

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ALPHARETTA, GEORGIA TO MODIFY ARTICLE II, SECTIONS 2.2.20, 2.3.1, 2.3.5, 2.5, AND 2.5.5, ARTICLE III, SECTIONS 3.1.1, 3.2.7, 3.3.1 – 3.3.9, 3.3.14, AND 3.5.2-3.5.6, AND APPENDIX A ARTICLE II AND III, IN ORDER TO UPDATE STORMWATER MANAGEMENT REGULATIONS AND TO PROTECT OUR NATURAL RESOURCES.

WHEREAS, the Mayor and City Council of the City of Alpharetta, Georgia (the “City Council” or “Council”) are charged with the protection of public health, safety, and welfare of the citizens of the City of Alpharetta; and

WHEREAS, the Unified Development Code was designed to be amended from time to time when circumstances warrant that modifications be made in order to make the Unified Development Code more responsive to community needs; and

WHEREAS, the City Council finds that ordinances and regulations governing the uses of land and development of land within the City, as well as the City’s operations, should be continually improved from time to time and modified as necessary to better protect and promote the public health, safety, and welfare of the residents and businesses of the City of Alpharetta; and

WHEREAS, prior to adoption of this Ordinance, a public hearing was advertised and held for the purpose of discussing said ordinance; and

WHEREAS, the City Council considered the recommendations of staff and the public at said public hearing; and

WHEREAS, the City Council desires to amend Article III of the Unified Development Code for the foregoing purposes;

NOW, THEREFORE, the Mayor and Council of the City of Alpharetta hereby ordain as follows:

Section 1: Article II, Section 2.2.20F table references, “MU Mixed Use District,” of the Unified Development Code is hereby amended to add reference ‘F’ to Front Yd Set Back and to add ‘F. Tree save areas may overlap the building lot and building setback area. Such tree save areas must be identified on the land disturbance permit and be dedicated on the final plat for permanent preservation.’

Section 2: Article II, Section 2.3.1D “Supplementary Regulations - General Exemptions - Setbacks – Exclusions” of the Unified Development Code is hereby amended to add the following language ‘2. Required setbacks may accommodate runoff reduction measures, provided such setbacks meet the fire code standards. The runoff reduction measures may no comprise public safety such as the sight distance triangles required by the City. Above-ground cisterns, greenwalls, or other vertical runoff reduction measures shall require approval by the Community Development Director.’

Section 3: Article II, Section 2.3.5A “Supplementary Regulations - Buffers and landscape requirements - Buffers” of the Unified Development Code is hereby amended in the third paragraph by removing the word ‘facilities’ and replacing it with ‘basins’ and adding the following sentences to the end of the paragraph. ‘The Community Development Director may approve vegetated runoff reduction

measures within the buffer. The planting requirements above may be varied to accommodate vegetated runoff reduction measures as part of an approved stormwater management plan, if properly designed to provide stormwater management and screening functions.’ This section is further amended in paragraph four by removing the word ‘detention’ and adding the word ‘City’ prior to the word arborist.

Section 4: Article II, Section 2.3.5B “Supplementary Regulations - Buffers and landscape requirements – Parking Lot Screening” of the Unified Development Code is hereby amended to add language that allows alternate landscape configurations when part of a smart stormwater design.

Section 5: Article II, Section 2.5 “Parking and Loading” of the Unified Development Code is amended to add the following sentence to allow for parking space reductions based on an approved parking study. ‘A parking study may be submitted to support a request for a proposed parking reduction. This study shall be reviewed by Community Development and must be approved prior to permitting.

Section 6: Article II, Section 2.5.5A “Parking and Loading – Design criteria” of the Unified Development Code is amended to allow alternative off street parking dimensions when runoff reduction measures are used.

Section 7: Article II, Section 2.5.5C “Parking and Loading – Design criteria” of the Unified Development Code is amended to allow minimum parking bay width standards to meet alternative dimension requirements when runoff reduction measures are used.

Section 8: Article II, Section 2.5.5I “Parking and Loading – Design criteria” of the Unified Development Code is amended by adding ‘I. Multifunctional Runoff Reduction Measures. To encourage multifunctional runoff reduction measures and provide incentives for their use, bioretention areas, vegetate swales, planter boxes, rainwater harvesting systems, and other vegetated BMPs may be used to meet the perimeter island, interior island, and median island landscaping requirements of this Chapter, and may be constructed in the designated landscape areas if part of an approved stormwater management plan for the site and if screening functions are maintained.’

Section 9: Article II, Section 2.5.5 “Parking and Loading” of the Unified Development Code is amended by adding Table 2.3a the Alternative Criteria for Off-Street Parking for when runoff reduction measures are incorporated.

Section 10: Article III, Section 3.1.1C3 “Site Grading and Land Disturbance – Soil erosion and sediment control – Minimum Requirements for Erosion and Sediment Control Using Best Management Practices” is amended by adding subsections q,r, and s that limit disturbance to twenty acres or less unless approved by the Community Development Director, that reduce compaction of highly permeable soils and that preserve natural drainage pathways and conveyances.

Section 11: Article III, Section 3.2.7C “Tree Protection – Minimum tree density requirement” of the Unified Development Code is amended by adding the following language to the end of the subsection.

‘Vegetated runoff reduction measures which include trees may count toward the tree density requirement.’

Section 12: Article III, Section 3.3.1B2 “Storm Water Management – General – Purpose and Intent” of the Unified Development Code is amended to add the following language to the last sentence in the section. ‘...; to meet this purpose, where practicable, the use of on-site runoff reduction measures is encouraged, including but not limited to preservation of existing natural areas; bioretention areas; permeable pavement for parking; vegetated swales; cisterns; greenroofs; and underground detention.’”

Section 13: Article III, Section 3.3.1C1a “Storm Water Management – General – Applicability” of the Unified Development Code is amended to remove the existing language and add the following new language. ‘Runoff reduction and water quality shall be required for any new or redevelopment that includes the creation of 1,000 square feet of impervious area or more. Detention (including channel protection) shall be required for any new or redevelopment with an increase of 5,000 square feet of impervious area or more. The extent to which runoff reduction /water quality and detention must be provided (i.e. on new impervious area only, on disturbed area, or on entire site) is based on a tiered approach, and is specified in the City Stormwater Design Manual.’

Section 14: Article III, Section 3.3.1C1b “Storm Water Management – General – Applicability” of the Unified Development Code is amended to remove the existing language and add the following new language. ‘Development or redevelopment that involves land development activities of one acre or more.’

Section 15: Article III, Section 3.3.1C1d “Storm Water Management – General – Applicability” of the Unified Development Code is amended to remove the ‘and b’ language as it no longer applies.

Section 16: Article III, Section 3.3.1D “Storm Water Management – General – Stormwater Management Manual” of the Unified Development Code is amended to replace all references to ‘Engineering/Public Works Department’ with ‘Public Works Department’ to match the current department titles at the City.

Section 17: Article III, Section 3.3.2 “Storm Water Management – General – Definitions” of the Unified Development Code is amended to add the following language to the end of the Impervious Cover definition. ‘Streets, parking areas, sidewalks, and other surfaces constructed with pervious paving and green roofs shall not be considered impervious cover for the purposes of this Section if it is a stormwater management practice with a recorded long-term maintenance agreement.’ It is further amended to add the definition for Runoff Reduction Measures.

Section 18: Article III, Section 3.3.3C4 “Storm Water Management – General – Permit procedures and requirements” of the Unified Development Code is amended to allow for pervious paved surfaces and greenroofs to be included in hydrologic analysis. It is further amended to define the requirements of runoff reduction limits for redevelopment sites. Finally it is further amended to allow for consideration of current site impervious percentages in hydrologic analysis when no negative downstream impacts exist.

Section 19: Article III, Section 3.3.3D1 “Storm Water Management – General – Stormwater Management Inspection and Maintenance Agreements” of the Unified Development Code is amended to add ‘1. General’.

Section 20: Article III, Section 3.3.3D2 “Storm Water Management – General – Stormwater Management Inspection and Maintenance Agreements” of the Unified Development Code is amended to add a section to define the requirements of operations and maintenance agreements for homeowners’ associations and other associations.

Section 21: Article III, Section 3.3.3H “Storm Water Management – General – Stormwater Management Inspection and Maintenance Agreements” of the Unified Development Code is amended to add a section to require deed recordation and indications on final plat of all stormwater management measures.

Section 22: Article III, Section 3.3.3I “Storm Water Management – General – Stormwater Management Inspection and Maintenance Agreements” of the Unified Development Code is amended to add a section allowing for a fee-in-lieu program to be established by the City for a portion of runoff reduction requirements for redevelopment sites.

Section 23: Article III, Section 3.3.4 “Storm Water Management – General – Post-development stormwater management performance criteria” of the Unified Development Code is amended to add language to encourage the use of on-site runoff reduction measures.

Section 24: Article III, Section 3.3.4A3 “Storm Water Management – General – Post-development stormwater management performance criteria” of the Unified Development Code is amended to replace all references to ‘Engineering/Public Works Department’ with ‘Public Works Department’ to match the current department titles at the City.

Section 25: Article III, Section 3.3.4I “Storm Water Management – General – Post-development stormwater management performance criteria” of the Unified Development Code is amended to add a subsection to define runoff reduction requirements and provide provisions for sites that are unable to meet runoff reduction requirements.

Section 26: Article III, Section 3.3.5A and B “Storm Water Management – General – Construction inspections of post-development stormwater management systems” of the Unified Development Code is amended to clean up language to remove references to ‘Engineering / Public Works Department’ and replace with ‘City.’

Section 27: Article III, Section 3.3.6 “Storm Water Management – General – Stream buffer protection” of the Unified Development Code is amended to replace all references to ‘Engineering/Public Works Department’ with ‘Public Works Department’ to match the current department titles at the City.

Section 28: Article III, Section 3.3.8 “Storm Water Management – General – Ongoing inspection and maintenance of stormwater facilities and practices” of the Unified Development Code is amended to replace all references to ‘Engineering/Public Works Department’ with ‘Public Works Department’ to match the current department titles at the City.

Section 29: Article III, Section 3.3.9 “Storm Water Management – General – Illegal connection” of the Unified Development Code is amended to replace all references to ‘Engineering/Public Works Department’ with ‘Public Works Department’ to match the current department titles at the City.

Section 30: Article III, Section 3.3.14 “Storm Water Management – General – Violations, enforcement, and penalties” of the Unified Development Code is amended to clean up language to remove references to ‘Engineering / Public Works Department’ and replace with ‘City.’

Section 31: Article III, Section 3.5.2 H “Installation of Streets- Street improvement ordinance” of the Unified Development Code is amended to add subsection ‘H’ to allow multifunctional traffic calming measures that also provide for runoff reduction.

Section 32: Article III, Section 3.5.4A and B “Installation of Streets- Curb and gutter” of the Unified Development Code is amended to allow alternative curb design to accommodate directional runoff into stormwater runoff reduction measures. It is further amended by removing redundant design criteria and referencing the City’s Standard Details.

Section 33: Article III, Section 3.5.5D “Installation of Streets- Sidewalks” of the Unified Development Code is amended to allow permeable surfaces for sidewalks.

Section 34: Article III, Section 3.5.6A6 “Installation of Streets – Gated subdivisions / private streets” of the Unified Development Code is amended to change the administration of the standards to both Public Works and Community Development.

Section 35: Article III, Section 3.5.6C2 “Installation of Streets – Gated subdivisions / private streets” of the Unified Development Code is amended to remove the reference to the Engineering Department and replace with ‘City.’

Section 36: Article III, Section 3.5.6C3 “Installation of Streets – Gated subdivisions / private streets” of the Unified Development Code is amended to remove the reference to the Engineering Department and replace with ‘Public Works Department.’

Section 37: Appendix A, Article II, Section 2.3.2B “Alpharetta Downtown Code – Downtown Overlay- Applicability ” of the Unified Development Code is amended to allow alternative curb and gutter sections for runoff reduction measures.

Section 38: Appendix A, Article II, Section 2.3.2C “Alpharetta Downtown Code – Downtown Overlay- Applicability ” of the Unified Development Code is amended by changing the subsection to E.

Section 39: Appendix A, Article II, Section 2.3.2C "Alpharetta Downtown Code – Downtown Overlay- Applicability" of the Unified Development Code is amended to add the following subsection. 'Use of multi-functional stormwater BMPs is expressly allowed and encouraged in the ROW, including streetscape landscape bioretention areas and stormwater planters, stormwater street trees, curb bulbouts and medians with bioretention, and vegetated swales. Such stormwater BMPs may receive stormwater credit for the site if part of an approved stormwater management plan and with a long-term maintenance agreement.'

Section 40: Appendix A, Article II, Section 2.3.2D "Alpharetta Downtown Code – Downtown Overlay- Applicability" of the Unified Development Code is amended to add the following subsection. 'Traffic calming design elements, such as intersection bulbouts can help moderate vehicle speeds on Downtown Streets; multifunctional bulb-outs that include runoff reduction measures for stormwater management are encouraged. Landscaping and traffic calming techniques that are ideal on Downtown Streets include, but are not limited to, street trees with grated wells, bioretention areas/planters, curb bulbouts with bioretention.'

Section 41: Appendix A, Article II, Section 2.3.3A "Alpharetta Downtown Code – Downtown Overlay- Street Types" of the Unified Development Code is amended to add '8. To provide multi-use vegetated runoff reduction measures in street planter and as street tree areas'.

Section 42: Appendix A, Article II, Section 2.3.4C "Alpharetta Downtown Code – Downtown Overlay- Existing Streets, Streetscapes" of the Unified Development Code is amended to add '5. The City encourages the use of multi-functional runoff reduction measures in the streetscape, including bioretention areas, stormwater tree box, and planter box. The dimensional standards for planting area, tree spacing, planting type and utility placement may be varied to accommodate runoff reduction measures.'

Section 43: Appendix A, Article II, Section 2.4.1 E "Alpharetta Downtown Code – Downtown Overlay- Vehicle Parking" of the Unified Development Code is amended by adding 'E. A parking study may be submitted to support a request for a proposed parking reduction. This study shall be reviewed by Community Development and must be approved prior to permitting.'

Section 43: Appendix A, Article II, Section 2.5.2D "Alpharetta Downtown Code – Downtown Overlay- Yard Landscaping" of the Unified Development Code is amended by adding 'D. Vegetated runoff reduction measures shall be allowed in the designated yards, if properly designed to provide stormwater management and screening functions.'

Section 44: Appendix A, Article II, Section 2.6.2 C "Alpharetta Downtown Code – Downtown Overlay- Buffers" of the Unified Development Code is amended by removing the word 'facilities' and replacing it with 'basins' and adding the following sentences to the end of the paragraph. 'The Community Development Director may approve vegetated runoff reduction measures within the buffer. The planting requirements above may be varied to accommodate vegetated runoff reduction measures as

part of an approved stormwater management plan, if properly designed to provide stormwater management and screening functions.'

Section 45: Appendix A, Article II, Section 2.6.2 D "Alpharetta Downtown Code – Downtown Overlay- Buffers" of the Unified Development Code is amended by removing the word 'detention.'

Section 46: Appendix A, Article II, Section 2.8.5D3 "Alpharetta Downtown Code – Downtown Overlay- General Architectural Standards" of the Unified Development Code is amended by adding '3. The roofs of buildings may include cisterns and greenroofs if part of an approved stormwater management plan for the site and if designed in accordance with the GA Stormwater Management Design Manual (latest version). Above-ground cisterns and greenwalls shall require approval by the Community Development Director.'

Section 47: Appendix A, Article III, Section 3.2.4B "Alpharetta Downtown Code – Downtown Zoning Districts- Open Space" of the Unified Development Code is amended by adding to the civic space allowance that above-ground cisterns would require approval based on design and appearance by the Community Development Director.

Section 48: Appendix A, Article III, Section 3.2.4B1 "Alpharetta Downtown Code – Downtown Zoning Districts- Open Space" of the Unified Development Code is amended by adding runoff reduction measures such as bioretention areas, swales, and cisterns to count toward open space in parks.

Section 49: Appendix A, Article III, Section 3.2.4B2 "Alpharetta Downtown Code – Downtown Zoning Districts- Open Space" of the Unified Development Code is amended by adding runoff reduction measures such as bioretention areas and cisterns to count toward open space in squares.

Section 50: Appendix A, Article III, Section 3.2.4B3 "Alpharetta Downtown Code – Downtown Zoning Districts- Open Space" of the Unified Development Code is amended by adding runoff reduction measures such as bioretention areas and cisterns to count toward open space in plazas.

Section 51: Appendix A, Article III, Section 3.2.4B4 "Alpharetta Downtown Code – Downtown Zoning Districts- Open Space" of the Unified Development Code is amended by adding runoff reduction measures such as bioretention areas and cisterns to count toward open space in pocket parks.

Section 52: Appendix A, Article III, Section 3.2.4B5 "Alpharetta Downtown Code – Downtown Zoning Districts- Open Space" of the Unified Development Code is amended by adding runoff reduction measures such as bioretention areas and underground detention to count toward open space in playgrounds.

Section 53: Appendix A, Article III, Section 3.2.4C "Alpharetta Downtown Code – Downtown Zoning Districts- Open Space" of the Unified Development Code is amended by adding runoff reduction measures to amenity space allowance and requiring approval of the Community Development Director for cistern approval in this area.

Section 54: Appendix A, Article III, Section 3.2.4E "Alpharetta Downtown Code – Downtown Zoning Districts- Open Space" of the Unified Development Code is amended by removing restrictions if part of an approved stormwater management plan for a site that includes runoff reduction measures.

Section 55: Appendix A, Article III, Section 3.2.4G "Alpharetta Downtown Code – Downtown Zoning Districts- Open Space" of the Unified Development Code is amended by replacing current language with 'G. Stormwater management facilities for the site may be used to satisfy open space requirements if they meet this Chapter's definition of open space. Open space credit may be given at the discretion of the Director of Community Development.'

Section 56: Appendix A, Article III, Section 3.5.4 "Alpharetta Downtown Code – Downtown Zoning Districts- Building Placement" of the Unified Development Code is amended to add the following language. 'In order to optimize smart stormwater design, required setbacks may accommodate runoff reduction measures such as bioretention areas, cisterns, and greenwalls, provided such setbacks meet fire code standards. The runoff reduction measures may not compromise public safety such as the sight distance triangles required by the City and must include a long-term maintenance agreement. Above-ground cisterns or other vertical runoff reduction measures shall require approval by the Community Development Director.'

Section 57: Appendix A, Article III, Section 3.6.4 "Alpharetta Downtown Code – Downtown Zoning Districts- Building Placement" of the Unified Development Code is amended to add the following language. 'In order to optimize smart stormwater design, required setbacks may accommodate runoff reduction measures such as bioretention areas, cisterns, and greenwalls, provided such setbacks meet fire code standards. The runoff reduction measures may not compromise public safety such as the sight distance triangles required by the City and must include a long-term maintenance agreement. Above-ground cisterns or other vertical runoff reduction measures shall require approval by the Community Development Director.'

Section 58: Appendix A, Article III, Section 3.7.4 "Alpharetta Downtown Code – Downtown Zoning Districts- Building Placement" of the Unified Development Code is amended to add the following language. 'In order to optimize smart stormwater design, required setbacks may accommodate runoff reduction measures such as bioretention areas, cisterns, and greenwalls, provided such setbacks meet fire code standards. The runoff reduction measures may not compromise public safety such as the sight distance triangles required by the City and must include a long-term maintenance agreement. Above-ground cisterns or other vertical runoff reduction measures shall require approval by the Community Development Director.'

Section 59: Appendix A, Article III, Section 3.8.4 "Alpharetta Downtown Code – Downtown Zoning Districts- Building Placement" of the Unified Development Code is amended to add the following language. 'In order to optimize smart stormwater design, required setbacks may accommodate runoff reduction measures such as bioretention areas, cisterns, and greenwalls, provided such setbacks meet fire code standards. The runoff reduction measures may not compromise public safety such as the sight distance triangles required by the City and must include a long-term maintenance agreement. Above-

ground cisterns or other vertical runoff reduction measures shall require approval by the Community Development Director.'

SO ORDAINED this the _____ day of _____, 2016.

Approved:

David Belle Isle, Mayor

Attest:

COUNCILMEMBERS

Coty Thigpen, City Clerk
(Seal)

Approved as to Form:

C. Sam Thomas, City Attorney

