

I. Land Use Districts

Residential Village

This district is envisioned to accommodate higher density residential development in the form of townhouses, garden homes, and condominiums in addition to the detached homes allowed under existing zoning. Residential units should be designed in a manner that promotes a 'village' character reminiscent of an historic district. No retail or office uses are associated with this district for development along Canton Street. (If retail and office uses are developed as part of a project within the Residential Village on the Milton High School property which is located west of Canton Street and north of Milton Avenue, the Retail/Residential Mixed Use regulations may be used, where applicable.) The maximum residential density for development along Canton Street is 10 units per acre. The maximum residential density for development on the Milton High School property is 10 units per acre. In order to preserve the character of street fronts in historic downtown, residential development shall include the following:

1. existing trees shall be preserved to the greatest extent possible, especially along the street front, and supplemented wherever possible in order to promote a 'tree-lined' street appearance.
2. the fronts of buildings must face the street.
3. fences along streets shall be limited to wrought iron (or similar in appearance) having a height of no more than 42".
4. in order to avoid multiple curb cuts and disruption to the sidewalk, garages shall be located on the rear of buildings.
5. individual residential units may not have more than six steps from grade to the front entry door.

Retail/Office Mixed Use

This district is envisioned to accommodate pedestrian oriented retail development on the ground floor with office uses above. Residential units are allowed above the ground floor; however, this district is viewed as less desirable for residential development because properties are situated along arterial roadways. Retail uses may not include uses or features intended for the automobile such as drive-thru facilities, gas stations or automotive sales or repair.

Retail/Residential Mixed Use

This district is envisioned to accommodate pedestrian oriented retail development on the ground floor with residential units above. Office uses are also allowed above the ground floor. Retail uses may not include uses or features intended for toward the automobile such as drive-thru facilities, gas stations or automotive sales or repair.

Family Entertainment

This district is envisioned to accommodate entertainment uses such as theater, restaurant, jazz club, comedy club and dinner theater. Pedestrian oriented retail uses are also allowed in this district; however, residential development is not allowed in this district.

Civic/Institutional Mixed Use

This district is envisioned to accommodate public buildings such as government offices and a public library. Pedestrian oriented retail, office and residential uses are also allowed when incorporated around public spaces.

Green/Open Space

These areas serve as buffers, parks and greenway. No development can occur in these areas; however, accessory structures such as gazebos, picnic shelters, sculptures, focal point features and fountains may be built within these areas to enhance their use.

2. Height

The maximum height for buildings within the Historic Downtown Overlay District is 4 stories or 60 feet, whichever is less, except as follows: (a.) within the Residential Village situated along Canton Street, building heights shall not exceed 3 stories or 40 feet, whichever is less; (b.) building heights shall not exceed 3 stories or 40 feet, whichever is less, within the first 100 feet of a common property line with a residential development which was in existence prior to the adoption of these regulations; (c) limited portions of prominent buildings at the end of view corridors may have a height not to exceed 5 stories or 75 feet within the Civic/Institutional Mixed Use district and the Family Entertainment District.

3. Setbacks

Front (measured from property line)

Residential Village. The minimum setback is conditional based on balancing the objective of locating buildings within 10 feet of the sidewalk with the objective of maintaining the existing tree canopy.

Retail/Office Mixed Use. Setback is conditional based upon adjacent roadway type and adjacent development. Encroachment over and onto public sidewalk for second story porch and columns or balcony is allowed.

Retail/Residential Mixed Use. Setback is conditional based upon adjacent roadway type and adjacent development. Encroachment over and onto public sidewalk for second story porch and columns or balcony is allowed.

Family Entertainment. The minimum setback is 0 feet and the maximum setback is 10 feet. Encroachment over public sidewalk for second story porch or balcony is allowed.

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Civic/Institutional Mixed Use. Setback is conditional based upon adjacent roadway type and adjacent development. Encroachment over and onto public sidewalk for second story porch and columns or balcony is allowed.

Rear (measured from property line)
All Districts. 10 feet (not including buffers)

Side (measured from property line)
Interior – 0 feet (commercial)
10 feet (residential townhouse or detached unit)
Between buildings – 10 feet (commercial) (or 15 feet where emergency access is needed)
10 feet each side or 20 feet on one side (residential townhouse or detached unit).
Corner – same as front setback

4. Buffers

Buffers shall be as shown in Chapter 3, Map 6 – Incentive Zoning and Buffers Map (page 9).

5. Parking

The Historic Downtown area is envisioned as a pedestrian destination where the automobile is used primarily as a means of arrival and departure. Therefore, within the Historic Downtown parking can be shared by different uses and a portion of the available parking will be provided on-street, in public lots and in communal public areas. To accommodate shared parking and address urban site constraints, some on-site parking may be reduced, as indicated below. In such cases, the difference between the parking spaces required and the parking spaces provided on-site shall be contributed to the Historic Downtown Parking Fund. The amount of the contribution shall be determined by subtracting the number of on-site parking spaces provided from the number of required spaces, then multiplying that figure by \$4500*. Resources in the Parking Fund can only be used to develop shared parking within the area shown on the Boundary Map (page 4) within this document.

Parking Requirements

Residential Village

Parking requirements in the Residential Village shall be two spaces per unit.

Retail/Residential Mixed Use

On-site parking requirements for the commercial portion of the development may be reduced by up to 50% of the Unified Development Code Parking requirements for projects consistent with the 2003 Alpharetta Downtown Plan. *(Contribution to the Parking Fund shall be made for reduced spaces as noted above.) Parking requirements for the residential portion of the development shall be two spaces per unit.

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In order to promote and encourage pedestrian activity, a 100% parking waiver is offered for the development or placement of certain uses within historic downtown development or placement of certain uses within historic downtown provided that no loss of existing parking spaces occurs as a result of such development or placement unless City Council approval is granted.

Uses exempt from providing code required parking shall be as follows:

- 1.) restaurant (not including fast food, buffet or restaurants having locations in three or more states unless originating in Alpharetta.)
- 2.) entertainment venue (Jazz club, comedy club, theater, etc.)
- 3.) gourmet / specialty food store (cheese shop, candy store, fudge shop, etc.); 4.) boutique store (clothing, jewelry, etc.)
- 5.) home décor and accessory store (but not including home improvement and supply stores such as paint, carpeting and flooring stores.)
- 6.) art gallery
- 7.) gift store
- 8.) florist
- 9.) bakery
- 10.) coffee / ice-cream shop
- 11.) book / stationery store
- 12.) microbrewery (craft beers)

Retail/Office Mixed Use

On-site parking requirements for the retail, restaurant and office portions of the development may be reduced by up to 50% of the Unified Development Code requirements for projects consistent with the 2003 Alpharetta Downtown Plan. *(Contribution to the Parking Fund shall be made for reduced spaces as noted above.) Parking requirements for the residential portion of the development shall be two spaces per unit.

Civic/Institutional Mixed Use

Parking requirements for Civic and Institutional uses shall be in accordance with the Unified Development Code.

On-site parking requirements for the retail and office portions of the development may be reduced by up to 50% of the Unified Development Code requirements for projects consistent with the 2003 Alpharetta Downtown Plan. *(Contribution to the Parking Fund

shall be made for reduced spaces as noted above.) Parking requirements for the residential portion of the development shall be two spaces per unit.

Family Entertainment

On-site parking requirements for Family Entertainment uses may be reduced by up to 25% of the Unified Development Code requirements for projects consistent with the 2003 Alpharetta Downtown Plan. On-site parking requirements for the retail and office portions of the development may be reduced by up to 50% of the Unified Development Code requirements for projects consistent with the 2003 Alpharetta Downtown Plan.

*(Contribution to the Parking Fund shall be made for reduced spaces as noted above.)

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6. Accel / Decel Lanes and Curb Cuts

In order to limit sidewalk interruption, no acceleration or deceleration shall be provided within the Historic Downtown District. Curb cuts shall be minimized to the greatest extent possible and shared between properties wherever practical.

7. Building Coverage

The maximum building coverage in all districts is 90%.

8. Minimum Size Requirements

Floor Area – 1 200 sq. ft. (townhouse, condo. and detached units)

Unit width – 24 feet (townhouse units)

Lot width – 24 feet (townhouse units)

50 feet (detached units)

Lot area – Townhouse: 5400 sq. ft. (1 800 sq. ft. / unit; minimum of 3 units)

- Single Family (detached units): 5000 sq. ft.

9. Tree Ordinance Incentives Specific to Historic Downtown

Specimen Trees

Specimen trees to be saved are identified in Chapter 3, Historic Downtown Tree Survey Map (pages 10 - 13). Every effort shall be made to incorporate the trees identified on the map into development plans.

Recompense

Specimen recompense units may be used towards other species in compliance with the Historic Downtown Landscape Guidelines (Chapter 5). Specimen understory trees may be removed without providing an alternate design. Recompense units may be used toward other species in compliance with the Historic Downtown Landscape Guidelines.

Critical Root Zone (CRZ)

A 20% encroachment into the CRZ will be allowed under the following circumstances:

1. In previously compacted areas of the CRZ, pervious paving will be allowed.
2. Outdoor decks on piers may be used in the CRZ.
3. A 3-year maintenance contract will be required.

Mitigation Fund

Requirements of the UDC Tree Ordinance that cannot be met on site shall be mitigated through a payment (comparable to the value of the required trees) to the Historic Downtown Tree and Art Fund. Resources from this fund may only be used within the area shown on the Boundary Map (Chapter 3) of this document to purchase street trees and enhance public spaces.

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10. Rezoning Requirements

Properties that are currently zoned for commercial uses do not have to be rezoned in order to add residential or civic uses; however, a conditional use approval through the public hearing process is required to add residential and civic uses to property zoned commercial.

However, the following properties are subject to rezoning if development under these regulations is sought:

1. All properties within the Residential Village District.
2. All properties within the Family Entertainment District.
3. All properties currently zoned residential that are shown in this document to include non-residential uses.

11. Zoning Designation and Process

Land developed in accordance with this document shall be shown on the official zoning map with the letters 'HD' (historic district) added to the zoning designation for that property.

For example, property zoned 'C-2' and developed in accordance with this document shall be shown as 'C-2HD' on the official zoning map; Property currently zoned 'R-15' and rezoned for townhouse development in accordance with this document shall be designated as 'R-10MHD' on the official zoning map.

These incentive zoning regulations do not create an additional layer of review. Since the incentive zoning regulations are used in place of the existing zoning regulations, (except for requirements not addressed in this document), at the developer's request, the plan review and permitting process remains unchanged. In other words, plans that comply with these regulations

for property that is not subject to rezoning (see Sec. 4.10, above) will be reviewed in accordance with standard plan review procedures. Properties required to be rezoned are subject to the standard public hearing process prior to plan review and permitting.

12. Zoning Classifications Permitted

- A. The following existing zoning classifications along with their respective district regulations, (except as superseded herein), shall be permitted for properties within the Historic District:
- C-1, Neighborhood Commercial
 - C-2, General Commercial
 - SU, Special Use
 - OP, Office Professional
 - MU, Mixed Use
 - R-10M, Residential Dwelling, attached (10 units/ac. max.)
 - R-8A, Residential Dwelling, attached (8 units/ac. max.)

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- R-4A, Residential Dwelling, attached (4 units/ac. max.)
- R-15, Residential Dwelling, detached (15,000 sq. ft. min. lot size)
- R-12, Residential Dwelling, detached (12,000 sq. ft. min. lot size)
- R-10, Residential Dwelling, detached (10,000 sq. ft. min. lot size)

- B. In addition to the above listed zoning classifications, the following, additional zoning classification shall be permitted with the Historic District:

R-8, Residential Dwelling, detached (Garden Home)

C. R-8 District Regulations

1. Definition: Garden Home – a fully detached or semi-detached, 'For Sale' residential unit having at least one side yard and situated on a platted lot.
2. Development Size and Density: Property must be at least 30,000 sq. ft. in size to be zoned and developed under R-8 regulations. The minimum project size is 5 units. The maximum development density is 8 units / acre.
3. Minimum Lot size: 3600 sq. ft.
4. Minimum Lot width: 40 ft.
5. Minimum Dwelling size: 1500
6. Minimum Unit width: 24 ft.
7. Setbacks:
 - a. Front - 10 ft., min.; 20 ft., max.
 - b. Side - 5 ft. on each side OR 10 ft. on one side and 0 ft. on the other side. (A minimum of 5 ft. is required between buildings.)

- c. Side Corner – 10 ft., min.; 20 ft., max.
- d. Rear – 10 ft., min.
- 8. Height: 3 stories or 40 ft., whichever is less
- 9. Accessory Structures allowed: fence, storage building, garage, gazebo, trellis
- 10. Parking: 2 spaces within an enclosed structure
- 11. Architectural Style of Garden Homes must comply with the design requirements contained herein and incorporate the Historic Aesthetic Style Features outlined in Chapter 6 that correspond to the selected Architectural Style.

TABLE 'A' LIST OF PERMISSIBLE AND CONDITIONAL USES

On the following table, an open circle "O" means that the use will be permitted in that district only if a Conditional Use Permit is granted by the City Council. An "X" means that the use is permitted in the zone district subject to the general provisions of the Unified Development Code. For uses not included in this list or when the Director of Community Development is unable to determine placement, application shall be made to the Board of Appeals for interpretation.

- C/MU – Civic / Mixed Use
- RO/MU – Retail Office / Mixed Use
- RR/MU - Retail Residential / Mixed Use
- FE – Family Entertainment
- RV – Residential Village
- OS – Green / Open Space
- ** - to be located above ground floor

USES	RV	C-MU	R/O-MU	R/R-MU	FE	G/OS
Amphitheater	X			X		
Art Galleries	X	X	X	X		

Associations (club, lodge)	X	O	O	X		
Athletic Facilities	X	O**	O**	X		
Auditorium	X			X		
Automotive Parts (retail sales only)		X				
Bakery	X	X	X	X		
Bank (without drive-thru)	X	O	O			
Barber/Beauty Shop (salon)		X	X			
Bed and Breakfast			X	O		
Book or Stationery Store		X	X	X		
Broadcasting Studio	O			O		
Carpet and Rug Sales		X	X			
Cemetery						X
Church, Synagogue		O	O			
Clinic		X	X			
Congregate Housing (Assisted Living Facility)		O	O			
Contractor's Office (without material storage)		X**				
Dance / Karate Studio		X**	X**			
Day Care Center		X**	O**	X**		
Drug Store (without drive-thru)		X	X			
Dry Cleaning (pick up station without drive-thru)		X	X			
Dwelling, Single Family Attached	X	X**	X**		X	
Dwelling, Single Family Detached					X	
Fire Station	X					
Florist, Retail	X	X	X	X		
Furniture Store	X	X	X	X		
Gift Shop	X	X	X	X		
Gourmet or Specialty Food Store	X	X	X	X		
Hardware / Garden Shop		X	X			
Heliport	O					
Home Products Shop	X	X	X	X		
Hotel	O	O	O	O		
Interior Design Studio	X**	X**	X**			
Liquor Store		X				
Museum and Library	X			X		
Office	X	X**	X**			
Park / Playground	X	X	X	X	X	X
Parking Lot (commercial)	X	X	X	X		
Pet Day Care / Grooming		X**	X**			

Print Shop	X	X	X	X		
Public Building	X			X		
Recreation Facilities, Indoor (Bowling, Skating, Billiards, Children's Event Facilities)	O			X		
Recreation Facilities, Outdoor (playing fields, skating)	O			X		
Rental Store (with no outside storage)		X	X			
Restaurant (without drive- thru) including coffee shop, deli, ice cream shop	X	X	X	X		
Retail Store	X	X	X	X		
School, Academic	O					
School, Commercial	X**	X**	X**			
Shop and /or Studio, Craftsman / Artist	X	X	X	X		
Spa		X	X			
Theater, Cinema	O			X		

CONDITIONAL USE REVIEW CRITERIA

When reviewing a conditional use, consideration shall be given to factors associated with the use including, but not limited to, the following:

1. site design
2. property access
3. hours of operation of the business
4. vehicular trips generated by the use
5. impact of the use on surrounding properties
6. impact of the use on the natural features of the site