

**AN ORDINANCE TO AMEND ARTICLE I, ARTICLE II AND APPENDIX A: ALPHARETTA DOWNTOWN CODE OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ALPHARETTA, GEORGIA; TO ADD CERTAIN DEFINED TERMS TO SUBSECTION 1.4.2. DEFINED TERMS; TO ADD DISCOUNT STORE AS A PERMITTED USE IN THE LI ZONING DISTRICT; TO ADD BREWERY AND DISTILLERY AS A PERMITTED USE IN THE LI ZONING DISTRICT AND A CONDITIONAL USE IN THE CUP, O-I, C-1, C-2, PSC, MU, DT-C AND DT-MU ZONING DISTRICTS; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

**WHEREAS**, on or about May 21, 2001, the City of Alpharetta (the “City”) adopted a comprehensive zoning ordinance known and cited as the Unified Development Code of the City of Alpharetta, Georgia, which has subsequently been amended from time to time (the “Unified Development Code”); and

**WHEREAS**, the Mayor and Council of the City of Alpharetta (the “City Council” or “Council”) are charged with the protection of the public health, safety, and welfare of the citizens of the City of Alpharetta; and

**WHEREAS**, the Unified Development Code was designed to be amended from time to time when circumstances warrant that modifications be made in order to make the Unified Development Code more responsive to community needs; and

**WHEREAS**, the City Council finds that ordinances and regulations governing the uses of land and development of land within the City, as well as the City’s operations, should be continually improved from time to time and modified as necessary to better protect and promote the public health, safety and welfare of the residents and businesses of the City of Alpharetta; and

**WHEREAS**, the City Council desires to amend Article I, Article II and Appendix A: Alpharetta Downtown Code of the Unified Development Code for the foregoing purposes; and

**WHEREAS**, the City Council finds that the following amendment to the Unified Development Code promotes the health, safety, morals, convenience, order, prosperity and general welfare of the present and future inhabitants of the City of Alpharetta;

**NOW THEREFORE, The Council of the City of Alpharetta hereby ordains, as follows:**

**Section 1:** Article I, Section 1.4.2, “Defined Terms,” of the Unified Development Code is hereby amended by adding the following terms and definitions in their appropriate alphabetical order:

“Brewery. A facility where malt beverages are manufactured or brewed.”

“Discount Store. A retail store that sells new or used goods or products at prices lower than traditional retail outlets. Discount stores principally engage in offering a category of similar goods or a wide assortment of goods for sale to the general public.”

“Distillery. A facility where distilled spirits are manufactured (distilled, rectified or blended).”

**Section 2:** Subsections 2.2.17(A)(2) [*LI – Permitted Principal Uses*] of Article II of the Unified Development Code are hereby amended by adding “Discount Store” as a permitted use in the said subsection.

**Section 3:** Subsections 2.2.17(A)(2) [*LI – Permitted Principal Uses*] of Article II of the Unified Development Code are hereby amended by adding “Brewery” and “Distillery” as permitted uses in the said subsection.

**Section 4:** Subsections 2.2.11(C)(2) [*CUP – Conditional Uses*], 2.2.13(C)(2) [*O-I – Conditional Subordinate Uses*], 2.2.14(C)(2) [*C-1 – Conditional Uses*], and 2.2.15(C)(2) [*C-2 – Conditional Uses*], 2.2.16(A)(1) [*PSC – Conditional Principal Uses*], 2.2.20(C)(2) [*MU – Conditional Uses*], and **Appendix A: Alpharetta Downtown Code Subsection 3.4.2(C)** [*DT-C and DT-MU – Conditional Uses*] of Article II of the Unified Development Code are hereby amended by adding “Brewery” and “Distillery” as conditional uses in each of said subsections.

**Section 5:** Table 2.2 of Article II of the Unified Development Code, titled “List of Permissible and Conditional Uses,” is hereby amended by inserting, in their appropriate alphabetical order, new rows to read as set forth in Exhibit “A” attached hereto as if fully set forth herein.

**Section 6:** 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 7:** This Ordinance shall be effective immediately upon its adoption by the City Council and incorporated into The Unified Development Code of the City of Alpharetta, Georgia. This Ordinance hereby repeals any and all conflicting ordinances and amendments.

SO ORDAINED this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Approved:

\_\_\_\_\_  
David Belle Isle, Mayor

Attest:

**COUNCILMEMBERS**

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Coty Thigpen, City Clerk

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(Seal)

Approved as to Form:

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C. Sam Thomas, City Attorney

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**Exhibit A:**

USES	AG	RE	R	R-22	R-15	R-12	R-10	R-4A	R-4D	R-8A/D	R-10M	CUP*	OI*	OP	C-1	C-2	PSC	LI	OS-R	SU	MU
Brewery												O	O		O	O	O	X			O
Discount Store																		X			
Distillery												O	O		O	O	O	X			O