



AGENDA STAFF MEMO

TO: Honorable Mayor and City Council
FROM: Diana Wheeler, Interim Community Development Director
DATE: May 13, 2025, For the City Council Meeting on June 2, 2025

Signed by:

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AGENDA ITEM: RZ25-06 - Consideration of a Text Amendment to Article 2 General Provisions, Article 6 Special Purpose Districts, Article 7A Crabapple Form Based Code, Article 7B Deerfield Form Based Code, and Article 9 Site Development regarding Stormwater Facilities to correct references within the above Articles of the Unified Development Code (UDC) for the City of Milton.

SUMMARY:

The purpose of this text amendment is to correct the reference for stormwater detention in various locations within the UDC. Stormwater detention references Sec. 2.3.6 which does not exist in the UDC. Staff has replaced the reference Sec. 2.3.6 with Sec. 10.2.4.C. (Detention/Retention Design) which is within *Article 10 Streets and Improvements* and is shown below for context. By referencing Article 10, this provides a comprehensive overview of what is required for the development of stormwater facilities. By using the same reference, it ensures that all the various Overlays and Form Based Codes are consistent in design and development of stormwater facilities.

Below is a list of Sections where the change was made as well as including it in Sec. 2.1.1.B.3.:

1. Sec. 2.1.1.B.3 (General Provisions, Lots and Structures)
2. Sec. 6.3.3.B (Rural Milton Overlay, Single-Family Standards)
3. Sec. 6.3.4.C (Rural Milton Overlay, Commercial, Non-Single-Family Standards)
4. Sec. 7A.4.8. (Crabapple Form Based Code, Stormwater Management Facilities)
5. Sec. 7B.4.8. (Deerfield Form Based Code, Stormwater Management Facilities)
6. Sec. 9.3.2. (Site Development, Detention/Retention Facilities)

Community Zoning Information Meeting – March 25, 2025 – There was no one who made comments on this item.

Planning Commission Meeting – April 23, 2025 – The Commission unanimously recommended approval of this item.

FUNDING AND FINANCIAL IMPACT:

There will be no funding or financial impact.

ALTERNATIVES:

The City Council may choose to amend or deny the proposed text amendment.

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REVIEW & APPROVALS:

Legal Review: Paul Frickey, Jarard & Davis, LLP – April 2025

Concurrent Review: Steven Krokoff, City Manager – May 2025

DocuSigned by:

Steven Krokoff

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ATTACHMENT(S):

Ordinance for Text Amendment RZ25-06.

AN ORDINANCE TO AMEND ARTICLE 2 GENERAL PROVISIONS, ARTICLE 6 SPECIAL PURPOSE DISTRICTS, ARTICLE 7A CRABAPPLE FORM BASED CODE, ARTICLE 7B DEERFIELD FORM BASED CODE, AND ARTICLE 9 SITE DEVELOPMENT REGARDING STORMWATER FACILITIES TO CORRECT REFERENCES WITHIN THE ABOVE ARTICLES OF THE UNIFIED DEVELOPMENT CODE FOR THE CITY OF MILTON, GEORGIA.

BE IT ORDAINED by the City Council of the City of Milton, GA while in a regularly called council meeting on June 2, 2025, at 6:00 p.m. as follows:

SECTION 1. That Articles 2, 6, 7A, 7B and 9 of the Unified Development Code for the City of Milton, Georgia regarding Stormwater Facilities to Correct references within the above Articles are 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 2nd day of June 2025.

Peyton Jamison, Mayor

Attest:

Tammy Lowit, City Clerk

EXHIBIT “A”

- a. Identify the surface water runoff quantity, quality and rate;
 - b. Establish runoff management control requirements for the development;
 - c. Furnish all design calculations for the management control facilities, surface water conveyance systems (before and after development runoff); and
 - d. Furnish design calculations for the volume of storage required.
3. A schedule indicating the timing for planting or mulching for temporary or permanent ground cover must be submitted with these grading and drainage plans.
 4. Erosion control devices must be installed before starting grading and construction; the engineer must state this requirement on the engineering drawings.
 5. To ensure full compliance with the approved construction plans, final plat approval will be withheld until “as-built” drawings, prepared by a professional engineer or landscape architect currently registered in the state, have been submitted and approved by the Director in accordance with Sec. 12.6.5 (Final Plat Approval). No occupancy permit will be issued until released by the Director.
 6. The owner must maintain the storm drainage facilities during grading and construction, and for 18-months bond duration after final plat approval. Maintenance will be construed to include preserving the enclosing walls or impounding embankment of the detention basin and permanent

sedimentation ponds and security fences, in good conditions; ensuring structural soundness, functional adequacy, and freedom from sediment of all drainage structures; and rectifying any unforeseen erosion problems.

C. Detention/Retention Design

1. General

- a. Installation of properly functioning detention facilities, including outflow control devices, is the responsibility of the owner. If any control devices are damaged or destroyed during grading or construction, all processes must cease until such devices are restored to their functioning capability. The owner, through application for grading or construction permits, accepts the responsibility of maintenance of the control devices.
- b. When serving more than three lots, except when all the single-family residential lots are each a minimum of 3 acre in size, detention ponds, retention ponds, and water quality features (including all required access easements, landscape strips, and fences) must be located on a separate parcel where no home can be constructed. This parcel must be owned and maintained by a homeowners' association or the owners of the lots being served by this pond. The parcel must have a minimum of 20-foot-wide continuous access to a public or private street in a manner that allows access and maintenance of this parcel. In addition, this parcel will not be

required to meet the normal lot standard.

2. **Design standards.** Above-ground stormwater management facilities must meet the following standards:

- a. Provide a 20-foot graded access easement.
- b. Provide 10-foot access easement for maintenance.
- c. Provide 6-foot-high fence.
- d. Be located in the least conspicuous area of the site as engineering standards allow.
- e. Be designed to create a natural look.
- f. Be surrounded by a minimum 10-foot-wide landscape strip planted to buffer standards with evergreen plantings exterior to any required fence and/or required access area, except as otherwise approved by the Director under Sec. 10.2.4.C.2.g immediately below.
- g. In lieu of Sec. 10.2.4.C.2.f immediately above, the 10-foot-wide landscaped strip is not required to be planted to buffer standards when the following standards are met:
 - i. The minimum 10-foot-wide landscape strip is incorporated into a larger open space.
 - ii. The open space containing the stormwater facility is designed and stamped by a Landscape Architect licensed in the State.
 - iii. The stormwater feature is designed as formal or natural amenities for the open space.

- iv. The stormwater features does not constitute more than 25% of the required open space.

3. **Alternative design standards.**

Applicants are encouraged to carry out innovative detention/retention layouts that are intended to make such facilities an attractive amenity or focal point to the subdivision. To achieve that, the Director may approve the following alternative design standards in lieu of those in Sec. 10.2.4.C.1 and Sec. 10.2.4.C.2:

- a. Such alternative design shall provide for an attractive layout and means for detaining, retaining, and/or moving water.
- b. The design shall follow the natural landforms around the perimeter of the basin. The basin should be shaped to emulate a naturally formed depression.
- c. Redistributing soils from basin construction to create natural landforms around the perimeter of the basin is encouraged. These forms shall be located strategically to filter views or redirect and soften the views from residential areas.
- d. Side slopes of basins must not exceed one foot vertical for every 4-feet horizontal. Where possible, side slopes should be varied to imitate natural conditions. Associated natural landforms should have side slopes that do not exceed one foot vertical for every 3 feet horizontal to accommodate lawn maintenance equipment. Varied slopes will be encouraged.

- e. The applicant is encouraged to use plant materials that naturally grow in the area. Trees and shrubs shall be grouped in informal patterns to emulate the natural environment. The intent is to soften the views of these basins.
- 4. **Design guidelines.** The Director may issue design guidelines illustrating details of the standards in Sec. 10.2.4.C.2.d.

D. Storm Drain Stenciling/Identification

- 1. All residential subdivision and commercial entity storm drainage structures or facilities (e.g., catch basins, storm sewer inlets, culverts, impoundment facilities, manholes, and other facilities that convey stormwater runoffs) must be properly identified.
- 2. Each drainage structure must be identified with the use of a City of Milton branded lid.

2.1. Lots and Structures

2.1.1. Lots

A. General

1. Structures must only be erected and uses must only be established upon a single lot that meets or exceeds the requirements of this UDC or conditions of zoning, whichever is more restrictive.
2. Regardless of the minimum requirements of the zoning district, a plat must not be approved until the buildable area (including the buildable areas within the 50% of a minimum lot size which must be outside a floodplain) of every single-family lot is determined to be sufficient to accommodate a square configured from the minimum heated floor area required by the zoning district. In the absence of a minimum heated floor area, the square must be at least 35 feet by 35 feet. See Figure 2.1.1.A.

B. Lot Size Exceptions

Lots used for open space and/or stormwater detention/retention facilities are exempt from zoning district lot size requirements only if:

1. The open space and/or stormwater detention/retention facility are incidental, related, appropriate, and clearly subordinate to the main use in a development.
2. No construction or building that does not relate to the open space and/or stormwater detention/retention facility occurs on the lot.

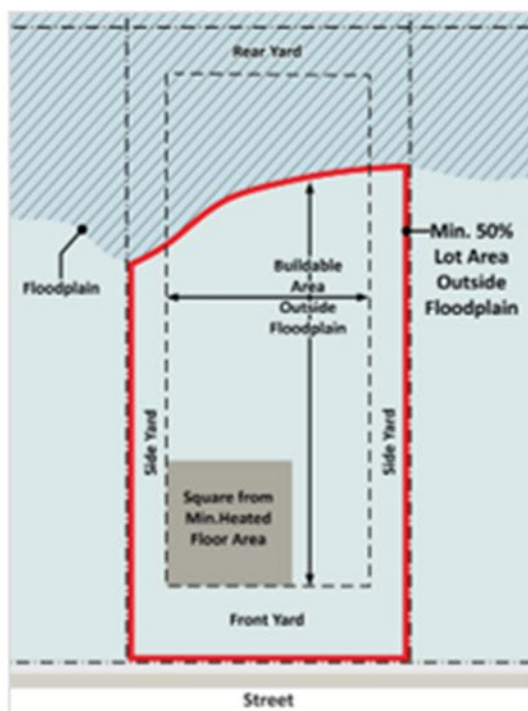


Figure 2.1.1.A

3. A 10-foot access easement is provided in accordance with established standards.

4.3. Stormwater detention/retention facilities comply with Sec. 10.2.4.C (Detention/Retention Design) and Sec. 11.4. (Stormwater Management).

C. Reduction of Lot Area

When a lot or property is reduced in size, all resulting divisions and all structures must meet the minimum requirements of the applicable provisions of this UDC; except that if a lot or property is reduced in area to less than the district minimum lot size because of government action, the lot will be deemed nonconforming.

D. Division of Conditionally Zoned Lots

All lots of a proposed subdivision must meet the unit and density allocations of this UDC, conditions of zoning, and all other

be allowed within the context of a development clearing permit.

- No removal of protected trees established in Sec. 11.1.1.F is allowed on the site before the issuance of a land disturbance permit, building permit, development clearing permit, or tree removal permit.

B. Stormwater Management Facilities

See Sec. 10.2.4.C (Detention/Retention Design) 2.3.6 (Stormwater Management Facilities).

C. Height

- The maximum building height is two stories with a maximum height of 28 feet from average finished grade to the bottom of the roof eave.
- Notwithstanding the height limit in sub-paragraph 1 above, the maximum height may be increased in an amount based on the calculations shown as examples in Table 6.3.3.B; however, in no event may the height be increased more than 8 feet.

Table 6.3.3.B.

Building Type	Drop in Grade	Credit	Max. Building Wall Height (Grade to Soffit)
Slab House	0 ft.	0 ft.	28 ft.
Basement House: 50% Exposed	10 ft.	5 ft.	28 ft. + 5 ft. = 33 ft.
Basement House: 25% Exposed	10 ft.	7.5 ft.	28 ft. + 7.5 ft. = 35.5 ft.
Basement House: 50% Exposed	15 ft.	7.5 ft.	28 ft. + 7.5 ft. = 35.5 ft.

D. Lot Coverage

- Lot coverage for each individual lot zoned any agricultural district, R-1, R-2, or CUP must not exceed:
 - 25% for lots that front on private streets.
 - 20% for lots that front on public streets.
- Lots that are both (a) located within the Birmingham Crossroads Overlay District and (b) not zoned an agricultural district are exempt from the lot coverage requirements of Sec. 6.3.3.D.1.

E. Prohibited Building Components.

Metal gates, burglar bars, chain-link fences, and metal roll down curtains are prohibited.

F. Retaining Walls

- Retaining walls must conform to Sec. 9.3.7 Retaining Walls.
- Retaining walls above 3 feet high must have a continuous planting of evergreens or alternative planting as approved by the City Arborist. When alternative planting is used, the planting must provide as much or more year-round visual screening of the retaining wall as the otherwise required evergreens would.

6.3.4. Commercial, Non-Single-Family Standards

A. Landscaping

On property containing commercial or non-single-family type uses, landscaping must be compatible in form, style and design

C. Stormwater Management Facilities

See Sec. 10.2.4.C (Detention/Retention Design) 2.3.6 (Stormwater Management Facilities).

D. Fencing and Height

1. Fences must be constructed as required by Sec. 3.1.8 (Fencing).
2. Retaining wall must conform to Sec. 9.3.7 (Retaining Walls).
3. Opaque fences are prohibited in yards adjacent to a public street except as set forth in Sec. 6.3.4.B.4.a and Sec. 6.3.4.B.4.b of this sub-section.

E. Pedestrian Safety

Construction of sidewalks and pedestrian amenities on property containing commercial or non-single-family uses must encourage and promote walking to a development and within a development. The placement of sidewalks, pedestrian amenities, and the Milton Trail (see Sec. 10.7) must contribute to the sense of place of the community. Sidewalks must be constructed along public road frontages and a landscape strip at least 5 feet wide must be planted between the roadway or curb and the sidewalk or the Milton Trail, whichever applies. The sidewalk must be set back from the back of curb the maximum distance allowable within the right-of-way.

1. Mandatory requirements; pedestrian path design standards.
 - a. Proposed developments must have a pedestrian network.
 - b. Paths must comply with any applicable ADA standards for slope,

width, texture, level differences, and ramps.

- c. Paths must be at least 5 feet wide.
 - d. Paths must be clearly identified through painting, signage, and texture change.
 - e. In order to facilitate travel, paths must not be obstructed by any object or structure.
 - f. Paths must be designed to minimize direct auto-pedestrian interaction.
 - g. Paths must connect to signalized crosswalks, where applicable.
 - h. Paths must be a direct and convenient route between points of origin (i.e., bus stop) and destination (i.e., shop, bank, etc.). Meandering sidewalks are discouraged. However, sidewalks and paths may meander to protect and maintain mature trees and other permitted landscape features.
 - i. Internal walkways (paths) must connect the public sidewalk along the street to the main entrance of the principal use of the property.
 - j. Pedestrian paths must be naturally colored and/or textured walkways or sidewalks.
2. Encouraged elements; pedestrian paths and public spaces.
 - a. To increase safety, grade separation is encouraged between pedestrian paths and motor vehicle access areas.

7A.4.7. Screening and Fencing**A.** Fences, walls, and hedges are subject to the following:

1. Where permitted within the first layer, fences, walls, and hedges must not exceed 42 inches in height. Retaining walls are excluded from this requirement.
2. In all other locations, fences and walls must not exceed 5 feet in height and must be at maximum of 50% opaque above 42 inches in height. This requirement does not apply to fences and walls screening refuse areas.
3. Allowed fencing material are three or four board wooden fencing with wood posts in the first layer.
4. Opaque fences are prohibited in the first layer.
5. Chain-link fencing is prohibited from public view. All chain-link fence must be black vinyl clad.
6. Retaining wall must conform to Sec. 9.3.7 (Retaining Walls).

B. Loading docks and service areas must be screened from view of any thoroughfare of civic space by either:

1. A minimum 6-foot-high opaque fence matching the material of the building; or
2. A 15-foot-wide landscape strip planted with a continuous hedge of evergreen shrubs. Shrubs must be moderately growing, at least 42 inches high at time of planting, and reaching at least 6 feet high within two years of planting.

C. Refuse areas must conform to Sec. 2.3.5 (Refuse Collection Areas). The door

enclosing the area must be made from wood or a material that has the appearance of wood.

D. Mechanical features such as HVAC condensers, electrical transformers, heat pumps, and similar features must not be placed in the first layer and must be screened from view of any thoroughfare, civic space, or any property zoned, used, or developed for residential functions, by one of the following means:

1. Placement behind the building; or
2. 100% opaque fencing which must be constructed of the same type of exterior material used for the principal building; or
3. By a berm or vegetative screening. The screening must consist of evergreen shrubs at least 42 inches high at time of planting and reaching at least 6 feet high within two years of planting.

7A.4.8. Stormwater Management Facilities

Stormwater management facilities must comply with Sec. 10.2.4.C (Detention/Retention Design) 2-3-6.

7A.4.9. Off-Street Parking and Loading**A.** Off-street parking for all transect zones is required at a ratio of 3.5 parking spaces per 1,000 square feet of floor area, except as follows.

1. Parking for single-family dwellings is required as specified in Table 9.1.2.B Vehicle Parking Requirements.
2. Parking for lodging uses is required as specified in Table 9.1.2.B Vehicle Parking Requirements.

1. Loading docks and service areas must be screened by either:
 - a. A minimum 6-foot-high opaque fence matching the material of the building; or
 - b. A 15-foot-wide landscape zone planted with a continuous hedge of evergreen shrubs. Shrubs must be moderately growing, at least 42 inches high at time of planting, and reaching at least 6 feet high within two years of planting.
 2. Open parking or gas fueling bays must be screened by a continuous screen of evergreen plantings. Said screen must be 3 feet in height at planting and 4 feet minimum height at maturity and 3 to 8 feet in width at maturity.
- C. Refuse areas must conform to Sec. 2.3.5 (Refuse Collection Areas). The door enclosing the area must be made from wood or a material that has the appearance of wood.
- D. Mechanical features such as HVAC condensers, electrical transformers, heat pumps, and similar features must not be placed in the first layer and must be screened from view of any A-grid thoroughfare, civic space, or any property used or developed for residential functions, by one of the following means:
1. Placement behind the building; or
 2. 100% opaque fencing which must be constructed of the same type of exterior material used for the principal building; or
 3. By a berm or vegetative screening. The screening must consist of evergreen shrubs at least 42 inches high at time of

planting and reaching at least 6 feet high within two years of planting.

7B.4.8. Stormwater Management Facilities

- A. Stormwater management facilities must comply with Sec. **10.2.4.C (Detention/Retention Design) 2.3.6.**
- B. Any fencing around stormwater facilities must meet the fencing requirements of Sec. 7B.4.7.A.3, or as approved by warrant.
- C. Above-ground facilities are prohibited in the Five Acre Road Zone. All facilities must be completely underground.

7B.4.9. Off-Street Parking and Loading

- A. Off-street parking for all Transect Zones is required at a ratio of 3.5 parking spaces per 1,000 square feet of building floor area, except as follows.
 1. Parking for single-family dwellings is required as specified in Table 9.1.2.B Vehicle Parking Requirements.
 2. Parking for lodging uses is required as specified in Table 9.1.2.B Vehicle Parking Requirements.
- B. Off-street loading for all other uses must be provided in accordance with Sec. 9.1.7 (Off-Street Loading).
- C. Subject to the approval of the Director by warrant, off-street parking as required by Sec. 7B.4.9.A may be reduced up to 10%. Shared parking among uses is permitted.
- D. On-street parking along the parking lane corresponding to the lot frontage may be used to satisfy the parking requirements for residential functions.

9.3. Site Improvements

9.3.1. Applicability

These standards regulate site improvement and the provision of amenities related to site improvement.

9.3.2. Detention/Retention Facilities

On-site stormwater detention facilities must not be located within any required zoning buffer or landscape strip. Detention facilities must not be located within parking or loading areas unless approved by the Public Works Director. A 20-foot-wide landscape strip planted to buffer standards must be provided around the exterior of the detention area outside of the access easement or as may be approved by the City Arborist. Stormwater facilities must comply with Sec. 10.2.4.C (Detention/Retention Design).

9.3.3. Dams

All dams must comply with the standards of the Safe Dam Act and Rules of Georgia Department of Natural Resources.

9.3.4. Setbacks from Pipeline Easement

- A. Setback requirements.** No buildings used for human occupancy may be within 40 feet of any easement containing a gathering or transmission line as defined in this UDC.
- B. Land use restrictions.** No building or structure, or part thereof, which is used for the manufacturing, processing, generation, or storage of any material in the following list may be within 125 feet of any easement containing a gathering or transmission line as defined in this UDC:
1. Highly combustible materials.

2. Corrosive materials.
3. Explosive materials.
4. Flammable materials.
5. Highly toxic materials.
6. Loose or combustible materials.
7. Materials that pose a hazard to human health.
8. Oxidizing materials.
9. Pyrophoric materials.
10. Water reactive materials.

C. Exceptions. This sub-section does not apply to:

1. Any land disturbance or construction necessary to provide access to a property, when no other reasonable access is permitted, or any building, land disturbance or construction necessary to provide utility service to a parcel of land.
2. Any land disturbance or construction on a gathering or transmission line by or on behalf of the owner or operator of the gathering or transmission line.
3. Any driveway, street, parking lot, racket/paddle sport court, volleyball court, play area, recreational area, deck, patio, or any other impervious surfaces.

D. Variance Criteria

1. The reconstruction of any structure existing on the effective date of this UDC that does not comply with the terms of this sub-section may be considered for an administrative variance in accordance with Sec. 12.4. Special consideration may be given for