



## AGENDA STAFF MEMO

**TO:** Honorable Mayor and City Council  
**FROM:** Diana Wheeler, Interim Community Development Director  
**DATE:** April 22, 2025, For the Regular City Council Meeting on May 5, 2025

Signed by:

*Diana Wheeler*  
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**AGENDA ITEM: RZ25-04** - Consideration of a Text Amendment to Article 9 Site Development, specifically adding Sec. 9.1.4.A.8 to clarify parking of commercial vehicles and equipment within Agricultural and Single-Family districts, and modifying Sec. 9.1.6.C. Heavy Construction of the Unified Development Code for the City of Milton, Georgia.

### **SUMMARY:**

The purpose of this text amendment to the Unified Development Code (UDC) is to more clearly regulate commercial vehicles within the City.

#### Sec. 9.1.4.A.8 – Parking Location Limitations

By adding a paragraph within the Agricultural and Single-family districts, it provides for the allowance of commercial vehicles to be parked in these districts is permitted only when there is an active building permit or land disturbance permit on the property. Therefore, this text amendment will provide Code Enforcement with more clarity in issuing warnings or citations for those properties that park commercial vehicles when there is not an active building permit. Below is the current definition of "commercial vehicle".

**Commercial vehicle.** Any vehicle used in business, trade, industry or motorized equipment that has two or more of the following characteristics:

1. Exceeds a gross vehicle weight rating (GVWR) of 11,000 pounds.
2. Is regularly used in the conduct of a business, commerce, profession, or trade.
3. Exceeds 7 feet in height from the base of the vehicle to the top.
4. Exceeds 20 feet in length.
5. Has more than two axles.
6. Has more than four tires in contact with the ground.
7. Used, designed and built to carry more than 8 passengers.
8. Designed to sell food or merchandise directly from the vehicle or trailer itself.
9. Bears signs, logos or markings identifying the owner or registrant, a trade, business, service, or commodity.

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#### Sec. 9.1.6.C - Heavy Construction

By adding "commercial vehicle" in this paragraph regarding heavy construction, it further clarifies that storing of commercial vehicles is permitted only when an active building permit or active land disturbance permit is issued on property.

CZIM Meeting held on February 25, 2025 – There were two attendees at this meeting of which one of the attendees had general questions regarding this text amendment.

Planning Commission Meeting on March 26, 2025 – The PC voted to approve (4-1) RZ25-04 as presented by Staff with the following change: To add "*or utilized exclusively for personal use.*" at the end of Sec. 9.1.6.C. to allow owners of large parcels of land to have commercial vehicles to maintain their properties.

City Council Work Session on April 21, 2025 – The Council directed Staff to amend the ordinance to allow commercial vehicles and construction equipment on property so long as it is not in view from the roadway or adjacent property.

These changes are reflected in the proposed ordinance.

#### **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.

#### **REVIEW & APPROVALS:**

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

Concurrent Review: Steven Krokoff, City Manager – April 2025

DocuSigned by:

*Steven Krokoff*

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#### **ATTACHMENT(S):**

Ordinance for Text Amendment RZ25-04

**AN ORDINANCE TO AMEND ARTICLE 9 SITE DEVELOPMENT, SPECIFICALLY  
ADDING SEC. 9.1.4.A.8 TO CLARIFY PARKING OF COMMERCIAL VEHICLES  
AND EQUIPMENT WITHIN AGRICULTURAL AND SINGLE-FAMILY DISTRICTS, AND  
MODIFYING SEC. 9.1.6.C. HEAVY CONSTRUCTION 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 May 5, 2025, at 6:00 p.m. as follows:

**SECTION 1.** That Sections 9.1.4.A.8 and 9.1.6.C. of Site Development of the Unified Development Code for the City of Milton, Georgia as it relates to Parking of Commercial Vehicles and Equipment and Heavy Construction 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 5<sup>th</sup> day of 2025.

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Peyton Jamison, Mayor

Attest:

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Tammy Lowit, City Clerk

# EXHIBIT “A”

## E. Administrative Reduction

The Director may reduce the total number of parking spaces required to no less than 90% of the basic requirement when all of the following are met:

1. The parking reduction request must show that the reduction is justified based on characteristics unique to the proposed use of the property, in contrast to the characteristics of other uses within the same category.
2. Adequate land area for meeting the basic parking requirement must be located on and designed for the site, whether at grade or in parking decks. The unconstructed portion of the parking must be clearly delineated and labeled “Future Parking” on the site plan.
3. Before granting the parking reduction request, the Director must determine that the reduction is justified and must approve, in whole or in part, or deny the request stating the reasons therefore in their decision.
4. If the Director finds that the parking reduction is no longer justified, the Director must notify the owner to construct the number of parking spaces necessary to meet the required level.
5. Before any change in ownership or use, the owner must apply to the Director for an evaluation and confirmation of the reduction.

## 9.1.4. Parking Location Limitations

### A. Agricultural and Single-family Districts

1. In single-family dwelling districts and agricultural districts used for a single-family dwelling, the parking or storage of vehicles is not allowed, except on conforming parking spaces.
2. Unenclosed parking spaces may occupy a side yard and no more than 50% of a required rear yard.
3. No more than two spaces are allowed adjoining the entrance to a front entry garage or carport, or adjoining the end of a driveway when no garage or carport exists.
4. Garage and carport spaces count toward the minimum required spaces in single-family districts.
5. In agricultural and single-family dwelling districts used for other than a single-family dwelling, the parking or storage of vehicles must meet the requirements of Sec. 9.1.4.E (O-I District).
6. The visible storage or parking of more than four vehicles at a single-family dwelling is not allowed
7. Parking or storage of a junk or salvage vehicle is not allowed, except that no more than two such vehicles are allowed if parked or stored in a garage or carport not visible from a street or adjacent residential property.

7.3. In single-family districts and agricultural districts used for a single-family dwelling, the storing of commercial vehicles and construction equipment is prohibited, except when there is an active building permit or

active land disturbance permit on the property or when such equipment or vehicles are not visible from roadways or adjacent properties.

#### **B. TR District**

1. Individually subdivided parcels must adhere to single-family district standards, except that off-street parking and driveways must be at least 10 feet from perimeter lot lines.
2. Garage and carport spaces count toward the minimum required spaces.

#### **C. A District**

1. Off-street parking is not allowed in required front yard and side corner yard setbacks.
2. Driveways must be at least 10 feet from a side and rear property line.
3. Off-street parking space must be at least 25 feet from a side or rear property line adjacent to a single-family dwelling district or use, and at least 10 feet from another property line.
4. TR district requirements apply to single-family detached units constructed within the A district.

#### **D. A-L District**

1. Off-street parking is not allowed in required front yard and side corner yard setbacks.
2. Driveways must be at least 10 feet from side and rear property lines.
3. Off-street parking space must be at least 25 feet from side and rear property lines adjacent to a single-family dwelling district or use, and at least 10 feet from other property lines.

#### **E. O-I District**

1. Off-street parking is not allowed in required front yard and side corner yard setbacks.
2. Off-street parking must be at least 25 feet from property lines which adjoin a single-family residential district or use.
3. Off-street loading areas are only allowed in rear and interior side yards.

#### **F. C-1 District**

1. Residential and civic use off-street parking location standards are the same that apply to those uses in the A district.
2. Other uses not specified in subparagraph 1 above must locate parking at least 25 feet from property lines that adjoin a residential district or use.
3. Off-street loading areas are only allowed in rear and interior side yards.

Note: These minimums may be less than required to accommodate a landscape area or buffer.

#### **G. Landscape Areas and Buffers**

No required parking is allowed in any landscape area or buffer.

### **9.1.5. Parking Lot Layout and Design**

#### **A. Shared Driveways**

Driveways may be shared in all districts.

#### **B. All-Weather Surface**

Required parking spaces must be located on an all-weather surface as defined in Article 13.

#### **C. Angled or Parallel Parking**

1. Off-street parking layout must conform to Table 9.1.5 Parking Layout Standards.

Except for trucks used to farm the property they are located on, or trucks used in conjunction with a permitted use, trucks or trailers over 4 tons empty weight must not be stored or parked in any agricultural or residential district unless engaged in moving household goods or making deliveries.

#### B. Vehicles Being Serviced

Vehicles being serviced must be serviced and stored within the footprint of the building or at the rear of the structure but outside of any minimum yard. Vehicles must be totally screened from all property lines by a 100% opaque fence, together with landscape strips and buffers.

#### C. Heavy Construction

Commercial vehicles, Earth moving equipment, tractors or other heavy construction vehicles may only be stored in residential, agricultural, and nonresidential districts during construction associated with an active building permit or land disturbance permit or utilized exclusively for personal use.

#### D. Other Vehicles

Other vehicles such as recreational vehicles, campers, buses (including school buses), trailers, mobile home coaches, boats and boat trailers may be parked or stored in residential districts when:

1. Vehicles are not used as living quarters.
2. The parking or storage area is in the buildable area of the lot and not in front of the principal structure.

### 9.1.7. Off Street Loading

#### A. Loading Spaces Required

Off-street loading spaces must be provided in accordance with Table 9.1.7. Loading Requirements. Loading spaces may serve only the designated use and must be on the same lot as the use, unless otherwise authorized in this UDC.

#### B. Design and Arrangement

The following standards apply to off-street loading areas:

1. A loading space must measure no less than 12 feet by 35 feet and have 14 feet of vertical clearance.

Table 9.1.7 Loading Requirements

Use	Floor Area (in square feet)	Loading spaces required
Single retail uses	0—19,999	None
	20,000—49,999	1
	50,000—250,000	2
	Over 250,000	3
Shopping centers	0—19,999	None
	20,000—49,999	1
	50,000—100,000	2
	Each additional 100,000	1
Offices, residential buildings over four stories, all medical uses, hotels, and motels	0—999,999	None
	1,000,000—2,000,000	1
	More than 2,000,000	2