



AGENDA STAFF MEMO

TO: Honorable Mayor and City Council Members
FROM: Sara Leaders, PE, Community Development and Public Works Director
DATE: Submitted on March 9, 2026, for the March 16, 2026, Regular City Council Meeting (*First Presentation*) and the April 13, 2026 Regular City Council Meeting (*Zoning Agenda*).

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AGENDA ITEM: Consideration of **RZ26-02** for a Text Amendment to Article 8 Use Provisions of the Unified Development Code for the City of Milton with Respect to “Limited Food Service Restaurant” in the Crabapple Form-Based Code Use Table and Section 8.5.13(E), and to Amend Section 8.7.1 (F) Regarding “Tasting Rooms”

SUMMARY:

RZ26-02 – The purpose of this text amendment is to remove “Limited Food Service Restaurant” in its entirety from the Unified Development Code (UDC). The removal of this alcohol license category for “Limited Food Service Restaurant” has already occurred in Chapter 4 Alcohol of the City Code, thereby making the two ordinances consistent.

The second part of this amendment pertains to the Use Permit for the *Farm Winery or Georgia Farm Winery* to include development standards as required by Chapter 4 Alcohol to be reflected in the subject Use Permit.

Staff has determined that no changes are necessary to Article 13 Definitions.

There were no attendees at the January 27, 2026 Community Zoning Information Meeting. The Planning Commission voted unanimously to approve the text amendment as presented at the February 25, 2026 meeting.

REVIEW & APPROVALS:

Legal Review: Paul Frickey, Jarrard & Davis, LLP – February 17, 2026

Concurrent Review: Steven Krokoff, City Manager –

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ATTACHMENT(S):

Ordinance Amendment
 Exhibit “A”

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AN ORDINANCE TO AMEND ARTICLE 8 USE PROVISIONS WITH RESPECT TO “LIMITED FOOD SERVICE RESTAURANT” IN THE USE TABLE FOR CRABAPPLE FBC AND SEC. 8.5.13.E; AND TO AMEND SEC. 8.7.1.F ARTICLE 8 USE PROVISIONS WITH RESPECT TO “TASTING ROOMS”

BE IT ORDAINED by the City Council of the City of Milton, GA while in a regularly called council meeting on April 13, 2026, at 6:00 p.m. as follows:

SECTION 1. That Section 8.2.2 Use Table for Crabapple FBC of the Unified Development Code for the City of Milton, Georgia be amended to remove Limited Food Service Restaurant in all transect zones and to delete Sec. 8.5.13.E Definition of Limited Food Service Restaurant; and to amend Sec. 8.7.1.F with respect to Tasting Rooms of the Unified Development Code for the City of Milton, Georgia, as shown in Exhibit “A”, attached hereto and incorporated as if fully set forth herein;

SECTION 2. That all ordinances, parts of ordinances, and regulations in conflict herewith are repealed; and

SECTION 3. That this Ordinance shall become effective upon its adoption.

ORDAINED this the 13th day of April 2026.

Peyton Jamison, Mayor

Attest:

Tammy Lowit, City Clerk

8.5.13. Restaurant

A. Defined

A facility that prepares and sells food and drink for on-premises or off-premises consumption. Restaurant includes the following:

1. Brewpub.
2. Drive in/up restaurant.
3. Fast food restaurant.
- ~~4. Limited food service restaurant.~~
45. Limited tap establishment.
56. Restaurant.

B. Brewpub

1. Defined

A brewer that also qualifies as an eating establishment as defined in chapter 4 of the Milton Code of Ordinances in which malt beverages, wine, and/or distilled spirits may be licensed to be sold for consumption on-premises and malt beverages and wine may be sold by the package for off-premises consumption. Malt beverages manufactured or brewed on-premises is limited to 5,000 barrels per calendar year, of which no more than 5,000 barrels may be sold to licensed wholesale dealers.

C. Drive In/Up Restaurant

1. Defined

A restaurant designed for customers to park and place and receive food orders while remaining in their motor vehicles.

D. Fast Food Restaurant

1. Defined

A restaurant which sells food from a counter or window for consumption on-premises or off-premises. Tables may be provided, and food may be served at a table, but must not be ordered from a table.

~~E. Limited Food Service Restaurant~~

~~1. Defined~~

~~Any establishment that meets all the requirements of a restaurant but does not meet the requirements of an eating establishment. A limited food service restaurant must derive at least 30% of its total annual gross food and beverage sales from the sale of prepared meals or food.~~

EF. Limited Tap Establishment

1. Defined

Any establishment that does not sell food prepared on the premises and that provides a limited selection of craft beer on tap for consumption on premises only. An establishment with a limited tap license is limited to having five or fewer malt beverage taps. Establishments with a limited tap license must limit consumption for any individual to a maximum of 48 ounces within a calendar day and must obtain approval from the fire marshal and building official in accordance with applicable codes.

FG. Restaurant

1. Defined

Any public place kept, used, maintained, advertised and held out to the public as a place where meals are actually and regularly served to patrons, without sleeping accommodations, including a cafeteria, such place being provided with an adequate and sanitary full service kitchen and dining room equipment, having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its patrons. At least one meal per day shall be served at least six days per week, with the exception of holidays, vacations and periods of redecorating, and the serving of those meals shall be a principal portion of the business conducted, with the serving of alcoholic beverages as only incidental thereto. The restaurant seating area must be at least 40% of the gross square footage of the restaurant facility. Seating space located outside of the main structure (i.e. patios, decks, etc.) shall not be included in calculating seating space. In order to be considered a "full service" restaurant, the business must also meet the requirements of an eating establishment as defined in chapter 4 of the Milton Code of Ordinances.

8.7.1. Agriculture

A. Defined

The production of crops, livestock, or poultry. Agriculture includes the following:

1. Agricultural operations.
2. Agricultural-related activities.
3. Barn.
4. Composting.
5. Farm winery or Georgia farm winery.
6. Plant nursery.
7. Rural or agricultural event facility.

F. Farm Winery or Georgia Farm Winery

1. Defined

The same meaning as set forth by State law and chapter 4 of the Milton Code of Ordinances.

2. Use Standards

Where a farm winery or Georgia Farm Winery is allowed by use permit, it is subject to the following:

- a. The minimum lot size is 20 acres.
- b. Curb cut access must not be allowed from a local road shown in Figure 8.7.1.F.
- c. Parking.
 - i. Parking areas must be constructed of concrete, asphalt, and/or gravel or as approved by the Public Works Department or other materials that prevents erosion of the parking area.
 - ii. One parking space per 2.5 attendees is required.
 - iii. Parking areas must be screened from roads and adjacent properties.
- d. No amplified sound unless it is within an enclosed structure.
- e. Activity areas such as tasting rooms, buildings used for production, storage, and bathroom facilities, including parking must be at least 100 feet from any lot line but does not include the propagation of grapes and other crops.

- f. The maximum number of attendees and hours of operation including deliveries will be evaluated by the City Council on a case-by-case basis for each site to protect the public's health, safety, and welfare.
- g. Location and dimensions of undisturbed buffers, if needed to ameliorate the visual impact of the farm winery, will be evaluated and determined by City Council on a case-by-case basis for each site.
- h. The design of newly constructed structures is to be consistent with the "building and other structure design" (Sec. 6.3.4.H) of the Rural Milton Overlay Zoning District.
- i. Comply with applicable requirements for a Farm Winery in accordance with chapter 4 of the Milton Code of Ordinances
- j. All uses that otherwise require an administrative permit or use permit require a separate use permit to operate a farm winery.
- k. The tasting room must be located at least 50 feet from any adjacent residential property lines
Tasting room must not exceed and no larger than 2,500 square feet in size.

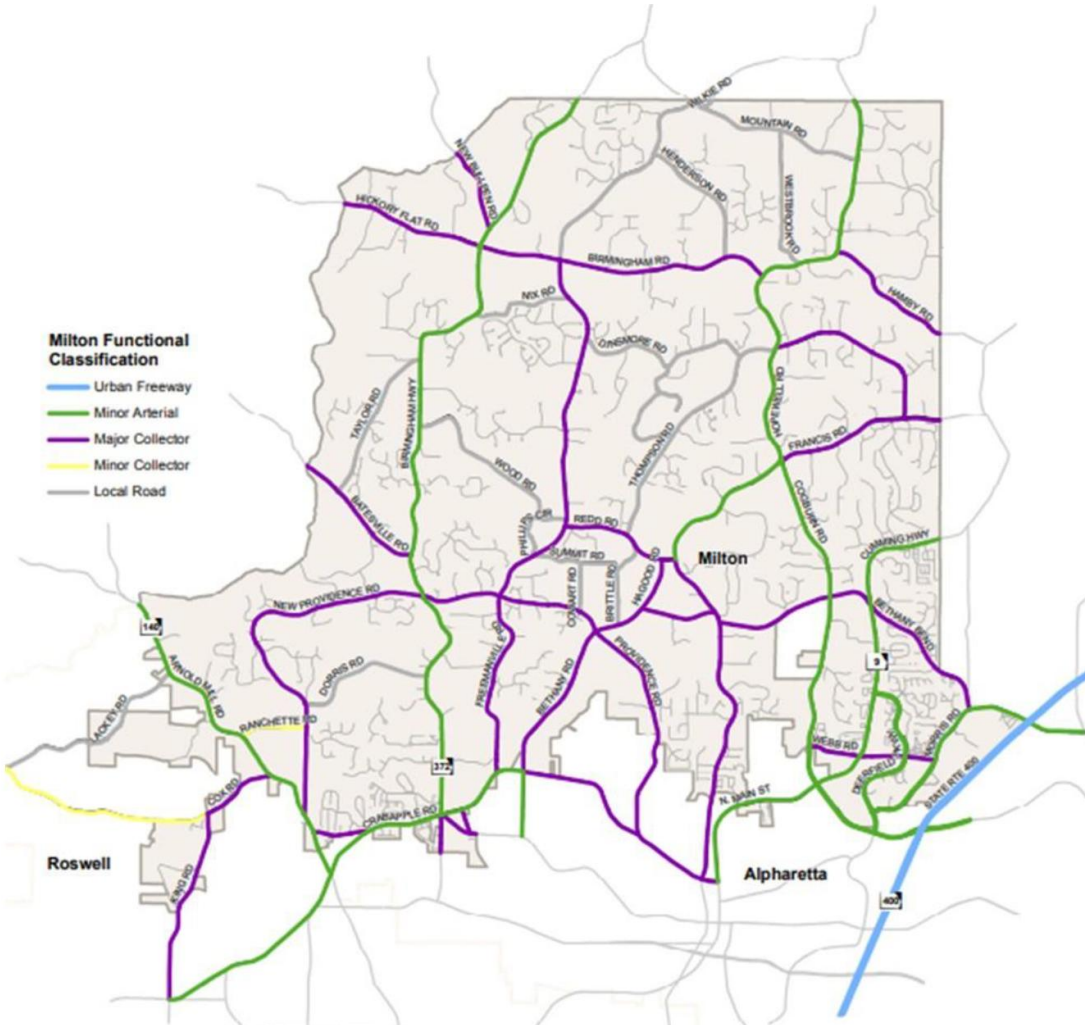


Figure 8.7.1.F: Functional Classification