

Introduction

Section 1. Purpose and Intent

The guidelines and standards described in this document have been created in support of the City of Alpharetta's Downtown Plan, as adopted in August 2003. The information contained herein is a supplement to the City of Alpharetta Unified Development Code and is applicable only to properties, structures, developments and activities that are located within the designated Downtown Area as defined in the 2003 City of Alpharetta Downtown Plan and shown in Chapter 2.

The overall purpose and intent of the City of Alpharetta Downtown Overlay District is to encourage the development and/or redevelopment of properties in order to make Historic Downtown Alpharetta a premiere destination. The intent is to make Historic Downtown Alpharetta attractive for shopping, living, working, recreation and entertainment by developing a mix of uses in a pedestrian friendly environment. To promote this objective, a new set of zoning incentive regulations have been specifically developed for downtown and are provided herein. These regulations are similar to an overlay zoning except that they are optional and their use is at the discretion of the property owner. When utilized, these incentive zoning regulations are used in place of existing zoning regulations. The existing zoning regulations and the incentive zoning regulations cannot be combined.

It is the intent of this document to provide additional property rights while preserving existing property rights. This intent is achieved by providing additional development rights pursuant to this document which may be exercised by property owners under certain conditions, while retaining all development rights conferred by the underlying zoning district to property owners in the Downtown District.

Section 2. Objectives

In accordance with the 2003 Alpharetta Downtown Plan, the 2020 Comprehensive Plan, the Alpharetta Unified Development Code, and in the furtherance of special studies and guidelines pertaining to Historic Downtown Alpharetta, these incentive zoning regulations are intended to implement the following objectives:

- a) Protect existing development rights. A property owner may develop property under the existing zoning district regulations. These incentive regulations do not change the existing development permissions allowed by the existing zoning districts, and nothing in this document shall serve to reduce such permissions. This document provides additional development permissions that may apply at the discretion of the property owner.

- b) Protect adjacent residential development. To ensure that development and redevelopment does not threaten or unduly encroach upon adjacent neighborhoods, but to provide for interface and connectivity with such neighborhoods when appropriate.
- c) Provide for the addition of residential land uses. Subject to the specific regulations of this document, to provide for residential uses which are generally not allowed by the underlying zoning district(s). Additional residential development allowances of this document are in accordance with the Comprehensive Plan policy of maintaining the required ratio of owner-occupied to renter-occupied housing within the City.
- d) Provide for optimal mixes of uses. To provide for and encourage optimal mixes of land uses, including combining appropriate and complimentary uses as described in the 2003 Alpharetta Downtown Plan on a single lot and/or within a single building.
- e) Provide regulatory relief. To reduce, minimize, or waive altogether certain requirements of the Unified Development Code that may serve as disincentives to development and redevelopment, when the spirit, intent, and public purposes of such requirements can be achieved through alternative means. This document recognizes that certain development regulations may not necessarily be applicable in total to properties within the Historic Downtown and the more urban nature of that area.
- f) Promote specific designs and uses. To encourage redevelopment to occur in a manner consistent with the community's expectations for superior design and development characteristics that promote quality of place. Such expectations include:
 - 1) Architectural design that is in keeping with the 'Traditional Main Street' style (defined in Chapter 5).
 - 2) Small public gathering places, focal point features and pocket parks in conjunction with private development.
 - 3) The use of quality materials and construction.
 - 4) Making Historic Downtown special and easy to identify through the use of 'Gateway Features' at the entrance points (street intersections along the boundary of the historic downtown district) to downtown, using fountains as a recurring element and incorporating art into public spaces.

Section 3. Boundary

The Alpharetta Downtown Overlay District shall include those properties, structures, and developments that lay within the designated Downtown Area as defined in the 2003 City of Alpharetta Downtown Plan and depicted in Chapter 3, Map 1 – Official Boundaries

Section 4. Relationship to Existing Zoning

This document shall not affect the rights conferred by existing zoning.

An owner of property within the designated Historic Downtown District may exercise development according to the existing zoning district regulations and not be subject to the provisions of this document, or the owner may exercise development options pursuant to this document and thereby utilize the incentives provided herein. Development, if proposed to

avail itself of the provisions of this document, shall meet all applicable provisions of this document. Components of the existing zoning and the incentive zoning cannot be combined.