

# Planning & Zoning Board

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## AGENDA

May 20, 2025, 7:00 PM  
3921 Church Street

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### A. CALL TO ORDER

### B. Roll Call

### C. Approval of the Agenda

### D. Meeting Minutes

1. March 18, 2025 Meeting Minutes

#### ***PUBLIC HEARING:***

*Any member of the public may address the Planning and Zoning Board, during the time allotted for public hearing. Each attendee will be allowed 3 minutes. If your public comment contains a series of questions, please provide those questions to staff in writing on the Public Comment Card (Staff) prior to the meeting. This will facilitate follow-up by the Board or Staff. The Planning and Zoning Board desires to allow an opportunity for public comment; however, the business of the Board must proceed in an orderly and timely manner.*

### E. Presentations

### F. Old Business

### G. New Business

1. Review an ordinance to amend the text of the Clarkston Zoning Ordinance, Appendix A, Article III, Zoning District Regulations, of the City Code, by creating a new Section 308.1 to provide housing typology layouts for each of the allowed residential housing types in the NR-1, NR-2, and NR-3 zoning districts (i.e., single-family detached dwellings, accessory dwelling units, cottage court, duplex, triplex/quadplex, and townhouse).
2. Review of an ordinance to amend the text of the Clarkston Zoning Ordinance, Appendix A, Article III, Section 317. TC, town center district to provide land use mix requirements for parcels over one-half acre in size.

3. Review of an ordinance to amend the text of the Clarkston Zoning Ordinance, Appendix A, Article V of the city code, to provide architectural design requirements, residential garage and carport requirements, and to provide architectural building elevation requirements to minimize the monotonous appearance of residential developments.
4. Review an ordinance to amend the text of the Clarkston Zoning Ordinance as follows: (1) amend Appendix A, Article IV, Section 403 – Use Table, to add use regulations for child day care, adult day care, convenient stores, grocery stores, fitness centers, and small food retail to the use table; and (2) amend Appendix A, Article VII – Definitions, to revise the definition of convenience store and to add definitions for grocery store, fitness center, and small food retail to the Definitions.

## **H. Adjournment**

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## STAFF ANALYSIS AND REPORT

**To:** City of Clarkston Planning & Zoning Board

**From:** Richard Edwards, AICP

**Subject:** Proposed Text Amendments to the City of Clarkston Zoning Ordinance, Appendix A, Article III of the city code, to provide housing typology layouts for single-family detached dwellings, accessory dwelling units, cottage housing development, duplex, triplex/quadplex, and townhouse.

**Date:** May 20, 2025

### **Purpose:**

The purpose of this staff report and analysis is to present the proposed amendments to *Appendix A, Article III of the city code, to provide housing typology layouts for single-family detached dwellings, accessory dwelling units, cottage housing development, duplex, triplex/quadplex, and townhouse*. The Planning Commission is requested to provide a recommendation at their public hearing on May 20, 2025, which will be forwarded to the City Council for further consideration at their public hearing scheduled for June 3, 2025.

### **Background:**

The current code does not have any graphics depicting the typical development layout for each of the housing types. Staff finds that it would be beneficial to include graphics depicting sample development layouts for the foregoing housing types in the City's Zoning Ordinance as a guide, so that citizens and developers may better envision the typical lot layout for each of the permitted residential housing types.

### **Analysis:**

These graphics will assist staff with describing and showing future residents and developers how each housing type is typically developed. However, this is not the only way these housing types can be developed.



**CITY OF CLARKSTON**

ITEM NO:

**CITY COUNCIL REGULAR SESSION**

**MEETING TYPE:**  
Council Meeting

**AGENDA ITEM SUMMARY SHEET**

**ACTION TYPE:**

**MEETING DATE: May 27, 2025**

**SUBJECT:** Discuss an ordinance to amend the text of the Clarkston Zoning Ordinance, Appendix A, Article III, Zoning District Regulations, of the City Code.

**DEPARTMENT:** PLANNING & ECONOMIC DEVELOPMENT

**PUBLIC HEARING:**  YES  NO

**ATTACHMENT:**  YES  NO  
**PAGES:** 4

**PRESENTER CONTACT INFO:** Richard Edwards, AICP  
**PHONE NUMBER:** 404-536-1120

**PURPOSE:** To discuss and review an ordinance to amend the text of the Clarkston Zoning Ordinance, Appendix A, Article III, Zoning District Regulations, of the City Code, by creating a new Section 308.1 to provide housing typology layouts for each of the allowed residential housing types in the NR-1, NR-2, and NR-3 zoning districts (i.e., single-family detached dwellings, accessory dwelling units, cottage court, duplex, triplex/quadplex, and townhouse).

**NEED/ IMPACT:** This text amendment provides residential housing typologies showing a typical layout of each of the allowed residential housing types in the NR-1, NR-2, and NR-3 zoning districts.

**RECOMMENDATION:** Staff is recommending approval of this text amendment.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND THE CLARKSTON ZONING ORDINANCE, APPENDIX A, ARTICLE III OF THE CITY CODE, TO PROVIDE HOUSING TYPOLOGY LAYOUTS FOR SINGLE-FAMILY DETACHED DWELLINGS, ACCESSORY DWELLING UNITS, COTTAGE HOUSING DEVELOPMENT, DUPLEX, TRIPLEX/QUADPLEX, AND TOWNHOUSE.**

**WHEREAS**, the City’s Zoning Ordinance adopted in 2023 establishes certain zoning districts and includes certain requirements for the development of real property located within each City zoning district; and

**WHEREAS**, the City allows the following residential housing types in the NR-1, NR-2, and NR-3 zoning districts: single-family detached dwellings, accessory dwelling units, cottage housing development, duplex, triplex/quadplex, and townhouse; and

**WHEREAS**, the City Council finds it beneficial to include graphics depicting sample development layouts for the foregoing housing types in the City’s Zoning Ordinance as a guide, so that citizens and developers may better envision the typical lot layout for each of the permitted residential housing types; and

**WHEREAS**, the City Council desires to amend the Zoning Ordinance to include housing typology graphics, as described herein, to further facilitate appropriate development within the City; and

**WHEREAS**, the City has fully complied with the requirements of the Zoning Procedures Law in adopting this ordinance.

**NOW THEREFORE, BE IT ORDAINED BY** the City of Clarkston as follows:

**SECTION 1.** Appendix A, Article III, Division 2, Residential District, of the City of Clarkston Code of Ordinances is amended by adding a new Section 308.1 entitled “Residential housing typologies” as shown in Exhibit A, attached hereto.

**SECTION 2.** This ordinance is intended to be severable. Should any portion of this ordinance be judged invalid by a Court of competent jurisdiction, such order or judgment shall not invalidate the remainder of this ordinance.

**SECTION 3.** This ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

Notice Published in DeKalb Champion: \_\_\_\_\_

Public Hearing Held by City Council: \_\_\_\_\_

**SO ORDAINED** this \_\_\_\_ day of \_\_\_\_\_, 2025.

ATTEST:

CITY COUNCIL OF  
CITY OF CLARKSTON, GEORGIA

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Tomika Mitchell, City Clerk

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Mayor Beverly H. Burks

Approved as to form:

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Stephen Quinn, City Attorney

# EXHIBIT A

## Sec. 308.1. Residential housing typologies

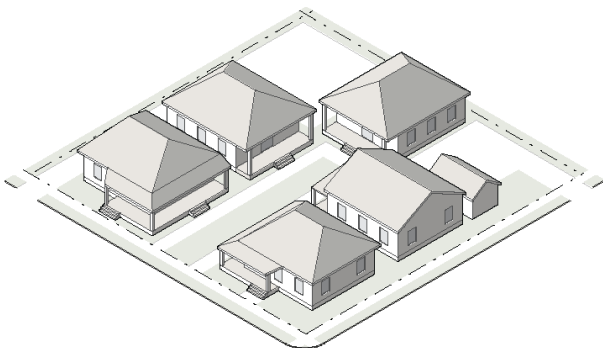
- (a) Purpose and intent. The residential housing typologies are to provide a general description of the allowed residential housing types.
- (b) Single-family detached dwelling. A building type designed to accommodate one dwelling unit on an individual lot.



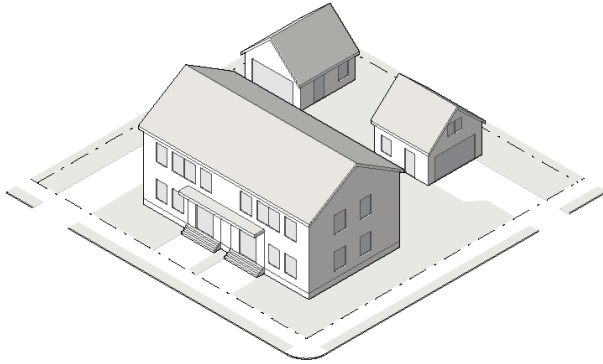
- (c) Accessory dwelling unit. A building type designed to accommodate a small, self-contained dwelling unit that is physically separated from the primary structure but located on the same lot.



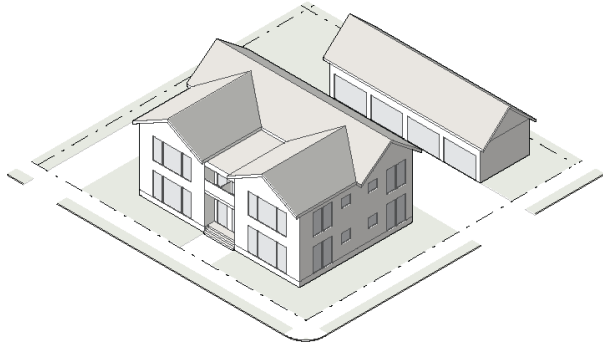
- (d) Cottage housing development. A building type designed to accommodate detached dwelling units organized around a shared, internal courtyard. Units cannot be vertically mixed.



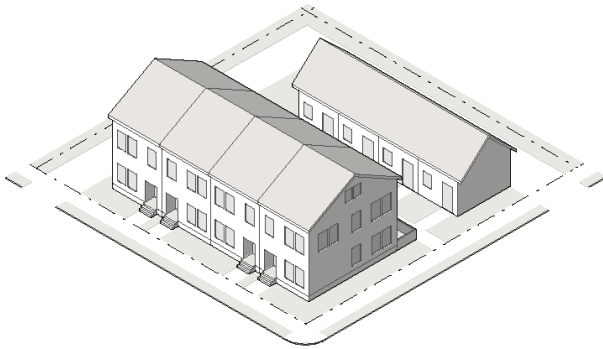
- (e) Duplex. A building type designed to accommodate two principal dwelling units, vertically or horizontally integrated, that share a common wall, floor, or ceiling on an individual lot.



- (f) Triplex/Quadplex. A building type designed to accommodate 3 to 4 principal dwelling units, vertically and/or horizontally integrated, that share a common wall, floor, or ceiling on an individual lot.



- (g) Townhouse. A building type designed to accommodate 3 to 6 dwelling units where each unit is separated by a common side wall and units cannot be vertically mixed.





## STAFF ANALYSIS AND REPORT

**To:** City of Clarkston Planning & Zoning Board

**From:** Richard Edwards, AICP

**Subject:** Proposed Text Amendments to the City of Clarkston Zoning Ordinance, Appendix A, Article III, Section 317. TC, town center district to provide land use mix requirements for parcels over one-half acre in size.

**Date:** May 20, 2025

### **Purpose:**

The purpose of this staff report and analysis is to present the proposed text amendments to *Appendix A, Article III, Section 317. TC, town center district*, to provide for land use mix requirements for parcels over one-half (1/2) acre in size. The Planning Commission is requested to provide a recommendation at their public hearing on May 20, 2025, which will be forwarded to the City Council for further consideration at their public hearing scheduled for June 3, 2025.

### **Background:**

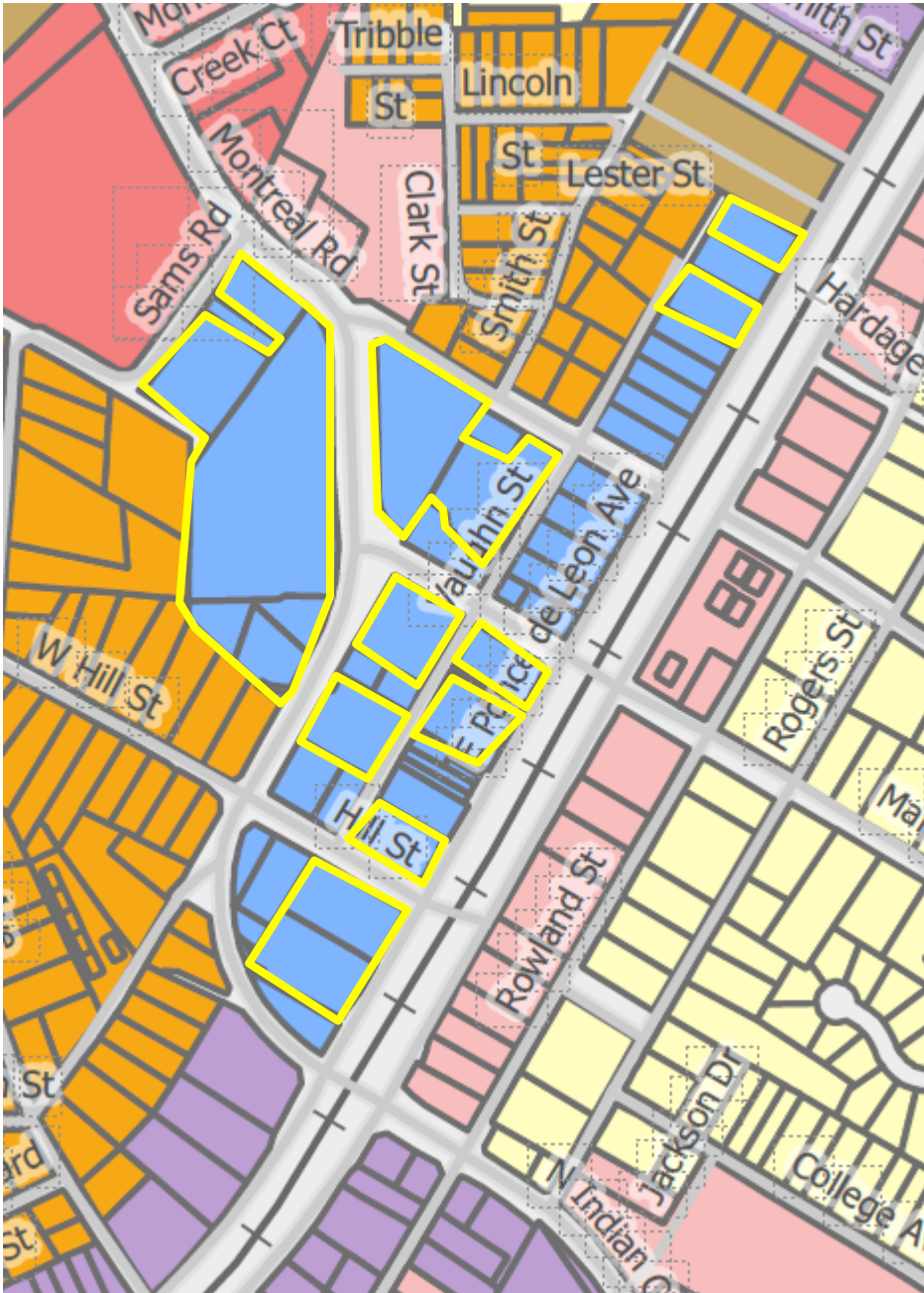
The TC, town center district's purpose and intent is to promote a mix of residential, business, commercial, office, institutional, cultural and entertainment activities for workers, visitors, and residents. Staff has frequently heard about the desire for a larger mix of uses, particularly in the city's downtown core. This text amendment would require any lot zoned TC and over one-half (1/2) acre in size to provide a mix of land uses with major redevelopments and new developments.

### **Analysis:**

There are sixteen (16) parcels that are zoned TC and have a minimum of one-half (1/2) acre or 21,780 square feet in size. If these parcels were to be developed or have a major redevelopment, they would have to include at least three (3) of the four (4) land use mix options. The land use mix options are as follows:

- Residential
- Institutional and Cultural
- Commercial and Retail
- Office

The map below shows all of the parcels zoned TC and that are one-half (1/2) acre or larger, highlighted in yellow.





**CITY OF CLARKSTON**

ITEM NO:

**CITY COUNCIL REGULAR SESSION**

**MEETING TYPE:**  
Council Meeting

**AGENDA ITEM SUMMARY SHEET**

**ACTION TYPE:**

**MEETING DATE: May 27, 2025**

**SUBJECT:** Discuss an ordinance to amend the text of the Clarkston Zoning Ordinance, Appendix A, Article III of the city code.

**DEPARTMENT:** PLANNING & ECONOMIC DEVELOPMENT

**PUBLIC HEARING:**  YES  NO

**ATTACHMENT:**  YES  NO  
**PAGES:** 5

**PRESENTER CONTACT INFO:** Richard Edwards, AICP  
**PHONE NUMBER:** 404-536-1120

**PURPOSE:** To discuss and review an ordinance to amend the text of the Clarkston Zoning Ordinance, Appendix A, Article III, Section 317. TC, town center district to provide land use mix requirements for parcels over one-half acre in size.

**NEED/ IMPACT:** These text amendments require a mix of land uses for all properties zoned TC and over one-half (1/2) acre in size. This is an effort to apply the TC zoning district's purpose and intent to "promote a mix of residential, business, commercial, office, institutional, cultural and entertainment activities for workers, visitors, and residents."

**RECOMMENDATION:** Staff is recommending approval of these text amendments.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND THE CLARKSTON ZONING ORDINANCE, APPENDIX A, ARTICLE III, SECTION 317 OF THE CITY CODE, TO REQUIRE A MIX OF LAND USE TYPES AND DENSITIES ON PARCELS OVER ONE-HALF ACRE IN SIZE AND LOCATED WITHIN THE TOWN CENTER (TC) DISTRICT.**

**WHEREAS**, the Clarkston Zoning Ordinance adopted in 2023 establishes certain zoning districts and includes certain requirements for the development of real property located within each City zoning district; and

**WHEREAS**, the town center (TC) district was established for the purpose of promoting a mix of residential, business, commercial, office, institutional, cultural and entertainment activities for workers, visitors, and residents; and

**WHEREAS**, members of the public have frequently expressed a desire for a larger mix of land use types within the TC zoning district; and

**WHEREAS**, the City Council desires to amend the Zoning Ordinance to require that all parcels over one-half (1/2) acre in size, and located within the TC zoning district, include a mix of at least three types of land uses with all major redevelopments or new developments; and

**WHEREAS**, the City has fully complied with the requirements of the Zoning Procedures Law in adopting this ordinance.

**NOW THEREFORE, BE IT ORDAINED BY** the City of Clarkston as follows:

**SECTION 1.** Appendix A, Article III, Division 4, Section 314 - TC, town center district, of the City of Clarkston Code of Ordinances is amended by adding a new subsection (e), as follows:

- (e) Land use mix.
  - (1) A Town Center development consisting of a land area 21,780 square feet (1/2 acre) or greater shall contain at least three types of land uses and densities as identified in the table below. The intent is to create a node of neighborhood-oriented retail, commercial, and residential services that work together to provide community needs. Non-residential developments must be of a scale and type that is compatible with the residential component of the development and the surrounding areas.

Land Use	Percentage of Land	
	Minimum	Maximum
Residential	25%	75%
Institutional and Cultural	10%	50%
Commercial and Retail	10%	50%
Office	10%	50%

(2) Uses shall be calculated using one of the following methods based on the development type:

(i) *Horizontal Mixed Use (Single-story buildings)*: Land Use Land Area (acres)/Total MU Land Area (acres) = % Land Use of MU Development.

*Example*: 25 acres of Residential Land Use/100 acres of MU Land Area = 25% Residential Land Use of MU Development.

(ii) *Vertical Mixed Use (Multi-story buildings)*: Land Use Gross Floor Area (square feet)/Total Gross Floor Area of All MU Development (square feet) = % Land Use of MU Development.

*Example*: 25,000 SF of Commercial Land Use/100,000 SF for All Vertical Development = 25% Commercial Land Use of MU Development.

(iii) *Combination of Horizontal and Vertical Mixed Use (Single-story and multi-story buildings)*: Land Use Gross Floor Area (square feet)/Total Gross Floor Area of All MU Vertical and Horizontal Development (square feet) = % Land Use of MU Development.

*Example*: [25,000 SF of Vertical Commercial Land Use + 25,000 SF of Horizontal Commercial Development]/200,000 SF for All Vertical and Horizontal Development = 25% Commercial Land Use of MU Development.

(3) A nonconforming building or structure that is repaired, rebuilt, or altered after damage exceeding fifty (50) percent of its replacement cost at the time of destruction for all uses shall be brought into conformity with this ordinance, pursuant to Sec. 225 of the Appendix A – Zoning.

**SECTION 2.** This ordinance is intended to be severable. Should any portion of this ordinance be judged invalid by a Court of competent jurisdiction, such order or judgment shall not invalidate the remainder of this ordinance.

**SECTION 3.** This ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

Notice Published in DeKalb Champion: \_\_\_\_\_

Public Hearing Held by City Council: \_\_\_\_\_

**SO ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.**

ATTEST:

CITY COUNCIL OF  
CITY OF CLARKSTON, GEORGIA

\_\_\_\_\_  
Tomika Mitchell, City Clerk

\_\_\_\_\_  
Mayor Beverly H. Burks

Approved as to form:

\_\_\_\_\_  
Stephen G. Quinn, City Attorney



## STAFF ANALYSIS AND REPORT

**To:** City of Clarkston Planning & Zoning Board

**From:** Richard Edwards, AICP

**Subject:** Proposed Text Amendments to the City of Clarkston Zoning Ordinance, Appendix A, Article V to include residential garage/carport standards and residential building elevation requirements.

**Date:** May 20, 2025

### **Purpose:**

The purpose of this staff report and analysis is to present the proposed text amendments to *Appendix A, Article V* to include residential garage and carport standards. The Planning Commission is requested to provide a recommendation at their public hearing on May 20, 2025, which will be forwarded to the City Council for further consideration at their public hearing scheduled for June 3, 2025.

### **Background:**

The Planning and Zoning Board has been working with staff to implement Architectural Design Requirements and Guidelines. After a thorough review, it was found that residential garage/carport standards and residential building elevation monotony regulations, which were part of the proposed Architectural Design Requirements and Guidelines, were not codified in the Zoning Ordinance.

### **Analysis:**

Staff is proposing to add the following language to the code relating to the monotonous appearance of residential developments:

(f) Building elevations of residential structures shall not be repeated at a rate greater than once every five (5) building lots or units along the same street frontage to minimize the monotonous appearance of residential developments. Any residential subdivision, townhome or condominium development shall be required to submit a copy of the approved plat or site plan denoting or identifying model names or architectural elevations (which must accompany the plat or site plan as attachments) that demonstrates compliance with this section.

Staff is proposing to add the following language to the code relating to residential garage and carport:

(e) Residential garage and carports.

(1). All residential garages and carports facing a street shall not be located closer to the street than the dwelling's primary facade.

(2) Residential garages and carports facing a street shall not comprise more than 50 percent of the front facade.

This style of residential home would not be allowed by this text amendment.



(photo: thegazette.com)

This style of residential home would be allowed.



(photo: mojohomes.com.au)



**CITY OF CLARKSTON**

ITEM NO:

**CITY COUNCIL REGULAR SESSION**

**MEETING TYPE:**  
Council Meeting

**AGENDA ITEM SUMMARY SHEET**

**ACTION TYPE:**

**MEETING DATE: May 27, 2025**

**SUBJECT:** Discuss an ordinance to amend the text of the Clarkston Zoning Ordinance, Appendix A, Articles V of the city code.

**DEPARTMENT:** PLANNING & ECONOMIC DEVELOPMENT

**PUBLIC HEARING:**  YES  NO

**ATTACHMENT:**  YES  NO  
**PAGES:** 4

**PRESENTER CONTACT INFO:** Richard Edwards, AICP  
**PHONE NUMBER:** 404-536-1120

**PURPOSE:** To discuss and review an ordinance to amend the text of the Clarkston Zoning Ordinance, Appendix A, Article V of the city code, to provide architectural design requirements residential garage and carport requirements and to provide architectural building elevation requirements to minimize the monotonous appearance of residential developments.

**NEED/ IMPACT:** This text amendment will require residential garages and carports to be located no closer to the street than the front façade of the home and will require that the garage or carport be no greater than 50% of the front façade of a residential home. Further, this text amendment will require that architectural elevations for residential developments do not repeat more than one every five homes.

**RECOMMENDATION:** Staff is recommending approval of these text amendments.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND THE TEXT OF THE CLARKSTON ZONING ORDINANCE, APPENDIX A, ARTICLE V, SITE DESIGN, OF THE CITY CODE, TO PROVIDE ARCHITECTURAL DESIGN REQUIREMENTS FOR RESIDENTIAL GARAGES AND CARPORTS AND TO PROVIDE ARCHITECTURAL BUILDING ELEVATION REQUIREMENTS TO MINIMIZE THE MONOTONOUS APPEARANCE OF RESIDENTIAL DEVELOPMENTS.**

**WHEREAS**, the City’s Zoning Ordinance adopted in 2023 includes certain architectural design requirements for the development of real property located within the City limits, which are set forth at ; and

**WHEREAS**, the City’s architectural design requirements are intended to maintain the City’s unique character, while ensuring aesthetic cohesion, functionality, and efficiency; and

**WHEREAS**, currently, the City’s architectural design requirements do not contain design standards for residential garages or carports, nor do they contain regulations to prevent monotony in residential developments; and

**WHEREAS**, the City Council desires to implement design standards for residential garages and carports, and to avoid monotony of design in residential developments to promote visual interest; and

**WHEREAS**, the City Council desires to amend Section 520, Building facades and entrances, of the City’s Zoning Ordinance to add design standards for residential garages and carports, and to require varying building elevations of residential structures within the City; and

**WHEREAS**, the City has fully complied with the requirements of the Zoning Procedures Law in adopting this ordinance.

**NOW THEREFORE, BE IT ORDAINED BY** the City of Clarkston as follows:

**SECTION 1.** Appendix A, Article V, Division 4, Section 520, Building facades and entrances, of the City of Clarkston Code of Ordinances is amended by adding new subsections (e) and (f), as follows:

- (e) Residential garage and carports.
  - (1) All residential garages and carports facing a street shall not be located closer to the street than the dwelling’s primary facade.
  - (2) Residential garages and carports facing a street shall not comprise more than 50 percent of the front facade.
- (f) Building elevations of residential structures shall not be repeated at a rate greater than once every five (5) building lots or units along the same street frontage to minimize the monotonous appearance of residential

developments. Any residential subdivision, townhome or condominium development shall be required to submit a copy of the approved plat or site plan denoting or identifying model names or architectural elevations (which must accompany the plat or site plan as attachments) that demonstrates compliance with this section.

**SECTION 2.** This ordinance is intended to be severable. Should any portion of this ordinance be judged invalid by a Court of competent jurisdiction, such order or judgment shall not invalidate the remainder of this ordinance.

**SECTION 3.** This ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

Notice Published in DeKalb Champion: \_\_\_\_\_

Public Hearing Held by City Council: \_\_\_\_\_

**SO ORDAINED this \_\_\_\_ day of \_\_\_\_\_, 2025.**

ATTEST:

CITY COUNCIL OF  
CITY OF CLARKSTON, GEORGIA

\_\_\_\_\_  
Tomika Mitchell, City Clerk

\_\_\_\_\_  
Mayor Beverly H. Burks

Approved as to form:

\_\_\_\_\_  
Stephen G. Quinn, City Attorney



## STAFF ANALYSIS AND REPORT

**To:** City of Clarkston Planning & Zoning Board

**From:** Richard Edwards, AICP

**Subject:** Proposed Text Amendments to the City of Clarkston Zoning Ordinance, Appendix A, Article IV and VII, to add use regulations for child day care, adult day care, convenience stores, fitness centers, and small food retail to the use table; to expand use regulations for grocery stores; to amend the definition of convenience store in the Definitions; and to add definitions for grocery store, fitness center, and small food retail to the Definitions.

**Date:** May 20, 2025

### **Purpose:**

The purpose of this staff report and analysis is to present the proposed text amendments to *Appendix A, Article IV, Section 403 – Use Table*, to add use regulations for child day care/adult day care, convenience stores, fitness centers, and small food retail; to expand use regulations for grocery stores; to amend the definition of convenience store in Article VII – Definitions; and to add definitions for grocery store, fitness center, and small food retail to Article VII – Definitions. The Planning Commission is requested to provide a recommendation at their public hearing on May 20, 2025, which will be forwarded to the City Council for further consideration at their public hearing scheduled for June 3, 2025.

### **Background:**

The zoning code does not currently have explicit use regulations for the uses provided in this text amendment. This text amendment will allow for an easier interpretation of allowed uses.

### **Analysis:**

The child day care/adult day care is listed on the use table but it does not have any zoning district where they are allowed. Staff is recommending permitting these uses in the NC-1, NC-2, TC, NR-CD, and RC zoning district. They will still be subject to the supplemental standards in Sec. 406.

Staff is recommending permitting convenience store w/o fuel pumps in the NC-1, NC-2, and I zoning districts and convenience store w/ fuel pumps to be permitted in the NC-2 and I zoning district with a conditional use permit requirement in the NC-1 zoning district.

Staff is further recommending an amendment to the definition of convenience store so that the definition in the Zoning Ordinance is consistent with the definition set forth in Section 11-171 of the City Code, as follows:

*Any retail establishment offering for sale prepackaged food products, household items, and other goods commonly associated with the same and having a gross floor area ~~of less~~ not greater than two thousand seven hundred (2,0700) square feet.*

The zoning code does not currently have any allowed uses for fitness centers so staff is recommending adding fitness center 5,000 sq feet or less to be permitted in the NC-1, NC-2, TC, I, NR-CD, and RC zoning districts. Further, staff is recommending that fitness center 5,000 sq. ft. or greater be permitted in the NC-2 and I zoning districts with conditional use permit requirement for the NR-CD zoning district. This would also include a definition for fitness center as,

*“A building or portion of a building designed and equipped for the conduct of sports, exercise, and related leisure activities, or other customary and usual recreational activities, operated for profit or not-for-profit and which may be open only to bona fide members and their guests or to the public for a fee. Accessory uses which support the principal use may include therapy treatments such as massage, meditation and other healing arts. The term "fitness center" shall not include adult entertainment establishments, hospitals, or other professional health care establishments separately licensed as such by the state.”*

The zoning code currently addresses a lot of the food marts within the city as either a retail shop or a grocery store. Staff is recommending adding a use type called “small food retail” as an allowed in the NC-2 and TC zoning district. Staff is also recommending a definition for this use as,

*” A retail business less than 5,000 square feet in size that sells a curated selection of fresh and pre-packaged foods, and which includes the preparation of fresh foods for on-site or off-site consumption.”*

Staff is also recommending that grocery stores be permitted in the NC-2 zoning district while requiring a conditional use permit in the TC and NR-CD zoning districts. This includes adding the following definition of grocery store:

*” A store that is 10,000 square feet or more where most of the floor area is devoted to the sale of food products for home preparation and consumption, which typically also offers other home care and personal care products.”*



**CITY OF CLARKSTON**

ITEM NO:

**CITY COUNCIL REGULAR SESSION**

**MEETING TYPE:**  
Council Meeting

**AGENDA ITEM SUMMARY SHEET**

**ACTION TYPE:**

**MEETING DATE: May 27, 2025**

**SUBJECT:** Discuss an ordinance to amend the text of the Clarkston Zoning Ordinance, Appendix A, Articles IV and VII of the city code.

**DEPARTMENT:** PLANNING & ECONOMIC DEVELOPMENT

**PUBLIC HEARING:**  YES  NO

**ATTACHMENT:**  YES  NO  
**PAGES:** 7

**PRESENTER CONTACT INFO:** Richard Edwards, AICP  
**PHONE NUMBER:** 404-536-1120

**PURPOSE:** To discuss and review an ordinance to amend the text of the Clarkston Zoning Ordinance as follows: (1) amend Appendix A, Article IV, Section 403 – Use Table, to add use regulations for child day care, adult day care, convenient stores, grocery stores, fitness centers, and small food retail to the use table; and (2) amend Appendix A, Article VII – Definitions, to revise the definition of convenience store and to add definitions for grocery store, fitness center, and small food retail to the Definitions.

**NEED/ IMPACT:** The proposed text amendments will provide definitions and use regulations for convenient stores, grocery stores, fitness centers, and small food retail, and provide use regulations for child day care/adult day care uses.

**RECOMMENDATION:** Staff is recommending approval of these text amendments.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND THE TEXT OF THE CLARKSTON ZONING ORDINANCE, APPENDIX A, ARTICLES IV AND VII, TO ADD USE REGULATIONS FOR CHILD DAY CARE, ADULT DAY CARE, CONVENIENCE STORES, GROCERY STORES, FITNESS CENTERS, AND SMALL FOOD RETAIL TO THE USE TABLE; TO AMEND THE DEFINITION OF CONVENIENCE STORE; AND TO ADD DEFINITIONS FOR GROCERY STORE, FITNESS CENTER, AND SMALL FOOD RETAIL TO THE DEFINITIONS.**

**WHEREAS**, Table 4.1 of the City’s Zoning Ordinance sets forth certain permitted and conditional uses within City zoning districts, with any use not specifically listed in Table 4.1 or interpreted to be allowed by the city manager being prohibited; and

**WHEREAS**, Table 4.1 currently does not include explicit use regulations for child and/or adult day care centers, convenience stores, fitness centers, or small food retail establishments, and as such, these uses are prohibited within all City zoning districts; and

**WHEREAS**, Table 4.1 currently permits grocery stores but only within the TC zoning district; and

**WHEREAS**, the City Council finds that child and/or adult day care centers, convenience stores, fitness centers, and small food retail establishments are appropriate uses in certain zoning districts and may be appropriate in other zoning districts depending on site-specific conditions as contemplated by Zoning Ordinance Section 219; and

**WHEREAS**, the City Council finds that grocery stores should be available in additional zoning districts depending on site-specific conditions as contemplated by Zoning Ordinance Section 219; and

**WHEREAS**, the City Council desires to amend Table 4.1 to allow child and/or adult day care centers, convenience stores, fitness centers, and small food retail establishments in certain zoning districts, and to allow conditional use permits for such establishments in other zoning districts as is more specifically set forth in the revised Table 4.1 below; and

**WHEREAS**, the City Council desires to further amend Table 4.1 to allow grocery stores within the NC-2 zoning district, and to allow conditional use permits for grocery stores in the TC and NR-CD zoning districts; and

**WHEREAS**, to provide clarity for the public, the City Council also desires to amend Article VII of the Zoning Ordinance by revising the definition of convenience store and creating definitions for grocery store, fitness center, and small food retail; and

**WHEREAS**, the City has fully complied with the requirements of the Zoning Procedures Law in adopting this ordinance.

**NOW THEREFORE, BE IT ORDAINED BY** the City of Clarkston as follows:

**SECTION 1.** Appendix A, Article IV, Division 1, Section 403 – Use Table, of the City of Clarkston Code of Ordinances is amended by deleting the existing Table 4.1. in its entirety and replacing it with the following table:

<b>Table 4.1 Use Table</b>											
P: Permitted use C: Conditional use subject to the conditional use permit application procedures specified in article II of this chapter AP: Administratively approved use Pa: Accessory use as regulated by article IV of this chapter.	NR-1	NR-2	NR-3	NC-1	NC-2	TC	I	R-OS	NR-CD	RC	Supplemental Standards
<b>Residential</b>											
Apartment childcare or tutoring			P	P	P	P			P		Sec. 404
Assisted Living									P	P	
Boarding or Rooming House, except halfway houses									C	C	
Dwelling, Accessory	P	P	P						P	P	Sec. 413
Dwelling, Duplex		P	P						P		
Dwelling, Multi-family				P	P	P			P	P	
Dwelling, Single-family detached	P	P	P						P	P	
Dwelling, Townhome		P	P						P		
Dwelling, Triplex			P						P		
Dwelling, Quadruplex			P								
Home Occupation	P	P	P								Sec. 407
Non-commercial horticulture and agriculture	P	P	P								Sec. 408
Non-commercial poultry	P	P	P								Sec. 409
Personal Care Home									C	C	
<b>Planned Unit Developments</b>											
Cottage Housing Developments		P*	P*						P*	P*	
Planned Commercial Development				P*	P*	P*			P*	P*	
Planned Mixed-Use Development				P*	P*	P*			P*		
Planned Residential Development		P*	P*							P*	
<b>Commercial and Retail</b>											
Adult entertainment or establishment							C				
Antique shop				P	P	P				P	
Apparel store				P	P	P					
Art store/gallery				P	P	P			P	P	
Banks and financial institutions				P	P	P				P	
Bed and breakfast inns			C			P				C	Sec. 405
Book and video store (non-adult oriented)				P	P	P				P	
Bottle shop/package store					C	P	P				
Bowling Alleys						P	P		C		
Camera shop				P	P	P			P		
Car washes					C		C				
Child day care, adult day care				P	P	P			P	P	Sec. 406

Convenient store w/o fuel pumps				P	P		P				
Convenient store w/ fuel pumps				C	P		P				
Dry cleaner (except drive thru)				P	P						
Eating and drinking establishment, excluding drive-thru/drive-in establishments				P	P	P	P		P	P	
Eating and drinking establishment, including drive-thru/drive-in establishments					C						
Electronics and appliance store						P					
Entertainment venues (non-adult oriented)							P				
Florist				P	P	P			P	P	
Funeral home (no on-site crematory services)							P				
Furniture and home furnishings						P					
Greenhouses and horticultural nurseries				P	P				P	P	
Grocery store					P						
Fitness Center 5,000 sq. ft or less				P	P	P	P		P	P	
Fitness Center 5,000 sq. ft or greater					P		P		C		
Hookah/Vape Store											
Hospital							P				
Hotel						C					
Jewelry store				P	P	P			P	P	
Laundry, self-service				C	C		C				
Massage establishment							C				
Microbrewery				P	P	P	P		C		
Movie Theater (non-adult oriented)						P	P				
Non-automotive repair services (cameras, jewelry, shoes)				P	P	P	P				
Parking structure				Pa	Pa	Pa	Pa	Pa	Pa		
Personal service establishment (barber shop, hair salon, nail salon)				P	P	P			P	P	
Pet boarding/breeding kennel							P				
Pet grooming and supply shop				P	P	P					
Pharmacy or Drug store				P	P						
Recycling collection				Pa	Pa	Pa	Pa			Pa	
Recycling collection/drop off centers									Pa		
Research and experimental testing laboratories							C				
Retail, 2,500 - 5,000 s.f.					P	P			P	C	
Retail, 2,500 s.f. or less				P	P				P	P	
Retail, over 5,000 s.f.						P	P				
Shoe store				P	P	P					
Small food retail					P	P					
Sporting goods store				P	P	P					
Tattoo parlor and piercing studio					P	P	P				
Title loan businesses, pawn shops							C				
Toy store				P	P	P					
<b>Office, Institutional, and Cultural</b>											
Library, Public				C	C	C	C	C	C	C	

Pre-schools and similar establishments				P	P	P			P	P	
Office (Professional)				P	P	P	P			P	
Office (Medical)				P	P	P	P			P	
Office (Veterinary without boarding)				P	P	P	P			P	
Parks/Green Space	P	P	P	P	P	P	P	P	P	P	
Places of assembly, including religious institutions	C	C	C	C	C		P		C	C	Sec. 411
Tutoring Establishments			P	P	P	P			P	P	
<b>Industrial and Manufacturing</b>											
Automobile, truck, motorcycle and heavy equipment sales/service/rental/parts/repair establishments					C		P				
Building and equipment supply/repair services (no outdoor storage)							P				
Commercial dry-cleaning plants							C				
Communications towers (cellular)							C				
Crematories							C				
Manufacturing and assembly, provided no gas, fumes or odors are emitted as a result of the activity							P				
Outdoor storage, commercial											
Trade shops (locksmith, gunsmith, sheet metal, upholstery, furniture, appliance, electrical, carpentry)							P				
Wholesaling and warehousing (entirely indoors)							P				
<b>Temporary Uses</b>											
Farmer's market				AP	AP	AP	AP	AP	AP	AP	Sec. 414
Festival				AP	AP	AP	AP	AP	AP	AP	Sec. 414
Food truck				AP	AP	AP	AP	AP	AP	AP	Sec. 414
Seasonal activities and sales				AP	AP	AP	AP	AP	AP	AP	Sec. 414
Storage of construction equipment				AP	AP	AP	AP	AP	AP	AP	Sec. 414
Tent sale/sale of goods from temporary location				AP	AP	AP	AP	AP	AP	AP	Sec. 414
* When approved by City Council											

**SECTION 2.** Appendix A, Article VII of the City of Clarkston Code of Ordinances is amended by replacing the definition of “convenience store” with the following definition:

*Convenience store:* Any retail establishment offering for sale prepackaged food products, household items, and other goods commonly associated with the same and having a gross floor area not greater than two thousand seven hundred (2,700) square feet.

**SECTION 3.** Appendix A, Article VII of the City of Clarkston Code of Ordinances is further amended by adding the following definitions:

*Fitness center:* A building or portion of a building designed and equipped for the conduct of sports, exercise, and related leisure activities, or other customary and usual recreational activities, operated for profit or not-for-profit and which may be open only to bona fide members and their guests or to the public for a fee. Accessory uses which support the principal use may include therapy treatments such as massage, mediation and other healing arts. The term "fitness center" shall not include adult entertainment establishments, hospitals, or other professional health care establishments separately licensed as such by the state.

*Grocery store:* A store that is 10,000 square feet or more where most of the floor area is devoted to the sale of food products for home preparation and consumption, which typically also offers other home care and personal care products.

*Small food retail:* A retail business less than 5,000 square feet in size that sells a curated selection of fresh and pre-packaged foods, and which includes the preparation of fresh foods for on-site or off-site consumption.

**SECTION 4.** This ordinance is intended to be severable. Should any portion of this ordinance be judged invalid by a Court of competent jurisdiction, such order or judgment shall not invalidate the remainder of this ordinance.

**SECTION 5.** This ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

Notice Published in DeKalb Champion: \_\_\_\_\_

Public Hearing Held by City Council: \_\_\_\_\_

**SO ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.**

ATTEST:

CITY COUNCIL OF  
CITY OF CLARKSTON, GEORGIA

\_\_\_\_\_  
Tomika Mitchell, City Clerk

\_\_\_\_\_  
Mayor Beverly H. Burks

Approved as to form:

\_\_\_\_\_  
Stephen G. Quinn, City Attorney