ask that SSS keep the Â½ mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations) on areas like corner of Windsor Pkwy and Roswell Road. HIGHER DENSITY HOUSING GROUPS from GLENRIDGE SOUTH TO CITY OF ATLANTA â€“ Currently NEIGHBORHOOD UNIT (NU) is not allowed in OFFICE NEIGHBORHOOD (ON) areas. SSS wants the NU added to ON areas. NU is 2 or more dwelling units with 4 to 12 units in each dwelling unit. A possible example of this problem in our neighborhood is if Cat Doctor and the office at corner Mystic Place and Roswell Road sell their properties to a developer. This could increase the density and traffic. CPCA-EB RECOMMENDATION: 1. Deny or 2. Allow only if less than 12 units and only one access directly to Roswell Road with the requirement of a conditional use permit (CUP) to allow neighborhood input on any rezoning or site changes. INCREASED DENSITY IN COTTAGE COURT DEVELOPMENT PATTERN â€“ Currently Cottage Court (CC) is in Development Code (DC) with a minimum 2 acre lot and no more than 18 units. Again the site of the Cat Doctor and Corner of Mystic Place could be developed with CC. SSS wants to remove the maximum of 18 and allow 50 units with only one street outlet to an existing public street. CPCA-EB RECOMMENDATION: 1. Deny and keep current language or 2. Support only with caveat that the only access from CC is to Roswell Road not via any

	Protected Neighborhood street (like Mystic Place) and require a conditional use permit (CUP)to allow neighborhood input on any rezoning or site changes. ADDITIONAL RETAIL USES ON ROSWELL ROAD from GLENRIDGE SOUTH TO CITY OF ATLANTA- Currently Office Neighborhood (ON) is limited to residential (not multifamily, only single family), museums, libraries and private schools. Retail is not allowed in ON. There are 3 nodes on Roswell Road that do allow retail. Glenridge/Mt Paran, Fountain Oaks (both sides of street) and Chastain Square (use to be called Gateway). There are sections on Roswell Road that have townhomes, 2 story medical and professional office buildings and other low density/low traffic uses. Staff wants additional Neighborhood Retail sites. These would include changes in the ON areas to retail-like structures, such as pawn shops, cigar stores, pay day title loans, vehicle parts and accessories, etc. This SSS proposal could destroy the character of the area. CPCA-EB RECOMMENDATION: 1. Total denial since any additional retail in Office Neighborhoods would destroy the character of the area with higher density. The three current nodes that allow retail have plenty of space for additional retail use (For example, the empty Sprouts or empty space at Fountain Oaks) ALLOW BUILDING of NEIGHBORHOOD EATERYs ON ROSWELL ROAD - This SSS proposal would allow a Neighborhood Eatery of 3000 SqFt. A drive thru would still be denied with new proposal but large restaurants like Waffle House etcâ€¦ would now be allowed. CPCA-EB RECOMMENDATION: 1. Total denial or 2. Reduce size to 1000 SqFt and require design standards. 6. SSS wants to allow construction entrances and accessory buildings into the rear buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. This would reduce the buffer approximately in half with loss of trees, privacy, etc as a result. CPCA-EB RECOMMENDATION: Deny totally.
Patrick, Stellar	=-@ more parking spaces needed sometimes -@ good community centers needed for kids and senior citizens -@electrical stations required -@Traffic caused due to gas stations
Shirley, Mayy	Improving the city infrastructure is good but we need to limit the gas stations as they might be the reason for a lot of traffic in and around them.
Nilofer, Noorani	I would like to oppose the 1/2 mile rule. In my opinion there is no need for any more gas stations in the area. There are already so many and a lot a traffic flow an additional gas station would bring more traffic into an already congest space.
Virginia, Smith	As a resident of Cherokee Park, I am opposed to several of the proposed changes to the development code. Please do not permit additional gas stations on Roswell Road; do not reduce the distance between gas stations so that more gas stations could be built. Secondly, please do not allow higher density housing groups to build

	in ON areas. Third, do not allow increases in density in cottage court development pattern. Fourth. do not allow increased retail on Roswell rd in the area near Cherokee Park; we already have two shopping centers that have vacanciesâ€¦ most notable is gateway with considerable retail space sitting vacant. Similarly, I am opposed to the building of neighborhood eateries on Roswell Road as once again, they could be incorporated into the already partially vacant shopping centers noted before. Finally, and very importantly, make no changes to the setback/tree buffer on the rear of our properties as this would invite unwanted construction that would seriously upset the character of our community and the privacy of homeowners lots.
Jamie, Pennington	I strongly oppose any changes to the development code and certainly to the existing rules regarding gas stations. It seems like the council is prioritizing commercial demands over the tax paying citizens of our community. There are plenty of existing vacancies along Roswell Road and never once have I seen lines at any gas station. We have plenty of current retail/food/gas options and do not need any changes to our current development code at this time. I also oppose any changes along the CN lines as well. These changes do not preserve the beauty of our city and would not enhance the lives of those who live in Sandy Springs.
Matthew, Payne	My wife Clare Payne & I are currently 25 year residents of Sandy Springs and serve on several NON PROFIT ORG boards. Our children have all gone through our cities Fulton public schools. We strongly oppose all changes to the development code for all reasons. We understand the 10 year plan does not align with these changes, nor adhere to any restrictive codes that are currently purposefully in place to protect the hard working tax payers and voters that elected the current politicians who are pushing these changes for either professional or PERSONAL reasons.
Nancy, Buck	I am filing this form to voice my total displeasure regarding the proposed changes to the Development Code. I have lived in my home/neighborhood for 27 years. The neighborhood is a quiet haven off of Roswell Road. The proposed changes will increase the cut through traffic in the neighborhood making it dangerous for children playing and neighbors walking. We do not need additional gas stations on Roswell Road. The current 18 is plenty. I ask that you keep the 1/2 mile spacing and make no change to the Office Neighborhood use. Traffic is horrendous on Roswell Road thus we do not need increased density south of Glenridge. Please deny the higher density housing and the increased density in cottage court development patterns. Again, the traffic on Roswell is horrendous thus we do not need additional retail uses or more restaurants on Roswell Road from Glenridge south to the city of Atlanta. And please do not kill any more trees by allowing construction entrances and accessory building into the rear buffers of areas marked RE1 and 2, RD 18, RD27, RD15, RD12, RD9, RD7.5 and RU.

Lori and John, Mayfield	Regarding the proposed changes in the Development Code for the area Glenridge south to City of Atlanta:1) Gas stations - keep the Â½ mile spacing requirement between stations and make no change from Office Neighborhood use for large intersections like corner of Windsor Pkwy and Roswell Road.2) We are opposed to allowing Neighborhood Units in Office Neighborhood zone areas. If that isn't possible, they need to be severely limited in size and only allow access via Roswell Road. 3) Keep Cottage Court requirements to a minimum 2 acre lot and no more than 18 units. 4) We are against additional retail sites in the current Office Neighborhood areas. We can't keep all of the retail filled as it is; we don't need more new retail.5) Reduce size of additional neighborhood eateries.6) Do not allow construction entrances and accessory buildings into the rear buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. In general, we are most concerned about increasing density to the point of creating cut through traffic in our neighborhood where we don't have sidewalks. The traffic in the City of Atlanta from 10 Degree South to Windsor Pkwy adds 10 minutes to my commute getting home. Trying to go towards the Perimeter on Roswell Rd north of Glenridge is a mess. The last thing we need is to add more standstill traffic between Windsor and Glenridge where it currently moves at a decent pace. The best part of our area of town is that we are not gridlocked with traffic. Please don't change that!
Will, Henderson	Too much Crime anyways for the gas station, theft and life risks .We do not need anymore gas stations
Chase, Smith	We need a new branch for Chicago Pizza and Oven Grinder
Steve, Leahy	Need a new burger place "whataburger"
Karen, Woods	Need a sports Arcade not too much things for the kids to do
Shaluvi, Gautam	Need good dancing and training school for our girls.
Olcay, kursun	Need Gymnastic for the girls and classed like pottery, dancing, etc
Theo, M	more dog parks and senior wheelchair accessible parks
Rurh, Sprinkle	I m opposed to changing the current code regarding the gas stations proximity to each other, â€¦and I am opposed to any changes or additions to the Office. Neighborhood code
Sallie, Duncan	Dear Members of the City Council and City Staff Members, Regarding the code changes you are considering. I am very against changing the code to allow more gas stations. We already have more than enough. I don't care to see large gas companies come into our city and develop. We have plenty of those nearby. I also am against changing any of the ON code for now. Almost all of the ON code is inside 285 and I believer we need more time and consideration to change the code for now. Thank you, Sallie Duncan
Norris, Broyles	I am opposed to any change to the 1/2 mile separation of gas stations requirement. I am opposed to any alteration to the ON zoning use character.
Warren, Fergus	I support the current code regarding gas stations can only be placed within 1/2 mile of one another. I would like this code to stay as is and not be loosened.
Phillip, Kemp	We got enough traffic issues in our area if we can find space lets have atleast a dog park.

Samantha, Ridge	Please let's not have more gas stations here got enough already with traffic issues.
Chris, Laird	Gas Station Spacing Requirement â€“ Please DO NOT eliminate the 0.5-mile spacing requirement between gas stations. I live in District 5. There are already 6 gas stations between ATL City limit and I285 along Roswell Rd.; 7 if you include the Shell station just inside ATL at the south. Plus, there are additional automotive use businesses along that same corridor. Why is the City considering changing an entire city code for a single corporate entity with no allegiance to our city or community ? Why ?! The City already has 60 automotive use businesses on Roswell Rd. (south to north) and this includes 18 gas stations. And this number doesnâ€™t include peripheral stations at our borders. We as a City are saturated ! I donâ€™t need or want a new large scale gas station at Windsor Pkwy & Roswell Rd. or at Roswell Rd. at Carpenter Dr. These are prime/visible entrances to our beautiful city. Elimination of this requirement does not beautify our city, it does not enhance a healthy mix of uses, it does not fulfill a â€œcommunity needâ€, and it adds nothing to our brand or community identity. Do Not eliminate this requirement. â€œWE CAN AFFORD TO WAIT FOR A BETTER OPPORTUNITYâ€. And thatâ€™s a quote from Mayor Paul !
Mary, Laird	Please DO NOT eliminate the 0.5-mile spacing requirement between gas stations. I live in District 5. There are already 6 gas stations between ATL City limit and I285 along Roswell Rd.; 7 if you include the Shell station just inside ATL at the south. Plus, there are additional automotive use businesses along that same corridor. Why is the City considering changing an entire city code for a single corporate entity with no allegiance to our city or community ? Why ?! The City already has 60 automotive use businesses on Roswell Rd. (south to north) and this includes 18 gas stations. And this number doesnâ€™t include peripheral stations at our borders. We as a City are saturated ! I donâ€™t need or want a new large scale gas station at Windsor Pkwy & Roswell Rd. or at Roswell Rd. at Carpenter Dr. These are prime/visible entrances to our beautiful city. Elimination of this requirement does not beautify our city, it does not enhance a healthy mix of uses, it does not fulfill a â€œcommunity needâ€, and it adds nothing to our brand or community identity. Do Not eliminate this requirement. â€œWE CAN AFFORD TO WAIT FOR A BETTER OPPORTUNITYâ€. And thatâ€™s a quote from Mayor Paul !
Jean, Sykes	I would like to vote against the planned building development on the 1/2 acre lot at the corner of Windsor Parkway and Roswell Rd.
Lindsey, Sykes	I would like to vote against the planned building on the 1/2 acre lot at Roswell and Windsor Parkway
Kristi, Gaffney	We are very opposed to the elimination of the 1/2 mile distance requirement for gas stations and allowing large parcels to be used for this purpose. -Specifically, the intersection of Roswell Road and Windsor Parkway leads to single family home neighborhoods for the entirety of Windsor Parkway. The addition of a large commercial-style gas station would bring additional traffic at all hours of the day and night, more opportunity for crime and isn't consistent with the neighborhood along Windsor parkway. Vote no to rescind this development requirement.
Eileen, Gordon	I Vote to oppose any construction towards a gas station/Quiktrip on this parcel of land. It would be disastrous for the neighborhoods around the area.
Ryan Watson, Ryan	Against the change in the gas station code

Mary, Ford	Hello - As a follow-up to the comments I made at the City Council meeting on October 3rd, I am submitting this comment on behalf of the High Point Civic Association. Our Board has reviewed the proposed development code changes and is unanimously against any Code changes to Gas Stations in Sandy Springs, including the proposed elimination of the 1/2 mile spacing requirement between gas stations.. In addition, the board is unanimously opposed to any changes to ON (Office Neighborhood). The ON designation is still relatively new and is working. We recommend that any changes to ON be evaluated as part of the upcoming Next 10 Development plan update in 2025. Thank you Mary Ford President High Point Civic Association
Mira, Liniado	My preference is that there are no changes made to the development code related to gas stations and the half mile spacing requirement does not change. I do not want more traffic in the heart of our city and it would not beautify our city.
Deborah, De Genova	I am a Sandy Spring's resident writing to respectfully oppose all the proposed SSS changes to zoning on Roswell Road. The City of Sandy Springs is walking a fine line with development for commerical tax income and commerce and maintaining the sanctity and peace of the City for residents. Adding too much commerce and congestion will deteriote the City and its brand by eliminating green space, increasing traffic congestion and not respecting residential zones for families to live and thrive. Having stricter zoning ordinances will only help the City and its brand/image. Adding commerce and traffic congestion will make it a less attractive place to live. Keeping with a clear Sandy Spring identity is really important for our community as sometimes maintaining your identity and appeal is more about what you do not do/allow vs what you change. Specifically, the following changes will result in the following negative impacts to residents and thus I recommend they are denied in totality: -ADDITIONAL GASOLINE STATIONS ON ROAD â€“ Please deny this proposed change. More gas stations means more traffic and potetnial underground contamination with leaky tanks -HIGHER DENSITY HOUSING GROUPS - Please deny this proposed change as it will result in an urban type of feel and more traffic. -ADDITIONAL RETAIL USES ON ROSWELL ROAD from GLENRIDGE SOUTH TO CITY OF ATLANTA- Please deny. This is critical to deny as it will very much extend mini mall sprawl to long-standing established neighborhoods with many religous residents who need to walk to church posing a danger to them. ALLOW BUILDING of NEIGHBORHOOD EATERYs ON ROSWELL ROAD - Please deny. More eateries will result in the odor, rodents and more traffic for existing residents. There are plenty of eaterys already on Roswell Road. Do we really need more? SSS wants to allow construction entrances and accessory buildings into the rear buffers - Please deny and keep our green space and have principles on what can be developed and not. Speaking as a resident impacted by significant construction since 2018, the last thing we need is to enable more construction entrances via rear

	buffers. The builders already have it way to easy with few consequences for violating the zones ALREADY in place. Thank you very much for respectfully consider our feedback. Deborah Ross De Genova
Atul, Agarwal	This is about the planned development at the corner of Windsor Parkway and Roswell Rd., where PuppyHaven is located. We need to make traffic more free flowing and need a right turn lane from Windsor onto Roswell. There are two gas stations within half mile on each side of that intersection, and 3 more within 1 mile; we really do not need more gas stations!!
Madhuvanti, Deshmukh	Listen to your residents! The HPCA voted unanimously 21-0 against any Code changes to Gas Stations in Sandy Springs, including the proposed elimination of the 1/2 mile spacing requirement between gas stations. They also voted unanimously 21-0 to deny any changes or additions to ON (Office Neighborhood). We do NOT want any more development, other than a dedicated right turn lane from Windsor Pkwy onto Roswell Rd.
Allen, Bell	In The Relocation of Existing Fuel Pumps or Fuel Stations Section via a Conditional Use Permit: o There was language that this option was limited to certain zoning districts, but that language was struck. Does this mean this is an option in all zoning districts? o Clarification that Alternative Site means another property and not necessarily rebuilding a new fuel station on the same lot as the one to be removed. o Does the gas station that is to be eliminated have to be in the same zoning district as the new one? o What does mitigation of the former site mean? Is that just the removal of the fuel pumps and tanks?
Mary, Serth	I am very concerned about the potential development of the land parcel at the corner of Windsor Parkway and Roswell Road. I use that intersection at least 4 times a week and with the current volume of traffic, it is extremely difficult to get through. Two days ago at 11:35am it took two cycles of the traffic light to take a left from Windsor Parkway to Roswell. Traffic is bad all over Atlanta, by allowing a commercial property to be built on this corner, you will be ensuring that traffic will get even worse! When the intersection was redesigned and moved north a few years ago there should have been a dedicated right turn lane to ease the congestion.

Susan, Maziar	Please deny all proposed changes/ additions to ON (Office Neighborhood).I live in District 5 and our 2 mile stretch of Roswell Rd. (that we share with District 6) does not need â€œRetailâ€ (way too broad) nor â€œ Restaurant Retailâ€ added to ON as Allowed Uses. Do not change our entire Code to accommodate one developer.There is no community â€œ wantâ€ nor â€œneedâ€ for more retail or restaurant space in this area.. We already have 3 huge retail centers/nodes that are working: Gateway, Fountain Oaks, and the Prado (on our border) with lots of shops and restaurants. New retail could locate here in all the empty spaces.ON was intended to minimize extra curb cuts and traffic that â€œretailâ€ creates as we have many residential streets that empty onto Roswell Rd. We are a Neighborhood Village on the Character Map. Please donâ€™t unravel all the years of hard work and community support we have in this area. ON is working!
Jimmy, Kim	Regarding SSS's proposed change to the number of gas stations to be allowed on Roswell Road, I strongly ask that SSS keep the Â½ mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations) on areas like corner of Windsor Pkwy and Roswell Road. There is more than enough gas stations on Roswell Road (there are 4 within a mile from my neighborhood), and frankly gas stations attract unnecessary congregation of individuals in and around the neighborhoods. If SSS wants Sandy Springs to continue to be a place where million dollar homes are built and/or home values continue to increase (which leads to higher property taxes that SS can collect), allowing more gas stations is NOT something to allow.
Marsha, Holcomb	With regard to proposed changes to the development code and the negative impact on Cherokee Park Neighborhood: 1. We do not want or need additional gas stations on Roswell Road. We want to keep 1/2 mile spacing and make zero changes to Office Neighborhood. 2. We do not want higher density south of 285. Do not change Neighborhood Unit added to Office Neighborhood. Allow change only if less than 12 units and only one access directly onto Roswell Road with the requirement of a Conditional Use Permit and neighborhood input on any changes. 3. Do not increase density of Cottage Court Development Pattern. Do not decrease 2 acre lots . Do not allow more than the current 18 units. Any access should be to Roswell Road not neighborhood like Cherokee Park. 4. Currently there are three nodes south of Glenridge on Roswell Road allowing retail. In those nodes (Ex. Fountain Oaks & Chastain Square) there is plenty of empty space to be used as retail. We would like denial of any of the recommended changes to this area . 5. We do not want eateries on Roswell Road larger than 1000 sqft at most and add a requirement of design standards. 6. We do not want construction entrances and accessory buildings in rear buffers of areas marked as RE1, RE2,RD18,RD27,RD15,RD12,RD9,RD7.5 and RU so request total denial of this recommendation.

Charlie, Kontz	I would like staff & the council to not make any changes to the Development Code in regard to two proposed changes. 1) Code Changes to Gas Stations should not be changed. I know this has nothing to do with the code but why would we want to put more stations & traffic on Roswell Rd & why change the 1/2 mile spacing? 2) Deny any changes to ON (Office Neighborhood). The current code seems to be working to protect Neighborhoods. Let's have the present code stay the same & not open up "Pandor's Box." I vigorously oppose these two potential changes. Sandy Springs is pro neighborhood please do not make either of these code changes. Thank You, Charlie Kontz
Linda, MacLean	I oppose the development proposed for Roswell road. We do not need more gas stations , retail space or otherwise.
Penelope, Malone	1. ADDITIONAL GASOLINE STATIONS ON ROAD -- I request that the COSS maintain the current 1/2 mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations). 2. HIGHER DENSITY HOUSING GROUPS FROM GLENRIDGE SOUTH TO CITY OF ATLANTA â€“ I am opposed to allowing NEIGHBORHOOD UNITS (NU) in OFFICE NEIGHBORHOOD (ON) areas. 3. INCREASED DENSITY IN COTTAGE COURT DEVELOPMENT PATTERN â€“ I request that the COSS keep the current Cottage Court (CC) in Development Code (DC) with a minimum 2 acre lot and no more than 18 units. 4. ADDITIONAL RETAIL USES ON ROSWELL ROAD FROM GLENRIDGE SOUTH TO CITY OF ATLANTA- I request that the COSS keep the current limit of Office Neighborhood (ON) to residential (not multifamily, only single family), museums, libraries and private schools. We DO NOT NEED any further Retail in this area. The existing retail nodes have extensive storefronts and square footage with empty retail space. No further additions of retail are needed. 5. ALLOW BUILDING OF NEIGHBORHOOD EATERYS ON ROSWELL ROAD - I request a Total Denial of this proposal. 6. Allow construction entrances and accessory buildings into the rear buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. I am TOTALLY OPPOSED to this change. At the present moment the lot next door to us is being built out to the last square inch allowed in the current development code. I do not want any further diminution of our forest canopy or setbacks. In conclusion, I continue to be appalled at the extent to which the COSS has lost its focus, completely and utterly, from the original intent for which the City was organized. The COSS was incorporated because its residents wanted to maintain our wonderful neighborhoods, forests and wildlife therein. Each year the COSS seems intent on destroying our neighborhoods, our forests and our quality of life for the benefit of commercial and residential developers who seek to make a fast dollar and depart, leaving destruction and ugliness in their wake. Thank you for your consideration of these requests.

John, Champion	1. ADDITIONAL GASOLINE STATIONS ON ROAD -- I request that the COSS maintain the current 1/2 mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations). 2. HIGHER DENSITY HOUSING GROUPS FROM GLENRIDGE SOUTH TO CITY OF ATLANTA â€“ I am opposed to allowing NEIGHBORHOOD UNITS (NU) in OFFICE NEIGHBORHOOD (ON) areas. 3. INCREASED DENSITY IN COTTAGE COURT DEVELOPMENT PATTERN â€“ I request that the COSS keep the current Cottage Court (CC) in Development Code (DC) with a minimum 2 acre lot and no more than 18 units. 4. ADDITIONAL RETAIL USES ON ROSWELL ROAD FROM GLENRIDGE SOUTH TO CITY OF ATLANTA- I request that the COSS keep the current limit of Office Neighborhood (ON) to residential (not multifamily, only single family), museums, libraries and private schools. We DO NOT NEED any further Retail in this area. The existing retail nodes have extensive storefronts and square footage with empty retail space. No further additions of retail are needed. 5. ALLOW BUILDING OF NEIGHBORHOOD EATERYS ON ROSWELL ROAD - I request a Total Denial of this proposal. 6. Allow construction entrances and accessory buildings into the rear buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. I am TOTALLY OPPOSED to this change. At the present moment the lot next door to us is being built out to the last square inch allowed in the current development code. I do not want any further diminution of our forest canopy or setbacks.In conclusion, I continue to be appalled at the extent to which the COSS has lost its focus, completely and utterly, from the original intent for which the City was organized. The COSS was incorporated because its residents wanted to maintain our wonderful neighborhoods, forests and wildlife therein. Each year the COSS seems intent on destroying our neighborhoods, our forests and our quality of life for the benefit of commercial and residential developers who seek to make a fast dollar and depart, leaving destruction and ugliness in their wake. Thank you for your consideration of these requests.
David, Couchman	Omitted from the code is the city's need for workforce housing. Being silent on this issue allows developers to build without having to incorporate plans for affordability for essential workforce needs, i.e. police, teachers, emergency workers, and other essential lower paying occupations. Ignoring this requirement stymies the economic success for the city, increases the traffic burden for everyone, and fails to promote diversity at all economic levels.

Krista, Friedman	1. In regard to more gas stations on the road please keep the current spacing and make no change from Office Neighborhood use (which excludes gas stations. 2. Regards to higher density housing groups south of Glenridge to City of Atlanta - DO NOT allow any change. The traffic is already so bad and do not need more multifamily housing to further increase traffic. 3. Increased density in cottage court development pattern- keep it as is and do not make any changes. 4. Additional retail uses on Roswell Road- deny any change to prevent destroying the current character of the area. There is already plenty of retail use some of which sits empty as is. 5.Allow building of neighborhood eaters on Roswell Road- deny. We already have enough! 6. Allow construction entrances and accessory buildings into rear buffers of areas- Please DENY any changes. The reduced buffer would result in loss of trees and privacy.
Andrew, Jones	The notion of yet another gas station at the junction of Windsor Parkway and Roswell Road is preposterous. A little way north on Roswell there is Kroger and a gas station that is being remodeled. A little way south are two further gas stations. Our community has more pressing needs than another gas station. In sum, a silly proposal which should be blocked.
Leslie, Laird	1.) I ADAMANTLY OPPOSE the elimination of the 1/2 mile spacing requirements for gas stations. This is totally unnecessary as there are already TWENTY SEVEN 27 gas stations in Sandy Springs with EIGHTEEN ON ROSWELL ROAD. Traffic at Windsor Pkwy and Roswell Rd is BAD ENOUGH ALREADY. 2.) I ADAMANTLY OPPOSE higher density housing groups from Glenridge South to the city of Atlanta. I OPPOSE the NU added to ON areas. If this passed, it would ONLY mean an increase in both density and traffic. As I see it, IT'S BAD ENOUGH ALREADY. 3.) I ADAMANTLY OPPOSE increased density in cottage court development pattern. NO NO NO NO...NO! It is dense enough already. 4.) I ADAMANTLY OPPOSE additional retail uses on Roswell Rd from Glenridge South to the city of Atlanta. We do NOT need additional neighborhood retail sites. We have enough pawn shops, cigar stores, day day title loans, vape stores ALREADY. 5.) I ADAMANTLY OPPOSE allowing the building of neighborhood eaters on Roswell Road. We have enough restaurants as it is, and I know they could all use more business, not more restaurants to take away from their existing business. 6.) I ADAMANTLY AND VEHEMENTLY OPPOSE allowing construction entrances and accessory buildings into the rear buffers of areas marked as RE1 and 2; RD 18; RD 27; RD15 RD 12; RD 9; RD 7.5 and RU. This would reduce the buffer approximately in half with a MAJOR loss of trees, privacy, places for our birds and animals to live and thrive, etc as a result. NO NO NO...NO to allowing for the destruction of mature canopy trees.

jack (vazir), thalia	please already as is lot of traffic and crime more fuel station will bring more traffic and crime
Christan, Carter	The code lacks acknowledgment from the city regarding the essential need for affordable housing to accommodate key city workers such as teachers, emergency personnel, law enforcement officers, and other essential but lower-paying occupations. By failing to mandate developers to include affordable housing, it impedes economic growth, exacerbates traffic congestion, and restricts income diversity within the city.
Robert, Richards	Been located here for 22 years and the traffic is already unbearable. I vote not to use that parcel of land for any commercial development.
Tochie, Blad	Sandy Springs needs to consider more innovative ways to provide housing. Most of the proposed changes in regulations may lead to demolishing existing houses/units and building newer more expensive housing and not solving the affordable housing issue cited in the Housing Needs Assessment study. One idea to consider is Community Land Trusts, CLTs run by non-profits. The idea is that people buy a house but lease the land underneath from the trust. Because theyâ€™re not buying the land, this lowers the home price and, when it comes time to sell, the homeowner agrees to do so at a lower price, thus keeping costs more reasonable over the long term. Another key is to limit the use of commercial businesses in residential areas and stop treating the house as a commodity for investors. People need to live in houses. The city not enforcing regulations of short-term rentals in neighborhoods is allowing unregulated hotels next to homes. Staff say they are not the bed police but allowing whole houses to be rented for a night creates commercial property, hotels next to homes. Proliferation of short term rentals also limit the places where people call home - worsening our housing shortage. Where is the safety for these occupants, are they adhering to fire and public health requirements required for lodging? Finally, are all these numerous code changes needed at this time? People make their biggest investment in their home; they need a guarantee about the character of the area that itâ€™s in. There are numerous changes in this proposed code that will alter the community and lead to the commercialization of their homes. The protected neighborhood term is used but the meaning is diluted when you allow retail into neighborhoods as a new use. As the author of Homesick, Brendan Oâ€™Brien describes, â€œIn turning housing into simply another commodity, weâ€™ve ensured that it is bound up in desperation and uncertainty. That our neighborhoods are hollowed out to make room for tourists and investors.â€ Sandy Springs became a city fifteen years ago to meet the needs of the community. We all have an expectation of creating a sense of place, letâ€™s not lose it by tossing out the communityâ€™s work in the Next 10 plan with unnecessary changes in the zoning code. â€¢ The Â½ mile rule between gas stations is still needed. â€¢ Board of Appeals should remain a step in the appeals process. â€¢ Retail should not be allowed in new areas. Neighborhood Eateries only make sense if Design Review Board and a better signage code are in place. â€¢ All for Senior housing and more Daycare being available in the city. â€¢ Mobile services, only 7 days over a 3-month period. How will the city enforce that requirement? â€¢ EV Charging stations, glad you are regulating them would prefer Design Review

	Board approve the design and location Thanks for your time and consideration.
Jordan, Edwards	NADG owns and hopes to redevelop the Prado in the near future. For that reason, NADG makes the follow comments to the proposed text amendment: 1. Regarding Sec. 4.1.4. and Div. 4.5., NADG requests that the proposed SX-6/10 district be changed to SX-6/12, to allow height up to a total of 12 stories with bonuses. The increase in maximum height with bonuses from 10 to 12 stories will materially increase site design flexibility, which is critical for properties with physical challenges. And since a Conditional Use Permit will be required for any multi-unit proposals this tall anyway, the community and city council will have the same ability to affect development proposals regardless of the maximum bonus height limit. 2. Regarding Div. 7.2., NADG requests that â€œMulti-unit up to 3 storiesâ€ be changed to â€œMulti-unit up to the districtâ€™s maximum base heightâ€, and â€œMulti-unit above 3 storiesâ€ be changed to â€œMulti-unit above the districtâ€™s maximum base heightâ€. These changes would avoid inconsistency in the Development Code: a zoning districtâ€™s maximum base height is understood to be developable by right, but a CUP requirement necessarily infringes that right. For example, the SX-6/10 district allows a maximum base height of 6 stories, but as currently drafted the proposed language requires a CUP for multi-unit use proposal over 3 stories. So in effect, the current proposed language makes the SX-6/10 district the SX-3/10 district for multi-unit uses. The change NADG requests avoids this confusion but preserves the CUP requirement for height above the base maximum. 3. Regarding the Enhanced Community Benefit List, NADG requests establishing different square footage options for the items listed under the Amenity Space and Landscaping category. The Shared Greenspace, Active Water Feature, Additional Amenity Spaces, and Furnished Dog Park are all limited by a minimum area of 5,445 square feet each, but this area is a large footprint in a development context and very expensive to provide. NADG requests, first, awarding â€œpointsâ€ for smaller amenity provisions too, and assigning points on a progressive scale so that larger amenity spaces, which have much higher opportunity costs to provide, are incentivized. For example: 1,000 SF = 4 points; 2,000 SF = 10 points; 3,000 SF = 18 points; 4,000 SF = 28 points, etc.). A 5,445-square foot amenity space would need to be worth substantially more ECB credits to ever be realistic for a developer. The smaller area options also extends the incentive to developers of smaller properties who could never amenitize 5,445 square feet and would allow more diversity of amenities. Second, add â€œactive greenspaceâ€ as an amenity option to incentivize provision of a playground or recreation facilities. Third, because itâ€™s impossible to anticipate every scenario, authorize the Director to award bonus points for the provision of unlisted community benefitsâ€”this will provide additional flexibility, and because a CUP is required for the taller multi-unit proposals that would need bonuses anyway, these discretionary bonus points will still receive public and legislative review. Thank you.

Clare, Jones	Re proposed gas station at corner of Windsor parkway/roswell road Unnecessary as there are 2 under a mile on the same side and one just over a mile on that side. There is Kroger petrol on the other side just over a mile. The changes to that junction have helped with congestion, but itâ€™s far from perfect and the proposed petrol station will not improve traffic flow
Charles, Conklin	I strongly oppose making any changes in the development plan regarding gas stations. We have plenty of gas stations already. There needs to be restrictions limiting the locations. I also oppose any changes allowing any buiding of any structures whatsoever in setbacks. Setbacks are designed to limit developable area and protect neighbors whose property abuts those setbacks. That protected area should not be permeated.
Karen meinzen, McEnerny	Karen Meinzen McEnerny District 6 just North of the City of ATl limits west of Roswell Road aka Chastain Park Area 4604 Meadow Valley Drive Sandy Springs, GA Since I have the ability to share all my written viewpoints unlimited by public speaking timeframes, I am taking that advantage at this opportunity, and thank each of you in advance for your time reading it and perhaps keeping it as a reference when I speak before you soon at the upcoming public hearings .. Background: I live in a subdivision called Cherokee Park touching the southern border of City of ATL limits . Originally 90 homes built in the midcentury by Howard Chatham. In fact his first subdivision. Grading was very costly then as compared to the land so he graded only where he had to to construct our ranch homes. The unintended but positive long term consequence was leaving the huge majority of our 90 homes with forested rear yards , places for children to play; Trees and critters to live and thrive . Fulton CTY provided me years ago with our average sized lots of 34,490 sf versus our then and now (1990) zoning of 18,000 sft lots now known as RD-18. (I have never figured out how we got reduced to 18,000 sf but thatâ€™s old news,) Our neighborhood has been successfully re-developed about 2/3 of the ranches to multimillion 10K sf residences predominantly on the original lots (1 for 1 tear downs for 1 rebuild) leaving a nice subdivision with no variances of substance asked for or granted by the developer and citizen community . This has provided a lovely area of forested or at a minimum tree coverage in most of our rear yards .Context for my comments : [Note: Since April 2005 our neighborhood has successful redeveloped Except for the 3 homes recently constructed on one of our largest original home site (1) that had exceptionally long road frontage This large amount of frontage on a (to the rear) pie shaped lot and without a public variance required allowed an almost complete clear cut to make room for 3 new houses with pool on a 1.2 acre original lot. These three houses do not fit into our community as they are by far the most dense . They donâ€™t have enough parking despite 3 garages each so their contractor and private overflow vehicles cause congestion in our neighborhood as we try to go thru this pinch point. 10 lbs. in a 5 lb. bag. ALL without a variance by right)) . Get to the point you may be thinking . But the cramming in of all those improvements for those 3 houses by spec developers (not the ultimate purchasers of the 3 houses) totally destroyed the 20 ft. rear set back and I hope only left the 15 foot rear grading set back in place with tree cover and vegetation. This harmed also the adjacent neighbors of their privacy

	and quiet enjoyment . To the point ..the damage this 3 home massacre of vegetation did to our less dense surrounding neighborhood and will be further eroded if the council and Planning Commission donâ€™t recognize the danger of a very damaging proposal of the consultant and supported by staff to allow further encroachments into the rear grading setback . For Cherokee Parkâ€™s RD-18 zoning, it is 15 feet from the property line (versus the 35 feet in our rear set back). Other districts RE etc. have proportionally similar distances based on their size. Currently the rear grading set back represent 11% of an RD -18 lot area lot area (assuming a square lot calculated as its square root x 15 feet is 11%.) Thatâ€™s a small part of residential land in SS protected from grading. As we know , its grading that destroys trees and habitat. Recommendations : Please deny totally this Protected Neighborhood change allowing further grading for accessory uses inside the 15 foot rear grading set back in Article 9.4.2 subsection G. 3. Sub d. page 81. In fact consideration should be made to add more protected area to the rear grading set back of 5 -10 feet according to the sizes of the current residential zoning districts of RD RE etc. to prioritize tree canopy and habitat for the general welfare of our citizens the city is charged with protecting . (Pursuant to the charter of the City OF Sandy Springs it â€œis charged with the PROTECTION OF the public health, safety and general welfare of the citizens of the City of Sandy Springsâ€ .) Enacting new laws that seriously adversely affect Protected Neighborhoods which represents approx. 71% of the cityâ€™s land area is a travesty . Thatâ€™s due to the fact that all the other setbacks (front , 2 side) allow grading now with mitigation . Plus the building envelope itself leaves ONLY the rear setback for vegetative buffers for habitat trees and privacy of adjacent and owner for quiet enjoyment. But the rear setback understandably also allows grading for accessory structure already. So the existence of this little â€œgemâ€ called â€œrear grading set backâ€™ is really the only real way the city can prevent grading in the rear buffer to protect the tree canopy necessary to the health and general welfare of our citizens . The rear grading set back needs to be made LARGER not allow more encroachments . Allowing a 14 foot wide construction entrance in a rear grading set back violates the need for a rear set back at all. The mitigation zone will take years to mature . plus if evergreens are planted they are not canopy trees in the first place, Its not a quid pro quo for mature tree canopy loss in my view. So â€¦ for the tabulation of my 6 comments: 1. No to Further intrusion into the rear grading set back of Protected Neighborhoods â€¢ including NO allowance in the rear sets backs a usually 14 ft. wide construction entrance. â€¢ With the growing threats of climate extremes as evidenced by our even hotter summers ; hurricanes; flooding etc. greater pressure to retain our tree canopy is a reality so we can live a higher quality of life as we benefit from the tree canopyâ€™s ecological services. â€¢ Now is NOT the time to increase destruction of our rear buffer grading set back but to strengthen it .â€¢ Deny staffâ€™s recommendation (page 81; 9.4.2.G.3 d.) to allow further building/construction exceptions into the 15 ft. rear buffer grading set back. 2. No to Gasoline station proliferation along Roswell Road : â€¢ NO to Removal of the Â½ mile distance requirement currently in place for a new gas stations (currently 27 in Sandy Springs of which 18 are along Roswell Roadâ€™s 10.7 miles) â€¢ This spacing requirement puts the NE corner of Windsor Park- way and Roswell Road into jeopardy as a RaceTrac or other multi pump quick trip or like operator . As they could apply to change that corner from Office Neighborhood use

	(which excludes gas stations) via a 1) character area map change and then 2) go thru rezoning with a CUP (conditional Use Permit) as they have the time, money and profit motive to do so. â€¢ Staff has recommends a 1 for 1 replacement required for gas stations. That is an old one comes down for a new one to be built despite the number of pumps . So it t wonâ€™t forestall a large pump operator from buying a 2 pump existing station anywhere in SS and then going to Roswell Road or along 285 somewhere and building a megaplex. Thatâ€™s the reason we have to keep the Â½ spacing requirement in place ; Additional higher density Housing Groups being recommended along Roswell Road from Glenridge south to the ATL city limits in a Character Area/ Allowable Use called Office Neighborhood ON: Section 7.3.1 Household living 3. Neighborhood Unit being allowed in Office neighborhood Not currently in ON . proposed as adding 2 or more dwelling units each having 4 to 12 units . ; Recommend denial for 2 dwelling units of 4 to 12 units . or if wonâ€™t deny totally support with caveat: 1) that requires access directly to Roswell Road and not on a street going thru a Protected Neighborhood street to prevent cut thru traffic into our neighborhood and others and 2) require a CUP (conditional Use permit) approval process which will allow the neighborhood to weigh in on any rezoning and site changes ; Increased density in Cottage Court Development Pattern (see Article 6 Rules of All Development in earlier link) . 4.Cottage Court is already in the DC : minimum 2 acre lot; no more than 18 units ; single family detached or attached with a center courtyard . Staffs proposal is to remove the maximum of 18 units which reduces the land area made available for the passive court. PLUS Section 10.4.18 Additional Street Standards (page 157) allows up to 50 residential units to be constructed if only one street outlet is used to an existing public street . Recommend denial and live with the current Cottage Court Language. Alternatively , support with caveat: 1) that this proposed Cottage court on steroids requires access directly to Roswell Road and not on a Protected Neighborhood street to prevent cut thru traffic into our neighborhood and others and 2) require a CUP (conditional Use permit) approval process which will allow the neighborhood to weigh in on any rezoning and site changes; Addition of RETAIL USES all along Roswell Road from Glenridge south to the city of ATL. Some context needed here for background on Our unique Character Area not found elsewhere in Sandy Springs . Itâ€™s called Office Neighborhood and was created in 2006 by the current Planning Director Jim Tolbert to mirror the on ground zoning uses of retail, office multi family; single family and Town Houses and condoâ€™s . There have been 2 major updates to the Development Code since we became a city in 2006; in 2017 and a minor one in 2018. Plus innumerable Text AMENDMENTS BROUGHT FORWARD THAT ALSO UPDATED the Development Code. In all instances ON was consistently upheld as limited to Office, residential (not multifamily) town houses condos and Museums, libraries, private schools . IN OTHER WORDS NO RETAIL USES . Reason: there are ample places on both sides of Roswell Road south of Glenridge for retail uses . Retail can go into the 3 nodes of Glenridge/Mt Paran; Fountain Oaks (both sides of the road) and the Gateway development now called Chastain Square. Only at Windsor and Roswell Road is there a patch of ON by the Wieuca Animal Clinic. Where we need a right hand turn lane going North. So as you travel North from the city limits of Atlanta you will find sections of medical and professional 2 story office buildings and townhouses and other low density and low traffic generation uses . That is being blown away in this proposed draft by

	staffâ€™s recommendations which I call the tank coming down the road. Unless we want to lose that special rhythm and character of the stretches of office and residential between the 3 nodes we need to prevent the 2 retail uses being proposed by staffâ€¦ Specifically. 5. Something called Neighborhood Retail in Section 7.5.15 Retail page 24 Gas stations are excluded so is fire cracker sales as examples . But Neighborhood Retail is defined as all the uses in section 7.5.15 Pawn shops, cigar stores, pay day title loans, video stores ; vehicle parts and accessories . The only limitation is that the store must be 3000 sft no more. Since there are plenty of other places in the nodes for this retail, I support a total denial required to protect our ON sections from an all-out Tally ho anything goes retail use with no design standards other that 3000 sf. Finally the 6th piece is the Neighborhood eatery piece. (just above section 7.5.15 page 24 item C. Neighborhood Eatery. Defined as â€œan establishment that prepares and sells food and drink for on or off premises consumption that is limited in size to 3,000 sft Examples, brew pub, bakery, tea shop; . All nice sounding but that could also allow dunk in donuts â€˜ stop and shop boxes like 7-11â€™s or more waffle houses and other in and out retail food shop s to proliferate in ON . Positive is that no drive thruâ€™s are allowed as proposed. Perhaps recommend straight up denial since there are plenty of places inside the nodes or alternatively limit size to a lower number say 1,000 -1500 sf . We again have plenty of eateryâ€™s in Gate way Fountain Oaks Summary : 6 issues of proposed Development Code 9.19.231. Deny allowing further construction and grading in the Protected Neighborhoods (single Family) rear grading setbacks which are already less than 50 % shorter than the rear property set back buffer depending on zoning classification (example RD-18 rear property buffer is 35 ft. rear grading set back buffer is 15 feet. 2. Deny removing the Â½ mile spacing requirement for gas stations;3. Deny allowing a new use in ON of multifamily (probably owner occupied) called Neighborhood Unit up to 12 units per building unless direct access is required for the units onto Roswell Road not thru our Protected Neighborhoods and a CUP is required for a new development . 4. Either deny additional changes to Cottage Court Development Pattern that takes off the maximum 18 units or require direct access to Roswell road so no cut thru traffic goes thru Protected Neighborhoods and a CUP is required. â€¢ 5. Deny allowing the breach of ON which currently excludes retail to allow 3,000 sf Neighborhood Retail as overly broad and would basically destroy ON as it exists today ; and â€¢ 6. deny Neighborhood Eatery or reduce its size and require design standards that prevent waffle houses and 7-11â€™s Note to staff when tabulating my public comments above .. if my intent is unclear as I describe above alternatives Mark it as denial of the proposal . . Karen Meinzen McEnerny4604 Meadow Valley DriveSandy Springs, Georgia 30342
Ronda, Smith	Development Standards Page 28 8.3.10.C.2.b.ii ii. All street-facing fences in Residential Estate districts must have masonry (brick stone, or stucco finish) piers separating fence panels with a maximum length of approximately 24 feet. Piers are required at any point where the fence changes direction. Piers must be at least 12 inches wide. CONSIDER CHANGING THE ABOVE LANGUAGE TO: ii. All street-facing fences LOCATED ON A COLLECTOR OR HIGHER STREET CLASSIFICATION must have masonry (brick stone, or stucco finish) piers separating

	fence panels with a maximum length of approximately 24 feet. Piers are required at any point where the fence changes direction. Piers must be at least 12 inches wide. THE ABOVE CHANGE MAINTAINS THE REQUIREMENT IN RD ZONING DISTRICTS ALONG MANY MAJOR CORRIDORS YET ALLOWS FOR FENCES WITHOUT PIERS INSIDE THE NEIGHBORHOODS ON STREETS CLASSIFIED AS â€œMINOR STREETSâ€. BE AWARE THAT LAKE FORREST IS A COLLECTOR AND HAS ALL Residential Detached PROPERTIES FRONTING IT FROM MT PARAN TO THE CITY LINEâ€¦ AS IS: HIGH POINT WITH Residential Detached PROPERTIES FRONTING IT FROM FRANKLIN RD. TO THE CITY LINE AS WELL AS WINDSOR PKWY WITH Residential Detached PROPERTIES FRONTING IT FROM ROSWELL RD TO 400. RIVERSIDE FROM JOHNSON FERRY TO DALRYMPLE IS ALL Residential Detached PROPERTIES. SPALDING IN THE PANHANDLE FROM JUST EAST OF DUNWOODY CLUB TO THE EASTERN CITY LINE IS ALL Residential Detached AND THAT IS ALSO A COLLECTOR. 9.4.2.3 Rear grading setback exceptions and mitigation zone: SSCN is opposed to this change. Changes to grading allowances that make it easier to remove the existing tree canopy in protected neighborhoods are detrimental to the overall health of the cityâ€™s canopy. The mitigation zone cannot replace what will be removed by installing a construction entrance through a rear yard. The access points through rear yards are along roadways, many of them major corridors, and these yards are generally dense tree canopy that serve as buffers from road noise and were historically developed in this pattern. These are not rare one-off properties. Many many neighborhoods have cul de sacs where the rear yards of the properties at the top of the bulb abut the main roadway from which the neighborhood was accessed. If today tree loss is occurring in rear yards and setbacks due to general negligence during installation of accessory uses and the thought process is this allowance and mitigation zone would help fix that, it can be assumed that giving permission to go through the rear yard will result in even greater damage to surrounding canopy than what is happening today as the construction entrance tends towards violating the width maximum due to this same negligence. Article 6 General Rules 6.1.1.I.2.n You do not define Pedestrian Amenity Space PLEASE CLARIFY THE INTENT OF THE PEDESTRIAN AMENITY SPACE AND CLARIFY WHAT PEDESTRIAN AMENITY SPACE IS. On page 5 in section 6.1.1.I.1.a you define Outdoor Amenity Space. CLARIFY THAT IT MUST BE AVAILABLE TO THE PUBLIC. Uses 7.3.1.E Neighborhood Unit: SSCN opposes this in its current form as a permitted use. While this housing type could precipitate some new housing availability and possibly create building conversions and some new construction along Roswell Road for underutilized properties that very fact means an increase in overall density on Roswell Rd. That density may or may not have walkability for basic services and retail depending on location. Protected Neighborhood adjacencies is where cut through traffic is a

	concern. Please change this from a Permitted Use by right to a Conditional Use Permit for Urban Neighborhood and Corridor and Node Districts so that the impacted neighborhoods can participate in ensuring that the access points for new developments are only on Roswell Rd. 7.4.1.F. Place of Worship: 1. Defined A building or structure that by design and construction is primarily intended for conducting organized religious services. Associated accessory uses include, but are not limited to, schools, gymnasiums, meeting halls, indoor and outdoor recreational facilities, clergy house, rectory, day care, counseling, and kitchens. 2. Basic Use Standards a. No buildings and use areas/structures other than parking and pedestrian walkways may be located within 75 feet of any Protected Neighborhood district used for residential purposes. DO NOT REDUCE THE BUILDING SETBACK FOR PLACE OF WORSHIP FROM 100' TO 75'. THE PROTECTIONS PROVIDED BY THE 100â€™ BUILDING SETBACK ARE VERY MEANIGFUL SINCE MOST CHURCHES ARE ADJACENT TO OR SANDWICHED BETWEEN PROTECTED NEIGHBORHOOD PROPERTIES. FOR SIDE LOT LINE ABUTMENTS WHERE PROTECTED NEIGHBORHOOD IS LEFT AND RIGHT OF A CHURCH PROPERTY (WHICH IS THE CASE FOR LIKELY ALL CHURCHES EXCEPT SSUMC AND NSUMC) DOES THIS CHANGE REALLY MAKE SIGNIFICANT DIFFERENCE TO THE FUTURE OF THESE CHURCH PROPERTIES? CHURCH BUILDINGS DO NOT NEED TO GET CLOSER TO THEIR LEFT OR RIGHT ADJACENT PROTECTED NEIGHBORHOOD NEIGHBORS. PLEASE LEAVE THIS AS 100 FEET!.THIS PROTECTION IS IMPORTANT TO THE NEIGHBORHOODS. SINCE SSUMC (WHICH IS LOOKING TO REBUILD) HAS A COMMECIAL ADJACENCY TO THE EAST (CS ZONED PROPERTY) THERE IS ROOM TO BUILD NEARER TO THEIR EASTERN PROPERTY LINE IF NEED BE. ANOTHER CLARIFIER YOU COULD CONSIDER ALLOWING FOR 75â€™ DISTANCE â€œIF THE CHURCH IS ADJACENT TO PROPERTY DEVELOPED WITH ANOTHER CIVIC USEâ€. SINCE A CEMETERY IS CONSIDERED A CIVIC USE IT ALSO GIVES SSUMC MORE ROOM TO ITâ€™S WEST ADJACENT TO ARLINGTON AND THE HISTORIC CEMETERY ON MT VERNON. 7.5.14.C Neighborhood Eatery: SSCN opposes this change as written with a size threshold of 3000 square feet which is about a 55â€™ by 55â€™ footprint. If the commercial kitchen is 1000sf and typical restaurants allocate 20 square feet per person for fine or fast casual dining the remainder is a 100 person capacity establishment. Scale this back to 1000 or 1500 square feet and then you are at â€œsmall scaleâ€. 7.5.15.C Neighborhood Retail:

	SSCN is opposed to this in its current form as a Permitted Use in most districts. The goal of creating small scale retail is a worthy one. However, no guardrails or restrictions on the kinds of tenant occupants that might open businesses in these spaces are in place. The proliferation of vape shops and the potential for convenience stores is too great of a risk to the complexion of Roswell Rd and particularly in the ON district and pn other major corridors in Perimeter Center districts. Find a way to put some restrictions in place for retail types and bring this back at a later time. Under 7.5.15 (further numbering is wonky) Relocation of Existing Fuel Pumps or Fuel Stations: SSCN is opposed to the removal of the 1/2 mile distance requirement for fuel stations. The risk of a large scale station installation at key city gateways is too great to allow for removal of this rule. The present condition of RaceTrac ownership of 2 key parcels at the gateway to City Springs should not be a catalyst for this change in the district where the goal is to move away from auto centric uses. The public is not asking for this. Sandy Springs does not need large scale gas stations. 7.6.4.B Life Sciences, Bio-Safety Level 1 and 2: SSCN is opposed to this use as written and allowed as an Administrative Use on the Allowed Use table. There are no limits to the concentration of the number of labs on any one property or specifics dictated as to the allowed proximity to Residential uses. The unknown nature of the work and potential for harmful impacts makes the risk to life safety too great. Raise the regulatory bar to put some restrictions on this use. 7.8.8 Fuel Pumps: SSCN is opposed to this change. The prevalence of gas stations (27 in Sandy Springs) and gas as an accessory use to grocery and warehouse uses means the total number of fuel pumps available is probably near to or over 200. There is not a shortage of availability. The public is not asking for this. Sandy Springs does not need more gas pumps.
Bob, Sheehan	Please consider this as our objection to all of the proposed changes. You seem to emphasize density and diversity of low end commercial development over reasonable development. Roswell rd is already overdeveloped. Why encourage changes that only increase traffic and density when the road cannot be widened? Please do not adopt any of these shortsighted ideas. Bob Sheehan
Nikki, Seaman	Hi there- I absolutely love my neighborhood. There are many folks who live here who have been here since the 1970s including our next door neighbors, and for good reason! In order to keep our neighborhood as good as can be, I have a few kind requests. I request Sandy Springs keep the Â½ mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations) on areas like corner of Windsor Pkwy and Roswell Road. We already have multiple gas stations on the next block, and they offer great prices too. I am against higher density housing groups, which will create even more traffic than we already face on Roswell Road. I deny additional retail uses on Roswell between Glenridge and city of atlanta. I deny

	building of neighborhood eateries on Roswell Road, there is already so much traffic and the drive throughs get backed up onto Roswell Road causing extremely unsafe driving conditions with cars stopping short in the middle of the road particularly around lunchtime. Thank you for hearing me out and I hope we can keep our neighborhood as amazing as it is!
Kristina, Ellis	SSS PROPOSED CHANGES and My Response/vote/request to said changes: ADDITIONAL GASOLINE STATIONS ON ROAD â€“ Currently there is a Â½ mile distance requirement between new gas stations. We already have 27 gas stations in Sandy Springs with 18 on Roswell Road. RaceTrac or another multi pump station would like to build a gas station at Windsor Parkway and Roswell Road . Currently SSS recommends a 1 for 1 replacement. But a large company could buy two smaller existing stations, close them and build a mega multi pump station at another location like Windsor Pky and Roswell Road.REQUEST: Ask that SSS keep the Â½ mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations) on areas like corner of Windsor Pkwy and Roswell Road. HIGHER DENSITY HOUSING GROUPS from GLENRIDGE SOUTH TO CITY OF ATLANTA â€“ Currently NEIGHBORHOOD UNIT (NU) is not allowed in OFFICE NEIGHBORHOOD (ON) areas. SSS wants the NU added to ON areas. NU is 2 or more dwelling units with 4 to 12 units in each dwelling unit. REQUEST: 1. Deny or 2. Allow only if less than 12 units and only one access directly to Roswell Road with the requirement of a conditional use permit (CUP) to allow neighborhood input on any rezoning or site changes.INCREASED DENSITY IN COTTAGE COURT DEVELOPMENT PATTERN â€“ Currently Cottage Court (CC) is in Development Code (DC) with a minimum 2 acre lot and no more than 18 units. SSS wants to remove the maximum of 18 and allow 50 units with only one street outlet to an existing public street. REQUEST: Deny and keep current language ADDITIONAL RETAIL USES ON ROSWELL ROAD from GLENRIDGE SOUTH TO CITY OF ATLANTA- Currently Office Neighborhood (ON) is limited to residential (not multifamily, only single family), museums, libraries and private schools. Retail is not allowed in ON. There are 3 nodes on Roswell Road that do allow retail. Glenridge/Mt Paran, Fountain Oaks (both sides of street) and Chastain Square (use to be called Gateway). There are sections on Roswell Road that have townhomes, 2 story medical and professional office buildings and other low density/low traffic uses. Staff wants additional Neighborhood Retail sites. These would include changes in the ON areas to retail-like structures, such as pawn shops, cigar stores, pay day title loans, vehicle parts and accessories, etc. This SSS proposal could destroy the character of the area. REQUEST: denial since any additional retail in Office Neighborhoods would destroy the character of the area with higher density. The three current nodes that allow retail have plenty of space for additional retail use (For example, the empty Sprouts or empty space at Fountain Oaks) ALLOW BUILDING of NEIGHBORHOOD EATERYs ON ROSWELL ROAD - This SSS proposal would allow a Neighborhood Eatery of 3000 SqFt. A drive thru would still be denied with new proposal but large restaurants like Waffle House etcâ€¦ would now be allowed. REQUEST: Reduce size to 1000 SqFt and require design standards. 6. SSS wants to allow construction entrances and accessory buildings into the rear

	buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. This would reduce the buffer approximately in half with loss of trees, privacy, etc as a result.REQUEST: Deny.
Gregory, Ellis	SSS PROPOSED CHANGES and my vote on the changes: ADDITIONAL GASOLINE STATIONS ON ROAD â€“ Currently there is a Â½ mile distance requirement between new gas stations. We already have 27 gas stations in Sandy Springs with 18 on Roswell Road. RaceTrac or another multi pump station would like to build a gas station at Windsor Parkway and Roswell Road . Currently SSS recommends a 1 for 1 replacement. But a large company could buy two smaller existing stations, close them and build a mega multi pump station at another location like Windsor Pky and Roswell Road. REQUEST: Ask that SSS keep the Â½ mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations) on areas like corner of Windsor Pkwy and Roswell Road. HIGHER DENSITY HOUSING GROUPS from GLENRIDGE SOUTH TO CITY OF ATLANTA â€“ Currently NEIGHBORHOOD UNIT (NU) is not allowed in OFFICE NEIGHBORHOOD (ON) areas. SSS wants the NU added to ON areas. NU is 2 or more dwelling units with 4 to 12 units in each dwelling unit. REQUEST: 1. Deny or 2. Allow only if less than 12 units and only one access directly to Roswell Road with the requirement of a conditional use permit (CUP) to allow neighborhood input on any rezoning or site changes. INCREASED DENSITY IN COTTAGE COURT DEVELOPMENT PATTERN â€“ Currently Cottage Court (CC) is in Development Code (DC) with a minimum 2 acre lot and no more than 18 units. SSS wants to remove the maximum of 18 and allow 50 units with only one street outlet to an existing public street. REQUEST: Deny and keep current language ADDITIONAL RETAIL USES ON ROSWELL ROAD from GLENRIDGE SOUTH TO CITY OF ATLANTA- Currently Office Neighborhood (ON) is limited to residential (not multifamily, only single family), museums, libraries and private schools. Retail is not allowed in ON. There are 3 nodes on Roswell Road that do allow retail. Glenridge/Mt Paran, Fountain Oaks (both sides of street) and Chastain Square (use to be called Gateway). There are sections on Roswell Road that have townhomes, 2 story medical and professional office buildings and other low density/low traffic uses. Staff wants additional Neighborhood Retail sites. These would include changes in the ON areas to retail-like structures, such as pawn shops, cigar stores, pay day title loans, vehicle parts and accessories, etc. This SSS proposal could destroy the character of the area. REQUEST: denial since any additional retail in Office Neighborhoods would destroy the character of the area with higher density. The three current nodes that allow

	retail have plenty of space for additional retail use (For example, the empty Sprouts or empty space at Fountain Oaks) ALLOW BUILDING of NEIGHBORHOOD EATERYs ON ROSWELL ROAD - This SSS proposal would allow a Neighborhood Eatery of 3000 SqFt. A drive thru would still be denied with new proposal but large restaurants like Waffle House etcâ€¦ would now be allowed. REQUEST: Reduce size to 1000 SqFt and require design standards. 6. SSS wants to allow construction entrances and accessory buildings into the rear buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. This would reduce the buffer approximately in half with loss of trees, privacy, etc as a result. REQUEST: Deny.
Ann, Deal	WE do not want any changes to use codes on property uses currently in place. Please do not change the density/code and use of retail/ commercial property in Sandy Springs. Thank you for your consideration. Ann & Robert Deal
Peter, Pathak	In general, the existing zoning and development plan represent a commitment from Sandy Springs government to residents regarding the type of development we could expect. Sandy Sorings was formed as a city to provide increased local control. We could have unfettered development on a whim with Fulton County government. 1.We oppose eliminating the 1/2 mile spacing requirements for gas stations. This is totally unnecessary as there are already 5 gas stations between Wieuca and Glenridge, with many more at Roswell / 285. 2.) We oppose higher density housing groups from Glenridge South to the city of Atlanta. I OPPOSE the NU added to ON areas. If this passed, it would ONLY mean an increase in both density and traffic. Increased density is only appropriate with walking distance of MARTA rail. 3.) we oppose increased density in cottage court development pattern. This is a change from the development pattern we expected with existing zoning. developers should plan to work with existing zoning. 4.) we oppose additional retail uses on Roswell Rd from Glenridge South to the city of Atlanta, other than as permitted by existing zoning. We do NOT need additional retail. There is adequate space in existing retail buildings 5.) we oppose changing zoning to allow building of additional neighborhood eateries on Roswell Road. We have enough restaurants as it is, with vacant properties all along Roswell from Atlanta to 2856.) we must not allow construction entrances and accessory buildings into the rear buffers of areas marked as RE1 and 2; RD 18; RD 27; RD15 RD 12; RD 9; RD 7.5 and RU. This would reduce the buffer approximately in half with a MAJOR loss of trees, privacy, places for our birds and animals to live and thrive, etc as a result. This would be a major destruction of property values for neighboring owners, and would set a dangerous precedent for developers throughout Sandy Springs.

Sally, Patton	I am opposed to 3 proposed changes to the Development Code, as follows: 1) I oppose the proposal to remove the one-half mile distance requirement for gas stations. There are already 9 gas stations on on the short stretch of Roswell Road from the City of Atlanta/Sandy Springs city limit to I-285. Even more stations are not needed! If the city would like to ensure that stations already in existence are upgraded, incentives (which I understand have been discussed) would be a more appropriate way to address this issue. The worst possible move would be to remove the one-half mile distance requirement. 2) I oppose the proposal to relax the standards that regulate grading on Protected Neighborhood properties. I believe this relaxation would allow for construction entrance access through rear yards, which could lead to further destruction of mature tree canopy (a result that the City of Sandy Springs has said it opposes!). 3) I oppose the proposed code changes that would allow new uses in the Office Neighborhood zoning district, most of which exists along Roswell Road. In particular, allowing a new retail type called Neighborhood Retail does not provide ANY controls to prevent these retails shops from becoming pawn shops, vape stores, or other types of retail that could degrade the quality of our neighborhoods.
Melissa, Mular	Article 1, Introductory Provisions P 38, Section 11.6.3 Administrative Appeals: A. Last sentence should read 'of' instead of 'off'. Enhanced Community Benefit List-Why are there no benefits for sustainability items beyond 'permeable parking'? What about recycling collection, pollinator gardens, etc.? Article 2, Protected Neighborhood -- No definition of 'Other Residential Uses'. ? Article 6, General Rules, p139 section 6.5.2: Single Unit Detached Dwelling, B. Garage. This only allows for 1 single 10 ft. wide garage door. Lot/home may not allow for other 'side' doors. Please update this requirement to accommodate a 2 car garage with a single door of up to 18 ft. Article 7, p 3, The Allowed Use Table page is blank. This should have a link and reference to the stand alone document. The final document needs to have this table inside the document in the appropriate place. p 24 Sec 7.5.15 Retail, C. Neighborhood Retail -- this needs more thought. Concern about Vape stores, package stores, 'convenience stores' opening in this area. This will ruin the character of the adjacent neighborhoods. p 25-26 E. Fuel Pumps, Fuel Station 2. Basic Use Standards b-h -- How does this apply to existing fuel stations? How does this relate to the current "Amortization Language"? Does not state how existing fuel stations will be handled.

	p 27; f. Relocation of existing Fuel Pumps or Stations -- DO NOT REMOVE THE 1/2 MILE REQUIREMENT. A) THERE ARE ALREADY ENOUGH GAS STATIONS IN SANDY SPRINGS; THERE ARE 28 AND 18 ALONG ROSWELL ROAD FOR A CITY THAT IS 38+ SQUARE MILES. B) NO NEW GAS STATIONS IN CITY SPRINGS (CS DISTRICT). THIS IS OUR CITY CENTER AND IT IS A COVETED ZONING DISTRICT. CONDITIONAL USE PERMIT SHOULD NOT APPLY TO THIS DISTRICT FOR ADDING NET-NEW FUEL/GAS STATIONS. C) THE FUTURE FUEL FOR MOTOR VEHICLES IS NOT FOSSIL FUELS BUT RATHER ELECTRIC BATTERY AND OTHER, NOT YET FOUND/PROVEN TECHNOLOGIES (HYDROGEN FUEL CELLS, AS EXAMPLE). WITH THIS CHANGE OF VEHICLE DESIGN AND MANUFACTURER DIRECTION, NET-NEW GAS STATIONS ARE NOT NEEDED. D) THE CITY SHOULD NOT BE ADJUSTING THE ZONING CODE TO SATISFY A PARTICULAR COMPANY (RACETRAK). The company purchased the property before Sandy Springs became a city and a gas station was not allowed on the property when under Fulton County. There is already more than enough gas stations on Roswell Road between I-285 and Hammond Drive. Adding additional gas stations in this stretch will make traffic even more treacherous and challenging. p 33, Sec 7.6.4 Research and Development Restrictions need to be added to safe guard near residential and multi-family homes. This applies to General Research and Development and both BSL-1 and BSL-2 lab designations. 1) Cannot exceed 3000 sq. ft. of gross floor area 2) Cannot exceed more than 40% of existing building space 3) Cannot be adjacent to residential/multi-family housing 4) Cannot be within 1320 feet of a residential/multi-family housing 5) If near residential/multi-family housing, cannot create or use carcinogenic or explosive agents in the research and development or BSL-1/2 testing. p 43, Sec 7.8.8 Fuel Pumps, B Basic Standards, no net-new Accessory Fuel Stations; strike 1-6 in this section. Refer to comments for section f. Relocation of existing fuel pumps or fuel stations. ALLOW expansion of pumps for existing businesses (do not allow net-new in this category). p 48, Sec 7.8.15 Murals--need to add 5) Murals may not contain vulgar or profane words, pictures, or images. p 51, Sec 7.8.24 Accessory Structures, A. Residential Accessory Structures, Minor. Section g. Carports, detached has been removed. There are many existing detached carports in the City on older, mature properties. Are these no longer allowed, or does striking this line only indicate that no net-new detached carports can be built?

Robin Conklin	All, I don't necessarily have an amendment but at this time, I am not in favor of the garage setback changes. As Duffy Hickey commented, "we do not need to incentivize people to buy larger cars. Additionally, only one car opening would face the road. Any additional cars would have to be on the side of the garage, which means a) adding more driveway space to the side of the garage for cars to go in and out; b) many houses do not have the space to do that, and; c) more driveway means more impervious surface, which then requires a large amount of costly mediation." I feel that we should be tightening our code rather than loosening. I also want to tell you how thrilled I am that you have eliminated the change to the 1/2 mile fuel station distance requirements! It is evident that you all have listened to the citizens and it is appreciated. Thank you for all of your time and effort! It has not gone unnoticed. Regards, Robin

Post-Open House Draft Changes Summary | 11 8 23

No Substantive Changes from Open House Draft

Article 2, Article 4, Article 5, Article 12

General Changes (Throughout)

-Any cleanup items such as items not removed as intended

-Edits to “shall” and “must”

-Reductions to single unit attached parameters, as originally proposed

-Added (as originally proposed) “Commercial Active” and its distinction from “Commercial Ready”

Art. 1.

Sec. 1.1.3. Added Effective Date for 5-Year Code Update

Sec. 1.1.9. Added language to clarify status of rezonings from 2017 to 2023 as it pertains to 3+ stories of multi-unit in CS, CX, and SX

Sec. 1.1.10. Added an amortization language concerning screening of Service Areas (refuse)

Sec. 1.3.2.D. Clarified the edit to this section which describes the zoning process for remnant parcels from public entities

Art. 3.

Sec. 3.4.3. Corrected height for RM- 3/8 when adjacent to Protected Neighborhood (flipped)

Sec. 3.5.3. Corrected existing height elements as they were incorrect from their original adoption; added a commercial minimum and maximum as originally intended

Art. 6.

Sec. 6.1.1.B.3.b. Added clarifying language for setbacks for corner and irregular lots

Sec. 6.1.1.n. Better defined Pedestrian Amenity Space, gave it a minimum amount requirement, clarified need for public access

Sec. 6.1.2.H. Changed listing order to be a subsection of G.

Sec. 6.1.3.B.2. Added in illustration for Jewel Box development style

Sec. 6.1.3.D.3. Added in ability for administrative relief to floor elevation, taking into account extreme topography, as originally intended

Sec. 6.1.4.A.2. Added in original proposal for façade requirements for single unit attached end units facing a street or path, as originally intended

Sec. 6.5.2.B.1. Added graphic to better illustrate allowance; updated text for clarity, and corrected encroachment allowance setbacks, as originally intended

Sec. 6.5.3.A.4. Added in allowance for up to 20% of single unit attached developments to be front loaded, as originally intended

Sec. 6.6.2.C.2.b. Added in clarity for max building width options, such as material change and offset

Art. 7.

Div. 7.2 Identify Cottage Court and Neighborhood Unit both as CUP in ON-

Sec. 7.3.1. Neighborhood Unit use standard in ON-, access from Collector or greater street

Sec. 7.4.1.F. and H. Added allowing 3rd party daycare at private schools and places of worship as permitted accessory uses

Sec. 7.4.1.F.2. Removed proposed edit to Place of Worship setback

Sec. 7.5.1. Moved all “District Standards (Sec. 4.4.5., Sec. 4.5.5., etc.)” to new location at the beginning of Commercial Section

Sec. 7.5.15.B. Removed Neighborhood Retail from the proposal

Sec. 7.5.15.C. Added in clarifying language for intent of fuel station redevelopment and improvement allowances; also reinserted ½ mile distance requirement

Sec. 7.6.3. Added limited use standards for motion picture studios, expanding allowance in limited capacity for PX, OX, and CX-

Sec. 7.6.4.B. and C. Added restrictions to proposed life sciences based on level, when near and adjacent to single unit residential

Sec. 7.8.23.A. Removed reference to fuel pumps

Art. 8.

Art. 8. Corrected references throughout Code, with addition of new General Provisions division offsetting former references

Sec. 8.1(2).8. Corrected parking graphics to show 8 spaces

Sec. 8.2(3).6. and 8.2(3).7. Reverted back to wall only option, with director discretion based on topography/environmental/neighbor considerations

Sec. 8.3(4).18. Removed Channel Letter Roof Sign

Art. 9.

Div. 9.4. Mitigation requirement added for any clearing/grading violations

Sec. 9.4.2.G.2. and G.3. Added clarifying language for general mitigation planting and grading setback incision allowance, further restrictions, additional best management practices (bmps). Prohibited tree removal size; added in to include originally intended rear setback as well as side, as originally intended

Art. 10.

Sec. 10.3.1.B.6. Added graphic to go along with Block Perimeter regulation, as originally intended

Art. 11.

Sec. 11.3.5.J. Removed proposed edit which would have added back “concurrent variances”

STATE OF GEORGIA
CITY OF SANDY SPRINGS

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA TO AMEND DEVELOPMENT CODE ARTICLE 6 RULES FOR ALL DISTRICTS (GENERAL RULES) OF THE SANDY SPRINGS DEVELOPMENT CODE AS FURTHER DESCRIBED BELOW; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the City of Sandy Springs is charged with providing for the health, safety and welfare of the citizens of the City; and

WHEREAS, the City of Sandy Springs previously adopted and amended the Development Code and has identified text amendments necessary to the proper implementation of The Next Ten Comprehensive Plan; and

WHEREAS, the Mayor and City Council have conducted a properly-advertised Public Hearing prior to adoption of this Ordinance in accordance with the Zoning Procedures Act.

NOW THEREFORE, THE MAYOR AND COUNCIL FOR THE CITY OF SANDY SPRINGS HEREBY ORDAIN AS FOLLOWS:

SECTION I: The City of Sandy Springs Development Code is hereby amended by revising Article 6 "Rules for All Districts (General Rules)" to reflect those changes contained within Attachment "A", the same being expressly incorporated herein by this reference.

SECTION II: It is the intention of the City Council and it is hereby ordained by the authority of the City Council that the provisions of this Ordinance shall become and be made a part of the City of Sandy Springs Development Code, and the codifier is authorized to make the specified deletions, insertions, additions, and to insert headings, article numbers and section numbers as and where appropriate.

SECTION IV: All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION V: If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional, or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

SECTION VI: This Ordinance shall become effective immediately upon adoption.

APPROVED AND ADOPTED this the 5th day of December, 2023.

Approved:

_____
Russell K. Paul, Mayor

Attest:

_____
Raquel Gonzalez, City Clerk

(Seal)

ARTICLE 6.
GENERAL RULES ~~FOR ALL DISTRICTS~~

Div. 6.1. Measurements and Exceptions

Sec. 6.1.1. Lot Parameters

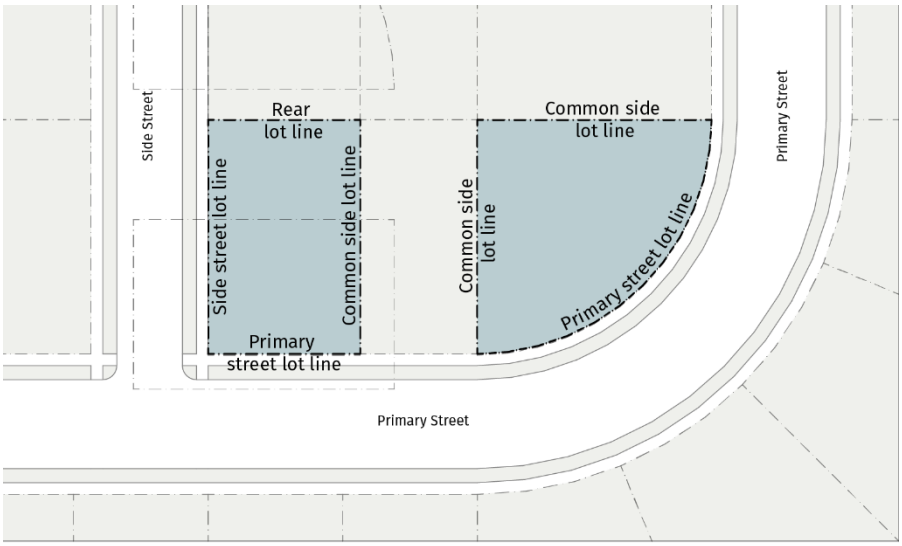
A. Density

Density is not specifically regulated for any use except neighborhood unit. The maximum number of units allowed for single unit detached or attached is directly related to the minimum lot size of the underlying zoning district. The maximum number of units allowed for multi-unit residential dwellings is a function of lot size, utilities, easements, rights-of-way, stormwater, parking and height.

A. **Lot**

1. **Defined** A parcel of land, either vacant or occupied, intended as a unit for the purpose, whether immediate or for the future, of transfer of ownership, or possession, or for development.
2. **Recordation** For use as a development site, a lot must be a lot recorded as part of a plat in the Fulton County deed records.
3. **Site** A development site may include a group of contiguous lots owned or functionally controlled by the same person or entity, assembled for the purpose of development. ~~With permission from the Director,~~ Such a development site ~~may~~ ~~shall~~will be treated as one lot, even though multiple tax parcels are included.

B. **Lot Lines** Each lot line must have a designation of primary street, side street, common side or rear as follows.



1. **Primary Street Lot Line** A lot line separating the lot from a primary street.
2. **Side Street Lot Line** A lot line separating the lot from a side street.
3. **Rear Lot Line**
   a. A lot line which is opposite and most distant from the primary street lot line.
   b. In the case of a lot that fronts on two streets, a lot may have no rear lot line.
   c. Where no lot line is clearly opposite to the primary street lot line or where there are multiple primary street lot lines, the lot line having the highest portion of its length serving as the rear lot line of abutting lots is the rear lot line. When a rear lot line cannot be determined in this manner, the rear lot line will be determined by the Director.
   ~~b. On irregularly-shaped lots, the rear lot line is determined as the line connecting two points each measured 10 feet along the side lot lines starting from the intersection of the two side lot lines. This rear lot line is intended for the purpose of establishing the rear setback and lot depth only. When a rear lot line cannot be determined in this manner, the rear lot line will be determined by the Director.~~
4. **Common Side Lot Line**
   a. Any lot line not considered a Primary Street, Side Street or Rear lot line.
   b. In developments governed by a ~~conceptual~~ preliminary plan, there are no common side lot lines internal to the site. See Sec. 11.4.7

C. **Primary and Side Street Designation**

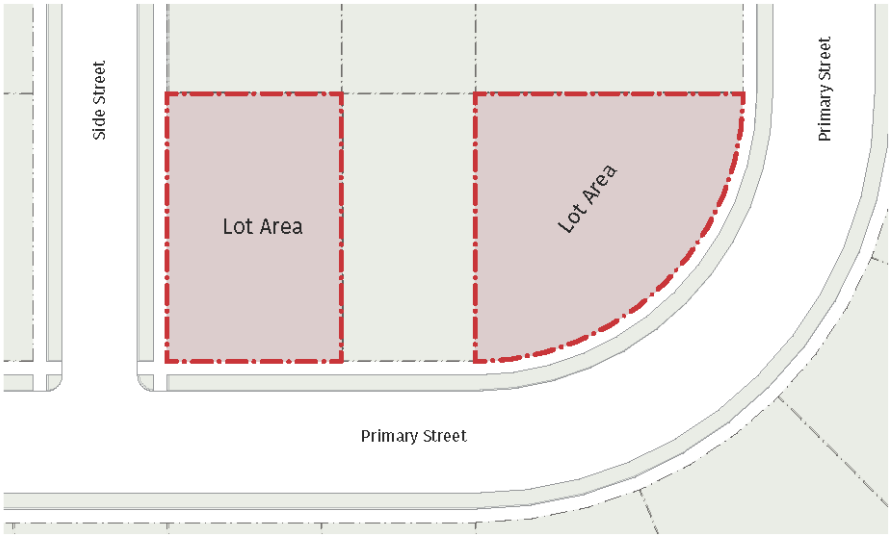
1. Where only one street abuts a lot, that street is considered a primary street.
2. A multiple street frontage lot must designate at least one primary street. A lot may have more than one primary street. The Director will determine which streets are primary streets based on:
   a. The pedestrian orientation of the street, existing or proposed;
   b. The established orientation of buildings on the block;
   c. The street or streets abutting the longest face of the block;
   d. The street or streets parallel to an alley within the block;

e. The street from which the lot takes its address; and

f. The street with the highest classification or highest traffic counts.

3. Where a street, including interstate and other high road classifications, abuts a lot but does not allow for direct access to the lot, that street cannot be considered a primary street.

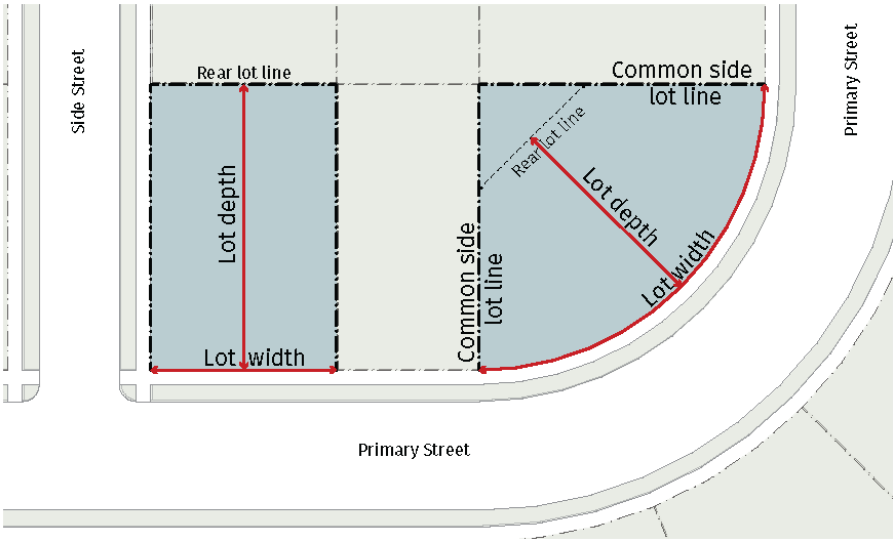
D. **Lot Area** Lot area is the contiguous land area included within the lot lines. Lot area does not include existing or proposed right-of-way, whether dedicated or not dedicated to public use.



E. **Lot Width and Lot Depth**

1. Lot width is the distance between the two ~~side~~ lot lines measured at the primary or side street property line along a straight line or along the property line on a curvilinear lot.

2. Lot depth is the distance between the front and rear lot lines measured along a line midway between the side lot lines.



F. **Lot Frontage**

1. Lot frontage is the length of any lot line abutting a primary street, side street, alley (for rear-loaded townhouses only) or courtyard (for a cottage court).

2. Every lot or unit on a lot must have frontage upon a public street, or private street designed and built to public standards, or meet the requirements of Development Patterns found in Div. 6.3.~~required courtyard for a cottage court.~~

G. ~~**Density**~~ Reserved.

~~Density is not specifically regulated. The maximum number of units allowed for single unit detached or attached is directly related to the minimum lot size of the underlying zoning district. The maximum number of units allowed for multi-unit residential dwellings is a function of lot size, utilities, easements, rights-of-way, stormwater, parking and height.~~

H. **Lot Coverage**

1. Lot coverage includes:

   a. The horizontal area of the building footprint measured within the outside of the exterior walls of the ground floor of all principal buildings and any roofed accessory building on the lot; and

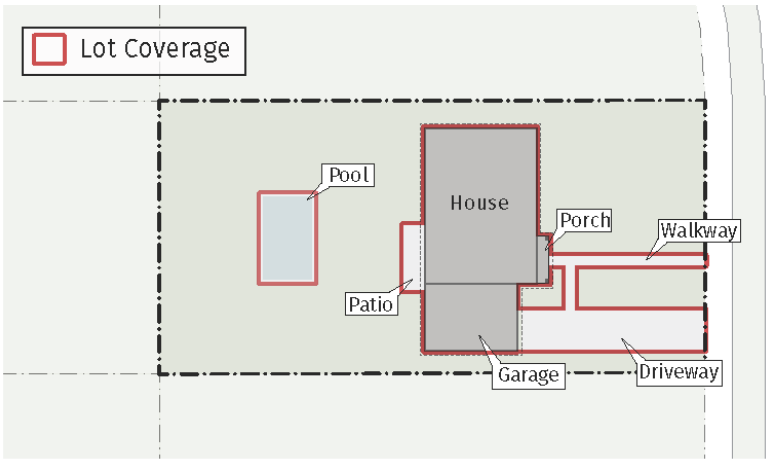
   b. Any impervious parking areas, driveways, walkways, steps, terraces, uncovered patios and decks, swimming pools, and any similar features. The Director may establish rules for determining the extent to which partially pervious materials are exempt from the lot coverage.

2. In RU- and RT- zoning districts, lot coverage can be assessed at the individual lot level, with each lot meeting lot coverage independently, or at the project level, in which case the pervious areas required to meet the lot coverage for the whole development must be under common ownership and indicated on the recorded plat.

3. 100% area credit will be given for pervious pavers and 50% area credit for pervious concrete. Other materials will be evaluated upon request.

4. For legal nonconforming lots that are smaller than the minimum lot area required by their respective zoning districts, lot coverage is calculated by accounting for the maximum lot coverage allowed in both the district and the nearest district with a smaller minimum lot area. The total area of the lot is divided in two parts, one as the minimum lot area of the nearest zoning district, and the other as the remainder of the total area. The respective maximum lot coverage is then applied to the two parts. As an example, the lot coverage of a lot in RE-1 that is 34,000 sq.ft. in size is calculated as the sum of 27,000 sq.ft. at 30% and 7,000 sq.ft. at 25%, for a ~~the~~ maximum lot coverage of 9,850 sq.ft.

5. In RE- and RD- districts, the base maximum lot coverage may be supplemented by 5% if mitigation measures are implemented. The mitigation consists of providing stormwater infiltration for the additional impervious area beyond the base maximum lot coverage at a rate of 2.4 inches in 24 hours.



I. **Outdoor Amenity Space Improvement Standards (OASIS)**

1. **General**

a. Outdoor amenity space is common outdoor area provided in a development for use by all of its occupants for social and recreational activities. Outdoor amenity space may also be provided for use by the general public, in addition to patrons or occupants of the development.

b. Examples of outdoor amenity space include swimming pools, playgrounds, sport courts, dog parks, gardens, community gardens, parks, greens, pavilions, seating areas, plazas, common balconies, rooftop decks or rooftop gardens.

2. **Standards**

a. Required outdoor amenity space must be provided on the lot and be publicly accessible as outdoor space. A required buffer may not be used to meet the outdoor amenity space requirement; see paragraph h. below for exceptions.

b. Required outdoor amenity space may be enclosed on two sides or less by walls (with or without a solid roof cover) or enclosed on three sides by walls without a solid roof cover.

c. Required outdoor amenity space may be located at or above grade. In RM-, RX- and CC- Districts, outdoor amenity space must be located at grade.

d. Required outdoor amenity space may be met in one contiguous outdoor area or in multiple outdoor areas on a lot and must have a minimum area of ~~2~~400 square feet with no dimension less than 15~~0~~ feet.

e. Required outdoor amenity space must not be parked or driven upon, except for emergency access and permitted temporary events.

f. At least 50% of the total amount of required outdoor amenity space at grade and 25% of required outdoor amenity space above grade must be planted with groundcover, shrubs or trees. For the purposes of this Section, turf grass is not considered groundcover.

g. Seating must be provided at the rate of 1 seat for every ~~5~~100 square feet or fraction of ~~5~~100 square feet of required outdoor amenity space. Seats may be permanent or movable. Two linear feet of bench or seat wall equals one seat.

h. When a path is located in a natural setting (such as a state waters buffer) or other greenspace that cannot be used as amenity space in its entirety, the path may count towards the outdoor amenity space area calculation by using a width of 25 feet, multiplied by the length of the path.

i. A multi-unit development of 20 residential units or more must provide a pet relief station at a rate of 5 sq. ft. per unit, up to a maximum of 500 sq. ft. required.

j. The table below provides the requirements for outdoor amenity space ~~(OAS)~~, based on lot size:

Total Lot Area	% of Lot as OASIS
Less than 1.0 acre	2%
1.0 to 1.9 acres	5%
2 acres and greater	15%

k. A reduction of 1% point from the requirements listed above for lots 1.0 acre and larger may be granted for every healthy landmark tree (as defined by Sec. 9.3.6) incorporated into the design of the outdoor amenity space.

l. A reduction of 1% point from the requirements listed above for lots 1.0 acre and larger may be granted for every 1,000 sq. ft. of outdoor amenity space accessible and usable by the public. The OASIS must be accessed directly from the public right-of-way and be open between 8:00 a.m. and 8:00 p.m. at a minimum.

m. No reduction, based on paragraphs k. and l. above individually or combined, greater than 3% points for lots 1.0-1.9 acres and no greater than 5% points for lots of 2 acres and greater in size will be granted.

n. **Pedestrian Amenity Space Allowance**

i. General

Pedestrian Amenity Space is a type of Outdoor Amenity Space intended to create a pedestrian-friendly environment, and therefore has more standards than other Outdoor Amenity Spaces. In addition to the standards below, Pedestrian Amenity Space is intended to be publicly accessible and located in close proximity to the public sidewalk. Examples include patios and plazas.

ii. Standards

The Director may approve outdoor amenity space meeting the requirements of pedestrian amenity space to fulfill the outdoor amenity space requirement. Pedestrian amenity space requirements include:

a) Each square foot of pedestrian amenity space counts as 2 square feet of the required outdoor amenity space.
b) Pedestrian amenity space must be accessible and usable by the public.
c) Pedestrian amenity space must have a minimum area of 400 square feet with no dimension less than 15 feet.

d) At least 25% of the pedestrian amenity space must abut and be directly accessible from the sidewalk of a primary street or side street.

e) Pedestrian amenity space cannot be separated from the sidewalk by any structure for more than 40% of the width of the amenity space.

f) The finished elevation of the pedestrian amenity space must be located at the same grade as the sidewalk or the ground story.

g) All building facades abutting the pedestrian amenity space must meet the transparency and entrance requirements of the zoning district.

h) A minimum of 15% of the pedestrian amenity space must be a planted area with trees or groundcover and a minimum of 25% of the pedestrian amenity space must be hardscaped.

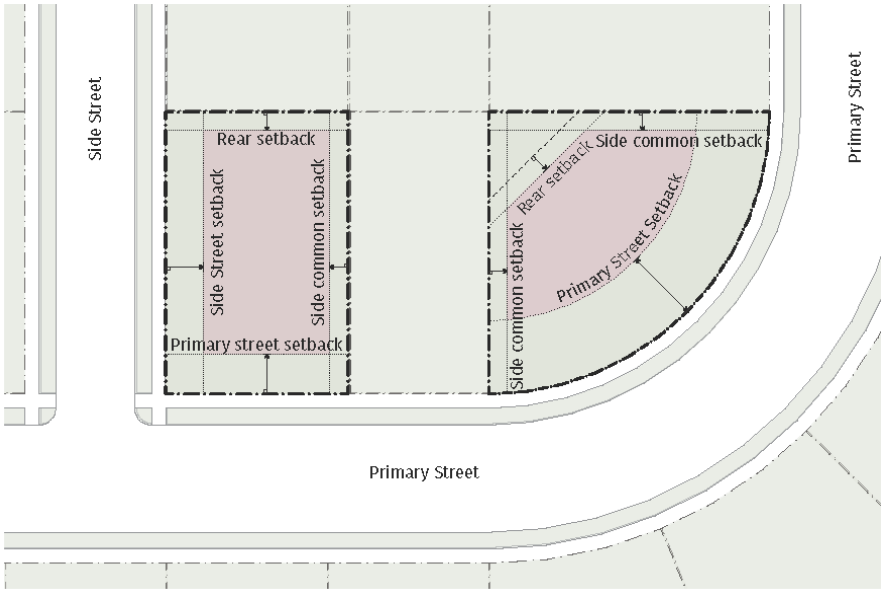
i) Pedestrian amenity space cannot be used for vehicle parking or access, except for emergency access or permitted temporary events.

j) Mechanical equipment cannot be located in a pedestrian amenity space or between the pedestrian amenity space and the building.

Sec. 6.1.2. Building Placement

A. **Building Setbacks**

1. **Type of Setbacks** There are 4 types of setbacks: primary street, side street, common side and rear. Building setbacks apply to both principal and accessory buildings or structures except where this Development Code explicitly states otherwise.



2. **Measurement of Building Setbacks**

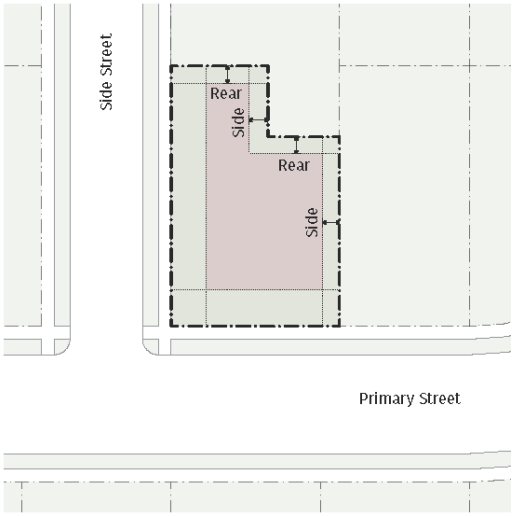
a. A primary street setback is measured at a right angle (perpendicular) to the primary street lot line.

b. A side street setback is measured at a right angle (perpendicular) from the side street lot line.

c. A rear setback is measured at a right angle (perpendicular) to the rear property line or the rear lot line.

d. All lot lines which are not primary street, side street or rear lot lines are considered common side lot lines for the purpose of measuring setbacks. Common side setbacks are measured at a right angle (perpendicular) from the side lot line.

e. All setbacks are drawn using an extension of a line perpendicular to the lot line until they intersect with another setback line.



f. Reserved.

g. Where street right-of-way dedication occurs, all setbacks are measured from the final property line.

3. **Irregularly-Shaped Lots** The Director will determine how setbacks apply to irregularly-shaped lots. (See also Sec. 6.1.1.B)

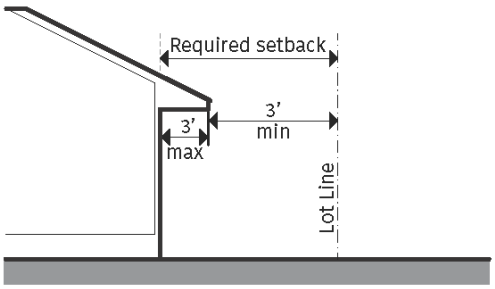
4. **Irregular Rights-of Way** The Director may determine primary or side street setbacks will be measured from the back of curb when rights-of-way widths vary.

B. **Setback Encroachments** All buildings and structures must be located at or behind the required setbacks, except as listed below. No building or structure can extend into a required buffer, easement (including private street easement) or public right-of-way.

1. **Building Features**

a. All Setbacks.

1. Building eaves, roof overhangs, gutters, downspouts, light shelves, bay windows, and oriels less than 10 feet wide, cornices, belt courses, sills, buttresses, or other similar architectural features may encroach up to three feet into a required setback, if such extension is at least three feet from the vertical plane of any lot line.



2. Chimneys may encroach up to four feet into a required setback, if such extension is at least five feet from the vertical plane of any lot line.

3. Handicap ramps may encroach to the extent necessary to perform their proper function.

4. Balconies may encroach no more than 10 feet into a required setback, if such extension is at least five feet from the vertical plane of any lot line. Balconies are not required to be set back from lot lines in instances where a zero-foot setback is employed.

5. Awnings/canopies may extend into a required setback if such extension is at least three feet from the vertical plane of any lot line.

b. Primary and Secondary Street Setbacks. Porches, raised entries, and stoops, including steps, may encroach no more than 10 feet into a required setback, if such extension is at least five feet from the vertical plane of any lot line.

c. Common Side and Rear Setbacks. Unenclosed patios, decks, terraces, or fire escapes may encroach into a common side or rear setback, provided that such extension is at least five feet from the vertical plane of any common side lot line and 10 feet from any rear lot line.

d. **Build-To Zones.** Any building feature may be built as close to the minimum build-to line as is practically possible, taking into account considerations such as spacing necessary to install footings, utilities, and other subgrade or otherwise needed improvements.

2. **Low Impact Stormwater Features**

a. Rain gardens, bioretention areas, and similar features, as determined by the Director, may encroach into a required setback, provided such extension is at least three feet from the vertical plane of any lot line.

b. Rain barrels or cisterns of 6 feet or less in height may encroach up to three feet into a required setback, if such extension is at least three feet from the vertical plane of any lot line. These features are considered ground-mounted equipment and require screening per Sec. 8.32.9.B.4.

3. **Mechanical Equipment and Utility Lines**

a. In Protected Neighborhood districts, mechanical equipment such as HVAC units and generators cannot encroach into any required setback.

b. In Urban Neighborhood districts, mechanical equipment may encroach up to five feet into a required rear setback, if such extension is at least five feet from the lot line. No encroachment into side building setbacks is allowed.

c. In any zoning district, mechanical equipment cannot encroach into a setback where the property line abuts a property zoned RE- or RD- that is used for residential purposes.

d. In any zoning district other than described above, mechanical equipment may encroach into a required setback, if such extension is at least five feet from the lot line.

e. In all instances, mechanical equipment must be screened (see Sec. 8.32.9.). and may not be located between the primary building and a primary street, unless the lot meets the following exceptions.

i. Where the primary building has multiple offsets in the street-facing façade, mechanical equipment must be located at least 15 feet behind the frontmost street-facing façade.

ii. In Protected Neighborhoods where the primary structure is located more than 100' from primary street lot line, mechanical equipment can be located between the building and primary street so long as the equipment is screened with a masonry wall.

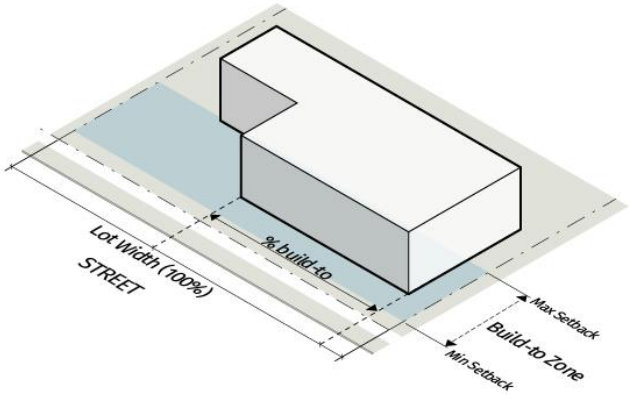
C. **Build-to Zone**

1. The build-to zone (BTZ) is an area of a lot or site where building facades, in whole or in part, must be located to satisfy the required build-to percentage. The build-to zone is the area between a minimum and maximum primary or side street setback, measured from the edge of the right-of-way or private street easement. Freestanding walls and opaque fences over 42" in height are prohibited within any BTZ. Other walls or fences that are part of a landscape design prepared by a licensed landscape architect may be permitted by the Director.

2. Where the build-to zone lies within a stream buffer or easement that does not allow construction, or buffers or setbacks as required by zoning conditions, transitional buffers or otherwise, the Director may waive the build-to requirement, in whole or in part.

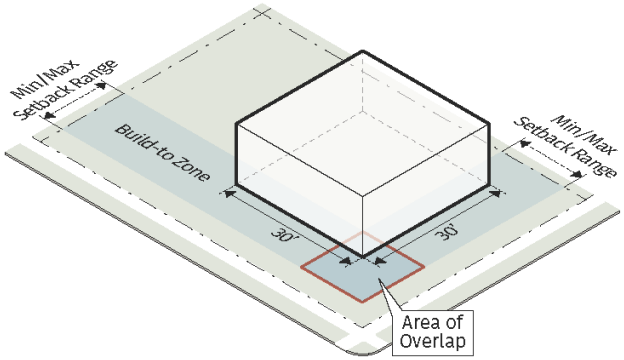
3. The required percentage specifies the amount of the building façade that must be located in the ~~build-to zone~~BTZ. The percentage is calculated as the width of the street-facing building façade in the BTZ divided by the total width of the street-facing building façade. Where a proposed building will not fill the entire street frontage of a site, the longer façade of the building must be street-facing.

~~This percentage is calculated as the width of the building façade within the build-to zone divided by the total street frontage of the lot.~~



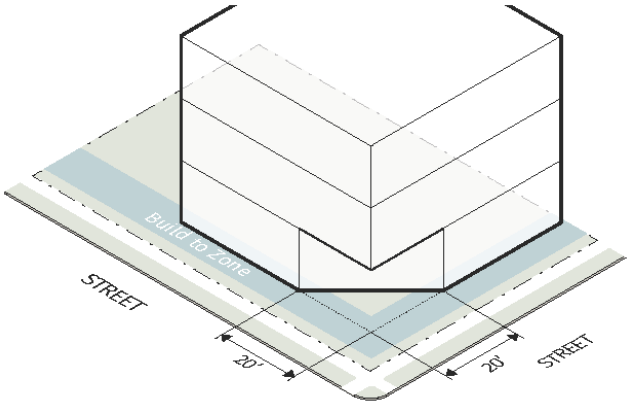
4. The width of a parking entrance into or through a building does not count towards the build-to requirement. However, in no case will access to an irregularly-shaped parcel that has no alternative access options be denied due to application of the build-to requirement. In all cases where access is necessary, a driveway of the minimum acceptable width for fire safety purposes is allowed, even where it reduces the building width below the required build-to percentage.

5. On a corner lot, a building must be placed within or abutting the area where the build-to zones of 2 intersecting streets overlap. The building must extend within the build-to zone for a minimum of 30 feet in both directions. If in neither direction, a proposed development has 30 feet of length, the building must be placed in the corner of the intersecting streets.



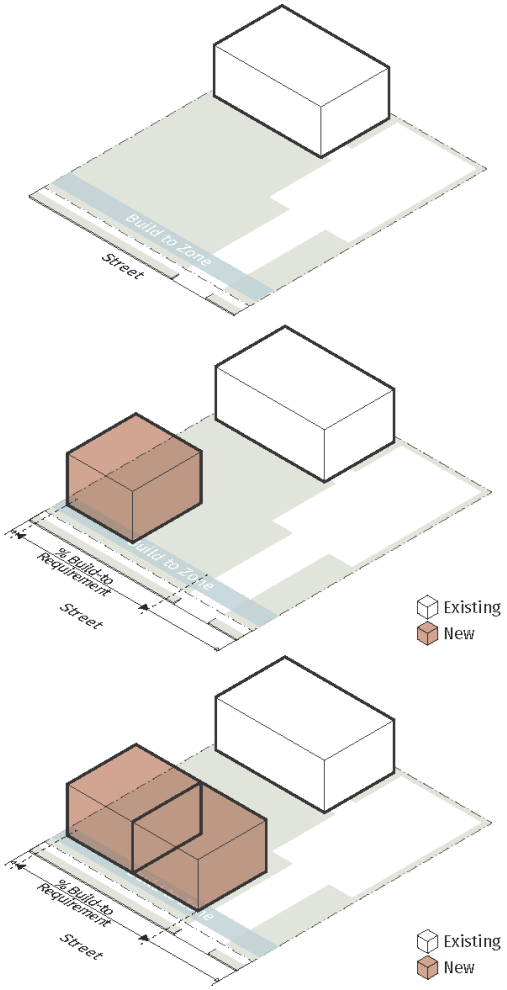
6. The ~~build-to zone~~BTZ applies up to the height designated as the minimum height of a building. Upper stories beyond this point may be set further back or reduced in width.

7. The Director may allow a courtyard, ~~forecourt~~ plaza, or other similar pedestrian activated space ~~meeting the requirements of Sec. 6.2.4 is~~ meeting the requirements of pedestrian amenity space to be considered part of the building for the purpose of meeting the build-to requirement. A chamfered corner on the ground floor of no more than 20 feet in width that extends outside of the build-to zone is considered part of the building for the purpose of meeting the build-to requirement.

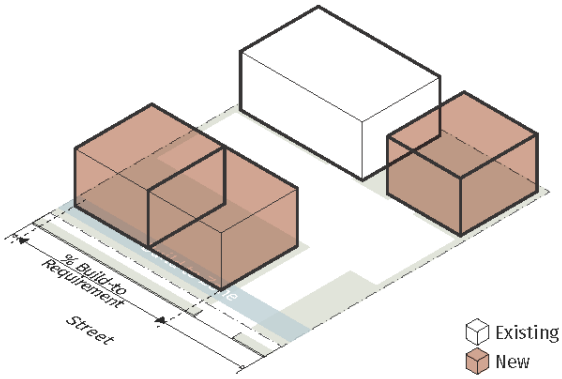


D. **Build-to-Zone: New Buildings**

1. All new buildings must be placed in the build-to zone until the required percentage for the entire lot or site has been met.



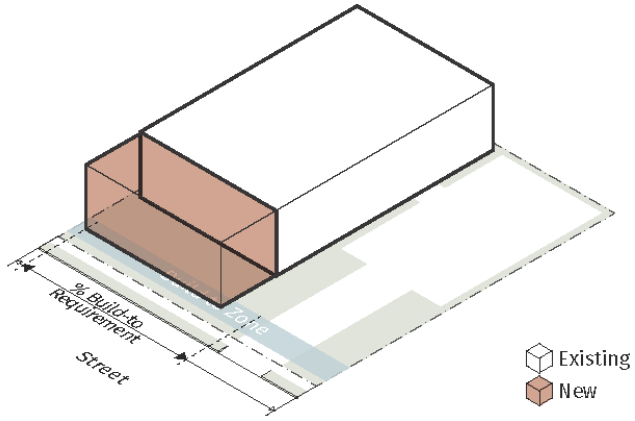
2. Once the required percentage has been met for the entire lot or site, new buildings may be placed outside of the build-to zone.



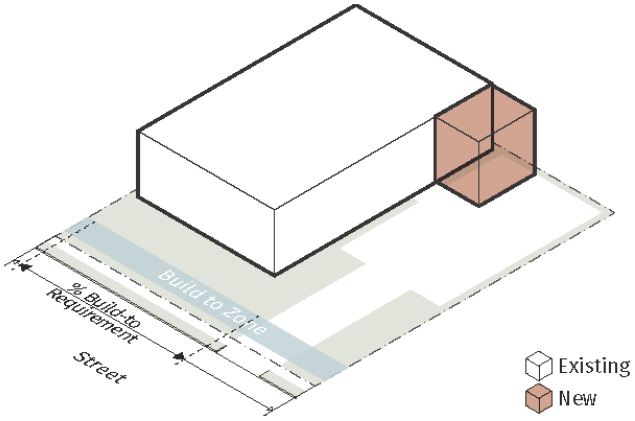
E. **Build-to Zone: Additions**

1. **Front Additions** Any addition to the front of an existing building must be placed in the build-to zone. The addition does not have to meet the required percentage for the entire lot or site. Front additions

no greater than 10% cumulatively of the existing building footprint are allowed outside of the build-to zone.

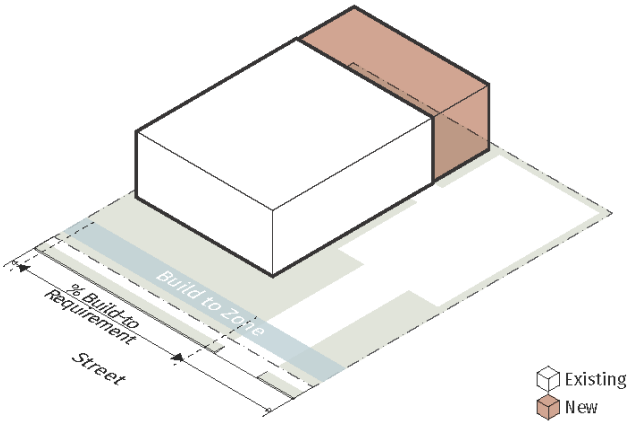


2. **Side Additions** Side additions no greater than 20% cumulatively of the existing building footprint are allowed outside of the build-to zone. Once the required percentage for the entire lot or site has been met, side additions of any size are allowed.

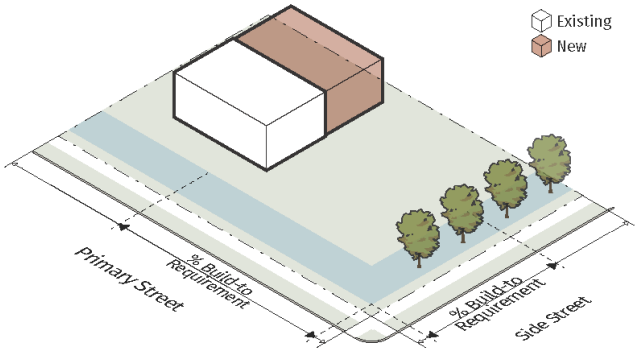


3. **Rear Additions**

   a. Rear additions are allowed outside of the build-to zone.



b. Rear additions on corner lots where the side street does not meet the build-to requirement must include additional street planting to screen the side street for the length of the existing and expanded building. The screening must consist of a 10-foot landscape strip planted with trees every 30 feet on center and landscaped with shrubs.



F. **Parking Location**

1. All parking spaces must be located consistent with the parking location requirements.
2. Where parking is allowed in a yard, it may be placed between the principal or accessory building and the lot line (but not in a required buffer), in accordance with the parking setback if applicable.

G. **Parking Setbacks**

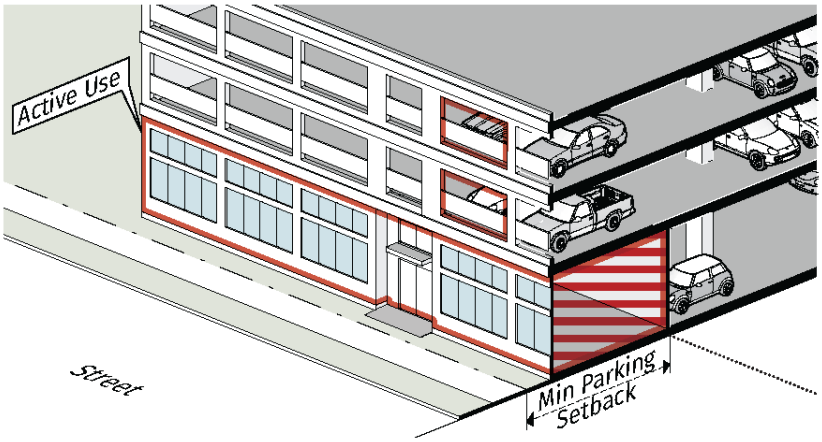
1. All parking spaces (surface and structured) must be located behind the parking setback line.
2. Parking below and covered by the ground may encroach into a required parking setback but must not extend into a required easement or the right-of-way or within 3 feet of any common side lot line.
3. The parking setback applies to the ground story only.
4. Parking setbacks are measured from the right-of-way, private street easement or property line.

~~H~~5. **Parking Structures**

a. Required parking setbacks apply only to the ground floor of the parking structure.

b. In order to meet the parking setback requirement, parking structures must adhere to one of the following standards:

i. The ground story of a structure parking garage facing any street (not including an alley), ~~in the SX- District or where the -SH Frontage applies~~ must have active uses (such as, but not limited to, residential, commercial, office, or civic space, where permitted) within the parking setback. No active uses are required for portions of the parking structure located ~~interior to~~behind the minimum parking setback; or



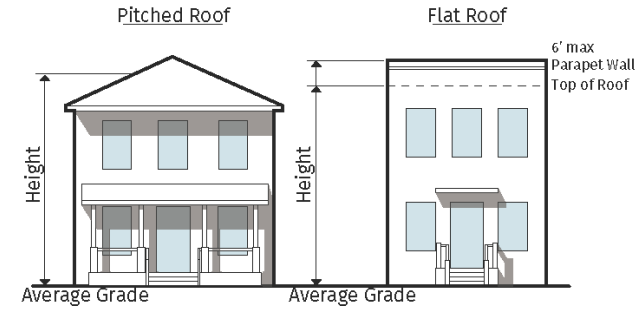
ii. The entire parking structure must be constructed to be adaptable, requiring the floor plates to be level except to the minimum extent required for drainage, the structure must be constructed to accommodate standard design loads of office uses according to the International Building Code, and the floor-to-floor heights must be a minimum of 12 feet.

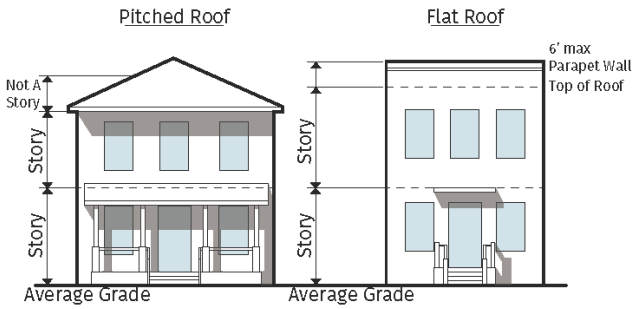
c. Parking structure screening is required (see Sec. 8.1.8.K).

Sec. 6.1.3. Height and Mass

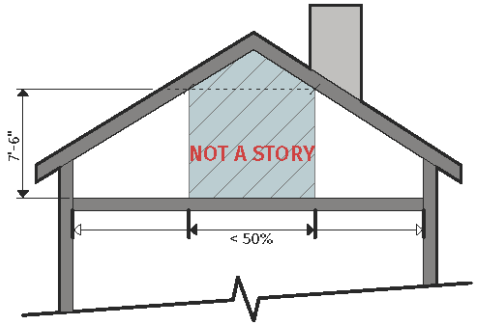
A. **Building Height**

1. Building height is measured in both stories and feet from average grade to the average height level between the eaves and ridge of a pitched roof, or to the highest point of the roof deck of a flat roof. A maximum 6-foot height encroachment for a parapet wall is allowed.





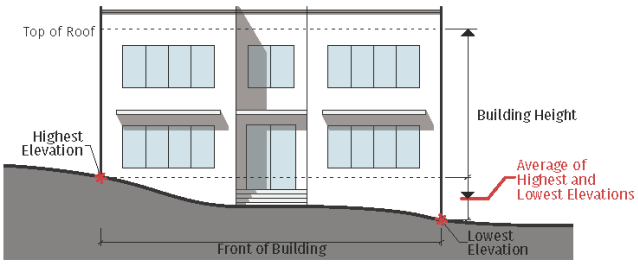
2. An attic in a pitched roof form does not count as a story where 50% or more of the attic floor area has a clear height of less than 7.5 feet; measured from the finished floor to the finished ceiling.



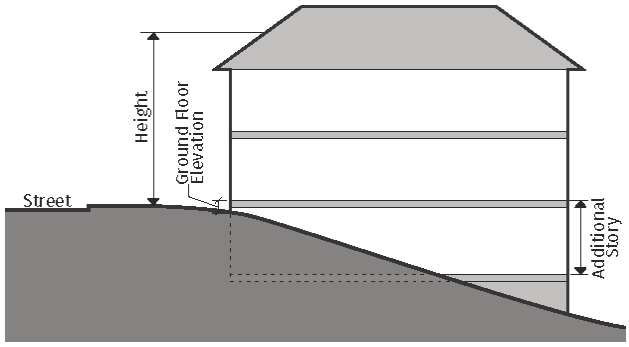
3. Basements and mezzanines, as defined in the Building Code, do not count as a story. Mezzanines can be counted to meet district height minimums, however (See Sec. 6.1.3.B.1. below).

4. For all buildings with a build-to-zone requirement and all single -unit detached, the average grade is determined by calculating the average of the highest and lowest elevation of the finished grade measured along the front of the building parallel to the primary street setback.

   For all other buildings, the average grade is determined by calculating the average of the highest and lowest elevation of the finished grade measured around the entire perimeter of the building. This applies to building in districts that do not have build-to-zones, when a required frontage overrides the build-to-zone requirement, and for buildings where no part of the building is within the build-to-zone.

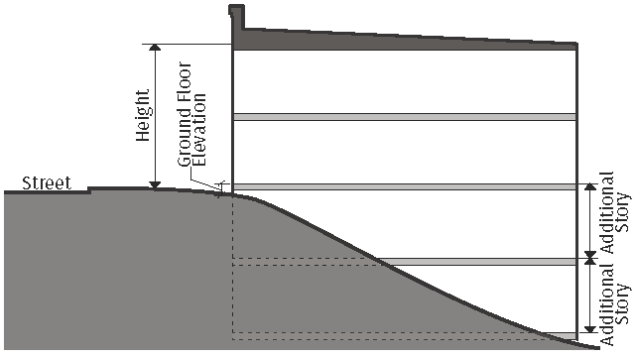


5. For all single unit detached and single unit attached units, where a lot slopes downward from the front property line, only one story in addition to the specified maximum number of stories may be built on the lower, rear portion of the lot.



6. For any building type other than residential single unit detached or attached, there is no restriction on the number of stories added on a lower, rear portion of a lot. This also applies to developments where the lower, rear portion of the lot abuts a new street required by the Development Code. When a new street is required, two additional stories may be constructed along the new street in the rear portion of

the lot. However, any additional buildings fronting on the new street are required to meet the story maximum for the district.



7. A story is considered that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story means that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.

B. **Minimum Height**

1. Where a minimum height of two or more stories is required, each required story must contain habitable space for at least 50% of the floor. A mezzanine can be used in lieu of a second floor upon request at the director's discretion.

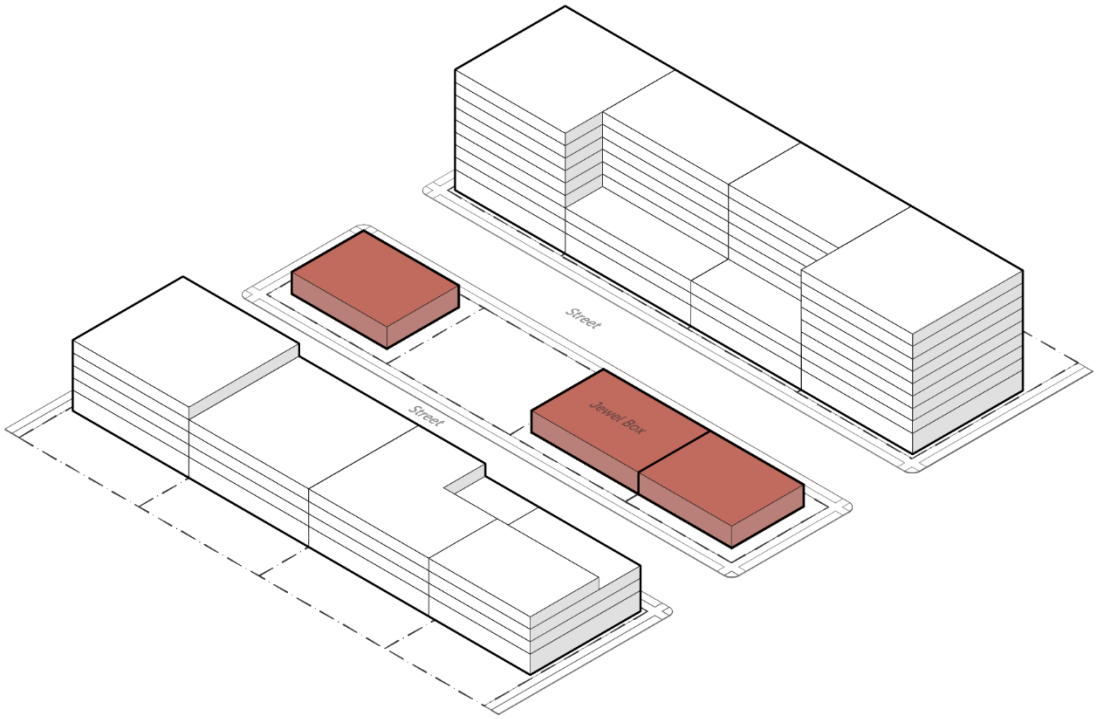
~~2. Up to 20% of the ground floor area of all buildings on a lot (or a development site, where approved by the Director - see Sec. 6.1.1) may be single-story, provided the ground story is at least 18 feet in height measured to the deck of a flat roof, and 24 feet in height as measured to the top of any street-facing parapet wall. This particular allowance does not apply to districts within the Perimeter Center that have a minimum height of 6 stories. For adjusted minimum height for districts that require a minimum of 6 stories within the Perimeter Center, see Div. 5.7.~~

2. The Director may allow the following buildings to be exempt from minimum height requirements:

a. Buildings internal to a site not directly serviced by on-site parking or a drive-through, such as a jewel box building or kiosk, so long as it is integrated into the overall site plan.

b~~3~~. Buildings with a footprint of 2,000 square feet or less.

d. Buildings with single unit detached, single unit attached, or neighborhood unit uses.



C. **Height Encroachment** Any height encroachment not specifically listed below is expressly prohibited, except where the Director determines that the encroachment is similar to a permitted encroachment listed below.

1. The maximum height limits of the district do not apply to a spire, belfry, cupola, dome, or other similar feature that does not contain a habitable space, or public utility facilities which by design or function must exceed the established height limits.

2. The following accessory structures may exceed the established height of the district, provided they do not exceed the maximum height by more than 6 feet:

   a. Chimney, flue or vent stack;

   b. Rooftop deck, patio;

   c. Flagpole;

   d. Landscaping;

   e. Skylights;

   f. Parapet wall; and

   g. Solar panels, wind turbines and rainwater collection systems.

3. The following accessory structures may exceed the established height, provided they do not exceed the maximum height by more than 18 feet, do not occupy more than ~~2~~50% of the roof area~~, are screened (see Sec. 8.2.9) and are set back at least 12 feet from the edge of the roof~~:

   a. Cabana, pool house, rooftop restaurant, or other amenity, and

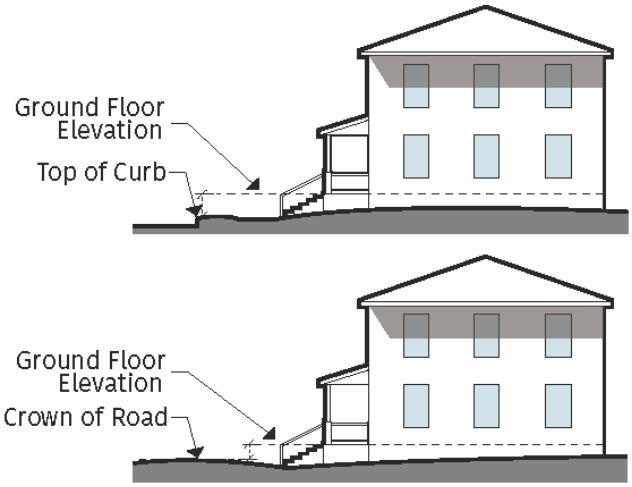
   b. Pergola, trellis, gazebo, or other similar minor structure architecturally integrated with the building, and

   c. Elevator or stairway access to the roof; and

   d~~b~~. Mechanical equipment.

D. **Ground Floor Elevation**

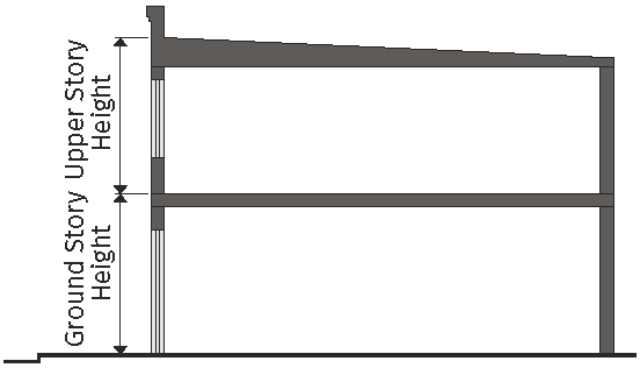
1. Ground floor elevation is measured from the top of the adjacent curb, or from the crown of the road where no curb exists, to the top of the finished ground floor at the building main entrance.



2. Minimum ground floor elevation applies to the first 30 feet of the lot depth measured from the right-of-way.

3. The Director may provide relief to the extent necessary from the maximum ground floor elevation requirements on sites with significant topography.

E. **Story Height** Story height is the height of each story of building, measured from the top of the finished floor to the top of the finished floor above. When there is no floor above, story height is measured from the top of the finished floor to the top of the wall plate above.



F. **Building Mass**

1. **Street-Facing Building Length** Street-facing building length is the maximum length of a building or structure facing a public or private street, and located within the build-to zone.

2. **Building Break Allowance**

Buildings that meet one of the following standards, the Director may allow the maximum street facing-building length to be exceeded.

a. When a continuous structure provides an open space meeting the following requirements, the portions of the building on each side of the open space may be considered as a separate building:

i. One building break per street-facing façade is allowed;

ii. The open space must meet the requirements of Pedestrian Amenity Space;

iii. The building break width must be at least 1/4 the width of the widest adjacent street-facing building length; and

iv. The building break depth must be at least equal to the width of the open space or 20 feet, whichever is less.

b. When a continuous structure provides an articulation to the building façade that meets the following requirements, each façade articulation may be considered as a separate building:

i. Two portions of the street-facing building façade must have a variation in setback of at least 4 fee. The combined length of the setbacks must total no less than 25% of the length of the building.

ii. Contrasting colors or material is used on the primary façade and the abutting façade setback to emphasize the articulation and variation along the street-facing building façade.

Sec. 6.1.4. Activation

A. **Transparency**

1. Transparency is the minimum percentage of windows and glazed doors that must cover a ground or upper story facade.

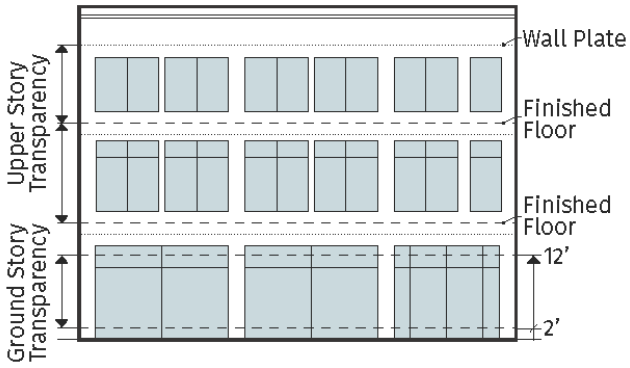
2. Transparency applies to primary and side street facing building facades only, and may be reduced or waived by the Director when particular conditions (such as required buffers or other visual obstructions) significantly reduce the visibility of the building from the public realm.

a. For single-unit attached, transparency applies to any façade visible from a street or path.

3. Glass is considered transparent where it has a transparency higher than 80% and external reflectance of less than 15%.

4. Ground story transparency is measured between 2 and 12 feet above the abutting sidewalk.

5. Upper story transparency is measured from the top of the finished floor to the top of the finished floor above. When there is no floor above, upper story transparency is measured from the top of the finished floor to the top of the wall plate above.



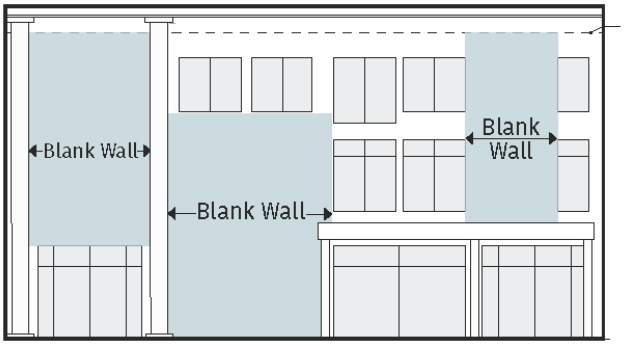
6. In the SX- District or -SH Frontage, a minimum of 50% of the street-facing, street-level window pane surface area must allow viewing into the ground story for a minimum of 8 feet in depth. Windows must not be made opaque by non-operable window treatments (except curtains, blinds or shades within the conditioned space).

B. **Blank Wall Length**

1. Blank wall length means a portion of the exterior facade of the building that does not include: windows or doors; columns, pilasters or other articulation greater than 12 inches in depth; or a substantial material change (paint color is not considered a substantial change).

2. Blank wall length applies in both a vertical and horizontal direction.

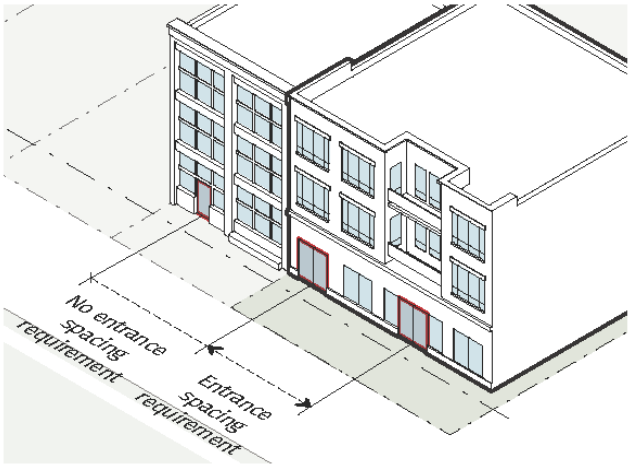
3. Blank wall length applies to ground and upper story primary and side street-facing facades.



C. **Pedestrian Access**

1. An entrance providing both ingress and egress, operable to residents at all times and customers during regular business hours, is required to meet the street-facing entrance requirements. Additional entrances off another street, pedestrian area or internal parking area are allowed.

2. The entrance spacing requirements must be met for each building, but are not applicable to adjacent or abutting buildings. Entrance spacing is measured from the center of one door to the center of the next door.



3. An angled entrance may be provided at either corner of a building along the street to meet the street-facing entrance requirements.

Div. 6.2. Reserved

Div. 6.3. Development Patterns~~: Cottage Court~~

Where allowed as a Development Pattern, ~~a cottage court with single unit detached or attached housing~~made up ~~of~~ the following prescriptive designs may be developed according to the ~~following~~ requirements of this Division.

Sec. 6.3.1. Cottage Court

A. **General Standards**

1. A cottage court is a group of small buildings centered around a common open space or courtyard. The central courtyard enhances the character of the area through the provision of consolidated common open space.
2. Cottage courts are a permitted Development Pattern in all districts other than Protected Neighborhood and Office Neighborhood (ON-). In ON- cottage courts require a CUP.
3. Cottage court lots are not required to provide frontage for every lot or unit as required in Sec. 6.1.1.F.2. as long as the lot or unit provides frontage on the courtyard.

~~**Sec. 6.3.1. Lot Parameters**~~

B. Courtyard Standards

A cottage court must set aside a portion of the project area as courtyards. The required courtyards must meet all the following standards:

1. Configuration of Courtyard

a. The required courtyards must meet the minimum width requirement of this Section. Exceptions may be granted by the Director for items such as trail easements, linear parks, and tree conservation areas.

b. Courtyards must meet the minimum contiguous requirement of this Section.

c. Where feasible, the courtyard should adjoin any neighboring areas of open space, other protected areas, and non-protected natural areas.

d. Access to the courtyard must be provided either by an abutting street or easement not less than 20 feet in width.

3. Allowed Use of Courtyard

To the extent not otherwise prohibited, required courtyard may be used for the following:

a. Conservation areas for natural, archeological, or historic resources;

b. Meadows, woodlands, wetlands, wildlife corridors, or similar conservation-oriented areas;

c. Pedestrian or multipurpose trails;

d. Passive recreation areas;

e. Active recreation areas, provided that impervious area is limited to no more than 25% of the required courtyard;

f. Water bodies, provided that lakes, ponds, and floodways are limited in area to no more than 50% of the required courtyard;

g. Community gardens;

h. Stormwater control measures designed as an open space amenity; and

i. Easements for drainage, access, and underground utility lines.

5. Prohibited Uses of Open Space

Required open space cannot be used for the following:

a. Individual wastewater disposal systems;

b. Overhead electric transmission lines or high voltage electric transmission lines; and

c. Streets and parking areas.

6. Ownership and Management of Open Space

Required open space must be owned or maintained by one of the following entities:

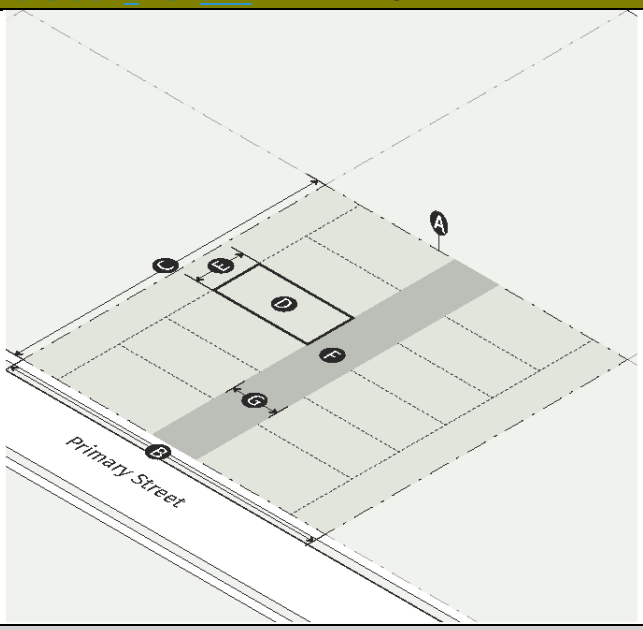
a. Land Conservancy or Land Trust

A bona fide land conservancy or land trust with the legal authority may own the open space. The responsibility for maintaining the open space and any facilities may be borne by a land conservancy or land trust.

b. Homeowners' Association

A homeowners' association representing the residents of the development may own the open space. The homeowners' association must have lien authority to ensure the collection of dues from all members. The responsibility for maintaining the open space and any facilities is borne by the homeowners' association.

C. Site Parameters

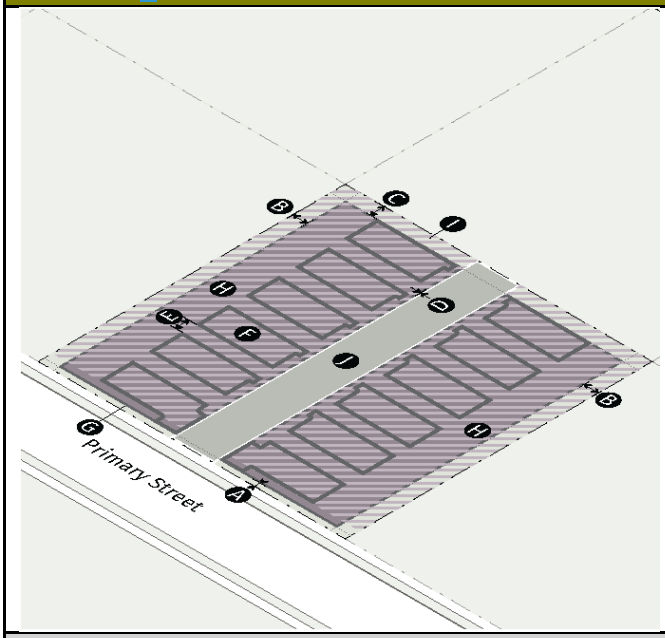
~~SEC. 6.2.1.~~C. ~~LOT~~ SITE PARAMETERS		
		
Site		
Ⓐ	Site area	14,000 SF min
Ⓑ	Site width	~~200~~120' min
Ⓒ	Site depth	~~200~~120' min
Lot		
Ⓓ	Lot area	~~1,200~~700 SF min
Ⓔ	Lot or unit width	~~22'~~ 14' min
	Min number of lots	3
	~~Max number of lots for detached units~~	~~12~~
	~~Max number of lots for attached units~~	~~18~~
Courtyard		
Ⓕ	Courtyard area per	~~6~~400 SF min

	unit	
G	Courtyard width	~~4~~30' avg/10' min
	% of lots abutting courtyard	75% min
	Contiguous area	60% min
~~The courtyard must be one contiguous landscaped open area, open to the street. The courtyard must be platted as permanent common open space for the development, and must not be built on, parked on or driven upon, except for temporary events.~~		

~~Sec. 6.3.2. Building Placement~~

D. **Building Placement**

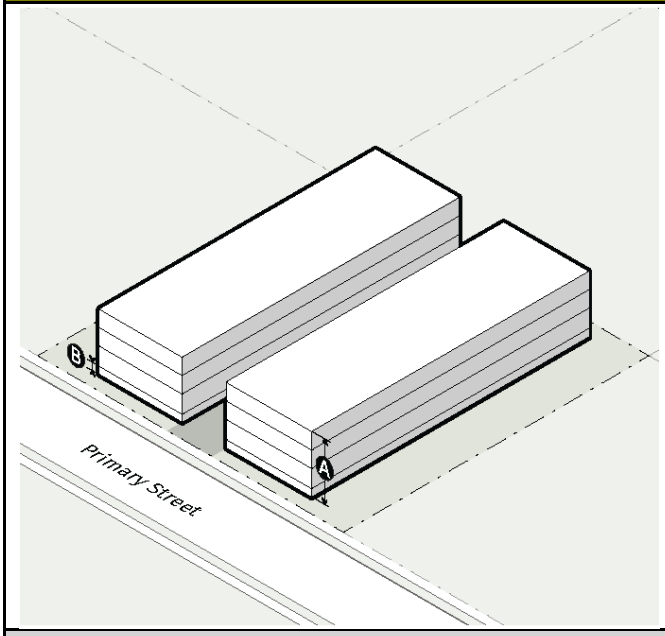
~~SEC. 6.2.3~~D. BUILDING PLACEMENT



Building Setbacks and Unit Size		
A	Primary street	15' min
B	Site: side common lot line	10' min
C	Site: rear common lot line	10' min
D	Courtyard	0' min
~~E~~	~~Building separation~~	~~10' min~~
~~F~~	~~Unit footprint size~~	~~1,200 SF max~~
Parking Location		
G	Primary street yard	Not allowed
H	Site: side yard	Allowed
I	Site: rear yard	Allowed
J	Courtyard	Not Allowed

~~Sec. 6.3.3. Height and Mass~~

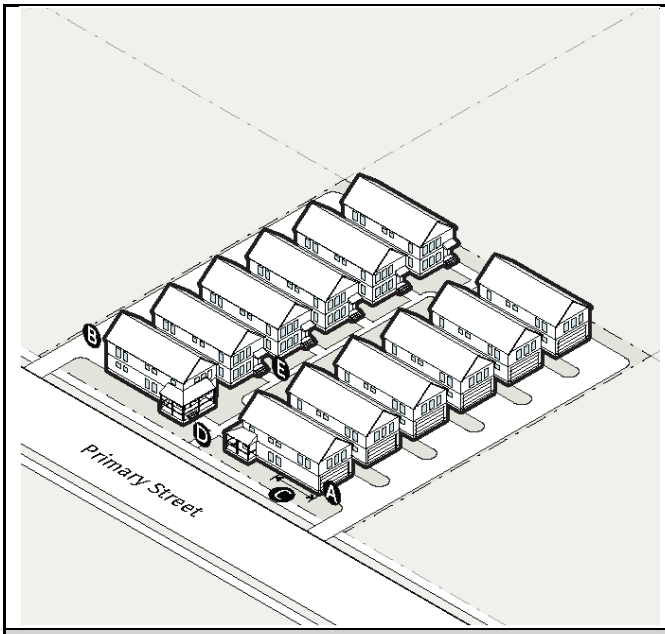
E. Height and Mass

~~SEC. 6.3.3~~E. HEIGHT AND MASS		
		
Building Height		
A	Principal	3 stories/40' max
Story Height		
B	Ground story elevation	~~2' min/5' max~~
	Along primary and side street	2’ min / 5’ max
	Along courtyard or alley	0’ min / 5’ max

~~Sec. 6.3.4. Activation~~

F. Activation

~~SEC. 6.3.4~~F. ACTIVATION



Transparency		
A	Ground story	20% min
B	Upper story	20% min
C	Blank wall length	~~3~~20' max
Pedestrian Access		
D	Entrance or front porch facing primary street	Required for end units
E	Entrance facing courtyard	Required for all ~~interior~~ units

Sec. 6.3.2. Shared Court

A. General Standards

1. A shared court development pattern is a group of small buildings centered around a common shared court. The shared court can serve both vehicles and pedestrians while enhances the character of the area through the provision of consolidated common open space and site access.
2. Shared courts are a permitted Development Pattern in all districts other than Protected Neighborhood and Office Neighborhood (ON-). In ON- shared courts require a CUP.
3. Shared court lots are not required to provide frontage for every lot or unit as required in Sec. 6.1.1.F.2. as long as the lot or unit provides frontage on the shared court.

B. Shared Court Standards

A shared court development pattern must set aside a portion of the project area as shared court. The required shared court must meet all the following standards:

1. Design of Shared Court

A shared court must front on a street meeting the design specifications of Sec. 10.4.10. Shared Street.

3. Allowed Use of Open Space

To the extent not otherwise prohibited, required shared court may be used for the following:

a. Vehicle and pedestrian access;

b. Pedestrian or multipurpose trails;

c. Stormwater control measures designed as an open space amenity; and

d. Easements for drainage, access, and underground utility lines.

5. Prohibited Uses of Open Space

Required open space cannot be used for the following:

d. Individual wastewater disposal systems;

e. Overhead electric transmission lines or high voltage electric transmission lines; and

f. Parking areas.

6. Ownership and Management of Open Space

Required open space must be owned or maintained by one of the following entities:

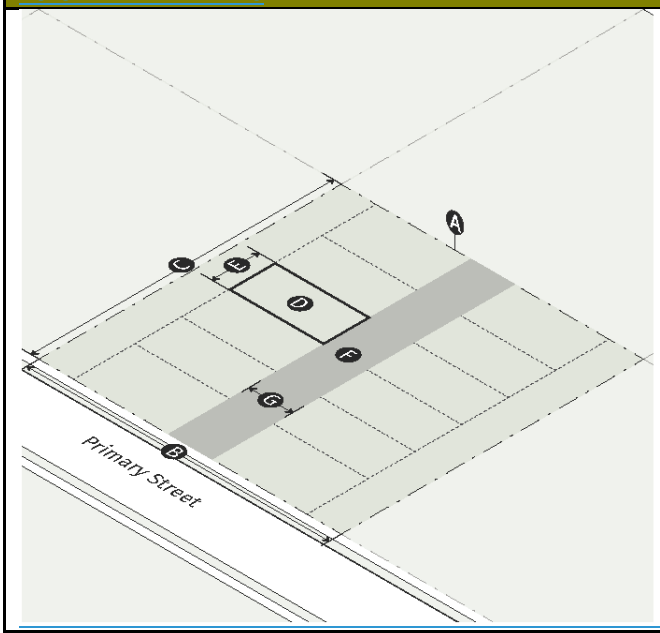
a. Land Conservancy or Land Trust

A bona fide land conservancy or land trust with the legal authority may own the shared space. The responsibility for maintaining the space and any facilities may be borne by a land conservancy or land trust.

b. Homeowners' Association

A homeowners' association representing the residents of the development may own the shared space. The homeowners' association must have lien authority to ensure the collection of dues from all members. The responsibility for maintaining the space and any facilities is borne by the homeowners' association.

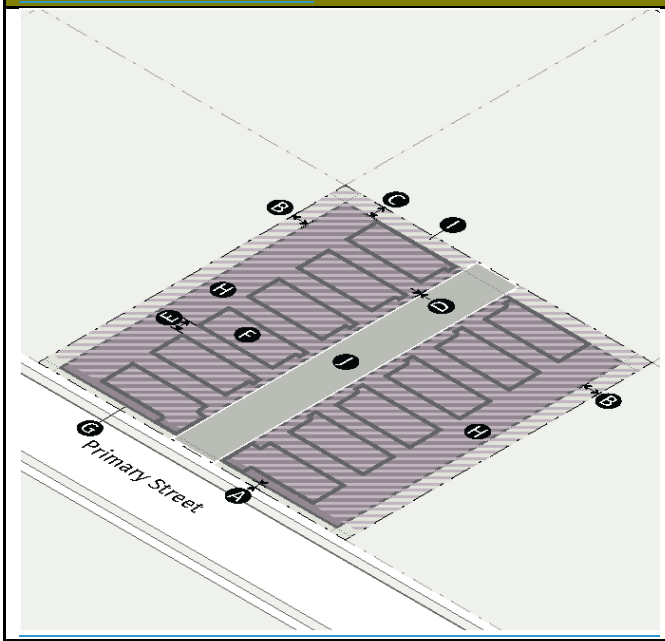
C. Site Parameters

C. SITE PARAMETERS		
		
Site		
A	Site area	14,000 SF min

Ⓑ	Site width	120' min
Ⓒ	Site depth	120' min
Lot		
Ⓓ	Lot area	700 SF min
Ⓔ	Lot or unit width	14' min
	Min number of lots	3
Shared Court		
Ⓕ	Shared court width	15’ min
	% of lots abutting court	75% min

D. **Building Placement**

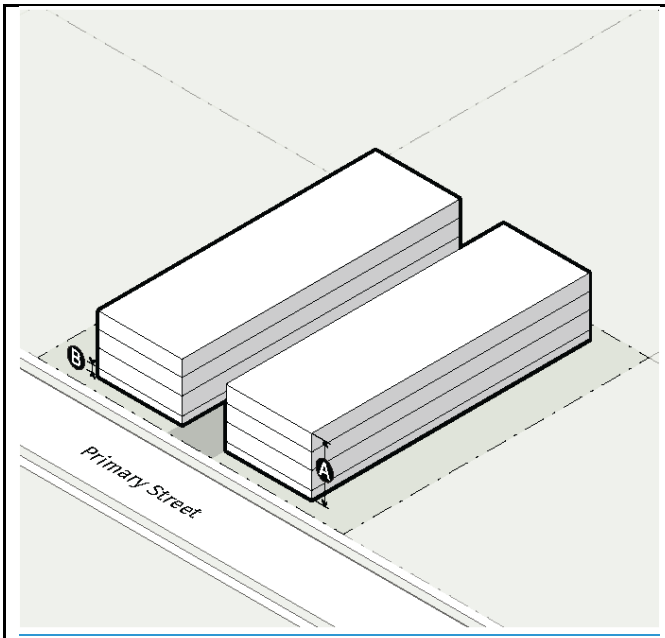
D. BUILDING PLACEMENT



Building Setbacks and Unit Size		
Ⓐ	Primary street	15' min
Ⓑ	Site: side common lot line	10' min
Ⓒ	Site: rear common lot line	10' min
Ⓓ	Shared court	0' min
Parking Location		
Ⓖ	Primary street yard	Not allowed
Ⓗ	Site: side yard	Allowed
Ⓘ	Site: rear yard	Allowed
Ⓙ	Shared court	Not Allowed

E. **Height and Mass**

E. HEIGHT AND MASS



Building Height		
A	Principal	3 stories/40' max
Story Height		
B	Ground story elevation	
	Along primary or side street	2’ min / 5’ max
	Along court or alley	0’ min / 5’ max

F. **Activation**

F. ACTIVATION

Transparency		
A	Ground story	20% min
B	Upper story	20% min
C	Blank wall length	20' max
Pedestrian Access		
D	Entrance or front porch facing primary street	Required for end units
E	Entrance facing shared court	Required for all units

~~POCKET NEIGHBORHOOD~~

~~INTERNAL COURT~~

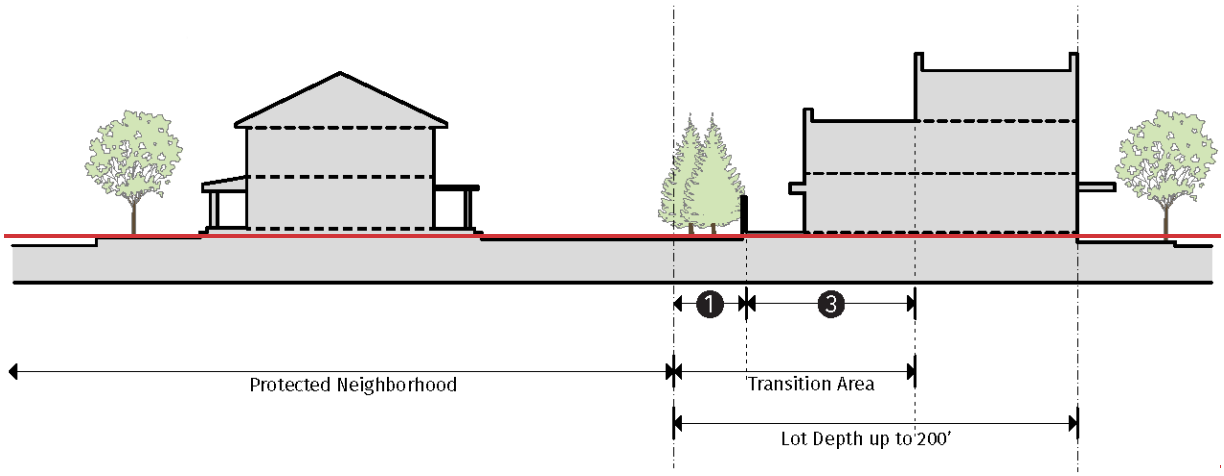
~~OTHER THAT WE AREN'T THINKING OF RIGHT NOW~~

Div. 6.4. ~~Protected Neighborhood Transitions~~Reserved.

Sec. 6.4.1. ~~Applicability~~Reserved.

~~The Protected Neighborhood transition standards apply on lots in an Urban Neighborhood district, Corridor & Nodes district, or Perimeter Center district that immediately abut an RE- or RD- district. For the purposes of this section, immediately abutting means sharing a property line or separated by an alley. The Director has the discretion to waive required transitions to non-residential uses located in RE- or RD- districts.~~

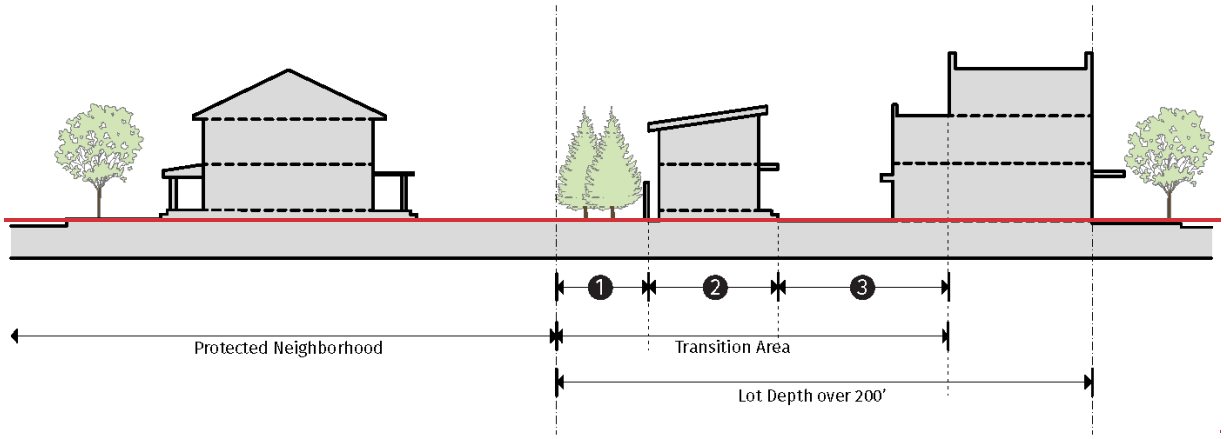
~~Sec. 6.4.2. Lot Width or Depth Up to 200 Feet~~



1	2	3
~~Buffer~~	~~Restricted Uses~~	~~Compatible Massing~~
~~Intended to buffer and screen with evergreen landscaping and wall. No buildings, structures or parking are~~	~~Does not apply.~~	~~Intended to restrict the height of development so as to decrease the impact of new multi-story structures.~~

allowed.		
Permitted Structures & Activity	Permitted Structures & Activity	Permitted Structures & Activity
See Sec. 8.2.5 and Sec. 8.2.6	Does not apply.	1. All activity permitted in Area 1.
		2. All permitted uses in the applicable zoning.
		3. Parking, service areas, mechanical equipment, including HVAC, generators, loading, dumpsters and recycling bins.
		4. Accessory structures.
		These elements must be located as far from the Protected Neighborhood as site conditions allow.
Depth	Depth	Depth
25 feet min	Does not apply.	30 feet min
	Height	Height
	Does not apply.	2 stories/24 or 28 feet max, see zoning district requirements

Sec. 6.4.3. Lot Width or Depth of 200 Feet and Over 200 Feet



1	2	3
Buffer	Restricted Uses	Compatible Massing
Intended to buffer and screen with evergreen landscaping and wall. No buildings, structures or parking are allowed.	Intended to be occupied by open areas and low intensity uses, such as surface parking, alleys, landscaping, and secondary/accessory structures.	Intended to restrict the height of development so as to decrease the impact of new multi-story structures.
Permitted Structures & Activity	Permitted Structures & Activity	Permitted Structures & Activity
See Sec. 8.2.5 and Sec. 8.2.6	1. All activity permitted in Area 1.	1. All activity permitted in Areas 1 and 2.
	2. Alleys, parking and drive aisles, but not service areas or mechanical equipment, including HVAC, generators, loading, dumpsters and	2. All permitted uses in the applicable zoning.

		~~recycling bins.~~		
	~~3.~~	~~Accessory structures.~~		
	~~4.~~	~~Single unit detached, single unit attached where allowed by the underlying zoning district.~~		
	~~These elements must be located as far from the Protected Neighborhood as site conditions allow.~~			
~~Depth~~	~~Depth~~		~~Depth~~	
~~30 feet min~~	~~25 feet min~~		~~30 feet min~~	
	~~Height~~		~~Height~~	
	~~2 stories/24 feet max~~		~~2 stories/24 or 28 feet max, see zoning district requirements~~	

Div. 6.5. Residential Parking

Sec. 6.5.1. Applicability

Any residential garage, parking, or paving-related construction~~ed~~ in the RD-, RU-, or RT- zoning districts and all single ~~-~~unit attached development after the effective date of this code must meet the following standards. In addition to the standards provided below, attached and detached garages must meet all applicable requirements for either principal buildings or accessory structures as specified in this Code. This division also applies to the RE- zoning districts when specified and when the term "all" is used to describe which residential zones.

Sec. 6.5.2. Single Unit Detached Dwelling

A. **Front and Side Yard Paving**

1. Only one driveway is allowed for every 65 feet of residential frontage on a same lot. Only a single driveway is allowed on streets with a functional classification of Collector or Arterial.

B. **Garage**

1. In all residential zones, n~~N~~o attached garage may encroach into a required setback, except where:

   a. ~~a~~An alley provides access, in which case the garage may encroach into the rear setback.

   b. A residence with an existing street-facing garage or carport prior to December 1, 2005 may construct a garage that encroaches into the primary street setback if the following requirements are met:

      i. The garage or carport is limited to 1-story in height, with no living space in an attic above the garage or carport;

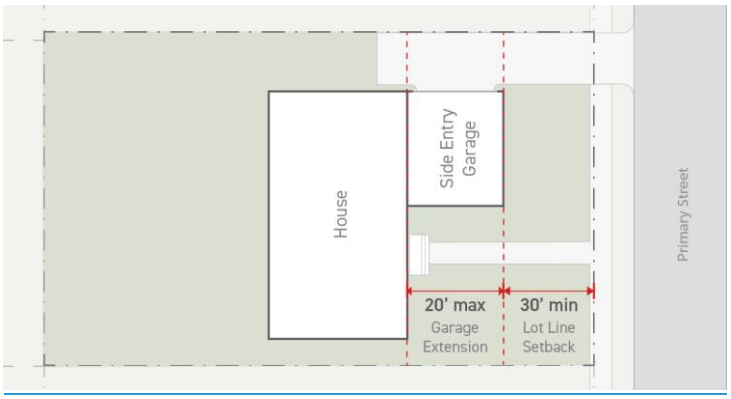
      ii. The garage or carport must be constructed as a side or courtyard entry garage (see illustration below);

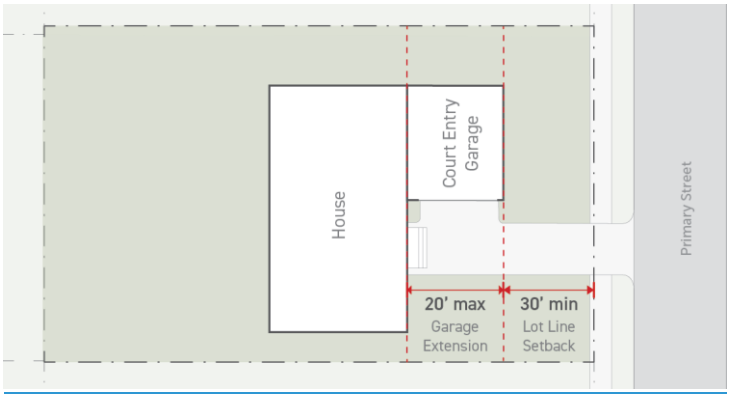
      iii. The garage or carport must be positioned no more than 30 feet in front of the front wall plane of the house;

      iv. The garage or carport can encroach a maximum of 20 feet into the primary street setback;

v. The garage must be at least 30 feet from the primary street lot line; and

vi. A single-car garage door, 10 feet in width or less, may continue to face the street if the existing garage door is a street-facing door.





2. Garage doors or carport entries must be positioned at least 5 feet behind the front wall plane of the house, extending no more than 40% of any street-facing width of the house. This requirement does not apply to side-entry garages. Architectural finish and windows must be provided for any side-entry garage wall facing a primary or side street.

3. Garage doors facing a street or alley must be either:

   a. Less than 6 feet from the back of sidewalk or back of curb if there is no sidewalk; or

   b. More than 20 feet from the back of sidewalk or back of curb if there is no sidewalk.

C. **Parking Design & Location**

1. In required front setbacks, no parking pad is allowed, however a turnaround extension of no more than 200 square feet is allowed.

2. In RE- zones, there is a parking setback of twenty (20) feet from any property line, or the grading setback, whichever is less. Parking areas may alternatively be screened with evergreen trees (full to the ground and at least 6-feet tall at time of planting), as long as the surface parking is no less ten (10) feet from any property line or the grading setback (Sec. 9.4.2.), whichever is more, maintained in perpetuity.

3. The visible storage or parking of more than 4 vehicles at a single-family residence is unlawful.

4. In all residential zones, parking space lines, wheel stops, and other apparatus germane to commercial parking are prohibited.

5. Parking or storage of a junk or salvage vehicle constitutes an unlawful use, except that no more than 2 junk or salvage vehicles are permitted if parked or stored in a garage or carport not visible from a street or adjacent residential property.

6. In RX-, Corridor and Node districts, or Perimeter Center districts, all single unit detached development must be rear-loaded.

D. Specialized Vehicles

1. Specialized vehicles such as recreational vehicles, campers, trailers, motor coaches, boats, and boat trailers, may be parked or stored in all residential zones under the following conditions:

   a. The vehicles must not be used as permanent living quarters.

   b. The location of the parking area must be in the buildable area of the lot and not in front of the principal structure. Also, the surface of the area must be constructed as a parking area as described in Sec. 6.5.2.C.5. above.

   c. Specialized vehicles must be screened from view of adjoining properties and rights-of-way with a minimum 6-foot tall fence or wall meeting the standards of Sec. 8.32.9. unless they are viewable for less than 48 consecutive hours as a visitor's means of transportation. Enhanced screening standards such as height, materials, or otherwise may be practically necessary to properly screen and may be requested at the discretion of the Director.

   d. For construction trailers, see Sec. 7.9.9.

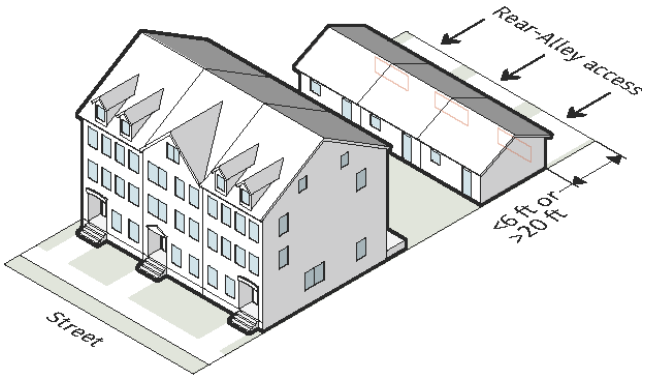
Sec. 6.5.3. Single Unit Attached Dwelling

For single unit attached dwellings, garage placement must meet the following standards.

A. **Rear-Loaded**

1. Garage must be placed entirely to the rear of the townhouse and be~~is~~ rear-accessed (loaded). Garage may be attached or detached.

2. Garage doors must face the rear alley or easement.



3. The garage door must be either:

   a. Less than 6 feet from the edge of alley pavement; or

   b. More than 20 feet from the edge of alley pavement.

4. On sites 3 acres or larger, the Director may allow up to 20% of the townhouses in the development to have front-loaded garages. The front-loaded garages must be located on streets internal to the site. Townhouses fronting on streets at the perimeter of the development site must be rear loaded.

Div. 6.6. Design Standards

Sec. 6.6.1. Applicability

A. The standards of Sec. 6.6.2, apply to:

1. All nonresidential buildings in Protected Neighborhoods;
2. All buildings in RT, RM- and RX- Districts;
3. All buildings in Corridor~~s~~ & Nodes districts ~~except CC- and IX-~~; and
4. All buildings in Perimeter Center districts.

B. The standards of Sec. 6.6.3, apply to all buildings in every district except for buildings in the NEX- District~~.~~

Sec. 6.6.2. Building Design

A. **Color** Primary or fluorescent colors ~~must~~ are not ~~be employed~~permitted except on sign faces, awnings, canopies or as accent colors (not to exceed 10% of each building facade exclusive of window and door areas) on any side of the building.

B. **Architectural Treatment**

1. **Exempt** Exterior building walls, decorative elements, parapets and cornices are exempt from the architectural treatment requirements when they meet the following conditions:
   a. When the exterior wall is not visible from any public or private street; and
   b. The exterior wall does not include a public entrance.
2. **Prohibited**
   a. Prohibited exterior building materials include:
      ~~i. exterior building materials which are not textured;~~
      ii. non-architectural metal panel systems;
      iii. ~~As-cast smooth~~Unfinished cast-in-place or precast concrete ~~or plain concrete~~vertical elements, e.g., walls, columns, exposed elevated slab edges ~~slabs~~(except as noted in 6.6.2.B.3.b.vii, below);
      iv. ~~Plain~~ Exposed standard concrete masonry units (CMU);
      v. ~~Plywood or press-wood; or~~ Softwood plywood grade B or lower, oriented-strand board and particle boards
      vi. Vinyl siding.
   b. Prohibited exterior building components, include: steel gates, burglar bars and ~~steel~~ roll-down security curtains. Interior security measures are not regulated.
3. **Required**

a. All exterior walls (not including windows and doors) for all new construction must consist of one or a combination of the following durable materials in the quantity required below:

i. Up to ~~7~~ ten (10) vertical feet from grade: 100% durable materials; and

ii. Remaining building height: minimum 70% durable materials.

b. Durable materials include:

i. Clay Brick;

ii. Ceramic and Porcelain Tile;

iii. Dressed Stone with ~~weathered, polished or fluted face~~ rusticated, flamed, honed, polished, bush-hammered or other standard face finish;

iv. ~~Textured~~ traditional cement stucco (real stucco);

v. Architectural concrete masonry units (CMU) with fluted, split-face, ground, glazed or ~~brokenface~~ other architectural finish; painted standard CMU is not an acceptable finish

vi. Portland cement plaster and lath systems;

vii. Architectural (either cast-in-place, pre-cast or tilt-up) concrete ~~either fluted or with exposed aggregate finish~~ with a finish proposed by the architect and approved by the Director; or

viii. Fiber cement-board, painted

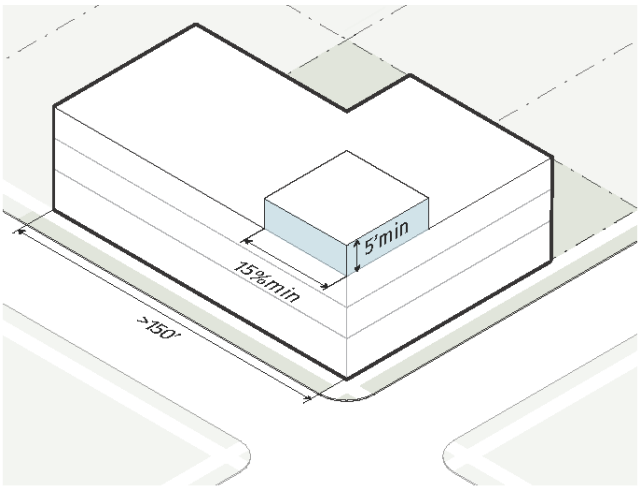
ix. Exterior Insulation and Finish Systems (EIFS) which employ a high-impact mesh as a system component.

c. Sloped roofs (pitch greater than 2:12) must be standing seam metal~~,~~ slate, concrete or metal roof tiles or composition shingles. A decorative parapet or cornice must be constructed along all flat roof lines (*i.e.*, roofs with slopes less that 2:12).

d. Alternate materials may be approved for use by the Director, provided they are considered equivalent or better than the listed materials.

C. **Building Articulation**

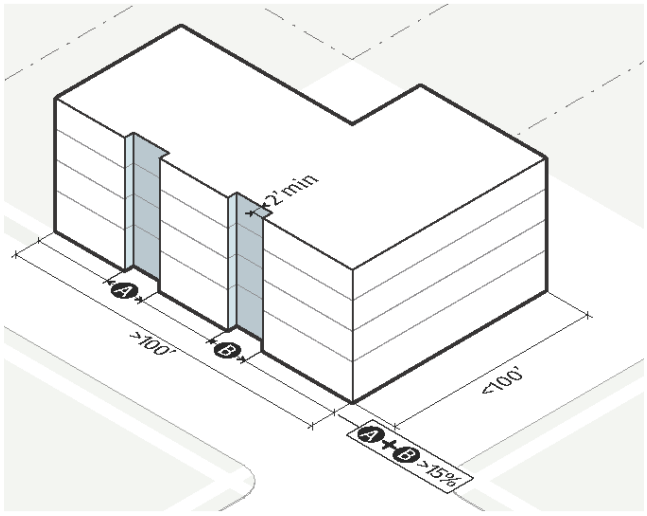
1. **Articulation in Building Height** For buildings 10~~5~~0 feet or more in length, at least 15% of the street-facing roof line must have a variation in height of at least 5 feet. On a corner lot, the variation in height must be located at the corner of the building that addresses both street fronts. A parapet that meets the requirements of this Development Code may be counted toward this articulation requirement. Signs are not allowed above the roof line, and do not count toward this articulation requirement.



2. **Articulation in Building ~~Facade~~Façade**

a. For buildings 100 feet or more in length, at least 2 portions of the street-facing building facade must have a variation in setback of at least 2 feet. The combination of the required variations in setback must total no less than 15% of the length of the building.

b. The Director may require contrasting colors or materials must be used on the primary façade and abutting façade setbacks to emphasize the articulation and variation along the street-facing building façade.



D. **Ground Floor Retail Tenant ~~Size In~~Size:** in the City Springs and Perimeter Districts, no ground floor retail tenant may occupy more than 30,000 contiguous rentable square feet. No variances to this standard are allowed; however, the Director may approve renovation of existing tenant spaces so long as the renovation does not increase the gross square footage of an existing tenant space.

E. **Commercial-Active Space** Where required by the zoning district or use, the ground story must be constructed to meet or exceed the minimum requirements for ground floor elevation, ground story height, transparency, and entrance spacing required for a retail or commercial use. Commercial-active space is restricted to only commercial use.

F. **Commercial-Ready Space** Where required by the zoning district or use, the ground story must be constructed to meet or exceed the minimum requirements for ground floor elevation, ground story height, transparency, and entrance spacing required for a retail or commercial use. Commercial-ready space is allowed to be occupied by any use allowed in the zoning district.

Sec. 6.6.3. Reserved

~~Sec. 6.6.3 Construction Classification and Building Height~~

~~A. The standards of this Sec 6.6.3, apply to all buildings in every district except for buildings in the NEX- District.~~

~~B. Except as otherwise provided herein for any zoning district in which buildings of more than three stories in height are allowed pursuant to this Development Code any new building or structure designed or intended to be more than 3 stories in height in any respect and which individually or in aggregate with other principal buildings or structures on the same site exceeds 100,000 square feet of gross floor area (GFA), within the confined exterior walls of the structures whether occupiable or non-occupiable, shall, irrespective of any conflicting allowances or provisions of any other standard, code or ordinance having force and effect in the corporate limits of the City of Sandy Springs, Georgia, be of Type I or Type II construction defined in the International Building Code as adopted and amended from time to time by the State of Georgia. This regulation shall not be used to relax or reduce any requirement in the Allowable Building Heights and Areas table or any other section of the current adopted International Building Code or as amended from time to time by the State of Georgia.~~

Div. 6.7 ~~Height Bonus~~Enhanced Community Benefits Matrix

Sec. 6.7.1. Applicability

A. Districts with a bonus height will qualify for additional height based on the Enhanced Community Benefits Matrix described in this Division. Districts with a minimum height may also qualify for reduced minimum height requirements based on the Enhanced Community Benefits Matrix and List in the Technical Manual.

B. Credits are allotted for any item included by a developer above the minimum if already required in the Development Code.

Sec. 6.7.2. Enhanced Community Benefit Matrix

Stories	Percent of Site	30%	40%	50%	60%	70%
Under 4	Reduction	8 credits	10 credits	26 credits	50 credits	75 credits
Under 3	Reduction	16 credits	20 credits	52 credits	70 credits	100 credits

Under 2	Reduction	24 credits	--	--	--	--
Up to 3	By right	--	--	--	--	--
Up to 4	Bonus	30 credits	40 credits	50 credits	60 credits	70 credits
Up to 5	Bonus	38 credits	50 credits	63 credits	75 credits	88 credits
Up to 6	Bonus	45 credits	60 credits	75 credits	90 credits	105 credits
Up to 7	Bonus	53 credits	70 credits	88 credits	105 credits	123 credits
Up to 8	Bonus	60 credits	80 credits	100 credits	120 credits	140 credits
Up to 9	Bonus	68 credits	90 credits	113 credits	135 credits	158 credits
Up to 10	Bonus	75 credits	100 credits	125 credits	150 credits	175 credits
Up to 11	Bonus	83 credits	110 credits	138 credits	165 credits	193 credits
Up to 12	Bonus	90 credits	120 credits	150 credits	180 credits	210 credits
Up to 13	Bonus	98 credits	130 credits	163 credits	195 credits	228 credits
Up to 14	Bonus	105 credits	140 credits	175 credits	210 credits	245 credits
Up to 15	Bonus	113 credits	150 credits	188 credits	225 credits	263 credits

1. RM- Districts

A. **Applicability**A**Applicability:** A height bonus is allowed in any eligible RM-District, subject to the requirements of this Section. The total bonus height in stories (where allowed) is designated on the Official Zoning Map as follows:

District	Base Height Without Bonus	Total Height with Bonus
RM-3	3 stories	No bonus allowed
RM-3/8	3 stories	8 stories

B. **Height Bonus System**The**System** The height bonus allows for additional height based on the provision of public benefits. An appropriate level of public benefits will be considered by the City Council during the review of the development as a conditional use.

C. **Public Benefit Elements**Public**Elements** Public benefits that the City Council may require in trade for bonus height include the following:

1. Use of single-unit detached or attached residential as a transition to adjacent neighborhoods beyond any transition required by this Development Code.

2. The applicant must provide 10% or more of the total multi-unit gross floor area to households with incomes below 80% of the area median income, for a period of 30 years. Alternatively, the applicant

may provide 5% or more of the total multi-unit gross floor area to households with incomes below 50% of the area median income, for a period of 30 years.

3. Provision of 50% of affordable units sized to accommodate families (2 or 3 bedrooms).

4. Outdoor amenity space available to the general public (not solely available to residents or tenants).

5. Public outdoor amenity space in an amount greater than required by this Development Code.

6. Preservation of trees beyond that required by this Development Code.

D. **Process for Acquiring Additional Rights**Any**Rights** Any additional height must be granted by the City Council through the Conditional Use Permit process (see Div. 11.3).

E. **Required Findings**In**Findings** In approving the conditional use, the City Council must find as follows:

1. That the proposed project meets the general intent of the Comprehensive Plan.

2. The adjacent Protected Neighborhoods will enjoy adequate protection from significant impacts that additional height might generate.

3. The proposed public benefits are, on balance, a reasonable trade-off for the additional height — benefiting the overall community, taking into consideration improved tax base, quality of development and access to affordable housing.

F. **Additional Requirements**

1. Single unit detached or attached housing may be included in a transition area, subject to the requirements in Div. 6.4.

2. No variances to outdoor amenity space or transition provisions may be granted in conjunction with a height bonus.

G. **Additional Guidance**The**Guidance:** The Director may provide guidance to applicants by publishing additional rules that supplement this Section.

Sec. 6.7.2. Perimeter Center

A. **Applicability**A**Applicability** A height bonus is allowed in any eligible PX- or PM- District, subject to the requirements of this Section. The total bonus height in stories (where allowed) is designated on the Official Zoning Map as follows:

◆ = Proposed building over 20% Nonresidential Uses ◇ = Proposed building over 20% Residential Uses

* Additional height achieved through the bonus system may not exceed the maximum height with bonus set in the District.

b. In no case may the Director approve more than the maximum height with bonus set for the applicable district. (For example, 12 stories in the PC-10/12 District.)

c. Standard public benefits must be provided above and beyond any requirement of this Development Code, and must not be "double counted."

2. **Discretionary Public Benefits**Public**Benefits** Public benefits that the City Council may require in trade for bonus height in place of or beyond the available quantity of the bonus for standard public benefits include the following:

a. Mobility enhancement, including specifically, improved access to MARTA facilities, access across GA 400, increased frequency of transit during peak hours, improved bicycle or pedestrian connections, or other mobility enhancements beyond those required in this Development Code.

b. Provision for either 10% or more of the total multi-unit floor area affordable to households with incomes below 80% of the area median income. Alternatively, the applicant may provide 5% or more of the total multi-unit gross floor area affordable to households with incomes below 50% of the area median income.

c. Reserved.

d. In projects with a residential component, 50% of units sized to accommodate families (2 or 3 bedrooms).

e. Outdoor amenity space available to the general public (not solely available to residents or tenants) and enhanced with the installation of public art.

f. Public outdoor amenity space in an amount greater than required by this Development Code.

g. Provision of space for publicly-accessible neighborhood-serving retail and services, including but not limited to indoor recreation, personal services, day care with spaces reserved for non-employee children, restaurants, retail and artisanal facilities. In addition, the inclusion of satellite library, police or fire facilities will be considered.

h. Use of green roofs, electric vehicle charging stations, green infrastructure and low impact development stormwater techniques beyond that required by this Development Code.

E. **Additional Guidance**The**Guidance:** The Director may provide guidance to applicants by publishing additional rules that supplement this Section.

Sec. 6.7.4. NEX- Districts

A. **Applicability**

1. A height bonus is allowed in any eligible NEX- District, subject to the requirements of this Section. The total bonus height in stories (where allowed) is designated on the Official Zoning Map as follows:

District	Base Height Without Bonus	Total Height with Retail Ground Floor Bonus	Total Height with Affordable Housing Bonus
NEX-5/6	5 stories/70'	6 stories, 85'	6 stories, 85'
NEX-5/10/12			
Base height	5 stories/70'	5 stories/70'	5 stories/70'
Special allowance in rear of site	10 stories/140'	10 stories/140'	10 stories/140'
Bonus height	—	12 stories/165'	12 stories/165'

2. A height bonus for retail ground floor may not be used in conjunction with an affordable housing height bonus to gain additional height.

B. **Height Bonus System**

1. **Retail Ground Floor** A bonus will be provided in the NEX-5/6 and NEX-5/10/12 District, ~~in trade for~~when an active ground floor occupied by retail uses. The retail ground floor depth must be a

minimum of 30 feet. One additional story in height is allowed in the NEX-5/6 District and 2 additional stories are allowed in the NEX-5/10/12 District Additional design requirements are specified on the applicable zoning district pages. This bonus may not be used with an affordable housing bonus.

2. **Affordable Housing**

   a. A bonus will be provided in the NEX-5/6 and NEX-5/10/12 District, in trade for making 10% of all multi-unit residential affordable to those earning up to 80% of the Area Median Income (AMI), as calculated by the US Department of Housing and Urban Development using US Census data. The affordability requirement must extend a minimum of 30 years. The available height with bonus is defined in paragraph A, above. This bonus may not be used with a retail ground floor bonus. See also Sec. 6.6.5, Phasing of Residential Development.

   b. Unit sizes for affordable housing must match the unit sizes proposed for the entire building, as a percentage (for example, a building with 60% 2-bedroom market-rate units must include 60% 2-bedroom affordable units). The affordable units must be identical to the market rate units.

C. **Process for Acquiring Additional Rights** Any allowed additional height may be granted by the Director, provided the requirements of this Section have been met.

D. **Additional Requirements** No variances to outdoor amenity space or transition provisions may be granted in conjunction with a height bonus.

SANDY SPRINGS
CITY CLERK'S OFFICE

TO: Eden Freeman, City Manager

FROM: Matthew Anspach, Senior Planner

DATE: November 13, 2023 Submission for the December 5, 2023 City Council Meeting

ITEM: TA23-0003(d) - Request for Mayor and City Council Consideration of an Ordinance to Amend the Development Code Article 7 (Use Provisions)

Recommendation:

Staff recommends that Mayor and City Council approve the text amendment as proposed.

At the Special Called Planning Commission meeting on November 13, 2023, the Planning Commission voted to recommend that Mayor and City Council approve the text amendment with the following modification(s):

- Neighborhood Eateries be permitted in the Office Neighborhood zoning district with a requirement that a community meeting is had to ensure public input and that operating hours are regulated.

Background:

The Next Ten Comprehensive Plan Policy E recommends a review of development management tools to implement the vision and goals of the Comprehensive Plan, Small Area Plans, and other planning documents. Both the 10 Key Actions for the Next Ten and Policy LU-E1 recommends comprehensive updates to the Sandy Springs Development Code. Furthermore, the Next Ten Community Work Program item LU-E1.1 recommends that staff conduct a comprehensive review of the Development Code in 2022 and 2023.

Discussion:

Over the last 13 months, city staff have worked toward execution of this comprehensive review of the city's Development Code. Staff, with the assistance of consultant Code Studio, have received input from a variety of stakeholders, including residents and neighborhood groups, business and property owners, contractors and developers, and the Planning Commission as well as overall policy guidance from the Mayor and City Council to help formulate a recommended 5-Year Development Code Update. The code review process consisted of three (3) distinct phases:

1. **Phase I (Intake)** - Hosted more than 25 stakeholder meetings covering a range of topics and facilitated discussion with Council at the 2023 Retreat; met with residents, business owners, Planning Commissioners, electric vehicle and gas station representatives, hotel and hospitality industry representatives, office and medical industry representatives, civic institutions, developers, residential home builders, automotive dealers, attorneys, and others.

2. **Phase II (Draft)** - Worked amongst relevant staff and the consultants' background and code expertise to clean up technical aspects of the existing Development Code, as well researching and proposing edits to the topics deemed by Council to be of particular priority to the City's vitality.

For the Mayor and City Council's September 19 Work Session, city staff and the consultants at Code Studio presented the initial Development Code Update draft after a thorough input process and direction from Council earlier in the year. City staff and Code Studio replicated the work session the following evening with the Planning Commission at their Special Called Work Session on September 20.

3. **Phase III (Publication and Adoption)** – Staff published draft Development Code documents on the City's website, accepted public feedback, and finalized the draft, including:

- September 22: Online posting of the initial proposed draft to the dedicated Development Code Update webpage (spr.gs/development)
- September 26 – October 18: Online comment form input/submittal period (in addition to the traditional forms of available public comment submission)
- September 26: Public Open House hosted at City Hall
- November 11: Final draft Development Code published on Development Code Update webpage, including summary of key changes
- November 13: Special Called Planning Commission Public Hearing
- December 5: Mayor and City Council Public Hearing for consideration of adoption

The attached presentation and Planning and Zoning detailed Staff Report address the major modifications proposed to the Development Code.

Financial Impact:

No financial impact is anticipated at this time.

Alternatives:

Mayor and City Council may also vote to defer, modify, or deny the proposed text amendment.

Review:

Matthew Anspach, Senior Planner	Created/Initiated - 12/1/2023
Ginger Sottile, Director of Community Development	Approved - 12/1/2023
Kristin Byars Smith, Assistant City Manager	Approved - 12/1/2023
Dan Lee, City Attorney	Approved - 12/1/2023
Eden Freeman, City Manager	Final Approval - 12/1/2023

Attachments:

1. Presentation TA23-0003(d)
2. TA23-0003 Package
3. TA23-0003 Post-Open House Summary Changes
4. TA23-0003(d) Ordinance
5. TA23-0003(d) Final Draft Art 7
6. TA23-0003(d) Final Draft Div. 7.2 Allowed Use Table

Mayor & City Council

December 5, 2023

SANDY SPRINGS™
GEORGIA

TA23-0003(d) (Art. 7)

Article 7 Use Provisions

TA23-0003(d) (Art. 7)

- **Article 7 Use Provisions**
  - Sec. 7.3.1. New residential uses
    - Neighborhood Unit – similar to manor house – 2.5 story max with design standards
    - Age-Restricted (55+)
  - Sec. 7.3.1. Multi-Unit over 3 stories in CS, CX, and SX is a Conditional Use Permit
  - Sec. 7.4.1. 3^{d} Party Day Care to be permitted (P) accessory use in Private Schools and Places of Worship

TA23-0003(d) (Art. 7) cont'd

- **Article 7 Use Provisions**
  - Sec. 7.5.1. General Standards for Commercial Uses moved to new Section
  - Sec. 7.5.14. Neighborhood Eatery in Office Neighborhood
  - **Sec. 7.5.15. 1/2 mile distance requirement proposed to remain in place for Fuel Stations**
  - Sec. 7.5.15. Established regs for Electric Vehicle installations
  - Sec. 7.5.16. Vehicle Showroom, allowing car sales as retail type of use (max 2 cars, indoors, 5,000 square feet)

TA23-0003(d) (Art. 7) cont'd

- **Article 7 Use Provisions**
  - Sec. 7.6.3. Motion Picture Studios allowed as a mix of uses in PX, OX, and CX
  - Sec. 7.6.3. Enhanced design standards for Self-Service Storage
  - Sec. 7.6.4. Life Sciences as a new separate use that falls under Industrial Uses category

Planning Commission Recommendation

- Planning Commission recommended that TA23-0003(d) be approved with the following condition:
  - An amendment be included that Neighborhood Eateries only be permitted in Office Neighborhood with a community meeting and specific business operating hours as requirements.

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P&Z STAFF REPORT

Mayor and City Council Meeting, December 5, 2023

Case: **TA23-0003 – Comprehensive Development Code Review & Update**
Staff Contact: Matthew Anspach (manspach@sandyspringsga.gov)
Report Date: November 21, 2023

PURPOSE

An Ordinance to amend the Development Code with edits to each article, 1 through 12.

RECOMMENDATION

Planning Commission

The Planning Commission at their Special Called Meeting on November 13 voted per the following for each of the five (5) items comprising the 5-Year Development Code Update:

Commissioner Settles made a motion to **recommend approval of TA23-0003(a)**, Articles 1 (Introductory Provisions), 11 (Administration), and 12 (Definitions) as proposed. Commissioner Conklin seconded the motion. **The motion passed unanimously.**

Commissioner Settles made a motion to **recommend approval of TA23-0003(b)**, Articles 2 through 5 (Protected Neighborhoods, Urban Neighborhoods, Corridors & Nodes, and Perimeter Center) as proposed. Commissioner Nickles seconded the motion. **The motion passed unanimously.**

Commissioner Nickles made a motion to **recommend approval of TA23-0003(c)**, Article 6 (Rules for All Districts) as proposed. Commissioner Kelly seconded the motion. **The motion passed unanimously.**

Discussion from the Planning Commission on item (d) was varied from Neighborhood Eateries to Fuel Stations. Several comments from the public were heard, speaking on topics ranging from a request to consider up to 12 stories of (bonus) height allowance for the CX zoning district to Neighborhood Eateries. Commissioner Nickles discussed proposing an amendment that would effectively allow Fuel Stations in any “commercial” district, so long as they met all the basic and conditional use standards.

Ultimately, Commissioner Settles made a motion to **recommend approval of TA23-0003(d)**, Article 7 (Use Provisions) with the amendment that Neighborhood Eateries be permitted in Office Neighborhood only with community meetings as a requirement, and with specific operating hours. Commissioner Kelly seconded the motion. **The motion passed 5-1 with Commissioner Porter dissenting.**

After the motion was heard and voted for in the affirmative, Commissioner Nickles made a point of personal privilege-to make a motion to reconsider the previous motion. The motion failed for lack of a second.

Commissioner Porter made a motion to **recommend approval of TA23-0003(e)**, Articles 8 through 10 (Site Development, Environmental Protection, Streets & Improvements) with the following edits to Sec. 9.4.2.G.4.:
-Remove subsection a.
-Modify subsection b. to read "Also, where a side or rear yard is the only feasible option for a construction entrance, grading disturbance may be approved by the Director, so long as the width of the area of activity within the buffer does not impact an existing tree with a 15" DBH or greater and is replaced with a mitigation zone. *(paraphrase) "The Director shall conduct a physical inspection of the work site where alternative access is being requested."*

Commissioner Settles seconded the motion. **The motioned carried unanimously.**

Department of Community Development

Staff recommends **Approval** of **Text Amendment TA23-0003** in its entirety, grouping (a) through (e).

-**TA23-0003(a)**, Articles 1 (Introductory Provisions), 11 (Administration), and 12 (Definitions)
-**TA23-0003(b)**, Articles 2 through 5 (Protected Neighborhoods, Urban Neighborhoods, Corridors & Nodes, and Perimeter Center)
-**TA23-0003(c)**, Article 6 (Rules for All Districts)
-**TA23-0003(d)**, Article 7 (Use Provisions)
-**TA23-0003(e)**, Articles 8 through 10 (Site Development, Environmental Protection, Streets & Improvements)

PROCESS	
Planning Commission Hearing: November 13, 2023	Mayor and City Council Hearing: December 5, 2023

The following excerpts from the Final Draft are not exhaustive, but simply snapshot of the more substantive material changes proposed and the more purely sizeable, proposed changes. For a full account of all proposed changes, be sure to review the Final Draft document(s).

TA23-0003(a), Articles 1 (Introductory Provisions), 11 (Administration), and 12 (Definitions)

Article 1. Introductory Provisions

Section 1.1.3.

Sec. 1.1.3. Effective Date

This Development Code was adopted on August 15, 2017 and became effective on September 15, 2017 (the "effective date").

This Development Code was subsequently updated and adopted on December 5,2023 (the "5-Year Development Code Update").

Section 1.1.9.

D. For development sites in the CS-, CX-, and SX- districts which received a zoning approval between September 15, 2017 and prior to December 5, 2023, a conditional use permit is not required for any multi-unit housing component over three (3) stories.

Sec. 1.1.10.

Sec. 1.1.10. Amortization for ~~Vehicle-Related Uses~~Specific Uses and Standards

A. **Intent** It is the intent of this Section to bring into conformity the parking lot landscaping and perimeter screening, foundation planting, mechanical and other equipment screening, and site lighting of vehicle-related uses and screening requirements for all service areas. It is the intent of the City Council to protect the investment-backed expectations of property owners, and to accomplish conformity while allowing property owners a reasonable return on their investment.

B. **Applicability** The requirements of this Section apply to all of the following uses, provided they do not meet the standards referenced in paragraph C. below, where the affected lot abuts Roswell Road, or the lot is visible from the right-of-way of Roswell Road:

1. Fuel pumps;
2. ~~Gas~~ Fuel stations;

3. Vehicle sales and rental (major and minor); and

4. Vehicle service and repair (major and minor).

C. **Standards** The following requirements must be met where practicable:

1. Sec. 8.32.2.B. regarding perimeter screening of parking lots;

2. Sec. 8.32.4. regarding foundation planting;

3. Sec. 8.32.9. regarding screening; and

4. Div. 8.4 5 regarding site lighting; and

5. Sec. 8.8.9.A. regarding screening for service areas.

D. **Time for Compliance**

1. The standards in paragraph C.1 through C.4 above must be met within 7 years of the effective date of this Development Code. The standards in C.5 above must be met within 3 years of the 5-Year Development Code Update.

2. Owners of property subject to this Section may apply for an extension of time at any time prior to or within 30 days after the expiration of the 7-year or 3-year period. Such application shall contain the following information:

   a. Name of the property owner making application;

   c. A statement from the property owner of how long of an extension is anticipated to be needed to ensure compliance.

   b. Address and tax parcel number of affected property;

3. Upon receipt of the application, the Director will review the request, including any steps taken to ensure compliance, and grant or deny the request. In no case may the extension exceed 6 months.

E. **Alternative Solutions**

1. Where the Director determines compliance with the standards of this Section are infeasible, due to site limitations or otherwise, alternative standards may be considered that meet or exceed the standards of this Section.

Section 1.2.1.

Sec. 1.2.1. Districts Established

In order to carry out the purpose and intent of this Development Code, the City is divided into the following zoning districts, as established on the Official Zoning Map in Div. 1.3. These districts are intended to implement the specific Character Areas established in the Comprehensive Plan, as set out in the table below.

The creation of new districts must be approved through the Planning Commission and City Council under the procedures for Legislative Review (see Div. 11.3) as a Text Amendment.

Character Areas and Zoning Districts		
Character Area Group	**Character Areas Implemented**	**Zoning Districts Permitted**
Protected Neighborhood	Protected Neighborhood	Residential Estate: RE-2, RE-1

		Residential Detached: RD-27, RD-18, RD-15, RD-12, RD-9, RD-7.5
	Conservation Area/Park	Parks: PK
		Conservation: CON
Urban Neighborhood	Urban Neighborhood	Residential Urban: RU-4, RU-3
	Urban Neighborhood, Powers Ferry	Residential Townhouse: RT-3
		Residential Multi-Unit: RM-3, RM-3/8
		Residential Mixed Use: RX-3, RX-3/6, RX-4, RX-5
Corridor & Node	Neighborhood Village	Office Neighborhood: ON-3
	Commercial/Mixed Use, Powers Ferry, Powers Ferry Village	Office Mixed Use: OX-3, OX-4, OX-5, OX-6, OX-8
		Commercial Mixed Use: CX-3, CX-3/6, CX-6, CX-6/8
	Mixed Use, Powers Ferry Village	Shopfront Mixed Use: SX-3, SX-3/6, SX-4, SX-6, SX-6/10
	MARTA Transit-Oriented Development	Transit-Mixed Use: TX-4, TX-6
	City Springs	City Springs: CS-3, CS-4, CS-5, CS-6, CS-6/8
	Commercial/Mixed Use	Industrial Mixed Use: IX-3
	Commercial/Mixed Use, Powers Ferry Village	Commercial Corridor: CC-3
	Mixed Use	North End Mixed Use: NEX-5/6, NEX-5/10/12
Perimeter	Perimeter Center	Perimeter Residential: PR-3, PR-5
	Perimeter Center, Perimeter Medical	Perimeter Mixed Use: PX-3, PX-5, PX-8, PX-10/12, PX-20/35
	Perimeter Medical	Perimeter Medical: PM-5, PM-8, PM-12/15, PM-20/35

Section 1.3.2.

Sec. 1.3.2. Interpretation of Map Boundaries

Where uncertainty exists with respect to the boundaries of any zoning district on the Official Zoning Map, the Director is authorized to interpret the boundaries using the following methods.

A. Where a district boundary line is shown as approximately following the centerline of a street or highway, or an extension of a street or highway, the district boundary is the centerline of that street or highway.

B. Where more than one district applies to a property, and the district boundary line is shown as running approximately parallel at a distance from a street, the distance from the centerline must be determined by the use of the map scale.

C. Where a district boundary line is shown as approximately following a lot line, the district boundary is the lot line.

D. Whenever any street, alley, ~~or~~ other public way, or un-zoned remnant property is vacated, ~~or~~ abandoned, or sold by official action of the City Council, or other state or local entity, the least intense zoning district adjoining ~~each~~ either side of the street, alley, ~~or~~ public way, or public property, will be automatically ~~extended to the center of~~applied to the street, alley, ~~or~~ public way or public property, as determined by the Director.

E. Where a boundary line is shown and its location is not fixed by any of the rules of this Division, its precise location is determined by scaling from streets, objects or structures shown on the Map.

Article 11. Administration

Sec. 11.6.2.

G. **Approval Criteria**

1. Variances will only be granted upon showing that:

a. The variance request would not result in negating the general intent of this Development Code or with the Comprehensive Plan policies;

b. The variance if granted will not be detrimental to the public safety, health, or welfare of the public or injurious to other property;

c. The conditions on which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property;

d. Because of the particular physical surroundings, shape, size, or topographical conditions of the specific property involved, an extraordinary hardship would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;

e. The variance requested is the minimum necessary to accomplish the development or building;

f. In the case of an amendment to a buffer or setback required by this Code, the variance application shows how equal or greater protection will be achieved of the adjacent property or natural resource affected by the proposed development, should the variance be granted; and.

g. Such conditions are not the result of action or inaction of the current property owner; and

~~a. The application of this Development Code would create an unnecessary hardship, and not merely an inconvenience to the applicant; or~~

~~b. There are extraordinary and exceptional conditions due to the size, shape, or topography, which are specific to the subject property and not generally found in similar properties that prohibits the proposed scope of work from being able to comply with the Development Code.~~

2. Failure of an applicant to obtain a land disturbance, building or any other permit required by this Code shall not in and of itself constitute a justification for a variance absent a showing of the criteria listed under Section 1 above.~~Further, the application must demonstrate that:~~

~~a. Such conditions are not the result of action or inaction of the current property owner; and~~

~~b. The variance request would provide the minimum relief necessary to make possible the reasonable use of the property; and~~

~~c. The variance request would result in development that is consistent with the general intent of this Development Code, with the Comprehensive Plan policies, and would not be detrimental to the public good, safety and welfare.~~

H. **Denied Application** Decisions of the Board of Appeals are final. Those not satisfied with a decision of the Board of Appeals may pursue an appeal ~~by filing a writ of certiorari~~ with the Fulton County Superior Court within 30 calendar days of the decision. Denial of an application bars resubmittal of the application for 1 year.

Sec. 11.6.4.

Sec. 11.6.4. ~~Reserved~~Stream Buffer Variance

~~B.~~ **Variance Procedures** Variances from ~~paragraph A~~Stream Buffer requirements as provided in Div. 9.2. ~~above~~ may be granted in accordance with the following provisions:

1. Where a parcel was platted prior to December 12, 2005, and its shape, topography or other existing physical condition prevents land development consistent with this Division, and the City finds and determines that the requirements of this Division prohibit the otherwise lawful use of the property by the owner, the Board of Appeals may grant a variance from paragraph A. above, provided such variance requires mitigation measures to offset the effects of any proposed land development on the parcel.
2. The Board of Appeals will follow the procedure set forth in Sec. 11.6.2.
3. Variances will be considered only in the following cases:

a. When a property's shape, topography or other physical conditions existing on December 12, 2005 prevents land development unless a buffer or setback variance is granted.

b. Unusual circumstances when strict adherence to the minimal buffer and setback requirements in this Division would create an extreme hardship.

4. Variances will not be considered when actions of any property owner of a given property after December 12, 2005 have created conditions of a hardship on that property.

5. At a minimum, a variance request must include the following information:

a. A site map that includes locations of all state waters, wetlands, floodplain boundaries and other natural features, as determined by field survey;

b. A description of the shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;

c. A detailed site plan that shows the locations of all existing and proposed structures and other impervious cover, the limits of all existing and proposed land disturbance, both inside and outside the buffer and setback. The exact area of the buffer and setback to be affected is accurately and clearly indicated;

d. Documentation of unusual hardship should the buffer and setback be maintained;

e. At least one alternative plan that does not include a buffer or setback intrusion, or an explanation of why such a site plan is not possible;

f. A calculation of the total area and length of the proposed intrusion;

g. A stormwater management site plan, if applicable; and

h. Proposed mitigation, if any, for the intrusion. If no mitigation is proposed, the request must include an explanation of why none is being proposed.

6. The following factors will be considered in determining whether to issue a variance:

a. The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;

b. The locations of all state waters, wetlands, floodplain boundaries and other natural features on the property, including along property boundaries, as determined by field survey;

c. The location and extent of the proposed buffer or setback intrusion;

d. Whether alternative designs are possible which require less intrusion or no intrusion;

e. The long-term and water quality impacts of the proposed variance; and

f. Whether issuance of the variance is at least as protective of natural resources and the environment.

Article 12. Definitions

Tweaks and some new development related definitions

TA23-0003(b), Articles 2 through 5 (Protected Neighborhoods, Urban Neighborhoods, Corridors & Nodes, and Perimeter Center)

Article 2. Protected Neighborhoods

Sec. 2.1.3. (Div. 7.2.)

Sec. 2.1.3. Parks District

The Parks district is intended for publicly-accessible parks and active or passive recreational facilities. Government facilities are permitted.

Sec. 2.1.4. (Div. 7.2.)

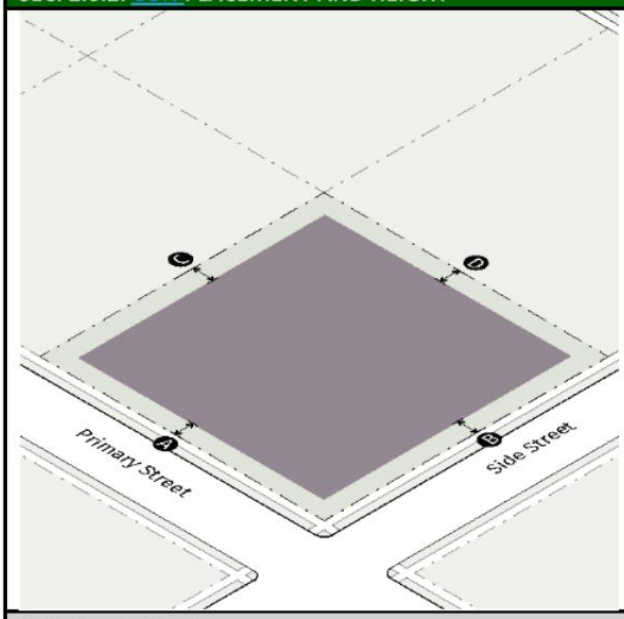
Sec. 2.1.4. Conservation District

The Conservation district is intended for land designated as permanent conservation, passive park or other open space. Lands within the district are intended to be predominantly unoccupied by buildings or parking; however, government facilities are also permitted.

Sec. 2.6.2.

Sec. 2.6.2. CON Placement and Height

SEC. 2.6.2. CON PLACEMENT AND HEIGHT



Building Setbacks		
A	Primary street	~~n/a~~10'-min
B	Side street	~~n/a~~10'-min
C	Side: common lot line	~~n/a~~ 10' min
D	Rear: common lot line	~~n/a~~ 10' min
Building Height		
	Maximum height	15' max

Article 3. Urban Neighborhoods

Sec. 3.1.1. (Div. 7.2.)

Sec. 3.1.1. Residential Urban (RU-)

The Residential Urban districts are intended for neighborhood-scale development including single unit detached residences on small urban lots. The districts also allow for limited civic, open space and park uses. The districts include:

A. **RU-4: Residential Urban** 4,000 square foot minimum lot size~~.~~

B. **RU-3: Residential Urban** 3,000 square foot minimum lot size~~.~~

Sec. 3.1.2. (Div. 7.2.)

Sec. 3.1.2. Residential Townhouse (RT-)

The Residential Townhouse district is intended for neighborhood-scale development including single unit attached and neighborhood unit residences on individual lots. The district also allows for limited civic, open space and park uses, as well as single unit~~-family~~ residences on small urban lots.

A. **RT-3: Residential Townhouse** 3 stories maximum height~~.~~

Sec. 3.1.3.

Sec. 3.1.3. Residential Multi-Unit (RM-)

The Residential Multi-Unit district is intended for neighborhood-scale development including residential living in multi-unit residences. The district also allows for limited commercial, civic, open space and park uses, as well as single unit~~-family~~ detached and attached residences.

A. **RM-3: Residential Multi-Unit** 3 stories maximum height~~.~~

B. **RM-3/8: Residential Multi-Unit** 3 stories base height, up to 8 stories with bonus

Sec. 3.1.4.

Sec. 3.1.4. Residential Mixed Use (RX-)

The Residential Mixed Use districts are intended for neighborhood-scale development including residential living in multi-unit ~~attached~~ residences with access to neighborhood-serving commercial uses on no less than 2% of the development's ground floor. The districts ~~also~~ allows for limited commercial uses, as well as civic, open space and

Article 4. Corridors & Nodes

Sec. 4.1.1.

Sec. 4.1.1. Office Neighborhood (ON-)

The Office Neighborhood district is intended for office and related commercial uses. The district- also allows for civic, open space and park uses, legacy office to residential multi-unit conversions, and age-restricted multi-unit. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. ON-3: Office Neighborhood, 3 stories maximum height

Sec. 4.1.2.

Sec. 4.1.2. Office Mixed Use (OX-)

The Office Mixed Use districts are intended for office, hotel and related commercial uses, as well as single unit attached residences, legacy office to residential multi-unit conversions, and age-restricted multi-unit. The districts also allow for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, ~~a~~ transition ~~area is~~ areas are required. The districts include:

A. OX-3: Office Mixed Use, 3 stories maximum height

B. OX-4: Office Mixed Use, 4 stories maximum height

C. OX-5: Office Mixed Use, 5 stories maximum height

D. OX-6: Office Mixed Use, 6 stories maximum height

E. OX-8: Office Mixed Use, 8 stories maximum height

Sec. 4.1.3.

Sec. 4.1.3. Commercial Mixed Use (CX-)

The Commercial Mixed Use districts are intended to provide for a variety of retail, service and commercial uses, as well as multi-unit residences. The districts also allow for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. CX-3: Commercial Mixed Use, 3 stories maximum height

B. CX-3/6: Commercial Mixed Use, 3 stories maximum base height, up to 6 stories with bonus

C~~B~~. CX-6: Commercial Mixed Use, 6 stories maximum height

D. CX-6/8: Commercial Mixed Use, 6 stories maximum base height, up to 8 stories with bonus

Sec. 4.1.4.

Sec. 4.1.4. Shopfront Mixed Use (SX-)

The Shopfront Mixed Use districts are intended to provide for a variety of retail, service and commercial uses, as well as upper-story multi-unit residences. In the Shopfront districts, a high degree of interaction between shoppers and other pedestrians and shopfront uses is desirable. The districts also allow for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. SX-3: Shopfront Mixed Use, 3 stories maximum height

B. SX-3/6: Shopfront Mixed Use, 3 stories maximum base height, up to 6 stories with bonus

~~B~~C. SX-4: Shopfront Mixed Use, 4 stories maximum height

~~C~~D. SX-6: Shopfront Mixed Use, 6 stories maximum height

E. SX-6/10: Shopfront Mixed Use, 6 stories maximum base height, up to 10 stories with bonus

Sec. 4.1.6.

Sec. 4.1.6. City Springs (CS-)

The City Springs districts are intended to implement the Sandy Springs City Center Master Plan, which is formed around a nucleus of civic facilities. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. CS-3: City Springs, 3 stories maximum height

B. CS-4: City Springs, 4 stories maximum height

C. CS-5: City Springs, 5 stories maximum height

D. CS-6: City Springs, 6 stories maximum height

E. CS-6/8: City Springs, 6 stories maximum base height, up to 8 stories with bonus

Div. 4.10.

Sec. 4.10.5. NEX- District Standards

A. **Primary Internal Street**

1. A continuous primary internal street must be established in any NEX- District. The street must connect to Roswell Road.

   a. **C-Street** Where the development site faces only Roswell Road, the primary internal street must connect with Roswell Road at a minimum of two points, providing a loop road servicing the entire development. Additional, or side streets may be necessary depending on whether they meet the block face lengths found in Sec. 10.3.1.

   b. **L/T-Street** Where the development site ~~is a corner lot facing Roswell Road at an intersection with a collector or higher designated street~~faces multiple streets including Roswell Road, the primary internal street must connect through the site from Roswell Road to the intersecting street or streets. At least one street connection to Roswell Road must be considered as a part of the primary internal street. Additional, or side streets may be necessary depending on whether they meet the block face lengths found in Sec. 10.3.1.

2. The ground floor of a multi-unit building facing a primary or internal primary street must be constructed to be ~~retail ready~~commercial-ready ~~(built to meet or exceed the minimum requirements for ground floor elevation, ground story height, transparency, and entrance spacing required for a retail use). Retail ready space is allowed to be occupied by any use allowed in the zoning district.~~ (See Sec. 6.6.2.E.).

B. **Phasing of Residential Construction** Where construction occurs in phases, each phase that includes multi-unit residential development must meet the following standards.

1. Each phase must maintain or exceed the required percentage of single unit residential required for the amount of multi-unit residential proposed.

2. Certificates of occupancy for any multi-unit residential may only be issued after the issuance of certificates of occupancy of the required percentage of single unit residential associated with the multi-unit residential.

3. No additional height associated with an affordable housing bonus is allowed prior to the construction of the necessary affordable housing units required to receive the bonus.

C. **Structured Parking**

1. Structured parking must not be visible from any ~~the adjacent primary or primary internal~~ streets of the development.

Div. 4.11.

Sec. 4.11.5. NEX- District Standards

A. **Primary Internal Street**

1. A continuous primary internal street must be established in any NEX- District. The street must connect to Roswell Road.

   a. **C-Street** Where the development site faces only Roswell Road, the primary internal street must connect with Roswell Road at a minimum of two points, providing a loop road servicing the entir

development. Additional, or side streets may be necessary depending on whether they meet the block face lengths found in Sec. 10.3.1.

b. **L/T-Street** Where the development site faces multiple streets including Roswell Road, the primary internal street must connect through the site from Roswell Road to the intersecting street or streets. At least one street connection to Roswell Road must be considered as a part of the primary internal street. Additional, or side streets may be necessary depending on whether they meet the block face lengths found in Sec. 10.3.1.~~a. Where the development site faces only Roswell Road, the primary internal street must connect at two points, providing a loop road servicing the entire development.~~

~~b. Where the development site is a corner lot facing Roswell Road at an intersection with a collecto or higher designated street, the primary internal street must connect through the site from Roswell Road to the intersecting street.~~

2. The ground floor of a multi-unit building facing a primary or internal primary street must be constructed to be ~~retail-ready~~commercial-ready (See Sec. 6.6.2.E.). ~~(built to meet or exceed the minimum requirements for ground floor elevation, ground story height, transparency, and entrance spacing required for a retail use). Retail-ready space is allowed to be occupied by any use allowed in the zoning district.~~

Article 5. Perimeter Center

Sec. 5.1.1.

Sec. 5.1.1. Perimeter Residential

The Perimeter Residential district is intended for residential living in attached single unit and multi-unit residences. The district also allows for limited commercial, and for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. PR-3: Perimeter Residential, 3 stories maximum height

B. PR-5: Perimeter Residential, 5 stories maximum height

Sec. 5.3.3. through 5.5.3.

		max
B	Minimum height	
	PX-3, PX-5	2 stories min*
	PX-8	34 stories min*
	PX-12	36 stories min*
		*See Div. 5.76.7 for Adjustedable Minimum Heightminimum height reduction

Article 6. Rules for All Districts

Sec. 6.1.1.B.

3. **Rear Lot Line**

   a. A lot line which is opposite and most distant from the primary street lot line.

   b. In the case of a lot that fronts on two streets, a lot may have no rear lot line.

   c. Where no lot line is clearly opposite to the primary street lot line or where there are multiple primary street lot lines, the lot line having the highest portion of its length serving as the rear lot line of abutting lots is the rear lot line. When a rear lot line cannot be determined in this manner, the rear lot line will be determined by the Director.

   ~~b. On irregularly shaped lots, the rear lot line is determined as the line connecting two points each measured 10 feet along the side lot lines starting from the intersection of the two side lot lines. This rear lot line is intended for the purpose of establishing the rear setback and lot depth only. When a rear lot line cannot be determined in this manner, the rear lot line will be determined by the Director.~~

Sec. 6.1.1.F.

1. Lot frontage is the length of any lot line abutting a primary street, side street, alley (for rear-loaded townhouses only) or courtyard (for a cottage court).

2. Every lot or unit on a lot must have frontage upon a public street, or private street designed and built to public standards, or meet the requirements of Development Patterns found in Div. 6.3.~~required courtyard for a cottage court.~~

Sec. 6.1.1.I.2.n.

n. **Pedestrian Amenity Space Allowance**

i. **General**

Pedestrian Amenity Space is a type of Outdoor Amenity Space intended to create a pedestrian-friendly environment, and therefore has more standards than other Outdoo Amenity Spaces. In addition to the standards below, Pedestrian Amenity Space is intended to be publicly accessible and located in close proximity to the public sidewalk. Examples include patios and plazas.

ii. **Standards**

The Director may approve outdoor amenity space meeting the requirements of pedestrian amenity space to fulfill the outdoor amenity space requirement. Pedestrian amenity space requirements include:

a) Each square foot of pedestrian amenity space counts as 2 square feet of the required outdoor amenity space.

b) Pedestrian amenity space must be accessible and usable by the public.

c) Pedestrian amenity space must have a minimum area of 400 square feet with no dimension less than 15 feet.

d) At least 25% of the pedestrian amenity space must abut and be directly accessible from the sidewalk of a primary street or side street.

e) Pedestrian amenity space cannot be separated from the sidewalk by any structure for more than 40% of the width of the amenity space.

f) The finished elevation of the pedestrian amenity space must be located at the same grade as the sidewalk or the ground story.

g) All building facades abutting the pedestrian amenity space must meet the transparency and entrance requirements of the zoning district.

h) A minimum of 15% of the pedestrian amenity space must be a planted area with trees or groundcover and a minimum of 25% of the pedestrian amenity space must be hardscaped.

i) Pedestrian amenity space cannot be used for vehicle parking or access, except for emergency access or permitted temporary events.

j) Mechanical equipment cannot be located in a pedestrian amenity space or between the pedestrian amenity space and the building.

Sec. 6.1.2.A.4.

4. **Irregular Rights-of Way** The Director may determine primary or side street setbacks will be measured from the back of curb when rights-of-way widths vary.

Sec. 6.1.2.B.3.e.

e. In all instances, mechanical equipment must be screened (see Sec. 8.~~3~~2.9.). and may not be located between the primary building and a primary street, unless the lot meets the following exceptions.

i. Where the primary building has multiple offsets in the street-facing façade, mechanical equipment must be located at least 15 feet behind the frontmost street-facing façade.

ii. In Protected Neighborhoods where the primary structure is located more than 100' from primary street lot line, mechanical equipment can be located between the building and primary street so long as the equipment is screened with a masonry wall.

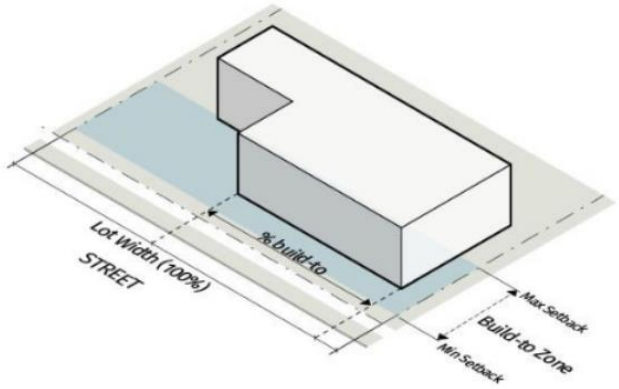
Sec. 6.1.2.C.

1. The build-to zone (BTZ) is an area of a lot or site where building facades, in whole or in part, must be located to satisfy the required build-to percentage. The build-to zone is the area between a minimum and maximum primary or side street setback, measured from the edge of the right-of-way or private street easement. Freestanding walls and opaque fences over 42" in height are prohibited within any BTZ. Other walls or fences that are part of a landscape design prepared by a licensed landscape architect may be permitted by the Director.

2. Where the build-to zone lies within a stream buffer or easement that does not allow construction, or buffers or setbacks as required by zoning conditions, transitional buffers or otherwise, the Director may waive the build-to requirement, in whole or in part.

3. The required percentage specifies the amount of the building façade that must be located in the ~~build-to zone~~BTZ. The percentage is calculated as the width of the street-facing building façade in the BTZ divided by the total width of the street-facing building façade. Where a proposed building will not fill the entire street frontage of a site, the longer façade of the building must be street-facing.

~~This percentage is calculated as the width of the building façade within the build-to zone divided by the total street frontage of the lot.~~



4. The width of a parking entrance into or through a building does not count towards the build-to requirement. However, in no case will access to an irregularly-shaped parcel that has no alternative access options be denied due to application of the build-to requirement. In all cases where access is necessary, a driveway of the minimum acceptable width for fire safety purposes is allowed, even where it reduces the building width below the required build-to percentage.

5. On a corner lot, a building must be placed within or abutting the area where the build-to zones of 2 intersecting streets overlap. The building must extend within the build-to zone for a minimum of 30 feet in both directions. If in neither direction, a proposed development has 30 feet of length, the building must be placed in the corner of the intersecting streets.

6. The ~~build-to-zone~~BTZ ~~-~~applies up to the height designated as the minimum height of a building. Upper stories beyond this point may be set further back or reduced in width.

7. The Director may allow a courtyard, ~~forecourt~~ plaza, or other similar pedestrian activated space ~~meeting the requirements of Sec. 6.2.4 is~~ meeting the requirements of pedestrian amenity space to be considered part of the building for the purpose of meeting the build-to requirement. A chamfered corner on the ground floor of no more than 20 feet in width that extends outside of the build-to zone is considered part of the building for the purpose of meeting the build-to requirement.

Sec. 6.1.2.G.

~~H~~5. **Parking Structures**

a. Required parking setbacks apply only to the ground floor of the parking structure.

b. In order to meet the parking setback requirement, parking structures must adhere to one of the following standards:

i. The ground story of a structure parking garage facing any street (not including an alley), ~~in the SX- District or where the -SH Frontage applies~~ must have active uses (such as, but not limited to, residential, commercial, office, or civic space, where permitted) within the parking setback. No active uses are required for portions of the parking structure located ~~interior to~~behind the minimum parking setback; or

ii. The entire parking structure must be constructed to be adaptable, requiring the floor plates to be level except to the minimum extent required for drainage, the structure must be constructed to accommodate standard design loads of office uses according to the International Building Code, and the floor-to-floor heights must be a minimum of 12 feet.

c. Parking structure screening is required (see Sec. 8.1.8.K).

Sec. 6.1.3.A.6.

6. For any building type other than residential single unit detached or attached, there is no restriction on the number of stories added on a lower, rear portion of a lot. This also applies to developments where the lower, rear portion of the lot abuts a new street required by the Development Code. When a new street is required, two additional stories may be constructed along the new street in the rear portion of the lot. However, any additional buildings fronting on the new street are required to meet the story maximum for the district.

Sec. 6.1.3.B.

B. **Minimum Height**

1. Where a minimum height of two or more stories is required, each required story must contain habitable space for at least 50% of the floor. A mezzanine can be used in lieu of a second floor upon request at the director's discretion.

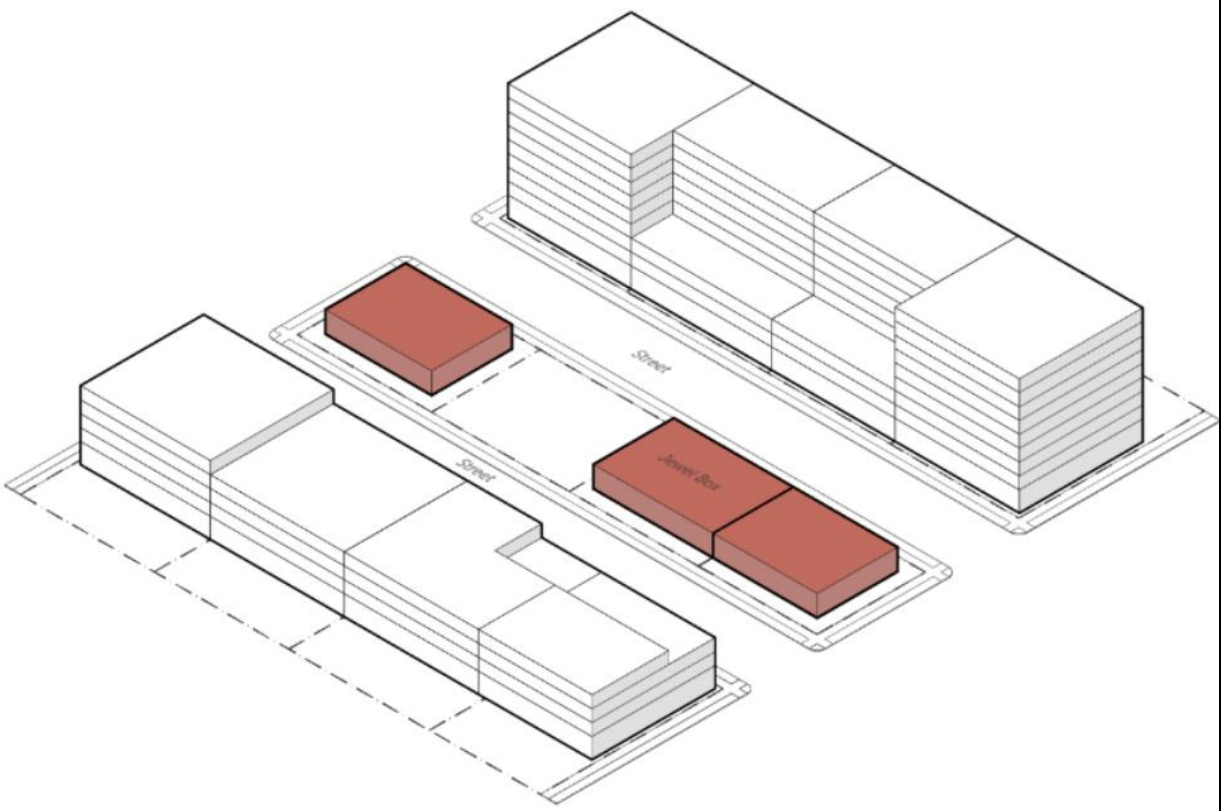
~~2. Up to 20% of the ground floor area of all buildings on a lot (or a development site, where approved by the Director - see Sec. 6.1.1) may be single-story, provided the ground story is at least 18 feet in height measured to the deck of a flat roof, and 24 feet in height as measured to the top of any street-facing parapet wall. This particular allowance does not apply to districts within the Perimeter Center that have a minimum height of 6 stories. For adjusted minimum height for districts that require a minimum of 6 stories within the Perimeter Center, see Div. 5.7.~~

2. The Director may allow the following buildings to be exempt from minimum height requirements:

   a. Buildings internal to a site not directly serviced by on-site parking or a drive-through, such as a jewel box building or kiosk, so long as it is integrated into the overall site plan.

   b~~3~~. Buildings with a footprint of 2,000 square feet or less.

   d. Buildings with single unit detached, single unit attached, or neighborhood unit uses.



Sec. 6.1.3.C.

3. The following accessory structures may exceed the established height, provided they do not exceed the maximum height by more than 18 feet, do not occupy more than ~~2~~50% of the roof area~~, are screened (see Sec. 8.2.9) and are set back at least 12 feet from the edge of the roof~~:

   a. Cabana, pool house, rooftop restaurant, or other amenity, and

   b. Pergola, trellis, gazebo, or other similar minor structure architecturally integrated with the building, and

   c. Elevator or stairway access to the roof; and

   d~~b~~. Mechanical equipment.

Sec. 6.1.3.D.

3. The Director may provide relief to the extent necessary from the maximum ground floor elevation requirements on sites with significant topography.

Sec. 6.1.3.F.

F. **Building Mass**

1. **Street-Facing Building Length** Street-facing building length is the maximum length of a building or structure facing a public or private street, and located within the build-to zone.

2. **Building Break Allowance**

   Buildings that meet one of the following standards, the Director may allow the maximum street facing building length to be exceeded.

   a. When a continuous structure provides an open space meeting the following requirements, the portions of the building on each side of the open space may be considered as a separate building:

      i. One building break per street-facing façade is allowed;

      ii. The open space must meet the requirements of Pedestrian Amenity Space;

      iii. The building break width must be at least 1/4 the width of the widest adjacent street-facing building length; and

      iv. The building break depth must be at least equal to the width of the open space or 20 feet, whichever is less.

   b. When a continuous structure provides an articulation to the building façade that meets the following requirements, each façade articulation may be considered as a separate building:

      i. Two portions of the street-facing building façade must have a variation in setback of at least 4 fee. The combined length of the setbacks must total no less than 25% of the length of the building.

      ii. Contrasting colors or material is used on the primary façade and the abutting façade setback to emphasize the articulation and variation along the street-facing building façade.

Sec. 6.1.4. Activation

A. **Transparency**

1. Transparency is the minimum percentage of windows and glazed doors that must cover a ground or upper story facade.

2. Transparency applies to primary and side street facing building facades only, and may be reduced or waived by the Director when particular conditions (such as required buffers or other visual obstructions) significantly reduce the visibility of the building from the public realm.

a. For single-unit attached, transparency applies to any façade visible from a street or path.

Sec. 6.3.1.
Tweaks to design parameters (see draft).

Sec. 6.3.2.
Creation of additional Design Patterns (see draft).

Div. 6.4.
Moved to Article 8. (see draft).

Sec. 6.5.1.

Sec. 6.5.1. Applicability

Any residential garage, parking, or paving-related construction~~ed~~ in the RD-, RU-, or RT- zoning districts and all single-unit attached development after the effective date of this code must meet the following standards. In addition to the standards provided below, attached and detached garages must meet all applicable requirements for either principal buildings or accessory structures as specified in this Code. This division also applies to the RE- zoning districts when specified and when the term "all" is used to describe which residential zones.

Sec. 6.5.2.

Sec. 6.5.2. Single Unit Detached Dwelling

A. **Front and Side Yard Paving**

1. Only one driveway is allowed for every 65 feet of residential frontage on a same lot. Only a single driveway is allowed on streets with a functional classification of Collector or Arterial.

B. **Garage**

1. In all residential zones, n~~N~~o attached garage may encroach into a required setback, except where:

a. ~~a~~An alley provides access, in which case the garage may encroach into the rear setback.

b. A residence with an existing street-facing garage or carport prior to December 1, 2005 may construct a garage that encroaches into the primary street setback if the following requirements are met:

i. The garage or carport is limited to 1-story in height, with no living space in an attic above the garage or carport;

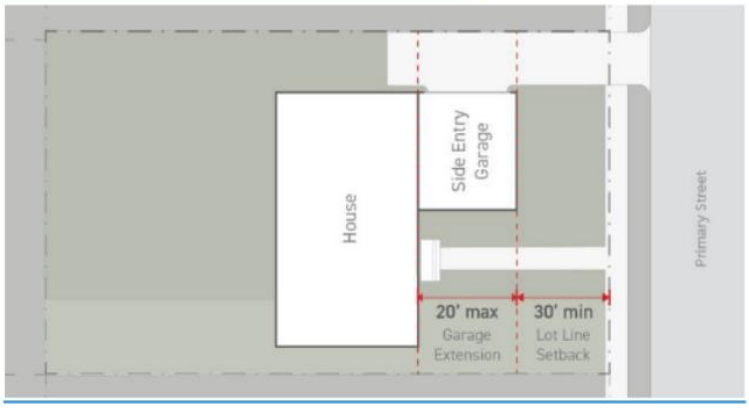
ii. The garage or carport must be constructed as a side or courtyard entry garage (see illustration below);

iii. The garage or carport must be positioned no more than 30 feet in front of the front wall plane of the house;

iv. The garage or carport can encroach a maximum of 20 feet into the primary street setback;

v. The garage must be at least 30 feet from the primary street lot line; and

vi. A single-car garage door, 10 feet in width or less, may continue to face the street if the existing garage door is a street-facing door.



2. Garage doors or carport entries must be positioned at least 5 feet behind the front wall plane of the house, extending no more than 40% of any street-facing width of the house. This requirement does not apply to side-entry garages. Architectural finish and windows must be provided for any side-entry garage wall facing a primary or side street.

5. Parking or storage of a junk or salvage vehicle constitutes an unlawful use, except that no more than 2 junk or salvage vehicles are permitted if parked or stored in a garage or carport not visible from a street or adjacent residential property.

6. In RX-, Corridor and Node districts, or Perimeter Center districts, all single unit detached development must be rear-loaded.

D. Specialized Vehicles

1. Specialized vehicles such as recreational vehicles, campers, trailers, motor coaches, boats, and boat trailers, may be parked or stored in all residential zones under the following conditions:

   a. The vehicles must not be used as permanent living quarters.

   b. The location of the parking area must be in the buildable area of the lot and not in front of the principal structure. Also, the surface of the area must be constructed as a parking area as described in Sec. 6.5.2.C.5. above.

   c. Specialized vehicles must be screened from view of adjoining properties and rights-of-way with a minimum 6-foot tall fence or wall meeting the standards of Sec. 8.32.9. unless they are viewable for less than 48 consecutive hours as a visitor's means of transportation. Enhanced screening standards such as height, materials, or otherwise may be practically necessary to properly screen and may be requested at the discretion of the Director.

   d. For construction trailers, see Sec. 7.9.9.

C. **Parking Design & Location**

1. In required front setbacks, no parking pad is allowed, however a turnaround extension of no more than 200 square feet is allowed.

2. In RE- zones, there is a parking setback of twenty (20) feet from any property line, or the grading setback, whichever is less. Parking areas may alternatively be screened with evergreen trees (full to the ground and at least 6-feet tall at time of planting), as long as the surface parking is no less ten (10) feet from any property line or the grading setback (Sec. 9.4.2.), whichever is more, maintained in perpetuity.

3. The visible storage or parking of more than 4 vehicles at a single-family residence is unlawful.

4. In all residential zones, parking space lines, wheel stops, and other apparatus germane to commercial parking are prohibited.

Sec. 6.5.3.A.

4. On sites 3 acres or larger, the Director may allow up to 20% of the townhouses in the development to have front-loaded garages. The front-loaded garages must be located on streets internal to the site. Townhouses fronting on streets at the perimeter of the development site must be rear loaded.

Sec. 6.6.2.B.

2. **Prohibited**

a. Prohibited exterior building materials include:

~~i. exterior building materials which are not textured;~~

ii. non-architectural metal panel systems;

iii. ~~As-cast smooth~~Unfinished cast-in-place or precast concrete ~~or plain concrete~~vertical elements, e.g., walls, columns, exposed elevated slab edges ~~slabs~~(except as noted in 6.6.2.B.3.b.vii, below);

iv. ~~Plain~~ Exposed standard concrete masonry units (CMU);

v. ~~Plywood or press-wood; or~~ Softwood plywood grade B or lower, oriented-strand board and particle boards

vi. Vinyl siding.

b. Prohibited exterior building components, include: steel gates, burglar bars and ~~steel~~ roll-down security curtains. Interior security measures are not regulated.

3. **Required**

a. All exterior walls (not including windows and doors) for all new construction must consist of one or a combination of the following durable materials in the quantity required below:

i. Up to ~~7~~ten (10) vertical feet from grade: 100% durable materials; and

ii. Remaining building height: minimum 70% durable materials.

b. Durable materials include:

i. Clay Brick;

ii. Ceramic and Porcelain Tile;

iii. Dressed Stone with ~~weathered, polished or fluted face~~ rusticated, flamed, honed, polished, bush-hammered or other standard face finish;

iv. ~~Textured~~ traditional cement stucco (real stucco);

v. Architectural concrete masonry units (CMU) with fluted, split-face, ground, glazed or ~~brokenface~~ other architectural finish; painted standard CMU is not an acceptable finish

vi. Portland cement plaster and lath systems;

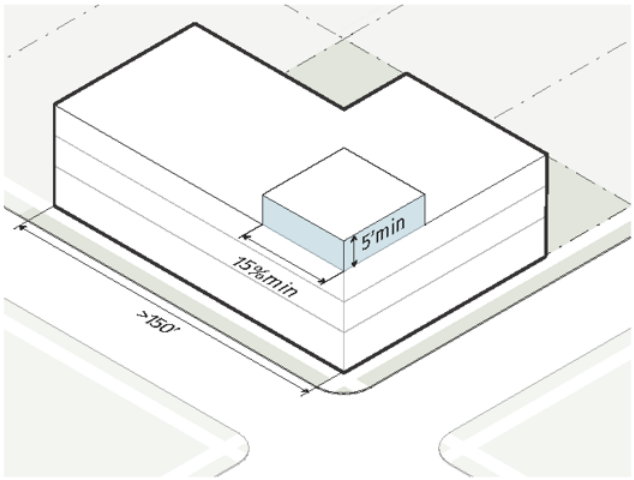
vii. Architectural (either cast-in-place, pre-cast or tilt-up) concrete ~~either fluted or with exposed aggregate finish~~ with a finish proposed by the architect and approved by the Director; or

viii. Fiber cement-board, painted

ix. Exterior Insulation and Finish Systems (EIFS) which employ a high-impact mesh as a system component.

c. Sloped roofs (pitch greater than 2:12) must be standing seam metal~~;~~ slate, concrete or metal roof tiles or composition shingles. A decorative parapet or cornice must be constructed along all flat roof lines (*i.e.*, roofs with slopes less that 2:12).

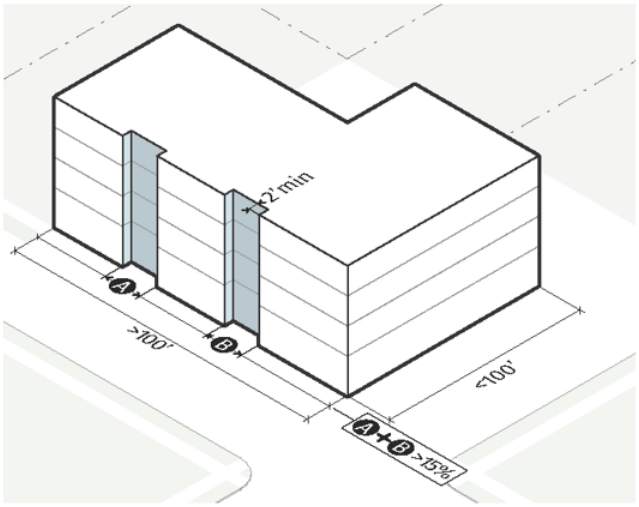
d. Alternate materials may be approved for use by the Director, provided they are considered equivalent or better than the listed materials.



2. **Articulation in Building ~~Facade~~Façade**

a. For buildings 100 feet or more in length, at least 2 portions of the street-facing building facade must have a variation in setback of at least 2 feet. The combination of the required variations in setback must total no less than 15% of the length of the building.

b. The Director may require contrasting colors or materials must be used on the primary façade and abutting façade setbacks to emphasize the articulation and variation along the street-facing building façade.



D. **Ground Floor Retail Tenant ~~SizeIn~~Size:** in the City Springs and Perimeter Districts, no ground floor retail tenant may occupy more than 30,000 contiguous rentable square feet. No variances to this standard are allowed; however, the Director may approve renovation of existing tenant spaces so long as the renovation does not increase the gross square footage of an existing tenant space.

E. **Commercial-Active Space** Where required by the zoning district or use, the ground story must be constructed to meet or exceed the minimum requirements for ground floor elevation, ground story height, transparency, and entrance spacing required for a retail or commercial use. Commercial-active space is restricted to only commercial use.

F. **Commercial-Ready Space** Where required by the zoning district or use, the ground story must be constructed to meet or exceed the minimum requirements for ground floor elevation, ground story height, transparency, and entrance spacing required for a retail or commercial use. Commercial-ready space is allowed to be occupied by any use allowed in the zoning district.

Div. 6.7.

Sec. 6.7.1. Applicability

A. Districts with a bonus height will qualify for additional height based on the Enhanced Community Benefits Matrix described in this Division. Districts with a minimum height may also qualify for reduced minimum height requirements based on the Enhanced Community Benefits Matrix and List in the Technical Manual.

B. Credits are allotted for any item included by a developer above the minimum if already required in the Development Code.

Sec. 6.7.2. Enhanced Community Benefit Matrix

Stories	Percent of Site	30%	40%	50%	60%	70%
Under 4	Reduction	8 credits	10 credits	26 credits	50 credits	75 credits
Under 3	Reduction	16 credits	20 credits	52 credits	70 credits	100 credits
Under 2	Reduction	24 credits	--	--	--	--
Up to 3	By right	--	--	--	--	--
Up to 4	Bonus	30 credits	40 credits	50 credits	60 credits	70 credits
Up to 5	Bonus	38 credits	50 credits	63 credits	75 credits	88 credits
Up to 6	Bonus	45 credits	60 credits	75 credits	90 credits	105 credits
Up to 7	Bonus	53 credits	70 credits	88 credits	105 credits	123 credits
Up to 8	Bonus	60 credits	80 credits	100 credits	120 credits	140 credits
Up to 9	Bonus	68 credits	90 credits	113 credits	135 credits	158 credits
Up to 10	Bonus	75 credits	100 credits	125 credits	150 credits	175 credits
Up to 11	Bonus	83 credits	110 credits	138 credits	165 credits	193 credits
Up to 12	Bonus	90 credits	120 credits	150 credits	180 credits	210 credits
Up to 13	Bonus	98 credits	130 credits	163 credits	195 credits	228 credits
Up to 14	Bonus	105 credits	140 credits	175 credits	210 credits	245 credits
Up to 15	Bonus	113 credits	150 credits	188 credits	225 credits	263 credits

Sec. 6.7.4. Community Benefit Impact Equivalency

A. Many of the Enhanced Community Benefit features are space and size contingent. To measure the impact of installment of Community Benefits, the following formula will be used and the resulting points will be added to the total credits established based the list above.

B. Square footage tallied from any items in either "Housing", "Tenants & Uses", or any parking related percentage may not be included in the calculating of the Community Benefit Impact Scale formula.

C. The formula will be calculated as follows:

1. **Formula Base Variables**

    a. Benefit Square Footage (*BSF*): BSF is the total square footage of amenity space above required OASIS for a site, and total square footage of community benefit site features above required seating in OASIS.

    b. Total Square Footage of site (*TSF*)

2. **Formula:**

    a. *BSF / TSF* = Square Footage Scale (*SFS*)

    b. *SFS* x 10 = Benefit Credit Equivalency (*BCE*)

    c. BCE x Initial Benefit Credit = Total Enhanced Community Benefit Credit

Article 7. Use Provisions

Sec. 7.3.1.

Sec. 7.3.1. Household Living

A. **Defined** Residential occupancy of a dwelling unit by a household. A household means one or more person related by blood, marriage, adoption, guardianship or other duly authorized custodial relationship, or up t unrelated persons, occupying a dwelling unit and living as a single housekeeping unit.

B. **Single Unit Detached**

1. **Defined** One dwelling unit on a single lot.

2. ~~**Additional**~~ Limited **Use Standards**

~~a. In the RM- District, new construction of single unit detached is allowed only to implement bon height (see Sec. 6.7.1).~~

a. In PX- and PM- Districts on sites 5 acres or larger, the total gross floor area of single unit detached, single unit attached, and neighborhood unit uses cannot exceed 50% of the total square footage of the development footprint.

C. **Single Unit Attached**

1. **Defined** Two or more dwelling units attached with common walls where each dwelling unit is locate on an individual lot and has its primary pedestrian access on the ground story.

2. **Limited Use Standards**

a. In PX- and PM- Districts on sites 5 acres or larger, the total gross floor area of single unit attached, single unit detached, and neighborhood unit uses cannot exceed 50% of the total square footage of the development footprint.

~~**Reserved**~~

D. **Accessory Dwelling, Guest House**

A. **Defined** A dwelling unit accessory to the principal dwelling on a single unit detached or single unit attached lot.

B. **Basic Use Standards**

a. A guest house must be located on a lot with a primary dwelling unit, and may be attached or detached from the primary dwelling unit.

b. No more than one guest house per lot allowed.

c. A separate kitchen facility is allowed.

d. Total heated floor area (HFA) must be less than 1,500 square feet.

e. When separate from the principal dwelling unit, minimum separation between buildings is 20

f. Principal building setbacks apply.

g. Height must be no greater than 2 stories.

h. When separate from the principal dwelling unit, the location is limited to the rear yard and must meet all district setbacks.

i. A guest house may be located over a garage, provided the location and size meet all other use standards.

E. **Neighborhood Unit**

1. **Defined** Two or more dwelling units on a lot designed to be at a scale that blends into a low-density neighborhood context.

2. **Basic Use Standards**

a. No more than one building per lot is permitted.

b. No more than 12 dwelling units per building are permitted, except as listed below.

c. Height must be no greater than 2.5 stories.

d. Buildings with a height greater than 2 stories must have a sloped roof of 6:12 or greater.

e. Street-facing building width must be no greater than 100 feet.

f. Any attached or detached garage or carport located on the same lot must be located behind the principal building.

3. Limited Use Standard

a. In RU- districts, no more than 4 dwelling units per building are permitted.

b. In ON- districts, Neighborhood Unit uses require a CUP and are only allowed on parcels with access onto a street with a functional classification as a collector or greater.

c. In PX- and PM- Districts on sites 5 acres or larger, the total gross floor area of single unit attached, single unit detached, and neighborhood unit uses cannot exceed 50% of the total square footage of the development footprint.

~~**Reserved**~~

~~E~~F. **Age-Restricted (55+) Unit**

1. **Defined** Two or more dwelling units on a lot, intended to be occupied by residents 55 year of age or older.

2. **Basic Use Standards**

a. Age-restricted units must follow all of the design standards required for multi-unit.

b. New construction or additions must adhere to the Federal Fair Housing Act standards for Age-Restricted Units, including the following standards:

i. A minimum of 80% of the units must be occupied by at least one occupant who is 55 years of age or older;

ii. The project developer must publish and adhere to policies and procedures that demonstrate the intent to operate as age-restricted housing; and

iii. The project developer must comply with HUD's regulatory requirements for age verification of residents.

c. **Limited Use Standards**

i. In RM- Districts, a new construction or addition project must provide a minimum of 10% of the total number of units in the development as single unit detached or single unit attached.

~~**Single Unit Attached**~~

~~1. **Defined** Two or more dwelling units in a row in which each unit is located on an individual lot and has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common walls.~~

~~2. **Additional Use Standards**~~

~~a. In the PX-3, PX-5 and PM-5 districts, single unit attached is not subject to the minimum height standards.~~

~~b. Single unit attached is not allowed in any PX- or PM-district allowing over 5 stories of height unless the proposed development meets the requirements provided in Div. 5.7. for Adjusted Minimum Height; in which case the single unit attached would have the following minimum lot parameters in addition to other applicable lot parameters provided in Article. 5.~~

~~Perimeter Center:~~

~~i. 1,300 SF minimum lot area.~~

~~ii. 16' minimum lot width.~~

~~A.~~ G. **Multi-Unit**

1. **Defined** A lot containing two or more attached ~~or detached~~ dwelling units. Multi-unit includes structures ~~apartments, condominiums and "stacked flats"~~ which are not designed and built to the Neighborhood Unit use standards.

2. **Basic Use Standards**

a. In addition to any storage space available within a particular residential unit, any multi-unit~~family~~ project with over 20 units must provide a minimum of 16 square feet of additional storage area, with a minimum height of 8 feet, for each residential unit. The storage space must be internal to the residential building or within an associated parking structure.

3. **Limited Use Standards**

a. In RM- Districts, a new construction or addition project must provide a minimum of 10% of the total number of units in the development as single unit detached or single unit attached.

b. In ON- Districts, multi-unit is only permitted with a Conditional Use Permit and the following standards apply:

i. Multi-unit is only allowed in existing buildings where the building was intended for a Commercial use for a minimum of 5 years prior to the application for a Conditional Use Permit.

c. In OX- Districts, the following standards apply:

i. Multi-unit is only allowed in existing buildings where the building was intended for a Commercial use for a minimum of 5 years prior to the application for a Conditional Use Permit.

ii. Multi-unit is only permitted on the third floor of a building and above.

iii. Multi-unit is permitted on the first and second floor of a building with a Conditional Use Permit.

d. The following districts require a minimum amount of commercial-ready space for street-facing portions of the development. The percentage determines the minimum amount of the street-facing building that must be constructed as commercial-ready space. The commercial-ready space must be a minimum of 25' deep when measured from the building façade into the interior of the building. When commercial-ready space is required, 20% must be used for a commercial use, or commercial-active space. The remaining 80% may have noncommercial uses in the commercial-ready space. The Director may vary the requirement based on the balance of commercial uses surrounding the site.

	Commercial-Ready	Commercial-Active
i.	CX- districts: 40% min.	8% min.
ii.	SX- districts: 50% min.	10% min.
iii.	TX- districts: 50% min.	10% min.
iv.	CS- districts: 50% min.	10% min.
v.	IX- districts: 60% min.	12% min.
vi.	CC- districts: 50% min.	10% min.
vii.	PX- districts: 60% min.	12% min.
viii.	PM- districts: 40% min.	8% min.

Sec. 7.5.1.

Sec. 7.5.1. General Standards

D. In RM- and RX- Districts, the following standards apply:

1. In the RM- District, the total gross floor area of commercial uses cannot exceed 25% of the total square footage of the development footprint.
2. In the RX- District, each commercial tenant space must not exceed 6,000 square feet in gross floor area, except for Grocery tenants. Grocery tenants must not exceed 15,000 square feet in gross floor area.
3. Hours of operation limited to 6AM-11PM, including all deliveries.
4. Drive-through or drive-in facilities are not permitted.

E. In all CX Districts located between Abernathy Road and US 285, each commercial tenant space must not exceed 30,000 square feet in gross floor area.

F. In a SX Districts located between Abernathy Road and US 285, each commercial tenant space must not exceed 30,000 square feet in gross floor area.

G. In CS District, each commercial tenant space must not exceed 30,000 square feet in gross floor area.

Sec. 7.5.14. Restaurant

A. **Defined** A facility that prepares and sells food and drink for on- or off-premises consumption. ~~Restaurant includes the following:~~ For information on drive-through facilities, see Sec. 7.8.3.

~~1. Brewpub (subject to the barrel limitation prescribed in O.C.G.A. Sec. 3-5-36).~~

~~2. Bakery, cake shop.~~

~~3. Coffee, tea shop.~~

~~4. Juice bar, smoothie shop.~~

~~5. Restaurant.~~

~~6. Yogurt or ice cream shop.~~

B. General Restaurant

C. **Neighborhood Eatery**

1. **Defined** An establishment that prepares and sells food and drink for on- or off-premises consumption that is limited in size. Examples include bakery or cake shop, bistro, brewpub (subject to the barrel limitation prescribed in O.C.G.A. Sec. 3-5-36.), coffee or tea shop, deli, juice or smoothie bar, ice cream shop, or similar.

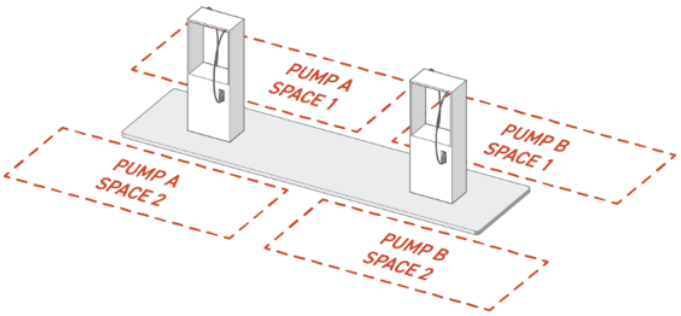
2. **Basic Use Standards**
   a. Each tenant space must not exceed of 3,000 square feet in gross floor area.
   b. Drive-through or drive-in facilities are prohibited.

Sec. 7.5.15.D.

1. **Defined** A retail facility that sells fuel for motor vehicles, with or without personnel. The facility may or may not include a convenience or other retail store.

2. **Basic Use Standards**

a. A fuel pump is considered to be a single fuel pumping apparatus. Fuel pumps are generally two-sided, with a fueling space on each side.



b. A canopy for fuel pumps or a fuel station must be architecturally-integrated with any associated commercial building on the site, and must not include any signs. Canopy support columns must be fully encased with materials that are complementary to those used on the main building. The canopy band face must be of a color consistent with the main structure. Primary or fluorescent colors must not exceed 10% of each canopy band face.

c. Any pavement associated with vehicles must be screened from view, except for drive entrances, using landscaping (see Sec. 8.3.2, Parking Lot Landscaping).

d. Fuel pumps must be located a minimum of 100 feet from the lot line of a Protected Neighborhood property.

e. Fuel pumps must be located a minimum of 10' from the build-to zone.

f. A masonry wall may count toward the minimum build-to requirement of the District provided the following standards are met:

i. The building must meet the minimum width requirements of Sec. 6.1.2.C.5;

ii. The masonry wall must have openings meeting the transparency requirements of Div. 6.3. and must provide similar architectural elements to the building, such as materials, cornices, and awnings; and

iii. The masonry wall is not required to meet the minimum story requirement of the District so long as the wall is a minimum of 12 feet in height.

g. Direct pedestrian access to the building is required for each street frontage.

h. Fuel pumps are permitted in any parking structure, where fuel pumps are a permitted use.

i. **Improvements to Existing Fuel Pumps, Fuel Stations**

i. Existing nonconforming stations as of the date of the adoption of this code may be upgraded, replaced or redeveloped when, as determined by the Director, such upgrade, replacement or redevelopment is for the purpose of remedying a use that is dangerous to the general public or to ensure that such use complies with any fire code, life safety code, or other safety ordinance or regulation.

ii. Fuel pumps or ~~gas~~ fuel stations may be upgraded, replaced or redeveloped, including an increase in building size but not an increase in the number of pumps, on the existing site with the approval of the Director.

j. **Expansion of Fuel Pumps at Existing Fuel Stations**

i. Existing nonconforming fuel pumps as of the date of the adoption of this code may be expanded in accordance with this section when, as determined by the Director, such expansion is for the purpose of remedying a use as that is dangerous to the general public or to ensure that such use complies with any fire code, life safety code, or other safety ordinance or regulation.

ii. The Director may approve the addition of up to 4 fuel pumps to an existing site, provided the following standards are met:

a) The Director determines the site has adequate room for additional fuel pumps and vehicle spacing;

b) The building façade and fuel canopy have been brought into compliance with all of the standards of this Code;

c) The vehicle and pedestrian access points have been brought into compliance with all of the standards of this Code;

d) All paved areas have been screened in accordance with Sec. 8.3.2. Parking Lot Screening; and

e) Any nonconforming signs on the property have been removed.

~~Fuel pumps or gas stations may be expanded to an adjacent site with conditional use permit approval by the City Council.~~

k. **Relocation of Existing Fuel Pumps or Fuel Stations**~~–~~

Existing f~~F~~uel pumps or ~~gas~~ fuel stations may be relocated to an alternative site within the CX-, CC- or IX- districts with a C~~c~~onditional U~~u~~se P~~p~~permit approval by the City Council. Any new fuel pumps or gas station must be located at least ½-mile from any existing fuel pump or gas station. The ½-mile measurement must be taken without regard to the City limits of Sandy Springs and is measured to the property line, regardless of where the fuel pumps are located on the site. Conditional U~~u~~se P~~p~~permit approval is predicated on the elimination of an existing site with fuel pumps or ~~gas~~ fuel station and the mitigation of the former site such that it is ready for any other permitted use in the district.

d. ~~Open~~

~~A canopy for fuel pumps or a gas station may be considered to meet the build to requirement of this Development Code, provided it is located within the build-to zone, isshall be architecturally integrated with any associated commercial building on the site, and does shall not include any signs. Canopy support columns shall be fully encased with materials that are complementary to those used on the main building. The canopy band face shall be of a color consistent with that of~~

~~the main structure or an accent color. Primary or fluorescent colors must not exceed ten percent (10%) of each façade.~~

f. ~~Any pavement associated with vehicles must be screened from view, except for drive entrances, using landscaping (see Sec. 8.2.2, Parking Lot Landscaping).~~

g. ~~No fuel pumps or gas station apparatus may shall be located within 10050 feet of the lot line of a Protected Neighborhood property.~~

Sec. 7.5.16.

k. Car vending machines are not permitted on the property.

D. **Vehicle Showroom**

1. **Defined** A facility that showcases and sells, rents or leases passenger vehicles, trucks, ~~and/~~or other consumer vehicles such as motorcycles, boats and recreational vehicles.

2. **Basic Use Standards**

a. All vehicles on must be displayed indoors.

c. No vehicle maintenance or repair apparatus can be located on site.

d. Total square footage of the business and its operations must not exceed 5,000 square feet.

Sec, 7.6.3.

D. Film Studios

1. **Defined** Facilities for the production of film, including stages, exterior sets, sound recording facilities, related commercial vehicles, and accessory fabrication activities.
2. **Limited Use Standards**
   a. In CX- and OX- districts, film studios are limited to 20% of the site.
   b. In PX- districts, film studios must be located on sites with a minimum size of 4 acres and are limited to 50% of the site.

Sec. 7.6.4. Research and Development

A. **Defined** A facility focused primarily on the research and development of new products. Research and development includes the following:

1. Laboratories, offices and other facilities used for research and development by or for any individual, organization or concern, whether public or private.
2. Prototype production facilities that manufacture a limited amount of a product in order to fully investigate the merits of such a product.
3. Pilot plants used to test manufacturing processes planned for use in production elsewhere.

B. **Life Sciences, Bio-Safety Level 1**

1. ~~1.~~ **Defined** BSL-1 labs are used to study infectious agents or toxins not known to consistently cause disease in healthy adults. They follow basic safety procedures, called Standard Microbiological Practices and require no special equipment or design features. Standard engineering controls in BSL-1 laboratories include easily cleaned surfaces that are able to withstand the basic chemicals used in the laboratory.

2. **Basic Standards**
   a. Life Sciences, Bio-Safety Level 1 is not permitted on lots that directly abut a Protected Neighborhood or Urban Neighborhood district.
   b. Buildings with Life Sciences, Bio-Safety Level 1 uses are not permitted to be within 100' from any Protected Neighborhood, RU-, or RT- district.

C. **Life Sciences, Bio-Safety Level 2**

1. ~~2.~~ **Defined** BSL-2 laboratories are used to study moderate-risk infectious agents or toxins that pose a risk if accidentally inhaled, swallowed, or exposed to the skin. Design requirements for BSL-2 laboratories include hand washing sinks, eye washing stations in case of accidents, and doors that close automatically and lock. BSL-2 labs must also have access to equipment that can decontaminate laboratory waste, including an incinerator, an autoclave, and/or another method, depending on the biological risk assessment.
2. **Basic Standards**
   a. Life Sciences, Bio-Safety Level 2 is not permitted on lots that directly abut a Protected Neighborhood or Urban Neighborhood district.
   b. Buildings with Life Sciences, Bio-Safety Level 2 uses are not permitted to be within 200' from any Protected Neighborhood, RU-, or RT- district.

D. These requirements are in addition to, and do not replace or supersede, any other applicable requirements established under state law, and approval of or exemption from these requirements does not constitute approval of or exemption from requirements established under state law or from other applicable local, county, state, or federal regulations.

Sec. 7.6.7.

C. Self-Service Storage, Mini-Warehouse

1. **Defined** Facilities providing separate storage areas for personal or business use designed to allow private access by the tenant for storing or removing personal property. May include accessory sales of boxes, tape and other packing-related materials. Does not include truck rental.

2. **Basic Use Standards**

   a. An existing self-storage or mini-warehouse may be upgraded on its existing site with approval of the Director, provided it meets all the basic use standards.

   b. No outside storage is allowed, including vehicle or trailer leasing.

   c. All buildings must be at least two stories tall and have windows ~~or architectural treatments that appear as windows~~at 50% transparency for every level. Roller/storage unit doors must not be visible from any exterior point. The transparency requirement is for the three most visible sides (from a street or streets) of the building, as determined by the director.

   d. Storage buildings must be finished with brick or stone for a minimum of 80% of the three most visible sides (from a street or streets) of the building.

   e~~d~~. No activities other than the dead storage or transfer of nonvolatile goods or leasing of storage space are permitted within the storage establishment or portion of any development.

   f~~e~~. Prohibited accessory uses include, but are not limited to, the following:

      ~~i. Miscellaneous sales;~~

      i~~i~~. Fabrication or repair of vehicles, equipment or other goods;

      ii~~i~~. Transfer-storage business based on-site;

      iii~~v~~. Residential uses (other than the resident manager's apartment); or

      iv. Any use which creates a nuisance due to noise, odor, dust, light or electrical interference.

Sec. 7.8.3.

Sec. 7.8.3. Day Care

A. **Defined** A facility meeting the definition of Sec. 7.5.5. Day Care.

B. **Basic Use Standards**

Day care as an accessory use is only permitted when the following standards are met:

1. The day care must be associated with a permitted place of worship or private school (K-12); and
2. The day care must meet all the use standards of Sec. 7.5.5. Day Care.
3. Day care facilities in association with a place of worship do not require a separate conditional use permit.

Sec. 7.8.5.

Sec. 7.8.5. EV Charging Facility

A. **Defined** A facility that provides electric vehicle infrastructure for the purpose of charging electric vehicles as an accessory to another primary use.

1. **Charging Level** The standardized indicators of electrical force, or voltage, at which an electric vehicle's battery is recharged:

   a. **Level 1** The slowest type of charging equipment plugs directly into a standard 120-volt AC outlet supplying an average power output of 1.3 kW to 2.4 kW.

   b. **Level 2** Considered medium charging; typically requires a 40-100 amp breaker on a 240-volt AC circuit.

   c. **Level 3 or greater** Considered rapid charging; typically requires a 60 amp or higher dedicated breaker on a 480-volt or higher three (3)-phase circuit with special grounding equipment. DC fast charging uses an off-board charger to provide the AC to DC conversion, delivering AC directly to the car battery.

2. **Electric vehicle infrastructure** The structures, machinery, and equipment necessary and integral to supporting an electric vehicle, including the electrical conduit and wiring requirements for the installation of electric vehicle charging equipment.

B. **Exempt** The following EV charging facilities are exempt from these regulations:

   a. **Single unit residential** Charging facilities located on single unit detached or attached lots designated as private, restricted use only. All installations must comply with the placement and screening requirements of mechanical equipment found in Sec. 6.1.2.B.3. and Sec. 8.3.9.

   b. **Enclosed in parking structure** Any EV charging facilities located within an enclosed parking structure or garage. These installations must comply with the signs and maintenance requirements below.

C. **Basic Use Standards**

   a. **Signs**

      i. Signs must be posted identifying voltage and amperage levels and use, fee, and safety information related to the EV charging facility.

      ii. Signs must be posted at public EV charging facilities indicating that the space is reserved for EV charging purposes only. For purposes of this provision, "charging" means that an electric vehicle is parked at an EV charging facility and connected to the battery charging station equipment, otherwise known as "actively charging."

      iii. Prohibited signs (Sec. 8.4.3.) are not allowed.

      iv. Level 2 charging facilities must have no more than 25% of the total charger used for signs or an otherwise illuminated display. Level 2 charging facilities do not require a sign permit but will instead be verified as a part of the building permit. This sign percentage requirement does not apply when the charger is located within a parking structure or garage.

v. Level 3 or greater charging facility must have no more than 50% of the total charger used for signs or otherwise illuminated display. Level 3 or greater charging facilities do not require a sign permit but will instead be verified as a part of the commercial building permit. This sign percentage requirement does not apply when the charger is located within a parking structure.

b. No portion of the EV charging facility can impede pedestrian, bicycle, or wheelchair movement, or create a safety hazard.

c. EV charging facilities, including electrical transformers and other mechanical equipment associated with the charger, must conform to any applicable screening requirements in Sec. 8.3.9.

d. All proposed or improved on-street parking is required to install conduit for future EV charging facilities.

e. A Level 2 charging facility must be no wider than 24 inches at any point, not including the plug handle, hook, hose, and related components.

f. A group of 6 or more Level 3 or greater EV charging facilities is considered a designation EV installation and must be an accessory to a primary retail use.

g. An EV charging facility must be located a minimum of 10 feet from the build-to zone. In Perimeter Districts, the charger must be located a minimum of 20 feet from the build-to zone.

h. A masonry wall may count toward the minimum build-to requirement of the District provided the following standards are met:

i. The building must meet the minimum width requirements of Sec. 6.1.2.C.5;

ii. The masonry wall must have openings meeting the transparency requirements of Div. 6.3. and must provide similar architectural elements to the building, such as materials, cornices, and awnings; and

iii. The masonry wall is not required to meet the minimum story requirement of the District so long as the wall is a minimum of 12 feet in height.

i. EV charging facilities must be maintained, including the functioning of the equipment. A phone number or other form of contact information must be provided on the equipment to report when it is not functioning, or other problems are encountered.

j. EV charging facility canopies must be architecturally integrated with any associated commercial building on the site and not include any signs. Canopy support columns must be fully encased with masonry materials that are complementary to those used on the main building. The canopy band face must be of a color consistent with that of the main structure or an accent color. Primary or fluorescent colors must not exceed 10% of each canopy band face.

k. No charging facility may be located within 50 feet of the lot line of a Protected Neighborhood.

l. **Existing Fuel Pumps or Fuel Stations**

Level 2 charging facilities may be installed at existing fuel pumps on existing parking spaces, so long as they are at least 10 feet from any build-to zone. Level 3 or greater charging facilities may replace existing fuel pumps on a site.

Sec. 7.8.8.

Sec. 7.8.8. Fuel Pumps

A. **Defined** A facility for the sale of motor vehicle fuel, typically located on the same lot and associated with a retail use.

B. **Basic Use Standards**

1. Up to 8 fuel pumps may be established as an accessory use to an existing retail use that has a minimum floor area of 35,000 square feet.
2. The fuel pumps must not impact the compliance of any other use on the site with any requirement of this Code.
3. The fuel pumps must meet all of the requirements of this Code, including build-to, landscape screening, and signs.
4. No convenience sales or vending machines are allowed in association with the fuel pumps.
5. The proposed site layout will be reviewed by the Director for compliance with vehicle stacking, vehicle access, and pedestrian access requirements.
6. **Existing Accessory Fuel Pumps**
   a. Sites with existing accessory fuel pumps may expand to provide a maximum of 8 fuel pumps without meeting the build-to requirement. All other use standards apply.

ARTICLE 8.
SITE DEVELOPMENT

Div. 8.1. General Provisions

Sec. 8.1.1. Applicability

A. Standards apply based on the type of activity proposed, as shown in the table below. For all zoning districts, the development standards apply as shown in the table below:

Development Activity	*6.2 Building Design Standards*	*8.1 Parking*	*8.2 Site Landscaping*	*8.2 Screening*	*8.3 Signage*	*10.3 Driveways and Cross-Access Connections*	*9.6.3 Stormwater Management*	*9.6.3 Water Quality*	*10.4 Streetscape Improvements*	*All Standards*	*Additional References*
Parking Area Expansion											
Minor: <1,000 sf		□	□	□	□	□		■			
Major: >1,000 sf		■	■	■	■	■	■	■	■		
Site Modification											
Remediation Due to Disaster (Fire, Flood, etc.)					■						
Re-occupation after Extended Vacancy (Greater than 180 days)			■	■	■	□					
Site Disturbance <1,000 sf of site				□	■	□		■			
Site Disturbance 1,000 sf-5,000 sf of site	□			■	■	□	■	■			
Site Disturbance >5,000 sf of site		□	■	■	■	□	■	■			
Building Renovation or Expansion											

-	**Renovation Due to Disaster** (Fire, Flood, etc.)	□	.	.	.	■	.	.	.	.	.	-
-	**Re-occupation after Extended Vacancy** (Greater than 180 days)	■	■	■	■	■	■	:	:	.	.	-
-	**Renovation without Expansion:** <50% of FMV of building	□	.	□	■	■	.	.	.	.	.	-
-	**Minor Expansion:** <25% of Total Floor Area	□	□	□	■	■	□	:	:	■	.	6.1.2
-	**Substantial Renovation without Expansion:** >50% of FMV of Building	□	□	□	■	■	□	:	:	.	.	-
-	**Partial Expansion** 25%-<>50% of Total Floor Area	□	■	□	■	■	■	:	:	■	■	6.1.2
-	**Major Expansion:** >50% of Total Floor Area	■	■	■	■	■	■	:	:	■	■	6.1.2
	Façade Modification					■						
■	*Compliance with all applicable standards required*											
□	*Compliance required of only the expanded building or lot area only to the extent practical*											

B. Where a section applies according to the table above, the project activity must meet all of the applicable requirements in that Section. Where a Section is listed as not applying, no requirements in that Section apply.

C. The general applicability in this Section may be further modified by the detailed provisions of that Section.

4. **Common, side street, and rear grading setback exceptions**

The following may be granted exceptions from common, side street, and rear grading setback requirements:

a. Where a building setback encroachment is allowed (certain accessory structures and site elements) for site area within the grading setback, the grading is permitted with the installation of a mitigation zone (Described under "Mitigation Zone" below), and;

b. Also, where a side or rear yard is the only feasible option for a construction entrance, grading disturbance may be approved by the Director, so long as the width of the area of activity within the buffer does not impact an existing tree with a 15" DBH or greater and is replaced with a mitigation zone.

c. **Mitigation Zone:** Regardless of the original state of the affected grading buffer area, mitigation in the form of plantings, a mix of evergreen and deciduous trees, and shrubs is required per the prescription provided:

i. The mitigation zone must be at least 5 feet deep bordering the entire project area within the grading setback;

ii. Evergreen trees spaced at 1 per 25 linear feet, minimum of 1, full to the ground and at least 6 feet tall at the time of planting;

iii. Understory trees spaced at 1 per 25 linear feet, minimum of 1, with a minimum caliper of 2 inches;

iv. Shrubs spaced 8 per 25 linear feet, minimum of 8, with a minimum size of 3; and

v. Additional BMPs determined to be necessary by the Director to preserve existing vegetation.

45. In all districts, resulting graded slopes must not exceed 3 feet (horizontal) to 1 foot (vertical). Steeper slopes may be approved by the Director upon certification of stability by a soils engineer or geologist.

6. Any unauthorized clearing and grading must replant the cleared area according to the requirements of the Mitigation Zone in Sec. 9.4.2.G.4.c.

Sec. 9.4.3.

iii. **Interior Facing**

a) Retaining walls that are entirely interior facing are permitted up to 12 feet in exposed height. This includes Wing Walls (retaining wall extensions from the building foundation walls that allow daylighting of a basement and/or egress from a basement) that are inward facing and finished with a permitted material finish.

1. **Setbacks**

If they are to encroach into building setbacks and are entirely inward facing the walls ~~shall~~must be a maximum of six (6) feet in exposed wall height and meet the retaining wall setback requirements found in Sec. 9.4.3.C. below.

2. **Length**

Maximum length of any wall exceeding the normal maximum retaining wall height is 36 feet (based on the maximum 3:1 allowable grading slope). Any length of wall past 36 feet ~~shall~~must meet the requirements of a retaining wall as outlined above.

b) The Director may permit retaining walls that are entirely interior facing on campuses with civic or institutional uses to have up to 24 feet in exposed height. This includes wing walls that are finished with a permitted material finish.

iv. Exterior Facing

Retaining walls that are exterior facing and at least 100' from a street lot line and 75' from a common lot line are permitted up to 12 feet in exposed height. This includes wing walls that are finished with a permitted material finish.

Sec. 9.5.3.

C. **General Standards**

1. The following uses are permitted within the 100-year floodplain:

a. Agriculture, including forestry and livestock raising, requiring no structure. Agriculture and forestry access roads are permitted provided they are constructed in conformance with the development regulations.

b. Dams, provided that they are constructed in accordance with the requirement of this article, the United States Department of Agriculture Soil and Conservation Service and when applicable, meet the specifications of the U.S. Army Corps of Engineers and/or the Georgia Department of Natural Resources.

c. Fences having sufficient open area to permit the free flow of water and/or debris.

d. Identification, regulatory and warning signs.

e. Public and private parks and recreational areas including boat ramps and docks and other functionally dependent uses not including temporary or permanent structures; provided, such use is approved by the department of community development and, if applicable, the U.S. Corps of Engineers.

f. Parking.

g. Utility lines, pipelines, sewers, roads and stream crossings (if no other means of access is available), and similar features, provided they are constructed in such a manner as to permit the free flow of waters.

Sec. 9.5.4.

Sec. 9.5.4. Flood Damage Reduction

A. **General Standards** In all areas of special flood hazard and areas of future-conditions flood hazard the following provisions apply:

1. New construction and substantial improvements of structures (residential or nonresidential), including manufactured homes, ~~shall~~will not be allowed within the limits of the future-conditions floodplain, unless all requirements of Sec. 9.5.3 have been met.

2. If, due to site conditions, an existing single-family residential structure cannot comply with section 9.5.4.A.1, the structure may be elevated in accordance with either section 9.5.4.B.1.C or section 9.5.4.B.1.d: provided however, section 9.5.4.A.5 ~~shall~~will apply to all elevated structures regardless of whether section 9.5.4.B.1.c or section 9.5.4.B.1.d applies.

Sec. 9.5.4.B.

c. **Elevation of existing structures via jacking on existing foundation** An existing structure that ha been substantially damaged or is proposed for substantial improvement may be elevated by jacking, intact, on an existing foundation, provided the criteria of section 9.5.4.A.5 are met in addition to the following criteria:

i. No elevated structure can exceed the original geometric footprint area or horizontally expand living space into or over the future conditions floodplain;

ii. Foundations must contain a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding as provide in 44 C.F.R. § 60.3;

iii. The bottom of all openings must be no higher than one foot above grade; and

iv. Openings may be equipped with screens, louvers or other coverings provided they permit the flow of floodwater in both directions.

d. **Elevation of existing structures via demolition and rebuilding on an equivalent footprint area** An existing structure that has been substantially damaged or is proposed for substantial improvement may be demolished and relocated on the lot such that the passage of water is facilitated or the floodplain is otherwise enhanced or protected, provided the criteria of section 9.5.4.A.5 are met in addition to the following criteria:

i. No elevated structure can exceed the original footprint area or increase the net encroachment into or over the floodplain; and

ii. Foundations must be designed to resist anticipated hydrodynamic loads, potential for debris impact, and scour pursuant to FEMA Technical Bulletin I (August 2008). Foundation must be designed with the following criteria:

a. The total area of the walls below the base flood elevation exposed to flood waters must be at least 50 percent open. Wall openings must be distributed along all walls exposed to flood waters;

b. The bottoms of all wall openings must be at grade;

c. Garage doors not allowing the natural flow of floodwaters when closed must not be considered wall openings; and

d. Openings may be equipped with grilles, louvers, or bars provided they allow the natural flow of floodwater in both directions.

Article 10. Streets & Improvements

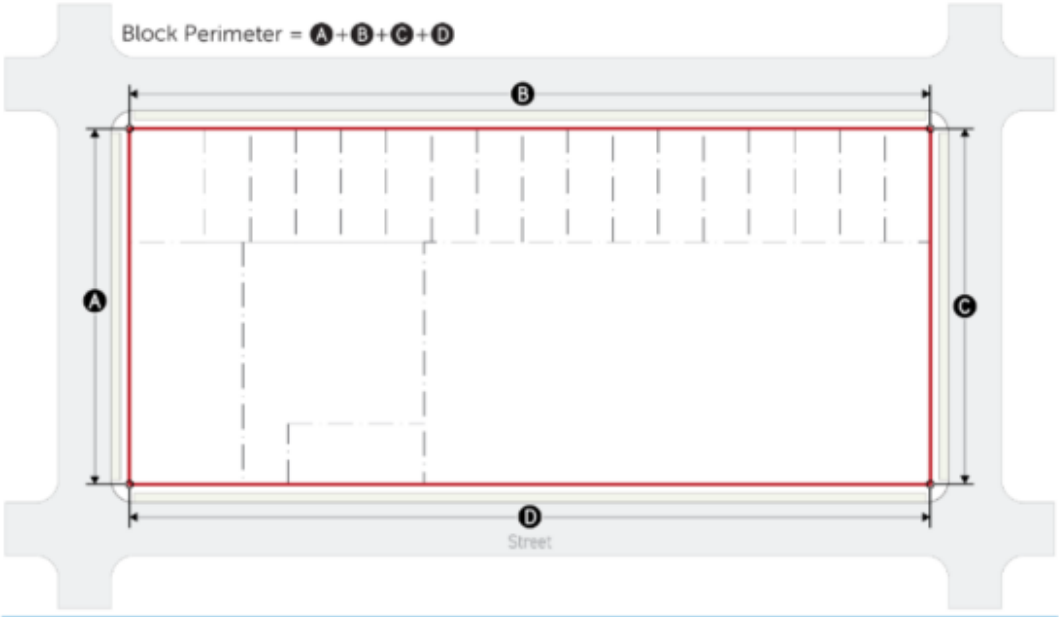
Div. 10.4.

Sec. 10.3.1.A.

	Block Face	Maximum Block Perimeter
Protected Neighborhoods		
RE-	n/a	n/a
RD-27, RD-18, RD-15, RD-12	1,320' max	3,960' max.
RD-9, RD-7.5	660' max	2,400' max.
PK, CON	n/a	n/a
Urban Neighborhoods		
RU-, RT, RM-, RX-	660' max	2,000' max.
Corridors and Nodes		
OX-, CX-, SX-, NEX-	660' max	2,000' max.
TX-, CS-	500' max	2,000' max.
IX-, CC-	660' max	2,000' max.
Perimeter Center		
PRL-, PXL-, PXM-, PXH-, PMH-	500' max	2,000' max.

Sec. 10.3.1.B,

6. Block perimeter is the total length measured along all lot lines abutting public or private streets.



BACKGROUND

The Next Ten Comprehensive Plan Policy E recommends a review of development management tools to implement the vision and goals of the Comprehensive Plan, Small Area Plans, and other planning documents. Both the 10 Key Actions for the Next Ten and Policy LU-E1 recommends comprehensive updates to the Sandy Springs Development Code. Furthermore, the Next Ten Community Work Program item LU-E1.1 recommends that staff conduct a comprehensive review of the Development Code in 2022 and 2023.

Over the last 13 months, city staff have worked toward execution of this comprehensive review of the city's Development Code. Staff, with the assistance of consultant Code Studio, have received input from a variety of stakeholders, including residents and neighborhood groups, business and property owners, contractors and developers, and the Planning Commission as well as overall policy guidance from the Mayor and City Council to help formulate a recommended 5-Year Development Code Update. The code review process consisted of three (3) distinct phases:

1. Phase I (Intake) - Hosted more than 25 stakeholder meetings covering a range of topics and facilitated discussion with Council at the 2023 Retreat; met with residents, business owners, Planning Commissioners, electric vehicle and gas station representatives, hotel and hospitality industry representatives, office and medical industry representatives, civic institutions, developers, residential home builders, automotive dealers, attorneys, and others.

2. Phase II (Draft) - Worked amongst relevant staff and the consultants' background and code expertise to clean up technical aspects of the existing Development Code, as well researching and proposing edits to the topics deemed by Council to be of particular priority to the City's vitality.

For the Mayor and City Council's September 19 Work Session, city staff and the consultants at Code Studio presented the initial Development Code Update draft after a thorough input process and direction from Council earlier in the year. City staff and Code Studio replicated the work session the following evening with the Planning Commission at their Special Called Work Session on September 20.

3. Phase III (Publication and Adoption) – Staff published draft Development Code documents on the City’s website, accepted public feedback, and finalized the draft, including:

- September 22: Online posting of the initial proposed draft to the dedicated Development Code Update webpage (spr.gs/development)
- September 26 – October 18: Online comment form input/submittal period (in addition to the traditional forms of available public comment submission)
- September 26: Public Open House hosted at City Hall
- November 11: Final draft Development Code published on Development Code Update webpage, including summary of key changes
- November 13: Special Called Planning Commission Public Hearing
- December 5: Mayor and City Council Public Hearing for consideration of adoption

ANALYSIS

This Development Code Update is Comprehensive, with edits in every Article. Of the substantive use changes, staff's proposals were formulated primarily through the lens of the many changing conditions and trends in the commercial and residential realms. However, some proposed edits, such as many of those found in Article 11. (Administration) were proposed in response to changes in State law.

Post 2020, much of the City's fundamental commercial inventory (office) has quickly become less viable in the new world of hybrid and remote work. With the office market trend of hybrid and remote work, proposed Development Code modifications will work to ensure reasonable development opportunities in areas most affected by modifying permitted and conditional use allowances, principally in the office-centric zoning districts. In alignment with the Next Ten Policy LU-E1.3, Staff proposes alternative uses such as Vehicle Showroom, accessory Film Studio, Life Sciences (BSL-1 and BSL-2), Office to Residential conversions, Neighborhood Eateries, and allowing or requiring a limited amount of commercial in all multi-unit and mixed-use districts.

To address regional and national housing challenges, staff proposes a number of new household living use types and parameters: Neighborhood Units (type of manor home); reduced lot size requirements (lot width and square footage) and expanded use permissions (in the Perimeter Center) for townhouse (Single Unit Attached); the addition of 'Shared Court' to the highly prescriptive Development Patterns; and promotion of Age-Restricted housing by separating it out as a residential use on its own. These proposals promote at least four (4) Next Ten goals:

1. Increase housing stock and diversity of options;
2. Promote single unit housing (the most likely type of housing stock to offer ownership opportunities);
3. Reduce housing costs or conversely seek ways to encourage affordability (moderately smaller townhouses reduces per square foot total, thus reducing down-payment and rent or mortgage amount); and
4. Provide opportunities for downsizing or aging in place.

Aligning with the Next Ten Policy LU-E1.2, staff proposed an overhaul of the "bonus division" of the Development Code (Div. 6.7.). Beyond incentivizing benefits to our community through additional height, staff now proposes a bonus system that breaks the bonus height allowance down further by considering the height for the percentage of the site. The proposal, called the "Enhanced Community Benefits Matrix," is an update to the previous bonus table in two ways: first, the Matrix provides more options for receiving bonus credit (provided in the Benefits List); and second, the Matrix is laid out in such a way that each row representing a story on the chart intersects with a column representing the percentage of that site that may be developed up to that story. The more credits earned through installment of Benefits, the more the percentage of a site may receive a height bonus of varying amounts. This helps the City ensure that impacts incurred from increased height in developments are effectively offset through improved public amenities.

To go along with the improved bonus system, staff proposes several new bonus height zoning districts. The goal is that the City will realize more thoughtful, quality developments in the future. In addition, to protect the investment-backed expectations of property owners, and to accomplish conformity while allowing property owners a reasonable return on their investment staff proposes community improvements through additional amortization requirements (Sec. 1.1.10.) for refuse or commercial dumpster areas, as well as additional design standards in Div. 6.6.

One of the major topics of conversation throughout the 5-Year Development Code Update process has been about Fuel or Gas Stations. Staff propose the addition of Fuel Pumps as an accessory use (via a Conditional Use Permit in the same three districts where Fuel Stations are allowed) and increased standards and incentives for redeveloping or more holistically improving existing sites. Staff included many standards that will ensure that fuel stations will be required to be developed or redeveloped in a manner where they contribute to the urban fabric by addressing the street first, helping to continue the pedestrian realm and not creating gaps instead. Increased design and screening standards are also proposed to support this concept.

Per the Next Ten Comprehensive Plan Policy LU-A1, Staff continues to work to maintain the integrity of existing single-family residential neighborhoods within the Protected Neighborhood Character Area. Staff proposes a few adjustments to the code that relate to the Residential Estate and Residential Detached zoning districts. The first proposed edit would allow limited single-story garage expansion into the Primary Street Setback for homes existing before Sandy Springs became a city. This modification is designed to encourage reinvestment into existing housing stock.

The second proposed edit would modify fence pier requirements for Residential Estate (RE) and Residential Detached (RD) zoning districts. Currently fences that run parallel to a street require the installation of piers in both districts. Staff proposes that only Estate lots continue to be required to install piers when parallel to a street.

Lastly, of note, staff recommends a more contextual approach to construction entrance regulations where there is a grading setback in RE and RD districts. The goal with this amendment is to allow for a case-by-case evaluation when necessary to determine the least-impactful entry into a construction site on a property. From time to time, what is currently prescribed as the appropriate and permittable entrance is not what is best for the environment. This edit would not only require additional BMPs (best management practices such as silt fences, site stabilization techniques, additional root protection) but would also ensure abundant replanting prescription (equivalent to the existing Protected Neighborhood Buffer vegetation standards), regardless of the amount of vegetation initially disturbed.

Staff finds that the proposed changes align with the stated purpose and intent of the Development Code to "guide the future growth of the City of Sandy Springs in alignment with the vision set forth by The Next Ten Comprehensive Plan…to foster more predictable results and a higher-quality public realm…," to "balance conservation and development," to "achieve design excellence in the built environment," and to "guide Sandy Springs' prosperous and sustainable future."

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

Staff recommends **Approval** of **Text Amendment TA23-0003** in its entirety, grouping (a) through (e):

-**TA23-0003(a)**, Articles 1 (Introductory Provisions), 11 (Administration), and 12 (Definitions)
-**TA23-0003(b)**, Articles 2 through 5 (Protected Neighborhoods, Urban Neighborhoods, Corridors & Nodes, and Perimeter Center)
-**TA23-0003(c)**, Article 6 (Rules for All Districts)
-**TA23-0003(d)**, Article 7 (Use Provisions)
-**TA23-0003(e)**, Articles 8 through 10 (Site Development, Environmental Protection, Streets & Improvements)

Development Code Update Public Comment Received Between 9/26/23 – 10/18/2023	
Name	**Comment(s)**
Tochie, Blad	There is so much to unpack in this large document of changes. This is just my first glance. In Article I, it empowers the Development director to make final decision on variances, the applicant may then appeal to Fulton County Superior Court. Why not keep the Board of Appeals and let them decide cases before tying up the courts time? Article 1, pg. 34, item 5. Action by the Director, there is a clause that requires the director to submit a response in a 30 day timeframe. The concern is if the economy is booming and numerous applications need responses by the director, will staff be able to meet the deadline. If not, does that automatically grant the applicant the appeal? Article 2 District Intent Statements Pg. 9 of 98 â€“ Strikes minimum height district in Perimeter Center. Buildings can be a single story next to transit station, is this the best use of the land? Article 7 Use Provisions RX of page 24 of 57, allows Grocery tenants to 15,000 s. ft. RX allows commercial up to 6000 s ft. with hours of operation 6 a.m to 11 p.m. Why are hours of operation dictated by the code, will that conflict with the noise ordinance? Do we want a large store, I thought we were promoting walkability. Allowing retail use in residential areas for both RM and RX and not controlling the use may allow Vape shops, tattoo parlors and other non-conforming uses. Retail is a challenge when folks live beside it. Finally, Gas pumps/stations are now allowed most places with the removal of the distance rule. City Springs prohibits gas pumps in the district. As gas stations close their operations in City Springs district, due to the cap, the city allows a new gas station to open in areas outside City Springs district. I disagree with the change in policy and recommend no change. I am all for encouraging EV charging stations and establishing rules for electric vehicle charging stations on both location and design aesthetics. EV charging stations should be added to the cityâ€™s Enhance Community Benefit list to encourage new developments to include the stations. Thanks for your time and consideration to my thoughts on the code changes in Sandy Springs.
Elizabeth, Fite	Iâ€™m curious how the elimination of the distance requirement between gas stations reflects changes in the community and ensures the dev code is consistent with the cityâ€™s goals for growth. We donâ€™t seem to be lacking gas stations. Existing sites should be held more accountable and made better. And if you canâ€™t regulate what we have to be more satisfactory, how are we assured anything new will solve whatever perceived issues the consultants have identified? Do you want to live near a gas station-regardless if itâ€™s shiny or new? And are the people voting on this at jeopardy of having a gas station in their neighborhood? Or

	an abandoned gas station that some other gas station is tasked with revising? Iâ€™m from Arkansas originally, and I have seen more abandoned Walmarts than I thought possible.
Manisha, Lance	I hope that when you are considering changes to the development code .. you will use an equitable lens to keep housing development affordable. Please take steps to ensure that affordability is at the core so that middle and low income individuals can thrive in Sandy Springs.
Jane, Kelley	Dear Staff, I am incensed that once again my neighborhood (Windsor Park Community Association) has to fight for common sense regulation. I was heavily involved in getting the restrictions on gas stations put in place earlier. My neighborhood has fought multiple times to prevent a gas station from going in on the corner of Windsor Parkway and Roswell Rd, spitting distance from a Shell Station. Roswell Rd inside 285 has plenty of gas stations already. There at least EIGHT within a two-mile stretch! If more are allowed to open, competition will force some to close, leaving us with additional toxic waste issues. PLEASE protect your residents!! How many times must we fight the same battle?! This makes no sense! Thank you! Mrs. Jane Kelley President, Windsor Park Community Association
Bill, Odrey	I feel that 9755 Roberts Drive due to its location on Roswell Rd, the many right of ways demanded by the City of Sandy Springs and Fulton County that this property should be Re zoned as commercial instead of residential

Vladimir, Shklovsky	I am writing in opposition to proposals to build more gas stations on Roswell Road, and increase the size of garages, described at https://roughdraftatlanta.com/2023/09/27/sandy-springs-residents-reject-code-updates-for-gas-station-expansion/ .1) Sandy Springs should not allow garages that existed before 2005 to be enlarged in violation of existing codes, like front yard setbacks. Larger vehicles are a public safety threat to our community, and do not need more subsidies. They also increase wear and tear on our roads, increasing maintenance costs. Parking spaces for oversize vehicles are already available, at a price. People buying larger and more expensive vehicles should pay their own way, not ask for welfare from the community for their irresponsible decisions. 2) Roswell Road is dangerous and it is irresponsible to make the safety problem by allowing more gas stations here. Sidewalks and crosswalks are inadequate. Police do not enforce speed limits, cell phone bans, restrictions on tinted windshields, etc. There is a lot of traffic. Gas stations inherently have a lot of curb cuts (for tankers to go in and out) and the business model requires frequent vehicle traffic. This combination of a lot of drivers entering and exiting the premises, plus a large volume of traffic on Roswell, creates a lot of opportunities for drivers to injure or kill members of the community. Everyone involved will be culpable if somebody gets hurt.3) This is fiscally irresponsible land use. Land bordering Roswell Road is commercially valuable. It should be used accordingly, and generate a lot of tax revenue to reduce the burden on other constituents. Gas stations inherently need a lot of land, for tankers and customers to maneuver, but sell relatively low-value goods, pay relatively little, and can't generate as much tax revenue.4) Public health is harmed by particulates from vehicle emissions, and Sandy Springs should do the bare minimum of discouraging burning gas and diesel by not approving new stations.5) It is fiscally irresponsible to build a new Sandy Springs fuel depot. Police vehicles have heavy use. EVs are more efficient per mile, and much more efficient for idling (when AC and electric systems can be run without running an entire combustion engine). The fuel and maintenance savings of switching to electric vehicles are clear, and will become stronger over time. Just in terms of fueling, level 2 chargers are basically 240V extension cords, and we should be able to install and maintain them at lower cost than a gas station. Sandy Springs government agencies should be transitioning the fleet away from gas to EVs, not making further investments into an expensive and out of date technology.6) Roswell Road, especially between City Springs and the south edge of the city at Meadowbrook, should be a priority for dense development accessible by transit and pedestrians. This is the section with the easiest MARTA access and the worst traffic. Businesses already rely on a workforce that does not drive. The city could make the most tax revenue by encouraging dense residential construction and valuable commercial use that is not entirely car dependent, as opposed to cut-off walkable developments that still require visitors to drive there, and either use valuable land for surface parking or even more expensive parking decks like the underground lot at City Springs to subsidize drivers. More gas stations along the Roswell in the vicinity of 285 are inherently contrary to this goal, because they offer nothing to nearby residents and are hostile to pedestrians trying to walk to a more valuable business or a higher-paying employer.

ruth, sprinkle	Please do NOT change the codes so that there are more gas stations on Roswell Road, inside the Perimeter!
James Duffy, Hickey	I appreciate the work that has been done by city staff as the development code goes under review. I also appreciate the opportunity to learn from the full disclosure on the web site and the open house last week. Having said that, I have a few concerns on some items. First, and with emphasis, I do NOT favor eliminating fuel stations distance requirements. I live at the southern end of Sandy Springs and we currently have NINE gas stations between the south end (including Shell just 10 yards south of the city line) and Hilderbrand Dr. We do not need more stations in that area. We do not need large (QT, Race Trac, etc.) stations anywhere along that corridor. They would only attract more traffic getting off I-285 and Roswell Rd, an already miserable intersection. We do not need a gas station at the NE corner of Windsor Pkwy and Roswell Rd. Any â€œ1 for 1â€ exchange should be within a reasonably close proximity, to prevent someone from buying and taking down one small station in a remote location, to add a large one along Roswell Rd south of Abernathy. I understand that our mayor's son works for one of these large gas station operators and, if true, I would expect the mayor to recuse himself in the discussion and in any tie-breaking vote that might be necessary. Second, with regard to garage setback changes. This does not make sense to me. It is said to be able to accommodate citizens who have larger cars. We do not need to incentivize people to buy larger cars! Additionally, only one car opening would face the road. Any additional cars would have to be on the side of the garage, which means a) adding more driveway space to the side of the garage for cars to go in and out; b) many houses do not have the space to do that, and; c) more driveway means more impervious surface, which then requires a large amount of costly mediation. Third, Age restricted multi units should NOT be permitted in O/N. Such buildings do not apply to either word: office or neighborhood. Fourth, Retail establishments should NOT be allowed in the same O/N for the same reasons. This is encroachment into a neighborhood setting of more active commercial activity and traffic. Fifth, I do NOT favor increasing any current height restrictions. As Andy Bauman told me at the open house, we have a very desirable location for lots of people interested in development. Because we are so desirable, we can be picky and do not have to accommodate every request. Let's grow wisely, but with the top priority always being the high quality of living that the new and long term residents of Sandy Springs expect. Thank you again for the opportunity to express my opinions and for the open attitude that you have about the project and for all that you do for the citizens of Sandy Springs.

	Duffy Hickey
Susan, Maziar	Please donâ€™t eliminate the Â½ mile spacing requirement between gas stations.Councilman Paulson told me the other night at the DC open house that we have 27 gas stations in SS. I have since learned 18 of these are on Roswell Rd that is 10.7 miles long (city of Atlanta line to North River Tavern). (Thatâ€™s one gas station for q 0.6 mile.) It is my understanding we also have 60 automotive uses on roswell rd -this includes the 18 gas stations - definitely an over abundance (thatâ€™s an automotive use or gas station every 0.18mile). Automotive Uses and gas stations are everywhere: we are saturated.There are also more gas stations sitting on our borders or close to our borders not included in the count: for ex shell station at Meadowbrook drive on Roswell Rd. on the City of atlanta line and another Chevron a little further south, Mt Paran RD. country store with 4 pumps, brookhaven Costco 18 pumps, and more in Perimeter area near us on Ashford Dunwoody. There are Prob more close to our borders in Panhandle and Powers ferry landing areas, Iâ€™m not sure. Looking a little deeper, we have 6gas stations within City Springs, 6 within Â½ mile of I285 roswell rd exit, and 7 down on our south end with an 8th sitting directly on our border. I know the North end has plenty too.Iâ€™m saying all this because we donâ€™t want or need a new large-scale Racetrac/Gas Station at RoswellRd and Carpenter Drive in the heart of our city. It is a prime spot, one of our most visible Gateways. This would not help beautify Roswell rd; it would not enhance City Springs; it would not create a healthy mix of uses; it would not encourage walkability in our downtown ;it would not fulfill any â€œ community need;â€ and it would not add anything to our brand or SSidentity. The added traffic be a nightmare. Six stations here are enough. Mayor, I loved it when you once said â€œwe can afford to wait.â€ (to get what we want). I think we have that sort of a situation here. Letâ€™s get this right.Give the new financial incentives staff is proposing a chance to work: more fuel pumps if an existing station makes improvements.Support small business owners. The newly rebuilt station down at East Belle Island when finished will hopefully set a shining example.And lastly, please re-evaluate the 1 for 1 replacement proposal . This means a developer can buy out the 2 Citgo fuel pumps on Dunwoody Place up near the river and then be allowed to build a 20 pump station on Roswell Rd. at Carpenter drive 8.3 miles away. That doesnâ€™t even make sense. We already have 6 gas stations here: We donâ€™tneed another. The 1 for 1 replacement idea only makes sense if they are close to each other.Thank you. Susan Maziar
Franziska, Shepard	I Do not recommend changing gas station 1/2 mile apart restriction. We do not need more gas stations on Roswell Rd.
Zach, Wilson	I think weâ€™re OK for gas stations. Who has to drive more than 3 miles to get to one?
Casey, DeSandre	In addition to clarifying General Standards in Zoning, please provide a standard, orderly method to requesting a Variance on anything. Navigating the permit and zoning process was extremely difficult and required insider-level knowledge to assist from an Architect side. Also, the requirements for retaining walls, although understandable, are quite prohibitive to multiple story development when considered in concert with building height restrictions.

Sam, Manjiyani	The CSX district is already very congested and has enough number of fueling stations. Allowing any new stations will only add to the traffic and congestion. Any new stations should be allowed outside of the CSX district about 2 miles away from the I 285 and Roswell Rd intersection. The focus should be more on allowing EV stations and not fueling stations.
Melanie, Couchman	I would like to see more housing at various income levels, especially entry level homebuyers and entry level rentals. We are missing both of these types of housing and many of the studies the city has conducted indicate we need both of these. Please make sure you are offering codes that will incentivize this type of housing to be offered.
Soheb, Roy	I am opposed to the three code development changes being made. I do not believe Roswell road needs another gas station there are over 10 in a 3 mile span. Changing the rules for one or two specific locations is unfair to the existing businesses that have put in time, money, and years of hard work into the community.
Leslie, Rose	Please do not Eliminate the 1/2 mile rule spacing requirement for gas stations. We already have too many on Roswell Rd. Please do not Allowing accessory fuel sales. We have plenty of gas stations and plenty of pumps located in Sandy spring. I never have to wait in line for gas - ANYWHERE. We don't need any more pumps or stations or accessory fuel sales on Roswell Road or anywhere in Sandy Springs and I've lived here over 30 years. My family and I are completely against the recommended changes regarding gas stations which relax the regulations. The residents and administration together worked hard to install the code language that limits auto uses and gas stations for a very specific reason...they are NOT beneficial to the city's appearance and quality of life in Sandy Springs. My concern is these changes COULD allow in the future for leverage of large parcels to become gas stations at key City gateways; at the southern City border at Windsor Pkwy and Roswell Rd, at the River at North River Pkwy and Roswell Rd and the entry to the City Springs district at Carpenter Drive where RaceTrac is known to own 2 parcels. Thank you for the time and consideration for the RESIDENTS of Sandy Springs. Next up, please create a right turn lane from Windsor Parkway (headed west) onto Roswell Rd (headed north). The traffic is backed up at that light, to in front of my house on a regular basis.
VAZIR, ROY	TOO MANY GAS STATION AND CONV STORE IN THE SANDY SPRINGS AREA SPECIALLY NEAR INTER STATE 285
SHAMA, ROY	TOO MUCH TRAFFIC FOR EXTRA GAS & COV STORE IT WILL BRING MORE CRIME IN THE NEIGHBORWOOD
NEELAM, KESHWANI	MORE GAS STATION AND COVENIENCE STORE WILL BRING MORE CRIME AND TRAFFIC CONGESION THANKS
JALAL, DHOLAKIA	SANDY SPRINGS HAS NO NEED FOR MORE FUEL STATION OR CONV SHOP TO BRING MORE CRIME & TRAFFIC
RAVI, SHAHANI	TRAFFIC CONGESATION & CRIME NO NEED FOR MORE FUEL & RETAIL CONV

Carolyn, Axt	I strongly urge you to keep the 1/2 mile limit between gas stations. As we work to redevelop the north end - we don't want to have any opportunities for purchasing properties such as near the river and putting in a large gas station - we already have more than enough gas station options. We need to encourage upscale redevelopment, not open flood gates for more gas stations anywhere in our city. As for allowing additional pumps with certain improvements, I believe it is imperative to require community/neighbor involvement not all "improvements are equal." Please place some more specifics on allowing bio-tech industries to locate near our residential areas. What types can go where and with what buffers, again requiring neighborhood input. Thank you for considering making these changes before moving forward with the recommended codes.
Sam, Matty	Loads of traffic increase in and around, so it is better to control the flow and not to get any more or gas stations or other projects.
Samuel, Lake	There is a lot of increasing traffic in and around sandy springs, bringing new locations would result in more dense traffic i feel.
Stefanie, Paulos	I want to preserve my neighborhood and avoid further density. I support the CPCA-EB recommendations shown below: ADDITIONAL GASOLINE STATIONS ON ROAD â€“ Currently there is a Â½ mile distance requirement between new gas stations. We already have 27 gas stations in Sandy Springs with 18 on Roswell Road. RaceTrac or another multi pump station would like to build a gas station at Windsor Parkway and Roswell Road . Currently SSS recommends a 1 for 1 replacement. But a large company could buy two smaller existing stations, close them and build a mega multi pump station at another location like Windsor Pky and Roswell Road. CPCA-EB RECOMMENDATION: Ask that SSS keep the Â½ mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations) on areas like corner of Windsor Pkwy and Roswell Road. HIGHER DENSITY HOUSING GROUPS from GLENRIDGE SOUTH TO CITY OF ATLANTA â€“ Currently NEIGHBORHOOD UNIT (NU) is not allowed in OFFICE NEIGHBORHOOD (ON) areas. SSS wants the NU added to ON areas. NU is 2 or more dwelling units with 4 to 12 units in each dwelling unit. A possible example of this problem in our neighborhood is if Cat Doctor and the office at corner Mystic Place and Roswell Road sell their properties to a developer. This could increase the density and traffic. CPCA-EB RECOMMENDATION: 1. Deny or 2. Allow only if less than 12 units and only one access directly to Roswell Road with the requirement of a conditional use permit (CUP) to allow neighborhood input on any rezoning or site changes. INCREASED DENSITY IN COTTAGE COURT DEVELOPMENT PATTERN â€“ Currently Cottage Court (CC) is in Development Code (DC) with a minimum 2 acre lot and no more than 18 units. Again the site of the Cat Doctor and Corner of Mystic Place could be developed with CC. SSS wants to remove the maximum of 18 and allow 50 units with only one street outlet to an existing public street. CPCA-EB RECOMMENDATION: 1. Deny and keep current language or 2. Support only with caveat that the only access from CC is to Roswell Road not via any

	Protected Neighborhood street (like Mystic Place) and require a conditional use permit (CUP)to allow neighborhood input on any rezoning or site changes. ADDITIONAL RETAIL USES ON ROSWELL ROAD from GLENRIDGE SOUTH TO CITY OF ATLANTA- Currently Office Neighborhood (ON) is limited to residential (not multifamily, only single family), museums, libraries and private schools. Retail is not allowed in ON. There are 3 nodes on Roswell Road that do allow retail. Glenridge/Mt Paran, Fountain Oaks (both sides of street) and Chastain Square (use to be called Gateway). There are sections on Roswell Road that have townhomes, 2 story medical and professional office buildings and other low density/low traffic uses. Staff wants additional Neighborhood Retail sites. These would include changes in the ON areas to retail-like structures, such as pawn shops, cigar stores, pay day title loans, vehicle parts and accessories, etc. This SSS proposal could destroy the character of the area. CPCA-EB RECOMMENDATION: 1. Total denial since any additional retail in Office Neighborhoods would destroy the character of the area with higher density. The three current nodes that allow retail have plenty of space for additional retail use (For example, the empty Sprouts or empty space at Fountain Oaks) ALLOW BUILDING of NEIGHBORHOOD EATERYs ON ROSWELL ROAD - This SSS proposal would allow a Neighborhood Eatery of 3000 SqFt. A drive thru would still be denied with new proposal but large restaurants like Waffle House etcâ€¦ would now be allowed. CPCA-EB RECOMMENDATION: 1. Total denial or 2. Reduce size to 1000 SqFt and require design standards. 6. SSS wants to allow construction entrances and accessory buildings into the rear buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. This would reduce the buffer approximately in half with loss of trees, privacy, etc as a result. CPCA-EB RECOMMENDATION: Deny totally.
Patrick, Stellar	=-@ more parking spaces needed sometimes -@ good community centers needed for kids and senior citizens -@electrical stations required -@Traffic caused due to gas stations
Shirley, Mayy	Improving the city infrastructure is good but we need to limit the gas stations as they might be the reason for a lot of traffic in and around them.
Nilofer, Noorani	I would like to oppose the 1/2 mile rule. In my opinion there is no need for any more gas stations in the area. There are already so many and a lot a traffic flow an additional gas station would bring more traffic into an already congest space.
Virginia, Smith	As a resident of Cherokee Park, I am opposed to several of the proposed changes to the development code. Please do not permit additional gas stations on Roswell Road; do not reduce the distance between gas stations so that more gas stations could be built. Secondly, please do not allow higher density housing groups to build

	in ON areas. Third, do not allow increases in density in cottage court development pattern. Fourth. do not allow increased retail on Roswell rd in the area near Cherokee Park; we already have two shopping centers that have vacanciesâ€¦ most notable is gateway with considerable retail space sitting vacant. Similarly, I am opposed to the building of neighborhood eateries on Roswell Road as once again, they could be incorporated into the already partially vacant shopping centers noted before. Finally, and very importantly, make no changes to the setback/tree buffer on the rear of our properties as this would invite unwanted construction that would seriously upset the character of our community and the privacy of homeowners lots.
Jamie, Pennington	I strongly oppose any changes to the development code and certainly to the existing rules regarding gas stations. It seems like the council is prioritizing commercial demands over the tax paying citizens of our community. There are plenty of existing vacancies along Roswell Road and never once have I seen lines at any gas station. We have plenty of current retail/food/gas options and do not need any changes to our current development code at this time. I also oppose any changes along the CN lines as well. These changes do not preserve the beauty of our city and would not enhance the lives of those who live in Sandy Springs.
Matthew, Payne	My wife Clare Payne & I are currently 25 year residents of Sandy Springs and serve on several NON PROFIT ORG boards. Our children have all gone through our cities Fulton public schools. We strongly oppose all changes to the development code for all reasons. We understand the 10 year plan does not align with these changes, nor adhere to any restrictive codes that are currently purposefully in place to protect the hard working tax payers and voters that elected the current politicians who are pushing these changes for either professional or PERSONAL reasons.
Nancy, Buck	I am filing this form to voice my total displeasure regarding the proposed changes to the Development Code. I have lived in my home/neighborhood for 27 years. The neighborhood is a quiet haven off of Roswell Road. The proposed changes will increase the cut through traffic in the neighborhood making it dangerous for children playing and neighbors walking. We do not need additional gas stations on Roswell Road. The current 18 is plenty. I ask that you keep the 1/2 mile spacing and make no change to the Office Neighborhood use. Traffic is horrendous on Roswell Road thus we do not need increased density south of Glenridge. Please deny the higher density housing and the increased density in cottage court development patterns. Again, the traffic on Roswell is horrendous thus we do not need additional retail uses or more restaurants on Roswell Road from Glenridge south to the city of Atlanta. And please do not kill any more trees by allowing construction entrances and accessory building into the rear buffers of areas marked RE1 and 2, RD 18, RD27, RD15, RD12, RD9, RD7.5 and RU.

Lori and John, Mayfield	Regarding the proposed changes in the Development Code for the area Glenridge south to City of Atlanta:1) Gas stations - keep the Â½ mile spacing requirement between stations and make no change from Office Neighborhood use for large intersections like corner of Windsor Pkwy and Roswell Road.2) We are opposed to allowing Neighborhood Units in Office Neighborhood zone areas. If that isn't possible, they need to be severely limited in size and only allow access via Roswell Road. 3) Keep Cottage Court requirements to a minimum 2 acre lot and no more than 18 units. 4) We are against additional retail sites in the current Office Neighborhood areas. We can't keep all of the retail filled as it is; we don't need more new retail.5) Reduce size of additional neighborhood eateries.6) Do not allow construction entrances and accessory buildings into the rear buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. In general, we are most concerned about increasing density to the point of creating cut through traffic in our neighborhood where we don't have sidewalks. The traffic in the City of Atlanta from 10 Degree South to Windsor Pkwy adds 10 minutes to my commute getting home. Trying to go towards the Perimeter on Roswell Rd north of Glenridge is a mess. The last thing we need is to add more standstill traffic between Windsor and Glenridge where it currently moves at a decent pace. The best part of our area of town is that we are not gridlocked with traffic. Please don't change that!
Will, Henderson	Too much Crime anyways for the gas station, theft and life risks .We do not need anymore gas stations
Chase, Smith	We need a new branch for Chicago Pizza and Oven Grinder
Steve, Leahy	Need a new burger place "whataburger"
Karen, Woods	Need a sports Arcade not too much things for the kids to do
Shaluvi, Gautam	Need good dancing and training school for our girls.
Olcay, kursun	Need Gymnastic for the girls and classed like pottery, dancing, etc
Theo, M	more dog parks and senior wheelchair accessible parks
Rurh, Sprinkle	I m opposed to changing the current code regarding the gas stations proximity to each other, â€¦and I am opposed to any changes or additions to the Office. Neighborhood code
Sallie, Duncan	Dear Members of the City Council and City Staff Members, Regarding the code changes you are considering. I am very against changing the code to allow more gas stations. We already have more than enough. I don't care to see large gas companies come into our city and develop. We have plenty of those nearby. I also am against changing any of the ON code for now. Almost all of the ON code is inside 285 and I believer we need more time and consideration to change the code for now. Thank you, Sallie Duncan
Norris, Broyles	I am opposed to any change to the 1/2 mile separation of gas stations requirement. I am opposed to any alteration to the ON zoning use character.
Warren, Fergus	I support the current code regarding gas stations can only be placed within 1/2 mile of one another. I would like this code to stay as is and not be loosened.
Phillip, Kemp	We got enough traffic issues in our area if we can find space lets have atleast a dog park.

Samantha, Ridge	Please let's not have more gas stations here got enough already with traffic issues.
Chris, Laird	Gas Station Spacing Requirement â€“ Please DO NOT eliminate the 0.5-mile spacing requirement between gas stations. I live in District 5. There are already 6 gas stations between ATL City limit and I285 along Roswell Rd.; 7 if you include the Shell station just inside ATL at the south. Plus, there are additional automotive use businesses along that same corridor. Why is the City considering changing an entire city code for a single corporate entity with no allegiance to our city or community ? Why ?! The City already has 60 automotive use businesses on Roswell Rd. (south to north) and this includes 18 gas stations. And this number doesnâ€™t include peripheral stations at our borders. We as a City are saturated ! I donâ€™t need or want a new large scale gas station at Windsor Pkwy & Roswell Rd. or at Roswell Rd. at Carpenter Dr. These are prime/visible entrances to our beautiful city. Elimination of this requirement does not beautify our city, it does not enhance a healthy mix of uses, it does not fulfill a â€œcommunity needâ€, and it adds nothing to our brand or community identity. Do Not eliminate this requirement. â€œWE CAN AFFORD TO WAIT FOR A BETTER OPPORTUNITYâ€. And thatâ€™s a quote from Mayor Paul !
Mary, Laird	Please DO NOT eliminate the 0.5-mile spacing requirement between gas stations. I live in District 5. There are already 6 gas stations between ATL City limit and I285 along Roswell Rd.; 7 if you include the Shell station just inside ATL at the south. Plus, there are additional automotive use businesses along that same corridor. Why is the City considering changing an entire city code for a single corporate entity with no allegiance to our city or community ? Why ?! The City already has 60 automotive use businesses on Roswell Rd. (south to north) and this includes 18 gas stations. And this number doesnâ€™t include peripheral stations at our borders. We as a City are saturated ! I donâ€™t need or want a new large scale gas station at Windsor Pkwy & Roswell Rd. or at Roswell Rd. at Carpenter Dr. These are prime/visible entrances to our beautiful city. Elimination of this requirement does not beautify our city, it does not enhance a healthy mix of uses, it does not fulfill a â€œcommunity needâ€, and it adds nothing to our brand or community identity. Do Not eliminate this requirement. â€œWE CAN AFFORD TO WAIT FOR A BETTER OPPORTUNITYâ€. And thatâ€™s a quote from Mayor Paul !
Jean, Sykes	I would like to vote against the planned building development on the 1/2 acre lot at the corner of Windsor Parkway and Roswell Rd.
Lindsey, Sykes	I would like to vote against the planned building on the 1/2 acre lot at Roswell and Windsor Parkway
Kristi, Gaffney	We are very opposed to the elimination of the 1/2 mile distance requirement for gas stations and allowing large parcels to be used for this purpose. -Specifically, the intersection of Roswell Road and Windsor Parkway leads to single family home neighborhoods for the entirety of Windsor Parkway. The addition of a large commercial-style gas station would bring additional traffic at all hours of the day and night, more opportunity for crime and isn't consistent with the neighborhood along Windsor parkway. Vote no to rescind this development requirement.
Eileen, Gordon	I Vote to oppose any construction towards a gas station/Quiktrip on this parcel of land. It would be disastrous for the neighborhoods around the area.
Ryan Watson, Ryan	Against the change in the gas station code

Mary, Ford	Hello - As a follow-up to the comments I made at the City Council meeting on October 3rd, I am submitting this comment on behalf of the High Point Civic Association. Our Board has reviewed the proposed development code changes and is unanimously against any Code changes to Gas Stations in Sandy Springs, including the proposed elimination of the 1/2 mile spacing requirement between gas stations.. In addition, the board is unanimously opposed to any changes to ON (Office Neighborhood). The ON designation is still relatively new and is working. We recommend that any changes to ON be evaluated as part of the upcoming Next 10 Development plan update in 2025. Thank you Mary Ford President High Point Civic Association
Mira, Liniado	My preference is that there are no changes made to the development code related to gas stations and the half mile spacing requirement does not change. I do not want more traffic in the heart of our city and it would not beautify our city.
Deborah, De Genova	I am a Sandy Spring's resident writing to respectfully oppose all the proposed SSS changes to zoning on Roswell Road. The City of Sandy Springs is walking a fine line with development for commerical tax income and commerce and maintaining the sanctity and peace of the City for residents. Adding too much commerce and congestion will deteriote the City and its brand by eliminating green space, increasing traffic congestion and not respecting residential zones for families to live and thrive. Having stricter zoning ordinances will only help the City and its brand/image. Adding commerce and traffic congestion will make it a less attractive place to live. Keeping with a clear Sandy Spring identity is really important for our community as sometimes maintaining your identity and appeal is more about what you do not do/allow vs what you change. Specifically, the following changes will result in the following negative impacts to residents and thus I recommend they are denied in totality: -ADDITIONAL GASOLINE STATIONS ON ROAD â€“ Please deny this proposed change. More gas stations means more traffic and potetnial underground contamination with leaky tanks -HIGHER DENSITY HOUSING GROUPS - Please deny this proposed change as it will result in an urban type of feel and more traffic. -ADDITIONAL RETAIL USES ON ROSWELL ROAD from GLENRIDGE SOUTH TO CITY OF ATLANTA- Please deny. This is critical to deny as it will very much extend mini mall sprawl to long-standing established neighborhoods with many religous residents who need to walk to church posing a danger to them. ALLOW BUILDING of NEIGHBORHOOD EATERYs ON ROSWELL ROAD - Please deny. More eateries will result in the odor, rodents and more traffic for existing residents. There are plenty of eaterys already on Roswell Road. Do we really need more? SSS wants to allow construction entrances and accessory buildings into the rear buffers - Please deny and keep our green space and have principles on what can be developed and not. Speaking as a resident impacted by significant construction since 2018, the last thing we need is to enable more construction entrances via rear

	buffers. The builders already have it way to easy with few consequences for violating the zones ALREADY in place. Thank you very much for respectfully consider our feedback. Deborah Ross De Genova
Atul, Agarwal	This is about the planned development at the corner of Windsor Parkway and Roswell Rd., where PuppyHaven is located. We need to make traffic more free flowing and need a right turn lane from Windsor onto Roswell. There are two gas stations within half mile on each side of that intersection, and 3 more within 1 mile; we really do not need more gas stations!!
Madhuvanti, Deshmukh	Listen to your residents! The HPCA voted unanimously 21-0 against any Code changes to Gas Stations in Sandy Springs, including the proposed elimination of the 1/2 mile spacing requirement between gas stations. They also voted unanimously 21-0 to deny any changes or additions to ON (Office Neighborhood). We do NOT want any more development, other than a dedicated right turn lane from Windsor Pkwy onto Roswell Rd.
Allen, Bell	In The Relocation of Existing Fuel Pumps or Fuel Stations Section via a Conditional Use Permit: o There was language that this option was limited to certain zoning districts, but that language was struck. Does this mean this is an option in all zoning districts? o Clarification that Alternative Site means another property and not necessarily rebuilding a new fuel station on the same lot as the one to be removed. o Does the gas station that is to be eliminated have to be in the same zoning district as the new one? o What does mitigation of the former site mean? Is that just the removal of the fuel pumps and tanks?
Mary, Serth	I am very concerned about the potential development of the land parcel at the corner of Windsor Parkway and Roswell Road. I use that intersection at least 4 times a week and with the current volume of traffic, it is extremely difficult to get through. Two days ago at 11:35am it took two cycles of the traffic light to take a left from Windsor Parkway to Roswell. Traffic is bad all over Atlanta, by allowing a commercial property to be built on this corner, you will be ensuring that traffic will get even worse! When the intersection was redesigned and moved north a few years ago there should have been a dedicated right turn lane to ease the congestion.

Susan, Maziar	Please deny all proposed changes/ additions to ON (Office Neighborhood).I live in District 5 and our 2 mile stretch of Roswell Rd. (that we share with District 6) does not need â€œRetailâ€ (way too broad) nor â€œ Restaurant Retailâ€ added to ON as Allowed Uses. Do not change our entire Code to accommodate one developer.There is no community â€œ wantâ€ nor â€œneedâ€ for more retail or restaurant space in this area.. We already have 3 huge retail centers/nodes that are working: Gateway, Fountain Oaks, and the Prado (on our border) with lots of shops and restaurants. New retail could locate here in all the empty spaces.ON was intended to minimize extra curb cuts and traffic that â€œretailâ€ creates as we have many residential streets that empty onto Roswell Rd. We are a Neighborhood Village on the Character Map. Please donâ€™t unravel all the years of hard work and community support we have in this area. ON is working!
Jimmy, Kim	Regarding SSS's proposed change to the number of gas stations to be allowed on Roswell Road, I strongly ask that SSS keep the Â½ mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations) on areas like corner of Windsor Pkwy and Roswell Road. There is more than enough gas stations on Roswell Road (there are 4 within a mile from my neighborhood), and frankly gas stations attract unnecessary congregation of individuals in and around the neighborhoods. If SSS wants Sandy Springs to continue to be a place where million dollar homes are built and/or home values continue to increase (which leads to higher property taxes that SS can collect), allowing more gas stations is NOT something to allow.
Marsha, Holcomb	With regard to proposed changes to the development code and the negative impact on Cherokee Park Neighborhood: 1. We do not want or need additional gas stations on Roswell Road. We want to keep 1/2 mile spacing and make zero changes to Office Neighborhood. 2. We do not want higher density south of 285. Do not change Neighborhood Unit added to Office Neighborhood. Allow change only if less than 12 units and only one access directly onto Roswell Road with the requirement of a Conditional Use Permit and neighborhood input on any changes. 3. Do not increase density of Cottage Court Development Pattern. Do not decrease 2 acre lots . Do not allow more than the current 18 units. Any access should be to Roswell Road not neighborhood like Cherokee Park. 4. Currently there are three nodes south of Glenridge on Roswell Road allowing retail. In those nodes (Ex. Fountain Oaks & Chastain Square) there is plenty of empty space to be used as retail. We would like denial of any of the recommended changes to this area . 5. We do not want eateries on Roswell Road larger than 1000 sqft at most and add a requirement of design standards. 6. We do not want construction entrances and accessory buildings in rear buffers of areas marked as RE1, RE2,RD18,RD27,RD15,RD12,RD9,RD7.5 and RU so request total denial of this recommendation.

Charlie, Kontz	I would like staff & the council to not make any changes to the Development Code in regard to two proposed changes. 1) Code Changes to Gas Stations should not be changed. I know this has nothing to do with the code but why would we want to put more stations & traffic on Roswell Rd & why change the 1/2 mile spacing? 2) Deny any changes to ON (Office Neighborhood). The current code seems to be working to protect Neighborhoods. Let's have the present code stay the same & not open up "Pandor's Box." I vigorously oppose these two potential changes. Sandy Springs is pro neighborhood please do not make either of these code changes. Thank You, Charlie Kontz
Linda, MacLean	I oppose the development proposed for Roswell road. We do not need more gas stations , retail space or otherwise.
Penelope, Malone	1. ADDITIONAL GASOLINE STATIONS ON ROAD -- I request that the COSS maintain the current 1/2 mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations). 2. HIGHER DENSITY HOUSING GROUPS FROM GLENRIDGE SOUTH TO CITY OF ATLANTA â€“ I am opposed to allowing NEIGHBORHOOD UNITS (NU) in OFFICE NEIGHBORHOOD (ON) areas. 3. INCREASED DENSITY IN COTTAGE COURT DEVELOPMENT PATTERN â€“ I request that the COSS keep the current Cottage Court (CC) in Development Code (DC) with a minimum 2 acre lot and no more than 18 units. 4. ADDITIONAL RETAIL USES ON ROSWELL ROAD FROM GLENRIDGE SOUTH TO CITY OF ATLANTA- I request that the COSS keep the current limit of Office Neighborhood (ON) to residential (not multifamily, only single family), museums, libraries and private schools. We DO NOT NEED any further Retail in this area. The existing retail nodes have extensive storefronts and square footage with empty retail space. No further additions of retail are needed. 5. ALLOW BUILDING OF NEIGHBORHOOD EATERYS ON ROSWELL ROAD - I request a Total Denial of this proposal. 6. Allow construction entrances and accessory buildings into the rear buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. I am TOTALLY OPPOSED to this change. At the present moment the lot next door to us is being built out to the last square inch allowed in the current development code. I do not want any further diminution of our forest canopy or setbacks. In conclusion, I continue to be appalled at the extent to which the COSS has lost its focus, completely and utterly, from the original intent for which the City was organized. The COSS was incorporated because its residents wanted to maintain our wonderful neighborhoods, forests and wildlife therein. Each year the COSS seems intent on destroying our neighborhoods, our forests and our quality of life for the benefit of commercial and residential developers who seek to make a fast dollar and depart, leaving destruction and ugliness in their wake. Thank you for your consideration of these requests.

John, Champion	1. ADDITIONAL GASOLINE STATIONS ON ROAD -- I request that the COSS maintain the current 1/2 mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations). 2. HIGHER DENSITY HOUSING GROUPS FROM GLENRIDGE SOUTH TO CITY OF ATLANTA â€“ I am opposed to allowing NEIGHBORHOOD UNITS (NU) in OFFICE NEIGHBORHOOD (ON) areas. 3. INCREASED DENSITY IN COTTAGE COURT DEVELOPMENT PATTERN â€“ I request that the COSS keep the current Cottage Court (CC) in Development Code (DC) with a minimum 2 acre lot and no more than 18 units. 4. ADDITIONAL RETAIL USES ON ROSWELL ROAD FROM GLENRIDGE SOUTH TO CITY OF ATLANTA- I request that the COSS keep the current limit of Office Neighborhood (ON) to residential (not multifamily, only single family), museums, libraries and private schools. We DO NOT NEED any further Retail in this area. The existing retail nodes have extensive storefronts and square footage with empty retail space. No further additions of retail are needed. 5. ALLOW BUILDING OF NEIGHBORHOOD EATERYS ON ROSWELL ROAD - I request a Total Denial of this proposal. 6. Allow construction entrances and accessory buildings into the rear buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. I am TOTALLY OPPOSED to this change. At the present moment the lot next door to us is being built out to the last square inch allowed in the current development code. I do not want any further diminution of our forest canopy or setbacks.In conclusion, I continue to be appalled at the extent to which the COSS has lost its focus, completely and utterly, from the original intent for which the City was organized. The COSS was incorporated because its residents wanted to maintain our wonderful neighborhoods, forests and wildlife therein. Each year the COSS seems intent on destroying our neighborhoods, our forests and our quality of life for the benefit of commercial and residential developers who seek to make a fast dollar and depart, leaving destruction and ugliness in their wake. Thank you for your consideration of these requests.
David, Couchman	Omitted from the code is the city's need for workforce housing. Being silent on this issue allows developers to build without having to incorporate plans for affordability for essential workforce needs, i.e. police, teachers, emergency workers, and other essential lower paying occupations. Ignoring this requirement stymies the economic success for the city, increases the traffic burden for everyone, and fails to promote diversity at all economic levels.

Krista, Friedman	1. In regard to more gas stations on the road please keep the current spacing and make no change from Office Neighborhood use (which excludes gas stations. 2. Regards to higher density housing groups south of Glenridge to City of Atlanta - DO NOT allow any change. The traffic is already so bad and do not need more multifamily housing to further increase traffic. 3. Increased density in cottage court development pattern- keep it as is and do not make any changes. 4. Additional retail uses on Roswell Road- deny any change to prevent destroying the current character of the area. There is already plenty of retail use some of which sits empty as is. 5.Allow building of neighborhood eaters on Roswell Road- deny. We already have enough! 6. Allow construction entrances and accessory buildings into rear buffers of areas- Please DENY any changes. The reduced buffer would result in loss of trees and privacy.
Andrew, Jones	The notion of yet another gas station at the junction of Windsor Parkway and Roswell Road is preposterous. A little way north on Roswell there is Kroger and a gas station that is being remodeled. A little way south are two further gas stations. Our community has more pressing needs than another gas station. In sum, a silly proposal which should be blocked.
Leslie, Laird	1.) I ADAMANTLY OPPOSE the elimination of the 1/2 mile spacing requirements for gas stations. This is totally unnecessary as there are already TWENTY SEVEN 27 gas stations in Sandy Springs with EIGHTEEN ON ROSWELL ROAD. Traffic at Windsor Pkwy and Roswell Rd is BAD ENOUGH ALREADY. 2.) I ADAMANTLY OPPOSE higher density housing groups from Glenridge South to the city of Atlanta. I OPPOSE the NU added to ON areas. If this passed, it would ONLY mean an increase in both density and traffic. As I see it, IT'S BAD ENOUGH ALREADY. 3.) I ADAMANTLY OPPOSE increased density in cottage court development pattern. NO NO NO NO...NO! It is dense enough already. 4.) I ADAMANTLY OPPOSE additional retail uses on Roswell Rd from Glenridge South to the city of Atlanta. We do NOT need additional neighborhood retail sites. We have enough pawn shops, cigar stores, day day title loans, vape stores ALREADY. 5.) I ADAMANTLY OPPOSE allowing the building of neighborhood eaters on Roswell Road. We have enough restaurants as it is, and I know they could all use more business, not more restaurants to take away from their existing business. 6.) I ADAMANTLY AND VEHEMENTLY OPPOSE allowing construction entrances and accessory buildings into the rear buffers of areas marked as RE1 and 2; RD 18; RD 27; RD15 RD 12; RD 9; RD 7.5 and RU. This would reduce the buffer approximately in half with a MAJOR loss of trees, privacy, places for our birds and animals to live and thrive, etc as a result. NO NO NO...NO to allowing for the destruction of mature canopy trees.

jack (vazir), thalia	please already as is lot of traffic and crime more fuel station will bring more traffic and crime
Christan, Carter	The code lacks acknowledgment from the city regarding the essential need for affordable housing to accommodate key city workers such as teachers, emergency personnel, law enforcement officers, and other essential but lower-paying occupations. By failing to mandate developers to include affordable housing, it impedes economic growth, exacerbates traffic congestion, and restricts income diversity within the city.
Robert, Richards	Been located here for 22 years and the traffic is already unbearable. I vote not to use that parcel of land for any commercial development.
Tochie, Blad	Sandy Springs needs to consider more innovative ways to provide housing. Most of the proposed changes in regulations may lead to demolishing existing houses/units and building newer more expensive housing and not solving the affordable housing issue cited in the Housing Needs Assessment study. One idea to consider is Community Land Trusts, CLTs run by non-profits. The idea is that people buy a house but lease the land underneath from the trust. Because theyâ€™re not buying the land, this lowers the home price and, when it comes time to sell, the homeowner agrees to do so at a lower price, thus keeping costs more reasonable over the long term. Another key is to limit the use of commercial businesses in residential areas and stop treating the house as a commodity for investors. People need to live in houses. The city not enforcing regulations of short-term rentals in neighborhoods is allowing unregulated hotels next to homes. Staff say they are not the bed police but allowing whole houses to be rented for a night creates commercial property, hotels next to homes. Proliferation of short term rentals also limit the places where people call home - worsening our housing shortage. Where is the safety for these occupants, are they adhering to fire and public health requirements required for lodging? Finally, are all these numerous code changes needed at this time? People make their biggest investment in their home; they need a guarantee about the character of the area that itâ€™s in. There are numerous changes in this proposed code that will alter the community and lead to the commercialization of their homes. The protected neighborhood term is used but the meaning is diluted when you allow retail into neighborhoods as a new use. As the author of Homesick, Brendan Oâ€™Brien describes, â€œIn turning housing into simply another commodity, weâ€™ve ensured that it is bound up in desperation and uncertainty. That our neighborhoods are hollowed out to make room for tourists and investors.â€ Sandy Springs became a city fifteen years ago to meet the needs of the community. We all have an expectation of creating a sense of place, letâ€™s not lose it by tossing out the communityâ€™s work in the Next 10 plan with unnecessary changes in the zoning code. â€¢ The Â½ mile rule between gas stations is still needed. â€¢ Board of Appeals should remain a step in the appeals process. â€¢ Retail should not be allowed in new areas. Neighborhood Eateries only make sense if Design Review Board and a better signage code are in place. â€¢ All for Senior housing and more Daycare being available in the city. â€¢ Mobile services, only 7 days over a 3-month period. How will the city enforce that requirement? â€¢ EV Charging stations, glad you are regulating them would prefer Design Review

	Board approve the design and location Thanks for your time and consideration.
Jordan, Edwards	NADG owns and hopes to redevelop the Prado in the near future. For that reason, NADG makes the follow comments to the proposed text amendment: 1. Regarding Sec. 4.1.4. and Div. 4.5., NADG requests that the proposed SX-6/10 district be changed to SX-6/12, to allow height up to a total of 12 stories with bonuses. The increase in maximum height with bonuses from 10 to 12 stories will materially increase site design flexibility, which is critical for properties with physical challenges. And since a Conditional Use Permit will be required for any multi-unit proposals this tall anyway, the community and city council will have the same ability to affect development proposals regardless of the maximum bonus height limit. 2. Regarding Div. 7.2., NADG requests that â€œMulti-unit up to 3 storiesâ€ be changed to â€œMulti-unit up to the districtâ€™s maximum base heightâ€, and â€œMulti-unit above 3 storiesâ€ be changed to â€œMulti-unit above the districtâ€™s maximum base heightâ€. These changes would avoid inconsistency in the Development Code: a zoning districtâ€™s maximum base height is understood to be developable by right, but a CUP requirement necessarily infringes that right. For example, the SX-6/10 district allows a maximum base height of 6 stories, but as currently drafted the proposed language requires a CUP for multi-unit use proposal over 3 stories. So in effect, the current proposed language makes the SX-6/10 district the SX-3/10 district for multi-unit uses. The change NADG requests avoids this confusion but preserves the CUP requirement for height above the base maximum. 3. Regarding the Enhanced Community Benefit List, NADG requests establishing different square footage options for the items listed under the Amenity Space and Landscaping category. The Shared Greenspace, Active Water Feature, Additional Amenity Spaces, and Furnished Dog Park are all limited by a minimum area of 5,445 square feet each, but this area is a large footprint in a development context and very expensive to provide. NADG requests, first, awarding â€œpointsâ€ for smaller amenity provisions too, and assigning points on a progressive scale so that larger amenity spaces, which have much higher opportunity costs to provide, are incentivized. For example: 1,000 SF = 4 points; 2,000 SF = 10 points; 3,000 SF = 18 points; 4,000 SF = 28 points, etc.). A 5,445-square foot amenity space would need to be worth substantially more ECB credits to ever be realistic for a developer. The smaller area options also extends the incentive to developers of smaller properties who could never amenitize 5,445 square feet and would allow more diversity of amenities. Second, add â€œactive greenspaceâ€ as an amenity option to incentivize provision of a playground or recreation facilities. Third, because itâ€™s impossible to anticipate every scenario, authorize the Director to award bonus points for the provision of unlisted community benefitsâ€”this will provide additional flexibility, and because a CUP is required for the taller multi-unit proposals that would need bonuses anyway, these discretionary bonus points will still receive public and legislative review. Thank you.

Clare, Jones	Re proposed gas station at corner of Windsor parkway/roswell road Unnecessary as there are 2 under a mile on the same side and one just over a mile on that side. There is Kroger petrol on the other side just over a mile. The changes to that junction have helped with congestion, but itâ€™s far from perfect and the proposed petrol station will not improve traffic flow
Charles, Conklin	I strongly oppose making any changes in the development plan regarding gas stations. We have plenty of gas stations already. There needs to be restrictions limiting the locations. I also oppose any changes allowing any buiding of any structures whatsoever in setbacks. Setbacks are designed to limit developable area and protect neighbors whose property abuts those setbacks. That protected area should not be permeated.
Karen meinzen, McEnerny	Karen Meinzen McEnerny District 6 just North of the City of ATl limits west of Roswell Road aka Chastain Park Area 4604 Meadow Valley Drive Sandy Springs, GA Since I have the ability to share all my written viewpoints unlimited by public speaking timeframes, I am taking that advantage at this opportunity, and thank each of you in advance for your time reading it and perhaps keeping it as a reference when I speak before you soon at the upcoming public hearings .. Background: I live in a subdivision called Cherokee Park touching the southern border of City of ATL limits . Originally 90 homes built in the midcentury by Howard Chatham. In fact his first subdivision. Grading was very costly then as compared to the land so he graded only where he had to to construct our ranch homes. The unintended but positive long term consequence was leaving the huge majority of our 90 homes with forested rear yards , places for children to play; Trees and critters to live and thrive . Fulton CTY provided me years ago with our average sized lots of 34,490 sf versus our then and now (1990) zoning of 18,000 sft lots now known as RD-18. (I have never figured out how we got reduced to 18,000 sf but thatâ€™s old news,) Our neighborhood has been successfully re-developed about 2/3 of the ranches to multimillion 10K sf residences predominantly on the original lots (1 for 1 tear downs for 1 rebuild) leaving a nice subdivision with no variances of substance asked for or granted by the developer and citizen community . This has provided a lovely area of forested or at a minimum tree coverage in most of our rear yards .Context for my comments : [Note: Since April 2005 our neighborhood has successful redeveloped Except for the 3 homes recently constructed on one of our largest original home site (1) that had exceptionally long road frontage This large amount of frontage on a (to the rear) pie shaped lot and without a public variance required allowed an almost complete clear cut to make room for 3 new houses with pool on a 1.2 acre original lot. These three houses do not fit into our community as they are by far the most dense . They donâ€™t have enough parking despite 3 garages each so their contractor and private overflow vehicles cause congestion in our neighborhood as we try to go thru this pinch point. 10 lbs. in a 5 lb. bag. ALL without a variance by right)) . Get to the point you may be thinking . But the cramming in of all those improvements for those 3 houses by spec developers (not the ultimate purchasers of the 3 houses) totally destroyed the 20 ft. rear set back and I hope only left the 15 foot rear grading set back in place with tree cover and vegetation. This harmed also the adjacent neighbors of their privacy

	and quiet enjoyment . To the point ..the damage this 3 home massacre of vegetation did to our less dense surrounding neighborhood and will be further eroded if the council and Planning Commission donâ€™t recognize the danger of a very damaging proposal of the consultant and supported by staff to allow further encroachments into the rear grading setback . For Cherokee Parkâ€™s RD-18 zoning, it is 15 feet from the property line (versus the 35 feet in our rear set back). Other districts RE etc. have proportionally similar distances based on their size. Currently the rear grading set back represent 11% of an RD -18 lot area lot area (assuming a square lot calculated as its square root x 15 feet is 11%.) Thatâ€™s a small part of residential land in SS protected from grading. As we know , its grading that destroys trees and habitat. Recommendations : Please deny totally this Protected Neighborhood change allowing further grading for accessory uses inside the 15 foot rear grading set back in Article 9.4.2 subsection G. 3. Sub d. page 81. In fact consideration should be made to add more protected area to the rear grading set back of 5 -10 feet according to the sizes of the current residential zoning districts of RD RE etc. to prioritize tree canopy and habitat for the general welfare of our citizens the city is charged with protecting . (Pursuant to the charter of the City OF Sandy Springs it â€œis charged with the PROTECTION OF the public health, safety and general welfare of the citizens of the City of Sandy Springsâ€ .) Enacting new laws that seriously adversely affect Protected Neighborhoods which represents approx. 71% of the cityâ€™s land area is a travesty . Thatâ€™s due to the fact that all the other setbacks (front , 2 side) allow grading now with mitigation . Plus the building envelope itself leaves ONLY the rear setback for vegetative buffers for habitat trees and privacy of adjacent and owner for quiet enjoyment. But the rear setback understandably also allows grading for accessory structure already. So the existence of this little â€œgemâ€ called â€œrear grading set backâ€™ is really the only real way the city can prevent grading in the rear buffer to protect the tree canopy necessary to the health and general welfare of our citizens . The rear grading set back needs to be made LARGER not allow more encroachments . Allowing a 14 foot wide construction entrance in a rear grading set back violates the need for a rear set back at all. The mitigation zone will take years to mature . plus if evergreens are planted they are not canopy trees in the first place, Its not a quid pro quo for mature tree canopy loss in my view. So â€¦ for the tabulation of my 6 comments: 1. No to Further intrusion into the rear grading set back of Protected Neighborhoods â€¢ including NO allowance in the rear sets backs a usually 14 ft. wide construction entrance. â€¢ With the growing threats of climate extremes as evidenced by our even hotter summers ; hurricanes; flooding etc. greater pressure to retain our tree canopy is a reality so we can live a higher quality of life as we benefit from the tree canopyâ€™s ecological services. â€¢ Now is NOT the time to increase destruction of our rear buffer grading set back but to strengthen it .â€¢ Deny staffâ€™s recommendation (page 81; 9.4.2.G.3 d.) to allow further building/construction exceptions into the 15 ft. rear buffer grading set back. 2. No to Gasoline station proliferation along Roswell Road : â€¢ NO to Removal of the Â½ mile distance requirement currently in place for a new gas stations (currently 27 in Sandy Springs of which 18 are along Roswell Roadâ€™s 10.7 miles) â€¢ This spacing requirement puts the NE corner of Windsor Park- way and Roswell Road into jeopardy as a RaceTrac or other multi pump quick trip or like operator . As they could apply to change that corner from Office Neighborhood use

	(which excludes gas stations) via a 1) character area map change and then 2) go thru rezoning with a CUP (conditional Use Permit) as they have the time, money and profit motive to do so. â€¢ Staff has recommends a 1 for 1 replacement required for gas stations. That is an old one comes down for a new one to be built despite the number of pumps . So it t wonâ€™t forestall a large pump operator from buying a 2 pump existing station anywhere in SS and then going to Roswell Road or along 285 somewhere and building a megaplex. Thatâ€™s the reason we have to keep the Â½ spacing requirement in place ; Additional higher density Housing Groups being recommended along Roswell Road from Glenridge south to the ATL city limits in a Character Area/ Allowable Use called Office Neighborhood ON: Section 7.3.1 Household living 3. Neighborhood Unit being allowed in Office neighborhood Not currently in ON . proposed as adding 2 or more dwelling units each having 4 to 12 units . ; Recommend denial for 2 dwelling units of 4 to 12 units . or if wonâ€™t deny totally support with caveat: 1) that requires access directly to Roswell Road and not on a street going thru a Protected Neighborhood street to prevent cut thru traffic into our neighborhood and others and 2) require a CUP (conditional Use permit) approval process which will allow the neighborhood to weigh in on any rezoning and site changes ; Increased density in Cottage Court Development Pattern (see Article 6 Rules of All Development in earlier link) . 4.Cottage Court is already in the DC : minimum 2 acre lot; no more than 18 units ; single family detached or attached with a center courtyard . Staffs proposal is to remove the maximum of 18 units which reduces the land area made available for the passive court. PLUS Section 10.4.18 Additional Street Standards (page 157) allows up to 50 residential units to be constructed if only one street outlet is used to an existing public street . Recommend denial and live with the current Cottage Court Language. Alternatively , support with caveat: 1) that this proposed Cottage court on steroids requires access directly to Roswell Road and not on a Protected Neighborhood street to prevent cut thru traffic into our neighborhood and others and 2) require a CUP (conditional Use permit) approval process which will allow the neighborhood to weigh in on any rezoning and site changes; Addition of RETAIL USES all along Roswell Road from Glenridge south to the city of ATL. Some context needed here for background on Our unique Character Area not found elsewhere in Sandy Springs . Itâ€™s called Office Neighborhood and was created in 2006 by the current Planning Director Jim Tolbert to mirror the on ground zoning uses of retail, office multi family; single family and Town Houses and condoâ€™s . There have been 2 major updates to the Development Code since we became a city in 2006; in 2017 and a minor one in 2018. Plus innumerable Text AMENDMENTS BROUGHT FORWARD THAT ALSO UPDATED the Development Code. In all instances ON was consistently upheld as limited to Office, residential (not multifamily) town houses condos and Museums, libraries, private schools . IN OTHER WORDS NO RETAIL USES . Reason: there are ample places on both sides of Roswell Road south of Glenridge for retail uses . Retail can go into the 3 nodes of Glenridge/Mt Paran; Fountain Oaks (both sides of the road) and the Gateway development now called Chastain Square. Only at Windsor and Roswell Road is there a patch of ON by the Wieuca Animal Clinic. Where we need a right hand turn lane going North. So as you travel North from the city limits of Atlanta you will find sections of medical and professional 2 story office buildings and townhouses and other low density and low traffic generation uses . That is being blown away in this proposed draft by

	staffâ€™s recommendations which I call the tank coming down the road. Unless we want to lose that special rhythm and character of the stretches of office and residential between the 3 nodes we need to prevent the 2 retail uses being proposed by staffâ€¦ Specifically. 5. Something called Neighborhood Retail in Section 7.5.15 Retail page 24 Gas stations are excluded so is fire cracker sales as examples . But Neighborhood Retail is defined as all the uses in section 7.5.15 Pawn shops, cigar stores, pay day title loans, video stores ; vehicle parts and accessories . The only limitation is that the store must be 3000 sft no more. Since there are plenty of other places in the nodes for this retail, I support a total denial required to protect our ON sections from an all-out Tally ho anything goes retail use with no design standards other that 3000 sf. Finally the 6th piece is the Neighborhood eatery piece. (just above section 7.5.15 page 24 item C. Neighborhood Eatery. Defined as â€œan establishment that prepares and sells food and drink for on or off premises consumption that is limited in size to 3,000 sft Examples, brew pub, bakery, tea shop; . All nice sounding but that could also allow dunk in donuts â€˜ stop and shop boxes like 7-11â€™s or more waffle houses and other in and out retail food shop s to proliferate in ON . Positive is that no drive thruâ€™s are allowed as proposed. Perhaps recommend straight up denial since there are plenty of places inside the nodes or alternatively limit size to a lower number say 1,000 -1500 sf . We again have plenty of eateryâ€™s in Gate way Fountain Oaks Summary : 6 issues of proposed Development Code 9.19.231. Deny allowing further construction and grading in the Protected Neighborhoods (single Family) rear grading setbacks which are already less than 50 % shorter than the rear property set back buffer depending on zoning classification (example RD-18 rear property buffer is 35 ft. rear grading set back buffer is 15 feet. 2. Deny removing the Â½ mile spacing requirement for gas stations;3. Deny allowing a new use in ON of multifamily (probably owner occupied) called Neighborhood Unit up to 12 units per building unless direct access is required for the units onto Roswell Road not thru our Protected Neighborhoods and a CUP is required for a new development . 4. Either deny additional changes to Cottage Court Development Pattern that takes off the maximum 18 units or require direct access to Roswell road so no cut thru traffic goes thru Protected Neighborhoods and a CUP is required. â€¢ 5. Deny allowing the breach of ON which currently excludes retail to allow 3,000 sf Neighborhood Retail as overly broad and would basically destroy ON as it exists today ; and â€¢ 6. deny Neighborhood Eatery or reduce its size and require design standards that prevent waffle houses and 7-11â€™s Note to staff when tabulating my public comments above .. if my intent is unclear as I describe above alternatives Mark it as denial of the proposal . . Karen Meinzen McEnerny4604 Meadow Valley DriveSandy Springs, Georgia 30342
Ronda, Smith	Development Standards Page 28 8.3.10.C.2.b.ii ii. All street-facing fences in Residential Estate districts must have masonry (brick stone, or stucco finish) piers separating fence panels with a maximum length of approximately 24 feet. Piers are required at any point where the fence changes direction. Piers must be at least 12 inches wide. CONSIDER CHANGING THE ABOVE LANGUAGE TO: ii. All street-facing fences LOCATED ON A COLLECTOR OR HIGHER STREET CLASSIFICATION must have masonry (brick stone, or stucco finish) piers separating

	fence panels with a maximum length of approximately 24 feet. Piers are required at any point where the fence changes direction. Piers must be at least 12 inches wide. THE ABOVE CHANGE MAINTAINS THE REQUIREMENT IN RD ZONING DISTRICTS ALONG MANY MAJOR CORRIDORS YET ALLOWS FOR FENCES WITHOUT PIERS INSIDE THE NEIGHBORHOODS ON STREETS CLASSIFIED AS â€œMINOR STREETSâ€. BE AWARE THAT LAKE FORREST IS A COLLECTOR AND HAS ALL Residential Detached PROPERTIES FRONTING IT FROM MT PARAN TO THE CITY LINEâ€¦ AS IS: HIGH POINT WITH Residential Detached PROPERTIES FRONTING IT FROM FRANKLIN RD. TO THE CITY LINE AS WELL AS WINDSOR PKWY WITH Residential Detached PROPERTIES FRONTING IT FROM ROSWELL RD TO 400. RIVERSIDE FROM JOHNSON FERRY TO DALRYMPLE IS ALL Residential Detached PROPERTIES. SPALDING IN THE PANHANDLE FROM JUST EAST OF DUNWOODY CLUB TO THE EASTERN CITY LINE IS ALL Residential Detached AND THAT IS ALSO A COLLECTOR. 9.4.2.3 Rear grading setback exceptions and mitigation zone: SSCN is opposed to this change. Changes to grading allowances that make it easier to remove the existing tree canopy in protected neighborhoods are detrimental to the overall health of the cityâ€™s canopy. The mitigation zone cannot replace what will be removed by installing a construction entrance through a rear yard. The access points through rear yards are along roadways, many of them major corridors, and these yards are generally dense tree canopy that serve as buffers from road noise and were historically developed in this pattern. These are not rare one-off properties. Many many neighborhoods have cul de sacs where the rear yards of the properties at the top of the bulb abut the main roadway from which the neighborhood was accessed. If today tree loss is occurring in rear yards and setbacks due to general negligence during installation of accessory uses and the thought process is this allowance and mitigation zone would help fix that, it can be assumed that giving permission to go through the rear yard will result in even greater damage to surrounding canopy than what is happening today as the construction entrance tends towards violating the width maximum due to this same negligence. Article 6 General Rules 6.1.1.I.2.n You do not define Pedestrian Amenity Space PLEASE CLARIFY THE INTENT OF THE PEDESTRIAN AMENITY SPACE AND CLARIFY WHAT PEDESTRIAN AMENITY SPACE IS. On page 5 in section 6.1.1.I.1.a you define Outdoor Amenity Space. CLARIFY THAT IT MUST BE AVAILABLE TO THE PUBLIC. Uses 7.3.1.E Neighborhood Unit: SSCN opposes this in its current form as a permitted use. While this housing type could precipitate some new housing availability and possibly create building conversions and some new construction along Roswell Road for underutilized properties that very fact means an increase in overall density on Roswell Rd. That density may or may not have walkability for basic services and retail depending on location. Protected Neighborhood adjacencies is where cut through traffic is a

	concern. Please change this from a Permitted Use by right to a Conditional Use Permit for Urban Neighborhood and Corridor and Node Districts so that the impacted neighborhoods can participate in ensuring that the access points for new developments are only on Roswell Rd. 7.4.1.F. Place of Worship: 1. Defined A building or structure that by design and construction is primarily intended for conducting organized religious services. Associated accessory uses include, but are not limited to, schools, gymnasiums, meeting halls, indoor and outdoor recreational facilities, clergy house, rectory, day care, counseling, and kitchens. 2. Basic Use Standards a. No buildings and use areas/structures other than parking and pedestrian walkways may be located within 75 feet of any Protected Neighborhood district used for residential purposes. DO NOT REDUCE THE BUILDING SETBACK FOR PLACE OF WORSHIP FROM 100' TO 75'. THE PROTECTIONS PROVIDED BY THE 100â€™ BUILDING SETBACK ARE VERY MEANIGFUL SINCE MOST CHURCHES ARE ADJACENT TO OR SANDWICHED BETWEEN PROTECTED NEIGHBORHOOD PROPERTIES. FOR SIDE LOT LINE ABUTMENTS WHERE PROTECTED NEIGHBORHOOD IS LEFT AND RIGHT OF A CHURCH PROPERTY (WHICH IS THE CASE FOR LIKELY ALL CHURCHES EXCEPT SSUMC AND NSUMC) DOES THIS CHANGE REALLY MAKE SIGNIFICANT DIFFERENCE TO THE FUTURE OF THESE CHURCH PROPERTIES? CHURCH BUILDINGS DO NOT NEED TO GET CLOSER TO THEIR LEFT OR RIGHT ADJACENT PROTECTED NEIGHBORHOOD NEIGHBORS. PLEASE LEAVE THIS AS 100 FEET!.THIS PROTECTION IS IMPORTANT TO THE NEIGHBORHOODS. SINCE SSUMC (WHICH IS LOOKING TO REBUILD) HAS A COMMECIAL ADJACENCY TO THE EAST (CS ZONED PROPERTY) THERE IS ROOM TO BUILD NEARER TO THEIR EASTERN PROPERTY LINE IF NEED BE. ANOTHER CLARIFIER YOU COULD CONSIDER ALLOWING FOR 75â€™ DISTANCE â€œIF THE CHURCH IS ADJACENT TO PROPERTY DEVELOPED WITH ANOTHER CIVIC USEâ€. SINCE A CEMETERY IS CONSIDERED A CIVIC USE IT ALSO GIVES SSUMC MORE ROOM TO ITâ€™S WEST ADJACENT TO ARLINGTON AND THE HISTORIC CEMETERY ON MT VERNON. 7.5.14.C Neighborhood Eatery: SSCN opposes this change as written with a size threshold of 3000 square feet which is about a 55â€™ by 55â€™ footprint. If the commercial kitchen is 1000sf and typical restaurants allocate 20 square feet per person for fine or fast casual dining the remainder is a 100 person capacity establishment. Scale this back to 1000 or 1500 square feet and then you are at â€œsmall scaleâ€. 7.5.15.C Neighborhood Retail:

	SSCN is opposed to this in its current form as a Permitted Use in most districts. The goal of creating small scale retail is a worthy one. However, no guardrails or restrictions on the kinds of tenant occupants that might open businesses in these spaces are in place. The proliferation of vape shops and the potential for convenience stores is too great of a risk to the complexion of Roswell Rd and particularly in the ON district and pn other major corridors in Perimeter Center districts. Find a way to put some restrictions in place for retail types and bring this back at a later time. Under 7.5.15 (further numbering is wonky) Relocation of Existing Fuel Pumps or Fuel Stations: SSCN is opposed to the removal of the 1/2 mile distance requirement for fuel stations. The risk of a large scale station installation at key city gateways is too great to allow for removal of this rule. The present condition of RaceTrac ownership of 2 key parcels at the gateway to City Springs should not be a catalyst for this change in the district where the goal is to move away from auto centric uses. The public is not asking for this. Sandy Springs does not need large scale gas stations. 7.6.4.B Life Sciences, Bio-Safety Level 1 and 2: SSCN is opposed to this use as written and allowed as an Administrative Use on the Allowed Use table. There are no limits to the concentration of the number of labs on any one property or specifics dictated as to the allowed proximity to Residential uses. The unknown nature of the work and potential for harmful impacts makes the risk to life safety too great. Raise the regulatory bar to put some restrictions on this use. 7.8.8 Fuel Pumps: SSCN is opposed to this change. The prevalence of gas stations (27 in Sandy Springs) and gas as an accessory use to grocery and warehouse uses means the total number of fuel pumps available is probably near to or over 200. There is not a shortage of availability. The public is not asking for this. Sandy Springs does not need more gas pumps.
Bob, Sheehan	Please consider this as our objection to all of the proposed changes. You seem to emphasize density and diversity of low end commercial development over reasonable development. Roswell rd is already overdeveloped. Why encourage changes that only increase traffic and density when the road cannot be widened? Please do not adopt any of these shortsighted ideas. Bob Sheehan
Nikki, Seaman	Hi there- I absolutely love my neighborhood. There are many folks who live here who have been here since the 1970s including our next door neighbors, and for good reason! In order to keep our neighborhood as good as can be, I have a few kind requests. I request Sandy Springs keep the Â½ mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations) on areas like corner of Windsor Pkwy and Roswell Road. We already have multiple gas stations on the next block, and they offer great prices too. I am against higher density housing groups, which will create even more traffic than we already face on Roswell Road. I deny additional retail uses on Roswell between Glenridge and city of atlanta. I deny

	building of neighborhood eateries on Roswell Road, there is already so much traffic and the drive throughs get backed up onto Roswell Road causing extremely unsafe driving conditions with cars stopping short in the middle of the road particularly around lunchtime. Thank you for hearing me out and I hope we can keep our neighborhood as amazing as it is!
Kristina, Ellis	SSS PROPOSED CHANGES and My Response/vote/request to said changes: ADDITIONAL GASOLINE STATIONS ON ROAD â€“ Currently there is a Â½ mile distance requirement between new gas stations. We already have 27 gas stations in Sandy Springs with 18 on Roswell Road. RaceTrac or another multi pump station would like to build a gas station at Windsor Parkway and Roswell Road . Currently SSS recommends a 1 for 1 replacement. But a large company could buy two smaller existing stations, close them and build a mega multi pump station at another location like Windsor Pky and Roswell Road.REQUEST: Ask that SSS keep the Â½ mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations) on areas like corner of Windsor Pkwy and Roswell Road. HIGHER DENSITY HOUSING GROUPS from GLENRIDGE SOUTH TO CITY OF ATLANTA â€“ Currently NEIGHBORHOOD UNIT (NU) is not allowed in OFFICE NEIGHBORHOOD (ON) areas. SSS wants the NU added to ON areas. NU is 2 or more dwelling units with 4 to 12 units in each dwelling unit. REQUEST: 1. Deny or 2. Allow only if less than 12 units and only one access directly to Roswell Road with the requirement of a conditional use permit (CUP) to allow neighborhood input on any rezoning or site changes.INCREASED DENSITY IN COTTAGE COURT DEVELOPMENT PATTERN â€“ Currently Cottage Court (CC) is in Development Code (DC) with a minimum 2 acre lot and no more than 18 units. SSS wants to remove the maximum of 18 and allow 50 units with only one street outlet to an existing public street. REQUEST: Deny and keep current language ADDITIONAL RETAIL USES ON ROSWELL ROAD from GLENRIDGE SOUTH TO CITY OF ATLANTA- Currently Office Neighborhood (ON) is limited to residential (not multifamily, only single family), museums, libraries and private schools. Retail is not allowed in ON. There are 3 nodes on Roswell Road that do allow retail. Glenridge/Mt Paran, Fountain Oaks (both sides of street) and Chastain Square (use to be called Gateway). There are sections on Roswell Road that have townhomes, 2 story medical and professional office buildings and other low density/low traffic uses. Staff wants additional Neighborhood Retail sites. These would include changes in the ON areas to retail-like structures, such as pawn shops, cigar stores, pay day title loans, vehicle parts and accessories, etc. This SSS proposal could destroy the character of the area. REQUEST: denial since any additional retail in Office Neighborhoods would destroy the character of the area with higher density. The three current nodes that allow retail have plenty of space for additional retail use (For example, the empty Sprouts or empty space at Fountain Oaks) ALLOW BUILDING of NEIGHBORHOOD EATERYs ON ROSWELL ROAD - This SSS proposal would allow a Neighborhood Eatery of 3000 SqFt. A drive thru would still be denied with new proposal but large restaurants like Waffle House etcâ€¦ would now be allowed. REQUEST: Reduce size to 1000 SqFt and require design standards. 6. SSS wants to allow construction entrances and accessory buildings into the rear

	buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. This would reduce the buffer approximately in half with loss of trees, privacy, etc as a result.REQUEST: Deny.
Gregory, Ellis	SSS PROPOSED CHANGES and my vote on the changes: ADDITIONAL GASOLINE STATIONS ON ROAD â€“ Currently there is a Â½ mile distance requirement between new gas stations. We already have 27 gas stations in Sandy Springs with 18 on Roswell Road. RaceTrac or another multi pump station would like to build a gas station at Windsor Parkway and Roswell Road . Currently SSS recommends a 1 for 1 replacement. But a large company could buy two smaller existing stations, close them and build a mega multi pump station at another location like Windsor Pky and Roswell Road. REQUEST: Ask that SSS keep the Â½ mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations) on areas like corner of Windsor Pkwy and Roswell Road. HIGHER DENSITY HOUSING GROUPS from GLENRIDGE SOUTH TO CITY OF ATLANTA â€“ Currently NEIGHBORHOOD UNIT (NU) is not allowed in OFFICE NEIGHBORHOOD (ON) areas. SSS wants the NU added to ON areas. NU is 2 or more dwelling units with 4 to 12 units in each dwelling unit. REQUEST: 1. Deny or 2. Allow only if less than 12 units and only one access directly to Roswell Road with the requirement of a conditional use permit (CUP) to allow neighborhood input on any rezoning or site changes. INCREASED DENSITY IN COTTAGE COURT DEVELOPMENT PATTERN â€“ Currently Cottage Court (CC) is in Development Code (DC) with a minimum 2 acre lot and no more than 18 units. SSS wants to remove the maximum of 18 and allow 50 units with only one street outlet to an existing public street. REQUEST: Deny and keep current language ADDITIONAL RETAIL USES ON ROSWELL ROAD from GLENRIDGE SOUTH TO CITY OF ATLANTA- Currently Office Neighborhood (ON) is limited to residential (not multifamily, only single family), museums, libraries and private schools. Retail is not allowed in ON. There are 3 nodes on Roswell Road that do allow retail. Glenridge/Mt Paran, Fountain Oaks (both sides of street) and Chastain Square (use to be called Gateway). There are sections on Roswell Road that have townhomes, 2 story medical and professional office buildings and other low density/low traffic uses. Staff wants additional Neighborhood Retail sites. These would include changes in the ON areas to retail-like structures, such as pawn shops, cigar stores, pay day title loans, vehicle parts and accessories, etc. This SSS proposal could destroy the character of the area. REQUEST: denial since any additional retail in Office Neighborhoods would destroy the character of the area with higher density. The three current nodes that allow

	retail have plenty of space for additional retail use (For example, the empty Sprouts or empty space at Fountain Oaks) ALLOW BUILDING of NEIGHBORHOOD EATERYs ON ROSWELL ROAD - This SSS proposal would allow a Neighborhood Eatery of 3000 SqFt. A drive thru would still be denied with new proposal but large restaurants like Waffle House etcâ€¦ would now be allowed. REQUEST: Reduce size to 1000 SqFt and require design standards. 6. SSS wants to allow construction entrances and accessory buildings into the rear buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. This would reduce the buffer approximately in half with loss of trees, privacy, etc as a result. REQUEST: Deny.
Ann, Deal	WE do not want any changes to use codes on property uses currently in place. Please do not change the density/code and use of retail/ commercial property in Sandy Springs. Thank you for your consideration. Ann & Robert Deal
Peter, Pathak	In general, the existing zoning and development plan represent a commitment from Sandy Springs government to residents regarding the type of development we could expect. Sandy Sorings was formed as a city to provide increased local control. We could have unfettered development on a whim with Fulton County government. 1.We oppose eliminating the 1/2 mile spacing requirements for gas stations. This is totally unnecessary as there are already 5 gas stations between Wieuca and Glenridge, with many more at Roswell / 285. 2.) We oppose higher density housing groups from Glenridge South to the city of Atlanta. I OPPOSE the NU added to ON areas. If this passed, it would ONLY mean an increase in both density and traffic. Increased density is only appropriate with walking distance of MARTA rail. 3.) we oppose increased density in cottage court development pattern. This is a change from the development pattern we expected with existing zoning. developers should plan to work with existing zoning. 4.) we oppose additional retail uses on Roswell Rd from Glenridge South to the city of Atlanta, other than as permitted by existing zoning. We do NOT need additional retail. There is adequate space in existing retail buildings 5.) we oppose changing zoning to allow building of additional neighborhood eateries on Roswell Road. We have enough restaurants as it is, with vacant properties all along Roswell from Atlanta to 2856.) we must not allow construction entrances and accessory buildings into the rear buffers of areas marked as RE1 and 2; RD 18; RD 27; RD15 RD 12; RD 9; RD 7.5 and RU. This would reduce the buffer approximately in half with a MAJOR loss of trees, privacy, places for our birds and animals to live and thrive, etc as a result. This would be a major destruction of property values for neighboring owners, and would set a dangerous precedent for developers throughout Sandy Springs.

Sally, Patton	I am opposed to 3 proposed changes to the Development Code, as follows: 1) I oppose the proposal to remove the one-half mile distance requirement for gas stations. There are already 9 gas stations on on the short stretch of Roswell Road from the City of Atlanta/Sandy Springs city limit to I-285. Even more stations are not needed! If the city would like to ensure that stations already in existence are upgraded, incentives (which I understand have been discussed) would be a more appropriate way to address this issue. The worst possible move would be to remove the one-half mile distance requirement. 2) I oppose the proposal to relax the standards that regulate grading on Protected Neighborhood properties. I believe this relaxation would allow for construction entrance access through rear yards, which could lead to further destruction of mature tree canopy (a result that the City of Sandy Springs has said it opposes!). 3) I oppose the proposed code changes that would allow new uses in the Office Neighborhood zoning district, most of which exists along Roswell Road. In particular, allowing a new retail type called Neighborhood Retail does not provide ANY controls to prevent these retails shops from becoming pawn shops, vape stores, or other types of retail that could degrade the quality of our neighborhoods.
Melissa, Mular	Article 1, Introductory Provisions P 38, Section 11.6.3 Administrative Appeals: A. Last sentence should read 'of' instead of 'off'. Enhanced Community Benefit List-Why are there no benefits for sustainability items beyond 'permeable parking'? What about recycling collection, pollinator gardens, etc.? Article 2, Protected Neighborhood -- No definition of 'Other Residential Uses'. ? Article 6, General Rules, p139 section 6.5.2: Single Unit Detached Dwelling, B. Garage. This only allows for 1 single 10 ft. wide garage door. Lot/home may not allow for other 'side' doors. Please update this requirement to accommodate a 2 car garage with a single door of up to 18 ft. Article 7, p 3, The Allowed Use Table page is blank. This should have a link and reference to the stand alone document. The final document needs to have this table inside the document in the appropriate place. p 24 Sec 7.5.15 Retail, C. Neighborhood Retail -- this needs more thought. Concern about Vape stores, package stores, 'convenience stores' opening in this area. This will ruin the character of the adjacent neighborhoods. p 25-26 E. Fuel Pumps, Fuel Station 2. Basic Use Standards b-h -- How does this apply to existing fuel stations? How does this relate to the current "Amortization Language"? Does not state how existing fuel stations will be handled.

	p 27; f. Relocation of existing Fuel Pumps or Stations -- DO NOT REMOVE THE 1/2 MILE REQUIREMENT. A) THERE ARE ALREADY ENOUGH GAS STATIONS IN SANDY SPRINGS; THERE ARE 28 AND 18 ALONG ROSWELL ROAD FOR A CITY THAT IS 38+ SQUARE MILES. B) NO NEW GAS STATIONS IN CITY SPRINGS (CS DISTRICT). THIS IS OUR CITY CENTER AND IT IS A COVETED ZONING DISTRICT. CONDITIONAL USE PERMIT SHOULD NOT APPLY TO THIS DISTRICT FOR ADDING NET-NEW FUEL/GAS STATIONS. C) THE FUTURE FUEL FOR MOTOR VEHICLES IS NOT FOSSIL FUELS BUT RATHER ELECTRIC BATTERY AND OTHER, NOT YET FOUND/PROVEN TECHNOLOGIES (HYDROGEN FUEL CELLS, AS EXAMPLE). WITH THIS CHANGE OF VEHICLE DESIGN AND MANUFACTURER DIRECTION, NET-NEW GAS STATIONS ARE NOT NEEDED. D) THE CITY SHOULD NOT BE ADJUSTING THE ZONING CODE TO SATISFY A PARTICULAR COMPANY (RACETRAK). The company purchased the property before Sandy Springs became a city and a gas station was not allowed on the property when under Fulton County. There is already more than enough gas stations on Roswell Road between I-285 and Hammond Drive. Adding additional gas stations in this stretch will make traffic even more treacherous and challenging. p 33, Sec 7.6.4 Research and Development Restrictions need to be added to safe guard near residential and multi-family homes. This applies to General Research and Development and both BSL-1 and BSL-2 lab designations. 1) Cannot exceed 3000 sq. ft. of gross floor area 2) Cannot exceed more than 40% of existing building space 3) Cannot be adjacent to residential/multi-family housing 4) Cannot be within 1320 feet of a residential/multi-family housing 5) If near residential/multi-family housing, cannot create or use carcinogenic or explosive agents in the research and development or BSL-1/2 testing. p 43, Sec 7.8.8 Fuel Pumps, B Basic Standards, no net-new Accessory Fuel Stations; strike 1-6 in this section. Refer to comments for section f. Relocation of existing fuel pumps or fuel stations. ALLOW expansion of pumps for existing businesses (do not allow net-new in this category). p 48, Sec 7.8.15 Murals--need to add 5) Murals may not contain vulgar or profane words, pictures, or images. p 51, Sec 7.8.24 Accessory Structures, A. Residential Accessory Structures, Minor. Section g. Carports, detached has been removed. There are many existing detached carports in the City on older, mature properties. Are these no longer allowed, or does striking this line only indicate that no net-new detached carports can be built?

Robin Conklin	All, I don't necessarily have an amendment but at this time, I am not in favor of the garage setback changes. As Duffy Hickey commented, "we do not need to incentivize people to buy larger cars. Additionally, only one car opening would face the road. Any additional cars would have to be on the side of the garage, which means a) adding more driveway space to the side of the garage for cars to go in and out; b) many houses do not have the space to do that, and; c) more driveway means more impervious surface, which then requires a large amount of costly mediation." I feel that we should be tightening our code rather than loosening. I also want to tell you how thrilled I am that you have eliminated the change to the 1/2 mile fuel station distance requirements! It is evident that you all have listened to the citizens and it is appreciated. Thank you for all of your time and effort! It has not gone unnoticed. Regards, Robin

Post-Open House Draft Changes Summary | 11 8 23

No Substantive Changes from Open House Draft

Article 2, Article 4, Article 5, Article 12

General Changes (Throughout)

-Any cleanup items such as items not removed as intended

-Edits to “shall” and “must”

-Reductions to single unit attached parameters, as originally proposed

-Added (as originally proposed) “Commercial Active” and its distinction from “Commercial Ready”

Art. 1.

Sec. 1.1.3. Added Effective Date for 5-Year Code Update

Sec. 1.1.9. Added language to clarify status of rezonings from 2017 to 2023 as it pertains to 3+ stories of multi-unit in CS, CX, and SX

Sec. 1.1.10. Added an amortization language concerning screening of Service Areas (refuse)

Sec. 1.3.2.D. Clarified the edit to this section which describes the zoning process for remnant parcels from public entities

Art. 3.

Sec. 3.4.3. Corrected height for RM- 3/8 when adjacent to Protected Neighborhood (flipped)

Sec. 3.5.3. Corrected existing height elements as they were incorrect from their original adoption; added a commercial minimum and maximum as originally intended

Art. 6.

Sec. 6.1.1.B.3.b. Added clarifying language for setbacks for corner and irregular lots

Sec. 6.1.1.n. Better defined Pedestrian Amenity Space, gave it a minimum amount requirement, clarified need for public access

Sec. 6.1.2.H. Changed listing order to be a subsection of G.

Sec. 6.1.3.B.2. Added in illustration for Jewel Box development style

Sec. 6.1.3.D.3. Added in ability for administrative relief to floor elevation, taking into account extreme topography, as originally intended

Sec. 6.1.4.A.2. Added in original proposal for façade requirements for single unit attached end units facing a street or path, as originally intended

Sec. 6.5.2.B.1. Added graphic to better illustrate allowance; updated text for clarity, and corrected encroachment allowance setbacks, as originally intended

Sec. 6.5.3.A.4. Added in allowance for up to 20% of single unit attached developments to be front loaded, as originally intended

Sec. 6.6.2.C.2.b. Added in clarity for max building width options, such as material change and offset

Art. 7.

Div. 7.2 Identify Cottage Court and Neighborhood Unit both as CUP in ON-

Sec. 7.3.1. Neighborhood Unit use standard in ON-, access from Collector or greater street

Sec. 7.4.1.F. and H. Added allowing 3rd party daycare at private schools and places of worship as permitted accessory uses

Sec. 7.4.1.F.2. Removed proposed edit to Place of Worship setback

Sec. 7.5.1. Moved all “District Standards (Sec. 4.4.5., Sec. 4.5.5., etc.)” to new location at the beginning of Commercial Section

Sec. 7.5.15.B. Removed Neighborhood Retail from the proposal

Sec. 7.5.15.C. Added in clarifying language for intent of fuel station redevelopment and improvement allowances; also reinserted ½ mile distance requirement

Sec. 7.6.3. Added limited use standards for motion picture studios, expanding allowance in limited capacity for PX, OX, and CX-

Sec. 7.6.4.B. and C. Added restrictions to proposed life sciences based on level, when near and adjacent to single unit residential

Sec. 7.8.23.A. Removed reference to fuel pumps

Art. 8.

Art. 8. Corrected references throughout Code, with addition of new General Provisions division offsetting former references

Sec. 8.1(2).8. Corrected parking graphics to show 8 spaces

Sec. 8.2(3).6. and 8.2(3).7. Reverted back to wall only option, with director discretion based on topography/environmental/neighbor considerations

Sec. 8.3(4).18. Removed Channel Letter Roof Sign

Art. 9.

Div. 9.4. Mitigation requirement added for any clearing/grading violations

Sec. 9.4.2.G.2. and G.3. Added clarifying language for general mitigation planting and grading setback incision allowance, further restrictions, additional best management practices (bmps). Prohibited tree removal size; added in to include originally intended rear setback as well as side, as originally intended

Art. 10.

Sec. 10.3.1.B.6. Added graphic to go along with Block Perimeter regulation, as originally intended

Art. 11.

Sec. 11.3.5.J. Removed proposed edit which would have added back “concurrent variances”

STATE OF GEORGIA
CITY OF SANDY SPRINGS

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA TO AMEND DEVELOPMENT CODE ARTICLE 7 USE PROVISIONS OF THE SANDY SPRINGS DEVELOPMENT CODE AS FURTHER DESCRIBED BELOW; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the City of Sandy Springs is charged with providing for the health, safety and welfare of the citizens of the City; and

WHEREAS, the City of Sandy Springs previously adopted and amended the Development Code and has identified text amendments necessary to the proper implementation of The Next Ten Comprehensive Plan; and

WHEREAS, the Mayor and City Council have conducted a properly-advertised Public Hearing prior to adoption of this Ordinance in accordance with the Zoning Procedures Act.

NOW THEREFORE, THE MAYOR AND COUNCIL FOR THE CITY OF SANDY SPRINGS HEREBY ORDAIN AS FOLLOWS:

SECTION I: The City of Sandy Springs Development Code is hereby amended by revising Article 7 "Use Provisions" to reflect those changes contained within Attachment "A", the same being expressly incorporated herein by this reference.

SECTION II: It is the intention of the City Council and it is hereby ordained by the authority of the City Council that the provisions of this Ordinance shall become and be made a part of the City of Sandy Springs Development Code, and the codifier is authorized to make the specified deletions, insertions, additions, and to insert headings, article numbers and section numbers as and where appropriate.

SECTION IV: All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION V: If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional, or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

SECTION VI: This Ordinance shall become effective immediately upon adoption.

APPROVED AND ADOPTED this the 5th day of December, 2023.

Approved:

_____
Russell K. Paul, Mayor

Attest:

_____
Raquel Gonzalez, City Clerk

(Seal)

ARTICLE 7.
USE PROVISIONS

Div. 7.1. Use Classification

Sec. 7.1.1. Principal Uses

A. In order to regulate a variety of similar uses, use categories have been established for principal uses. Use categories provide a systematic basis for assigning uses to appropriate categories with other, similar uses. Use categories classify principal uses and activities based on common functional, product or physical characteristics.

B. Where a use category contains a list of included uses, the list is to be considered example uses, and not all-inclusive. The Director has the responsibility for categorizing all uses.

C. The allowed use table in Div. 7.2 establishes permitted principal uses by district. No building or lot may be used except for a purpose permitted in the district in which it is located. Principal uses not specifically listed must be approved by the Director in accordance with Sec. 7.1.3.

D. Use definitions and use standards for principal uses are specified in Div. 7.3 through Div. 7.7.

Sec. 7.1.2. Accessory Uses

A. An accessory use is any use that is subordinate in both purpose and size, incidental to and customarily associated with a permitted principal use located on the same lot.

B. The allowed use table in Div. 7.2 establishes permitted accessory uses by district. Accessory uses not specifically listed must be approved by the Director in accordance with Sec. 7.1.4.

C. Use definitions and use standards for accessory uses are specified in Div. 7.8.

Sec. 7.1.3. Principal Uses Not Listed

A principal use not specifically listed is prohibited unless the Director determines the use to be part of a use category as described below.

A. If a proposed use is not listed in a use category, but is similar to a listed use, the Director may consider the proposed use part of that use category. When determining whether a proposed use is similar to a listed use, the Director must consider the following criteria.

1. The actual or projected characteristics of the proposed use;

2. The relative amount of site area or floor area and equipment devoted to the proposed use;

3. Relative amounts of sales;

4. The customer type;
5. The relative number of employees;
6. Hours of operation;
7. Building and site arrangement;
8. Types of vehicles used and their parking requirements;
9. The number of vehicle trips generated;
10. How the proposed use is advertised;
11. The likely impact on surrounding properties; and
12. Whether the activity is likely to be found independent of the other activities on the site.

B. Where a use not listed is found by the Director not to be similar to any other permitted use, the use is only permitted following a text amendment (see Div. 11.3)

Sec. 7.1.4. Accessory Uses Not Listed

An accessory use not specifically listed is prohibited unless the Director determines the accessory use:

A. Is clearly incidental to and customarily found in connection with an allowed principal use;

B. Is subordinate in area to and serving an allowed principal use;

C. Contributes to the comfort, convenience or needs of occupants, business or industry in the principal use served; and

D. Is located on the same lot as the principal use served.

E. Use definitions and use standards for accessory uses are specified in Div. 7.8.

Sec. 7.1.5. Use Table Key

A. **Permitted Use (P)** Indicates a use permitted in the respective district, subject to basic use standards (if any) referenced in the right-hand column of the use table. The use is also subject to all other applicable requirements of this Code.

B. **Limited Use (L)** Indicates a use is permitted in the respective zoning district, subject to basic (if any) and additional use standards found in the right-hand column of the use table. The use does not require a Conditional Use Permit, but is subject to all other applicable requirements of this Code.

C. **Conditional Use Permit (C)** Indicates a use may be permitted in the respective district only where approved with a Conditional Use Permit by the City Council in accordance with Div. 11.3. Conditional uses are subject to all other applicable requirements of this Article, including any applicable use standards, except where the use standards are expressly modified by the City Council as part of the conditional use permit approval.

D. **Administrative Use Permit (A)** Indicates a use may be permitted in the respective district only where approved with an Administrative Use Permit by the Dedirector in accordance with Div. 11.5. Administrative Use Permit.

ED. **Use Not Permitted** A -("—)" in a cell indicates that a use is not permitted in the respective district.

Div. 7.2. Allowed Use Table

Div. 7.3. Residential Uses[5]

Sec. 7.3.1. Household Living

A. **Defined** Residential occupancy of a dwelling unit by a household. A household means one or more persons related by blood, marriage, adoption, guardianship or other duly authorized custodial relationship, or up to 4 unrelated persons, occupying a dwelling unit and living as a single housekeeping unit.

B. **Single Unit Detached**

1. **Defined** One dwelling unit on a single lot.

2. ~~**Additional**~~ Limited **Use Standards**

~~a. In the RM- District, new construction of single unit detached is allowed only to implement bonus height (see Sec. 6.7.1).~~

a. In PX- and PM- Districts on sites 5 acres or larger, the total gross floor area of single unit detached, single unit attached, and neighborhood unit uses cannot exceed 50% of the total square footage of the development footprint.

C. **Single Unit Attached**

1. **Defined** Two or more dwelling units attached with common walls where each dwelling unit is located on an individual lot and has its primary pedestrian access on the ground story.

2. Limited Use Standards

a. In PX- and PM- Districts on sites 5 acres or larger, the total gross floor area of single unit attached, single unit detached, and neighborhood unit uses cannot exceed 50% of the total square footage of the development footprint.

~~**Reserved**~~

D. Accessory Dwelling, Guest House

A. **Defined** A dwelling unit accessory to the principal dwelling on a single unit detached or single unit attached lot.

B. **Basic Use Standards**

a. A guest house must be located on a lot with a primary dwelling unit, and may be attached or detached from the primary dwelling unit.

b. No more than one guest house per lot allowed.

c. A separate kitchen facility is allowed.

d. Total heated floor area (HFA) must be less than 1,500 square feet.

e. When separate from the principal dwelling unit, minimum separation between buildings is 20'.

f. Principal building setbacks apply.

g. Height must be no greater than 2 stories.

h. When separate from the principal dwelling unit, the location is limited to the rear yard and must meet all district setbacks.

i. A guest house may be located over a garage, provided the location and size meet all other use standards.

E. **Neighborhood Unit**

1. **Defined** Two or more dwelling units on a lot designed to be at a scale that blends into a low-density neighborhood context.

2. **Basic Use Standards**

a. No more than one building per lot is permitted.

b. No more than 12 dwelling units per building are permitted, except as listed below.

c. Height must be no greater than 2.5 stories.

d. Buildings with a height greater than 2 stories must have a sloped roof of 6:12 or greater.

e. Street-facing building width must be no greater than 100 feet.

f. Any attached or detached garage or carport located on the same lot must be located behind the principal building.

3. Limited Use Standard

a. In RU- districts, no more than 4 dwelling units per building are permitted.

b. In ON- districts, Neighborhood Unit uses require a CUP and are only allowed on parcels with access onto a street with a functional classification as a collector or greater.

c. In PX- and PM- Districts on sites 5 acres or larger, the total gross floor area of single unit attached, single unit detached, and neighborhood unit uses cannot exceed 50% of the total square footage of the development footprint.

~~**Reserved**~~

~~E~~F. **Age-Restricted (55+) Unit**

1. **Defined** Two or more dwelling units on a lot, intended to be occupied by residents 55 year of age or older.

2. **Basic Use Standards**

a. Age-restricted units must follow all of the design standards required for multi-unit.

b. New construction or additions must adhere to the Federal Fair Housing Act standards for Age-Restricted Units, including the following standards:

i. A minimum of 80% of the units must be occupied by at least one occupant who is 55 years of age or older;

ii. The project developer must publish and adhere to policies and procedures that demonstrate the intent to operate as age-restricted housing; and

iii. The project developer must comply with HUD's regulatory requirements for age verification of residents.

c. Limited Use Standards

i. In RM- Districts, a new construction or addition project must provide a minimum of 10% of the total number of units in the development as single unit detached or single unit attached.

~~**Single Unit Attached**~~

~~1. **Defined** Two or more dwelling units in a row in which each unit is located on an individual lot and has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common walls.~~

~~2. **Additional Use Standards**~~

~~a. In the PX-3, PX-5 and PM-5 districts, single unit attached is not subject to the minimum height standards.~~

~~b. Single unit attached is not allowed in any PX- or PM-district allowing over 5 stories of height unless the proposed development meets the requirements provided in Div. 5.7. for Adjusted Minimum Height; in which case the single unit attached would have the following minimum lot parameters in addition to other applicable lot parameters provided in Article. 5.~~

~~Perimeter Center:~~

~~i. 1,300 SF minimum lot area.~~

~~ii. 16' minimum lot width.~~

~~A.~~ **G. Multi-Unit**

1. **Defined** A lot containing two or more attached ~~or detached~~ dwelling units. Multi-unit includes structures ~~apartments, condominiums and "stacked flats"~~ which are not designed and built to the Neighborhood Unit use standards.

2. Basic Use Standards

a. In addition to any storage space available within a particular residential unit, any multi-unit~~family~~ project with over 20 units must provide a minimum of 16 square feet of additional storage area, with a minimum height of 8 feet, for each residential unit. The storage space must be internal to the residential building or within an associated parking structure.

3. Limited Use Standards

a. In RM- Districts, a new construction or addition project must provide a minimum of 10% of the total number of units in the development as single unit detached or single unit attached.

b. In ON- Districts, multi-unit is only permitted with a Conditional Use Permit and the following standards apply:

i. Multi-unit is only allowed in existing buildings where the building was intended for a Commercial use for a minimum of 5 years prior to the application for a Conditional Use Permit.

c. In OX- Districts, the following standards apply:

i. Multi-unit is only allowed in existing buildings where the building was intended for a Commercial use for a minimum of 5 years prior to the application for a Conditional Use Permit.

ii. Multi-unit is only permitted on the third floor of a building and above.

iii. Multi-unit is permitted on the first and second floor of a building with a Conditional Use Permit.

d. The following districts require a minimum amount of commercial-ready space for street-facing portions of the development. The percentage determines the minimum amount of the street-facing building that must be constructed as commercial-ready space. The commercial-ready space must be a minimum of 25' deep when measured from the building façade into the interior of the building. When commercial-ready space is required, 20% must be used for a commercial use, or commercial-active space. The remaining 80% may have noncommercial uses in the commercial-ready space. The Director may vary the requirement based on the balance of commercial uses surrounding the site.

	Commercial-Ready	Commercial-Active
i.	CX- districts: 40% min.	8% min.
ii.	SX- districts: 50% min.	10% min.
iii.	TX- districts: 50% min.	10% min.
iv.	CS- districts: 50% min.	10% min.
v.	IX- districts: 60% min.	12% min.
vi.	CC- districts: 50% min.	10% min.
vii.	PX- districts: 60% min.	12% min.
viii.	PM- districts: 40% min.	8% min.

G. **Live/Work**

1. **Defined** A building or spaces within a building used jointly for commercial and residential purposes.

2. **Basic Use Standards**

a. Live/work is only permitted in units with street level access.

b. The work area of the live/work unit must not exceed 2,000 square feet or 50% of the total gross floor area, whichever is greater.

c. Hours of operation must begin no earlier than 6 AM and end no later than 10:00 PM, including all deliveries.

d. A minimum of one employee or owner of the business must occupy the live/work unit as their primary place of residence.

~~e. The live/work unit may employ no more than two persons not living on the premises at any one time.~~

ef. No business storage or warehousing of material, supplies or equipment is permitted outside of the live/work unit.

fg. The nonresidential use of the unit is limited to office, personal service, retail and artisanal uses as defined in this Article and must be permitted uses, limited uses, or conditional uses, except that the following uses are prohibited. Any ~~additional~~ limited use standards or use permit requirements do apply for limited or conditional uses.

i. Alternative financial services establishment (such as check cashing, bail bonds, or title loan establishments).

ii. Gas station.

iii. Liquor store.

~~iv. Open air markets.~~

g~~h~~. No equipment or process may be used in connection with the live/work unit that creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the premises.

~~i. No more than 5 customers are permitted on the premises at any one time.~~

Sec. 7.3.2. Group Living

A. **Defined** Residential occupancy of a structure by a group of people that does not meet the definition of household living. Generally, group living facilities have a common eating area for residents, and residents may receive care or training.

The Fair Housing Act (42 U.S.C. Section 3604(f)(3)) makes it unlawful to make a dwelling unavailable to a person because of race, color, national origin, sex, familial status, handicap or disability. No policy or practice of this Development Code is intended to have a disparate impact on a protected class. Further, in order to avoid prohibited discrimination, if a person or persons identified as a protected class believes a reasonable accommodation can be made to any use restriction, that person or persons are required to make application for a conditional use or zoning text or map change.

B. **Boarding/Rooming House**

1. **Defined** A facility that contains individual rooms without cooking facilities that are rented to the general public. The facility may or may not contain shared living areas and cooking facilities.

2. **Basic Use Standards**

a. No boarding/rooming house may be located within 1,320 feet of another boarding house (as measured in a straight line from property line to property line).

b. Every boarding/rooming house must provide resident management. The resident manager's name and room number must be placed on the primary entrance of the dwelling.

C. **Hospice**

1. **Defined** A health care facility for the terminally ill that emphasizes pain control and emotional support for the patient and family, typically refraining from taking extraordinary measures to prolong life.

D. **Institutional Residential**

1. **Defined** An umbrella term that encompasses the following uses as defined below: assisted living community, independent living, intermediate care home, nursing home, personal care home and skilled nursing care facility.

a. **Assisted Living Facility** Residences for the frail elderly that provide rooms, meals, personal care, and supervision of self-administered medication.

b. **Independent Living** Adults at least 55 years of age or older living within multi-family rental properties with central dining facilities that provide residents, as part of their monthly fee, access to meals and other services such as housekeeping, linen service, transportation, and social and recreational activities. Independent living facilities do not provide, in a majority of the units, assistance with activities of daily living such as supervision of medication, bathing, dressing, and toileting. There are no licensed skilled nursing beds on the property.

c. **Intermediate Care Home** A facility that admits residents on medical referral only, and includes the provision of food, and special diets when required, shelter, laundry and personal care services, such as help with dressing, getting in and out of bed, bathing, feeding, medications and similar assistance, such services being under appropriate licensed supervision. Intermediate care does not normally include providing care for bed-ridden patients except on an emergency or temporary basis.

d. **Nursing Home** A facility that admits patients on medical referral only and for whom arrangements have been made for continuous medical supervision, maintains the services and facilities for skilled nursing care, rehabilitative nursing care, and has a satisfactory agreement with a physician and dentist who will be available for any medical or dental emergency and who will be responsible for the general medical and dental supervision of the home.

e. **Skilled Nursing Care Facility** A facility that admits residents on medical referral; it maintains the services and facilities for skilled nursing care and has a satisfactory agreement with a physician and dentist who will provide continuing supervision including emergencies; it complies with rules and regulations of the Georgia Department of Human Resources. The term "skilled nursing care" means the application of recognized nursing methods, procedures, and actions directed toward implementation of the physician's therapeutic and diagnostic plan, detection of changes in the human body's regulatory system, preservation of such body defenses, prevention of complications and emotional well-being, including but not limited to the following:

i. The administration of oral or injectable medications which cannot be self-administered. Other examples include the administration of oxygen, the use of suction, the insertion or changing of catheters, the application of medicated dressings, the use of aseptic technique and preparation of the patient for special procedures;

ii. Observation in the care of the patient for symptoms and/or physical and mental signs that may develop and which will require attention of the physician and a revision in the patient's treatment regimen.

E. **Personal Care Home**

1. **Defined** Any dwelling, whether operated for profit or not, which undertakes through its ownership or management to provide or arrange for the provision of housing, food service, and one or more personal services for 3 or more adults who are not related to the owner or administrator by blood or marriage.

2. **Basic Use Standards**

a. The personal care home must be operated in a manner compatible with the neighborhood and must not be detrimental to adjacent properties as a result of traffic, noise, light, refuse, parking or other activities.

b. The operator of the personal care home must comply with all applicable local, state and federal laws and regulations. Copies of all applicable licenses and permits, including but not limited to, a business license, and other required State licenses must be provided at the time of application.

c. The personal care home must comply with all applicable building, housing and fire codes.

d. To prevent the institutional atmosphere created by concentrating or clustering of personal care homes, thereby defeating the goal of integrating individuals into the community, each personal care home must be located a minimum of ¼-mile from any other personal care home.

3. ~~**Additional**~~ Limited **Use Standards**

a. If located in a Protected Neighborhood zoning district, the design and or maintenance of the structure used for the personal care home must be residential in appearance and in keeping with neighboring homes.

b. Care provided to 4 residents or more must obtain a Conditional Use Permit prior to applying for a business license.

Sec. 7.3.3. Reserved

Sec. 7.3.4. Rehabilitation or Treatment Facility

A. **Defined** A facility licensed by the State of Georgia that provides treatment for persons who present a direct threat to the persons or property of others. Includes persons convicted for illegal manufacture or distribution of a controlled substance, sex offenders, and juvenile offenders. Includes facilities that provide transient housing related to post-incarceration and social service programs. Includes Rehabilitation Centers and Community Living Arrangements.

Div. 7.4. Public and Civic Uses[6]

Sec. 7.4.1. Civic

A. **Defined** Places of public assembly that provide ongoing governmental, life safety, educational and cultural services to the general public, as well as meeting areas for religious practice.

B. **College/University**

1. **Defined** An institution of higher education having authority to award associates, bachelors and higher degrees.

C. **Place of Assembly**

1. **Defined** Defined: Facility where a group of persons congregates for civic, cultural, fraternal, political, or social purposes, including events centers, auditoriums, and movie theaters. Activities take place primarily indoors.

2. **Basic Use Standards**

a. Outdoor areas may be provided as accessory to the primary use.

D. **Government Facility**

1. **Defined** Any building, structure, or use owned or operated by the federal government, State of Georgia, Fulton County, or other county, the City of Sandy Springs or other municipality, or any authority, agency, board, or commission of the above governments, that is employed to serve a public purpose, including, but not limited to, government administrative buildings, post offices, police, fire and EMS stations, public health facilities, public works facilities and community centers.

E. **Library, Museum**

1. **Defined** A facility having public significance by reason of its architecture or former use or occupancy, or a building serving as a repository for a collection of books, natural, scientific, literary curiosities or objects of interest, or works of art, and arranged, intended, and designed to be viewed by members of the public, with or without an admission fee, and which may include as an accessory use the sale of goods to the public as gifts or for their own use.

2. **Basic Use Standards**

   a. In the ON- District, the following Basic Use Standards apply:

      i. Lot area ~~shall~~must be a minimum of one (1) acre and a maximum of three (3) acres.

      ii. Access ~~shall~~must be from an arterial street.

      iii. The maximum lot coverage and maximum building height ~~shall~~must not exceed those in the ON- District.

F. **Place of Worship**

1. **Defined** A building or structure that by design and construction is primarily intended for conducting organized religious services. Associated accessory uses include, but are not limited to, schools, gymnasiums, meeting halls, indoor and outdoor recreational facilities, clergy house, rectory, day care, counseling, and kitchens.

2. **Basic Use Standards**

   a. No buildings and use areas/structures other than parking and pedestrian walkways may be located within 100 feet of any Protected Neighborhood district used for residential purposes.

   b. No parking areas may be located within 50 feet of any Protected Neighborhood district used for residential purposes.

   c. Any associated ~~day care centers,~~ private schools, recreational fields or other uses requiring a conditional use permit as a stand-alone use in that zoning district are allowed only under a separately approved conditional use permit for each use.

   d. The maximum lot coverage and maximum building height beyond those of the underlying zoning district are determined through the Conditional Use Permit process.

G. **Prison/Correctional Facility**

1. **Defined** A public or state-licensed privately-owned building, and all accessory uses and structures, used for long-term confinement housing and supervision of persons who are serving terms of imprisonment for violation of criminal laws. A prison is distinguished from a jail, in that a prison is considered to be larger and for longer terms, and is normally operated under the authority or jurisdiction of the State or Federal government.

2. **Basic Use Standards**

   a. Minimum lot size is 100 acres.

   b. All boundary lines of the property included within the conditional use permit must be at least 500 feet from the properties listed below:

      i. Any residential use.

      ii. The property line of any public recreational facilities.

      iii. Public or private institutional uses.

c. All boundary lines of the property included within the conditional use permit must be located at least 10 miles from any other prison/correctional facility.

d. Together with the application for a conditional use permit, a certified boundary survey of the site and the use of adjoining properties should be submitted. If any of the uses or zoning districts mentioned above are within 500 feet or another prison/correctional facility is located within 10 miles, they must be identified by map as part of the use permit application.

H. **School, Private (K-12)**

1. **Defined** An educational use having a curriculum at least equal to a public school, but not operated by the Fulton County Board of Education.

2. **Basic Use Standards**

a. Day care facilities (see Sec. 7.8~~5~~.3~~5~~) in association with the school do not require a separate conditional use permit.

b. No buildings and refuse area may be located within 100 feet of a Protected Neighborhood district used for residential purposes.

c. No active outdoor recreation area may be located within 100 feet of a Protected Neighborhood district used for residential purposes.

d. No parking areas may be located within 50 feet of any Protected Neighborhood district used for residential [purposes].

e. Student drop-off and vehicular turn-around facilities must be provided on-site so that vehicles may re-enter the street in a forward manner.

f. Off-site stadium:

i. Vehicular access is prohibited from a local street.

ii. A minimum 200-foot buffer and minimum 10-foot improvement setback must be provided along all common lot lines adjacent to a Protected Neighborhood or Urban Neighborhood district.

iii. The hours of operation are limited to 6:00 AM and 11:00 PM adjacent to a street right-of-way or residential district.

g. In the ON- District, the following Basic Use Standards apply:

i. Lot area ~~shall~~must be a minimum of one (1) acre and a maximum of three (3) acres.

ii. Access ~~shall~~must be from an arterial street.

iii. The maximum lot coverage and maximum building height ~~shall~~must not exceed those in the ON- District.

iv. There ~~shall~~must be no more than 150 students per lot area of one (1) to three (3) acres.

v. There ~~shall~~must be no athletic facilities on site. Any requirement for student recreation areas ~~shall~~is be permitted, as is required by the appropriate regulating State Authority.

vi. Day care facilities associated with K-12 Private schools are limited to:

a) early childhood education (not elder or senior care);

b) a location interior to the School facility; and

c) ~~shall~~must be included in the enrollment cap.

vii. A school as defined by the state of Georgia, ~~shall~~must be located no closer than 200 yards from any other school from property line to property line.

3. ~~**Additional**~~ **Limited Use Standards**

a. Minimum lot area is 1 acre.

b. Permitted curb cut access must not be from a local street.

c. The maximum lot coverage and maximum building height beyond those of the underlying zoning district are determined through the Conditional Use Permit process.

I. **School, Public (K-12)**

1. **Defined** An educational facility for students in grades pre-kindergarten through 12 operated by the Fulton County Board of Education. Includes charter schools.

Sec. 7.4.2. Recreation and Open Space

A. **Defined** Uses focusing on natural areas consisting mostly of vegetation, passive or active outdoor recreation areas, and having few structures.

B. **Cemetery/Mausoleum**

1. **Defined** Any land or structure in the City dedicated to and used for interment of human or pet remains. It may be a burial park for earth interments, a mausoleum for vault or crypt interments, a columbarium for storing urns containing human or pet remains, or a combination of one or more of the above.

2. **Basic Use Standards**

a. Permitted curb cut access must only be from a major thoroughfare or nonresidential local street, unless in conjunction with a place of worship.

b. No building may be located within 100 feet of a Protected Neighborhood district used for residential purposes.

c. Above ground monuments may not be located within 50 feet of any property line.

d. All other structures, including earth interments, must meet the minimum setbacks or 10 feet, whichever is greater.

e. No parking areas may be located within 50 feet of any Protected Neighborhood district used for residential purposes.

f. Buildings ~~shall~~must not exceed 35 feet in height.

g. Any security lighting ~~shall~~must have a controlled footprint and be screened from adjacent residential areas.

h. The maximum lot coverage is determined through the Conditional Use Permit process.

i. An undisturbed natural vegetative buffer of 25 feet ~~shall~~must be located and maintained along all side and rear lot lines.

j. Copies of applicable local, state, and federal permits must be provided to the Department prior to the issuance of a Certificate of Occupancy.

C. **Reserved**

D. **Conservation Area**

1. **Defined** A tract of land that is protected in order to ensure that natural features, cultural heritage or biota are preserved. May include recreation trails, greenways and nature preserves.

E. **Golf Course**

1. **Defined** A use of land for playing the game of golf. The term does not include miniature golf, but may include a clubhouse and a driving range as an accessory use.

2. **Basic Use Standards**

a. Permitted curb cut access must be from a major thoroughfare or nonresidential local street, unless shown on the approved preliminary plat of a single-unit detached subdivision.

b. When located outside of a single-unit detached subdivision, where a golf course is located adjacent a Protected Neighborhood district used for residential purposes, Protected Neighborhood Transition standards apply (see ~~Div. 6.4~~Sec. 8.3~~2~~.6.).

c. When located adjacent to any street right-of-way or Protected Neighborhood district, hours of operation are limited to the hours of 8:00 AM and 11:00 PM.

d. The need for any accessory netting associated with a driving range, tee, green, fairway or other course feature that is proposed to exceed the maximum zoning district height must be reviewed by the Director. A report prepared by a qualified engineer or expert documenting that the netting is required based upon a safety hazard caused by the driving range, tee, green, fairway or other course feature must be submitted with the application in support of the proposed height.

F. **Reserved**

G. Residential **Subdivision Amenity**

1. **Defined** Improved areas designed and intended for the playing of a game such as basketball, volleyball or tennis, and indoor or outdoor facilities such as community meeting rooms, picnic areas, swimming pools or playgrounds. These facilities serve dwelling units and are owned and/or controlled by a neighborhood club, homeowner's association, or similar organization. The term "subdivision amenity" includes fences surrounding the recreational amenity and all surface area inside the fences and overhead lighting fixtures (See Sec. 8.5.4) accessory to the same.

2. **Basic Use Standards**

a. Use of the subdivision amenity is limited to residents and guests of the neighborhood in which they are located.

b. Where subdivision amenity is located adjacent to a Protected Neighborhood district that is not part of the same subdivision or neighborhood, Protected Neighborhood Transition standards apply (see ~~Div. 6.4~~Sec. 8.3~~2~~.6.).

c. The need for any accessory netting associated with a driving range, tee, green, fairway or other course feature that is proposed to exceed the maximum zoning district height must be reviewed by the Director. A report prepared by a qualified engineer or expert documenting that the netting is required based upon a safety hazard caused by the driving range, tee, green, fairway or other course feature must be submitted with the application in support of the proposed height.

D. All swimming pools must be completely surrounded by an enclosure that meets the requirements of the International Swimming Pool and Spa Code as well as the requirements in Sec. 8.3~~2~~.10. The enclosure must be in place prior to pool completion. Materials and construction must comply with the regulations administered by the Fulton County Health Department.

H. **Reserved**

I. **Recreational Facility**

1. **Defined** Equipment and areas prepared for use for indoor and outdoor recreational and leisure purposes including, but not limited ~~to:~~to playground equipment, including swing sets and climbing structures; recreational courts; swimming pools; recreational fields; community picnic pavilions, including covered facilities with grills or fire rings, and community buildings for recreational events. Trails and ~~bike~~bicycle paths through open spaces are not typically considered recreational facilities. Recreational facility does not include public park facilities or subdivision amenities.

2. **Basic Use Standards**

a. All swimming pools must be completely surrounded by an enclosure that meets the requirements of the International Swimming Pool and Spa Code as well as the requirements in Sec. 8.3~~2~~.10. The enclosure must be in place prior to pool completion. Materials and construction must comply with the regulations administered by the Fulton County Health Department.

b. The need for any accessory netting associated with a driving range, tee, green, fairway or other course feature that is proposed to exceed the maximum zoning district height must be reviewed by the Director. A report prepared by a qualified engineer or expert documenting that the netting is required based upon a safety hazard caused by the driving range, tee, green, fairway or other course feature must be submitted with the application in support of the proposed height.

Sec. 7.4.3. Utilities

A. **Defined** Utilities include the following.

1. **Minor Utilities** Public or private infrastructure serving a limited area with no on-site personnel, including on-site stormwater retention or detention facility, neighborhood serving telephone exchange/switching center, gas/ electric/telephone/cable transmission lines, water and waste water pump station or lift station, gas gates, reservoir, control structure, drainage well, water supply water well, utility and public service uses.

2. **Major Utilities** Public or private infrastructure serving the general community, and often requiring on-site personnel, including aeration facility, electrical substation, electric or gas generation plant, filter bed, transmission towers, waste treatment plant, water tower or tank, gas metering and control stations.

Sec. 7.4.4. Wireless Communication

A. **Defined** A facility for the provision of radio waves or wireless service.

B. **Alternative Support Antenna Structure and Roof-Mounted Antenna**

1. **Defined** Roof-mounted antennas, clock towers, campaniles, free standing steeples, light structures and other alternative support structures that camouflage or conceal antennas as an architectural feature (man-made trees are prohibited).

2. **Basic Use Standards**

a. New antenna structures must be set back a distance equal to the height of the tower from a property line unless the structure is proposed to be located on an existing building.

b. Above-ground equipment shelters must be surrounded by a minimum 10-foot wide buffer.

c. Rooftop antennas and associated structures must not project more than 10 feet above roof line.

d. Height must not exceed 150 feet from existing grade unless co-located with or replacing an existing antenna that is legally non-conforming.

C. **Amateur Radio Antenna**

1. **Defined** A radio communication facility that is an accessory structure to a ~~single-family~~single unit dwelling unit and is operated for non-commercial purposes by a Federal Communication Commission licensed amateur radio operator.

2. **Basic Use Standards**

a. All antennas must be located in the rear yard.

b. The maximum height allowed is 90 feet. Any request to exceed the maximum height requires a conditional use permit, as provided in Div. 11.3.

c. All antennas must be set back from all property lines 1/3 of the height of the antenna or the district setback requirements, whichever is greater. The antenna must be located a distance equal to or greater than the antenna height from existing residential dwellings, excluding the owner's primary dwelling or structure.

d. The antenna must not be lit.

e. All antennas must be constructed with an anti-climbing device.

f. All antennas must be painted in a neutral color identical to or closely compatible with surroundings, subject to the approval of the Director.

g. All guy wires must be anchored on-site and outside of any right-of-way.

D. **Tower Antenna**

1. **Defined** Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guyed towers and monopoles but not alternative antenna support structures. The term includes, but is not limited to, radio and television transmission towers, microwave towers, common carrier towers and cellular telephone towers, but excludes amateur radio antenna.

2. **Basic Use Standards**

a. New tower and accessory structures must be set back a distance equal to 1.5 times the height of the tower from a property line or any street right-of-way or residential district.

b. Tower and associated facilities must be enclosed by fencing not less than 6 feet in height and towers must be equipped with an anti-climbing device, and screened (see Sec. 8.32~~2~~.9.B).

c. Height must not exceed 200 feet from existing grade. Height must be calculated to include all appurtenances (e.g. light, marking) required by the F.A.A.

d. No new Tower Antenna may be located within 2,640 feet of any existing Tower Antenna.

Div. 7.5. Commercial Uses[7]

Sec. 7.5.1. General Standards

D. In RM- and RX- Districts, the following standards apply:

1. In the RM- District, the total gross floor area of commercial uses cannot exceed 25% of the total square footage of the development footprint.

2. In the RX- District, each commercial tenant space must not exceed 6,000 square feet in gross floor area, except for Grocery tenants. Grocery tenants must not exceed 15,000 square feet in gross floor area.

3. Hours of operation limited to 6AM-11PM, including all deliveries.

4. Drive-through or drive-in facilities are not permitted.

E. In all CX Districts located between Abernathy Road and US 285, each commercial tenant space must not exceed 30,000 square feet in gross floor area.

F. In a SX Districts located between Abernathy Road and US 285, each commercial tenant space must not exceed 30,000 square feet in gross floor area.

G. In CS District, each commercial tenant space must not exceed 30,000 square feet in gross floor area.

Sec. 7.5.21~~.~~. Adult Establishment

A. **Defined** Adult establishment is defined as set forth in Sec. 26-22 of the City Code.

B. **Intent and Findings** It is the intent of this Section to regulate the place and manner of the operation of Adult Establishments as defined in Sec. 26-22 of the City Code. It is well established and has been the experience of other communities in Georgia and throughout the United States that adult establishments have been associated with disorderly conduct, prostitution, negative impacts on surrounding properties, and other adverse secondary effects. This Section advances the substantial government interest in promoting and protecting public health, safety, and general welfare, and maintaining law and order. The Section is narrowly constructed to protect the First Amendment rights of citizens of Sandy Springs while furthering the substantial governmental interest of combating the secondary effects of adult establishments from areas and uses in the community which are incompatible. Areas and uses which are to be protected from adult establishments include but are not limited to residential, churches, day care centers, libraries, recreational facilities, and schools. The City Council hereby readopts and incorporates by reference the findings and secondary effects evidence concerning adult establishments in the legislative record for Chapter 26, Article II of the Code of the City of Sandy Springs, Georgia and for ordinances adopting and amending those provisions. Specifically, the City Council incorporates here all of the secondary effects evidence and findings contained in Sec. 26-21 of the City Code.

The City Council finds, based upon an October, 1980, study by the Minnesota Crime Prevention Center, Inc., Minneapolis, Minnesota, entitled "An Analysis of the Relationship Between Adult Entertainment Establishments, Crime, and Housing Values", that adult establishments are significantly related to diminishing market values of neighboring residential areas, that adult establishments should not be located in residential areas, and that adult establishments should be permitted only in locations that are at least 1/10 mile, or approximately 500 feet, from residential areas.

The City Council further finds, based upon a June, 1978, study by the Division of Planning of the St. Paul, Minnesota, Department of Planning and Economic Development and the Community Crime Prevention Project of the Minnesota Crime Control Planning Board entitled "Effects on Surrounding Area of Adult Entertainment Businesses in Saint Paul", that the presence of adult establishments correlates with a decreasing market value of neighboring residential areas, that adult establishments tend to locate in areas of

poorer residential condition, tend to be followed by a relative worsening of the residential condition, and that more than two adult establishments in an immediate area is associated with a statistically significant decrease in residential property market value, and that such a concentration of adult establishments in a given area should be discouraged. The study also finds that such worsening of residential conditions will adversely affect uses found in residential areas or in the proximity of residential areas, such as public recreational facilities, public or private institutional uses, churches, schools, universities, colleges, trade-schools, libraries, and day care centers.

The City Council further finds, based upon a May 19, 1986, land use study conducted in Austin, Texas, that an adult establishment within one block of a residential area decreases the market value of homes, that adult establishments are considered a sign of decline by lenders, making underwriters hesitant to approve the 90-95 percent financing many home buyers require, and that patrons of adult establishments tend to be from outside the immediate neighborhood in which the adult establishment is located.

The City Council further finds, based upon a March 3, 1986, study conducted by the Oklahoma City, Oklahoma, Community Development Department entitled ""Adult Entertainment Businesses in Oklahoma City -- A Survey of Real Estate Appraisers"", that an adult establishment will have a negative effect on residential property market values if it is located closer than one block to residential uses.

The City Council further finds that the regulation of adult establishments was carefully considered by a work group of Fulton County staff drawn from the areas of law enforcement, land use, land planning, and law; by the Planning Commission at public meetings open to the citizens of Sandy Springs where public comment was available; and by a committee of citizens with expertise in law, real estate, land use, and other disciplines, who have reviewed the effects of adult establishments on market values of residential and other property, and that the information gathered and results of this informal study support the need for these development standards.

This portion of the zoning ordinance is intended to be a carefully tailored regulation to minimize the adverse land use impacts caused by the undesirable secondary effects of adult establishments, and the City Council finds that restricting adult establishments to certain zones and imposing development standards can legitimately regulate adult establishments by establishing zones where adult establishments are least incompatible with other uses or the surrounding neighborhood, and by requiring minimum distances to be maintained between adult establishments and other uses so as to afford the most protection to residential uses.

It is not the intent of the City Council, in enacting this portion to the zoning ordinance, to deny to any person rights to speech protected by the United States or Georgia Constitutions, nor is it the intent to impose any additional limitations or restrictions on the contents of any communicative materials, including sexually-oriented films, videotapes, books, or other materials; further, in the adoption of this amendment to the zoning ordinance, the City Council does not intend to deny or restrict the rights of any adult to obtain or view any sexually oriented materials protected by the United States or Georgia Constitutions, nor does it intend to restrict or deny any constitutionally protected rights that distributors or exhibitors of such sexually-oriented materials may have to sell, distribute, or exhibit such constitutionally protected materials; finally, in the enactment of this portion of the zoning ordinance, the City Council intends to adopt a content neutral measure to address the secondary effects of adult establishments in continuation of practices that previously applied to the citizens of the now incorporated City of Sandy Springs as when they were formerly citizens residing in unincorporated Fulton County.

The City Council hereby re-adopts and incorporates these pre-enactment findings and evidence into the adoption of the following code amendments.

C. **Basic Use Standards**

1. An adult establishment must be located at least 300 feet from the properties listed below:

a. The property line of any property in a Protected Neighborhood district, Urban Neighborhood district. Or of any property used for residential purposes; and

b. The property line of any public park, public recreational fields, public recreational courts, public golf course, public playground, public playing field, government building owned and/or occupied by such government, library, civic center, public or private school, commercial day care facility or place of worship.

c. For the measurements required by paragraph C.1.a. and b., the distance ~~shall~~must be measured in a straight line from the structure or tenant space of the applicable adult establishment to the closest property line of the zoned property or uses outlined in subparts a or b, above. Where property conditioned for residential purposes is part of a mixed use development, the distance ~~shall~~must be measured to the closest boundary of the area shown on the approved site plan as conditioned for residential purposes. Where a use listed in subpart b is located in a structure or tenant space in a multi-tenant development, the distance ~~shall~~must be measured to the structure or tenant space of that use rather than the property line of the overall development, so as to maximize the number of locations available to adult establishments. The zoning and/or use of land in adjacent jurisdictions ~~shall~~will not disqualify any location within the City of Sandy Springs from being available to an adult establishment.

2. No adult establishment shall be located any closer than 400 feet from any other adult establishment. For the measurement required by this subsection, distance shall be measured in a straight line from the nearest public entrance of the structure or tenant space of the adult establishment to the nearest public entrance of the structure or tenant space of the other adult establishment.

3. No adult entertainment establishment shall be located any closer than 50 feet from any establishment authorized and licensed to sell alcoholic beverages or malt beverages or wine for consumption on the premises. For the measurement required by this subsection, distance shall be measured from the nearest public entrance of the structure or tenant space of the adult entertainment establishment to the nearest entrance to the public of the structure or tenant space of the establishment authorized and licensed to sell alcoholic beverages or malt beverages or wine for consumption on the premises.

4. Notwithstanding any provision in this Development Code or the Sandy Springs Code of Ordinances to the contrary, an adult establishment in a location that satisfies the standards of this Section shall not be rendered nonconforming, nor shall the location be deemed non-compliant with this Section or Section 26-23 of the City Code, by virtue of the subsequent establishment of a land use or zoning district specified in this Section.

D. **Other Regulations**

1. Adult establishments that satisfy the requirements of this Section shall not be required to satisfy any discretionary standard under this Development Code or the City of Sandy Springs Code of Ordinances to open and engage in protected expression.

2. See also Chapter 26, Article II, Adult Establishments, of the Sandy Springs Municipal Code.

E. **In the PM- Districts** Adult establishments are allowed in the PM-12/15 District. No other PM-Districts allow adult establishments.

Sec. 7.5.32. Animal Care

A. **Defined** A facility providing care and boarding of domesticated animals for compensation including animal hospital, doggy day care, kennel, pet boarding, pet grooming, pet training facility, veterinary office, and horse stables. Animal care includes the following:

1. **Animal Care, Indoor**

   a. **Defined** A completely enclosed soundproof indoor facility designed or arranged for the care of animals without any outdoor activity. No outdoor activity associated with care of animals is allowed, including outdoor walking of dogs, for indoor animal care in a multi-tenant building.

   b. **Basic Use Standards**

      i. In a freestanding, single-tenant building, a fenced, outdoor area not to exceed 25% of the building floor area may be created for walking dogs on a leash (provided that no dogs are allowed off-leash).

2. **Animal Care, Outdoor**

   a. **Defined** A facility designed or arranged for the care of animals that includes outdoor activity.

   b. ~~**Additional**~~ Limited **Use Standards**

      i. All outdoor exercise areas and runs must be fenced for the safe confinement of animals;

      ii. Adjacent to all common lot lines, a District Boundary Buffer applies (see Sec. 8.3~~2~~.7).

      iii. No animal may be outdoors between 11:00 PM and 6:00 AM; and

      iv. No part of any building, structure or run in which animals are housed may be closer than 150 feet from any property line, except:

         1. Property owned or occupied by an owner or operator of the facility; or

         2. A completely enclosed soundproof indoor facility, which is allowed to meet only the required District setbacks.

~~Sec. 7.5.3. Reserved~~

Sec. 7.5.4. Reserved

Sec. 7.5.5. Day Care

A. **Defined** A use in which shelter, care and supervision for 7 or more children or adults on a regular basis away from their residence for less than 24 hours a day. A day care facility may provide basic educational instruction.

Day care includes adult day care, child care learning center and preschool. See Sec. 7.8.4 for Family Day Care Home.

B. **Basic Use Standards**

   a. All day care must meet the applicable standards of the Georgia Department of Early Care and Learning, or the Georgia Department of Community Health, as applicable.

Sec. 7.5.6. Reserved

Sec. 7.5.7. Medical

A. **Defined** A facility providing medical or surgical care to patients. Some facilities may offer overnight care.

B. **Hospital**

1. **Defined** An institution classified and having a permit as a hospital from the Georgia Department of Community Health pursuant to the O.C.G.A. and the rules and regulations of the Georgia Department of Community Health.

Sec. 7.5.8. Office

A. **Defined** A facility used for activities conducted in an office/shared office setting and generally focusing on business, professional or financial services. Office includes the following:

1. Business services including, but not limited to, advertising, business management consulting, computer or data processing, graphic design, commercial art or employment agency.
2. Counseling in an office setting.
3. Financial services including, but not limited to, lender, investment or brokerage house, bank, call center, bail bonds, insurance adjuster, real estate or insurance agent, mortgage agent or collection agency.
4. Professional services including, but not limited to, lawyer, accountant, auditor, bookkeeper, engineer, architect, sales office, travel agency, interior decorator or security system services.
5. Radio, TV station, recording studio.
6. Trade, vocational, technical, business school, cooking school or culinary facility .

Sec. 7.5.9. Reserved

Sec. 7.5.10. Overnight Lodging

A. **Defined** Accommodations arranged for short term stays, but not including short term rentals.

B. **Bed and Breakfast**

1. **Defined** A facility where overnight accommodations not exceeding 5 rooms are provided for compensation, with or without a morning meal, and which may include an afternoon or evening meal for guests, and where the owners of the facility live on the premises. Bed and breakfast does not include retail uses, public bar, conference center or special event facilities.
2. **Basic Use Standards**
   a. A minimum of 2 guest rooms and a maximum of 5 guest rooms are permitted.
   b. No parking in the minimum front yard.
   c. The Bed and Breakfast is owner-occupied.

C. **Boutique Hotel**

1. **Defined** A facility not exceeding 30 rooms where overnight accommodations for 15 consecutive days or less are provided for compensation.
2. **Basic Use Standards**
   a. All guest rooms must be accessed through a central lobby and interior corridors only.
   b. A boutique hotel may include as accessory uses the following: full dining, retail use, and special event facilities.

D. **Hotel**

1. **Defined** A facility with more than 30 rooms where overnight accommodations for 15 consecutive days or less are provided for compensation.

2. **Basic Use Standards**

   a. A hotel may include as accessory uses the following: full dining, retail uses, special events and conference center facilities.

   b. All guest rooms must be accessed through a central lobby and interior corridors only.

E. **Executive Suites Hotel**

1. **Defined** A facility with more than 30 rooms where overnight accommodations are provided for compensation.

2. **Basic Use Standards**

   a. A maximum of 70% of the guest rooms may be equipped with cooking facilities;

   b. A fire suppression system is required in all guest rooms with cooking facilities;

   c. Food preparation areas must be physically separate and distinct from sleeping areas;

   d. All guest rooms must be accessed through a central lobby and interior corridors only;

   e. An attendant must be stationed at the front desk for 24 hours a day;

   f. A limited-service restaurant offering at least two meals daily must be provided;

   g. At least 3 amenities of the following must be provided:

      i. Swimming pool;

      ii. Fitness center;

      iii. Valet service;

      iv. Conference space of minimum 3,000 sq. ft.;

      v. Dog park of minimum 200 sq. ft.;

      vi. Other amenities may be approved by the Director.

Sec. 7.5.11. Parking Structure, Commercial

A. **Defined** A structure~~facility~~, not a lot, that provides parking as a principal use. A fee may or may not be charged.

Sec. 7.5.12. Passenger Terminal

A. **Defined** A facility for trains, buses, taxis or limo services, or for utilizing shared transportation options. Passenger terminal includes facilities for the following:

1. Bus transfer facility or bus station.

2. Car share facility.

3. Limousine or taxi service.

4. Light rail station.

5. Rail station.

6. Rapid rail transportation system.

Sec. 7.5.13. Personal Service

A. **Defined** A facility involved in providing personal or repair services to the general public. Personal service may include the following:

1. Beauty, hair or nail salon.
2. Catering service.
3. Cleaning establishment, dry cleaning, laundry, laundromat.
4. Copy center, printing, binding, photocopying, blueprinting, mailing service.
5. Dance, martial arts, music studio or classroom.
6. Funeral home, crematory, mortuary and undertaking establishment, pet funeral home in a standalone building.
7. Locksmith.
8. Gym, health spa, tanning salon, personal trainer or yoga studio.
9. Optometrist.
10. Repair of appliances, ~~bike~~bicycles, canvas product, clocks, computers/tablets, jewelry, mobile phones, musical instruments, office equipment, shoes, televisions, watches or similar items.
11. Tailor, milliner, upholsterer, embroiderer.
12. Therapeutic massage.
13. Tattoo parlor, body piercing.
14. Taxidermist.
15. Tutoring.
16. Wedding chapel.

Sec. 7.5.14. Restaurant

A. **Defined** A facility that prepares and sells food and drink for on- or off-premises consumption. ~~Restaurant includes the following:~~ For information on drive-through facilities, see Sec. 7.8.3.

~~1. Brewpub (subject to the barrel limitation prescribed in O.C.G.A. Sec. 3-5-36).~~

~~2. Bakery, cake shop.~~

~~3. Coffee, tea shop.~~

~~4. Juice bar, smoothie shop.~~

~~5. Restaurant.~~

~~6. Yogurt or ice cream shop.~~

B. General Restaurant

C. **Neighborhood Eatery**

1. **Defined** An establishment that prepares and sells food and drink for on- or off-premises consumption that is limited in size. Examples include bakery or cake shop, bistro, brewpub (subject to the barrel limitation prescribed in O.C.G.A. Sec. 3-5-36.), coffee or tea shop, deli, juice or smoothie bar, ice cream shop, or similar.

2. **Basic Use Standards**
   a. Each tenant space must not exceed of 3,000 square feet in gross floor area.
   b. Drive-through or drive-in facilities are prohibited.

Sec. 7.5.15. Retail

A. **Defined** A facility involved in the sale, lease or rental of new or used products. Retail includes the following:

1. Antiques, appliances, art supplies, batteries, ~~bike~~bicycles, books, building supplies, cameras, carpet and floor coverings, crafts, clothing, computers, convenience goods, dry goods, electronics, fabric, flowers, furniture, garden supplies, gifts or novelties, groceries, hardware, home improvement, household products, jewelry, medical supplies, music, musical instruments, office supplies, package shipping, pets, pet supplies, pharmaceuticals, phones, photo finishing, picture frames, plants, pottery, printed materials, produce, seafood, shoes, souvenirs, sporting goods, stationery, tobacco, toys, vehicle parts and accessories, videos, video games and related products.
2. Fuel pumps, fuel~~gas~~ station.
3. Pawnshop.
4. Payday/title loans or check cashing.

B. **Reserved**

C. **Fireworks Retail Facility**

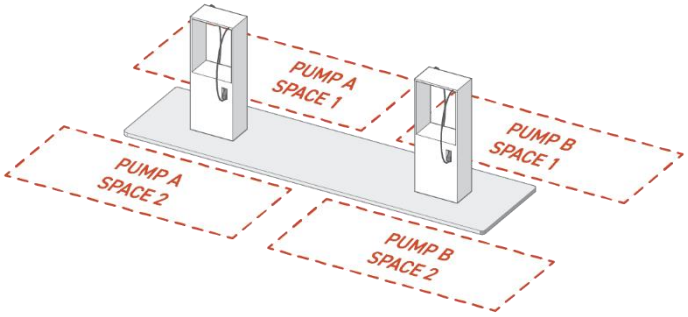
1. **Defined** A fireworks retail facility includes:
   a. Fireworks Consumer Fireworks Retail Sales Facility. A permanent or temporary building or structure or Consumer Fireworks Retail Sales Stand that is used primarily for the retail display and sale of consumer fireworks to the public. Does not include a tent, canopy or membrane structure. Primarily means that 80% or greater of the Consumer Fireworks Retail Sales Facility is used for the retail display and sale of consumer fireworks to the public.
   b. Fireworks Store. A building classified as a mercantile occupancy that contains a variety of merchandise and that is not used primarily for the retail sales of consumer fireworks. Includes such buildings with at least 4,000 square feet of retail display space and wherefrom:
      1. No more than 25% of such retail display space is used for consumer fireworks and items or products as provided under O.C.G.A. § 25-10-1(b)(2)1; and
      2. Other items or products which are not consumer fireworks or items or products as provided for under O.C.G.A. § 25-10-1(b)(2) are sold; and
      3. Provided, further, that such term means a person, firm, corporation, association, or partnership with more than one mercantile location, where all such mercantile locations are collectively known to the public by the same name or share central management.
2. **Basic Use Standards**
   a. A fireworks retail facility must be located at least 200 feet from any Protected Neighborhood district.

D. **Fuel Pumps, ~~Gas~~ Fuel Station**

1. **Defined** A retail facility that sells fuel for motor vehicles, with or without personnel. The facility may or may not include a convenience or other retail store.

2. **Basic Use Standards**

a. A fuel pump is considered to be a single fuel pumping apparatus. Fuel pumps are generally two-sided, with a fueling space on each side.



b. A canopy for fuel pumps or a fuel station must be architecturally-integrated with any associated commercial building on the site, and must not include any signs. Canopy support columns must be fully encased with materials that are complementary to those used on the main building. The canopy band face must be of a color consistent with the main structure. Primary or fluorescent colors must not exceed 10% of each canopy band face.

c. Any pavement associated with vehicles must be screened from view, except for drive entrances, using landscaping (see Sec. 8.3.2, Parking Lot Landscaping).

d. Fuel pumps must be located a minimum of 100 feet from the lot line of a Protected Neighborhood property.

e. Fuel pumps must be located a minimum of 10’ from the build-to zone.

f. A masonry wall may count toward the minimum build-to requirement of the District provided the following standards are met:

i. The building must meet the minimum width requirements of Sec. 6.1.2.C.5;

ii. The masonry wall must have openings meeting the transparency requirements of Div. 6.3. and must provide similar architectural elements to the building, such as materials, cornices, and awnings; and

iii. The masonry wall is not required to meet the minimum story requirement of the District so long as the wall is a minimum of 12 feet in height.

g. Direct pedestrian access to the building is required for each street frontage.

h. Fuel pumps are permitted in any parking structure, where fuel pumps are a permitted use.

i. **Improvements to Existing Fuel Pumps, Fuel Stations**

i. Existing nonconforming stations as of the date of the adoption of this code may be upgraded, replaced or redeveloped when, as determined by the Director, such upgrade, replacement or redevelopment is for the purpose of remedying a use that is dangerous to the general public or to ensure that such use complies with any fire code, life safety code, or other safety ordinance or regulation.

ii. Fuel pumps or ~~gas~~ fuel stations may be upgraded, replaced or redeveloped, including an increase in building size but not an increase in the number of pumps, on the existing site with the approval of the Director.

j. **Expansion of Fuel Pumps at Existing Fuel Stations**

i. Existing nonconforming fuel pumps as of the date of the adoption of this code may be expanded in accordance with this section when, as determined by the Director, such expansion is for the purpose of remedying a use as that is dangerous to the general public or to ensure that such use complies with any fire code, life safety code, or other safety ordinance or regulation.

ii. The Director may approve the addition of up to 4 fuel pumps to an existing site, provided the following standards are met:

a) The Director determines the site has adequate room for additional fuel pumps and vehicle spacing;

b) The building façade and fuel canopy have been brought into compliance with all of the standards of this Code;

c) The vehicle and pedestrian access points have been brought into compliance with all of the standards of this Code;

d) All paved areas have been screened in accordance with Sec. 8.3.2. Parking Lot Screening; and

e) Any nonconforming signs on the property have been removed.

~~Fuel pumps or gas stations may be expanded to an adjacent site with conditional use permit approval by the City Council.~~

k. **Relocation of Existing Fuel Pumps or Fuel Stations~~–~~**

Existing f~~F~~uel pumps or ~~gas~~ fuel stations may be relocated to an alternative site within the CX-, CC- or IX- districts with a C~~c~~onditional U~~u~~se P~~p~~ermit approval by the City Council. Any new fuel pumps or gas station must be located at least ½-mile from any existing fuel pump or gas station. The ½-mile measurement must be taken without regard to the City limits of Sandy Springs and is measured to the property line, regardless of where the fuel pumps are located on the site. Conditional U~~u~~se P~~p~~ermit approval is predicated on the elimination of an existing site with fuel pumps or ~~gas~~ fuel station and the mitigation of the former site such that it is ready for any other permitted use in the district.

d. ~~Open~~

~~A canopy for fuel pumps or a gas station may be considered to meet the build to requirement of this Development Code, provided it is located within the build-to zone, isshall be architecturally integrated with any associated commercial building on the site, and does shall not include any signs. Canopy support columns shall be fully encased with materials that are complementary to those used on the main building. The canopy band face shall be of a color consistent with that of~~

~~the main structure or an accent color. Primary or fluorescent colors must not exceed ten percent (10%) of each façade.~~

f. ~~Any pavement associated with vehicles must be screened from view, except for drive entrances, using landscaping (see Sec. 8.2.2, Parking Lot Landscaping).~~

g. ~~No fuel pumps or gas station apparatus may shall be located within 10050 feet of the lot line of a Protected Neighborhood property.~~

E. **Pawnshop**

1. **Defined** An establishment engaged in a business involved in any part of the pledge, pawn, or exchange of any goods, wares, merchandise, or any kind of personal property or title as security for the repayment of money lent. See also Sec. 26-186 of the City Code.

2. **Basic Use Standards**

a. A pawnshop must not be located within 5,000 feet of any other pawnshop or title loan or check cashing business (measured in a straight line from building entrance to building entrance).

F. **Title Loans, Check Cashing**

1. **Defined** A facility engaged in the business of making loans in exchange for possession of the certificate of title to property or a security interest in titled property. Also includes check-cashing, which is a business other than a bank or savings and loan or similar financial institution that cashes checks for a fee as a business activity and may or may not also make title loans as part of that business activity.

2. **Use Standards**

a. Where title loan or check cashing is allowed, it must not be located within 5,000 feet of any other title loan or check cashing business or pawnshop (measured in a straight line from building entrance to building entrance).

Sec. 7.5.16. Vehicle Sales and Rental

A. **Defined** A facility that sells, rents or leases passenger vehicles, trucks, and other consumer vehicles such as motorcycles, boats and recreational vehicles. This definition does not include rental options operated without on-site customer and support services (such as car-sharing). Vehicle sales and rental includes the following:

B. **Minor Vehicle Sales and Rental**

1. **Defined** Sales, rental or leasing of passenger vehicles, light trucks, vans and motorcycles.

2. ~~**Additional**~~ Limited **Use Standards**

a. Minor vehicle rental (but not sales) is permitted as an accessory use only, and must be wholly enclosed within a parking structure.

C. **Major** Vehicle **Sales and Rental**

1. **Defined** Sales, rental or leasing of commercial vehicles, heavy equipment and manufactured homes. Includes recreational vehicles, boats, ~~18 wheelers~~tractor-trailers, commercial box trucks, high-lifts, construction, heavy earthmoving equipment and manufactured homes.

2. **Basic Use Standards**

a. Access points must be provided at no less than the following:

i. Roswell Road: minimum spacing 200 linear feet

ii. All other streets: 100 linear feet

b. No trailer or mobile building is permitted on the property (other than a temporary construction office).

c. No part of any service buildings may be located between a primary structure and the primary street.

d. Roll-up, garage or bay doors and similar wide openings must not face a primary street.

e. Vehicles may not be displayed on elevated platforms. All exterior display areas must be located at ground level.

f. Vehicles must be parked in orderly fashion similar to a regular parking lot.

g. Outdoor display of tires is prohibited.

h. Outdoor washing and detailing of vehicles is prohibited. All vehicle service must be conducted inside a building.

i. All sites established after the effective date of this Development Code must conduct loading and unloading of vehicles on-site, and must not be designed to require maneuvering or parking on streets.

j. Locations with frontage on Roswell Road: Only manufacturer-authorized new vehicle franchise dealerships (offering customary service of new and pre-owned automobiles as an accessory service only) are allowed. The minimum total acreage of the dealership must be 3 acres. The property may include multiple distinct and separate lots, provided they are located within 1,500 linear feet of each other measured in a straight line.

k. Car vending machines are not permitted on the property.

D. **Vehicle Showroom**

1. **Defined** A facility that showcases and sells, rents or leases passenger vehicles, trucks, ~~and/~~or other consumer vehicles such as motorcycles, boats and recreational vehicles.

2. **Basic Use Standards**

a. All vehicles on must be displayed indoors.

c. No vehicle maintenance or repair apparatus can be located on site.

d. Total square footage of the business and its operations must not exceed 5,000 square feet.

Div. 7.6. Industrial Uses[8]

[8]Editor's note(s)—Ord. No. 2019-07-19 , § VIII, adopted July 16, 2019, repealed Div. 7.6 in its entirety and set out a new Div. 7.6 to read as herein set out. Former Div. 7.6, §§ 7.6.1—7.6.8, pertained to similar subject matter and derived from an ordinance adopted April 17, 2018 , §§ 7-116—7-120; and Ord. No. 2018-11-32 , §§ IV, IX.

Sec. 7.6.1. Artisanal

A. **Defined** A facility for small-scale, craft production, with fewer than 5 employees on the premises at any given time. The facility must be open for the sale of products, classes, or other form of interaction with the public at least 10 days each month. Artisanal includes the following:

1. Blacksmith, metalwork.
2. Ceramics manufacturing.
3. Food processing.
4. Woodworking, cabinet makers or furniture manufacturing.
5. Glass blowing.
6. Jewelry, silverware and plated ware manufacturing.
7. Musical instrument manufacturing.
8. Leatherwork.
9. Cobbler.
10. Basket weaving; stitchery/quilting

Sec. 7.6.2. Heavy Industrial

A. **Defined** A facility that involves dangerous, noxious or offensive uses or a facility that has smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with radio, television reception, radiation or any other likely cause. Heavy industrial includes the following:

1. Animal processing, packing, treating and storage, livestock or poultry slaughtering, processing of food and related products, production of lumber, explosives, fireworks, tobacco, chemical, rubber, leather, clay, bone, paper, pulp, plastic, stone, or glass materials or products, production or fabrication of metals or metal products including enameling and galvanizing.
2. Bottling plant.
3. Bulk fuel sales.
4. Bulk storage of flammable liquids, chemical, cosmetics, drug, soap, paints, fertilizers and abrasive products.
5. Chemical, cosmetics, drug, soap, paints, fertilizers and abrasive products.
6. Concrete batch plant.
7. Petroleum, liquefied petroleum gas and coal products and refining.
8. Prefabricated building manufacturing.
9. Sawmill, log production facility, lumberyard.
10. Rubber and plastic products, rubber manufacturing.

Sec. 7.6.3. Light Industrial/Manufacturing

A. **Defined** A facility conducting light manufacturing operations within a fully-enclosed building. Light industrial manufacturing includes the following:

1. Brewery, winery, cidery, distillery.
2. Clothing, textile or apparel manufacturing.
3. Assembly or manufacturing of scientific measuring instruments; semiconductor and related devices, including, but not limited to, clocks, integrated circuits, jewelry, medical, musical instruments, photographic or optical instruments or timing instruments.
4. Micro-producers.
5. Motion picture studio.
6. Pharmaceutical or medical supply manufacturing.
7. Recreational equipment manufacturing.
8. Toy manufacturing.
9. Sheet metal, welding, machine shop, tool repair.
10. Furniture upholstery installation or reupholstery.
11. Woodworking, cabinet makers or furniture manufacturing.

B. **Breweries, Distilleries, Cideries and Wineries**

1. **Defined** An industrial facility where malt beverages, distilled spirits, alcoholic cider or wine are produced on the premises and then sold or distributed for off-premises consumption in compliance with State law and Department of Revenue licensing requirements.
2. **Basic Use Standards**
   a. Applicants are required to obtain an alcoholic beverage manufacturing license from the City and comply with State law and Department of Revenue Rules and Regulations relating to the manufacture, sale and distribution of malt beverages, distilled spirits and wine.
   b. No pouring or tasting of any alcoholic beverages is permitted between the hours of 12:00 AM and 8:00 AM any day of the week. In addition, no pouring or tasting is permitted on Sunday before 12:30 PM and after 11:30 PM, or on any other days or times prohibited by State law. Promotional or educational tours of a facility are only permitted during the allowed times for pouring and tasting.
   c. All tasting processes and procedures must adhere to and be in strict compliance with state law and Department of Revenue Rules and Regulations.
   d. Applicants must comply with Chapter 6, Alcoholic Beverages of the Sandy Springs Code of Ordinances.
   e. Parking will be determined by the Director on a case-by-case basis based on ~~conceptual~~ preliminary plans and details of the proposed operations provided by the applicant.
   f. For brewpubs, see Restaurant.

C. **Micro-Producers (Malt Beverages, Distilled Spirits and Wine)**

1. **Defined** A micro-producer is defined as a micro-brewery, micro-winery or micro-distillery.
2. **Basic Use Standards**
   a. Production facilities are limited to 20,000 square feet. All activities associated with micro-producing facilities must be wholly contained within the 20,000 square foot production facility.
   ~~b. Micro-producers must not be located within 500 feet of another similar facility.~~

b~~c~~. Applicants are required to obtain an alcoholic beverage manufacturing license from the City and comply with State law and Department of Revenue Rules and Regulations relating to the manufacture, sale and distribution of malt beverages, distilled spirits and wine.

c~~d~~. No tasting or pouring of any alcoholic beverages is permitted between the hours of 12:00 AM and 8:00 AM any day of the week. In addition, no pouring or tasting is permitted on Sunday before 12:30 PM and after 11:30 PM, or on any other days or times prohibited by State law. Promotional or educational tours of a facility are only permitted during the allowed times for pouring and tasting.

d~~e~~. All tasting processes and procedures must adhere to and be in strict compliance with state law and Department of Revenue Rules and Regulations.

e~~f~~. The sale, by a retail licensee, of malt beverages manufactured at a microbrewery is permitted from the premises, provided that the annual quantity sold does not exceed 3,000 barrels.

f~~g~~. The sale, by a retail licensee, of distilled spirits manufactured at a micro-distillery is permitted from the premises.

g~~h~~. Applicants must comply with Chapter 6, Alcoholic Beverages of the Sandy Springs Code of Ordinances.

h~~i~~. Parking will be determined by the Director on a case-by-case basis based on ~~conceptual~~ preliminary plans and details of the proposed operations provided by the applicant.

D. Film Studios

1. Defined Facilities for the production of film, including stages, exterior sets, sound recording facilities, related commercial vehicles, and accessory fabrication activities.

2. Limited Use Standards

a. In CX- and OX- districts, film studios are limited to 20% of the site.

b. In PX- districts, film studios must be located on sites with a minimum size of 4 acres and are limited to 50% of the site.

Sec. 7.6.4. Research and Development

A. **Defined** A facility focused primarily on the research and development of new products. Research and development includes the following:

1. Laboratories, offices and other facilities used for research and development by or for any individual, organization or concern, whether public or private.

2. Prototype production facilities that manufacture a limited amount of a product in order to fully investigate the merits of such a product.

3. Pilot plants used to test manufacturing processes planned for use in production elsewhere.

B. **Life Sciences, Bio-Safety Level 1**

1. ~~1.~~ **Defined** BSL-1 labs are used to study infectious agents or toxins not known to consistently cause disease in healthy adults. They follow basic safety procedures, called Standard Microbiological Practices and require no special equipment or design features. Standard engineering controls in BSL-1 laboratories include easily cleaned surfaces that are able to withstand the basic chemicals used in the laboratory.

2. **Basic Standards**

a. Life Sciences, Bio-Safety Level 1 is not permitted on lots that directly abut a Protected Neighborhood or Urban Neighborhood district.

b. Buildings with Life Sciences, Bio-Safety Level 1 uses are not permitted to be within 100' from any Protected Neighborhood, RU-, or RT- district.

C. **Life Sciences, Bio-Safety Level 2**

1. ~~2.~~ **Defined** BSL-2 laboratories are used to study moderate-risk infectious agents or toxins that pose a risk if accidentally inhaled, swallowed, or exposed to the skin. Design requirements for BSL-2 laboratories include hand washing sinks, eye washing stations in case of accidents, and doors that close automatically and lock. BSL-2 labs must also have access to equipment that can decontaminate laboratory waste, including an incinerator, an autoclave, and/or another method, depending on the biological risk assessment.

2. **Basic Standards**

a. Life Sciences, Bio-Safety Level 2 is not permitted on lots that directly abut a Protected Neighborhood or Urban Neighborhood district.

b. Buildings with Life Sciences, Bio-Safety Level 2 uses are not permitted to be within 200' from any Protected Neighborhood, RU-, or RT- district.

D. These requirements are in addition to, and do not replace or supersede, any other applicable requirements established under state law, and approval of or exemption from these requirements does not constitute approval of or exemption from requirements established under state law or from other applicable local, county, state, or federal regulations.

Sec. 7.6.5. Resource Extraction

A. **Defined** A facility that extracts minerals and other solids and liquids from land. Resource extraction includes the following:

1. Borrow pit.
2. Extraction of phosphate or minerals.
3. Extraction of sand or gravel, borrow pit.
4. Metal, sand, stone, gravel, clay mining and other related processing.
5. Oil and natural gas extraction.
6. Stockpiling of sand or gravel.

Sec. 7.6.6. Vehicle Service and Repair

A. **Defined** Repair and service to passenger vehicles, trucks, and other consumer motor vehicles such as motorcycles, boats and recreational vehicles.

B. **Minor Vehicle Service and Repair**

1. **Defined** A facility where minor vehicle repair and service is conducted. Includes audio and alarm installation, custom accessories, quick lubrication facilities, minor scratch and dent repair, emissions testing, bed-liner installation, glass repair or replacement, and auto detailing and car wash.

2. **Basic Use Standards**

a. Vehicles awaiting repair may be stored up to 14 days within a screened storage area.

3. ~~Additional~~ Limited **Use Standards**

a. Permitted as an accessory use only, and must be wholly enclosed within a parking structure.

C. **Major Vehicle Service and Repair**

1. **Defined** A facility where general vehicle repair is conducted, including engine, transmission, brake, muffler and tire shops, along with body and paint shops.

2. **Basic Use Standards**

a. No trailer or mobile building is permitted on the property (other than a temporary construction office).

b. Roll-up, garage or bay doors and similar wide openings must not face a primary street.

c. Outdoor display of tires is prohibited.

d. Outdoor washing and detailing of vehicles is prohibited. All vehicle service must be conducted inside a building.

e. All sites established after the effective date of this Development Code must not be designed to require maneuvering or parking on streets.

f. Vehicles awaiting repair may be stored up to 14 days within a screened storage area.

Sec. 7.6.7. Warehouse and Distribution

A. **Defined** A facility involved in the storage or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer with little on-site sales activity to customers. Warehouse, storage and distribution includes the following:

1. Building materials storage yard.

2. Contractor storage yard.

3. Distribution center.

4. Enclosed storage (includes bulk storage, cold storage plants, frozen food lockers, ice, household moving and general freight storage).

5. Fleet storage.

6. Furniture transfer and storage.

7. Newspaper distribution.

8. Self-service storage, mini-warehouse.

9. Trailer storage, drop off lot.

10. Towing/impounding of vehicles.

11. Tractor trailers and rail cars.

12. Landscaping Materials

B. **Fireworks Distributor**

1. **Defined** Any person, firm, corporation, association, or partnership which sells consumer fireworks and is properly licensed by the State as such.

C. **Self-Service Storage, Mini-Warehouse**

1. **Defined** Facilities providing separate storage areas for personal or business use designed to allow private access by the tenant for storing or removing personal property. May include accessory sales of boxes, tape and other packing-related materials. Does not include truck rental.

2. **Basic Use Standards**

   a. An existing self-storage or mini-warehouse may be upgraded on its existing site with approval of the Director, provided it meets all the basic use standards.

   b. No outside storage is allowed, including vehicle or trailer leasing.

   c. All buildings must be at least two stories tall and have windows ~~or architectural treatments that appear as windows~~at 50% transparency for every level. Roller/storage unit doors must not be visible from any exterior point. The transparency requirement is for the three most visible sides (from a street or streets) of the building, as determined by the director.

   d. Storage buildings must be finished with brick or stone for a minimum of 80% of the three most visible sides (from a street or streets) of the building.

   e~~d~~. No activities other than the dead storage or transfer of nonvolatile goods or leasing of storage space are permitted within the storage establishment or portion of any development.

   f~~e~~. Prohibited accessory uses include, but are not limited to, the following:

      ~~i. Miscellaneous sales;~~

      i~~i~~. Fabrication or repair of vehicles, equipment or other goods;

      ii~~i~~. Transfer-storage business based on-site;

      iii~~v~~. Residential uses (other than the resident manager's apartment); or

      iv. Any use which creates a nuisance due to noise, odor, dust, light or electrical interference.

Sec. 7.6.8. Waste-Related Service

A. **Defined** A facility that processes or stores waste material. Waste-related service includes the following:

1. Automobile dismantlers/recyclers, junk yard, wrecking yard, salvage yard.
2. Hazardous household materials collection center.
3. Hazardous waste facility.
4. Landfill.
5. Recycling processing center.
6. Scrap metal processor.
7. Waste transfer station.

B. **Recycling Processing Center**

1. **Defined** Any facility utilized for the purpose of collecting, sorting, and processing materials to be recycled including, but not limited to, plastics, glass, paper, and aluminum materials.

2. **Basic Use Standards**

   a. A minimum 200-foot buffer and 10-foot improvement setback is required along all common lot lines, except rights-of-way. A minimum 50-foot buffer and 10-foot improvement setback is required along all rights-of-way.

b. All recyclable materials must be stored in containers with no stockpiling outside the containers.

c. Collection, storage containers, or receptacles are not allowed in required yards. Storage must be screened (see Sec. 8.~~3~~2.9).

d. The processing of recyclable materials must be conducted within an enclosed building.

e. Driveways must be designed so vehicles exit the facility in a forward direction.

f. The recycling center must comply with regulations administered by the Fulton County Department of Health.

Div. 7.7. Open Uses[9]

Sec.7.7.1. Agriculture

A. **Defined** The production of crops, livestock or poultry. Agriculture includes the following:

1. Community garden.
2. Commercial composting.
3. Plant nursery.
4. Timber harvesting.
5. Urban farming.

B. **Community Garden**

1. **Defined** Areas of land managed and maintained by a group of individuals to grow and harvest crops and non-food ornamental crops, for personal or group use, consumption, or donation. A community garden is to be primarily used for growing and harvesting food crops and ornamental crops, for consumption or donation or for sale off-site. They may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by the group. On-site sales, as regulated below, are permitted in nonresidential districts.

2. **Basic Use Standards**

a. On-site sales are not permitted in any Protected Neighborhood or Urban Neighborhood District outside of special events, permitted separately. On-site sales may be permitted in the Corridor and Node Districts with the approval of a conditional use permit, following the procedures set forth in Div. 11.3. Sales are restricted to horticultural and agricultural products produced on the premises.

b. Detached accessory structures such as storage or utility buildings, gazebos, trellises, or accessory greenhouse structures are permitted, subject to compliance with the requirements of the zoning district and the requirements for accessory structures in Div. 7.8.

c. If lighting is installed, only motion-detecting fixtures are permitted. All-night lighting is prohibited.

d. Community gardens must be managed and maintained in compliance with all applicable standards of this Development Code and the City Code, including, but not limited to, those pertaining to: nuisance abatement, stormwater, site accessibility, signs, soil erosion and sedimentation control and any required tree conservation and landscaping.

e. The raising of animals is subject to the following conditions:

i. The community garden must be in active use for the growing and harvesting of crops.

ii. Hoofed animals are prohibited.

iii. Chickens are permitted. See Sandy Springs City Code Chapter 10, Article I, Section 10-16.

iv. A maximum of 2 bee hives are permitted.

v. Any coop, hutch, or other structure for housing animals must be located at least 25 feet from any property line.

vi. No structures are allowed in the required front setback area. Build-to requirements do not apply.

C. **Commercial Composting**

1. **Defined** A commercial processing operation for the treatment of vegetative matter, such as trees, leaves and plant material, into a humus-like material that can be recycled as a soil fertilizer amendment, for sale to off-site users. Organic animal waste, food, municipal sludge, solid waste, and other non-farm or vegetative type wastes are not included.

2. **Basic Use Standards**

a. Lot area must be a minimum of five (5) acres.

b. Permitted curb cut access must be from an arterial or collector road.

c. The hours of operation are limited to the hours of 7:00 AM through 6:00 PM.

d. All operations must maintain a minimum setback of 100 feet from all property lines.

e. On-site traffic must be limited to an all-weather surfaced area.

f. Stored materials must be contained in such a manner as to prevent the blowing of any materials onto any surrounding property, roadway, or into surface waterways.

g. The composting facility is required to obtain all necessary permits from the Department of Natural Resources, Environmental Protection Division.

D. **Plant Nursery**

1. **Defined** A business in which the primary operation is the sale of seeds and organic and inorganic materials, including, but not limited to, trees, shrubs, flowers, and other plants for sale or transplanting, mulch, pine straw, and other organic products for landscaping purposes, and other limited retail accessory products for gardening and/or landscaping.

E. **Timber Harvesting**

1. **Defined** The cutting, harvesting or hauling of timber (softwood or hardwood) for delivery as pulpwood, logs, poles, posts or wood chips on a property meeting the state definition of a bona fide conservation use property in O.C.G.A. 48-5-7-4.

F. **Urban Farm**

1. **Defined** Raising and harvesting of trees (excluding forestry), vines, seeds, plants and crops, as well as keeping, grazing or feeding of animals (including fish) for animal products, animal propagation, or value increase when located in an urbanized (developed) area. An urban farm may be owned by an individual, group or organization and may include intensive agriculture, typical large-scale farm equipment, and animal husbandry.

2. **Basic Use Standards**

   a. Detached accessory structures such as storage or utility buildings, gazebos, trellises, or greenhouses are permitted, subject to compliance with the requirements of the zoning district and Div. 7.8.

   b. On-site sales may be permitted upon approval of a conditional use permit under Div. 11.3.

   c. Where lighting is installed, only motion-detecting fixtures are permitted. All-night lighting is prohibited.

   d. Livestock raising may be allowed as an accessory use subject to the use table and the district in which that use is located.

   e. Poultry raising may be allowed subject to Sandy Springs City Code Chapter 10, Article I, Section 10-16.

Div. 7.8. Accessory Uses & Structures[10]

Sec. 7.8.1. Amphitheater

A. **Defined** A structure having tiers of seats rising gradually outward from a central open space, stage, band shell or arena.

B. **Basic Use Standards**

1. Lot area must be a minimum of 10 acres.
2. The stage must be located a minimum of 600 feet from adjacent properties zoned for residential use.
3. Permitted curb cut access must be from an arterial street.
4. A minimum 100-foot buffer and minimum 10-foot improvement setback must be provided along all common lot lines adjacent to a Protected Neighborhood or Urban Neighborhood district.
5. A minimum 50-foot buffer and 10-foot improvement setback must be provided adjacent to all common lot lines adjacent to all zoning districts other than Protected Neighborhood or Urban Neighborhood districts.
6. Buffer design must follow the standards of Neighborhood Transitions (see Sec. 8.26.A).
7. The hours of operation are limited to the hours of 8:00 AM to 11:00 PM when adjacent to a property zoned for residential use.

Sec. 7.8.2. Car Wash

A. **Defined** An accessory facility with mechanical equipment used for cleaning, washing, polishing, or waxing of motor vehicles, typically associated with a convenience store with fuel pumps, gas station.

B. **Basic Use Standards**

1. Only one single-bay automatic (not self-service) car wash that is completely enclosed except for openings necessary to allow entry and exit of vehicles is allowed.

2. Neighborhood Transitions standards (see ~~Div. 6.4~~Sec. 8.3~~2~~.6.) apply to all common lot lines adjacent to Protected Neighborhood and Urban Neighborhood districts.

3. When abutting a ground floor residential use, the car wash facility must not operate before 7:00 AM or after 11:00 PM.

4. Car washes may be located in parking structures when fully enclosed within the structure.

Sec. 7.8.3. Day Care

A. **Defined** A facility meeting the definition of Sec. 7.5.5. Day Care.

B. Basic Use Standards

Day care as an accessory use is only permitted when the following standards are met:

1. The day care must be associated with a permitted place of worship or private school (K-12); and

2. The day care must meet all the use standards of Sec. 7.5.5. Day Care.

3. Day care facilities in association with a place of worship do not require a separate conditional use permit.

Sec. 7.8.~~3~~4. Drive-~~Thru~~Through Facility

A. **Defined** A facility at which the customer is served while sitting in a vehicle, typically associated with drive-~~thru~~through restaurants, banks and pharmacies.

B. **Basic Use Standards**

1. No drive-~~thru~~through window, lane or order box is allowed within 50 feet of a Protected Neighborhood or Urban Neighborhood district (measured from the residential lot line to the closest point of the drive-~~thru~~through lane);

2. All drive-~~thru~~through areas, including, but not limited to, menu boards, stacking lanes, trash receptacles, ordering box, drive up windows, and other objects associated with the drive-~~thru~~through, must be located to the side or rear of the principal building. Drive-~~thru~~through windows and lanes may not be placed between a street (not including an alley) and the associated building; and

3. Stacking requirements are in Sec. 8.~~1~~2.8.

4. Pedestrian crossings must be raised with stamped concrete design or pavers. General pedestrian paths must either be raised or installed as a sidewalk.

C. An existing legal nonconforming drive-~~thru~~through facility may be relocated, renovated and/or expanded within a same development, provided it is associated with a restaurant and located on the outparcel of a larger development. Any modification to a nonconforming drive-~~thru~~through must be in accordance with the use standards listed above.

Sec. 7.8.5. EV Charging Facility

A. **Defined** A facility that provides electric vehicle infrastructure for the purpose of charging electric vehicles as an accessory to another primary use.

1. **Charging Level** The standardized indicators of electrical force, or voltage, at which an electric vehicle's battery is recharged:

    a. **Level 1** The slowest type of charging equipment plugs directly into a standard 120-volt AC outlet supplying an average power output of 1.3 kW to 2.4 kW.

    b. **Level 2** Considered medium charging; typically requires a 40-100 amp breaker on a 240-volt AC circuit.

    c. **Level 3 or greater** Considered rapid charging; typically requires a 60 amp or higher dedicated breaker on a 480-volt or higher three (3)-phase circuit with special grounding equipment. DC fast charging uses an off-board charger to provide the AC to DC conversion, delivering AC directly to the car battery.

2. **Electric vehicle infrastructure** The structures, machinery, and equipment necessary and integral to supporting an electric vehicle, including the electrical conduit and wiring requirements for the installation of electric vehicle charging equipment.

B. **Exempt** The following EV charging facilities are exempt from these regulations:

    a. **Single unit residential** Charging facilities located on single unit detached or attached lots designated as private, restricted use only. All installations must comply with the placement and screening requirements of mechanical equipment found in Sec. 6.1.2.B.3. and Sec. 8.3.9.

    b. **Enclosed in parking structure** Any EV charging facilities located within an enclosed parking structure or garage. These installations must comply with the signs and maintenance requirements below.

C. Basic Use Standards

a. Signs

i. Signs must be posted identifying voltage and amperage levels and use, fee, and safety information related to the EV charging facility.

ii. Signs must be posted at public EV charging facilities indicating that the space is reserved for EV charging purposes only. For purposes of this provision, "charging" means that an electric vehicle is parked at an EV charging facility and connected to the battery charging station equipment, otherwise known as "actively charging."

iii. Prohibited signs (Sec. 8.4.3.) are not allowed.

iv. Level 2 charging facilities must have no more than 25% of the total charger used for signs or an otherwise illuminated display. Level 2 charging facilities do not require a sign permit but will instead be verified as a part of the building permit. This sign percentage requirement does not apply when the charger is located within a parking structure or garage.

v. Level 3 or greater charging facility must have no more than 50% of the total charger used for signs or otherwise illuminated display. Level 3 or greater charging facilities do not require a sign permit but will instead be verified as a part of the commercial building permit. This sign percentage requirement does not apply when the charger is located within a parking structure.

b. No portion of the EV charging facility can impede pedestrian, bicycle, or wheelchair movement, or create a safety hazard.

c. EV charging facilities, including electrical transformers and other mechanical equipment associated with the charger, must conform to any applicable screening requirements in Sec. 8.3.9.

d. All proposed or improved on-street parking is required to install conduit for future EV charging facilities.

e. A Level 2 charging facility must be no wider than 24 inches at any point, not including the plug handle, hook, hose, and related components.

f. A group of 6 or more Level 3 or greater EV charging facilities is considered a designation EV installation and must be an accessory to a primary retail use.

g. An EV charging facility must be located a minimum of 10 feet from the build-to zone. In Perimeter Districts, the charger must be located a minimum of 20 feet from the build-to zone.

h. A masonry wall may count toward the minimum build-to requirement of the District provided the following standards are met:

i. The building must meet the minimum width requirements of Sec. 6.1.2.C.5;

ii. The masonry wall must have openings meeting the transparency requirements of Div. 6.3. and must provide similar architectural elements to the building, such as materials, cornices, and awnings; and

iii. The masonry wall is not required to meet the minimum story requirement of the District so long as the wall is a minimum of 12 feet in height.

i. EV charging facilities must be maintained, including the functioning of the equipment. A phone number or other form of contact information must be provided on the equipment to report when it is not functioning, or other problems are encountered.

j. EV charging facility canopies must be architecturally integrated with any associated commercial building on the site and not include any signs. Canopy support columns must be fully encased with masonry materials that are complementary to those used on the main building. The canopy band face must be of a color consistent with that of the main structure or an accent color. Primary or fluorescent colors must not exceed 10% of each canopy band face.

k. No charging facility may be located within 50 feet of the lot line of a Protected Neighborhood.

l. **Existing Fuel Pumps or Fuel Stations**

Level 2 charging facilities may be installed at existing fuel pumps on existing parking spaces, so long as they are at least 10 feet from any build-to zone. Level 3 or greater charging facilities may replace existing fuel pumps on a site.

Sec. 7.8.46. Family Day Care Home

A. **Defined** A private residence in which a business is operated by any person for pay that provides for supervision and care for up to 6 children under 18 years of age who are not residents in the same private residence.

B. **Basic Use Standards**

1. The family day care home must operate fewer than 24 hours per day.
2. The family day care home must be registered with the State of Georgia as a Family Child Care Learning Home and licensed by the City of Sandy Springs.

Sec. 7.8.~~5~~7. Farmers Market

A. **Defined** The outside temporary display and sale of agricultural products sold directly by farmers. A farmers market typically consists of booths, tables or stands where farmers sell fruits, vegetables, meats, and sometimes prepared foods and beverages and crafted goods.

B. **Basic Use Standards**

1. A farmers market on private property requires a special event permit.
2. A set of operating rules addressing the governance structure for the market, hours of operation, maintenance, security, and the appointment of a market manager must be prepared.
3. All temporary structures such as umbrellas, tables, and displays must be removed when not in use or be stored within a screened storage area.
4. The on-site presence of a market manager during hours of operation is required.
5. All waste must be removed from the site each day.
6. Hours of Operation:
   a. The farmers market may operate between the hours of 7:00 AM and 9:00 PM.
   b. A market cannot operate more than 2 days per week and more than 6 hours per day.
   c. Set-up of market operations may begin no earlier than 6:00 AM and take-down must end no later than 10:00 PM.
7. Inventory:

   If a booth sells farm products or value-added farm products that are not produced by the vendor, the booth must explicitly disclose the producer's name and location in writing with lettering that is at least 2 inches tall and visible to the consumer.

~~Sec. 7.8.6. Guest House~~Reserved

~~A. Defined A dwelling unit accessory to the principal dwelling on a single unit detached lot.~~

~~B. Basic Use Standards~~

~~1. No more than one guest house per lot allowed.~~

~~2. A separate kitchen facility is allowed.~~

~~3. Heated floor area must be less than 50% of the principal dwelling unit first-floor heated floor area, or must be less than 1,200 square feet, whichever is less.~~

~~4. Principal building setbacks apply.~~

~~5. Height may be no greater than 2 stories and 24 feet.~~

~~6. The location is limited to the rear yard and must meet all district setbacks.~~

~~7. A guest house may be located over a garage, provided its location and size meet the requirements of the use standards above.~~

Sec. 7.8.8. Fuel Pumps

A. **Defined** A facility for the sale of motor vehicle fuel, typically located on the same lot and associated with a retail use.

B. **Basic Use Standards**

1. Up to 8 fuel pumps may be established as an accessory use to an existing retail use that has a minimum floor area of 35,000 square feet.
2. The fuel pumps must not impact the compliance of any other use on the site with any requirement of this Code.
3. The fuel pumps must meet all of the requirements of this Code, including build-to, landscape screening, and signs.
4. No convenience sales or vending machines are allowed in association with the fuel pumps.
5. The proposed site layout will be reviewed by the Director for compliance with vehicle stacking, vehicle access, and pedestrian access requirements.
6. **Existing Accessory Fuel Pumps**
   a. Sites with existing accessory fuel pumps may expand to provide a maximum of 8 fuel pumps without meeting the build-to requirement. All other use standards apply.

Sec. 7.8.9~~7~~. Greenhouse, Non-Commercial

A. **Defined** A greenhouse that is not used to raise products for sale.

Sec. 7.8.108. Home Occupation

A. **Defined** An occupation that provides a service or product that is conducted wholly within a residential dwelling, unless classified as "outdoor" below.

B. **Basic Use Standards**

1. **General Provisions**

   a. No more than 2 home occupations may be established in a dwelling.

   b. A home occupation must be clearly incidental and secondary to the use of the dwelling for residence purposes.

2. **Physical Limitations** The gross floor area of a dwelling unit devoted to all home occupations must not exceed 750 square feet, or 25% of the gross floor area of the dwelling, whichever is less.

3. **Alterations to the Dwelling:** The exterior appearance and character of the dwelling must remain that of a dwelling.

4. **Vehicles and Parking**

   a. Vehicles kept on site in association with the home occupation must be used by residents only.

   b. Only vehicles used primarily as passenger vehicles are permitted in connection with the conduct of a home occupation. One limousine or other livery car may be kept on-site, provided it is driven by an occupant of the dwelling.

   c. The transport of goods by commercial truck is prohibited.

5. **Equipment, Off-Site Impacts and Nuisances**

   a. No home occupation may generate traffic, sound, smell, vibration, light, or dust that is offensive or that creates a nuisance.

   b. No equipment that interferes with radio or television reception is allowed.

   c. Home occupations must exclude the use of machinery or equipment that emits sound (for example, saws, drills, or musical instruments) detectable beyond the property.

   d. Chemical, electrical, or mechanical equipment that is not normally a part of domestic or household equipment which is used primarily for commercial purposes is not permitted.

6. **Visitation**

   a. Total client visits are limited to 5 per week in conjunction with the home occupation. The following exceptions are made for the purposes of meeting overriding public goals of education and the care of children:

      i. Educational tutoring or instruction in music, dance, fitness, arts and crafts, and similar subjects, limited to 2 students in the home at one time; and

      ii. A family day care home (see Sec. 7.8.4).

7. **Employees and Licenses** Only occupants of the dwelling and one additional employee, consultant, or agent or subcontractor are allowed to work on the premises in connection with a home occupation. Any occupational licenses, including business registrations, required by State, County, or City regulations must be obtained.

8. **Display, Stock-in-Trade, Sales and Storage**

a. Display, stock-in-trade and any commodity sold or stored on the premises in connection with a home occupation is prohibited.

b. No activity associated with the home occupation may be visible outside the dwelling.

9. **Cottage Food Operator**

a. Cottage food operators are required to have a Cottage Food License issued by the Georgia Department of Agriculture annually and comply with Chapter 40-7-19, Cottage Food Regulations, of the Rules of Georgia Department of Agriculture Food Safety Division.

b. Allows production of non-potentially hazardous foods in their home kitchens for sale to the end consumer. These foods include: Loaf bread, rolls and biscuits; cakes; pastries and cookies; candies and confections; fruit pies; jams, jellies and preserves; dried, fruits; dry herbs, seasonings and mixtures; cereals, trail mix and granola; coated or uncoated nuts; vinegar and flavored vinegar; and popcorn, popcorn balls and cotton candy.

10. **Uses Specifically Prohibited** The following uses are specifically prohibited as home occupations. This list is not all-inclusive. The Director may prohibit additional uses that do not meet the intent of these home occupation regulations.

a. Animal care (not a hobby kennel)

b. Commercial or catering kitchen (except a cottage food operator)

c. Funeral home

d. Hotel or motel

e. Limousine or other car livery service with more than 1 car on site

f. Machine shop

g. Personal services

h. Restaurant

i. Retail services

j. Special event facility

k. Vehicle sales or rental

l. Vehicle service and repair

m. Wholesale facility

C. **Home Occupation (Outdoor)**

1. **Defined** An occupation that provides an outdoor recreational, educational, or instructional service, which by its nature, must be conducted outside the principal residential structure. This includes swimming lessons and personal athletic coaching.

2. **Basic Use Standards**

a. General Provisions.

i. No more than two home occupations (total of any indoor & outdoor home occupations) may be established on a residential lot.

ii. No more than one outdoor home occupation may be established on a residential lot.

iii. A home occupation must be clearly incidental and secondary to the use of the dwelling for residence purposes.

iv. No activity associated with an outdoor home occupation may conducted between the wall plane of a dwelling and a street other than an alley.

b. Alterations to the residential lot: The exterior appearance and character of the residential lot must remain that of a residential lot.

c. Vehicles and Parking:

i. All parking needs in association with the outdoor home occupation must be met on the residential lot. The outdoor home occupation must provide a transportation plan that demonstrates how parking needs can be met on-site. That plan must mark the parking spaces to be used by the home business (outdoor), ingress/egress routes, and anticipated trip generation.

ii. In addition to the requirements in Div. 8.1, an outdoor home occupation must provide two additional parking spaces on-site. Tandem parking is not allowed for these additional parking spaces (see Sec. ~~8.1.4.D~~8.2~~1~~.5.D).

d. Equipment, Off-Site Impacts and Nuisances.

i. No home occupation may generate traffic, sound, smell, vibration, light, or dust that is offensive or that creates a nuisance.

ii. No equipment that interferes with radio or television reception is allowed.

iii. Home occupations must exclude the use of machinery or equipment that emits sound (for example, saws, drills, or musical instruments) detectable beyond the property.

iv. Chemical, electrical, or mechanical equipment that is not normally a part of domestic or household equipment which is used primarily for commercial purposes is not permitted.

v. Any part of a property used for an outdoor home business must be screened from adjoining properties with an opaque fence or wall. Said wall or fence must be at least 6 feet tall and must meet the standards in Sec. 8.3~~2~~.10 of the Development Code. In lieu of the 6-foot fence, an outdoor home business may be screened with a 20-foot buffer similar to the standards in Sec. 8.~~2~~3.7.B of the Development Code.

e. Visitation.

i. Total client visits are limited to 2 students being tutored at one time with a maximum of 4 students per hour.

ii. Outdoor home occupations are limited to between 8.00 a.m. to 6.00 p.m. on weekdays, and to between 8.00 a.m. to 5.00 p.m. on Saturdays. No activity is allowed outside these hours, on Sundays, or on legal holidays (New Year's Day (as observed by the City), Memorial Day, Independence Day (as observed by the City), Labor Day, Thanksgiving Day, and Christmas Day (as observed by the City).

iii. Outdoor home occupations are limited to a maximum of six hours of operation per day.

f. Employees and Licenses.

i. Only occupants of the dwelling are allowed to work on the premises in connection with a home business (outdoor). Any occupational licenses, including State, County, or City regulations must be obtained.

ii. An operator of any outdoor home occupations with clients under 18 years of age must possess and maintain Red Cross CPR (cardiopulmonary resuscitation) Certification or a similar certification.

g. Swimming Pools.

i. For any outdoor home occupation utilizing a swimming pool, the pool, pool deck, and pool enclosure must meet the requirements of the International Swimming Pool and Spa Code.

ii. An operator of an outdoor home occupation utilizing a swimming pool in any capacity must possess and maintain Red Cross Swim Instructor Certification or a similar certification.

Sec. 7.8.11~~9~~. Horse Stable, Non-Commercial

A. **Defined** A structure for sheltering horses for the use and enjoyment of residents of the property.

B. **Basic Use Standards**

1. The horse stable may only be used for non-commercial, personal purposes.
2. The minimum lot size for the keeping of horses is 2 acres. No more than three horses may be kept on the two acres.
3. An additional 0.5 acre is required for each additional horse beyond 3 horses.
4. Any accessory building or structure related to the keeping of horses must be located a minimum of 150 feet from any common lot line of a Protected Neighborhood or Urban Neighborhood district.

Sec. 7.8.12~~10~~. Kennel, Residential

A. **Defined** Each premises where there are 4 or more dogs over the age of 4 months kept, maintained or harbored for a period of 14 days or longer will be deemed to constitute a kennel.

B. **Basic Use Standards**

1. A business license is required when revenue is generated from the sale of animals.
2. If the kennel is a non-business operation, its use may be certified by the Fulton County Animal Control Office.

Sec. 7.8.13~~11~~. Livestock Raising

A. **Defined** Livestock includes any animals of the equine, swine, or bovine class including goats, sheep, mules, cattle, hogs, pigs and other grazing animals, and all ratites, including, but not limited to, ostriches, emus and rheas.

B. **Basic Use Standards**

1. The minimum lot size for raising livestock is 2 acres.
2. Any accessory building or structure related to livestock raising must be located a minimum of 150 feet from any common lot line of a Protected Neighborhood or Urban Neighborhood district.

Sec. 7.8.14~~12~~. Outdoor Dining

A. **Defined** A seating area specifically designed for the consumption of food or drink, typically associated with a restaurant, and which is either: (1) located entirely outside the walls of building, or (2) enclosed on two or

fewer sides by walls, with or without a solid roof cover, or (3) enclosed on three sides by walls without a solid roof cover.

B. **Basic Use Standards**

1. The outdoor dining area must not interfere with the circulation of pedestrian or vehicular traffic.
2. The hours of operation for the outdoor dining area may be no greater than that of the principal use.

Sec. 7.8.1513. Murals~~Reserved~~

A. **Murals** A work of visual art that conforms with the following standards:

1. Murals must be painted or drawn onto a facade or wall, without obscuring any windows or doors. Building wraps or super graphic wraps are not allowed. Projected-image signs are also not allowed.
2. No more than 1 mural is allowed per building.
3. A mural must be installed with the owner's permission. Any visual artwork installed without the owner's permission will be considered graffiti and must be immediately removed.

Sec. 7.8.1614. Outdoor Storage, Minor

A. **Defined** Minor outdoor storage includes, but is not limited to:

1. The outdoor storage of merchandise or material in boxes, in crates, on pallets or other kinds of shipping containers;
2. The overnight outdoor storage of vehicles awaiting repair (but not vehicles for sale).

B. **Basic Use Standards**

1. Minor outdoor storage may not be more than 12 feet in height and must be screened from the right-of-way, public parking areas, and abutting properties using a buffer (see Sec. 8.32.7); and
2. Vehicles awaiting repair may be stored up to 14 days within a screened storage area.

Sec. 7.8.1715. Outdoor Storage, Major

A. **Defined** Major outdoor storage includes, but is not limited to:

1. The outdoor storage of contractors' equipment;
2. The outdoor storage of fleet vehicles; and
3. The outdoor storage of soil, mulch, stone, lumber, pipe, steel, salvage or recycled materials, and other similar merchandise, material or equipment.

B. **Basic Use Standards**

1. Major storage must be screened from view from the right-of-way, public parking areas, and abutting properties using a buffer designed to District Boundary Buffer standards (see Sec. 8.32.7).

Sec. 7.8.1816. Short-Term Rental

A. **Defined** The rental of all or part of a dwelling unit including all accessory structures or other curtilage to the same guest resident(s) for a period of less than 30 days.

B. **Basic Use Standards**

1. The dwelling unit, if it is a single-family house, townhouse or condominium, must be Owner-Occupied (as demonstrated by proof of Fulton County Homestead Exemption on property taxes).

2. All parking must be accommodated on the lot.

3. No more than 4 unrelated persons 18 years of age or older may occupy the short-term rental dwelling unit. For Short-Term Rentals with more than 4 unrelated persons, *see Sec. 7.9.6. Special Events*.

4. A maximum of 1 rental is permitted in its residence or on its grounds except as provided below in any 24-hour period.

a. A maximum of 2 separate rentals may be permitted during a single 24-hour rental period only in scenarios where the owner is present for the duration of the rented stays.

5. A rental may be issued to a single individual, family, or group for a maximum of up to 180 calendar days per year.

6. No more than 1 rental is permitted during a 24-hour period outdoors. If a parcel includes 2 rental units as prescribed above in section 4.a., 1 of the units must be located within conditioned, interior space.

7. No provision for supplemental services shall be allowed for any short-term rental.

8. For rentals of more than 2 units, *see Sec. 7.3.2.A. Group Living – Boarding/Rooming House*.

Sec. 7.8.19~~17~~. Poultry Raising

A. **Defined** Poultry raising includes the keeping of any domesticated bird, including, but not limited to, chickens, ducks, guinea fowl, quail and pigeons.

B. **Basic Use Standards**

1. See Sandy Springs City Code Chapter 10, Article I, Section 10-16.

Sec. 7.8.20~~18~~. Skywalk

A. **Defined** An enclosed overhead walkway between buildings, often across a street or connecting to structured parking.

B. **Basic Use Standards**

1. A minimum vertical clearance of 16 feet above all streets, and a minimum vertical clearance of 16 feet above the walkway must be provided.

2. Ample space for the free flow of pedestrians with a 12-foot minimum walkway width must be provided.

3. Prior to issuance of a building permit, an Encroachment and Indemnification Agreement must be filed with the Department as a condition of approval.

Sec. 7.8.21~~19~~. Solar Panels, Wind Turbines, Rainwater Collection Systems

A. **Defined** Renewable energy systems for on-site use such as solar panels and wind turbines, along with rainwater collection systems such as rain barrels and cisterns.

Sec. 7.8.2220. Swimming Pool, Multi-Unit

A. **Defined** A recreational facility designed and intended for water contact activities which serves multi-unit residential properties.

B. **Basic Use Standards**

1. All swimming pools must be completely surrounded by an enclosure that meets the requirements of the International Swimming Pool and Spa Code as well as the requirements in Sec. 8.32.10. The enclosure must be in place prior to pool completion. Materials and construction must comply with the regulations administered by the Fulton County Health Department.

Sec. 7.8.2321. Unmanned Retail Structure

A. **Defined** A retail structure that stores or dispenses items for sale, rent or customer pick-up. Includes the outdoor placement of soft drink or similar vending machines, propane gas storage racks, ice storage bins, automated teller machines (ATM), donation bins, and other similar machines. May be freestanding or attached to a principal structure. (For information on electric vehicle charging facilities see Sec. 7.8.5.)

B. **Basic Use Standards**

1. **General (apply to all types)**

   a. Up to 3 unmanned retail structures are allowed per lot.

   b. An unmanned retail structure may not exceed a footprint of 150 square feet and 14 feet in height.

   c. The unmanned retail structure is not allowed in any required setback area.

   d. The unmanned retail structure may not encroach on any required site elements such as landscaping, buffers, required parking or pedestrian access.

2. **Freestanding**

   Wall signs may be applied to the unmanned retail structure, provided that they follow the sign requirements in Div. 8.3 and do not cause the lot to exceed its allocation of sign area.

3. **Attached**

   a. The unmanned retail structure may not block any windows.

   b. Wall signs may be applied to the unmanned retail structure, provided that they follow the sign requirements in Div. 8.3 and do not cause the lot to exceed its allocation of sign area.

4. **Donation Bin**

   a. A donation bin may not exceed a footprint of 25 square feet. Larger donation bins have to follow the requirements in Sec. 7.9.3. Temporary Use.

5. **Package Delivery Lockers**

   Package delivery lockers may be located outdoors, so long as they are flush with the building and do not block any windows, doors, pedestrian passage, or line of sight and they must match the building color.

Sec. 7.8.2422. Residential Accessory Structures

A. **Residential accessory structures, minor**

1. **Defined** Improvements typically associated with ~~single-family~~single unit residential uses that are not predominately intended for the shelter of humans or goods. Typically, minor residential accessory structures are smaller in size than major residential accessory structures, and are unenclosed on three or more sides. Examples include:

   a. ~~Pergola, trellis,~~ Gazebo

   b. Outdoor fire place, fire pit

   c. Play structure

   d. Sport court

   e. Outdoor kitchen

   f. Tree house (unconditioned)

   ~~g. Carport, detached~~

   gh. Swimming pool

2. **Basic Use Standards**

   a. No minor residential accessory structures may be located between the main building and a primary street.

   b. Minor residential accessory structures may be located between the main building and an interior side, side street, or rear lot line. Minor residential accessory structures must be a minimum of 10 feet or the required setback, from any property line, whichever is less restrictive.

   c. A minor residential accessory structure may not exceed 24 feet in height. If located within the required building setbacks, a minor residential accessory structure may not exceed 15 feet in height.

   d. All swimming pools must be completely surrounded by an enclosure that meets the requirements of the International Swimming Pool and Spa Code as well as the requirements in Sec. 8.32.10. The enclosure must be in place prior to pool completion. Materials and construction must comply with the regulations administered by the Fulton County Health Department.

B. **Residential accessory structures, major**

1. **Defined** Improvements typically associated with ~~single-family~~single unit residential uses that are predominately intended for the shelter of humans or goods. Typically, major residential accessory structures are enclosed on two or more sides. Examples include:

   a. Cabana, pool house

   b. Garage, detached

   c. Shed

2. **Basic Use Standards**

   a. No major residential accessory structures may be located between the main building and a primary street.

b. Major residential accessory structures may be located between the main building and an interior side, side street, or rear lot line.

c. Major residential accessory structures ~~shall~~must comply with applicable building setbacks if their footprint exceeds 500 square feet. Major residential accessory structures with a footprint of less than 500 square feet must be a minimum of 10 feet or the required setback, from any property line, whichever is less restrictive.

d. A major residential accessory structure may not exceed 24 feet in height. If located within the required building setbacks, a major residential accessory structure may not exceed 15 feet in height.

e. Guest houses are regulated under Sec. 7.8.6.

C. **Height Calculation.** Each façade or element of the accessory structure must comply with the principal building maximum height. The height is measured from the average grade directly adjacent to said façade or element.

Div. 7.9. Temporary Uses[11]

Sec. 7.9.1. Manufactured Home

A. **While Residence Being Built**

1. **Basic Use Standards**

a. The building permit for the principal structure must have been issued and remain valid during the period that the manufactured home is on the property.

b. The manufactured home must be located on the same lot as the principal structure being constructed and comply with all zoning district setbacks.

c. The permit will expire 12 months after issuance or upon occupancy of the principal structure, whichever occurs first. Only one renewal for a 1-year period may be issued.

d. The manufactured home must be occupied by the owner of the principal residence under construction.

Sec. 7.9.2. Cell on Wheels (COWs) Antenna

A. **Defined** COWs are typically used to provide additional temporary wireless coverage or capacity for large events such as festivals, for emergency situations where existing infrastructure has been damaged, or for redevelopment where major renovation is occurring at a building with an existing rooftop-mounted antenna. A COW usually consists of a truck with a tall mast that holds up cell antennas and microwave dishes. Electrical power may be provided by a nearby building or a generator.

B. **Basic Use Standards**

1. COWs must meet all district setbacks for structures, and may not encroach on any required site elements (buffers, transitions and similar requirements).

2. COWs require approval by the Director.

Sec. 7.9.3. Donation Bin or Trailer

A. **Defined** A donation bin is any enclosed receptacle, container or trailer that is designed or intended for the donation and temporary storage of clothing, shoes, books or other salvageable personal property items to be used by the operator for distribution, resale or recycling.

B. **Basic Use Standards**

1. Consent of the owner of the property is required prior to placement of the donation bin or trailer.
2. The bin or trailer may not encroach on any required site elements such as landscaping, required parking or pedestrian access.
3. Maintenance of the bin or trailer, including ensuring overflowing materials are not stacked outside the bin or trailer, is the joint obligation of the property owner and the owner of the bin.
4. Bins and trailers can remain on a same lot no longer than 30 consecutive days and no more than twice per year. Bins shorter than 72 inches in height and with a footprint smaller than 25 square feet can remain on a same lot no longer than 5 years without approval from the Director.
5. Allowed in non-residential zoning districts and in residential districts with non-residential uses only.

Sec. 7.9.4. Goat/Sheep Yard Maintenance

A. **Defined** The temporary use of goats or sheep to maintain a yard or other landscaped area.

B. **Basic Use Standards**

1. Allowed for up to 7 days per acre of land to be grazed.
2. The area to be grazed must be enclosed by a temporary fence adequate to contain the animals.

Sec. 7.9.5. Model Home

A. **Defined** A new single unit detached or single unit attached building in a new subdivision or development, used to show the living space and features of other units available or proposed to be constructed.

B. **Basic Use Standards**

1. After approval of a ~~conceptual~~ preliminary plan, an applicant is allowed 1 building permit for each 15 lots located in the proposed subdivision, provided the applicant submits an Agreement to Install Improvements form and a cash surety equal to 125% of the cost of the remaining infrastructure improvements, based on written estimates by the design professional for the project.
2. No more than 10 building permits for model homes are allowed in any one subdivision.
3. For lots where model homes are proposed, the following conditions must be met prior to the issuance of the building permits:
   a. The lots must be located within 300 feet of an active fire hydrant; and
   b. Sanitary sewer and water service for these lots must be installed and approved by the governing regulatory authority; and,
   c. The lots must have a minimum 20-foot wide fire access road extending from a paved public street to within 100 feet of the proposed structure.

4. A certificate of occupancy will not be issued for the completed model home until the final plat encompassing the model home building lots has been approved and recorded.

Sec. 7.9.6. Special Events

A. **Special Event**

1. See Section 50, Article IV of the City Code of Ordinances for requirements for special events not specifically defined below.

B. **Party House**

1. **Defined** A single unit detached, single unit attached, or multi-unit dwelling, including all accessory structures and the dwelling unit's curtilage, which is used for the purpose of hosting a commercial event. For this definition, commercial event includes parties, ceremonies, receptions or similar large-scale gatherings where a fee is charged for the use of the dwelling unit, whether or not the attendees are charged entry to the event; or parties, ceremonies, receptions or similar large-scale gatherings where attendees are charged entry. Criteria for approval shall be outlined in the administrative use permit application as established by the Director of Community Development.

2. **Basic Use Standards**

a. It is unlawful for a party house event to occur in the city without having first obtained a permit for such event.

b. An application shall be subject to review of the director of the Community Development Department to determine compliance with the City's zoning requirements. Administrative exceptions are subject to the approval of the City Manager.

c. All permits are temporary and shall not vest in the holder any permanent property rights in a permit.

d. Unless specifically provided otherwise, a party house event is subject to and must comply with any and all other applicable ordinances of the City.

e. The location of a party house must comply with all existing zoning requirements of the City, and there must be sufficient lawful parking available.

f. Party house use shall be prohibited within 150 feet of a property zoned RE, RD, PK, CON, RU, RT, RM, RX, PR, or a property used for residential purposes measured from property line to property line.

Sec. 7.9.7. Temporary Office

A. **Defined** A temporary structure constructed and intended for use as an office, classroom, temporary medical facility or similar purpose.

B. **Basic Use Standards**

1. A temporary office is not allowed in any Protected Neighborhood, Urban Neighborhood or the City Springs (CS-) District.

2. The structure must be constructed for its use and certified as such by the Department.

3. The principal use must exist prior to the issuance of the permit.

4. A temporary classroom must not be used to increase the capacity or enrollment as limited by zoning conditions or other use permit conditions.

5. A permit for a temporary office expires 3 years from the date of approval, at which time the structure must be removed unless a new permit is obtained within 30 days of the expiration date.

6. The Structure must not be located within any principal building setbacks or within any required landscaping or buffer.

Sec. 7.9.8. Temporary Fireworks Retail Sales

A. **Defined** A temporary structure that is used for the retail display and sale of consumer fireworks to the public. Temporary use is defined as a use not to exceed 90 days after issuance of a City license for the purpose of this definition.

B. **Basic Use Standards**

1. Temporary Fireworks Retail Sales are allowed only in the CX- and CC- districts.

2. The floor area of a temporary fireworks retail stand may not exceed 800 square feet.

3. A permit application must be submitted to the Department no later than 45 calendar days prior to commencement of sales. A permit expires 90 calendar days after issuance of any subsequently applied for Temporary Consumer Retail Sales Stand License by the Sandy Springs Department of Revenue pursuant to O.C.G.A 25-10-5.1(c). The permitted location is not transferable and no more than 2 permits per year may be issued for any location or lot.

4. The permit must be posted on the site during the operation of the stand.

5. Temporary Fireworks Retail Sales must not be located within 1,500 feet of another Temporary Fireworks Retail Sales facility.

6. Temporary Fireworks Retails Sales must be located within 500 feet of a fire hydrant, unless the Fire Marshal in writing authorizes operation in excess of 500 feet.

7. A minimum of 6 parking spaces must be provided adjacent to the vending area for the exclusive use of the vending operation and must not occupy minimum required parking spaces for any other use.

8. Any Temporary Fireworks Retail Sales must maintain a minimum 25-foot setback from the right-of-way and not be located within a required landscape strip, buffer or improvement setback. Sales must also maintain a minimum setback of 10 feet from any driveway.

9. The applicant must provide a notarized written permission statement from the property owner or lease holder of the subject site. A 24-hour contact number for the property owner or lease holder must be provided along with the permit application.

10. The hours of operation are limited to the hours of 8:00 AM to 9:00 PM.

11. No distributor equipment, vehicle, display or sales activity may block access to a public facility, including but not limited to, a mail box, parking meter, fire alarm box, fire hydrant, traffic control box, driveway or other access point.

12. Vending is not permitted from any vehicle.

13. Temporary Fireworks Retail Sales must not be located within 150 feet of nursing homes, hospitals, day care facilities, schools or residential districts.

14. Temporary Fireworks Retail Sales must conform to all applicable fire code and building regulations including NFPA 1124.

Sec. 7.9.9. Other Temporary Structure

A. **Defined** Temporary Structures (whether portable toilets, tents, site-built~~,~~ mobile or manufactured structures) used for ticket booths, security guard shelters, storage structures, or site elements and structures in association with active construction, declared local, state, or federal states of emergency ~~portable toilets~~ and other similar uses may be permitted by the Department in any district.

B. **Basic Use Standards**

1. Temporary structures must be located outside of any required buffers and landscape areas, and must maintain the principal building setbacks of the district. Portable toilets must be located within the buildable area and cannot be located closer than 50 feet from existing dwellings on adjacent lots.

2. Temporary structures must be removed prior to the issuance of a certificate of occupancy or within 5 days of completion of the temporary event or activity for which the structure was approved.

3. The temporary structure may remain in place for a duration determined by the Director, based on the information provided by the applicant, up to a maximum of 3 years. Conditions may be imposed by the Director as necessary to ensure land use compatibility and to minimize negative impacts on nearby uses. These include, but are not limited to, time and frequency of operation, temporary arrangements for parking and traffic circulation, requirement for screening or enclosure, and guarantees for site restoration and cleanup following temporary uses.

4. The Director may allow an approved temporary structure to remain in a same location after the original expiration date, provided that the applicant submits a request at least 30 days prior to the expiration date. The Director's decision will be based on progress made in the construction of a permanent structure, complaints received regarding the structure and other pertinent information.

Sec. 7.9.10 Other Temporary Uses

A. **Defined** Temporary uses are uses established for a short period of time, including seasonal sale of pumpkins and Christmas trees. Mobile food units (food trucks) are regulated under Ch. 26, Licenses, Permits and Miscellaneous Regulations of the City Code.

B. **Basic Use Standards**

1. Temporary uses must obtain a business license from the City before operating.

2. Allowed in non-residential zoning districts and in residential districts with non-residential uses only.

3. A temporary use conducted in a parking lot or structure cannot occupy more than 10 percent of the required parking spaces (see Div. 8.1), cannot impede interior circulation, and cannot impede access from the street.

4. Applicants must provide written approval from the property owner to conduct the temporary use.

5. The duration of the use will be determined by the Director, based on the information provided by the applicant, up to a maximum of 30 consecutive days.

6. A same location cannot accommodate temporary uses more than twice per year (either a same use twice, or two different uses once each). Only one temporary use at a time is allowed.

7. Within 5 days of the expiration date, all materials, products and debris related to the operation of the temporary use must be removed from the site.

~~8. Only properties with an active primary use can accommodate a temporary use.~~

8~~9~~. Other conditions may be imposed by the Director as necessary to ensure land use compatibility and to minimize negative impacts on nearby uses. These include, but are not limited to, time and frequency of operation, temporary arrangements for parking and traffic circulation, requirement for screening or enclosure, and guarantees for site restoration and cleanup following temporary uses.

Sec. 7.9.11 Mobile Services

A. **Defined** Service provided out of a motor vehicle or attached trailer that has the ability to move from one location to another, such as mobile veterinary clinic.

B. **Basic Use Standards**

1. The motor vehicle or trailer must be parked on private property and cannot occupy more than 10 percent of the parking spaces (see Div. 8.1), cannot impede interior circulation, and cannot impede access from the street.
2. The motor vehicle or trailer cannot remain on a same lot for more than 7 total days over a period of 3 months.
3. A same lot cannot accommodate more than 2 mobile service vehicle or trailer at once.
4. Allowed in non-residential zoning districts and in residential districts with non-residential uses only.

Div. 7.2. Allowed Use Table

Allowed Use Table	Protected ~~Neighborhood~~ Districts				Urban ~~Neighborhood~~ Districts						Corridor~~s~~ & Node~~s~~ Districts							Perimeter ~~Center~~ Districts			
Use Category: Specific Use	RE	RD	PK	CON	RU	RT	RM	RX	ON-	OX-	CX-	SX-	TX-	CS-	IX-	CC-	NEX-	PR-	PX-	PM-	**Definition/ Standards**
Residential Uses																					
Household Living																					Sec. 7.3.1
Single unit detached	P	P	—	—	P	P	~~L~~ P	—	P	P	P	P	P	P	P	P	P	P	P~~L~~	P~~L~~	Sec. 7.3.1.B
Single unit attached	—	—	—	—	—	P	P	P	P	P	P	P	P	P	P	P	P	P	P~~L~~	P~~L~~	Sec. 7.3.1.C.
Accessory Dwelling, Guest House	P	P	—	—	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.3.1.D.2.
Neighborhood Unit	—	—	—	—	L	P	P	P	C	P	P	P	P	P	P	P	P	P	L	L	Sec. 7.3.1.D.4.
Age-Restricted Unit	—	—	—	—	—	—	L	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.3.1.E.
Multi-Unit	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~P~~	~~P~~	~~—~~	~~L~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~Sec. 7.3.1.F.~~
Multi-unit up to 3 stories	—	—	—	—	—	—	L	P	C	L	L	L	L	L	L	L	P	P	L	L	Sec. 7.3.1.F.
Multi-unit above 3 stories	—	—	—	—	—	—	L	P	—	L	C	C	P	C	—	—	P	P	P	P	Sec. 7.3.1.F.
Live/Work	—	—	—	—	—	—	P	P	—	—	P	P	P	P	P	—	P	P	P	P	Sec. 7.3.1.G.
Group Living~~, except as listed below:~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~P~~	~~P~~	~~—~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~Sec. 7.3.2.~~
General group living	—	—	—	—	—	—	P	P	—	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.3.2.
Personal care home, up to 3 residents	L	L	—	—	P	P	P	P	—	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.3.2.E.
Personal care home, 4 or more residents	C	C	—	—	C	C	C	C	—	C	C	C	C	C	C	C	C	C	C	C	Sec. 7.3.2.E.
Rehabilitation or Treatment Facility	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	—	—	—	—	Sec. 7.3.4.
Public and Civic Uses																					
Civic																					Sec. 7.4.1.
College/university	—	—	—	—	—	—	—	—	—	P	P	—	P	P	P	P	—	—	P	P	Sec. 7.4.1.B.
Government facility	C	C	P	—P	C	C	C	C	—	P	P	P	P	P	P	P	P	C	P	P	Sec. 7.4.1.D.
Library/museum	—	—	—P	—	—	—	—	—	C	P	P	P	P	P	P	P	P	—	P	P	Sec. 7.4.1.E.
Place of assembly	—	—	—	—	—	—	—	—	P	P	P	—P	P	P	P	P	P	—	P	P	Sec. 7.4.1.C.
Place of worship	C	C	—	—	C	C	C	C	P	P	P	—P	P	P	P	P	P	C	P	P	Sec. 7.4.1.F.
Prison/correctional facility	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—	—	—	—	—	Sec. 7.4.1.G.
School, private (K-12)	C	C	—	—	C	C	C	C	—~~L~~C	L	L	—	P	P	L	L	L	C	P	P	Sec. 7.4.1.H.
School, public (K-12)	P	P	—	—	P	P	P	P	—	P	P	—	P	P	P	P	P	P	P	P	Sec. 7.4.1.I.
Recreation and Open Space																					Sec. 7.4.2.
Cemetery/mausoleum	C	C	—	C	C	C	C	C	—	C	C	—	C	C	C	C	—	C	C	C	Sec. 7.4.2.B.
Conservation area (up to 1 acre)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.4.2.D.
Conservation area (more than 1 acre)	—	—	—	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	Sec. 7.4.2.D.

Golf course	C	C	—	—	P	P	P	P	—	—	—	—	—	—	—	—	—	—	—	Sec. 7.4.2.E.
Recreational facility	—	—	—	—	—	—	—	—	—	P	P	—	C	C	P	P	P	—	C	C	Sec. 7.4.2.I.
Residential subdivision amenity	P	P	—	—	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.4.2.G.
Utilities																					Sec. 7.4.3.
Minor utilities	P	P	P	—	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.4.3.A.1.
Major utilities	—	—	—	—	—	—	—	—	—	—	C	—	—	—	C	C	C	—	—	—	Sec. 7.4.3.A.2.
Wireless Communications																					Sec. 7.4.4.
Alternative support antenna structure and roof-mounted antenna	—	—	—	—	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.4.4.B.
Amateur radio antenna (up to 90 feet)	P	P	P	—	P	P	P	P	—	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.4.4.C.
Amateur radio antenna (more than 90 feet)	C	C	C	—	C	C	C	C	—	C	C	C	C	C	C	C	C	C	C	C	Sec. 7.4.4.C.
Tower antenna	—	C	C	—	C	C	C	C	—	C	C	C	C	C	P	C	C	C	C	C	Sec. 7.4.4.D.
Commercial Uses																					
Adult Establishment	—	—	—	—	—	—	—	—	—	P	P	P	P	P	P	—	—	—	—	P	Sec. 7.5.1.
Animal Care																					Sec. 7.5.2.
Animal care, indoor	—	—	—	—	—	—	—	—	P	P	P	P	P	P	P	P	P	—	P	—	Sec. 7.5.2.A.
Animal care, outdoor	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—	—	—	—	—	Sec. 7.5.2.A.
Day Care	—	—	—	—	—	C	C	P	—	P	P	P	P	P	P	P	P	C	P	P	Sec. 7.5.5.
Medical~~, except as listed below:~~	—	—	—	—	—	—	—	—	P	P	P	P	P	P	P	P	P	—	P	P	~~Sec. 7.5.7.~~
General medical	—	—	—	—	—	—	—	—	P	P	P	P	P	P	P	P	P	—	P	P	Sec. 7.5.7.
Hospital	—	—	—	—	—	—	—	—	—	C	C	—	—	—	C	C	C	—	—	P	Sec. 7.5.7.B.
Office	—	—	—	—	—	—	L	P L	P	P	P	P	P	P	P	P	P	—	P	P	Sec. 7.5.8.
Overnight Lodging																					Sec. 7.5.10.
Bed and Breakfast (up to 5 rooms)	—	—	—	—	—	P	P	P	P	P	P	—	P	P	P	P	P	—	—	—	Sec. 7.5.10.B.
Boutique hotel (6 to 30 rooms)	—	—	—	—	—	—	—	P	—	P	P	P	P	P	P	P	—	—	P	P	Sec. 7.5.10.C.
Executive suites hotel	—	—	—	—	—	—	—	—	—	—	—	—		—	—	—	P	—	P	P	Sec. 7.5.10.E.
Hotel (more than 30 rooms)	—	—	—	—	—	—	—	—	—	P	—	P	P	P	—	P	—	—	P	P	Sec. 7.5.10.D.
Parking Structure, Commercial	—	—	—	—	—	—	—	—	—	P	P	P	P	P	P	P	P	—	P	P	Sec. 7.5.11.
Passenger Terminal	—	—	—	—	—	—	—	—	-	P	P	P	P	P	P	P	P	—	P	P	Sec. 7.5.12.
Personal Service	—	—	—	—	—	—	—	P L	P	P	P	P	P	P	P	P	P	—	P	P	Sec. 7.5.13.
Restaurant	—	—	—	—	—	—	—	P	—	P	P	P	P	P	P	P	P	—	P	P	~~Sec. 7.5.14.~~
General restaurant	—	—	—	—	—	—	L	L	—	P	P	P	P	P	P	P	P	—	P	P	Sec. 7.5.14.B.
Neighborhood eatery	—	—	—	—	—	—	—	—	P	—	—	—	—	—	—	—	—	—	—	—	Sec. 7.5.14.C.
Retail~~, except as listed below:~~	—	—	—	—	—	—	—	P L	—	P	P	P	P	P	P	P	P	—	P	P	~~Sec. 7.5.15.~~
Fireworks retail facility	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—	—	—	—	Sec. 7.5.15.C.
Fuel pumps, gas station	—	—	—	—	—	—	—	—	—	—	P, CC	—	—	—	P, C C	P, CC	—	—	—	—	Sec. 7.5.15.D.
Vehicle Sales and Rental																					Sec. 7.5.16.

Minor vehicle sales and rental	—	—	—	—	—	—	—	—	—	—	—	—	L	L	P	P	—	—	L	L	Sec. 7.5.16.B.
Major vehicle sales and rental	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—	—	—	—	Sec. 7.5.16.C.
Vehicle Showroom	—	—	—	—	—	—	—	—	—	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.5.16.D.
Industrial Uses																					
Artisanal	—	—	—	—	—	—	—	—	P	—	P	P	P	P	P	P	P	—	P	P	Sec. 7.6.1.
Heavy Industrial	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	Sec. 7.6.2.
Light Industrial/Manufacturing	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—	—	Sec. 7.6.3.
Micro-producer	—	—	—	—	—	—	—	—	—	—	P	P	P	P	P	P	P	—	P	P	Sec. 7.6.3.A.
Film Studio	—	—	—	—	—	—	—	—	—	L	L	—	—	—	P	—	—	—	L	—	Sec. 7.6.3.D.
~~Research and Development~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~P~~	~~P~~	~~P~~	~~—~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~—~~	~~P~~	~~P~~	~~Sec. 7.6.4.~~
General research and development	—	—	—	—	—	—	—	—	P	P	P	—	P	P	P	P	P	—	P	P	Sec. 7.6.4.
Life sciences, up to BSL 1	—	—	—	—	—	—	—	—	A	A	A	A	A	A	A	A	A	—	A	A	Sec. 7.6.4.B.
Life sciences, up to BSL 2	—	—	—	—	—	—	—	—	—	A	—	—	—	—	A	A	—	—	A	A	Sec. 7.6.4.C.
Resource Extraction	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	Sec. 7.6.5.
Vehicle Service and Repair																					Sec. 7.6.6.
Minor vehicle service and repair	—	—	—	—	—	—	—	—	—	—	L	—	L	L	L	L	—	—	L	L	Sec. 7.6.6.B.
Major vehicle ~~sales and rental~~service and repair	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—	—	—	—	Sec. 7.~~5~~6.~~1~~6.C.
Warehouse and Distribution~~, except as listed below:~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~P~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~Sec. 7.6.7.~~
General warehouse and distribution	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—	—	Sec. 7.6.7.
Fireworks distributor	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	Sec. 7.6.7.B.
Self-service storage, mini-warehouse	—	—	—	—	—	—	—	—	—	—	C	—	—	—	P	P	C	—	—	—	Sec. 7.6.7.C.
Waste-Related Service~~, except as listed below:~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~Sec. 7.6.8.~~
General waste-related service	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	Sec. 7.6.8.
Recycling processing center	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—	—	—	—	Sec. 7.6.8.B.
Open Uses																					
Agriculture																					Sec. 7.7.1.
Community garden	P	P	P	—	P	P	P	P	P	P	P	—	P	P	—	P	P	P	P	P	Sec. 7.7.1.B.
Composting	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—	—	Sec. 7.7.1.C.
Plant nursery	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—	Sec. 7.7.1.D.
Timber harvesting	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	Sec. 7.7.1.E.
Urban farm	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—	P	P	—	—	—	Sec. 7.7.1.F.
Accessory Uses																					
Amphitheater	—	—	—	—	—	—	—	—	—	C	C	C	C	C	C	C	C	—	C	C	Sec. 7.8.1.
Car wash	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—	—	—	—	Sec. 7.8.2.
Day Care	L	L	—	—	—	L	L	P	L	P	P	P	P	P	P	P	P	P	L	P	P	Sec. 7.8.3.
Drive-~~thru~~ through facility	—	—	—	—	—	—	—	—	—	—	C	C	—	—	—	P	—	—	—	—	Sec. 7.8.~~3~~4.
EV charging facility, up to Level 2	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.8.5.
EV charging facility, above Level 2	—	—	—	—	—	—	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.8.5.
Family day care home	P	P	—	—	P	P	—	—	—	—	—	—	P	P	—	—	—	—	P	P	Sec. 7.8.~~4~~6.

Farmers market	—	—	—	—	—	—	—	—	—	—	P	P	P	P	—	—	P	—	P	P	Sec. 7.8.~~5~~57.
Fuel pumps	—	—	—	—	—	—	—	—	—	—	C	—	—	—	C	C	—	—	—	—	Sec. 7.8.8.
Greenhouse, non-commercial	P	P	—	—	P	P	P	P	—	P	P	P	—	—	P	P	P	P	—	—	Sec. 7.8.9~~7~~.
~~Guest house~~	~~P~~	~~P~~	~~—~~	~~—~~	~~—~~ ~~P~~	~~—~~ ~~P~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~—~~	~~P~~	~~—~~	~~—~~	~~—~~	~~Sec. 7.8.6.~~
Home occupation	P	P	—	—	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.8.10~~8~~.
Home occupation (outdoor)	C	C	—	—	C	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	Sec. 7.8.10~~8~~.
Horse stable, non-commercial	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	Sec. 7.8.~~9~~11.
Kennel, residential	P	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	Sec. 7.8.~~10~~12.
Livestock raising	P	P	—	—	P	P	P	P	—	P	P	P	—	—	P	P	P	—	—	—	Sec. 7.8.~~11~~13.
Outdoor dining	—	—	—	—	—	—	—	P	—	P	P	P	P	P	P	P	P	—	P	P	Sec. 7.8.~~12~~14.
Murals	—	—	A	A	—	—	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Sec. 7.8.15.
Outdoor storage, minor	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—	—	—	—	Sec. 7.8.~~14~~16.
Outdoor storage, major	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—	—	Sec. 7.8.~~15~~17.
Poultry raising	P	P	P	—	P	P	P	P	P	P	P	P	—	—	P	P	P	P	—	—	Sec. 7.8.~~17~~19.
Residential accessory structure	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.8.~~22~~24.
Short-term rental	P	P	—	—	P	P	P	P	—	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.8.~~16~~18.
Skywalk	—	—	—	—	—	—	—	—	C	C	C	—	—	C	C	—	C	—	C	C	Sec. 7.8.~~18~~20.
Solar panels, wind turbines, rainwater collection systems	P	P	P	—	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.8.~~19~~21.
Swimming pool, ~~multifamily~~ multi-unit	L	L	—	—	L	L	L	L	L	L	P	P	P	P	P	P	P	P	P	P	Sec. 7.8.~~20~~22.
Unmanned retail structures	—	—	—	—	—	—	—	—	—	—	P	P	P	P	P	P	P	—	P	P	Sec. 7.8.~~21~~23.
Temporary Uses																					
Goat/Sheep Yard Maintenance	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Sec. 7.9.4.
Mobile Temporary Uses																					
Cell on Wheels (COWs) Antenna	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Sec. 7.9.2.
Mobile Services	L	L	L	L	L	L	L	L	A	A	A	A	A	A	A	A	A	A	A	A	Sec. 7.9.11.
Other Temporary Uses	L	L	L	L	L	L	L	L	A	A	A	A	A	A	A	A	A	A	A	A	Sec. 7.9.10.
Temporary Structures																					
Donation Bin or Trailer	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Sec. 7.9.3.
Manufactured Home	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Sec. 7.9.1.
Model Home	P	P	—	—	P	P	P	P	P	P	P	P	P	P	P	P	P	P	L	L	Sec. 7.9.5.
Other Temporary Structure	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Sec. 7.9.9.
Temporary Fireworks Retail Sales	—	—	—	—	—	—	—	—	—	—	A	—	—	—	—	A	A	—	—	—	Sec. 7.9.8.
Temporary Office	—	—	—	—	—	—	—	—	A	A	A	A	A	A	A	A	A	A	A	A	Sec. 7.9.7.
Party House	—	—	—	—	—	—	—	—	A	A	A	A	A	A	—	A	A	—	A	—	Sec. 7.9.6.B.

KEY: P = Permitted | **L** = Limited Use | **C** = Conditional Use Permit | **A** = Administrative Use Permit | **—** = Not Permitted

SANDY SPRINGS
CITY CLERK'S OFFICE

TO: Eden Freeman, City Manager

FROM: Matthew Anspach, Senior Planner

DATE: November 13, 2023 Submission for the December 5, 2023 City Council Meeting

ITEM: TA23-0003 (e) - Request for Mayor and City Council Consideration of an Ordinance to Amend the Development Code Articles 8 through 10 (Site Development, Environmental Protection, Streets & Improvements)

Recommendation:

Staff recommends that Mayor and City Council approve the text amendment as proposed.

At the Special Called Planning Commission meeting on November 13, 2023, the Planning Commission voted to recommend that Mayor and City Council approve the text amendment with the following modification(s):

In Sec. 9.4.2.G.4.-

- Remove subsection a.
- (Reorder list) Modify subsection b. to read "Also, where a side or rear yard is the only feasible option for a construction entrance, grading disturbance may be approved by the Director, so long as the width of the area of activity within the buffer does not impact an existing tree with a 15" DBH or greater and is replaced with a mitigation zone. (paraphrase) "The Director shall conduct a physical inspection of the work site where alternative access is being requested."

Background:

The Next Ten Comprehensive Plan Policy E recommends a review of development management tools to implement the vision and goals of the Comprehensive Plan, Small Area Plans, and other planning documents. Both the 10 Key Actions for the Next Ten and Policy LU-E1 recommends comprehensive updates to the Sandy Springs Development Code. Furthermore, the Next Ten Community Work Program item LU-E1.1 recommends that staff conduct a comprehensive review of the Development Code in 2022 and 2023.

Discussion:

Over the last 13 months, city staff have worked toward execution of this comprehensive review of the city's Development Code. Staff, with the assistance of consultant Code Studio, have received input from a variety of stakeholders, including residents and neighborhood groups, business and property owners, contractors and developers, and the Planning Commission as well as overall policy guidance from the Mayor and City Council to help formulate a recommended 5-Year Development Code Update. The code review process consisted of three (3) distinct phases:

1. **Phase I (Intake)** - Hosted more than 25 stakeholder meetings covering a range of topics and facilitated discussion with Council at the 2023 Retreat; met with residents, business owners, Planning Commissioners, electric vehicle and gas station representatives, hotel and hospitality industry representatives, office and medical industry representatives, civic institutions, developers, residential home builders, automotive dealers, attorneys, and others.

2. **Phase II (Draft)** - Worked amongst relevant staff and the consultants' background and code expertise to clean up technical aspects of the existing Development Code, as well researching and proposing edits to the topics deemed by Council to be of particular priority to the City's vitality.

For the Mayor and City Council's September 19 Work Session, city staff and the consultants at Code Studio presented the initial Development Code Update draft after a thorough input process and direction from Council earlier in the year. City staff and Code Studio replicated the work session the following evening with the Planning Commission at their Special Called Work Session on September 20.

3. **Phase III (Publication and Adoption)** – Staff published draft Development Code documents on the City's website, accepted public feedback, and finalized the draft, including:

- September 22: Online posting of the initial proposed draft to the dedicated Development Code Update webpage (spr.gs/development)
- September 26 – October 18: Online comment form input/submittal period (in addition to the traditional forms of available public comment submission)
- September 26: Public Open House hosted at City Hall
- November 11: Final draft Development Code published on Development Code Update webpage, including summary of key changes
- November 13: Special Called Planning Commission Public Hearing
- December 5: Mayor and City Council Public Hearing for consideration of adoption

The attached presentation and Planning and Zoning detailed Staff Report address the major modifications proposed to the Development Code.

Financial Impact:

No financial impact is anticipated at this time.

Alternatives:

Mayor and City Council may also vote to defer, modify, or deny the proposed text amendment.

Review:

Matthew Anspach, Senior Planner Created/Initiated - 11/22/2023

Ginger Sottile, Director of Community Development	Approved - 11/22/2023
Kristin Byars Smith, Assistant City Manager	Approved - 11/28/2023
Toni Carlisle, Chief Financial Officer	Approved - 12/1/2023
Dan Lee, City Attorney	Approved - 12/4/2023
Eden Freeman, City Manager	Final Approval - 12/4/2023

Attachments:

1. Presentation TA23-0003(e)
2. TA23-0003 Package
3. TA23-0003 Post-Open House Summary Changes
4. TA23-0003(e) Ordinance
5. TA23-0003(e) Final Draft Art 8 - 10

Mayor & City Council

December 5, 2023

SANDY SPRINGS™
GEORGIA

TA23-0003(e) (Art. 8 – 10)

Article 8 Site Development
Article 9 Environmental Protection
Article 10 Streets & Improvements

TA23-0003(e) (Art. 8 – 10)

- **Article 8 Site Development**
  - Div. 8.1. Added “General Provisions” division (now 8.1.) to Article 8
  - Sec. 8.3.5. (formerly 8.2.5.) Added more situational flexibility for consideration of buffer installation

TA23-0003(e) (Art. 8 – 10)

- **Article 9 Environmental Protection**
  - Div. 9.2. General reorganization
  - Sec. 9.2.3.A. (Formerly 9.2.4.) Adding clarifying language to Stream Buffer terms
  - Sec. 9.2.3.B. moved “Variance Procedures” to “Relief” Section in Div. 11.6
  - Sec. 9.4.2. Allow for situational evaluation of construction entrances, to minimize and mitigate environmental impacts to non-disturb areas
  - Amended floodplain language for consistency with FEMA and the State Regulations

TA23-0003(e) (Art. 8 – 10)

- **Article 10 Streets & Improvements**
  - Added detail to Perimeter block face including graphic
  - Added Shared Street to 10.4. in line with additional Development Pattern in Div. 6.3. (Shared Court)

Planning Commission Recommendation

- Planning Commission recommended that TA23-0003(e) be approved with the following condition:
  - That the following edits be made to Sec. 9.4.2.G.4.:
    - -Remove subsection a.
    - -Modify subsection b. to read “Also, where a side or rear yard is the only feasible option for a construction entrance, grading disturbance may be approved by the Director, so long as the width of the area of activity within the buffer does not impact an existing tree with a 15” DBH or greater and is replaced with a mitigation zone. (paraphrase) “The Director shall conduct a physical inspection of the work site where alternative access is being requested.”

SANDY SPRINGS
GEORGIA

P&Z STAFF REPORT

Mayor and City Council Meeting, December 5, 2023

Case: **TA23-0003 – Comprehensive Development Code Review & Update**
Staff Contact: Matthew Anspach (manspach@sandyspringsga.gov)
Report Date: November 21, 2023

PURPOSE

An Ordinance to amend the Development Code with edits to each article, 1 through 12.

RECOMMENDATION

Planning Commission

The Planning Commission at their Special Called Meeting on November 13 voted per the following for each of the five (5) items comprising the 5-Year Development Code Update:

Commissioner Settles made a motion to **recommend approval of TA23-0003(a)**, Articles 1 (Introductory Provisions), 11 (Administration), and 12 (Definitions) as proposed. Commissioner Conklin seconded the motion. **The motion passed unanimously.**

Commissioner Settles made a motion to **recommend approval of TA23-0003(b)**, Articles 2 through 5 (Protected Neighborhoods, Urban Neighborhoods, Corridors & Nodes, and Perimeter Center) as proposed. Commissioner Nickles seconded the motion. **The motion passed unanimously.**

Commissioner Nickles made a motion to **recommend approval of TA23-0003(c)**, Article 6 (Rules for All Districts) as proposed. Commissioner Kelly seconded the motion. **The motion passed unanimously.**

Discussion from the Planning Commission on item (d) was varied from Neighborhood Eateries to Fuel Stations. Several comments from the public were heard, speaking on topics ranging from a request to consider up to 12 stories of (bonus) height allowance for the CX zoning district to Neighborhood Eateries. Commissioner Nickles discussed proposing an amendment that would effectively allow Fuel Stations in any “commercial” district, so long as they met all the basic and conditional use standards.

Ultimately, Commissioner Settles made a motion to **recommend approval of TA23-0003(d)**, Article 7 (Use Provisions) with the amendment that Neighborhood Eateries be permitted in Office Neighborhood only with community meetings as a requirement, and with specific operating hours. Commissioner Kelly seconded the motion. **The motion passed 5-1 with Commissioner Porter dissenting.**

After the motion was heard and voted for in the affirmative, Commissioner Nickles made a point of personal privilege-to make a motion to reconsider the previous motion. The motion failed for lack of a second.

Commissioner Porter made a motion to **recommend approval of TA23-0003(e)**, Articles 8 through 10 (Site Development, Environmental Protection, Streets & Improvements) with the following edits to Sec. 9.4.2.G.4.:
-Remove subsection a.
-Modify subsection b. to read "Also, where a side or rear yard is the only feasible option for a construction entrance, grading disturbance may be approved by the Director, so long as the width of the area of activity within the buffer does not impact an existing tree with a 15" DBH or greater and is replaced with a mitigation zone. *(paraphrase) "The Director shall conduct a physical inspection of the work site where alternative access is being requested."*

Commissioner Settles seconded the motion. **The motioned carried unanimously.**

Department of Community Development

Staff recommends **Approval** of **Text Amendment TA23-0003** in its entirety, grouping (a) through (e).

-**TA23-0003(a)**, Articles 1 (Introductory Provisions), 11 (Administration), and 12 (Definitions)
-**TA23-0003(b)**, Articles 2 through 5 (Protected Neighborhoods, Urban Neighborhoods, Corridors & Nodes, and Perimeter Center)
-**TA23-0003(c)**, Article 6 (Rules for All Districts)
-**TA23-0003(d)**, Article 7 (Use Provisions)
-**TA23-0003(e)**, Articles 8 through 10 (Site Development, Environmental Protection, Streets & Improvements)

PROCESS	
Planning Commission Hearing: November 13, 2023	Mayor and City Council Hearing: December 5, 2023

The following excerpts from the Final Draft are not exhaustive, but simply snapshot of the more substantive material changes proposed and the more purely sizeable, proposed changes. For a full account of all proposed changes, be sure to review the Final Draft document(s).

TA23-0003(a), Articles 1 (Introductory Provisions), 11 (Administration), and 12 (Definitions)

Article 1. Introductory Provisions

Section 1.1.3.

Sec. 1.1.3. Effective Date

This Development Code was adopted on August 15, 2017 and became effective on September 15, 2017 (the "effective date").

This Development Code was subsequently updated and adopted on December 5,2023 (the "5-Year Development Code Update").

Section 1.1.9.

D. For development sites in the CS-, CX-, and SX- districts which received a zoning approval between September 15, 2017 and prior to December 5, 2023, a conditional use permit is not required for any multi-unit housing component over three (3) stories.

Sec. 1.1.10.

Sec. 1.1.10. Amortization for ~~Vehicle-Related Uses~~Specific Uses and Standards

A. **Intent** It is the intent of this Section to bring into conformity the parking lot landscaping and perimeter screening, foundation planting, mechanical and other equipment screening, and site lighting of vehicle-related uses and screening requirements for all service areas. It is the intent of the City Council to protect the investment-backed expectations of property owners, and to accomplish conformity while allowing property owners a reasonable return on their investment.

B. **Applicability** The requirements of this Section apply to all of the following uses, provided they do not meet the standards referenced in paragraph C. below, where the affected lot abuts Roswell Road, or the lot is visible from the right-of-way of Roswell Road:

1. Fuel pumps;
2. ~~Gas~~ Fuel stations;

3. Vehicle sales and rental (major and minor); and

4. Vehicle service and repair (major and minor).

C. **Standards** The following requirements must be met where practicable:

1. Sec. 8.32.2.B. regarding perimeter screening of parking lots;

2. Sec. 8.32.4. regarding foundation planting;

3. Sec. 8.32.9. regarding screening; and

4. Div. 8.4 5 regarding site lighting; and

5. Sec. 8.8.9.A. regarding screening for service areas.

D. **Time for Compliance**

1. The standards in paragraph C.1 through C.4 above must be met within 7 years of the effective date of this Development Code. The standards in C.5 above must be met within 3 years of the 5-Year Development Code Update.

2. Owners of property subject to this Section may apply for an extension of time at any time prior to or within 30 days after the expiration of the 7-year or 3-year period. Such application shall contain the following information:

   a. Name of the property owner making application;

   c. A statement from the property owner of how long of an extension is anticipated to be needed to ensure compliance.

   b. Address and tax parcel number of affected property;

3. Upon receipt of the application, the Director will review the request, including any steps taken to ensure compliance, and grant or deny the request. In no case may the extension exceed 6 months.

E. **Alternative Solutions**

1. Where the Director determines compliance with the standards of this Section are infeasible, due to site limitations or otherwise, alternative standards may be considered that meet or exceed the standards of this Section.

Section 1.2.1.

Sec. 1.2.1. Districts Established

In order to carry out the purpose and intent of this Development Code, the City is divided into the following zoning districts, as established on the Official Zoning Map in Div. 1.3. These districts are intended to implement the specific Character Areas established in the Comprehensive Plan, as set out in the table below.

The creation of new districts must be approved through the Planning Commission and City Council under the procedures for Legislative Review (see Div. 11.3) as a Text Amendment.

Character Areas and Zoning Districts		
Character Area Group	**Character Areas Implemented**	**Zoning Districts Permitted**
Protected Neighborhood	Protected Neighborhood	Residential Estate: RE-2, RE-1

		Residential Detached: RD-27, RD-18, RD-15, RD-12, RD-9, RD-7.5
	Conservation Area/Park	Parks: PK
		Conservation: CON
Urban Neighborhood	Urban Neighborhood	Residential Urban: RU-4, RU-3
	Urban Neighborhood, Powers Ferry	Residential Townhouse: RT-3
		Residential Multi-Unit: RM-3, RM-3/8
		Residential Mixed Use: RX-3, RX-3/6, RX-4, RX-5
Corridor & Node	Neighborhood Village	Office Neighborhood: ON-3
	Commercial/Mixed Use, Powers Ferry, Powers Ferry Village	Office Mixed Use: OX-3, OX-4, OX-5, OX-6, OX-8
		Commercial Mixed Use: CX-3, CX-3/6, CX-6, CX-6/8
	Mixed Use, Powers Ferry Village	Shopfront Mixed Use: SX-3, SX-3/6, SX-4, SX-6, SX-6/10
	MARTA Transit-Oriented Development	Transit-Mixed Use: TX-4, TX-6
	City Springs	City Springs: CS-3, CS-4, CS-5, CS-6, CS-6/8
	Commercial/Mixed Use	Industrial Mixed Use: IX-3
	Commercial/Mixed Use, Powers Ferry Village	Commercial Corridor: CC-3
	Mixed Use	North End Mixed Use: NEX-5/6, NEX-5/10/12
Perimeter	Perimeter Center	Perimeter Residential: PR-3, PR-5
	Perimeter Center, Perimeter Medical	Perimeter Mixed Use: PX-3, PX-5, PX-8, PX-10/12, PX-20/35
	Perimeter Medical	Perimeter Medical: PM-5, PM-8, PM-12/15, PM-20/35

Section 1.3.2.

Sec. 1.3.2. Interpretation of Map Boundaries

Where uncertainty exists with respect to the boundaries of any zoning district on the Official Zoning Map, the Director is authorized to interpret the boundaries using the following methods.

A. Where a district boundary line is shown as approximately following the centerline of a street or highway, or an extension of a street or highway, the district boundary is the centerline of that street or highway.

B. Where more than one district applies to a property, and the district boundary line is shown as running approximately parallel at a distance from a street, the distance from the centerline must be determined by the use of the map scale.

C. Where a district boundary line is shown as approximately following a lot line, the district boundary is the lot line.

D. Whenever any street, alley, ~~or~~ other public way, or un-zoned remnant property is vacated, ~~or~~ abandoned, or sold by official action of the City Council, or other state or local entity, the least intense zoning district adjoining ~~each~~ either side of the street, alley, ~~or~~ public way, or public property, will be automatically ~~extended to the center of~~applied to the street, alley, ~~or~~ public way or public property, as determined by the Director.

E. Where a boundary line is shown and its location is not fixed by any of the rules of this Division, its precise location is determined by scaling from streets, objects or structures shown on the Map.

Article 11. Administration

Sec. 11.6.2.

G. **Approval Criteria**

1. Variances will only be granted upon showing that:

a. The variance request would not result in negating the general intent of this Development Code or with the Comprehensive Plan policies;

b. The variance if granted will not be detrimental to the public safety, health, or welfare of the public or injurious to other property;

c. The conditions on which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property;

d. Because of the particular physical surroundings, shape, size, or topographical conditions of the specific property involved, an extraordinary hardship would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;

e. The variance requested is the minimum necessary to accomplish the development or building;

f. In the case of an amendment to a buffer or setback required by this Code, the variance application shows how equal or greater protection will be achieved of the adjacent property or natural resource affected by the proposed development, should the variance be granted; and.

g. Such conditions are not the result of action or inaction of the current property owner; and

~~a. The application of this Development Code would create an unnecessary hardship, and not merely an inconvenience to the applicant; or~~

~~b. There are extraordinary and exceptional conditions due to the size, shape, or topography, which are specific to the subject property and not generally found in similar properties that prohibits the proposed scope of work from being able to comply with the Development Code.~~

2. Failure of an applicant to obtain a land disturbance, building or any other permit required by this Code shall not in and of itself constitute a justification for a variance absent a showing of the criteria listed under Section 1 above.~~Further, the application must demonstrate that:~~

~~a. Such conditions are not the result of action or inaction of the current property owner; and~~

~~b. The variance request would provide the minimum relief necessary to make possible the reasonable use of the property; and~~

~~c. The variance request would result in development that is consistent with the general intent of this Development Code, with the Comprehensive Plan policies, and would not be detrimental to the public good, safety and welfare.~~

H. **Denied Application** Decisions of the Board of Appeals are final. Those not satisfied with a decision of the Board of Appeals may pursue an appeal ~~by filing a writ of certiorari~~ with the Fulton County Superior Court within 30 calendar days of the decision. Denial of an application bars resubmittal of the application for 1 year.

Sec. 11.6.4.

Sec. 11.6.4. ~~Reserved~~Stream Buffer Variance

~~B.~~ **Variance Procedures** Variances from ~~paragraph A~~Stream Buffer requirements as provided in Div. 9.2. ~~above~~ may be granted in accordance with the following provisions:

1. Where a parcel was platted prior to December 12, 2005, and its shape, topography or other existing physical condition prevents land development consistent with this Division, and the City finds and determines that the requirements of this Division prohibit the otherwise lawful use of the property by the owner, the Board of Appeals may grant a variance from paragraph A. above, provided such variance requires mitigation measures to offset the effects of any proposed land development on the parcel.
2. The Board of Appeals will follow the procedure set forth in Sec. 11.6.2.
3. Variances will be considered only in the following cases:

a. When a property's shape, topography or other physical conditions existing on December 12, 2005 prevents land development unless a buffer or setback variance is granted.

b. Unusual circumstances when strict adherence to the minimal buffer and setback requirements in this Division would create an extreme hardship.

4. Variances will not be considered when actions of any property owner of a given property after December 12, 2005 have created conditions of a hardship on that property.

5. At a minimum, a variance request must include the following information:

a. A site map that includes locations of all state waters, wetlands, floodplain boundaries and other natural features, as determined by field survey;

b. A description of the shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;

c. A detailed site plan that shows the locations of all existing and proposed structures and other impervious cover, the limits of all existing and proposed land disturbance, both inside and outside the buffer and setback. The exact area of the buffer and setback to be affected is accurately and clearly indicated;

d. Documentation of unusual hardship should the buffer and setback be maintained;

e. At least one alternative plan that does not include a buffer or setback intrusion, or an explanation of why such a site plan is not possible;

f. A calculation of the total area and length of the proposed intrusion;

g. A stormwater management site plan, if applicable; and

h. Proposed mitigation, if any, for the intrusion. If no mitigation is proposed, the request must include an explanation of why none is being proposed.

6. The following factors will be considered in determining whether to issue a variance:

a. The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;

b. The locations of all state waters, wetlands, floodplain boundaries and other natural features on the property, including along property boundaries, as determined by field survey;

c. The location and extent of the proposed buffer or setback intrusion;

d. Whether alternative designs are possible which require less intrusion or no intrusion;

e. The long-term and water quality impacts of the proposed variance; and

f. Whether issuance of the variance is at least as protective of natural resources and the environment.

Article 12. Definitions

Tweaks and some new development related definitions

TA23-0003(b), Articles 2 through 5 (Protected Neighborhoods, Urban Neighborhoods, Corridors & Nodes, and Perimeter Center)

Article 2. Protected Neighborhoods

Sec. 2.1.3. (Div. 7.2.)

Sec. 2.1.3. Parks District

The Parks district is intended for publicly-accessible parks and active or passive recreational facilities. Government facilities are permitted.

Sec. 2.1.4. (Div. 7.2.)

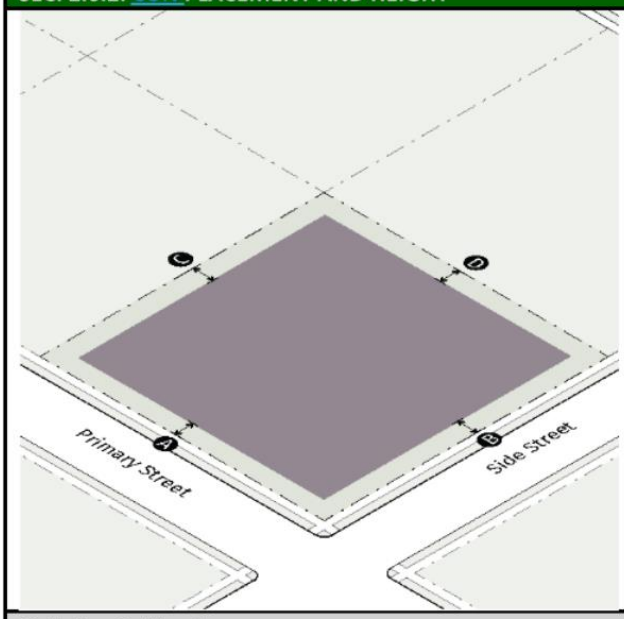
Sec. 2.1.4. Conservation District

The Conservation district is intended for land designated as permanent conservation, passive park or other open space. Lands within the district are intended to be predominantly unoccupied by buildings or parking; however, government facilities are also permitted.

Sec. 2.6.2.

Sec. 2.6.2. CON Placement and Height

SEC. 2.6.2. CON PLACEMENT AND HEIGHT



Building Setbacks		
A	Primary street	~~n/a~~10'-min
B	Side street	~~n/a~~10'-min
C	Side: common lot line	~~n/a~~ 10' min
D	Rear: common lot line	~~n/a~~ 10' min
Building Height		
	Maximum height	15' max

Article 3. Urban Neighborhoods

Sec. 3.1.1. (Div. 7.2.)

Sec. 3.1.1. Residential Urban (RU-)

The Residential Urban districts are intended for neighborhood-scale development including single unit detached residences on small urban lots. The districts also allow for limited civic, open space and park uses. The districts include:

A. **RU-4: Residential Urban** 4,000 square foot minimum lot size~~.~~

B. **RU-3: Residential Urban** 3,000 square foot minimum lot size~~.~~

Sec. 3.1.2. (Div. 7.2.)

Sec. 3.1.2. Residential Townhouse (RT-)

The Residential Townhouse district is intended for neighborhood-scale development including single unit attached and neighborhood unit residences on individual lots. The district also allows for limited civic, open space and park uses, as well as single unit~~-family~~ residences on small urban lots.

A. **RT-3: Residential Townhouse** 3 stories maximum height~~.~~

Sec. 3.1.3.

Sec. 3.1.3. Residential Multi-Unit (RM-)

The Residential Multi-Unit district is intended for neighborhood-scale development including residential living in multi-unit residences. The district also allows for limited commercial, civic, open space and park uses, as well as single unit~~-family~~ detached and attached residences.

A. **RM-3: Residential Multi-Unit** 3 stories maximum height~~.~~

B. **RM-3/8: Residential Multi-Unit** 3 stories base height, up to 8 stories with bonus

Sec. 3.1.4.

Sec. 3.1.4. Residential Mixed Use (RX-)

The Residential Mixed Use districts are intended for neighborhood-scale development including residential living in multi-unit ~~attached~~ residences with access to neighborhood-serving commercial uses on no less than 2% of the development's ground floor. The districts ~~also~~ allows for limited commercial uses, as well as civic, open space and

Article 4. Corridors & Nodes

Sec. 4.1.1.

Sec. 4.1.1. Office Neighborhood (ON-)

The Office Neighborhood district is intended for office and related commercial uses. The district- also allows for civic, open space and park uses, legacy office to residential multi-unit conversions, and age-restricted multi-unit. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. ON-3: Office Neighborhood, 3 stories maximum height

Sec. 4.1.2.

Sec. 4.1.2. Office Mixed Use (OX-)

The Office Mixed Use districts are intended for office, hotel and related commercial uses, as well as single unit attached residences, legacy office to residential multi-unit conversions, and age-restricted multi-unit. The districts also allow for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, ~~a~~ transition ~~area is~~ areas are required. The districts include:

A. OX-3: Office Mixed Use, 3 stories maximum height

B. OX-4: Office Mixed Use, 4 stories maximum height

C. OX-5: Office Mixed Use, 5 stories maximum height

D. OX-6: Office Mixed Use, 6 stories maximum height

E. OX-8: Office Mixed Use, 8 stories maximum height

Sec. 4.1.3.

Sec. 4.1.3. Commercial Mixed Use (CX-)

The Commercial Mixed Use districts are intended to provide for a variety of retail, service and commercial uses, as well as multi-unit residences. The districts also allow for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. CX-3: Commercial Mixed Use, 3 stories maximum height

B. CX-3/6: Commercial Mixed Use, 3 stories maximum base height, up to 6 stories with bonus

C~~B~~. CX-6: Commercial Mixed Use, 6 stories maximum height

D. CX-6/8: Commercial Mixed Use, 6 stories maximum base height, up to 8 stories with bonus

Sec. 4.1.4.

Sec. 4.1.4. Shopfront Mixed Use (SX-)

The Shopfront Mixed Use districts are intended to provide for a variety of retail, service and commercial uses, as well as upper-story multi-unit residences. In the Shopfront districts, a high degree of interaction between shoppers and other pedestrians and shopfront uses is desirable. The districts also allow for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. SX-3: Shopfront Mixed Use, 3 stories maximum height

B. SX-3/6: Shopfront Mixed Use, 3 stories maximum base height, up to 6 stories with bonus

~~B~~C. SX-4: Shopfront Mixed Use, 4 stories maximum height

~~C~~D. SX-6: Shopfront Mixed Use, 6 stories maximum height

E. SX-6/10: Shopfront Mixed Use, 6 stories maximum base height, up to 10 stories with bonus

Sec. 4.1.6.

Sec. 4.1.6. City Springs (CS-)

The City Springs districts are intended to implement the Sandy Springs City Center Master Plan, which is formed around a nucleus of civic facilities. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. CS-3: City Springs, 3 stories maximum height

B. CS-4: City Springs, 4 stories maximum height

C. CS-5: City Springs, 5 stories maximum height

D. CS-6: City Springs, 6 stories maximum height

E. CS-6/8: City Springs, 6 stories maximum base height, up to 8 stories with bonus

Div. 4.10.

Sec. 4.10.5. NEX- District Standards

A. **Primary Internal Street**

1. A continuous primary internal street must be established in any NEX- District. The street must connect to Roswell Road.

   a. **C-Street** Where the development site faces only Roswell Road, the primary internal street must connect with Roswell Road at a minimum of two points, providing a loop road servicing the entire development. Additional, or side streets may be necessary depending on whether they meet the block face lengths found in Sec. 10.3.1.

   b. **L/T-Street** Where the development site ~~is a corner lot facing Roswell Road at an intersection with a collector or higher designated street~~faces multiple streets including Roswell Road, the primary internal street must connect through the site from Roswell Road to the intersecting street or streets. At least one street connection to Roswell Road must be considered as a part of the primary internal street. Additional, or side streets may be necessary depending on whether they meet the block face lengths found in Sec. 10.3.1.

2. The ground floor of a multi-unit building facing a primary or internal primary street must be constructed to be ~~retail ready~~commercial-ready ~~(built to meet or exceed the minimum requirements for ground floor elevation, ground story height, transparency, and entrance spacing required for a retail use). Retail ready space is allowed to be occupied by any use allowed in the zoning district.~~ (See Sec. 6.6.2.E.).

B. **Phasing of Residential Construction** Where construction occurs in phases, each phase that includes multi-unit residential development must meet the following standards.

1. Each phase must maintain or exceed the required percentage of single unit residential required for the amount of multi-unit residential proposed.

2. Certificates of occupancy for any multi-unit residential may only be issued after the issuance of certificates of occupancy of the required percentage of single unit residential associated with the multi-unit residential.

3. No additional height associated with an affordable housing bonus is allowed prior to the construction of the necessary affordable housing units required to receive the bonus.

C. **Structured Parking**

1. Structured parking must not be visible from any ~~the adjacent primary or primary internal~~ streets of the development.

Div. 4.11.

Sec. 4.11.5. NEX- District Standards

A. **Primary Internal Street**

1. A continuous primary internal street must be established in any NEX- District. The street must connect to Roswell Road.

   a. **C-Street** Where the development site faces only Roswell Road, the primary internal street must connect with Roswell Road at a minimum of two points, providing a loop road servicing the entir

development. Additional, or side streets may be necessary depending on whether they meet the block face lengths found in Sec. 10.3.1.

b. **L/T-Street** Where the development site faces multiple streets including Roswell Road, the primary internal street must connect through the site from Roswell Road to the intersecting street or streets. At least one street connection to Roswell Road must be considered as a part of the primary internal street. Additional, or side streets may be necessary depending on whether they meet the block face lengths found in Sec. 10.3.1.~~a. Where the development site faces only Roswell Road, the primary internal street must connect at two points, providing a loop road servicing the entire development.~~

~~b. Where the development site is a corner lot facing Roswell Road at an intersection with a collecto or higher designated street, the primary internal street must connect through the site from Roswell Road to the intersecting street.~~

2. The ground floor of a multi-unit building facing a primary or internal primary street must be constructed to be ~~retail-ready~~commercial-ready (See Sec. 6.6.2.E.). ~~(built to meet or exceed the minimum requirements for ground floor elevation, ground story height, transparency, and entrance spacing required for a retail use). Retail-ready space is allowed to be occupied by any use allowed in the zoning district.~~

Article 5. Perimeter Center

Sec. 5.1.1.

Sec. 5.1.1. Perimeter Residential

The Perimeter Residential district is intended for residential living in attached single unit and multi-unit residences. The district also allows for limited commercial, and for civic, open space and park uses. Where these districts abut Protected Neighborhood districts, a transition area is required. The districts include:

A. PR-3: Perimeter Residential, 3 stories maximum height

B. PR-5: Perimeter Residential, 5 stories maximum height

Sec. 5.3.3. through 5.5.3.

		max
B	Minimum height	
	PX-3, PX-5	2 stories min*
	PX-8	34 stories min*
	PX-12	36 stories min*
		*See Div. 5.76.7 for Adjustedable Minimum Heightminimum height reduction

Article 6. Rules for All Districts

Sec. 6.1.1.B.

3. **Rear Lot Line**

   a. A lot line which is opposite and most distant from the primary street lot line.

   b. In the case of a lot that fronts on two streets, a lot may have no rear lot line.

   c. Where no lot line is clearly opposite to the primary street lot line or where there are multiple primary street lot lines, the lot line having the highest portion of its length serving as the rear lot line of abutting lots is the rear lot line. When a rear lot line cannot be determined in this manner, the rear lot line will be determined by the Director.

   ~~b. On irregularly shaped lots, the rear lot line is determined as the line connecting two points each measured 10 feet along the side lot lines starting from the intersection of the two side lot lines. This rear lot line is intended for the purpose of establishing the rear setback and lot depth only. When a rear lot line cannot be determined in this manner, the rear lot line will be determined by the Director.~~

Sec. 6.1.1.F.

1. Lot frontage is the length of any lot line abutting a primary street, side street, alley (for rear-loaded townhouses only) or courtyard (for a cottage court).

2. Every lot or unit on a lot must have frontage upon a public street, or private street designed and built to public standards, or meet the requirements of Development Patterns found in Div. 6.3.~~required courtyard for a cottage court.~~

Sec. 6.1.1.I.2.n.

n. **Pedestrian Amenity Space Allowance**

i. **General**

Pedestrian Amenity Space is a type of Outdoor Amenity Space intended to create a pedestrian-friendly environment, and therefore has more standards than other Outdoo Amenity Spaces. In addition to the standards below, Pedestrian Amenity Space is intended to be publicly accessible and located in close proximity to the public sidewalk. Examples include patios and plazas.

ii. **Standards**

The Director may approve outdoor amenity space meeting the requirements of pedestrian amenity space to fulfill the outdoor amenity space requirement. Pedestrian amenity space requirements include:

a) Each square foot of pedestrian amenity space counts as 2 square feet of the required outdoor amenity space.

b) Pedestrian amenity space must be accessible and usable by the public.

c) Pedestrian amenity space must have a minimum area of 400 square feet with no dimension less than 15 feet.

d) At least 25% of the pedestrian amenity space must abut and be directly accessible from the sidewalk of a primary street or side street.

e) Pedestrian amenity space cannot be separated from the sidewalk by any structure for more than 40% of the width of the amenity space.

f) The finished elevation of the pedestrian amenity space must be located at the same grade as the sidewalk or the ground story.

g) All building facades abutting the pedestrian amenity space must meet the transparency and entrance requirements of the zoning district.

h) A minimum of 15% of the pedestrian amenity space must be a planted area with trees or groundcover and a minimum of 25% of the pedestrian amenity space must be hardscaped.

i) Pedestrian amenity space cannot be used for vehicle parking or access, except for emergency access or permitted temporary events.

j) Mechanical equipment cannot be located in a pedestrian amenity space or between the pedestrian amenity space and the building.

Sec. 6.1.2.A.4.

4. **Irregular Rights-of Way** The Director may determine primary or side street setbacks will be measured from the back of curb when rights-of-way widths vary.

Sec. 6.1.2.B.3.e.

e. In all instances, mechanical equipment must be screened (see Sec. 8.3~~2~~.9.). and may not be located between the primary building and a primary street, unless the lot meets the following exceptions.

i. Where the primary building has multiple offsets in the street-facing façade, mechanical equipment must be located at least 15 feet behind the frontmost street-facing façade.

ii. In Protected Neighborhoods where the primary structure is located more than 100' from primary street lot line, mechanical equipment can be located between the building and primary street so long as the equipment is screened with a masonry wall.

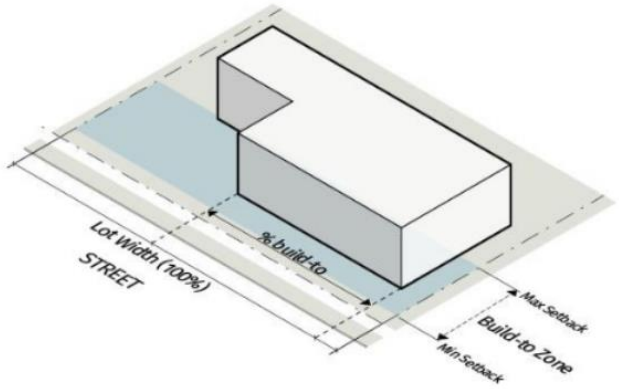
Sec. 6.1.2.C.

1. The build-to zone (BTZ) is an area of a lot or site where building facades, in whole or in part, must be located to satisfy the required build-to percentage. The build-to zone is the area between a minimum and maximum primary or side street setback, measured from the edge of the right-of-way or private street easement. Freestanding walls and opaque fences over 42" in height are prohibited within any BTZ. Other walls or fences that are part of a landscape design prepared by a licensed landscape architect may be permitted by the Director.

2. Where the build-to zone lies within a stream buffer or easement that does not allow construction, or buffers or setbacks as required by zoning conditions, transitional buffers or otherwise, the Director may waive the build-to requirement, in whole or in part.

3. The required percentage specifies the amount of the building façade that must be located in the ~~build-to zone~~BTZ. The percentage is calculated as the width of the street-facing building façade in the BTZ divided by the total width of the street-facing building façade. Where a proposed building will not fill the entire street frontage of a site, the longer façade of the building must be street-facing.

~~This percentage is calculated as the width of the building façade within the build-to zone divided by the total street frontage of the lot.~~



4. The width of a parking entrance into or through a building does not count towards the build-to requirement. However, in no case will access to an irregularly-shaped parcel that has no alternative access options be denied due to application of the build-to requirement. In all cases where access is necessary, a driveway of the minimum acceptable width for fire safety purposes is allowed, even where it reduces the building width below the required build-to percentage.

5. On a corner lot, a building must be placed within or abutting the area where the build-to zones of 2 intersecting streets overlap. The building must extend within the build-to zone for a minimum of 30 feet in both directions. If in neither direction, a proposed development has 30 feet of length, the building must be placed in the corner of the intersecting streets.

6. The ~~build-to-zone~~BTZ ~~-~~applies up to the height designated as the minimum height of a building. Upper stories beyond this point may be set further back or reduced in width.

7. The Director may allow a courtyard, ~~forecourt~~ plaza, or other similar pedestrian activated space ~~meeting the requirements of Sec. 6.2.4 is~~ meeting the requirements of pedestrian amenity space to be considered part of the building for the purpose of meeting the build-to requirement. A chamfered corner on the ground floor of no more than 20 feet in width that extends outside of the build-to zone is considered part of the building for the purpose of meeting the build-to requirement.

Sec. 6.1.2.G.

~~H~~5. **Parking Structures**

a. Required parking setbacks apply only to the ground floor of the parking structure.

b. In order to meet the parking setback requirement, parking structures must adhere to one of the following standards:

i. The ground story of a structure parking garage facing any street (not including an alley), ~~in the SX- District or where the -SH Frontage applies~~ must have active uses (such as, but not limited to, residential, commercial, office, or civic space, where permitted) within the parking setback. No active uses are required for portions of the parking structure located ~~interior to~~behind the minimum parking setback; or

ii. The entire parking structure must be constructed to be adaptable, requiring the floor plates to be level except to the minimum extent required for drainage, the structure must be constructed to accommodate standard design loads of office uses according to the International Building Code, and the floor-to-floor heights must be a minimum of 12 feet.

c. Parking structure screening is required (see Sec. 8.1.8.K).

Sec. 6.1.3.A.6.

6. For any building type other than residential single unit detached or attached, there is no restriction on the number of stories added on a lower, rear portion of a lot. This also applies to developments where the lower, rear portion of the lot abuts a new street required by the Development Code. When a new street is required, two additional stories may be constructed along the new street in the rear portion of the lot. However, any additional buildings fronting on the new street are required to meet the story maximum for the district.

Sec. 6.1.3.B.

B. **Minimum Height**

1. Where a minimum height of two or more stories is required, each required story must contain habitable space for at least 50% of the floor. A mezzanine can be used in lieu of a second floor upon request at the director's discretion.

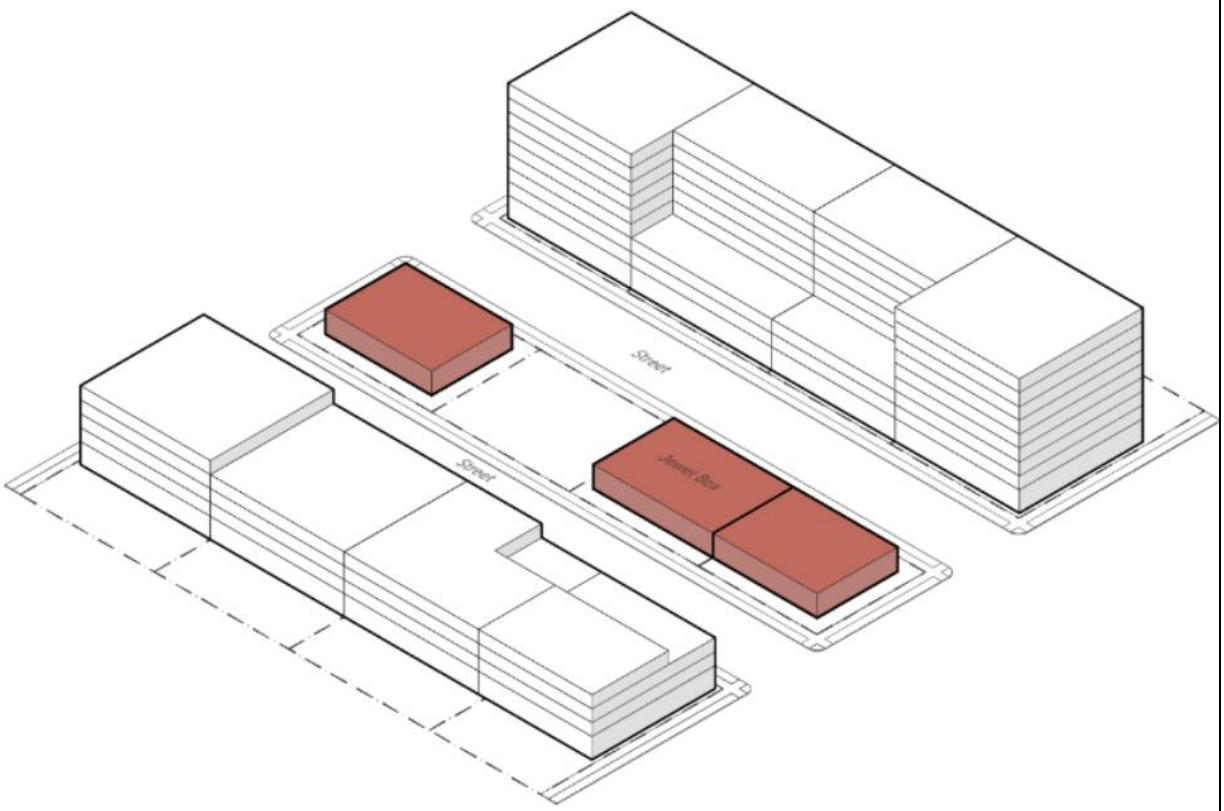
~~2. Up to 20% of the ground floor area of all buildings on a lot (or a development site, where approved by the Director - see Sec. 6.1.1) may be single-story, provided the ground story is at least 18 feet in height measured to the deck of a flat roof, and 24 feet in height as measured to the top of any street-facing parapet wall. This particular allowance does not apply to districts within the Perimeter Center that have a minimum height of 6 stories. For adjusted minimum height for districts that require a minimum of 6 stories within the Perimeter Center, see Div. 5.7.~~

2. The Director may allow the following buildings to be exempt from minimum height requirements:

   a. Buildings internal to a site not directly serviced by on-site parking or a drive-through, such as a jewel box building or kiosk, so long as it is integrated into the overall site plan.

   b~~3~~. Buildings with a footprint of 2,000 square feet or less.

   d. Buildings with single unit detached, single unit attached, or neighborhood unit uses.



Sec. 6.1.3.C.

3. The following accessory structures may exceed the established height, provided they do not exceed the maximum height by more than 18 feet, do not occupy more than ~~2~~50% of the roof area~~, are screened (see Sec. 8.2.9) and are set back at least 12 feet from the edge of the roof~~:

   a. Cabana, pool house, rooftop restaurant, or other amenity, and

   b. Pergola, trellis, gazebo, or other similar minor structure architecturally integrated with the building, and

   c. Elevator or stairway access to the roof; and

   d~~b~~. Mechanical equipment.

Sec. 6.1.3.D.

3. The Director may provide relief to the extent necessary from the maximum ground floor elevation requirements on sites with significant topography.

Sec. 6.1.3.F.

F. **Building Mass**

1. **Street-Facing Building Length** Street-facing building length is the maximum length of a building or structure facing a public or private street, and located within the build-to zone.

2. **Building Break Allowance**

   Buildings that meet one of the following standards, the Director may allow the maximum street facing building length to be exceeded.

   a. When a continuous structure provides an open space meeting the following requirements, the portions of the building on each side of the open space may be considered as a separate building:

      i. One building break per street-facing façade is allowed;

      ii. The open space must meet the requirements of Pedestrian Amenity Space;

      iii. The building break width must be at least 1/4 the width of the widest adjacent street-facing building length; and

      iv. The building break depth must be at least equal to the width of the open space or 20 feet, whichever is less.

   b. When a continuous structure provides an articulation to the building façade that meets the following requirements, each façade articulation may be considered as a separate building:

      i. Two portions of the street-facing building façade must have a variation in setback of at least 4 fee. The combined length of the setbacks must total no less than 25% of the length of the building.

      ii. Contrasting colors or material is used on the primary façade and the abutting façade setback to emphasize the articulation and variation along the street-facing building façade.

Sec. 6.1.4. Activation

A. **Transparency**

1. Transparency is the minimum percentage of windows and glazed doors that must cover a ground or upper story facade.

2. Transparency applies to primary and side street facing building facades only, and may be reduced or waived by the Director when particular conditions (such as required buffers or other visual obstructions) significantly reduce the visibility of the building from the public realm.

a. For single-unit attached, transparency applies to any façade visible from a street or path.

Sec. 6.3.1.
Tweaks to design parameters (see draft).

Sec. 6.3.2.
Creation of additional Design Patterns (see draft).

Div. 6.4.
Moved to Article 8. (see draft).

Sec. 6.5.1.

Sec. 6.5.1. Applicability

Any residential garage, parking, or paving-related construction~~ed~~ in the RD-, RU-, or RT- zoning districts and all single-unit attached development after the effective date of this code must meet the following standards. In addition to the standards provided below, attached and detached garages must meet all applicable requirements for either principal buildings or accessory structures as specified in this Code. This division also applies to the RE- zoning districts when specified and when the term "all" is used to describe which residential zones.

Sec. 6.5.2.

Sec. 6.5.2. Single Unit Detached Dwelling

A. **Front and Side Yard Paving**

1. Only one driveway is allowed for every 65 feet of residential frontage on a same lot. Only a single driveway is allowed on streets with a functional classification of Collector or Arterial.

B. **Garage**

1. In all residential zones, n~~N~~o attached garage may encroach into a required setback, except where:

a. ~~a~~An alley provides access, in which case the garage may encroach into the rear setback.

b. A residence with an existing street-facing garage or carport prior to December 1, 2005 may construct a garage that encroaches into the primary street setback if the following requirements are met:

i. The garage or carport is limited to 1-story in height, with no living space in an attic above the garage or carport;

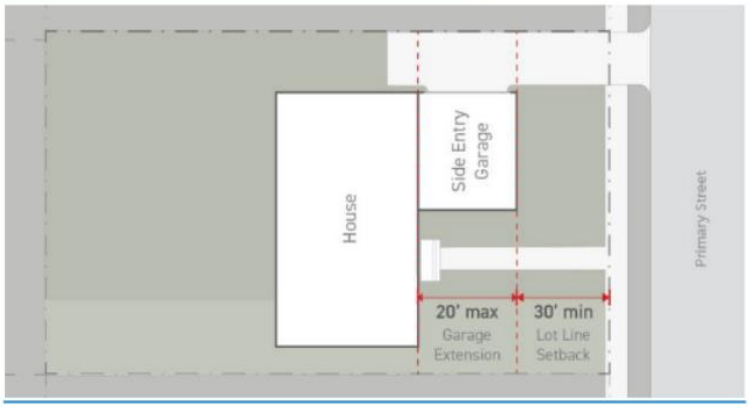
ii. The garage or carport must be constructed as a side or courtyard entry garage (see illustration below);

iii. The garage or carport must be positioned no more than 30 feet in front of the front wall plane of the house;

iv. The garage or carport can encroach a maximum of 20 feet into the primary street setback;

v. The garage must be at least 30 feet from the primary street lot line; and

vi. A single-car garage door, 10 feet in width or less, may continue to face the street if the existing garage door is a street-facing door.



2. Garage doors or carport entries must be positioned at least 5 feet behind the front wall plane of the house, extending no more than 40% of any street-facing width of the house. This requirement does not apply to side-entry garages. Architectural finish and windows must be provided for any side-entry garage wall facing a primary or side street.

5. Parking or storage of a junk or salvage vehicle constitutes an unlawful use, except that no more than 2 junk or salvage vehicles are permitted if parked or stored in a garage or carport not visible from a street or adjacent residential property.

6. In RX-, Corridor and Node districts, or Perimeter Center districts, all single unit detached development must be rear-loaded.

D. Specialized Vehicles

1. Specialized vehicles such as recreational vehicles, campers, trailers, motor coaches, boats, and boat trailers, may be parked or stored in all residential zones under the following conditions:

   a. The vehicles must not be used as permanent living quarters.

   b. The location of the parking area must be in the buildable area of the lot and not in front of the principal structure. Also, the surface of the area must be constructed as a parking area as described in Sec. 6.5.2.C.5. above.

   c. Specialized vehicles must be screened from view of adjoining properties and rights-of-way with a minimum 6-foot tall fence or wall meeting the standards of Sec. 8.32.9. unless they are viewable for less than 48 consecutive hours as a visitor's means of transportation. Enhanced screening standards such as height, materials, or otherwise may be practically necessary to properly screen and may be requested at the discretion of the Director.

   d. For construction trailers, see Sec. 7.9.9.

C. **Parking Design & Location**

1. In required front setbacks, no parking pad is allowed, however a turnaround extension of no more than 200 square feet is allowed.

2. In RE- zones, there is a parking setback of twenty (20) feet from any property line, or the grading setback, whichever is less. Parking areas may alternatively be screened with evergreen trees (full to the ground and at least 6-feet tall at time of planting), as long as the surface parking is no less ten (10) feet from any property line or the grading setback (Sec. 9.4.2.), whichever is more, maintained in perpetuity.

3. The visible storage or parking of more than 4 vehicles at a single-family residence is unlawful.

4. In all residential zones, parking space lines, wheel stops, and other apparatus germane to commercial parking are prohibited.

Sec. 6.5.3.A.

4. On sites 3 acres or larger, the Director may allow up to 20% of the townhouses in the development to have front-loaded garages. The front-loaded garages must be located on streets internal to the site. Townhouses fronting on streets at the perimeter of the development site must be rear loaded.

Sec. 6.6.2.B.

2. **Prohibited**

a. Prohibited exterior building materials include:

~~i. exterior building materials which are not textured;~~

ii. non-architectural metal panel systems;

iii. ~~As-cast smooth~~Unfinished cast-in-place or precast concrete ~~or plain concrete~~vertical elements, e.g., walls, columns, exposed elevated slab edges ~~slabs~~(except as noted in 6.6.2.B.3.b.vii, below);

iv. ~~Plain~~ Exposed standard concrete masonry units (CMU);

v. ~~Plywood or press-wood; or~~ Softwood plywood grade B or lower, oriented-strand board and particle boards

vi. Vinyl siding.

b. Prohibited exterior building components, include: steel gates, burglar bars and ~~steel~~ roll-down security curtains. Interior security measures are not regulated.

3. **Required**

a. All exterior walls (not including windows and doors) for all new construction must consist of one or a combination of the following durable materials in the quantity required below:

i. Up to ~~7~~ten (10) vertical feet from grade: 100% durable materials; and

ii. Remaining building height: minimum 70% durable materials.

b. Durable materials include:

i. Clay Brick;

ii. Ceramic and Porcelain Tile;

iii. Dressed Stone with ~~weathered, polished or fluted face~~ rusticated, flamed, honed, polished, bush-hammered or other standard face finish;

iv. ~~Textured~~ traditional cement stucco (real stucco);

v. Architectural concrete masonry units (CMU) with fluted, split-face, ground, glazed or ~~brokenface~~ other architectural finish; painted standard CMU is not an acceptable finish

vi. Portland cement plaster and lath systems;

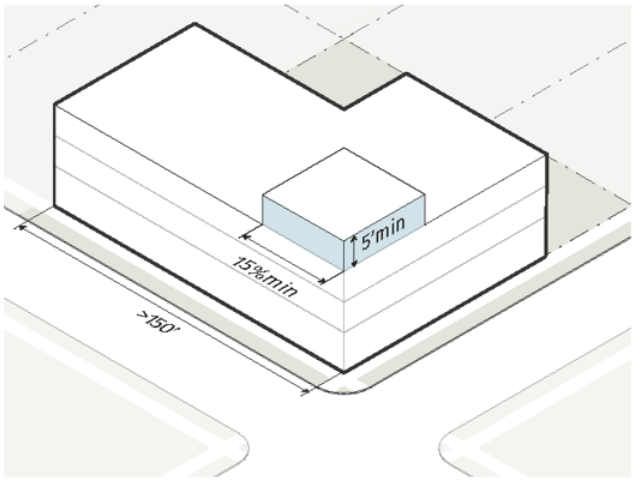
vii. Architectural (either cast-in-place, pre-cast or tilt-up) concrete ~~either fluted or with exposed aggregate finish~~ with a finish proposed by the architect and approved by the Director; or

viii. Fiber cement-board, painted

ix. Exterior Insulation and Finish Systems (EIFS) which employ a high-impact mesh as a system component.

c. Sloped roofs (pitch greater than 2:12) must be standing seam metal~~;~~ slate, concrete or metal roof tiles or composition shingles. A decorative parapet or cornice must be constructed along all flat roof lines (*i.e.*, roofs with slopes less that 2:12).

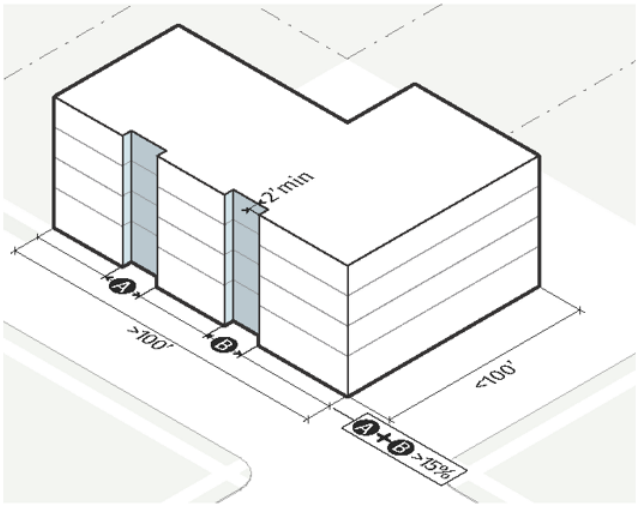
d. Alternate materials may be approved for use by the Director, provided they are considered equivalent or better than the listed materials.



2. **Articulation in Building ~~Facade~~Façade**

a. For buildings 100 feet or more in length, at least 2 portions of the street-facing building facade must have a variation in setback of at least 2 feet. The combination of the required variations in setback must total no less than 15% of the length of the building.

b. The Director may require contrasting colors or materials must be used on the primary façade and abutting façade setbacks to emphasize the articulation and variation along the street-facing building façade.



D. **Ground Floor Retail Tenant ~~SizeIn~~Size:** in the City Springs and Perimeter Districts, no ground floor retail tenant may occupy more than 30,000 contiguous rentable square feet. No variances to this standard are allowed; however, the Director may approve renovation of existing tenant spaces so long as the renovation does not increase the gross square footage of an existing tenant space.

E. **Commercial-Active Space** Where required by the zoning district or use, the ground story must be constructed to meet or exceed the minimum requirements for ground floor elevation, ground story height, transparency, and entrance spacing required for a retail or commercial use. Commercial-active space is restricted to only commercial use.

F. **Commercial-Ready Space** Where required by the zoning district or use, the ground story must be constructed to meet or exceed the minimum requirements for ground floor elevation, ground story height, transparency, and entrance spacing required for a retail or commercial use. Commercial-ready space is allowed to be occupied by any use allowed in the zoning district.

Div. 6.7.

Sec. 6.7.1. Applicability

A. Districts with a bonus height will qualify for additional height based on the Enhanced Community Benefits Matrix described in this Division. Districts with a minimum height may also qualify for reduced minimum height requirements based on the Enhanced Community Benefits Matrix and List in the Technical Manual.

B. Credits are allotted for any item included by a developer above the minimum if already required in the Development Code.

Sec. 6.7.2. Enhanced Community Benefit Matrix

Stories	Percent of Site	30%	40%	50%	60%	70%
Under 4	Reduction	8 credits	10 credits	26 credits	50 credits	75 credits
Under 3	Reduction	16 credits	20 credits	52 credits	70 credits	100 credits
Under 2	Reduction	24 credits	--	--	--	--
Up to 3	By right	--	--	--	--	--
Up to 4	Bonus	30 credits	40 credits	50 credits	60 credits	70 credits
Up to 5	Bonus	38 credits	50 credits	63 credits	75 credits	88 credits
Up to 6	Bonus	45 credits	60 credits	75 credits	90 credits	105 credits
Up to 7	Bonus	53 credits	70 credits	88 credits	105 credits	123 credits
Up to 8	Bonus	60 credits	80 credits	100 credits	120 credits	140 credits
Up to 9	Bonus	68 credits	90 credits	113 credits	135 credits	158 credits
Up to 10	Bonus	75 credits	100 credits	125 credits	150 credits	175 credits
Up to 11	Bonus	83 credits	110 credits	138 credits	165 credits	193 credits
Up to 12	Bonus	90 credits	120 credits	150 credits	180 credits	210 credits
Up to 13	Bonus	98 credits	130 credits	163 credits	195 credits	228 credits
Up to 14	Bonus	105 credits	140 credits	175 credits	210 credits	245 credits
Up to 15	Bonus	113 credits	150 credits	188 credits	225 credits	263 credits

Sec. 6.7.4. Community Benefit Impact Equivalency

A. Many of the Enhanced Community Benefit features are space and size contingent. To measure the impact of installment of Community Benefits, the following formula will be used and the resulting points will be added to the total credits established based the list above.

B. Square footage tallied from any items in either "Housing", "Tenants & Uses", or any parking related percentage may not be included in the calculating of the Community Benefit Impact Scale formula.

C. The formula will be calculated as follows:

1. **Formula Base Variables**

    a. Benefit Square Footage (*BSF*): BSF is the total square footage of amenity space above required OASIS for a site, and total square footage of community benefit site features above required seating in OASIS.

    b. Total Square Footage of site (*TSF*)

2. **Formula:**

    a. *BSF / TSF* = Square Footage Scale (*SFS*)

    b. *SFS* x 10 = Benefit Credit Equivalency (*BCE*)

    c. BCE x Initial Benefit Credit = Total Enhanced Community Benefit Credit

Article 7. Use Provisions

Sec. 7.3.1.

Sec. 7.3.1. Household Living

A. **Defined** Residential occupancy of a dwelling unit by a household. A household means one or more person related by blood, marriage, adoption, guardianship or other duly authorized custodial relationship, or up t unrelated persons, occupying a dwelling unit and living as a single housekeeping unit.

B. **Single Unit Detached**

1. **Defined** One dwelling unit on a single lot.

2. ~~**Additional**~~ Limited **Use Standards**

~~a. In the RM- District, new construction of single unit detached is allowed only to implement bon height (see Sec. 6.7.1).~~

a. In PX- and PM- Districts on sites 5 acres or larger, the total gross floor area of single unit detached, single unit attached, and neighborhood unit uses cannot exceed 50% of the total square footage of the development footprint.

C. **Single Unit Attached**

1. **Defined** Two or more dwelling units attached with common walls where each dwelling unit is locate on an individual lot and has its primary pedestrian access on the ground story.

2. **Limited Use Standards**

a. In PX- and PM- Districts on sites 5 acres or larger, the total gross floor area of single unit attached, single unit detached, and neighborhood unit uses cannot exceed 50% of the total square footage of the development footprint.

~~**Reserved**~~

D. **Accessory Dwelling, Guest House**

A. **Defined** A dwelling unit accessory to the principal dwelling on a single unit detached or single unit attached lot.

B. **Basic Use Standards**

a. A guest house must be located on a lot with a primary dwelling unit, and may be attached or detached from the primary dwelling unit.

b. No more than one guest house per lot allowed.

c. A separate kitchen facility is allowed.

d. Total heated floor area (HFA) must be less than 1,500 square feet.

e. When separate from the principal dwelling unit, minimum separation between buildings is 20

f. Principal building setbacks apply.

g. Height must be no greater than 2 stories.

h. When separate from the principal dwelling unit, the location is limited to the rear yard and must meet all district setbacks.

i. A guest house may be located over a garage, provided the location and size meet all other use standards.

E. **Neighborhood Unit**

1. **Defined** Two or more dwelling units on a lot designed to be at a scale that blends into a low-density neighborhood context.

2. **Basic Use Standards**

a. No more than one building per lot is permitted.

b. No more than 12 dwelling units per building are permitted, except as listed below.

c. Height must be no greater than 2.5 stories.

d. Buildings with a height greater than 2 stories must have a sloped roof of 6:12 or greater.

e. Street-facing building width must be no greater than 100 feet.

f. Any attached or detached garage or carport located on the same lot must be located behind the principal building.

3. Limited Use Standard

a. In RU- districts, no more than 4 dwelling units per building are permitted.

b. In ON- districts, Neighborhood Unit uses require a CUP and are only allowed on parcels with access onto a street with a functional classification as a collector or greater.

c. In PX- and PM- Districts on sites 5 acres or larger, the total gross floor area of single unit attached, single unit detached, and neighborhood unit uses cannot exceed 50% of the total square footage of the development footprint.

~~**Reserved**~~

~~E~~F. **Age-Restricted (55+) Unit**

1. **Defined** Two or more dwelling units on a lot, intended to be occupied by residents 55 year of age or older.

2. **Basic Use Standards**

a. Age-restricted units must follow all of the design standards required for multi-unit.

b. New construction or additions must adhere to the Federal Fair Housing Act standards for Age-Restricted Units, including the following standards:

i. A minimum of 80% of the units must be occupied by at least one occupant who is 55 years of age or older;

ii. The project developer must publish and adhere to policies and procedures that demonstrate the intent to operate as age-restricted housing; and

iii. The project developer must comply with HUD's regulatory requirements for age verification of residents.

c. **Limited Use Standards**

i. In RM- Districts, a new construction or addition project must provide a minimum of 10% of the total number of units in the development as single unit detached or single unit attached.

~~**Single Unit Attached**~~

~~1. **Defined** Two or more dwelling units in a row in which each unit is located on an individual lot and has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common walls.~~

~~2. **Additional Use Standards**~~

~~a. In the PX-3, PX-5 and PM-5 districts, single unit attached is not subject to the minimum height standards.~~

~~b. Single unit attached is not allowed in any PX- or PM-district allowing over 5 stories of height unless the proposed development meets the requirements provided in Div. 5.7. for Adjusted Minimum Height; in which case the single unit attached would have the following minimum lot parameters in addition to other applicable lot parameters provided in Article. 5.~~

~~Perimeter Center:~~

~~i. 1,300 SF minimum lot area.~~

~~ii. 16' minimum lot width.~~

~~A.~~ G. **Multi-Unit**

1. **Defined** A lot containing two or more attached ~~or detached~~ dwelling units. Multi-unit includes structures ~~apartments, condominiums and "stacked flats"~~ which are not designed and built to the Neighborhood Unit use standards.

2. **Basic Use Standards**

a. In addition to any storage space available within a particular residential unit, any multi-unit~~family~~ project with over 20 units must provide a minimum of 16 square feet of additional storage area, with a minimum height of 8 feet, for each residential unit. The storage space must be internal to the residential building or within an associated parking structure.

3. **Limited Use Standards**

a. In RM- Districts, a new construction or addition project must provide a minimum of 10% of the total number of units in the development as single unit detached or single unit attached.

b. In ON- Districts, multi-unit is only permitted with a Conditional Use Permit and the following standards apply:

i. Multi-unit is only allowed in existing buildings where the building was intended for a Commercial use for a minimum of 5 years prior to the application for a Conditional Use Permit.

c. In OX- Districts, the following standards apply:

i. Multi-unit is only allowed in existing buildings where the building was intended for a Commercial use for a minimum of 5 years prior to the application for a Conditional Use Permit.

ii. Multi-unit is only permitted on the third floor of a building and above.

iii. Multi-unit is permitted on the first and second floor of a building with a Conditional Use Permit.

d. The following districts require a minimum amount of commercial-ready space for street-facing portions of the development. The percentage determines the minimum amount of the street-facing building that must be constructed as commercial-ready space. The commercial-ready space must be a minimum of 25' deep when measured from the building façade into the interior of the building. When commercial-ready space is required, 20% must be used for a commercial use, or commercial-active space. The remaining 80% may have noncommercial uses in the commercial-ready space. The Director may vary the requirement based on the balance of commercial uses surrounding the site.

	Commercial-Ready	Commercial-Active
i.	CX- districts: 40% min.	8% min.
ii.	SX- districts: 50% min.	10% min.
iii.	TX- districts: 50% min.	10% min.
iv.	CS- districts: 50% min.	10% min.
v.	IX- districts: 60% min.	12% min.
vi.	CC- districts: 50% min.	10% min.
vii.	PX- districts: 60% min.	12% min.
viii.	PM- districts: 40% min.	8% min.

Sec. 7.5.1.

Sec. 7.5.1. General Standards

D. In RM- and RX- Districts, the following standards apply:

1. In the RM- District, the total gross floor area of commercial uses cannot exceed 25% of the total square footage of the development footprint.
2. In the RX- District, each commercial tenant space must not exceed 6,000 square feet in gross floor area, except for Grocery tenants. Grocery tenants must not exceed 15,000 square feet in gross floor area.
3. Hours of operation limited to 6AM-11PM, including all deliveries.
4. Drive-through or drive-in facilities are not permitted.

E. In all CX Districts located between Abernathy Road and US 285, each commercial tenant space must not exceed 30,000 square feet in gross floor area.

F. In a SX Districts located between Abernathy Road and US 285, each commercial tenant space must not exceed 30,000 square feet in gross floor area.

G. In CS District, each commercial tenant space must not exceed 30,000 square feet in gross floor area.

Sec. 7.5.14. Restaurant

A. **Defined** A facility that prepares and sells food and drink for on- or off-premises consumption. ~~Restaurant includes the following:~~ For information on drive-through facilities, see Sec. 7.8.3.

~~1. Brewpub (subject to the barrel limitation prescribed in O.C.G.A. Sec. 3-5-36).~~

~~2. Bakery, cake shop.~~

~~3. Coffee, tea shop.~~

~~4. Juice bar, smoothie shop.~~

~~5. Restaurant.~~

~~6. Yogurt or ice cream shop.~~

B. General Restaurant

C. **Neighborhood Eatery**

1. **Defined** An establishment that prepares and sells food and drink for on- or off-premises consumption that is limited in size. Examples include bakery or cake shop, bistro, brewpub (subject to the barrel limitation prescribed in O.C.G.A. Sec. 3-5-36.), coffee or tea shop, deli, juice or smoothie bar, ice cream shop, or similar.

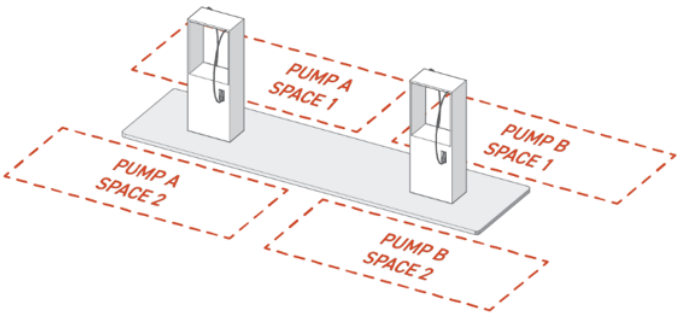
2. **Basic Use Standards**
   a. Each tenant space must not exceed of 3,000 square feet in gross floor area.
   b. Drive-through or drive-in facilities are prohibited.

Sec. 7.5.15.D.

1. **Defined** A retail facility that sells fuel for motor vehicles, with or without personnel. The facility may or may not include a convenience or other retail store.

2. **Basic Use Standards**

a. A fuel pump is considered to be a single fuel pumping apparatus. Fuel pumps are generally two-sided, with a fueling space on each side.



b. A canopy for fuel pumps or a fuel station must be architecturally-integrated with any associated commercial building on the site, and must not include any signs. Canopy support columns must be fully encased with materials that are complementary to those used on the main building. The canopy band face must be of a color consistent with the main structure. Primary or fluorescent colors must not exceed 10% of each canopy band face.

c. Any pavement associated with vehicles must be screened from view, except for drive entrances, using landscaping (see Sec. 8.3.2, Parking Lot Landscaping).

d. Fuel pumps must be located a minimum of 100 feet from the lot line of a Protected Neighborhood property.

e. Fuel pumps must be located a minimum of 10' from the build-to zone.

f. A masonry wall may count toward the minimum build-to requirement of the District provided the following standards are met:

i. The building must meet the minimum width requirements of Sec. 6.1.2.C.5;

ii. The masonry wall must have openings meeting the transparency requirements of Div. 6.3. and must provide similar architectural elements to the building, such as materials, cornices, and awnings; and

iii. The masonry wall is not required to meet the minimum story requirement of the District so long as the wall is a minimum of 12 feet in height.

g. Direct pedestrian access to the building is required for each street frontage.

h. Fuel pumps are permitted in any parking structure, where fuel pumps are a permitted use.

i. **Improvements to Existing Fuel Pumps, Fuel Stations**

i. Existing nonconforming stations as of the date of the adoption of this code may be upgraded, replaced or redeveloped when, as determined by the Director, such upgrade, replacement or redevelopment is for the purpose of remedying a use that is dangerous to the general public or to ensure that such use complies with any fire code, life safety code, or other safety ordinance or regulation.

ii. Fuel pumps or ~~gas~~ fuel stations may be upgraded, replaced or redeveloped, including an increase in building size but not an increase in the number of pumps, on the existing site with the approval of the Director.

j. **Expansion of Fuel Pumps at Existing Fuel Stations**

i. Existing nonconforming fuel pumps as of the date of the adoption of this code may be expanded in accordance with this section when, as determined by the Director, such expansion is for the purpose of remedying a use as that is dangerous to the general public or to ensure that such use complies with any fire code, life safety code, or other safety ordinance or regulation.

ii. The Director may approve the addition of up to 4 fuel pumps to an existing site, provided the following standards are met:

a) The Director determines the site has adequate room for additional fuel pumps and vehicle spacing;

b) The building façade and fuel canopy have been brought into compliance with all of the standards of this Code;

c) The vehicle and pedestrian access points have been brought into compliance with all of the standards of this Code;

d) All paved areas have been screened in accordance with Sec. 8.3.2. Parking Lot Screening; and

e) Any nonconforming signs on the property have been removed.

~~Fuel pumps or gas stations may be expanded to an adjacent site with conditional use permit approval by the City Council.~~

k. **Relocation of Existing Fuel Pumps or Fuel Stations**~~–~~

Existing f~~F~~uel pumps or ~~gas~~ fuel stations may be relocated to an alternative site within the CX-, CC- or IX- districts with a C~~c~~onditional U~~u~~se P~~p~~permit approval by the City Council. Any new fuel pumps or gas station must be located at least ½-mile from any existing fuel pump or gas station. The ½-mile measurement must be taken without regard to the City limits of Sandy Springs and is measured to the property line, regardless of where the fuel pumps are located on the site. Conditional U~~u~~se P~~p~~permit approval is predicated on the elimination of an existing site with fuel pumps or ~~gas~~ fuel station and the mitigation of the former site such that it is ready for any other permitted use in the district.

d. ~~Open~~

~~A canopy for fuel pumps or a gas station may be considered to meet the build to requirement of this Development Code, provided it is located within the build-to zone, isshall be architecturally integrated with any associated commercial building on the site, and does shall not include any signs. Canopy support columns shall be fully encased with materials that are complementary to those used on the main building. The canopy band face shall be of a color consistent with that of~~

~~the main structure or an accent color. Primary or fluorescent colors must not exceed ten percent (10%) of each façade.~~

f. ~~Any pavement associated with vehicles must be screened from view, except for drive entrances, using landscaping (see Sec. 8.2.2, Parking Lot Landscaping).~~

g. ~~No fuel pumps or gas station apparatus may shall be located within 10050 feet of the lot line of a Protected Neighborhood property.~~

Sec. 7.5.16.

k. Car vending machines are not permitted on the property.

D. **Vehicle Showroom**

1. **Defined** A facility that showcases and sells, rents or leases passenger vehicles, trucks, ~~and/~~or other consumer vehicles such as motorcycles, boats and recreational vehicles.

2. **Basic Use Standards**

a. All vehicles on must be displayed indoors.

c. No vehicle maintenance or repair apparatus can be located on site.

d. Total square footage of the business and its operations must not exceed 5,000 square feet.

Sec, 7.6.3.

D. Film Studios

1. **Defined** Facilities for the production of film, including stages, exterior sets, sound recording facilities, related commercial vehicles, and accessory fabrication activities.
2. **Limited Use Standards**
   a. In CX- and OX- districts, film studios are limited to 20% of the site.
   b. In PX- districts, film studios must be located on sites with a minimum size of 4 acres and are limited to 50% of the site.

Sec. 7.6.4. Research and Development

A. **Defined** A facility focused primarily on the research and development of new products. Research and development includes the following:

1. Laboratories, offices and other facilities used for research and development by or for any individual, organization or concern, whether public or private.
2. Prototype production facilities that manufacture a limited amount of a product in order to fully investigate the merits of such a product.
3. Pilot plants used to test manufacturing processes planned for use in production elsewhere.

B. **Life Sciences, Bio-Safety Level 1**

1. ~~1.~~ **Defined** BSL-1 labs are used to study infectious agents or toxins not known to consistently cause disease in healthy adults. They follow basic safety procedures, called Standard Microbiological Practices and require no special equipment or design features. Standard engineering controls in BSL-1 laboratories include easily cleaned surfaces that are able to withstand the basic chemicals used in the laboratory.

2. **Basic Standards**
   a. Life Sciences, Bio-Safety Level 1 is not permitted on lots that directly abut a Protected Neighborhood or Urban Neighborhood district.
   b. Buildings with Life Sciences, Bio-Safety Level 1 uses are not permitted to be within 100' from any Protected Neighborhood, RU-, or RT- district.

C. **Life Sciences, Bio-Safety Level 2**

1. ~~2.~~ **Defined** BSL-2 laboratories are used to study moderate-risk infectious agents or toxins that pose a risk if accidentally inhaled, swallowed, or exposed to the skin. Design requirements for BSL-2 laboratories include hand washing sinks, eye washing stations in case of accidents, and doors that close automatically and lock. BSL-2 labs must also have access to equipment that can decontaminate laboratory waste, including an incinerator, an autoclave, and/or another method, depending on the biological risk assessment.
2. **Basic Standards**
   a. Life Sciences, Bio-Safety Level 2 is not permitted on lots that directly abut a Protected Neighborhood or Urban Neighborhood district.
   b. Buildings with Life Sciences, Bio-Safety Level 2 uses are not permitted to be within 200' from any Protected Neighborhood, RU-, or RT- district.

D. These requirements are in addition to, and do not replace or supersede, any other applicable requirements established under state law, and approval of or exemption from these requirements does not constitute approval of or exemption from requirements established under state law or from other applicable local, county, state, or federal regulations.

Sec. 7.6.7.

C. Self-Service Storage, Mini-Warehouse

1. **Defined** Facilities providing separate storage areas for personal or business use designed to allow private access by the tenant for storing or removing personal property. May include accessory sales of boxes, tape and other packing-related materials. Does not include truck rental.

2. **Basic Use Standards**

   a. An existing self-storage or mini-warehouse may be upgraded on its existing site with approval of the Director, provided it meets all the basic use standards.

   b. No outside storage is allowed, including vehicle or trailer leasing.

   c. All buildings must be at least two stories tall and have windows ~~or architectural treatments that appear as windows~~at 50% transparency for every level. Roller/storage unit doors must not be visible from any exterior point. The transparency requirement is for the three most visible sides (from a street or streets) of the building, as determined by the director.

   d. Storage buildings must be finished with brick or stone for a minimum of 80% of the three most visible sides (from a street or streets) of the building.

   e~~d~~. No activities other than the dead storage or transfer of nonvolatile goods or leasing of storage space are permitted within the storage establishment or portion of any development.

   f~~e~~. Prohibited accessory uses include, but are not limited to, the following:

      ~~i. Miscellaneous sales;~~

      i~~i~~. Fabrication or repair of vehicles, equipment or other goods;

      ii~~i~~. Transfer-storage business based on-site;

      iii~~v~~. Residential uses (other than the resident manager's apartment); or

      iv. Any use which creates a nuisance due to noise, odor, dust, light or electrical interference.

Sec. 7.8.3.

Sec. 7.8.3. Day Care

A. **Defined** A facility meeting the definition of Sec. 7.5.5. Day Care.

B. **Basic Use Standards**

Day care as an accessory use is only permitted when the following standards are met:

1. The day care must be associated with a permitted place of worship or private school (K-12); and
2. The day care must meet all the use standards of Sec. 7.5.5. Day Care.
3. Day care facilities in association with a place of worship do not require a separate conditional use permit.

Sec. 7.8.5.

Sec. 7.8.5. EV Charging Facility

A. **Defined** A facility that provides electric vehicle infrastructure for the purpose of charging electric vehicles as an accessory to another primary use.

1. **Charging Level** The standardized indicators of electrical force, or voltage, at which an electric vehicle's battery is recharged:

   a. **Level 1** The slowest type of charging equipment plugs directly into a standard 120-volt AC outlet supplying an average power output of 1.3 kW to 2.4 kW.

   b. **Level 2** Considered medium charging; typically requires a 40-100 amp breaker on a 240-volt AC circuit.

   c. **Level 3 or greater** Considered rapid charging; typically requires a 60 amp or higher dedicated breaker on a 480-volt or higher three (3)-phase circuit with special grounding equipment. DC fast charging uses an off-board charger to provide the AC to DC conversion, delivering AC directly to the car battery.

2. **Electric vehicle infrastructure** The structures, machinery, and equipment necessary and integral to supporting an electric vehicle, including the electrical conduit and wiring requirements for the installation of electric vehicle charging equipment.

B. **Exempt** The following EV charging facilities are exempt from these regulations:

   a. **Single unit residential** Charging facilities located on single unit detached or attached lots designated as private, restricted use only. All installations must comply with the placement and screening requirements of mechanical equipment found in Sec. 6.1.2.B.3. and Sec. 8.3.9.

   b. **Enclosed in parking structure** Any EV charging facilities located within an enclosed parking structure or garage. These installations must comply with the signs and maintenance requirements below.

C. **Basic Use Standards**

   a. **Signs**

      i. Signs must be posted identifying voltage and amperage levels and use, fee, and safety information related to the EV charging facility.

      ii. Signs must be posted at public EV charging facilities indicating that the space is reserved for EV charging purposes only. For purposes of this provision, "charging" means that an electric vehicle is parked at an EV charging facility and connected to the battery charging station equipment, otherwise known as "actively charging."

      iii. Prohibited signs (Sec. 8.4.3.) are not allowed.

      iv. Level 2 charging facilities must have no more than 25% of the total charger used for signs or an otherwise illuminated display. Level 2 charging facilities do not require a sign permit but will instead be verified as a part of the building permit. This sign percentage requirement does not apply when the charger is located within a parking structure or garage.

v. Level 3 or greater charging facility must have no more than 50% of the total charger used for signs or otherwise illuminated display. Level 3 or greater charging facilities do not require a sign permit but will instead be verified as a part of the commercial building permit. This sign percentage requirement does not apply when the charger is located within a parking structure.

b. No portion of the EV charging facility can impede pedestrian, bicycle, or wheelchair movement, or create a safety hazard.

c. EV charging facilities, including electrical transformers and other mechanical equipment associated with the charger, must conform to any applicable screening requirements in Sec. 8.3.9.

d. All proposed or improved on-street parking is required to install conduit for future EV charging facilities.

e. A Level 2 charging facility must be no wider than 24 inches at any point, not including the plug handle, hook, hose, and related components.

f. A group of 6 or more Level 3 or greater EV charging facilities is considered a designation EV installation and must be an accessory to a primary retail use.

g. An EV charging facility must be located a minimum of 10 feet from the build-to zone. In Perimeter Districts, the charger must be located a minimum of 20 feet from the build-to zone.

h. A masonry wall may count toward the minimum build-to requirement of the District provided the following standards are met:

i. The building must meet the minimum width requirements of Sec. 6.1.2.C.5;

ii. The masonry wall must have openings meeting the transparency requirements of Div. 6.3. and must provide similar architectural elements to the building, such as materials, cornices, and awnings; and

iii. The masonry wall is not required to meet the minimum story requirement of the District so long as the wall is a minimum of 12 feet in height.

i. EV charging facilities must be maintained, including the functioning of the equipment. A phone number or other form of contact information must be provided on the equipment to report when it is not functioning, or other problems are encountered.

j. EV charging facility canopies must be architecturally integrated with any associated commercial building on the site and not include any signs. Canopy support columns must be fully encased with masonry materials that are complementary to those used on the main building. The canopy band face must be of a color consistent with that of the main structure or an accent color. Primary or fluorescent colors must not exceed 10% of each canopy band face.

k. No charging facility may be located within 50 feet of the lot line of a Protected Neighborhood.

l. **Existing Fuel Pumps or Fuel Stations**

Level 2 charging facilities may be installed at existing fuel pumps on existing parking spaces, so long as they are at least 10 feet from any build-to zone. Level 3 or greater charging facilities may replace existing fuel pumps on a site.

Sec. 7.8.8.

Sec. 7.8.8. Fuel Pumps

A. **Defined** A facility for the sale of motor vehicle fuel, typically located on the same lot and associated with a retail use.

B. **Basic Use Standards**

1. Up to 8 fuel pumps may be established as an accessory use to an existing retail use that has a minimum floor area of 35,000 square feet.
2. The fuel pumps must not impact the compliance of any other use on the site with any requirement of this Code.
3. The fuel pumps must meet all of the requirements of this Code, including build-to, landscape screening, and signs.
4. No convenience sales or vending machines are allowed in association with the fuel pumps.
5. The proposed site layout will be reviewed by the Director for compliance with vehicle stacking, vehicle access, and pedestrian access requirements.
6. **Existing Accessory Fuel Pumps**
   a. Sites with existing accessory fuel pumps may expand to provide a maximum of 8 fuel pumps without meeting the build-to requirement. All other use standards apply.

ARTICLE 8.
SITE DEVELOPMENT

Div. 8.1. General Provisions

Sec. 8.1.1. Applicability

A. Standards apply based on the type of activity proposed, as shown in the table below. For all zoning districts, the development standards apply as shown in the table below:

Development Activity	*6.2 Building Design Standards*	*8.1 Parking*	*8.2 Site Landscaping*	*8.2 Screening*	*8.3 Signage*	*10.3 Driveways and Cross-Access Connections*	*9.6.3 Stormwater Management*	*9.6.3 Water Quality*	*10.4 Streetscape Improvements*	*All Standards*	*Additional References*
Parking Area Expansion											
Minor: <1,000 sf		□	□	□	□	□	■	■			
Major: >1,000 sf		■	■	■	■	■	■	■	■		
Site Modification											
Remediation Due to Disaster (Fire, Flood, etc.)					■						
Re-occupation after Extended Vacancy (Greater than 180 days)			■	■	■	□					
Site Disturbance <1,000 sf of site				□	■	□		■			
Site Disturbance 1,000 sf-5,000 sf of site	□			■	■	□	■	■			
Site Disturbance >5,000 sf of site		□	■	■	■	□	■	■			
Building Renovation or Expansion											

-	**Renovation Due to Disaster** (Fire, Flood, etc.)	□	.	.	.	■	.	.	.	.	.	-
-	**Re-occupation after Extended Vacancy** (Greater than 180 days)	■	■	■	■	■	■	:	:	.	.	-
-	**Renovation without Expansion:** <50% of FMV of building	□	.	□	■	■	.	.	.	.	.	-
-	**Minor Expansion:** <25% of Total Floor Area	□	□	□	■	■	□	:	:	■	.	6.1.2
-	**Substantial Renovation without Expansion:** >50% of FMV of Building	□	□	□	■	■	□	:	:	.	.	-
-	**Partial Expansion** 25%-<>50% of Total Floor Area	□	■	□	■	■	■	:	:	■	■	6.1.2
-	**Major Expansion:** >50% of Total Floor Area	■	■	■	■	■	■	:	:	■	■	6.1.2
	Façade Modification					■						
■	*Compliance with all applicable standards required*											
□	*Compliance required of only the expanded building or lot area only to the extent practical*											

B. Where a section applies according to the table above, the project activity must meet all of the applicable requirements in that Section. Where a Section is listed as not applying, no requirements in that Section apply.

C. The general applicability in this Section may be further modified by the detailed provisions of that Section.

Sec. 9.4.2.G.

4. **Common, side street, and rear grading setback exceptions**

The following may be granted exceptions from common, side street, and rear grading setback requirements:

a. Where a building setback encroachment is allowed (certain accessory structures and site elements) for site area within the grading setback, the grading is permitted with the installation of a mitigation zone (Described under "Mitigation Zone" below), and;

b. Also, where a side or rear yard is the only feasible option for a construction entrance, grading disturbance may be approved by the Director, so long as the width of the area of activity within the buffer does not impact an existing tree with a 15" DBH or greater and is replaced with a mitigation zone.

c. **Mitigation Zone:** Regardless of the original state of the affected grading buffer area, mitigation in the form of plantings, a mix of evergreen and deciduous trees, and shrubs is required per the prescription provided:

i. The mitigation zone must be at least 5 feet deep bordering the entire project area within the grading setback;

ii. Evergreen trees spaced at 1 per 25 linear feet, minimum of 1, full to the ground and at least 6 feet tall at the time of planting;

iii. Understory trees spaced at 1 per 25 linear feet, minimum of 1, with a minimum caliper of 2 inches;

iv. Shrubs spaced 8 per 25 linear feet, minimum of 8, with a minimum size of 3; and

v. Additional BMPs determined to be necessary by the Director to preserve existing vegetation.

45. In all districts, resulting graded slopes must not exceed 3 feet (horizontal) to 1 foot (vertical). Steeper slopes may be approved by the Director upon certification of stability by a soils engineer or geologist.

6. Any unauthorized clearing and grading must replant the cleared area according to the requirements of the Mitigation Zone in Sec. 9.4.2.G.4.c.

Sec. 9.4.3.

iii. **Interior Facing**

a) Retaining walls that are entirely interior facing are permitted up to 12 feet in exposed height. This includes Wing Walls (retaining wall extensions from the building foundation walls that allow daylighting of a basement and/or egress from a basement) that are inward facing and finished with a permitted material finish.

1. **Setbacks**

If they are to encroach into building setbacks and are entirely inward facing the walls ~~shall~~must be a maximum of six (6) feet in exposed wall height and meet the retaining wall setback requirements found in Sec. 9.4.3.C. below.

2. **Length**

Maximum length of any wall exceeding the normal maximum retaining wall height is 36 feet (based on the maximum 3:1 allowable grading slope). Any length of wall past 36 feet ~~shall~~must meet the requirements of a retaining wall as outlined above.

b) The Director may permit retaining walls that are entirely interior facing on campuses with civic or institutional uses to have up to 24 feet in exposed height. This includes wing walls that are finished with a permitted material finish.

iv. Exterior Facing

Retaining walls that are exterior facing and at least 100' from a street lot line and 75' from a common lot line are permitted up to 12 feet in exposed height. This includes wing walls that are finished with a permitted material finish.

Sec. 9.5.3.

C. **General Standards**

1. The following uses are permitted within the 100-year floodplain:

a. Agriculture, including forestry and livestock raising, requiring no structure. Agriculture and forestry access roads are permitted provided they are constructed in conformance with the development regulations.

b. Dams, provided that they are constructed in accordance with the requirement of this article, the United States Department of Agriculture Soil and Conservation Service and when applicable, meet the specifications of the U.S. Army Corps of Engineers and/or the Georgia Department of Natural Resources.

c. Fences having sufficient open area to permit the free flow of water and/or debris.

d. Identification, regulatory and warning signs.

e. Public and private parks and recreational areas including boat ramps and docks and other functionally dependent uses not including temporary or permanent structures; provided, such use is approved by the department of community development and, if applicable, the U.S. Corps of Engineers.

f. Parking.

g. Utility lines, pipelines, sewers, roads and stream crossings (if no other means of access is available), and similar features, provided they are constructed in such a manner as to permit the free flow of waters.

Sec. 9.5.4.

Sec. 9.5.4. Flood Damage Reduction

A. **General Standards** In all areas of special flood hazard and areas of future-conditions flood hazard the following provisions apply:

1. New construction and substantial improvements of structures (residential or nonresidential), including manufactured homes, ~~shall~~will not be allowed within the limits of the future-conditions floodplain, unless all requirements of Sec. 9.5.3 have been met.

2. If, due to site conditions, an existing single-family residential structure cannot comply with section 9.5.4.A.1, the structure may be elevated in accordance with either section 9.5.4.B.1.C or section 9.5.4.B.1.d: provided however, section 9.5.4.A.5 ~~shall~~will apply to all elevated structures regardless of whether section 9.5.4.B.1.c or section 9.5.4.B.1.d applies.

Sec. 9.5.4.B.

c. **Elevation of existing structures via jacking on existing foundation** An existing structure that ha been substantially damaged or is proposed for substantial improvement may be elevated by jacking, intact, on an existing foundation, provided the criteria of section 9.5.4.A.5 are met in addition to the following criteria:

i. No elevated structure can exceed the original geometric footprint area or horizontally expand living space into or over the future conditions floodplain;

ii. Foundations must contain a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding as provide in 44 C.F.R. § 60.3;

iii. The bottom of all openings must be no higher than one foot above grade; and

iv. Openings may be equipped with screens, louvers or other coverings provided they permit the flow of floodwater in both directions.

d. **Elevation of existing structures via demolition and rebuilding on an equivalent footprint area** An existing structure that has been substantially damaged or is proposed for substantial improvement may be demolished and relocated on the lot such that the passage of water is facilitated or the floodplain is otherwise enhanced or protected, provided the criteria of section 9.5.4.A.5 are met in addition to the following criteria:

i. No elevated structure can exceed the original footprint area or increase the net encroachment into or over the floodplain; and

ii. Foundations must be designed to resist anticipated hydrodynamic loads, potential for debris impact, and scour pursuant to FEMA Technical Bulletin I (August 2008). Foundation must be designed with the following criteria:

a. The total area of the walls below the base flood elevation exposed to flood waters must be at least 50 percent open. Wall openings must be distributed along all walls exposed to flood waters;

b. The bottoms of all wall openings must be at grade;

c. Garage doors not allowing the natural flow of floodwaters when closed must not be considered wall openings; and

d. Openings may be equipped with grilles, louvers, or bars provided they allow the natural flow of floodwater in both directions.

Article 10. Streets & Improvements

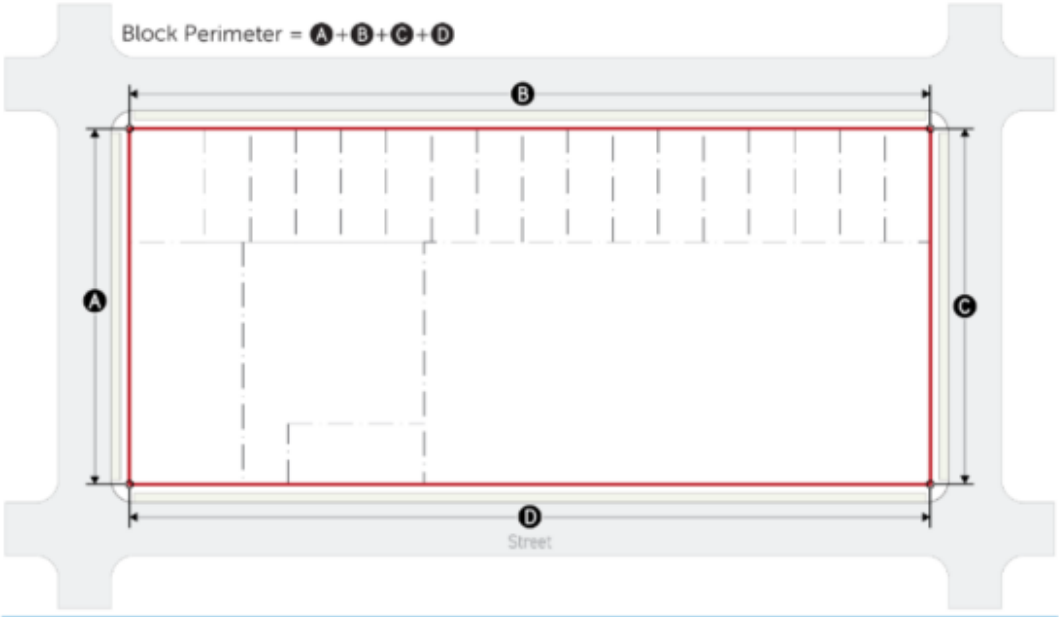
Div. 10.4.

Sec. 10.3.1.A.

	Block Face	Maximum Block Perimeter
Protected Neighborhoods		
RE-	n/a	n/a
RD-27, RD-18, RD-15, RD-12	1,320' max	3,960' max.
RD-9, RD-7.5	660' max	2,400' max.
PK, CON	n/a	n/a
Urban Neighborhoods		
RU-, RT, RM-, RX-	660' max	2,000' max.
Corridors and Nodes		
OX-, CX-, SX-, NEX-	660' max	2,000' max.
TX-, CS-	500' max	2,000' max.
IX-, CC-	660' max	2,000' max.
Perimeter Center		
PRL-, PXL-, PXM-, PXH-, PMH-	500' max	2,000' max.

Sec. 10.3.1.B,

6. Block perimeter is the total length measured along all lot lines abutting public or private streets.



BACKGROUND

The Next Ten Comprehensive Plan Policy E recommends a review of development management tools to implement the vision and goals of the Comprehensive Plan, Small Area Plans, and other planning documents. Both the 10 Key Actions for the Next Ten and Policy LU-E1 recommends comprehensive updates to the Sandy Springs Development Code. Furthermore, the Next Ten Community Work Program item LU-E1.1 recommends that staff conduct a comprehensive review of the Development Code in 2022 and 2023.

Over the last 13 months, city staff have worked toward execution of this comprehensive review of the city's Development Code. Staff, with the assistance of consultant Code Studio, have received input from a variety of stakeholders, including residents and neighborhood groups, business and property owners, contractors and developers, and the Planning Commission as well as overall policy guidance from the Mayor and City Council to help formulate a recommended 5-Year Development Code Update. The code review process consisted of three (3) distinct phases:

1. Phase I (Intake) - Hosted more than 25 stakeholder meetings covering a range of topics and facilitated discussion with Council at the 2023 Retreat; met with residents, business owners, Planning Commissioners, electric vehicle and gas station representatives, hotel and hospitality industry representatives, office and medical industry representatives, civic institutions, developers, residential home builders, automotive dealers, attorneys, and others.

2. Phase II (Draft) - Worked amongst relevant staff and the consultants' background and code expertise to clean up technical aspects of the existing Development Code, as well researching and proposing edits to the topics deemed by Council to be of particular priority to the City's vitality.

For the Mayor and City Council's September 19 Work Session, city staff and the consultants at Code Studio presented the initial Development Code Update draft after a thorough input process and direction from Council earlier in the year. City staff and Code Studio replicated the work session the following evening with the Planning Commission at their Special Called Work Session on September 20.

3. Phase III (Publication and Adoption) – Staff published draft Development Code documents on the City’s website, accepted public feedback, and finalized the draft, including:

- September 22: Online posting of the initial proposed draft to the dedicated Development Code Update webpage (spr.gs/development)
- September 26 – October 18: Online comment form input/submittal period (in addition to the traditional forms of available public comment submission)
- September 26: Public Open House hosted at City Hall
- November 11: Final draft Development Code published on Development Code Update webpage, including summary of key changes
- November 13: Special Called Planning Commission Public Hearing
- December 5: Mayor and City Council Public Hearing for consideration of adoption

ANALYSIS

This Development Code Update is Comprehensive, with edits in every Article. Of the substantive use changes, staff's proposals were formulated primarily through the lens of the many changing conditions and trends in the commercial and residential realms. However, some proposed edits, such as many of those found in Article 11. (Administration) were proposed in response to changes in State law.

Post 2020, much of the City's fundamental commercial inventory (office) has quickly become less viable in the new world of hybrid and remote work. With the office market trend of hybrid and remote work, proposed Development Code modifications will work to ensure reasonable development opportunities in areas most affected by modifying permitted and conditional use allowances, principally in the office-centric zoning districts. In alignment with the Next Ten Policy LU-E1.3, Staff proposes alternative uses such as Vehicle Showroom, accessory Film Studio, Life Sciences (BSL-1 and BSL-2), Office to Residential conversions, Neighborhood Eateries, and allowing or requiring a limited amount of commercial in all multi-unit and mixed-use districts.

To address regional and national housing challenges, staff proposes a number of new household living use types and parameters: Neighborhood Units (type of manor home); reduced lot size requirements (lot width and square footage) and expanded use permissions (in the Perimeter Center) for townhouse (Single Unit Attached); the addition of 'Shared Court' to the highly prescriptive Development Patterns; and promotion of Age-Restricted housing by separating it out as a residential use on its own. These proposals promote at least four (4) Next Ten goals:

1. Increase housing stock and diversity of options;
2. Promote single unit housing (the most likely type of housing stock to offer ownership opportunities);
3. Reduce housing costs or conversely seek ways to encourage affordability (moderately smaller townhouses reduces per square foot total, thus reducing down-payment and rent or mortgage amount); and
4. Provide opportunities for downsizing or aging in place.

Aligning with the Next Ten Policy LU-E1.2, staff proposed an overhaul of the "bonus division" of the Development Code (Div. 6.7.). Beyond incentivizing benefits to our community through additional height, staff now proposes a bonus system that breaks the bonus height allowance down further by considering the height for the percentage of the site. The proposal, called the "Enhanced Community Benefits Matrix," is an update to the previous bonus table in two ways: first, the Matrix provides more options for receiving bonus credit (provided in the Benefits List); and second, the Matrix is laid out in such a way that each row representing a story on the chart intersects with a column representing the percentage of that site that may be developed up to that story. The more credits earned through installment of Benefits, the more the percentage of a site may receive a height bonus of varying amounts. This helps the City ensure that impacts incurred from increased height in developments are effectively offset through improved public amenities.

To go along with the improved bonus system, staff proposes several new bonus height zoning districts. The goal is that the City will realize more thoughtful, quality developments in the future. In addition, to protect the investment-backed expectations of property owners, and to accomplish conformity while allowing property owners a reasonable return on their investment staff proposes community improvements through additional amortization requirements (Sec. 1.1.10.) for refuse or commercial dumpster areas, as well as additional design standards in Div. 6.6.

One of the major topics of conversation throughout the 5-Year Development Code Update process has been about Fuel or Gas Stations. Staff propose the addition of Fuel Pumps as an accessory use (via a Conditional Use Permit in the same three districts where Fuel Stations are allowed) and increased standards and incentives for redeveloping or more holistically improving existing sites. Staff included many standards that will ensure that fuel stations will be required to be developed or redeveloped in a manner where they contribute to the urban fabric by addressing the street first, helping to continue the pedestrian realm and not creating gaps instead. Increased design and screening standards are also proposed to support this concept.

Per the Next Ten Comprehensive Plan Policy LU-A1, Staff continues to work to maintain the integrity of existing single-family residential neighborhoods within the Protected Neighborhood Character Area. Staff proposes a few adjustments to the code that relate to the Residential Estate and Residential Detached zoning districts. The first proposed edit would allow limited single-story garage expansion into the Primary Street Setback for homes existing before Sandy Springs became a city. This modification is designed to encourage reinvestment into existing housing stock.

The second proposed edit would modify fence pier requirements for Residential Estate (RE) and Residential Detached (RD) zoning districts. Currently fences that run parallel to a street require the installation of piers in both districts. Staff proposes that only Estate lots continue to be required to install piers when parallel to a street.

Lastly, of note, staff recommends a more contextual approach to construction entrance regulations where there is a grading setback in RE and RD districts. The goal with this amendment is to allow for a case-by-case evaluation when necessary to determine the least-impactful entry into a construction site on a property. From time to time, what is currently prescribed as the appropriate and permittable entrance is not what is best for the environment. This edit would not only require additional BMPs (best management practices such as silt fences, site stabilization techniques, additional root protection) but would also ensure abundant replanting prescription (equivalent to the existing Protected Neighborhood Buffer vegetation standards), regardless of the amount of vegetation initially disturbed.

Staff finds that the proposed changes align with the stated purpose and intent of the Development Code to "guide the future growth of the City of Sandy Springs in alignment with the vision set forth by The Next Ten Comprehensive Plan…to foster more predictable results and a higher-quality public realm…," to "balance conservation and development," to "achieve design excellence in the built environment," and to "guide Sandy Springs' prosperous and sustainable future."

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

Staff recommends **Approval** of **Text Amendment TA23-0003** in its entirety, grouping (a) through (e):

-**TA23-0003(a)**, Articles 1 (Introductory Provisions), 11 (Administration), and 12 (Definitions)
-**TA23-0003(b)**, Articles 2 through 5 (Protected Neighborhoods, Urban Neighborhoods, Corridors & Nodes, and Perimeter Center)
-**TA23-0003(c)**, Article 6 (Rules for All Districts)
-**TA23-0003(d)**, Article 7 (Use Provisions)
-**TA23-0003(e)**, Articles 8 through 10 (Site Development, Environmental Protection, Streets & Improvements)

Development Code Update Public Comment Received Between 9/26/23 – 10/18/2023	
Name	**Comment(s)**
Tochie, Blad	There is so much to unpack in this large document of changes. This is just my first glance. In Article I, it empowers the Development director to make final decision on variances, the applicant may then appeal to Fulton County Superior Court. Why not keep the Board of Appeals and let them decide cases before tying up the courts time? Article 1, pg. 34, item 5. Action by the Director, there is a clause that requires the director to submit a response in a 30 day timeframe. The concern is if the economy is booming and numerous applications need responses by the director, will staff be able to meet the deadline. If not, does that automatically grant the applicant the appeal? Article 2 District Intent Statements Pg. 9 of 98 â€“ Strikes minimum height district in Perimeter Center. Buildings can be a single story next to transit station, is this the best use of the land? Article 7 Use Provisions RX of page 24 of 57, allows Grocery tenants to 15,000 s. ft. RX allows commercial up to 6000 s ft. with hours of operation 6 a.m to 11 p.m. Why are hours of operation dictated by the code, will that conflict with the noise ordinance? Do we want a large store, I thought we were promoting walkability. Allowing retail use in residential areas for both RM and RX and not controlling the use may allow Vape shops, tattoo parlors and other non-conforming uses. Retail is a challenge when folks live beside it. Finally, Gas pumps/stations are now allowed most places with the removal of the distance rule. City Springs prohibits gas pumps in the district. As gas stations close their operations in City Springs district, due to the cap, the city allows a new gas station to open in areas outside City Springs district. I disagree with the change in policy and recommend no change. I am all for encouraging EV charging stations and establishing rules for electric vehicle charging stations on both location and design aesthetics. EV charging stations should be added to the cityâ€™s Enhance Community Benefit list to encourage new developments to include the stations. Thanks for your time and consideration to my thoughts on the code changes in Sandy Springs.
Elizabeth, Fite	Iâ€™m curious how the elimination of the distance requirement between gas stations reflects changes in the community and ensures the dev code is consistent with the cityâ€™s goals for growth. We donâ€™t seem to be lacking gas stations. Existing sites should be held more accountable and made better. And if you canâ€™t regulate what we have to be more satisfactory, how are we assured anything new will solve whatever perceived issues the consultants have identified? Do you want to live near a gas station-regardless if itâ€™s shiny or new? And are the people voting on this at jeopardy of having a gas station in their neighborhood? Or

	an abandoned gas station that some other gas station is tasked with revising? Iâ€™m from Arkansas originally, and I have seen more abandoned Walmarts than I thought possible.
Manisha, Lance	I hope that when you are considering changes to the development code .. you will use an equitable lens to keep housing development affordable. Please take steps to ensure that affordability is at the core so that middle and low income individuals can thrive in Sandy Springs.
Jane, Kelley	Dear Staff, I am incensed that once again my neighborhood (Windsor Park Community Association) has to fight for common sense regulation. I was heavily involved in getting the restrictions on gas stations put in place earlier. My neighborhood has fought multiple times to prevent a gas station from going in on the corner of Windsor Parkway and Roswell Rd, spitting distance from a Shell Station. Roswell Rd inside 285 has plenty of gas stations already. There at least EIGHT within a two-mile stretch! If more are allowed to open, competition will force some to close, leaving us with additional toxic waste issues. PLEASE protect your residents!! How many times must we fight the same battle?! This makes no sense! Thank you! Mrs. Jane Kelley President, Windsor Park Community Association
Bill, Odrey	I feel that 9755 Roberts Drive due to its location on Roswell Rd, the many right of ways demanded by the City of Sandy Springs and Fulton County that this property should be Re zoned as commercial instead of residential

Vladimir, Shklovsky	I am writing in opposition to proposals to build more gas stations on Roswell Road, and increase the size of garages, described at https://roughdraftatlanta.com/2023/09/27/sandy-springs-residents-reject-code-updates-for-gas-station-expansion/ .1) Sandy Springs should not allow garages that existed before 2005 to be enlarged in violation of existing codes, like front yard setbacks. Larger vehicles are a public safety threat to our community, and do not need more subsidies. They also increase wear and tear on our roads, increasing maintenance costs. Parking spaces for oversize vehicles are already available, at a price. People buying larger and more expensive vehicles should pay their own way, not ask for welfare from the community for their irresponsible decisions. 2) Roswell Road is dangerous and it is irresponsible to make the safety problem by allowing more gas stations here. Sidewalks and crosswalks are inadequate. Police do not enforce speed limits, cell phone bans, restrictions on tinted windshields, etc. There is a lot of traffic. Gas stations inherently have a lot of curb cuts (for tankers to go in and out) and the business model requires frequent vehicle traffic. This combination of a lot of drivers entering and exiting the premises, plus a large volume of traffic on Roswell, creates a lot of opportunities for drivers to injure or kill members of the community. Everyone involved will be culpable if somebody gets hurt.3) This is fiscally irresponsible land use. Land bordering Roswell Road is commercially valuable. It should be used accordingly, and generate a lot of tax revenue to reduce the burden on other constituents. Gas stations inherently need a lot of land, for tankers and customers to maneuver, but sell relatively low-value goods, pay relatively little, and can't generate as much tax revenue.4) Public health is harmed by particulates from vehicle emissions, and Sandy Springs should do the bare minimum of discouraging burning gas and diesel by not approving new stations.5) It is fiscally irresponsible to build a new Sandy Springs fuel depot. Police vehicles have heavy use. EVs are more efficient per mile, and much more efficient for idling (when AC and electric systems can be run without running an entire combustion engine). The fuel and maintenance savings of switching to electric vehicles are clear, and will become stronger over time. Just in terms of fueling, level 2 chargers are basically 240V extension cords, and we should be able to install and maintain them at lower cost than a gas station. Sandy Springs government agencies should be transitioning the fleet away from gas to EVs, not making further investments into an expensive and out of date technology.6) Roswell Road, especially between City Springs and the south edge of the city at Meadowbrook, should be a priority for dense development accessible by transit and pedestrians. This is the section with the easiest MARTA access and the worst traffic. Businesses already rely on a workforce that does not drive. The city could make the most tax revenue by encouraging dense residential construction and valuable commercial use that is not entirely car dependent, as opposed to cut-off walkable developments that still require visitors to drive there, and either use valuable land for surface parking or even more expensive parking decks like the underground lot at City Springs to subsidize drivers. More gas stations along the Roswell in the vicinity of 285 are inherently contrary to this goal, because they offer nothing to nearby residents and are hostile to pedestrians trying to walk to a more valuable business or a higher-paying employer.

ruth, sprinkle	Please do NOT change the codes so that there are more gas stations on Roswell Road, inside the Perimeter!
James Duffy, Hickey	I appreciate the work that has been done by city staff as the development code goes under review. I also appreciate the opportunity to learn from the full disclosure on the web site and the open house last week. Having said that, I have a few concerns on some items. First, and with emphasis, I do NOT favor eliminating fuel stations distance requirements. I live at the southern end of Sandy Springs and we currently have NINE gas stations between the south end (including Shell just 10 yards south of the city line) and Hilderbrand Dr. We do not need more stations in that area. We do not need large (QT, Race Trac, etc.) stations anywhere along that corridor. They would only attract more traffic getting off I-285 and Roswell Rd, an already miserable intersection. We do not need a gas station at the NE corner of Windsor Pkwy and Roswell Rd. Any â€œ1 for 1â€ exchange should be within a reasonably close proximity, to prevent someone from buying and taking down one small station in a remote location, to add a large one along Roswell Rd south of Abernathy. I understand that our mayor's son works for one of these large gas station operators and, if true, I would expect the mayor to recuse himself in the discussion and in any tie-breaking vote that might be necessary. Second, with regard to garage setback changes. This does not make sense to me. It is said to be able to accommodate citizens who have larger cars. We do not need to incentivize people to buy larger cars! Additionally, only one car opening would face the road. Any additional cars would have to be on the side of the garage, which means a) adding more driveway space to the side of the garage for cars to go in and out; b) many houses do not have the space to do that, and; c) more driveway means more impervious surface, which then requires a large amount of costly mediation. Third, Age restricted multi units should NOT be permitted in O/N. Such buildings do not apply to either word: office or neighborhood. Fourth, Retail establishments should NOT be allowed in the same O/N for the same reasons. This is encroachment into a neighborhood setting of more active commercial activity and traffic. Fifth, I do NOT favor increasing any current height restrictions. As Andy Bauman told me at the open house, we have a very desirable location for lots of people interested in development. Because we are so desirable, we can be picky and do not have to accommodate every request. Let's grow wisely, but with the top priority always being the high quality of living that the new and long term residents of Sandy Springs expect. Thank you again for the opportunity to express my opinions and for the open attitude that you have about the project and for all that you do for the citizens of Sandy Springs.

	Duffy Hickey
Susan, Maziar	Please donâ€™t eliminate the Â½ mile spacing requirement between gas stations.Councilman Paulson told me the other night at the DC open house that we have 27 gas stations in SS. I have since learned 18 of these are on Roswell Rd that is 10.7 miles long (city of Atlanta line to North River Tavern). (Thatâ€™s one gas station for q 0.6 mile.) It is my understanding we also have 60 automotive uses on roswell rd -this includes the 18 gas stations - definitely an over abundance (thatâ€™s an automotive use or gas station every 0.18mile). Automotive Uses and gas stations are everywhere: we are saturated.There are also more gas stations sitting on our borders or close to our borders not included in the count: for ex shell station at Meadowbrook drive on Roswell Rd. on the City of atlanta line and another Chevron a little further south, Mt Paran RD. country store with 4 pumps, brookhaven Costco 18 pumps, and more in Perimeter area near us on Ashford Dunwoody. There are Prob more close to our borders in Panhandle and Powers ferry landing areas, Iâ€™m not sure. Looking a little deeper, we have 6gas stations within City Springs, 6 within Â½ mile of I285 roswell rd exit, and 7 down on our south end with an 8th sitting directly on our border. I know the North end has plenty too.Iâ€™m saying all this because we donâ€™t want or need a new large-scale Racetrac/Gas Station at RoswellRd and Carpenter Drive in the heart of our city. It is a prime spot, one of our most visible Gateways. This would not help beautify Roswell rd; it would not enhance City Springs; it would not create a healthy mix of uses; it would not encourage walkability in our downtown ;it would not fulfill any â€œ community need;â€ and it would not add anything to our brand or SSidentity. The added traffic be a nightmare. Six stations here are enough. Mayor, I loved it when you once said â€œwe can afford to wait.â€ (to get what we want). I think we have that sort of a situation here. Letâ€™s get this right.Give the new financial incentives staff is proposing a chance to work: more fuel pumps if an existing station makes improvements.Support small business owners. The newly rebuilt station down at East Belle Island when finished will hopefully set a shining example.And lastly, please re-evaluate the 1 for 1 replacement proposal . This means a developer can buy out the 2 Citgo fuel pumps on Dunwoody Place up near the river and then be allowed to build a 20 pump station on Roswell Rd. at Carpenter drive 8.3 miles away. That doesnâ€™t even make sense. We already have 6 gas stations here: We donâ€™tneed another. The 1 for 1 replacement idea only makes sense if they are close to each other.Thank you. Susan Maziar
Franziska, Shepard	I Do not recommend changing gas station 1/2 mile apart restriction. We do not need more gas stations on Roswell Rd.
Zach, Wilson	I think weâ€™re OK for gas stations. Who has to drive more than 3 miles to get to one?
Casey, DeSandre	In addition to clarifying General Standards in Zoning, please provide a standard, orderly method to requesting a Variance on anything. Navigating the permit and zoning process was extremely difficult and required insider-level knowledge to assist from an Architect side. Also, the requirements for retaining walls, although understandable, are quite prohibitive to multiple story development when considered in concert with building height restrictions.

Sam, Manjiyani	The CSX district is already very congested and has enough number of fueling stations. Allowing any new stations will only add to the traffic and congestion. Any new stations should be allowed outside of the CSX district about 2 miles away from the I 285 and Roswell Rd intersection. The focus should be more on allowing EV stations and not fueling stations.
Melanie, Couchman	I would like to see more housing at various income levels, especially entry level homebuyers and entry level rentals. We are missing both of these types of housing and many of the studies the city has conducted indicate we need both of these. Please make sure you are offering codes that will incentivize this type of housing to be offered.
Soheb, Roy	I am opposed to the three code development changes being made. I do not believe Roswell road needs another gas station there are over 10 in a 3 mile span. Changing the rules for one or two specific locations is unfair to the existing businesses that have put in time, money, and years of hard work into the community.
Leslie, Rose	Please do not Eliminate the 1/2 mile rule spacing requirement for gas stations. We already have too many on Roswell Rd. Please do not Allowing accessory fuel sales. We have plenty of gas stations and plenty of pumps located in Sandy spring. I never have to wait in line for gas - ANYWHERE. We don't need any more pumps or stations or accessory fuel sales on Roswell Road or anywhere in Sandy Springs and I've lived here over 30 years. My family and I are completely against the recommended changes regarding gas stations which relax the regulations. The residents and administration together worked hard to install the code language that limits auto uses and gas stations for a very specific reason...they are NOT beneficial to the city's appearance and quality of life in Sandy Springs. My concern is these changes COULD allow in the future for leverage of large parcels to become gas stations at key City gateways; at the southern City border at Windsor Pkwy and Roswell Rd, at the River at North River Pkwy and Roswell Rd and the entry to the City Springs district at Carpenter Drive where RaceTrac is known to own 2 parcels. Thank you for the time and consideration for the RESIDENTS of Sandy Springs. Next up, please create a right turn lane from Windsor Parkway (headed west) onto Roswell Rd (headed north). The traffic is backed up at that light, to in front of my house on a regular basis.
VAZIR, ROY	TOO MANY GAS STATION AND CONV STORE IN THE SANDY SPRINGS AREA SPECIALLY NEAR INTER STATE 285
SHAMA, ROY	TOO MUCH TRAFFIC FOR EXTRA GAS & COV STORE IT WILL BRING MORE CRIME IN THE NEIGHBORWOOD
NEELAM, KESHWANI	MORE GAS STATION AND COVENIENCE STORE WILL BRING MORE CRIME AND TRAFFIC CONGESION THANKS
JALAL, DHOLAKIA	SANDY SPRINGS HAS NO NEED FOR MORE FUEL STATION OR CONV SHOP TO BRING MORE CRIME & TRAFFIC
RAVI, SHAHANI	TRAFFIC CONGESATION & CRIME NO NEED FOR MORE FUEL & RETAIL CONV

Carolyn, Axt	I strongly urge you to keep the 1/2 mile limit between gas stations. As we work to redevelop the north end - we don't want to have any opportunities for purchasing properties such as near the river and putting in a large gas station - we already have more than enough gas station options. We need to encourage upscale redevelopment, not open flood gates for more gas stations anywhere in our city. As for allowing additional pumps with certain improvements, I believe it is imperative to require community/neighbor involvement not all "improvements are equal." Please place some more specifics on allowing bio-tech industries to locate near our residential areas. What types can go where and with what buffers, again requiring neighborhood input. Thank you for considering making these changes before moving forward with the recommended codes.
Sam, Matty	Loads of traffic increase in and around, so it is better to control the flow and not to get any more or gas stations or other projects.
Samuel, Lake	There is a lot of increasing traffic in and around sandy springs, bringing new locations would result in more dense traffic i feel.
Stefanie, Paulos	I want to preserve my neighborhood and avoid further density. I support the CPCA-EB recommendations shown below: ADDITIONAL GASOLINE STATIONS ON ROAD â€“ Currently there is a Â½ mile distance requirement between new gas stations. We already have 27 gas stations in Sandy Springs with 18 on Roswell Road. RaceTrac or another multi pump station would like to build a gas station at Windsor Parkway and Roswell Road . Currently SSS recommends a 1 for 1 replacement. But a large company could buy two smaller existing stations, close them and build a mega multi pump station at another location like Windsor Pky and Roswell Road. CPCA-EB RECOMMENDATION: Ask that SSS keep the Â½ mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations) on areas like corner of Windsor Pkwy and Roswell Road. HIGHER DENSITY HOUSING GROUPS from GLENRIDGE SOUTH TO CITY OF ATLANTA â€“ Currently NEIGHBORHOOD UNIT (NU) is not allowed in OFFICE NEIGHBORHOOD (ON) areas. SSS wants the NU added to ON areas. NU is 2 or more dwelling units with 4 to 12 units in each dwelling unit. A possible example of this problem in our neighborhood is if Cat Doctor and the office at corner Mystic Place and Roswell Road sell their properties to a developer. This could increase the density and traffic. CPCA-EB RECOMMENDATION: 1. Deny or 2. Allow only if less than 12 units and only one access directly to Roswell Road with the requirement of a conditional use permit (CUP) to allow neighborhood input on any rezoning or site changes. INCREASED DENSITY IN COTTAGE COURT DEVELOPMENT PATTERN â€“ Currently Cottage Court (CC) is in Development Code (DC) with a minimum 2 acre lot and no more than 18 units. Again the site of the Cat Doctor and Corner of Mystic Place could be developed with CC. SSS wants to remove the maximum of 18 and allow 50 units with only one street outlet to an existing public street. CPCA-EB RECOMMENDATION: 1. Deny and keep current language or 2. Support only with caveat that the only access from CC is to Roswell Road not via any

	Protected Neighborhood street (like Mystic Place) and require a conditional use permit (CUP)to allow neighborhood input on any rezoning or site changes. ADDITIONAL RETAIL USES ON ROSWELL ROAD from GLENRIDGE SOUTH TO CITY OF ATLANTA- Currently Office Neighborhood (ON) is limited to residential (not multifamily, only single family), museums, libraries and private schools. Retail is not allowed in ON. There are 3 nodes on Roswell Road that do allow retail. Glenridge/Mt Paran, Fountain Oaks (both sides of street) and Chastain Square (use to be called Gateway). There are sections on Roswell Road that have townhomes, 2 story medical and professional office buildings and other low density/low traffic uses. Staff wants additional Neighborhood Retail sites. These would include changes in the ON areas to retail-like structures, such as pawn shops, cigar stores, pay day title loans, vehicle parts and accessories, etc. This SSS proposal could destroy the character of the area. CPCA-EB RECOMMENDATION: 1. Total denial since any additional retail in Office Neighborhoods would destroy the character of the area with higher density. The three current nodes that allow retail have plenty of space for additional retail use (For example, the empty Sprouts or empty space at Fountain Oaks) ALLOW BUILDING of NEIGHBORHOOD EATERYs ON ROSWELL ROAD - This SSS proposal would allow a Neighborhood Eatery of 3000 SqFt. A drive thru would still be denied with new proposal but large restaurants like Waffle House etcâ€¦ would now be allowed. CPCA-EB RECOMMENDATION: 1. Total denial or 2. Reduce size to 1000 SqFt and require design standards. 6. SSS wants to allow construction entrances and accessory buildings into the rear buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. This would reduce the buffer approximately in half with loss of trees, privacy, etc as a result. CPCA-EB RECOMMENDATION: Deny totally.
Patrick, Stellar	=-@ more parking spaces needed sometimes -@ good community centers needed for kids and senior citizens -@electrical stations required -@Traffic caused due to gas stations
Shirley, Mayy	Improving the city infrastructure is good but we need to limit the gas stations as they might be the reason for a lot of traffic in and around them.
Nilofer, Noorani	I would like to oppose the 1/2 mile rule. In my opinion there is no need for any more gas stations in the area. There are already so many and a lot a traffic flow an additional gas station would bring more traffic into an already congest space.
Virginia, Smith	As a resident of Cherokee Park, I am opposed to several of the proposed changes to the development code. Please do not permit additional gas stations on Roswell Road; do not reduce the distance between gas stations so that more gas stations could be built. Secondly, please do not allow higher density housing groups to build

	in ON areas. Third, do not allow increases in density in cottage court development pattern. Fourth. do not allow increased retail on Roswell rd in the area near Cherokee Park; we already have two shopping centers that have vacanciesâ€¦ most notable is gateway with considerable retail space sitting vacant. Similarly, I am opposed to the building of neighborhood eateries on Roswell Road as once again, they could be incorporated into the already partially vacant shopping centers noted before. Finally, and very importantly, make no changes to the setback/tree buffer on the rear of our properties as this would invite unwanted construction that would seriously upset the character of our community and the privacy of homeowners lots.
Jamie, Pennington	I strongly oppose any changes to the development code and certainly to the existing rules regarding gas stations. It seems like the council is prioritizing commercial demands over the tax paying citizens of our community. There are plenty of existing vacancies along Roswell Road and never once have I seen lines at any gas station. We have plenty of current retail/food/gas options and do not need any changes to our current development code at this time. I also oppose any changes along the CN lines as well. These changes do not preserve the beauty of our city and would not enhance the lives of those who live in Sandy Springs.
Matthew, Payne	My wife Clare Payne & I are currently 25 year residents of Sandy Springs and serve on several NON PROFIT ORG boards. Our children have all gone through our cities Fulton public schools. We strongly oppose all changes to the development code for all reasons. We understand the 10 year plan does not align with these changes, nor adhere to any restrictive codes that are currently purposefully in place to protect the hard working tax payers and voters that elected the current politicians who are pushing these changes for either professional or PERSONAL reasons.
Nancy, Buck	I am filing this form to voice my total displeasure regarding the proposed changes to the Development Code. I have lived in my home/neighborhood for 27 years. The neighborhood is a quiet haven off of Roswell Road. The proposed changes will increase the cut through traffic in the neighborhood making it dangerous for children playing and neighbors walking. We do not need additional gas stations on Roswell Road. The current 18 is plenty. I ask that you keep the 1/2 mile spacing and make no change to the Office Neighborhood use. Traffic is horrendous on Roswell Road thus we do not need increased density south of Glenridge. Please deny the higher density housing and the increased density in cottage court development patterns. Again, the traffic on Roswell is horrendous thus we do not need additional retail uses or more restaurants on Roswell Road from Glenridge south to the city of Atlanta. And please do not kill any more trees by allowing construction entrances and accessory building into the rear buffers of areas marked RE1 and 2, RD 18, RD27, RD15, RD12, RD9, RD7.5 and RU.

Lori and John, Mayfield	Regarding the proposed changes in the Development Code for the area Glenridge south to City of Atlanta:1) Gas stations - keep the Â½ mile spacing requirement between stations and make no change from Office Neighborhood use for large intersections like corner of Windsor Pkwy and Roswell Road.2) We are opposed to allowing Neighborhood Units in Office Neighborhood zone areas. If that isn't possible, they need to be severely limited in size and only allow access via Roswell Road. 3) Keep Cottage Court requirements to a minimum 2 acre lot and no more than 18 units. 4) We are against additional retail sites in the current Office Neighborhood areas. We can't keep all of the retail filled as it is; we don't need more new retail.5) Reduce size of additional neighborhood eateries.6) Do not allow construction entrances and accessory buildings into the rear buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. In general, we are most concerned about increasing density to the point of creating cut through traffic in our neighborhood where we don't have sidewalks. The traffic in the City of Atlanta from 10 Degree South to Windsor Pkwy adds 10 minutes to my commute getting home. Trying to go towards the Perimeter on Roswell Rd north of Glenridge is a mess. The last thing we need is to add more standstill traffic between Windsor and Glenridge where it currently moves at a decent pace. The best part of our area of town is that we are not gridlocked with traffic. Please don't change that!
Will, Henderson	Too much Crime anyways for the gas station, theft and life risks .We do not need anymore gas stations
Chase, Smith	We need a new branch for Chicago Pizza and Oven Grinder
Steve, Leahy	Need a new burger place "whataburger"
Karen, Woods	Need a sports Arcade not too much things for the kids to do
Shaluvi, Gautam	Need good dancing and training school for our girls.
Olcay, kursun	Need Gymnastic for the girls and classed like pottery, dancing, etc
Theo, M	more dog parks and senior wheelchair accessible parks
Rurh, Sprinkle	I m opposed to changing the current code regarding the gas stations proximity to each other, â€¦and I am opposed to any changes or additions to the Office. Neighborhood code
Sallie, Duncan	Dear Members of the City Council and City Staff Members, Regarding the code changes you are considering. I am very against changing the code to allow more gas stations. We already have more than enough. I don't care to see large gas companies come into our city and develop. We have plenty of those nearby. I also am against changing any of the ON code for now. Almost all of the ON code is inside 285 and I believer we need more time and consideration to change the code for now. Thank you, Sallie Duncan
Norris, Broyles	I am opposed to any change to the 1/2 mile separation of gas stations requirement. I am opposed to any alteration to the ON zoning use character.
Warren, Fergus	I support the current code regarding gas stations can only be placed within 1/2 mile of one another. I would like this code to stay as is and not be loosened.
Phillip, Kemp	We got enough traffic issues in our area if we can find space lets have atleast a dog park.

Samantha, Ridge	Please let's not have more gas stations here got enough already with traffic issues.
Chris, Laird	Gas Station Spacing Requirement â€“ Please DO NOT eliminate the 0.5-mile spacing requirement between gas stations. I live in District 5. There are already 6 gas stations between ATL City limit and I285 along Roswell Rd.; 7 if you include the Shell station just inside ATL at the south. Plus, there are additional automotive use businesses along that same corridor. Why is the City considering changing an entire city code for a single corporate entity with no allegiance to our city or community ? Why ?! The City already has 60 automotive use businesses on Roswell Rd. (south to north) and this includes 18 gas stations. And this number doesnâ€™t include peripheral stations at our borders. We as a City are saturated ! I donâ€™t need or want a new large scale gas station at Windsor Pkwy & Roswell Rd. or at Roswell Rd. at Carpenter Dr. These are prime/visible entrances to our beautiful city. Elimination of this requirement does not beautify our city, it does not enhance a healthy mix of uses, it does not fulfill a â€œcommunity needâ€, and it adds nothing to our brand or community identity. Do Not eliminate this requirement. â€œWE CAN AFFORD TO WAIT FOR A BETTER OPPORTUNITYâ€. And thatâ€™s a quote from Mayor Paul !
Mary, Laird	Please DO NOT eliminate the 0.5-mile spacing requirement between gas stations. I live in District 5. There are already 6 gas stations between ATL City limit and I285 along Roswell Rd.; 7 if you include the Shell station just inside ATL at the south. Plus, there are additional automotive use businesses along that same corridor. Why is the City considering changing an entire city code for a single corporate entity with no allegiance to our city or community ? Why ?! The City already has 60 automotive use businesses on Roswell Rd. (south to north) and this includes 18 gas stations. And this number doesnâ€™t include peripheral stations at our borders. We as a City are saturated ! I donâ€™t need or want a new large scale gas station at Windsor Pkwy & Roswell Rd. or at Roswell Rd. at Carpenter Dr. These are prime/visible entrances to our beautiful city. Elimination of this requirement does not beautify our city, it does not enhance a healthy mix of uses, it does not fulfill a â€œcommunity needâ€, and it adds nothing to our brand or community identity. Do Not eliminate this requirement. â€œWE CAN AFFORD TO WAIT FOR A BETTER OPPORTUNITYâ€. And thatâ€™s a quote from Mayor Paul !
Jean, Sykes	I would like to vote against the planned building development on the 1/2 acre lot at the corner of Windsor Parkway and Roswell Rd.
Lindsey, Sykes	I would like to vote against the planned building on the 1/2 acre lot at Roswell and Windsor Parkway
Kristi, Gaffney	We are very opposed to the elimination of the 1/2 mile distance requirement for gas stations and allowing large parcels to be used for this purpose. -Specifically, the intersection of Roswell Road and Windsor Parkway leads to single family home neighborhoods for the entirety of Windsor Parkway. The addition of a large commercial-style gas station would bring additional traffic at all hours of the day and night, more opportunity for crime and isn't consistent with the neighborhood along Windsor parkway. Vote no to rescind this development requirement.
Eileen, Gordon	I Vote to oppose any construction towards a gas station/Quiktrip on this parcel of land. It would be disastrous for the neighborhoods around the area.
Ryan Watson, Ryan	Against the change in the gas station code

Mary, Ford	Hello - As a follow-up to the comments I made at the City Council meeting on October 3rd, I am submitting this comment on behalf of the High Point Civic Association. Our Board has reviewed the proposed development code changes and is unanimously against any Code changes to Gas Stations in Sandy Springs, including the proposed elimination of the 1/2 mile spacing requirement between gas stations.. In addition, the board is unanimously opposed to any changes to ON (Office Neighborhood). The ON designation is still relatively new and is working. We recommend that any changes to ON be evaluated as part of the upcoming Next 10 Development plan update in 2025. Thank you Mary Ford President High Point Civic Association
Mira, Liniado	My preference is that there are no changes made to the development code related to gas stations and the half mile spacing requirement does not change. I do not want more traffic in the heart of our city and it would not beautify our city.
Deborah, De Genova	I am a Sandy Spring's resident writing to respectfully oppose all the proposed SSS changes to zoning on Roswell Road. The City of Sandy Springs is walking a fine line with development for commerical tax income and commerce and maintaining the sanctity and peace of the City for residents. Adding too much commerce and congestion will deteriote the City and its brand by eliminating green space, increasing traffic congestion and not respecting residential zones for families to live and thrive. Having stricter zoning ordinances will only help the City and its brand/image. Adding commerce and traffic congestion will make it a less attractive place to live. Keeping with a clear Sandy Spring identity is really important for our community as sometimes maintaining your identity and appeal is more about what you do not do/allow vs what you change. Specifically, the following changes will result in the following negative impacts to residents and thus I recommend they are denied in totality: -ADDITIONAL GASOLINE STATIONS ON ROAD â€“ Please deny this proposed change. More gas stations means more traffic and potetnial underground contamination with leaky tanks -HIGHER DENSITY HOUSING GROUPS - Please deny this proposed change as it will result in an urban type of feel and more traffic. -ADDITIONAL RETAIL USES ON ROSWELL ROAD from GLENRIDGE SOUTH TO CITY OF ATLANTA- Please deny. This is critical to deny as it will very much extend mini mall sprawl to long-standing established neighborhoods with many religous residents who need to walk to church posing a danger to them. ALLOW BUILDING of NEIGHBORHOOD EATERYs ON ROSWELL ROAD - Please deny. More eateries will result in the odor, rodents and more traffic for existing residents. There are plenty of eaterys already on Roswell Road. Do we really need more? SSS wants to allow construction entrances and accessory buildings into the rear buffers - Please deny and keep our green space and have principles on what can be developed and not. Speaking as a resident impacted by significant construction since 2018, the last thing we need is to enable more construction entrances via rear

	buffers. The builders already have it way to easy with few consequences for violating the zones ALREADY in place. Thank you very much for respectfully consider our feedback. Deborah Ross De Genova
Atul, Agarwal	This is about the planned development at the corner of Windsor Parkway and Roswell Rd., where PuppyHaven is located. We need to make traffic more free flowing and need a right turn lane from Windsor onto Roswell. There are two gas stations within half mile on each side of that intersection, and 3 more within 1 mile; we really do not need more gas stations!!
Madhuvanti, Deshmukh	Listen to your residents! The HPCA voted unanimously 21-0 against any Code changes to Gas Stations in Sandy Springs, including the proposed elimination of the 1/2 mile spacing requirement between gas stations. They also voted unanimously 21-0 to deny any changes or additions to ON (Office Neighborhood). We do NOT want any more development, other than a dedicated right turn lane from Windsor Pkwy onto Roswell Rd.
Allen, Bell	In The Relocation of Existing Fuel Pumps or Fuel Stations Section via a Conditional Use Permit: o There was language that this option was limited to certain zoning districts, but that language was struck. Does this mean this is an option in all zoning districts? o Clarification that Alternative Site means another property and not necessarily rebuilding a new fuel station on the same lot as the one to be removed. o Does the gas station that is to be eliminated have to be in the same zoning district as the new one? o What does mitigation of the former site mean? Is that just the removal of the fuel pumps and tanks?
Mary, Serth	I am very concerned about the potential development of the land parcel at the corner of Windsor Parkway and Roswell Road. I use that intersection at least 4 times a week and with the current volume of traffic, it is extremely difficult to get through. Two days ago at 11:35am it took two cycles of the traffic light to take a left from Windsor Parkway to Roswell. Traffic is bad all over Atlanta, by allowing a commercial property to be built on this corner, you will be ensuring that traffic will get even worse! When the intersection was redesigned and moved north a few years ago there should have been a dedicated right turn lane to ease the congestion.

Susan, Maziar	Please deny all proposed changes/ additions to ON (Office Neighborhood).I live in District 5 and our 2 mile stretch of Roswell Rd. (that we share with District 6) does not need â€œRetailâ€ (way too broad) nor â€œ Restaurant Retailâ€ added to ON as Allowed Uses. Do not change our entire Code to accommodate one developer.There is no community â€œ wantâ€ nor â€œneedâ€ for more retail or restaurant space in this area.. We already have 3 huge retail centers/nodes that are working: Gateway, Fountain Oaks, and the Prado (on our border) with lots of shops and restaurants. New retail could locate here in all the empty spaces.ON was intended to minimize extra curb cuts and traffic that â€œretailâ€ creates as we have many residential streets that empty onto Roswell Rd. We are a Neighborhood Village on the Character Map. Please donâ€™t unravel all the years of hard work and community support we have in this area. ON is working!
Jimmy, Kim	Regarding SSS's proposed change to the number of gas stations to be allowed on Roswell Road, I strongly ask that SSS keep the Â½ mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations) on areas like corner of Windsor Pkwy and Roswell Road. There is more than enough gas stations on Roswell Road (there are 4 within a mile from my neighborhood), and frankly gas stations attract unnecessary congregation of individuals in and around the neighborhoods. If SSS wants Sandy Springs to continue to be a place where million dollar homes are built and/or home values continue to increase (which leads to higher property taxes that SS can collect), allowing more gas stations is NOT something to allow.
Marsha, Holcomb	With regard to proposed changes to the development code and the negative impact on Cherokee Park Neighborhood: 1. We do not want or need additional gas stations on Roswell Road. We want to keep 1/2 mile spacing and make zero changes to Office Neighborhood. 2. We do not want higher density south of 285. Do not change Neighborhood Unit added to Office Neighborhood. Allow change only if less than 12 units and only one access directly onto Roswell Road with the requirement of a Conditional Use Permit and neighborhood input on any changes. 3. Do not increase density of Cottage Court Development Pattern. Do not decrease 2 acre lots . Do not allow more than the current 18 units. Any access should be to Roswell Road not neighborhood like Cherokee Park. 4. Currently there are three nodes south of Glenridge on Roswell Road allowing retail. In those nodes (Ex. Fountain Oaks & Chastain Square) there is plenty of empty space to be used as retail. We would like denial of any of the recommended changes to this area . 5. We do not want eateries on Roswell Road larger than 1000 sqft at most and add a requirement of design standards. 6. We do not want construction entrances and accessory buildings in rear buffers of areas marked as RE1, RE2,RD18,RD27,RD15,RD12,RD9,RD7.5 and RU so request total denial of this recommendation.

Charlie, Kontz	I would like staff & the council to not make any changes to the Development Code in regard to two proposed changes. 1) Code Changes to Gas Stations should not be changed. I know this has nothing to do with the code but why would we want to put more stations & traffic on Roswell Rd & why change the 1/2 mile spacing? 2) Deny any changes to ON (Office Neighborhood). The current code seems to be working to protect Neighborhoods. Let's have the present code stay the same & not open up "Pandor's Box." I vigorously oppose these two potential changes. Sandy Springs is pro neighborhood please do not make either of these code changes. Thank You, Charlie Kontz
Linda, MacLean	I oppose the development proposed for Roswell road. We do not need more gas stations , retail space or otherwise.
Penelope, Malone	1. ADDITIONAL GASOLINE STATIONS ON ROAD -- I request that the COSS maintain the current 1/2 mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations). 2. HIGHER DENSITY HOUSING GROUPS FROM GLENRIDGE SOUTH TO CITY OF ATLANTA â€“ I am opposed to allowing NEIGHBORHOOD UNITS (NU) in OFFICE NEIGHBORHOOD (ON) areas. 3. INCREASED DENSITY IN COTTAGE COURT DEVELOPMENT PATTERN â€“ I request that the COSS keep the current Cottage Court (CC) in Development Code (DC) with a minimum 2 acre lot and no more than 18 units. 4. ADDITIONAL RETAIL USES ON ROSWELL ROAD FROM GLENRIDGE SOUTH TO CITY OF ATLANTA- I request that the COSS keep the current limit of Office Neighborhood (ON) to residential (not multifamily, only single family), museums, libraries and private schools. We DO NOT NEED any further Retail in this area. The existing retail nodes have extensive storefronts and square footage with empty retail space. No further additions of retail are needed. 5. ALLOW BUILDING OF NEIGHBORHOOD EATERYS ON ROSWELL ROAD - I request a Total Denial of this proposal. 6. Allow construction entrances and accessory buildings into the rear buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. I am TOTALLY OPPOSED to this change. At the present moment the lot next door to us is being built out to the last square inch allowed in the current development code. I do not want any further diminution of our forest canopy or setbacks. In conclusion, I continue to be appalled at the extent to which the COSS has lost its focus, completely and utterly, from the original intent for which the City was organized. The COSS was incorporated because its residents wanted to maintain our wonderful neighborhoods, forests and wildlife therein. Each year the COSS seems intent on destroying our neighborhoods, our forests and our quality of life for the benefit of commercial and residential developers who seek to make a fast dollar and depart, leaving destruction and ugliness in their wake. Thank you for your consideration of these requests.

John, Champion	1. ADDITIONAL GASOLINE STATIONS ON ROAD -- I request that the COSS maintain the current 1/2 mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations). 2. HIGHER DENSITY HOUSING GROUPS FROM GLENRIDGE SOUTH TO CITY OF ATLANTA â€“ I am opposed to allowing NEIGHBORHOOD UNITS (NU) in OFFICE NEIGHBORHOOD (ON) areas. 3. INCREASED DENSITY IN COTTAGE COURT DEVELOPMENT PATTERN â€“ I request that the COSS keep the current Cottage Court (CC) in Development Code (DC) with a minimum 2 acre lot and no more than 18 units. 4. ADDITIONAL RETAIL USES ON ROSWELL ROAD FROM GLENRIDGE SOUTH TO CITY OF ATLANTA- I request that the COSS keep the current limit of Office Neighborhood (ON) to residential (not multifamily, only single family), museums, libraries and private schools. We DO NOT NEED any further Retail in this area. The existing retail nodes have extensive storefronts and square footage with empty retail space. No further additions of retail are needed. 5. ALLOW BUILDING OF NEIGHBORHOOD EATERYS ON ROSWELL ROAD - I request a Total Denial of this proposal. 6. Allow construction entrances and accessory buildings into the rear buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. I am TOTALLY OPPOSED to this change. At the present moment the lot next door to us is being built out to the last square inch allowed in the current development code. I do not want any further diminution of our forest canopy or setbacks.In conclusion, I continue to be appalled at the extent to which the COSS has lost its focus, completely and utterly, from the original intent for which the City was organized. The COSS was incorporated because its residents wanted to maintain our wonderful neighborhoods, forests and wildlife therein. Each year the COSS seems intent on destroying our neighborhoods, our forests and our quality of life for the benefit of commercial and residential developers who seek to make a fast dollar and depart, leaving destruction and ugliness in their wake. Thank you for your consideration of these requests.
David, Couchman	Omitted from the code is the city's need for workforce housing. Being silent on this issue allows developers to build without having to incorporate plans for affordability for essential workforce needs, i.e. police, teachers, emergency workers, and other essential lower paying occupations. Ignoring this requirement stymies the economic success for the city, increases the traffic burden for everyone, and fails to promote diversity at all economic levels.

Krista, Friedman	1. In regard to more gas stations on the road please keep the current spacing and make no change from Office Neighborhood use (which excludes gas stations. 2. Regards to higher density housing groups south of Glenridge to City of Atlanta - DO NOT allow any change. The traffic is already so bad and do not need more multifamily housing to further increase traffic. 3. Increased density in cottage court development pattern- keep it as is and do not make any changes. 4. Additional retail uses on Roswell Road- deny any change to prevent destroying the current character of the area. There is already plenty of retail use some of which sits empty as is. 5.Allow building of neighborhood eaters on Roswell Road- deny. We already have enough! 6. Allow construction entrances and accessory buildings into rear buffers of areas- Please DENY any changes. The reduced buffer would result in loss of trees and privacy.
Andrew, Jones	The notion of yet another gas station at the junction of Windsor Parkway and Roswell Road is preposterous. A little way north on Roswell there is Kroger and a gas station that is being remodeled. A little way south are two further gas stations. Our community has more pressing needs than another gas station. In sum, a silly proposal which should be blocked.
Leslie, Laird	1.) I ADAMANTLY OPPOSE the elimination of the 1/2 mile spacing requirements for gas stations. This is totally unnecessary as there are already TWENTY SEVEN 27 gas stations in Sandy Springs with EIGHTEEN ON ROSWELL ROAD. Traffic at Windsor Pkwy and Roswell Rd is BAD ENOUGH ALREADY. 2.) I ADAMANTLY OPPOSE higher density housing groups from Glenridge South to the city of Atlanta. I OPPOSE the NU added to ON areas. If this passed, it would ONLY mean an increase in both density and traffic. As I see it, IT'S BAD ENOUGH ALREADY. 3.) I ADAMANTLY OPPOSE increased density in cottage court development pattern. NO NO NO NO...NO! It is dense enough already. 4.) I ADAMANTLY OPPOSE additional retail uses on Roswell Rd from Glenridge South to the city of Atlanta. We do NOT need additional neighborhood retail sites. We have enough pawn shops, cigar stores, day day title loans, vape stores ALREADY. 5.) I ADAMANTLY OPPOSE allowing the building of neighborhood eaters on Roswell Road. We have enough restaurants as it is, and I know they could all use more business, not more restaurants to take away from their existing business. 6.) I ADAMANTLY AND VEHEMENTLY OPPOSE allowing construction entrances and accessory buildings into the rear buffers of areas marked as RE1 and 2; RD 18; RD 27; RD15 RD 12; RD 9; RD 7.5 and RU. This would reduce the buffer approximately in half with a MAJOR loss of trees, privacy, places for our birds and animals to live and thrive, etc as a result. NO NO NO...NO to allowing for the destruction of mature canopy trees.

jack (vazir), thalia	please already as is lot of traffic and crime more fuel station will bring more traffic and crime
Christan, Carter	The code lacks acknowledgment from the city regarding the essential need for affordable housing to accommodate key city workers such as teachers, emergency personnel, law enforcement officers, and other essential but lower-paying occupations. By failing to mandate developers to include affordable housing, it impedes economic growth, exacerbates traffic congestion, and restricts income diversity within the city.
Robert, Richards	Been located here for 22 years and the traffic is already unbearable. I vote not to use that parcel of land for any commercial development.
Tochie, Blad	Sandy Springs needs to consider more innovative ways to provide housing. Most of the proposed changes in regulations may lead to demolishing existing houses/units and building newer more expensive housing and not solving the affordable housing issue cited in the Housing Needs Assessment study. One idea to consider is Community Land Trusts, CLTs run by non-profits. The idea is that people buy a house but lease the land underneath from the trust. Because theyâ€™re not buying the land, this lowers the home price and, when it comes time to sell, the homeowner agrees to do so at a lower price, thus keeping costs more reasonable over the long term. Another key is to limit the use of commercial businesses in residential areas and stop treating the house as a commodity for investors. People need to live in houses. The city not enforcing regulations of short-term rentals in neighborhoods is allowing unregulated hotels next to homes. Staff say they are not the bed police but allowing whole houses to be rented for a night creates commercial property, hotels next to homes. Proliferation of short term rentals also limit the places where people call home - worsening our housing shortage. Where is the safety for these occupants, are they adhering to fire and public health requirements required for lodging? Finally, are all these numerous code changes needed at this time? People make their biggest investment in their home; they need a guarantee about the character of the area that itâ€™s in. There are numerous changes in this proposed code that will alter the community and lead to the commercialization of their homes. The protected neighborhood term is used but the meaning is diluted when you allow retail into neighborhoods as a new use. As the author of Homesick, Brendan Oâ€™Brien describes, â€œIn turning housing into simply another commodity, weâ€™ve ensured that it is bound up in desperation and uncertainty. That our neighborhoods are hollowed out to make room for tourists and investors.â€ Sandy Springs became a city fifteen years ago to meet the needs of the community. We all have an expectation of creating a sense of place, letâ€™s not lose it by tossing out the communityâ€™s work in the Next 10 plan with unnecessary changes in the zoning code. â€¢ The Â½ mile rule between gas stations is still needed. â€¢ Board of Appeals should remain a step in the appeals process. â€¢ Retail should not be allowed in new areas. Neighborhood Eateries only make sense if Design Review Board and a better signage code are in place. â€¢ All for Senior housing and more Daycare being available in the city. â€¢ Mobile services, only 7 days over a 3-month period. How will the city enforce that requirement? â€¢ EV Charging stations, glad you are regulating them would prefer Design Review

	Board approve the design and location Thanks for your time and consideration.
Jordan, Edwards	NADG owns and hopes to redevelop the Prado in the near future. For that reason, NADG makes the follow comments to the proposed text amendment: 1. Regarding Sec. 4.1.4. and Div. 4.5., NADG requests that the proposed SX-6/10 district be changed to SX-6/12, to allow height up to a total of 12 stories with bonuses. The increase in maximum height with bonuses from 10 to 12 stories will materially increase site design flexibility, which is critical for properties with physical challenges. And since a Conditional Use Permit will be required for any multi-unit proposals this tall anyway, the community and city council will have the same ability to affect development proposals regardless of the maximum bonus height limit. 2. Regarding Div. 7.2., NADG requests that â€œMulti-unit up to 3 storiesâ€ be changed to â€œMulti-unit up to the districtâ€™s maximum base heightâ€, and â€œMulti-unit above 3 storiesâ€ be changed to â€œMulti-unit above the districtâ€™s maximum base heightâ€. These changes would avoid inconsistency in the Development Code: a zoning districtâ€™s maximum base height is understood to be developable by right, but a CUP requirement necessarily infringes that right. For example, the SX-6/10 district allows a maximum base height of 6 stories, but as currently drafted the proposed language requires a CUP for multi-unit use proposal over 3 stories. So in effect, the current proposed language makes the SX-6/10 district the SX-3/10 district for multi-unit uses. The change NADG requests avoids this confusion but preserves the CUP requirement for height above the base maximum. 3. Regarding the Enhanced Community Benefit List, NADG requests establishing different square footage options for the items listed under the Amenity Space and Landscaping category. The Shared Greenspace, Active Water Feature, Additional Amenity Spaces, and Furnished Dog Park are all limited by a minimum area of 5,445 square feet each, but this area is a large footprint in a development context and very expensive to provide. NADG requests, first, awarding â€œpointsâ€ for smaller amenity provisions too, and assigning points on a progressive scale so that larger amenity spaces, which have much higher opportunity costs to provide, are incentivized. For example: 1,000 SF = 4 points; 2,000 SF = 10 points; 3,000 SF = 18 points; 4,000 SF = 28 points, etc.). A 5,445-square foot amenity space would need to be worth substantially more ECB credits to ever be realistic for a developer. The smaller area options also extends the incentive to developers of smaller properties who could never amenitize 5,445 square feet and would allow more diversity of amenities. Second, add â€œactive greenspaceâ€ as an amenity option to incentivize provision of a playground or recreation facilities. Third, because itâ€™s impossible to anticipate every scenario, authorize the Director to award bonus points for the provision of unlisted community benefitsâ€”this will provide additional flexibility, and because a CUP is required for the taller multi-unit proposals that would need bonuses anyway, these discretionary bonus points will still receive public and legislative review. Thank you.

Clare, Jones	Re proposed gas station at corner of Windsor parkway/roswell road Unnecessary as there are 2 under a mile on the same side and one just over a mile on that side. There is Kroger petrol on the other side just over a mile. The changes to that junction have helped with congestion, but itâ€™s far from perfect and the proposed petrol station will not improve traffic flow
Charles, Conklin	I strongly oppose making any changes in the development plan regarding gas stations. We have plenty of gas stations already. There needs to be restrictions limiting the locations. I also oppose any changes allowing any buiding of any structures whatsoever in setbacks. Setbacks are designed to limit developable area and protect neighbors whose property abuts those setbacks. That protected area should not be permeated.
Karen meinzen, McEnerny	Karen Meinzen McEnerny District 6 just North of the City of ATl limits west of Roswell Road aka Chastain Park Area 4604 Meadow Valley Drive Sandy Springs, GA Since I have the ability to share all my written viewpoints unlimited by public speaking timeframes, I am taking that advantage at this opportunity, and thank each of you in advance for your time reading it and perhaps keeping it as a reference when I speak before you soon at the upcoming public hearings .. Background: I live in a subdivision called Cherokee Park touching the southern border of City of ATL limits . Originally 90 homes built in the midcentury by Howard Chatham. In fact his first subdivision. Grading was very costly then as compared to the land so he graded only where he had to to construct our ranch homes. The unintended but positive long term consequence was leaving the huge majority of our 90 homes with forested rear yards , places for children to play; Trees and critters to live and thrive . Fulton CTY provided me years ago with our average sized lots of 34,490 sf versus our then and now (1990) zoning of 18,000 sft lots now known as RD-18. (I have never figured out how we got reduced to 18,000 sf but thatâ€™s old news,) Our neighborhood has been successfully re-developed about 2/3 of the ranches to multimillion 10K sf residences predominantly on the original lots (1 for 1 tear downs for 1 rebuild) leaving a nice subdivision with no variances of substance asked for or granted by the developer and citizen community . This has provided a lovely area of forested or at a minimum tree coverage in most of our rear yards .Context for my comments : [Note: Since April 2005 our neighborhood has successful redeveloped Except for the 3 homes recently constructed on one of our largest original home site (1) that had exceptionally long road frontage This large amount of frontage on a (to the rear) pie shaped lot and without a public variance required allowed an almost complete clear cut to make room for 3 new houses with pool on a 1.2 acre original lot. These three houses do not fit into our community as they are by far the most dense . They donâ€™t have enough parking despite 3 garages each so their contractor and private overflow vehicles cause congestion in our neighborhood as we try to go thru this pinch point. 10 lbs. in a 5 lb. bag. ALL without a variance by right)) . Get to the point you may be thinking . But the cramming in of all those improvements for those 3 houses by spec developers (not the ultimate purchasers of the 3 houses) totally destroyed the 20 ft. rear set back and I hope only left the 15 foot rear grading set back in place with tree cover and vegetation. This harmed also the adjacent neighbors of their privacy

	and quiet enjoyment . To the point ..the damage this 3 home massacre of vegetation did to our less dense surrounding neighborhood and will be further eroded if the council and Planning Commission donâ€™t recognize the danger of a very damaging proposal of the consultant and supported by staff to allow further encroachments into the rear grading setback . For Cherokee Parkâ€™s RD-18 zoning, it is 15 feet from the property line (versus the 35 feet in our rear set back). Other districts RE etc. have proportionally similar distances based on their size. Currently the rear grading set back represent 11% of an RD -18 lot area lot area (assuming a square lot calculated as its square root x 15 feet is 11%.) Thatâ€™s a small part of residential land in SS protected from grading. As we know , its grading that destroys trees and habitat. Recommendations : Please deny totally this Protected Neighborhood change allowing further grading for accessory uses inside the 15 foot rear grading set back in Article 9.4.2 subsection G. 3. Sub d. page 81. In fact consideration should be made to add more protected area to the rear grading set back of 5 -10 feet according to the sizes of the current residential zoning districts of RD RE etc. to prioritize tree canopy and habitat for the general welfare of our citizens the city is charged with protecting . (Pursuant to the charter of the City OF Sandy Springs it â€œis charged with the PROTECTION OF the public health, safety and general welfare of the citizens of the City of Sandy Springsâ€ .) Enacting new laws that seriously adversely affect Protected Neighborhoods which represents approx. 71% of the cityâ€™s land area is a travesty . Thatâ€™s due to the fact that all the other setbacks (front , 2 side) allow grading now with mitigation . Plus the building envelope itself leaves ONLY the rear setback for vegetative buffers for habitat trees and privacy of adjacent and owner for quiet enjoyment. But the rear setback understandably also allows grading for accessory structure already. So the existence of this little â€œgemâ€ called â€œrear grading set backâ€™ is really the only real way the city can prevent grading in the rear buffer to protect the tree canopy necessary to the health and general welfare of our citizens . The rear grading set back needs to be made LARGER not allow more encroachments . Allowing a 14 foot wide construction entrance in a rear grading set back violates the need for a rear set back at all. The mitigation zone will take years to mature . plus if evergreens are planted they are not canopy trees in the first place, Its not a quid pro quo for mature tree canopy loss in my view. So â€¦ for the tabulation of my 6 comments: 1. No to Further intrusion into the rear grading set back of Protected Neighborhoods â€¢ including NO allowance in the rear sets backs a usually 14 ft. wide construction entrance. â€¢ With the growing threats of climate extremes as evidenced by our even hotter summers ; hurricanes; flooding etc. greater pressure to retain our tree canopy is a reality so we can live a higher quality of life as we benefit from the tree canopyâ€™s ecological services. â€¢ Now is NOT the time to increase destruction of our rear buffer grading set back but to strengthen it .â€¢ Deny staffâ€™s recommendation (page 81; 9.4.2.G.3 d.) to allow further building/construction exceptions into the 15 ft. rear buffer grading set back. 2. No to Gasoline station proliferation along Roswell Road : â€¢ NO to Removal of the Â½ mile distance requirement currently in place for a new gas stations (currently 27 in Sandy Springs of which 18 are along Roswell Roadâ€™s 10.7 miles) â€¢ This spacing requirement puts the NE corner of Windsor Park- way and Roswell Road into jeopardy as a RaceTrac or other multi pump quick trip or like operator . As they could apply to change that corner from Office Neighborhood use

	(which excludes gas stations) via a 1) character area map change and then 2) go thru rezoning with a CUP (conditional Use Permit) as they have the time, money and profit motive to do so. â€¢ Staff has recommends a 1 for 1 replacement required for gas stations. That is an old one comes down for a new one to be built despite the number of pumps . So it t wonâ€™t forestall a large pump operator from buying a 2 pump existing station anywhere in SS and then going to Roswell Road or along 285 somewhere and building a megaplex. Thatâ€™s the reason we have to keep the Â½ spacing requirement in place ; Additional higher density Housing Groups being recommended along Roswell Road from Glenridge south to the ATL city limits in a Character Area/ Allowable Use called Office Neighborhood ON: Section 7.3.1 Household living 3. Neighborhood Unit being allowed in Office neighborhood Not currently in ON . proposed as adding 2 or more dwelling units each having 4 to 12 units . ; Recommend denial for 2 dwelling units of 4 to 12 units . or if wonâ€™t deny totally support with caveat: 1) that requires access directly to Roswell Road and not on a street going thru a Protected Neighborhood street to prevent cut thru traffic into our neighborhood and others and 2) require a CUP (conditional Use permit) approval process which will allow the neighborhood to weigh in on any rezoning and site changes ; Increased density in Cottage Court Development Pattern (see Article 6 Rules of All Development in earlier link) . 4.Cottage Court is already in the DC : minimum 2 acre lot; no more than 18 units ; single family detached or attached with a center courtyard . Staffs proposal is to remove the maximum of 18 units which reduces the land area made available for the passive court. PLUS Section 10.4.18 Additional Street Standards (page 157) allows up to 50 residential units to be constructed if only one street outlet is used to an existing public street . Recommend denial and live with the current Cottage Court Language. Alternatively , support with caveat: 1) that this proposed Cottage court on steroids requires access directly to Roswell Road and not on a Protected Neighborhood street to prevent cut thru traffic into our neighborhood and others and 2) require a CUP (conditional Use permit) approval process which will allow the neighborhood to weigh in on any rezoning and site changes; Addition of RETAIL USES all along Roswell Road from Glenridge south to the city of ATL. Some context needed here for background on Our unique Character Area not found elsewhere in Sandy Springs . Itâ€™s called Office Neighborhood and was created in 2006 by the current Planning Director Jim Tolbert to mirror the on ground zoning uses of retail, office multi family; single family and Town Houses and condoâ€™s . There have been 2 major updates to the Development Code since we became a city in 2006; in 2017 and a minor one in 2018. Plus innumerable Text AMENDMENTS BROUGHT FORWARD THAT ALSO UPDATED the Development Code. In all instances ON was consistently upheld as limited to Office, residential (not multifamily) town houses condos and Museums, libraries, private schools . IN OTHER WORDS NO RETAIL USES . Reason: there are ample places on both sides of Roswell Road south of Glenridge for retail uses . Retail can go into the 3 nodes of Glenridge/Mt Paran; Fountain Oaks (both sides of the road) and the Gateway development now called Chastain Square. Only at Windsor and Roswell Road is there a patch of ON by the Wieuca Animal Clinic. Where we need a right hand turn lane going North. So as you travel North from the city limits of Atlanta you will find sections of medical and professional 2 story office buildings and townhouses and other low density and low traffic generation uses . That is being blown away in this proposed draft by

	staffâ€™s recommendations which I call the tank coming down the road. Unless we want to lose that special rhythm and character of the stretches of office and residential between the 3 nodes we need to prevent the 2 retail uses being proposed by staffâ€¦ Specifically. 5. Something called Neighborhood Retail in Section 7.5.15 Retail page 24 Gas stations are excluded so is fire cracker sales as examples . But Neighborhood Retail is defined as all the uses in section 7.5.15 Pawn shops, cigar stores, pay day title loans, video stores ; vehicle parts and accessories . The only limitation is that the store must be 3000 sft no more. Since there are plenty of other places in the nodes for this retail, I support a total denial required to protect our ON sections from an all-out Tally ho anything goes retail use with no design standards other that 3000 sf. Finally the 6th piece is the Neighborhood eatery piece. (just above section 7.5.15 page 24 item C. Neighborhood Eatery. Defined as â€œan establishment that prepares and sells food and drink for on or off premises consumption that is limited in size to 3,000 sft Examples, brew pub, bakery, tea shop; . All nice sounding but that could also allow dunk in donuts â€˜ stop and shop boxes like 7-11â€™s or more waffle houses and other in and out retail food shop s to proliferate in ON . Positive is that no drive thruâ€™s are allowed as proposed. Perhaps recommend straight up denial since there are plenty of places inside the nodes or alternatively limit size to a lower number say 1,000 -1500 sf . We again have plenty of eateryâ€™s in Gate way Fountain Oaks Summary : 6 issues of proposed Development Code 9.19.231. Deny allowing further construction and grading in the Protected Neighborhoods (single Family) rear grading setbacks which are already less than 50 % shorter than the rear property set back buffer depending on zoning classification (example RD-18 rear property buffer is 35 ft. rear grading set back buffer is 15 feet. 2. Deny removing the Â½ mile spacing requirement for gas stations;3. Deny allowing a new use in ON of multifamily (probably owner occupied) called Neighborhood Unit up to 12 units per building unless direct access is required for the units onto Roswell Road not thru our Protected Neighborhoods and a CUP is required for a new development . 4. Either deny additional changes to Cottage Court Development Pattern that takes off the maximum 18 units or require direct access to Roswell road so no cut thru traffic goes thru Protected Neighborhoods and a CUP is required. â€¢ 5. Deny allowing the breach of ON which currently excludes retail to allow 3,000 sf Neighborhood Retail as overly broad and would basically destroy ON as it exists today ; and â€¢ 6. deny Neighborhood Eatery or reduce its size and require design standards that prevent waffle houses and 7-11â€™s Note to staff when tabulating my public comments above .. if my intent is unclear as I describe above alternatives Mark it as denial of the proposal . . Karen Meinzen McEnerny4604 Meadow Valley DriveSandy Springs, Georgia 30342
Ronda, Smith	Development Standards Page 28 8.3.10.C.2.b.ii ii. All street-facing fences in Residential Estate districts must have masonry (brick stone, or stucco finish) piers separating fence panels with a maximum length of approximately 24 feet. Piers are required at any point where the fence changes direction. Piers must be at least 12 inches wide. CONSIDER CHANGING THE ABOVE LANGUAGE TO: ii. All street-facing fences LOCATED ON A COLLECTOR OR HIGHER STREET CLASSIFICATION must have masonry (brick stone, or stucco finish) piers separating

	fence panels with a maximum length of approximately 24 feet. Piers are required at any point where the fence changes direction. Piers must be at least 12 inches wide. THE ABOVE CHANGE MAINTAINS THE REQUIREMENT IN RD ZONING DISTRICTS ALONG MANY MAJOR CORRIDORS YET ALLOWS FOR FENCES WITHOUT PIERS INSIDE THE NEIGHBORHOODS ON STREETS CLASSIFIED AS â€œMINOR STREETSâ€. BE AWARE THAT LAKE FORREST IS A COLLECTOR AND HAS ALL Residential Detached PROPERTIES FRONTING IT FROM MT PARAN TO THE CITY LINEâ€¦ AS IS: HIGH POINT WITH Residential Detached PROPERTIES FRONTING IT FROM FRANKLIN RD. TO THE CITY LINE AS WELL AS WINDSOR PKWY WITH Residential Detached PROPERTIES FRONTING IT FROM ROSWELL RD TO 400. RIVERSIDE FROM JOHNSON FERRY TO DALRYMPLE IS ALL Residential Detached PROPERTIES. SPALDING IN THE PANHANDLE FROM JUST EAST OF DUNWOODY CLUB TO THE EASTERN CITY LINE IS ALL Residential Detached AND THAT IS ALSO A COLLECTOR. 9.4.2.3 Rear grading setback exceptions and mitigation zone: SSCN is opposed to this change. Changes to grading allowances that make it easier to remove the existing tree canopy in protected neighborhoods are detrimental to the overall health of the cityâ€™s canopy. The mitigation zone cannot replace what will be removed by installing a construction entrance through a rear yard. The access points through rear yards are along roadways, many of them major corridors, and these yards are generally dense tree canopy that serve as buffers from road noise and were historically developed in this pattern. These are not rare one-off properties. Many many neighborhoods have cul de sacs where the rear yards of the properties at the top of the bulb abut the main roadway from which the neighborhood was accessed. If today tree loss is occurring in rear yards and setbacks due to general negligence during installation of accessory uses and the thought process is this allowance and mitigation zone would help fix that, it can be assumed that giving permission to go through the rear yard will result in even greater damage to surrounding canopy than what is happening today as the construction entrance tends towards violating the width maximum due to this same negligence. Article 6 General Rules 6.1.1.I.2.n You do not define Pedestrian Amenity Space PLEASE CLARIFY THE INTENT OF THE PEDESTRIAN AMENITY SPACE AND CLARIFY WHAT PEDESTRIAN AMENITY SPACE IS. On page 5 in section 6.1.1.I.1.a you define Outdoor Amenity Space. CLARIFY THAT IT MUST BE AVAILABLE TO THE PUBLIC. Uses 7.3.1.E Neighborhood Unit: SSCN opposes this in its current form as a permitted use. While this housing type could precipitate some new housing availability and possibly create building conversions and some new construction along Roswell Road for underutilized properties that very fact means an increase in overall density on Roswell Rd. That density may or may not have walkability for basic services and retail depending on location. Protected Neighborhood adjacencies is where cut through traffic is a

	concern. Please change this from a Permitted Use by right to a Conditional Use Permit for Urban Neighborhood and Corridor and Node Districts so that the impacted neighborhoods can participate in ensuring that the access points for new developments are only on Roswell Rd. 7.4.1.F. Place of Worship: 1. Defined A building or structure that by design and construction is primarily intended for conducting organized religious services. Associated accessory uses include, but are not limited to, schools, gymnasiums, meeting halls, indoor and outdoor recreational facilities, clergy house, rectory, day care, counseling, and kitchens. 2. Basic Use Standards a. No buildings and use areas/structures other than parking and pedestrian walkways may be located within 75 feet of any Protected Neighborhood district used for residential purposes. DO NOT REDUCE THE BUILDING SETBACK FOR PLACE OF WORSHIP FROM 100' TO 75'. THE PROTECTIONS PROVIDED BY THE 100â€™ BUILDING SETBACK ARE VERY MEANIGFUL SINCE MOST CHURCHES ARE ADJACENT TO OR SANDWICHED BETWEEN PROTECTED NEIGHBORHOOD PROPERTIES. FOR SIDE LOT LINE ABUTMENTS WHERE PROTECTED NEIGHBORHOOD IS LEFT AND RIGHT OF A CHURCH PROPERTY (WHICH IS THE CASE FOR LIKELY ALL CHURCHES EXCEPT SSUMC AND NSUMC) DOES THIS CHANGE REALLY MAKE SIGNIFICANT DIFFERENCE TO THE FUTURE OF THESE CHURCH PROPERTIES? CHURCH BUILDINGS DO NOT NEED TO GET CLOSER TO THEIR LEFT OR RIGHT ADJACENT PROTECTED NEIGHBORHOOD NEIGHBORS. PLEASE LEAVE THIS AS 100 FEET!.THIS PROTECTION IS IMPORTANT TO THE NEIGHBORHOODS. SINCE SSUMC (WHICH IS LOOKING TO REBUILD) HAS A COMMECIAL ADJACENCY TO THE EAST (CS ZONED PROPERTY) THERE IS ROOM TO BUILD NEARER TO THEIR EASTERN PROPERTY LINE IF NEED BE. ANOTHER CLARIFIER YOU COULD CONSIDER ALLOWING FOR 75â€™ DISTANCE â€œIF THE CHURCH IS ADJACENT TO PROPERTY DEVELOPED WITH ANOTHER CIVIC USEâ€. SINCE A CEMETERY IS CONSIDERED A CIVIC USE IT ALSO GIVES SSUMC MORE ROOM TO ITâ€™S WEST ADJACENT TO ARLINGTON AND THE HISTORIC CEMETERY ON MT VERNON. 7.5.14.C Neighborhood Eatery: SSCN opposes this change as written with a size threshold of 3000 square feet which is about a 55â€™ by 55â€™ footprint. If the commercial kitchen is 1000sf and typical restaurants allocate 20 square feet per person for fine or fast casual dining the remainder is a 100 person capacity establishment. Scale this back to 1000 or 1500 square feet and then you are at â€œsmall scaleâ€. 7.5.15.C Neighborhood Retail:

	SSCN is opposed to this in its current form as a Permitted Use in most districts. The goal of creating small scale retail is a worthy one. However, no guardrails or restrictions on the kinds of tenant occupants that might open businesses in these spaces are in place. The proliferation of vape shops and the potential for convenience stores is too great of a risk to the complexion of Roswell Rd and particularly in the ON district and pn other major corridors in Perimeter Center districts. Find a way to put some restrictions in place for retail types and bring this back at a later time. Under 7.5.15 (further numbering is wonky) Relocation of Existing Fuel Pumps or Fuel Stations: SSCN is opposed to the removal of the 1/2 mile distance requirement for fuel stations. The risk of a large scale station installation at key city gateways is too great to allow for removal of this rule. The present condition of RaceTrac ownership of 2 key parcels at the gateway to City Springs should not be a catalyst for this change in the district where the goal is to move away from auto centric uses. The public is not asking for this. Sandy Springs does not need large scale gas stations. 7.6.4.B Life Sciences, Bio-Safety Level 1 and 2: SSCN is opposed to this use as written and allowed as an Administrative Use on the Allowed Use table. There are no limits to the concentration of the number of labs on any one property or specifics dictated as to the allowed proximity to Residential uses. The unknown nature of the work and potential for harmful impacts makes the risk to life safety too great. Raise the regulatory bar to put some restrictions on this use. 7.8.8 Fuel Pumps: SSCN is opposed to this change. The prevalence of gas stations (27 in Sandy Springs) and gas as an accessory use to grocery and warehouse uses means the total number of fuel pumps available is probably near to or over 200. There is not a shortage of availability. The public is not asking for this. Sandy Springs does not need more gas pumps.
Bob, Sheehan	Please consider this as our objection to all of the proposed changes. You seem to emphasize density and diversity of low end commercial development over reasonable development. Roswell rd is already overdeveloped. Why encourage changes that only increase traffic and density when the road cannot be widened? Please do not adopt any of these shortsighted ideas. Bob Sheehan
Nikki, Seaman	Hi there- I absolutely love my neighborhood. There are many folks who live here who have been here since the 1970s including our next door neighbors, and for good reason! In order to keep our neighborhood as good as can be, I have a few kind requests. I request Sandy Springs keep the Â½ mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations) on areas like corner of Windsor Pkwy and Roswell Road. We already have multiple gas stations on the next block, and they offer great prices too. I am against higher density housing groups, which will create even more traffic than we already face on Roswell Road. I deny additional retail uses on Roswell between Glenridge and city of atlanta. I deny

	building of neighborhood eateries on Roswell Road, there is already so much traffic and the drive throughs get backed up onto Roswell Road causing extremely unsafe driving conditions with cars stopping short in the middle of the road particularly around lunchtime. Thank you for hearing me out and I hope we can keep our neighborhood as amazing as it is!
Kristina, Ellis	SSS PROPOSED CHANGES and My Response/vote/request to said changes: ADDITIONAL GASOLINE STATIONS ON ROAD â€“ Currently there is a Â½ mile distance requirement between new gas stations. We already have 27 gas stations in Sandy Springs with 18 on Roswell Road. RaceTrac or another multi pump station would like to build a gas station at Windsor Parkway and Roswell Road . Currently SSS recommends a 1 for 1 replacement. But a large company could buy two smaller existing stations, close them and build a mega multi pump station at another location like Windsor Pky and Roswell Road.REQUEST: Ask that SSS keep the Â½ mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations) on areas like corner of Windsor Pkwy and Roswell Road. HIGHER DENSITY HOUSING GROUPS from GLENRIDGE SOUTH TO CITY OF ATLANTA â€“ Currently NEIGHBORHOOD UNIT (NU) is not allowed in OFFICE NEIGHBORHOOD (ON) areas. SSS wants the NU added to ON areas. NU is 2 or more dwelling units with 4 to 12 units in each dwelling unit. REQUEST: 1. Deny or 2. Allow only if less than 12 units and only one access directly to Roswell Road with the requirement of a conditional use permit (CUP) to allow neighborhood input on any rezoning or site changes.INCREASED DENSITY IN COTTAGE COURT DEVELOPMENT PATTERN â€“ Currently Cottage Court (CC) is in Development Code (DC) with a minimum 2 acre lot and no more than 18 units. SSS wants to remove the maximum of 18 and allow 50 units with only one street outlet to an existing public street. REQUEST: Deny and keep current language ADDITIONAL RETAIL USES ON ROSWELL ROAD from GLENRIDGE SOUTH TO CITY OF ATLANTA- Currently Office Neighborhood (ON) is limited to residential (not multifamily, only single family), museums, libraries and private schools. Retail is not allowed in ON. There are 3 nodes on Roswell Road that do allow retail. Glenridge/Mt Paran, Fountain Oaks (both sides of street) and Chastain Square (use to be called Gateway). There are sections on Roswell Road that have townhomes, 2 story medical and professional office buildings and other low density/low traffic uses. Staff wants additional Neighborhood Retail sites. These would include changes in the ON areas to retail-like structures, such as pawn shops, cigar stores, pay day title loans, vehicle parts and accessories, etc. This SSS proposal could destroy the character of the area. REQUEST: denial since any additional retail in Office Neighborhoods would destroy the character of the area with higher density. The three current nodes that allow retail have plenty of space for additional retail use (For example, the empty Sprouts or empty space at Fountain Oaks) ALLOW BUILDING of NEIGHBORHOOD EATERYs ON ROSWELL ROAD - This SSS proposal would allow a Neighborhood Eatery of 3000 SqFt. A drive thru would still be denied with new proposal but large restaurants like Waffle House etcâ€¦ would now be allowed. REQUEST: Reduce size to 1000 SqFt and require design standards. 6. SSS wants to allow construction entrances and accessory buildings into the rear

	buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. This would reduce the buffer approximately in half with loss of trees, privacy, etc as a result.REQUEST: Deny.
Gregory, Ellis	SSS PROPOSED CHANGES and my vote on the changes: ADDITIONAL GASOLINE STATIONS ON ROAD â€“ Currently there is a Â½ mile distance requirement between new gas stations. We already have 27 gas stations in Sandy Springs with 18 on Roswell Road. RaceTrac or another multi pump station would like to build a gas station at Windsor Parkway and Roswell Road . Currently SSS recommends a 1 for 1 replacement. But a large company could buy two smaller existing stations, close them and build a mega multi pump station at another location like Windsor Pky and Roswell Road. REQUEST: Ask that SSS keep the Â½ mile spacing requirement and make no change from Office Neighborhood use (which excludes gas stations) on areas like corner of Windsor Pkwy and Roswell Road. HIGHER DENSITY HOUSING GROUPS from GLENRIDGE SOUTH TO CITY OF ATLANTA â€“ Currently NEIGHBORHOOD UNIT (NU) is not allowed in OFFICE NEIGHBORHOOD (ON) areas. SSS wants the NU added to ON areas. NU is 2 or more dwelling units with 4 to 12 units in each dwelling unit. REQUEST: 1. Deny or 2. Allow only if less than 12 units and only one access directly to Roswell Road with the requirement of a conditional use permit (CUP) to allow neighborhood input on any rezoning or site changes. INCREASED DENSITY IN COTTAGE COURT DEVELOPMENT PATTERN â€“ Currently Cottage Court (CC) is in Development Code (DC) with a minimum 2 acre lot and no more than 18 units. SSS wants to remove the maximum of 18 and allow 50 units with only one street outlet to an existing public street. REQUEST: Deny and keep current language ADDITIONAL RETAIL USES ON ROSWELL ROAD from GLENRIDGE SOUTH TO CITY OF ATLANTA- Currently Office Neighborhood (ON) is limited to residential (not multifamily, only single family), museums, libraries and private schools. Retail is not allowed in ON. There are 3 nodes on Roswell Road that do allow retail. Glenridge/Mt Paran, Fountain Oaks (both sides of street) and Chastain Square (use to be called Gateway). There are sections on Roswell Road that have townhomes, 2 story medical and professional office buildings and other low density/low traffic uses. Staff wants additional Neighborhood Retail sites. These would include changes in the ON areas to retail-like structures, such as pawn shops, cigar stores, pay day title loans, vehicle parts and accessories, etc. This SSS proposal could destroy the character of the area. REQUEST: denial since any additional retail in Office Neighborhoods would destroy the character of the area with higher density. The three current nodes that allow

	retail have plenty of space for additional retail use (For example, the empty Sprouts or empty space at Fountain Oaks) ALLOW BUILDING of NEIGHBORHOOD EATERYs ON ROSWELL ROAD - This SSS proposal would allow a Neighborhood Eatery of 3000 SqFt. A drive thru would still be denied with new proposal but large restaurants like Waffle House etcâ€¦ would now be allowed. REQUEST: Reduce size to 1000 SqFt and require design standards. 6. SSS wants to allow construction entrances and accessory buildings into the rear buffers of areas marked as RE 1 and 2; RD 18; RD27; RD 15 RD 12 ; RD9; RD7.5 and RU. This would reduce the buffer approximately in half with loss of trees, privacy, etc as a result. REQUEST: Deny.
Ann, Deal	WE do not want any changes to use codes on property uses currently in place. Please do not change the density/code and use of retail/ commercial property in Sandy Springs. Thank you for your consideration. Ann & Robert Deal
Peter, Pathak	In general, the existing zoning and development plan represent a commitment from Sandy Springs government to residents regarding the type of development we could expect. Sandy Sorings was formed as a city to provide increased local control. We could have unfettered development on a whim with Fulton County government. 1.We oppose eliminating the 1/2 mile spacing requirements for gas stations. This is totally unnecessary as there are already 5 gas stations between Wieuca and Glenridge, with many more at Roswell / 285. 2.) We oppose higher density housing groups from Glenridge South to the city of Atlanta. I OPPOSE the NU added to ON areas. If this passed, it would ONLY mean an increase in both density and traffic. Increased density is only appropriate with walking distance of MARTA rail. 3.) we oppose increased density in cottage court development pattern. This is a change from the development pattern we expected with existing zoning. developers should plan to work with existing zoning. 4.) we oppose additional retail uses on Roswell Rd from Glenridge South to the city of Atlanta, other than as permitted by existing zoning. We do NOT need additional retail. There is adequate space in existing retail buildings 5.) we oppose changing zoning to allow building of additional neighborhood eateries on Roswell Road. We have enough restaurants as it is, with vacant properties all along Roswell from Atlanta to 2856.) we must not allow construction entrances and accessory buildings into the rear buffers of areas marked as RE1 and 2; RD 18; RD 27; RD15 RD 12; RD 9; RD 7.5 and RU. This would reduce the buffer approximately in half with a MAJOR loss of trees, privacy, places for our birds and animals to live and thrive, etc as a result. This would be a major destruction of property values for neighboring owners, and would set a dangerous precedent for developers throughout Sandy Springs.

Sally, Patton	I am opposed to 3 proposed changes to the Development Code, as follows: 1) I oppose the proposal to remove the one-half mile distance requirement for gas stations. There are already 9 gas stations on on the short stretch of Roswell Road from the City of Atlanta/Sandy Springs city limit to I-285. Even more stations are not needed! If the city would like to ensure that stations already in existence are upgraded, incentives (which I understand have been discussed) would be a more appropriate way to address this issue. The worst possible move would be to remove the one-half mile distance requirement. 2) I oppose the proposal to relax the standards that regulate grading on Protected Neighborhood properties. I believe this relaxation would allow for construction entrance access through rear yards, which could lead to further destruction of mature tree canopy (a result that the City of Sandy Springs has said it opposes!). 3) I oppose the proposed code changes that would allow new uses in the Office Neighborhood zoning district, most of which exists along Roswell Road. In particular, allowing a new retail type called Neighborhood Retail does not provide ANY controls to prevent these retails shops from becoming pawn shops, vape stores, or other types of retail that could degrade the quality of our neighborhoods.
Melissa, Mular	Article 1, Introductory Provisions P 38, Section 11.6.3 Administrative Appeals: A. Last sentence should read 'of' instead of 'off'. Enhanced Community Benefit List-Why are there no benefits for sustainability items beyond 'permeable parking'? What about recycling collection, pollinator gardens, etc.? Article 2, Protected Neighborhood -- No definition of 'Other Residential Uses'. ? Article 6, General Rules, p139 section 6.5.2: Single Unit Detached Dwelling, B. Garage. This only allows for 1 single 10 ft. wide garage door. Lot/home may not allow for other 'side' doors. Please update this requirement to accommodate a 2 car garage with a single door of up to 18 ft. Article 7, p 3, The Allowed Use Table page is blank. This should have a link and reference to the stand alone document. The final document needs to have this table inside the document in the appropriate place. p 24 Sec 7.5.15 Retail, C. Neighborhood Retail -- this needs more thought. Concern about Vape stores, package stores, 'convenience stores' opening in this area. This will ruin the character of the adjacent neighborhoods. p 25-26 E. Fuel Pumps, Fuel Station 2. Basic Use Standards b-h -- How does this apply to existing fuel stations? How does this relate to the current "Amortization Language"? Does not state how existing fuel stations will be handled.

	p 27; f. Relocation of existing Fuel Pumps or Stations -- DO NOT REMOVE THE 1/2 MILE REQUIREMENT. A) THERE ARE ALREADY ENOUGH GAS STATIONS IN SANDY SPRINGS; THERE ARE 28 AND 18 ALONG ROSWELL ROAD FOR A CITY THAT IS 38+ SQUARE MILES. B) NO NEW GAS STATIONS IN CITY SPRINGS (CS DISTRICT). THIS IS OUR CITY CENTER AND IT IS A COVETED ZONING DISTRICT. CONDITIONAL USE PERMIT SHOULD NOT APPLY TO THIS DISTRICT FOR ADDING NET-NEW FUEL/GAS STATIONS. C) THE FUTURE FUEL FOR MOTOR VEHICLES IS NOT FOSSIL FUELS BUT RATHER ELECTRIC BATTERY AND OTHER, NOT YET FOUND/PROVEN TECHNOLOGIES (HYDROGEN FUEL CELLS, AS EXAMPLE). WITH THIS CHANGE OF VEHICLE DESIGN AND MANUFACTURER DIRECTION, NET-NEW GAS STATIONS ARE NOT NEEDED. D) THE CITY SHOULD NOT BE ADJUSTING THE ZONING CODE TO SATISFY A PARTICULAR COMPANY (RACETRAK). The company purchased the property before Sandy Springs became a city and a gas station was not allowed on the property when under Fulton County. There is already more than enough gas stations on Roswell Road between I-285 and Hammond Drive. Adding additional gas stations in this stretch will make traffic even more treacherous and challenging. p 33, Sec 7.6.4 Research and Development Restrictions need to be added to safe guard near residential and multi-family homes. This applies to General Research and Development and both BSL-1 and BSL-2 lab designations. 1) Cannot exceed 3000 sq. ft. of gross floor area 2) Cannot exceed more than 40% of existing building space 3) Cannot be adjacent to residential/multi-family housing 4) Cannot be within 1320 feet of a residential/multi-family housing 5) If near residential/multi-family housing, cannot create or use carcinogenic or explosive agents in the research and development or BSL-1/2 testing. p 43, Sec 7.8.8 Fuel Pumps, B Basic Standards, no net-new Accessory Fuel Stations; strike 1-6 in this section. Refer to comments for section f. Relocation of existing fuel pumps or fuel stations. ALLOW expansion of pumps for existing businesses (do not allow net-new in this category). p 48, Sec 7.8.15 Murals--need to add 5) Murals may not contain vulgar or profane words, pictures, or images. p 51, Sec 7.8.24 Accessory Structures, A. Residential Accessory Structures, Minor. Section g. Carports, detached has been removed. There are many existing detached carports in the City on older, mature properties. Are these no longer allowed, or does striking this line only indicate that no net-new detached carports can be built?

Robin Conklin	All, I don't necessarily have an amendment but at this time, I am not in favor of the garage setback changes. As Duffy Hickey commented, "we do not need to incentivize people to buy larger cars. Additionally, only one car opening would face the road. Any additional cars would have to be on the side of the garage, which means a) adding more driveway space to the side of the garage for cars to go in and out; b) many houses do not have the space to do that, and; c) more driveway means more impervious surface, which then requires a large amount of costly mediation." I feel that we should be tightening our code rather than loosening. I also want to tell you how thrilled I am that you have eliminated the change to the 1/2 mile fuel station distance requirements! It is evident that you all have listened to the citizens and it is appreciated. Thank you for all of your time and effort! It has not gone unnoticed. Regards, Robin

Post-Open House Draft Changes Summary | 11 8 23

No Substantive Changes from Open House Draft

Article 2, Article 4, Article 5, Article 12

General Changes (Throughout)

-Any cleanup items such as items not removed as intended

-Edits to “shall” and “must”

-Reductions to single unit attached parameters, as originally proposed

-Added (as originally proposed) “Commercial Active” and its distinction from “Commercial Ready”

Art. 1.

Sec. 1.1.3. Added Effective Date for 5-Year Code Update

Sec. 1.1.9. Added language to clarify status of rezonings from 2017 to 2023 as it pertains to 3+ stories of multi-unit in CS, CX, and SX

Sec. 1.1.10. Added an amortization language concerning screening of Service Areas (refuse)

Sec. 1.3.2.D. Clarified the edit to this section which describes the zoning process for remnant parcels from public entities

Art. 3.

Sec. 3.4.3. Corrected height for RM- 3/8 when adjacent to Protected Neighborhood (flipped)

Sec. 3.5.3. Corrected existing height elements as they were incorrect from their original adoption; added a commercial minimum and maximum as originally intended

Art. 6.

Sec. 6.1.1.B.3.b. Added clarifying language for setbacks for corner and irregular lots

Sec. 6.1.1.n. Better defined Pedestrian Amenity Space, gave it a minimum amount requirement, clarified need for public access

Sec. 6.1.2.H. Changed listing order to be a subsection of G.

Sec. 6.1.3.B.2. Added in illustration for Jewel Box development style

Sec. 6.1.3.D.3. Added in ability for administrative relief to floor elevation, taking into account extreme topography, as originally intended

Sec. 6.1.4.A.2. Added in original proposal for façade requirements for single unit attached end units facing a street or path, as originally intended

Sec. 6.5.2.B.1. Added graphic to better illustrate allowance; updated text for clarity, and corrected encroachment allowance setbacks, as originally intended

Sec. 6.5.3.A.4. Added in allowance for up to 20% of single unit attached developments to be front loaded, as originally intended

Sec. 6.6.2.C.2.b. Added in clarity for max building width options, such as material change and offset

Art. 7.

Div. 7.2 Identify Cottage Court and Neighborhood Unit both as CUP in ON-

Sec. 7.3.1. Neighborhood Unit use standard in ON-, access from Collector or greater street

Sec. 7.4.1.F. and H. Added allowing 3rd party daycare at private schools and places of worship as permitted accessory uses

Sec. 7.4.1.F.2. Removed proposed edit to Place of Worship setback

Sec. 7.5.1. Moved all “District Standards (Sec. 4.4.5., Sec. 4.5.5., etc.)” to new location at the beginning of Commercial Section

Sec. 7.5.15.B. Removed Neighborhood Retail from the proposal

Sec. 7.5.15.C. Added in clarifying language for intent of fuel station redevelopment and improvement allowances; also reinserted ½ mile distance requirement

Sec. 7.6.3. Added limited use standards for motion picture studios, expanding allowance in limited capacity for PX, OX, and CX-

Sec. 7.6.4.B. and C. Added restrictions to proposed life sciences based on level, when near and adjacent to single unit residential

Sec. 7.8.23.A. Removed reference to fuel pumps

Art. 8.

Art. 8. Corrected references throughout Code, with addition of new General Provisions division offsetting former references

Sec. 8.1(2).8. Corrected parking graphics to show 8 spaces

Sec. 8.2(3).6. and 8.2(3).7. Reverted back to wall only option, with director discretion based on topography/environmental/neighbor considerations

Sec. 8.3(4).18. Removed Channel Letter Roof Sign

Art. 9.

Div. 9.4. Mitigation requirement added for any clearing/grading violations

Sec. 9.4.2.G.2. and G.3. Added clarifying language for general mitigation planting and grading setback incision allowance, further restrictions, additional best management practices (bmps). Prohibited tree removal size; added in to include originally intended rear setback as well as side, as originally intended

Art. 10.

Sec. 10.3.1.B.6. Added graphic to go along with Block Perimeter regulation, as originally intended

Art. 11.

Sec. 11.3.5.J. Removed proposed edit which would have added back “concurrent variances”

STATE OF GEORGIA
CITY OF SANDY SPRINGS

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA TO AMEND DEVELOPMENT CODE ARTICLE 8 SITE DEVELOPMENT, ARTICLE 9 ENVIRONMENTAL PROTECTION, ARTICLE 10 STREETS & IMPROVEMENTS OF THE SANDY SPRINGS DEVELOPMENT CODE AS FURTHER DESCRIBED BELOW; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the City of Sandy Springs is charged with providing for the health, safety and welfare of the citizens of the City; and

WHEREAS, the City of Sandy Springs previously adopted and amended the Development Code and has identified text amendments necessary to the proper implementation of The Next Ten Comprehensive Plan; and

WHEREAS, the Mayor and City Council have conducted a properly-advertised Public Hearing prior to adoption of this Ordinance in accordance with the Zoning Procedures Act.

NOW THEREFORE, THE MAYOR AND COUNCIL FOR THE CITY OF SANDY SPRINGS HEREBY ORDAIN AS FOLLOWS:

SECTION I: The City of Sandy Springs Development Code is hereby amended by revising Article 8 "Site Development," Article 9 "Environmental Protection," and Article 10 "Streets & Improvements" to reflect those changes contained within Attachment "A", the same being expressly incorporated herein by this reference.

SECTION II: It is the intention of the City Council and it is hereby ordained by the authority of the City Council that the provisions of this Ordinance shall become and be made a part of the City of Sandy Springs Development Code, and the codifier is authorized to make the specified deletions, insertions, additions, and to insert headings, article numbers and section numbers as and where appropriate.

SECTION IV: All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION V: If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional, or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

SECTION VI: This Ordinance shall become effective immediately upon adoption.

APPROVED AND ADOPTED this the 5th day of December, 2023.

Approved:

_____
Russell K. Paul, Mayor

Attest:

_____
Raquel Gonzalez, City Clerk

(Seal)

ARTICLE 8.
SITE DEVELOPMENT

Div. 8.1. General Provisions

Sec. 8.1.1. Applicability

A. **Standards apply based on the type of activity proposed, as shown in the table below. For all zoning districts, the development standards apply as shown in the table below:**

Development Activity	*6.2 Building Design Standards*	*8.1 Parking*	*8.2 Site Landscaping*	*8.2 Screening*	*8.3 Signage*	*10.3 Driveways and Cross-Access Connections*	*9.6.3 Stormwater Management*	*9.6.3 Water Quality*	*10.4 Streetscape Improvements*	*All Standards*	*Additional References*
Parking Area Expansion											
Minor: <1,000 sf		□	□	□	□	□	·	■	.		
Major: >1,000 sf		■	■	■	■	■	■	■	■		
Site Modification											
Remediation Due to Disaster (Fire, Flood, etc.)	.	.	.	.	■	.	.	.	.	.	
Re-occupation after Extended Vacancy (Greater than 180 days)	·	·	■	■	■	□	·	·	.	.	
Site Disturbance <1,000 sf of site	·	·	·	□	■	□	·	■	.	.	
Site Disturbance 1,000 sf-5,000 sf of site	□	.	.	■	■	□	■	■	.	.	
Site Disturbance >5,000 sf of site	.	□	■	■	■	□	■	■	.	.	
Building Renovation or Expansion											

	Renovation Due to Disaster (Fire, Flood, etc.)	□				■						
	Re-occupation after Extended Vacancy (Greater than 180 days)	■	■	■	■	■	■					
	Renovation without Expansion: <50% of FMV of building	□		□	■	■						
	Minor Expansion: <25% of Total Floor Area	□	□	□	■	■	□			■		6.1.2
	Substantial Renovation without Expansion: >50% of FMV of Building	□	□	□	■	■	□					
	Partial Expansion 25%-<>50% of Total Floor Area	□	■	□	■	■	■			■	■	6.1.2
	Major Expansion: >50% of Total Floor Area	■	■	■	■	■	■			■	■	6.1.2
	Façade Modification					■						

■ *Compliance with all applicable standards required*

□ *Compliance required of only the expanded building or lot area only to the extent practical*

B. Where a section applies according to the table above, the project activity must meet all of the applicable requirements in that Section. Where a Section is listed as not applying, no requirements in that Section apply.

C. The general applicability in this Section may be further modified by the detailed provisions of that Section.

Div. 8.21. Parking

Sec. 8.21.1. Applicability

A. **New Construction** Any new building or site improvement must comply with the vehicle and ~~bike~~bicycle parking requirements of this Development Code.

B. **Maintenance and Repair** An existing building or site may be repaired and maintained without providing additional vehicle or ~~bike~~bicycle parking, provided there is no increase in gross floor area or improved site area.

C. **Additions or Renovations**

1. When an existing building, use or site is increased in gross floor area or improved site area by up to 25% cumulatively over ~~the past~~a period of 3 consecutive years, additional vehicle and ~~bike~~bicycle parking is required for the additional floor or site area only.

2. When an existing building, ~~use~~ and or site is increased in gross floor area or improved site area by 25% or more cumulatively over ~~the past~~a period of 3 consecutive years, both the existing and the additional floor or site area must conform to the vehicle and ~~bike~~bicycle parking requirements.

3. When an existing building, use or site is renovated or reduced in gross floor area or improved site area where costs are greater than 25% of the value of the existing building, cumulatively over a period of 3 consecutive years, additional vehicle and bicycle parking is required for the additional floor or site area only.

4. When an existing building, use or site is increased in gross floor area or improved site area by 25% or more cumulatively over a period of 3 consecutive years, both the existing and the additional floor or site area must conform to the vehicle and bicycle parking requirements.

D. **Change in Use**

1. When an existing building or site changes in use, it must comply with the vehicle and ~~bike~~bicycle parking for the new use unless the parking requirement is the same or less~~er~~ than the previous use.

2. Additional vehicle and ~~bike~~ bicycle parking is only required for the difference between the parking spaces required for the former use and the parking spaces required for the new use, ~~regardless~~regardless of ~~if~~ whether the existing parking provides less spaces than required by code for the former use.

Sec. 8.2~~1~~.2. Parking Required

Before a permit is issued for a project that includes required parking, the parking lot layout and area must be found by the Director to be in compliance with this Development Code. No certificate of occupancy may be issued until parking facilities meet the requirements of this Development Code.

A. **Calculation of Required Parking Spaces**

1. Vehicle and ~~bike~~bicycle parking spaces must be provided in accordance with the ratios in the tables in this Section. Where a use is not specifically listed or only a broad use category is shown, the Director is responsible for categorizing the use.

2. When a site or lot is used for a combination of uses, the parking requirements are the sum of the requirements for each use, and no parking space for one use may be included in the calculation of parking requirements for any other use, except as allowed in Sec. 8.2~~1~~.5.B.

3. In determining the required number of parking spaces, fractional spaces are rounded to the nearest whole number, with one-half or more counted as an additional space.

4. Unless otherwise noted, the parking requirement is based on the gross floor area of the building devoted to the particular use specified.

B. **Required Parking Spaces**

1. Unless specifically provided otherwise in this Division, parking spaces must be provided in accordance with the following table.
2. Where guest parking is shown in the following table, it is required only for development containing 5 or more residential units. Guest parking is not required on each lot, but must be provided within the subdivision or development site in a manner reasonably accessible to all units.
3. Alternative parking requirements apply in the Perimeter Center and City Springs districts. See Sec. 8.21.3.
4. Parking is required at the site but not required to be located as a part of any unit at the site.

~~Unless otherwise noted, parking is based on gross floor area of the building.~~

Required Parking Table	Vehicle (min)	Required Short-Term ~~Bike~~Bicycle Parking (min)	Required Long-Term ~~Bike~~Bicycle Parking (min)
Residential Uses			
Household Living			
Single unit detached	2 per principal dwelling unit	None	None
Guest house	1 per guest house	None	None
Short-Term Rental	None	None	None
Single unit attached	1.75 per unit + 0.2 per unit for guests	None	None
Multi-unit: 0-1 bedroom Multi-unit: 2 bedrooms Multi-unit: 3+ bedrooms	1 per unit + 0.2 per unit for guests 1.75 per unit + 0.2 per unit for guests 2 per unit + 0.2 per unit for guests	1 per 20 units, 2 min	1 per 10 units
Live/work	see Multi-unit	1 per 20 units, 2 min	1 per 10 units
Group Living			
Boarding/rooming house	0.75 per bedroom	1 per 20 units, 2 min	1 per 10 units
~~Continuing care community~~Assisted Living Facility: 0-1 bedroom unit 2 bedroom unit 3+ bedroom unit	0.75 per unit + 0.2 per unit for guests 1.25 per unit + 0.2 per unit for guests 1.5 per unit + 0.2 per unit for guests	1 per 20 units, 2 min	1 per 10 units
Personal care home (up to 4 residents)	0.5 per bedroom	None	None
Personal care home (5+ residents)	0.5 per bedroom	2 min	2 min
Rehabilitation or Treatment Facility	1 per 4 beds	None	2 min
Public and Civic Uses			
Civic			
College/university	1 per 500 SF	1 per 5,000 SF, 10 min	1 per 5,000 SF

Place of Assembly	1 per 500 SF	1 per 5,000 SF, 2 min	None
Government facility	1 per 500 SF	1 per 5,000 SF, 2 min	1 per 5,000 SF
Library/museum	1 per 500 SF	1 per 5,000 SF, 2 min	1 per 5,000 SF
Place of worship	1 per 500 SF	1 per 5,000 SF, 2 min	None
Prison/correctional facility	1 per 500 SF	1 per 5,000 SF, 2 min	None
School, private (K-12)	1 per 500 SF	1 per 30 students	1 per 60 students
School, public (K-12)	1 per 500 SF	1 per 15 students	1 per 30 students
Parks and Open Space			
Cemetery/mausoleum	3 per acre of land used for graves	None	None
Conservation area (up to 1 acre)	None	None	None
Conservation area (more than 1 acre)	None	None	None
Golf course	2.5 per hole	1 per 6 holes	4 spaces
Recreational facility	Study required	Study required	Study required
Subdivision amenity	1 per 500 SF of usable space + 2 per court	1 per 5,000 SF of usable space + 1 per 2 courts	None
Utilities			
Minor utilities	None	None	None
Major utilities	1 per 300 SF office space	None	None
Wireless Communications			
Alternative support antenna structure	None	None	None
Amateur radio antenna (up to 90 feet)	None	None	None
Amateur radio antenna (more than 90 feet)	None	None	None
Tower antenna	None	None	None
Commercial Uses			
Adult Establishment	1 per 250 SF	None	None
Animal Care			
Animal care, indoor	1 per 500 SF	1 per 5,000 SF, 2 min	1 per 5,000 SF
Animal care, outdoor	1 per 400 SF indoor area	1 per 5,000 SF, 2 min	1 per 5,000 SF
Day Care	1 per 500 SF	1 per 5,000 SF, 2 min	1 per 5,000 SF
Medical, except as listed below:	1 per 300 SF	1 per 5,000 SF, 2 min	1 per 5,000 SF
Hospital	1.5 per bed	1 per 5,000 SF, 2	1 per 5,000 SF

		min	
Office	1 per 300 SF	1 per 5,000 SF, 2 min	1 per 5,000 SF
Overnight Lodging			
Bed and Breakfast (up to 5 rooms)	2 + 1 per lodging room	None	None
Boutique hotel (6 to 30 rooms)	1 per lodging room	1 per 5,000 SF, 2 min	1 per 5,000 SF
Hotel (more than 30 rooms)	1 per lodging room	1 per 5,000 SF, 2 min	1 per 5,000 SF
Parking, Commercial	None	None	1 per 80 vehicle spaces
Passenger Terminal	Study required	Study required	Study required
Personal Service	1 per 300 SF	1 per 5,000 SF, 2 min	1 per 5,000 SF
Restaurant	1 per 150 SF	1 per 2,000 SF, 2 min	1 per 5,000 SF
Retail, except as listed below:	1 per 300 SF	1 per 5,000 SF, 2 min	1 per 5,000 SF
Convenience store with fuel pumps or gas station.	1 per 300 SF	1 per 5,000 SF, 2 min	1 per 5,000 SF
Vehicle Sales and Rental			
Minor vehicle sales and rental	1 per 1,000 SF or 1 per 4,500 SF outdoor vehicle display area, whichever is greater	1 per 5,000 SF, 2 min	1 per 5,000 SF
Major vehicle sales and rental	1 per 1,000 SF or 1 per 4,500 SF outdoor vehicle display area, whichever is greater	1 per 5,000 SF, 2 min	1 per 5,000 SF
Industrial Uses			
Artisanal	1 per 300 SF office + 1 per 2,000 SF additional indoor area	1 per 5,000 SF, 2 min	1 per 5,000 SF
Heavy Industrial	1 per 300 SF office + 1 per 2,000 SF additional indoor area	1 per 10,000 SF, 2 min	1 per 10,000 SF
Light Industrial/Manufacturing	1 per 300 SF office + 1 per 2,000 SF additional indoor area	1 per 10,000 SF, 2 min	1 per 10,000 SF
Micro-producer	1 per 300 SF office + 1 per 2,000 SF additional indoor area	1 per 10,000 SF, 2 min	1 per 10,000 SF
Research and Development	1 per 300 SF office + 1 per 2,000 SF additional indoor area	1 per 5,000 SF, 2 min	1 per 10,000 SF
Resource Extraction	None	None	None
Vehicle Service and Repair			
Minor vehicle service and repair	1 per 300 SF office + 1 per 2,000 SF additional indoor area	1 per 5,000 SF, 2 min	1 per 10,000 SF
Major vehicle service and repair	1 per 300 SF office + 1 per 2,000 SF additional indoor area	1 per 5,000 SF, 2 min	1 per 10,000 SF
Warehouse and Distribution, except as listed below:	1 per 300 SF office + 1 per 2,000 SF additional indoor area	1 per 10,000 SF, 2 min	1 per 10,000 SF
Self-service storage, mini-	1 per 20 storage units	1 per 10,000 SF, 2	1 per 10,000

warehouse		min	SF
Waste-Related Service, except as listed below:	1 per 300 SF office + 1 per 2,000 SF additional indoor area	1 per 10,000 SF, 2 min	1 per 10,000 SF
Recycling processing center	1 per 300 SF office + 1 per 2,000 SF additional indoor area	1 per 10,000 SF, 2 min	1 per 10,000 SF
Open Uses			
Agriculture			
Community garden	None	5 min	None
Composting	None	None	None
Plant nursery	1 per 300 SF office + 1 per 2,000 SF additional indoor area	1 per 10,000 SF, 2 min	1 per 10,000 SF
Timber harvesting	None	None	None
Urban farm	None	2 min	

~~Unless otherwise noted, parking is based on gross floor area of the building.~~

Sec. 8.21.3. Perimeter Center/City Springs Districts

A. No minimum ratio for vehicle parking spaces applies in the Perimeter Center and City Springs Districts. Minimum parking ratios for short-term and long-term bicycle parking from the Table in Sec. 8.21.2 apply.

B. The following maximum parking table applies in the Perimeter Center and City Springs Districts for surface parking. Maximum parking does not apply to structured parking.

Maximum Parking Table	Vehicle Parking (max)	Short-Term ~~Bike~~Bicycle Parking (min)	Long-Term ~~Bike~~Bicycle Parking (min)
Residential Uses		see Sec. 8.21.2 for specific use	see Sec. 8.21.2 for specific use
Single unit	2.4 spaces per unit		
Multi-unit residential	1.1 spaces per bedroom		
Nonresidential Uses			
Commercial, retail	4 spaces per 1,000 SF		
Hotel, lodging	1 space per lodging room		
Office	2 spaces per 1,000 SF		
Restaurant	8 spaces per 1,000 SF		

Sec. 8.21.4. Parking Reductions

The standards of the parking table above may be reduced as specified below.

A. **Proximity to Transit** A 30% reduction in the number of required parking spaces is allowed for uses with a main building entrance within a walking distance of 1,320 feet of an operating transit stop with service from 6 AM to 8 PM where service intervals are no longer than 10 minutes during peak weekday commute hours.

B. **Affordable Housing**

1. Required parking for an affordable housing development may be reduced to a rate of 1 parking space for each unit.

2. The affordable housing reduction applies only to required spaces for dwelling units. If required, visitor spaces must be provided at the standard rate.

C. **Senior Living**

Senior living is only required to provide 1 space per dwelling or rooming unit.

1. The senior living reduction applies only to required spaces for dwelling or rooming units. If required, visitor spaces must be provided at the standard rate.
2. The parking reduction for senior living is only available for multi-unit.

D. **Private Car Sharing Program**

1. A reduction in the number of required parking spaces for multi-unit residential or offices is allowed where an active on-site car-sharing program is made available for the exclusive use of residents and tenants.
2. The parking requirements for all dwelling units or office floor area may be reduced by 5 spaces for each car-share vehicle provided, as long as at least 3 regular spaces remain available. If required, visitor spaces may not be substituted.

E. **Parking Utilization Study** A parking reduction by the Director of up to 30% is allowed where a parking utilization study of 2 similar locations in the region that are similarly situated within the local street network and community. The applicant must empirically justify the reduction.

Sec. 8.21~~1~~.5. Vehicle Parking Options

Required vehicles parking spaces must be located on the same lot or site they are intended to serve, except as provided below.

A. **On-Street Parking**

1. Where on-street parking spaces exist, 1 on-street parking space may be substituted for every required on-site parking space, provided the on-street space immediately abuts the subject property.
2. Each on-street parking space may only be counted for one property. Where a space straddles an extension of a property line, the space may only be counted by the owner whose property abuts 50% or more of the on-street parking space.
3. The Director may determine that to ensure future roadway capacity, the on-street parking credit is not available.

B. **Shared Parking**

1. Shared parking allows credit for space utilization by uses that require parking at different times of day.
2. Applicants wishing to use shared parking as a means of reducing the total number of required spaces may submit a shared parking analysis using the Urban Land Institute (ULI) Shared Parking Model (latest edition).
3. The study must be provided in a form established by the Director.
4. Reductions in the total number of required spaces for shared parking are not permitted unless the Director determines a reduction is appropriate on a case-by-case basis through the use of the ULI Shared Parking Model (latest edition).
5. Uses providing shared parking must have either mutually exclusive or compatibly overlapping normal hours of operation. The Director will determine whether hours of operation are compatibly overlapping on a case-by-case basis.
6. A shared parking agreement must be recorded in the Fulton County deed records prior to issuance of a certificate of occupancy.

C. **Valet Parking** Valet parking may be permitted as a means of satisfying the parking requirements where all of the following standards have been met:

1. An attendant is provided to park vehicles during all business hours of the use utilizing the valet parking; and
2. An equivalent number of valet spaces are available to replace the number required on-site parking spaces.
3. Valet spaces do not require individual striping and may take into account the mass parking of vehicles.

D. **Tandem Parking**

1. Tandem parking is allowed for single unit detached and attached and multi-unit.
2. Two parking spaces in tandem must have a combined minimum dimension of 9 feet in width by 36 feet in length.
3. Both parking spaces in tandem must be assigned to the same dwelling unit.
4. Tandem parking may not be used to provide guest parking.

E. **Remote Parking**

1. All required vehicle parking spaces, except required accessible spaces, may be located off-site, provided the remote parking spaces are located within 800 feet of the primary entrance of the use served and are located within the same or more intense zoning district as the principal use served.
2. Lease agreements must be for a term of not less than 1 year to serve the use or uses proposed to be satisfied by the off-site leased parking. Each year the use is renewed (as shown by the renewed application for a business license), the applicant for the business license must show a current lease agreement for not less than 1 year for the necessary off-site parking.
3. The distance referred to above is measured by the most direct route of travel on the ground and are measured in the following manner:
    a. From the front door of the principal structure on the applicant's property;
    b. In a straight line to the nearest sidewalk, street, road or highway;
    c. Along a public sidewalk, walkway, street, road, or highway by the nearest route; and
    d. To the edge of the off-site parking area to be used by the applicant to meet parking requirements.

Sec. 8.21~~.~~.6. Unbundling Parking in Perimeter Center

A. All new development in the PX- and PM- districts (with the exception of townhouse units) must unbundle vehicle parking charges from the rents, sale price, or other fees charged for occupying residential, office, commercial or industrial space. Vehicle parking spaces must be leased or sold separately from the rental or purchase fees, such that potential renters or buyers have the option of renting or buying a residential unit or commercial space at a price lower than if the vehicle parking was included.

B. The owner of the property has the option to offer any unused parking spaces to other residential or nonresidential tenants or to the general public.

C. This unbundling requirement does not prohibit landlords from leasing parking spaces to third parties that do not lease residential, office, commercial or industrial spaces within the development.

Sec. 8.21.7. ~~Bike~~Bicycle Parking Design

A. **General**

1. Each required ~~bike~~bicycle parking space must be at least 2 feet by 6 feet. Where a ~~bike~~bicycle can be locked on both sides of a ~~bike~~bicycle rack without conflict, each side may be counted as a required space.
2. ~~Bike~~Bicycle racks must be securely anchored, be easily usable with both U-locks and cable locks, and support a ~~bike~~bicycle at 2 points of contact to prevent damage to the ~~bike~~bicycle wheels and frame.
3. No fee may be charged for ~~bike~~bicycle parking where free automobile parking is provided.
4. ~~Bike~~Bicycle parking must be provided in a well-lit area.

B. **Short-Term Bicycle Parking**

1. Required short-term bicycle parking spaces must be located in a convenient and visible area at least as close as the closest non-accessible automobile parking and within 100 feet of a principal entrance and must permit the locking of the bicycle frame and one wheel to the rack and must support a bicycle in a stable position.
2. Spacing of the ~~bike~~bicycle racks must provide clear and maneuverable access.
3. ~~Bike~~Bicycle facilities may be placed within the right-of-way, provided the encroachment is approved by the City.

C. **Long-Term Bicycle Parking**

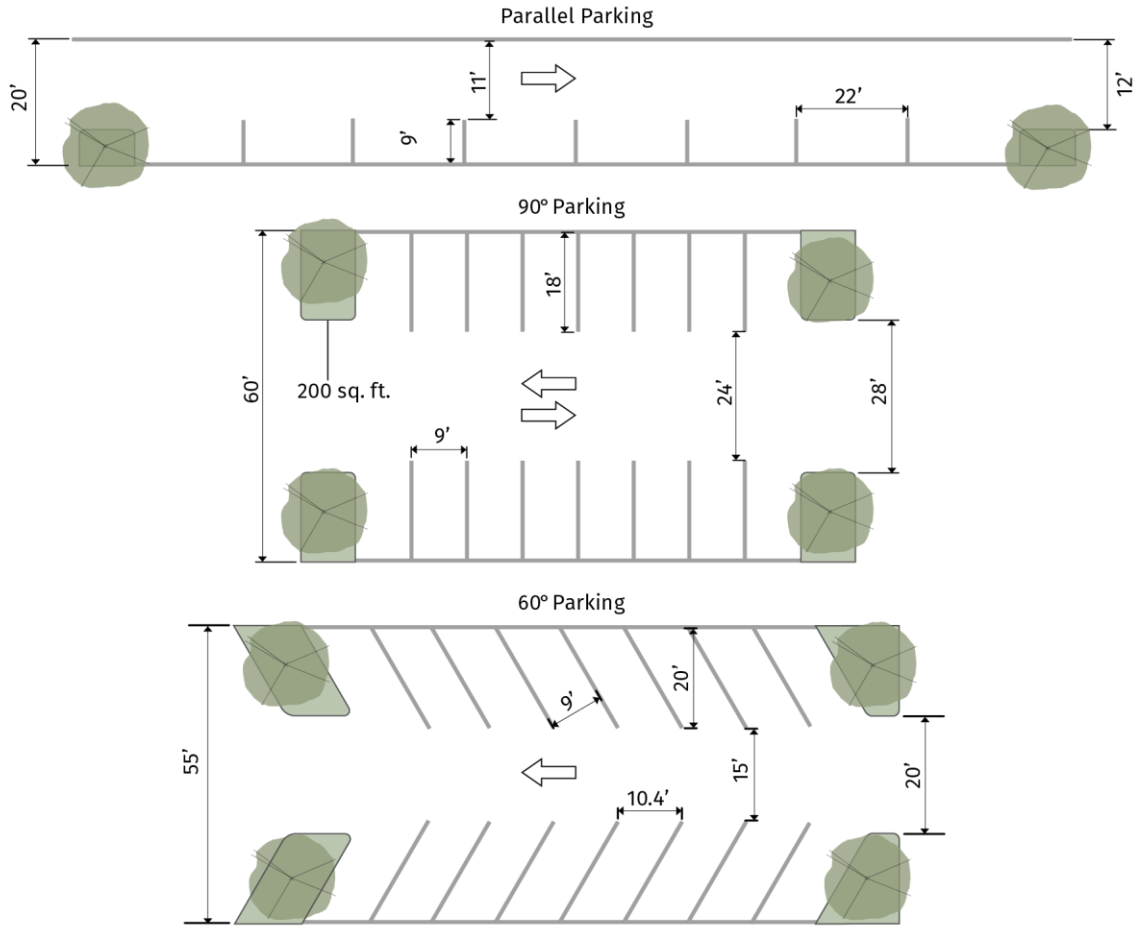
1. Required long-term bicycle parking spaces must be located in enclosed and secured or supervised areas providing protection from theft, vandalism and weather, and must be accessible to intended ~~bike~~bicycle users.
2. Required long-term bicycle parking for residential uses must not be located within dwelling units or within deck, patio areas or private storage areas accessory to dwelling units.
3. Long-term bicycle parking spaces for nonresidential uses may be located off-site within 300 feet of the site.

Sec. 8.21.8. Parking ~~Lot~~ Layout and Design

A. **Access** All on-site parking must be arranged so that no vehicle is forced to back out on a public street or forced to use a street, not including an alley, to gain access from one parking aisle to another parking aisle. The City's uninterrupted ingress/egress regulations apply to parking lot design (see Technical Manual Sec. 3: Roadway Design and Pavement).

B. **Parking Space and Aisle Specifications**

1. **Dimensions** Parking spaces and drive aisles must meet the following dimensions in both surface parking lots, on-street parking and in parking structures.



a. A median island must be provided between every 6 single parking rows.

b. Parking spaces and drive aisles using dimensions other than those specified may be approved if prepared and sealed by a design professional licensed in the State of Georgia with expertise in parking facility design, subject to approval by the Director.

2. **Compact Parking**

a. Compact car parking spaces may be used in place of a standard size parking space. The total number of compact car parking spaces may not exceed 15% of the total number of required parking spaces.

b. No more than 2 compact parking spaces may be placed side by side. Compact spaces may be reduced to 8 feet in width and 16 feet in depth. All compact parking spaces must be clearly and visibly striped and labeled for compact car use only.

C. **Accessible Parking** Accessible parking spaces must be provided in accordance with the requirements of the Americans with Disabilities Act (ADA) (Public Law 101-136), the State Building Code, and the American National Standards Institute. See the Sandy Springs Technical Manual for further guidance.

D. **Electric Vehicles** In the Perimeter Center and City Springs districts, and in any parking structure constructed in any other district, 5% of all parking spaces must be electric-vehicle (EV) ready, with a minimum of 2 EV-ready spaces for all parking lots over 20 spaces. Electric-vehicle ready means conduit or other means to connect power to each space is installed in advance.

E. **Reserved Parking** Parking spaces may be reserved for a specific tenant or unit, provided that the following standards are not exceeded.

1. **Residential**

a. 1 space per efficiency or 1-bedroom multi-unit dwelling.

b. 2 spaces per 2-bedroom or greater multi-unit dwelling.

2. **Nonresidential** No more than ⅓ of the total provided spaces may be reserved.

F. **Parking Lot Landscaping** All on-site surface parking lots must be landscaped as specified in Sec. 8.3~~2~~.2.

G. **Visibility at Intersections** No parking or loading area may interfere with the safe operations of all users at any intersection or along any roadway.

H. **Surfacing**

1. Parking and loading areas must be surfaced with concrete, asphaltic concrete, asphalt, or other dust-free surface.

2. Surface parking spaces on lots or sites containing more than the minimum number of spaces required by this Division must be of pervious material for any spaces beyond the minimum required.

3. Porous pavement material may be substituted for standard dust-free pavements subject to the approval of the Director. Permitted materials include, but are not limited to, grass, "grasscrete," ring and grid systems used in porous or grid pavers.

I. **Curbs and Drainage**

1. Parking and loading areas must be graded and drained to collect, retain and infiltrate surface water on-site so as to prevent damage to abutting properties or public streets.

2. Curbing or parking block must be installed as required by the Director. Curbing must have openings to allow drainage to enter and percolate through landscaped areas.

J. **Lighting** Parking and loading area lighting must be installed in accordance with the Sandy Springs Technical Manual.

K. **Parking Structures**

1. All stories of structured parking must be screened so that cars are not visible ~~from ground level view~~ from adjacent property, adjacent streets (not including alleys), or other public property.

2. Exterior elevations for parking floors must appear horizontal, even where ramps occur within the building.

3. Green walls, vertical gardens, architectural grilles, louvers, or opaque material that continues to allow natural ventilation is required to screen any vehicles from view from adjacent public streets or sidewalks. Where at least 10 feet of planting area exists between the street and the parking structure, the Director may approve a landscape area using berms, trees and shrubs in a way that constitutes an equivalent or better screen.

4. Elevator and stair shafts must be topped with an architectural accents using materials, colors, design or other features similar to that of the principal building it serves.

5. A digital sign demonstrating the remaining spaces available in real-time must be placed at the entrance to any parking garage providing spaces available to the general public.

6. For parking garages containing over 200 spaces, internal signs above each parking space must indicate availability of that space.

L. **Specialized Vehicle Parking**

1. Specialized vehicles must not be parked in any required setback area.

2. Specialized vehicles such as earth-moving equipment, tractors or other heavy construction vehicles, may only be stored during construction under an active building permit or land disturbance permit, except in the IX- District.

3. Other specialized vehicles such as recreational vehicles, campers, buses (including school buses), trailers, motor coaches, boats and boat trailers, may be parked or stored in all residential districts under the following conditions:

a. The vehicles is not used as living quarters.

b. The location of the parking or storage area is in the buildable area of the lot and not in front of the principal structure.

c. Specialized vehicles must be screened from view of adjoining properties and rights-of-way with a minimum 6-foot tall fence or wall meeting the standards of Sec. 8.32.9.

Sec. 8.21.9. Stacking

A. **Applicability** Adequate stacking space must be made available on-site for any use having a drive-thruthrough, control gate or areas having drop-off and pick-up.

B. **Required Stacking Spaces** The following number of stacking spaces must be provided for the listed uses. The Director may require an individual study for other uses or in particularly congested settings. The individual study must be prepared by a Licensed Design Professional with expertise in traffic issues.

Use	Stacking Spaces Per Lane	Before Order Station
Bank, drive-thruthrough or ATM	36	—
Car wash, full-service	10	7 before wash bay
Car wash, self-service	4	3 before wash bay
Coffee shop	10	7
Laundry, dry cleaner	2	—
Pharmacy	3	—
Restaurant	10	7
Vehicle service	3	2 per service bay

C. **Dimensions**

1. The number of required stacking spaces includes the space at the window and at the communication/mechanical device (e.g., order board, pick up window).

2. If a drive-thruthrough has multiple order boxes, teller boxes or pick up windows, the number of required stacking spaces may be split between each order box, teller box or pick up window.

3. Each stacking space must be a minimum of 20 feet in length and 10 feet in width along straight portions. Stacking spaces and stacking lanes must be a minimum of 12 feet in width along curved segments.

4. Any drive-~~thru~~through lanes must be separated from drive aisles by a curbed median or other device approved by the Director. No drive-~~thru~~through stacking may block the parking movement for any required parking space.

5. Vehicles may not encroach on or interfere with the public use of drive aisles, streets and sidewalks by vehicles, bicycles or pedestrians.

6. Drive-~~thru~~through lanes must be separated by striping or curbing from other parking areas. Individual lanes must be striped, marked or otherwise distinctly delineated.

D. **Screening**

1. Where drive-~~thru~~through windows and lanes are allowed to be placed between a street (not including an alley) or ground floor residential use and the associated building, the entire length of the drive-~~thru~~through lane, including but not limited to menu boards, stacking lanes, trash receptacles, ordering box, drive up windows, and other objects associated with the drive-~~thru~~through must be screened.

2. Screening must be a continuous compact evergreen hedge. At the time of installation, the screening must be at least 4 feet.

3. In lieu of the compact evergreen hedge, a ~~screening~~ masonry or perforated metal screen wall with a minimum height of 4 feet and a maximum transparency of 35% may be installed. The wall must be compatible with the principal building in terms of texture, quality, material and color.

Sec. 8.21~~1~~.10. Vehicle Loading

A. **Loading May Be Required**

1. A loading area is required for any building providing structured parking.

2. If determined necessary by the Director, adequate space must be made available on-site for the unloading and loading of goods, materials, items or stock for delivery and shipping, otherwise on-site loading space is not required.

B. **Size**

1. A loading space must measure no less than 12 feet in width by 35 feet in depth.

2. All maneuvering space must not include any required parking space, or public or private street right-of-way.

C. **Location** If a loading area is provided or required, it must meet the following:

1. With the exception of areas specifically designated by the City, loading and unloading activities are not permitted in a street, not including an alley.

2. Loading and unloading activities may not encroach on or interfere with the use of sidewalks, drive aisles, stacking areas and parking areas by vehicles, ~~bike~~bicycles or pedestrians.

3. Loading areas must be located to the rear of buildings. Loading areas may not be placed between a street (not including an alley) and the associated building.

4. No loading area is permitted within 50 feet of a ground floor residential use (measured from the residential lot line to the closest point of the loading area). Loading areas for multi-unit residential

buildings may be closer than 50 feet of a ground floor residential use when visually screened from nearby windows.

D. **Screening** If a loading area is provided or required, it must meet the following.

1. Where a loading dock designed for tractor-trailers is placed between a street (not including an alley) or a shared lot line and the associated building, the entire length of the loading area must be screened.

2. Screening must consist of either:

a. An 8-foot high wall compatible with the principal building in terms of texture, quality, material and color; or

b. Evergreen plant material that can be expected to reach a height of 8 feet with a spread of 4 feet within 3 years of planting.

Sec. 8.21.11. Use of Parking and Loading Areas

Parking and loading areas must be operated and maintained in accordance with the following.

A. Parking and loading areas must not be used for the repair or dismantling of any vehicle, equipment, materials or supplies.

B. Parking and loading areas must not be used to store vehicles for sale, except in cases where the property owner owns the vehicle, provided auto sales is a permitted use in the district in which the property is located.

C. This provision does not apply to the placing of a "For Sale" sign on or in one licensed vehicle, boat, or other vehicle located in a private residential driveway and which licensed vehicle, boat or other vehicle is owned by an occupant of the private residence.

D. An attendant's building less than 50 square feet in size that is set back at least than 20 feet from any boundary of the parking lot is permitted, provided it is not located in any yard abutting a street.

E. Upon application, the Director may approve temporary structures and uses such as tent sales within required parking spaces that are not used on a continuous basis, provided that such uses are movable from the site upon order by the Director. Such activities are allowed to occur on the same site no more than 3 times a year and each time for a period not to exceed 10 days (see also Div. 7.9).

Div. 8.32. Landscaping and Screening

Sec. 8.32.1. General

A. **Applicability**

1. **New Construction** Any new building or site improvement (modification of any existing parking area, for example) must comply with the landscaping and screening requirements of this Division.

2. **Maintenance and Repair** An existing building or site may be repaired or maintained without providing additional landscaping or screening, provided there is no increase in gross floor area or improved site area.

3. **Additions**

a. When an existing building is increased in gross floor area or improved site area by up to 25% cumulatively over ~~the past~~a period of 3 consecutive years, landscaping and screening is required for the additional floor or site area only.

b. When an existing building is increased in gross floor area or improved site area by 25% or more cumulatively over ~~the past~~ a period of 3 consecutive years, both the existing building and the additional floor or site area must conform to the landscaping and screening requirements of this Division.

4. **Change in Use** A change in use does not trigger the application of these requirements, except when there is a specific use standard requiring landscaping or screening for the new use.

B. **Landscape Plan Required** Before a permit is issued for a project that includes required landscaping and screening, the site must be found by the Director to be in compliance with this Development Code. No certificate of occupancy may be issued until the landscaping and screening meet the requirements of this Development Code.

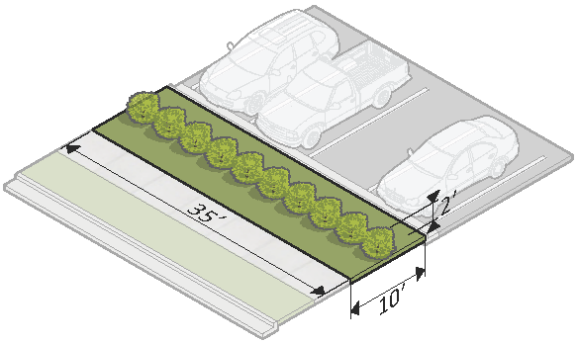
Sec. 8.3~~2~~.2. Parking Lot Landscaping

A. **Applicability** Parking lot landscaping is required on all on-site surface parking lots created after the effective date of this ~~Division~~Development Code. Multiple platted lots contained on a single site plan and any separate parking areas connected with drive aisles are considered a single parking area.

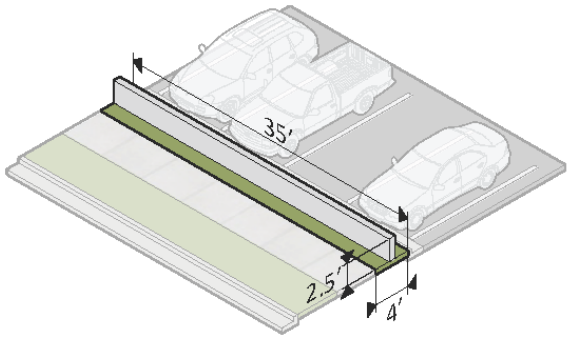
B. **Perimeter Screening** All surface parking areas as well as drive aisles and other related vehicular use areas must be screened from view from the adjacent street using one of the options below. A required landscape strip must be located at the outer perimeter of the parking area and must be provided along the entire parking area, excluding breaks for pedestrians, bicycles and driveways.

For screening options that include shrubs, those must be 30 inches tall at the time of planting and 70% of them must be evergreen.

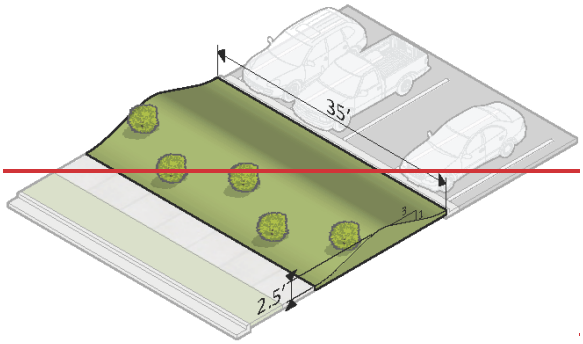
1. **Landscape Strip with Shrubs** A minimum 10-foot wide landscape strip planted with shrubs. Shrubs must be provided to fully screen paved areas and parking lots from the right-of-way within 3 years of planting.



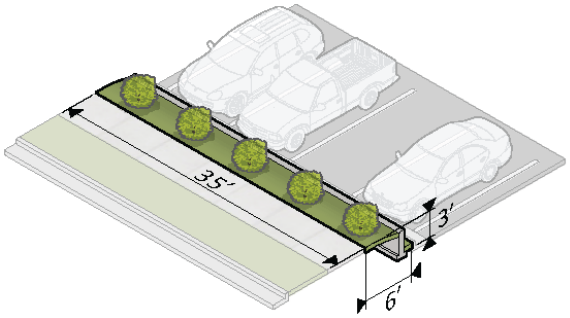
2. **Landscape Strip with Screening Wall** A 2.5-foot high screening wall located within a minimum 4-foot planting strip. Screening walls must be closed and be constructed of high quality materials including one or a combination of the following: decorative blocks; brick; stone; cast-stone; stucco over standard concrete masonry blocks; glass block; or other material approved by the Director.



~~3. **Landscape Strip with Berm** An earth berm a minimum of 2.5 feet higher than the finished elevation of the parking area, planted with 5 shrubs for every 35 linear feet of street frontage, excluding driveway openings. The berm must contain a rounded crown suitable for planting, and a stabilized side slope of no greater than 3:1.~~



34. **Landscape Strip with Grade Change** A 6-foot landscaped strip with a minimum 3-foot grade drop from the street to the parking area, planted with 5 shrubs for every 35 linear feet of street frontage, excluding driveway openings.

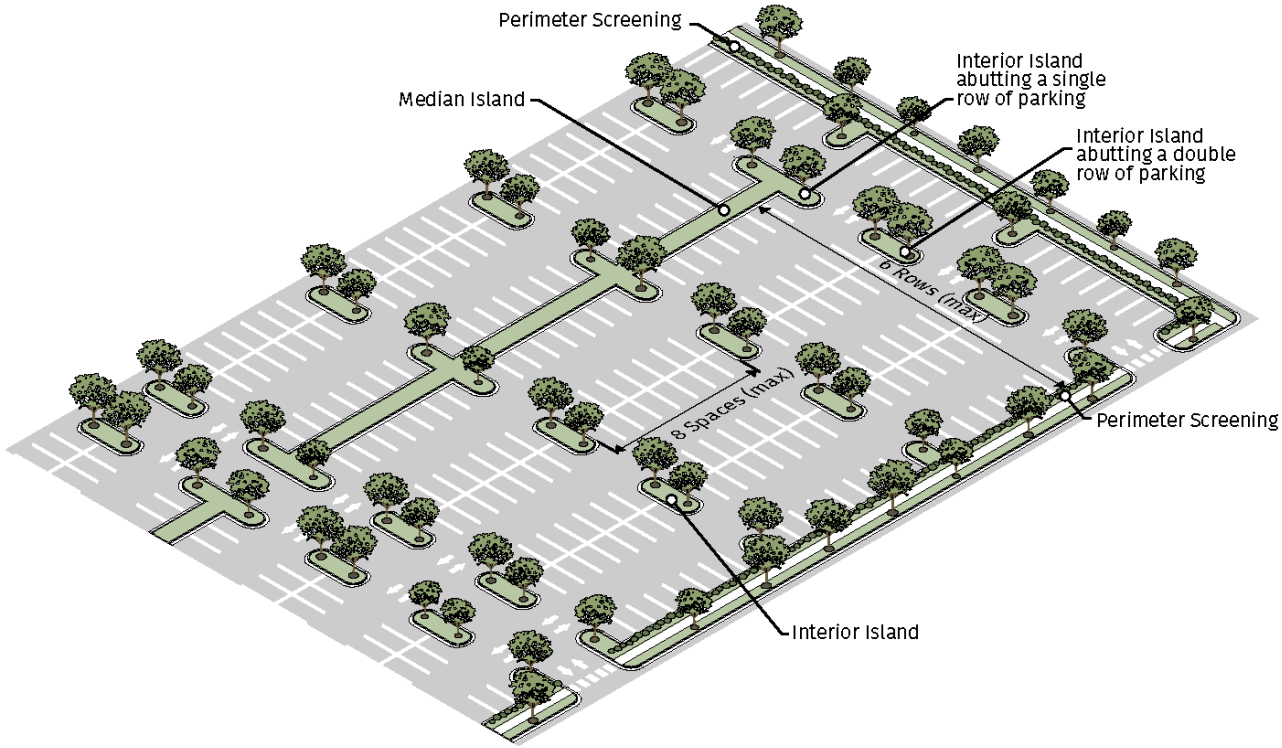


C. **Interior Islands**

1. A landscaped interior island must be provided every 8 parking spaces. Interior islands must be distributed evenly throughout the parking area. Interior islands may be consolidated or intervals may be expanded in order to preserve existing trees.
2. An interior island abutting a single row of parking spaces must be a minimum of 9 feet in width and 200 square feet in area. Each island must include 1 shade tree.
3. An interior island abutting a double row of parking spaces must be a minimum of 9 feet in width and 400 square feet in area. Each island must include 2 shade trees.

D. **Median Islands**

1. A landscaped median island must be provided between every 6 single parking rows. Intervals may be expanded to preserve existing trees on the lot.
2. A landscaped median island must be at least 6 feet wide.
3. At least three shrubs must be planted in the median island for every 80 feet in length.



E. **Island Plantings**

1. All required shade trees species must be chosen from the approved list in the Sandy Springs Technical Manual.
2. All required shade trees must have a minimum caliper of 3 inches and be at least 10 feet tall at time of planting.
3. Islands must be installed below the level of the parking lot surface and designed to allow for runoff capture.

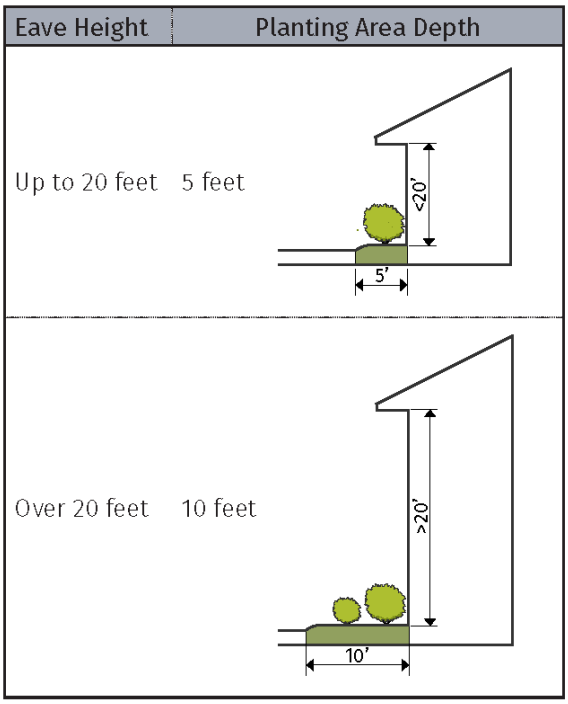
Sec. 8.32.3. Residential Front Yard Trees

All residential front yards for new construction after the effective date of this Development Code must provide 1 shade tree planted in the front yard for every 40 linear feet of lot frontage along a street. Any site determined by the City Arborist to have inadequate area for planting a shade tree may plant an alternate ornamental tree approved by the Arborist.

Sec. 8.32.4. Foundation Planting

A. Building foundation landscaping is required in all districts for all new construction (including additions) facing a street and located more than 5 feet behind the back of sidewalk (or where no sidewalk is present, the edge of pavement), except for residential construction in Protected Neighborhoods.

B. The minimum width of the foundation planting area must be:



C. Foundation plantings must be installed across the entire length of any street-facing facade, except where doorways and driveways are located.

D. Foundation planting areas may be located at grade, in raised planters or in freestanding planters. Any raised or freestanding planter must match or complement the adjacent building materials.

E. Foundation planting materials must be expected to grow to a maximum height of 5 feet. Taller materials should be located a minimum of 3 feet from buildings walls. The plant selection and design of foundation planting should not obscure any windows.

F. Foundation plantings must provide seasonal color and interest for at least 8 months each calendar year. Perennial flowers or flowering plants are encouraged. Dwarf shrubs, ornamental grasses, spreading evergreens and other similar plants are considered appropriate foundation planting materials. Varying plant textures increases visual interest and is also encouraged (for example, including both needled evergreens and broadleaf plants).

G. Foundation planting areas must be mulched or include groundcover to cut down on irrigation needs and weed growth. Sod, pine straw and stone do not count as groundcover for the purpose of foundation planting.

H. The Director may approve the location of landscaping equivalent to the foundation planting farther away from the building if hardscape is preferred adjacent to the façade, for an outdoor seating area, as an example.

Sec. 8.32.5. General Buffer Requirements

A. Buffers must be located along the outer perimeter of the lot, inside the property line. The buffer must be located completely on private property (right-of-way may not be included in the width).

B. The Director may determine an alternate location ~~for the required~~or generally modify any buffer requirement ~~wall within the buffer~~ based on existing natural vegetation, ~~and~~ site topography, or other environmentally sensitive situation.

C. The Director may waive the application of any buffer when the protected property is developed with a nonresidential use.~~Reserved.~~

~~D. A fence is allowed within any buffer that does not require a wall, provided the width of the buffer is increased by 2 feet.~~

D~~E~~. A buffer may be crossed by utilities, driveways, sidewalks, trails and similar features, provided the crossing occurs as close to perpendicular to the buffer as possible. No utilities or stormwater facilities are allowed within the buffer except as described above. Where utilities (or other similarly restrictive easements) must parallel the buffer, additional equivalent width must be added to the buffer to mitigate any disturbed area that cannot be planted with required buffer materials.

E~~F~~. Clearing of undergrowth from a buffer is prohibited, except when approved by the Director for removal of invasive species or correction of a nonconforming situation. Existing vegetation may be incorporated into a buffer. The Director will evaluate compliance of the existing vegetation with the planting requirement and may require supplemental planting if the existing vegetation does not provide sufficient screening.

Sec. 8.3~~2~~.6. Neighborhood Transition Buffers

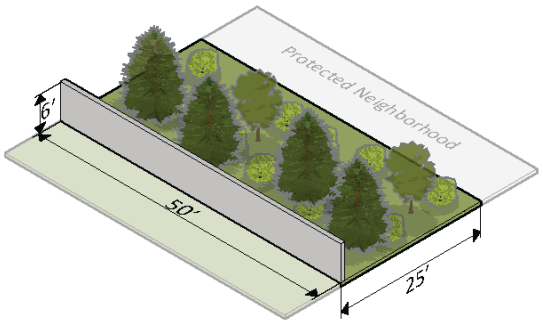
Neighborhood T~~t~~ransitions Buffers are required ~~a buffer~~ when an RM, RX or any commercial zoning district abuts a Protected Neighborhood district ~~(as further described in Div. 6.4). The Director may wave~~ waive ~~the application of the transition buffer when the protected property is developed with a place of worship, school or similar civic use.~~

The required buffer must include the following components:

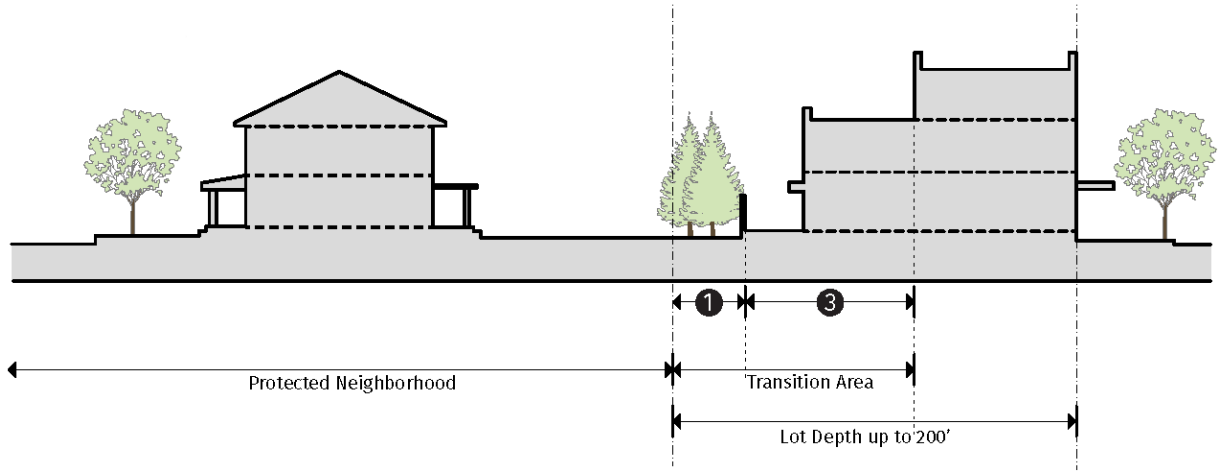
A. **Lot Width or Depth up to 200'**

1. Buffer must be minimum 25 feet deep.
2. Wall at least 6 feet tall and not more than 8 feet tall located 25 feet from property ~~(no fence allowed).~~

   Openings of no more than 4 feet in width, closed off by an opaque gate of the same height as the wall, may be provided no less than 300 feet apart, for maintenance access. Outside of maintenance activities, the gates must be locked at all times.
3. At least 8 evergreen trees planted in 2 staggered rows (full to the ground and at least 6-feet tall at time of planting), per 100 linear feet of buffer.
4. At least 4 understory trees (with a minimum caliper of 2 inches) per 100 linear feet of buffer.
5. At least 25 shrubs a minimum of 3 feet in height at time of planting per 100 linear feet of buffer.



~~Sec. 6.4.2. Lot Width or Depth Up to 200 Feet~~



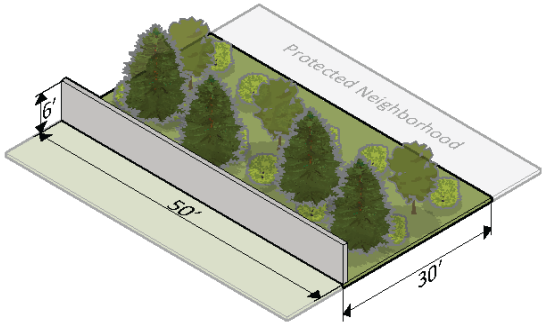
1	2	3	
Buffer	**Restricted Uses**	**Compatible Massing**	
Intended to buffer and screen with evergreen landscaping and wall. No buildings, structures or parking are allowed.	Does not apply.	Intended to restrict the height of development so as to decrease the impact of new multi-story structures.	
Permitted Structures & Activity	Permitted Structures & Activity	Permitted Structures & Activity	
~~See Sec. 8.2.5 and Sec. 8.2.6~~	Does not apply.	1.	All activity permitted in Area 1.
		2.	All permitted uses in the applicable zoning.
		3.	Parking, service areas, mechanical equipment, including HVAC, generators, loading, dumpsters and recycling bins.
		4.	Accessory structures.
		These elements must be located as far from the Protected Neighborhood as site conditions allow.	
Depth	Depth	Depth	

25 feet min	Does not apply.	30 feet min
	Height	Height
	Does not apply.	2 stories/24 or 28 feet max, see ~~zoning district~~ zoning district ~~s~~requirements

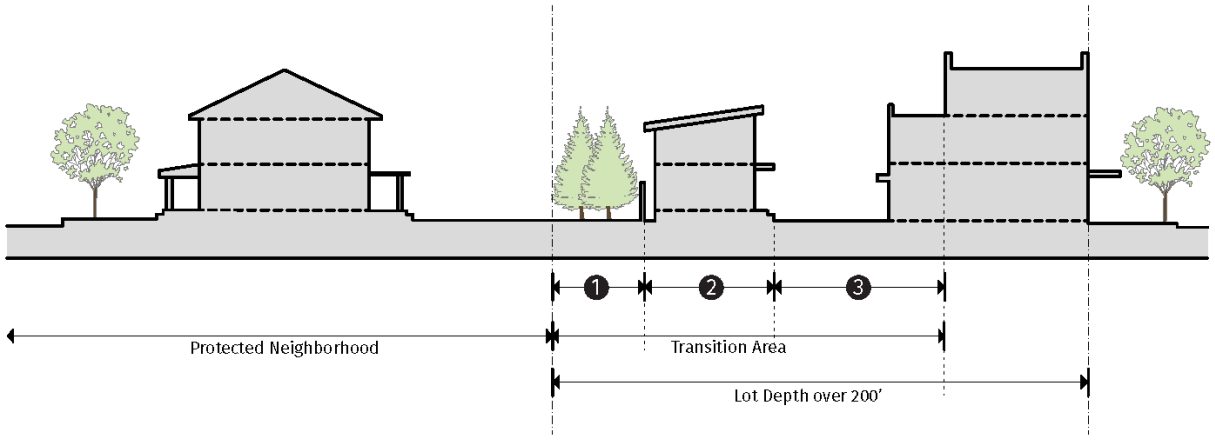
B. **Lot Width or Depth 200' and More**

1. Buffer must be minimum 30 feet deep.
2. Wall at least 6 feet tall and not more than 8 feet tall located 25 feet from property. ~~If a fence, the fence must be constructed with masonry piers every 24 feet and at every turn or jog. Piers must be at least 12 inches wide.~~

   Openings of no more than 4 feet in width, closed off by an opaque gate of the same height as the wall, may be provided no less than 300 feet apart, for maintenance access. Outside of maintenance activities, the gates must be locked at all times.
3. At least 8 evergreen trees planted in 2 staggered rows (full to the ground and at least 6-feet tall at time of planting), per 100 linear feet of buffer.
4. At least 6 understory trees (with a minimum caliper of 2 inches) per 100 linear feet of buffer.
5. At least 30 shrubs a minimum of 3 feet in height at time of planting per 100 linear feet of buffer.



~~Sec. 6.4.3. Lot Width or Depth of 200 Feet and Over 200 Feet~~



1	2	3
Buffer	**Restricted Uses**	**Compatible Massing**
Intended to buffer and screen with evergreen landscaping and wall. No buildings, structures or parking are allowed.	Intended to be occupied by open areas and low intensity uses, such as surface parking, alleys, landscaping, and secondary/accessory structures.	Intended to restrict the height of development so as to decrease the impact of new multi-story structures.
Permitted Structures & Activity	Permitted Structures & Activity	Permitted Structures & Activity
~~See Sec. 8.2.5 and Sec. 8.2.6~~	1. All activity permitted in Area 1.	1. All activity permitted in Areas 1 and 2.
	2. Alleys, parking and drive aisles, but not service areas or mechanical equipment, including HVAC, generators, loading, dumpsters and recycling bins.	2. All permitted uses in the applicable zoning.
	3. Accessory structures.	
	4. Single unit detached, single unit attached where allowed by the underlying ~~zoning district~~zoning district.	
	These elements must be located as far from the Protected Neighborhood as site conditions allow.	
Depth	Depth	Depth
30 feet min	25 feet min	30 feet min
	Height	Height
	2 stories/24 feet max	2 stories/24 or 28 feet max, see ~~zoning district~~ zoning district requirements

~~A. **Lot Width or Depth up to 200'**~~

~~1. Buffer must be minimum 25 feet deep.~~

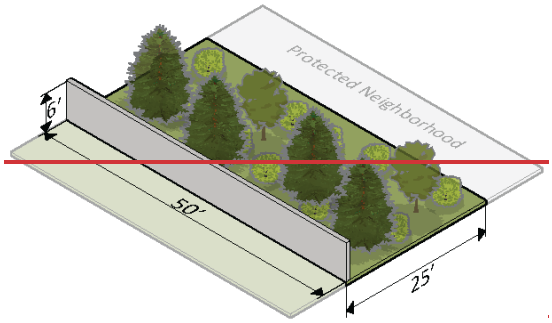
~~2. Wall at least 6 feet tall and not more than 8 feet tall located 25 feet from property (no fence allowed).~~

~~Openings of no more than 4 feet in width, closed off by an opaque gate of the same height as the wall, may be provided no less than 300 feet apart, for maintenance access. Outside of maintenance activities, the gates must be locked at all times.~~

~~3. At least 8 evergreen trees planted in 2 staggered rows (full to the ground and at least 6-feet tall at time of planting), per 100 linear feet of buffer.~~

~~4. At least 4 understory trees (with a minimum caliper of 2 inches) per 100 linear feet of buffer.~~

~~5. At least 25 shrubs a minimum of 3 feet in height at time of planting per 100 linear feet of buffer.~~



~~B. **Lot Width or Depth 200' and More**~~

~~1. Buffer must be minimum 30 feet deep.~~

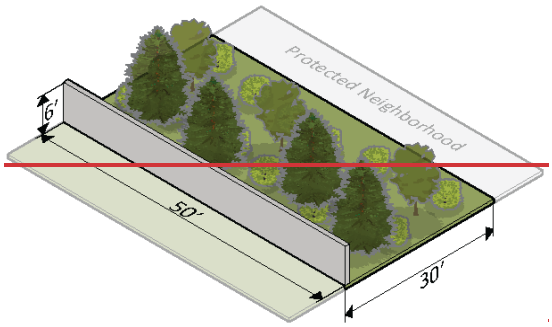
~~2. Wall at least 6 feet tall and not more than 8 feet tall located 25 feet from property (no fence allowed).~~

~~Openings of no more than 4 feet in width, closed off by an opaque gate of the same height as the wall, may be provided no less than 300 feet apart, for maintenance access. Outside of maintenance activities, the gates must be locked at all times.~~

~~3. At least 8 evergreen trees planted in 2 staggered rows (full to the ground and at least 6-feet tall at time of planting), per 100 linear feet of buffer.~~

~~4. At least 6 understory trees (with a minimum caliper of 2 inches) per 100 linear feet of buffer.~~

~~5. At least 30 shrubs a minimum of 3 feet in height at time of planting per 100 linear feet of buffer.~~



Sec. 8.3~~2~~.7. District Boundary Buffers

A district boundary buffer is required when any RM, RX, Corridor & Node district, or Perimeter Center district abuts an RT or RU zone. It is also required when an RU or RT district abuts a Protected Neighborhood. A district boundary buffer may also be required by a specific use standard in Article 7. The Director may waive the application of the district boundary buffer when the protected property is developed with a place of worship, school or similar civic use. The required buffer must include the following components:

~~A. **Required**~~

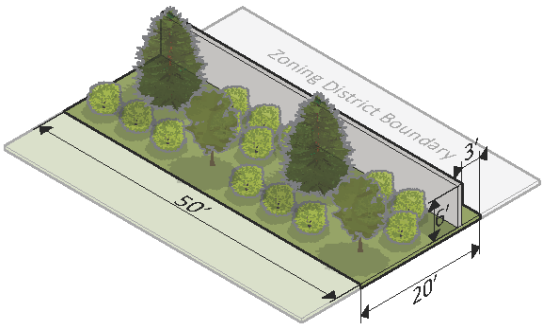
~~1. A district boundary buffer is required when any of the following districts share a common lot line:~~

~~a. Any RM- district, Corridor & Node district or Perimeter Center district abutting any RT or RU-district.~~

~~2. A district boundary buffer may also be required by a specific use standard in Article 7.~~

A~~B~~. **Buffer Standards**

1. Minimum buffer width of 20 feet.
2. Wall at least six-feet tall and no more than eight-feet tall that is located three feet from the property line (no fence is allowed). Openings of no more than four feet in width, closed off by an opaque gate of the same height as the wall, may be provided no less than 300 feet apart, for maintenance access. Outside of maintenance activities, the gates must be locked at all times.
3. At least four evergreen trees (each full to the ground and at least six-feet tall at the time of planting) per 100 linear feet of buffer.
4. At least four understory trees (each with a minimum caliper of two inches) per 100 linear feet of buffer.
5. At least 30 shrubs, each a minimum of three feet in height at the time of planting, per 100 linear feet of buffer.



Sec. 8.3~~2~~.8. Design and Installation

A. **Reserved**

B. **Visibility at Intersections** Landscaping must not interfere with visibility at intersections and driveways. See the Sandy Springs Technical Manual for details.

C. **Plant Material**

1. Plant materials must be hardy to zone 7b in accordance with the U.S. Department of Agriculture's Plant Hardiness Zone Map.
2. Plant materials must be able to survive on natural rainfall once established with no loss of health.
3. Tree height is measured from the top of the root ball to the tip of the main stem.
4. No artificial plants, trees, or other vegetation may be installed as required landscaping and screening.
5. No plant materials listed as Category 1 or Category 1 Alert on the Georgia EPPC Invasive Plant List are permitted in required landscaping. Property owners are encouraged to avoid the entire list of invasive species when making decisions about plant materials for required or non-required landscaping.

D. **Maintenance of Landscaping**

1. The property owner is responsible for maintaining all required landscaping and screening in good health and condition.
2. Any dead, unhealthy, damaged or missing landscaping and screening must be replaced with landscaping and screening that conforms to this Division within 90 days (or within 180 days where weather concerns would jeopardize the health of plant materials).
3. Landscaped areas must be kept free of weeds and trash.

E. **Soil Erosion**

1. All planting areas must be stabilized from soil erosion immediately upon planting and must be maintained for the duration of the use.
2. Grass areas must be sodded prior to the issuance of a Certificate of Occupancy. If grass seed must be used, it must be a variety suitable to the Atlanta region that produces complete coverage.

F. **Pruning and Trimming**

1. All required landscaping must be allowed to reach its required size and must be maintained at no less than required size.
2. To prevent long-term harm to the health of required landscaping, all pruning of shrubs and trees must be done in accordance with the International Society of Arboriculture Standards entitled '"ANSI A300 Standards."
3. "Topping," defined as removal of more than ⅓ of the leaves and branches of a tree as measured from the lowest branch on the trunk of the tree to the top of the tree, is prohibited except where necessary to maintain public overhead utilities.
4. Trees adjacent to accessible routes must maintain a vertical clearance of at least 80 inches.

Sec. 8.32.9. Screening

A. **Service Areas**

1. Trash collection, trash compaction, recycling collection and other similar service areas must be located to the side or rear of buildings and must be screened from view from adjacent property or street (not including an alley).
2. Service areas that are fully integrated into a building must be screened with a roll down door or other opaque screen.
3. Service areas that are not integrated into a building must be screened from three sides by a wall at least 6 feet in height and on the fourth side by solid gate at least 6 feet in height. The gate and wall must be maintained in good working order and must remain closed except when trash pick-up occur. The wall and gate must meet the design standards of Section 8.32.10.C.

B. **Mechanical Equipment**

1. **Exemptions** Free-standing or roof-mounted sustainable energy systems such as solar panels are exempt from these screening requirements.
2. **Roof-Mounted Equipment**
   a. Roof-mounted equipment must be screened from ground level view from adjacent property or adjacent street (not including an alley).

b. New buildings must provide a parapet wall or other architectural element that screens roof-mounted equipment from view.

c. For existing buildings with no or low parapet walls, roof-mounted equipment must be screened ~~on all sides~~ by an opaque screen compatible with the principal building in terms of texture, quality, material and color.

3. **Wall-Mounted Equipment**

a. Wall-mounted equipment must not be located on any surface that directly faces a street (not including an alley).

b. Wall-mounted equipment located on any surface that is visible from a street (not including an alley) must be fully screened by landscaping or an opaque screen compatible with the principal building in terms of texture, quality, material and color.

4. **Ground-Mounted Equipment**

a. Ground-mounted equipment screening must be as high as the highest point of the equipment being screened.

b. Screening must consist of landscaping or an opaque screen compatible with the principal building in terms of texture, quality, material and color.

C. **Utility Service Areas**

1. Utility service areas located outside of the right-of-way that exceed 42 inches in height and 42 inches in any other dimension must be screened from the street.

2. Screening must consist of landscaping or a wall or fence compatible with the principal building in terms of texture, quality, material and color.

3. Utility service areas must be located an adequate distance from the street to allow for any required screening to be installed without encroaching into the public right-of-way.

4. Screening is not required for utility service areas located more than 50 feet from a street.

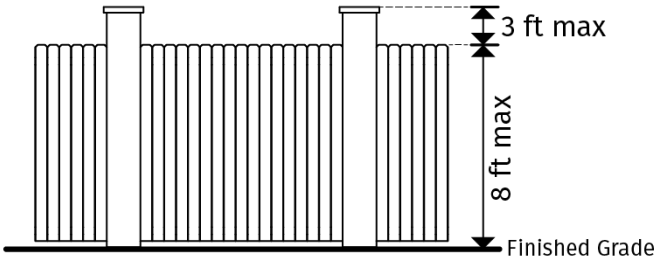
Sec. 8.32~~2~~.10. Fences and Walls

A. **Height**

1. F~~Residential f~~ences and walls located between the primary street and the front wall plane of ~~the~~ a house may contain a solid or opaque fence or wall no more than 4 feet in height. A fence may exceed 4 feet in height where designed with a spaced picket design approved by the Director. The gap between pickets must be a minimum of 2 inches. The picket to opening ratio must be at least 2:1 for vertical pickets and 1:1 for horizontal elements.

2. All other fences and walls, including side and rear yard residential fences and walls, may contain a solid or opaque fence or wall provided they do not exceed a height of 8 feet above grade.

3. Height is measured from the finished grade to the highest point of the fence or wall between columns or posts.



4. Column and ornament heights are permitted to exceed the maximum height by no more than 3 feet.

B. **Placement**

1. **Setback** Fence and wall footings must be entirely contained within the property and cannot encroach onto a property line.

2. **Obstruction** Fences, walls, hedges and other vegetation must not obstruct the minimum sight distance requirements and must not:

   a. Prohibit proper lines of sight for public safety and law enforcement;

   b. Impede the flow of water or the normal pattern of natural wildlife; or

   c. Impair or block the vision of vehicle drivers so as to constitute a safety hazard.

C. **Design Standards**

1. **Applicability** The requirements of this Section do not apply to IX- Districts or stormwater facilities.

2. **Materials**

   a. **General Provisions**

      i. Fences ~~shall~~must be constructed of wood, and/or metal/ornamental metal. W~~or w~~alls ~~shall~~must be at their base (no less than a foot in exposed height)- opaque, and made of brick, stone, stucco or other durable opaque material-with possible use of metal or wood pickets for ornamentation. ~~must be constructed of wood, brick, stacked stone, stucco, ornamental metal or other d~~Durable materials not specifically listed must be approved by the Director in all zoning districts. Chain-linked fencing is allowed only in side and rear yards (provided they are not parallel to a street), and must be vinyl-coated.

      ii. Solid Vinyl fencing is prohibited, except that existing vinyl fences may be replaced in kind.

      iii. Barbed wire, razor wire and concertina wire are prohibited.

      iv. Walls and fences must be constructed with the finished side facing towards the street and adjoining properties, away from the improvement it is meant to screen.

   b. **Parallel to a street** The following regulations apply to all fences parallel to a street and located between the right-of-way and building setback line.

      i. Where the fence or wall is at least 6 feet in height, a minimum 3-foot landscape strip must be provided between the fence or wall and any street.

      ii. All street-facing fences in Residential Estate districts must have masonry (brick stone, or stucco finish) piers separating fence panels with a maximum length of approximately 24

feet. Piers are required at any point where the fence changes direction. Piers must be at least 12 inches wide.

iii. All street-facing walls must provide architectural variations such as columns to eliminate large expanses of blank areas, approximately every 24 feet.

D. **Color** Only black, white or earth tones are permitted. Primary and neon colors are prohibited.

E. **Retaining Walls** See Sec. 9.4.3.

F. **Electrical Permit** Any fence that includes electrical equipment requires an electric (building) permit.

G. **Gates**

1. Gates, whether electronically or manually operable, are allowed on individual properties. Gates must open inwardly (doors opening towards the property) and must be located a minimum of 30 feet from the edge of pavement.
2. Public and private streets cannot be gated.
3. Gates must follow all design standards of this article, they may however be up to 3 feet taller in height than the fence or wall it is attached to.
4. Stand-alone gates, such as those on a private driveway, must have masonry (brick, stone or stucco) piers on either side.
5. Gates serving private residential driveways must be provided with a means of access for emergency responders approved by the fire marshal's office.

H. **Pool Enclosures** Pool enclosures must meet the standards of this Division and comply with the International Swimming Pool and Spa Code.

Div. 8.43. Signs

Sec. 8.43.1. Applicability

No sign may be erected, altered, refurbished or otherwise modified after the effective date of this Development Code except in accordance with the requirements of this Division.

Sec. 8.43.2. Sign Permit Required

A. Except as specifically excluded in this Division, it is unlawful for any person to post, display, substantially change, or erect a sign or advertising device in the City without first having obtained a sign permit.

B. An application for a sign permit must be filed with the Director.

Sec. 8.43.3. Prohibited Signs

The following types of signs or advertising devices are prohibited.

A. Any sign constructed and maintained wholly upon or over the roof of a building.

B. Any sign that is not permanently affixed to the ground or to a structure, including but not limited to trailer signs or signs mounted or painted on vehicles which are parked in such a manner as to serve the purpose of an advertising device, except sidewalk signs.

C. Any permanent freestanding sign that sits upon a base or pole that is less than 75% of the width of the sign face.

D. Rotating or animated signs involving motion or sound.

E. Flashing, blinking, or varying light intensity signs, including scrolling messages and video.

F. Balloons or other air-filled devices.

G. Wind signs (temporary signs mounted on a pole and intended to flutter in the wind to attract attention)

H. Any reflective or mirrored sign.

I. Signs that contain or are an imitation of an official traffic sign or signal.

J. Pennants, streamers and banners, except as expressly allowed in Sec. 8.43.5

K. Search lights.

L. Changeable copy signs, except as expressly allowed in this Division.

M. Signs mounted to a tree, traffic sign utility pole or similar structure.

N. Signs advertising illegal activity.

O. Signs in poor condition or not in good repair (maintenance section).

P. Abandoned signs.

Q. A sign held by or attached to a human for the purposes of advertising or otherwise drawing attention to an individual, business, commodity, service or product, mere costumes without wording or logos are not be considered a sign.

R. Rope lighting (typically installed around windows and doors openings or along eaves)

S. Any freestanding sign at a property on which the façade of the principal structure is forty feet (40'-0") or less from the right-of-way.

Sec. 8.43.4. Signs Not Requiring a Permit

The following types of signs do not require a sign permit from the City. An electrical and/or building permit may still be required.

A. **Public Interest Signs** Signs of public interest, erected by or on the order of a public officer in the performance of their duty, such as public notices, safety sign, danger signs, trespassing signs, traffic and street signs, memorial plaques and signs of historical interest.

B. **Signs Not Visible** Any sign internal to a development and not visible from a street or neighboring property.

C. **Window Signs**

1. A sign installed inside a window for purposes of viewing from outside the premises. Signs must not exceed 25% of the window area.

2. An exposed neon window sign stating "open" that is not greater than 5 square feet in area and limited to 1 per establishment (included in 25% sign area).

D. **Construction Fence Wraps**

1. Wraps are allowed on fences securing new construction sites for the duration of the construction activity.

2. The wrap must be removed prior to issuance of a Certificate of Occupancy.

3. The fence wrap must be maintained in good condition and be properly attached to the fence.

4. Messages, logos, renderings or similar information ~~shall~~must not exceed 30 percent of the total fence wrap area.

E. **Flags** Any fabric or other flexible material designed to be flown from a permanent flagpole.

1. A maximum of 3 flags are permitted per lot.

2. The flag area must not exceed 1.5 times the height of the pole. For example, a 40-foot tall flag pole yields a maximum 60 square foot flag.

3. The maximum height of a flagpole is 40 feet, measured from the highest point of the flagpole to average adjacent grade.

4. A freestanding flagpole must be set back from a property line a distance equal to the height of the pole. For example, a flagpole 40 feet in height must be set back at least 40 feet from a property line.

5. A flagpole attached to building may encroach over the sidewalk but not over any street, parking area, driveway or alley. All flags must be a minimum of 18 inches inside the curb line or edge of pavement, whichever is greater.

~~F. **Murals** A work of visual art that conforms with the following standards:~~

~~1. The mural must not be located in a Protected Neighborhood or Urban Neighborhood District.~~

~~2. Murals must be painted or drawn on to onto a facade or wall, without obscuring any windows or doors. Building wraps or super graphic wraps are not allowed. Projected-image signs are also not allowed.~~

~~3. No more than 1 mural is allowed per building.~~

~~4. A mural must be installed with the owner's permission. Any visual artwork installed without the owner's permission will be considered graffiti and must be immediately removed.~~

~~G. **Sidewalk Signs** A movable sign not secured or attached to the ground or surface upon which it is located. A sidewalk sign must meet the following requirements:~~

~~1. The sign must be placed along a building facade with a customer entrance to a tenant space.~~

~~2. The sign must must be placed no more than 12 feet from the building facade.~~

~~3. The sign must be located at least 25 feet from any other sidewalk sign.~~

~~4. The sign must be removed and placed indoors at the close of each business day.~~

~~5. The sign must not obstruct vehicular, bicycle, or pedestrian traffic and must comply with ADA clearance and accessibility.~~

~~6. The sign must not be illuminated.~~

~~7. The sign must not exceed 6 square feet in area, 3 feet in height and 2 feet width.~~

~~H. **Temporary Signs**~~

~~1. **Single Unit Detached, Single Unit Attached**~~

~~a. Up to 2 temporary signs per lot are allowed.~~

~~b. Maximum total temporary sign area of 6 square feet per lot.~~

~~c. Maximum height of 6 feet.~~

~~d. Temporary signs must not be illuminated.~~

~~2. All Other Uses~~

~~a. Maximum temporary sign area of 16 square feet per lot for all temporary signs combined. There is no restriction on the number of temporary signs, provided that the sign area, when combined, does not exceed the total allocated sign area.~~

~~b. Temporary signs may be used for a period not exceeding 60 consecutive days on two separate occasions per year. Additional posting time may be allowed by the Director, provided the temporary activity on the site is continuing.~~

~~c. Temporary signs must not be illuminated.~~

~~3. Other Types of Temporary Signs~~

~~a. Temporary signs that do not meet the characteristics above must comply with Sec. 8.3.18. Temporary Sign.~~

Sec. 8.43.5. Signs in the Right-of-Way

A. Wall signs, awning signs, canopy signs, projecting signs, crown signs, shingle signs and sidewalk signs may encroach over the sidewalk, but not over any street. All signs must be a minimum of 18 inches inside the curb line or edge of pavement, whichever is greater. Vertical height clearances must be maintained per the MUTCD, ADA and the Sandy Springs Technical Manual.

B. All signs must be placed on private property, and require the property owner's consent. No signs are allowed to be placed in the right-of-way, except those placed by the City, County, State or federal government.

Sec. 8.~~3~~4.6. Changeable Copy Signs

Changeable copy signs are not allowed, except on monument signs permitted with fuel pumps or gas stations are allowed to have changeable copy as provided for by the laws and regulations of the State of Georgia.

Sec. 8.43.7. Identification Labels, Inspection

A. **Sticker** With each sign permit, the Director will issue a sticker bearing the same number as the permit with which it is issued. It is the duty of the permittee to affix the sticker to the sign in the lower right hand area so it is easily seen. The absence of a proper sticker is considered prima facie evidence that the sign has been, or is being, erected or operated in violation of the standards of this Division.

B. **Inspection** The Director will regularly inspect existing signs in the City to determine if such signs conform to the standards of this Division.

Sec. 8.43.8. Signs Requiring a Permit

Signs are allowed by district as shown below. Specific requirements for each sign are shown on the following pages. All of the following sign types require a sign permit.

	Protected Neighborhood				Urban Neighborhood				Corridors & Nodes								Perimeter Center	
	RE	RD	PK	CON	RU	RT	RM	RX	ON-	OX-	CX-	SX-	TX-	CS-	IX-	CC-	PR-	PX-
Awning	—	—	—	—	—	—	—	◇	♦	♦	♦	♦	♦	♦	♦	♦	—	♦

Sign																		
Canopy Sign	—	—	—	—	—	—	—	◇	♦	♦	♦	♦	♦	♦	♦	♦	—	♦
Crown Sign	—	—	—	—	—	—	—	—	—	♦	—	♦	♦	♦	—	—	—	♦
Monument Sign	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	—	—	♦	♦	♦	♦	♦*
Projecting Sign	—	—	—	—	—	—	—	—	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦
Shingle Sign	—	—	—	—	—	—	—	◇	♦	♦	♦	♦	♦	♦	♦	♦	—	♦
Wall Sign	—	—	♦	—	—	—	—	◇	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦
Subdivision Entrance Sign	♦	♦	♦	—	♦	♦	♦	♦	♦	♦	♦	—	—	♦	♦	♦	♦	♦*
Temporary Sign (Section 8.31.18.)	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦

Key: ♦ = Allowed ◇ = Allowed for Nonresidential Uses Only — Not Allowed ♦* = Not Allowed on -SH Frontage

Sec. 8.43.9. Sign Area Allocation

A. **Allocation Not Transferable** Sign area allocation must be used on the building facade used to measure the allocation, and may not be transferred to any other building facade.

B. **Awning, Canopy, Projecting and Wall Signs**

1. **Primary Building Facade** Awning signs, canopy signs, projecting signs and wall signs are allocated a combined sign area of 1 square foot of per linear foot of primary building facade, or 32 square feet if the primary building facade is less than 32 feet in length.

2. **Side or Rear Building Facade** Awning signs, canopy signs, projecting signs and wall signs are allocated a combined sign area of 0.5 square feet per linear foot of side and rear building facade, or 32 square feet if the building facade is less than 32 feet in length.

C. **Crown Signs**

1. No more than 2 crown signs are allowed per building, and no more than 1 crown sign per building facade is allowed.

2. A crown sign must not exceed 180 square feet in area, unless otherwise stated under Sec. 8.43.12.

D. **Monument Signs**

1. One monument sign is allowed per 500 feet of street frontage of the subject lot. Where more than one monument sign is allowed, signs along the same street frontage of the subject lot must be spaced a minimum of 500 feet apart.

2. Monument signs may not be placed at the same driveway entrance where an entrance sign is located, and must be a minimum of 250 feet from an entrance sign.

3. Monument or other freestanding signs are not allowed where a principal structure's façade is located ten feet (10'-0") or less from a right-of-way.

E. **Shingle Signs** A shingle sign must not exceed 9 square feet in area and only 1 shingle sign is allowed per ground floor tenant space.

F. **Entrance Signs**

1. An entrance sign must not exceed 32 square feet in area and up to 2 entrance signs are allowed per entrance.

2. Entrance signs may not be placed at the same driveway entrance where a monument sign is located, and must be a minimum of 250 feet from a monument sign.

Sec. 8.43.10. Awning Sign

SEC. 8.43.10. AWNING SIGN

Description	
A sign where graphics or symbols are painted, sewn, or otherwise ~~adhered~~ affixed to the material of an awning as an integrated part of the awning itself.	
General Provisions	
1.	Only awnings over ground-story doors or windows may contain awning signs.

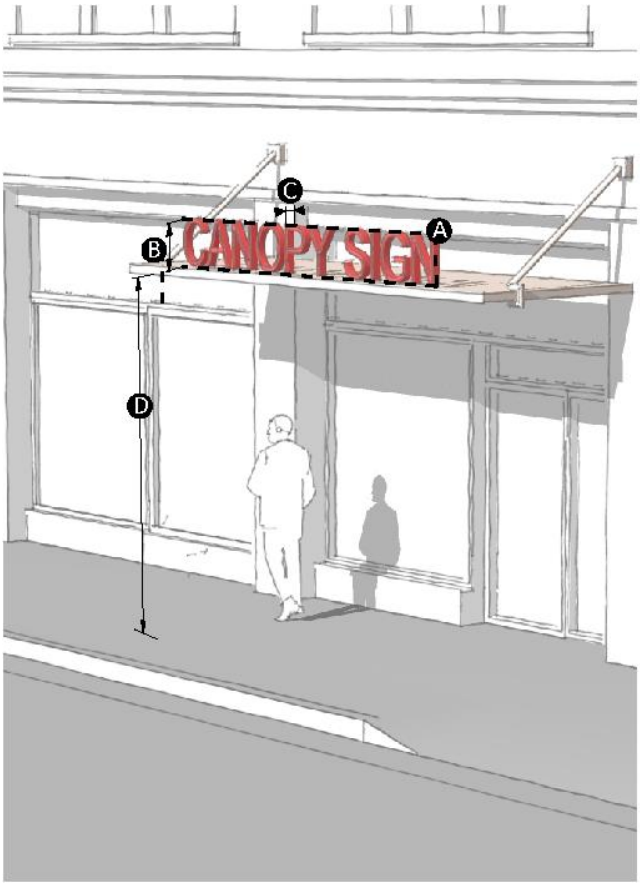
2.	An awning sign may be placed on the face or the valance of the awning, but must not extend outside the awning.
3.	An awning sign must not be illuminated.

Total Sign Area Allocation		
See Sec. 8.43.9		
Dimensions		
A	Max area of signs per awning	12 SF

Sec. 8.43.11. Canopy Sign

SEC. 8.43.11. CANOPY SIGN

Description	
A sign attached to a canopy with a display surface parallel to the plane of the building facade.	
General Provisions	
1.	A canopy sign may extend above or below the canopy; however, it must not extend outside the overall length or width of the canopy.
2.	Only a canopy over ground-story doors or windows may contain a canopy sign.
3.	A maximum of one sign is allowed per canopy.
4.	A canopy sign may be externally and internally illuminated in accordance with Sec. 8.43.21.

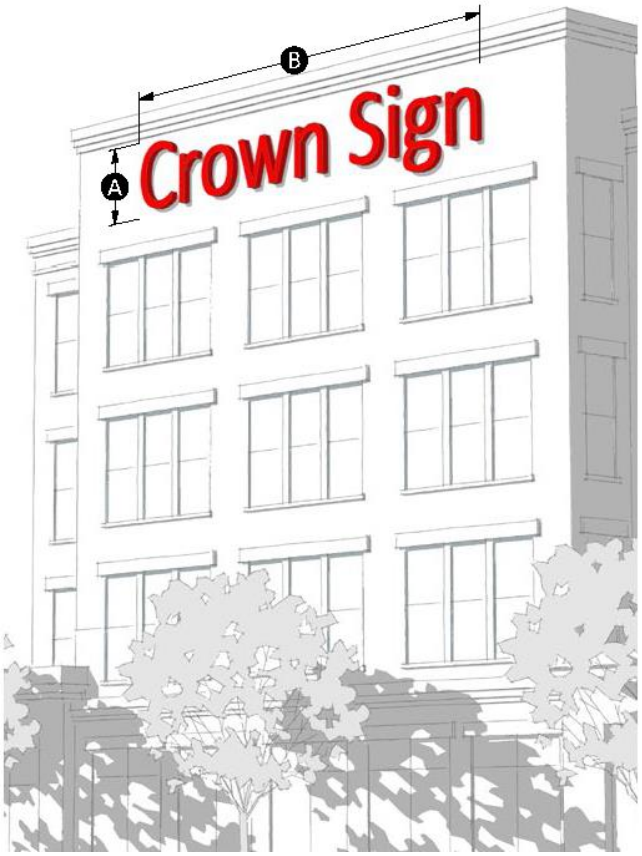


Total Sign Area Allocation		
See Sec. 8.~~43~~.9		
Dimensions		
A	Area of individual sign (max)	32 SF
B	Height (max)	3'
C	Depth (max)	8"
D	Clear height above sidewalk (min)	9'
D	Clear height above parking area or driveway (min)	14'

Sec. 8.~~43~~.12. Crown Sign

SEC. 8.~~43~~.12. CROWN SIGN

Description	
A sign attached to the upper portion of the wall of a building or structure at least 4 stories in height. "High visibility facades" refers to the facades of buildings of at least 10 stories in height, clearly visible from at least one direction on SR-400 or I-285, and located on property abutting SR-400 or I-285 right-of-way.	
General Provisions	
1.	A crown sign is only allowed on buildings at least 4 stories in height
2.	A crown sign must not be placed below the start of the 4th story, and of the 10th story on high visibility facades.
3.	A crown sign must not extend above the roof line.
4.	A crown sign must not cover windows or architectural details.
5.	No more than 2 crown signs are allowed per building and no more than 1 crown sign per building facade is allowed.
6.	Both a wall sign and a crown sign are permitted on the same facade.
7.	A crown sign may be externally or internally illuminated in accordance with Sec. 8.43.21.

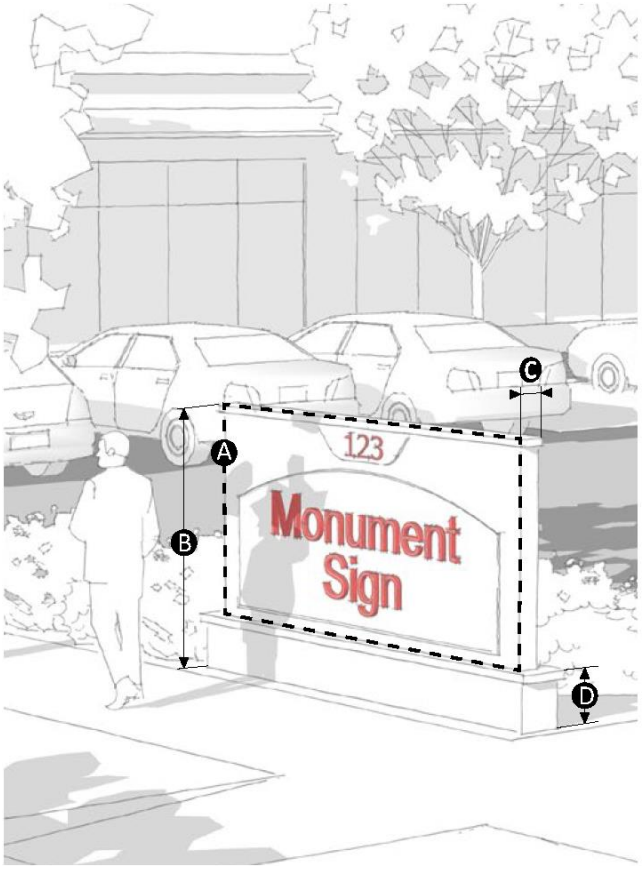


Total Sign Area Allocation		
See Sec. 8.~~43~~.9		
Dimensions		
A	Area of individual sign (max)	180 SF
B	Height (max)	10'
	Projection - measured from building facade (max)	2'
C	Width (max % of facade width)	75%
Dimensions for High Visibility Facades		
A	Area of individual sign (max)	360 SF
B	Height (max)	15'
	Projection - measured from building facade (max)	2'
C	Width (max % of facade width)	50%

Sec. 8.~~43~~.13. Monument Sign

SEC. 8.~~43~~.13. MONUMENT SIGN

Description	
A permanently affixed sign which is wholly independent of a building for support and attached to the ground along its entire length.	
General Provisions	
1.	Monument signs located within 100 feet of a street must display the street address of the property. Where multiple addresses exist, the highest and lowest street address numbers must be identified. This provision applies only to monument signs located on the street where the property address is assigned. Numbers must be located on the top half of the sign at a minimum of 8 inches in height and be visible from both directions of travel.
2.	A monument sign must be set back at least 10~~5~~ feet from any ~~front~~ lot line ~~and 10 feet from a common lot line.~~ and sit upon a base. Any base, pole, or sub sign face portion of a monument sign ~~shall~~must be no less than 75% of the width of the sign face.
3.	The base of a monument sign must be constructed of durable materials Sec. 6.6.2.B.3.
4.	A monument sign may be externally or internally illuminated in accordance with Sec. 8.4~~3~~.21.

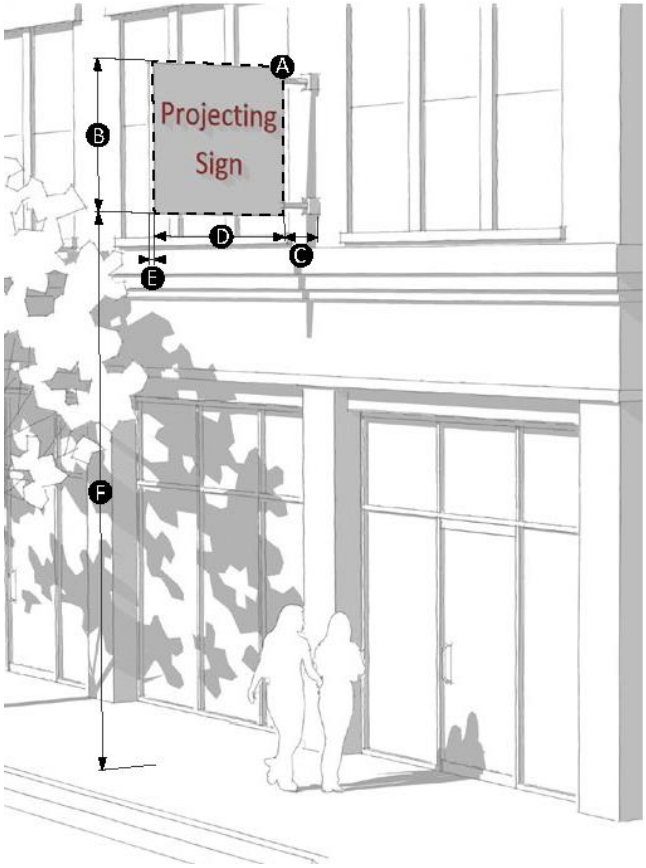


Total Sign Area Allocation		
See Sec. 8.~~43~~.9		
Dimensions		
A	Area of individual sign (max)	
	Up to 500 feet of frontage	32 SF
	501—1,000 feet of frontage	48 SF
	1,001 or more feet of frontage	64 SF
B	Height, including base (max)	8'
C	Depth (max)	2'
D	Sign base height (min/max)	1'/4'

Sec. 8.~~43~~.14. Projecting Sign

SEC. 8.~~43~~.14. PROJECTING SIGN

Description	
A sign attached to the building facade at a 90-degree angle, extending more than 1 foot from the outside wall of the building or structure.	
General Provisions	
1.	A projecting sign must be at least 20 feet from any other shingle sign or projecting sign.
2.	A projecting sign may be erected on a building corner. Allocation of sign area from both streets may be used.
3.	A projecting sign must be placed no higher than 24 feet above the sidewalk, measured from the highest point of the sign to the top of the sidewalk below.
4.	The top of a projecting sign must be no higher than the top of the building. However, on one story buildings, the top of a projecting sign may have a maximum of 2 feet of the sign height above the top of the building.
5.	A projecting sign may be externally or internally illuminated in accordance with Sec. 8.43.21.

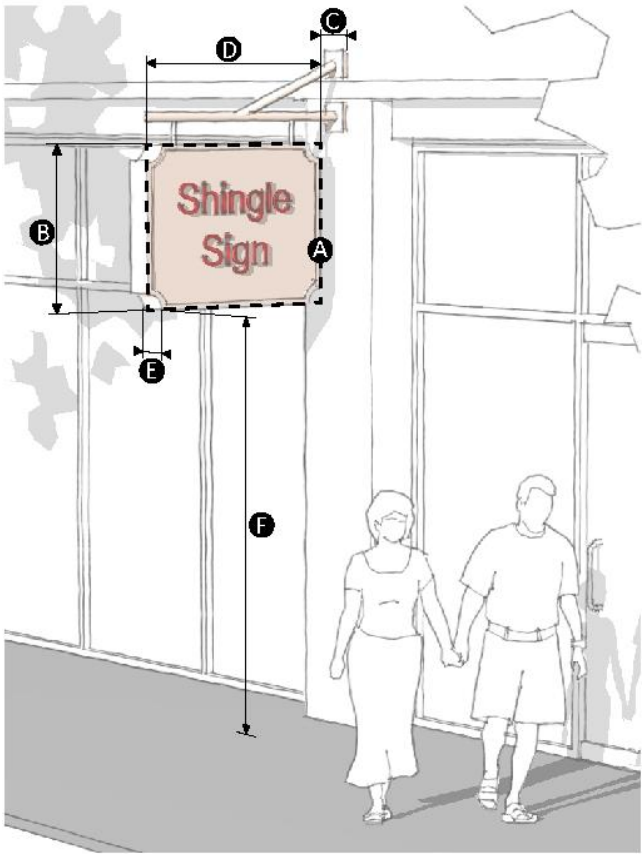


Total Sign Area Allocation		
See Sec. 8.~~43~~.9		
Dimensions		
A	Size of individual sign (max)	48 SF
B	Height (max)	12'
C	Spacing from building facade (min/max)	1'/2'
D	Projection width (max)	6'
E	Depth (max)	1'
F	Clear height above sidewalk (min)	9'
F	Clear height above parking area or driveway (min)	14'

Sec. 8.~~43~~.15. Shingle Sign

SEC. 8.~~43~~.15. SHINGLE SIGN

Description	
A sign attached to the building facade at a 90-degree angle that hangs from a bracket or support extending more than 1 foot from the outside wall of the building or structure.	
General Provisions	
1.	The hanging bracket must be an integral part of the sign design.
2.	A shingle sign must be located below the window sills of the 2nd story on a multi-story building or below the roof line on a single-story building.
3.	A shingle sign must be located within 5 feet of a ground story tenant entrance.
4.	A shingle sign must be located at least 20 feet from any other shingle sign.
5.	A shingle sign must not be illuminated.



Total Sign Area Allocation		
See Sec. 8.~~43~~.9		
Dimensions		
A	Area of individual sign (max)	9 SF
B	Height (max)	3'
C	Spacing from building facade (min/max)	6"/1'
D	Projection width (max)	3'
E	Sign depth (max)	6"
F	Clear height above sidewalk (min)	9'
F	Clear height above parking area or driveway (min)	14'

Sec. 8.~~43~~.16. Wall Sign

SEC. 8.~~43~~.16. WALL SIGN

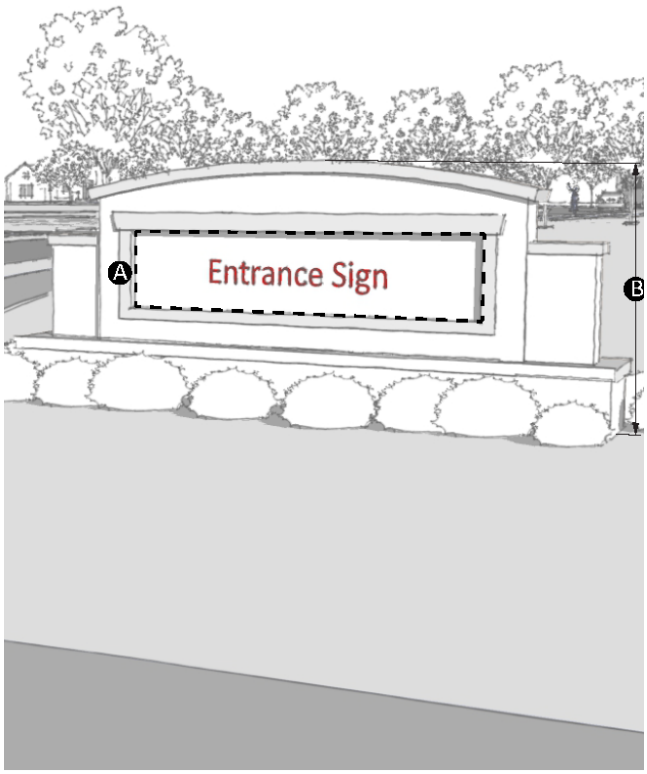
Description	
A sign attached to the wall or surface of a building or structure, the display surface of which does not project more than 1 foot from the outside wall of the building or structure.	
General Provisions	
1.	A wall sign must be placed no higher than 24 feet above average grade adjacent to the wall, measured from the highest point of the sign if the building is one story in height.
2.	No portion of a wall sign may extend above the roof line or above a parapet wall of a building with a flat roof.
3.	A wall sign must not cover windows or architectural details.
4.	A wall sign may be externally or internally illuminated in accordance with Sec. 8.43.21.

Total Sign Area Allocation		
See Sec. 8.~~43~~.9		
Dimensions		
A	Size of individual sign (max)	180 SF
B	Projection - measured from building facade (max)	1'

Sec. 8.~~43~~.17. Subdivision Entrance Sign

SEC. 8.~~43~~.17. SUBDIVISION ENTRANCE SIGN

Description	
A permanently affixed sign that is wholly independent of a building for support attached along its entire width to a continuous pedestal or wall that is used to identify entry to a development.	
General Provisions	
1.	An entrance sign must be set back at least 10 feet from the right-of-way.
2.	An entrance sign must not encroach on a sight visibility triangle (see Sandy Springs Technical Manual)
3.	An entrance sign may only be externally illuminated.



Total Sign Area Allocation		
64 SF per entrance		
Dimensions		
A	Size of individual sign (max)	32 SF
	Signs allowed per entrance (max 1 per side of entrance)	2
B	Height (max.)	8'

Sec. 8.~~43~~.18. Temporary Sign

A. **Description**

A sign that is not permanently mounted and intended to be displayed for a finite period of time.

~~For temporary signs not requiring a permit, see Sec. 8.3.4. Signs Not Requiring a Permit.~~

B. ~~**Banners on New Buildings**~~**Temporary Signs Not Requiring a Permit**

~~1. Banners are allowed on new buildings that are 3 stories in height or greater and are not located in a Protected Neighborhood district.~~

~~2. A banner is allowed one time for a period not to exceed 6 months.~~

~~3. The banner must be affixed to the building.~~

~~4. The banner may not exceed 120 square feet in total area.~~

~~5. The banner must be mounted so as not to extend above the line where the building wall and roof meet.~~

1. **Sidewalk Signs**

a. The sign must be placed along a building facade with a customer entrance to a tenant space.

b. The sign must must be placed no more than 12 feet from the building facade.

c. The sign must be removed and placed indoors at the close of each business day.

d. The sign must not obstruct vehicular, bicycle, or pedestrian traffic and must comply with ADA clearance and accessibility.

e. The sign must not be illuminated.

f. The sign must not exceed 6 square feet in area, 3 feet in height and 2 feet width.

D. Signs Located on Single Unit Properties

a. Up to 2 temporary signs per lot are allowed.

b. Maximum total temporary sign area of 6 square feet per lot.

c. Maximum height of 6 feet.

d. Temporary signs must not be illuminated.

3. **Signs Located on All Other Use Properties**

a. Maximum temporary sign area of 16 square feet per lot for all temporary signs combined. There is no restriction on the number of temporary signs, provided that the sign area, when combined, does not exceed the total allocated sign area.

b. Temporary signs may be used for a period not exceeding 60 consecutive days on two separate occasions per year. Additional posting time may be allowed by the Director, provided the temporary activity on the site is continuing.

c. Temporary signs must not be illuminated.

C. **Banners on New Buildings**

1. Banners are allowed on new buildings that are 3 stories in height or greater and are not located in a Protected Neighborhood district.

2. A banner is allowed one time for a period not to exceed 6 months.

3. The banner must be affixed to the building.

4. The banner may not exceed 120 square feet in total area.

5. The banner must be mounted so as not to extend above the line where the building wall and roof meet.

D~~C~~. **All other banners or temporary signs**

1. The signs ~~shall be~~is restricted to a maximum area of 32 square feet per parcel.

2. When at grade level, the maximum sign height is five feet, and when placed on a building, a maximum height of 24 feet and cannot extend above the roofline.

3. Signs cannot encroach into the right-of-way or the easement of a private road.

4. Signs may be displayed on a same lot for a maximum of three, two-week (14-day) periods per calendar year.

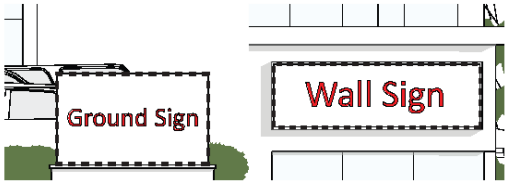
Sec. 8.~~43~~.19. Sign Measurements

A. **Computation of Sign Area** The area of all signs is determined as follows:

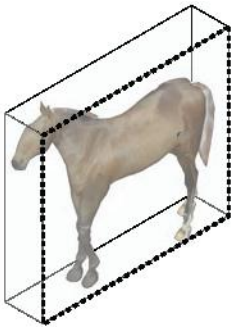
1. For wall signs, awning signs, canopy signs and crown signs consisting of freestanding letters or logos, sign area is calculated as the total area of the rectangle, circle or square that fully encloses all the letters or images.

2. For signs on a background, the entire area of the background is calculated as sign area, including any material or color forming the sign face and the background used to differentiate the sign from the

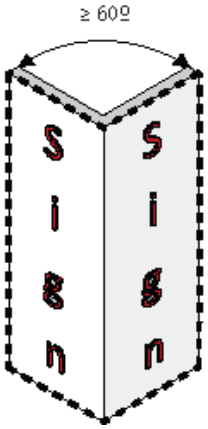
structure on which it is mounted. For monument signs, projecting signs, shingle signs and sidewalk signs, sign area includes the face of the structure that the message is affixed to, not including any supports, bracing or street number.



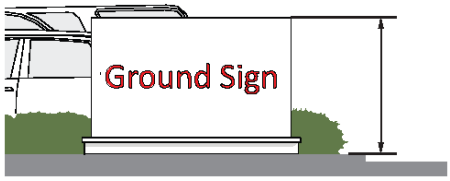
3. The sign area of a three-dimensional sign is calculated as total area of the smallest rectangle, circle or square that fully encloses the largest profile of the three-dimensional sign.



4. The area for a sign with more than one face is computed by adding together the area of all sign faces greater than 60 degrees; if the sign face angle is less than 60 degrees, only the area of the largest sign face is computed as part of the sign area.



B. **Measurement of Sign Height** The total height of a monument sign is measured from the highest point of the sign or supporting structure to the top of the abutting sidewalk.



C. **Sign Variances** The Board of Appeals will not consider any variance to either sign area or sign height. For all other relief, see Div. 11.6.

Sec. 8.43.20. Sign Maintenance

A. All signs must be maintained in good condition and present a neat and orderly appearance. The Director may cause to be removed after due notice any sign which shows gross neglect, becomes dilapidated, or if the ground area around it is not well maintained.

B. The Director will give the owner 10 days written notice to correct the deficiencies or to remove the sign or signs. If the owner refuses to correct the deficiencies or remove the sign, the City will have the sign removed at the expense of the owner.

C. Any legal nonconforming pole sign (sign which rests on a pole that is less than 75% of the width of the face of the sign) may not be altered in anyway before coming into complete compliance with the requirements of a monument sign as provided in Sec. 8.43.13. The sign ~~shall~~can only be repaired of damage or wear, but not altered or improved in any way before coming into compliance.

Sec. 8.43.21. Sign Materials

Permanent signs (other than awning signs) must be constructed of wood, metal, masonry or glass. Plastic and other synthetic materials may be approved by the Director for lettering or as accent materials.

Sec. 8.43.22. Sign Illumination

Illumination of signs must be in accordance with the following requirements.

A. **Prohibited Light Sources**

The following light sources are not allowed:

1. Blinking, flashing and chasing.
2. Bare bulb illumination.
3. Colored lights used in any manner so as to be confused with or construed as traffic control devices.
4. Direct reflected light that create a hazard to operators of motor vehicles.

B. **Brightness**

The light from any illuminated sign must not be of an intensity or brightness that will interfere with the peace, comfort, convenience, and general welfare of residents or occupants of adjacent properties.

C. **Internal Illumination**

1. Channel letters may be internally lit or back-lit.
2. For internally illuminated signs on a background, the background must be opaque and a contrasting color.
3. Neon window signs stating "Open" are allowed as specified in Sec. 8.43.4.C.
4. Light emitting diodes (LED)'s are allowed as a light source in a manner that the LED is behind acrylic, aluminum or similar sign face and returns in such a manner that the LED modules are not visible from the exterior of the sign.

D. **External Illumination**

1. Lighting directed toward a sign must be shielded so that it illuminates only the face of the sign and does not shine directly onto the right-of-way or adjacent properties.

2. Projecting light fixtures used for externally illuminated signs must be simple and unobtrusive in appearance, and not obscure the sign.

External light sources

Internally lit channel letters

Back lit channel letters

Internally lit signs with darker backgrounds

E. **Raceways and Transformers**

1. If a raceway is necessary, it must not extend in width or height beyond the area of the sign.
2. A raceway must be finished to match the background wall or canopy, or integrated into the overall design of the sign.
3. Visible transformers are not allowed.

Sec. 8.43.23. Violations, Penalties

A. **Noncompliance** No person may erect on any premises owned or controlled by that person any sign which does not comply with the standards of this Division.

B. **Dangerous or Defective** No person may maintain or permit to be maintained on any premises owned or controlled by that person any sign which is in a dangerous or defective condition. Any such sign must be removed or repaired by the permittee of the sign, the owner of the premises, or as otherwise provided for in this Division.

C. **Separate Violation** Each sign installed, created, erected or maintained in violation of this Division is considered a separate violation when applying the penalty portions of this Section.

D. **Public Nuisance** Any violation of this Division is hereby declared to be a public nuisance.

E. **Notice** The Director must give the permittee 10 to 30 days written notice, based on the practical considerations of completing measures to comport with the standards of this Division, to correct the deficiencies or to remove the signs which are in violation of this Division. If the permittee refuses to correct the deficiencies or remove the sign, the Director will have the sign removed at the expense of the permittee.

F. **Citations** If any sign or other device covered by this Division is, or is proposed to be, erected, constructed, altered, converted or used in violation of any provision of this Division, the Director will issue a citation. Additionally, the City may seek an injunction for a continuing violation or take other appropriate action to prevent such unlawful erection, construction, alteration, conversion or use to correct or abate such violation. Any violation of this Division is an offense, and the violator is subject to a fine of up to $1,000.00, imprisonment for up to 6) days, or by both fine and imprisonment.

Sec. 8.43.24. Removal of Signs

The following requirements apply to removal of unlawful or dangerous signs.

A. **Removal**

1. The City may order the removal of any sign in violation of this Division by written notice to the permit holder and the owner of the property.

2. If a permit has been issued, such notice will operate to revoke the permit.

B. **Procedure Following Removal Order** If the sign is not removed within the time allowable pursuant to this Division, the City will remove or cause to be removed the sign and collect the costs for the removal as provided below.

C. **Removal without Notice**

1. The City will remove any sign in violation of this Division without giving notice to any party, if:

   a. The sign is upon the public right-of-way or upon other public property; OR

   b. The sign poses an immediate safety to members of the public.

D. **Removal After Court Determination**

1. Other than signs located in a public right-of-way and signs constituting an immediate threat to the life or health of the public, a sign will be removed by the City after a final determination by a court that the sign is unlawful and should be removed.

2. If the applicant or owner fails to remove the sign, the sign may be immediately removed and disposed of by the City.

E. **Removal of Abandoned Signs** Any sign associated with a business which has ceased operations for 60 days or more must be removed by the property owner of record within 2 weeks of notification from the Department. The Department is required to provide official written notification to the property owner indicating the type and location of signs that require removal.

Div. 8.54. Site Lighting

Sec. 8.54.1. General

A. **Purpose and Intent** The purpose and intent of this Section is to provide a regulatory strategy for outdoor lighting that will permit reasonable uses of outdoor lighting for nighttime safety, utility, security, productivity, enjoyment and commerce; curtail and reverse the degradation of the nighttime visual environment and the night sky; preserve the dark night sky for astronomy; minimize glare, obtrusive light and artificial sky glow by limiting outdoor lighting that is misdirected, excessive or unnecessary; conserve energy and resources to the greatest extent possible; and help to protect the natural environment from the damaging effects of night lighting from man-made sources.

B. **Conformance With Applicable Codes** All outdoor illuminating devices must be installed in conformance with the provisions of this Development Code, the Building Code and the Electrical Code as applicable and under appropriate permit and inspection.

Sec. 8.54.2. Applicability

A. **New Fixtures** All lighting fixtures installed after the effective date of this Development Code must conform to all applicable standards and requirements of this Division.

B. **Existing Fixtures**

1. Routine maintenance, including changing the lamp, ballast, starter, photo control, fixture housing, lens and other required components, is allowed for all existing fixtures.
2. The installation of site lighting, replacement of site lighting and changes to existing light fixture wattage, type of fixture, mounting or fixture location must be made in compliance with this Division.

C. **Additions** When an existing building, use or site is increased in gross floor area or improved site area by more than 25% cumulatively over ~~the past~~ a period of 3 consecutive years, both the existing building, use or site and the additional floor or site area must conform to the lighting requirements of this Division.

D. **Change in Use** A change in use does not trigger application of this Division.

E. **Exempt Lighting** The following luminaires and lighting systems are exempt from these requirements:

1. Lighting for swimming pools used at night;
2. Underwater lighting used for the illumination of swimming pools and fountains;
3. Temporary holiday lighting (for a period of no more than 30 days before the holiday and no more than 7 days after the holiday);
4. Lighting required and regulated by the Federal Aviation Administration, or other federal, state or local agency;
5. Emergency lighting used by police, fire, or medical personnel, or at their direction;
6. All outdoor light fixtures producing light directly from the combustion of fossil fuels; and
7. Security lighting controlled and activated by a motion sensor device for a duration of 10 minutes or less.

F. **Light Level Measuring**

1. Light levels are specified, calculated and measured in footcandles. All footcandles values are maintained footcandles.
2. Measurements are to be made at ground level, with the light-registering portion of the meter held parallel to the ground pointing up.

Sec. 8.54.3. Prohibited Lighting

The following lighting systems are prohibited:

A. Aerial lasers;

B. Temporary searchlights and other high-intensity narrow-beam fixtures;

C. Mercury or sodium vapor lamps and other light sources that lack color correction or do not allow for uniform site lighting;

D. Cobra-head-type fixtures having dished or drop lenses or refractors, which contain sources that are not ~~incandescent~~LED;

E. Blinking or flashing lights, rope lights or lights outlining architectural features (other than temporary holiday lighting); and

F. Spotlights or floodlights mounted on any tree (other than temporary holiday lighting).

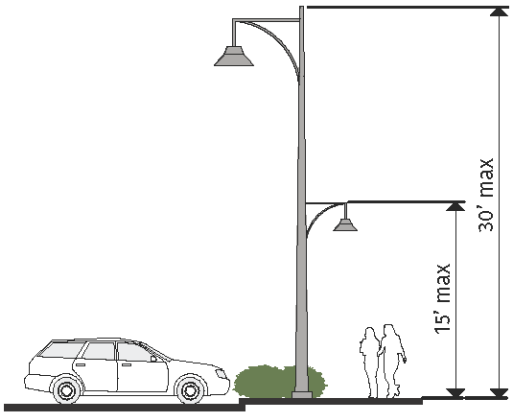
Sec. 8.54.4. Outdoor Lighting Design

A. **Design and Installation**

1. The maximum light level of any light fixture cannot exceed 0.5 footcandle measured at the property line of any Urban or Protected Neighborhood zoning district and 2.0 footcandles measured at the right-of-way line of a street.
2. Lighting must not be oriented onto adjacent properties, streets or sidewalks.
3. Service connections for all freestanding lighting fixtures must be installed underground.

B. **Parking and Pedestrian Areas**

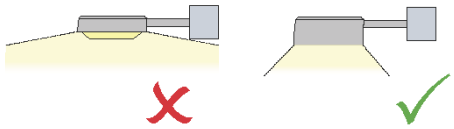
1. Light fixtures within vehicle parking areas may be no higher than 30 feet.
2. Light fixtures within pedestrian areas may be no higher than 15 feet.



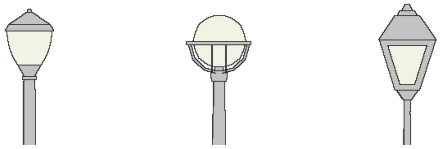
3. Light fixtures located within 50 feet of the property line of a Protected Neighborhood may be no higher than 15 feet. When pedestrian lighting is required along a street, light fixtures may be no ~~heigher~~higher than ~~17~~ 15 feet.

4. Light fixtures within 25 feet of a street right-of-way (not including an alley) must be forward throw fixtures.

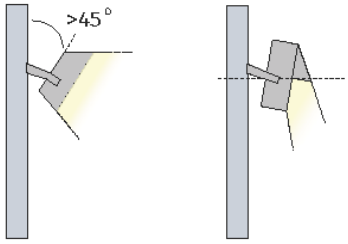
5. All light fixtures must be full cutoff, except as listed in paragraph F. below.



C. Non-cutoff (unshielded) fixtures may be used when the maximum initial lumens generated by each fixture is less than 9,500 lumens. These fixtures generally feature globes or vertical glass planes and must be coated with an internal white frosting to diffuse light.

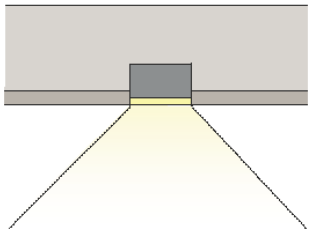


D. **Floodlights** Floodlight fixtures must either be aimed down at least 45 degrees from vertical, or the front of the fixture shielded so that no portion of the light bulb extends below the bottom edge of the shield.

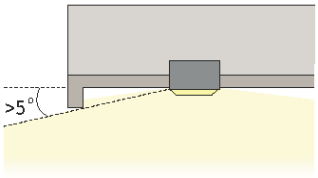


E. **Vehicular Canopies** Lighting under vehicular canopies must be less than 24 footcandles and be designed to prevent glare off-site. Acceptable lighting designs include the following:

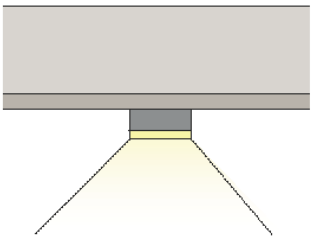
1. **Recessed** Recessed fixture incorporating a lens cover that is either recessed or flush with the bottom surface of the canopy;



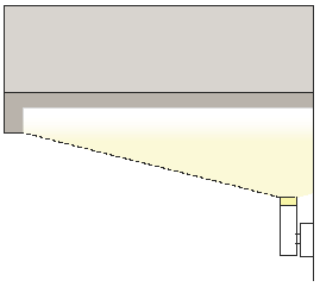
2. **Shielded** Light fixture incorporating shields or is shielded by the edge of the canopy itself, so that light is restrained to 5 degrees or more below the horizontal plane;



3. **Surface Mounted** Surface mounted fixture incorporating a flat glass that provides a cutoff design or shielded light distribution; or



4. **Indirect** Indirect lighting where light is beamed upward and then reflected down from the underside of the canopy, provided the fixture is shielded so that direct illumination is focused exclusively on the underside of the canopy.



F. **Building Lighting**

1. Lighting fixtures must be selected, located, aimed and shielded so that direct illumination is focused exclusively on the building facade, plantings and other intended site features and away from adjoining properties and the street right-of-way.

2. All wall pack fixtures must be full cutoff fixtures.

3. Only lighting used to accent architectural features, landscape or art may be directed upward, provided that the fixture is located, aimed or shielded to minimize light spill into the night sky.

Sec. 8.54.5. Special Uses

All lighting not directly associated with the special use areas designated below must conform to the lighting standards described in this Division.

A. **Outdoor Sports, Recreation Fields, or Performance Areas** Lighting of outdoor recreational facilities (public or private), such as, but not limited to, outdoor athletic fields, courts, tracks, special event or show areas must meet the following requirements:

1. Facilities designed for municipal leagues, elementary to high school levels of play, and training fields for recreational or social levels of play, college play, semi-professional, professional or national levels of play must use luminaires with minimal uplight consistent with the illumination constraints of the design. Where fully shielded fixtures are not used, acceptable luminaires include those which:

    a. Are provided with internal or external glare control louvers or lenses, and are installed so as to minimize uplight and offsite light trespass and glare; and

    b. Are installed and maintained so as to avoid aiming more than 2.5 times the mounting height.

2. All lighting installations must be designed to achieve the illuminance levels for the activity as recommended by the Illuminating Engineering Society of North America (IESNA RP-6).

3. The installation must also limit off-site spill (off the lot containing the sports facility) to the maximum extent possible consistent with the illumination constraints of the design. For all recreational or social levels of play and training fields, as well as, performance areas, illumination levels must not exceed 1.5 foot-candles at any location along any nonresidential property line, and 0.5 foot-candles at any location along any residential property line.

4. All events must be scheduled to complete all activity no later than 10:30 PM. Illumination of the playing field, court or track may be permitted after the curfew only to conclude a scheduled event that was unable to conclude before the curfew due to unusual circumstances. Field lighting for these facilities must be turned off within 30 minutes after the last event of the night.

5. All light poles must be set back the greater of 50 feet or 1 foot for every foot in height from any residential property line or right-of-way.

ARTICLE 9.
ENVIRONMENTAL PROTECTION

Div. 9.1. Wetlands

Sec. 9.1.1. Wetland Regulations

A. **National Wetland Inventory Maps** The National Wetland Inventory Maps, prepared by the United States Fish and Wildlife Service, show the general locations of wetlands and should be consulted by persons contemplating activities in or near wetland areas. These maps should be used as a guide only. Field verification is required to determine the existence or absence of any jurisdictional waters.

B. **Plans** Design professionals, after consulting the National Wetland Inventory maps and conducting appropriate field studies, must indicate wetlands or jurisdictional waters on plans required for land disturbance permit applications.

C. **Design Professional Statement** Prior to the issuance of a land disturbance permit, the design professional who prepared the required plans accompanying the permit application, must add a statement to the plan sheet indicating land disturbance and the statement must read as follows:

Wetland certification:

> The design professional, whose seal appears hereon, certifies the following: (1) the National Wetland Inventory maps have been consulted and appropriate field studies have been conducted; and, (2) the appropriate plan sheet [__] DOES/[__] DOES NOT (mark appropriate box) indicate wetlands as shown on the maps; and, (3) if wetlands are indicated, the land owner or developer has been advised that land disturbance of protected wetlands or jurisdictional waters must not occur unless the appropriate federal wetlands alteration ("Section 404") permit has been obtained.

D. **ACOE Coordination** The issuance of Land Disturbance Permits by the City may be coordinated with the U.S. Army Corps of Engineers Section 404 permitting process. If the "wetland certification" above indicates the presence of wetlands or jurisdictional water as shown on the NWI generalized wetlands maps or by field study, a land disturbance permit that identifies alterations of designated wetlands or jurisdictional waters may not be issued by the City until a Section 404 Permit or Letter of Permission is obtained from the U.S. Army Corps of Engineers.

Div. 9.2. State Waters Buffer Protection[12]

Sec. 9.2.1. Findings and Purpose~~s~~

A. **Findings** The Community Development Department of the City finds that buffers adjacent to state waters provide numerous benefits, including:

1. Protecting, restoring and maintaining the chemical, physical and biological integrity of streams and their water resources.
2. Removing pollutants delivered by urban stormwater runoff.
3. Reducing erosion and controlling sedimentation.
4. Protecting and stabilizing stream banks.
5. Providing for infiltration of stormwater runoff.
6. Maintaining base flow of streams.
7. Contributing organic matter that is a source of food and energy for the aquatic ecosystem.
8. Providing tree canopy to shade streams and promote desirable aquatic habitat.
9. Providing riparian wildlife habitat.
10. Furnishing scenic value and recreational opportunity.
11. Providing opportunities for the protection and restoration of greenspace.

B. **Purpose~~s~~** The purpose of this Division is to protect the public health, safety, environment and general welfare; to minimize public and private losses due to erosion, siltation and water pollution; and to maintain stream water quality by provisions designed to:

1. Create buffer and setback zones along state waters within the City for the protection of water resources; and
2. Minimize land development within such buffers and setbacks by establishing buffer and setback requirements and by requiring authorization for any such activities.

Sec. 9.2.2. Applicability

A. **Generally** This Division applies to all land development activity on property containing a state waters buffer as defined in Article 12 and an additional impervious surface setback. ~~In this Division, "setback" refers to the additional 25' impervious surface setback described in Sec. 9.2.4.A.2.~~ These requirements are in addition to, and do not replace or supersede, any other applicable buffer and setback requirements established under state law, and approval of or exemption from these requirements does not constitute approval of or exemption from buffer and setback requirements established under state law or from other applicable local, state or federal regulations.

B. **Legal Nonconforming Structures** This Division does not apply to the following existing structures:

1. Work consisting of the repair or maintenance of any lawful use of land that is zoned and approved for such use on or before December 12, 2005.
2. Existing development and ongoing land disturbance activities including but not limited to existing agriculture, silviculture, landscaping, gardening and lawn maintenance, except that new development or land disturbance activities on such properties will be subject to all applicable buffer and setback requirements.

3. A variance from the requirements of the Sandy Springs portion of any state waters buffer ~~or additional~~ (which includes the 50' vegetative buffer or 75' impervious surface setback (see Sec. 9.2.3.~~4~~)) is not required for:

   a. Repair or replacement in kind of any legally approved principal structure located in the buffer that existed prior to December 12, 2005, provided that the footprint of the pre-2005 structure is not exceeded and engineering analysis indicates that no rise in flood elevation will occur. All required permits are still necessary prior to construction.

   b. Repair or replacement of any structure or improvement located in the 75'~~25-foot~~ impervious surface setback and approved prior to December 12, 2005, provided that the area of imperviousness in square feet remains the same or is reduced, and that the new structure or improvement is not located any closer to the 50'~~-foot~~ vegetative buffer than the existing one.

   c. Removal of a principal or accessory structure or otherwise reducing the amount of impervious surface in the state waters buffer or the setback, provided the state waters buffer is restored using native vegetation in accordance with revegetation standards in "Buffer Zone," starting on page 6-15 of the GSWCC's Manual for Erosion and Sediment Control in Georgia: 2016 Edition.

   d. All required permits are still necessary prior to demolition and/or construction.

C. **Exemptions** The following specific activities are exempt from this Division. Exemption of these activities does not constitute an exemption for any other activity proposed on a property.

1. Activities for the purpose of building one of the following:

   a. A stream crossing by a driveway, transportation route or utility line;

   b. Public water supply intake or public wastewater outfall structures;

   c. Intrusions necessary to provide access to a property;

   d. Public access facilities that must be on the water including boat ramps, docks, foot trails leading directly to the river, fishing platforms and overlooks;

   e. Trails and paths, paved or unpaved, provided that:

      i. They are maintained by the City of Sandy Springs or its designee, and

      ii. They are built of pervious material, and

      iii. Their alignment and construction minimize intrusion into the buffer and impervious surface setback, and they disturb land no more than 25' in width during grading and construction, unless approved by the Director due to drainage, topography, other physical conditions, or other reasons deemed acceptable to the Director, and

      iv. They are no more than 14' in width, and

      v. Associated gathering spaces, such as sitting areas and viewing platforms, do not exceed 350 square feet each, and

      vi. The disturbed buffers are stabilized and restored to the maximum possible extent, in accordance with the standards set forth in the Restoration Standards in the City of Sandy Springs Technical Manual.

   f. Activities to restore and enhance stream bank stability, vegetation, water quality or aquatic habitat, so long as native vegetation and bioengineering techniques are used.

2. Public sewer line easements paralleling the stream, except that all easements (permanent and construction) and land disturbance should be at least 25 feet from the top of the bank. This includes

such impervious cover as is necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures. This exemption must not be construed as allowing the construction of roads, ~~bike~~bicycle paths or other transportation routes in such easements, regardless of paving material, except for access for the uses as specifically cited in paragraph 1 above.

3. Land development activities within a right-of-way existing on December 12, 2005 or approved under the terms of this Division.

4. Within an easement of any utility existing on December 12, 2005 or approved under the terms of this Division, land disturbance activities and such impervious cover as is necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures.

5. Emergency work necessary to preserve life or property. However, when emergency work is performed under this Division, the person performing it must report such work to the City on the next business day after commencement of the work. Within 10 days, the person must apply for a permit and perform such work within such time period as may be determined by the City to be reasonably necessary to correct any impairment such emergency work may have caused to the water conveyance capacity, stability or water quality of the protection area.

6. Forestry and silviculture activities on land that is zoned for forestry, silvicultural or agricultural uses and are not incidental to other land development activity. If such activity results in land disturbance in the buffer or setback that would otherwise be prohibited, then no other land disturbing activity other than normal forest management practices will be allowed on the entire property for 3 years after the end of the activities that intruded on the buffer or setback.

7. Projects defined in O.C.G.A. § 12-7-17(3) as minor land-disturbing activities that are exempt from the Georgia Erosion and Sedimentation Act: "Such minor land-disturbing activities as home gardens and individual home landscaping, repairs, maintenance work, fences, and other related activities which result in minor soil erosion."

D. **Minor Land Disturbing Activities** The following land-disturbing activities are examples of projects not specifically listed in O.C.G.A. § 12-7-17(3) that would be considered minor land-disturbing activities and are, therefore, exempt from the Georgia Erosion and Sedimentation Act and the applicable buffer requirements for state waters:

1. Elevated structures such as decks, gazebos, patios, walkways, viewing platforms or open picnic shelters, provided that:

   a. The floor or decking is built in a pervious manner to allow for the infiltration of stormwater;

   b. No more than 100 square feet of footprint of the elevated structure extends into or over the buffer, with an exception for structures compliant with the Americans with Disabilities Act (ADA);

   c. No grading, cutting, filling or similar land-disturbing activities occurring as a part of the site preparation, construction or subsequent development;

   d. The structure is built on posts, concrete blocks or similar supports;

   e. Permanent protective vegetative cover remains or protective measures (for example, mulch or gravel) are installed within the footprint of the elevated structure to prevent post-construction soil erosion;

   f. A natural canopy is left in sufficient quantity to keep shade on the streambed; and

   g. No concrete or asphalt slabs, pads or foundations are constructed or placed as a part of the site preparation, construction or subsequent development.

2. A pervious ground-level walkway approach to a dock or similar structure, provided that:

a. No more than 100 square feet of the constructed walkway extends into the buffer, with an exception for structures compliant with the Americans with Disabilities Act (ADA);

b. No grading, cutting, filling or similar land-disturbing activities occur as a part of the site preparation, construction or subsequent development;

c. No concrete or asphalt slabs, pads, supports or foundations are constructed or placed as a part of the site preparation, construction or subsequent development; and

d. All ground preparation and walkway material placement is completed with the use of hand-held equipment.

3. Restoration of buffer area after the removal of an existing structure, provided that the buffer area must be replanted with native vegetation.

4. Maintenance or repair of existing structures, the failure of which would result in a threat to human health or state waters, such as sewer lines, water lines, dams or gas lines. Total disturbance must be less than 100 square feet.

5. Placement of rock riprap within the buffer not to exceed 100 square feet on any one property, provided that:

a. The placement of the riprap does not result in soil disturbance outside the placement area; and

b. No grading, cutting, filling or similar land-disturbing activities occur as part of the site preparation, construction or subsequent development.

E. **Activities Not Considered Minor** The following land-disturbing activities are examples of projects that are not considered minor land-disturbing activities and are, therefore, not exempt from the Georgia Erosion and Sedimentation Act and the applicable buffer requirements for state waters:

1. Any land-disturbing activity utilizing wheeled or tracked machinery and equipment resulting in soil erosion within the buffer;

a. Paving with poured or prefab concrete or asphalt;

b. Any project or combination of projects occurring within the same calendar year on the same property resulting in more than 100 square feet of any elevated structures or pervious ground level walkways within or extending into the buffer;

c. Construction of a barbeque pit on a concrete or asphalt slab or pad within the buffer;

d. Construction of a ground-level patio within the buffer;

e. Construction of a swimming pool within the buffer;

f. Construction of a decorative or structural retaining wall within the buffer;

g. Construction of a new seawall with land-disturbing activities occurring within the buffer; and

h. Backfilling any new seawall construction within the buffer.

F. **Prohibited Activity** Any land development activity within a buffer established under this Division or any impervious cover within a setback established under this Division is prohibited unless a variance is granted pursuant to Sec. 9.2.4.B and Sec. 11.6.2.

~~Sec. 9.2.3. Inspections~~

~~A. The Department may cause inspections of the work in the buffer or setback to be made periodically during the course thereof and must make a final inspection following completion of the work. The permittee must~~

assist the Department in making such inspections. The Department has the authority to conduct such investigations as it may reasonably deem necessary to carry out its duties as prescribed in this Division, and for this purpose to enter at reasonable time upon any property, public or private, for the purpose of investigating and inspecting the sites of any land development activities within the protection area.

B. No person may refuse entry or access to any authorized representative or agent who requests entry for purposes of inspection, and who presents appropriate credentials, nor may any person obstruct, hamper or interfere with any such representative while in the process of carrying out official duties.

Sec. 9.2.34. Land Development Requirements

A. **Buffer and Setback Requirements** All land development activity subject to this Division must meet the following requirements:

1. **50' Vegetative Buffer** An undisturbed natural vegetative buffer is maintained for 50 feet, measured horizontally, on all banks of the state waters as measured from the point of wrested vegetation.

2. **75' Impervious Surface Setback** All impervious surfaces are prohibited from an additional setback of 25 feet, measured horizontally from the 50 foot' undisturbed vegetative buffer.

   a. **Purpose** The purpose of the setback is to prohibit all newly proposed impervious surfaces and to prevent increases in stormwater runoff caused by grading or other land disturbance activities within the impervious surface setback.

   b. **Exceptions** Land development activities in the impervious surface setback may be approved by the Director if they maintain or decrease the existing stormwater runoff rates.

3. **Septic** No septic tanks or septic tank drain fields are permitted within the buffer or the setback. Septic tanks and septic tank drain fields must be coordinated with the Fulton County Health Department and comply with its regulations.

B. **Variance Procedures** Variances from paragraph A. above may be granted in accordance with the following provisions:

1. Where a parcel was platted prior to December 12, 2005, and its shape, topography or other existing physical condition prevents land development consistent with this Division, and the City finds and determines that the requirements of this Division prohibit the otherwise lawful use of the property by the owner, the Board of Appeals may grant a variance from paragraph A. above, provided such variance requires mitigation measures to offset the effects of any proposed land development on the parcel.

2. The Board of Appeals will follow the procedure set forth in Sec. 11.6.2.

3. Variances will be considered only in the following cases:

   a. When a property's shape, topography or other physical conditions existing on December 12, 2005 prevents land development unless a buffer or setback variance is granted.

   b. Unusual circumstances when strict adherence to the minimal buffer and setback requirements in this Division would create an extreme hardship.

4. Variances will not be considered when actions of any property owner of a given property after December 12, 2005 have created conditions of a hardship on that property.

5. At a minimum, a variance request must include the following information:

   a. A site map that includes locations of all state waters, wetlands, floodplain boundaries and other natural features, as determined by field survey;

b. A description of the shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;

c. A detailed site plan that shows the locations of all existing and proposed structures and other impervious cover, the limits of all existing and proposed land disturbance, both inside and outside the buffer and setback. The exact area of the buffer and setback to be affected is accurately and clearly indicated;

d. Documentation of unusual hardship should the buffer and setback be maintained;

e. At least one alternative plan that does not include a buffer or setback intrusion, or an explanation of why such a site plan is not possible;

f. A calculation of the total area and length of the proposed intrusion;

g. A stormwater management site plan, if applicable; and

h. Proposed mitigation, if any, for the intrusion. If no mitigation is proposed, the request must include an explanation of why none is being proposed.

6. The following factors will be considered in determining whether to issue a variance:

a. The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;

b. The locations of all state waters, wetlands, floodplain boundaries and other natural features on the property, including along property boundaries, as determined by field survey;

c. The location and extent of the proposed buffer or setback intrusion;

d. Whether alternative designs are possible which require less intrusion or no intrusion;

e. The long-term and water quality impacts of the proposed variance; and

f. Whether issuance of the variance is at least as protective of natural resources and the environment.

Sec. 9.2.45. Compatibility with Other Buffers

A. **Minimum requirements** This Division is not intended to interfere with, abrogate or annul any other chapter, rule or regulation, statute or other provision of law. The requirements of this Division should be considered minimum requirements, and where any provision of this Division imposes restrictions different from those imposed by any other chapter, rule, regulation or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment are considered to take precedence.

B. **Additional standards** that apply and will be enforced by the City are as follows:

1. Metropolitan River Protection Act (MRPA) and Chattahoochee Corridor Plan:

a. Requires a 50-foot' (undisturbed) vegetative buffer;

b. Requires a 150-foot' impervious surface setback on the Chattahoochee and its impoundments; and

c. Requires a 35-foot' undisturbed vegetative buffer (all measured from the edge of the water) on perennial tributary streams in a corridor extending 2,000 feet from either bank of the river and its impoundments.

d. The corridor extends from Buford Dam to the downstream limits of the Atlanta region (Douglas and Fulton Counties). Streams in the basin of the Corridor are required to be protected by buffers, but no required width is specified. (O.C.G.A. § 12-5-440 et seq.)

2. DNR Part 5 Criteria for small (under 100 square miles) water supply watersheds:

   a. Authorized under O.C.G.A. § 12-2-8, these criteria require 100-foot undisturbed buffers and 150-foot setbacks on all perennial streams within seven miles upstream of a public water supply reservoir or public water supply intake.

   b. Beyond 7 miles, the required buffer is 50 feet and the required setback is 75 feet. Equivalent protection measures may be adopted with approval from the state Department of community affairs and the Department of natural resources (DCA and DNR).

3. DNR Part 5 Criteria for river protection authorized under the Metropolitan River Protection Act, these criteria require a 100-foot buffer along rivers with average annual flows of greater than 400 cubic feet per second (cfs) excepting the portion of the Chattahoochee referenced in subsection (1) of this section. The buffer is measured from the top of the stream bank.

4. Other such state and federal regulations as may be adopted from time to time. While the requirements of this Division are intended to apply to all state waters in the City, special conditions may exist that require greater protection. Nothing in this Division should be construed as preventing the establishment of wider and/or more restrictive buffers and setbacks as required under any other existing or future legislation. In addition, nothing in this Division should be construed as preventing the establishment of wider buffers or setbacks for purposes of protecting greenspace, preserving habitat or other goals that may not be specifically mandated by legislation.

Sec. 9.2.5~~6~~. Additional Information Requirements

Any permit applications for property requiring buffers and setbacks under this Division must include the following:

A. **A site plan showing:**

   1. The location of all state waters on the property;

   2. Limits of required state waters buffers and required setbacks on the property;

   3. Buffer zone topography with contour lines at no greater than five-foot contour intervals;

   4. A tree survey;

   5. Detailed plans of all proposed land development in the buffer and setback and of all proposed impervious cover within the setback.

B. **Scope** A description of all proposed land development within the buffer and setback.

C. **Supporting documents** Any other documentation that the City may reasonably deem necessary for review of the application and to ensure that this Division is addressed in the approval process.

D. **Memorialization** All buffer and setback areas must be recorded on the final plat of the property following plan approval.

Sec. 9.2.6. Inspections

A. **Frequency** The Department may cause inspections of the work in the buffer or setback to be made periodically during the course thereof and must make a final inspection following completion of the work. The permittee must assist the Department in making such inspections. The Department has the authority to

conduct such investigations as it may reasonably deem necessary to carry out its duties as prescribed in this Division, and for this purpose to enter at reasonable time upon any property, public or private, for the purpose of investigating and inspecting the sites of any land development activities within the protection area.

B. **Access** No person may refuse entry or access to any authorized representative or agent who requests entry for purposes of inspection, and who presents appropriate credentials, nor may any person obstruct, hamper or interfere with any such representative while in the process of carrying out official duties.

Sec. 9.2.7. Responsibility

Neither the issuance of a development permit nor compliance with the conditions of the permit, nor with the provisions of this Division relieves any person from any responsibility otherwise imposed by law for damage to persons or property; nor will the issuance of any permit under this Division serve to impose any liability upon the City, its officers or employees, for injury or damage to persons or property.

Sec. 9.2.8. Violations, Enforcement and Penalties

In addition to the provisions of Div. 11.8, the following provisions apply.

A. **Violations** Any action or inaction which violates the provisions of this Division or the requirements of an approved site plan or permit may be subject to the enforcement actions outlined in this section. Any such action or inaction that is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief. The imposition of any of the penalties described in paragraph C. of this section does not prevent such equitable relief.

B. **Notice of Violation**

1. If the City determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved site plan or the provisions of this Division, the Director will issue a written notice of violation to the applicant or other responsible person.
2. Where a person is engaged in activity covered by this Division without having first secured the appropriate permit for the work, the notice of violation is served on the owner or the responsible person in charge of the activity being conducted on the site.
3. The notice of violation must contain:
    a. The name and address of the owner or the applicant or the responsible person;
    b. The address or other description of the site upon which the violation is occurring;
    c. A statement specifying the nature of the violation;
    d. A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the approved site plan or this Division and the date for the completion of such remedial action;
    e. A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed; and
    f. A statement that the determination of violation may be appealed to the City by filing a written notice of appeal within 30 days after the notice of violation (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice is sufficient).

C. **Penalties**

1. In the event the remedial measures described in the notice of violation have not been completed by the date set forth for completion in the notice of violation, any one or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed.
2. Before taking any of the following actions or imposing any of the following penalties, the City must first notify the applicant or other responsible person in writing of its intended action, and provide a reasonable opportunity, of not less than 10 days (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice is sufficient) to cure the violation.
3. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, the City may take any one or more of the following actions or impose any one or more of the following penalties:
    a. Stop work order. The Department may issue a stop work order that is served on the applicant or other responsible person. The stop work order will remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take necessary remedial measures to cure such violation or violations.
    b. Withhold certificate of occupancy. The City may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.
    c. Suspension, revocation or modification of permit. The City may suspend, revoke or modify the permit authorizing the land development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the City may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.
    d. Civil penalties. In the event the applicant or other responsible person fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten days (or such greater period as the City deems appropriate) (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice is sufficient) after the City has taken one or more of the actions described above, the City may impose a penalty not to exceed $1,000.00 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.
    e. Criminal penalties. For intentional and flagrant violations of this Division, the City may issue a citation to the applicant or other responsible person, requiring such person to appear in (appropriate municipal, magistrate or recorders) court to answer charges for such violation. Upon conviction, such person is guilty of a violation of this Code. Each act of violation and each day upon which any act of violation occurs constitutes a separate violation of this Code.

Div. 9.3. Tree Conservation

Sec. 9.3.1. Purpose

A. The purpose of this Section is to recognize the importance of trees to the environment within the City for the purposes of health and welfare, beauty, safety, history, and general well-being, and to promote:

1. Tree conservation;
2. The increase, renewal and proliferation of trees and the tree canopy; and
3. The protection of existing trees.

B. This Section is designed to provide reasonable minimum standards regarding the preservation, planting, protection and maintenance of trees within the City. The provisions and regulations contained here, along with the Technical Manual, will guide practices to accomplish this Section's purpose.

C. The City further recognizes benefits derived from the conservation, proliferation, and renewal of trees and increased tree canopy including but not limited to:

1. The improvement of air quality by providing filtration of dust and fumes;
2. The conservation of energy and mitigation of the urban heat island effect through shading and transpiration;
3. The reduction of stormwater runoff and flooding by dissipating rainfall and absorbing moisture;
4. The reduction of soil erosion, and improved water quality;
5. The improvement of habitat for desirable wildlife by providing diversity for food, shelter, and nesting sites;
6. The reduction of health risks to residents due to improved environmental conditions;
7. The improvement of community aesthetics and quality of life by having a diverse environment;
8. The reduction of ambient noise levels;
9. The mitigation of conditions in areas of vehicular use by providing buffering and shading; and
10. The general enhancement of economic value to properties.

D. The requirement of a high level of quality in the maintenance and development of land is consistent with community standards and the economic necessity of maintaining the City as a desirable place to live and conduct business.

Sec. 9.3.2. Standards

A. **Canopy Requirements By Land Use** All sites within the City must contain the following minimum tree canopy cover. Canopy cover is calculated as a percentage of the entire lot or subdivision.

Land Use	Canopy Required
Residential	35%
Nonresidential, Commercial, Industrial	40%

B. **Canopy Calculation** A Recommended Species List may be found in the Technical Manual, with trees assigned to the following categories:

1. Large Canopy Trees are calculated as 1,000 square feet credit.
2. Medium Canopy Trees are calculated as 500 square feet credit.
3. Small Canopy Trees are calculated as 250 square feet credit.

Sec. 9.3.3. Tree Removal

A. **Tree Removal Permit Required**

1. Except as set forth in Sec. 9.3.3.B, a Tree Removal Permit is required when any of the following trees are removed or 25% or more of the critical root zone is disturbed by any intentional activities of the property owner or the owner's agent or employees:

   a. Any Protected Tree, Setback Tree, Boundary Tree or Landmark Tree;

   b. Any tree located within 2,000 feet of the banks of the Chattahoochee River; and

   c. Any tree in a required stream buffer.

2. All permit requirements in this Article are deemed cumulative, with the most restrictive being operative regarding any particular application.

3. For Tree Removal Permits not associated with building or land disturbing activities, the applicant ~~shall~~must submit to the City Arborist documentation (e.g., photographs, drawings, or similar documentation deemed acceptable by the City Arborist) showing the location of all existing trees on the property. Such documentation ~~shall~~must show the location, species, and approximate diameter at breast height (DBH) of all existing trees, noting with specificity the Landmark Trees, Protected Trees and Buffer Trees that are proposed to be removed pursuant to this section.

B. **Tree Removal Permit Not Required** No Tree Removal Permit is required in the following circumstances:

1. Normal tree maintenance, including the removal of dead wood and branches or limbs that endanger life or property, provided that the tree is not limbed, topped or pruned in a manner so as to deprive the tree of continued viability.

2. Removal of a hazardous tree, provided the owner of the property must immediately notify the City Arborist of the removal of the tree and provide documentation that the removed tree was a hazardous tree. Hazardous tree means a tree that is at risk for failure because it is dead or structurally defective, and where that failure could result in personal injury or property damage.

C. **Site/Tree Conservation Plan**

1. As part of the application for a Tree Removal Permit, a Site/Tree Conservation Plan is required in conjunction with any activity requiring the issuance of a building permit (other than a building permit for a deck, open air patio, fence or interior renovations), demolition permit, land disturbance permit, or erosion and grading permit by the City.

2. Whenever an application for a building permit or land disturbance permit requires a Site/Tree Conservation Plan, the process is as follows:

   a. Concurrently with the building permit, or land disturbance permit application, the applicant must submit a Site/Tree Conservation Plan prepared by a qualified professional for review by the City Arborist.

   b. The Site/Tree Conservation Plan must document the following:

      i. Tree species, DBH, critical root zone, and location of all existing trees and existing tree canopy on the property;

      ii. The location, species, and caliper size of all proposed mitigation planting trees;

      iii. The location of all proposed building construction and land development activities, including grading, drainage, proposed utility locations and all proposed tree protection measures;

iv. All trees proposed for removal; and

v. Calculation of the tree canopy on the property prior to and following the implementation of the tree removal/replacement activity set forth in the Site/Tree Conservation Plan.

c. If the proposed tree removal causes the canopy to fall below the minimum canopy requirement, the applicant is required to:

i. Pay into the Tree Bank for the deficient canopy as set forth in Sec. 9.3.8.D; and

ii. Install trees of a similar species to bring the site into compliance with the minimum canopy requirement.

d. The Site/Tree Conservation Plan must document standard details for tree protection and tree planting in compliance with the Technical Manual.

e. The Site/Tree Conservation Plan must document compliance with the parking and landscape requirements of this Development Code in compliance with the Technical Manual.

f. The Site/Tree Conservation Plan must document all Boundary Trees, their critical root zones, and the calculated percentages of impact to the critical root zones.

D. **Replanting Location Incentive** When meeting canopy requirements with replanted trees, the Site/Tree Conservation Plan must document compliance with the following:

1. Each large canopy tree planted along the street frontage receives mitigation credit for 1.25 trees.

2. Each large canopy tree planted between 50 feet and 75 feet of a stream buffer receives mitigation credit for 1.25 trees.

E. **Payment and Assurances Required** A Site/Tree Conservation Plan approval will not be issued until both:

1. Payment of any required amounts by cashier's check have been received by the Sandy Springs Tree Bank; and

2. The City has been provided adequate assurances of any required canopy replacement (such as a tree planting schedule).

F. **Field Verification**

1. The qualified professional submitting the Site/Tree Conservation Plan must field verify the accuracy of the Site/Tree Conservation Plan prior to submittal.

2. A certificate of occupancy may be issued after final site inspection by City Staff to verify compliance.

3. The City Arborist must validate submitted Site/Tree Conservation Plans for field accuracy and compliance as deemed appropriate by the Director.

Sec. 9.3.4. Boundary Tree

A. Boundary Tree means a tree 10 inches DBH or larger located on a property adjacent to a permitting property whose critical root zone or canopy extends into that permitting property.

B. Where a Tree Removal Permit is required for a Boundary Tree, the City Arborist must determine whether the proposed land disturbance or construction activity will deprive the Boundary Tree of continued viability.

1. If there is not sufficient evidence to show that the proposed activity will deprive the Boundary Tree of continued viability, the Tree Removal Permit may be issued allowing the proposed activity.

2. If there is sufficient evidence to show that the proposed activity will deprive the Boundary Tree of continued viability, the Tree Removal Permit must not be issued in a manner allowing the proposed activity relating to the Boundary Tree.

C. If the City Arborist determines that it is uncertain whether the proposed land disturbance or construction activity will deprive the Boundary Tree of continued viability, prior to the issuance of a Tree Removal Permit allowing the proposed activity relating to the Boundary Tree:

1. The applicant must provide two or more estimates from professionals that are determined to be sufficient to offset the removal and replacement costs of the Boundary Tree, and an average will be used to determine the amount of funds the applicant must provide into an account established by the City. Notice must be provided to the property owner whose property contains the Boundary Tree and must include notice of the deposited funds and a copy of this Section.

2. In establishing the escrow amount required pursuant to Sec. 9.3.8.F, the proposed replacement tree upon which payment is computed must be comparable to the Boundary Tree in species and size potential, be ecologically compatible with the intended growing site, and at maturity fully mitigate the loss of the entire canopy area of the Boundary Tree.

3. For the purposes of this section, credit will be granted to applicants for the entire tree canopy of a Boundary Tree protected, as calculated pursuant to the Technical Manual.

Sec. 9.3.5. Setback Tree

A. Setback Tree means a tree 18 inches DBH or larger located in the minimum required setbacks of any property.

B. The City Arborist may decide to approve the removal of a Setback Tree by weighing the following factors:

1. The size and configuration of the property;

2. The physical condition of the tree;

3. The total tree canopy on the property;

4. Pedestrian or vehicle traffic on or adjacent to the property;

5. The configuration of buildings, structures and utilities on or adjacent to the property;

6. Cost effectiveness of potential alternatives to tree removal;

7. Whether the tree contributes to meeting any of the requirements set forth in this Article or other requirements set forth by the City;

8. Generally recognized good forestry practices;

9. Canopy coverage;

10. Necessary grading; or

11. The construction of structures allowed in setback areas.

C. For removal or destruction of trees approved pursuant to paragraph A. above, on property not meeting the canopy requirements, or on property on which removal of the Setback Tree will cause the tree canopy to fall below the canopy requirements, the Setback Tree must be replaced by the planting of new trees comparable to the Setback Tree in species and canopy potential within the minimum required setback of the property.

D. If the City Arborist determines that replacement of the Setback Tree is not practical based upon: (1) the size and configuration of the Property; or (2) undue hardship for the applicant, payment may be made into the Sandy Springs Tree Bank in lieu of replacement planting. The compensation for the lost tree canopy below

the canopy requirements is calculated on a square foot lost/replaced basis as set forth in the canopy and cost assignment table contained in Sec. 9.3.8.D.

Sec. 9.3.6. Landmark Tree

A. Landmark Tree means:

1. Hardwood tree 27 inches DBH or larger;
2. Pine tree 30 inches DBH or larger; or
3. Dogwood or redbud tree ten inches DBH or larger being in fair or better condition.

B. The destruction or removal of Landmark Trees pursuant to this subsection is permitted only in the following instances:

1. If the Landmark Tree is located within the building footprint of the proposed construction, as permitted by the City; or
2. If the Landmark Tree is located outside of the permitted building footprint, and the City Arborist determines that the permitted land disturbance or construction activity will require the removal of the Landmark Tree based upon:
   a. The size and configuration of the property;
   b. A tree assessment by an International Society of Arboriculture certified arborist indicating that the tree is dead, dying or hazardous;
   c. The total tree canopy on the property;
   d. The configuration of buildings, structures and utilities on or adjacent to the property;
   e. Cost effectiveness of potential alternatives to tree removal;
   f. Whether the tree contributes to meeting any of the requirements set forth in this Article or other requirements set forth by the City;
   g. Generally recognized good forestry practices; or
   h. Other factors creating undue hardship for the applicant; or
3. If the Landmark Tree's health is poor or the Landmark Tree is dead.

C. All Landmark Trees removed pursuant to Sec. 9.3.3.A. must be replaced by the planting of new trees on the property of a comparable species and with a canopy potential of 150% of the canopy of the Landmark Tree to foster the enhancement of the tree canopy. Canopy mitigation is computed using the actual measured canopy of the Landmark Tree.

D. If the City Arborist determines that replacement of the Landmark Tree is not practical based upon the size and configuration of the property, payment may be made into the Sandy Springs Tree Bank in lieu of replacement planting. The compensation for the lost tree canopy below the canopy requirements is calculated on a square foot lost/replaced basis as set forth in the canopy and cost assignment table contained in Sec. 9.3.8.D.

E. In calculating a Tree Removal Permit, the preservation of existing Landmark Trees in the side, front and rear yards will receive 1.25 square feet of mitigation credit for each lot of canopy planted.

Sec. 9.3.7. Protected Tree

A. Protected Tree means a tree 18 inches DBH or larger, other than a Landmark Tree or Setback Tree, in fair or better condition.

B. The destruction or removal of a Protected Tree on any property must comply with the Site/Tree Conservation Plan provisions of Sec. 9.3.3.C.

C. The removal or destruction of Protected Trees on property not meeting the canopy requirements, or that will cause the tree canopy to fall below the canopy requirements, is permitted only if the Protected Trees are:

1. Located within the building footprint of the proposed construction, as permitted by the City; or

2. Outside of the permitted building footprint, and the City Arborist determines that the permitted land disturbance or construction activity will require the removal of the Protected Tree based on the provisions of Sec. 9.3.5.B.

D. The City Arborist may decide to approve the removal of a Protected Tree by weighing the following factors in order to determine the extent of the impact of the removal of the Protected Tree upon adjacent properties and only allow such removal if it is determined that such impact is minimal:

1. The size and configuration of the property;

2. The physical condition of the tree;

3. Cost effectiveness of potential alternatives to tree removal;

4. Whether the tree contributes to meeting any of the requirements set forth in this Article or other requirements set forth by the City;

5. Generally recognized good forestry practices; or

6. Other factors creating undue hardship for the applicant.

E. For removal or destruction of trees approved pursuant to paragraphs C. and D. above, on property not meeting the canopy requirements, or on property on which removal of the Protected Tree will cause the tree canopy to fall below the canopy requirements, the Protected Tree must be replaced by the planting of new trees comparable to the Protected Tree in species and canopy potential.

F. If the City Arborist determines that replacement is not practical based upon:

1. The size and configuration of the property;

2. Unavoidable site modifications resulting from grading, utility work, and construction activities that will result in destruction or irreparable damage to the tree, or wherein site plan modifications to prevent destruction or irreparable damage to the tree are impossible or unduly burdensome on the applicant;

3. The tree canopy of common areas appurtenant to the property; or

4. Other factors creating undue hardship for the applicant including but not limited to: pedestrian or vehicle traffic on and adjacent to the property; the configuration of buildings, structures and utilities on or adjacent to the property; cost effectiveness of potential replacement; whether the tree contributes to meeting any of the requirements set forth in this Division or other requirements set forth by the City; or generally recognized good forestry practices;

5. Then payment may be made into the Sandy Springs Tree Bank in lieu of replacement planting. The compensation for the lost tree canopy below the canopy requirements is calculated on a square foot lost/replaced basis as set forth in the canopy and cost assignment table contained in Sec. 9.3.8.D.

6. The compensation for the lost tree canopy below the canopy requirements is calculated on a square foot lost/replaced basis as set forth in the canopy and cost assignment table contained in Sec. 9.3.8.D.

7. All trees removed pursuant to this Section must be replaced by the planting of new trees on the property of a comparable species and canopy potential.

Sec. 9.3.8. Administration

A. **Technical Manual** The Technical Manual was prepared in conjunction with this Article and, as it exists and may be amended from time to time, it is incorporated here, and a copy of it is maintained in the office of the City Clerk. If any term of the Technical Manual is deemed to conflict with the terms of this Article, the terms of this Article control.

B. **Appeals**

1. Any applicant under this Article aggrieved by an action of the City Arborist, or any adjacent property owner directly impacted by a decision made under this Article, may appeal and be heard by the Board of Appeals in accordance with the rules and regulations as set forth by this Article and the Board. See Sec. 11.6.3.

2. Appeals may only be granted for errors of interpretation, application, or where the unique natural features of the site are such that it is impractical or impossible to apply the terms, conditions or standards of this Article, resulting in an undue hardship to the property owner.

C. **Establishment of Tree Bank**

1. There is hereby established a Sandy Springs Tree Bank for the maintenance and disbursement of funds required to be paid pursuant to the terms of this Article.

2. Where it is determined by the City Arborist that payment into the Sandy Springs Tree Bank is required by this Article, the required funds must be paid to the Sandy Springs Tree Bank prior to issuance of any related permit.

3. Funds maintained in the Sandy Springs Tree Bank are administered by the Director pursuant to the rules and regulations regarding the funds as established by the Sandy Springs City Council for the purposes of replacing tree canopy or canopy preservation.

D. **Cost Assignment**

1. For the purposes of calculation of required payment into the Sandy Springs Tree Bank, an assessed value of $5,000.00 per 1,000 square feet of canopy will be used when canopy replacement cannot be achieved by replanting on the site.

   a. Large Canopy Trees are calculated as 1,000 square feet credit.

   b. Medium Canopy Trees are calculated as 500 square feet credit.

   c. Small Canopy Trees are calculated as 250 square feet credit.

2. When proposed construction causes the canopy to fall below the minimum canopy requirement, an assessed value of $1,200.00 per 1,000 square feet of canopy is used to determine the payment for the deficient canopy.

3. For any unauthorized tree removal, an assessed value of $7,500.00 per 1,000 square feet of canopy removed will be used to determine payment into the Sandy Springs Tree Bank.

E. **Potentially Damaged Trees-Escrow Fund**

1. Where the City Arborist determines that due to approved construction or land disturbance activity an applicant may remove a tree pursuant to the terms of this Article, and the applicant is required to pay for the lost tree canopy of the removed tree, the applicant may, at its election, propose alternative construction or site design methods to attempt to preserve the continued viability of the tree. Should the City Arborist determine that the proposed alternative construction or site design methods will reasonably result in the survival of the tree, that portion of the funds required to pay for the lost tree canopy of the tree pursuant to this Article must be paid into an escrow fund maintained by the City.
2. After 3 years from the date of receiving a certificate of occupancy or certificate of completion, the applicant has the right to petition the City Arborist for the return of all escrow funds held for the protection of the tree. Within 30 days of the petition, the City Arborist will make a determination as to whether the tree has failed to survive or is in a state of irreversible decline due to the permitted activity. Should the City Arborist determine that the tree has survived and is not in a state of irreversible decline, the funds must be paid to the applicant. Should the City Arborist determine that the tree has failed to survive or is in a state of irreversible decline, the escrow must be transferred into the Sandy Springs Tree Bank.
3. If funds are required to be paid into escrow pursuant to paragraph 1. above, at any time prior to a determination authorizing the return of the escrow funds to the applicant pursuant to paragraph 4. below, the property owner (petitioner) whose property contains the tree may petition the City Arborist for the payment of the escrow funds to be used for the removal and replacement of the tree on the grounds that the permitted activity has caused the tree to fail to survive or be in a state of irreversible decline.
4. Upon receipt of such petition, notice of the petition is provided to the applicant hereunder at the address provided at the time of the tree removal permit application, or at any alternative address subsequently designated by the applicant to the City Arborist in writing, via first class and certified mail, within 30 days of mailing of the notice. The City Arborist will make a determination as to whether the tree has failed to survive or is in a state of irreversible decline due to the permitted activity. Notice of the decision is provided to the petitioner and the applicant by certified and first class mail as set forth in this paragraph. Either party may appeal the City Arborist's determination pursuant to this Article. Should the City Arborist determine that the tree failed to survive or is in a state of irreversible decline due to the permitted activity, and no appeal has been timely filed, or the applicant has fully exhausted his or her appellate rights, the escrow funds will be paid to the petitioner to offset any costs incurred in removal and replacement of the tree. The petitioner's rights pursuant to this section may not be exercised more than once in any 18-month period.
5. Any funds not collected by either an affected property owner or the applicant within a period of ~~4~~ 6 years of the establishment of the escrow fund are deposited in the Sandy Springs Tree Bank.
6. No party is entitled to receive interest on any escrow funds required pursuant to the provisions of this Article.

F. **Enforcement**

1. The Director will enforce the terms of this Article.
2. No certificate of occupancy may be issued on any property without compliance with the terms of this Article.
3. Examples of violations include, but are not limited to:
   a. Land disturbance or building construction without a permit.
   b. Improperly installed or maintained tree protection.
   c. The removal of applicable trees prior to the issuance of a permit.

d. Non-approved encroachment of tree protection zones.

e. Other violations of the terms, provisions and standard of this Article.

4. The Director has the authority to issue a Notice of Violation, a Stop Work Order and a citation to enforce the provisions of this Article.

5. Where it is deemed necessary, the Director will require sureties to assure compliance to the terms, conditions and standards of this Article.

G. **Fines and Penalties**

1. Any person, firm, corporation or other entity violating any of the provisions of this Article is guilty of a violation of this Development Code. Each act of violation and each day upon which any act of violation occurs constitutes a separate violation of this Development Code.

2. Each owner of any property where a violation exists is jointly and severally responsible for the violation.

3. Unauthorized removal of a tree protected under the terms of this Article without compliance with the terms of this Article will result in an assessment for payment into the Sandy Springs Tree Bank at a calculated rate of $7,500.00 per 1,000 square feet of canopy removed.

Div. 9.4. Natural Grade Protection[13]

[13]Editor's note(s)—An ordinance adopted April 17, 2018(7) , § 9-32, changed the title of Div. 9.4 from "Steep Slopes" to read as herein set out.

Sec. 9.4.1. Purpose

A. The purpose of this Division is to protect topographic features and natural grades in order to prevent one or more of the following negative impacts:

1. Erosion affecting the structural integrity of steep slopes and natural grades.
2. Stormwater and erosion-related impacts on adjacent properties.
3. Stormwater and erosion-related impacts to environmentally sensitive areas.
4. Increased stormwater velocity due to loss of vegetation.
5. Decreased groundwater recharge due to changes in site hydrology.
6. Loss of natural or topographic features that contribute substantially to the natural beauty and visual quality of the community.

B. The standards of this Division do not apply to steep slopes in the CS- or Perimeter Center Districts.

Sec. 9.4.2. Standards

A. **Definition** For purposes of this Division, "slope" means the ratio of elevation change to horizontal distance, expressed as a percentage. Slope is computed by dividing the vertical distance ("rise") by the horizontal distance ("run"). For example, a 3-foot rise in a 20-foot run results in a 15% slope.

B. **Applicability** All construction, including renovations and additions, must comply with the requirements of this Division.

C. **Designation on Plans** Moderate and steep slopes of 1,000 square feet and greater in area must be designated on any Land Disturbance Permit or Building Permit application.

D. **Moderate Slopes of 15% and Up to 35%** Building and site preparation may occur upon demonstration of specialized site design techniques and approaches that meet the requirements in F. below.

E. **Steep Slopes of 35% or Greater** These areas are generally unsuitable for development. Land disturbance must not exceed ¼ of the area containing slopes of 35% or greater in areas of 1,000 square feet or more, except that where an existing lot of record does not have a reasonable building site with less than 35% slope or natural grade, the Director may approve the site, subject to any necessary mitigation measures.

F. **Construction Techniques** Construction activities on slopes of 15% or greater must comply with the following:

1. All plans must show provisions for reducing and minimizing stormwater runoff during construction on steep slopes and cut and fill slopes.
2. All swales and all slopes must be provided temporary or permanent stabilization with ground cover sufficient to restrain erosion as soon as practicable, but in any event, within 7 calendar days of any phase of grading.
3. All other disturbed areas must be provided temporary or permanent stabilization with ground cover sufficient to restrain erosion as soon as practicable, but in any event, within 14 calendar days of termination or completion of any phase of grading.
4. Prior to issuance of a certificate of occupancy, vegetation must be reestablished.
5. Where irrigation is not provided, the exposed soil must be planted with species that survive without irrigation.

6. Vegetative ground cover or any alternative cover (rock, masonry, or similar materials) must be maintained in perpetuity.

G. **Grading** In order to protect trees and vegetation on sites, and to protect the character of the neighborhood, the following limits on grading are required.

1. **Mitigation measures** Any grading in side building setbacks in RE-, RD- and RU- districts, must be mitigated following the measures listed below.

   a. For each tree of 10 inches DBH or greater removed or damaged by grading in the side setback, one tree must be planted;

   b. If no tree of 10 inches DBH or greater is removed or damaged, at least one large canopy shade tree must be planted for every 1,000 square feet of area disturbed in the side setback;

   c. Replacement tree species must be of comparable canopy size at maturity as those of the trees removed or damaged;

   d. Replacement trees must be at least 2 inches caliper at time of planting;

   e. Planting must take place in the graded area. If this is not possible, the replacement trees may be located elsewhere on the property. If this is not possible, recompense provisions (see Sec. 9.3.8) of the Tree Ordinance apply;

   f. This mitigation is required in addition to any other provisions of the Tree Ordinance, including those that apply to Setback Trees (see Sec. 9.3.5).

2. ~~**In the common side and side street building setbacks**~~**Common side and side street grading setback**

   a. In all RE- districts, grading may encroach up to 10 feet into the required side building setbacks.

   b. In all RD- and RU- districts, grading may encroach into the required side building setbacks.

3. **Rear grading setback**~~**In the rear building setbacks**~~

   a. In all RE- districts, no grading is allowed within 20 feet of the rear lot line.

   b. In the RD-27, RD-18, and RD-15 districts, no grading is allowed within 15 feet of the rear lot line.

   c. In the RD-12, RD-9, RD-7.5, and RU- districts, no grading is allowed within 10 feet of the rear lot line.

4. **Common, side street, and rear grading setback exceptions**

   The following may be granted exceptions from common, side street, and rear grading setback requirements:

   a. Where a building setback encroachment is allowed (certain accessory structures and site elements) for site area within the grading setback, the grading is permitted with the installation of a mitigation zone (Described under “Mitigation Zone” below), and;

   b. Also, where a side or rear yard is the only feasible option for a construction entrance, grading disturbance may be approved by the Director, so long as the width of the area of activity within the buffer does not impact an existing tree with a 15” DBH or greater and is replaced with a mitigation zone.

   c. **Mitigation Zone:** Regardless of the original state of the affected grading buffer area, mitigation in the form of plantings, a mix of evergreen and deciduous trees, and shrubs is required per the prescription provided:

i. The mitigation zone must be at least 5 feet deep bordering the entire project area within the grading setback;

ii. Evergreen trees spaced at 1 per 25 linear feet, minimum of 1, full to the ground and at least 6 feet tall at the time of planting;

iii. Understory trees spaced at 1 per 25 linear feet, minimum of 1, with a minimum caliper of 2 inches;

iv. Shrubs spaced 8 per 25 linear feet, minimum of 8, with a minimum size of 3; and

v. Additional BMPs determined to be necessary by the Director to preserve existing vegetation.

45. In all districts, resulting graded slopes must not exceed 3 feet (horizontal) to 1 foot (vertical). Steeper slopes may be approved by the Director upon certification of stability by a soils engineer or geologist.

6. Any unauthorized clearing and grading must replant the cleared area according to the requirements of the Mitigation Zone in Sec. 9.4.2.G.4.c.

H. **Variance from Standards** In granting a variance from the standards of this Section, the Board of Appeals may determine that some features or areas may not be disturbed. These include, but are not limited to:

1. Large stands of trees;
2. Areas containing state waters, floodplain, or wetlands or in the Nancy Creek Declared Sensitive Area;
3. Rock outcroppings; and
4. Slopes of 35% or greater.

Sec. 9.4.3. Retaining Walls

Where retaining walls are necessary, they are limited as follows:

A. **Design**

1. **Height**

a. **Measurement** Total retaining wall height is considered to be:

i. **Structure Height (Building Code)—**The vertical distance measured from the bottom of the footing to the top of the wall at the same section.

ii. **Exposed Height (Zoning Code)—**The vertical distance measured from finished grade at the bottom of the front (exposed) side of the wall to the top of the wall at the same section.

b. **Maximum Height**

i. **Retaining Walls**

Up to six (6) feet in exposed wall height as a single wall in RE-, RD-, and RU zoning districts. Up to eight (8) feet in exposed wall height as a single wall in all other districts, except when abutting a Protected Neighborhood.

ii. **Tiering Walls**

Over the maximum exposed wall heights for a single wall in each district, requires tiering. Each wall tier must adhere to the maximum wall height as described above. See Sec. 9.4.3.A.2.a. below for horizontal spacing requirements.

iii. **Interior Facing**

a) Retaining walls that are entirely interior facing are permitted up to 12 feet in exposed height. This includes Wing Walls (retaining wall extensions from the building foundation walls that allow daylighting of a basement and/or egress from a basement) that are inward facing and finished with a permitted material finish.

1. **Setbacks**

If they are to encroach into building setbacks and are entirely inward facing the walls ~~shall~~must be a maximum of six (6) feet in exposed wall height and meet the retaining wall setback requirements found in Sec. 9.4.3.C. below.

2. **Length**

Maximum length of any wall exceeding the normal maximum retaining wall height is 36 feet (based on the maximum 3:1 allowable grading slope). Any length of wall past 36 feet ~~shall~~must meet the requirements of a retaining wall as outlined above.

b) The Director may permit retaining walls that are entirely interior facing on campuses with civic or institutional uses to have up to 24 feet in exposed height. This includes wing walls that are finished with a permitted material finish.

iv. Exterior Facing

Retaining walls that are exterior facing and at least 100' from a street lot line and 75' from a common lot line are permitted up to 12 feet in exposed height. This includes wing walls that are finished with a permitted material finish.

c. **Elevation Marks** Wall height elevations marks ~~shall~~must be demonstrated on the grading plan through callouts at various locations along the retaining wall using the following or similar: TW-Top of Wall; BW-Bottom of Wall (at Grade); BF-Bottom of Footing.

d. **Fences or Walls on Top of Retaining Walls** Fences or walls extending on top of retaining walls are subject to the requirements of Sec. 8.3~~2~~.10.
Within Setbacks at Any Point
For retaining walls and tiered wall systems which begin in or enter into a building setback, the combined height of the retaining wall and an extension fence or wall ~~shall~~must not exceed the maximum height of retaining walls, per Sec. 9.4.3.D. and Sec. 9.4.3.E., unless required in order to comply with applicable life safety regulations. In a tiered retaining wall system, an extension fence or wall ~~shall~~must only be located on the highest tier.

2. **Spacing**

a. **Distance** Retaining walls must be separated horizontally by at least four (4) feet from other retaining walls (measured from the back of the lower wall to the front of the upper wall). This horizontal separation area must be graded to capture stormwater and not sloped such that stormwater will run off. The stormwater design must be included with the retaining wall permit plans.

b. **Design** Each tier between retaining walls, and any retaining wall within a building setback, must be vegetated and maintained with a mix of native, evergreen, and deciduous shrubs, one (1) shrub every four (4) linear feet to be approved by the City Arborist.

The Director may waive this landscaping standard for retaining walls that slope back (are inward facing) and contain natural planting.

3. **Materials**

   a. **Material and Finish** All retaining walls must be finished with stucco, brick, or stone. No beveled modular block, plain unfinished concrete masonry units, or other similar materials are allowed. Retaining walls which meet the description of Garden Walls below in Sec. 9.4.3.B.3. may also use cross ties, landscape timbers, or similar as a wall, material finish.

B. **Permits and Other Requirements**

1. **All** Retaining walls, whether in commercial or residential settings, regardless of height:
Require a retaining wall permit and a professional engineer's certification of the design of the wall if they support a surcharge.
Surcharge is defined as any vertical load imposed on the retained soil that may impose a lateral force in addition to the lateral earth pressure of the retained soil. Examples of surcharges include:

   a. Sloping retaining soil;

   b. Structure footings supported by the retained soil;

   c. Adjacent vehicle loads supported by the retained soil;

   d. Tiered retaining wall systems.

2. **Permit Required** All retaining walls over four (4) feet in structure height require a retaining wall permit and a professional engineer's certification of the design of the wall.

3. **No Permit Required** All other retaining walls four (4) feet or less in structure height do not require a permit but do require an indemnification letter. This includes retaining walls otherwise known as "Garden Walls" which for the purposes of this code have a maximum exposed height of three (3) feet, while also not exceeding four (4) feet of structure height.

4. **Global Stability** During the permit review process, the global stability of any series of tiered retaining walls will be reviewed. A safety factor of at least 1.5 is required.

5. **Impact** Where a retaining wall or wing wall might impact (either visually or structurally) an existing structure, adjacent property, street, buffer, utility, or other similar significant interest, the Director and/or Building Official may require plans, details, cross-sections, and professional engineer calculations beyond those cited in this Section.

C. **Setback Encroachment** In order to protect trees and vegetation on sites and the character of the neighborhood, the following setback standards apply:

1. **Side Setbacks** In the side building setbacks:

   a. In all RE- districts, retaining walls may encroach up to 10 feet into required side building setbacks.

   b. In all RD- districts, retaining walls may encroach up to half the depth of the required side building setbacks.

   c. In all RU- districts, no encroachment for retaining walls is allowed into the required side building setbacks.

   d. All other districts, retaining walls may encroach into the side setbacks so long as they are at least three (3) feet from the vertical plane of any lot line.

2. **Rear Setbacks** In the rear building setbacks:

   a. In all RE- d~~D~~istricts, no retaining walls are allowed within 20 feet of the rear lot line.

b. In the RD-27, RD-18, and RD-15 districts, no retaining walls are allowed within 15 feet of the rear lot line.

c. In the RD-12, RD-9, RD-7.5, and RU- districts, no retaining walls are allowed within 10 feet of the rear lot line.

d. All other districts, retaining walls may encroach into the rear setbacks so long as they are at least three (3) feet from the vertical plane of any lot line.

D. **Maintenance and Replacement** Existing legally permitted and constructed retaining walls may be maintained and repaired, provided the maintenance and repair is structurally sound and does not result in an increase in the height of the wall above grade.

Div. 9.5. Floodplain Management

Sec. 9.5.1. In General

A. **Purpose** The purpose of this Division is to protect, maintain, and enhance the public health, safety, environment, and general welfare and to minimize public and private losses due to flood conditions in flood hazard areas, as well as to protect the beneficial uses of floodplain areas for water quality protection, streambank and stream corridor protection, wetland preservation, and ecological and environmental protection by provisions designed to:

1. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

2. Restrict or prohibit uses which are dangerous to health, safety and property due to flooding or erosion hazards, or which increase flood heights, velocities, or erosion;

3. Control filling, grading, dredging, and other development which may increase flood damage or erosion;

4. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands;

5. Limit the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters; and

6. Protect the stormwater management, water quality, streambank protection, stream corridor protection, wetland preservation, and ecological functions of natural floodplain areas.
(In Sec. 9.5.1.D. and following)

B. **Applicability** This Division ~~shall be~~is applicable to all areas of special flood hazard within the City. For the purposes of defining and determining areas of special flood hazard, areas of future-conditions flood hazard, areas of shallow flooding, base flood elevations, floodplains, floodways, future-conditions floodplains, potential flood hazard or risk categories as shown on FIRM maps, and other such terms used in this Division, the following documents and sources may be used for such purposes and are adopted by reference thereto:

1. The flood insurance study (FIS) for the county, dated May 7, 2001, with accompanying maps and other supporting data and any revision thereto.

2. Other studies which may be relied upon for the establishment of the base flood elevation or delineation of the base or one-percent (100-year) floodplain and floodprone areas, including:

3. Any flood or flood-related study conducted by the United States Corps of Engineers, the United States Geological Survey, or any other local, state or federal agency applicable to the City; and

4. Any base flood study conducted by a licensed professional which has been prepared utilizing FEMA-approved methodology and approved by the Director.

5. Other studies which may be relied upon for the establishment of the future-conditions flood elevation or delineation of the future-conditions floodplain and floodprone areas including:

6. Any flood or flood-related study conducted by the United States Army Corps of Engineers, the United States Geological Survey, or any other local, state, or federal agency applicable to the City; and

7. Any future-conditions flood study conducted by a licensed professional engineer which has been prepared by utilizing FEMA-approved methodology approved by the Director.

8. The repository for public inspection of the FIS, accompanying maps and other supporting data is located at the City hall.

C. **Compatibility with Other Regulations** This Division is not intended to modify or repeal any other chapter, rule, regulation, statute, easement, covenant, deed restriction or other provision of law. The requirements of this Division are in addition to the requirements of any other chapter, rule, regulation or other provision of law, and where any provision of this Division imposes restrictions different from those imposed by any other chapter, rule, regulation or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment ~~shall~~must control.

D. **Severability** If the provisions of any section, subsection, paragraph, subdivision, or clause of this ordinance ~~shall~~must be adjudged invalid by a court of competent jurisdiction, such judgment ~~shall~~will not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this ordinance.

E. **Warning and Disclaimer of Liability** The degree of flood protection required by this Division is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur; flood heights may be increased by manmade or natural causes. This Division does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This Division ~~shall~~will not create liability on the part of the City or by any officer or employee thereof for any flood damages that result from reliance on this Division or any administrative decision lawfully made thereunder.

F. **Violations, Enforcement, and Penalties** Any action or inaction which violates the provisions of this Division or the requirements of an approved stormwater management plan or permit may be subject to the enforcement actions outlined in this section. Any such action or inaction which is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief.

G. **Notice of Violation** If the Department determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved stormwater management plan, or the provisions of this Division, it ~~shall~~must issue a written notice of violation to such applicant or other responsible person. Where a person is engaged in activity covered by this Division without having first secured a permit therefor, the notice of violation is served on the owner or the responsible person in charge of the activity being conducted on the site. The notice of violation ~~shall~~must contain:

1. The name and address of the owner, the applicant, or the responsible person;

2. The address or other description of the site upon which the violation is occurring;

3. A statement specifying the nature of the violation;

4. A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the stormwater management plan, or this Division and the date for the completion of such remedial action;

5. A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed; and

6. A statement that the determination of violation may be appealed to the Department by filing a written notice of appeal within 30 days after the notice of violation.

H. **Penalties** In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, any one or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, the Department ~~shall~~will first notify the applicant or other responsible person in writing of its intended action and ~~shall~~will provide a reasonable opportunity, of not less than 10 days (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice is sufficient), to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, the Department may take any one or more of the following actions or impose any one or more of the following penalties:

1. **Stop Work Order** The Department may issue a stop work order which is served on the applicant or other responsible person. The stop work order ~~shall~~will remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take the necessary remedial measures to cure such violation or violations.

2. **Withhold Certificate of Occupancy** The City may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.

3. **Suspension, Revocation or Modification of Permit** The City may suspend, revoke or modify the permit authorizing the land development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the Department may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.

4. **Civil Penalties** In the event the applicant or other responsible person fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten days, or such greater period as the Department ~~shall~~will deem appropriate (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice is sufficient) after the Department has taken one or more of the actions described in Sec. 9.5.1.G, the Department may impose a penalty not to exceed $1,000.00 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.

5. **Criminal penalties** For intentional and flagrant violations of this Division, the Department may issue a citation to the applicant or other responsible person, requiring such person to appear in court to answer charges for such violation. Upon conviction, such person ~~shall~~will be guilty of a violation of this Code.

Sec. 9.5.2. Administration and Enforcement

A. **Designation of Administrator**

1. **Appointed** The Director or his designee is hereby appointed to administer and implement the provisions of this division.

2. **Duties and Responsibilities** Duties of the Director ~~shall~~will include, but not be limited to:

a. Review all land development applications and permits to assure that the requirements of this Division have been satisfied and to determine whether proposed building sites will be reasonably safe from flooding;

b. Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1344;

c. Require the applicant to obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source, when base flood elevation data or floodway data have not been provided, in order to meet the provisions of Sec. 9.8.4. and Sec. 9.8.5.;

d. Review and record the actual elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all new or substantially improved structures;

e. Review and record the actual elevation, in relation to mean sea level to which any substantially improved structures have been flood proofed;

f. Obtain certification of design criteria from a registered professional engineer or architect when flood proofing is utilized for a structure;

g. Notify affected adjacent communities and the state Department of Natural Resources (DNR) prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the federal Emergency Management Agency (FEMA);

h. Make the necessary interpretation where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (e.g., where there appears to be a conflict between a mapped boundary and actual field conditions). Any person contesting the location of the boundary is given a reasonable opportunity to appeal the interpretation, as provided in this Division. Where floodplain elevations have been defined, the floodplain is determined based on flood elevations rather than the area graphically delineated on the floodplain maps.

i. Coordinate all Flood Insurance Rate Map (FIRM) revisions with the Georgia DNR and FEMA.

j. Review variance applications and make recommendations to the appointed board.

3. **Records**

a. All records pertaining to the provisions of this Division is maintained in the office of the Director, and is open for public inspection.

b. Lowest floor means the lowest floor of the lowest enclosed area, including basement. An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of other provisions of adopted City building code.

B. **Permit Requirements**

1. No owner or developer ~~shall~~will perform any land development activities on a site where an area of special flood hazard or area of future-conditions flood hazard is located, without first meeting the requirements of this division prior to commencing the proposed activity.

2. No land development permit will be approved for any land development activities that do not meet the requirements, restrictions and criteria of this division.

C. **Additional Requirements**

1. An application for a development project with any area of special flood hazard located on the site ~~shall~~must include a floodplain management/flood damage prevention plan. This plan ~~shall~~must include the following items:
2. Site plan drawn to scale, which includes but is not limited to:
    a. Existing and proposed elevations of the area in question and the nature, location and dimensions of existing and/or proposed structures, earthen fill placement, amount and location of excavation material, and storage of materials or equipment;
    b. For all proposed structures, spot ground elevations at building corners and 20-foot or smaller intervals along the foundation footprint, or one-foot contour elevations throughout the building site;
    c. Proposed locations of water supply, sanitary sewer, and utilities;
    d. Proposed locations of drainage and stormwater management facilities;
    e. Proposed grading plan;
    f. Base flood elevations and future-conditions flood elevations;
    g. Boundaries of the base flood floodplain and future-conditions floodplain;
    h. If applicable, the location of the floodway; and
    i. Certification of the information required in this subsection by a licensed professional engineer or surveyor.
3. Building and foundation design detail, including but not limited to:
    a. Elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all proposed structures;
    b. Elevation in relation to mean sea level to which any nonresidential structure will be floodproofed;
    c. Certification that any proposed nonresidential floodproofed structure meets the criteria in Sec. 9.5.4.B.2;
    d. For enclosures below the base flood elevation, location and total net area of flood openings as required in Sec. 9.5.4.A.5; and
    e. Design plans certified by a licensed professional engineer or architect for all proposed structure(s).
4. Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development;
5. Hard copies and digital files of computer models, if any, copies of work maps, comparison of pre-development and post-development conditions base flood elevations, future-conditions flood elevations, flood protection elevations, special flood hazard areas and regulatory floodway, flood profiles and all other computations and other information similar to that presented in the FIS;
    a. Copies of all applicable state and federal permits necessary for proposed development, including but not limited to permits required by Section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1334; and
    b. All appropriate certifications required under this Division.

6. The approved floodplain management/flood damage prevention plan ~~shall~~must contain certification by the applicant that all development activities will be done according to the plan or previously approved revisions. Any and all development permits and/or use and occupancy certificates or permits may be revoked at any time if the construction and development activities are not in strict accordance with approved plans.

D. **Construction Stage Submittal Requirements**

1. **New Construction and Substantial Improvements** For all new construction and substantial improvements on sites with a floodplain management/flood damage prevention plan, the permit holder ~~shall~~must provide to the Director a certified as-built elevation certificate or floodproofing certificate for nonresidential construction, including the lowest floor elevation or floodproofing level immediately after the lowest floor or floodproofing is completed. A final elevation certificate is provided after completion of construction including final grading of the site. Any lowest floor certification made relative to mean sea level is prepared by or under the direct supervision of a licensed land surveyor or professional engineer and certified by same. When floodproofing is utilized for nonresidential structures, said certification is prepared by or under the direct supervision of a professional engineer or architect and certified by same, using the FEMA floodproofing certificate. This certification ~~shall~~must also include the design and operation/maintenance plan to assure continued viability of the floodproofing measures.

2. **Failure to Obtain a Permit or Certification** Any work undertaken prior to approval of these certifications is at the permit holder's risk. The Director ~~shall~~will review the referenced certification data submitted. Deficiencies detected by such review are corrected by the permit holder immediately and prior to further work being allowed to proceed. Failure to submit certification or failure to make the corrections required hereby is cause to issue a stop work order for the project.

E. **Appeals and Variances** The following variance and appeals procedures ~~shall~~will apply to an applicant who has been denied a permit for a development activity, or to an owner or developer who has not applied for a permit because it is clear that the proposed development activity would be inconsistent with the provisions of this Division.

1. The Board of Appeals ~~shall~~will hear and decide requests for appeals or variances from the requirements of this Division. At a minimum, such procedures ~~shall~~will include notice to all affected parties and the opportunity to be heard.

2. The Board of Appeals ~~shall~~will hear and decide appeals when it is alleged an error in any requirement, decision, or determination is made by the Director in the enforcement or administration of this Division. At a minimum, such procedures ~~shall~~will include notice to all affected parties and the opportunity to be heard.

3. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance issued is the minimum necessary to preserve the historic character and design of the structure.

4. Variances may be issued for development necessary for the conduct of a functionally dependent use, provided the criteria of this Division are met, no reasonable alternative exists, and the development is protected by methods that minimize flood damage during the base flood and create no additional threats to public safety.

5. Variances ~~shall~~will not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

6. In reviewing such requests, the Board of Appeals ~~shall~~will consider all technical evaluations, relevant factors, and all standards specified in this and other sections of this Division.

7. Conditions for variances:

   A variance is issued only when there is:

   a. A finding of good and sufficient cause;

   b. A determination that failure to grant the variance would result in exceptional hardship; and

   c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, or the creation of a nuisance.

8. The provisions of this Division are minimum standards for flood loss reduction, therefore, any deviation from the standards must be weighed carefully. Variances ~~shall~~will only be issued upon determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

9. Any applicant to whom a variance is granted is given written notice specifying the difference between the base flood elevation and the elevation of the proposed lowest floor and stating that the cost of flood insurance resulting from the lowest floor elevation being placed below the base flood elevation will be commensurate with the increased risk to life and property, and that such costs may be as high as $25.00 for each $100.00 of insurance coverage provided.

10. The Director ~~shall~~will maintain the records of all variance actions, both granted and denied, and report them to the Georgia Department of Natural Resources and the Federal Emergency Management Agency upon request.

11. Any person requesting a variance ~~shall~~must, from the time of the request until the time the request is acted upon, submit such information and documentation as the Board of Appeals ~~shall~~will deem necessary for the consideration of the request.

12. Upon consideration of the factors listed in this section and the purposes of this Division, the Board of Appeals may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Division.

13. Variances ~~shall~~will not be issued "after the fact."

Sec. 9.5.3. Development Standards

A. **Definition of Floodplain Boundaries**

1. "A" zones, as identified in the FIS, are used to establish base flood elevations.

2. For all streams with a drainage area of 100 acres or greater, the future-conditions flood elevations are provided by the City. If future-conditions elevation data is not available from the City, then it is determined by a licensed professional engineer using a method approved by FEMA and the City.

B. **Definition of Floodway Boundaries** The width of a floodway is determined from the FIS or FEMA-approved flood study. For all streams with a drainage area of 100 acres or greater, the regulatory floodway is provided by the City. If floodway data is not available from the City, then it is determined by a licensed professional engineer using a method approved by FEMA and the City.

C. **General Standards**

1. The following uses are permitted within the 100-year floodplain:

   a. Agriculture, including forestry and livestock raising, requiring no structure. Agriculture and forestry access roads are permitted provided they are constructed in conformance with the development regulations.

b. Dams, provided that they are constructed in accordance with the requirement of this article, the United States Department of Agriculture Soil and Conservation Service and when applicable, meet the specifications of the U.S. Army Corps of Engineers and/or the Georgia Department of Natural Resources.

c. Fences having sufficient open area to permit the free flow of water and/or debris.

d. Identification, regulatory and warning signs.

e. Public and private parks and recreational areas including boat ramps and docks and other functionally dependent uses not including temporary or permanent structures; provided, such use is approved by the department of community development and, if applicable, the U.S. Corps of Engineers.

f. Parking.

g. Utility lines, pipelines, sewers, roads and stream crossings (if no other means of access is available), and similar features, provided they are constructed in such a manner as to permit the free flow of waters.

21. No development ~~shall~~will be allowed within any area of special flood hazard or area of future-conditions flood hazard that could result in any of the following:

a. Raising the base flood elevation or future-conditions flood elevation equal to or more than 0.01 foot;

b. Reducing the base flood or future-conditions regulatory flood storage capacity;

c. Changing the flow characteristics as to the depth and velocity of the waters of the base flood or future-conditions flood as they pass both the upstream and the downstream boundaries of the property; or

d. Creating hazardous or erosion-producing velocities, or resulting in excessive sedimentation.

32. Any development within any area of special flood hazard or area of future-conditions flood hazard allowed under Sec. 9.5.3.C.1 ~~shall~~must also meet the following conditions:

a. Compensation for storage capacity ~~shall~~must occur between the average groundwater table elevation and the base flood elevation for the base flood, and between the average groundwater table elevation and the future-conditions flood elevation for the future-conditions flood, and lie within the boundaries of ownership of the property being developed and is within the immediate vicinity of the location of the encroachment. Acceptable means of providing required compensation:

i. Include lowering of natural ground elevations within the floodplain, or lowering of adjoining land areas to create additional floodplain;

ii. Storage. In no case ~~shall~~will any required compensation be provided via bottom storage or by excavating below the elevation of the natural (pre-development) stream channel unless such excavation results from the widening or relocation of the stream channel;

b. Cut areas are stabilized and graded to a slope of no less than two percent;

c. Effective transitions are provided such that flow velocities occurring on both upstream and downstream properties are not increased or decreased;

d. Verification of no-rise conditions (0.01 foot or less), flood storage volumes, and flow characteristics are provided via a step-backwater analysis meeting the requirements of Sec. 9.5.3.D;

e. Public utilities and facilities, such as water, sanitary sewer, gas, and electrical systems, are located and constructed to minimize or eliminate infiltration or contamination from floodwaters; and

f. Any significant physical changes to the base flood floodplain is submitted as a conditional letter of map revision (CLOMR) or conditional letter of map amendment (CLOMA), whichever is applicable. The CLOMR submittal is subject to approval by the Department using the FEMA community concurrence forms before forwarding the submittal package to FEMA for final approval. The responsibility for forwarding the CLOMR to FEMA and for obtaining the CLOMR approval is the responsibility of the applicant. Within six months of the completion of development, the applicant ~~shall~~must submit as-built surveys and plans for a final letter of map revision (LOMR).

D. **Engineering Study Requirements for Floodplain Encroachments** An engineering study is required, as appropriate to the proposed development activities on the site, whenever a development proposes to disturb any land within the future-conditions floodplain, except for a residential single-lot development on streams without established base flood elevations and floodways. This study is prepared by a licensed professional engineer and made a part of the application for a permit. This information is submitted to and approved by the Department prior to the approval of any permit which would authorize the disturbance of land located within the future-conditions floodplain. Such study ~~shall~~must include all requirements specified in the Sandy Springs Technical Manual:

1. Description of the extent to which any watercourse or floodplain will be altered or relocated as a result of the proposed development;

2. Step-backwater analysis, using a FEMA-approved methodology approved by the Department. Cross sections (which may be supplemented by the applicant) and flow information will be obtained whenever available. Computations will be shown duplicating FIS results and will then be rerun with the proposed modifications to determine the new base flood profiles and future-conditions flood profiles;

3. Floodplain storage calculations based on cross sections (at least one every 100 feet) showing existing and proposed floodplain conditions to show that base flood floodplain and future-conditions floodplain storage capacity would not be diminished by the development;

4. The study ~~shall~~must include a preliminary plat, grading plan, or site plan, as appropriate, which ~~shall~~must clearly define all future-conditions floodplain encroachments.

E. **Floodway Encroachments** Located within areas of special flood hazard are areas designated as floodways. A floodway may be an extremely hazardous area due to velocity floodwaters, debris or erosion potential. In addition, floodways must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights. Therefore, the following provisions ~~shall~~will apply:

1. Encroachments are prohibited, including earthen fill, new construction, substantial improvements or other development within the regulatory floodway, except for activities specifically allowed in [subsection] (2) below.

2. Encroachments for bridges, culverts, roadways and utilities within the regulatory floodway may be permitted provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment will not result in any increase to the pre-project base flood elevations, floodway elevations, or floodway widths during the base flood discharge. A licensed professional engineer must provide supporting technical data and certification thereof; and

3. If the applicant proposes to revise the floodway boundaries, no permit authorizing the encroachment into or an alteration of the floodway is issued by the City until an affirmative conditional letter of map revision (CLOMR) is issued by FEMA or a no-rise certification is approved by the Department.

F. **Maintenance Requirements** The property owner is responsible for continuing maintenance as may be needed within an altered or relocated portion of a floodplain on the property so that the flood-carrying or flood storage capacity is maintained. The City may direct the property owner, at no cost to the City, to restore the flood-carrying or flood storage capacity of the floodplain if the owner has not performed maintenance as required by the approved floodplain management plan on file with the Department.

Sec. 9.5.4. Flood Damage Reduction

A. **General Standards** In all areas of special flood hazard and areas of future-conditions flood hazard the following provisions apply:

1. New construction and substantial improvements of structures (residential or nonresidential), including manufactured homes, ~~shall~~will not be allowed within the limits of the future-conditions floodplain, unless all requirements of Sec. 9.5.3 have been met.

2. If, due to site conditions, an existing single-family residential structure cannot comply with section 9.5.4.A.1, the structure may be elevated in accordance with either section 9.5.4.B.1.C or section 9.5.4.B.1.d: provided however, section 9.5.4.A.5 ~~shall~~will apply to all elevated structures regardless of whether section 9.5.4.B.1.c or section 9.5.4.B.1.d applies.

3~~2~~. New construction and substantial improvements ~~shall~~must be anchored to prevent flotation, collapse, and lateral movement of the structure.

4~~3~~. New construction and substantial improvements ~~shall~~must be constructed with materials and utility equipment resistant to flood damage.

5~~4~~. New construction and substantial improvements ~~shall~~must be constructed by methods and practices that minimize flood damage.

6~~5~~. Elevated building. All new construction and substantial improvements that include any fully enclosed area located below the lowest floor formed by foundation and other exterior walls are designed so as to be an unfinished or flood-resistant enclosure. The enclosure is designed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater.

a. Designs for complying with this requirement must either be certified by a licensed professional engineer or architect to meet or exceed the following minimum criteria:

i. Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;

ii. The bottom of all openings are no higher than one foot above grade; and

iii. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwater in both directions.

b. So as not to violate the lowest floor criteria of this Division, the unfinished or flood-resistant enclosure ~~shall~~must only be used for parking of vehicles, limited storage of maintenance equipment used in connection with the premises, or entry to the elevated area; and

c. The interior portion of such enclosed area ~~shall~~must not be finished or partitioned into separate rooms.

7~~6~~. All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing, and other service facilities are designed and/or located three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher, so as to prevent water from entering or accumulating within the components during conditions of flooding;

8~~7~~. Manufactured homes are anchored to prevent flotation, collapse, and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard is in addition to and consistent with applicable state requirements for resisting wind forces;

9~~8~~. All proposed development ~~shall~~must include adequate drainage and stormwater management facilities per the requirements of the City to reduce exposure to flood hazards;

10~~9~~. New and replacement water supply systems are designed to minimize or eliminate infiltration of floodwaters into the system;

11~~0~~. New and replacement sanitary sewage systems are designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters;

12~~1~~. On-site waste disposal systems are located and constructed to avoid impairment to, or contamination from such systems during flooding;

13~~2~~. Other public utilities such as gas and electric systems ~~shall~~must be located and constructed to avoid impairment to them, or public safety hazards from them during flooding;

14~~3~~. Any alteration, repair, reconstruction or improvement to a structure which is not compliant with the provisions of this Division is undertaken only if the nonconformity is not furthered, extended or replaced;

15~~4~~. If the proposed development is located in multiple flood zones or multiple base flood elevations cross the proposed site, the higher or more restrictive base flood elevation or future-condition elevation and development standards ~~shall~~must take precedence;

16~~5~~. When only a portion of a proposed structure is located within a flood zone or the future conditions floodplain, the entire structure ~~shall~~must meet the requirements of this Division; and

17~~6~~. Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, ~~shall~~must be reasonably safe from flooding:

a. All such proposals ~~shall~~must be consistent with the need to minimize flood damage within the flood-prone area;

b. All public utilities and facilities, such as sewer, gas, electrical, and water systems ~~shall~~must be located and constructed to minimize or eliminate flood damage; and

c. Adequate drainage ~~shall~~must be provided to reduce exposure to flood hazards.

B. **Building Standards for Structures and Buildings within the Future-Conditions Floodplain**

1. **Residential Buildings**

a. **New Construction** New construction of principal residential structures ~~shall~~must not be allowed within the limits of the future-conditions floodplain.

b. **Substantial Improvements** Substantial improvements of any principal residential structure ~~shall~~must have the lowest floor, including basement, elevated no lower than three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is highest. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls ~~shall~~must be provided in accordance with the standards of Sec. 9.5.4.A.

c. **Elevation of existing structures via jacking on existing foundation** An existing structure that has been substantially damaged or is proposed for substantial improvement may be elevated by jacking, intact, on an existing foundation, provided the criteria of section 9.5.4.A.5 are met in addition to the following criteria:

i. No elevated structure can exceed the original geometric footprint area or horizontally expand living space into or over the future conditions floodplain;

ii. Foundations must contain a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding as provided in 44 C.F.R. § 60.3;

iii. The bottom of all openings must be no higher than one foot above grade; and

iv. Openings may be equipped with screens, louvers or other coverings provided they permit the flow of floodwater in both directions.

d. **Elevation of existing structures via demolition and rebuilding on an equivalent footprint area** An existing structure that has been substantially damaged or is proposed for substantial improvement may be demolished and relocated on the lot such that the passage of water is facilitated or the floodplain is otherwise enhanced or protected, provided the criteria of section 9.5.4.A.5 are met in addition to the following criteria:

i. No elevated structure can exceed the original footprint area or increase the net encroachment into or over the floodplain; and

ii. Foundations must be designed to resist anticipated hydrodynamic loads, potential for debris impact, and scour pursuant to FEMA Technical Bulletin I (August 2008). Foundations must be designed with the following criteria:

a. The total area of the walls below the base flood elevation exposed to flood waters must be at least 50 percent open. Wall openings must be distributed along all walls exposed to flood waters;

b. The bottoms of all wall openings must be at grade;

c. Garage doors not allowing the natural flow of floodwaters when closed must not be considered wall openings; and

d. Openings may be equipped with grilles, louvers, or bars provided they allow the natural flow of floodwater in both directions.

2. **Nonresidential Buildings**

a. **New Construction** New construction of principal nonresidential structures ~~shall~~must not be allowed within the limits of the future-conditions floodplain unless all of the requirements of Sec. 9.5.3 are met.

If all of the requirements of Sec. 9.5.3 have been met, all new construction ~~shall~~must have the lowest floor, including basement, elevated no lower than one foot above the base flood elevation or at least as high as the future-conditions flood elevation, whichever is higher.

Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls ~~shall~~must be provided in accordance with the standards of Sec. 9.5.4.A.

New construction that has met all of the requirements of Sec. 9.5.3 may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be watertight to one foot above the base flood elevation, or at least as high as the future-conditions flood elevation, whichever is higher, with walls substantially impermeable to the passage of water and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect

~~shall~~must certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and ~~shall~~must provide such certification to the Director using the FEMA floodproofing certificate along with the design and operation/maintenance plan.

b. **Substantial Improvements** Substantial improvements of any principal nonresidential structure located in A1-30, AE, or AH zones may be authorized by the Director to be elevated or floodproofed.

Substantial improvements ~~shall~~must have the lowest floor, including basement, elevated no lower than one foot above the base flood elevation or at least as high as the future-conditions flood elevation, whichever is higher.

Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls ~~shall~~must be provided in accordance with the standards of Sec. 9.5.4.A.

Substantial improvements may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be watertight to one foot above the base flood elevation, or at least as high as the future-conditions flood elevation, whichever is highest, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect ~~shall~~must certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and ~~shall~~must provide such certification to the Director using the FEMA floodproofing certificate along with the design and operation/maintenance plan.

c. **Accessory Structures and Facilities** Accessory structures and facilities (i.e., barns, sheds, gazebos, detached garages, recreational facilities and other similar non-habitable structures and facilities) which meet the requirements of Sec. 9.5.3 and are permitted to be located within the limits of the future-conditions floodplain ~~shall~~must be constructed of flood-resistant materials and designed to provide adequate flood openings in accordance with Sec. 9.5.4.A and be anchored to prevent flotation, collapse, and lateral movement of the structure.

d. **Recreational Vehicles** All recreational vehicles placed on sites must either:

i. Be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions); or

ii. Meet all the requirements for residential buildings—substantial improvements set forth in Sec. 9.5.4.B.1.b, including the anchoring and elevation requirements.

e. **Manufactured Homes**

i. New manufactured homes ~~shall~~must not be allowed to be placed within the limits of the future-conditions floodplain unless all of the requirements of Sec. 9.5.3 have been met, all new construction and substantial improvements ~~shall~~must have the lowest floor, including basement, elevated no lower than three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls ~~shall~~must be provided in accordance with the standards of Sec. 9.5.4.A.

ii. Manufactured homes placed and/or substantially improved in an existing manufactured home park or subdivision are elevated so that either: (a) The lowest floor of the manufactured home is elevated no lower than three feet above the level of the base flood elevation, or one foot above the future-conditions flood elevation, whichever is higher; or (b) The manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least an equivalent strength) of no less than 36 inches in height above grade.

iii. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement in accordance with the standards of Sec. 9.5.4.A.7.

C. **Building Standards for Structures and Buildings Authorized Adjacent to the Future-Conditions Floodplain**

1. **Residential Buildings** For new construction of and substantial improvement to any principal residential building or manufactured home, the elevation of the lowest floor, including basement and access to the building, is at least three feet above the level of the highest base flood (100-year) elevation adjacent to the building or at least one foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls ~~shall~~must be provided in accordance with the standards of Sec. 9.5.4.

2. **Nonresidential Buildings** For new construction of and substantial improvement to any principal nonresidential building, the elevation of the lowest floor, including basement and access to the building, is at least three feet above the level of the highest base flood elevation adjacent to the building or at least one foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls ~~shall~~must be provided in accordance with the standards of Sec. 9.5.4. Nonresidential buildings may be floodproofed in lieu of elevation.

D. **Building Standards for Residential Single-Lot Development on Streams without Established Base Flood Elevations and/or Floodway (A zones)** For a residential single-lot development not part of a subdivision that has areas of special flood hazard, where streams exist but no base flood data have been provided (A zones), the Director ~~shall~~will review and reasonably utilize any available scientific or historic flood elevation, data, base flood elevation floodway data or future-conditions flood elevation data available from a federal, state, or other source in order to administer the provisions and standards of this Division. If data are not available from any of these sources, the following provisions ~~shall~~will apply:

1. No encroachments, including structures or fill material, ~~shall~~must be located within an area equal to twice the width of the stream or fifty feet from the top of the bank of the stream, whichever is greater.

2. In special flood hazard areas without base flood or future-conditions flood elevation data, new construction and substantial improvements ~~shall~~must have the lowest floor of the lowest enclosed area (including basement) elevated no less than three feet above the highest adjacent grade at the building site. Flood openings sufficient to facilitate automatic equalization of hydrostatic flood forces ~~shall~~must be provided for flood-prone enclosures in accordance with Sec. 9.5.4.A.5.a.

E. **Building Standards for Areas of Shallow Flooding (AO zones)** Areas of special flood hazard may include designated AO shallow flooding areas. These areas have base flood depths of one foot to three feet above ground, with no clearly defined channel. In these areas the following provisions apply:

1. All new construction and substantial improvements of residential and nonresidential structures ~~shall~~must have the lowest floor, including basement, elevated to no lower than one foot above the flood depth number specified on the flood insurance rate map (FIRM), above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, is elevated at least

three feet above the highest adjacent grade. Flood openings sufficient to facilitate automatic equalization of hydrostatic flood forces ~~shall~~must be provided in accordance with the standards of Sec. 9.5.4.A.5.a;

2. New construction and substantial improvement of a nonresidential structure may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be watertight to the specified FIRM flood level plus one foot above the highest adjacent grade, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect ~~shall~~must certify that the design and methods of construction are in accordance with accepted standards of practice, and ~~shall~~must provide such certification to the City using the FEMA floodproofing certificate along with the design and operation/maintenance plan; and

3. Drainage paths ~~shall~~must be provided to guide floodwater around and away from any proposed structure.

F. **Standards for Subdivisions of Land and Other Development**

1. All subdivision proposals ~~shall~~must identify the areas of special flood hazard and areas of future-conditions flood hazard therein and provide base flood elevation data and future-conditions flood elevation data;

2. All residential lots in a subdivision proposal ~~shall~~must have sufficient buildable area outside of the future-conditions floodplain such that encroachments into the future-conditions floodplain for residential structures will not be required;

3. All subdivision plans will provide the elevations of proposed structures in accordance with Sec. 9.5.2.C.

G. **Standards for Utilities**

1. All new and replacement water supply and sanitary sewerage systems are designed to minimize or eliminate:

   a. Infiltration of floodwaters into the systems; and

   b. Discharges from the systems into floodwaters.

2. On-site waste disposal systems are located outside the floodplain to avoid impairment to them, or contamination from them during flooding.

Div. 9.6. Stormwater Management

Sec. 9.6.1. Purpose

The purpose of this Division is to protect, maintain and enhance the public health, safety, environment and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased post-development stormwater runoff and non-point source pollution associated with new development and redevelopment by focusing on the types of frequently occurring storm events that generate the most water quality impacts. Proper management of post-development stormwater runoff will minimize damage to public and private property and infrastructure, safeguard the public health, safety, environment and general welfare of the public, and protect water and aquatic resources. This Division seeks to meet that purpose through the following objectives:

A. Establish decision-making processes surrounding land development activities that protect the integrity of the watershed and preserve the health of water resources;

B. Require that new development and redevelopment maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding, stream bank erosion, non-point source pollution and increases in stream temperature, and maintain the integrity of stream channels and aquatic habitats;

C. Establish minimum post-development stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality and to preserve and/or restore natural hydrologic conditions on development sites;

D. Establish design and application criteria for the construction and use of structural stormwater control facilities that meet the minimum post-development stormwater management standards;

E. Encourage the use of nonstructural stormwater management and stormwater better site design practices, peak rate and/or runoff reduction, and the preservation of greenspace and other conservation areas, by establishing minimum post-development stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality. Coordinate site design plans, which include greenspace, with the City's greenspace protection plan;

F. Establish provisions for the long-term responsibility of operation, inspection, maintenance and repair of private structural stormwater control facilities and private commitments for nonstructural stormwater management practices to ensure that they continue to function as designed, are maintained, and pose no threat to public safety or the environment;

G. Establish administrative procedures for the submission, review, approval and disapproval of stormwater management plans, and for the inspection of approved active projects, and long-term compliance; and

H. Protect public health and safety by reducing the risk of localized flooding and reducing the amount of runoff entering streets.

Sec. 9.6.2. Violations, Enforcement, Penalties

Any action or inaction which violates the provisions of this Division or the requirements of an approved stormwater management plan or permit may be subject to the enforcement actions outlined in this section. Any such action or inaction that is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief. The imposition of any of the penalties described in Sec. 9.6.2.B ~~shall~~will not prevent such equitable relief.

A. **Notice of Violation** If the Department determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved stormwater management plan or the provisions of this Division, it ~~shall~~will issue a written notice of violation to such applicant or other responsible person. Where a person is engaged in activity covered by this Division without having first secured a permit therefor, the notice of violation is served on the owner or the responsible person in charge of the activity being conducted on the site. The notice of violation ~~shall~~will contain:

   1. The name and address of the owner or the applicant or the responsible person;

   2. The address or other description of the site upon which the violation is occurring;

   3. A statement specifying the nature of the violation;

   4. A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the stormwater management plan or this Division and the date for the completion of such remedial action;

   5. A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed; and

6. A statement that the determination of violation may be appealed to the Department by filing a written notice of appeal within 30 days after the notice of violation (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice ~~shall~~will be sufficient).

B. **Penalties** In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, any one or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, the Department ~~shall~~will first notify the applicant or other responsible person in writing of its intended action, and ~~shall~~will provide a reasonable opportunity, of not less than ten days (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice is sufficient), to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, the Department may take any one or more of the following actions or impose any one or more of the following penalties:

1. **Stop Work Order** The Department may issue a stop work order that is served on the applicant or other responsible person. The stop work order ~~shall~~will remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take the necessary remedial measures to cure such violation or violations.

2. **Withhold Certificate of Occupancy** The Department may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.

3. **Suspension, Revocation or Modification of Permit** The Department may suspend, revoke or modify the permit authorizing the land development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the City may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.

4. **Civil Penalties** In the event the applicant or other responsible person fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten days, or such greater period as the Department ~~shall~~will deem appropriate (except that, in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice is sufficient) after the City has taken one or more of the actions described above, the Department may impose a penalty not to exceed $1,000.00 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.

5. **Criminal Penalties** For intentional and flagrant violations of this Division, the Department may issue a citation to the applicant or other responsible person, requiring such person to appear in municipal court to answer charges for such violation. Upon conviction, such person ~~shall~~will be guilty of a violation of this Code. Each act of violation and each day upon which any act of violation ~~shall~~ occurs ~~shall~~will constitute a separate violation of this Code.

Sec. 9.6.3. Standards

A. **Applicability**

1. This Division is applicable to all land development, including, but not limited to, site plan applications, single family residential applications, subdivision applications, and grading applications, unless exempt pursuant to subsection (2) of this section. These standards apply to any new development or redevelopment site that meets one or more of the following criteria, or as otherwise required by the Director:

   a. New development that creates or adds 1,000 square feet or greater of new impervious surface area or that involves land disturbing activity of 5,000 square feet acre of land or greater;

   b. Redevelopment (excluding routine maintenance and exterior remodeling) that creates, adds, or replaces 1,000 square feet or greater of new impervious surface area or that involves land disturbing activity of 5,000 square feet or more;

   c. Any new development, redevelopment, addition or replacement that involves the creation of impervious cover, of any quantity, that is located within any Declared Sensitive Area.

      i. NANCY CREEK BASIN SENSITIVE AREA

         1. ~~Single-Family~~Single unit Residential:

            a. Water quality in the form of runoff reduction is required on all projects of land disturbance, including additions to existing structures, according to the following:

            b. Infiltrate on site the first 1.2 inches of rainfall within 24 hours falling within the Limit of Disturbance Area shown on the construction documents.

            c. Infiltrate on site an additional 1.2 inches of rainfall within 24 hours falling on impervious areas contained within the Limit of Disturbance Area shown on the construction documents. No less than 90% of a site's impervious area must be directed to an infiltration area, unless otherwise approved by the Direction of Community Development.

         2. Exempt: The Maintenance, repair or replacement of any impervious surface footprint up to 500 square feet ~~shall be~~is exempt from this Division. Maintenance, repair or replacement activities ~~shall~~will be cumulative for a period of three (3) years.

   d. New development and redevelopment if:

      i. Such new development or redevelopment is part of a subdivision or other common plan of development; and

      ii. the sum of all associated impervious surface area or land disturbing activities that are being developed as part of such subdivision or other common plan of development meets or exceeds the threshold in (a) and (b) above;

   e. Any commercial or industrial new development or redevelopment, regardless of size, that is within a declared sensitive area; and

   f. Linear transportation projects that exceed the threshold in (a) or (b) above.

2. The following activities are exempt from this Division:

   a. Agricultural or silvicultural land management activities within areas zoned for these activities; and

   b. Repairs to any stormwater management facility or practice deemed necessary by the Director.

c. Minor improvements to public parks involving less than 5,000 square feet of land disturbance and less than 1,000 square feet of impervious surface.

d. Utility installations, repairs or modifications outside of stream buffers.

e. Installations or modifications to existing structures to accommodate Americans with Disability Act (ADA) requirements.

f. Installation of pervious pavers (City detail) less than 5,000 square feet.

g. Maintenance, repair and resurfacing of existing paved surfaces, except within a Declared Sensitive Area.

h. Addition of sidewalks along streets.

i. Stream bank stabilization or restoration.

j. Land disturbance required for environmental cleanup or remediation.

k. Residential driveway replacement, except within a Declared Sensitive Area.

3. **Minimum Requirements** Except for repairs to existing stormwater facilities or stormwater facilities in the right-of-way, all developments and redevelopment activity, including ~~single-family~~single unit residential and those which are otherwise exempt from this Division, the following minimum requirements ~~shall~~ apply:

a. Lots and buildings ~~shall~~must be developed in a manner to ensure that stormwater exiting individual parcels or lots under post-development conditions does not adversely impact the adjacent parcels or lots as a result of concentrated flows, flooding, erosion or deposits of silt or sediment;

b. The stormwater discharge from a downspout, cistern, or any water collection device ~~shall~~must be located no closer to a property line than ten feet and oriented so direction of flow is away from any downstream improvements. Discharge from any outlet must be dissipated, infiltrated or diverted such that flows will not be concentrated; and

c. No person ~~shall~~must erect, construct, or otherwise permit any obstruction that prevents the natural or contained flow of water to or from any component of the stormwater system of the City unless such obstruction is allowed as a part of a permit approved pursuant to this Division.

d. Lots and buildings ~~shall~~must be developed to provide Green Infrastructure/Low Impact Development best management practices. Single Family - Single Lot Development that is not part of a larger common development ~~shall~~will be exempt from this requirement.

B. **Designation of Administrator** The Director or a designee is hereby appointed to administer and implement the provisions of this Division.

C. **Compatibility With Other Regulations** This Division is not intended to modify or repeal any other chapter, rule, regulation or other provision of law. The requirements of this Division are in addition to the requirements of any other chapter, rule, regulation or other provision of law, and where any provision of this Division imposes restrictions different from those imposed by any other chapter, rule, regulation or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment ~~shall~~will control.

Sec. 9.6.4. Stormwater Design Manual

The City will utilize the policy, criteria and information including technical specifications and standards in the latest edition of the 2016 Georgia Stormwater Management Manual and any relevant City addenda (or equivalent City

stormwater management design manual) for the proper implementation of the requirements of this Division. The manual may be updated and expanded periodically, based on improvements in science, engineering, monitoring and local maintenance experience.

Sec. 9.6.5. Permit Application Requirements

A. No owner or developer ~~shall~~will perform any land development activities without first meeting the requirements of this Division prior to commencing the proposed activity.

B. Unless specifically exempted by this Division, any owner or developer proposing a land development activity ~~shall~~must submit to the Department a permit application on a form provided by the City for that purpose.

C. Unless otherwise exempted by this Division, a permit application is accompanied by the following items in order to be considered:

1. Stormwater concept plan and consultation meeting certification in accordance with Sec. 9.6.7;
2. Stormwater management plan in accordance with Sec. 9.6.8;
3. Green Infrastructure Feasibility Form in accordance with Sec 9.6.7;
4. Inspection and maintenance agreement in accordance with Sec. 9.6.8, if applicable;
5. Performance bond, if applicable; and
6. Permit application and plan review fees in accordance with Sec. 9.6.10.

D. The approved stormwater management plan ~~shall~~must obligate the responsible party to accomplish all land clearing, construction, development and drainage in accordance with the stormwater management plan. Any and all permits for development activities may be revoked at any time if the construction of stormwater management facilities is not conducted in substantial conformity with approved plans.

E. Applicant or responsible party ~~shall~~must obtain all state and federal permits required for the proposed development activity in addition to the plans and permits required by the City.

F. Upon completion of the project the applicant or responsible party ~~shall~~must submit the engineer-of-record's certification and as-built plan that includes the global positioning system coordinates of the stormwater management facilities. If the as-built plan differs substantially from the approved plan but is still acceptable to the City, then the applicant or responsible party ~~shall~~must update the recorded inspection and maintenance agreement upon approval by the City.

Sec. 9.6.6. Application Procedure

A. Applications for land development permits are filed with the Department.

B. Permit applications ~~shall~~must include the items set forth in Sec. 9.6.5. Two copies of the stormwater management plan and the inspection maintenance agreement, if applicable, are included.

C. The Department ~~shall~~will inform the applicant whether the application, stormwater management plan and inspection and maintenance agreement are approved or disapproved.

D. If the permit application, stormwater management plan or inspection and maintenance agreement is disapproved, the Department ~~shall~~will notify the applicant of such fact in writing. The applicant may then revise any item not meeting the requirements hereof and resubmit the same, in which event this section and Sec. 9.6.6.C ~~shall~~will apply to such resubmittal.

E. Upon a finding by the Department that the permit application, stormwater management plan and inspection and maintenance agreement, if applicable, meet the requirements of this Division, the Department may

issue a permit for the land development project, provided all other legal requirements for the issuance of such permit have been met.

F. Notwithstanding the issuance of the permit, in conducting the land development project, the applicant or other responsible person is subject to the following requirements:

1. The applicant ~~shall~~must comply with all applicable requirements of the approved plan and this Division and ~~shall~~must certify that all land clearing, construction, land development and drainage will be done according to the approved plan;

2. The land development project is conducted only within the area specified in the approved plan;

3. The Department is allowed to conduct periodic inspections of the project;

4. No changes may be made to an approved plan without review and written approval by the Department; and

5. Upon completion of the project, the applicant or other responsible person ~~shall~~must submit the engineer's report and certificate and as-built plans required by Sec. 9.6.13.

Sec. 9.6.7. Stormwater Concept Plan

A. Discussion of post-development stormwater management. Before any stormwater management permit application is submitted, it is recommended that the landowner or developer ~~shall~~must meet with the Department for a consultation meeting on a concept plan for the post-development stormwater management system to be utilized in the proposed land development project. This consultation meeting ~~shall~~must take place at the time of the preliminary plan of subdivision or other early step in the development process. The purpose of this meeting is to discuss the post-development stormwater management measures necessary for the proposed project, as well as to discuss and assess constraints, opportunities and potential ideas for stormwater management designs before the formal site design engineering is commenced.

B. Information to be submitted. To accomplish this goal, the following information is included in the concept plan that is submitted in advance of the meeting:

1. **Existing Conditions** Proposed site plans. Existing conditions and proposed site layout sketch plans which illustrate, at a minimum, existing and proposed topography; perennial and intermittent streams; mapping of predominant soils from soil surveys (when available); boundaries of existing predominant vegetation and proposed limits of clearing and grading; and location of existing and proposed roads, buildings, parking areas and other impervious surfaces.

2. **Natural Resources Inventory** A written or graphic inventory of the natural resources at the site and surrounding area as it exists prior to the commencement of the project. This description should include a discussion of soil conditions, forest cover, topography, wetlands, and other native vegetative areas on the site, as well as the location and boundaries of other natural feature protection and conservation areas such as wetlands, lakes, ponds, floodplains, stream buffers and other setbacks (e.g., drinking water well setbacks, septic setbacks, etc.). Particular attention should be paid to environmentally sensitive features that provide particular opportunities or constraints for development.

3. **Stormwater Management System Concept Plan** A written or graphic concept plan of the proposed post-development stormwater management system including: preliminary selection and location of proposed structural stormwater controls; location of existing and proposed conveyance systems such as grass channels, swales, and storm drains; flow paths; location of floodplain/floodway limits; relationship of site to upstream and downstream properties and drainages; and preliminary location of proposed stream channel modifications, such as bridge or culvert crossings. Local watershed plans, the

City greenspace protection plan (if applicable), and any relevant resource protection plans will be consulted in the discussion of the concept plan.

4. **Green Infrastructure Feasibility Form** The standard City form will be provided with required documentation for Linear or Non-linear projects determining whether the installation of Green Infrastructure best management practices are feasible or infeasible for the proposed project based on soil infiltration rates, water table or bedrock conditions, setbacks, landmark trees, endangered species, brownfield site conditions, on-site contaminants, historic resources, steep slopes, utility conflicts or practicability hardships.

Sec. 9.6.8. Stormwater Management Plan

A. The stormwater management plan ~~shall~~must detail how post-development stormwater runoff will be controlled or managed and how the proposed project will meet the requirements of this Division, including the performance criteria set forth in Sec. 9.6.12.

B. This plan is in accordance with the criteria established in this section and must be submitted with the stamp and signature of a design professional licensed in the state, who must verify that the design of all stormwater management facilities and practices meet the submittal requirements outlined in the current Georgia Stormwater Management Manual 2016 Edition (here and henceforth all references to this manual assume the 2016 edition, including all amendments as may be forthcoming from time to time) and the City's submittal requirements for commercial and ~~single-family~~single unit residential development.

C. The stormwater management plan must ensure that the requirements and criteria in this Division are being complied with and that opportunities are being taken to minimize adverse post-development stormwater runoff impacts from the development. The plan ~~shall~~must consist of maps, narrative, and supporting design calculations (hydrologic and hydraulic) for the proposed stormwater management system. The plan ~~shall~~must include all of the applicable design requirements and forms found in the Georgia Stormwater Management Manual and the City's submittal requirement for commercial and ~~single-family~~single unit residential development. This includes but is not limited to:

1. The common address and legal description of the site.
2. Vicinity map.
3. Existing conditions and proposed site plans. Existing conditions and proposed site layout plans which illustrate at a minimum: existing and proposed topography; perennial and intermittent streams; mapping of predominant soils from soil surveys; boundaries of existing predominant vegetation and proposed limits of clearing and grading; and location of existing and proposed roads, building parking area and other impervious surfaces.
4. Infiltration rates. Infiltration rates ~~shall~~must be determined by soil surveys, on-site soil analysis or a percolation test. If the site has been previously developed or graded or contains urban soil types, a percolation test is required.
5. Natural resources inventory. A written or graphic inventory of the natural resources in existence prior to the commencement of the project. This inventory ~~shall~~must address resources both on the site and in the surrounding area that are or may be impacted by the project. This inventory ~~shall~~must also include a description of the soil conditions, forest cover, topography, wetlands, and other native vegetative areas on the site, as well as the location and boundaries of other natural features protection and conservation areas such as wetlands, lakes, ponds, floodplains, stream buffers and other setbacks, including but not limited to drinking water well setbacks and septic setbacks. Particular attention should be paid to environmentally sensitive features that present constraints for development.

6. Existing conditions hydrologic analysis. The existing condition hydrologic analysis for stormwater runoff rates, volumes, and velocities in accordance with the current Georgia Stormwater Management Manual, which ~~shall~~must include: a topographic map of existing site conditions with the drainage basin boundaries indicated; acreage, soil types and land cover of areas for each subbasin affected by the project; all perennial and intermittent streams and other surface water features; all existing stormwater conveyances and structural control facilities; direction of flow and exits from the site; analysis of runoff provided by off-site areas upstream of the project site; and methodologies, assumptions, site parameters and supporting design calculations used in analyzing the existing conditions site hydrology. For redevelopment sites, pre-development conditions are modeled using guidelines established by the Director for the portion of the site undergoing land development activities.

7. Postdevelopment hydrologic analysis. The post-development hydrologic analysis for stormwater runoff rates, volumes, and velocities ~~shall~~must be calculated in accordance with the Georgia Stormwater Management Manual and include: a topographic map of developed site conditions with the post-development drainage basin boundaries indicated; total area of postdevelopment impervious surfaces and other land cover areas for each subbasin affected by the project; calculations for determining the runoff volumes that need to be addressed for each subbasin for the development project to meet the post-development stormwater management performance criteria in Sec. 9.6.12; location and boundaries of proposed natural feature protection and conservation areas; documentation and calculations for any applicable site design credits that are being utilized; methodologies, assumptions, site parameters and supporting design calculations used in analyzing the existing conditions site hydrology. If the land development activity on a redevelopment site constitutes more than 50 percent of the site area for the entire site, then the performance criteria in Sec. 9.6.12 must be met for the stormwater runoff from the entire site. For a subdivision of land or planned development, post-development runoff volumes, rates, and velocities ~~shall~~must be calculated based on the built-out conditions of the entire parcel to be subdivided, regardless of future ownership of individual lots. Estimates of impervious surfaces ~~shall~~must be made based on maximum allowable lot coverage in accordance with the City's Development Code when meeting the performance criteria. The developer of said subdivided parcel may provide runoff reduction and water quality measures for individual lots, which must be reflected accordingly on the final plat.

8. Stormwater management system. The description, scaled drawings and design calculations for the proposed post-development stormwater management system, which ~~shall~~must include: A map and/or drawing or sketch of the stormwater management facilities, including the location of nonstructural site design features and the placement of existing and proposed structural stormwater controls, including design water surface elevations, storage volumes available from zero to maximum head, location of inlet and outlets, location of bypass and discharge systems, and all orifice/restrictor sizes; a narrative describing how the selected structural stormwater controls will be appropriate and effective; cross section and profile drawings and design details for each of the structural stormwater controls in the system, including supporting calculations to show that the facility is designed according to the applicable design criteria; a hydrologic and hydraulic analysis of the stormwater management system for all applicable design storms (including stage-storage or outlet rating curves, and inflow and outflow hydrographs); documentation and supporting calculations to show that the stormwater management system adequately meets the post-development stormwater management performance criteria in section 109-195; drawings, design calculations, elevations and hydraulic grade lines for all existing and proposed stormwater conveyance elements including stormwater drains, pipes, culverts, catchbasins, channels, swales and areas of overland flow; and where applicable, a narrative describing how the stormwater management system corresponds with any watershed protection plans and/or local greenspace protection plan.

9. Post development downstream analysis. A downstream peak flow analysis that includes the assumptions, results and supporting calculations to show safe passage of post-development design flows downstream. The analysis of downstream conditions in the report ~~shall~~must address each and every point or area along the project site's boundaries at which runoff will exit the property. The analysis ~~shall~~must focus on the portion of the drainage channel or watercourse immediately downstream from the project. This area ~~shall~~must extend downstream from the project to a point in the drainage basin where the project area is ten percent of the total basin area. In calculating runoff volumes and discharge rates, consideration may need to be given to any planned future upstream land use changes. The analysis is in accordance with the stormwater design manual.

10. Construction-phase erosion and sedimentation control plan. An erosion and sedimentation control plan in accordance with the Georgia Erosion and Sedimentation Control Act of 1975 (O.C.G.A. § 12-7-1 et seq.) or NPDES permit for construction activities. The plan ~~shall~~must also include information on the sequence/phasing of construction and temporary stabilization measures and temporary structures that will be converted into permanent stormwater controls. Prior to the approval of the stormwater management plan, the applicant or responsible party ~~shall~~must submit a proposed staged construction and inspection control schedule for approval; otherwise, the construction and inspection control schedule will be for the entire drainage system. No stage work related to the construction of stormwater management facilities or BMPs ~~shall~~will proceed until the next proceeding stage of work, according to the sequence specified in the approved stage construction and inspection control schedule, as inspected and approved. Runoff reduction and water quality measures ~~shall~~must be installed in the final phase of construction to prevent clogging.

11. Landscaping and open space plan. A detailed landscaping and vegetation plan describing the woody and herbaceous vegetation that will be used within and adjacent to stormwater management facilities and practices. The landscaping plan must also include: the arrangement of planted areas, natural and greenspace areas and other landscaped features on the site plan; information necessary to construct the landscaping elements shown on the plan drawings; descriptions and standards for the methods, materials and vegetation that are to be used in the construction; density of plantings; descriptions of the stabilization and management techniques used to establish vegetation; and a description of who will be responsible for ongoing maintenance of vegetation for the stormwater management facility and what practices will be employed to ensure that adequate vegetative cover is preserved.

12. Operations and maintenance plan. Detailed description of ongoing operations and maintenance procedures for stormwater management facilities and practices to ensure their continued function as designed and constructed or preserved. These plans will identify the parts or components of a stormwater management facility or practice that need to be regularly or periodically inspected and maintained, and the equipment and skills or training necessary. The plan ~~shall~~must include a narrative describing how the stormwater management system is designed to function, including capture, runoff control, water quality treatment, channel and flood protection, and ongoing operations and maintenance procedures for all stormwater management facilities and practices shown on the stormwater management site plan. The plan ~~shall~~must include an inspection and maintenance schedule, maintenance tasks, responsible parties for maintenance, funding, access and safety issues. Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures are included in the plan.

13. Maintenance access easements. The applicant must ensure access from right-of-way to stormwater management facilities and practices requiring regular maintenance at the site for the purpose of inspection and repair by securing all the maintenance access easements needed on a permanent basis. Such access is sufficient for all necessary equipment for maintenance activities. Upon final inspection and approval, a plat or document indicating that such easements exist is recorded and ~~shall~~will remain in effect even with the transfer of title of the property.

14. Inspection and maintenance agreements. Unless an on-site stormwater management facility or practice is dedicated to and accepted by the Department as provided in Sec. 9.6.9, the applicant must execute an easement and an inspection and maintenance agreement binding on all subsequent owners of land served by an on-site stormwater management facility or practice in accordance with Sec. 9.6.9.

15. Evidence of acquisition of applicable local and nonlocal permits. The applicant ~~shall~~must certify and provide documentation to the Department that all other applicable environmental permits have been acquired for the site prior to approval of the stormwater management plan.

Sec. 9.6.9. Inspection, Maintenance Agreements

A. Prior to the issuance of any permit for a land development activity requiring a stormwater management facility or practice hereunder and for which the Department requires ongoing maintenance, the applicant or owner of the site must, unless an on-site stormwater management facility or practice is dedicated to and accepted by the Department, execute an inspection and maintenance agreement, and/or a conservation easement, if applicable, that is binding on all subsequent owners of the site.

B. The inspection and maintenance agreement, if applicable, must be approved by the Department prior to plan approval, and recorded in the deed records upon final plat approval.

C. The inspection and maintenance agreement ~~shall~~must identify by name or official title the person responsible for carrying out the inspection and maintenance. Responsibility for the operation and maintenance of the stormwater management facility or practice, unless assumed by a governmental agency, ~~shall~~will remain with the property owner and ~~shall~~will pass to any successor owner. If portions of the land are sold or otherwise transferred, legally binding arrangements are made to pass the inspection and maintenance responsibility to the appropriate successors in title. These arrangements ~~shall~~must designate for each portion of the site the person to be permanently responsible for its inspection and maintenance.

D. As part of the inspection and maintenance agreement, a schedule is developed for when and how often routine inspection and maintenance will occur to ensure proper function of the stormwater management facility or practice. The agreement ~~shall~~must also include plans for annual inspections to ensure proper performance of the facility between scheduled maintenance and ~~shall~~must also include remedies for the default thereof.

E. In addition to enforcing the terms of the inspection and maintenance agreement, the Department may also enforce all of the provisions for ongoing inspection and maintenance in Sec. 9.6.14.

F. The Department, in lieu of an inspection and maintenance agreement, may accept dedication of any existing or future stormwater management facility for maintenance, provided such facility meets all the requirements of this Division and includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance.

Sec. 9.6.10. Application Review Fees

The fee for review of any stormwater management application is based on the fee structure established by the Department and is made prior to the issuance of any building permit for the development.

Sec. 9.6.11. Modifications for Off-Site Facilities

A. The stormwater management plan for each land development project ~~shall~~must provide for stormwater management measures located on the site of the project, unless provisions are made to manage stormwater by an off-site or regional facility. The off-site or regional facility must be located on property legally dedicated for the purpose, must be designed and adequately sized to provide a level of stormwater quantity

and quality control that is equal to or greater than that which would be afforded by on-site practices and there must be a legally obligated entity responsible for long-term operation and maintenance of the off-site or regional stormwater facility. In addition, on-site measures are implemented, where necessary, to protect upstream and downstream properties and drainage channels from the site to the off-site facility.

B. A stormwater management plan must be submitted to the Department that shows the adequacy of the off-site or regional facility.

C. To be eligible for a modification, the applicant must demonstrate to the satisfaction of the Director that the use of an off-site or regional facility will not result in the following impacts to upstream or downstream areas:

1. Increased threat of flood damage to public health, life, and property;
2. Deterioration of existing culverts, bridges, dams, and other structures;
3. Accelerated stream bank or streambed erosion or siltation;
4. Degradation of in-stream biological functions or habitat; or
5. Water quality impairment in violation of the state water quality standards, and/or violation of any state or federal regulations.

Sec. 9.6.12. Performance Criteria

A. For new developments, the following performance criteria ~~shall~~will be applied to the area of the site impacted by the proposed work. For redevelopment, the following performance criteria ~~shall~~will be applied to the area of the site impacted by the proposed work, provided that the impacted area does not exceed 35 percent of the previously developed area. If the impacted area exceeds 35 percent of the previously developed area, the following performance criteria ~~shall~~will be applied to the entire development, including previously developed area:

1. **Water Quality/Runoff Reduction:** All stormwater runoff generated from a site ~~shall~~must provide runoff reduction of the first 1.2 inches of rainfall or ~~shall~~must be adequately treated for water quality before discharge. With the exception of single lot residential developments that are not part of a common development, this ~~shall~~must be accomplished by the use of Green Infrastructure Best Management Practices unless determined to be infeasible in accordance with Sec. 9.6.7.B.4. of this code.

   It will be presumed that a stormwater management system complies with this requirement if it satisfies the stormwater reduction criteria in this section. However if any of the stormwater runoff volume generated by the first 1.2 inches of rainfall cannot be reduced or retained on site due to constraints such as a high water table, rock, low infiltration rates or the presence of a hotspot, the remaining volume ~~shall~~must be increased by a multiplier of 1.2 and ~~shall~~must be intercepted and treated in one or more stormwater management practices that provide at least an 80 percent reduction in total suspended solids loads in accordance with the following criteria:

   a. It is sized to treat the prescribed water quality treatment volume from the site, as defined in the Georgia Stormwater Management Manual;

   b. Appropriate structural stormwater controls or nonstructural practices are selected, designed, constructed or preserved, and maintained according to the specific criteria in the Georgia Stormwater Management Manual or constitutes an alternative practice responsibly designed and documented by the design professional to reproduce the intent of the Georgia Stormwater Management Manual; and

   c. Runoff from hotspot land uses and activities identified by the Department are adequately

treated and addressed through the use of appropriate structural stormwater controls, nonstructural practices and pollution prevention practices.

2. **Stream Channel Protection** Protection of stream channels from bank and bed erosion and degradation is provided by using all of the following three approaches:

   a. Preservation, restoration and/or reforestation (with native vegetation) of the applicable stream buffer;

   b. Twenty-four-hour extended detention storage of the one-year, 24-hour return frequency storm event;

   c. Erosion prevention measures such as energy dissipation and velocity control.

   d. For redevelopment projects that create, add, or demolish and replace less than 5,000 square feet of impervious surface and meet the performance criteria of this section, stream channel protection is not required.

3. **Overbank Flooding Protection**

   a. Downstream overbank flood and property protection is provided by controlling (attenuating) the post-development peak discharge rate to the pre-development rate for the 25-year, 24-hour return frequency storm event. If control of the one-year, 24-hour storm under subsection (a) of this section is exempted, then peak discharge rate attenuation of the two-year through the 25-year return frequency storm event must be provided. For redevelopment projects overbank flood and property protection ~~shall~~must be provided by reducing the peak discharge rate up to the 25-year, 24-hour storm event in accordance with the following formula:

   b. %PIC/2 = %PDRR

   c. PIC = Predevelopment Impervious Cover

      i. PDRR = Peak Discharge Rate Reduction

   d. For sites where previous demolition has removed impervious surfaces, pre-development peak discharge rate calculations and percentage of impervious coverage ~~shall~~must be calculated based on pre-demolition conditions. For sites that have been demolished and have remained fallow and stabilized with vegetation for a minimum of five years, they ~~shall~~must be considered as having pre-development conditions of 20 percent impervious cover for purposes of calculating peak discharge rate reduction.

   e. For land development permitted after 2005 and served by appropriate stormwater management facilities, subsequent redevelopment of the same area is not required to further reduce the peak discharge rate, provided that the site continues to meet the reduction previously achieved.

   f. For redevelopment projects that create, add, or demolish and replace less than 5,000 square feet of impervious surface and meet the performance criteria of this section, overbank flooding protection is not required.

4. **Extreme Flooding Protection**

   a. Extreme flood and public safety protection is provided by controlling and safely conveying the 100-year, 24-hour return frequency storm event such that flooding is not exacerbated.

   b. For redevelopment projects that create, add, or demolish and replace less than 5,000 square feet of impervious surface and meet the performance criteria of this section, extreme flooding protection is not required.

5. **Structural Stormwater Controls** All structural stormwater management facilities are selected and designed using the appropriate criteria from the Georgia Stormwater Management Manual. All structural stormwater controls must be designed appropriately to meet their intended function. For other structural stormwater controls not included in the Georgia Stormwater Management Manual, or for which pollutant removal rates have not been provided, the effectiveness and pollutant removal of the structural control must be documented through prior studies, literature reviews, or other means and receive approval from the Department before being included in the design of a stormwater management system. In addition, if hydrologic or topographic conditions, or land use activities warrant greater control than that provided by the minimum control requirements, the City may impose additional requirements deemed necessary to protect upstream and downstream properties and aquatic resources from damage due to increased volume, frequency, and rate of stormwater runoff or increased non-point source pollution loads created on the site in question. Applicants ~~shall~~must consult the Georgia Stormwater Management Manual for guidance on the factors that determine site design feasibility when selecting and locating a structural stormwater control.

6. **Stormwater Credits for Nonstructural Measures** The use of one or more site design measures by the applicant may allow for a reduction in the water quality treatment volume required under Sec. 9.6.12.A.1. The applicant may, if approved by the Department, take credit for the use of stormwater better site design practices and reduce the water quality volume requirement. For each potential credit, there is a minimum set of criteria and requirements that identifies the conditions or circumstances under which the credit may be applied. The site design practices that qualify for this credit and the criteria and procedures for applying and calculating the credits are included in the Georgia Stormwater Management Manual.

7. **Drainage System Guidelines** Stormwater conveyance facilities, which may include but are not limited to culverts, stormwater drainage pipes, catchbasins, drop inlets, junction boxes, headwalls, gutters, swales, channels, ditches, and energy dissipaters, are provided when necessary for the protection of right-of-way and private properties adjoining project sites and/or rights-of-way. Stormwater conveyance facilities that are designed to carry runoff from more than one parcel, existing or proposed, ~~shall~~must meet the following requirements:

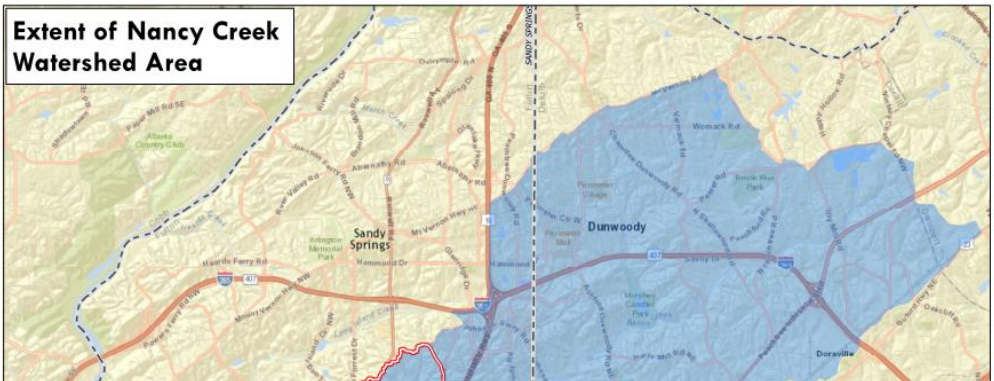
   a. Methods to calculate stormwater flows are in accordance with the stormwater design manual;

   b. All culverts, pipe systems and open channel flow systems are sized in accordance with the stormwater management plan using the methods included in the Georgia Stormwater Management Manual; and

   c. Design and construction of stormwater conveyance facilities are in accordance with the criteria and specifications found in the Georgia Stormwater Management Manual.

8. **Dam Design Guidelines** Any land disturbing activity that involves a site that proposes a dam ~~shall~~must comply with the Georgia Safe Dams Act of 1978 (O.C.G.A. § 12-5-370 et seq.) and rules for dam safety as applicable.

9. Declared Sensitive Area Guidelines In accordance with the Georgia Stormwater Management Manual, Volume 2 Section 2.2.2.1, the City reserves the right to establish more stringent standards for sub-basin areas that may cause significant adverse water quality, quantity and discharge rates due to numerous small developments. The sub-basin areas ~~shall~~must be Declared Sensitive Areas. Any development within a Declared Sensitive Area ~~shall~~must comply with the design and construction standards as set forth in the Technical Manual Section 10.M



Sec. 9.6.13. Construction Inspections

A. Inspections to ensure plan compliance during construction. Periodic inspections of the stormwater management system construction is conducted by the staff of the Department or conducted and certified by a professional engineer who has been approved by the Department. Construction inspections ~~shall~~must utilize the approved stormwater management plan for establishing compliance. All inspections are documented with written reports that contain the following information:

1. The date and location of the inspection;
2. Whether construction is in compliance with the approved stormwater management plan;
3. Variations from the approved construction specifications; and
4. Any other variations or violations of the conditions of the approved stormwater management plan.
5. If any violations are found, the applicant is notified in writing of the nature of the violation and the required corrective actions.

B. Final inspection and as-built plans. Upon completion of a project, and before a certificate of occupancy is granted, the applicant is responsible for certifying that the completed project is in accordance with the approved stormwater management plan including the global positioning system coordinates of all stormwater management facilities. All applicants are required to submit actual "as-built" plans for any stormwater management facilities or practices after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and practices and must be certified by a professional engineer. A final inspection by the Department is required before the release of any performance securities can occur.

Sec. 9.6.14. Ongoing Inspection, Maintenance

A. **Long-Term Maintenance Inspection of Stormwater Facilities and Practices**

1. The absence of an inspection and maintenance agreement ~~shall~~will not relieve the owner or responsible party from performing proper maintenance and inspection of the stormwater

management facility. If the owner or responsible party fails or refuses to meet the requirements of this Division, the City may correct the violation at the owner's expense.

2. For facilities constructed prior to the effective date of this Division the owner or responsible party ~~shall~~must perform proper maintenance of the stormwater maintenance facility as required by the indemnification agreement. If the owner or responsible party fails or refuses to meet the requirements of this Division, the City may correct the violation at the owner's expense.

3. Stormwater management facilities and practices included in a stormwater management plan which are subject to an inspection and maintenance agreement must undergo ongoing inspections to document maintenance and repair needs and ensure compliance with the requirements of the agreement, the plan and this Division.

4. A stormwater management facility or practice is inspected on a periodic basis by the responsible person in accordance with the approved inspection and maintenance agreement or in the absence of an inspection and maintenance agreement, in accordance with the requirements of this Division. In the event that the stormwater management facility has not been maintained and/or becomes a danger to public safety or public health, the Department ~~shall~~will notify the person responsible for carrying out the maintenance plan who is specified in the inspection and maintenance agreement by registered or certified mail. The notice ~~shall~~will specify the measures needed to comply with the agreement and the plan and ~~shall~~will specify the time within which such measures are completed. Failure of the City to provide such notice ~~shall~~will not relieve the owner or responsible party from performing proper maintenance and inspection of the stormwater maintenance facility. If the responsible person fails or refuses to meet the requirements of the inspection and maintenance agreement, the Department may correct the violation as provided in Sec. 9.6.14 hereof.

5. An annual inspection ~~shall~~will be performed and attested to by a professional engineer with results reported to the City. Any deficiencies noted in either operation or maintenance of the facility must be included in the report along with the proposed remedies required and a time table for their implementation. If substantial deficiencies are found, a follow-up inspection to confirm correction of said deficiencies ~~shall~~must be performed and reported to the City.

6. Inspection programs by the Department may be established on any reasonable basis, including but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to: reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in stormwater management facilities; and evaluating the condition of stormwater management facilities and practices.

B. **Right-of-Entry for Inspection** The terms of the inspection and maintenance agreement ~~shall~~must provide for the City to enter the property at reasonable times and in a reasonable manner for the purpose of inspection. This includes the right to enter a property when it has a reasonable basis to believe that a violation of this Division is occurring or has occurred and to enter when necessary for abatement of a public nuisance or correction of a violation of this Division.

C. **Records of Maintenance Activities** Parties responsible for the operation and maintenance of a stormwater management facility ~~shall~~must provide records of all maintenance and repairs to the Department.

Sec. 9.6.15. Failure to Maintain

If a responsible person fails or refuses to meet the requirements of the inspection and maintenance agreement, the Department, after 30 days' written notice (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice is sufficient), may correct a violation of the design standards or maintenance requirements by performing the necessary work to place the facility or practice in

proper working condition. The Department may assess the owners of the facility for the cost of repair work that is a lien on the property, and may be placed on the ad valorem tax bill for such property and collected in the ordinary manner for such taxes.

Sec. 9.6.16. Marsh Creek Watershed Regional Detention Pond

A. **Purpose** The purpose and intent of this section is to protect the public health, safety, environment and general welfare through the establishment of a policy and procedure for the protection and maintenance of the water quality and flood storage capacity being controlled by the Marsh Creek Watershed Improvement Project and the Stormwater Best Management Practice (Marsh Creek BMP) for present and future development and redevelopment within the drainage basin of the Marsh Creek BMP. The following policy and procedures seek to meet that purpose and ~~shall~~must be known as the Marsh Creek Watershed Regional Detention Pond Ordinance:

1. This section will apply to the developed parcels that lie, in whole or in part, within the drainage basin area boundaries of the Marsh Creek BMP.
2. The applicant ~~shall~~must be any property owner and/or developer proposing to develop or redevelop sites within the Marsh Creek BMP.
3. The applicant ~~shall~~must submit the site plan with the proposed development addressing all application requirements for review by the Department to determine the availability of stormwater detention capacity within the Marsh Creek BMP.
4. Should capacity within the facility be available, the applicant will have the option to:
    a. Utilize the Marsh Creek BMP facility for stormwater detention and submit a fee to the City for the cost and maintenance of the facility; or
    b. Provide onsite detention through the use of underground storage facilities in accordance with the City's stormwater management plan requirements.
5. Upon approval of the application by the City, acceptance of the utilization of the Marsh Creek BMP by the applicant, and payment of the fee, a license ~~shall~~will be granted to the applicant; however, the responsibility for operation, maintenance and regulation of the stormwater management services within the Marsh Creek BMP ~~shall~~must be owned, operated and maintained by the City of Sandy Springs in accordance with the SWMP and stormwater management services performed, owned and operated or maintained by the City of Sandy Springs.

B. **Application Requirements**

1. A certified topographic map of existing conditions that delineate the drainage area boundaries of the applicant's parcel defining the areas within and outside the Marsh Creek BMP drainage basin as well as the existing impervious area within and outside the basin;
2. A site plan of the proposed improvements, including a delineation of new and/or redeveloped impervious areas within the applicant's parcel;
3. A hydraulic analysis of the downstream public stormwater conveyance system of the applicant's parcel, to verify the capacity of the system to carry the proposed stormwater flows in compliance with the development regulations;
4. Confirmation of onsite erosion and sediment control which applicant will utilize during the course of the construction project to protect the Marsh Creek BMP from any construction related damage;
5. A fee in the amount of $180,000.00 per impervious acre of applicant's parcel (measured to the nearest one-hundredth of an acre) ~~shall~~will be charged and assessed to the applicant for the cost of utilizing

stormwater detention services and ongoing maintenance to the stormwater management system and facility of the Marsh Creek BMP.

6. Conformity by the applicant with onsite water quality requirements through the use of green infrastructure or low impact development (LID) practices, or other approved structural practices as directed by the City;

7. Applicant ~~shall~~must comply with the City development regulations ordinance, floodplain management ordinance, and any other City and state rules, regulations or permits, which regulate the development of land.

8. If the parcel is to be developed in phases, then a separate application process ~~shall~~will be required for each phase.

C. **Application process**

1. Immediately upon receipt of all application requirements, the Department ~~shall~~will review the plans and determine the capacity ~~feasability~~feasibility of the Marsh Creek BMP facility as to the proposed development. The Department ~~shall~~will be expected to complete its review of the application within 35 days of receipt of all documents required from the applicant.

2. Availability will be determined based on the impervious area of the parcel proposing to drain to the facility, as well as the capacity of the existing and to be installed conveyance system to carry the proposed stormwater discharge to the facility.

3. An application may be rejected if the applicant has had two or more violations of previous permits or the Erosion and Sedimentation Act permit requirements within three years prior to the date of the application.

4. Upon final approval, the applicant ~~shall~~will be granted a license allowing utilization of the Marsh Creek BMP for the site's stormwater control within the drainage basin area.

5. The applicant ~~shall~~will be responsible for the installation and maintenance of all required onsite erosion and sediment control during the course of the construction project to protect the Marsh Creek BMP and the related drainage system from any construction related damage.

6. Should the applicant not select utilization of the Marsh Creek BMP, or should the proposed conveyance system be found inadequate to carry the proposed development or redevelopment of the parcel, the applicant ~~shall~~will be required to conform to all stormwater management ordinance, development regulations ordinance, floodplain management ordinance, and any other ordinances, rules, regulations or permits, which regulate the development of land within the City.

Div. 9.7. Soil Erosion and Sedimentation Control

Sec. 9.7.1. Title and Findings

A. **Title** This Division will be known as "The City of Sandy Springs Soil Erosion, Sedimentation and Pollution Control Ordinance."

B. **Findings** The City of Sandy Springs finds that soil erosion and sediment deposition onto land and into water within the watersheds of the City are a result of failure to apply proper soil erosion and sedimentation control practices in land clearing, soil movement, and construction activities and that such erosion and sediment deposition result in pollution of state waters and damage to domestic, agricultural, recreational, fish and wildlife, and other resource uses. It is therefore declared to be the policy of the City of Sandy Springs and the intent of this Division to strengthen and extend the present erosion and sediment control activities

and programs of the City of Sandy Springs and to provide for the establishment and implementation of a City-wide comprehensive soil erosion and sediment control program to conserve and protect the land, water, air, and other resources of the City of Sandy Springs.

Sec. 9.7.2. Exemptions

This Division ~~shall~~will apply to any land-disturbing activity undertaken by any person or any land except for the following:

A. Surface mining, as the same is defined in O.C.G.A. § 12-4-72, "The Georgia Surface Mining Act of 1968";

B. Granite Quarrying and land for such quarrying;

C. Such minor land-disturbance activities as home gardens and individual home landscaping, repairs, maintenance work, fences, and other related activities. If such activities cause excessive erosion an official notice ~~shall~~will be provided to implement a best management practice (BMP) to stop continued erosion;

D. The construction of ~~single-family~~single unit residences, when such construction disturbs less than one acre and is not a part of a larger common plan or development or sale with a planned disturbance of equal to or greater than one acre and not otherwise exempted under this paragraph; provided, however:

1. Construction of any such residence (~~single-family~~single unit) ~~shall~~must conform to the minimum requirements as set forth in Sec. 9.7.3.C of this Division.

2. For ~~single-family~~single unit residential construction covered by the provisions of this paragraph, there ~~shall~~must be a buffer zone between the residence and any state waters classified as trout streams pursuant to Article 1 of Chapter 5 of the Georgia Water Quality Control Act. In any such buffer zone, no land-disturbing activity ~~shall~~must be constructed between the residence and the point where vegetation has been wrested by normal stream flow or wave action from the banks of the trout waters. For primary trout waters, the buffer zone ~~shall~~must be at least 50 horizontal feet, and no variance to a smaller buffer ~~shall~~must be granted. For secondary trout waters, the buffer zone ~~shall~~must be at least 50 horizontal feet, but the Director may grant variances to no less than 25 feet. Regardless of whether a trout stream is primary or secondary, for first order trout waters, which are streams into which no other streams flow except for springs, the buffer ~~shall~~must be at least 25 horizontal feet, and no variance to a smaller buffer ~~shall~~will be granted.

3. The minimum requirements of Sec. 9.7.3.C of this Division and the buffer zones provided by this section ~~shall~~will be enforced by the City;

E. Agricultural operations as defined in O.C.G.A. §1-3-3, "definitions," to include raising, harvesting or storing of products of the field or orchard; feeding, breeding or managing livestock or poultry; producing or storing feed for use in the production of livestock, including, but not limited to, cattle, calves, swine, hogs, goats, sheep, and rabbits or for use in the production of poultry, including, but not limited to, chickens, hens and turkeys; producing plants, trees, fowl, or animals; the production of aquaculture, horticultural, dairy, livestock, poultry, eggs and apiarian products; farm buildings and farm ponds;

F. Forestry land management practices, including harvesting; provided, however, that when such exempt forestry practices cause or result in land-disturbing or other activities otherwise prohibited in a buffer, as established in Sec. 9.7.3.C of this Division, no other land-disturbing activities, except for normal forest management practices, ~~shall~~will be allowed on the entire property upon which the forestry practices were conducted for a period of three years after completion of such forestry practices;

G. Any project carried out under the technical supervision of the Natural Resources Conservation Service (NRCS) of the United States Department of Agriculture;

H. Any project involving less than one acre of disturbed area; provided, however, that this exemption ~~shall~~will not apply to any land-disturbing activity within a larger common plan of development or sale with a planned disturbance of equal to or greater than one acre or within 200 feet of the banks/points of wrested vegetation of any state waters, and for purposes of this paragraph, "state waters" excludes channels and drainage ways which have water in them only during and immediately after rainfall events, however, that any person responsible for a project which involves less than one acre, which involves land-disturbing activity, and which is within 200 feet of any such excluded channel or drainageway, must prevent sediment from moving beyond the boundaries of the property on which such project is located and provided, further, that nothing contained herein ~~shall~~will prevent the local issuing authority from regulating any such project which is not specifically exempted by paragraphs A., B., C., D., E., F., G., I. or J. of this Section;

I. Construction or maintenance projects, or both, undertaken or financed in whole or in part, or both, by the Georgia Department of Transportation, the Georgia Highway Authority, or the State Road and Tollway Authority; or any road construction or maintenance project, or both, undertaken by any county or municipality; provided, however, that construction or maintenance projects of the Georgia Department of Transportation or the State Road and Tollway Authority which disturb one or more contiguous acres of land ~~shall~~will be subject to provisions of O.C.G.A. § 12-7-7.1; except where the Georgia Department of Transportation, the Georgia Highway Authority, or the State Road and Tollway Authority is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case a copy of a notice of intent under the state general permit ~~shall~~must be submitted to the local issuing authority, the local issuing authority ~~shall~~will enforce compliance with the minimum requirements set forth in O.C.G.A. § 12-7-6, as if a permit had been issued, and violations ~~shall~~will be subject to the same penalties as violations by permit holders;

J. Any land-disturbing activities conducted by any electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Georgia Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. § 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power; except where an electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Georgia Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. § 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case the local issuing authority ~~shall~~will enforce compliance with the minimum requirements set forth in O.C.G.A. § 12-7-6, as if a permit had been issued, and violations ~~shall~~will be subject to the same penalties as violations by permit holders; and

K. Any public water system reservoir.

Sec. 9.7.3. Minimum Requirements

A. **General Provisions** Excessive soil erosion and resulting sedimentation can take place during land-disturbing activities if requirements of the ordinance [from which this Division derived] and the NPDES general permit are not met. Therefore, plans for those land-disturbing activities that are not exempted by this Division ~~shall~~will contain provisions for application of soil erosion, sedimentation and pollution control measures and practices. The provisions ~~shall~~must be incorporated into the erosion, sedimentation and pollution control plans. Soil erosion, sedimentation and pollution control measures and practices ~~shall~~must conform to the minimum requirements of Sec. 9.7.3.B and Sec. 9.7.3.C of this Division. The application of measures and practices ~~shall~~will apply to all features of the site, including street and utility installations, drainage facilities and other temporary and permanent improvements. Measures ~~shall~~must be installed to prevent or control

erosion, sedimentation and pollution during all stages of any land-disturbing activity in accordance with requirements of this Division and the NPDES general permit.

B. **Minimum Requirements/BMPs**

1. Best management practices as set forth in this section of this Division ~~shall~~will be required for all land-disturbing activities. Proper design, installation, and maintenance of best management practices ~~shall~~will constitute a complete defense to any action by the Director or to any other allegation of noncompliance with Sec. 9.7.3.B.2 or any substantially similar terms contained in a permit for the discharge of stormwater issued pursuant to O.C.G.A. § 12-5-30(f), the "Georgia Water Quality Control Act." As used in this section, the terms "proper design" and "properly designed" mean designed in accordance with the hydraulic design specifications contained in the "Manual for Erosion and Sediment Control in Georgia" specified in O.C.G.A. § 12-7-6(b).

2. A discharge of stormwater runoff from disturbed areas where best management practices have not been properly designed, installed, and maintained ~~shall~~will constitute a separate violation of any land-disturbing permit issued by a local issuing authority or of any state general permit issued by the division pursuant to O.C.G.A. § 12-5-30(f), the "Georgia Water Quality Control Act," for each day on which such discharge results in the turbidity of receiving waters being increased by more than 25 nephelometric turbidity units for waters supporting warm water fisheries or by more than ten nephelometric turbidity units for waters classified as trout waters. The turbidity of the receiving waters ~~shall~~must be measured in accordance with guidelines to be issued by the Director, EPD. This paragraph ~~shall~~will not apply to any land disturbance associated with the construction of ~~single-family~~single unit homes which are not part of a larger common plan of development or sale unless the planned disturbance for such construction is equal to or greater than five acres.

3. Failure to properly design, install, or maintain best management practices ~~shall~~will constitute a violation of any land-disturbing permit issued by a local issuing authority or of any state general permit issued by the division pursuant to O.C.G.A. § 12-5-30(f), the "Georgia Water Quality Control Act," for each day on which such failure occurs.

4. The Director may require, in accordance with regulations adopted by the Board of Natural Resources, reasonable and prudent monitoring of the turbidity level of receiving waters into which discharges from land-disturbing activities occur.

5. The local issuing authority (LIA) may set more stringent buffer requirements than stated in Sec. 9.7.3.C.15 and Sec. 9.7.3.C.16, in light of O.C.G.A. § 12-7-6(c).

C. The rules and regulations, ordinances, or resolutions adopted pursuant to O.C.G.A. § 12-7-1 et seq. for the purpose of governing land-disturbing activities ~~shall~~will require, as a minimum, protections at least as stringent as the state general permit and best management practices, including sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the "Manual for Erosion and Sediment Control in Georgia" published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted, as well as the following:

1. Stripping of vegetation, regrading and other development activities ~~shall~~must be conducted in a manner so as to minimize erosion;

2. Cut-fill operations must be kept to a minimum;

3. Development plans must conform to topography and soil type so as to create the lowest practicable erosion potential;

4. Whenever feasible, natural vegetation ~~shall~~must be retained, protected and supplemented;

5. The disturbed area and the duration of exposure to erosive elements ~~shall~~must be kept to a practicable minimum;

6. Disturbed soil ~~shall~~must be stabilized as quickly as practicable;

7. Temporary vegetation or mulching ~~shall~~must be employed to protect exposed critical areas during development;

8. Permanent vegetation and structural erosion control practices ~~shall~~must be installed as soon as practicable;

9. To the extent necessary, sediment in runoff water must be trapped by the use of debris basins, sediment basins, silt traps, or similar measures until the disturbed area is stabilized. As used in this paragraph, a disturbed area is stabilized when it is brought to a condition of continuous compliance with the requirements of O.C.G.A. § 12-7-1 et seq.;

10. Adequate provisions must be provided to minimize damage from surface water to the cut face of excavations or the sloping of fills;

11. Cuts and fills may not endanger adjoining property;

12. Fills may not encroach upon natural watercourses or constructed channels in a manner so as to adversely affect other property owners;

13. Grading equipment must cross flowing streams by means of bridges or culverts except when such methods are not feasible, provided, in any case, that such crossings are kept to a minimum;

14. Land-disturbing activity plans for erosion, sedimentation and pollution control ~~shall~~must include provisions for treatment or control of any source of sediments and adequate sedimentation control facilities to retain sediments on site or preclude sedimentation of adjacent waters beyond the levels specified in Sec. 9.7.3.B.2 of this Division;

15. Except as provided in paragraph (16) of this section, there is established a 25-foot buffer along the banks of all state waters, as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, except where the Director, EPD determines to allow a variance that is at least as protective of natural resources and the environment, where otherwise allowed by the Director, EPD pursuant to O.C.G.A. § 12-2-8, where a drainage structure or a roadway drainage structure must be constructed, provided that adequate erosion control measures are incorporated in the project plans and specifications and are implemented; or along any ephemeral stream. As used in this provision, the term "ephemeral stream" means a stream: that under normal circumstances has water flowing only during and for a short duration after precipitation events; that has the channel located above the groundwater table year round; for which groundwater is not a source of water; and for which runoff from precipitation is the primary source of water flow, unless exempted as along an ephemeral stream, the buffers of at least 25 feet established pursuant to Part 6 of Article 5, Chapter 5 of Title 12, the "Georgia Water Quality Control Act", ~~shall~~will remain in force unless a variance is granted by the Director, EPD as provided in this paragraph. The following requirements ~~shall~~ apply to any such buffer:

    a. No land-disturbing activities ~~shall~~will be conducted within a buffer and a buffer ~~shall~~must remain in its natural, undisturbed state of vegetation until all land-disturbing activities on the construction site are completed. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the streambed; provided, however, that any person constructing a ~~single-family~~single unit residence, when such residence is constructed by or under contract with the owner for his or her own occupancy, may thin or trim vegetation in a buffer at any time as long as protective

vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the streambed; and

b. The buffer ~~shall~~will not apply to the following land-disturbing activities, provided that they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular to the stream; cause a width of disturbance of not more than 50 feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented: (i) stream crossings for water lines; or (ii) stream crossings for sewer lines;

16. There is established a 50-foot buffer as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, along the banks of any state waters classified as "trout streams" pursuant to Article 2 of Chapter 5 of Title 12, the "Georgia Water Quality Control Act," except where a roadway drainage structure must be constructed; provided, however, that small springs and streams classified as trout streams which discharge an average annual flow of 25 gallons per minute or less ~~shall~~must have a 25-foot buffer or they may be piped, at the discretion of the landowner, pursuant to the terms of a rule providing for a general variance promulgated by the Board of Natural Resources, so long as any such pipe stops short of the downstream landowner's property and the landowner complies with the buffer requirement for any adjacent trout streams. The Director, EPD may grant a variance from such buffer to allow land-disturbing activity, provided that adequate erosion control measures are incorporated in the project plans and specifications and are implemented. The following requirements ~~shall~~ apply to such buffer:

a. No land-disturbing activities ~~shall~~will be conducted within a buffer and a buffer ~~shall~~must remain in its natural, undisturbed, state of vegetation until all land-disturbing activities on the construction site are completed. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the streambed; provided, however, that any person constructing a ~~single-family~~single unit residence, when such residence is constructed by or under contract with the owner for his or her own occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the streambed; and

b. The buffer ~~shall~~will not apply to the following land-disturbing activities, provided that they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular to the stream; cause a width of disturbance of not more than 50 feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented: (i) stream crossings for water lines; or (ii) stream crossings for sewer lines.

17. Nothing contained in O.C.G.A. § 12-7-1 et seq. ~~shall~~will prevent any local issuing authority from adopting rules and regulations, ordinances, or resolutions which contain stream buffer requirements that exceed the minimum requirements in Sec. 9.7.3.B and Sec. 9.7.3.C of this Division.

18. The fact that land-disturbing activity for which a permit has been issued results in injury to the property of another ~~shall~~will neither constitute proof of nor create a presumption of a violation of the standards provided for in this Division or the terms of the permit.

Sec. 9.7.4. Application/Permit Process

A. **General** The property owner, developer and designated planners and engineers ~~shall~~must design and review before submittal the general development plans. The local issuing authority ~~shall~~will review the tract to be developed and the area surrounding it. They ~~shall~~will consult the zoning ordinance, stormwater management ordinance, subdivision ordinance, flood damage prevention ordinance, this Division, and any other

ordinances, rules, regulations or permits, which regulate the development of land within the jurisdictional boundaries of the local issuing authority. However, the owner and/or operator are the only parties who may obtain a permit.

B. **Application Requirements**

1. No person ~~shall~~will conduct any land-disturbing activity within the jurisdictional boundaries of Sandy Springs, Georgia, without first obtaining a permit from the Department to perform such activity and providing a copy of notice of intent submitted to EPD, if applicable.

2. The application for a permit ~~shall~~must be submitted to the Department and must include the applicant's erosion, sedimentation and pollution control plan with supporting data, as necessary. Said plans ~~shall~~must include, as a minimum, the data specified in Sec. 9.7.4.C of this Division. Erosion, sedimentation and pollution control plans, together with supporting data, must demonstrate affirmatively that the land-disturbing activity proposed will be carried out in such a manner that the provisions of Sec. 9.7.3.B and Sec. 9.7.3.C of this Division will be met. Applications for a permit will not be accepted unless accompanied by three copies of the applicant's erosion, sedimentation and pollution control plans. All applications ~~shall~~must contain a certification stating that the plan preparer or the designee thereof visited the site prior to creation of the plan in accordance with EPD Rule 391-3-7-10.

3. In addition to the local permitting fees, fees will also be assessed pursuant to paragraph O.C.G.A. § 12-5-23(5)(a), provided that such fees ~~shall~~will not exceed $80.00 per acre of land-disturbing activity, and these fees ~~shall~~will be calculated and paid by the primary permittee as defined in the state general permit for each acre of land-disturbing activity included in the planned development or each phase of development. All applicable fees ~~shall~~must be paid prior to issuance of the land disturbance permit. In a jurisdiction that is certified pursuant to O.C.G.A. § 12-7-8(a), half of such fees levied ~~shall~~will be submitted to the division; except that any and all fees due from an entity which is required to give notice pursuant to O.C.G.A. § 12-7-17(9) or (10) ~~shall~~must be submitted in full to the division, regardless of the existence of a local issuing authority in the jurisdiction.

4. Upon receipt of an application and plan for a permit, the City ~~shall~~will review and approve or disapprove concerning the adequacy of the erosion, sedimentation and pollution control plan. The City ~~shall~~will approve or disapprove a plan within 35 days of receipt. Failure of the City to act within 35 days ~~shall~~will be considered an approval of the pending plan. No permit will be issued unless the plan has been approved by the City, and any variances required by Sec. 9.7.3.C have been obtained, all fees have been paid, and bonding, if required as per Sec. 9.7.4.B, has been obtained.

5. If a permit applicant has had two or more violations of previous permits, this Division section, or the Erosion and Sedimentation Act, as amended, within three years prior to the date of filing the application under consideration, the local issuing authority may deny the permit application.

6. The local issuing authority may require the permit applicant to post a bond in the form of government security, cash, irrevocable letter of credit, or any combination thereof up to, but not exceeding, $3,000.00 per acre or fraction thereof of the proposed land-disturbing activity, prior to issuing the permit. If the applicant does not comply with this section or with the conditions of the permit after issuance, the local issuing authority may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance. These provisions ~~shall~~will not apply unless there is in effect an ordinance or statute specifically providing for hearing and judicial review of any determination or order of the local issuing authority with respect to alleged permit violations.

C. **Plan Requirements**

1. Plans must be prepared to meet the minimum requirements as contained in Sec. 9.7.3.B and Sec. 9.7.3.C of this Division, or through the use of more stringent, alternate design criteria which conform to sound conservation and engineering practices. The "Manual for Erosion and Sediment Control in Georgia" is hereby incorporated by reference into this Division. The plan for the land-disturbing activity ~~shall~~must consider the interrelationship of the soil types, geological and hydrological characteristics, topography, watershed, vegetation, proposed permanent structures, including roadways, constructed waterways, sediment control and stormwater management facilities, local ordinances and state laws. Maps, drawings and supportive computations ~~shall~~must bear the signature and seal of the certified design professional. Persons involved in land development design, review, permitting, construction, monitoring, or inspections or any land-disturbing activity ~~shall~~must meet the education and training certification requirements, dependent on his or her level of involvement with the process, as developed by the commission and in consultation with the division and the stakeholder advisory board created pursuant to O.C.G.A. § 12-7-20.
2. Data required for site plan ~~shall~~must include all the information required from the appropriate erosion, sedimentation and pollution control plan review checklist established by the commission as of January 1 of the year in which the land-disturbing activity was permitted.
3. Stand-alone residential development permit and procedures.
4. All building permits for a stand alone residential development or redevelopment ~~shall~~must be submitted for review and approval that includes an erosion control plan and details.
5. The building permit ~~shall~~must include a site erosion control plan, sealed by a Georgia registered Engineer, Landscape Architect, Certified Person in Erosion and Sediment Control (CPESC) or Land Surveyor, to accompany the building plans. No permit ~~shall~~will be issued by the local issuing authority unless the erosion, sedimentation and pollution control plan has been approved by the local issuing authority pursuant to Sec. 9.7.3.C. All proposed BMPs on the site erosion control plan ~~shall~~must be designed per requirements and specifications contained in the "Manual for Erosion and Sediment Control in Georgia."
6. At the time of the preconstruction meeting the owner, operator or applicant ~~shall~~must sign the memorandum of understanding titled "Erosion Control Responsibilities." This document is on file with the Department.
7. Self-inspections and rain event logs.
    a. The on-site operator, owner or applicant ~~shall~~must perform self-inspections of the erosion control BMPs daily when land disturbing is underway and at a minimum of once per week when the site is stabilized.
    b. An inspection be conducted after every rain event of 0.5 inches or more within a 24 hour period.
    c. Any problems noted during these inspections should be logged and corrected immediately.
    d. A log of the self-inspections and remedial measures undertaken must be available for review by the City of Sandy Springs at any time during the development and up to the final site stabilization.
8. Permits
    a. Permits ~~shall~~will be issued or denied as soon as practicable, but in any event not later than 45 days after receipt by the local issuing authority of a completed application, providing variances and bonding are obtained, where necessary, and all applicable fees have been paid prior to permit issuance. The permit ~~shall~~will include conditions under which the activity may be undertaken.

b. No permit ~~shall~~will be issued by the local issuing authority unless the erosion, sedimentation and pollution control plan has been approved by the district and the local issuing authority has affirmatively determined that the plan is in compliance with this Division, any variances required by Sec. 9.7.3.C.15 and Sec. 9.7.3.C.16 are obtained, bonding requirements, if necessary, as per Sec. 9.7.4.B.6 are met and all ordinances and rules and regulations in effect within the jurisdictional boundaries of the local issuing authority are met. If the permit is denied, the reason for denial ~~shall~~will be furnished to the applicant.

c. Any land-disturbing activities by a local issuing authority ~~shall~~will be subject to the same requirements of this Division and any other ordinances relating to land development, as are applied to private persons, and this Division ~~shall~~will enforce such requirements upon the local issuing authority.

d. If the tract is to be developed in phases, then a separate permit ~~shall~~will be required for each phase.

e. The permit may be suspended, revoked, or modified by the local issuing authority, as to all or any portion of the land affected by the plan, upon finding that the holder or his successor in the title is not in compliance with the approved erosion and sedimentation control plan or that the holder or his successor in title is in violation of this Division. A holder of a permit ~~shall~~must notify any successor in title to him as to all or any portion of the land affected by the approved plan of the conditions contained in the permit.

f. The local issuing authority may reject a permit application if the applicant has had two or more violations of previous permits or the Erosion and Sedimentation Act permit requirements within three years prior to the date of the application, in light of O.C.G.A. § 12-7-7(f)(1).

Sec. 9.7.5. Inspection and Enforcement

A. The Director will periodically inspect the sites of land-disturbing activities for which permits have been issued to determine if the activities are being conducted in accordance with the plan and if the measures required in the plan are effective in controlling erosion and sedimentation. Also, the local issuing authority ~~shall~~will regulate primary, secondary and tertiary permittees as such terms are defined in the state general permit. Primary permittees ~~shall~~will be responsible for installation and maintenance of best management practices where the primary permittee is conducting land-disturbing activities. Secondary permittees ~~shall~~will be responsible for installation and maintenance of best management practices where the secondary permittee is conducting land-disturbing activities. Tertiary permittees ~~shall~~will be responsible for installation and maintenance where the tertiary permittee is conducting land-disturbing activities. If, through inspection, it is deemed that a person engaged in land-disturbing activities as defined herein has failed to comply with the approved plan, with permit conditions, or with the provisions of this Division, a written notice to comply ~~shall~~will be served upon that person. The notice ~~shall~~will set forth the measures necessary to achieve compliance and ~~shall~~will state the time within which such measures must be completed. If the person engaged in the land-disturbing activity fails to comply within the time specified, he ~~shall~~will be deemed in violation of this Division.

B. The local issuing authority must amend its ordinances to the extent appropriate within 12 months of any amendments to the Erosion and Sedimentation Act of 1975.

C. The Director ~~shall~~will have the power to conduct such investigations as it may reasonably deem necessary to carry out duties as prescribed in this Division, and for this purpose to enter at reasonable times upon any property, public or private, for the purpose of investigation and inspecting the sites of land-disturbing activities.

D. No person ~~shall~~will refuse entry or access to any authorized representative or agent of the local issuing authority, the commission, the district, or division who requests entry for the purposes of inspection, and who presents appropriate credentials, nor ~~shall~~will any person obstruct, hamper or interfere with any such representative while in the process of carrying out his official duties.

E. The district or the commission or both ~~shall~~will semi-annually review the actions of counties and municipalities which have been certified as local issuing authorities pursuant to O.C.G.A. § 12-7-8(a). The district or the commission or both may provide technical assistance to any county or municipality for the purpose of improving the effectiveness of the county's or municipality's erosion, sedimentation and pollution control program. The district or the commission ~~shall~~will notify the division and request investigation by the division if any deficient or ineffective local program is found.

F. The division may periodically review the actions of counties and municipalities which have been certified as local issuing authorities pursuant to O.C.G.A. § 12-7-8(a). Such review may include, but ~~shall~~will not be limited to, review of the administration and enforcement of a governing authority's ordinance and review of conformance with an agreement, if any, between the district and the governing authority. If such review indicates that the governing authority of any county or municipality certified pursuant to O.C.G.A. § 12-7-8(a) has not administered or enforced its ordinances or has not conducted the program in accordance with any agreement entered into pursuant to O.C.G.A. § 12-7-7(e), the division ~~shall~~will notify the governing authority of the county or municipality in writing. The governing authority of any county or municipality so notified ~~shall~~will have 90 days within which to take the necessary corrective action to retain certification as a local issuing authority. If the county or municipality does not take necessary corrective action within 90 days after notification by the division, the division ~~shall~~will revoke the certification of the county or municipality as a local issuing authority.

Sec. 9.7.6. Penalties and Incentives

A. **Failure to Obtain a Permit for Land-Disturbing Activity** If any person commences any land-disturbing activity requiring a land-disturbing permit as prescribed in this Division without first obtaining said permit, the person ~~shall~~will be subject to revocation of the work permit or other authorization for the conduct of a business and associated work activities within the jurisdictional boundaries of the local issuing authority.

B. **Stop-Work Orders**

1. For the first violation of the provisions of this Division, the Director, EPD or the local issuing authority ~~shall~~will provide official notice to the violator. The violator ~~shall~~will have 48 hours to correct the violation. If the violation is not corrected within 48 hours, the Director, EPD or the local issuing authority ~~shall~~will issue a stop-work order requiring that land-disturbing activities be stopped until necessary corrective action or mitigation has occurred. In cases where there is danger of damage to state waters, stormwater systems or adjacent property a stop work order may be issued and the violator ~~shall~~will correct the violation immediately.

2. All stop-work orders ~~shall~~will be effective immediately upon issuance and ~~shall~~will be in effect until the necessary corrective action or mitigation has occurred.

3. When a violation in the form of taking action without a permit, failure to maintain a stream buffer, failure to follow the approved plan, failure to maintain required BMPs or significant amounts of sediment, as determined by the local issuing authority or by the Director, EPD or his or her designee, have been or are being discharged into state waters, offsite or streets and where best management practices have not been properly designed, installed, and maintained, a stop-work order ~~shall~~will be issued and citation may be issued, by the local issuing authority or by the Director, EPD or his or her designee. All such stop-work orders ~~shall~~will be effective immediately upon issuance and ~~shall~~will be in effect until the necessary corrective action or mitigation has occurred. Such stop-work orders ~~shall~~will

apply to all land-disturbing activity on the site with the exception of the installation and maintenance of temporary or permanent erosion and sediment controls.

C. **Bond Forfeiture** If, through inspection, it is determined that a person engaged in land-disturbing activities has failed to comply with the approved plan, a written notice to comply ~~shall~~will be served upon that person. The notice ~~shall~~will set forth the measures necessary to achieve compliance with the plan and ~~shall~~will state the time within which such measures must be completed. If the person engaged in the land-disturbing activity fails to comply within the time specified, he ~~shall~~will be deemed in violation of this Division and, in addition to other penalties, ~~shall~~will be deemed to have forfeited his performance bond, if required to post one under the provisions of Sec. 9.7.4.B. The local issuing authority may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance.

D. **Monetary Penalties** Any person who violates any provisions of this Division, or any permit condition or limitation established pursuant to this Division, or who negligently or intentionally fails or refuses to comply with any final or emergency order of the Director may be cited for the violation of this Division. Any person who violates any provisions of this Division, or any permit condition or limitation established pursuant to this Division, or who negligently or intentionally fails or refuses to comply with any final or emergency order of the Director issued as provided in this Division ~~shall~~will be liable for a civil penalty not to exceed $2,500.00 per day, except that the penalty for violations associated with stand alone residential development ~~shall~~will be pursuant to Sec. 1-10 of the City Code. For the purpose of enforcing the provisions of this Division, notwithstanding any provisions in any City Charter to the contrary, municipal courts ~~shall~~will be authorized to impose penalty not to exceed $2,500.00 for each violation, except that the penalty for violations associated with stand alone residential development ~~shall~~will be pursuant to Sec. 1-10 of the City Code for each violation. Notwithstanding any limitation of law as to penalties which can be assessed for violations of county ordinances, any magistrate court or any other court of competent jurisdiction trying cases brought as violations of this Division under county ordinances approved under this Division ~~shall~~will be authorized to impose penalties for such violations not to exceed $2,500.00 for each violation, except that the penalty for violations associated with stand alone residential development ~~shall~~will be pursuant to Sec. 1-10 of the City Code for each violation. Each day during which violation or failure or refusal to comply continues ~~shall~~will be a separate violation.

Sec. 9.7.7. Education and Certification

A. Persons involved in land development design, review, permitting, construction, monitoring, or inspection or any land-disturbing activity ~~shall~~must meet the education and training certification requirements, dependent on their level of involvement with the process, as developed by the commission in consultation with the division and the stakeholder advisory board created pursuant to O.C.G.A. § 12-7-20.

B. For each site on which land-disturbing activity occurs, each entity or person acting as either a primary, secondary, or tertiary permittee, as defined in the state general permit, ~~shall~~must have as a minimum one person who is in responsible charge of erosion and sedimentation control activities on behalf of said entity or person and meets the applicable education or training certification requirements developed by the commission present on site whenever land-disturbing activities are conducted on that site. A project site ~~shall~~will herein be defined as any land-disturbance site or multiple sites within a larger common plan of development or sale permitted by an owner or operator for compliance with the state general permit.

C. Persons or entities involved in projects not requiring a state general permit but otherwise requiring certified personnel on site may contract with certified persons to meet the requirements of this Division.

D. If a state general permittee who has operational control of land-disturbing activities for a site has met the certification requirements of O.C.G.A. § 12-7-19(b)(1), then any person or entity involved in land-disturbing activity at that site and operating in a subcontractor capacity for such permittee ~~shall~~must meet those

educational requirements specified in O.C.G.A. § 12-7-19(b)(4) and ~~shall~~will not be required to meet any educational requirements that exceed those specified in said subsection.

Sec. 9.7.8. Administrative Appeal, Judicial Review

A. **Administrative remedies** The suspension, revocation, modification or grant with condition of a permit by the local issuing authority upon finding that the holder is not in compliance with the approved erosion, sediment and pollution control plan; or that the holder is in violation of permit conditions; or that the holder is in violation of any ordinance; ~~shall~~will entitle the person submitting the plan or holding the permit to a hearing before the Board of Appeals within 30 days after receipt by the local issuing authority of written notice of appeal.

B. **Judicial Review** Any person, aggrieved by a decision or order of the local issuing authority, after exhausting his administrative remedies, ~~shall~~will have the right to appeal denovo to the Superior Court of Fulton County, Georgia.

Sec. 9.7.9. Effectivity, Validity and Liability

A. **Effectivity** This Division became effective on the twentieth day of April, 2010.

B. **Validity** If any section, paragraph, clause, phrase, or provision of this Division ~~shall~~will be adjudged invalid or held unconstitutional, such decisions ~~shall~~will not affect the remaining portions of this Division.

C. **Liability**

1. Neither the approval of a plan under the provisions of this Division, nor the compliance with provisions of this Division ~~shall~~will relieve any person from the responsibility for damage to any person or property otherwise imposed by law nor impose any liability upon the local issuing authority or district for damage to any person or property.
2. The fact that a land-disturbing activity for which a permit has been issued results in injury to the property of another ~~shall~~will neither constitute proof of nor create a presumption of a violation of the standards provided for in this Division or the terms of the permit.
3. No provision of this Division ~~shall~~will permit any persons to violate the Georgia Erosion and Sedimentation Act of 1975, the Georgia Water Quality Control Act or the rules and regulations promulgated and approved thereunder or pollute any waters of the state as defined thereby.

Div. 9.8. Illicit Discharge and Connection

Sec. 9.8.1. General Provisions

A. **Purpose and intent** The purpose of this Division is to protect the public health, safety, environment and general welfare through the regulation of nonstormwater discharges to the City separate storm sewer system to the maximum extent practicable as required by federal law. This Division establishes methods for controlling the introduction of pollutants into the City separate storm sewer system in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this Division are to:

1. Regulate the contribution of pollutants to the storm sewer system by any person;
2. Prohibit illicit discharges and illegal connections to the storm sewer system;

3. Prevent nonstormwater discharges, generated as a result of spills, inappropriate dumping or disposal, to the storm sewer system; and

4. Establish legal authority to carry out all inspection, surveillance, monitoring and enforcement procedures necessary to ensure compliance with this Division.

B. **Compatibility with Other Regulations** This Division is not intended to modify or repeal any other chapter, rule, regulation, or other provision of law. The requirements of this Division are in addition to the requirements of any other chapter, rule, regulation, or other provision of law, and where any provision of this Division imposes restrictions different from those imposed by any other chapter, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

C. **Responsibility for Administration** The Department shall administer, implement, and enforce the provisions of this Division.

Sec. 9.8.2. Violations, Enforcement, Penalties

A. **Violations**

1. It is unlawful for any person to violate any provision or fail to comply with any of the requirements of this Division. Any person who has violated or continues to violate the provisions of this Division may be subject to the enforcement actions outlined in this section or may be restrained by injunction or otherwise abated in a manner provided by law.

2. In the event the violation constitutes an immediate danger to public health or public safety, the Department is authorized to enter upon the subject private property, without giving prior notice, to take any and all measures necessary to abate the violation and/or restore the property. The Department is authorized to seek costs of the abatement as provided herein.

B. **Notice of Violation** Whenever the Department finds that a violation of this Division has occurred, the Department may order compliance by written notice of violation.

1. The notice of violation shall contain:

a. The name and address of the alleged violator;

b. The address, when available, or a description of the building, structure or land upon which the violation is occurring, or has occurred;

c. A statement specifying the nature of the violation;

d. A description of the remedial measures necessary to restore compliance with this Division and a time schedule for the completion of such remedial action;

e. A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed; and

f. A statement that the determination of violation may be appealed to the Department by filing a written notice of appeal within 30 days of service of notice of violation.

2. Such notice may require, without limitation:

a. The performance of monitoring, analyses, and reporting;

b. The elimination of illicit discharges and illegal connections;

c. That violating discharges, practices, or operations shall cease and desist;

d. The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;

e. Payment of costs to cover administrative and abatement costs; and

f. The implementation of pollution prevention practices.

C. **Appeal of Notice** Any person receiving a notice of violation may appeal the determination of the Department. The notice of appeal must be received within 30 days from the date of the notice of violation. Hearing on the appeal before the Director or his designee shall take place within 15 days from the date of receipt of the notice of appeal. The decision of the appropriate authority or designee is final.

D. **Enforcement Measures After Appeal** If the violation has not been corrected pursuant to the requirements set forth in the notice of violation, or, in the event of an appeal, within 30 days of the decision of the appropriate authority upholding the decision of the Department, then representatives of the Department may enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It is unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth in this section.

E. **Costs of Abatement of Violation** Within 60 days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the assessment or to the amount of the assessment within 30 days of such notice. If the amount due is not paid within 30 days after receipt of the notice, or if an appeal is taken within 30 days after a decision on said appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment.

F. **Civil Penalties** In the event the alleged violator fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten days, or such greater period as the Department shall deem appropriate, after the Department has taken one or more of the actions described in Sec. 9.8.2.E, the Department may impose a penalty not to exceed $1,000.00 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.

G. **Criminal Penalties** For intentional and flagrant violations of this Division, the Department may issue a citation to the alleged violator requiring such person to appear in municipal court to answer charges for such violation. Upon conviction, such person shall be guilty of a violation of this Code. Each act of violation and each day upon which any act of violation shall occur shall constitute a separate violation of this Code.

H. **Violations Deemed a Public Nuisance** In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this Division is a threat to public health, safety, welfare, and environment and is declared and deemed a nuisance, and may be abated by injunctive or other equitable relief as provided by law.

I. **Remedies not Exclusive** The remedies listed in this Division are not exclusive of any other remedies available under any applicable federal, state or local law and the Department may seek cumulative remedies.

J. **Recovery of Fees and Costs** The Department may recover attorney's fees, court costs, and other expenses associated with enforcement of this section, including sampling and monitoring expenses.

Sec. 9.8.3. Prohibitions

A. **Prohibition of Illicit Discharges** No person shall throw, drain, or otherwise discharge, cause, or allow others under his control to throw, drain, or otherwise discharge into the City separate storm sewer system any pollutants or waters containing any pollutants other than stormwater.

B. **Exemptions** The following discharges are exempt from the prohibition provision above:

1. Water line flushing performed by a government agency, other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising groundwater, groundwater infiltration to storm drains, uncontaminated pumped groundwater, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, natural riparian habitat or wetland flows, and any other water source not containing pollutants;

2. Discharges or flows from firefighting, and other discharges specified in writing by the Director as being necessary to protect public health and safety;

3. The prohibition provision above shall not apply to any nonstormwater discharge permitted under an NPDES permit or order issued to the discharger and administered under the authority of the state and the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the City separate storm sewer system.

C. **Prohibition of Illegal Connections** The construction, connection, use, maintenance or continued existence of any illegal connection to the storm sewer system is prohibited.

1. This prohibition expressly includes, without limitation, illegal connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

2. A person violates this Division if the person connects a line conveying sewage to the storm sewer system, or allows such a connection to continue.

3. Improper connections in violation of this Division must be disconnected and redirected, if necessary, to an approved onsite wastewater management system or the sanitary sewer system upon approval of the Public Works Department.

4. Any drain or conveyance that has not been documented in plans, maps or equivalent, and which may be connected to the storm sewer system, is located by the owner or occupant of that property upon receipt of written notice of violation from the Department requiring that such locating be completed. Such notice will specify a reasonable time period within which the location of the drain or conveyance is to be completed, that the drain or conveyance be identified as storm sewer, sanitary sewer or other, and that the outfall location or point of connection to the storm sewer system, sanitary sewer system or other discharge point be identified. Results of these investigations are to be documented and provided to the Department.

Sec. 9.8.4. Industrial, Construction Discharges

Any person subject to an industrial or construction activity NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the Department prior to allowing discharges to the City separate storm sewer system.

Sec. 9.8.5. Access, Inspection

The Department is permitted to enter and inspect properties and facilities at reasonable times as often as may be necessary to determine compliance with this Division.

A. If a property or facility has security measures in force that require proper identification and clearance before entry into its premises, the owner or operator shall make the necessary arrangements to allow access to representatives of the Department.

B. The owner or operator shall allow the Department ready access to all parts of the premises for the purposes of inspection, sampling, photography, videotaping, examination and copying of any records that are required under the conditions of an NPDES permit to discharge stormwater.

C. The Department shall have the right to set up on any property or facility such devices as are necessary, in the opinion of the Department, to conduct monitoring and/or sampling of flow discharges.

D. The Department may require the owner or operator to install monitoring equipment and perform monitoring as necessary, and make the monitoring data available to its designees. This sampling and monitoring equipment is maintained at all times in a safe and proper operating condition by the owner or operator at his own expense. All devices used to measure flow and quality is calibrated to ensure their accuracy.

E. Any temporary or permanent obstruction to safe and easy access to the property or facility to be inspected and/or sampled is promptly removed by the owner or operator at the written or oral request of the Department and shall not be replaced. The costs of clearing such access is borne by the owner or operator.

F. Unreasonable delays in allowing the Department access to a facility is a violation of this Division.

G. If the Department has been refused access to any part of the premises from which stormwater is discharged, and the Department is able to demonstrate probable cause to believe that there may be a violation of this Division, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this Division or any order issued hereunder, or to protect the overall public health, safety, environment and welfare of the community, then the Department may seek issuance of a search warrant from any court of competent jurisdiction.

Sec. 9.8.6. Notification

A. Notwithstanding other requirements of law, as soon as any person responsible for a facility, activity or operation, or responsible for emergency response for a facility, activity or operation has information of any known or suspected release of pollutants or nonstormwater discharges from that facility or operation which is resulting or may result in illicit discharges or pollutants discharging into stormwater, the City separate storm sewer system, state waters, or waters of the U.S., said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release so as to minimize the effects of the discharge.

B. Said person shall notify the authorized enforcement agency in person or by phone, facsimile or in person no later than 24 hours of the nature, quantity and time of occurrence of the discharge. Notifications in person or by phone are confirmed by written notice addressed and mailed to the Department within three business days of the phone or in-person notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records are retained for at least three years. Said person shall also take immediate steps to ensure no recurrence of the discharge or spill.

C. In the event of such a release of hazardous materials, emergency response agencies and/or other appropriate agencies are immediately notified.

D. Failure to provide notification of a release as provided above is a violation of this Division.

ARTICLE 10.
STREETS & IMPROVEMENTS

Div. 10.1. General Provisions

Sec. 10.1.1. Purpose and Intent

This chapter is intended to serve the following purposes.

A. To protect and promote the public health, safety, and general welfare.

B. To provide a system for the subdividing of lands and the accurate recording of land titles.

C. To provide assurance that, lots shown on recorded subdivision plats are usable by the purchasers for their intended and permitted functions.

D. To encourage economically sound and orderly land development in accordance with the policies and objectives of the City of Sandy Springs, Georgia, Comprehensive Plan.

E. To assure the provision of required streets, utilities, and other facilities and services to new land developments in conformance with public improvement policies of the City.

F. To assure adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, within new land developments and the surrounding City thoroughfares.

G. To assure the provision of needed open spaces and public facility sites in new land developments through the dedication or reservation for purchase of land for public purposes.

H. To assure equitable review and approval of all subdivision and site plans by providing uniform procedures and standards for the developer.

Sec. 10.1.2. – Complete Streets Policy

A. This policy applies to all new construction and reconstruction of roadways within the limits of the City of Sandy Springs;

B. Roadway projects should balance the transportation operational and safety needs of all users regardless of mode, for commercial and non-commercial travel, as well as access and mobility to adjacent land use;

C. Roadway projects should consider the unique needs of vulnerable road users including pedestrians, bicyclists, persons using transit, persons with disabilities, older adults and youth;

D. Roadway projects should make use of the latest and best design standards, policies, and guidelines;

E. Complete Streets solutions shall be developed based on adopted standards (Division 10.4 – Street Standards of the Development Code and Section 2 – Street Framework and Mobility Maps: Typical Sections and Details of the Technical Manual) to fit within the context of the community, and these solutions shall be flexible so that the needs of the corridor can be met without wasting resources; and

F. All departments shall collaborate to ensure the implementation of the policy through all public capital improvements and~~,~~ maintenance and private development projects.

Sec. 10.1.3. Suitability of Land

A. Land subject to flooding, improper drainage or erosion, and any land deemed to be unsuitable for development due to steep slopes, unsuitable soils or subsurface conditions, or similar conditions, must not be subjected to development for any uses as may continue such conditions or increase danger to health, safety, life, or property, unless steps are taken to eliminate or abate these conditions.

B. Land within a proposed subdivision or development that is unsuitable for development must be:

1. Incorporated into the buildable lots as excess land,
2. Established as a conservation area, common area; or
3. Legally disposed of in a manner which would prevent the potential sale or transfer of the lot as potentially buildable lot of record.

Div. 10.2. Subdivision

Sec. 10.2.1. Lots

A. Lots must conform to minimum requirements of the applicable zoning district.

B. The size, shape, arrangement and orientation of every lot is subject to the approval of the Director for the type of development and use contemplated.

C. Lots not served by public sewer or community sanitary sewage system or public water must meet the minimum dimension and area requirements of the Fulton County Health Department in addition to the minimum dimension and area requirements of this Development Code.

D. Reserved.

E. Each lot must have direct access to an abutting, existing public street, ~~ or to~~ a street contained within the proposed subdivision, or follow the requirements of a Development Pattern (Div. 6.3.). A connection through an approved private drive may be permitted by the Director.

F. When subdividing land adjacent to or surrounding an existing or proposed lake, the lots abutting the lake must be drawn to the center of the lake, except when the lake is proposed for recreational or stormwater management purposes and will be contained on an individual lot of record and maintained by the homeowners' association.

Sec. 10.2.2. Exempt Lots

Lots that do not comply with the requirements of the applicable zoning district are prohibited, except as follows:

A. **Signage, Landscape Features** The creation of an unbuildable lot in a proposed subdivision for the exclusive purpose of subdivision identification ~~signage~~signs or subdivision entrance landscape features is authorized only under the following circumstances (no waiver, exception or variance is allowed):

1. The lot must be located at an entrance to the subdivision as an "island" in the right-of-way of a local or minor collector street;

2. A mandatory ~~homeowner's~~ property owners' association is required for the subdivision for ownership and maintenance of the lot as common area;

3. Landscape planting within the right-of-way must comply with the Sandy Springs Technical Manual.

B. **Stormwater Management Facilities** The creation of an un-buildable lot for the exclusive purpose of providing and maintaining a stormwater management facility is authorized.

C. **Private Streets** The creation of an un-buildable lot for the exclusive purpose of providing and maintaining a private street is authorized.

D. **Conservation Areas** The creation of an un-buildable lot for the exclusive purpose of conserving land from development is authorized and must be recorded as such.

E. **Common Areas** The creation of an un-buildable lot, in common ownership, for the exclusive purpose of providing ~~neighborhood~~ amenities such as swimming pools or outdoor amenity space is authorized.

Sec. 10.2.3. Offers of Land Dedication

Where an applicant proposes the dedication of land to public use, and the Director or the appropriate agency finds that such land is neither required nor is it suitable for public use, the Director will require the rearrangement of lots to include such land in private ownership.

Sec. 10.2.4. Public Dedication

A. No land dedicated as a public street or any other public purpose will be opened or accepted, and no subdivision of land may be recorded before obtaining final plat approval from the Director.

B. Approval must be entered in writing on the final plat by the Director.

C. The Director is authorized to accept dedications of land and public facilities on behalf of the City and to cause such dedications to be recorded by the Clerk of Superior Court of Fulton County, subject to ratification by the City Council.

Sec. 10.2.5. Transfer of Land Ownership

A. The City will not recognize any transfer of title to land in the City by any person, firm, partnership, association, corporation, estate, trust, developer, subdivider or any other owner or agent and no building permit may be issued on said land, unless:

1. Legal access to the land is provided to a public or private street or accessible shared or public open space approved under the terms of this Development Code; and at least one of the following conditions is met:

a. The land existed as a single parcel of ownership, recorded as such in its entirety and present boundaries with the clerk of Superior Court of Fulton County prior to the effective date of the 2007 development/subdivision regulations and at the time of recording was in compliance with the zoning and subdivision regulations in effect at that time; OR

b. The land is shown in its entirety and present boundaries on a final plat as approved (under this or any previous applicable ordinances or regulations) and duly recorded with the clerk of Superior Court of Fulton County; OR

c. The land is shown in its entirety and present boundaries on a plat authorized by the Director and recorded with the Clerk of Superior Court of Fulton County pursuant to the ordinances governing subdivision exemptions contained in this Development Code; OR

d. The land is an aggregation of properties for land assembly purposes, and no building permit will be requested prior to the filing of an application for an issuance of a land disturbance permit, pursuant to this Development Code.

B. No person, firm, partnership, association, corporation, estate, trust, developer, subdivider or any other owner or agent may transfer title to any property by reference to, exhibition of, or any other use of any map of plat illustrating the subdivision of land without a final plat of said land showing the property first having been duly approved under the procedures of this Development Code or any previously applicable ordinances or regulations and recorded with the clerk to Superior Court of Fulton County.

C. The division of property by court order, including, but not limited to, judgments of foreclosure or consolidation and disbursement of existing lots by deed or other recorded instruments, are not be considered a subdivision for purposes of, and do not obviate the necessity for compliance with, this Development Code.

Sec. 10.2.6. Survey Monuments

A. At least two permanent monuments must be accurately set and established to tie with the City GIS monuments or as required by the Director.

B. The monuments must consist of a permanent material such as steel, concrete, iron or stone. The monuments must be set so that the top is 6 inches above the ground level, unless otherwise approved by the Director.

C. The accurate location, material and size of all existing monuments must be shown on the final plat, as well as the future location of monuments to be placed after street improvements have been completed.

Sec. 10.2.7. Standard Details and Specifications

The Department maintains a set of standard details and specifications on file illustrating details of construction and design of streets, stormwater drainage facilities, site improvements and other elements related to the development of land in accordance with this Development Code and under the jurisdiction of the Department for

consultation and distribution. These details and specifications are contained in the Sandy Springs Technical Manual.

Sec. 10.2.8. Plan and Plat Specifications

The City's plan and plat specifications are contained in the Sandy Springs Technical Manual.

Sec. 10.2.9. Open Space in River Corridor

Open space provided in projects located in the Chattahoochee River Corridor must meet the following requirements:

A. Open space must be permanent and must remain in its natural state, undisturbed and unoccupied by any structures or impervious surfaces, including septic tanks and septic tank drain fields, and except for approved access or utility crossings.

B. Pedestrian access in open space is subject to the review and approval of the Director.

C. Buffers, floodplains and wetlands may be used as open space.

D. Open space provided in a development must be owned and maintained by the property owner, or in the case of a subdivision, by a property owner's association. The association must be established prior to or concurrent with the recording of the final plat of the subdivision. The association bylaws must include all of the following provisions:

1. Automatic (mandatory) membership of all purchasers of lots in the subdivision and their successors;
2. Conditions and timing of transferring control of the association from the developer to the lot owners, which must not exceed 4 years from the date of recording of the final plat of the subdivision;
3. Responsibility for maintenance, insurance and taxes;
4. Sharing of the costs of maintenance among the lot owners with shares defined by the association bylaws;
5. Authority to place liens on the real property of members who fail to pay their dues or assessments; and
6. Prohibition on the dissolution of the association without the approval of the City Council.

E. The property owner, or the property owner's association, is responsible for the maintenance of open space. Open space must be kept in reasonable order and condition and maintained free from refuse, junk and debris.

Sec. 10.2.10. Addresses and Names

Addresses and names must meet the requirements set out in the Sandy Springs Technical Manual.

Div. 10.3. Blocks and Access

Sec. 10.3.1. Blocks

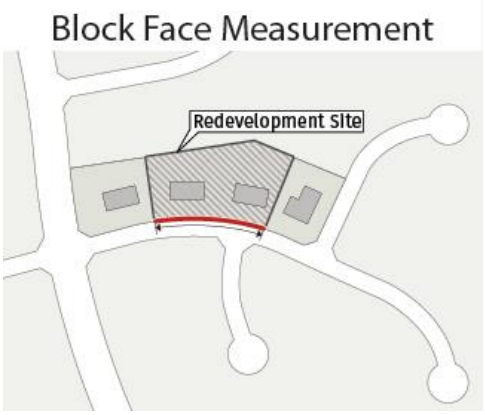
A. **Maximum Block ~~Face~~** The block standards below are required for all subdivision and major land development permits for sites exceeding the stated block face length. No block face or perimeter, when measured for the specific development, is allowed to exceed the thresholds of the following table, except as otherwise specified in this Section.

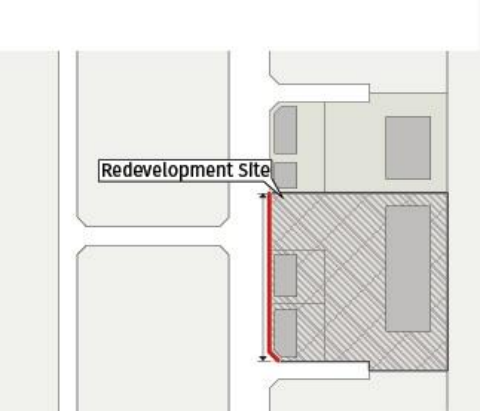
Connections to existing roads are required in all districts, except as described in Sec. 10.3.2.C.

	Block Face	Maximum Block Perimeter
Protected Neighborhoods		
RE-	n/a	n/a
RD-27, RD-18, RD-15, RD-12	1,320' max	3,960’ max.
RD-9, RD-7.5	660' max	2,400’ max.
PK, CON	n/a	n/a
Urban Neighborhoods		
RU-, RT, RM-, RX-	660' max	2,000’ max.
Corridors and Nodes		
OX-, CX-, SX-, NEX-	660' max	2,000’ max.
TX-, CS-	500' max	2,000’ max.
IX-, CC-	660' max	2,000’ max.
Perimeter Center		
PRL-, PXL-, PXM-, PXH-, PMH-	500' max	2,000’ max.

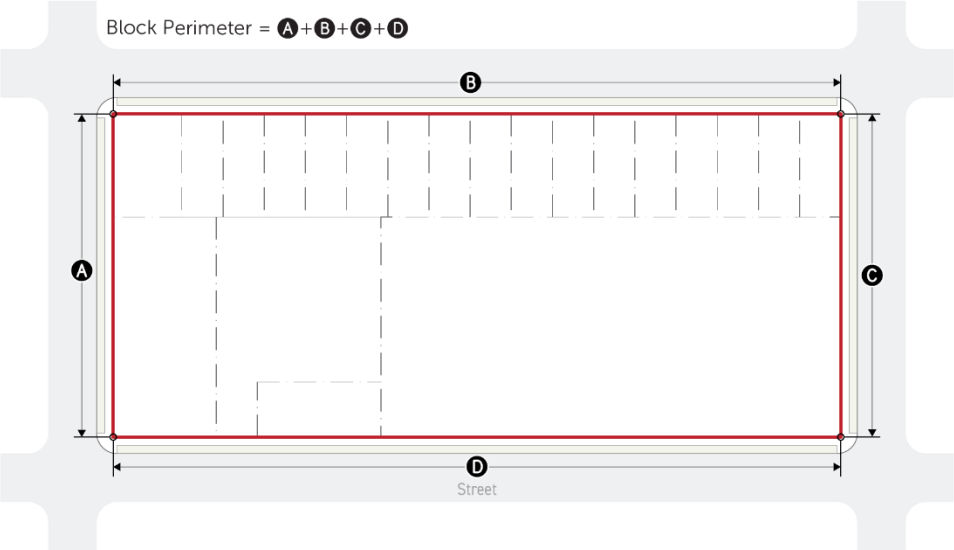
B. **Block Measurement**

1. A block face is bounded by a public or private street (not including an alley).
2. All public right-of-way or private easement proposed as part of a development must be improved with a street.
3. Block face is measured along the edge of the property adjoining the public right-of-way or private easement.
4. The Director may modify the block face requirements when steep slopes in excess of 35%, freeways, railways, waterways, tree protection areas, stream buffers, cemeteries, open space or easements would make the provision of a complete block infeasible. When block length is modified by the Director, bicycle and pedestrian connections must be provided in place of the required street.
5. When a newly created street results in a new block face greater than the dimensions established under Sec 10.3.1.A, additional streets intersecting the new block face are required.





6. Block perimeter is the total length measured along all lot lines abutting public or private streets.



Sec. 10.3.2. Access Standards

A. **Required Access Improvements** Every developer of lands within the jurisdiction of this Development Code must provide access improvements as required by this Development Code and other pertinent codes, ordinances, and regulations of the City. The improvements and associated lands must be provided at no cost to the City, and must be dedicated or otherwise transferred, as required, to the public in perpetuity and without covenant or reservation, except as otherwise provided in this Division.

B. **Type of Improvements** If no new street is required per Sec. 10.3.1. Blocks, any development project of at least 3 acres in size, 100,000 sq. ft. in gross floor area, or 25 residential units, whichever is less, or subject to Sec. 11.7.4. Preliminary ~~Plat and Conceptual~~ Plan Approval must provide a street (and not a drive) through the site. The street type and frontage, if applicable, must be determined by the Director, based on the proposed use and layout.

C. **Access to Adjacent Properties** No subdivision or development may be designed to completely eliminate street access to adjoining parcels of land. Every development must be designed to facilitate access to adjoining properties which are developed or anticipated to be developed in a manner substantially similar to the subject property.

1. **Exceptions**

   a. In all districts, this requirement may be modified by the Director in cases of serious topographical hardship, dissimilar zoning which would create unacceptable land use conflicts between the two developments, or otherwise.

   b. In Protected Neighborhood Character Area zoning districts where a neighborhood street already exists and an extension or connection of said street to adjacent property, proposed for development or otherwise, would be to a road of collector or arterial classification, the street shall not be extended to connect to the collector or arterial road. Equally, if the development is proposed to be accessed from the collector or arterial road it shall not connect to the existing neighborhood street.

2. **Mitigation** In all cases where the requirement for street access to adjacent properties is modified, prohibited, or waived by the Director as described in Sec. 10.3.2.C.1. above, bicycle and pedestrian connections must be provided in place of the otherwise required street.

D. **Cross-Access Easement** In the RM- or RX- District, any Corridors & Nodes district or Perimeter Center district, the property owner must grant a cross-access easement as described in this Section to each adjoining property that is in the RM- or RX-District, any Corridors & Nodes district or Perimeter Center district~~, unless a street is provided as required in Sec. 10.3.1~~. The purpose of the easement or inter-parcel access is to facilitate movement of residents and customers and their vehicles from location or establishment to another ~~establishment~~ (lot to lot) without generating additional turning movements on a public street.

When required by this Section, cross-access easements must be recorded in the office of the Clerk of Superior Court, Fulton County, and reference to deed book and copy of the recorded easement provided to the Director.

1. **Access Easement Provisions**

   a. The cross-access easement must permit vehicle access from the adjoining property to driveways and parking areas intended for customer or tenant use.

   b. On-site parking spaces may be restricted to use by the owner's customers and tenants only.

   c. Upon the availability of access to driveways and parking areas of the adjoining lot, the pavement or other surfacing of the owner's driveways and parking areas must be extended to the point of access on the property line.

   d. Where cross-access arrangements exist that predate the provisions of this Ordinance, this access may not be blocked by any party,

2. **Location of Cross-Access Connections** The location of vehicular connections across a property line should be mutually determined and constructed by both property owners, with priority given to the rear of the lot. In the case of coordination problems or any factors preventing construction of a cross-access connection, the Director will determine the location of the connection to be constructed by property owners.

3. **Stub** When an abutting owner refuses in writing to allow construction of the cross-access circulation on their property, a stub for future cross-access must be provided as close as possible to the common property line.

4. **Relief**

   a. The Director may grant relief from this cross-access requirement, in whole or in part, provided the relief is deemed reasonable due to one or more of the following:

i. Topographic changes are too steep;

ii. The presence of ~~existing buildings,~~ a stream or other natural features;

iii. Site layout of developed properties;

iv. Adjoining uses or their vehicles are incompatible; or

v. Strict compliance would pose a safety hazard.

b. When cross-access is waived by the Director, bicycle and pedestrian connections must be provided between abutting properties, except where there is a stream crossing greater than 15 feet in width that interferes with such access.

E. **Vehicular Access to Lots** All lots must provide vehicular access directly from a public street along the frontage or along another property line that abuts a public street.

Div. 10.4. Street Standards

Sec. 10.4.1. General

A. **Improvements Along State Highways**

1. For any development that abuts a State highway or other right-of-way controlled by the State of Georgia, improvements to the roadway and the location and design of any street or driveway providing access from the State highway must comply with the standards and requirements of the Georgia Department of Transportation.

2. An approved permit for proposed access or improvements is required by Georgia Department of Transportation and must be incorporated into the construction drawings for the project prior to the issuance of a Land Disturbance Permit.

Sec. 10.4.2. Street Types

Streetscape improvements on all street frontages are required with major LDPs:

a. On sites smaller than 2 acres;

b. On sites at least 2 acres in size and with disturbance of at least 25% of the total site area;

c. On sites at least 2 acres in size and less than 25% of the area disturbed, a determination will be made by the Director on which, if any, streetscape improvements will be required.

The 25% threshold is calculated as cumulative disturbance over the past 3 years.

For information on the requirements, see Div. 10.4.2.

A. **Applicability**

1. When a Preliminary Plat, Final Plat, or Major Land Disturbance Permit proposes the construction of a new street, the requirements of this Division apply.

2. When constructing a public or private street or reconstructing an existing street, sidewalks, bike lanes, curb and gutter, street trees, landscape areas, and other applicable improvements must be installed and constructed in accordance with this Division and the Sandy Springs Technical Manual.

3. Existing streets may continue serving existing development in their current configuration; however, they must not be extended or substantially rebuilt except in conformance with this Division.

4. A Major Land Disturbance Permit triggers both required street and streetscape improvements. These required improvements may be waived where the Director determines that a City project for these improvements is underway. This waiver does not include a waiver of the obligation to provide the required street right-of-way.

B. **Mobility Maps** The City has created a series of maps included in the Sandy Springs Technical Manual that implement the Comprehensive Plan and Transportation Plan. The maps describe the required attributes for all streets throughout the City, including total right-of-way, lane width, sidewalk and sidewalk width, trails, bicycle facilities and pedestrian lighting. See also Appendix: City-wide Street Framework Map.

C. **Street Right-of-Way Width**

1. Street right-of-way or private easement width must be dedicated as specified in the Sandy Springs Technical Manual.

2. Applicants must dedicate sufficient right-of-way to the City for streets and sidewalks. Generalized street right-of-way widths are illustrated in this Division. For further details, see the Sandy Springs Technical Manual.

3. The Director may require turn lanes, and additional right-of-way beyond that shown in the applicable typical street cross-section to accommodate these lanes.

4. City Projects do not need to dedicate right-of-way, and may be granted relief from this Division when deemed appropriate for the good of the community and general public, with the approval of the Director.

D. **Streets** The streets included here describe a range of dimensions appropriate for each street type. A summary map is included in the Appendix. For additional details (including required dimensions and designations), see the Sandy Springs Technical Manual. City-initiated projects may differ from these typical sections.

1. Type A: Two-Lane, No Parking

2. Type B: Two-Lane, Parking

3. Type C: Two-Lane, Median, No Parking

4. Type D: Two-Lane, Median, Parking

5. Type E: Four-Lane, Median, No Parking

6. Type F: Two-Lane, Residential

7. Roswell Road

~~8. Powers Ferry Road~~

~~9. Mount Vernon Highway~~

8. Shared Street

E. **Accessways** Accessways are not considered streets. They cannot be used to meet the lot width requirements as required by Articles 2, 3, 4 and 5.

1. Alley, Residential
2. Alley, Mixed Use
3. Pedestrian Passage
4. Multi-Use Trail
5. Commuter Trail

F. **City Center Network** The City Center has a specific set of typical street standards, which are included in the Sandy Springs Technical Manual.

G. **Perimeter Center Improvement Districts (PCIDs) Network** In addition to the remaining requirements of this Division, all development located within the Perimeter Community Improvement District, regardless of the Sandy Springs zoning district applied, must conform to the Public Space Standards issued by the District, except where they are less stringent than the City's own requirements.

H. **Street, Pedestrian Lights and Landscaping** Street, pedestrian lighting and landscaping requirements are set out in the Sandy Springs Technical Manual.

Sec. 10.4.3. Two-Lane, No Parking

Type A

Public Realm		
A	Right-of-way, total	62' to 88' min
B	Right-of-way to centerline	31' to 44' min
Streetscape		
C	Maintenance strip	1' min
D	Walkway width	6' to 12' min

E	Street tree planting zone*	6' to 8' min
Curb to Curb		
F	Curb and gutter	
	Collector	24"
	Arterial	30"
	Bike facility	5' to 8' min
	On-street parking	Not Required
H	Travel lane	11' to 12'
*A reduced landscape strip of 2' may be allowed for existing single-family residential units within Protected Neighborhoods on streets classified as Collector or lower.		

Sec. 10.4.4. Two-Lane, Parking

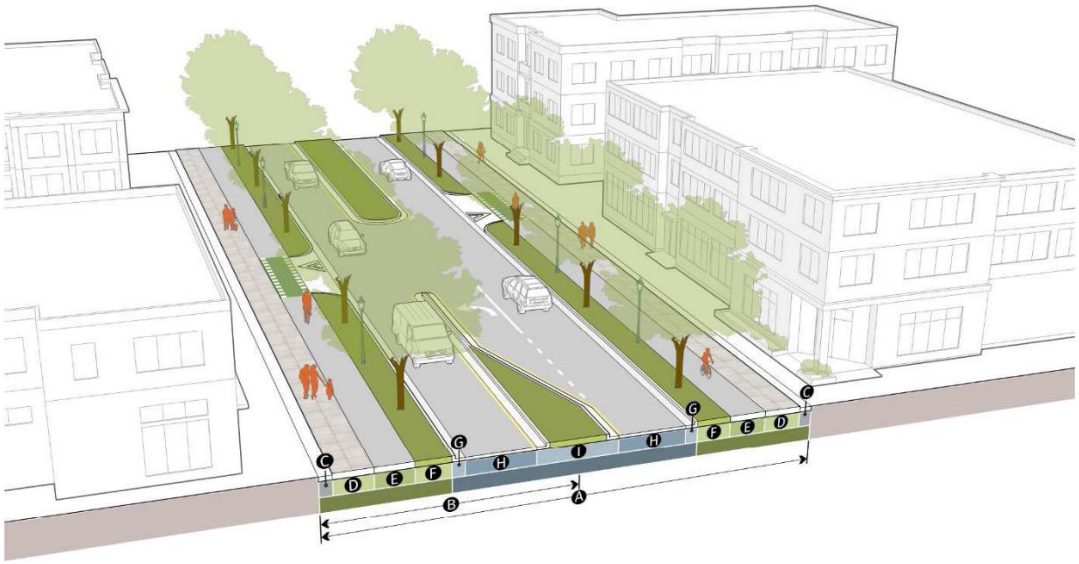
Type B

Public Realm		
A	Right-of-way, total	80' to 96' min
B	Right-of-way to centerline	40' to 48' min
Streetscape		
C	Maintenance strip	1' min
D	Walkway width	6' to 8' min
E	Bike facility	5' to 8' min
F	Street tree planting zone*	6' to 8' min
Curb to Curb		

G	Curb and gutter	
	Collector	24"
	Arterial	30"
H	On-street parking	Required
	Parking lane width	8'
I	Travel lane	12'
*A reduced landscape strip of 2' may be allowed for existing single-family residential units within Protected Neighborhoods on streets classified as Collector or lower.		

Sec. 10.4.5. Two-Lane, Median, No Parking

Type C

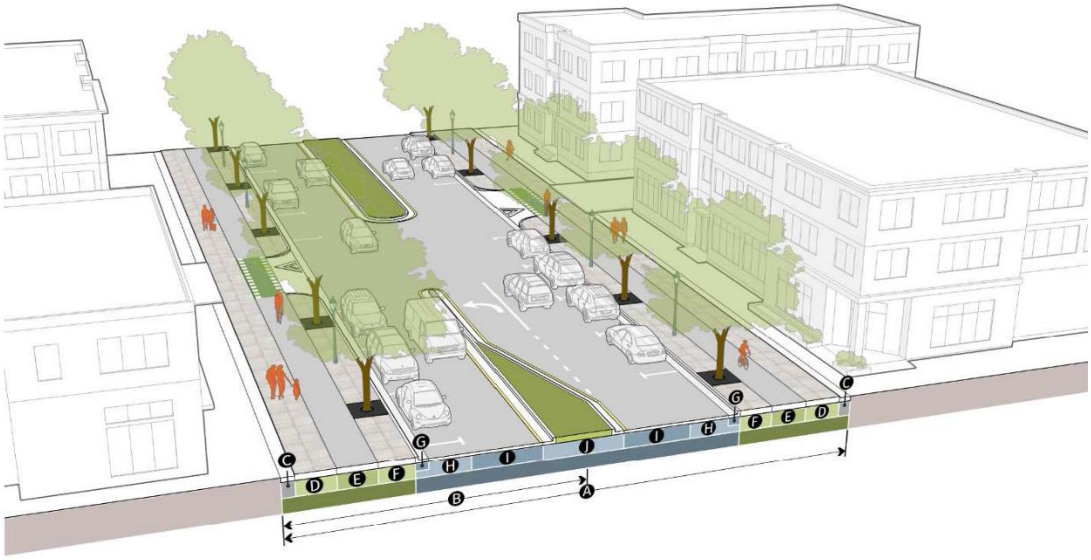


Public Realm		
A	Right-of-way, total	76' to 98' min
B	Right-of-way to centerline	38' to 49' min
Streetscape		
C	Maintenance strip	1' min
D	Walkway width	6' to 10' min
E	Bike facility	5' to 8' min
F	Street tree planting zone	6' to 8' min
Curb to Curb		
G	Curb and gutter	
	Collector	24"
	Arterial	30"

	On-street parking	Not Required
H	Travel lane	11' to 14'
I	Turn lane/median (including curb and gutter)	14' min.

Sec. 10.4.6. Two-Lane, Median, Parking

Type D



Public Realm		
A	Right-of-way, total	94' to 114' min
B	Right-of-way to centerline	47' to 57' min
Streetscape		
C	Maintenance strip	1' min
D	Walkway width	6' to 10' min
E	Bike facility	5' to 8' min
F	Street tree planting zone	6' to 8' min
Curb to Curb		
G	Curb and gutter	
	Collector	24"
	Arterial	30"
H	On-street parking	Required
	Parking lane width	8'
I	Travel lane	12'

J	Turn lane/median (including curb and gutter)	14' min.

Sec. 10.4.7. Four-Lane, Median, No Parking

Type E

Public Realm		
A	Right-of-way, total	105' to 134' min
B	Right-of-way to centerline	52.5' to 67' min
Streetscape		
C	Maintenance strip	1' min
D	Walkway width	6' to 12' min
E	Bike facility	8' to 12' min
F	Street tree planting zone	6' to 8' min
Curb to Curb		
G	Curb and gutter	30"
	On-street parking	Not Required
H	Travel lane	11' to 12'
I	Turn lane/median	14' min.

Sec. 10.4.8. Two-Lane, Residential

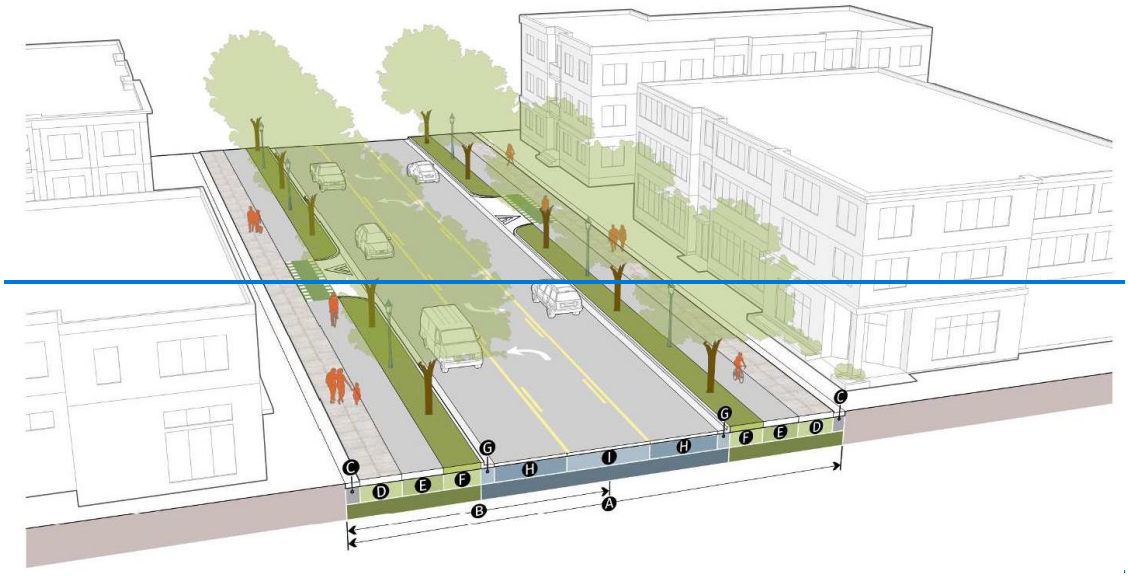
Type F

Public Realm		
A	Right-of-way, total	50' to 80' min
B	Right-of-way to centerline	25' to 40' min
Streetscape		
C	Maintenance strip	1' min
D	Walkway width	6' min
E	Street tree planting zone*	6' min
Curb to Curb		
G	Curb and gutter	24"
	Bike facility	0' to 5' min
G	On-street parking	Optional
	Parking lane width (if provided)	8'
H	Travel lane	10' to 12'
*A reduced landscape strip of 2' may be allowed for existing single-family residential units within Protected Neighborhoods on streets classified as Collector or lower.		

Sec. 10.4.9. Roswell Road

Public Realm		
A	Right-of-way, total	130' min
B	Right-of-way to centerline	65' min
Streetscape		
C	Maintenance strip	1' min
D	Walkway width	9' min
E	Bike facility (reserved)	5' min
F	Street tree planting zone	10' min
Curb to Curb		
G	Curb and gutter	18"
	On-street parking	Not Required
H	Travel lane	11' min
I	Turn lane/median (including curb and gutter)	10' min

~~Sec. 10.4.10. Powers Ferry Road~~



~~Public Realm~~		
~~A~~	~~Right-of-way, total~~	~~76' to 98' min~~
~~B~~	~~Right-of-way to centerline~~	~~38' to 49' min~~
~~Streetscape~~		
~~C~~	~~Maintenance strip~~	~~1' min~~
~~D~~	~~Walkway width~~	~~6' to 10' min~~
~~E~~	~~Bike facility~~	~~5' to 8' min~~
~~F~~	~~Street tree planting zone~~	~~6' to 8' min~~
~~Curb to Curb~~		
~~G~~	~~Curb and gutter~~	
	~~- Collector~~	~~24"~~
	~~- Arterial~~	~~30"~~
	~~- On-street parking~~	~~Not Required~~
~~H~~	~~Travel lane~~	~~11' to 12'~~
~~I~~	~~Turn lane/median (including curb and gutter)~~	~~14'~~

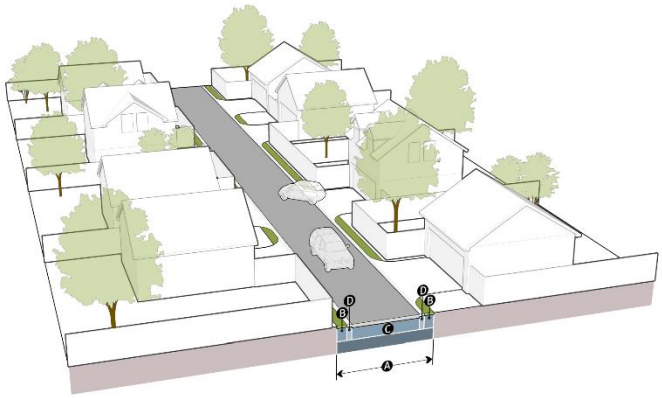
~~Sec. 10.4.11. Mount Vernon Highway~~

~~Public Realm~~		
A	~~Right-of-way, total~~	~~98' to 122' min~~
B	~~Right-of-way to centerline~~	~~49' to 61' min~~
~~Streetscape~~		
C	~~Maintenance strip~~	~~1' min~~
D	~~Walkway width~~	~~6' to 10' min~~
E	~~Bike facility~~	~~5' to 8' min~~
F	~~Street tree planting zone~~	~~6' to 8' min~~
~~Curb to Curb~~		
G	~~Curb and gutter~~	
	~~- Collector~~	~~24"~~
	~~- Arterial~~	~~30"~~
	~~- On-street parking~~	~~Not Required~~
H	~~Transit lane (reserved)~~	~~11' to 12'~~
I	~~Travel lane~~	~~11' to 12'~~
J	~~Turn lane/median~~ (including curb and gutter)	14'

Sec. 10.4.10. Shared Street

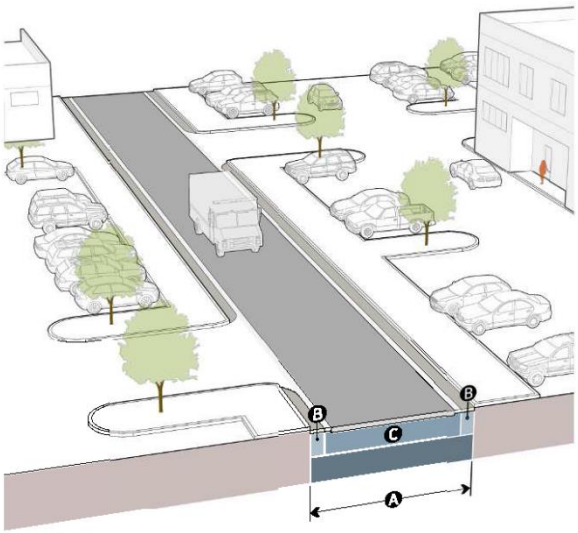
Public Realm		
	Right-of-way, total	24’-36’
	Right-of-way to centerline	12’-18’
	Maximum Length	<600’
	Maintenance strip	1' min
	Walkway width	N/A
	Bicycle facility (reserved)	N/A
	Street tree planting zone	Varies
	Curb and gutter	Flush/none
	On-street parking	Allowed
	Travel lane	9’-10’
	Turn lane	N/A
	Paving Materials	Unit Pavers, Flamed Granite Slab or cobbles, Brick, Textured and/or Tinted (not stamped) Concrete

Sec. 10.4.12. Alley, Residential



Public Realm		
A	Right-of-way	20' min
Streetscape		
B	Utility zone	2' min
Travelway		
C	Lane Width	14'
D	Flush Curb	1' min

Sec. 10.4.13. Alley, Mixed Use

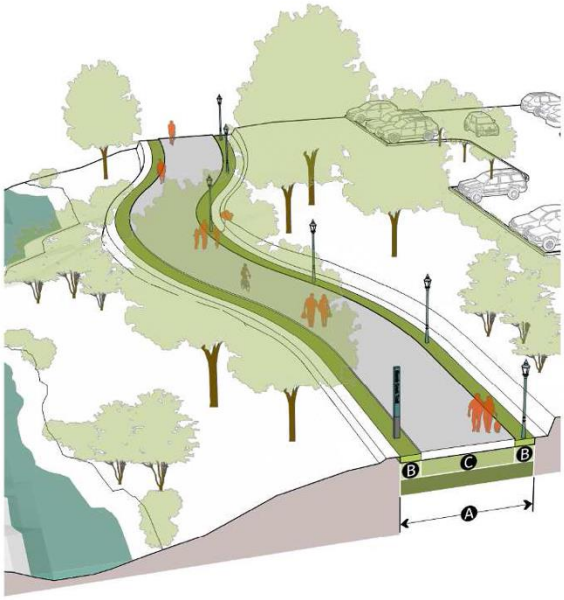


Public Realm		
Ⓐ	Right-of-way	26' min
Streetscape		
Ⓑ	Utility zone	2' min
Travelway		
Ⓒ	Lane Width	16' min
	Curb (unspecified)	—

Sec. 10.4.14. Pedestrian Passage

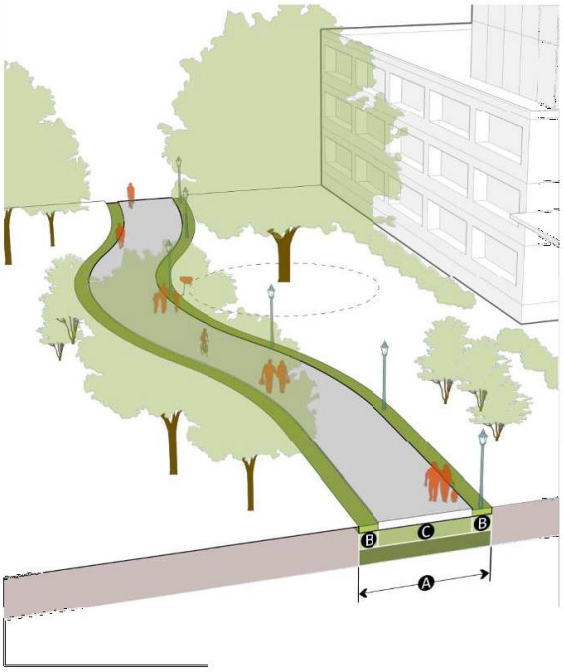
Public Realm		
Ⓐ	Right-of-way	20' min
Streetscape		
Ⓑ	Utility zone	5' min
Ⓒ	Paved pedestrian zone	6' min
	Walkway type	Sidewalk

Sec. 10.4.15. Multi-Use Trail



Public Realm		
A	Right-of-way	20' min
Streetscape		
B	Utility zone	4' min
C	Paved pedestrian/bike zone	12' min
	Walkway type	Pathway

Sec. 10.4.16. Commuter Trail



Public Realm		
A	Right-of-way	28' min
Streetscape		
B	Utility zone	4' min
C	Paved pedestrian/bike zone	12' min
	Walkway type	Pathway

Sec. 10.4.17. Alternative Streets

A. **Private Streets**

1. Private streets and accessways may be approved by the Director. Private streets must be platted as a separate lot. Such lots do not need to meet the zoning district dimensional requirements.
2. Private streets and accessways must be designed and constructed to the roadway construction and right-of-way standards of the City, both aboveground and belowground, as contained in this Division and the Sandy Springs Technical Manual. The Director will determine the applicable street type per Sec. 10.4.2.D.
3. Private streets are not dedicated to the public and will not be publicly maintained.
4. In residential subdivisions where private streets are proposed, the Director may require a public street for cross-access connectivity to adjacent lots.

5. Private streets must be maintained by a mandatory homeowners association and documents of incorporation must be submitted to the Director for review and approval prior to the recording of the final plat. Private streets must be clearly designated on the final plat.

B. **Gated Access** Gated public or private streets are not allowed.

C. **Vehicular Access Easements** Vehicular access may be provided from a public street indirectly via easement in any of the following circumstances:

1. The property is not required to provide a minimum frontage by the applicable zoning district, provided that the easement must be in a location and the access driveway must have a width and alignment acceptable to the Fire Department and the Department.

2. The property is a buildable lot of record, as defined in this Development Code, but does not meet the minimum frontage requirement of the applicable zoning district. The property must be served by an exclusive access easement which is limited to the provision of access to only one principal use or structure.

3. The access easement serves a single-family residence on a lot that is otherwise a buildable lot of record, and is sharing a common driveway with no more than 2 other single-family residences.

4. The access easement was lawfully established as such under the code or ordinances of the City, prior to the adoption of this Development Code.

5. The access easement coincides with a private roadway approved under the code, ordinances, or regulations of the City. All new private roadways must be constructed to the roadway standards of this Article, and their ownership and maintenance responsibility by private parties. The access easement width must be the same as required for right-of-way on a similarly classified public road, for example, the easement on a local street within a residential subdivision must be the same width as the right-of-way for a public, local residential street.

Sec. 10.4.18. Additional Street Standards

A. **Total Dwelling Units with Single Entrance**

1. A maximum of 50 residential dwelling units is allowed to be constructed with only one street outlet to an existing public street.

2. A modified maximum may be approved by the Director, provided that alternative mitigation that ensures life safety is provided.

3. A modified maximum may be approved by the Director where extreme topography prohibits an additional connection.

B. **Visibility at Intersections** Where a driveway intersects a public or private right-of-way or where property abuts the intersection of two public or private rights-of-way, unobstructed sight distance must be provided at all times within the sight triangle area on the property adjacent to the intersection in order to ensure that safe and adequate sight distance is provided. For calculation of the appropriate sight triangle, see the Sandy Springs Technical Manual.

C. **Dead-End Streets**

1. **General** Dead-end streets are permitted only with the approval of the Director. Dead-end streets that exceed 150 feet in length must provide an adequate turn-around as approved by the Fire Marshal. Street length is measured from the end of the improved surface to the center of the intersection with the connecting street.

2. **Alternative Designs** Alternative designs may be approved at the time of subdivision. Sample alternative designs are included in the Sandy Springs Technical Manual.

3. **Traffic Calming Measures** Where existing residential streets are longer than 600 feet, traffic calming devices may be required by the Director. These measures may include green space, median islands, roundabouts and or other traffic calming devices. Any traffic calming must be consistent with the City's adopted traffic calming policy.

Div. 10.5. Improvements

Sec. 10.5.1. Sandy Springs Technical Manual

A. The Sandy Springs Technical Manual contains improvement requirements, including but not limited to:

1. Plan and Plat Specifications.
2. Street Design and Construction Standards.
3. Access and Driveway Spacing.
4. Utilities and Easements.
5. Grading and Drainage.
6. Water Conservation.

SANDY SPRINGS
CITY CLERK'S OFFICE

TO: Eden Freeman, City Manager

FROM: Matthew Anspach, Senior Planner

DATE: November 13, 2023 Submission for the December 5, 2023 City Council Meeting

ITEM: TA23-0004 - Request for Mayor and City Council Consideration of an Ordinance to Amend the Development Code Technical Manual to include the Enhanced Community Benefits List

Recommendation:

Staff recommends approval of TA23-0004 as proposed.

Background:

As a part of the 5-Year Development Code Update, staff proposed an overhaul of the existing bonus section of the code, Div. 6.7. Previously titled "Bonus Height," staff's proposed amendment to the section renames it "Enhanced Community Benefits Matrix." Along with the Matrix, staff proposes the subject "Enhanced Community Benefits List" for bonus height applicants to consider.

Discussion:

The Enhanced Community Benefit Matrix illustrates the connection between credits earned and the percentage of a site where a bonus height is granted, based on community enhancements offered by an applicant. TA23-0004 provides the list of qualifying benefits that may be offered via the "Enhanced Community Benefits List" and seeks to home the list appropriately with other guidelines and specifications found in the Technical Manual to help guide development in a detailed fashion.

Financial Impact:

No financial impact is anticipated at this time.

Alternatives:

Mayor and City Council may also vote to defer, modify, or deny the proposed text amendment.

Review:

Matthew Anspach, Senior Planner	Created/Initiated - 11/22/2023
Ginger Sottile, Director of Community Development	Approved - 11/22/2023
Kristin Byars Smith, Assistant City Manager	Approved - 11/28/2023
Toni Carlisle, Chief Financial Officer	Approved - 12/1/2023
Dan Lee, City Attorney	Approved - 12/4/2023
Eden Freeman, City Manager	Final Approval - 12/4/2023

Attachments:

1. TA23-0004 Presentation
2. TA23-0004 Staff Report
3. TA23-0004 Ordinance
4. TA23-0004 Final Draft_Enhanced Community Benefit List

Mayor & City Council

December 5, 2023

SANDY SPRINGS™
GEORGIA

TA23-0004

Technical Manual
Section 15
“Enhanced Community Benefits List”

TA23-0004
Enhanced Community Benefits List

- **Article 1 Introductory Provisions**
  - **In conjunction with TA23-0003(c)**
    - Div. 6.7. Enhanced Community Benefits Matrix
    - Defines what qualifies as a "Community Benefit" and its credit or point allotment range

DRAFT Enhanced Community Benefit List
Technical Manual

ITEM	INSTALLATION	ASSIGNED POINTS	MAXIMUM POINTS
FURNISHINGS			
Seat Wall (Accessible to the Public)	Per 180 linear feet	3	12
Pet Waste Stations	Per waste station	1	3
Mural (Accessible to the Public)	Per mural	5	10
Paver Intersection or Roundabout	Per intersection or roundabout	30	60
Paver Crosswalk	Per intersection	10	30
Public Art (Accessible to the Public)	Per installation	8	32
Fountain (Accessible to the Public)	Per 150 sq ft	15	30
HOUSING			
Workforce Housing, 60-80% AMI Minimum 10-Year Commitment	Per 1% of Units	10	200
Single-Unit Development	Per 1% of multi-unit	10	200
AMENITY SPACE & LANDSCAPING			
Shared Greenspace (Open to the Public)	Per 5,445 sq ft	5	40
Active Water Feature (Open to the Public, Includes Boardwalks and other amenities)	Per 5,445 sq ft	5	40
Additional Amenity Spaces (Open to the Public)	Per 5,445 sq ft	5	25
Furnished Dog Park	Per 5,445 sq ft	5	10
Green Roof	Per 2,500 sq ft	5	20
Landscaped Pavers, Permeable Parking	Per 5% of parking area on site	3	18
Public Restroom	Per 2 stalls	5	10
Permanent Outdoor Dining Area	Per 500 sq ft	5	15
TRANSPORTATION & PEDESTRIAN CONNECTIVITY			
Pedestrian Connections to Adjacent Parcels	Per connection	5	10
Direct connection to MARTA Station Area	Per connection	20	20
Enhanced MARTA Bus Stop	Per bus stop	10	20
Multiuse Trail Connection from the City Trail or Transportation Master Plans	Per 100 linear feet of multiuse trail	5	25
Parking Dedicated to Public Use	Per 5% of parking area on site	8	32
DEVELOPMENT & USE			
Boutique Hotel	Per hotel	50	50
Rooftop Restaurant with outdoor dining	Per restaurant space	25	25
Types I-III Multi-Unit Construction (when not required by the International Building Code)	Per building	50	50

**Must be beyond any minimum requirements of the Development Code*

SANDY SPRINGS
GEORGIA

P&Z STAFF REPORT

Mayor and City Council Meeting, December 5, 2023

Case: **TA23-0004 – Enhanced Community Benefits List**
Staff Contact: Matthew Anspach (manspach@sandyspringsga.gov)
Report Date: November 21, 2023

PURPOSE
An Ordinance to amend the Technical Manual with edits to Section 15 – Administrative Guidelines and Checklists.

RECOMMENDATION
Department of Community Development
Staff recommends **Approval** of **Text Amendment TA23-0004** as proposed.

PROCESS	
Planning Commission Hearing: N/A	Mayor and City Council Hearing: December 5, 2023

DRAFT Enhanced Community Benefit List
Technical Manual

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**Must be beyond any minimum requirements of the Development Code*

BACKGROUND

As a part of the 5-Year Development Code Update, staff proposed an overhaul of the existing bonus section of the code, Div. 6.7. Previously titled "Bonus Height," staff's proposed amendment to the section renames it "Enhanced Community Benefits Matrix." Along with the Matrix, staff proposes the subject "Enhanced Community Benefits List" for bonus height applicants to consider for credits.

ANALYSIS

The Enhanced Community Benefit Matrix illustrates the connection between credits earned and the percentage of a site where a bonus height is granted, based on community enhancements offered by an applicant. TA23-0004 provides the list of qualifying benefits that may be offered via the "Enhanced Community Benefits List" and seeks to home the list appropriately with other guidelines and specifications found in the Technical Manual to help guide development in a detailed fashion.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

Staff recommends **Approval** of **Text Amendment TA23-0004.**

STATE OF GEORGIA
CITY OF SANDY SPRINGS

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA TO AMEND SECTION 15 – ADMINISTRATIVE GUIDELINES AND CHECKLISTS OF THE SANDY SPRINGS TECHNICAL MANUAL AS FURTHER DESCRIBED BELOW; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the City of Sandy Springs is charged with providing for the health, safety and welfare of the citizens of the City; and

WHEREAS, the City of Sandy Springs previously adopted and amended the Technical Manual and has identified text amendments necessary to the proper implementation of The Next Ten Comprehensive Plan; and

WHEREAS, City Staff worked with the community to develop the amendment.

NOW THEREFORE, THE MAYOR AND COUNCIL FOR THE CITY OF SANDY SPRINGS HEREBY ORDAIN AS FOLLOWS:

SECTION I: The City of Sandy Springs Technical Manual is hereby amended, adding the Enhanced Community Benefits List to Section 15 – Administrative Guidelines and Checklists to reflect those changes contained within Attachment "A", the same being expressly incorporated herein by this reference.

SECTION II: It is the intention of the City Council and it is hereby ordained by the authority of the City Council that the provisions of this Ordinance shall become and be made a part of the City of Sandy Springs Technical Manual, and the codifier is authorized to make the specified deletions, insertions, additions, and to insert headings, article numbers and section numbers as and where appropriate.

SECTION IV: All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION V: If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional, or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

SECTION VI: This Ordinance shall become effective immediately upon adoption.

APPROVED AND ADOPTED this the 5th day of December, 2023.

Approved:

_____
Russell K. Paul, Mayor

Attest:

_____
Raquel Gonzalez, City Clerk

(Seal)

DRAFT Enhanced Community Benefit List
Technical Manual

ITEM	INSTALLATION	ASSIGNED POINTS	MAXIMUM POINTS
FURNISHINGS			
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Paver Crosswalk	Per intersection	10	30
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Types I-III Multi-Unit Construction (when not required by the International Building Code)	Per building	50	50

**Must be beyond any minimum requirements of the Development Code*

SANDY SPRINGS
CITY CLERK'S OFFICE

TO: Eden Freeman, City Manager

FROM: Dave Wells, Director of Facilities/Capital Construction and Building Operations

DATE: November 19, 2023 Submission for the December 5, 2023 City Council Meeting

ITEM: Request for Mayor and City Council to Approve a Resolution Authorizing The City Manager To Execute Contracts With Atelier 7 Architects LLC, Crescent View Engineering, LLC, Blount Construction Company And Complete Demolition Services As It Relates To The Abernathy Arts Center Improvements Project

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Recommendation:

City Staff recommends that the City Council approve contracts between the City of Sandy Springs (the "City") and Atelier 7Architects LLC ("Atelier 7"), Crescent View Engineering, LLC, Blount Construction Company and Complete Demolition Services to provide for the design, construction services and site repairs for the Abernathy Arts Center Improvements Project (Project No. F2206) (the "Project") and to authorize the City Manager to negotiate and execute the contracts.

Background:

The Abernathy Arts Center, located at 254 Johnson Ferry Road, was gifted to the City by Fulton County in 2021. The property consists of one (1) parcel, totaling approximately 3.59 acres and is currently developed with four (4) buildings;

1. A 4,722 sq. ft. 1930's single story, former residential structure on a partial basement; and
2. A 1930's garage with a studio above; and
3. A 5,010 sq. ft. 2001 single-story steel framed Annex Building; and
4. A small kiln building.

The site also contains tennis courts, a small playground area, sidewalks and two parking lots.

Staff previously contracted Menefee Architecture ("Menefee") to assess the existing facilities. They found the 1930 Stone Arts Building and the Stone Garage both to have structural issues with the foundation walls, joists and beams, and settlement cracks. Both facilities have outdated electrical, mechanical, and plumbing components, traces of asbestos and lead paint throughout the building, in addition to neither building being complaint with Americans With Disabilities Standards for Accessible Design (ADA compliant)

Discussion:

In January 2022, Council approved allocating $1,000,000.00 for the Abernathy Arts Center Improvements Project (Project No. F2206), and there is currently $933,326.42 remaining. Staff recommends utilizing these funds to contract with the vendors below, to provide the site improvements in amounts not to exceed as follows;

Design and Order Temporary Modular Arts Studio (Atelier 7 Architects LLC)	$287,784.17
Civil Prep for Modular Arts Studio (Crescent View Engineering, LLC)	$50,000.00
Clean out Detention Pond (Blount Construction)	$45,000.00
Demolition of Deteriorating 1930 Stone Buildings (Complete Demolition Services)	$98,860.00
Repair Damaged Sidewalks and Stairs and Strip Parking (Blount Construction)	$25,000.00
Contract and Architect to design a Master Site Plan for future use of the Site (TBD)	$75,000.00
Total	$581,644.17

Financial Impact:

The total proposed for the repairs detailed above is $581,644.17. There are adequate funds in the Abernathy Arts Center Improvement Project budget to fund the repairs.

Alternatives:

Council may decide not to accept Staff's recommendations and provide further guidance.

Review:

Octavia Baynes, Administrative Asst.	Created/Initiated - 12/1/2023
Richard Collins, Construction Manager	Approved - 12/1/2023
Dave Wells, Director of Facilities/Capital Construction and Building Operations	Approved - 12/1/2023
Toni Carlisle, Chief Financial Officer	Approved - 12/1/2023
Dan Lee, City Attorney	Approved - 12/1/2023
Eden Freeman, City Manager	Final Approval - 12/1/2023

Attachments:

1. Abernathy Arts Briefing Deck v1
2. 23041_Estimate_Final_113023
3. Resolution Abernathy Arts Center Improvement Project

Abernathy Arts Center

December 5, 2023

SANDY SPRINGS™
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Proposed Plan for Continuing Arts Programming

- Staff and Architect conducted programming meetings with ArtSS to discuss their needs and required facility space
- The City had an Open House on October 30th, 56 in attendance
  - Staff presented the following items to the public
    - Current Site Conditions to include the need for detention pond maintenance, sidewalk repairs and the demolition of the older 1930 stone buildings
    - New addition of Pottery Classes by ArtSS
    - Conceptual design of a Temporary Modular Arts Studio
  - We received five comment cards, concerns were:
    - Saving as many trees as possible
    - Additional Parking
    - Demolition of the old stone building and persevering some of the materials to use on the site

New – Adding Pottery Classes

Ceramics Program

- Art Sandy Springs will offer ceramics classes, workshops, and special programs for children, teens, and adults led by professional artists for all experience levels
- Classes will be offered mornings, after-school, and evenings
  - Mostly Tuesday through Friday
- The New Abernathy Arts Center Ceramics Program is projected to add
  - $95,000 in Annual Revenue
  - With 325 New Students
  - And 70 New Summer Campers

ART SANDY SPRINGS

Class Offerings

Ceramics – Wheel – All Levels

- Students learn the principles of making pottery forms on the wheel, throwing, trimming and glazing techniques

Ceramics – Hand Building – All Levels

- Students learn basic hand building techniques while completing projects that are designed to both expand the ideas behind the work and fine tune the technical quality of the work

Ceramics – Teen Wheel (Ages 13-18)

- Focuses on teaching teens the creative possibilities of clay, exploring techniques on the potter's wheel as well as glazing and firing the pieces created in class

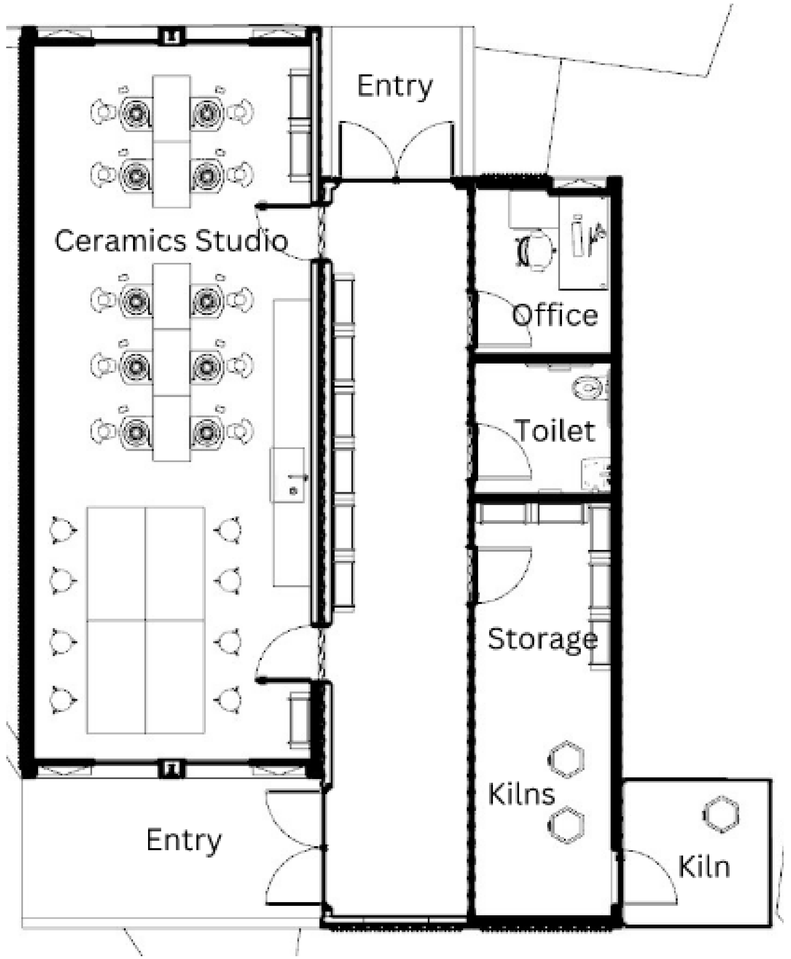
Ceramics – Hand Building (Ages 9-12)

- This class teaches children to use figurative and narrative sculpture techniques as well as how to finish a piece with surface decoration and glazing

Temporary Modular Arts Studio

Project Site

Floor Plan


Entry
Ceramics Studio
Office
Toilet
Storage
Kilns
Kiln
Entry

Burdett Park

Next Steps

- In January 2022, Council approved allocating $1M for the Abernathy Arts Center site repairs and improvements project, there is currently $933,326.42 of remaining funds. Staff recommends that we utilize some of these funds for the following improvements:

Item	Amount
Design and Order Temporary Modular Arts Studio	$287,784.17
Civil Prep for Modular Arts Studio	$50,000.00
Clean out Detention Pond	$40,000.00
Demolition of Deteriorated 1930's Stone Buildings – Leaving in place the newer Kiln Building	$98,860.00
Repair Damaged Sidewalks and Stairs, and restripe parking spaces on Burdett Drive	$25,000.00
Contract an Architect to design a Master Site Plan for future use of the site	Up to $75,000
Total	$581,644.17

Estimated Timeline of Work

Item	Estimated Completion
Clean out Detention Pond	January 2024
Demolition of Stone Buildings (Requires Permitting)	February 2024
Repair Damaged Sidewalks and Stairs, and restripe parking spaces on Burdett Drive	February 2024
Civil Preparation for Modular Arts Studio	March 2024
Design and Order Temporary Modular Arts Studio	April 2024
Contract an Architect to design a Master Site Plan for future use of the site	June 2024

About Atelier7 Design + Assembly

Our mission is to make a positive difference in people's lives by providing innovative, high-quality, affordable modular facilities that uplift our communities. We are dedicated to bringing together architecture and manufacturing, tapping into our collective knowledge, optimism, creativity, persistence, and technical expertise. By working collaboratively, we aim to create modular buildings that enhance community spaces while remaining committed to sustainability and social responsibility. Our goal is to have a meaningful impact, creating welcoming places for people to live, work, and thrive.

Sharon F. Pope, AIA, NCARB
CEO, Co-Founder

Anthony Pope
Chief Design Officer, Founder

Bhrandon Beasley
Construction Manager

Scope of Work

SPECS & MODIFICATIONS

ART CENTER is a four-40-foot HC container build. The building is 1280 GSF including a bathroom, gallery hall, staff office, concrete walks, concrete foundations, aluminum exterior doors, and windows, built-up foam roof roof, and accent composite wood siding.

1. (4) 40FT HC Purposed Build Modules
2. Wood stud wall framing
3. Painted Exterior Metal Corrugated Walls
4. Exterior Cypress Wood Accents
5. 3-inch polyurethane insulation, floor, walls
6. R38 spray foam for roof insulation
7. Aluminum exterior entrance doors and insulated tinted glazing
8. Aluminum mulled window units
9. Interior Painting, Exterior Touch-Up Painting
10. MgO Wall Panels
11. LVP floor finish
12. Bathroom toilet, sink, point of use water heater
13. LED ceiling recessed lighting fixtures
14. 200 AMP electrical service
15. Deck framing, stairs, screen walls, composite wood deck boards (allowance price for the deck as shown in concept drawings)
16. Fascia mounted railing system with stainless steel cables, painted metal post, composite wood handrail
17. MiniSPlit HVAC System
18. Supplemental exhaust system for kiln room
19. Chain link fencing
20. Stone cladding of foundation wall

Project Estimate

ITEM	QUANTITY	UNIT PRICE	PRICE
Procurement and Contracting Requirements			**$40,982.50**
DCA Insignia Certifications, Plan Review DCA Filing, plan reviews, insignia certifications	1.0	$402.50	$402.50
Fabrication & Permit Documentation City of Sandy Springs Permitting Documentation - Arch, Struct, MEP. Fabrication Shop Drawings	1.0	$16,000.00	$16,000.00
3rd Party Inspection CCSI 3rd Party Inspection Services	1.0	$7,705.00	$7,705.00
International Transport/Tariff - Windows, Doors, Materials International shipping cost, tariff expenses, steel tray enclosure, for composite wood, aluminum windows and doors	1.0	$2,875.00	$2,875.00

ITEM	QUANTITY	UNIT PRICE	PRICE
GC P&O, General Conditons GC Fee, OH, Profit, General Conditions	1.0	$14,000.00	$14,000.00
General Requirement			**$8,880.00**
Logistics - Craning Crane rental cost, set crew cost, labor	4.0	$780.00	$3,120.00
Logistics - Delivery Flatbed delivery to site	4.0	$1,440.00	$5,760.00
Concrete			**$13,269.02**
Concrete Pier Foundation 16 X 16 CONCRETE PIER, 6 #10 RODS, 2 FT TALL, 12 X 12 X 0.5 STEEL PLATE, 4-STEEL HEX STUDS, LABOR	3.0	$900.00	$2,700.00
Concrete Footing and Stem Wall - 42" T Footing 18 x 10, wall 8 x 42, Material and Labor	144.0	$62.20	$8,956.22
Concrete Slab - 4 Inch 3.54 Material, 1.47 Labor, 0.17 Equipment, Slab for Outdoor Kiln, Turn down edges	192.0	$8.40	$1,612.80
Masonry			**$5,529.60**
Re-Install Stone Cladding Install existing stone on foundation base walls.	576.0	$9.60	$5,529.60
Metals			**$1,603.10**
Metal Handrail Cable Bullet, Signature Series, Aluminum handrail, black paint finish	40.0	$17.83	$713.00
Metal Railing Post Cable Bullet, Signature Series, Metal Post, black paint finish	6.0	$148.35	$890.10
Wood and Plastics			**$5,182.50**
Interior Metal Framing Included in module cost		$0.00	$0.00
Interior MDF Base MDF wall base, reveal trim	150.0	$5.75	$862.50

ITEM	QUANTITY	UNIT PRICE	PRICE
Wall Cladding - Exterior - Wood Wood Battens, Pine, Stained, 2x 2 on sub-framing	3.0	$1,440.00	$4,320.00
Thermal and Moisture Protection			**$16,896.00**
Insulation - Closed Cell Spray Foam R19 Closed cell spray foam, R6.1 per inch, Floor and Walls, Roof	1280.0	$9.60	$12,288.00
Roofing Assembly Parapet built-up framing, prefabricated metal gutter system, downspouts	320.0	$14.40	$4,608.00
Openings			**$11,920.80**
Aluminum Entrance Doors NOTE: Rough Opening needs to be half inch bigger on all sides (Left, Right, Top and Bottom), inlcuding installation Energy Efficient Powder Coated Paint Heavy Duty Hardware Three Point Lock System Aluminum Thermal Break High Quality Weather Strips	2.0	$1,228.80	$2,457.60
Aluminum Windows - Fixed Aluminum Windows, Fixed, Insulated Glazing, including labor	3.0	$1,440.00	$4,320.00
Doors - Interior Wood Pocket Doors, recessed door handles, including frame, and installation labor	4.0	$600.00	$2,400.00
Doors - Fire Rated Metal 1-hour rated door	1.0	$900.00	$900.00
Aluminum Window - Clerestory Aluminum windows, flashing for clerestory	96.0	$19.20	$1,843.20
Finishes			**$23,545.92**
LVP Flooring System Tile look LVP flooring system including labor.	1280.0	$7.20	$9,216.00
Wall Finish - Accent Custom bamboo accent wall finish including labor	576.0	$4.80	$2,764.80
Painting - Interior Interior painting material	128.0	$27.54	$3,525.12
Bathroom Package Basic bathroom package - LVP flooring, wall toilet support, wall-mounted sink, stainless steel faucets, exhaust fan, mirrors, bathroom accessories, low flush toilet, including labor		$3,000.00	$3,000.00

ITEM	QUANTITY	UNIT PRICE	PRICE
Interior Wall Board MgO Wall finish, including labor	1050.0	$4.80	$5,040.00
Special Construction			**$108,800.00**
40FT HC Shipping Containers 40 FT High Cube (9'6") RAL 9011 Traffic Black Color, Steel Framing	1280.0	$85.00	$108,800.00
Fire Suppression			**$960.00**
Fire Extinguisher Cabinet, Extinguisher Includes glass door cabinet, 15lb extinguisher, labor to install.	2.0	$480.00	$960.00
Plumbing			**$4,440.00**
Point of Use Water Heater Point of Use water heater located aty bathroom and classroom sink area including labor	2.0	$540.00	$1,080.00
Plumbing Rough/Finish connections for toilets, sinks, water heaters	1.0	$3,360.00	$3,360.00
Heating, Ventilating and Air Conditioning (HVAC)			**$16,617.60**
Exhaust Fan Ceiling mounted bathroom exhaust, wall switch, roof exhaust kit, supplemental exhaust fan @ kiln room	2.0	$508.80	$1,017.60
HVAC Mini-Split System Hitachi Mini-Split , 12, 000 BTU, 19 Seer, Wall Mounted, Exterior Condensing Unit	5.0	$1,920.00	$9,600.00
HVAC Package - Labor Labor for HVAC System	5.0	$1,200.00	$6,000.00
Electrical			**$11,016.00**
Electrical Assembly Rough & Finish Includes circuit breaker panel, rough wiring, outlets, GFI outlets, (2) outdoor outlets, 200amp panel, wifi light switches, dimmer controls	1280.0	$7.20	$9,216.00
Electrical Lighting Package interior led lighting, 4 exterior light fixtures	1.0	$1,800.00	$1,800.00
Exterior Improvements			**$4,437.12**
Site Utility Connections Connection of water, sewer and power to existing system	1.0	$3,000.00	$3,000.00

ITEM	QUANTITY	UNIT PRICE	PRICE
Landscaping By City of Sandy Springs	1.0	$0.00	$0.00
Relocate Existing Kiln Equipment Relocate and connect existing kiln equipment	8.0	$144.00	$1,152.00
Chain Link Fencing and Gates Chain link fencing and gates for kiln room.	16.0	$17.82	$285.12
Subtotal			**$274,080.16**
Contingency (5%)			$13,704.01
Tax			$0.00
Total			**$287,784.17**

RESOLUTION NO. 2023- _____

STATE OF GEORGIA
COUNTY OF FULTON

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACTS WITH ATELIER 7 ARCHITECTS LLC, CRESCENT VIEW ENGINEERING, LLC, COMPLETE DEMOLITION SERVICES AND BLOUNT CONSTRUCTION COMPANY AS IT RELATES TO THE ABERNATHY ARTS CENTER IMPROVEMENTS PROJECT

WHEREAS, in 2021the City of Sandy Springs (the "City") was gifted certain real property, and the existing structures, located at 254 Johnson Ferry Road, known as the Abernathy Arts Center ("AAC"); and

WHEREAS, the City previously contracted with Menefee Architecture ("Menefee") to asses the existing facilities on the property and found the following deficiencies within the Stone Arts Building and Stone Garage; structural issues with the building foundation, walls, joist and beams; settlement cracks; outdated electrical, plumbing and mechanical components; traces of asbestos and lead paint; and neither structure was found to be compliant with the Americans With Disabilities ("ADA") Standards for Accessible Design; and

WHEREAS, in January 2022 City Council approved allocating $1,000,000.00 to the Abernathy Arts Center Improvements Project (Project No. F2206) (the "Project"). There is currently $933,326.42 remaining in the budget for the Project; and

WHEREAS, in order to complete the above repairs and to comply with ADA Standards for Accessible Design, the City wishes to contract with the following vendors to provide the services as described herein, in amounts not to exceed the following; Atelier 7 Architects LLC ($287,784.17); Crescent View Engineering, LLC ($50,000.00); Blount Construction Company ($45,000.00); Complete Demolition Services ($98,860.00); Blount Construction Company ($25,000.00); and (Contractor to be decided for the site Master Plan)($75,000.00); for a total of $581,644.17 for the Project; and

WHEREAS, the City desires to contract with the above vendors in order to complete the necessary repairs for the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA AS FOLLOWS:

1. The contracts with Atelier 7 Architects LLC, Crescent View Engineering, LLC, Blount Construction Company, Complete Demolition Services, not to exceed the above amounts, are hereby approved; and

2. The City Manager and City Attorney are hereby authorized to negotiate and execute contracts with Atelier 7 Architects LLC, Crescent View Engineering, LLC, Blount Construction Company, and Complete Demolition Services to complete the necessary repairs to the Abernathy Arts Center, pending the approval of the Chief Financial Officer ; and

3. The City Manager and appropriate City Staff are hereby authored to take such actions as may be deemed necessary to effectuate the intent of this Resolution.

SO RESOLVED this 7th day of December, 2021.

Approved:

_____
Russell K. Paul, Mayor

Attest:

_____
Raquel D. González, City Clerk
(SEAL)

SANDY SPRINGS
CITY CLERK'S OFFICE

TO: Eden Freeman, City Manager

FROM: William H. Martin, Jr. AIA Public Works Director

DATE: November 2, 2023 Submission for the December 5, 2023 City Council Meeting

ITEM: Request for Mayor and City Council Consideration to Authorize Contract Award to Lumin8 Transportation Technologies, LLC to Construct the Peachtree Dunwoody Road – Windsor Parkway Fiber Connection Project and to Authorize the City Manager to Execute the Contract

Recommendation:

City Staff recommends contract award be made to Lumin8 Transportation Technologies, LLC ("Lumin8"), to provide construction services for the Peachtree Dunwoody Road- Windsor Parkway (Glenridge Connector to Roswell Road) Fiber Connection Project, (Project No. T0069) ("Project"), and requests authorization for the City Manager to execute a contract with Lumin8.

Background:

This CIP-funded project adds an Intelligent Transportation System ("ITS") Fiber network from the City's existing fiber network on Roswell Road (SR 9) east on Windsor Parkway to Peachtree Dunwoody Road and north on Peachtree Dunwoody Road to the Glenridge Connector. This connecting fiber system adds redundancy to the traffic system and allows the Traffic Management Center to better monitor the traffic signals within this portion of the City.

The Project was originally advertised for bids on July 7, 2023 with no bids received. That solicitation was cancelled. City Staff reached out to vendors to make them aware that the Project was going to be rebid and revised the scope of services to provide additional clarity.

Discussion:

On September 9, 2023, the City issued an Invitation to Bid ("ITB") 24-014 seeking bids from qualified contractors to perform construction services for the Project. A pre-bid conference was held on September 9, 2023. The following two (2) bids were received by the October 17, 2023, deadline:

Company	**Bid**
Engineer's Estimate	$400,888.50
Lumin8 Transportation Technologies, LLC	$245,679.10
Reedwick LLC	$424,282.95

The construction duration is two hundred and seventy (270) calendar days.

Upon review of the responses, Staff recommends that award be made to the lowest, most responsible and responsive bid of Lumin8, in the amount of $245,679.10.

Financial Impact:

The construction budget for the Project is $440,000.00. There are adequate funds available in the T-0069 budget to award the contract.

Alternatives:

The City may choose not to award this contract to Lumin8 and provide further instruction to Staff.

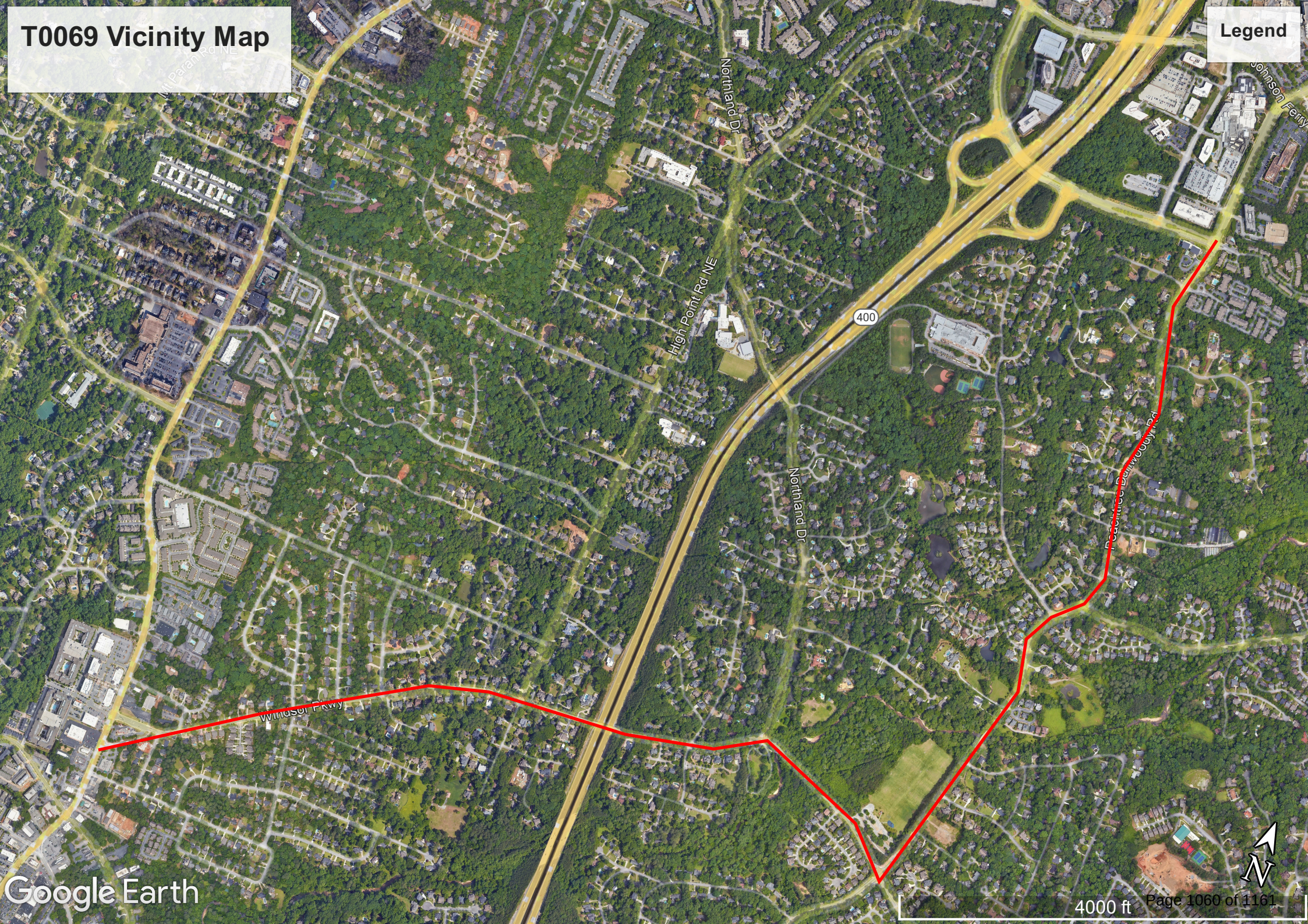
Review:

Cheryl Oslund, Administrative Coordinator	Created/Initiated - 11/22/2023
Marty Martin, Director of Public Works	Approved - 11/22/2023
Toni Carlisle, Chief Financial Officer	Approved - 11/22/2023
Dan Lee, City Attorney	Approved - 12/1/2023
Eden Freeman, City Manager	Final Approval - 12/1/2023

Attachments:

1. Vicinity Map
2. Resolution

T0069 Vicinity Map



RESOLUTION NO. 2023-_____

STATE OF GEORGIA
COUNTY OF FULTON

A RESOLUTION TO AUTHORIZE CONTRACT AWARD TO LUMIN8 TRANSPORTATION TECHNOLOGIES, LLC TO CONSTRUCT THE PEACHTREE DUNWOODY ROAD – WINDSOR PARKWAY FIBER CONNECTION PROJECT AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONTRACT

WHEREAS, the City of Sandy Springs (the "City") has determined the necessity for construction of a fiber project along the corridors of Windsor Parkway and Peachtree Dunwoody Road to provide redundancy and increased operability to the traffic signal network as it relates to the Peachtree Dunwoody Road -Windsor Parkway Fiber Connection Project (Project No. T0069) (the "Project"); and

WHEREAS, to advance the Project, the City issued an Invitation to Bid ("ITB") on September 9, 2023, soliciting bids from qualified firms to construct the Project; and

WHEREAS, on October 17, 2023, the City received two (2) bids in response to the ITB, including a bid from Lumin8 Transportation Technologies, LLC ("Lumin8") in the amount of $245,679.10; and

WHEREAS, the bids were reviewed and it was determined that the lowest most responsive and responsible bid was submitted by Lumin8; and

WHEREAS, the City desires to make contract award to Lumin8 in the amount of $245,679.10.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA THAT:

1. Contract award for the Project shall be made to Lumin8 in the amount of $245,679.10; and

2. The City Manager is authorized to execute the contract in the amount of $245,679.10 with Lumin8 to perform the Project, subject to any minor revisions by the City Attorney and approval by the Chief Finance Director; and

3. That the City Manager and appropriate City Staff take such actions as may be deemed necessary to effectuate the intent of this Resolution.

RESOLVED this the 5th day of December, 2023.

Approved:

_____
Russell K. Paul, Mayor

Attest:

_____
Raquel D. González, City Clerk

(Seal)

SANDY SPRINGS
CITY CLERK'S OFFICE

TO: Eden Freeman, City Manager

FROM: William H. Martin, Jr. AIA Public Works Director

DATE: November 2, 2023 Submission for the December 5, 2023 City Council Meeting

ITEM: Request for Mayor and City Council Consideration to Approve Contract Award to Kimley-Horn & Associates, Inc. for Design Services as it Relates to the Lake Forrest Drive at Allen Road Intersection Improvement Project and to Authorize the City Manager to Execute the Contract

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Recommendation:

City Staff recommends contract award be made to Kimley-Horn and Associates, Inc. ("Kimley-Horn") for the Lake Forrest Drive at Allen Road Intersection Improvement Project (Project No. T-2405) (the "Project").

Background:

The purpose of the Project is to implement intersection improvements that enhance operations and improve safety at Lake Forrest Drive at Allen Road (the "Intersection"). A traffic study and conceptual design for the Intersection were completed by Kimley-Horn in May 2023. The recommendation from the conceptual design is to convert the existing all way stop intersection to a single lane mini-roundabout. The work associated with the roundabout conversion includes significant grading, signing and marking, retaining walls, and drainage modifications. A Public Information Open House was held on September 21, 2023.

Discussion:

Kimley Horn previously completed a traffic analysis and a conceptual design for the Intersection in 2021 as a part of the Mount Vernon Highway and Long Island Drive Intersection Traffic Study (Project No. T-7247).

On August 22, 2023, the City requested a quote from Kimley-Horn for the full design of the Project utilizing the On-Call Signal Design Contract. A proposal by Kimley-Horn in the amount of $265,491.00 was received on September 14, 2023. This is in line with City Staff's estimate of $250,000.00 for these services.

Below are the included tasks and cost breakdown from the proposal.

Project Scope	Proposed Fee
Task 1 – Project Management	$ 24,940.00
Task 2 – Concept Validation	$ 44,041.00
Task 3 – Preliminary Design and Right of Way Plans	$ 91,810.00
Task 4 – Final Plans	$ 47,830.00
Task 5 - Bid and Construction Support	$ 16,790.00
Task 6 – Wall Foundation Investigation (Optional)	$ 30,080.00
Task 7 – Miscellaneous Services (as directed)	$ 10,000.00
TOTAL:	**$ 265,491.00**

Upon review of the proposal, City Staff recommends that contract award be made to Kimley-Horn in the amount of $265,491.00 due to a demonstrated understanding of the scope along with familiarity and past performance on the Project.

Financial Impact:

There are adequate funds in the budget for Project T-2405 to execute a Contract for this work.

Alternatives:

City Council may choose not to approve the proposal from Kimley-Horn and Associates, Inc. as submitted and further direct City Staff to advertise these services to obtain proposals from other consultants.

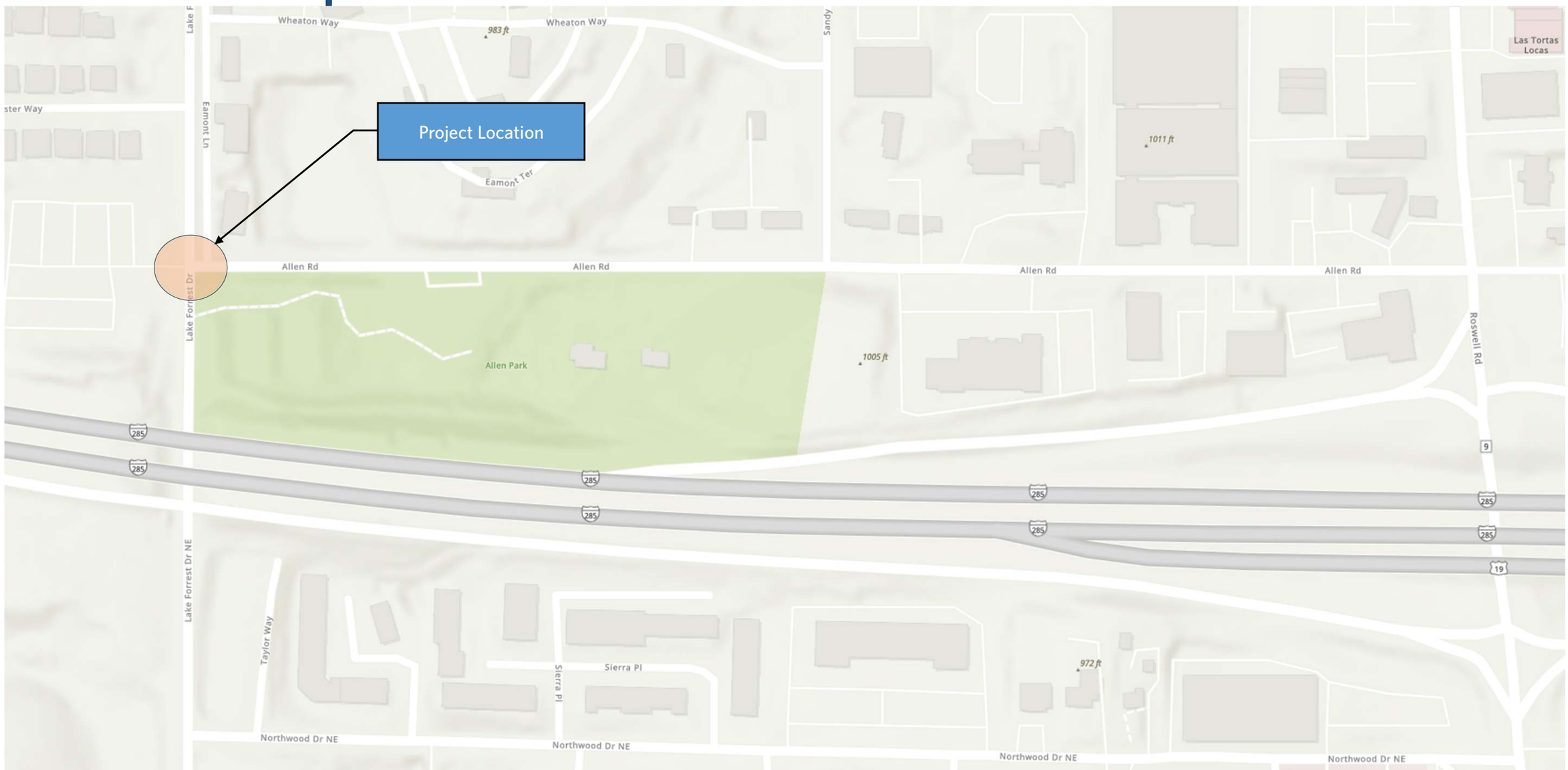
Review:

Cheryl Oslund, Administrative Coordinator	Created/Initiated - 11/22/2023
Marty Martin, Director of Public Works	Approved - 11/22/2023
Toni Carlisle, Chief Financial Officer	Approved - 11/22/2023
Dan Lee, City Attorney	Approved - 12/1/2023
Eden Freeman, City Manager	Final Approval - 12/1/2023

Attachments:

1. Vicinity Map
2. Resolution

T2405 Lake Forrest Drive at Allen Road Intersection Improvement



RESOLUTION NO. 2023-_____

STATE OF GEORGIA
COUNTY OF FULTON

A RESOLUTION TO APPROVE CONTRACT AWARD TO KIMLEY-HORN & ASSOCIATES, INC. FOR DESIGN SERVICES AS IT RELATES TO THE LAKE FORREST DRIVE AT ALLEN ROAD INTERSECTION IMPROVEMENT PROJECT AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONTRACT

WHEREAS, the City of Sandy Springs (the "City") recognized the need for operational enhancements and safety improvements along Lake Forrest Drive as it relates to the Lake Forrest Drive at Allen Road Intersection Improvement Project (T-2405) (the "Project"); and

WHEREAS, the scope for the Project aims to improve efficiency, safety and overall functionality of the roadway through the conversion of the intersection from an all-way stop to a single lane mini roundabout; and

WHEREAS, on August 22, 2023, the City requested a proposal from Kimley-Horn and Associates, Inc. ("Kimley-Horn") utilizing the On-Call Signal Design Contract to perform design services for the Project; and

WHEREAS, on September 14, 2023, City Staff received a proposal from Kimley-Horn in an amount of $265,491.00; and

WHEREAS, the City desires to award contract to Kimley-Horn to perform the scope of services for the Project, described in the attached proposal (Exhibit "A").

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA, THAT:

1. Kimley-Horn is hereby awarded a contract in an amount of $265,491.00 to perform the services described herein, for the Project; and

2. The City Manager is authorized to execute a contract with Kimley-Horn, subject to approval of the City Attorney and the Chief Financial Officer; and

3. The City Manager, and appropriate City Staff are authorized to take such actions as may be deemed necessary to effectuate the intent of this Resolution.

RESOLVED this 5th day of December 2023.

Approved**:**

_____
Russell K. Paul, Mayor

Attest:

_____
Raquel D. González, City Clerk
(SEAL)

SANDY SPRINGS
CITY CLERK'S OFFICE

TO: Eden Freeman, City Manager

FROM: William H. Martin, Jr. AIA Public Works Director

DATE: November 7, 2023 Submission for the December 5, 2023 City Council Meeting

ITEM: Request for Mayor and City Council Consideration to Approve a Contract Award to Kimley-Horn and Associates, Inc. for Design Services as it Relates to the Peachtree Dunwoody Bike/Pedestrian Trail Last Mile Connectivity Project, and to Authorize the City Manager to Execute the Contract

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Recommendation:

City Staff recommends contract award be made to Kimley-Horn and Associates ("Kimley-Horn") for design services as it relates to the Peachtree Dunwoody Bike/Pedestrian Trail Last Mile Connectivity Project (Project No. TS-131) (the "Project").

Background:

The goal of the Project is to improve bicycle and pedestrian facilities between Hammond Drive and Mt. Vernon Highway. The Project consists of the design, right-of-way acquisition, utility coordination and construction of a twelve (12) foot wide bicycle/pedestrian side path with a six (6) foot wide landscape buffer and a minimum of one (1) foot back of path buffer on the west side of Peachtree Dunwoody Road from Hammond Drive to Mt. Vernon Highway. This will tie to the Peachtree Dunwoody Lake Hearn Connectivity Improvements Project (Project No. T-2208), as well as to the Mt. Vernon Highway Corridor Improvements Project (Project No. TS-192).

To advance the Project, the City issued its Request for Proposals ("RFP") 24-020 on September 20, 2023, to select a qualified consultant to provide design services for the Project. A pre-proposal meeting was held October 3, 2023. Due to the expected duration of the Project and multiple unknowns, the design services were separated into five (5) tasks, identified as follows:

Tasks 1 and 2: Survey and Concept Design Services: In the initial phase of the Project, relevant data is collected to include field survey work and studies, and conceptual plans are prepared for the City's review.

Task 3: Design Development, Utility Coordination and Right of Way Acquisition: The preliminary design begins once the preferred concept is selected. This phase includes activities initial utility coordination, right-of-way acquisition, and constructability reviews. In addition, the plan development for permitting begins.

Task 4: Final Design Services: This is the final stage of plan development to include special provision/specification preparation, plan permitting, final cost estimating, and bidding for construction.

Task 5: Public Involvement: During this phase, consultant shall provide presentation materials as needed and attend one (1) public meeting.

Task 6: Post Design Services: During this phase, once the Project has been let to a contractor, the designer (consultant) will perform product submittal reviews and answer requests for information, as well as redesign any unexpected issue that results in a change order.

The due date for submissions was October 27, 2023. In response to the RFP, the following seven (7) consultants submitted proposals. ("Proposals"):

1. Kimley-Horn and Associates, Inc.
2. Lowe Engineers, LLC
3. Moffat & Nichol
4. TransSystems Corporation
5. NV5
6. KCI
7. Atlas Technical Consultants, LLC

Discussion:

Proposals were evaluated by a committee of three (3) Staff members ("Evaluation Committee"):

- Allen Johnson, TSPLOST Manager
- Wesley Waters, CIP Unit Manager
- Bebe Lee, CIP Project Manager

TECHNICAL PROPOSAL CRITERIA	**DESCRIPTION**	**POINTS**
Project Manager and Key Team Leaders proposed to manage this Project	The credentials and experience of the person(s) assigned to our relationship and management team. Provide professional qualifications and description of experience for principal Project staff. The Project Manager's resume must be included. (At this stage, firms are being asked for information on lead staff only, but may list qualifications and experience on more than one lead individual who are being proposed for services to the City.	20
Prime Consultant Experience	Provide information on the firm's experience with clients of similar type, size, function, and complexity. Describe no more than five (5) projects, in order of most relevant to least relevant, which	20

	demonstrate the firm's capabilities to perform services for the City. For each account, the following information should be provided: A. Client name, locations and dates during which services were performed. B. Clear description of overall project and services performed by your firm. C. Description of QA/QC program for projects for projects referenced	
Resources	Identify and discuss the primary office that will be responsible for handling the specific project and the number and types of staff within the office, as well as how this office could benefit the Project and promote efficiency. Narrative on Additional Resource Areas and Ability – Respondents are allowed one page to provide information regarding additional resource areas identified as important to the Project, to discuss how the key areas will integrate and work together on the Project, and to discuss any information that is pertinent to these areas. Respondents may discuss the advantages of the team and the abilities of the team members which will enable the Project to meet the proposed schedule.	20
Technical Approach/Schedule	Consultants are required to describe the procedures and methods that the firm will to use to achieve success in the Project. Describe your firm's general design understanding with respect to, all aspects of sidewalk design as well as, but not limited to storm water design, retaining wall, design to include foundation investigation, utility adjustments, and specialized expertise as needed. Consideration will also need to be given for base data coordination, utility coordination, and landscape architecture. Include a schedule for timely completion of the Scope of Work. Information should be provided on the amount of time for each task.	30
Fee Proposal	A Fee Proposal shall demonstrate competitive and innovative pricing sheet that incorporates all direct and indirect cost associated with the project. The Fee Proposal shall be provided in Bonfire.	10
Total Points		100

The Evaluation Committee reached the following consensus scores:

RESPONDENT	**CONSENSUS RESPONSE SCORE**	**RANKING**

Kimley-Horn and Associates, Inc.	88.2	1
Lowe Engineers, LLC	87.3	2
Moffat & Nichol	85.3	3
TransSystems Corporation	84.5	4
NV5	82.4	5
KCI	81.1	6
Atlas Technical Consultants, LLC	75.3	7

Upon review of responses received, the Evaluation Committee believes that the Response submitted by Kimley-Horn is in the best interest of the City and recommends contract award to Kimley-Horn for Project design services in the amount of $453,745.00.

Financial Impact:

The estimated fee provided by Kimley-Horn is $453,745.00 and is consistent with City Staff estimates. Adequate funds have been budgeted and allocated to fund this planned design. The Fulton Perimeter Center Improvement District ("PCID") will be responsible for 50% of the Project and the City will be responsible for the remaining 50%. The City has an agreement for this Project with PCID.

Alternatives:

Mayor and City Council may decide not to approve contract award to Kimley-Horn and provide Staff with further direction.

Review:

Karen Lugassy, Executive Assistant	Created/Initiated - 11/22/2023
Marty Martin, Director of Public Works	Approved - 11/22/2023
Toni Carlisle, Chief Financial Officer	Approved - 11/22/2023
Dan Lee, City Attorney	Approved - 12/1/2023
Eden Freeman, City Manager	Final Approval - 12/1/2023

Attachments:

1. TS131 Vicnity Map
2. Resolution Kimley-Horn TS131 Peachtree Dunwoody Bike Ped Trail LMC_11172023

TS131 – Peachtree Dunwoody Bike/Pedestrian Trail Last Mile Connectivity (LMC)

Construct approximately one mile of twelve (12) foot wide side path on the west side of Peachtree Dunwoody Road between Hammond Drive and Mount Vernon Highway.

RESOLUTION NO. 2023- _____

STATE OF GEORGIA
COUNTY OF FULTON

A RESOLUTION TO APPROVE CONTRACT AWARD TO KIMLEY-HORN AND ASSOCIATES, INC. FOR DESIGN SERVICES AS IT RELATES TO THE PEACHTREE DUNWOODY BIKE/PEDESTRIAN TRAIL LAST MILE CONNECTIVITY PROJECT AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONTRACT

WHEREAS, on September 20, 2023, the City of Sandy Springs (the "City") advertised its Request for Proposals ("RFP") seeking proposals from qualified consultants to perform design services for the Peachtree Dunwoody Bike/Pedestrian Trail Last Mile Connectivity Project (Project No. TS-131) (the "Project"); and

WHEREAS, On October 27, 2023, City Staff received seven (7) responses to the RFP, a quote from Kimley-Horn and Associates, Inc. ("Kimley-Horn") in the amount of $453,745.00; and

WHEREAS, the proposal submitted by Kimley-Horn was evaluated and was found to be the most qualified and responsible proposal by City Staff; and

WHEREAS, The City desires to award contract to Kimley-Horn in an amount of $453,745.00 to perform design services for the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA, THAT:

1. Kimley-Horn and Associates, Inc. is hereby awarded a contract in the amount of $453,745.00 to perform the Services for the Project; and

2. The City Manager is authorized to execute the contract pending any minor revisions by the City Attorney and approval of the Chief Financial Officer; and

3. The City Manager and appropriate City Staff shall take such actions as may be deemed necessary to effectuate the intent of this Resolution.

RESOLVED this 5th day of December, 2023.

Approved**:**

_____
Russell K. Paul, Mayor

Attest:

_____
Raquel D. González, City Clerk

(SEAL)

SANDY SPRINGS
CITY CLERK'S OFFICE

TO: Eden Freeman, City Manager

FROM: William H. Martin, Jr. AIA Public Works Director

DATE: November 9, 2023 Submission for the December 5, 2023 City Council Meeting

ITEM: Request for Mayor and City Council Consideration to Authorize a Georgia Power Company Utility Relocation Agreement for Utility Relocation as it Relates to the Spalding Drive at Pitts Road Intersection Improvement Project and Authorizing the City Manager to Execute the Agreement

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Recommendation:

City Staff recommends that Council approve the attached Georgia Power Company ("GPC") Relocation Agreement (the "Agreement") for Utility Relocation for the Spalding Drive at Pitts Road Intersection Improvement Project (Project No.TS-111) (the "Project") and authorize the City Manager to execute the Agreement.

Background:

The Spalding Drive at Pitts Road Intersection Improvement Project is a TSPLOST designed project and led by the City of Sandy Springs (the "City"). Per the approved design for the Project, the City is relocating four (4) guy anchors supporting the Georgia Power utility pole in front of 1240 Spalding Drive. These guy anchors are currently on private property and will be relocated on private property. GPC has presented the attached Agreement and cost to provide this relocation.

Discussion:

Relocation of aerial utilities for the Project has been planned and budgeted since the Project concept design. GPC will serve as the lead utility in this Project. Because the four (4) guy anchors are on private property, and GPC has an existing agreement with the property owner, these relocations are not covered by the Franchise Agreement in place for utility work in the right-of-way due to road projects. In accordance with the Franchise Agreements between GPC and the City, the City will cover 6.41% of the estimated cost of relocation.

Financial Impact:

The current estimated cost for the Project provided by GPC is $151,983.00. The City's cost of this estimated cost is 6.41% or $9,741.00. Adequate TSPLOST funds are available in the Project budget to cover the $9,741.00.

Alternatives:

Should the City Council not approve the Agreement, the Project's storm drainage would need to be redesigned to allow for the existing guy wires to remain.

Review:

Karen Lugassy, Executive Assistant	Created/Initiated - 11/22/2023
Marty Martin, Director of Public Works	Approved - 11/22/2023
Toni Carlisle, Chief Financial Officer	Approved - 11/22/2023
Dan Lee, City Attorney	Approved - 11/30/2023
Eden Freeman, City Manager	Final Approval - 11/30/2023

Attachments:

1. L7075 - GA Power Agreement
2. Location Map
3. Resolution GPC Relocation Agreement (TS111)_11172023

Georgia Power

November 9, 2023

City of Sandy Springs
Christine Schultz
1 Galambos Way
Sandy Springs, GA 30328

Re: PI# L7075 - Pitts Road at Spalding Drive TS111 ("Project")

Dear Ms. Schultz:

Please find enclosed a Relocation Agreement with respect to the above-referenced project. As you will note in the Relocation Agreement, the total estimated cost for the relocation of the distribution facilities associated with the Project is $151,983.00 (the "Total Estimate"). In accordance with the Franchise Agreement between Georgia Power Company and the City, the City must bear six and forty-one hundredths' percent (6.41%) of the estimated cost of relocation, which is $9,741.00(the "Reimbursement Cost").

Both the total estimated cost for relocation and the "Reimbursement Cost" are valid only for a period of one (1) year following the date set forth on the enclosed estimate. Further, Georgia Power will not commence any work unless, prior to the date that is one (1) year following the date set forth on the enclosed estimate, the City executes and returns the enclosed Relocation Agreement and authorizes commencement of the work.

If you have any questions, please contact Lamonte Waslien at (404) 947-0729.

Sincerely,

Monica R. Kimber
mrkimber@southernco.com

*Please note that this letter is for explanatory purposes only. In the event of a conflict between this letter and the Franchise Agreement, the Franchise Agreement shall control.

Please sign the agreement and send the electronic copy to the email address below:

Monica R. Kimber (mrkimber@southernco.com)

After agreements have been executed by Georgia Power Company, we will email a copy to you for your records.

Please remit any payments to the address below:

Georgia Power Company

96 Annex

Atlanta, GA 30396-0001

(Attn: Ayannes Stodghill)

Please reference invoice and or PI# number on check.

UTILITY RELOCATION AGREEMENT

PROJECT NAME: **Pitts Road at Spalding Drive TS111**
PROJECT NUMBER: **TS111**
PI NUMBER: **L7075**

THIS AGREEMENT is made and entered into as of the ____day of _____, 20__, by and between **CITY of SANDY SPRINGS**, State of Georgia (hereinafter referred to as the "City"), and **GEORGIA POWER COMPANY (**hereinafter referred to as the "Company"). This Agreement may refer to either City or Company, or both, as a "Party" or "Parties."

W I T N E S S E T H:

WHEREAS, the City proposes under the above written Project to construct Pitts Road at Spalding Drive TS111 (hereinafter referred to as the "Project"); and

WHEREAS, due to the construction of the Project, it will become necessary for the Company to remove, relocate or make certain adjustments to the Company's existing facilities (such facilities, including but not limited to overhead and underground electric transmission, distribution and communication lines, towers, frames, poles, facilities, wires, transformers, service pedestals, apparatus, manholes, conduits, fixtures, appliances, cables, protective wires and devices all being hereinafter referred to collectively as the "Facilities" or individually as the "Facility"); and

WHEREAS, the Company, as hereinafter provided, may assert that it has certain property interests and rights and utilized such property interests and rights for the placement of its Facilities prior in time to City's acquisition of the road right(s)-of-way, all as involved in said Project; and

NOW, THEREFORE, in consideration of the promises and the mutual covenants of the Parties hereinafter set forth and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Parties, the Parties agree as follows:

Section 1. THE WORK.

1.1 Company Facilities.

Company, with its regular construction or maintenance crews and personnel, at its standard schedule of wages and working hours (as may be applicable from time to time during the term of this Agreement), and working in accordance with the terms of its agreements with such employees, will remove, relocate or make adjustments to its Facilities in accordance with the scope of work and Estimate (defined below) attached hereto as Exhibit "A" and incorporated herein by reference (the "Work"). Company shall make all technical decisions concerning the Work and may elect to contract any portion of the Work.

1.2 **Road Right-of-Way.**

Prior to Company commencing the Work, City will provide written assurances to Company that it has acquired the necessary new road right-of-way (including information on the property rights acquired).

1.3 **Traffic Control.**

Company shall make a reasonable effort to provide signing and other traffic control measures during the Work, in accordance with PART VI of the U. S. Department of Transportation Manual on Uniform Traffic Control Devices, current edition, all at the expense of the City.

Section 2. COSTS AND PAYMENT.

2.1 **Compensable Property Interests**.

Company shall perform the Work in accordance with the estimate attached hereto as Exhibit "A" and incorporated herein by reference (the "Total Estimate"). The total amount of the Total Estimate is ONE HUNDRED FIFTY-ONE THOUSAND, NINE HUNDRED EIGHTY-THREE Dollars ($151,983.00). The amount of the Total Estimate that corresponds to Company's claim that it has compensable property interests with respect to the Project (the "Reimbursement Claim") is NINE THOUSAND, SEVEN HUNDRED FORTY-ONE Dollars ($9,741.00), otherwise reflected as **six and forty-one hundredths percent (6.41%)** of the Total Estimate. The Reimbursement Claim is limited to: (a) the costs of removing, relocating or adjusting those Facilities which are physically in place and in conflict with the proposed construction and/or maintenance; (b) where replacement is necessary, the costs of replacement in kind, and any improvements or betterments made necessary by the proposed construction and/or maintenance; and (c) the costs incurred in acquiring additional easements or private rights-of-way, including without limitation easements for lines, access, tree trimming, guy wires, anchors and other devices, appliances and other equipment, and any and all other such easements and property rights as may be reasonably necessary for the Company's installation, operation and maintenance of its Facilities (collectively, the "Relocation Costs").

The cost of any improvements or betterments that are not made necessary by the proposed construction or maintenance shall not be subject to the percentage split contemplated above. Such costs shall be paid as follows: (a) the costs of any improvements or betterments of a Facility being made solely at Company's option (and not being made necessary by the proposed construction and/or maintenance) shall be fully paid by Company; and (b) the costs of any improvements or betterments of a Facility being made solely at City's request (and not being made necessary by the proposed construction and/or maintenance) shall be fully paid by City.

Upon completion by Company of the Work and subject to determination of Company's Prior Rights Claim in accordance with Sections 3 and 4 below, City will pay Company a sum equal to the lesser of (a) NINE THOUSAND, SEVEN HUNDRED FORTY-ONE Dollars ($9,741.00), otherwise reflected as **six and forty-one hundredths percent (6.41%)** of the Total Estimate and representing the aforementioned Reimbursement Claim, or (b) the corresponding percentage of actual Relocation Costs representing Company's compensable property interests

with respect to the Project. City will also pay Company for the costs of any improvements or betterments of a Facility being made solely at City's request and not being made necessary by the proposed construction and/or maintenance.

2.2 **Progress Payments.**

If Company chooses to submit invoices for progress payments, City will pay same within thirty (30) days from receipt of the invoice, subject to Verification (as defined below) thereof by the City. Upon completion of the Work, Company shall submit a final bill to City and City shall make a final payment within thirty (30) days from receipt of the final bill, subject to Verification thereof by the City.

2.3 **Change in Scope.**

In the event there is a change in the Project, including without limitation a change in scope, design, plans, service, property interests to be acquired, engineering or costs, due to either (a) events or circumstances beyond Company's reasonable control, or (b) City's request, the Parties will negotiate in good faith a mutually acceptable agreement or amendment to this Agreement, in writing, to address such change and any increase in costs above those set forth in the Estimate.

Section 3. DETERMINATION OF COMPENSABLE PROPERTY INTEREST

3.1 If Company determines it has compensable property interests with respect to the Project, Company will submit a Reimbursement Claim. The Parties agree that they will in good faith share non-privileged information with each other related to the issue of prior rights for the Project. If City determines that Company's evidence is insufficient to make a determination as to Company's compensable property interests and the percentage of the Relocation Costs to be paid by Company based upon such compensable property interests, City will provide Company with a written basis for such insufficiency and request that Company provide additional information. City will make a determination as to any asserted Reimbursement Claim before the earlier of: (a) the date that is thirty (30) days after receipt of the Reimbursement Claim; and (b) the date on which Company needs to commence the Work in order to prevent a Project delay (the "Commencement Date").

3.2 In the event that a determination cannot reasonably be made prior to the Commencement Date, provided that City certifies in writing to Company that the Project is time-sensitive due to construction scheduling with the possibility of damages for delay, safety concerns, or critical funding deadlines, Company will commence the Work without a written determination having been made. In such case, the Party's rights, claims and defenses with regard to the issue of compensable property interests and prior rights will not be waived or affected in any manner. If City does not thereafter make a determination regarding the Reimbursement Claim within six (6) months from the date of City's receipt of same, the Reimbursement Claim will be deemed approved by City.

Section 4. DISPUTE RESOLUTION.

4.1 Disagreement.

If Company disagrees with City's determination with regard to the Reimbursement Claim and the Parties are unable to settle the issue through informal negotiations, then, at the request of either Party, the Parties agree to escalate the matter pursuant to Section 4.2 below.

4.2 Dispute Notice.

Except as otherwise set forth in this Agreement, any controversy or claim arising out of or relating to this Agreement, or the breach thereof, will be settled: (a) first, by good faith efforts to reach mutual agreement of the Parties; and (b) second, if mutual agreement is not reached within thirty (30) calendar days of a written request by a Party to resolve the controversy or claim (the "Dispute Notice"), each of the Parties will appoint a designated representative who has authority to settle the dispute (or who has authority to recommend to the governing body of such Party a settlement of the dispute) and who is at a higher level of management than the persons with direct responsibility for administration of this Agreement. The designated representatives will meet as often as they reasonably deem necessary in order to discuss the dispute and negotiate in good faith in an effort to resolve such dispute. The specific format for such discussions will be left to the discretion of the designated representatives, provided, however, that all reasonable requests for relevant information made by one Party to the other Party will be honored if such information is reasonably available. If within sixty (60) days after issuance of a Dispute Notice (a) the Parties are unable to resolve issues related to the dispute, or (b) City fails to approve any tentative agreement reached, the Parties agree to participate in confidential, non-binding mediation pursuant to Section 4.3 below, it being understood, however, that nothing herein will diminish or relieve either Party of its rights or obligations under this Section 4.

4.3 Mediation.

If the Parties are unable to resolve a dispute through informal negotiations or pursuant to Section 4.2, the Parties agree to participate in confidential, non-binding mediation by an impartial, third party mediator mutually agreed upon by the Parties, at a mutually convenient location. The Parties agree that a potential mediator's experience in prior rights and real estate law will be relevant factors in selecting a mediator. In the event the Parties are unable to agree on a third party mediator within ninety (90) days of issuance of the Dispute Notice, each Party shall designate a mediation representative, and the two mediator representatives shall in good faith select a third party mediator. Each Party shall be responsible for its own attorneys' fees and expenses and for providing its own information and documentation applicable to the dispute to the mediator. All other agreed upon costs of the mediation will be apportioned equally to each Party. Any dispute not resolved by negotiation, escalation or mediation may then be submitted to a court of competent jurisdiction, and either Party may invoke any remedies at law or in equity. Nothing contained herein, however, will preclude the Parties from first seeking temporary injunctive or other equitable relief. The Parties agree that any statute of limitations, equity or other time-based periods shall be tolled as of and from the date of the Dispute Notice until a complaint, if any, is filed.

Section 5. VERIFICATION.

5.1 **Material Discrepancy.**

For purposes of this Section 5, "Verification" means that City has reasonably determined that there is a material discrepancy between Company's invoiced charges and City's calculation of charges owed, which invoiced charges are subject to a bona fide dispute; provided, however, City agrees to provide the Company with written notice, including supporting documentation, illustrating the basis for such bona fide dispute, within sixty (60) days of receipt of the invoice in dispute. Should City fail to provide such documentation within the specified time period, City must pay the disputed amount. City must pay any undisputed portion of the invoice total within thirty (30) days after its receipt of the invoice. City must pay any disputed portion of the invoice total within thirty (30) days of the date the dispute is resolved, to the extent the dispute is resolved in favor of Company.

5.2 **Audit.**

At any time within thirty-six (36) months after the date of final payment, City, at its sole expense, may audit the non-privileged cost records, support documentation and accounts of Company pertaining to this Project to solely assess the accuracy of the invoices submitted by Company and notify Company of any amount of any unallowable expenditure made in the final payment under this Agreement, or, if no unallowable expenditure is found, notify Company of that fact in writing. Any such audit will be conducted by representatives of City or, if applicable, the Georgia Department of Transportation or the Federal Highway Administration, after reasonable advance written notice to Company and during regular business hours at the offices of Company in a manner that does not unreasonably interfere with Company's business activities and subject to Company's reasonable security requirements. As a prerequisite to conducting such audit, City or, if applicable, the Georgia Department of Transportation or the Federal Highway Administration, will sign Company's Nondisclosure Agreement. Company may redact from its records provided to City information that is confidential and irrelevant to the purposes of the audit. Company will reasonably cooperate in any such audit, providing access to Company records that are reasonably necessary to enable City to test the accuracy of the invoices to which the audit pertains, provided that City or, if applicable, the Georgia Department of Transportation or the Federal Highway Administration, may only review, but not copy, such records. If Company agrees with the audit results and does not pay any such bill within ninety (90) days of receipt of the bill from City (based on the mutually agreed upon audit results), City may set off the amount of such bill against the amounts owed Company on any then-current contract between Company and City. If, following the audit, the Parties are unable to resolve any dispute concerning the results of the audit through informal negotiation, the provisions of Sections 4.2 and 4.3 will govern the resolution of the dispute. City may not perform an audit pursuant to this Agreement more frequently than once per calendar year and may not conduct audits twice within any six (6) months.

Section 6. CITY AS PARTY.

City acknowledges that this Agreement is "proprietary" in nature under applicable Georgia law, as permitted by O.C.G.A. § 36-60-13(j), and not "governmental" or "legislative,"

as prohibited by O.C.G.A. § 36-30-3(a). City further represents and warrants that this Agreement will comply with all applicable laws concerning City actions and approvals and execution of binding agreements. City covenants to undertake all actions necessary to bind City.

Section 7. COMMENCEMENT AND TERMINATION CONDITIONS

Company is not obligated to commence the Work until Parties agree on the removal, relocation and/or adjustment to Company's facilities required by the Project. If City fails to authorize commencement of the Work by November 9, 2024, Company will have no obligation to begin the Work and may terminate this Agreement without penalty by providing City with notice in writing. If City fails to sign and return this Agreement to Company by November 9, 2024, any offer made by Company pursuant to the Agreement is automatically revoked and the agreement is void and of no effect.

Section 8. MISCELLANEOUS PROVISIONS

Duplicate originals of this Agreement will be executed, each of which will be deemed an original but both of which together will constitute one and the same instrument. This Agreement may be modified only by an amendment executed in writing by a duly authorized representative for each Party. This Agreement contains the entire agreement of the Parties, and all prior oral agreements are superseded and integrated into this Agreement. This Agreement will be governed by and construed in accordance with the laws of the State of Georgia. This Agreement shall accrue to the benefit of and be binding upon the successors and assigns of the Parties. The Parties agree that this Agreement shall be deemed to have been executed in Georgia.

[SIGNATURES ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the Parties have executed this Contract in four (4) counterparts, each of which shall be deemed an original in the year and day first above mentioned.

ATTEST:

By: _____

Title: _____

Witness: _____

Notary: _____
(SEAL)

City of Sandy Springs, GEORGIA

By: _____
Mayor

(SEAL)

Approved as to Form by:

_____
City of Sandy Springs Department of Transportation

ATTEST:

By: _____

Title: _____

Witness: _____

Notary: _____
(SEAL)

GEORGIA POWER COMPANY

By: _____

Title: Centralized Engineering Svcs Manager

Date: _____

[Give proper title of each person executing Agreement. Attach seal as required.]

RONALD ELLIOTT COOK
& MARGIE M. COOK
(1240 SPALDING DRIVE)
DB 22710 DP 00144
PARCEL 06 0378 LL0093

DEKALB COUNTY
FULTON COUNTY

PAUL R SMITH
(1250 SPALDING DRIVE)

DANA ADAMS SILLS
(1270 SPALDING DRIVE)
DB 47335 DP 0594
PARCEL 06 0378 LL0119

VESSA LEANNE CIERNY
(1280 SPALDING DRIVE)
DB 61840 DP 0265
PARCEL 06 038400010697

1225 SPALDING DRIVE
THE REVOCABLE TRUST OF 2017
(1225 SPALDING DRIVE)
DB 57509 DP 0072
PARCEL 06 0378 LL0051

CHAD R MCCUBBINS & CONNIE S MCCUBBINS
(1235 SPALDING DRIVE)
DB 22582 DP 00132
PARCEL 06 0378 LL0044

ELLEN NEMHAUSER &
JEFFREY B NEMHAUSER
(1245 SPALDING DRIVE)
DB 60698 DP 0063
PARCEL 06 0378 LL0036

EXISTING:
6" STEEL GAS MAIN
WT: UNK/GRADE: UNK
NOP: 60 PSIG
CP RECTIFIER

OVHD TV LINE
LAYING ON
TOP OF GROUND

EXIST. DITCH

GRADE TO DRAIN
TO EXIST. DITCH

RECONSTRUCT
DROP INLET

REMOVE EXIST. 18" PIPE

REMOVE EXIST. CATCH BASIN

BEGIN CONSTRUCTION
STA. 101+27.08

BEGIN PROJECT
TSIII
STA. 101+00.00
N 1443092.5749
E 2242094.4817

SPALDING DRIVE

N 25°25'37.6" E

CURVE #1

CURVE #2

S2162-DHM

48 FIBER
BKMA-50

(4) 2" HDPE
288 STR FO
(GFL)

6" MP

12-4" MCD
DUCT BANK

(4) - 1 1/2" HDPE - MCI/WORLDCOM
(1) - FIBER CABLE
(432) - WEST BACKBONE

EXISTING:
12" STEEL GAS MAIN
WT: .250/GRADE: X-42
NOP: 300 PSIG
CP ANODE

VERIZON 4-1.5" HDPE
W/432 & 864 FOC

BEGIN WALL #2
& FENCE
STA. 103+56.02
28.63' RT

END WALL #2 & FENCE
STA. 104+57.80, 32.50' RT

BEGIN WALL #3 & FENCE
STA. 104+86.05, 32.50' RT

(2) 4" HDPE CONDUIT
WITH STR FO
(VZB)
(2) 4" HDPE CONDUIT
WITH STR FO
(GFL)

REQ'D R/W

MATCH LINE STA. 105+50

DWG. CONST. # 24-0002

SSMH A01
TOP=1080.70
INV IN=(NURIA)
INV OUT=(NURIA)
(INACCESSIBLE)

SSMH A02
TOP=1082.22
INV IN=(NURIA)
INV OUT=(NURIA)
(INACCESSILBE)

Curve* 1
PI Sta= 100+53.77
N= 1443050.6653
E= 2242074.5164
DELTA= 8°25'32.0" (RT)
D= 7°50'55.45"
T= 53.77
L= 107.35
R= 730.00
E= 1.98
SE = MATCH EXIST.

Curve* 2
PI Sta= 102+90.60
N= 1443264.7264
E= 2242176.2842
DELTA= 28°58'13.5" (RT)
D= 9°47'38.94"(1) D= 1°32'09.89"(2)
T= 159.34(1) T= 302.06(2)
L= 266.37(1) L= 187.61(2)
R= 585.00(1) R= 3730.00(2)
E= 21.31
SE = TIE TO EXIST LT, NC RT

ARC FLASH

target ZERO
Every day, every job, safety.

SCALE IN FEET
0 20 40 80

ELECTRONIC FILE DATE	CONSTRUCTION REVISION DATE
PLANS DATE: 04/09/2019	REVISION DATE: 05/17/2023
PLANS DATE: 10/31/2019	REVISION DATE:
PLANS DATE: 10/01/2021	REVISION DATE:
PLANS DATE: 01/05/2022	REVISION DATE:
PLANS DATE:	REVISION DATE:

ENGINEERED BY: LaMonte Waslien
DATE: Oct. 2019
PROJECT TITLE: Pitts Road at Spalding Drive
PROJECT # :
WORK ORDER #:GP892H06120
PI: L7075
REGION: Alpharetta Area
HQ: N Shallowford
COUNTY: Fulton
MAP REFERENCE: 0399-1352
DWG #: 24-0001

Georgia Power

Spalding Dr at Pitts Rd Location Map

RESOLUTION NO. 2023- _____

STATE OF GEORGIA
COUNTY OF FULTON

RESOLUTION APPROVING AN AGREEMENT WITH GEORGIA POWER COMPANY FOR UTILITY RELOCATION AS IT RELATES TO THE SPALDING DRIVE AT PITTS ROAD INTERSECTION IMPROVEMENT PROJECT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT

WHEREAS, The Spalding Drive at Pitts Road Intersection Improvement Project (Project No.TS-111) (the "Project") is a TSPLOST project being designed and led by the City of Sandy Springs (the "City"); and

WHEREAS, The approved design for the Project calls for the relocation of a utility pole and four (4) associated guy anchors onto private property at 1240 Spalding Drive; and

WHEREAS, The relocation of aerial utilities for the Project has been planned and budgeted since Project concept design; and

WHEREAS, Georgia Power Company ("GPC") will serve as the lead utility in this relocation; and

WHEREAS, In order to accomplish the utility relocation, the attached Relocation Agreement between the City and GPC must be executed, and the City's portion of estimated relocation costs will be in an amount of $9,741.00; and

WHEREAS, the City desires to enter into the attached agreement with Georgia Power Company in order to complete utility relocation for the Project, as designed.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA THAT;

1. The attached Relocation Agreement between the City of Sandy Springs and Georgia Power Company is hereby approved; and
2. The City Manager is hereby authorized to execute the Agreement on behalf of the City, pending any minor revisions by the City Attorney and approval of the Chief Financial Officer; and
3. The City Manager and appropriate City Staff are hereby authorized to take such actions as may be deemed necessary to effectuate the intent of this Resolution.

RESOLVED, this the 5th day of December, 2023.

Approved:

_____
Russell K. Paul, Mayor

Attest:

_____
Raquel D. González, City Clerk

(SEAL)

SANDY SPRINGS
CITY CLERK'S OFFICE

TO: Eden Freeman, City Manager

FROM: William H. Martin, Jr. AIA Public Works Director

DATE: November 22, 2023 Submission for the December 5, 2023 City Council Meeting

ITEM: Request for Mayor and City Council Consideration to Approve a Contract Award to Vertical Earth, Inc. for Construction Services for the Roswell Road at Dalrymple Road Intersection Improvements Project, and to Authorize the City Manager to Execute the Contract

Recommendation:

City Staff recommends contract award be made to Vertical Earth, Inc. ("Vertical Earth"), to provide construction services for the Roswell Road at Dalrymple Road Intersection Improvements Project, (Project No. TS108) (the "Project"), and requests authorization for the City Manager to execute a contract with Vertical Earth.

Background:

This TSPLOST funded project improves the intersection of Roswell Road and Dalrymple Road. The work will widen Dalrymple Road on the west leg of the intersection by installing retaining walls to provide an additional northbound left turn lane, install approximately 572 LF of sidewalk, and improve the drainage system along the south side of Dalrymple Road. Associated work includes replacing traffic signal infrastructure at the intersection of Roswell Road and Dalrymple Road.

Discussion:

On September 20, 2023, the City issued an Invitation to Bid ("ITB") 24-021 seeking bids from qualified contractors to perform construction services for the Project. A pre-bid meeting was held on October 5, 2023. The following four (4) bids were received by the October 25, 2023, deadline:

Company	**Amount**
Engineer's Estimate	$1,500,000
Vertical Earth	**$2,032,522.29**
Wilson Construction	$2,110,562.30
JHC Corporation	$3,181,756
Precision 2000	$3,477,799.90

Upon review of the responses, City staff recommends that award be made to the lowest, responsible and responsive bid from Vertical Earth, in the amount of $2,032,522.29.

Financial Impact:

The construction budget for the Project is $2,670,000.00. There are adequate funds available in the TS-108 budget to award the contract.

Alternatives:

The City may choose not to award this contract to Vertical Earth and provide further instruction to Staff.

Review:

Karen Lugassy, Executive Assistant	Created/Initiated - 11/22/2023
Marty Martin, Director of Public Works	Approved - 11/22/2023
Toni Carlisle, Chief Financial Officer	Approved - 11/22/2023
Dan Lee, City Attorney	Approved - 12/1/2023
Eden Freeman, City Manager	Final Approval - 12/1/2023

Attachments:

1. Vicinity Map
2. TS108 RESOLUTION_11132023

Location Map
Roswell Rd at Dalrymple Rd
Brighton Point
Roswell Rd
Roswell Rd & Dalrymple Rd
Google Earth
© 2021 Google
400 ft
N

RESOLUTION NO. 2023-_____

STATE OF GEORGIA
COUNTY OF FULTON

A RESOLUTION TO AUTHORIZE CONTRACT AWARD TO VERTICAL EARTH, INC. TO CONSTRUCT THE ROSWELL ROAD AT DALRYMPLE ROAD INTERSECTION IMPROVEMENTS PROJECT AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONTRACT

WHEREAS, the City of Sandy Springs (the "City") has determined the necessity for construction of intersection improvements at Roswell Road and Dalrymple Road to provide traffic and pedestrian safety improvements as it relates to the Roswell Road at Dalrymple Road Intersection Improvements Project (Project No.: TS108) (the "Project"); and

WHEREAS, to advance the Project, the City issued an Invitation to Bid ("ITB") on September 20, 2023, soliciting bids from qualified firms to construct the Project; and

WHEREAS, on October 25, 2023, the City received four (4) bids in response to the Solicitation, including a bid from Vertical Earth, Inc. ("Vertical Earth") in the amount of $2,032,522.29; and

WHEREAS, the bids were reviewed and it was determined that the lowest most responsive and responsible bid was submitted by Vertical Earth; and

WHEREAS, the City desires to make contract award to Vertical Earth in the amount of $2,032,522.29.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA:

1. That contract award for the Project shall be made to Vertical Earth, Inc. in the amount of $2,032,522.29.

2. That the City Manager is authorized to execute a contract in the amount of $2,032,522.29 with Vertical Earth to perform the Project, pending any minor revisions by the City Attorney and approval of the Chief Finance Director.

3. That the City Manager and appropriate City Staff take such actions as may be deemed necessary to effectuate the intent of this Resolution.

RESOLVED this 5th day of December, 2023.

Approved:

_____
Russell K. Paul, Mayor

Attest:

_____
Raquel D. González, City Clerk

(Seal)

SANDY SPRINGS
CITY CLERK'S OFFICE

TO: Eden Freeman, City Manager

FROM: Keith Sanders, Fire Chief

DATE: November 15, 2023 Submission for the December 5, 2023 City Council Meeting

ITEM: Request for Mayor and City Council Consideration of a Resolution to Award a Contract to Emory Clinic for a Medical Director for the City of Sandy Springs Fire Department and City of Sandy Springs Police Department and Authorizing the City Manager to Execute Documents to Effectuate Same

---

Recommendation:

The Fire Chief & Police Chief recommend that Council adopt the attached Resolution authorizing the services of a medical director, in an amount not to exceed $18,000.00 per year and authorizing the City Manager to execute all documents required to effectuate the contract with The Emory Clinic.

Background:

The proposed contract between the City of Sandy Springs (SSPD) and the Emory Clinic is designed to increase the medical training and medical support for the Sandy Springs Police Department.

Discussion:

With this contract, SSPD will have access to a board-certified Emory ER physician that is available for medical support for high risk operations, enhanced medical training, and medical consultation for injured or ill officers.

Financial Impact:

The City of Sandy Springs Fiscal Year 2024 Operating Budget will appropriate funding for this contract.

Alternatives:

The alternative is not to approve the contract.

Review:

Roopal Patel, Executive Asst.	Created/Initiated - 11/22/2023
Keith Sanders, Fire Chief	Approved - 11/22/2023
Toni Carlisle, Chief Financial Officer	Approved - 11/27/2023
Dan Lee, City Attorney	Approved - 11/30/2023
Eden Freeman, City Manager	Final Approval - 12/1/2023

Attachments:

1. Emory-SSPD Medical Director Agreement

2. Resolution Medical Director

AGREEMENT BETWEEN THE CITY OF SANDY SPRINGS AND THE EMORY CLINIC, INC.

THIS AGREEMENT, entered into this _____ day of _____, 2023, is by and between the City of Sandy Springs, Georgia ("City"), a political subdivision of the State of Georgia, and The Emory Clinic, Inc. ("Contractor"), a Georgia nonprofit corporation.

WITNESSETH:

WHEREAS, the City has identified a need for a medical director ("Medical Director") to provide emergency medical planning and oversight services ("Services") for the City's Fire Department and Police Department, as more particularly described herein;

WHEREAS, the City has determined that this need can best be met by retaining the services of an independent contractor;

WHEREAS, the City and the Contractor desire to enter into this Agreement whereby Contractor shall provide a licensed physician to serve as Medical Director and together with such additional physicians designated by Medical Director in accordance with the Agreement, to provide Services to the City;

WHEREAS, the Contractor and the City wish to enter into an arrangement in accordance with the provisions of the personal services safe harbor set forth in section 1001.952 (d), 56 Fed. Reg. 35952 and 35985.

NOW THEREFORE, in consideration of the mutual covenants contained herein, and for other good and valuable consideration, the parties hereto agree as follows:

ARTICLE I – CONTACTOR'S SERVICES

1.

The City retains the Contractor, and the Contractor accepts retention by the City to provide a Medical Director to perform the Services set forth in the Agreement, as may be hereafter amended in writing by mutual agreement of the parties.

2.

Contractor represents that the individual executing this Agreement on its behalf is duly authorized to bind and enter into contracts on behalf of the Contractor.

3.

Nothing contained in this Agreement shall be construed to be a waiver of the City's sovereign immunity, any individual's qualified good faith immunity, or any exemption from liability provided pursuant to O.C.G.A. § 46-5-131.

ARTICLE II- SCOPE OF CONTRACTOR'S DUTIES

4.

Contractor appoints Dr. Mark Rosing to serve as Medical Director, and City approves of this appointment. The Medical Director may from time to time designate one or more qualified physician employees of Contractor who are satisfactory to City in its discretion to assist in fulfilling the Medical Director duties under this Agreement, consistent with the terms of the Agreement. If the named Medical Director and his delegates are unable to provide the Services for any reason, Contractor will designate a qualified substitute physician, who is satisfactory to City in its discretion, to provide the Services, or the City may terminate this Agreement immediately as provided in Paragraph 12 hereof.

The Medical Director shall provide advisory and oversight services of the clinical care provided by City personnel, as follows:

Medical Support for Police Department

The following services will be provided as requested and logistically feasible by Medical Director or a physician designated by the Medical Director who is mutually agreeable to the parties:

- Participate in law enforcement medical training and exercises.
- Provide education and training to law enforcement officers on tactical field care.
- Provide tactical medicine support during training days.
- Prepare a mission medical threat assessment for the team commander.
- Provide medical consultation to the team commander by phone or in-person to assist with setting up a medical aid plan.
- Provide on-scene medical support (to include first aid and initial assessment and stabilization of serious illness and injury) during high-risk warrant service and law enforcement operations events.
- Serve as a medical liaison for law enforcement officers when injured in the line of duty.
- Serve as the medical liaison for the law enforcement team with external agencies.
- If allowed by City policies, provide medical consultation to law enforcement officers who are in need of a specialist for work related injuries.
- To the extent the Medical Director or his designee is otherwise on-scene, assist responding EMS personnel in rendering medical aid to non-law enforcement personnel who are in need of time-sensitive medical intervention during the course of law enforcement operations events, if based on professional judgement and ethics Medical Director or his designee determines such assistance is appropriate and necessary under the circumstances.
- Participate in mission debriefings.
- Documentation of any medical care provided is required.

ARTICLE III - CONTRACTOR REPRESENTATIONS AND WARRANTIES

5.

The Contractor hereby warrants, represents and agrees with the City that no approval, authorization, clearance, declaration or order of or to any other person or entity is required in order to permit the Contractor to perform the Services required pursuant to this Agreement.

6.

The Contractor hereby warrants, represents and agrees with the City that in providing the Services under this Agreement to the City, the Contractor shall use its best efforts and professional skills to the maximum benefit of the City and shall act in a manner consistent with applicable medical services standards.

7.

The Contractor hereby warrants, represents and agrees with the City that the Contractor shall take all steps required to maintain licensure and/or certification required to provide the Services to be performed pursuant to this Agreement. The Contractor shall immediately notify the City immediately in the event it or the Medical Director fails to maintain required licensure and/or certification.

8.

The Contractor hereby warrants, represents and agrees with the City that the Contractor will comply with all applicable federal and state laws and regulations, including the privacy and security standards of the Health Insurance Portability and Accountability Act ("HIPAA").

ARTICLE IV - COMPENSATION FOR SERVICES

9.

Fee

In consideration for the professional Services to be rendered by the Contractor hereunder, the City shall pay to Contractor the amount of Eighteen Thousand Dollars ($18,000.00) for the Initial Term, as defined in Section 13 below, for the Services of the named Medical Director hereunder ("Fee"), payable in twelve (12) equal monthly installments of One Thousand Five Hundred Dollars ($1,500.00) each.

The Fee shall become due and payable on a monthly basis on or before the fifteenth of each month for the preceding month. The Contractor shall be entitled to the Fee upon performing the Services set out hereunder without regard to whether the City has received payment on behalf of any patient being transported.

The Fee for the upcoming Renewal Term shall be mutually agreed to by the parties at least

ninety (90) days prior to such Renewal Term, as defined in Section 13 below.

Expenses

Upon the submission of proper supporting documentation by the Medical Director, the City shall reimburse the Medical Director for all reasonable out-of-pocket expenses actually paid or incurred by the Medical Director during the Term in the course of and in performance of the Services for the City, up to the aggregate amount of Five Hundred Dollars ($500.00) per month.

Examples of reasonable out-of-pocket expenses include gas, parking, lodging, and meals, as well as work-related supplies and equipment required but not available from the City.

The Contractor shall account to the City in writing for all expenses for which reimbursement is sought and shall supply to the City copies of all relevant invoices, receipts, or other evidence reasonably requested by the City. The Contractor shall submit an invoice to the City for reimbursement of expenses, together with all supporting documentation, on a monthly basis. Approved expenses will be paid to Contractor within thirty (30) days of receipt by the City.

10.

The City shall supply and maintain, at no cost to the Contractor, equipment for the performance of the duties sufficient to enable the Contractor to safely perform the Services hereunder at the level consistent with national standards. Recommendations of the Medical Director for purchase or other acquisition of such equipment will be given reasonable consideration by the City. The final decision on a request to purchase any equipment shall be that of the City, in its sole discretion.

11.

The City will provide to the Contractor all needed expendable supplies, small tools, and accessories ("Supplies") required in the provision of Services. The Contractor shall provide the City with a list of Supplies and a budget for the upcoming Term prior to June 1 of the then current Term. The final decision on any request to purchase such Supplies will be that of the City, in its sole discretion.

12.

If any physician performing Services hereunder is unable to provide the Services described herein, whether due to loss of his/her license to practice medicine in the State of Georgia or loss of his/her DEA license or for any other reason and whether for an interim or extended period of time, then the Contractor, in order to provide continuous service under this Agreement, shall provide a substitute physician, who shall be a physician licensed in the State of Georgia to practice medicine and board certified or board eligible in Emergency Medicine and who shall be acceptable to the City. The Contractor shall provide the City a minimum of thirty (30) days' notice of such a contemplated replacement and of the identity and credentials of any proposed substitute replacement and of the identity and credentials of any proposed substitute Medical Director. If any such replacement

physician is not acceptable to the City, then notwithstanding anything to the contrary herein, the City may terminate this Agreement upon provision of written notice to Contractor.

ARTICLE V - TERM AND TERMINATION

13.

This Agreement will become effective July 1, 2023, and shall continue for an initial term ("Initial Term") of one (1) year. Thereafter, the Agreement will be renewed automatically for successive one-year terms (each a "Renewal Term(s)" and with the Initial Term, the "Term") unless: (1) the City determines it no longer needs or requires the Services and delivers written notice of termination to the Contractor at least thirty (30) days prior to the date of termination; or (2) the funds being allocated for this Agreement by the City are discontinued; or (3) either party delivers written notice of non-renewal to the other party at least thirty (30) days prior to the expiration of the then existing Term. If the funds are discontinued or written notice of non-renewal is given, this Agreement will terminate upon expiration of the then existing term.

If through any cause of any kind, as determined by the City in its sole discretion, the Contractor shall fail to fulfill its obligations under this Agreement in a timely and proper fashion or in the event that any of the provisions or stipulations of this Agreement are violated by the Contractor, the City shall thereupon have the right to immediately suspend or terminate this Agreement by serving written notice as defined herein upon the Contractor of its intent to suspend or terminate this Agreement. Either party may terminate this Agreement, without cause, upon provision of thirty (30) days' written notice. If this Agreement is terminated pursuant to this paragraph, the Contractor will be exclusively limited to receiving only the compensation for the work satisfactorily performed up to and including the effective date identified in the written termination notice as advised under Article IX - Section 25.

14.

[Intentionally omitted.]

15.

The City shall have the right to suspend immediately the Contractor's performance hereunder on an emergency basis whenever necessary, in the opinion of the City, to avert a life-threatening situation or other sufficiently serious deficiency.

16.

If there is a change in federal or state programs such that the provision of Services pursuant to this Agreement to all or any category of patients would violate applicable laws, regulations, interpretations, guidelines or governmental policy or impose unreasonable burdens on either party, the parties agree to negotiate in good faith to attempt to restructure this Agreement to comply with any such change while at the same time preserving the economic expectations of the parties to the greatest extent possible in a manner consistent with any such change. If any such restructuring is not

feasible or if this Agreement is not amended in writing as aforesaid prior to the effective date of the change, then this Agreement shall terminate and upon such termination neither party shall have any further rights hereunder except those which expressly survive termination.

ARTICLE VI. - INDEPENDENT CONTRACTOR STATUS

17.

Nothing contained herein shall be deemed to create any relationship other than that of independent contractor between the City and the Contractor. Under no circumstances shall the Contractor, its physicians assigned to the City, its directors, officers, employees, agents, successors, subcontractors or assigns be deemed or construed to be employees, agents or representatives of the City. At all times during its performance hereunder, the Contractor shall be considered as an independent contractor and shall not become or be deemed to be an agent, servant, or employee of the City. The Contractor acknowledges that any and all individuals supplied by Contractor hereunder to provide the Services provided by the Contractor shall be employees, contractors, or agents of the Contractor. As between the Contractor and the City, the Contractor will be responsible for all FICA, federal and state withholding taxes and worker's compensation coverage, and for any and all employment benefits due the physicians assigned to the City, and any other employees, contractors, or agents of the Contractor.

ARTICLE VII - DEFAULT PROVISIONS

18.

The occurrence of any of the following events which continues for thirty (30) days after prior written notice thereof to one party from the other party hereto shall constitute a default under this Agreement:

a. If the City fails to make any payments when due or fails to perform or observe any other covenant to be performed or observed under this Agreement;

b. If the City shall have made any warranty or representation in connection with this Agreement which is found to have been false at the time such warranty or representation was made and is materially harmful to the Contractor;

c. If the City becomes insolvent or bankrupt or makes an assignment for the benefit of creditors, or a trustee or receiver is appointed for a substantial portion of the City's property;

d. If the Contractor fails to perform any duty under the terms of this Agreement or fails to observe any other covenant to be performed or observed under this Agreement;

e. If the Contractor shall have made any warranty or representation in connection with this Agreement which is found to have been false at the time such warranty or representation was made and is materially harmful to the City;

f. If the Contractor becomes insolvent or bankrupt or makes an assignment for the benefit of creditors, or a trustee or receiver is appointed for a substantial portion of the Contractor's property.

ARTICLE VIII - CONFIDENTIAL INFORMATION

19.

The Contractor acknowledges that, upon execution of this Agreement, the Contractor may have access to and be provided with certain confidential and proprietary information of the City (hereinafter referred to as "Confidential Information"). Such Confidential Information may include data or information that is important to the City and is not generally known by the public at large, including, without limitation, the following, whether disclosed prior to or subsequent to the execution of this Agreement: computer software and source codes; services; ideas or concepts; information about individuals or companies which the City is bound by agreement or otherwise from disclosing; confidential or sealed records; other information designated as confidential.

20.

The Contractor agrees to hold Confidential Information in trust and confidence for the City and not to disclose to any third party, without prior written consent of the City, the Confidential Information. The Contractor further agrees not to use any such Confidential Information for the Contractor's sole benefit to the exc1usion of the City. The Contractor acknowledges that the provision of any such Confidential Information to the Contractor does not convey any ownership or other interest in such information to the Contractor. The Contractor agrees that all records and equipment and other materials relating in any way to such Confidential Information of the City shall be and remain the sole property of the City during and after the Term of this Agreement. The Contractor agrees that it shall have no right to print or copy, in whole or in part, any such Confidential Information or any documentation or data pertaining thereto without the written consent of the City. The Contractor agrees to take reasonable precautions to prevent the disclosure of such Confidential Information to or by its employees or agents, except pursuant to the terms hereof. The Contractor agrees to return all such Confidential Information and all physical embodiments thereof and to return or destroy all electronic versions thereof, upon written request of the City. The Contractor agrees to certify in writing upon written request of the City that the Contractor has comported with all the terms and provisions set forth in this Article. Nothing in this provision is intended to require any act in violation of law.

21.

The Contractor agrees that the obligations in this Article shall apply to the Contractor in perpetuity for all information which is Confidential Information. The obligations in this Article shall not apply: with respect to any information that becomes properly known generally to the public; that was properly known by the Contractor before the execution of this Agreement and was not divulged by the City in anticipation of this Agreement; that is developed by the Contractor through entirely independent efforts; that the Contractor obtains from an independent source having a bona fide right to use and disclose such information without limitation; that is required to be disclosed by law, except to the extent eligible for special treatment under an appropriate protective order; or that the City

approves for unrestricted use by an express written authorization.

22.

In the event the Contractor becomes legally compelled (by deposition, interrogatory, request for documents, subpoena, court order or similar process) to disclose any Confidential Information, the Contractor shall promptly notify the City of such requirement so that the City may seek a protective order or other appropriate remedy and/or waive compliance with the terms of this Agreement with respect to such Confidential Information. In the event that such protective order or other remedy is not obtained, or that the City waives compliance with the provisions hereof, the Contractor agrees to disclose only that portion of the Confidential Information which the Contractor is legally required to disclose.

23.

The Contractor agrees to keep all protected health information ("PHI"), as that term is defined in HIPAA, secure and confidential in compliance with all applicable laws. The Contractor agrees that PHI may be used only in accordance with applicable law to perform the Services required pursuant to this Agreement. The Contractor shall not sell or otherwise disclose any personal information relating to the City, members of its governing body, employees, agents, representatives, citizens, including PHI, or give such information to others for marketing or any other unauthorized purposes. The Contractor will collect only the personal information necessary to perform the Services required by this Agreement.

ARTICLE IX – MISCELLANEOUS

24.

ASSIGNMENT: Neither party shall assign this Agreement without the prior express written consent of the other party hereto, which consent shall not be unreasonably withheld. Any attempted assignment by the Contractor without the prior express written approval of the City shall, at the City's sole option, terminate this Agreement without any notice to the Contractor of such termination. The City and the Contractor each binds itself, its successors, assigns, and legal representatives of such other party in respect to all covenants, agreements and obligations contained herein.

25.

NOTICES: All notices or other communications required or permitted to be given under this Agreement shall be in writing and shall be deemed to have been duly given when delivered personally in hand, or when mailed by certified or registered mail, return receipt requested with proper postage prepaid, addressed to the appropriate party at the following address or such other address as may be given in writing to the parties:

If to the City: With copies to:

Eden E. Freeman, City Manager
1 Galambos Way
Sandy Springs, GA 30328

Dan Lee, City Attorney
1 Galambos Way
Sandy Springs, GA 30328

If to the Contractor:

The Emory Clinic, Inc.
1365 Clifton Road N.E.
Atlanta, GA 30322
Attention: Ira R. Horowitz, MD, SM

With copies to:

Office of the General Counsel
The Emory Clinic, Inc.
201 Dowman Drive, 101 Administration Building
Atlanta, GA 30322

Senem Hinson, Director
Department of Emergency Medicine
The Emory Clinic, Inc.
531 Asbury Circle, Suite N340
Atlanta, GA 30322

Mark Rosing, DO
Department of Emergency Medicine
The Emory Clinic, Inc.
531 Asbury Circle, Suite N340
Atlanta, GA 30322

26.

GOVERNING LAW AND CONSENT TO JURISDICTION: This Agreement is made and entered into in the State of Georgia and this Agreement and the rights and obligations of the parties hereto shall be governed by and construed according to the laws of the State of Georgia without giving effect to the principles of conflicts of laws.

27.

ENTIRE AGREEMENT: This Agreement constitutes the entire agreement of the parties pertaining to the subject matter hereof and is intended as a complete and exclusive statement of the promises, representations, negotiations, discussions and agreements, oral or otherwise, that have been made in connection therewith. No modification or amendment to this Agreement shall be binding upon the parties unless the same is in writing, signed by the City's and the Contractor's duly authorized representative, and entered upon the minutes of the City of Sandy Springs Council.

28.

WAIVER OF BREACH: The waiver by either party of a breach or violation of any provision of this Agreement shall not operate or be construed to be a waiver of any subsequent breach or violation of the same or other provision thereof.

29.

SURVIVAL OF REPRESENTATIONS AND WARRANTIES: All representations, warranties and covenants contained in Article III, Section 8 and Article VIII shall remain operative and in full force and effect regardless of termination for any cause or any investigation made by or on behalf of the City.

30.

FORCE MAJEURE: Neither the City nor the Contractor shall be deemed in violation of this Agreement if either is prevented from performing its obligations hereunder for any reason beyond its control, including but not limited to, acts of God, civil or military authority, epidemics, pandemics, acts of public enemy, war, accidents, fires, explosions, earthquakes, floods, or catastrophic failure of public transportation; provided, however, that nothing herein shall relieve or be construed to relieve the Contractor from performing its obligations hereunder in the event of riots, rebellions, or legal strikes.

31.

SEVERABILITY: If any provision of this Agreement is held to be unenforceable for any reason, the unenforceability thereof shall not affect the remainder of the Agreement, which shall remain in full force and effect, and enforceable in accordance with its terms.

32.

CITY'S RIGHT OF INSPECTION: The City shall have the right, at its sole discretion, to inspect and review the Services provided by the Contractor hereunder to determine their acceptability. The City shall also have the right to review all of the Contractor's records pertaining to this Agreement and Contractor agrees to properly maintain its records so as to al1ow the City to audit its fees, standards and Services. Contractor shall make such records available to the City officials within three (3) business days of receipt of the City's written notice to review such records.

33.

COOPERATION BY CONTRACTOR WITH CITY: The Contractor shall maintain regular communications with the City and its administrative staff and shall actively cooperate in all matters pertaining to this Agreement including, without limitation, assisting the City in investigating and responding to any and all provision of Services under this Agreement.

34.

COMPLIANCE WITH APPLICABLE LAWS: The Contractor shall at all times observe and comply with all federal, state, local and municipal ordinances, rules, regulations, relating to the provision of the Services contracted to be provided by the Contractor hereunder or which in any manner affect this Agreement.

35.

NO CONFLICT: The Contractor represents and warrants that it presently has no interest, direct or indirect, and covenants and agrees that it will not, during the term of this Agreement, acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of its duties and obligations hereunder. The Contractor further covenants and agrees for itself, its agents, employees, directors and officers to comply fully with the provision of the Official Code of Georgia (O.C.G.A. Sec. 45-10-20 et seq.) as such provisions now exist or may be amended hereafter. The Contractor represents and warrants that such provisions are not and will not be violated by this Agreement or the Contractor's performance hereunder.

36.

NO REFERRAL: It is hereby specifically acknowledged and agreed that any benefit which the Contractor or the Medical Director may directly or indirectly receive hereunder in no way requires, is in no way contingent upon, and is in no way intended to induce, the referral of any patient by or to either party. In addition, there is no requirement that the Contractor or the Medical Director make referrals to, be in a position to make, or influence referrals to, or otherwise generate business for the City or any of its facilities, as a condition for receiving any such benefit.

37.

RECORDS/REPORTS: The Contractor shall provide the City with all customary and required medical and administrative records and written reports at the City's expense and said records shall be and remain the exclusive property of the City. To the extent the Medical Director assists in direct patient care based on Medical Director's professional judgement and ethics that such assistance is appropriate and necessary under the circumstances, the medical records shall be and remain the exclusive property of the City. The Contractor shall have access to examine and copy those records during normal business hours.

38.

OMNIBUS BUDGET RECONCILIATION ACT: If required by Section 952 of the Omnibus Budget Reconciliation Act of 1980 for a period of four (4) years after furnishing Services with a value of ten thousand dollars ($10,000) or more over a twelve (12) month period and upon written request, the parties shall make available to the Police Chief or the Comptroller General of the United States or his designees, this Agreement and the books, documents, and records necessary to verify the cost of such Services. If the Contractor provides any Services through a subcontract with a related organization such contract shall contain an access to books and records similar to this one if required by the Act.

39.

INSURANCE: The City certifies that it has and shall maintain insurance at levels sufficient to support its operations and obligations assumed under this Agreement. Contractor shall secure and maintain at all times during the Term of this Agreement, at its sole expense, covering itself and its employee(s):

- Commercial General Liability insurance at limits of at least $1,000,000 per claim/occurrence and $3,000,000 in the aggregate.

- Professional Liability (medical malpractice) at limits of at least $1,000,000 per claim/occurrence and $3,000,000 in the aggregate.

- Workers' compensation and employer's liability insurance covering its employees. Such coverage provided by Contractor may be afforded via commercial insurance or self-insurance at the following limits:

Workers' Compensation:	Statutory limits
Employer's Liability:	$1,000,000 each accident; $1,000,000 disease policy limit $1,000,000 disease each employee

Such coverage provided by Contractor may be afforded via commercial insurance, self-insurance, or some combination thereof and shall not be cancellable except upon thirty (30) days' prior written notice to the other party. Upon the City's request, Contractor shall provide a certificate of insurance evidencing such coverage. Should any of the insurance policies be written on a claims-made basis, insurance requirements shall survive the expiration of the Agreement and extended coverage shall be afforded for at least two (2) years after the expiration of this Agreement. The City shall have a right to terminate this Agreement in the event of changes in the City's insurance that are unacceptable.

40.

INDEMNIFICATION: It is hereby stipulated and agreed between Contractor and the City that each party will perform its activities under this Agreement at its own sole cost, risk and responsibility with respect to third parties. In the performance of this Agreement, each party shall be solely responsible for its actions and failures to act including the actions or failures to act of its officers and employees and nothing herein shall be construed to place any responsibility to any extent upon other party for the actions or failures to act of a party its officers and/or employees.

[*Signature Page Follows*]

IN WITNESS HEREOF, the parties hereto have set their hands and seals.

CITY OF SANDY SPRINGS, GEORGIA

_____
Eden E. Freeman, City Manager

Attest:

_____
Raquel Gonzalez, City Clerk

(SEAL)

THE EMORY CLINIC, INC.

By: _____

Name: _____

Title: _____

[*Signature Page to Agreement between the City of Sandy Springs and The Emory Clinic, Inc. effective June 1, 2023*]

RESOLUTION NO. 2023- _____

STATE OF GEORGIA
COUNTY OF FULTON

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE EMORY CLINIC, INC. AND THE CITY OF SANDY SPRINGS TO PROVIDE EMERGENCY MEDICAL PLANNING AND OVERSIGHT SERVICES FOR THE SANDY SPRINGS POLICE DEPARTMENT AND THE SANDY SPRINGS FIRE DEPARTMENT

WHEREAS, the City of Sandy Springs (the "City") has identified a need for a medical director ("Medical Director") to provide emergency medical planning and oversight services (the "Services") for the City's Fire Department and Police Department; and

WHEREAS, the City has determined that this need can best be met by retaining the services of an independent contractor; and

WHEREAS, the City and the Emory Clinic, Inc. ("Emory") desire to enter into an Agreement whereby Emory shall provide a licensed physician to serve as Medical Director and together with such additional physicians designated by Medical Director in accordance with the Agreement, to provide Services to the City; and

WHEREAS, the Contractor and the City wish to enter into an arrangement in accordance with the provisions of the personal services safe harbor set forth in section 1001.952 (d), 56 Fed. Reg. 35952 and 35985.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA, THAT:

1. The attached Agreement between the City of Sandy Springs and the Emory Clinic, Inc. is hereby approved; and

2. The City Manager is authorized to execute the Agreement pending any minor revisions by the City Attorney and approval by the Chief Financial Officer; and

3. The City Manager and appropriate City Staff are authorized to take such actions deemed necessary to effectuate the intent of this Resolution.

SO RESOLVED, this 5th day of December 2023.

Approved:

_____
Russell K. Paul, Mayor

Attest:

_____
Raquel D. González, City Clerk

(SEAL)

SANDY SPRINGS
CITY CLERK'S OFFICE

TO: Eden Freeman, City Manager

FROM:

DATE: November 11, 2022 Submission for the December 5, 2023 City Council Meeting

ITEM: Staff Reports

Recommendation:

Background:

Discussion:

Financial Impact:

Alternatives:

Review:

Raquel Gonzalez, City Clerk Created -
Raquel Gonzalez, City Clerk
Toni Carlisle, Chief Financial Officer
Kathy Williams, Staff Attorney
Eden Freeman, City Manager

Attachments:

None

SANDY SPRINGS
GEORGIA

FINANCIAL HIGHLIGHTS FY 2024
SEPTEMBER 30, 2023

UNAUDITED

NOTES TO THE FINANCIAL STATEMENTS
SEPTEMBER 30, 2023

Financial Overview / Highlights

- General Fund Revenues for the fiscal year are at 10.04% of the adopted budget. We are at 25.00% of the fiscal year.
- General Fund Expenditures for the fiscal year are at 15.74% of the adopted budget. We are at 25.00% of the fiscal year.

Variance Analysis

Account Name	YTD Actual	Annual Budget	% of Budget	Comments
Revenues - Fund 100				
Property Taxes	$676,472	$44,000,000	1.54%	
Motor Vehicle Tax	$11,271	$60,000	18.79%	<--These two will be adjusted as the rate at
Motor Vehicle TAVT	$867,620	$4,000,000	21.69%	which the <-- old MVT phases out and the new TAVT increases
Local Option Sales Tax	$6,064,566	$29,000,000	20.91%	
Business Occupational Tax	$311,650	$10,000,000	3.12%	
Insurance Premium Tax	$0	$8,500,000	0.00%	Payment normally received October of each year
Building Permits	$458,711	$2,300,000	19.94%	
Expenditures - Fund 100				
All Departments				
Workers Comp Insurance	$476,895	$924,108	51.61%	Includes all departments and is semi-annual

SANDY SPRINGS GEORGIA

CASH AND INVESTMENTS

THROUGH PERIOD 03, SEPTEMBER FY 2024

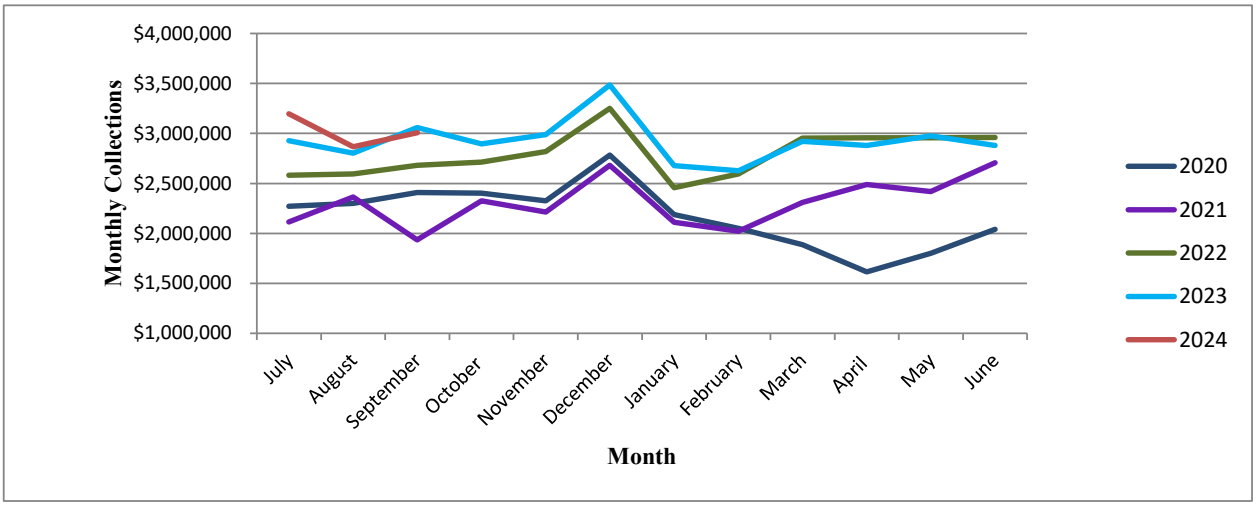
	UNAUDITED
TRUIST	
OPERATING ACCOUNT	$24,948,605
COMMUNITY DEVELOPMENT ESCROW	2,441,323
POLICE - CUSTODIAL ESCROW	16,962
POLICE - FEDERAL FORFEITURE	365,240
POLICE - STATE SEIZED RESTRICTED	321,211
POLICE - STATE SEIZED UNRESTRICTED	215,739
POLICE - FEDERAL SEIZED TREASURY FUND	68,564
POLICE - FEDERAL SEIZED FUNDS US POSTAL SERVICES	105,185
HOTEL / MOTEL TAX ACCOUNT	531,336
COURT SERVICES	538,663
IMPACT FEE ACCOUNT	6,605,648
TREE FUND ACCOUNT	1,536,957
HOSPITALITY BOARD	2,025,346
TSPLOST FUND 2016 & 2021	73,378,680
DEVELOPMENT AUTHORITY MONEY MARKET ACCT	108,763
PAC OPERATING, EVENTS ACCOUNT & SPONSORSHIPS	3,003,478
SANDY SPRINGS FOUNDATION, INC.	901
QUALIFIED LAW ENFORCEMENT FOUNDATION, INC.	37,490
TOTAL TRUIST	**$116,250,093**
GEORGIA FUND ONE	$81,371,040
US BANK - SINKING FUND	242
TOTAL INVESTMENT ACCOUNTS	**$81,371,282**
TOTAL CASH AND CASH EQUIVALENTS	**$197,621,375**

SANDY SPRINGS
GEORGIA

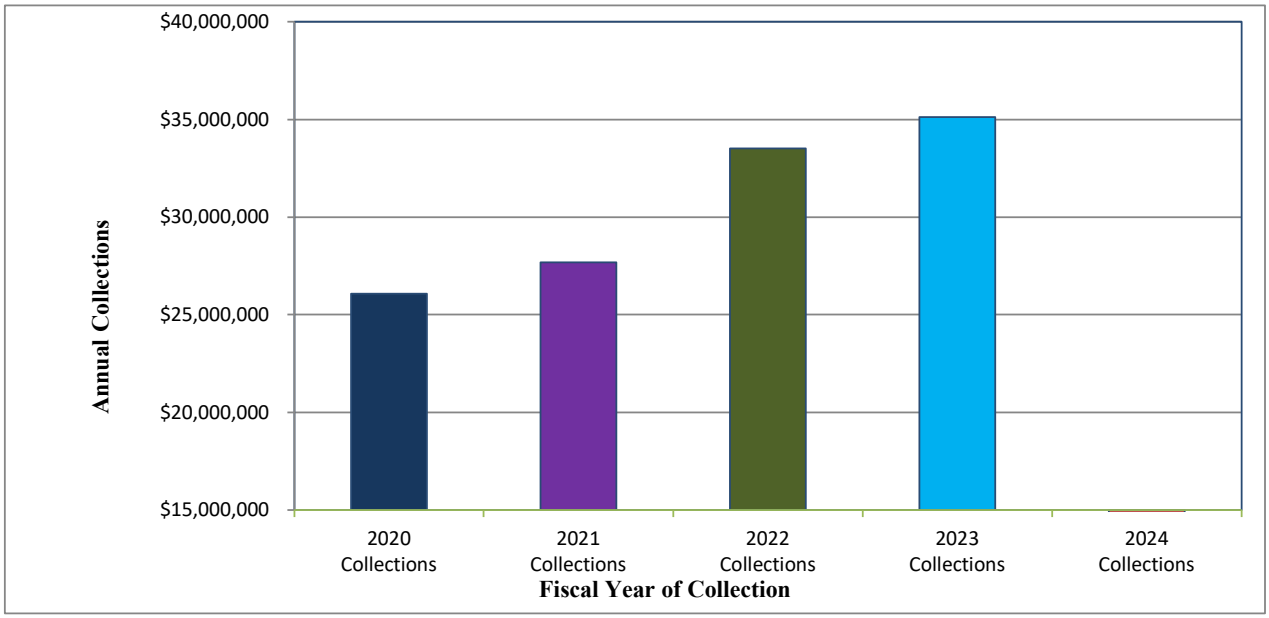
LOCAL OPTION SALES TAX COLLECTIONS
THROUGH PERIOD 03, SEPTEMBER FY 2024

Month	2020 Collections	2021 Collections	2022 Collections	2023 Collections	2024 Collections	% Change from Prior Year
July	$2,271,667	$2,112,938	$2,582,424	$2,927,024	$3,197,363	9.24%
August	2,300,996	2,364,510	2,595,359	2,802,887	2,867,203	2.29%
September	2,407,613	1,934,144	2,681,668	3,057,481	3,008,588	-1.60%
October	2,401,716	2,325,366	2,712,731	2,895,773		
November	2,326,390	2,214,592	2,817,297	2,987,710		
December	2,782,971	2,681,846	3,248,894	3,482,808		
January	2,188,945	2,111,802	2,457,273	2,678,782		
February	2,051,568	2,020,770	2,595,963	2,626,721		
March	1,886,719	2,308,276	2,953,513	2,920,265		
April	1,615,942	2,489,800	2,954,959	2,879,512		
May	1,800,673	2,417,257	2,956,023	2,976,133		
June	2,040,463	2,705,025	2,958,293	2,878,988		
	$26,075,662	**$27,686,326**	**$33,514,398**	**$35,114,083**	**$9,073,154**	**-74.16%**

MONTHLY COLLECTIONS

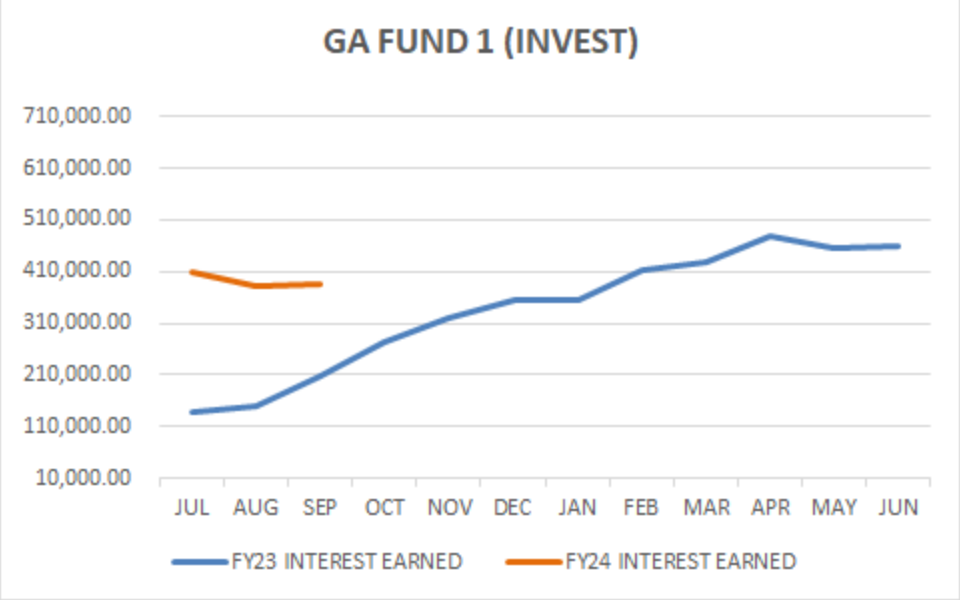


ANNUAL COLLECTIONS



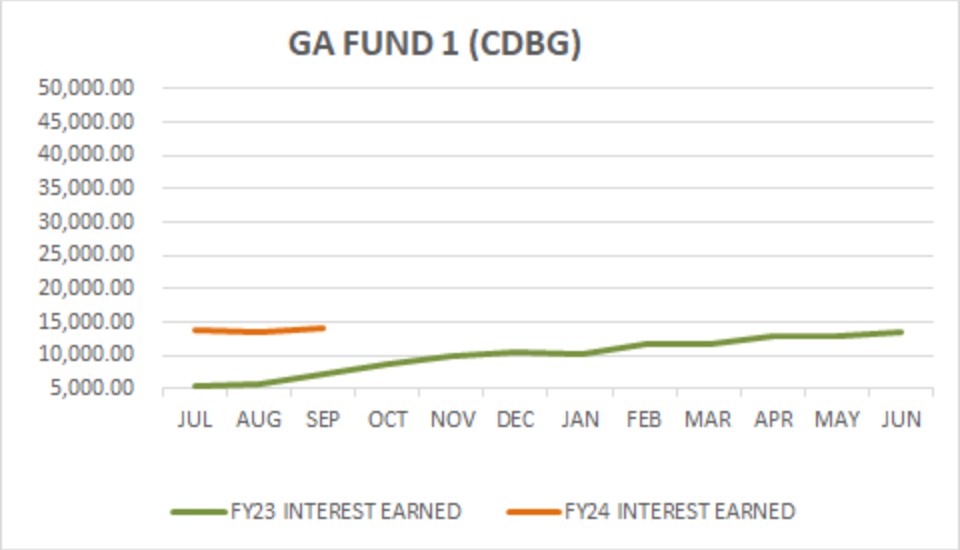
GA FUND 1 (INVEST)

PERIOD	FY23 AVAILABLE BALANCE	FY23 INTEREST EARNED	FY23 INTEREST RATE	FY24 AVAILABLE BALANCE	FY24 INTEREST EARNED	FY24 INTEREST RATE
JUL	75,333,211.29	136,539.16	2.13404%	92,694,736.00	407,759.43	5.35630%
AUG	77,749,631.87	151,419.63	2.36949%	78,282,273.16	382,760.18	5.37012%
SEP	86,011,180.07	209,619.21	2.86951%	84,351,575.42	385,644.76	5.38301%
OCT	92,759,853.57	273,222.41	3.58367%			
NOV	96,029,713.57	319,828.59	3.92142%			
DEC	99,268,032.86	354,139.61	4.20045%			
JAN	103,071,625.00	355,337.93	4.49404%			
FEB	106,083,869.65	412,898.39	4.58274%			
MAR	109,343,391.46	427,222.57	4.75372%			
APR	112,487,284.98	477,342.24	4.99640%			
MAY	107,857,213.82	453,947.14	5.12068%			
JUN	103,879,281.32	459,755.36	5.21110%			
TOTAL		4,031,272.24			1,176,164.37	



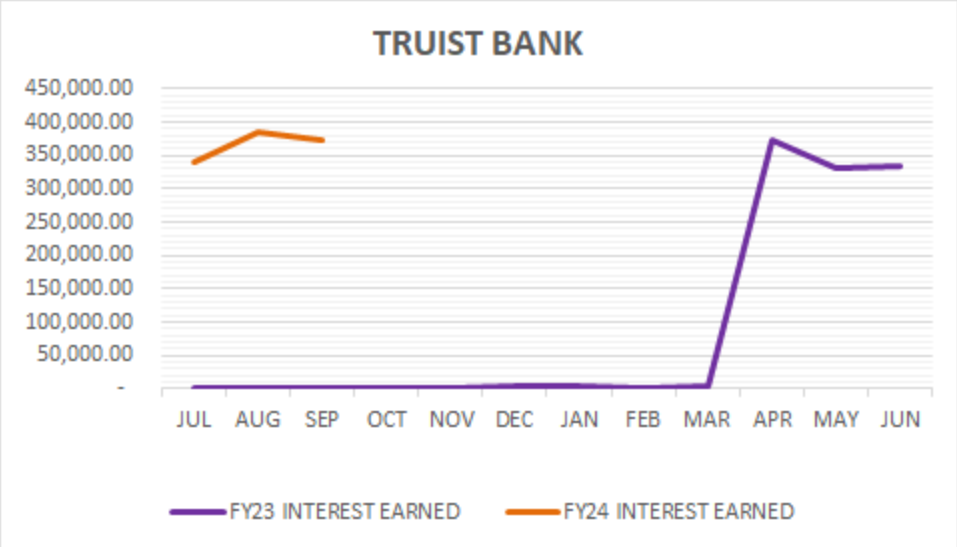
GA FUND 1 (CDBG)

PERIOD	FY23 AVAILABLE BALANCE	FY23 INTEREST EARNED	FY23 INTEREST RATE	FY24 AVAILABLE BALANCE	FY24 INTEREST EARNED	FY24 INTEREST RATE
JUL	2,940,955.82	5,330.39	2.13404%	3,075,193.23	13,926.28	5.35630%
AUG	2,946,286.21	5,737.98	2.36949%	3,088,766.51	13,573.28	5.37012%
SEP	2,952,024.19	7,194.42	2.86951%	3,088,766.51	14,121.45	5.38301%
OCT	2,959,218.61	8,716.32	3.58367%			
NOV	2,977,819.69	9,884.76	3.92142%			
DEC	2,977,819.69	10,623.40	4.20045%			
JAN	2,988,443.09	10,302.61	4.49404%			
FEB	2,998,745.70	11,671.68	4.58274%			
MAR	3,010,417.38	11,762.19	4.75371%			
APR	3,022,179.57	12,824.68	4.99640%			
MAY	3,035,004.25	12,773.66	5.12068%			
JUN	3,047,777.91	13,489.04	5.21109%			
TOTAL		120,311.13			41,621.01	



Truist Bank

PERIOD	FY23 AVAILABLE BALANCE	FY23 INTEREST EARNED	FY23 INTEREST RATE	FY24 AVAILABLE BALANCE	FY24 INTEREST EARNED	FY24 INTEREST RATE
JUL	66,793,131.33	2,269.13	4.000%	95,413,369.65	340,351.25	4.200%
AUG	77,777,112.71	2,642.29	4.000%	103,278,264.62	385,949.46	4.400%
SEP	71,814,757.65	2,361.03	4.000%	103,469,736.01	374,191.92	4.400%
OCT	64,462,005.92	2,189.94	4.000%			
NOV	72,124,407.26	2,371.21	4.000%			
DEC	83,174,399.05	2,825.65	4.000%			
JAN	87,500,423.99	2,972.61	4.000%			
FEB	82,686,448.57	2,537.22	4.000%			
MAR	83,364,284.72	2,832.10	4.000%			
APR	113,079,388.98	371,767.85	4.000%			
MAY	97,539,214.14	331,366.09	4.000%			
JUN	96,586,585.91	333,422.18	4.200%			
TOTAL		1,059,557.30			1,100,492.63	



GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
REVENUES					
100-0000-90-311100	CURRENT YEAR PROPERTY TAXES	616,866	676,472	44,000,000	1.54 %
100-0000-90-311310	MOTOR VEHICLE	5,391	11,271	60,000	18.78 %
100-0000-90-311315	MOTOR VEHICLE TAVT FEE	472,289	867,620	4,000,000	21.69 %
100-0000-90-311340	INTANGIBLES	44,386	84,977	450,000	18.88 %
100-0000-90-311600	REAL ESTATE TRANSFER TAX	23,838	42,152	250,000	16.86 %
100-0000-90-311710	ELECTRIC FRANCHISE TAX	-	-	6,100,000	- %
100-0000-90-311730	GAS FRANCHISE TAX	-	-	800,000	- %
100-0000-90-311750	CABLE TV FRANCHISE TAX	-	-	1,300,000	- %
100-0000-90-311760	TELEPHONE FRANCHISE TAX	-	-	135,000	- %
100-0000-90-311790	SOLID WASTE FRANCHISE TAX	8,992	9,463	600,000	1.58 %
100-0000-90-313100	LOCAL OPTION SALES TAX	2,867,203	6,064,566	29,000,000	20.91 %
100-0000-90-314200	ALCOHOLIC BEVERAGE EXCISE	82,981	175,819	900,000	19.54 %
100-0000-90-314300	EXCISE MIXED DRINK TAX	61,061	130,719	500,000	26.14 %
100-0000-90-316100	BUSINESS & OCCUPATION TAX	108,768	311,650	10,000,000	3.12 %
100-0000-90-316110	BUSINESS AUDIT REVENUE	-	-	25,000	- %
100-0000-90-316200	INSURANCE PREMIUM TAX	-	-	8,500,000	- %
	TOTAL TAXES	**4,291,776**	**8,374,708**	**106,620,000**	**7.85 %**
100-0000-90-321100	ALCOHOLIC BEVERAGE LIC	10,075	25,950	720,000	3.60 %
100-0000-90-321910	OTHER LICENSES AND PERMITS	7,224	22,916	60,000	38.19 %
100-0000-60-322210	PLANNING/ZONING FEES	3,288	14,294	65,000	21.99 %
100-0000-60-322215	DEVELOPMENT REVIEW FEE	14,650	55,070	225,000	24.48 %
100-0000-60-323120	BUILDING PERMITS	122,836	458,711	2,300,000	19.94 %
100-0000-60-323130	PLUMBING PERMITS	-	-	3,000	- %
100-0000-60-323140	ELECTRICAL PERMITS	-	-	6,000	- %
100-0000-60-323160	HVAC PERMITS	-	-	18,000	- %
100-0000-60-323920	BLDG REINSPECTION FEE	-	75	2,000	3.75 %
	TOTAL LICENSES & PERMITS	**158,073**	**577,016**	**3,399,000**	**16.98 %**
100-0000-30-342900	FALSE ALARM FEES	351	351	15,000	2.34 %
100-0000-30-342910	OTHER PUBLIC SAFETY FEES	-	15,000	-	- %
100-0000-40-343300	STATE ROAD MAINTENANCE FEES	11,760	35,280	141,120	25.00 %
100-0000-10-346900	SPECIAL EVENT FEES	1,650	7,500	-	- %
100-0000-50-347500	RECREATION PRG FEES-GYMNASTICS	-	-	40,000	- %
100-0000-50-347501	RECREATION PRG FEES-ATHL LEIS	2,738	14,058	50,000	28.12 %
100-0000-50-347900	SSTC CONTRACT	12,500	25,000	120,000	20.83 %
100-0000-50-347910	FACILITY RENTALS	20,205	47,780	135,000	35.39 %
	TOTAL CHARGES & FEES	**49,204**	**144,969**	**501,120**	**28.93 %**
100-0000-20-351170	MUNICIPAL COURT	170,386	680,852	2,500,000	27.23 %
	TOTAL FINES & FORFEITURES	**170,386**	**680,852**	**2,500,000**	**27.23 %**
100-0000-90-361000	INTEREST REVENUE	768,710	1,516,820	3,000,000	50.56 %
	TOTAL INVESTMENT INCOME	**768,710**	**1,516,820**	**3,000,000**	**50.56 %**
100-0000-90-349900	OTHER CHGS FOR SERVICES	5,807	14,970	45,000	33.27 %
100-0000-40-381000	RENTAL REVENUE	44,473	92,764	300,000	30.92 %
100-0000-90-389000	MISCELLANEOUS REVENUE	26,375	136,063	200,000	68.03 %
100-0000-60-389100	PERMIT TECHNOLOGY FEE	4,700	11,615	35,000	33.19 %
100-0000-90-389200	INSURANCE REIMBURSEMENTS	6,507	15,135	75,000	20.18 %
	TOTAL MISCELLANEOUS	**87,862**	**270,548**	**655,000**	**41.30 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
100-0000-90-391275	TRANSFER IN FROM HOTEL MOTEL	151,750	283,307	1,313,760	21.56 %
100-0000-90-391280	TRANSFER IN FROM MVRET FUND	9,022	17,377	80,000	21.72 %
100-0000-90-391840	TRANSFER IN FROM DEV AUTH	-	-	450,000	- %
100-0000-90-392100	SALE OF ASSETS	18,900	37,320	-	- %
	TOTAL OTHER FINANCING SOURCES	**179,671**	**338,004**	**1,843,760**	**18.33 %**
	TOTAL REVENUES	**$5,705,681**	**$11,902,917**	**$118,518,880**	**10.04 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
CITY COUNCIL EXPENDITURES					
100-1310-10-511100	REGULAR SALARIES	16,500	33,000	198,000	16.67 %
100-1310-10-512104	LIFE INSURANCE	71	213	997	21.33 %
100-1310-10-512200	SOCIAL SECURITY	897	1,809	12,276	14.74 %
100-1310-10-512300	MEDICARE	210	423	2,871	14.74 %
100-1310-10-512600	UNEMPLOYMENT TAX	1	5	700	0.71 %
100-1310-10-512700	WORKERS' COMPENSATION	-	206	708	29.09 %
Salaries & Benefits		**17,679**	**35,656**	**215,552**	**16.54 %**
100-1310-10-523200	COMMUNICATIONS	347	1,040	4,800	21.67 %
100-1310-10-523500	TRAVEL	423	4,067	10,000	40.67 %
100-1310-10-523600	DUES & FEES	-	24,309	37,000	65.70 %
100-1310-10-523700	EDUCATION/TRAINING	3,310	3,416	7,500	45.55 %
100-1310-10-531100	GENERAL OPERATING SUPPLIES	63	120	2,000	6.00 %
100-1310-10-531300	HOSPITALITY	-	671	7,500	8.95 %
Operations & Capital		**4,143**	**33,622**	**68,800**	**48.87 %**
	TOTAL CITY COUNCIL	**21,822**	**69,278**	**284,352**	**24.36 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
CITY MANAGER EXPENDITURES					
100-1320-10-511100	REGULAR SALARIES	57,753	153,045	773,861	19.78 %
100-1320-10-511110	BONUSES	-	-	19,000	- %
100-1320-10-512101	HEALTH INSURANCE	4,201	12,604	92,041	13.69 %
100-1320-10-512102	DISABILITY INSURANCE	209	627	3,169	19.78 %
100-1320-10-512103	DENTAL INSURANCE	253	760	5,688	13.36 %
100-1320-10-512104	LIFE INSURANCE	408	1,224	5,651	21.65 %
100-1320-10-512200	SOCIAL SECURITY	2,150	6,216	49,157	12.64 %
100-1320-10-512300	MEDICARE	820	2,173	11,496	18.90 %
100-1320-10-512401	RETIREMENT 401A	1,615	12,669	113,402	11.17 %
100-1320-10-512402	401A RETIREMENT-457 MATCH	2,084	5,521	37,534	14.71 %
100-1320-10-512600	UNEMPLOYMENT TAX	-	-	800	- %
100-1320-10-512700	WORKERS' COMPENSATION	-	970	2,500	38.78 %
Salaries & Benefits		**69,493**	**195,809**	**1,114,299**	**17.57 %**
100-1320-10-523200	COMMUNICATIONS	199	446	2,028	22.01 %
100-1320-10-523400	PRINTING & BINDING	-	-	500	- %
100-1320-10-523500	TRAVEL	-	-	6,200	- %
100-1320-10-523600	DUES & FEES	150	4,980	7,333	67.92 %
100-1320-10-523700	EDUCATION/TRAINING	1,000	1,050	5,105	20.57 %
100-1320-10-531100	GENERAL OPERATING SUPPLIES	392	3,771	5,000	75.42 %
100-1320-10-531300	HOSPITALITY	144	766	4,000	19.16 %
Operations & Capital		**1,885**	**11,014**	**30,166**	**36.51 %**
	TOTAL CITY MANAGER	**71,377**	**206,823**	**1,144,465**	**18.07 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
CITY CLERK EXPENDITURES					
100-1330-10-511100	REGULAR SALARIES	25,941	68,286	333,503	20.48 %
100-1330-10-511110	BONUSES	-	-	10,200	- %
100-1330-10-512101	HEALTH INSURANCE	4,265	12,796	56,770	22.54 %
100-1330-10-512102	DISABILITY INSURANCE	102	305	2,535	12.03 %
100-1330-10-512103	DENTAL INSURANCE	255	766	3,401	22.52 %
100-1330-10-512104	LIFE INSURANCE	208	624	2,499	24.96 %
100-1330-10-512200	SOCIAL SECURITY	1,492	3,925	20,677	18.98 %
100-1330-10-512300	MEDICARE	349	918	4,836	18.98 %
100-1330-10-512401	RETIREMENT 401A	1,301	6,380	40,020	15.94 %
100-1330-10-512402	401A RETIREMENT-457 MATCH	1,238	3,270	16,675	19.61 %
100-1330-10-512600	UNEMPLOYMENT TAX	-	-	600	- %
100-1330-10-512700	WORKERS' COMPENSATION	-	443	1,600	27.66 %
Salaries & Benefits		**35,152**	**97,713**	**493,316**	**19.81 %**
100-1330-10-521300	TECHNICAL SERVICES	7,923	70,242	130,170	53.96 %
100-1330-10-523200	COMMUNICATIONS	176	529	2,500	21.15 %
100-1330-10-523300	ADVERTISING	-	-	2,200	- %
100-1330-10-523500	TRAVEL	55	55	3,500	1.58 %
100-1330-10-523600	DUES & FEES	641	854	2,300	37.13 %
100-1330-10-523700	EDUCATION/TRAINING	-	1,050	3,450	30.43 %
100-1330-10-531100	GENERAL OPERATING SUPPLIES	44	191	2,000	9.56 %
100-1330-10-531270	GASOLINE	-	-	1,000	- %
100-1330-10-531300	HOSPITALITY	-	367	500	73.35 %
Operations & Capital		**8,839**	**73,288**	**147,620**	**49.65 %**
	TOTAL CITY CLERK	**43,991**	**171,001**	**640,936**	**26.68 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
FINANCE EXPENDITURES					
100-1500-10-511100	REGULAR SALARIES	128,756	341,267	1,829,901	18.65 %
100-1500-10-511110	BONUSES	-	-	34,475	- %
100-1500-10-512101	HEALTH INSURANCE	12,495	37,484	211,452	17.73 %
100-1500-10-512102	DISABILITY INSURANCE	506	1,517	13,307	11.40 %
100-1500-10-512103	DENTAL INSURANCE	629	1,887	10,397	18.15 %
100-1500-10-512104	LIFE INSURANCE	1,035	3,105	14,419	21.54 %
100-1500-10-512200	SOCIAL SECURITY	7,838	20,868	113,454	18.39 %
100-1500-10-512300	MEDICARE	1,833	4,880	26,534	18.39 %
100-1500-10-512401	RETIREMENT 401A	4,729	28,672	219,588	13.06 %
100-1500-10-512402	401A RETIREMENT-457 MATCH	6,010	15,933	91,495	17.41 %
100-1500-10-512600	UNEMPLOYMENT TAX	-	-	3,500	- %
100-1500-10-512700	WORKERS' COMPENSATION	-	3,204	6,000	53.41 %
Salaries & Benefits		**163,832**	**458,818**	**2,574,522**	**17.82 %**
100-1500-10-521200	PROFESSIONAL SERVICES	1,075	1,075	30,000	3.58 %
100-1500-10-521210	PROF SVCS-AUDIT	-	5,000	70,000	7.14 %
100-1500-10-521300	TECHNICAL SERVICES	48	177,792	467,860	38.00 %
100-1500-10-522210	REP & MAINT-EQUIPMENT	-	-	2,600	- %
100-1500-10-523200	COMMUNICATIONS	317	826	3,400	24.30 %
100-1500-10-523300	ADVERTISING	-	5,450	8,250	66.06 %
100-1500-10-523400	PRINTING & BINDING	-	-	4,500	- %
100-1500-10-523500	TRAVEL	-	-	5,000	- %
100-1500-10-523600	DUES & FEES	130	829	9,135	9.07 %
100-1500-10-523700	EDUCATION/TRAINING	-	1,002	14,500	6.91 %
100-1500-10-523900	CONTRACTUAL SERVICES	1,801	4,551	14,600	31.17 %
100-1500-10-523955	BANK SERVICE CHARGES	(30)	(15)	900	(1.67%)
100-1500-10-531100	GENERAL OPERATING SUPPLIES	151	558	5,300	10.53 %
100-1500-10-531300	HOSPITALITY	149	149	2,000	7.44 %
100-1500-10-531750	UNIFORMS	-	-	2,000	- %
100-1500-10-542400	COMPUTER EQUIPMENT	-	-	3,500	- %
Operations & Capital		**3,642**	**197,217**	**643,545**	**30.65 %**
	TOTAL FINANCE	**167,473**	**656,036**	**3,218,067**	**20.39 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
LEGAL SERVICES EXPENDITURES					
100-1530-10-511100	SALARIES	20,552	54,199	263,475	20.57 %
100-1530-10-511110	BONUSES	-	-	6,500	- %
100-1530-10-512101	HEALTH INSURANCE	2,614	7,842	51,393	15.26 %
100-1530-10-512102	DISABILITY INSURANCE	75	310	1,267	24.48 %
100-1530-10-512103	DENTAL INSURANCE	5	424	3,290	12.90 %
100-1530-10-512104	LIFE INSURANCE	137	583	2,322	25.13 %
100-1530-10-512200	SOCIAL SECURITY	1,235	3,236	16,335	19.81 %
100-1530-10-512300	MEDICARE	289	757	3,820	19.81 %
100-1530-10-512401	401A RETIREMENT	1,041	5,027	31,617	15.90 %
100-1530-10-512402	401A RETIREMENT-457 MATCH	1,025	2,685	13,174	20.38 %
100-1530-10-512600	UNEMPLOYMENT TAX	-	-	400	- %
100-1530-10-512700	WORKERS' COMPENSATION	-	311	750	41.53 %
Salaries & Benefits		**26,973**	**75,376**	**394,343**	**19.11 %**
100-1530-10-521250	PROF SVCS-LEGAL	49,927	145,826	600,000	24.30 %
100-1530-10-521255	PROF SVCS-LITIGATION	1,018	20,809	600,000	3.47 %
100-1530-10-523200	COMMUNICATIONS	81	242	800	30.23 %
100-1530-10-523600	DUES & FEES	39	103	1,500	6.86 %
100-1530-10-523700	EDUCATION/TRAINING	-	319	2,500	12.76 %
100-1530-10-531100	GENERAL SUPPLIES & MATLS	394	993	1,500	66.19 %
100-1530-10-531300	HOSPITALITY	-	-	500	- %
Operations & Capital		**51,457**	**168,292**	**1,206,800**	**13.95 %**
	TOTAL LEGAL SERVICES	**78,431**	**243,668**	**1,601,143**	**15.22 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
INFORMATION SERVICES EXPENDITURES					
100-1535-10-511100	SALARIES	125,983	330,195	1,841,614	17.93 %
100-1535-10-511110	BONUSES	-	-	27,900	- %
100-1535-10-512101	HEALTH INSURANCE	16,071	48,213	295,597	16.31 %
100-1535-10-512102	DISABILITY INSURANCE	505	1,587	10,773	14.73 %
100-1535-10-512103	DENTAL INSURANCE	719	2,156	14,150	15.24 %
100-1535-10-512104	LIFE INSURANCE	1,033	3,246	14,717	22.06 %
100-1535-10-512200	SOCIAL SECURITY	7,524	19,715	114,180	17.27 %
100-1535-10-512300	MEDICARE	1,760	4,611	26,703	17.27 %
100-1535-10-512401	401A RETIREMENT	5,001	28,893	220,994	13.07 %
100-1535-10-512402	401A RETIREMENT-457 MATCH	5,682	14,704	92,081	15.97 %
100-1535-10-512600	UNEMPLOYMENT TAX	7	7	3,000	0.22 %
100-1535-10-512700	WORKERS' COMPENSATION	-	2,813	5,500	51.14 %
Salaries & Benefits		**164,285**	**456,140**	**2,667,209**	**17.10 %**
100-1535-10-521300	TECHNICAL SERVICES	34,369	507,592	765,700	66.29 %
100-1535-10-521310	TECHNICAL SERVICES-SECURITY	-	110,640	218,300	50.68 %
100-1535-10-522320	EQUIPMENT OPERATING LEASE	2,060	3,318	81,000	4.10 %
100-1535-10-523200	COMMUNICATIONS	967	2,747	11,900	23.08 %
100-1535-10-523500	TRAVEL	-	1,714	11,200	15.30 %
100-1535-10-523600	DUES & FEES	577	902	5,000	18.05 %
100-1535-10-523700	EDUCATION/TRAINING	-	13,918	26,300	52.92 %
100-1535-10-523900	CONTRACTUAL SERVICES	275	3,072	31,000	9.91 %
100-1535-10-531100	GENERAL SUPPLIES & MATLS	42	99	4,000	2.48 %
100-1535-10-531600	SMALL TOOLS & EQUIPMENT	155	459	20,000	2.30 %
100-1535-10-531750	UNIFORMS	-	-	1,500	- %
100-1535-10-542400	COMPUTER EQUIPMENT	-	-	10,000	- %
Operations & Capital		**38,446**	**644,462**	**1,185,900**	**54.34 %**
	TOTAL INFORMATION SERVICES	**202,731**	**1,100,602**	**3,853,109**	**28.56 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
HUMAN RESOURCES EXPENDITURES					
100-1540-10-511100	SALARIES	30,736	81,297	397,992	20.43 %
100-1540-10-511110	BONUSES	-	-	11,300	- %
100-1540-10-512101	HEALTH INSURANCE	5,759	18,435	84,294	21.87 %
100-1540-10-512102	DISABILITY INSURANCE	121	364	2,535	14.35 %
100-1540-10-512103	DENTAL INSURANCE	309	995	4,566	21.79 %
100-1540-10-512104	LIFE INSURANCE	248	745	2,984	24.97 %
100-1540-10-512200	SOCIAL SECURITY	1,860	4,919	24,676	19.93 %
100-1540-10-512300	MEDICARE	435	1,150	5,771	19.93 %
100-1540-10-512401	401A RETIREMENT	1,545	7,610	47,759	15.93 %
100-1540-10-512402	401A RETIREMENT-457 MATCH	793	2,073	19,900	10.42 %
100-1540-10-512600	UNEMPLOYMENT TAX	-	-	800	- %
100-1540-10-512700	WORKERS' COMPENSATION	-	497	900	55.22 %
Salaries & Benefits		**41,808**	**118,085**	**603,477**	**19.57 %**
100-1540-10-521200	PROFESSIONAL SERVICES	17,401	47,641	229,250	20.78 %
100-1540-10-523200	COMMUNICATIONS	181	544	1,500	36.25 %
100-1540-10-523300	ADVERTISING	-	-	2,000	- %
100-1540-10-523500	TRAVEL	-	-	5,000	- %
100-1540-10-523600	DUES & FEES	-	-	2,600	- %
100-1540-10-523700	EDUCATION/TRAINING	525	525	56,000	0.94 %
100-1540-10-531100	GENERAL SUPPLIES & MATLS	97	954	3,000	31.80 %
100-1540-10-531300	HOSPITALITY	-	61	12,000	0.51 %
Operations & Capital		**18,205**	**49,725**	**311,350**	**15.97 %**
	TOTAL HUMAN RESOURCES	**60,013**	**167,809**	**914,827**	**18.34 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
FACILITIES MANAGEMENT EXPENDITURES					
100-1565-10-511100	SALARIES	81,015	208,955	1,183,398	17.66 %
100-1565-10-511110	BONUSES	-	-	26,600	- %
100-1565-10-512101	HEALTH INSURANCE	10,209	31,540	198,355	15.90 %
100-1565-10-512102	DISABILITY INSURANCE	346	920	10,773	8.54 %
100-1565-10-512103	DENTAL INSURANCE	563	1,784	9,603	18.58 %
100-1565-10-512104	LIFE INSURANCE	708	1,884	9,615	19.60 %
100-1565-10-512200	SOCIAL SECURITY	4,952	12,768	73,371	17.40 %
100-1565-10-512300	MEDICARE	1,158	2,986	17,159	17.40 %
100-1565-10-512401	401A RETIREMENT	2,792	16,955	142,008	11.94 %
100-1565-10-512402	401A RETIREMENT-457 MATCH	3,921	9,823	59,170	16.60 %
100-1565-10-512600	UNEMPLOYMENT TAX	17	36	3,200	1.12 %
100-1565-10-512700	WORKERS' COMPENSATION	281	8,842	21,000	42.11 %
Salaries & Benefits		**105,961**	**296,493**	**1,754,252**	**16.90 %**
100-1565-10-521200	PROFESSIONAL SERVICES	3,638	10,464	64,696	16.17 %
100-1565-10-521300	TECHNICAL SERVICES	7,078	92,667	141,746	65.38 %
100-1565-10-522100	CLEANING SERVICES	22,525	45,050	331,614	13.59 %
100-1565-10-522110	GARBAGE DISPOSAL	5,322	17,269	83,000	20.81 %
100-1565-10-522210	REP & MAINT-EQUIPMENT	14,325	143,013	450,150	31.77 %
100-1565-10-522220	REP & MAINT-BUILDINGS	75,964	242,953	1,355,408	17.92 %
100-1565-10-522230	REP & MAINT-VEHICLES	80	80	5,000	1.59 %
100-1565-10-522310	BUILDING OPERATING LEASE	31,203	93,608	391,653	23.90 %
100-1565-10-522320	EQUIPMENT OPERATING LEASE	5,561	9,190	34,000	27.03 %
100-1565-10-523200	COMMUNICATIONS	806	2,387	9,990	23.89 %
100-1565-10-523250	POSTAGE	220	3,709	39,000	9.51 %
100-1565-10-523700	EDUCATION/TRAINING	-	-	15,500	- %
100-1565-10-523900	CONTRACTUAL SERVICES	58,895	58,895	334,887	17.59 %
100-1565-10-531100	GENERAL OPERATING SUPPLIES	9,030	18,141	150,000	12.09 %
100-1565-10-531210	WATER	20,772	72,816	359,272	20.27 %
100-1565-10-531220	NATURAL GAS	9,660	26,816	128,935	20.80 %
100-1565-10-531230	ELECTRICITY	66,624	212,606	846,354	25.12 %
100-1565-10-531270	GASOLINE	99	694	5,000	13.88 %
100-1565-10-531600	SMALL TOOLS & EQUIPMENT	91	393	10,000	3.93 %
100-1565-10-531750	UNIFORMS	910	1,469	12,000	12.25 %
100-1565-10-541200	SITE IMPROVEMENTS	27,763	83,643	331,000	25.27 %
100-1565-10-542100	MACHINERY & EQUIPMENT	-	-	68,141	- %
100-1565-10-542400	COMPUTER EQUIPMENT	-	-	5,000	- %
100-1565-10-579000	CONTINGENCIES	-	-	100,000	- %
Operations & Capital		**360,565**	**1,135,863**	**5,272,346**	**21.54 %**
	TOTAL FACILITIES MANAGEMENT	**466,525**	**1,432,355**	**7,026,598**	**20.38 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
COMMUNICATIONS EXPENDITURES					
100-1570-10-511100	SALARIES	55,719	146,489	797,058	18.38 %
100-1570-10-511110	BONUSES	-	-	13,650	- %
100-1570-10-512101	HEALTH INSURANCE	6,559	19,676	103,468	19.02 %
100-1570-10-512102	DISABILITY INSURANCE	220	661	4,436	14.90 %
100-1570-10-512103	DENTAL INSURANCE	325	1,016	6,148	16.53 %
100-1570-10-512104	LIFE INSURANCE	429	1,287	6,280	20.49 %
100-1570-10-512200	SOCIAL SECURITY	3,414	8,961	49,418	18.13 %
100-1570-10-512300	MEDICARE	799	2,096	11,557	18.13 %
100-1570-10-512401	401A RETIREMENT	2,160	13,053	95,647	13.65 %
100-1570-10-512402	401A RETIREMENT-457 MATCH	2,786	7,324	39,853	18.38 %
100-1570-10-512600	UNEMPLOYMENT TAX	-	-	1,200	- %
100-1570-10-512700	WORKERS' COMPENSATION	-	1,501	3,000	50.03 %
Salaries & Benefits		**72,411**	**202,064**	**1,131,715**	**17.85 %**
100-1570-10-521200	PROF SERV - PUBLIC RELATIONS	8,529	45,062	121,000	37.24 %
100-1570-10-521201	PROF SVCS-GOVERNMENT SERVICES	51,539	154,616	619,000	24.98 %
100-1570-10-523200	COMMUNICATIONS	452	1,356	5,566	24.37 %
100-1570-10-523300	ADVERTISING	403	8,252	25,000	33.01 %
100-1570-10-523400	PRINTING & BINDING	264	264	7,500	3.52 %
100-1570-10-523500	TRAVEL	-	-	2,250	- %
100-1570-10-523600	DUES & FEES	130	139	2,250	6.17 %
100-1570-10-523700	EDUCATION/TRAINING	-	175	8,000	2.19 %
100-1570-10-523900	CONTRACTUAL SERVICES	429	25,437	65,560	38.80 %
100-1570-10-523905	WEBSITE ENHANCEMENTS	13,855	36,537	190,000	19.23 %
100-1570-10-531100	GENERAL SUPPLIES & MATLS	547	642	15,000	4.28 %
100-1570-10-531270	GASOLINE	-	-	500	- %
100-1570-10-531300	HOSPITALITY	-	-	5,000	- %
100-1570-10-542400	COMPUTER EQUIPMENT	-	-	22,750	- %
Operations & Capital		**76,147**	**272,480**	**1,089,376**	**25.01 %**
	TOTAL COMMUNICATIONS	**148,558**	**474,544**	**2,221,091**	**21.37 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
GENERAL ADMINISTRATION EXPENDITURES					
100-1595-10-511200	PART-TIME/TEMP EMPLOYEES	-	-	50,000	- %
100-1595-10-512200	SOCIAL SECURITY	-	-	3,100	- %
100-1595-10-512300	MEDICARE	-	-	725	- %
100-1595-10-512500	TUITION REIMBURSEMENT	-	-	50,000	- %
100-1595-10-512600	UNEMPLOYMENT TAX	-	-	250	- %
100-1595-10-512700	WORKERS' COMPENSATION	-	-	50	- %
Salaries & Benefits		**-**	**-**	**104,125**	**- %**
100-1595-10-521200	PROFESSIONAL SERVICES	6,681	92,380	196,550	47.00 %
100-1595-10-521240	PROF SVCS-NON-PROFITS	10,625	181,875	775,000	23.47 %
100-1595-10-523100	PROPERTY & LIABILITY INS	437	1,517,029	1,513,238	100.25 %
100-1595-10-523200	COMMUNICATIONS	5,983	17,937	80,000	22.42 %
100-1595-10-531100	GENERAL SUPPLIES & MATLS	-	-	25,000	- %
100-1595-10-572000	PAYMENTS TO OTHER AGENCIES	-	-	225,000	- %
100-1595-10-579000	CONTINGENCIES	-	-	300,000	- %
100-1595-10-579010	CITY MANAGER CONTINGENCIES	-	-	143,450	- %
Operations & Capital		**23,726**	**1,809,221**	**3,258,238**	**55.53 %**
	TOTAL GENERAL ADMINISTRATION	**23,726**	**1,809,221**	**3,362,363**	**53.81 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
MUNICIPAL COURT EXPENDITURES					
100-2650-20-511100	REGULAR SALARIES	49,541	134,494	691,515	19.45 %
100-2650-20-511110	BONUSES	-	-	19,950	- %
100-2650-20-512101	HEALTH INSURANCE	4,924	17,965	111,764	16.07 %
100-2650-20-512102	DISABILITY INSURANCE	218	599	6,337	9.46 %
100-2650-20-512103	DENTAL INSURANCE	188	682	4,261	16.01 %
100-2650-20-512104	LIFE INSURANCE	446	1,228	5,375	22.84 %
100-2650-20-512200	SOCIAL SECURITY	2,985	8,104	42,874	18.90 %
100-2650-20-512300	MEDICARE	698	1,895	10,027	18.90 %
100-2650-20-512401	RETIREMENT 401A	1,404	8,977	82,982	10.82 %
100-2650-20-512402	401A RETIREMENT-457 MATCH	2,225	4,945	34,576	14.30 %
100-2650-20-512600	UNEMPLOYMENT TAX	-	93	2,300	4.05 %
100-2650-20-512700	WORKERS' COMPENSATION	-	3,496	9,350	37.39 %
Salaries & Benefits		**62,629**	**182,477**	**1,021,311**	**17.87 %**
100-2650-20-521260	PROF SVCS-COURT	15,420	57,363	375,000	15.30 %
100-2650-20-521300	TECHNICAL SERVICES	6,748	32,970	57,500	57.34 %
100-2650-20-523200	COMMUNICATIONS	209	628	6,240	10.06 %
100-2650-20-523300	ADVERTISING	-	-	1,800	- %
100-2650-20-523400	PRINTING & BINDING	-	-	2,500	- %
100-2650-20-523500	TRAVEL	-	866	7,000	12.37 %
100-2650-20-523600	DUES & FEES	240	300	1,000	30.00 %
100-2650-20-523700	EDUCATION/TRAINING	-	600	3,000	20.00 %
100-2650-20-531100	GENERAL OPERATING SUPPLIES	456	962	3,200	30.06 %
100-2650-20-531300	HOSPITALITY	-	-	1,500	- %
100-2650-20-531600	SMALL TOOLS & EQUIPMENT	-	-	3,000	- %
Operations & Capital		**23,074**	**93,688**	**461,740**	**20.29 %**
	TOTAL MUNICIPAL COURT	**85,703**	**276,166**	**1,483,051**	**18.62 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
POLICE EXPENDITURES					
100-3210-30-511100	REGULAR SALARIES	1,096,315	2,891,536	14,815,933	19.52 %
100-3210-30-511110	BONUSES	2,000	17,500	425,000	4.12 %
100-3210-30-511200	PART-TIME/TEMP EMPLOYEES	34,695	100,880	600,000	16.81 %
100-3210-30-511300	OVERTIME	81,310	253,814	800,000	31.73 %
100-3210-30-512101	HEALTH INSURANCE	148,666	445,367	2,224,142	20.02 %
100-3210-30-512102	DISABILITY INSURANCE	4,279	14,492	107,091	13.53 %
100-3210-30-512103	DENTAL INSURANCE	7,654	22,854	113,897	20.07 %
100-3210-30-512104	LIFE INSURANCE	8,725	26,225	112,510	23.31 %
100-3210-30-512200	SOCIAL SECURITY	72,820	195,816	918,588	21.32 %
100-3210-30-512300	MEDICARE	17,086	45,852	214,831	21.34 %
100-3210-30-512401	RETIREMENT 401A	43,227	247,749	1,777,912	13.93 %
100-3210-30-512402	401A RETIREMENT-457 MATCH	50,677	135,536	740,797	18.30 %
100-3210-30-512600	UNEMPLOYMENT TAX	103	440	25,000	1.76 %
100-3210-30-512700	WORKERS' COMPENSATION	2,919	267,583	515,000	51.96 %
Salaries & Benefits		**1,570,476**	**4,665,644**	**23,390,701**	**19.95 %**
100-3210-30-521200	PROFESSIONAL SERVICES	5,873	20,135	150,556	13.37 %
100-3210-30-521270	JAIL SERVICES	51,120	153,975	425,000	36.23 %
100-3210-30-521275	INMATE MEDICAL SERVICES	754	2,414	150,000	1.61 %
100-3210-30-521300	TECHNICAL SERVICES	54,564	940,116	1,805,896	52.06 %
100-3210-30-522100	CLEANING SERVICES	7,008	14,016	84,100	16.67 %
100-3210-30-522110	GARBAGE DISPOSAL	223	655	2,100	31.19 %
100-3210-30-522210	REP & MAINT-EQUIPMENT	152	3,284	40,000	8.21 %
100-3210-30-522220	REP & MAINT-BUILDINGS	5,758	6,083	17,500	34.76 %
100-3210-30-522230	REP & MAINT-VEHICLES	45,759	112,685	450,000	25.04 %
100-3210-30-522310	BUILDING OPERATING LEASE	67,177	201,221	829,604	24.26 %
100-3210-30-522320	EQUIPMENT OPERATING LEASE	-	236	2,000	11.78 %
100-3210-30-523200	COMMUNICATIONS	17,587	52,251	224,181	23.31 %
100-3210-30-523250	POSTAGE	-	110	3,000	3.67 %
100-3210-30-523300	ADVERTISING	-	2,558	25,000	10.23 %
100-3210-30-523400	PRINTING & BINDING	64	1,616	10,000	16.16 %
100-3210-30-523500	TRAVEL	1,666	14,654	60,000	24.42 %
100-3210-30-523600	DUES & FEES	474	2,637	19,000	13.88 %
100-3210-30-523700	EDUCATION/TRAINING	3,374	19,920	153,000	13.02 %
100-3210-30-523900	CONTRACTUAL SERVICES	-	-	7,500	- %
100-3210-30-523950	MERCHANT SVCS CHARGES	225	749	3,000	24.95 %
100-3210-30-531100	GENERAL OPERATING SUPPLIES	8,540	22,364	65,770	34.00 %
100-3210-30-531150	UNDERCOVER OPERATIONS	-	-	5,000	- %
100-3210-30-531210	WATER	345	962	2,000	48.08 %
100-3210-30-531220	NATURAL GAS	1,122	3,255	17,000	19.14 %
100-3210-30-531230	ELECTRICITY	6,169	21,837	55,000	39.70 %
100-3210-30-531270	GASOLINE	61,108	178,227	785,000	22.70 %
100-3210-30-531300	HOSPITALITY	2,591	10,739	30,000	35.80 %
100-3210-30-531600	POLICE EQUIPMENT	9,146	23,708	275,000	8.62 %
100-3210-30-531750	UNIFORMS	12,294	33,060	251,775	13.13 %
100-3210-30-579000	CONTINGENCIES	-	-	50,000	- %
100-3210-30-581200	CAPITAL LEASE PRINCIPAL	-	-	300,000	- %
Operations & Capital		**363,093**	**1,843,465**	**6,297,982**	**29.27 %**
	TOTAL POLICE	**1,933,569**	**6,509,110**	**29,688,683**	**21.92 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
FIRE EXPENDITURES					
100-3510-30-511100	REGULAR SALARIES	725,699	1,934,551	9,649,129	20.05 %
100-3510-30-511110	BONUSES	-	-	279,150	- %
100-3510-30-511200	PART-TIME/TEMP EMPLOYEES	7,875	20,341	160,000	12.71 %
100-3510-30-511300	OVERTIME	39,801	108,398	415,000	26.12 %
100-3510-30-512101	HEALTH INSURANCE	145,427	437,002	2,127,238	20.54 %
100-3510-30-512102	DISABILITY INSURANCE	2,763	77,978	144,140	54.10 %
100-3510-30-512103	DENTAL INSURANCE	6,628	19,909	99,714	19.97 %
100-3510-30-512104	LIFE INSURANCE	5,596	16,882	76,321	22.12 %
100-3510-30-512200	SOCIAL SECURITY	45,363	121,828	598,246	20.36 %
100-3510-30-512300	MEDICARE	10,609	28,492	139,912	20.36 %
100-3510-30-512401	RETIREMENT 401A	30,500	170,252	1,157,895	14.70 %
100-3510-30-512402	401A RETIREMENT-457 MATCH	32,328	87,169	482,456	18.07 %
100-3510-30-512600	UNEMPLOYMENT TAX	65	241	20,000	1.20 %
100-3510-30-512700	WORKERS' COMPENSATION	6,026	124,738	210,000	59.40 %
Salaries & Benefits		**1,058,680**	**3,147,780**	**15,559,201**	**20.23 %**
100-3510-30-521200	PROFESSIONAL SERVICES	323	3,635	14,200	25.60 %
100-3510-30-521300	TECHNICAL SERVICES	-	79,102	104,671	75.57 %
100-3510-30-522210	REP & MAINT-EQUIPMENT	6,569	10,856	76,500	14.19 %
100-3510-30-522220	REP & MAINT-BUILDINGS	15,737	48,496	80,000	60.62 %
100-3510-30-522230	REP & MAINT-VEHICLES	113,501	189,405	300,900	62.95 %
100-3510-30-523200	COMMUNICATIONS	4,888	14,508	54,900	26.43 %
100-3510-30-523300	ADVERTISING	-	-	1,000	- %
100-3510-30-523400	PRINTING & BINDING	107	1,361	4,000	34.02 %
100-3510-30-523500	TRAVEL	6,813	16,662	48,000	34.71 %
100-3510-30-523600	DUES & FEES	250	3,097	12,000	25.81 %
100-3510-30-523700	EDUCATION/TRAINING	275	14,476	84,320	17.17 %
100-3510-30-523900	CONTRACTUAL SERVICES	5,637	16,911	153,844	10.99 %
100-3510-30-531100	GENERAL OPERATING SUPPLIES	10,173	23,732	93,400	25.41 %
100-3510-30-531160	EMS MEDICAL SUPPLIES	6,027	16,463	143,400	11.48 %
100-3510-30-531210	WATER	1,190	3,602	25,000	14.41 %
100-3510-30-531220	NATURAL GAS	967	3,199	25,000	12.80 %
100-3510-30-531230	ELECTRICITY	4,068	12,582	52,000	24.20 %
100-3510-30-531270	GASOLINE	17,029	53,337	270,000	19.75 %
100-3510-30-531300	HOSPITALITY	310	1,779	23,300	7.64 %
100-3510-30-531600	SMALL TOOLS & EQUIPMENT	9,342	15,747	79,510	19.81 %
100-3510-30-531750	UNIFORMS	4,410	17,961	138,000	13.02 %
100-3510-30-541200	SITE IMPROVEMENTS	-	25,640	25,000	102.56 %
100-3510-30-542400	COMPUTER EQUIPMENT	9,600	16,230	16,500	98.36 %
100-3510-30-579000	CONTINGENCIES	-	-	50,000	- %
100-3510-30-581200	CAPITAL LEASE PRINCIPAL	-	-	1,162,162	- %
100-3510-30-582200	CAPITAL LEASE INTEREST	-	-	70,658	- %
Operations & Capital		**217,218**	**588,782**	**3,108,265**	**18.94 %**
	TOTAL FIRE	**1,275,898**	**3,736,561**	**18,667,466**	**20.02 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
EMERGENCY MANAGEMENT EXPENDITURES					
100-3810-30-511100	SALARIES	8,915	23,549	115,259	20.43 %
100-3810-30-511110	BONUSES	-	-	4,250	- %
100-3810-30-512102	DISABILITY INSURANCE	35	105	634	16.63 %
100-3810-30-512103	DENTAL INSURANCE	28	83	-	- %
100-3810-30-512104	LIFE INSURANCE	72	215	862	24.98 %
100-3810-30-512200	SOCIAL SECURITY	554	1,464	7,146	20.48 %
100-3810-30-512300	MEDICARE	130	342	1,671	20.49 %
100-3810-30-512401	401A RETIREMENT	450	2,206	13,831	15.95 %
100-3810-30-512402	401A RETIREMENT-457 MATCH	446	1,177	5,763	20.43 %
100-3810-30-512600	UNEMPLOYMENT TAX	-	-	250	- %
100-3810-30-512700	WORKERS' COMPENSATION	-	137	350	39.03 %
Salaries & Benefits		**10,629**	**29,279**	**150,016**	**19.52 %**
100-3810-30-521200	PROFESSIONAL SERVICES	-	65,000	260,000	25.00 %
100-3810-30-521300	TECHNICAL SERVICES	-	6,399	12,063	53.05 %
100-3810-30-522210	REP & MAINT-EQUIPMENT	-	-	5,000	- %
100-3810-30-523200	COMMUNICATIONS	83	657	3,720	17.66 %
100-3810-30-523500	TRAVEL	-	-	5,500	- %
100-3810-30-523700	EDUCATION/TRAINING	-	40	1,450	2.76 %
100-3810-30-531100	GENERAL SUPPLIES & MATLS	2,562	8,043	22,000	36.56 %
100-3810-30-531102	EMERGENCY EVENT RESPONSE	-	-	100,000	- %
100-3810-30-531600	SMALL TOOLS & EQUIPMENT	-	3,116	18,000	17.31 %
100-3810-30-572000	PAYMENTS TO OTHER AGENCIES	-	305,413	873,449	34.97 %
100-3810-30-579000	CONTINGENCY	-	-	50,000	- %
Operations & Capital		**2,645**	**388,668**	**1,351,182**	**28.77 %**
	TOTAL EMERGENCY MANAGEMENT	**13,274**	**417,946**	**1,501,198**	**27.84 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
PUBLIC WORKS EXPENDITURES					
100-4100-40-511100	SALARIES	234,805	633,144	4,288,070	14.77 %
100-4100-40-511110	BONUSES	-	-	72,400	- %
100-4100-40-511300	OVERTIME	3,084	10,660	10,000	106.60 %
100-4100-40-512101	HEALTH INSURANCE	42,341	126,886	579,174	21.91 %
100-4100-40-512102	DISABILITY INSURANCE	1,273	4,411	27,882	15.82 %
100-4100-40-512103	DENTAL INSURANCE	2,061	6,234	28,156	22.14 %
100-4100-40-512104	LIFE INSURANCE	2,538	8,824	30,091	29.32 %
100-4100-40-512200	SOCIAL SECURITY	14,195	38,451	265,860	14.46 %
100-4100-40-512300	MEDICARE	3,320	8,993	62,177	14.46 %
100-4100-40-512401	401A RETIREMENT	4,758	50,545	514,568	9.82 %
100-4100-40-512402	401A RETIREMENT-457 MATCH	11,234	29,707	214,404	13.86 %
100-4100-40-512600	UNEMPLOYMENT TAX	-	4	7,500	0.05 %
100-4100-40-512700	WORKERS' COMPENSATION	-	27,138	75,000	36.18 %
Salaries & Benefits		**319,608**	**944,996**	**6,175,282**	**15.30 %**
100-4100-40-521200	PROFESSIONAL SERVICES	4,215	9,095	140,000	6.50 %
100-4100-40-521300	TECHNICAL SERVICES	5,230	137,890	285,500	48.30 %
100-4100-40-522230	REP & MAINT-VEHICLES	878	3,842	18,000	21.34 %
100-4100-40-522240	STREETLIGHT MAINTENANCE	4,990	6,369	100,000	6.37 %
100-4100-40-522260	GUARDRAIL MAINTENANCE	11,188	11,188	50,000	22.38 %
100-4100-40-522270	SIDEWALK MAINTENANCE	-	-	75,000	- %
100-4100-40-522280	FIBER MAINTENANCE	-	-	75,000	- %
100-4100-40-522290	TRAFFIC POLE MAINTENANCE	-	-	100,000	- %
100-4100-40-523200	COMMUNICATIONS	2,868	8,728	44,444	19.64 %
100-4100-40-523500	TRAVEL	962	1,926	17,500	11.00 %
100-4100-40-523600	DUES & FEES	370	1,077	7,350	14.65 %
100-4100-40-523700	EDUCATION/TRAINING	286	2,724	26,250	10.38 %
100-4100-40-523900	CONTRACTUAL SERVICES	276,145	797,621	5,051,002	15.79 %
100-4100-40-523900 REMVL	CONTRACTUAL SERVICES	11,074	118,462	350,000	33.85 %
100-4100-40-531100	GENERAL OPERATING SUPPLIES	1,986	4,423	53,000	8.35 %
100-4100-40-531235	STREET LIGHTS	170,594	440,766	1,600,000	27.55 %
100-4100-40-531270	GASOLINE	2,112	9,182	45,000	20.40 %
100-4100-40-531600	SMALL TOOLS & EQUIPMENT	149	827	41,000	2.02 %
100-4100-40-531700 COMMU	MATERIALS--COMMUNITY APPEAR	-	-	5,000	- %
100-4100-40-531700 SIGNA	MATERIALS--TRAFFIC SIGNAL MAIN	8,812	24,128	200,000	12.06 %
100-4100-40-531700 STORM	MATERIALS--STORMWATER MAINT	922	2,410	33,000	7.30 %
100-4100-40-531700 STREE	MATERIALS--STREET MAINT	25,961	59,783	250,000	23.91 %
100-4100-40-531700 TCALM	OTHER SUPPLIES	-	3,003	15,000	20.02 %
100-4100-40-531700 WASTE	MATERIALS--WASTE HAUL	11,579	20,513	82,000	25.02 %
100-4100-40-531750	UNIFORMS	-	300	8,400	3.57 %
100-4100-40-542100	MACHINERY & EQUIPMENT	-	-	125,000	- %
100-4100-40-579000	CONTINGENCIES	-	-	163,804	- %
Operations & Capital		**540,318**	**1,664,254**	**8,961,250**	**18.57 %**
	TOTAL PUBLIC WORKS	**859,927**	**2,609,250**	**15,136,532**	**17.24 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
FLEET MANAGEMENT EXPENDITURES					
100-4900-10-511100	SALARIES	11,727	31,053	152,231	20.40 %
100-4900-10-511110	BONUSES	-	-	3,825	- %
100-4900-10-512101	HEALTH INSURANCE	1,161	3,483	15,426	22.58 %
100-4900-10-512102	DISABILITY INSURANCE	46	139	1,267	10.99 %
100-4900-10-512103	DENTAL INSURANCE	46	137	608	22.50 %
100-4900-10-512104	LIFE INSURANCE	95	285	1,143	24.95 %
100-4900-10-512200	SOCIAL SECURITY	696	1,843	9,438	19.53 %
100-4900-10-512300	MEDICARE	163	431	2,207	19.53 %
100-4900-10-512401	401A RETIREMENT	587	2,891	18,268	15.83 %
100-4900-10-512402	401A RETIREMENT-457 MATCH	586	1,546	7,612	20.31 %
100-4900-10-512600	UNEMPLOYMENT TAX	-	-	800	- %
100-4900-10-512700	WORKERS' COMPENSATION	-	178	400	44.45 %
Salaries & Benefits		**15,107**	**41,986**	**213,225**	**19.69 %**
100-4900-10-521200	PROFESSIONAL SERVICES	6,342	31,909	150,000	21.27 %
100-4900-10-521300	TECHNICAL SERVICES	-	22,952	20,000	114.76 %
100-4900-10-523200	COMMUNICATIONS	78	235	1,000	23.50 %
100-4900-10-523700	EDUCATION/TRAINING	-	-	1,500	- %
100-4900-10-531100	GENERAL SUPPLIES & MATLS	-	-	10,000	- %
100-4900-10-531270	GASOLINE	-	-	8,000	- %
100-4900-10-531750	UNIFORMS	-	117	1,000	11.69 %
Operations & Capital		**6,421**	**55,213**	**191,500**	**28.83 %**
	TOTAL FLEET MANAGEMENT	**21,527**	**97,199**	**404,725**	**24.02 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
PARKS & RECREATION EXPENDITURES					
100-6110-50-511100	SALARIES	80,125	211,695	1,024,983	20.65 %
100-6110-50-511110	BONUSES	-	-	28,150	- %
100-6110-50-511201	PT/TEMP EMPLOYEES - ATHLETICS	14,041	54,389	180,000	30.22 %
100-6110-50-511202	PT/TEMP EMPLOYEES - PARK	11,584	32,364	100,000	32.36 %
100-6110-50-511203	PT/TEMP EMPLOYEES-LEISURE	3,187	19,856	40,000	49.64 %
100-6110-50-512101	HEALTH INSURANCE	13,089	37,732	137,827	27.38 %
100-6110-50-512102	DISABILITY INSURANCE	312	937	8,138	11.52 %
100-6110-50-512103	DENTAL INSURANCE	530	1,574	5,611	28.05 %
100-6110-50-512104	LIFE INSURANCE	616	1,848	7,686	24.05 %
100-6110-50-512200	SOCIAL SECURITY	6,616	20,888	63,549	32.87 %
100-6110-50-512300	MEDICARE	1,547	4,885	14,862	32.87 %
100-6110-50-512401	401A RETIREMENT	4,055	19,333	122,998	15.72 %
100-6110-50-512402	401A RETIREMENT-457 MATCH	3,988	10,353	51,249	20.20 %
100-6110-50-512600	UNEMPLOYMENT TAX	127	659	5,000	13.17 %
100-6110-50-512700	WORKERS' COMPENSATION	-	14,032	30,000	46.77 %
Salaries & Benefits		**139,818**	**430,546**	**1,820,053**	**23.66 %**
100-6110-50-521300	TECHNICAL SERVICES	-	16,561	16,405	100.95 %
100-6110-50-522100	CLEANING SERVICES	9,130	28,615	120,000	23.85 %
100-6110-50-522220	REP & MAINT-BUILDINGS	2,136	5,727	10,000	57.27 %
100-6110-50-522230	REP & MAINT-VEHICLES	2,529	4,160	10,000	41.60 %
100-6110-50-522240	REP & MAINT-PARKS	25,128	87,927	600,000	14.65 %
100-6110-50-523200	COMMUNICATIONS	979	3,673	17,005	21.60 %
100-6110-50-523300	ADVERTISING	1,048	2,513	20,000	12.56 %
100-6110-50-523500	TRAVEL	45	548	6,000	9.13 %
100-6110-50-523600	DUES & FEES	-	-	5,000	- %
100-6110-50-523700	EDUCATION/TRAINING	200	2,144	8,000	26.80 %
100-6110-50-523900	CONTRACTUAL SERVICES	67,550	175,821	1,050,000	16.74 %
100-6110-50-523950	MERCHANT SVCS CHARGES	1,329	4,125	16,000	25.78 %
100-6110-50-531100	GENERAL OPERATING SUPPLIES	-	706	7,000	10.09 %
100-6110-50-531102	PROGRAM SUPPLIES	9,396	31,630	115,000	27.50 %
100-6110-50-531210	WATER	1,571	3,792	66,500	5.70 %
100-6110-50-531220	NATURAL GAS	1,082	2,558	13,500	18.95 %
100-6110-50-531230	ELECTRICITY	13,542	40,696	162,245	25.08 %
100-6110-50-531270	GASOLINE	2,110	7,459	30,000	24.86 %
100-6110-50-531300	HOSPITALITY	376	707	2,000	35.33 %
100-6110-50-531600	SMALL TOOLS & EQUIPMENT	3,681	4,433	50,000	8.87 %
100-6110-50-531700	OTHER SUPPLIES	371	1,625	12,000	13.54 %
100-6110-50-531750	UNIFORMS	-	815	4,000	20.39 %
100-6110-50-541200	SITE IMPROVEMENTS	3,600	10,732	40,000	26.83 %
100-6110-50-542100	MACHINERY & EQUIPMENT	-	-	43,000	- %
100-6110-50-579000	CONTINGENCIES	-	-	50,000	- %
Operations & Capital		**145,802**	**436,968**	**2,473,655**	**17.66 %**
	TOTAL PARKS & RECREATION	**285,620**	**867,514**	**4,293,708**	**20.20 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
COMMUNITY DEVELOPMENT EXPENDITURES					
100-7450-60-511100	SALARIES	272,331	726,494	3,614,793	20.10 %
100-7450-60-511110	BONUSES	-	-	65,850	- %
100-7450-60-512101	HEALTH INSURANCE	42,202	127,060	631,631	20.12 %
100-7450-60-512102	DISABILITY INSURANCE	1,087	3,539	27,882	12.69 %
100-7450-60-512103	DENTAL INSURANCE	1,652	4,984	25,379	19.64 %
100-7450-60-512104	LIFE INSURANCE	2,158	7,046	28,104	25.07 %
100-7450-60-512200	SOCIAL SECURITY	16,358	43,621	224,117	19.46 %
100-7450-60-512300	MEDICARE	3,826	10,202	52,415	19.46 %
100-7450-60-512401	401A RETIREMENT	12,157	63,700	433,775	14.68 %
100-7450-60-512402	401A RETIREMENT-457 MATCH	12,150	31,907	180,740	17.65 %
100-7450-60-512600	UNEMPLOYMENT TAX	7	52	7,500	0.69 %
100-7450-60-512700	WORKERS' COMPENSATION	-	17,668	35,000	50.48 %
Salaries & Benefits		**363,926**	**1,036,272**	**5,327,186**	**19.45 %**
100-7450-60-521300	TECHNICAL SERVICES	3,510	123,772	330,000	37.51 %
100-7450-60-522230	REP & MAINT-VEHICLES	1,908	5,993	15,000	39.95 %
100-7450-60-523200	COMMUNICATIONS	2,645	7,850	30,250	25.95 %
100-7450-60-523300	ADVERTISING	-	2,620	20,000	13.10 %
100-7450-60-523500	TRAVEL	4,990	5,040	10,485	48.07 %
100-7450-60-523600	DUES & FEES	994	3,510	16,432	21.36 %
100-7450-60-523700	EDUCATION/TRAINING	550	5,559	38,742	14.35 %
100-7450-60-523900	CONTRACTUAL SERVICES	5,880	25,413	150,000	16.94 %
100-7450-60-531100	GENERAL OPERATING SUPPLIES	1,044	4,225	16,000	26.41 %
100-7450-60-531270	GASOLINE	3,294	10,580	45,000	23.51 %
100-7450-60-531300	HOSPITALITY	1,566	2,620	10,000	26.20 %
100-7450-60-531600	SMALL TOOLS & EQUIPMENT	-	-	2,000	- %
100-7450-60-531750	UNIFORMS	1,189	2,933	15,000	19.55 %
100-7450-60-542300	FURNITURE & FIXTURES	-	13,132	50,000	26.26 %
100-7450-60-542400	COMPUTER EQUIPMENT	-	-	12,500	- %
100-7450-60-579000	CONTINGENCIES	-	-	25,000	- %
Operations & Capital		**27,570**	**213,248**	**786,409**	**27.12 %**
	TOTAL COMMUNITY DEVELOPMENT	**391,496**	**1,249,520**	**6,113,595**	**20.44 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
ECONOMIC DEVELOPMENT EXPENDITURES					
100-7520-60-511100	SALARIES	12,348	32,618	332,148	9.82 %
100-7520-60-511110	BONUSES	-	-	4,750	- %
100-7520-60-512101	HEALTH INSURANCE	1,161	3,483	23,139	15.05 %
100-7520-60-512102	DISABILITY INSURANCE	49	146	1,350	10.82 %
100-7520-60-512103	DENTAL INSURANCE	18	54	977	5.49 %
100-7520-60-512104	LIFE INSURANCE	100	299	1,914	15.62 %
100-7520-60-512200	SOCIAL SECURITY	743	1,962	20,593	9.53 %
100-7520-60-512300	MEDICARE	174	459	4,816	9.53 %
100-7520-60-512401	401A RETIREMENT	(305)	2,127	39,858	5.34 %
100-7520-60-512402	401A RETIREMENT-457 MATCH	617	1,631	16,607	9.82 %
100-7520-60-512600	UNEMPLOYMENT TAX	-	-	625	- %
100-7520-60-512700	WORKERS' COMPENSATION	-	482	1,300	37.07 %
Salaries & Benefits		**14,904**	**43,260**	**448,077**	**9.65 %**
100-7520-60-521205	PROF SVCS-OTHER	-	850	60,000	1.42 %
100-7520-60-521300	TECHNICAL SERVICES	-	11,461	63,139	18.15 %
100-7520-60-523200	COMMUNICATIONS	-	171	1,200	14.26 %
100-7520-60-523300	ADVERTISING	-	3,400	30,900	11.00 %
100-7520-60-523500	TRAVEL	639	639	4,400	14.52 %
100-7520-60-523600	DUES & FEES	249	1,893	3,509	53.95 %
100-7520-60-523700	EDUCATION/TRAINING	425	2,320	9,010	25.75 %
100-7520-60-531100	GENERAL SUPPLIES & MATLS	86	86	500	17.14 %
100-7520-60-531300	HOSPITALITY	4,034	5,843	34,690	16.84 %
Operations & Capital		**5,432**	**26,662**	**207,348**	**12.86 %**
	TOTAL ECONOMIC DEVELOPMENT	**20,336**	**69,922**	**655,425**	**10.67 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
TRANSFERS EXPENDITURES					
100-9000-90-581300	NOTE PRINCIPAL	17,753	53,185	214,070	24.84 %
100-9000-90-582300	NOTE INTEREST EXPENSE	1,858	5,647	21,259	26.56 %
100-9000-90-611351	TRANSFER OUT TO CAPITAL PROJEC	-	-	21,612,811	- %
100-9000-90-611352	TRANSFER OUT TO FLEET	-	-	2,362,043	- %
100-9000-90-611360	TRANSFER OUT TO FAC AUTH	-	-	12,623,318	- %
100-9000-90-611561	XFER OUT TO STORMWATER	-	-	2,160,000	- %
Operations & Capital		**19,611**	**58,832**	**38,993,501**	**0.15 %**
	TOTAL TRANSFERS	**19,611**	**58,832**	**38,993,501**	**0.15 %**
	TOTAL EXPENDITURES	**$6,191,610**	**$22,223,357**	**$141,204,835**	**15.74 %**
GENERAL FUND - 100		**($485,929)**	**($10,320,440)**	**($22,685,955)**	**45.49 %**

SANDY SPRINGS
GEORGIA

CONFISCATED ASSET FUND REVENUES & EXPENDITURES
THROUGH PERIOD 03, SEPTEMBER FY 2024

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
REVENUES					
210-0000-30-351320	STATE SEIZED FUNDS REV	5,196	5,196	10,000	51.96 %
210-0000-30-351325	FEDERAL SEIZED FUNDS REV	18,519	91,376	140,000	65.27 %
	TOTAL FINES & FORFEITURES	**23,715**	**96,572**	**150,000**	**64.38 %**
	TOTAL REVENUES	**$23,715**	**$96,572**	**$150,000**	**64.38 %**
POLICE EXPENDITURES					
210-3210-30-521200	PROFESSIONAL SERVICES	-	-	10,000	- %
210-3210-30-523700	EDUCATION/TRAINING	-	-	25,000	- %
210-3210-30-531600	SMALL TOOLS & EQUIPMENT	-	-	100,000	- %
210-3210-30-531750	UNIFORMS	-	-	15,000	- %
	TOTAL POLICE	**-**	**-**	**150,000**	**- %**
	TOTAL EXPENDITURES	**$-**	**$-**	**$150,000**	**- %**
CONFISCATED ASSET FUND - 210		**$23,715**	**$96,572**	**$-**	**- %**

SANDY SPRINGS
GEORGIA

E911 FUND REVENUES & EXPENDITURES
THROUGH PERIOD 03, SEPTEMBER FY 2024

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
REVENUES					
215-0000-30-342500	ALL REVENUE	346,653	346,653	4,000,000	8.67 %
	TOTAL CHARGES & FEES	**346,653**	**346,653**	**4,000,000**	**8.67 %**
	TOTAL REVENUES	**$346,653**	**$346,653**	**$4,000,000**	**8.67 %**
EMERGENCY MANAGEMENT EXPENDITURES					
215-3810-30-572000	PAYMENTS TO OTHER AGENCIES	346,653	346,653	4,000,000	8.67 %
	TOTAL EMERGENCY MANAGEMENT	**346,653**	**346,653**	**4,000,000**	**8.67 %**
	TOTAL EXPENDITURES	**$346,653**	**$346,653**	**$4,000,000**	**8.67 %**
E911 FUND - 215		**$-**	**$-**	**$-**	**- %**

SANDY SPRINGS
GEORGIA

TREE FUND REVENUES & EXPENDITURES
THROUGH PERIOD 03, SEPTEMBER FY 2024

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
REVENUES					
220-0000-50-341320	DEVELOPMENT IMPACT FEES	11,069	43,707	300,000	14.57 %
	TOTAL CHARGES & FEES	**11,069**	**43,707**	**300,000**	**14.57 %**
	TOTAL REVENUES	**$11,069**	**$43,707**	**$300,000**	**14.57 %**
TREE FUND EXPENSE EXPENDITURES					
220-6240-00-511100	SALARIES	5,739	15,160	74,200	20.43 %
220-6240-00-511110	BONUSES	-	-	1,750	- %
220-6240-00-512101	HEALTH INSURANCE	580	1,741	7,713	22.58 %
220-6240-00-512102	DISABILITY INSURANCE	23	68	100	67.86 %
220-6240-00-512103	DENTAL INSURANCE	18	54	238	22.53 %
220-6240-00-512104	LIFE INSURANCE	46	139	557	24.97 %
220-6240-00-512200	SOCIAL SECURITY	353	931	4,600	20.25 %
220-6240-00-512300	MEDICARE	82	218	1,076	20.24 %
220-6240-00-512401	401A RETIREMENT	522	1,653	3,710	44.55 %
220-6240-00-512402	401A RETIREMENT-457 MATCH	172	430	8,904	4.83 %
220-6240-00-512600	UNEMPLOYMENT TAX	-	-	120	- %
220-6240-00-512700	WORKERS' COMPENSATION	-	330	700	47.15 %
	TOTAL TREE FUND EXPENSE	**7,536**	**20,724**	**103,668**	**19.99 %**
TRANSFERS OUT EXPENDITURES					
220-9000-90-611351	TRANSFER TO CAPITAL PROJECTS	-	-	705,000	- %
	TOTAL TRANSFERS OUT	**-**	**-**	**705,000**	**- %**
	TOTAL EXPENDITURES	**$7,536**	**$20,724**	**$808,668**	**2.56 %**
TREE FUND - 220		**$3,533**	**$22,983**	**($508,668)**	**(4.52%)**

SANDY SPRINGS
GEORGIA

IMPACT FEE FUND REVENUES & EXPENDITURES
THROUGH PERIOD 03, SEPTEMBER FY 2024

11/15/2023

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
REVENUES					
225-0000-60-341320 PARKS	IMPACT FEES - PARKS	-	-	900,000	- %
225-0000-60-341320 PUBSA	IMPACT FEES - PUBLIC SAFETY	-	-	80,000	- %
225-0000-60-341320 TRANS	IMPACT FEES - TRANSPORTATION	-	-	450,000	- %
	TOTAL CHARGES & FEES	**-**	**-**	**1,430,000**	**- %**
	TOTAL REVENUES	**$-**	**$-**	**$1,430,000**	**- %**
IMPFEE/COMMDEV ADMIN COSTS EXPENDITURES					
225-7450-60-521200	PROFESSIONAL SERVICES	3,122	3,122	-	- %
	TOTAL IMPFEE/COMMDEV ADMIN COS	**3,122**	**3,122**	**-**	**- %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
TRANSFERS EXPENDITURES					
225-0000-90-611351 PARKS	TRANSFER TO CAPITAL PROJECTS	-	-	30,055	- %
	TOTAL TRANSFERS	**-**	**-**	**30,055**	**- %**
	TOTAL EXPENDITURES	**$3,122**	**$3,122**	**$30,055**	**10.39 %**
IMPACT FEE FUND - 225		**($3,122)**	**($3,122)**	**$1,399,945**	**(0.22%)**

SANDY SPRINGS
GEORGIA

MULTIPLE GRANT FUND REVENUES & EXPENDITURES
THROUGH PERIOD 03, SEPTEMBER FY 2024

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
REVENUES					
240-0000-50-331100 BOOST	FEDERAL MATCHING GRANTS	2,850	2,850	-	- %
	TOTAL OTHER REVENUES	**2,850**	**2,850**	**-**	**- %**
	TOTAL REVENUES	**$2,850**	**$2,850**	**$-**	**- %**
MULTIPLE GRANT FUND - 240		**$2,850**	**$2,850**	**$-**	**- %**

CDBG FUND REVENUES & EXPENDITURES
THROUGH PERIOD 03, SEPTEMBER FY 2024

11/15/2023

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
REVENUES					
245-0000-60-361000	INTEREST REVENUE	13,573	27,500	85,000	32.35 %
	TOTAL INVESTMENT INCOME	**13,573**	**27,500**	**85,000**	**32.35 %**
245-0000-60-331100 CDB22	FEDERAL MATCHING GRANTS	-	-	90,431	- %
245-0000-60-331100 CDB23	FEDERAL MATCHING GRANTS	-	-	500,000	- %
	TOTAL OTHER REVENUES	**-**	**-**	**590,431**	**- %**
	TOTAL REVENUES	**$13,573**	**$27,500**	**$675,431**	**4.07 %**
COMMUNITY DEVELOPMENT BLOCK GR EXPENDITURES					
245-7450-60-541400 AC181	INFRASTRUCTURE	550	550	-	- %
245-7450-60-541400 AC182	INFRASTRUCTURE	11,700	11,700	2,152,485	0.54 %
245-7450-60-541400 AC183	INFRASTRUCTURE	-	-	349,304	- %
245-7450-60-541400 AC184	INFRASTRUCTURE	-	-	359,000	- %
245-7450-60-541400 ACT24	INFRASTRUCTURE	-	-	300,000	- %
	TOTAL CDBG	**12,250**	**12,250**	**3,160,789**	**0.39 %**
CDBG FUND DEBT SERVICE EXPENDITURES					
245-8000-00-581300 ACT19	NOTE PRINCIPAL	-	287,000	287,000	100.00 %
245-8000-00-582300 ACT19	NOTE INTEREST EXPENSE	-	33,266	62,774	52.99 %
	TOTAL CDBG FUND DEBT SERVICE	**-**	**320,266**	**349,774**	**91.56 %**
	TOTAL EXPENDITURES	**$12,250**	**$332,516**	**$3,510,563**	**9.47 %**
CDBG FUND - 245		**$1,323**	**($305,016)**	**($2,835,132)**	**10.76 %**

SANDY SPRINGS
GEORGIA

HOTEL/MOTEL TAX FUND REVENUES & EXPENDITURES
THROUGH PERIOD 03, SEPTEMBER FY 2024

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
REVENUES					
275-0000-50-314100	HOTEL/MOTEL TAX	531,336	991,973	4,600,000	21.56 %
	TOTAL TAXES	**531,336**	**991,973**	**4,600,000**	**21.56 %**
	TOTAL REVENUES	**$531,336**	**$991,973**	**$4,600,000**	**21.56 %**
TRANSFERS EXPENDITURES					
275-9000-90-611100	TRANSFER TO GENERAL FUND	151,750	283,307	1,313,760	21.56 %
275-9000-90-611555	TRANSFER OUT TO ARTS CENTER	208,815	389,845	1,807,800	21.56 %
275-9000-90-611850	TRANSFER TO HOSPITALITY	170,771	318,820	1,478,440	21.56 %
	TOTAL TRANSFERS	**531,336**	**991,973**	**4,600,000**	**21.56 %**
	TOTAL EXPENDITURES	**$531,336**	**$991,973**	**$4,600,000**	**21.56 %**
HOTEL/MOTEL TAX FUND - 275		**$-**	**$-**	**$-**	**- %**

RENTAL MOTOR VEH EXCISE TAX FD REVENUES & EXPENDITURES
THROUGH PERIOD 03, SEPTEMBER FY 2024

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
REVENUES					
280-0000-90-314400	EXCISE TAX ON RENTAL MV	9,022	17,377	80,000	21.72 %
	TOTAL TAXES	**9,022**	**17,377**	**80,000**	**21.72 %**
	TOTAL REVENUES	**$9,022**	**$17,377**	**$80,000**	**21.72 %**
RMVET EXPENDITURES EXPENDITURES					
280-9000-90-611100	TRANSFER TO GENERAL FUND	9,022	17,377	80,000	21.72 %
	TOTAL RMVET EXPENDITURES	**9,022**	**17,377**	**80,000**	**21.72 %**
	TOTAL EXPENDITURES	**$9,022**	**$17,377**	**$80,000**	**21.72 %**
RENTAL MOTOR VEH EXCISE TAX FD - 280		**$-**	**$-**	**$-**	**- %**

SANDY SPRINGS
GEORGIA

CAPITAL PROJECTS FUND EXPENDITURES
THROUGH PERIOD 03, SEPTEMBER FY 2024

PROJECT DESCRIPTION	PROJ #	SEPTEMBER MTD ACTUAL	2024 YTD ACTUAL	CUMULATIVE ACTUAL	CUMULATIVE BUDGET	AVAILABLE BUDGET
CAPITAL CONTINGENCY	C9999	-	-	-	2,945,546	2,945,546
		$-	**$-**	**$-**	**$2,945,546**	**$2,945,546**
FACILITIES						
TROWBRIDGE FACILITY	F0005	12,604	12,604	2,176,043	2,660,000	483,957
BACK-UP E911 CALL CENTER	F0007	-	-	234,927	350,000	115,073
HERITAGE/GA COMM ON THE HOLOCAUST	F0008	-	-	97,452	100,000	2,548
WAYFINDING SIGNAGE	F2101	74,139	85,965	897,382	1,500,000	602,618
CISTERN IMPROVEMENTS	F2102	2,240	2,240	637,429	685,000	47,571
VETERANS PARK	F2104	1,240,367	3,130,726	6,854,461	6,836,000	(18,461)
ELECTRIC VEHICLE CHARGING STATIONS	F2201	-	-	33,232	75,738	42,506
FACILITIES MAINTENANCE	F2205	88,868	237,404	840,864	2,126,390	1,285,526
ABERNATHY SITE IMP	F2206	4,800	4,800	66,674	1,000,000	933,326
CITY SPRINGS - ARTIFICIAL TURF	F2302	-	-	46,600	880,000	833,400
TEMP FIRE STATION 1	F2305	-	-	77,909	177,909	100,000
HERITAGE LAWN STREAM BUFFER	F2401	-	-	-	250,000	250,000
VIDEO BOARD - CITY BAR	F2402	-	-	-	275,000	275,000
FIREFIGHTER TURN OUT GEAR	FD221	11,014	37,880	365,326	481,000	115,674
ADMIN VEHICLES	FD224	-	-	357,303	349,664	(7,639)
ALERTING SYSTEM (WESTNET)	FD231	15,232	57,496	185,157	202,000	16,843
FIRE EQUIPMENT REPLACEMENT	FD232	-	-	95,391	152,500	57,109
LUCAS DEVICES	FD233	52,290	63,952	136,669	140,000	3,331
TECHNICAL RESCUE TOOLS	FD235	-	-	44,440	55,000	10,560
FIRE STATION #4 - KITCHEN RENOV	FD241	-	-	-	80,000	80,000
AIRPAK SCBA DECON WASHERS	FD242	-	-	86,020	90,000	3,980
		$1,501,556	**$3,633,067**	**$13,233,280**	**$18,466,201**	**$5,232,922**
CITY CENTER						
LAND ACQUISITON & DEMOLITION	CC001	-	117,603	35,814,141	36,055,213	241,072
UTILITIES RELOCATION	CC006	-	876,860	5,123,380	6,734,555	1,611,175
SANDY SPRINGS CIRCLE PHASE 2	CC010	-	-	6,981,638	7,507,570	525,932
		$-	**$994,463**	**$47,919,159**	**$50,297,338**	**$2,378,179**
ARTS PROGRAM						
OUTDOOR ART PROGRAM	A0001	14,500	23,299	325,812	352,513	26,701
VETERANS PARK ARTWORK	A0003	-	-	24,000	48,000	24,000
		$14,500	**$23,299**	**$349,812**	**$400,513**	**$50,701**
I2202						
NETWORK HARDWARE REPLACEMENT	I2202	-	782	511,954	555,184	43,230
		$-	**$782**	**$511,954**	**$555,184**	**$43,230**
V2201						
FLEET ELECTRIC VEHICLES	V2201	-	28,522	319,983	380,260	60,277
		$-	**$28,522**	**$319,983**	**$380,260**	**$60,277**

PROJECT DESCRIPTION	PROJ #	SEPTEMBER MTD ACTUAL	2024 YTD ACTUAL	CUMULATIVE ACTUAL	CUMULATIVE BUDGET	AVAILABLE BUDGET
TRANSPORTATION						
ROSWELL ROAD PHASE I	T0019	-	12,642	2,084,930	8,656,826	6,571,896
CHATTAHOOCHEE RIVER BRIDGE	T0035	-	-	143,566	860,000	716,434
GLENRIDGE @ ROSWELL RD INTERSECTION	T0043	-	-	1,701,873	1,937,354	235,481
CITY CENTER TRANSPORTATION NETWORK	T0058	5,632	15,811	3,766,509	5,115,000	1,348,491
PATH-400 PRE-CONSTR AND UNASSIGNED	T0060	180,256	538,756	3,357,077	5,946,919	2,589,842
NORTH END REVITALIZATION	T0063	-	-	673,799	1,550,000	876,201
PEACHTREE @ TELFORD IMPROVEMENT	T0064	-	(7,140)	2,231,999	2,310,937	78,938
SR140 HOLCOMB @ SPALDING ROW	T0066	433	1,400	126,299	450,000	323,701
PEACHTREE-DUNWOODY@WINDSOR	T0069	-	900	952,304	1,400,000	447,696
NORTH END ROSWELL ROAD BOULEVARD	T0071	-	-	142,895	200,000	57,105
WATER RELIABILITY PROGRAM	T2000	683	683	822,959	1,000,000	177,041
PCID – PTD/LAKE HEARN MULTIMODAL	T2208	16,687	64,785	911,961	4,802,481	3,890,520
I285 ROSWELL RD INNOVATIVE INTERSEC	T2209	-	-	-	150,000	150,000
BRT JOINT FEASIBILITY STUDY	T2210	-	-	-	50,000	50,000
NEIGHBORHOOD LIGHTING PROGRAM	T2213	-	6,270	6,773	100,000	93,227
PCID – GLENRIDGE CONN@JOHNSON FERRY	T2302	-	-	-	80,000	80,000
PCID –HAMMOND @ GA400 TURN LANE	T2303	-	-	-	600,000	600,000
ATMS-5	T2304	-	-	-	300,000	300,000
HIGH POINT ROAD PED XING	T2305	-	-	69,000	330,000	261,000
INTERSTATE WAYFINDING END COLUMN	T2306	-	-	-	150,000	150,000
ROSWELL@LAKE PLACID	T2308	-	3,700	69,500	575,000	505,500
PEACHTREE-DUNWOODY MULTIMODAL STUD	T2401	-	-	-	250,000	250,000
INTERNALLY ILLUMINATED STREET SIGNS	T2402	2,141	2,141	2,141	125,000	122,859
LI@MTVERNON INTERSECTION IMPROVMENT	T2403	-	-	-	800,000	800,000
MORGAN FALLS PED LIGHTING	T2404	-	-	-	816,000	816,000
LF@ALLEN INTERSECTION IMPROVEMENT	T2405	-	-	-	1,200,000	1,200,000
SAFE STREETS FOR ALL (SS4A)	T2406	-	-	-	450,000	450,000
PAVEMENT MANAGEMENT PROGRAM	T3000	-	(306,765)	66,503,187	74,407,358	7,904,170
CITY BEAUTIFICATION PROGRAM	T4000	23,190	20,910	451,469	1,037,572	586,104
SIDEWALK PROGRAM	T6000	-	61,331	10,377,169	10,630,500	253,331
INTERSECTIONS & OPERATIONAL	T7000	695	26,619	6,895,377	8,501,048	1,605,670
GUARDRAIL REPLACEMENT PROGRAM	T7500	-	6,000	778,518	1,634,150	855,632
LAKE FORREST DAM MAINTENANCE	T9000	-	194	1,756,870	3,554,882	1,798,012
BRIDGE & DAM MAINTENANCE	T9100	80,648	48,511	2,331,591	2,720,000	388,409
TRAFFIC MANAGEMENT PROGRAM	T9500	66,444	145,642	8,241,223	8,704,238	463,015
TMC FIBER PROGRAM	T9510	-	-	14,704	650,000	635,296
PUBLIC SAFETY BUILDING FIBER	T9520	-	1,590	286,680	500,000	213,320
TRAFFIC CALMING	T9600	-	-	354,221	479,823	125,602
		$376,809	**$643,979**	**$115,054,597**	**$153,025,087**	**$37,970,490**

PROJECT DESCRIPTION	PROJ #	SEPTEMBER MTD ACTUAL	2024 YTD ACTUAL	CUMULATIVE ACTUAL	CUMULATIVE BUDGET	AVAILABLE BUDGET
PARKS						
ABERNATHY GREENWAY	P0002	-	-	10,871,670	13,968,481	3,096,811
HAMMOND PARK IMPROVEMENTS	P0007	34,753	34,753	4,667,717	4,958,981	291,264
MORGAN FALLS RIVER PARK	P0011	-	-	116,200	188,600	72,400
OLD RIVERSIDE DRIVE PARK	P0019	-	-	2,078,439	5,578,439	3,500,000
CROOKED CREEK PARK	P0020	-	7,350	463,578	598,607	135,029
CITY TRAIL DESIGN AND UNASSIGNED	P0028	-	-	492,476	3,750,000	3,257,524
RIVER SHORE MEADOWS PARK	P0029	2,794	3,284	113,853	125,000	11,147
TRAIL SEGMENT 2A P&E AND CONST	P2201	811,085	608,480	7,954,689	9,030,000	1,075,311
TRAIL ROW ACQUISITION	P2202	-	-	28,720	500,000	471,280
NANCY CREEK STREAM RESTORATION	P2205	-	2,670	777,000	777,000	-
SUSTAINABILITY PLAN/POLICY	P2206	-	-	-	75,000	75,000
TREE FUND INVASIVE SPECIES REMOVAL	P2207	6,000	32,525	98,268	116,495	18,227
TREE FUND TREES ATLANTA PARTNERSHIP	P2208	-	-	163,200	302,450	139,250
TREE FUND CAPITAL PROJECTS	P2209	29,480	37,520	235,028	549,000	313,972
TREE FUND SURVEYS	P2210	-	-	34,000	49,000	15,000
TREE FUND MAINTENANCE	P2211	68,545	102,598	210,161	297,000	86,840
OLD RIVERSIDE MASTER PLAN	P2212	33,500	38,500	75,395	93,446	18,051
ALLEN ROAD PARK MASTER PLAN	P2213	-	-	32,920	100,000	67,080
HAMMOND PARK FACILITY MASTER PLAN	P2214	-	-	-	100,000	100,000
ABERNATHY S GREENWAY STREAM BANK	P2215	-	-	63,850	150,000	86,150
MORGAN FALLS ATHLETIC IMP	P2216	3,200	31,322	1,398,696	3,000,000	1,601,304
TREE FUND EDUCATION	P2301	50	50	3,561	40,000	36,439
TREE FUND PILOT PROJECTS	P2302	-	-	-	70,000	70,000
FLOOD MITIGATION/RESILIANCE PLAN	P2401	-	-	-	200,000	200,000
SWAT TRUCK	PD223	-	-	465,743	500,000	34,257
FLOCK CAMERAS	PD224	-	-	118,125	120,000	1,875
K9 REPLACEMENT	PD232	-	-	-	30,500	30,500
POLICE AMMUNITION	PD235	-	50,902	394,892	449,530	54,638
		$989,407	**$949,953**	**$30,858,181**	**$45,717,530**	**$14,859,349**
C CD231						
CITYWIDE DESIGN GUIDELINES	CD231	-	-	-	300,000	300,000
		$-	**$-**	**$-**	**$300,000**	**$300,000**
C CD232						
CROSSROADS SMALL AREA PLAN	CD232	196	27,089	219,568	227,000	7,432
		$196	**$27,089**	**$219,568**	**$227,000**	**$7,432**
E EM241						
GENERATOR FOR MOBILE CENTERS	EM241	-	-	-	60,000	60,000
		$-	**$-**	**$-**	**$60,000**	**$60,000**
I IT100						
NETWORK HARDWARE REPLACEMENT PROG	IT100	-	9,018	9,018	417,000	407,982
		$-	**$9,018**	**$9,018**	**$417,000**	**$407,982**
I IT200						
WORKSTATION REPLACE/UPGRADE PROG	IT200	7,203	7,203	32,703	210,000	177,297
		$7,203	**$7,203**	**$32,703**	**$210,000**	**$177,297**
I IT241						
PARCEL CORRECTIONS	IT241	-	-	120,000	130,000	10,000
		$-	**$-**	**$120,000**	**$130,000**	**$10,000**
CAPITAL PROJECTS FUND - 351		**$2,889,671**	**$6,317,375**	**$208,628,253**	**$273,131,658**	**$64,503,405**

SANDY SPRINGS
GEORGIA

TSPLOST-2016 FUND REVENUES & EXPENDITURES
THROUGH PERIOD 03, SEPTEMBER FY 2024

11/15/2023

PROJECT DESCRIPTION	PROJ #	SEPTEMBER MTD ACTUAL	2024 YTD ACTUAL	CUMULATIVE ACTUAL	CUMULATIVE BUDGET	AVAILABLE BUDGET
REVENUES						
T-SPLOST TAX		-	-	95,343,840	95,343,840	-
PCID PASSTHROUGH GRANT	TS192	-	-	348,713	5,900,000	5,551,288
INTEREST REVENUE		-	-	247,459	247,459	-
		$-	**$-**	**$95,940,011**	**$101,491,298**	**$5,551,288**
TRANSPORTATION						
TIER 1 - UNCOMMITTED	TS100	-	-	-	1,974,771	1,974,771
TEI-Spalding@Dalrymple/Trowbridge	TS103	-	-	2,422,873	2,422,873	-
TEI-Roswell@GrogansFerry	TS105	12,851	(350,639)	4,892,370	4,800,000	(92,370)
TEI-Riverview@Northside	TS106	388,709	970,364	3,995,875	4,402,748	406,873
TEI-SCOOT Upgrade	TS107	-	-	1,484,961	1,484,961	-
TEI-Roswell@Dalrymple	TS108	145,607	145,607	416,193	2,840,000	2,423,807
TEI-MountParan@PowersFerry	TS110	-	-	346,739	346,739	-
TEI-Spalding@Pitts	TS111	37,127	37,158	4,134,616	4,318,179	183,563
TEI-MountVernon@LongIsland	TS115	-	-	91,937	91,937	-
LMC-PeachtreeDun Bike/Ped Trail	TS131	-	-	-	6,100,000	6,100,000
LMC-Central Parkway Sidewalk	TS136	-	-	15,899	15,899	-
LMC-JohnsonFerry:Glenridge/WellsFar	TS137	-	-	472,581	472,581	-
SWP-JohnsonFerry:Harleston/Glenridg	TS161	-	-	415,275	415,275	-
SWP-Windsor:PeachtreeDun/CityLimit	TS164	-	-	1,204,969	1,204,969	-
SWP-Northwood:Kingsport/Roswell	TS165	-	-	268,968	268,968	-
SWP-Spalding:SpaldingLake/Publix	TS166	220	220	1,886,970	1,963,352	76,382
SWP-BrandonMill:MarshCr/LostForest	TS167	-	-	1,375,419	1,375,419	-
SWP-Dalrymple:Princeton/Duncourtney	TS168	-	-	630,324	630,324	-
SWP-DunwoodyClub:Spalding/Fenimore	TS169	-	-	1,036,283	1,036,283	-
SWP-InterstateN:CityLimit/Northside	TS170	-	-	2,585,982	2,585,982	-
SWP-Roberts:Northridge/DavisAcademy	TS171	-	-	446,377	446,377	-
SWP-BrandonMill:LostForest/BrandonR	TS172	13,325	25,724	359,188	2,465,000	2,105,812
JohnsonFerry/MountVernon Efficiency	TS191	47,425	869,580	7,824,757	26,300,000	18,475,243
MountVernon Multiuse Path	TS192	-	-	4,067,195	13,474,500	9,407,305
Hammond Phase 1 (ROW/Design)	TS193	-	-	12,504,162	12,504,162	-
T-SPLOST Admin Costs	TS999	93,221	254,807	6,018,397	7,550,000	1,531,603
		$738,485	**$1,952,821**	**$58,898,309**	**$101,491,298**	**$42,592,989**
TSPLOST-2016 FUND - 335		**($738,485)**	**($1,952,821)**	**$37,041,701**	**$-**	**($37,041,701)**

SANDY SPRINGS
GEORGIA

TSPLOST-2021 FUND REVENUES & EXPENDITURES
THROUGH PERIOD 03, SEPTEMBER FY 2024

11/15/2023

PROJECT DESCRIPTION	PROJ #	SEPTEMBER MTD ACTUAL	2024 YTD ACTUAL	CUMULATIVE ACTUAL	CUMULATIVE BUDGET	AVAILABLE BUDGET
REVENUES						
T-SPLOST TAX		1,974,374	4,261,242	34,321,952	114,680,913	80,358,961
FEDERAL MATCHING GRANTS	S2121	-	-	-	750,000	750,000
PCID PASSTHROUGH GRANT	S2222	-	-	-	4,675,000	4,675,000
		$1,974,374	**$4,261,242**	**$34,321,952**	**$120,105,913**	**$85,783,961**
INFRASTRUCTURE						
TIER 1 - UNCOMMITTED	S2100	-	-	-	1,153	1,153
OSI-Fiber:RingA	S2101	-	29,667	689,695	1,500,000	810,305
OSI-Fiber:FireStation#3	S2102	-	-	-	650,000	650,000
OSI-JohnsonFerry@PtreeDunwoody	S2103	9,280	9,280	59,555	4,650,000	4,590,445
OSI-Boylston Sidepath	S2104	-	-	-	2,710,000	2,710,000
OSI-Roswell Road North Boulevard	S2105	-	-	-	8,800,000	8,800,000
PMP-SR 400 Multi-Use Trail	S2121	-	-	-	4,750,000	4,750,000
PMP-Glenridge:Hammond/Wellington	S2122	-	-	-	3,875,000	3,875,000
PMP-Design for Tier 2 Sidepaths	S2123	24,220	28,933	141,436	930,000	788,564
BRI-Mt Vernon Bridge Enhancement	S2131	-	-	3,203,000	3,203,000	-
BRI-Riverside over Chatt Trib	S2132	17,011	17,011	138,267	2,400,000	2,261,733
PSW-Windsor Gaps	S2161	505	7,145	210,709	925,000	714,291
PSW-Northland:Landmark/Northland	S2163	-	-	54,840	115,000	60,160
PSW-Evergreen:Greenwood/PtreeDunwoo	S2164	-	-	65,560	355,000	289,440
PSW-Riverside:I285/MtVernon	S2165	7,520	7,520	160,675	885,000	724,325
PSW-MtVernon:GlenErrol/500	S2167	1,780	2,905	82,300	450,000	367,700
PSW-Hilderbrand:Gym/Roswell	S2168	6,695	10,640	101,107	520,000	418,893
PSW-Carpenter:345	S2169	-	-	-	85,000	85,000
PSW-MtVernon:DeClaire/LongIsland	S2170	5,191	5,191	77,479	215,000	137,521
PSW-Dalrymple:Glencourtney/605	S2171	-	-	-	1,200,000	1,200,000
PSW-Glenridge:Canopy/GlenridgeClose	S2172	38,300	38,300	80,320	225,000	144,680
PSW-LongIsland:5910	S2174	-	-	-	75,000	75,000
PSW-Trowbridge:SpaldingTrail/Trowbr	S2175	2,620	2,620	72,520	95,000	22,480
PSW-PowersFerry:NewNorthside/6201	S2177	4,050	7,710	103,464	385,000	281,536
PSW-Spalding:NesbittFerry/SpaldingL	S2179	-	-	63,160	550,000	486,840
PSW-HolcombBridge:RiverExchange/Spa	S2182	-	-	-	450,000	450,000
PSW-JettFerry:JettFerryCt/Spalding	S2184	4,287	4,287	130,783	700,000	569,217
PSW-LakeForest Sidewalk	S2185	2,997	12,003	220,731	2,140,000	1,919,269
PSW-MtParan&PowersFerry:Rebel/Carol	S2186	13,123	29,089	246,591	2,400,000	2,153,409
PSW-Gap Fill Sidewalks	S2188	-	11,700	155,625	500,000	344,375
PSW-UNASSIGNED	S2189	-	-	-	80,000	80,000
CRL-Hammond Drive Widening	S2193	4,900	605,375	5,175,511	35,000,000	29,824,489
TIER 1 - TSPLOST STAFF	S2199	-	-	-	7,720,000	7,720,000
PXX-Roberts Sidepath	S2221	-	-	-	9,855,000	9,855,000
PXX-JohnsonFerry Sidepath	S2222	-	-	-	5,257,380	5,257,380
TIER 2 - TSPLOST STAFF	S2299	-	-	-	1,496,000	1,496,000
PXX-PowersFerry Sidepath	S2321	-	-	-	4,462,542	4,462,542
MSE-Roadway Maintenance/Paving	S2341	-	-	-	9,000,000	9,000,000
TIER 3 - TSPLOST STAFF	S2399	-	-	-	1,495,838	1,495,838
		$142,478	**$829,376**	**$11,233,327**	**$120,105,913**	**$108,872,586**
TSPLOST-2021 FUND - 336		**$1,831,896**	**$3,431,867**	**$23,088,625**	**$-**	**($23,088,625)**

FLEET FUND REVENUES & EXPENDITURES
THROUGH PERIOD 03, SEPTEMBER FY 2024

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
REVENUES					
352-0000-90-391100	TRANSFER IN FROM GENERAL FUND	-	7,029,680	9,391,723	74.85 %
	TOTAL OTHER FINANCING SOURCES	**-**	**7,029,680**	**9,391,723**	**74.85 %**
	TOTAL REVENUES	**$-**	**$7,029,680**	**$9,391,723**	**74.85 %**
POLICE CAPITAL EXPENDITURE EXPENDITURES					
352-3210-30-542200 FL234	MOTOR VEHICLES	-	61,405	61,405	100.00 %
352-3210-30-542200 FL235	MOTOR VEHICLES	95,371	1,935,692	3,093,839	62.57 %
	TOTAL POLICE CAPITAL EXPENDITURI	**95,371**	**1,997,097**	**3,155,244**	**63.29 %**
FIRE CAPITAL EXPENDITURE EXPENDITURES					
352-3510-30-542200 FL232	MOTOR VEHICLES	51,675	196,701	350,820	56.07 %
352-3510-30-542200 FL233	MOTOR VEHICLES	21,272	22,332	2,459,680	0.91 %
	TOTAL FIRE CAPITAL EXPENDITURE	**72,947**	**219,033**	**2,810,500**	**7.79 %**
PUBWKS CAPITAL EXPENDITURE EXPENDITURES					
352-4100-40-542200 FL236	MOTOR VEHICLES	-	56,907	57,227	99.44 %
	TOTAL PUBWKS CAPITAL EXPENDITUR	**-**	**56,907**	**57,227**	**99.44 %**
FLEET CAPITAL EXPENDITURE EXPENDITURES					
352-4900-40-542200 FL242	MOTOR VEHICLES	-	-	100,000	- %
	TOTAL FLEET CAPITAL EXPENDITURE	**-**	**-**	**100,000**	**- %**
PARKS CAPITAL EXPENDITURE EXPENDITURES					
352-6110-50-542200 FL241	MOTOR VEHICLES	-	43,194	44,000	98.17 %
	TOTAL PARKS CAPITAL EXPENDITURE	**-**	**43,194**	**44,000**	**98.17 %**
COMM DEV CAPITAL EXPENDITURE EXPENDITURES					
352-7450-60-542200 FL231	MOTOR VEHICLES	-	108,817	167,043	65.14 %
	TOTAL COMM DEV CAPITAL EXPENDIT	**-**	**108,817**	**167,043**	**65.14 %**
TRANSFERS OUT EXPENDITURES					
352-9000-90-579000 FL999	CONTINGENCIES	-	-	2,893,529	- %
352-9000-90-611351	TRANSFER TO CAPITAL PROJECTS	-	164,180	164,180	100.00 %
	TOTAL TRANSFERS OUT	**-**	**164,180**	**3,057,709**	**5.37 %**
	TOTAL EXPENDITURES	**$168,318**	**$2,589,227**	**$9,391,723**	**27.57 %**
FLEET FUND - 352		**($168,318)**	**$4,440,453**	**$-**	**- %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
REVENUES					
360-0000-10-361000	INTEREST REVENUE	-	750,463	750,272	100.03 %
360-0000-10-362000	REALIZED GAIN/LOSS	-	(24,684)	(24,684)	100.00 %
360-0000-10-371000	OTHER CONTRIBUTIONS	-	323,369	323,369	100.00 %
360-0000-10-391100	TRANSFER IN FROM GENERAL FUND	-	40,780,613	42,780,613	95.32 %
360-0000-10-391230	TRANSFER IN FROM STATE GRANTS	-	932,626	13,868,305	6.72 %
360-0000-10-391351	TRANSFER IN FROM CAPITAL PROJ	-	26,698,031	26,698,031	100.00 %
360-0000-10-391356	TRANSFER IN FROM IMPACT FEES	-	300,000	300,000	100.00 %
360-0000-10-392100	SALE OF ASSETS	-	9,283,250	9,283,250	100.00 %
360-0000-10-393100	REVENUE BOND PROCEEDS	-	386,340,000	386,340,000	100.00 %
360-0000-10-393400	PREMIUM ON BOND ISSUED	-	5,509,473	5,509,473	100.00 %
	TOTAL PUBLIC FACILITIES AUTH REVE	**-**	**470,893,141**	**485,828,629**	**96.93 %**
360-9000-90-381100	CONTINGENT PAYMENT	-	1,519,120	1,519,120	100.00 %
360-9000-90-391100	TRANSFER IN FROM GENERAL FUND	-	70,687,023	83,310,341	84.85 %
360-9000-90-393100	REVENUE BOND PROCEEDS	-	8,299,542	8,299,542	100.00 %
	TOTAL PFA OTHER FINANCING USES	**-**	**80,505,685**	**93,129,003**	**86.45 %**
	TOTAL REVENUES	**$-**	**$551,398,826**	**$578,957,632**	**95.24 %**
PUBLIC FACILITIES AUTHORITY EXPENDITURES					
360-1565-00-541300 PF008	BUILDINGS	-	48,058	4,400,000	1.09 %
	TOTAL PUBLIC FACILITIES AUTHORITY	**-**	**48,058**	**4,400,000**	**1.09 %**
PUBLIC FACILITIES - PUB SAF EXPENDITURES					
360-3100-00-541300	BUILDINGS	-	-	(61,770)	- %
360-3100-00-541300 PF002	BUILDINGS	30,531	12,500,148	61,818,318	20.22 %
360-3100-00-541300 PF006	BUILDINGS	12,776	12,776	-	- %
	TOTAL PUBLIC FACILITIES - PUB SAF	**43,307**	**12,512,924**	**61,756,549**	**20.26 %**
PUBLIC FACILITIES - FIRE EXPENDITURES					
360-3510-00-541300 PF003	BUILDINGS	-	8,938,231	8,938,231	100.00 %
360-3510-00-541300 PF004	BUILDINGS	763,558	4,145,956	10,900,000	38.04 %
	TOTAL PUBLIC FACILITIES - FIRE	**763,558**	**13,084,187**	**19,838,231**	**65.95 %**
PUBLIC FACILITIES AUTH CONSTR EXPENDITURES					
360-6220-00-521200	PROFESSIONAL SERVICES	-	19,296,236	19,296,211	100.00 %
360-6220-00-541400	INFRASTRUCTURE	-	195,517,829	195,517,829	100.00 %
360-6220-00-541405	INFRASTRUCTURE - OTHER	-	648,025	648,025	100.00 %
360-6220-00-541410	INFRASTRUCTURE - SPECIAL	-	10,696,253	10,696,253	100.00 %
	TOTAL PUBLIC FACILITIES AUTH CONS	**-**	**226,158,343**	**226,158,318**	**100.00 %**
PUBLIC FACILITIES AUTH DEBT EXPENDITURES					
360-8000-00-581100	PRINCIPAL DEBT RETIREMENT	-	29,610,000	37,120,000	79.77 %
360-8000-00-582100	INTEREST EXPENSE	-	46,894,870	52,008,187	90.17 %
360-8000-00-584000	COSTS OF ISSUANCE	-	3,412,917	3,412,917	100.00 %
360-8000-00-584100	REFUNDING ESCROW	-	162,949,891	162,949,891	100.00 %
	TOTAL PUBLIC FACILITIES AUTH DEBT	**-**	**242,867,678**	**255,490,995**	**95.06 %**
PFA OTHER FINANCING USES EXPENDITURES					
360-9000-90-611100	TRANSFER TO GENERAL FUND	-	11,190,000	11,190,000	100.00 %
	TOTAL PFA OTHER FINANCING USES	**-**	**11,190,000**	**11,190,000**	**100.00 %**
PUB FAC AUTH CONTINGENCY EXPENDITURES					
360-9000-00-579000 PF999	CONTINGENCIES	-	-	123,539	- %
	TOTAL PUB FAC AUTH CONTINGENCY	**-**	**-**	**123,539**	**- %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
	TOTAL EXPENDITURES	$806,865	$505,861,189	$578,957,632	87.37 %
PUBLIC FACILITIES AUTHORITY - 360		($806,865)	$45,537,637	$-	- %

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
REVENUES					
555-0000-55-347500	PRG FEES	-	50,000	35,000	142.86 %
555-0000-55-347600	MEMBERSHIPS	600	137,700	30,000	459.00 %
555-0000-57-347900	TIX REV - PROGRAMMING	160,553	454,262	1,688,400	26.90 %
555-0000-57-347905	TIX FEE - TICKET HANDLING FEES	25,562	40,984	101,745	40.28 %
555-0000-57-347906	TIX FEE - FACILITIES FEES	-	-	149,584	- %
555-0000-56-347910	FACILITY RENTALS	27,333	45,270	264,431	17.12 %
555-0000-52-347910 BYERS	FACILITY RENTALS	53,640	88,610	187,908	47.16 %
555-0000-52-347910 PARTN	FACILITY RENTALS	-	-	289,915	- %
555-0000-52-347910 STUDI	FACILITY RENTALS	-	-	59,057	- %
555-6196-56-347920	F&B REVENUE	167,587	271,965	899,857	30.22 %
	TOTAL CHARGES & FEES	**435,275**	**1,088,791**	**3,705,897**	**29.38 %**
555-0000-56-371000	OTHER CONTRIBUTIONS	11,918	19,593	133,500	14.68 %
555-0000-90-389900	MISCELLANEOUS INCOME	6,783	22,425	170,800	13.13 %
	TOTAL MISCELLANEOUS	**18,701**	**42,018**	**304,300**	**13.81 %**
555-0000-90-391275	TRANSFER IN FROM HOTEL MOTEL	208,815	389,845	1,807,800	21.56 %
	TOTAL OTHER FINANCING SOURCES	**208,815**	**389,845**	**1,807,800**	**21.56 %**
555-0000-59-336000	SPONSORSHIPS	-	-	80,000	- %
	TOTAL OTHER REVENUES	**-**	**-**	**80,000**	**- %**
	TOTAL REVENUES	**$662,791**	**$1,520,654**	**$5,897,997**	**25.78 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
ARTS CENTER - ADMINISTRATION EXPENDITURES					
555-6191-51-511100	SALARIES	152,016	405,864	2,137,369	18.99 %
555-6191-51-511110	BONUSES	-	-	49,450	- %
555-6191-51-511200	PT/TEMP EMPLOYEES	4,122	28,067	125,000	22.45 %
555-6191-51-512101	HEALTH INSURANCE	19,579	60,076	314,395	19.11 %
555-6191-51-512102	DISABILITY INSURANCE	549	1,732	15,842	10.93 %
555-6191-51-512103	DENTAL INSURANCE	957	2,947	16,745	17.60 %
555-6191-51-512104	LIFE INSURANCE	1,086	3,432	16,540	20.75 %
555-6191-51-512200	SOCIAL SECURITY	9,438	27,162	132,517	20.50 %
555-6191-51-512300	MEDICARE	2,207	6,352	30,992	20.50 %
555-6191-51-512401	401A RETIREMENT	2,948	25,535	256,484	9.96 %
555-6191-51-512402	401A RETIREMENT-457 MATCH	5,876	15,902	106,868	14.88 %
555-6191-51-512600	UNEMPLOYMENT TAX	91	427	5,000	8.55 %
555-6191-51-512700	WORKERS' COMPENSATION	-	2,327	5,000	46.53 %
555-6191-51-521300	TECHNICAL SERVICES	3,716	62,971	159,722	39.43 %
555-6191-51-522100	CLEANING SERVICES	6,810	21,840	70,000	31.20 %
555-6191-51-523200	COMMUNICATIONS	1,965	5,859	32,640	17.95 %
555-6191-51-523300	ADVERTISING	-	1,649	65,000	2.54 %
555-6191-51-523350	PROMOTIONS	-	-	15,000	- %
555-6191-51-523400	PRINTING & BINDING	-	200	9,500	2.11 %
555-6191-51-523500	TRAVEL	919	919	8,050	11.42 %
555-6191-51-523600	DUES & FEES	62	1,659	9,710	17.08 %
555-6191-51-523700	EDUCATION/TRAINING	774	774	9,700	7.98 %
555-6191-51-523800	LICENSES	-	3,044	8,900	34.20 %
555-6191-51-523900	CONTRACTUAL SERVICES	-	-	6,000	- %
555-6191-51-523905	WEBSITE ENHANCEMENTS	-	-	50,000	- %
555-6191-51-523950	MERCHANT SVCS CHARGES	4,005	13,705	80,000	17.13 %
555-6191-51-531100	GENERAL SUPPLIES & MATLS	334	1,202	6,200	19.39 %
555-6191-51-531300	HOSPITALITY	-	-	5,000	- %
555-6191-51-531750	UNIFORMS	-	-	6,000	- %
555-6191-51-542100	MACHINERY & EQUIPMENT	2,195	8,042	200,000	4.02 %
555-6191-51-542300	FURNITURE & FIXTURES	-	-	20,000	- %
555-6191-51-579000	CONTINGENCIES	-	-	40,000	- %
	TOTAL ARTS CENTER - ADMINISTRATIO	**219,647**	**701,689**	**4,013,624**	**17.48 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
ARTS CENTER - THEATRE EXPENDITURES					
555-6192-52-521200	PROFESSIONAL SERVICES	-	-	75,000	- %
555-6192-52-522220	REP & MAINT-BUILDINGS	-	5,000	103,000	4.85 %
555-6192-52-522330	OTHER RENTALS	-	100	24,194	0.41 %
555-6192-52-523300	ADVERTISING	11,003	14,888	175,375	8.49 %
555-6192-52-523850	ARTIST FEES	-	101,562	1,107,489	9.17 %
555-6192-52-523900	CONTRACTUAL SERVICES	19,422	48,091	182,788	26.31 %
555-6192-52-531100	GENERAL SUPPLIES & MATLS	862	3,747	26,500	14.14 %
555-6192-52-531300	HOSPITALITY	-	3,069	30,000	10.23 %
555-6192-52-531500	COSTS OF GOODS SOLD	11,175	47,627	103,629	45.96 %
555-6192-52-531600	SMALL TOOLS & EQUIPMENT	1,655	10,694	82,000	13.04 %
555-6192-52-531700	OTHER SUPPLIES	-	-	2,000	- %
555-6192-52-541200	SITE IMPROVEMENTS	-	8,539	40,000	21.35 %
	TOTAL ARTS CENTER - THEATRE	**44,116**	**243,317**	**1,951,975**	**12.47 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
ARTS CENTER - CONFERENCE CTR EXPENDITURES					
555-6193-53-522220	REP & MAINT-BUILDINGS	-	-	20,000	- %
555-6193-53-523900	CONTRACTUAL SERVICES	32,758	65,471	195,324	33.52 %
555-6193-53-531100	GENERAL SUPPLIES & MATLS	4,912	13,070	75,000	17.43 %
555-6193-53-531500	COSTS OF GOODS SOLD	24,417	40,535	209,283	19.37 %
555-6193-53-531600	SMALL TOOLS & EQUIPMENT	711	6,669	35,000	19.05 %
555-6193-53-531700	OTHER SUPPLIES	-	303	8,000	3.79 %
	TOTAL ARTS CENTER - CONFERENCE	**62,798**	**126,049**	**542,607**	**23.23 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
ARTS CENTER - EDUCATION PROGRM EXPENDITURES					
555-6194-54-521200	PROFESSIONAL SERVICES	25,000	25,000	50,000	50.00 %
555-6194-54-523700	EDUCATION ASSISTANCE	-	-	32,500	- %
555-6194-54-531300	HOSPITALITY	-	-	5,300	- %
555-6194-54-531700	OTHER SUPPLIES	-	-	600	- %
	TOTAL ARTS CENTER - EDUCATION PR	**25,000**	**25,000**	**88,400**	**28.28 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
ARTS CENTER - SPECIAL EVENTS EXPENDITURES					
555-6195-55-523300	ADVERTISING	14,296	17,195	107,200	16.04 %
555-6195-55-523900	CONTRACTUAL SERVICES	-	-	60,000	- %
555-6195-55-531100	GENERAL SUPPLIES & MATLS	44	1,684	5,000	33.67 %
555-6195-55-531300	HOSPITALITY	129	373	1,000	37.31 %
555-6195-55-531350	SPECIAL EVENTS	181,607	458,184	992,341	46.17 %
555-6195-55-531500	COSTS OF GOODS SOLD	-	-	2,500	- %
	TOTAL ARTS CENTER - SPECIAL EVEN	**196,076**	**477,436**	**1,168,041**	**40.87 %**

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
ARTS CENTER - ICE RINK EXPENDITURES					
555-6197-57-523300	ADVERTISING	-	-	50,000	- %
555-6197-57-523900	CONTRACTUAL SERVICES	-	36,875	400,000	9.22 %
	TOTAL ARTS CENTER - ICE RINK	**-**	**36,875**	**450,000**	**8.19 %**
	TOTAL EXPENDITURES	**$547,637**	**$1,610,365**	**$8,214,647**	**19.60 %**
CREATE SANDY SPRINGS - 555		**$115,154**	**($89,710)**	**($2,316,650)**	**3.87 %**

SANDY SPRINGS
GEORGIA

STORMWATER FUND REVENUES & EXPENDITURES
THROUGH PERIOD 03, SEPTEMBER FY 2024

11/15/2023

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
REVENUES					
561-0000-90-391100	TRANSFER IN FROM GENERAL FUND	-	16,900,000	19,060,000	88.67 %
	TOTAL OTHER FINANCING SOURCES	**-**	**16,900,000**	**19,060,000**	**88.67 %**
	TOTAL REVENUES	**$-**	**$16,900,000**	**$19,060,000**	**88.67 %**
STORMWATER CAPITAL MAINT & IMP EXPENDITURES					
561-4250-40-521200	PROFESSIONAL SERVICES	3,000	1,499,509	1,559,045	96.18 %
561-4250-40-521200 GREEN	PROFESSIONAL SERVICES	-	60,487	60,487	100.00 %
561-4250-40-541450	STORMWATER IMPROVEMENT	100,057	11,427,884	13,915,582	82.12 %
561-4250-40-541450 MABRY	STORMWATER IMPROVEMENT	-	1,556,996	1,556,996	100.00 %
	TOTAL STORMWATER CAPITAL MAINT	**103,057**	**14,544,877**	**17,092,111**	**85.10 %**
STORMWATER OPERATIONS EXPENDITURES					
561-4320-40-521200	PROFESSIONAL SERVICES	5,281	281,133	309,378	90.87 %
561-4320-40-522240	REP & MAINT-OTHER	3,625	1,198,991	1,298,919	92.31 %
561-4320-40-523900	CONTRACTUAL SERVICES	1,829	176,505	200,274	88.13 %
561-4320-40-542100	MACHINERY & EQUIPMENT	-	56,697	56,697	100.00 %
	TOTAL STORMWATER OPERATIONS	**10,735**	**1,713,326**	**1,865,268**	**91.85 %**
TRANSFERS EXPENDITURES					
561-9000-90-611351	TRANSFER TO CAPITAL PROJECTS	-	570,000	570,000	100.00 %
	TOTAL TRANSFERS	**-**	**570,000**	**570,000**	**100.00 %**
	TOTAL EXPENDITURES	**$113,793**	**$16,828,203**	**$19,527,379**	**86.18 %**
STORMWATER FUND - 561		**($113,793)**	**$71,797**	**($467,379)**	**(15.36%)**

DEVELOPMENT AUTHORITY REVENUES & EXPENDITURES
THROUGH PERIOD 03, SEPTEMBER FY 2024

GL ACCOUNT	DESCRIPTION	SEPTEMBER MTD ACTUAL	YTD ACTUAL	ADOPTED BUDGET	% OF BUDGET
REVENUES					
840-0000-10-389000	CONTRACT PAYMENTS	-	-	450,000	- %
	TOTAL MISCELLANEOUS	**-**	**-**	**450,000**	**- %**
	TOTAL REVENUES	**$-**	**$-**	**$450,000**	**- %**
DEVELOPMENT AUTHORITY EXPENDITURES					
840-1595-10-523100	PROPERTY & LIABILITY INS	-	-	2,100	- %
840-1595-10-523600	DUES & FEES	30	90	500	18.00 %
840-1595-10-531100	GENERAL SUPPLIES & MATLS	-	-	150	- %
840-1595-10-531300	HOSPITALITY	-	-	500	- %
	TOTAL DEVELOPMENT AUTHORITY	**30**	**90**	**3,250**	**2.77 %**
TRANSFERS EXPENDITURES					
840-9000-90-611100	TRANSFER TO GENERAL FUND	-	-	450,000	- %
	TOTAL TRANSFERS	**-**	**-**	**450,000**	**- %**
	TOTAL EXPENDITURES	**$30**	**$90**	**$453,250**	**0.02 %**
DEVELOPMENT AUTHORITY - 840		**($30)**	**($90)**	**($3,250)**	**2.77 %**