
TO: Honorable Mayor and City Council Members
FROM: Robert Buscemi RA, Community Development Director
DATE: Submitted on January 28, 2024, for the February 21, 2024, Regular Council Meeting (First Presentation on February 5, 2024)

AGENDA ITEM: Consideration of RZ23-07 – An Ordinance to Adopt a New Unified Development Code That Will Update and Replace the Current Zoning Ordinance (Chapter 64 Zoning) and Specific Development, Design and Other Sections of the Code of the City of Milton, Georgia; and to Consolidate the Updated Provisions of the Zoning Ordinance and Said Other Sections so as to Create a consolidated Ordinance to be Known as the Unified Development Code for the City of Milton, Georgia.

DEPARTMENT RECOMMENDATION: Approval

EXECUTIVE SUMMARY

BACKGROUND OF UDC

This proposed text amendment creates a Unified Development Code (UDC) for the City of Milton which updates and replaces the current Zoning Ordinance (Chapter 64 Zoning of the City Code). There are other development-related City Codes included in this document which will be outlined below in this memo.

The purpose of the creation of a UDC is to combine all development-related regulations into a single, user-friendly document that is consistent with public policy, procedures, permits, and definitions.

This project has been underway with the Community Development department and its consultant, TSW, since 2017. Staff notes that Council directed Staff to proceed in creating the UDC to make technical changes such as new user-friendly tables, reorganization of similar topics in appropriate Articles, updated graphics, maps but not policy changes.

In addition, Staff notes that since 2017 there have been 58 zoning related text amendments approved by the City Council. Any proposed “policy” changes went through the normal public hearing process.

Also, the Public Works Department spearheaded the new Small Wireless Facilities and Antennas ordinance which was approved in 2019 by the City Council and is now contained in Article 8. Use Provisions.

Lastly, major edits were made to Chapter 20 Environment to comply with the State Model Ordinances which were subsequently adopted by Mayor and City Council in December 2021 and January 2022 which have been included in this UDC within Article 11. Environment.

TIMELINE OF THE UDC

- February 2017 - Began project.
- April 2017 - TSW conducted stakeholder interviews and background research.
- August 2017 - Introduction of the UDC proposed document to Council.
- February 2018 - A draft was made available for staff review.
- April of 2019 - Draft Version V1 was completed for staff review.
- May 2019 – The project was put on hold in May of 2019 because of the upcoming 2040 Comprehensive Plan project which was required for a full update. The 2040 Comprehensive Plan was approved in October of 2021. Within the document, the Plan outlined the UDC to be completed in 2023.
- May 2022 - The project re-started in.
- June 2022 - Draft of V3 was provided to Staff.
- July - Nov 2022 – Assigned Articles for review at PC meetings. (Draft Version V3)
- Oct 2022 through Sept 2023 - Konveio (Electronic Review Software) of UDC on City website
 - General public review – received approximately 600 comments and questions. (Reviewed comments during the PC 2023 meetings.)
- Dec 2022 through Sept 2023 - PC voted to review page by page together. (Draft Version V5)
- Nov 2023 - Draft Version V6 (Based on PC edits)
- Nov 28, 2023 – CZIM meeting
 - There were two attendees at the table to learn more about the project. There were no comments on the project.
- Dec 3, 2023 – DRB presentation
 - There were no comments on the project.
- Dec 2023 – Planning Commission recommended APPROVAL

City staff technical review – throughout entire process. (Including Public Works)

City Attorney – Present at PC meetings during review and conducted technical review in December 2023 and January 2024.

Please note that both a “clean” copy and a “redline” version are included. The redline version reflects the edits by the City Attorney from the Planning Commission's recommended approved version. The City Attorney's changes were minor in nature

such as punctuation, grammar, and legal minor edits that do not impact any substantive issues.

Below is a breakdown of each Article and the corresponding City Code to create the UDC.

UNIFIED DEVELOPMENT CODE	CITY CODE
Article 1. Introductory Provisions	
Article 2. General Provisions	Chapter 64 Zoning
Article 3. Agricultural Districts	Chapter 64 Zoning
Article 4. Residential Districts	Chapter 64 Zoning
Article 5. Business Districts	Chapter 64 Zoning
Article 6. Special Purpose Districts	Chapter 64 Zoning
Article 7. Form Based Codes	Chapter 64 Zoning
Article 8. Use Provisions	Chapter 64 Zoning Chapter 48 Streets, Sidewalks Chapter 54 Telecommunications
Article 9. Site Development	Chapter 50 Subdivisions Chapter 64 Zoning
Article 10. Streets and Public Improvements	Chapter 48 Streets, Sidewalks Chapter 50 Subdivisions
Article 11. Environment	Chapter 20 Environment Chapter 60 Tree Canopy Conservation
Article 12. Administration –	Various Chapters
Article 13. Definitions –	Various Chapters

FUNDING AND FISCAL IMPACT

There will be none.

ALTERNATIVES

There are none.

LEGAL REVIEW

Mr. Paul Frickey, Jarrard & Davis (December 2023 and January 2024)

CONCURRENT REVIEW

Steve Krokoff, City Manager

ATTACHMENT(S)

Ordinance to Adopt a New Unified Development Code That Will Update and Replace the Current Zoning Ordinance (Chapter 64 Zoning) and Specific Development, Design and Other Sections of the Code of the City of Milton, Georgia.

Exhibit "A" – City of Milton, Georgia Unified Development Code V7 For Adoption (Both Clean version and Redline)