



Planning Commission

Regular Meeting
<http://www.roswellgov.com/>
~Agenda~

Chair Kitty Singleton
Vice Chair Eric Schumacher
Commissioner Jason Frazier
Commissioner Pooja Gardner
Commissioner Robert Mayer
Commissioner Gurtej Narang
Commissioner Carol Williams

Tuesday, April 21, 2026

7:00 PM

City Hall - Council Chambers

**** Possible Quorum of Mayor and City Council ****

Welcome

I. Call to Order

II. Agenda Items

- 1. ZUSE-1225-000002 - 440 Houze Way - Consideration of Conditional Use Permit (CUP) for a Carriage House**

III. Text Amendments

- 2. Consideration of an ordinance to amend the Unified Development Code of the City of Roswell, Georgia by amending Article 2 Rules of Interpretation, Section 2.2.20 Residential Parking Location**
- 3. Consideration of an ordinance to amend the Unified Development Code of the City of Roswell, Georgia by amending Article 10 Site Development, Section 10.1.14 Parking Lot Layout and Design**
- 4. Consideration of an ordinance to amend the Unified Development Code of the City of Roswell, Georgia by amending Article 10, Section 10.3.22 Temporary Sign Permit Required**
- 5. Consideration of an ordinance to amend the Unified Development Code of the City of Roswell, Georgia by amending Article 14, Section 14.2 Defined Terms**

6. **Consideration of an ordinance to amend the UDC of the City of Roswell, Georgia by amending Article 10 Site Development, Section 10.3 Signs**

7. **Consideration of an ordinance to amend the Unified Development Code of the City of Roswell, Georgia by amending Article 9 Use Provisions, Section 9.7 Accessory Uses, Section 9.7.12 Horse Stable, Non-Commercial**

8. **Consideration of an ordinance to amend the Unified Development Code of the City of Roswell, Georgia by amending Article 3 Residential Districts, Section 3.4 Allowed Uses, Section 3.4.2 Use Table**

9. **Consideration of a Text Amendment to the Unified Development Code, Article 9, Use Provisions, Section 9.6.6., Warehouse and Distribution and to Article 6, Employment Districts, Section 6.5.2., Use Table**

IV. Minutes

10. **December 5, 2025 Planning Commission Special Called Minutes**

11. **February 17, 2026 Planning Commission Minutes**

V. Adjournment



City of Roswell
Planning Commission
AGENDA ITEM REPORT

ID # - 10397

MEETING DATE: April 21, 2026
DEPARTMENT: Community Development
ITEM TYPE: Public Hearing

ZUSE-1225-000002 Consideration of Conditional Use Permit (CUP) for a Carriage House at 440 Houze Way

Action Required:

Recommendation for Mayor and Council

Description:

Petition to approve a 986 sq ft carriage house

Financial Impact:

N/A

Comments:

See attached



Petition Number ZUSE-1225-000002

Hearing & Meeting Dates

Neighborhood Meeting – 4/7/2026

Planning Commission – 4/21/2026

Applicant/Owner

Kelvin Walls
440 Houze Way
Roswell, GA 30076

Property Information

440 Houze Way
Parcel Number 12 -1971-0445-012-6
Zoning – RS-30 (Single-Family Estate)
2040 Comprehensive Plan Character Area – Suburban Residential

Request

The applicant is requesting Conditional Use for a Carriage House.

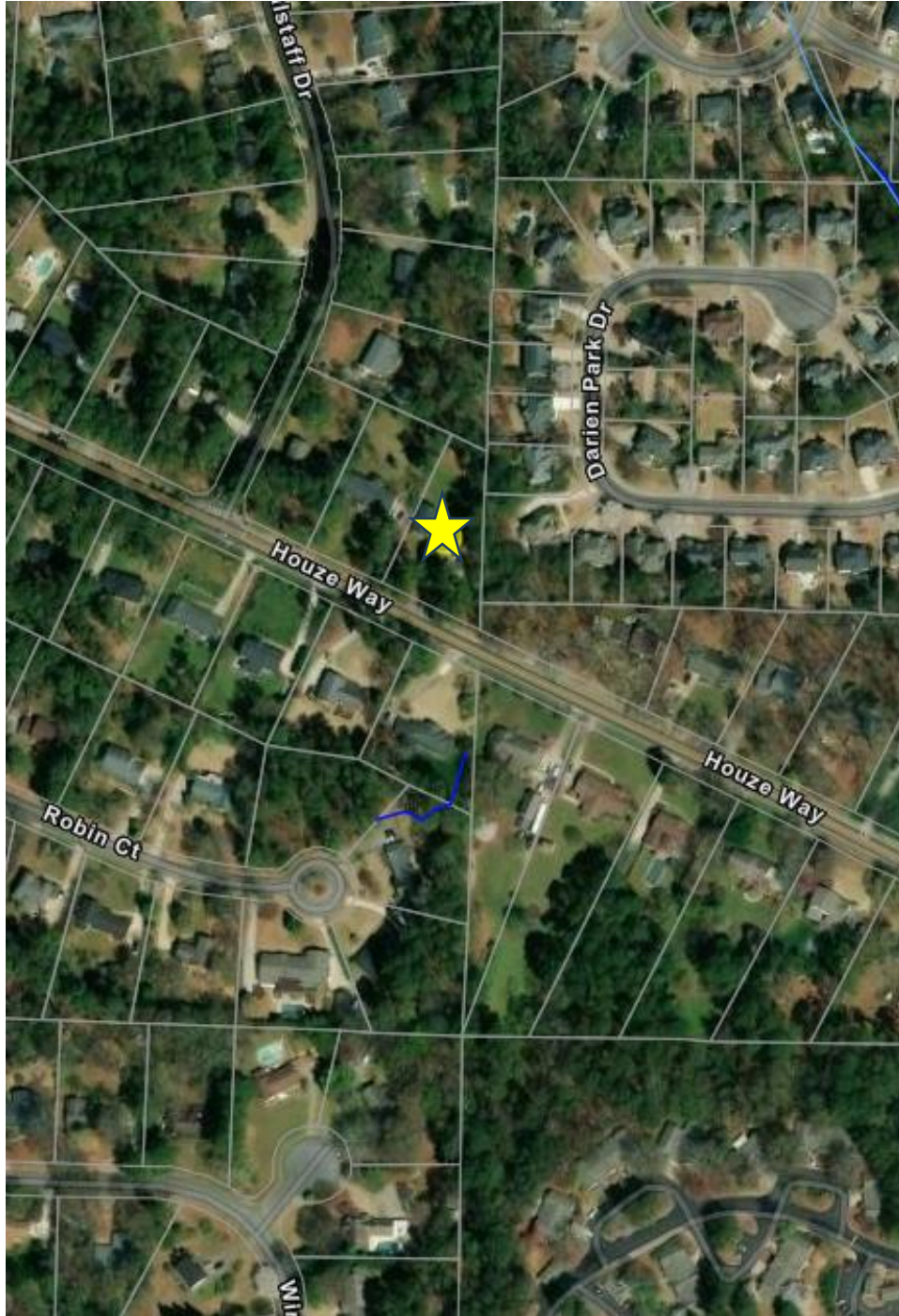
Staff Recommendations

Staff is recommending **approval** with conditions of conditional use request for a carriage house. If Mayor and Council choose to approve the above conditional use request, staff recommends the following conditions:

1. Approval shall be in substantial compliance with the site plan received by the City of Roswell on February 24, 2026.



Location Map



Attachment: ZUSE-1225-000003 PC Staff Memo 440 Houze Way (CUP for a Carriage House- 440 Houze Way)



Proposed Site Plan

SUBJECT PROPERTY
 165 PINWOOD DRIVE
 SENOLA, GA 30276
 (A) STEVEN HILTON/HILTONLS.COM
 (W) WWW.HILTONLS.COM
 DEUT. 27:17 PROC. 22:28

GENERAL NOTES

1. THE CITY ENGINEER HAS REVIEWED THIS SITE PLAN AND HAS ISSUED THIS PERMIT UNDER THE CONDITION THAT THE PERMITTEE SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE STATE AND LOCAL AGENCIES.
2. THE PERMITTEE SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE STATE AND LOCAL AGENCIES.
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10. THE PERMITTEE SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE STATE AND LOCAL AGENCIES.

LEGEND

- EXISTING LOT LINES
- EXISTING BUILDINGS
- EXISTING DRIVEWAYS
- EXISTING UTILITIES
- EXISTING TREES
- EXISTING FENCES
- EXISTING WALLS
- EXISTING POOLS
- EXISTING PATIOS
- EXISTING DECKS
- EXISTING STAIRS
- EXISTING PORCHES
- EXISTING BALCONIES
- EXISTING TERRACES
- EXISTING WALKWAYS
- EXISTING DRIVEWAYS
- EXISTING UTILITIES
- EXISTING TREES
- EXISTING FENCES
- EXISTING WALLS
- EXISTING POOLS
- EXISTING PATIOS
- EXISTING DECKS
- EXISTING STAIRS
- EXISTING PORCHES
- EXISTING BALCONIES
- EXISTING TERRACES
- EXISTING WALKWAYS

RECORDING NOTE
 THIS SITE PLAN WAS RECORDED IN THE PUBLIC RECORDS OF FULTON COUNTY, GEORGIA, ON 04/21/2026 AT 10:15 AM. THE RECORDING FEE WAS \$150.00. THE RECORDING NUMBER IS 2026-000003.

PLANNING COMMISSION
 CITY OF ROSWELL

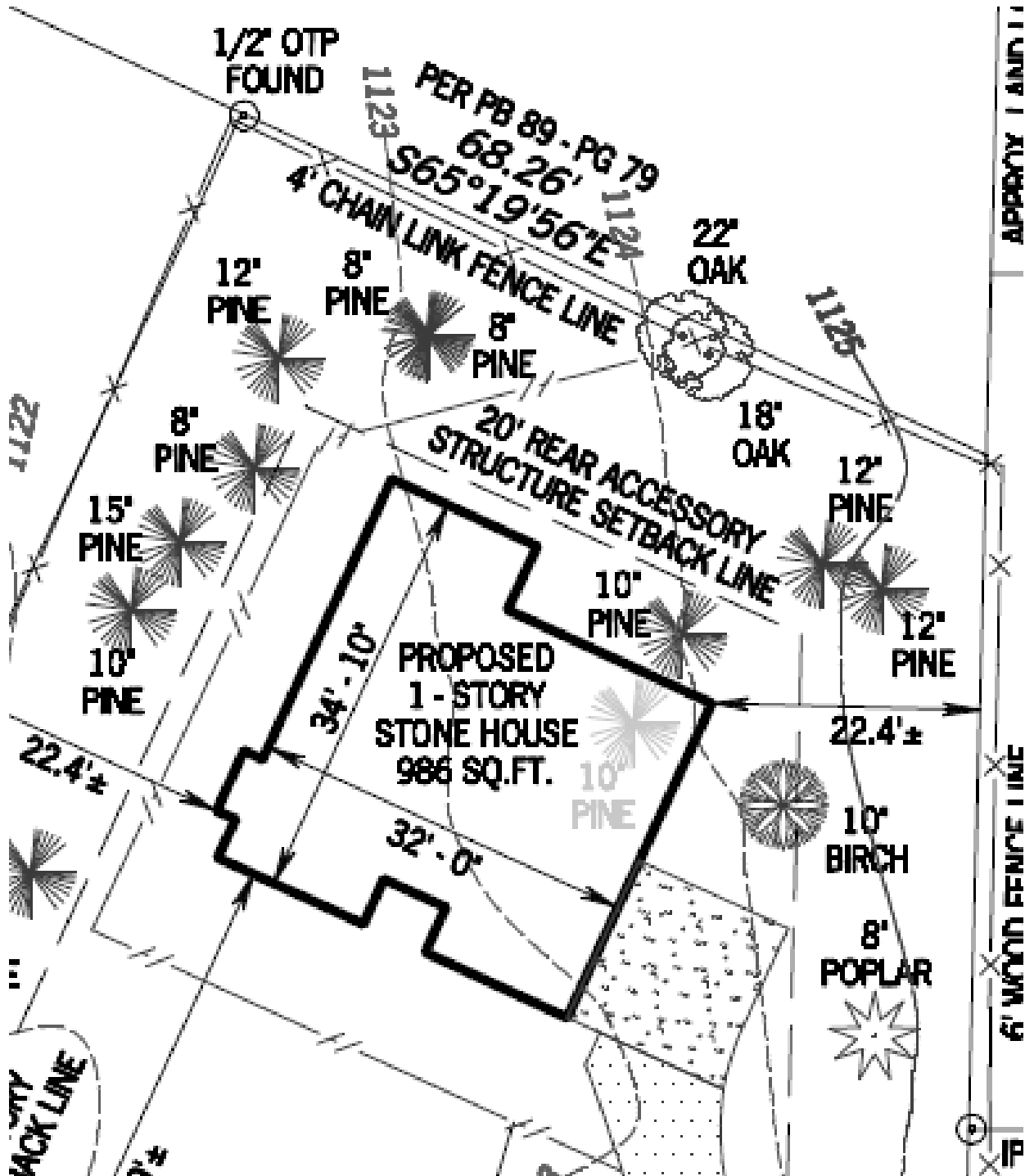
PROPOSED SITE PLAN
 FOR
KELVIN L. WALLS
 WINDSOR FOREST SUBDIVISION - UNIT TWO
 LAND LOT 445 1ST DISTRICT CITY OF ROSWELL FULTON COUNTY, GA

HILTON LAND SURVEYING
 165 PINWOOD DRIVE
 SENOLA, GA 30276
 (A) STEVEN HILTON/HILTONLS.COM
 (W) WWW.HILTONLS.COM
 DEUT. 27:17 PROC. 22:28

Attachment: ZUSE-1225-000003 PC Staff Memo 440 Houze Way (CUP for a Carriage House- 440 Houze Way)



Site Plan Close up



Attachment: ZUSE-1225-000003 PC Staff Memo 440 Houze Way (CUP for a Carriage House- 440 Houze Way)



Background

The property is zoned RS-30 (Single-Family Estate) and currently has a split level single-family house. The property is approximately .724 acres and has one frontage on Houze Way. Most of the rear of the lot where the carriage house will be placed is clear of vegetation, except for trees around the perimeter of the lot.

Comprehensive Plan

In the 2040 Comprehensive Plan this site falls under the Suburban Residential character area. This character area is intended to foster stable, well-established suburban neighborhoods. Existing single-family neighborhoods are preserved and protected in their current state, as are pockets of existing other housing types that occur on scattered sites. Infill and redevelopment opportunities are limited and should be sensitive to scale and character when implemented.



Roswell
georgia
Zoning Map

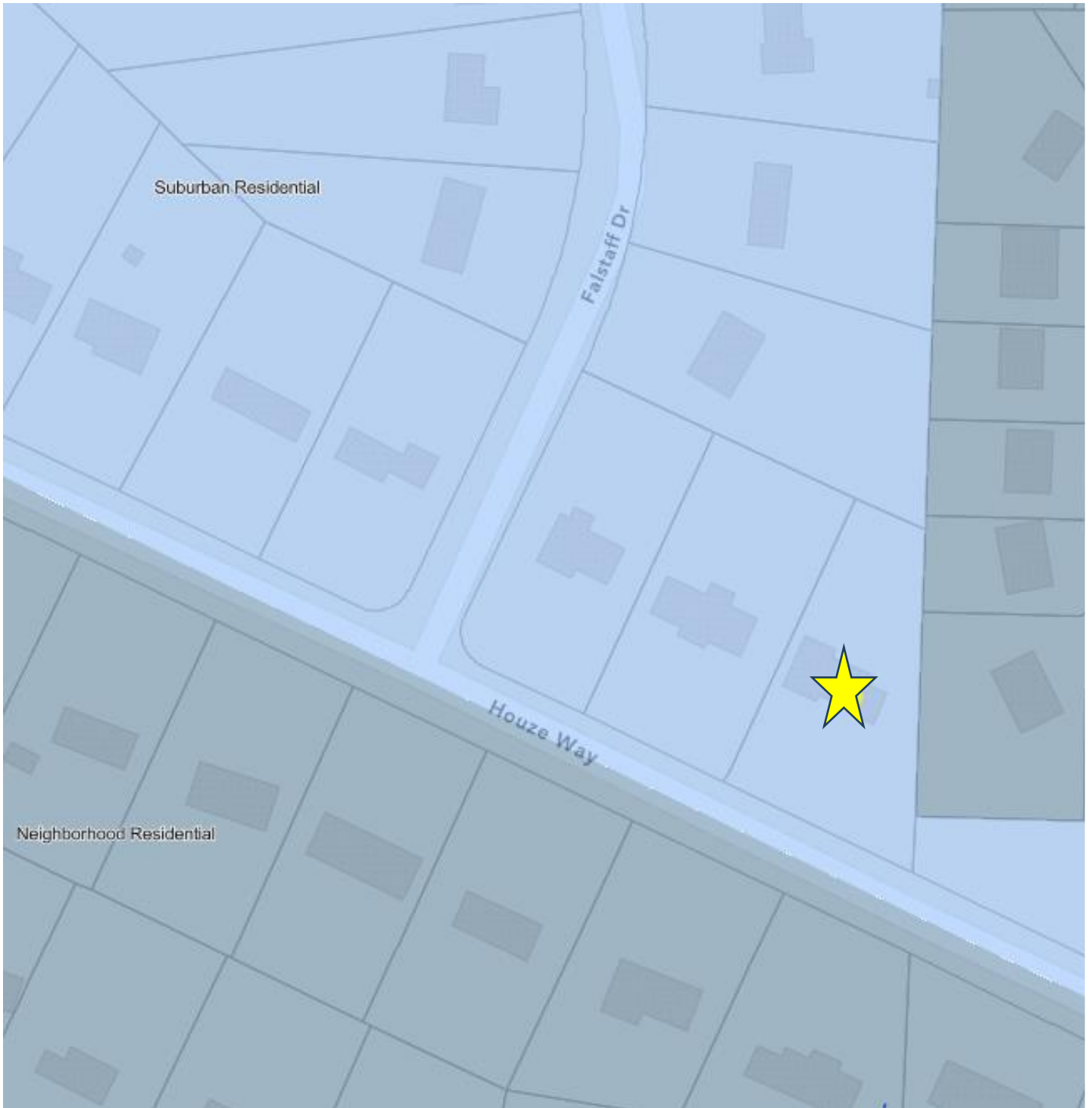


NORTH	RS-30	Single Family Homes
SOUTH	RS-18	Single-Family Homes
EAST	RS-30, RS-9	Single-Family Homes
WEST	RS-30	Single-Family Homes

Attachment: ZUSE-1225-000003 PC Staff Memo 440 House Way (CUP for a Carriage House- 440 House Way)



Future Land Use Map



Attachment: ZUSE-1225-000003 PC Staff Memo 440 Houze Way (CUP for a Carriage House- 440 Houze Way)



Site Plan Analysis

The site plan shows an existing single-family house that sits approximately 100 feet back from Houze Way. The proposed one-story carriage house is 986 square feet in size. The applicant proposes the addition of a pebble driveway that will extend from the existing driveway to the new structure. A concrete pad for an additional parking space is proposed, as well.

Landscape Plan Analysis

The tree plan included in attachments indicates that the applicant proposes to remove approximately nine pine trees and two hardwoods. The applicant proposes to plant evergreens around the perimeter of the rear of the lot.



Standards of Review

1. The use is allowed as a Conditional Use in the respective zoning district (see Articles 3-7).

A Carriage House is allowed as a Conditional Use in RS-30 (Single-Family Estate).

2. The use complies with the applicable specific use standard listed in Article 9, if any, without the granting of any variance.

No variances are requested. The current maximum allowed is 1000 sf, and the proposed size is 986 sf.

3. The use is compatible with adjacent uses in terms of location, scale, site design, hours of operation, and operating characteristics.

The immediate adjacent properties are all single-family residential.

4. Any adverse impacts resulting from the proposed use in the affected area will be effectively mitigated or offset.

There will not be an adverse impact to the neighbors or community as the proposed carriage house will be approximately 80 feet away from the neighboring house. Furthermore, there is considerable vegetation between the neighboring houses and the proposed carriage house. The applicant also proposes to plant evergreens around the perimeter of the rear of the lot.

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.

The city will be able to provide sufficient public facilities.

Street View



Attachment: ZUSE-1225-000003 PC Staff Memo 440 Houze Way (CUP for a Carriage House- 440 Houze Way)

SUBJECT PROPERTY

OWNER: KELVIN L. WALLS (PER TAX ASSESSOR)
SITE ADDRESS: 440 HOUZE WAY, ROSWELL, GA 30076
AREA: 0.69 ACRES - PER PLAT BOOK 89 - PG 79
PARCEL #12 197104450126
REFERENCE: DEED BOOK 52403 - PAGE 607
PLAT BOOK 89 - PG 79
ZONED: RS-30 - SINGLE-FAMILY ESTATE

- FRONT SETBACK: 60 FEET*
- SIDE SETBACK: 15 FEET*
- REAR SETBACK: 20 FEET*
- *ACCESSORY STRUCTURE SETBACKS
- MINIMUM LOT AREA = 30,000 SQUARE FEET
- MINIMUM LOT WIDTH = 120 FEET
- MAXIMUM BUILDING HEIGHT = 35 FEET PRINCIPAL / 24 FEET ACCESSORY

ZONING INFORMATION SHOWN HEREON WAS TAKEN FROM THE CITY OF ROSWELL GIS ZONING MAP AND CITY OF ROSWELL MUNICOD. ZONING SHOULD BE VERIFIED BY CONTRACTOR BEFORE ANY CONSTRUCTION BEGINS.

GENERAL NOTES

THIS SURVEY IS THE RESULTS OF RECOVERED FIELD EVIDENCE, DOCUMENTS PROVIDED BY THE CLIENT OR OTHER SOURCES, AND LIMITED COURTHOUSE RESEARCH OF PUBLIC RECORDS FOR EASEMENTS AND PROPERTY LINES OF THE SUBJECT AND ADJOINING PROPERTIES AS REFERENCED HEREON. NO ABSTRACT TITLE OR TITLE COMMITMENT WAS PROVIDED WHICH MAY CONTAIN ADDITIONAL RIGHTS-OF-WAY OR EASEMENTS NOT CURRENTLY SHOWN.

THE FIELD DATA UPON WHICH THIS SURVEY IS BASED ON HAS A RELATIVE POSITIONAL ACCURACY OF 0.02 FEET HORIZONTAL AT THE 95% CONFIDENCE LEVEL.

EQUIPMENT USED FOR ANGULAR AND LINEAR MEASUREMENTS: CARLSON BRX7 GNSS DUAL FREQUENCY RECEIVER, IN COMBINATION WITH A LEICA TS13 ROBOTIC TOTAL STATION. (DATE OF LAST FIELD VISIT: OCTOBER 30, 2025)

THE BASIS FOR THE DIRECTIONS AND ELEVATIONS SHOWN HEREON IS: GRID NORTH AS DEFINED BY NAD 83 AND NAVD 88 (GEOID 18) DATUM, GEORGIA WEST ZONE AND DETERMINED THROUGH RTK-GPS METHODS UTILIZING A GNSS REAL TIME NETWORK SOLUTION BY HILTON LAND SURVEYING.

THE 2' CONTOURS SHOWN ON THIS SURVEY ARE ADJUSTED TO NAVD88 DATUM (COMPUTED USING GEOID 18) AND HAVE A VERTICAL ACCURACY OF ±1'. CONTOURS OUTSIDE THE IMMEDIATE AREA ARE APPROXIMATE.

THE BOUNDARY INFORMATION SHOWN HEREON WAS TAKEN FROM PLAT BOOK 89 - PAGE 79; AND HAS BEEN USED VIA MEANS OF SUPPLEMENTAL FIELD VERIFICATION, WHICH IN NO WAY CONSTITUTES A BOUNDARY CERTIFICATION OR WARRANTY OF BOUNDARY INFORMATION BY THIS SURVEYOR. AND HAS BEEN USED EXCLUSIVELY FOR THE PURPOSES OF A SITE PLAN FOR THE AFOREMENTIONED PROPERTY.

NO PORTION OF THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD AREA AS PER THE CITY OF ROSWELL F.I.R.M. COMMUNITY PANEL NO. 13121 C 0061 F DATED SEPTEMBER 18, 2013.

1 - 10' PINE TREE TO BE REMOVED DURING THE CONSTRUCTION OF THE NEW HOUSE.

NO UTILITIES TO BE DISTURBED DURING CONSTRUCTION OF THE NEW HOUSE.

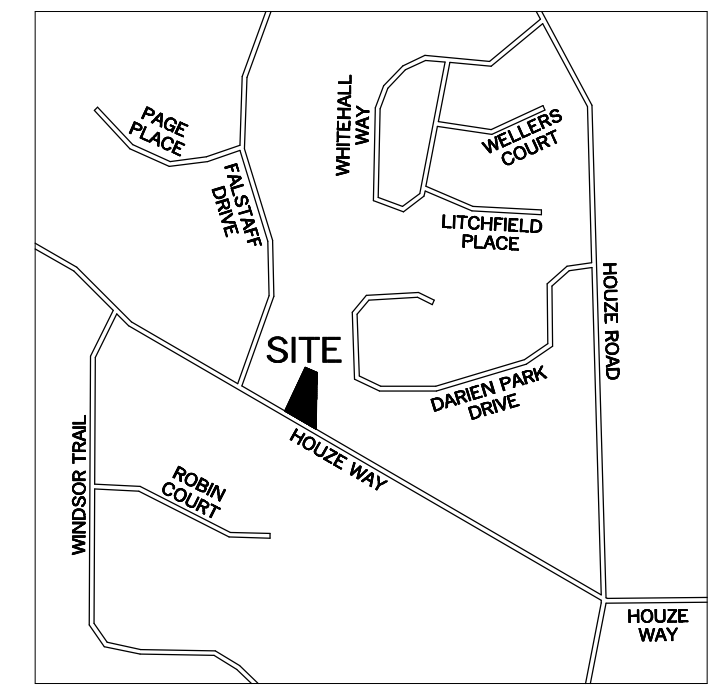
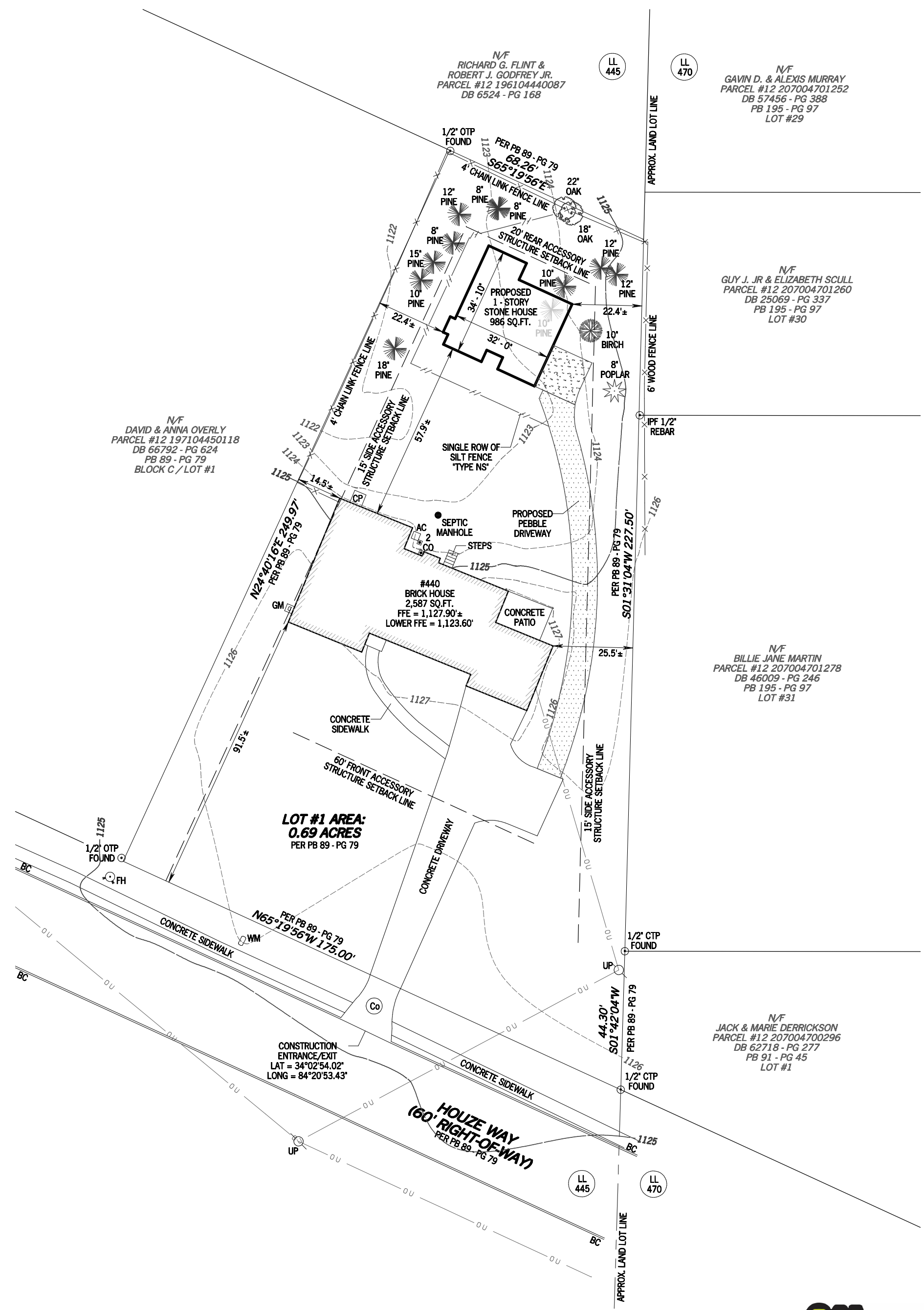
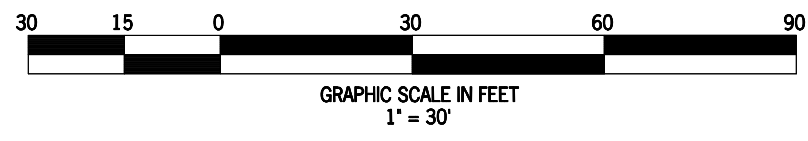
EXISTING HOUSE ON CITY SEWER AND CITY WATER.

SYMBOLS

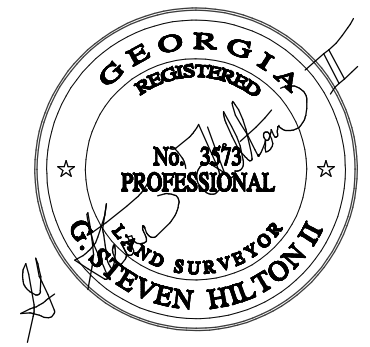
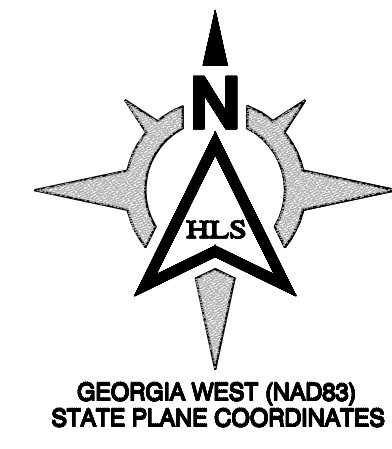
IPF = ○ - AS SHOWN HEREON

LEGEND

N/F NOW OR FORMERLY	LL LAND LOT
PB PLAT BOOK	CP CONCRETE PAD
DB DEED BOOK	GM GAS METER
PG PAGE	FH FIRE HYDRANT
IPF IRON PIN FOUND	WM WATER METER
OTP OPEN TOP PIPE	AC AIR CONDITIONER
CTP CRIMP TOP PIPE	FFE FINISHED FLOOR ELEVATION



VICINITY MAP (NOT TO SCALE)



BOUNDARY NOTE

THIS SURVEY DOES NOT CONSTITUTE A BOUNDARY SURVEY. THE BOUNDARY INFORMATION SHOWN HEREON WAS PERFORMED BY OTHERS. PLEASE SEE GENERAL NOTES FOR DETAILS.

THIS SURVEY DOES NOT MEET "MINIMUM STANDARDS OF PROPERTY BOUNDARY SURVEYS" AND MERELY REPRESENTS CONDITIONS FOUND ONSITE AT THE TIME OF SURVEY.

RECORDING NOTE

SHOULD NOT BE RECORDED WITH THE FULTON COUNTY CLERK OF SUPERIOR COURT IN CURRENT FORM WITH SITE PLAN SURVEY INFORMATION SHOWN.



HILTON LAND SURVEYING

165 PINEWOOD DRIVE
SENOIA, GA 30276
(e) STEVEN.HILTON@HILTONLS.COM
(w) WWW.HILTONLS.COM
DEUT. 27:17 PROV. 22:28

SITE PLAN FOR:

KELVIN L. WALLS

WINDSOR FOREST SUBDIVISION ~ UNIT TWO

LAND LOT 445 1ST DISTRICT CITY OF ROSWELL FULTON COUNTY, GA

COA: LSF001476
HLS JOB #25026

DRAWN BY NDW CHECKED BY NDW & GSH

ISSUE DATE 11-24-2025

REVISED DATE 02-24-2026

DRAWING NUMBER 1 OF 1

Affidavit

Georgia
County of fulton

The undersigned, KELVIN L. WALLS, being duly sworn, hereby deposes and says:

1. I am over the age of 18 and am a resident of Georgia. I have personal knowledge of the facts herein, and, if called as a witness, could testify completely thereto.
2. I suffer no legal disabilities and have personal knowledge of the facts set forth below.
3. I am providing this statement of my intent to add an in-law suite to the rear of my property located at 440 Houze Way, Roswell, Ga. 30076. The addition will be occupied by my aging in-laws; they will not be paying rent. The suite will be less than 1000sf of heated space, no taller than 20ft in height, will be placed on the property within the setbacks dictated by ordinance. the impervious square footage is unknow at this time however, it will not cover the property in its entirety. Trees will be removed for the project, pine trees are the primary species.

I declare that, to the best of my knowledge and belief, the information herein is true, correct, and complete.

Executed this 15 day of Oct, 2025.


Kelvin L. Walls

Attachment: ZUSE-1225-000002 (440 Houze Way) Letter of Intent (CUP for a Carriage House- 440 Houze Way)

NOTARY ACKNOWLEDGMENT

Georgia, County of fulton, ss:

On this 15th day of OCTOBER, 2025, before me, STACY RANDOLPH, personally appeared Kelvin L. Walls, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within Affidavit, and, being first duly sworn on oath according to law, deposes and says that they have read the foregoing Affidavit subscribed by them and that the matters stated herein are true to the best of their information, knowledge, and belief.

In witness whereof I hereunto set my hand and official seal.

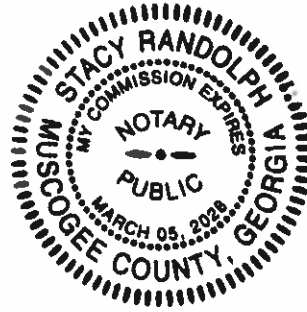
[Handwritten Signature]

Notary Public

NOTARY

Title (and Rank)

My commission expires 3.05.2028



Attachment: ZUSE-1225-000002 (440 Houze Way) Letter of Intent (CUP for a Carriage House- 440 Houze Way)



[EXTERNAL] Tree Protection and Removal Plan

From Kelvin Walls <wallskel@gmail.com>
Date Tue 12/16/2025 4:59 PM
To Walls, Kelvin L. <KWalls@AtlantaGa.Gov>

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

CRI Tree service proposal,

Removal of trees in backyard for the installation of a tiny home.

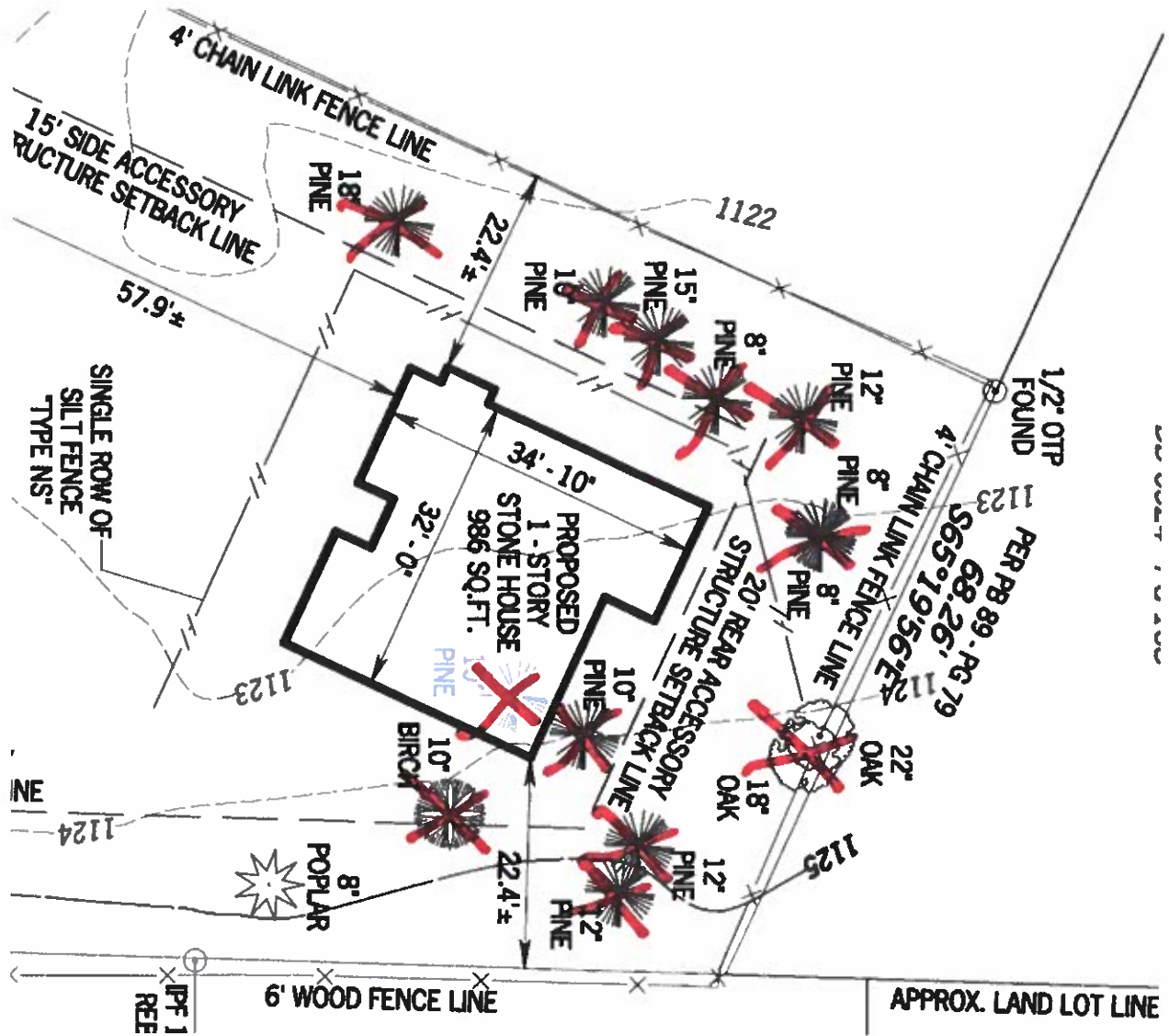
1. Removal of twelve pine trees.
2. Removal of smaller juvenile trees along the fence, totaling six.
3. Removal of rotting cherry tree in front of shed.
4. Removal of oak tree growing into fence.
5. Removal of sweet gum in far left corner.
6. Removal or trimming of water oak directly behind shed — tree is growing through the fence and top rail.

Haul all debris, rake, clean, and blow affected areas.
Grind all stumps; chips to remain onsite.

Total Cost: \$7,000

Jacob Miller ISA Certified Arborist SO-10102A

Attachment: ZUSE-1225-000002 (440 Houze Way)Tree protection/removal plan (CUP for a Carriage House- 440 Houze Way)



- DENOTES TREES TO BE REMOVED

- PLAN TO PLANT LEYLAND CYPRESS AS BORDER ALONG FENCE LINE (14)



SUBMITTAL SUMMARY REPORT (ZUSE-1225-000002) FOR CITY OF ROSWELL, GA

PERMIT ADDRESS: 440 Houze Way Way Roswell, GA 30076	PARCEL: 12 -1971-0445-012-6	
APPLICATION DATE: 12/16/2025	SQUARE FEET: 0	DESCRIPTION: Building a carriage house with less than 1000 sq. heated and non-heated space. consisting of bedrooms and 1 and 1/2 baths. at the rear of existing home
EXPIRATION DATE: 12/16/2027	VALUATION: \$0.00	

CONTACTS	NAME	COMPANY	ADDRESS
Applicant	KELVIN WALLS		440 HOUZE WAY ROSWELL, GA 30076
Owner	KELVIN WALLS		440 HOUZE WAY ROSWELL, GA 30076
Representative	KELVIN WALLS		440 HOUZE WAY ROSWELL, GA 30076

CONDITION	DESCRIPTION	CREATED BY	CREATED ON	COMMENTS	SATISFIED
BASIC GUIDANCE - <1000	If the total new/replaced impervious area is under 1,000 square feet, the project is exempt from runoff reduction and water quality requirements under the UDC. However, if work exceeds the approved impervious limits during construction, all work must stop until revised plans are submitted and approved by the City. The project will still be reviewed but is likely to be approved with minimal conditions.	Adam Watts	01/07/2026		Yes
Impervious change >1000	The applicant is advised: If at any point during demolition and construction the limits of proposed new or replaced impervious area is expected to exceed 1000 square feet, applicant must stop work and submit a revision to the construction plans that accounts for the additional impervious area.	Adam Watts	01/07/2026		Yes
Impervious change general	The applicant is advised that at any point during demolition and construction operations, if the limits of proposed impervious exceed the limits shown on the approved plans, a stop work order will be issued and a revision to the construction plans will be needed to account for any added impervious on the site.	Adam Watts	01/07/2026		Yes
General Condition	General Building Approval Conditions:	Stan Zaverukha	01/08/2026	The applicant shall apply for the required building permit(s) and submit the corresponding construction documents for review, as applicable.	Yes

Attachment: ZUSE-1225-000002 440 Houze Way Submittal Summary Report/Comments (CUP for a Carriage House- 440 Houze Way)

SUBMITTAL SUMMARY REPORT (ZUSE-1225-000002)

2.1.f

CONDITION	DESCRIPTION	CREATED BY	CREATED ON	COMMENTS	SATISFII
General Condition	The Roswell Fire Marshal's Office has reviewed the plans and specifications in accordance with the applicable state adopted minimum Fire Safety Standards in effect at the time of review. Every effort was made to check for code compliance. However, this does not relieve the owner, contractor, architect or any other responsible party from compliance with the items missed or unknown to the reviewer. Any changes or modifications in approved plans shall be reviewed by the City of Roswell prior to making the changes.	Robert Major	01/10/2026		Yes
General Condition	Approval conditions	Osmany Ordonez	01/12/2026	Applicant will be required to apply for a Combo (Land Disturbance/Building) permit. The site plan should include the limits of disturbance, all trees to be affected, and erosion control measures.	Yes
Location of active & passive tree protection		Laura Sommet	03/06/2026	During the Land Disturbance Permit/Building permit process, please show location of tree protection fencing for preserved trees, provide detail of active tree save fence, see (UDC Section 12.1.8). Please also provide alternative native species in place of the Leyland Cypress. Replacement trees must be at least 80% native and no more than 40% of one genus.	Yes

SUBMITTAL	STARTED	DUE	COMPLETE	STATUS
Conditional Use Review v.1	12/22/2025	01/09/2026	01/22/2026	Requires Re-submit
Conditional Use Review v.2	03/02/2026	03/09/2026	03/09/2026	Approved

SUBMITTAL DETAILS

Conditional Use Review v.1

ITEM REVIEW NAME (DEPARTMENT)	ASSIGNED TO	DUE	COMPLETE	STATUS
Building Division (Building Division)	Stan Zaverukha	01/09/2026	01/08/2026	Approved
Engineering (Engineering)	Osmany Ordonez	01/09/2026	01/12/2026	Approved with Conditions
Fire (Fire)	Robert Major	01/09/2026	01/10/2026	No Requirements
<i>Comments</i>	The Roswell Fire Marshal's Office has reviewed the plans and specifications in accordance with the applicable state adopted minimum Fire Safety Standards in effect at the time of review. Every effort was made to check for code compliance. However, this does not relieve the owner, contractor, architect or any other responsible party from compliance with the items missed or unknown to the reviewer. Any changes or modifications in approved plans shall be reviewed by the City of Roswell prior to making the changes.			
GIS (GIS)	Nancy Velez	01/09/2026	12/22/2025	Approved
<i>Comments</i>	I am recommending approval from a GIS perspective.			
P&Z CU (Planning & Zoning)	Angela Rambeau	01/09/2026	01/09/2026	Requires Re-submit
<i>Comments</i>	Show additional parking space			
Sanitation (Sanitation)	Nick Pezzello	01/09/2026	12/29/2025	Approved
Stormwater (Stormwater)	Adam Watts	01/09/2026	01/07/2026	Approved with Conditions
<i>Comments</i>	Adam Watts			

Attachment: ZUSE-1225-000002 440 Houze Way Submittal Summary Report/Comments (CUP for a Carriage House- 440 Houze Way)

SUBMITTAL SUMMARY REPORT (ZUSE-1225-000002)

2.1.f

Transportation (Transportation)	Serge Osse	01/09/2026	12/22/2025	Approved with Comments
<i>Comments</i>	Transportation recommends approval (This accessory building does not exceed 1,000 square feet of gross floor area)			
Tree (Tree)	Laura Sommet	01/09/2026	12/31/2025	Requires Re-submit
<i>Comments</i>	See Corrections Tab and plan markup for comments			
<i>Corrections</i>	<p>General (Not Resolved) - 1. Trees proposed for removal in tree protection removal plan email do not match what is shown on site plan. The sweetgum and cherry proposed to be removed are not shown, for example.</p> <p>2. Trees proposed to be removed; shown on plan with an 'X' overlaid on the tree symbol and listed on the tree calculation table.</p> <p>3. Please show all trees on site plan existing, preserved, and proposed for removal greater than 3-inch caliper.</p> <p>4. Denote locations of specimen trees (UDC Article 14 - Definitions). Provide a written explanation for why any specimen tree proposed for removal cannot be retained on site. Specimen trees in fair or better condition proposed for removal require specimen tree recompense (payment or replanting in lieu - UDC Article 12.1.3.B.3. &4).</p> <p>5. Show specimen tree recompense calculations or replanting option with 4-inch caliper trees, location, species, size, and quantity (UDC Article 12.1.6).</p> <p>6. Show tree protection fencing with linetype and label and tree protection detail.</p>			
Water (Water)	Chris Boyd	01/09/2026	12/22/2025	Review Not Required
<i>Comments</i>	This is on Fulton County's Water System.			

- REVIEW SESSION FILES:**
- 440 Houze Way Site Plan - 11-24-2025.pdf
 - legal description 440 Houze Way.pdf
 - Letter of Intent.pdf
 - Plat 440 Houze Way.pdf
 - Property owner signature page.pdf
 - Survey 440 Houze Way.pdf
 - Tree protectionremoval plan.pdf

REVIEWER	MARKUP	DATE/TIME	FILE NAME	PG #
Isommet	<ol style="list-style-type: none"> 1. Trees proposed for removal in tree protection removal plan email do not match what is shown on the site plan. The sweetgum and cherry proposed to be removed are not shown. 2. Trees proposed to be removed; shown on plan with an 'X' overlaid on the tree symbol and listed on the tree calculation table. 3. Please show all trees on site plan existing, preserved, and proposed for removal greater than 3 inch caliper. 4. Denote locations of specimen trees (UDC Article 14 - Definitions). Provide a written explanation for why any specimen trees proposed for removal cannot be retained on site per UDC Article 12.1.3.B.1). Specimen trees in fair or better condition proposed for removal require specimen tree recompense (payment or replanting in lieu - UDC Article 12.1.3.B.3. &4). 5. Show specimen tree recompense calculations or replanting option (UDC Article 12.1.6). 6. Show tree protection fencing with linetype and label and tree protection detail. 	12/31/2025 6:58 pm	440 Houze Way Site Plan - 11-24-2025.pdf	- 1

Conditional Use Review v.2

ITEM REVIEW NAME (DEPARTMENT)	ASSIGNED TO	DUE	COMPLETE	STATUS
Building Division (Building Division)	Stan Zaverukha	03/09/2026	03/02/2026	Approved
<i>Comments</i>	The applicant shall apply for the required building permit(s) and submit the corresponding construction documents for review, applicable.			
Engineering (Engineering)	Osmany Ordonez	03/09/2026	03/04/2026	Approved with Conditions
<i>Comments</i>	See conditions			
Fire (Fire)	Robert Major	03/09/2026	03/02/2026	In Review
GIS (GIS)	Nancy Velez	03/09/2026	03/05/2026	Approved
<i>Comments</i>	Approved from a GIS perspective.			
P&Z CU (Planning & Zoning)	Angela Rambeau	03/09/2026	03/09/2026	Approved with Conditions
<i>Comments</i>	Additional parking space must be hard surfaced.			

Attachment: ZUSE-1225-000002 440 Houze Way Submittal Summary Report/Comments (CUP for a Carriage House- 440 Houze Way)

Sanitation (Sanitation)	Nick Pezzello	03/09/2026	03/02/2026	Approved
Stormwater (Stormwater)	Adam Watts	03/09/2026	03/09/2026	Approved with Conditions
<i>Comments</i>	Adam Watts, awatts@roswellgov.com I am in the office Monday – Wednesday. To schedule a meeting to discuss the comments, please e-mail me awatts@roswellgov.com. I am also available for unscheduled meetings during the times of 10am - 12pm on Monday and Wednesday. For faster response, please e-mail rather than call.			
Transportation (Transportation)	Serge Osse	03/09/2026	03/02/2026	Approved with Comments
<i>Comments</i>	Transportation recommends approval. (This accessory building does not exceed 1,000 SF of Gross Floor Area (GFA))			
Tree (Tree)	Laura Sommet	03/09/2026	03/06/2026	Approved with Conditions
<i>Corrections</i>	<p>General (Resolved) - 1. Trees proposed for removal in tree protection removal plan email do not match what is shown on the site plan. The sweetgum and cherry proposed to be removed are not shown, for example.</p> <p>2. Trees proposed to be removed; shown on plan with an 'X' overlaid on the tree symbol and listed on the tree calculation table.</p> <p>3. Please show all trees on site plan existing, preserved, and proposed for removal greater than 3-inch caliper.</p> <p>4. Denote locations of specimen trees (UDC Article 14 - Definitions). Provide a written explanation for why any specimen trees proposed for removal cannot be retained on site. Specimen trees in fair or better condition proposed for removal require specimen tree recompense (payment or replanting in lieu - UDC Article 12.1.3.B.3. &4).</p> <p>5. Show specimen tree recompense calculations or replanting option with 4-inch caliper trees, location, species, size, and quantity (UDC Article 12.1.6).</p> <p>6. Show tree protection fencing with linetype and label and tree protection detail.</p>			
Water (Water)	Chris Boyd	03/09/2026	03/02/2026	In Review

Attachment: ZUSE-1225-000002 440 Houze Way Submittal Summary Report/Comments (CUP for a Carriage House- 440 Houze Way)



City of Roswell
Planning Commission
AGENDA ITEM REPORT

ID # - 10281

MEETING DATE: April 21, 2026
DEPARTMENT: Community Development
ITEM TYPE: Public Hearing

Consideration of an ordinance to amend the Unified Development Code of the City of Roswell, Georgia by amending Article 2 Rules of Interpretation, Section 2.2.20 Residential Parking Location

Action Required:

Discussion

Description:

Ordinance to amend the Unified Development Code, Article 2 Rules of Interpretation, Section 2.2.20 Residential Parking Location to clarify regulations for parking vehicles in the front yard.

Financial Impact:

N/A

Comments:

See attached

2.2.20. Residential Parking Location

A. Parking in the Front ~~Setback~~Yard.

1. In all detached house, attached house and townhouse lots, parking of any vehicle (including, but not limited to trailers and boats) is allowed only on a hard-surfaced driveway (i.e. asphalt, concrete, gravel, pavers or if approved by the City Engineer, or his/her designee, a turf-reinforced driveway). No parking is allowed in any grass, ~~or~~ lawn or landscaped areas. For existing developed parcels that do not currently have a driveway that conforms to the above description, parking would be allowed on the non-compliant surface until such time a development permit is issued for the property. At that time, the property would be required to come into compliance with all applicable code requirements.
2. Combined parking and driveway area cannot constitute more than 40% of the area between the front building facade and the front property line.
3. Any parking in the front setback yard must have sufficient depth so that parked cars do not encroach on the sidewalk. Garage doors must be set back at least 20 feet from the sidewalk.

B. Tandem Parking.

1. Tandem parking is allowed for residential uses.
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.

C. Parking requirements for non-residential lots are specified in Section 10.1.14.

(Ord. No. 2021-01-01, § 1, 1-11-2021)

STATE OF GEORGIA
COUNTY OF FULTON

First Reading:
Second Reading:

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE BY
MODIFYING SECTION 2.2.20 RESIDENTIAL PARKING LOCATION**

WHEREAS, the City of Roswell is a Georgia municipal corporation; and

WHEREAS, the Mayor and Council are the governing authority of the city; and

WHEREAS, the Mayor and Council have determined that it benefits the health, safety and welfare of the citizens of Roswell to amend the Unified Development Code (UDC); and

WHEREAS, the City finds that the regulations contained in this Unified Development Code (UDC) are necessary for the purposes of implementing its 2040 Comprehensive Plan adopted pursuant to the requirements of the Georgia Planning Act of 1989; and

WHEREAS, this Unified Development Code (UDC) has been prepared and considered in accordance with the zoning procedures law, O.C.G.A. 36-66;

NOW, THEREFORE, the Mayor and Council of the City of Roswell, Georgia, pursuant to their authority, do hereby amend Article 2, Rules of Interpretation, Section 2.2.20 Residential Parking Location, of the Unified Development Code (UDC), which is incorporated hereby reference.

1.

Section 2.2.20.A. Parking in the Front Setback shall be amended as follows:

- A. Parking in the Front **SetbackYard**.
1. In all detached house, attached house and townhouse lots, parking **of any vehicle (including, but not limited to trailers and boats)** is allowed only on a hard-surfaced driveway (i.e. asphalt, concrete, gravel, pavers or if approved by the City Engineer, **or his/her designee**, a turf-reinforced driveway). No parking is allowed in **any** grass, **or** lawn **or landscaped** areas. For existing developed parcels that do not currently have a driveway that conforms to the above description, parking would be allowed on the non-compliant surface until such time a development permit is issued for the property. At that time, the property would be required to come into compliance with all applicable code requirements.
 3. Any parking in the front **setback yard** must have sufficient depth so that parked cars do not encroach on the sidewalk. Garage doors must be set back at least 20 feet from the sidewalk.

2.

Section 2.2.20. shall be amended by adding Section C as follows:

C. Parking requirements for non-residential lots are specified in Section 10.1.14.



Memo

To: Mayor and City Council

From: Jeannie Peyton
Planning and Zoning Director

Date: April 1, 2026

Subject: **Text Amendment to Unified Development Code (UDC)**
Section 2.2.20 Residential Parking Location

This is a proposed text amendment to Section 2.2.20 of the UDC.

Staff has received complaints about residents parking cars, trailers, boats, etc. in the front yard-- on grass and in landscape areas. When Code Compliance investigates, residents dispute parking requirements for the front yard. The Ordinance currently refers to the "front setback"; there is confusion as to what that means.

Staff proposes the following revisions to the Ordinance:

- Change the word "setback" to "yard."
- Clarify that vehicles, including trailers and boats, can only be parked on a hard surface.
- Clarify that no parking is allowed on grass or landscaped areas.
- Add a reference to Section 10.1.14 for commercial parking.

These revisions will help Code Compliance enforce parking regulations.

The Community Development Department recommends approval of this text amendment.

38 Hill Street, Roswell, GA 30075
www.roswellgov.com



City of Roswell (GA)
Code Enforcement Division
P. L. Williams



City of Roswell (GA)
Code Enforcement Division
P. L. Williams
Feb 4, 2025 13:20:24
235 Worthington Hills Trace
Roswell
Fulton County
Georgia

38 Hill Street, Roswell, GA 30075
www.roswellgov.com

Attachment: Memo-UDC 2.2.20 Residential Parking Location (Text Amendment UDC Section 2.2.20 Residential Parking Location)



38 Hill Street, Roswell, GA 30075
www.roswellgov.com



City of Roswell
Planning Commission
AGENDA ITEM REPORT

ID # - 10282

MEETING DATE: April 21, 2026
DEPARTMENT: Community Development
ITEM TYPE: Public Hearing

Consideration of an ordinance to amend the Unified Development Code of the City of Roswell, Georgia by amending Article 10 Site Development, Section 10.1.14 Parking Lot Layout and Design

Action Required:

Recommendation for Mayor and Council

Description:

Ordinance to amend the Unified Development Code, Article 10 Site Development, Section 10.1.14 Parking Lot Layout and Design to clarify allowed surfaces for non residential parking and loading areas, and to restrict the parking of trailers and boats, and to correct the location of the requirements for residential parking.

Financial Impact:

N/A

Comments:

See attached

subject to the approval of the Zoning Director or his/her designee. Permitted materials may include, but are not limited to, ~~grass~~, "grasscrete," ring and grid systems used in porous or grid pavers. Within the Historic Overlay District, aggregate surface may be considered appropriate. Parking of any vehicle (including but not limited to trailers and boats) on any other surface, including grass and landscaped areas, is prohibited.

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G. **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 Zoning Director. Curbing must have openings to allow drainage to enter and percolate through landscaped areas.



H. **Lighting.** Parking and loading area lighting must be installed as specified in Sec. 10.4.

I. **Residential Parking.** Parking requirements for ~~single family and two family uses~~ detached house, attached house and townhouse lots, are specified in Sec. 2.2. 2018.

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STATE OF GEORGIA
COUNTY OF FULTON

First Reading:
Second Reading:

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE BY
MODIFYING SECTION 10.1.14 PARKING LOT LAYOUT AND DESIGN.**

WHEREAS, the City of Roswell is a Georgia municipal corporation; and

WHEREAS, the Mayor and Council are the governing authority of the city; and

WHEREAS, the Mayor and Council have determined that it benefits the health, safety and welfare of the citizens of Roswell to amend the Unified Development Code (UDC); and

WHEREAS, the City finds that the regulations contained in this Unified Development Code (UDC) are necessary for the purposes of implementing its 2040 Comprehensive Plan adopted pursuant to the requirements of the Georgia Planning Act of 1989; and

WHEREAS, this Unified Development Code (UDC) has been prepared and considered in accordance with the zoning procedures law, O.C.G.A. 36-66;

NOW, THEREFORE, the Mayor and Council of the City of Roswell, Georgia, pursuant to their authority, do hereby amend Article 10, Site Development, Section 10.1.14. Parking Lot Layout and Design, of the Unified Development Code (UDC), which is incorporated hereby reference.

1.

Section 10.1.14.F Surfacing by making the following changes:

Parking and loading areas must be surfaced with concrete, asphaltic concrete, asphalt, or other ~~dust free hard~~ surface. Porous pavement material may be ~~used substituted for standard dust free pavements~~ subject to the approval of the Zoning Director ~~or his/her designee~~. Permitted materials may include, but are not limited to, ~~grass~~, "grasscrete," ring and grid systems in porous or grid pavers. Within the Historic Overlay District, aggregate surface may be considered appropriate. ~~Parking of any vehicle (including but not limited to trailers and boats) on any other surface, including grass and landscaped areas, is prohibited.~~

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2.

Section 10.1.14. I Residential Parking by making the following changes:

Parking requirements for ~~single family and two family uses~~ ~~detached house, attached house and~~ ~~townhouse lots~~, are specified in Sec. 2.2 ~~2018~~.

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Attachment: Ordinance 10.1.14 Parking Lot Layout and Design (Text Amendment UDC Section 10.1.14 Parking Lot Layout and Design)



Memo

To: Mayor and City Council

From: Jeannie Peyton
Planning and Zoning Director

Date: April 1, 2026

Subject: **Text Amendment to Unified Development Code (UDC)**
Section 10.1.14

This is a proposed text amendment to Section 10.1.14 of the UDC.

Businesses, particularly vehicle sales uses, are parking vehicles on grass and in landscaped areas. The UDC states that porous pavement material such as grass and grasscrete may be substituted for standard dust-free pavements, "with the approval of the Zoning Director". The City lost a court case that cited a business for parking on grass. The owner argued that grass was a "dust free" surface.

Staff proposes the following revisions to the Ordinance:

- Change the term "dust free" to "hard" surface.
- Remove "grass" as an allowed surface material.
- Specifically prohibit the parking of any vehicle, including but not limited to, trailers and boats, on grass and landscaped areas.
- Correct the wording for the reference to residential parking to match the wording used in that section.
- Correct the Residential Parking Section number.

These changes will assist Code Compliance in their enforcement of parking regulations.

The Community Development Department recommends approval of this text amendment.

38 Hill Street, Roswell, GA 30075
www.roswellgov.com



City of Roswell (GA)
 Code Enforcement Division
 Oct 15, 2024 11:53:42
 Roswell
 Fulton County
 Georgia



38 Hill Street, Roswell, GA 30075
www.roswellgov.com

Attachment: Memo-UDC 10.1.1.14 Parking Lot Layout and Design (TextAmendment UDC Section 10.1.1.14 Parking Lot Layout and Design)



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www.roswellgov.com



City of Roswell
Planning Commission
AGENDA ITEM REPORT

ID # - 10284

MEETING DATE: April 21, 2026
DEPARTMENT: Community Development
ITEM TYPE: Public Hearing

Consideration of an ordinance to amend the Unified Development Code of the City of Roswell, Georgia by amending Article 10, Section 10.3.22 Temporary Sign Permit Required

Action Required:

Discussion

Description:

Ordinance to amend the Unified Development Code, Article 10, Section 10.3.22 Temporary Sign Permit Required by clarifying when a on-site ground real estate sign is allowed.

Financial Impact:

N/A

Comments:

See attached

10.3.22. Temporary Sign Permit Required

The following temporary signs are permitted following issuance of a temporary sign permit.

- A. **Promotional Signs.** A temporary sign or attention getting device used to advertise a temporary special event.
1. Air- or gas-filled balloons or other devices that have a capacity for air or gas that does not exceed 3 cubic feet.
 2. Flags, signs, pennants, streamers and banners, a maximum size of 32 square feet, except official government flags.
 3. Promotional signs can be used for a period not exceeding 10 consecutive days.
 4. No temporary sign permit for a promotional sign will be issued for the same premises more than 80 days per year.
 5. No business will be issued a promotional sign for more than one sign or device per street frontage to be located on the premises at any one time. Each individual establishment within a multi-tenant center is considered to have one street frontage.
 6. No sign can be located within the public right-of-way.
- B. **Yard/Garage Sale Sign.** A temporary sign used to advertise a yard/garage sale.
1. No sign can be located within the public right-of-way.
 2. Signs must be on private property with the property owner's consent.
 3. No sign is allowed on a telephone pole, tree or traffic sign.
 4. The maximum size of a sign is 4 square feet per sign.
 5. Decals must be attached to each sign.
 6. Signs are permitted 2 days prior to sale and must be removed the day after the sale.
 7. The temporary sign permit must be displayed upon the request of any municipal officer or citizen requesting identification or proof of permission for the yard/garage sale.
 8. A maximum of 6 signs per yard/garage sale are allowed.
 9. The temporary sign permit is valid only for family use and may not exceed 3 per year.
 10. Additional requirements for yard/garage sales are in Sec. 9.8.3.
- C. **Grand Opening Signs.** A temporary sign used to advertise a grand opening or final closing sale.
1. On-premises temporary signs relating to the initial opening or final closing of a business or service are allowed, provided each sign does not exceed 32 square feet each and is not located in the public right-of-way.
 2. The Zoning Director can approve signs for a maximum period of 2 weeks for initial opening signs and 4 weeks for final closing signs, after which all signs must be removed.
- D. **Farmers' Market.**
1. One temporary banner identifying a city-approved farmers' market with a maximum size of 32 square feet is allowed no more than 24 hours before and 2 hours after the hours of operation for the farmers' market. The banner cannot be located in the public right-of-way.

2. Additional requirements for Farmers' Market are in Sec. 9.7.7.
- E. **On-Site Real Estate Signs, All Other Non-Single Family Districts.** A temporary sign erected by the owner, or their agent, advertising the real property upon which the sign is located for rent, lease, or for sale.
1. Only 1 sign is permitted per parcel for sale or lease, except that corner lots may have 1 sign per frontage, separated by not less than 50 feet.
 2. Once ~~a~~ the building is fully occupied, no on-site real estate signs are allowed on the ground; they must be located on a panel on an existing monument sign or placed in the window of an empty tenant space.
 3. The sign cannot be illuminated.
 4. Each sign cannot exceed 32 square feet in area and 10 feet in height.
 5. Signs must be removed within 10 days after the lot or building is leased, or sold.
 6. Signs cannot be located within the public right-of-way.
- F. **Construction Sign.** A temporary sign erected and maintained on premises for a proposed construction project.
1. Only 1 sign is permitted per lot or parcel, except that corner lots may have 1 sign per frontage, separated by not less than 50 feet.
 2. Each sign cannot exceed 32 square feet in area and 10 feet in height.
 3. Signs cannot be illuminated.
 4. Signs may be erected once the first development permit for the project has been issued. If development is not begun in 60 days or if construction is not continuously and actively pursued to completion, all signs must be removed.
 5. Signs must be removed upon completion of the project or when the development permit expires.
 6. Signs cannot be located within the public right-of-way.
 7. Construction Fence Wraps.
 - a. Wraps are allowed on fences securing new construction sites for the duration of the construction activity.
 - b. The wrap must be removed prior to the issuance of a Certificate of Occupancy.
 - c. The fence wrap must be maintained in good condition and be properly attached to the fence.
 - d. Messages, logos, renderings or similar information shall not exceed 30 percent of the total fence wrap area.

(Ord. No. 2022-08-12, § 1, 8-22-2022)

STATE OF GEORGIA
COUNTY OF FULTON

First Reading:
Second Reading:

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE BY MODIFYING SECTION 10.3.22 TEMPORARY SIGN PERMIT REQUIRED.

WHEREAS, the City of Roswell is a Georgia municipal corporation; and

WHEREAS, the Mayor and Council are the governing authority of the city; and

WHEREAS, the Mayor and Council have determined that it benefits the health, safety and welfare of the citizens of Roswell to amend the Unified Development Code (UDC); and

WHEREAS, the City finds that the regulations contained in this Unified Development Code (UDC) are necessary for the purposes of implementing its 2040 Comprehensive Plan adopted pursuant to the requirements of the Georgia Planning Act of 1989; and

WHEREAS, this Unified Development Code (UDC) has been prepared and considered in accordance with the zoning procedures law, O.C.G.A. 36-66;

NOW, THEREFORE, the Mayor and Council of the City of Roswell, Georgia, pursuant to their authority, do hereby amend Article 10, Site Development, Section 10.3.22. Temporary Sign Permit Required, of the Unified Development Code (UDC), which is incorporated hereby reference.

1.

Section 10.3.22 On-Site Real Estate Signs, All Other Non-Single-Family Districts, Letter E.2 as follows:

Once ~~a the~~ building is fully occupied, no on-site real estate signs are allowed on the ground; they must be located on a panel on an existing monument sign or placed in the window of an empty tenant space.



Memo

To: Mayor and City Council

From: Jeannie Peyton
Planning and Zoning Director

Date: April 1, 2026

Subject: **Text Amendment to Unified Development Code (UDC)**
Section 10.3.22 Temporary Sign Permit Required

This is a proposed text amendment to Section 10.3.22 of the UDC.

Staff received complaints about legitimate signage advertising space on partially occupied property. This prompted the need for clarification.

Staff has identified the problem with the current ordinance as follows. Per the current ordinance:

- Each parcel is allowed one, on-site real estate sign to indicate that the property space is for sale or lease.
- Once the property is leased out, the ground real estate signs must be removed.

In order to address this issue, staff proposes to revise the Ordinance to specify that once a building is “fully” occupied, no on-site real estate signs are allowed on the ground.

This addition gives Code Compliance more clarity as they enforce sign rules.

The Community Development Department recommends approval of this text amendment.

38 Hill Street, Roswell, GA 30075
www.roswellgov.com



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www.roswellgov.com

Attachment: Memo-UDC 10.3.22 Temporary Sign Permit Required (TextA amendment UDC Section 10.3.22 Temporary Sign Permit Required)



City of Roswell
Planning Commission
AGENDA ITEM REPORT

ID # - 10283

MEETING DATE: April 21, 2026
DEPARTMENT: Community Development
ITEM TYPE: Public Hearing

Consideration of an ordinance to amend the Unified Development Code of the City of Roswell, Georgia by amending Article 14, Section 14.2 Defined Terms

Action Required:

Recommendation for Mayor and Council

Description:

Ordinance to amend the Unified Development Code, Article 14, Section 14.2 Defined Terms by adding a definition for "occupied".

Financial Impact:

N/A

Comments:

See attached

STATE OF GEORGIA
COUNTY OF FULTON

First Reading:
Second Reading:

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE BY
MODIFYING SECTION 14.2 DEFINED TERMS.**

WHEREAS, the City of Roswell is a Georgia municipal corporation; and

WHEREAS, the Mayor and Council are the governing authority of the city; and

WHEREAS, the Mayor and Council have determined that it benefits the health, safety and welfare of the citizens of Roswell to amend the Unified Development Code (UDC); and

WHEREAS, the City finds that the regulations contained in this Unified Development Code (UDC) are necessary for the purposes of implementing its 2040 Comprehensive Plan adopted pursuant to the requirements of the Georgia Planning Act of 1989; and

WHEREAS, this Unified Development Code (UDC) has been prepared and considered in accordance with the zoning procedures law, O.C.G.A. 36-66;

NOW, THEREFORE, the Mayor and Council of the City of Roswell, Georgia, pursuant to their authority, do hereby amend Article 14, Definitions, Section 14.2 Defined Terms, of the Unified Development Code (UDC), which is incorporated hereby reference.

1.

Section 14.2 Defined Terms as follows:

By adding **Occupied**. The state or condition of legally holding, possessing, utilizing or residing in a building or portion thereof.

Sec. 14.2. Defined Terms

Sec. 14.2. Defined Terms**A**

Abutting. Having property lines in common. Separation by a street or alley is not considered abutting.

Accessory building. see Building, accessory.

Affordable housing. Owner-occupied, single-family residential units in which the combined family income of the homeowner ranges from 25% to 50% of the Atlanta Metropolitan area median income as determined annually by the U.S. Department of Housing and Urban Development.

Aging adults. Persons 60 years of age or older or mature adults below the age of 60 whose needs and interests are substantially similar to persons 60 years of age or older who have physical or mental limitations that restrict their abilities to perform the normal activities of daily living and impede independent living.

Alley. A public or private thoroughfare which affords only a secondary means of access to abutting property.

Alteration. Any change in the supporting members of a building or structure such as bearing walls, columns and girders, except such emergency change as may be required for safety purposes; any addition to a building; any change in use; or, any movement of a building from one location to another.

Antenna. Any exterior apparatus designed for telephone, radio, or television communications or data transmission through the sending and/or receiving of electromagnetic waves.

Apartment. One or more rooms with private bath and kitchen facilities comprising an independent self-contained dwelling unit offered for rent in a building containing more than 2 dwelling units.

Applicant. A person submitting an application for approval under this UDC.

Arborist. The agent of the City of Roswell primarily responsible for administering and enforcing the tree protection requirements.

Archaeological site. Any cultural or historical site in the city that is documented by a reputable source such as the Georgia Archaeological Site File of the University of Georgia Riverbend Research Laboratories (the official repository for information about known archaeological sites of all periods in the State of Georgia), the Office of the State Archaeologist, the Society for Georgia Archaeology, the Archaeological Services Unit of the Historic Preservation Division of the Georgia Department of Natural Resources, or the Roswell Historical Society, or which is discovered to have artifacts or burial objects, or which is predicted by a model summarized in Chapter 9 of the Roswell Comprehensive Plan and shown on supporting documents as having a high probability of containing artifacts or burial objects. Artifacts may range from (include but are not limited to) early prehistoric sites with Aboriginal lithic (stone tool production) scatter, to 19th Century textile mills, grist mills, saw mills, bridges, and ferries, to historic 20th Century home sites, with standing structures or structural remains such as standing chimneys and foundations.

Area of special flood hazard. The land in the floodplain subject to a one percent or greater chance of flooding in any given year.

B

Basal area. The cross-sectional area of a tree trunk at diameter breast height (DBH) expressed herein in terms of "units" per acre.

Basement. That portion of a building having its lowest floor subgrade (below ground level) on 2 or more sides.

Berm. An earthen mound or embankment designed to provide visual interest, screen views, reduce noise or fulfill other such purposes.

Sec. 14.2. Defined Terms

Board of Zoning Appeals. The body established by this UDC and appointed by the City Council which has authority to take action on appeals and variances as established in Article 13.

Breezeway.

1. A porch or roofed passageway open on the sides, for connecting two buildings, such as a house and a garage.
2. A covered passageway, as between a house and garage sometimes with the sides enclosed.

Buffer. A strip of land located between a side or rear property line and a building, structure, or use, intended to separate and obstruct the view of the site on which the buffer is located from an abutting property.

Buffer with respect to a stream. A natural or enhanced vegetated area established by section 12.2.3.A, lying adjacent to the stream.

Buildable area. The portion of a lot which is not located within any minimum required setback, landscape area or buffer; that portion of a lot where a building or structure may be located.

Building. Anything attached to the ground having a roof supported by columns or by walls and intended for shelter, housing or enclosure of persons, animals or personal property. For purposes of this UDC, the term "building" includes "structure".

Building, accessory. A building subordinate to the main building on a lot and used for purposes incidental to the main or principal building and located on the same lot.

Building, principal. A building that contains the principal use on the lot on which the building is situated.

Building Inspector. The City Official responsible for implementing and enforcing the applicable building codes and standards of the City, or their designee.

C

Caliper. A nursery standard of tree trunk measurement for understory trees or replacement trees. Caliper of the trunk shall be taken at 6 inches above the ground for trees up to and including 8-inch caliper size.

Capital improvement. An improvement with a useful life of 10 years or more, by new construction or other action, which increases the service capacity of a public safety, recreation and parks or transportation facility of the City of Roswell.

Capital improvement element. That portion of the Roswell Comprehensive Plan which sets out projected needs for system improvements during a planning horizon established in the Roswell Comprehensive Plan, a schedule of capital improvements that will meet the anticipated need for system improvements and a description of anticipated funding sources for each required improvement.

Certificate of Appropriateness. A document approving a proposal to make a change in the appearance of a property, structure, site or work of art designated "historic" or "historic-obscured" on the Historic Properties Map.

Certificate of Occupancy. A document issued by the Building Inspector allowing the occupancy or use of a building or land and certifying that the structure, use, or land has been constructed or erected or will be used in compliance with all applicable city codes and ordinances.

Channel. A natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

Common area. Land within a development, not individually owned or dedicated to the public, and designed for the common usage of the development. These areas include green open spaces and yards and may include pedestrian walkways and complimentary structures and improvements for the enjoyment of residents of the development.

Sec. 14.2. Defined Terms

Condominium. A building, or group of buildings, in which units are owned individually, and the structure, common areas and facilities are owned by all the owners on a proportional, undivided basis.

Conservation easement. An agreement between a land owner and the City of Roswell or other government agency or land trust that permanently protects open space or green space 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.

Courtyard. A space that is predominantly open to the sky and improved with landscaping, garden or other similar green space as an amenity to surrounding cottages.

Critical root zone. The minimum area beneath a tree which must be left undisturbed in order to preserve a sufficient root mass to give a tree a reasonable chance of survival. The critical root zone will typically be represented by a concentric circle centering on the tree's trunk with a radius equal in feet to 1.5 times the number of inches of the trunk diameter.

Curb cut. The providing of vehicular ingress and/or egress between property and an abutting street.

D

Detention. The temporary storage of stormwater runoff in a stormwater management facility for the purpose of controlling the peak discharge.

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 man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials.

Development activity. Any construction or expansion of a building, structure or use, any change in use of a building or structure, or any change in the use of land requiring the issuance of a building permit.

Direct light. Light emitted directly from the lamp, off of the reflector or reflector diffuser or through the refractor or diffuser lens, of a luminaire.

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.

Drip line. An imaginary perpendicular surface from a tree's branch tips down to the ground; The circular area of land surrounding the tree from the trunk to the outermost branches. This area is distinguished from, and not to be confused with critical root zone.

Dwelling. A building designed, arranged or used for permanent living and sleeping quarters.

Dwelling unit. A building, or portion of a building, designed, arranged and used for living quarters for one or more persons living as a single housekeeping unit with cooking facilities, but not including units in hotels or other structures designed for transient residence.

E

Economic development. Any development activity determined by the City of Roswell as extraordinary economic development which is construed as a revitalization effort or as a positive catalyst in shaping Roswell's economic stability.

Sec. 14.2. Defined Terms

Encumber. To legally obligate by contract or otherwise commit to use by appropriation or other official act of the City.

Engineering Director. The Engineering division manager of the department of Community Development, or their designee.

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.

Extreme flood protection. Measures taken to prevent adverse impacts from large low-frequency storm events with a return frequency of 100 years or more.

F

Family. A person living alone, or any of the following groups living together as a single nonprofit housekeeping unit and sharing common living, sleeping, cooking and eating facilities: (except as otherwise provided by Federal Law)

- 1) Any number of persons related by blood, marriage, adoption, guardianship, foster or other duly-authorized custodial relationship; or
- 2) A maximum of 3 unrelated persons; or
- 3) Two unrelated persons and any parents or children related to either.

Feepayer. That person who pays an impact fee, or his successor in interest, with the right or entitlement to any refund of a previously paid impact fee which is required by this ordinance and which has been expressly transferred or assigned to the successor in interest. In the absence of an express transfer or assignment of the right or entitlement to any refund of previously paid impact fees, the right or entitlement shall be deemed "not to run with the land."

Flood. A general and temporary condition of partial or complete inundation of normally dry land areas from.

- 1) The overflow of inland waters; and/or
- 2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM). An official map of a community, on which the Federal Insurance Administration has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flooding. A volume of surface water that is too great to be confined within the banks or walls of a conveyance or stream channel and that overflows onto adjacent lands.

Floodplain. Any land area susceptible to flooding, which would have at least a one percent probability of flooding occurrence in any calendar year based on the basin being fully developed as shown on the current land use plan; i.e., Area of Special Flood Hazard.

Flowing stream. Any water conveyance system, beginning at:

- 1) The location of a spring, seep or groundwater outflow that sustains streamflow; or
- 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. Field studies may be required by the city engineer or designee, to verify the existence of a flowing stream.

Footcandle. A unit of illuminance on a surface that is everywhere one foot from a uniform point source of light of one candle and equal to one lumen per square foot. One footcandle (FC) is the equivalent of 10.76 Lux (1 Lux = 0.0929 FC).

G

Sec. 14.2. Defined Terms

Generalized wetlands map. Any U.S. Fish and Wildlife Service National Wetlands Inventory (NWI) map showing wetlands within the City of Roswell; or the water resources map of the City of Roswell if wetlands are included on said map.

Georgia Archaeological Site File. A centralized location where archaeologists access information concerning Georgia's archaeological resources. Every site is plotted on a U.S. Geological Survey topographic map, which archaeologists can examine to view the site distribution in a given area. In addition, the data from every site form are entered into a computer database. Archaeologists can use this database to gather information about many aspects of a site or sites.

Georgia Stormwater Management Manual (GSMM). The latest edit of the Georgia Stormwater Management Manual Volume 2: Technical Handbook, and its Appendices.

Glare. Light emitting from a luminaire with an intensity great enough to reduce a viewer's ability to see, and in extreme cases causing momentary blindness, or that causes annoyance or discomfort.

Grade. The ground surface at the edge of the adjacent sidewalk, curb or crown of road, whichever is highest.

Grade, natural. The existing grade or elevation of the ground surface that exists or existed prior to man-made alterations, such as grading, grubbing, filling or excavating.

Green space. See Open space.

Gross floor area. The sum in square feet of the gross horizontal area of all floors of a building measured from the interior faces of the exterior walls or from the centerline of walls separating two buildings when two buildings or units abut. Elevator shafts, stairwells, floor space used for mechanical equipment, attics, balconies and mezzanines, enclosed porches and floor area devoted to roofed accessory uses are included in the calculation of gross floor area. However, the following is not included: any space devoted exclusively to on-site parking; outdoor loading, display, storage, utility service areas; and/or uninhabited enclosed space on tops of roofs; or attic space having head room of less than 7'-10".

Group home. A residential dwelling unit containing up to 6 unrelated persons who are mentally or physically impaired who are protected under the Fair Housing Act, along with support or supervisory personnel or family members who may reside at the facility. The term mental or physical impairment includes conditions such as blindness, hearing impairment, mobility impairment, HIV infection, mental retardation, alcoholism, drug addiction, chronic fatigue, learning disability, head injury, and mental illness. Current users of illegal controlled substances, persons convicted for illegal manufacture or distribution of a controlled substance, sex offenders, and juvenile offenders, are not considered mental or physically impaired under the Fair Housing Act. The Fair Housing Act affords no protections to individuals with or without disabilities who present a direct threat to the persons or property of others. Determining whether someone poses such a direct threat must be made on an individualized basis, however, and cannot be based on general assumptions or speculation about the nature of a disability.

H

Hedge. A row of closely planted shrubs, bushes or any kind of plant forming a boundary.

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 groups, D soils, which have low permeability rates and produce much more runoff.

I

Illuminance. The area density of the luminous flux incident at a point on the surface. It is a measure of light incident on a surface, expressed in lux or footcandles.

Impact fee. A payment of money imposed upon development activity as a condition of development approval to pay for a proportionate share of the cost of system improvements needed to serve new growth and development.

Sec. 14.2. Defined Terms

Impervious surface or impervious cover. A man-made structure or surface which prevents the infiltration of stormwater into the ground below the structure or surface. Examples are buildings, roads, driveways, parking lots, decks, swimming pools or patios.

Individual establishment. A single business entitled under a lease, rental agreement or other agreement with the owner of record of the property or his or her agent, or the owner of record of the property or a shareholder of the owner of record, having its own address, as assigned by the City of Roswell.

Individual fee calculation study. The documentation prepared by a feepayor to allow determination of an impact fee other than by use of the fee schedule of this ordinance as required by O.C.G.A. § 36-71-4(g).

Individual fee determination. An impact fee determined by the administrator on the basis of an individual fee calculation study.

Industrial stormwater permit. A National Pollutant Discharge Elimination System (NPDES) permit issued to an industry or group of industries which 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.

Interior lot: A lot other than a corner lot.

Isofootcandle plan. A site plan of a proposed development showing proposed outdoor illuminance with a series of isofootcandle lines that join points on a surface where the illuminance is the same.

J

Junk. Scrap or waste material of any kind or nature collected for resale, disposal or storage, or by accumulation.

Jurisdictional wetland. An area that meets the definitional requirements for wetlands as determined by the U.S. Army Corps of Engineers.

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.

Jurisdictional wetland determination. A delineation of jurisdictional wetland boundaries by the U.S. Army Corps of Engineers, as required by Section 404 of the Clean Water Act, 33 U.S.C. § 1344, as amended.

K

Kitchen. Any room or part of a room designed, built, used or intended to be used for cooking, the preparation of food or dishwashing. The presence of a range, oven or dishwasher, or utility connections suitable for serving a range or oven, shall normally be considered as establishing a kitchen.

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 activity or activities. Those actions or activities which comprise, facilitate or result in land development.

Land development project. A discrete land development undertaking.

Land-disturbing activity. Scraping, plowing, clearing, dredging, grading, excavating, transporting or filling of land or placement of any structure or impervious surface, dam, obstruction or deposit, except that grubbing, home gardening or ordinary landscape maintenance shall not be considered as a land-disturbing activity.

Sec. 14.2. Defined Terms

Land disturbance permit: An official authorization issued by the Engineering Director in accordance with this Sec. 13.8.

Light emitting diode (LED): An electronic device that emits light when an electrical current is passed through it.

Light fixture. The assembly that houses the lamp or lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror or a refractor or lens.

Lot, corner. A lot abutting upon 2 or more streets at their intersection.

Lot line, front. The front property line coincident with a street right-of-way line.

Low impact development (LID). A stormwater management approach to manage rainfall in a way which more closely mimic the natural hydrologic system at the site prior to any development. Techniques include those which infiltrate, store, filter, evaporate and detain stormwater close to the location where the rain fell.

Lot of record. A lot which is part of a subdivision, a plat of which has been recorded in the records of the Clerk of Superior Court of Fulton County; or a parcel of land, the deed of which has been recorded in the same office as of the effective date of this ordinance.

Luminaire. A complete lighting system, including a lamp or lamps and a fixture. This term shall be interpreted broadly as applying to all outdoor electrically powered illuminating devices, outdoor lighting or reflective surfaces, lamps and similar devices, permanently installed or portable, used for illumination or advertisement.

M

Manufactured home. A structure, transportable in one or more sections, which, in the traveling mode, is 8 body feet or more in width or 40 body feet or more in length, when erected on site, is 320 or more square feet in floor area, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems; or a structure that otherwise comes within the definition of a "manufactured home" under the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 U.S.C. 5401-5445).

Metes and bounds. A system of describing and identifying land by a series of lines around the perimeter of an area; "metes" means bearings and distances and "bounds" refers to monuments both physical and legal.

Methodology report. The technical report entitled "Development Impact Fees", prepared for the City of Roswell, Georgia, December 7, 1992 and the "Road Facilities Impact Fee Study", prepared for the City of Roswell, Georgia, June 10, 1994. As of the effective date of this ordinance amendment, the methodology report shall be the chapter of the adopted Roswell comprehensive plan titled "Development Impact Fee Methods Report," as may be amended from time to time.

Midstory tree. A tree that composes the mid-layer or canopy of vegetation and will generally reach a mature height of between 30 and 50 feet.

Multi-family. Three or more dwelling units in a single principal structure.

N

Neon sign. Any sign utilizing or emulating visible neon/argon or other fluorescing gas contained in glass tubing.

New development. A land development activity on a previously undeveloped site.

Nonpoint source pollution. A form of water pollution that does not originate from a discrete point such as a wastewater treatment facility 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

Sec. 14.2. Defined Terms

source pollution is a by-product of land use practices such as agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

Nonstructural stormwater management practice or nonstructural practice. Any natural or planted vegetation or other nonstructural component of the stormwater management plan that provided 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 green space areas, overland flow filtration areas, natural depressions, and vegetated channels.

O

Occupied. The state or condition of legally holding, possessing, utilizing or residing in a building or portion thereof.

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Open space. A portion of a development site that is permanently set aside for public or private use and contains no buildings or part of a building, parking lots, streets or alleys.

Open Space, Landscaped. See Sec. 2.2.6.

Outdoor Amenity Space. See Sec. 2.2.7.

Overstory tree. A tree that composes the top layer or canopy of vegetation and will generally reach a mature height of greater than 50 feet.

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, firm or corporation in control of the site.

P

Parcel. Any plot, lot or acreage shown as a unit on the latest county tax assessment records.

Peak hour. 7:00 a.m. to 8:00 a.m., or 8:00 a.m. to 9:00 a.m., or the highest 4 fifteen-minute increments within such time period for the a.m. peak hour; 4:00 p.m. to 5:00 p.m., 5:00 p.m. to 6:00 p.m., or the highest 4 fifteen-minute increments within such a time period for the p.m. peak hour.

Permit. The permit issued by the City of Roswell to the applicant which is required for undertaking any land development activity.

Personal use only. Non-commercial, personal use only.

Perennial stream. Any stream which shows on a United States Geological Survey (USGS) quadrangle map as a solid blue line and identified as a perennial stream on the water resources map.

Pollution susceptibility. The relative vulnerability of an aquifer to being polluted from spills, discharges, leaks, impoundments, applications of chemicals, injections and other human activities in the recharge area. Each significant recharge area shown on Hydrologic Atlas 18 is classified on Hydrologic Atlas 20 as high, medium or low.

Post-development. 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.

Poultry enclosure. An enclosed area to house and control poultry.

Pre-development. The time period, or the conditions that exist, on a site prior to the commencement of any land development project. 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.

Sec. 14.2. Defined Terms

Present value. The current value of past, present or future payments, or contributions or dedications of goods, services, materials, construction or money.

Private development agreement. A mutual agreement between the City and a developer regarding development activity whereby the projects proportionate share of system improvements is funded through a source other than impact fees.

Professionally accepted. Published by the Institute of Transportation Engineers; or prepared by a qualified professional under work supervised by the City of Roswell, or prepared by a qualified professional and accepted by the director of transportation.

Project. A land development project.

Project improvements. Site improvements and facilities that are planned and designed to provide service for a particular development project and that are necessary for the use and convenience of the occupants or users of the project and are not system improvements. The character of the improvement shall control a determination of whether an improvement is a project improvement or system improvement and the physical location of the improvement on-site or off-site shall not be considered determinative of whether an improvement is a project improvement or a system improvement. If an improvement or facility provides or will provide more than incidental service or facilities capacity to persons other than users or occupants of a particular project, the improvement or facility is a system improvement and shall not be considered a project improvement. No improvement or facility included in a plan for public facilities approved by the City shall be considered a project improvement.

Proportionate share. That portion of the cost of system improvements which is reasonably related to the demands and needs of a project.

Protected district. A protected district includes the following districts: AG-43, RS-87, RS-30, RS-18, RS-12, RS-9, RS-6, RS-4, R-CC, R-TH, DR, CIV and PRD.

Protected critical root zone (PCRZ). Critical root zone area protected from any disturbance with active or passive tree protection techniques described in this UDC.

Protected critical root zone percent. Tree protection zone (in square feet) divided by critical root zone (in square feet) times 100.

Q

[Reserved]

R

Recharge area. Any portion of the earth's surface where water infiltrates into the ground to replenish an aquifer.

Recharge area, significant. Those areas shown in the Comprehensive Plan of the City of Roswell as significant recharge areas according to information from the Georgia Geologic Survey and as designated by the Georgia Department of Natural Resources pursuant to Rules for Environmental Planning Criteria of the Georgia Department of Natural Resources.

Recreational vehicle. Any vehicle, including motorized homes, campers, travel trailers and camping trailers, designed and/or used for temporary living or sleeping quarters or recreational purposes and equipped with wheels to facilitate movement from place to place. This definition includes other craft used for recreational purposes such as boats with or without trailers, wave runners and water-borne craft.

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.

Sec. 14.2. Defined Terms

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.

Regulated activity. Any activity which will, or which may reasonably be expected to, result in the discharge of dredged or fill material into waters of the U.S. excepting those activities exempted in Section 404 of the Federal Clean Water Act.

Reservoir, water supply. A governmentally owned impoundment of water for the primary purpose of providing water to one or more governmentally owned public drinking water systems. This excludes the multipurpose reservoirs owned by the U.S. Army Corps of Engineers.

Retaining wall. A wall or similar structure used at a grade change to hold soil on the up-hillside from slumping, sliding or falling.

Revegetation. The replacement of trees and landscape materials into the minimum required landscape areas, as determined by the Zoning Ordinance, conditions of zoning approval or the provisions of this UDC.

Right-of-way, private. Street or other rights-of-way owned by any private entity.

Right-of-way, public. Street or other rights-of-way owned by the federal, state, or county government, the City of Roswell, or any other governmental or quasi-governmental entity.

Riparian. Belonging to or relating to the bank of a river, stream, lake, pond or impoundment.

Roof. The cover of a building, including the eaves and similar projections.

Runoff. Stormwater runoff.

S

Safety lighting. Exterior lighting that involves ensuring proper levels of illumination to provide safe working conditions, safe passage and the identification of outdoor hazards.

Security lighting. Exterior lighting installed solely to enhance the security of people and property.

Service area. The geographic limits of the City of Roswell including any future annexations.

Setback. A line demarcating that portion of the lot specified must remain devoted to a yard, and the buildable portion of the lot.

Setback with respect to a stream. The area established by section 12.2.3.A extending beyond any buffer applicable to the stream.

Shared stormwater facility. A stormwater facility that provides the benefits of stormwater management to at least two parties and has been approved by the City in accordance with the City's Shared Stormwater Facility Policy and Procedure.

Shopping center. A group of commercial establishments, planned, developed, owned and managed as a unit, with off-street parking provided on the property and related in its location, size and type of shops to the trade area which the unit serves.

Sidewalk cafe. A portion of a restaurant located outside of the principal building (unenclosed) on a public sidewalk which provides a sit down area for food and/or beverage consumption purposes or a sit-down outdoor waiting area

Significant recharge area. see Recharge area, significant.

Site. The parcel of land being developed, or the portion thereof on which the land development project is located.

Sec. 14.2. Defined Terms

Specimen tree. Any tree, as defined by this article, in fair or better condition, which qualifies for special consideration for preservation due to size, species, or condition, and which meets one of the following:

- 1) 8" dbh - Small trees such as dogwood, sourwood, cherry, etc.
- 2) 16" dbh - Midstory trees such as maple, birch, magnolia, holly, etc.
- 3) 20" dbh - Overstory hardwoods such as oak, hickory, sweetgum, ash, etc.
- 4) 30" dbh - Overstory softwoods such as pine, etc.

Specimen tree, lost. Lost specimen trees are specimen trees intended to be saved that have a protected critical zone of less than 75%.

Specimen tree, saved. Saved specimen trees have a protected critical zone of 75% or more of total critical root zone area completely protected.

Stormwater management. The collection, conveyance, storage, treatment and disposal of stormwater runoff in a manner intended to prevent increased flood damage, streambank channel erosion, habitat degradation and water quality degradation, and to enhance and promote the public health, safety and general welfare.

Stormwater management facility. Any infrastructure that controls or conveys stormwater runoff.

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 ordinance.

Stormwater runoff. The flow of surface water resulting from precipitation.

Story. That portion of a building compromised between a floor and the floor or roof next above. The first floor of a two- or multi-story building shall be deemed the story that has no floor immediately below it that is designed for living quarters or for human occupancy. Those stories above the first floor shall be numbered consecutively.

Stream bank. The natural bank of a stream where the low water mark of such stream and the bank intersect.

Street. A dedicated and accepted public right-of-way, or a private street approved by the City, which affords the principal means of access to abutting properties.

Street frontage. The width in linear feet of each lot where it abuts the right-of-way of any public street.

Structure. Anything built, constructed or erected, or established or composed of parts joined together in some definite manner, the use of which requires location on the ground or which is attached to something having permanent location on the ground. Swimming pools, tennis courts, dog houses, and outdoor fenced animal runs are considered structures. Tents, vehicles, trailers and play equipment attached to the ground in some permanent or temporary way are considered structures. A structure may or may not be easily moved from a given location on the ground.

Subdivision. The division of a tract or parcel of land resulting in one or more new lots or building sites for the purpose, whether immediately or in the future, of sale, other transfer of ownership or land development, and includes divisions of land resulting from or made in connection with the layout or development of a new street or roadway or a change in an existing street or roadway.

System improvements. Capital improvements which are designed to provide service to the community at large, in contrast to project improvements.

System improvement costs. Costs incurred to provide additional facilities, including equipment needed to serve new growth and development for planning, design and construction, land acquisition, land improvement, design and engineering related thereto, including the cost of constructing or reconstructing system improvements or facility expansions, including but not limited to the construction contract price, surveying and engineering fees, related land acquisition costs (including land purchases, court awards and costs, attorney's fees, and expert

Sec. 14.2. Defined Terms

witness fees) and expenses incurred for qualified staff or any qualified engineer, planner, architect, landscape architect or financial consultant for preparing or updating the capital improvement element, and administrative costs equal to 3% of the total amount of the costs. System improvement costs shall also include projected interest charges and other finance costs if and to the extent the impact fees are to be used for the payment of principal and interest on bonds, notes or other financial obligations issued by or on behalf of the City to finance the capital improvement element. Such costs do not include routine and periodic maintenance expenditures, personnel training and other operating costs.

T

Temporary structure. A use or structure that is in place for only a short period of time.

Transitional Parcel. A parcel of property, which borders either Georgia State Highways GA 9 or GA 140 east of GA 9, or any parcel that borders and is directly adjacent to a currently zoned commercial parcel, except Parkway Village. For purposes of this definition, parcels in zoning categories DR and RX are not considered "commercial parcels." Any parcel within an existing subdivision, as currently shown on that City of Roswell map entitled "Subdivisions and Multi-Family Complexes" dated December 20, 2012, revised February 17, 2016, as such map may be amended from time to time, and/or any area or parcel designated as being within a Planned Residential Development (PRD) shall not be considered a Transitional Parcel.

Transportation Director. The Director of the Transportation Department of the City of Roswell, or their designee.

Tree. Any self-supporting, woody perennial plant usually having a single trunk diameter of 3 inches or more which normally attains a mature height of a minimum of 15 feet.

Tree bank. An account, maintained by the Finance Department of the City of Roswell, of funds contributed from developers as a form of alternative compliance to the requirements of this article. Funds from the tree bank are to be used solely for the purchase and planting of trees for public benefit on public property, or private property within a public easement, within the City of Roswell as authorized by the City Council.

Tree density unit. A unit of measure based on diameter breast height of trees which is used to prescribe a minimum number of trees on any given development site.

Tree in fair or better condition. A tree that meets the following criteria.

- 1) A life expectancy of greater than 15 years; and
- 2) A structurally sound trunk, not hollow and having no extensive decay, and less than 20 percent radial trunk dieback; and
- 3) For hardwoods only, no more than one major and several minor dead limbs; and
- 4) No major insect or pathological problem.

Tree Preservation/Conservation Report. A report prepared by an ISA Certified Arborist including, but not limited to, existing health conditions, prescribed treatments, tree preservation methods, techniques and/or procedures to be implemented, prior to, during and after proposed development activities.

Tree removal permit. A formal letter or permit issued by the arborist allowing for the removal of a tree from a property.

Tree save area. An area designated for the purpose of meeting tree density requirements, saving natural trees, preserving the root system of natural trees and/or preserving natural buffers.

Trip. A single or one-directional travel movement with either the origin or destination of the trip inside the study site.

Sec. 14.2. Defined Terms

Trip generation. An estimate of the number of vehicle trips that will be generated due to the new development, which is calculated based on the type and amount of land uses in the proposed development and professionally accepted trip generation rates for each such land use. Trip generation may be expressed on an average daily basis or average peak hour (a.m., p.m.), or both.

U

Understory tree. Any tree that grows beneath the overstory, and will generally reach a mature height of under 40 feet.

Utility. Public or private water or sewer piping systems, water or sewer pumping stations, electric power lines, fuel pipelines, telephone lines, roads, driveways, bridges, river/lake access facilities, stormwater systems and railroads or other utilities identified by a local government.

V

[Reserved]

W

Wall, Bearing. A wall of a structure that supports a vertical load in addition to its own.

Wall, Foundation. A part of building foundation that forms a retaining wall for the portion of building that is below grade.

Wall, Parapet. That part of a wall that extends above the roof level or a low wall along the top of a dam.

Wall, Retaining. A wall or similar structure used at a grade change to hold soil on the up-hillside from slumping, sliding or falling. Exterior facing retaining wall is located along the perimeter of a site or development with the exposed face of the wall visible to the adjoining properties. Interior facing retaining wall located along the perimeter of a site or development has an exposed face that is not visible to adjoining properties.

Wall, Screening. A wall installed to conceal or break a view, which supports no vertical weight other than its own.

Wall, Shear. A portion of a structure intended to resist lateral forces.

Water resources map. A map prepared by the City and made a part of this ordinance which identifies perennial streams and known flowing streams, and which may include other hydrologic information related to this or other articles of this Zoning Ordinance.

Water supply watershed. The area of land upstream of a governmentally owned public drinking water intake.

Wetlands. Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support - and that under normal circumstances do support — a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. The ecological parameters for designating wetlands include hydric soils, hydrophytic vegetation and hydrological conditions that involve a temporary or permanent source of water to cause soil saturation.

X

[Reserved]

Y

Yard, front. An open, unoccupied space between the front line of a building or structure and the front boundary of a lot or an existing or proposed street right-of-way and extending along the entire width of the lot.

Yard, side. An open, unoccupied space located between the side lines of a building or structure and the side boundary of a lot or an existing or proposed street right-of-way and extending along the entire length of the lot.

Sec. 14.2. Defined Terms

Yard, rear. An open, unoccupied space located between the rear line of a building or structure and the rear boundary of a lot or an existing or proposed street right-of-way and extending along the entire width of the lot.

Z

[Reserved]

(Ord. No. 2017-04-02, § 1, 4-10-2017; Ord. No. 2019-01-07, § 1, 1-14-2019; Ord. No. 2020-06-07, § 1, 6-8-2020; Ord. No. 2020-12-20, § 1, 12-14-2020; Ord. No. 2022-05-04, § 1, 5-23-2022; Ord. No. 2022-08-12, § 2, 8-22-2022; Ord. No. 2023-05-10, § 2, 5-8-2023)



Memo

To: Mayor and City Council

From: Jeannie Peyton
Planning and Zoning Director

Date: April 1, 2026

Subject: **Text Amendment to Unified Development Code (UDC)**
Section 14.2 Defined Terms

This is a proposed text amendment to Section 14.2 of the UDC.

Staff has identified the problem with the current ordinance as follows:
In relation to the previous amendment, there lacks clarity as to when a building is considered “occupied.” This is a problem because the rules for real estate signs change once a building is fully leased out.

In order to address this issue, staff proposes a revision to the Ordinance to add a definition for “occupied.”

Occupied: the state or condition of legally holding, possessing, utilizing or residing in a building or portion thereof.

This addition give Code Compliance more clarity as they enforce sign rules. This definition has been vetted by Legal.

The Community Development Department recommends approval of this text amendment.

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City of Roswell
Planning Commission
AGENDA ITEM REPORT

ID # - 10287

MEETING DATE: April 21, 2026
DEPARTMENT: Community Development
ITEM TYPE: Public Hearing

Consideration of an ordinance to amend the UDC of the City of Roswell, Georgia by amending Article 10 Site Development, Section 10.3 Signs

Action Required

Recommendation for Mayor and Council

Description:

Ordinance to amend the Unified Development Code of the City of Roswell, Georgia by amending Article 10 Site Development, Section 10.3.16 Signs Which Require No Permit, to clarify what type of internally illuminated window signs are allowed, and to prohibit the outlining of windows/building features with neon/LED lighting.

Financial Impact:

N/A

Comments:

See attached

10.3.16. Signs Which Require No Permit

The following types of signs are exempt from this Section except for size, height, number and location limitations contained herein.

- A. **Public Interest Signs.** Signs of a noncommercial nature and in the 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. **Traffic Movement Signs on Private Property.** Signs on private property directing traffic movement, not exceeding 3 square feet in area, and not advertising any business, service or product. Signs cannot be located within the public right-of-way.
- C. **Credit Card Identification Signs.** On-premises credit card identification signs up to 3 square feet in total area, located on the building of the business to which they relate.
- D. **Signs not Visible from the Public Right-of Way.** Any sign not visible from a public street.
- E. **Window Signs.**
 - 1. A sign installed inside a window for purposes of viewing from outside the premises. Signs cannot exceed 30% of the window area.
 - 2. Internally illuminated window signs, including exposed neon and LED, are prohibited, except as stated below.
 - ~~2. (a)~~ An exposed neon or LED window sign stating "open" that is not greater than 5 square feet in area and does not exceed 30% of the window area, limited to 1 per establishment. The sign is expressly prohibited from blinking, flashing, or fluctuating, and must not be animated in any way. ~~Neon/LED~~ signs are not allowed in the -HOD or -PV districts.
 - 3. Exposed neon or LED lighting outlining and detailing windows or building features is prohibited.
- F. **Quasi-Public Signs.** Off-premises non-illuminated school, hospital, or other quasi-public signs not exceeding 4 square feet in area. Signs cannot be located within the public right-of-way.
- G. **Public Notice Signs.** On-premises warning or similar public notice type signs not exceeding 6 square feet in area. Signs cannot be located within the public right-of-way. Signs can be placed no closer than 100 feet from one another.
- H. **Flags.** Any fabric or other flexible material containing distinctive colors, patterns or symbols used to identify a local, state, or national government or private organization designed to be flown from a flagpole.
 - 1. A maximum of 3 of the following flags are permitted per lot or site:
 - a. The official flag of The United States of America;
 - b. Any official flag of a state or territory of the United States of America;
 - c. Any official flag adopted by a member state of the United Nations;
 - d. Any official flag adopted by a sovereign nation, including Switzerland; and
 - e. Any flag that contains the official logo or trademarked symbol of the business, entity or development on which the flagpole is located.
 - 2. An individual flag cannot exceed 60 square feet in area.

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3. The maximum height of a flagpole is 40 feet, measured from the highest point of the flagpole to the top of the abutting sidewalk or parking area.
 4. A 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.
- I. **Murals.** A mural or work of visual art that conforms with the following standards:
1. Is located on the wall of a building in any district, except a Residential District;
 2. Includes no text legible from a public right-of-way;
 3. Includes no logo or trademarked symbol;
 4. Includes no specific commercial product, although it may include generic products such as automobiles, furniture, soft drinks or other items where the brand is not apparent; and
 5. Includes no picture, symbol or device of any kind that relates to a commercial business, product or service offered on the premises where the wall is located.
- J. **One Percent Rule.** On premise signs attached to the outside wall of any business establishment, which are designed to identify services rendered, products sold or activities conducted on the premises are allowed provided:
1. The total area of such signs does not exceed 1% of the total area of the wall on which they are affixed; and
 2. No more than two such signs are allowed per building.
- K. **Temporary Signs Not Requiring a Permit.** The following temporary signs are allowed without the issuance of a temporary sign permit, provided they meet the specified standards below.
1. **Political Signs.** A sign identifying or urging voter support for a particular election issue, political party, or candidate for public office. A political sign cannot exceed 32 square feet in area and 8 feet in height.
 2. **Civic or Educational Institutions.** Temporary signs not exceeding 4 feet in area pertaining to drives or events of civic, philanthropic, educational, religious organizations are allowed, provided signs are posted not more than 2 days before the event and removed the day after the event.
 3. **New and Used Automobile Sales.**
 - a. New and used automobile sales establishments may display 8-inch vinyl letters professionally made, not hand lettered, indicating the price, model and year of vehicles for sale on the front windshield, not to exceed a total of 320 square inches of area per vehicle.
 - b. Establishments are allowed to use 2 of the following 3 colors: non-fluorescent white, pastel blue and yellow.
 4. **Off-Site Real Estate Directional Signs.** A temporary sign erected by the owner, or their agent, conveying the route to real property, but not located on the property itself.
 - a. Signs are allowed for a maximum period of 2 consecutive days in any one week.
 - b. A maximum of 3 signs per house/lot are allowed.
 - c. Signs must be located within 2 miles of the property to which they refer, as measured along existing streets.
 - d. No sign can be located within the public right-of-way.
 - e. Signs cannot exceed a maximum area of 4 square feet per sign.

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(Supp. No. 5)

- f. Not more than 1 sign is allowed at any "T" intersection and no more than 2 signs are allowed at any 4-way intersection.
 - g. Signs cannot have any balloons, streamers, and pennants attached to them.
 - h. Such signs cannot be illuminated.
 - i. Signs can only be placed on property with the owner's express written permission.
5. **On-Site Real Estate Signs, Single-Family Residential District.** A temporary sign erected by the owner, or their agent, advertising the real property upon which the sign is located for rent, lease, or for sale.
- a. Only one sign is permitted per lot or home for sale.
 - b. The sign cannot be illuminated.
 - c. The sign cannot exceed 6 square feet in area.
 - d. Signs must be removed within 10 days after the lot or building is leased, or sold.
 - e. Signs cannot be located within the public right-of-way.

(Ord. No. 2022-08-12, § 1, 8-22-2022)

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(Supp. No. 5)

STATE OF GEORGIA
COUNTY OF FULTON

First Reading:
Second Reading:

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES BY MODIFYING
SECTION 10.3.16 SIGNS WHICH REQUIRE NO PERMIT**

WHEREAS, the City of Roswell is a Georgia municipal corporation; and

WHEREAS, the Mayor and Council are the governing authority of the city; and

WHEREAS, the Mayor and Council have determined that it benefits the health, safety and welfare of the citizens of Roswell to amend the Code of Ordinances and

WHEREAS, the City finds that the regulations contained in this Code of Ordinances are necessary for the purposes of implementing its 2040 Comprehensive Plan adopted pursuant to the requirements of the Georgia Planning Act of 1989; and

NOW, THEREFORE, the Mayor and Council of the City of Roswell, Georgia, pursuant to their authority, do hereby amend Article 10 Site Development, Section 10.3.16 Signs Which Require No Permit, which is incorporated hereby reference.

1.

Section 10.3.16.E is amended as follows:

2. Internally illuminated window signs, including exposed neon and LED, are prohibited, except as stated below.
 - ~~2.~~ (a) An exposed neon or LED window sign stating “open” that is not greater than 5 square feet in area and does not exceed 30% of the window area, limited to 1 per establishment. The sign is expressly prohibited from blinking, flashing, or fluctuating, and must not be animated in any way. Neon/LED signs are not allowed in the -HOD or -PV districts.
3. Exposed neon or LED lighting outlining and detailing windows or building features is prohibited.



Memo

To: Mayor and City Council

From: Jeannie Peyton
Planning and Zoning Director

Date: April 1, 2026

Subject: **Text Amendment to Code of Ordinances**
Section 10.3.16 Signs Which Require No Permit

This is a proposed text amendment to Section 10.3.16 of the Code of Ordinances (COO).

The COO does not specifically prohibit LED window signs. Many convenience or vape stores display multiple internally illuminated window signs and outline windows with neon/LED lighting. This results in windows cluttered with internally illuminated signs, and Code Enforcement does not have language to issue citations.

In order to address this issue, staff proposes revising the Code of Ordinances to specifically prohibit internally illuminated window signs including exposed neon and LED, except for the one “open” sign. That one allowed internally illuminated “open” sign would be prohibited from blinking, flashing, fluctuating or being animated in any way. The revision also prohibits neon/LED lighting that outlines and details windows or building features.

These revisions will assist Code Compliance in the enforcement of signage regulations.

The Community Development Department recommends approval of this text amendment.

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Attachment: Memo-UDC 10.3.16 Signs Which Require No Permit (Text Amendment to UDC Section 10.3.16 Signs Which Require No Permit)



City of Roswell
Planning Commission
AGENDA ITEM REPORT

ID # - 10346

MEETING DATE: April 21, 2026
DEPARTMENT: Community Development
ITEM TYPE: Discussion

Consideration of an ordinance to amend the Unified Development Code of the City of Roswell, Georgia by amending Article 9 Use Provisions, Section 9.7 Accessory Uses, Section 9.7.12 Horse Stable, Non-Commercial

Action Required:

Recommendation for Mayor and Council

Description:

Ordinance to amend the Unified Development Code, Article 9 Use Provisions, Section 9.7 Accessory Uses, Section 9.7.12 Horse Stable, Non-Commercial to allow the use in the RS-18 zoning district (as a limited use).

Financial Impact:

N/A

Comments:

See attached

STATE OF GEORGIA

First Reading:
Second Reading:

CITY OF ROSWELL

ORDINANCE TO AMEND ARTICLE 9 OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROSWELL REGARDING HORSE STABLE, NON-COMMERCIAL

WHEREAS, the City of Roswell is a Georgia municipal corporation; and

WHEREAS, the Mayor and Council are the governing authority of the city; and

WHEREAS, the Mayor and Council have determined that it benefits the health, safety and welfare of the citizens of Roswell to amend the Unified Development Code (UDC); and

WHEREAS, the City finds that the regulations contained in this Unified Development Code (UDC) are necessary for the purposes of implementing its 2040 Comprehensive Plan adopted pursuant to the requirements of the Georgia Planning Act of 1989; and

WHEREAS, this Unified Development Code (UDC) has been prepared and considered in accordance with the zoning procedures law, O.C.G.A. 36-66;

NOW, THEREFORE, the Mayor and Council of the City of Roswell, Georgia, pursuant to their authority, do hereby amend Article 9, Use Provisions, Section 9.7.12. - Horse Stable, Non-Commercial, of the Unified Development Code (UDC), which shall read as follows: **(additions and modifications shown in red)**.

1.

9.7.12. - Horse Stable, Non-Commercial

- A. Defined.** A structure for sheltering horses for the use and enjoyment of residents of the property.
- B. Use Standards.** Where a horse stable is allowed as a conditional use, it may be permitted subject to Sec. 13.4. and the standards below. Where a horse stable is allowed as a limited use, it is subject to the following:
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~~;
 - a. 2 acres, for parcels in the AG-43, RS-87, and RS-30 zoning districts; and
 - b. 15 acres, for parcels in the RS-18 zoning district.
 3. No more than three horses may be kept on the two acres;
 4. An additional 0.5 acres is required for each additional horse kept beyond 3 horses; and
 5. Any accessory building or structure related to the keeping of horses must be located ~~a minimum of 150 feet from any property zoned or used for residential purposes;~~

- a. A minimum of 150 feet from any property zoned or used for residential purposes, for parcels in the AG-43, RS-87, and RS-30 zoning districts; and
- b. A minimum of 100 feet from any property zoned or used for residential purposes, for parcels in the RS-18 zoning district. Alternatively, any accessory building or structure related to the keeping of horses, in the RS-18 zoning district, may be located a minimum of 50 feet from any property zoned or used for residential purposes, with the additional screening provided;
 - i. a 40 foot planted buffer subject to Sec. 10.2.5; or
 - ii. a 20 foot screening buffer subject to 10.2.5 and a 6 foot tall fence subject to 10.2.10.

2.

Severability. Should any court of competent jurisdiction declare any section or part of this Ordinance invalid or unconstitutional, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof, which is not specifically declared to be invalid or unconstitutional.

3.

Repeal of Conflicting Provisions. All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

4.

Renumbering. It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Roswell, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

This Ordinance shall take effect and be in force from and after the day of its adoption, the public welfare demanding it.

The above Ordinance was read and approved by the Mayor and Council of the City of Roswell, Georgia, on the ____ day of _____ 2026.

Mary Robichaux, Mayor

Attest:

Nancy Long, City Clerk

SEAL



Memo

To: Mayor and City Council

From: Jeannie Peyton
Planning and Zoning Director

Date: April 1, 2026

Subject: **Text Amendment to Unified Development Code**
Section 9.7.12 Horse Stable, Non-Commercial

This is a proposed text amendment to Section 9.7.12 of the Unified Development Code (UDC).

The purpose of this revision is to allow the keeping of horses on R-18 property over 15 acres in size, as a limited use.

The revision also states that, any accessory building or structure related to the keeping of horses must be located a minimum of 150 feet from any property zoned or used for residential purposes, for parcels in the AG-43, RS-87, and RS-30 zoning districts; and a minimum of 100 feet from any property zoned or used for residential purposes, for parcels in the RS-18 zoning district. Alternatively, any accessory building or structure related to the keeping of horses, in the RS-18 zoning district, may be located a minimum of 50 feet from any property zoned or used for residential purposes, with additional screening provided.

- i. a 40 foot planted buffer subject to Sec. 10.2.5; or
- ii. a 20 foot screening buffer subject to 10.2.5 and a 6-foot-tall fence subject to 10.2.10.

The Community Development Department recommends approval of this text amendment.

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City of Roswell
Planning Commission
AGENDA ITEM REPORT

ID # - 10347

MEETING DATE: April 21, 2026
DEPARTMENT: Community Development
ITEM TYPE: Public Hearing

Consideration of an ordinance to amend the Unified Development Code of the City of Roswell, Georgia by amending Article 3 Residential Districts, Section 3.4 Allowed Uses, Section 3.4.2 Use Table

Action Required:

Recommendation for Mayor and Council

Description:

Ordinance to amend the Unified Development Code, Article 3 Residential Districts, Section 3.4 Allowed Uses, Section 3.4.2 Use Table to allow horse stable, non commercial as a limited (L) use in the RS-18 zoning district.

Financial Impact:

N/A

Comments:

See attached

STATE OF GEORGIA

First Reading:
Second Reading:

CITY OF ROSWELL

ORDINANCE TO AMEND ARTICLE 3 OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROSWELL REGARDING HORSE STABLE, NON-COMMERCIAL

WHEREAS, the City of Roswell is a Georgia municipal corporation; and

WHEREAS, the Mayor and Council are the governing authority of the city; and

WHEREAS, the Mayor and Council have determined that it benefits the health, safety and welfare of the citizens of Roswell to amend the Unified Development Code (UDC); and

WHEREAS, the City finds that the regulations contained in this Unified Development Code (UDC) are necessary for the purposes of implementing its 2040 Comprehensive Plan adopted pursuant to the requirements of the Georgia Planning Act of 1989; and

WHEREAS, this Unified Development Code (UDC) has been prepared and considered in accordance with the zoning procedures law, O.C.G.A. 36-66;

NOW, THEREFORE, the Mayor and Council of the City of Roswell, Georgia, pursuant to their authority, do hereby amend Article 3, Residential Districts, Section 3.4.2. – Use Table, of the Unified Development Code (UDC), which shall read as follows: (additions and modifications shown in red).

1.

3.4.2. - Use Table

Use Category Specific Use	RESIDENTIAL												Definition/ Standards
	AG-43	RS-87	RS-30	RS-18	RS-12	RS-9	RS-6	RS-4	R-CC	R-TH	RM-2	RM-3	
Accessory Uses													
Accessory uses not otherwise listed below, as determined by the Zoning Director:	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 9.1.3

Attachment: Ordinance UDC 3.4.2 - Use Table TA_CMCC 031026 (TextAmendment UDC 3.4.2--Use Table for RS-18)

Accessory apartment, attached	C	L	L	L	L	—	—	—	—	—	—	—	Sec. 9.7.1
Carriage house (existing lot)	C	C	C	C	C	—	—	—	—	—	—	—	Sec. 9.7.2
Carriage house (lot subdivided after effective date of this code)	C	C	C	C	C	—	—	—	—	—	—	—	Sec. 9.7.2
Car wash	—	—	—	—	—	—	—	—	—	—	—	—	Sec. 9.7.3
Donation bin	—	—	—	—	—	—	—	—	—	—	—	L	Sec. 9.7.4
Drive-thru facility	—	—	—	—	—	—	—	—	—	—	—	—	Sec. 9.7.5
Family day care home	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 9.7.6
Farmers' Market	—	—	—	—	—	—	—	—	—	—	—	—	Sec. 9.7.7
Garden	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 9.7.8
Greenhouse, non-commercial	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 9.7.9
Helicopter landing area	—	—	—	—	—	—	—	—	—	—	—	—	Sec. 9.7.10
Home occupation	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 9.7.11
Horse stable, non-commercial	L	L	L	L	—	—	—	—	—	—	—	—	Sec. 9.7.12
Kennel, hobby	L	L	C	—	—	—	—	—	—	—	—	—	Sec. 9.7.13
Livestock raising	L	L	L	—	—	—	—	—	—	—	—	—	Sec. 9.7.14
Outdoor dining	—	—	—	—	—	—	—	—	—	—	—	—	Sec. 9.7.15

Attachment: Ordinance UDC 3.4.2 - Use Table TA_CMCC 031026 (TextAmendment UDC 3.4.2--Use Table for RS-18)

Outdoor display	—	—	—	—	—	—	—	—	—	—	—	—	—	Sec. 9.7.16
Outdoor kitchen	P	P	P	P	P	P	P	P	P	P	L	L	Sec. 9.7.17	
Outdoor storage, limited	—	—	—	—	—	—	—	—	—	—	—	—	—	Sec. 9.7.18
Outdoor storage, general	—	—	—	—	—	—	—	—	—	—	—	—	—	Sec. 9.7.19
Parking, on-site	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 9.7.21
Poultry raising	L	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 9.7.22
Recreational vehicle parking	L	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 9.7.23
Solar panels, wind turbines, rainwater collection systems	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 9.7.24
Swimming pool	L	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 9.7.25

Attachment: Ordinance UDC 3.4.2 - Use Table TA_CMCC 031026 (TextAmendment UDC 3.4.2--Use Table for RS-18)

2.

Severability. Should any court of competent jurisdiction declare any section or part of this Ordinance invalid or unconstitutional, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof, which is not specifically declared to be invalid or unconstitutional.

3.

Repeal of Conflicting Provisions. All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

4.

Renumbering. It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Roswell, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

This Ordinance shall take effect and be in force from and after the day of its adoption, the public welfare demanding it.

The above Ordinance was read and approved by the Mayor and Council of the City of Roswell, Georgia, on the ____ day of _____ 2026.

Mary Robichaux, Mayor

Attest:

Nancy Long, City Clerk

SEAL

Attachment: Ordinance UDC 3.4.4.2 - Use Table TA_CMCC 031026 (TextAmendment UDC 3.4.2---Use Table for RS-18)



Memo

To: Mayor and City Council

From: Jeannie Peyton
Planning and Zoning Director

Date: April 1, 2026

Subject: **Text Amendment to Unified Development Code**
Section 3.4.2 Use Table for RS-18

This is a proposed text amendment to Section 3.4.2 of the Unified Development Code (UDC).

The purpose of this revision is to add “horse stable, non-commercial” to the RS-18 use table as a limited use. This will allow the keeping of horses on lots over 15 acres with certain restrictions.

The Community Development Department recommends approval of this text amendment.

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City of Roswell
Planning Commission
AGENDA ITEM REPORT

ID # - 10243

MEETING DATE: April 21, 2026
DEPARTMENT: Community Development
ITEM TYPE: Public Hearing

Consideration of a Text Amendment to the Unified Development Code, Article 9, Use Provisions, Section 9.6.6., Warehouse and Distribution and to Article 6, Employment Districts, Section 6.5.2., Use Table

Action Required:

Recommendation for Mayor and Council

Description:

Ordinance to amend the Unified Development Code, Article 9 Use Provisions, Section 9.6.6. - Warehouse and Distribution and Article 6 Employment Districts, Section 6.5.2. Use Table - Industrial Uses.

The addition of language in the text amendment is proposed to clarify the Warehouse and Distribution Use and Use Standards as described in the UDC and modify the Industrial Use, All warehouse and distribution, to be a Conditional Use in the IX, Industrial Flex, Zoning District.

Financial Impact:

N/A

Comments:

See attached



To: Planning Commission

From: Jeannie Peyton, Planning & Zoning Director

Date: April 2, 2026

Subject: Proposed Text Amendment to UDC 9.6.6. – Warehouse and Distribution and UDC 6.5.2. – Use Table

Enclosed please find the proposed amendment to the Unified Development Code, UDC, for ARTICLE 9. – USE PROVISIONS, Sec. 9.6.6. – Warehouse and Distribution and ARTICLE 6. – EMPLOYMENT DISTRICTS, Sec. 6.5.2.-Use Table.

Staff is bringing a text amendment forward for Planning Commission consideration and Mayor and Council approval, that is a revision of the Use Provision for “Warehouse and Distribution” and makes the “Industrial Use, All warehouse and distribution”, a conditional use in the IX, Industrial Flex, Zoning District.

Staff recommends approval of the proposed text amendment and will forward any recommendations of the Planning Commission to the Mayor and Council for this matter.

Please reference the attached items for:

UDC ARTICLE 9. – USE PROVISIONS,
Sec. 9.6.6. – Warehouse and Distribution,
the revision of 9.6.6. A. Defined, and
the addition of 9.6.6.C. Use Standards

UDC ARTICLE 6. – EMPLOYMENT DISTRICTS,
Sec. 6.5.2.-Use Table,
the modification of Industrial Uses, All warehouse and distribution in IX

STATE OF GEORGIA

First Reading: 2026
Second Reading: 2026

CITY OF ROSWELL

ORDINANCE TO AMEND CHAPTER 9 OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROSWELL REGARDING WAREHOUSE AND DISTRIBUTION

WHEREAS, State law provides that the governing authority of each municipal corporation shall have legislative power to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property and affairs; and

WHEREAS, the Mayor and Council have determined that it is in the best interest of the public health, safety and welfare that s; and

WHEREAS, the Mayor and Council wish to amend the Unified Development Code to provide for such uses and regulations:

NOW, THEREFORE, the Mayor and Council of the City of Roswell, pursuant to their authority, do hereby adopt the following amendments:

1.

Chapter 9, Use Provisions of the Unified Development Code of the City of Roswell, Georgia is hereby amended by modifying Section 9.6.6, Warehouse and Distribution which shall read as follows:

Sec. 9.6.6. - Warehouse and Distribution

A. **Defined.** A facility involved in the storage or movement of **physical** 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.

1. Warehouse and Distribution explicitly excludes the following:

- a. Data and digital storage centers
- b. Trailer or box-truck storage as a primary, stand-alone use.

2. Warehouse and Distribution includes the following:

- a. Bulk storage, including nonflammable liquids, cold storage plants, frozen food lockers, household moving and general freight storage.
- b. Distribution of products and merchandise
- c. Parcel services
- d. Transfer and storage business where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred.
- e. Temporary trailer storage, drop-off lot.

B. **Use Standards.** Where warehouse and distribution is allowed as a limited use, it is subject to the following:

1. Outdoor areas used for the loading, parking, and storage of tractor trailers must be screened using a Type C or D buffer (see Sec. 10.2.4) along all shared property lines, except for abutting warehouse and distribution or light industrial use.
2. Outdoor areas used for the loading, parking, and storage of tractor trailers using a Type C or D buffer (See Sec. 10.2.4) along all property lines abutting a public right-of-way.

C. **Use Standards.** Where warehouse and distribution is allowed in IX – Industrial Flex as a conditional use, it is subject to the following:

1. Property must have direct vehicular access to a state highway.
2. Warehouse maximum size shall be 25,000 square feet. Warehouse size may exceed 25,000 square feet only if light manufacturing is the principal use on the site and the warehouse serves as accessory to production.

2.

Chapter 6, Employment Districts of the Unified Development Code of the City of Roswell, Georgia is hereby amended by modifying Section 6.5.2 Allowed Uses which shall read as follows:

Sec. 6.5.2 Use table

	OR-	OP-	IX-	IL-	Definition/Standards
Industrial Uses					
All light industrial, except as listed below:	—	—	P	P	9.6.1.A.
Contractors storage	—	—	L	L	9.6.1.C.
Detention center, jail, prison (private)	—	—	—	C	9.6.1.D.
Distillery	—	C	C	C	9.6.1.E.
Microbrewery	—	—	P	P	9.6.1.F.
Winery	—	—	P	P	9.6.1.G.
All light manufacturing	C	P	P	P	9.6.2.A.
All research and development	P	P	P	P	9.6.3.A.
All self-service storage	—	—	—	P	9.6.4.A.
All vehicle service and repair, as listed below:					9.6.5.A.
Car wash	—	—	—	C	9.6.5.B.
Vehicle repair, minor	—	—	L	L	9.6.5.C.
Vehicle repair, major	—	—	L	L	9.6.5.D.
Vehicle repair, commercial vehicle	—	—	—	P	9.6.5.E.
All warehouse and distribution	—	—	P C	P	9.6.6.A.

Severability. Should any court of competent jurisdiction declare any section or part of this Ordinance invalid or unconstitutional, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof, which is not specifically declared to be invalid or unconstitutional.

3.

Repeal of Conflicting Provisions. All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

4.

Renumbering. It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Roswell, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

This Ordinance shall take effect and be in force from and after the day of its adoption, the public welfare demanding it.

The above Ordinance was read and approved by the Mayor and Council of the City of Roswell, Georgia, on the ____ day of _____ 2026.

Mary Robichaux, Mayor

Attest:

Nancy Long, City Clerk

SEAL

Attachment: Staff memo and Ordinance PC 041026_TA UDC 9.6.6 and 6.5.2 Warehouse and distribution packet (Text Amendment to the Unified



City of Roswell
Planning Commission
AGENDA ITEM REPORT

ID # - 10407

MEETING DATE: April 21, 2026
DEPARTMENT: Planning Commission
ITEM TYPE: Minutes

December 5, 2025 Planning Commission Special Called Minutes

Item Summary:

December 5, 2025 Planning Commission Special Called Minutes *(previously deferred)*



Planning Commission

Special Called Meeting
<http://www.roswellgov.com/>
 ~Minutes~

Chair Kitty Singleton
 Vice Chair Eric Schumacher
 Commissioner Jason Frazier
 Commissioner Pooja Gardner
 Commissioner Charles Krieger
 Commissioner Gurtej Narang
 Commissioner Carol Williams

Friday, December 5, 2025

11:00 AM

City Hall - Room 220

**** Possible Quorum of Mayor and City Council ****

Welcome

I. Call to Order

The meeting was called to order at 11:20 AM by Chair Kitty Singleton
 Chair Kitty Singleton: Present, Vice Chair Eric Schumacher: Present, Commissioner Jason Frazier: Present, Commissioner Pooja Gardner: Absent, Commissioner Charles Krieger: Present, Commissioner Gurtej Narang: Absent, Commissioner Carol Williams: Absent, Planner III Angela Rambeau: Present, Planning and Zoning Director Jeannie Peyton: Present, Transportation Planning Manager Mark Dana: Present, Director of Community Development Michelle Alexander: Present, City Engineer/Engineering Director Lee Smith: Present, Landscape Architect/Certified Arborist Laura Sommet: Present.

II. Agenda Items

1. 20250627 - 0 Sweetapple Road - The Gardens at Sweet Apple Preliminary Plat Renewal

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kitty Singleton, Chair
SECONDER:	Charles Krieger, Commissioner
IN FAVOR:	Kitty Singleton, Eric Schumacher, Jason Frazier, Charles Krieger
ABSENT:	Pooja Gardner, Gurtej Narang, Carol Williams

2. 20253357 - 342 Jones Rd - Cottages on Jones Preliminary Plat Renewal

The address was verbally corrected to 342 Jones Drive.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jason Frazier, Commissioner
SECONDER:	Charles Krieger, Commissioner
IN FAVOR:	Kitty Singleton, Eric Schumacher, Jason Frazier, Charles Krieger
ABSENT:	Pooja Gardner, Gurtej Narang, Carol Williams

III. Commission Introduced Topic

The Board discussed ways to improve the submittal and approval processes.

IV. Adjournment

There being no further comments or discussion the meeting was adjourned at 12:26 PM

X

Kitty Singleton
Chair, Planning Commission

Attachment: 12_December 5, 2025 Special Called Brief Minutes (December 5, 2025 Planning Commission Special Called Minutes)



City of Roswell
Planning Commission
AGENDA ITEM REPORT

ID # - 10406

MEETING DATE: April 21, 2026
DEPARTMENT: Planning Commission
ITEM TYPE: Minutes

February 17, 2026 Planning Commission Minutes

Item Summary:

February 17, 2026 Planning Commission Minutes



Planning Commission

Regular Meeting
<http://www.roswellgov.com/>
 ~Minutes~

Chair Kitty Singleton
Vice Chair Eric Schumacher
Commissioner Jason Frazier
Commissioner Pooja Gardner
Commissioner Robert Mayer
Commissioner Gurtej Narang
Commissioner Carol Williams

Tuesday, February 17, 2026

7:00 PM

City Hall - Council Chambers

**** Possible Quorum of Mayor and City Council ****

Welcome

I. Call to Order

The meeting was called to order at 7:00 PM by Chair Kitty Singleton.

Chair Kitty Singleton: Present, Vice Chair Eric Schumacher: Present, Commissioner Jason Frazier: Present, Commissioner Pooja Gardner: Absent, Commissioner Robert Mayer: Present, Commissioner Gurtej Narang: Absent, Commissioner Carol Williams: Present, Planner III Angela Rambeau: Present, Planning and Zoning Director Jeannie Peyton: Present, Director of Community Development Michelle Alexander: Present, Engineering Manager Osmany Ordóñez: Present, Engineering Plan Reviewer Sam Wood: Present, Assistant City Attorney Joe Cusack, present

II. Agenda Items

1. Consideration of ZUSE-1225-000003 - 1050 Holcomb Bridge Road - QuikTrip Conditional Use with Concurrent Variance

Approved per Staff Conditions which are as follows:

- 1. The land disturbance permit (LDP) may include minor modifications to the site plan to meet Transportation conditions of approval; and*
- 2. Meet all other conditions of approval by Building, Stormwater, Engineering, Fire, Tree and Planning and Zoning.*

In addition to Staff Conditions, the Planning Commission submitted a list of recommendations to be included.

RESULT:	APPROVED WITH CONDITIONS [4 TO 1]
MOVER:	Robert Mayer, Commissioner
SECONDER:	Jason Frazier, Commissioner
IN FAVOR:	Kitty Singleton, Jason Frazier, Robert Mayer, Carol Williams
OPPOSED:	Eric Schumacher
ABSENT:	Pooja Gardner, Gurtej Narang

III. Text Amendments

2. Consideration of a Text Amendment to the Unified Development Code, Article 14, Definitions, Section 14.2., Defined Terms (Initiation)

Approved per changes to the definition as shown below:

Computer or Data Processing

Facilities where electronic data is processed by employees, including, without limitation, data entry, storage, conversion or analysis, subscription and credit card transaction processing, telephone sales and order collection, mail order and catalog sales, and mailing list preparation but shall not include any building, structure, or facility (or any portion or complex of the foregoing), in which any substantial floor area is devoted to operating data processing or computing equipment for commercial computer applications or services, such as developing, running, delivering, or transmitting computer applications or services, or for storing and managing the data associated with such services. By way of example, and not of limitation, such computer applications or services described herein may be related to crypto-currency mining, data mining, cloud computing and storage, and artificial intelligence.

RESULT:	APPROVED WITH CHANGE [UNANIMOUS]
MOVER:	Robert Mayer, Commissioner
SECONDER:	Jason Frazier, Commissioner
IN FAVOR:	Singleton, Schumacher, Frazier, Mayer, Williams
ABSENT:	Pooja Gardner, Gurtej Narang

3. Consideration of a Text Amendment to the Unified Development Code, Article 9, Use Provisions, Section 9.6.6., Warehouse and Distribution (Initiation)

This item was administratively withdrawn at this time.

RESULT:	MOTION TO WITHDRAW [UNANIMOUS]
MOVER:	Kitty Singleton, Chair
SECONDER:	Robert Mayer, Commissioner
IN FAVOR:	Singleton, Schumacher, Frazier, Mayer, Williams
ABSENT:	Pooja Gardner, Gurtej Narang

IV. 2026 Elections – Chair & Vice Chair

Commissioner Williams moved to re-elect Chair Singleton and Vice Chair Schumacher for 2026, seconded by Commissioner Mayer, passing unanimously.

V. 2026 Calendar

Chair Singleton moved to approve the 2026 Planning Commission meeting calendar with no meeting in December, seconded by Commissioner Williams, passing unanimously.

VI. Minutes

1. November 18, 2025 PC Meeting Minutes

RESULT:	APPROVED [4 TO 0]
MOVER:	Kitty Singleton, Chair
SECONDER:	Carol Williams, Commissioner
IN FAVOR:	Kitty Singleton, Eric Schumacher, Jason Frazier, Carol Williams
ABSTAIN:	Robert Mayer
ABSENT:	Pooja Gardner, Gurtej Narang

2. December 5, 2025 PC Special Called Meeting Minutes

RESULT:	DEFERRED [UNANIMOUS]
MOVER:	Carol Williams, Commissioner
SECONDER:	Kitty Singleton, Chair
IN FAVOR:	Singleton, Schumacher, Frazier, Mayer, Williams
ABSENT:	Pooja Gardner, Gurtej Narang

VII. Adjournment

There being no further comments or discussion, the meeting was adjourned at 10:08 PM.