

11. Libraries, schools and churches.

Section 1308. C-2 General Business District, Retail and Services Uses

Purpose:

The C-2 General Business District is intended to provide adequate space in appropriate locations along major streets, thoroughfares and at intersection for various types of business use. These uses should include the retailing of major goods and services, general office facilities and public functions that would serve a community area of several neighborhoods. Development of uses in the district characteristically occupies a large area because it is intended to serve a greater population and to offer a wider range of services. Orientation and expansion of this district should occur as an increase in depth at major intersections rather than as a strip-like extension along the street or thoroughfare.

Permitted Uses:

Only the following permitted uses shall be allowed in the C-2 General Business District and no structure shall be erected, structurally altered or enlarged for any use other than a use permitted herein with the exception of a) uses lawfully established prior to the effective date of the amendment; b) special uses as permitted herein; or c) accessory uses as defined in Article III, Definitions; or other uses which are clearly similar to and consistent with the purpose of this district.

A. Retail and Service Uses:

1. Antique shops.
2. Animal hospitals or veterinary clinics.
3. Art and school supply stores.
4. Art galleries.
5. Automotive parts stores (no on-premises installation).
6. Bakeries.
7. Banks or financial institutions. Drive-in/through facilities shall obtain a special use permit. See Special Use (19). Automatic tellers as accessory or freestanding use.
8. Barber and beauty shops.
9. Bicycle shops

10. Blueprinting establishments.
11. Book or stationery stores.
12. Building, electrical or plumbing contractors (provided no equipment or materials are stored outside).
13. Business college or business schools operated as a business enterprise.
14. Clothing sales or rental stores.
15. Convenience food stores with or without fuel pumps.
16. Custom dressmaking and sewing shops.
17. Dance studios.
18. Day care center, provided the following conditions are met:
  - a. At least one hundred (100) square feet of outdoor recreation area per child, and the outdoor play area is enclosed with a six (6) foot high fence.
  - b. Comply with all state day care requirements.
  - c. Comply with all health regulations.
19. Department stores.
20. Drive-in restaurants. (see special uses #20)
21. Drug stores.
22. Dry cleaning pick-up and delivery stations.
23. Electronic sales and service establishments.
24. Florist.
25. Food catering establishments.
26. Food stores or grocery stores.
27. Funeral homes and mausoleums.

28. Furniture rental or sales establishments.
29. Equipment rental (excluding heavy equipment, bulldozers, backhoes, forklifts, cranes, etc., and provided there is no outside storage associated with the use).
30. Garden supply centers and greenhouses (including accessory outdoor storage).
31. Gift shops.
32. Hardware stores.
33. Health clubs and spas.
34. Hobby shops.
35. Hotel or motels. (see special uses #17)
36. Ice cream shops.
37. Instruction of fine arts.
38. Interior decorating shops.
39. Jewelry stores.
40. Laundries and dry cleaning establishments, including self-service laundries.
41. Locksmith shops.
42. Mobile buildings (temporary, while any of the permitted or special uses are under construction, but not exceed six (6) months).
43. Museums and libraries.
44. Music stores or studios.
45. Office/showroom facilities.
46. Parking lots and garages.

47. Pawnshops/title pawn and payday loan/check cashing establishments, provided such establishments comply with the following:
- a. As of May 6, 2013, there shall be a one thousand five hundred (1,500) foot buffer from any pawn shop/title pawn establishment to any residentially zoned or residentially utilized property, whether inside or outside the corporate limits of the City, from the front door of the structure of the business to the nearest parcel boundary line of any residentially zoned property as measured by a straight line on the ground.
  - b. As of May 6, 2013, there shall be a one thousand five hundred (1,500) foot buffer from any pawn shop/title pawn establishment to any other duly permitted, legally operating pawn shop/title pawn establishment, whether inside or outside the corporate limits of the City, from the front door of the structure of the business to the nearest parcel boundary line of the second business as measured by a straight line on the ground.
  - c. As of May 6, 2013, there shall be a one thousand five hundred (1,500) foot buffer from any pawn shop/title pawn establishment, whether inside or outside the corporate limits of the City, from the front door of the structure of the business to the nearest parcel of land upon which a place of worship (e.g. church, synagogue, mosque), school, governmental building, library, civic center, public park, or playground is located as measured by a straight line on the ground.
  - d. Upon application for an occupational tax permit, the applicant shall provide to the City Clerk a survey showing the distances to each residentially zoned/utilized property and other establishments within a one thousand five hundred (1,500) foot radius of the business.
  - e. The Commission recognizes that upon the adoption and effective date of this section, there appear to be active pawn shop/title pawns in existence in the City limits. Without waiving any illegality of such physical structures based on zoning or other laws and without de factor or specifically granting any “grandfathered”, “vested”, or “legal non-conforming” (as those terms are defined in state zoning law) status by virtue of adoption of this purely regulatory section, it is the intention of the City Commission to allow the continued operation of the existing businesses provided same otherwise comply with all other applicable laws and regulations of the City and state.

- f. Any legally operating pawn shop/title pawn in existence prior to May 6, 2013 shall be exempt from the distance requirements until such business ceases operation or such special use permit (if applicable) shall expire on its terms.

- 48. Pest control businesses.
- 49. Pet shops or grooming establishments.
- 50. Photocopying and reproduction services.
- 51. Photography shops and studios.
- 52. Plant nursery sales facilities.
- 53. Plumbing, electrical, pool and home building supply showrooms and sales centers (provided there is no outdoor storage associated with the use).
- 54. Radio, recording or television studios and broadcasting stations.
- 55. Radio and television repair shops.
- 56. Record/video sales and rental stores.
- 57. Recreation facilities (indoor, such as bowling alleys, skating rinks, shooting ranges and movie theaters).
- 58. Restaurants and lounges. Drive-in/through facilities shall obtain a special use permit. See Special Use (20).
- 59. Shoe stores and shoe repair shops.
- 60. Small appliance repair shops.
- 61. Sporting goods stores.
- 62. Tailor shops.
- 63. Taxidermist.
- 64. Toy stores.
- 65. Travel agencies.
- 66. Watch and clock repair shops.

67. Weaving apparel shops.
68. Automotive service stations, with or without fuel pumps.
69. Building supply centers with outdoor lumber yards or storage areas, provided these areas are screened with a six (6) foot high, one hundred (100) percent opaque fence.
70. Log splitting and storage lots, provided splitting and storage areas are screened with a six (6) foot high, one hundred (100) percent opaque fence.
71. Adult Entertainment Facility.
  - a. Said facility meets all requirements set forth by the City of Buford Code of Ordinance Regulating Adult Entertainment Establishments.
  - b. Said facility shall not be located on a parcel of land that is closer than 1,500 feet of any parcel of land which is either named or used for residential purposes, whether located inside or outside the corporate limits of the City.
  - c. Said facility shall not be located on a parcel of land that is closer than 1,500 feet of any parcel of land which a place of worship, school, governmental building, library, civic center, public park or playground is located, whether located inside or outside the corporate limits of the City.
  - d. Said facility shall not be located on a parcel of land that is closer than 1,500 feet of any parcel of land which contains another adult entertainment facility establishment, whether located inside or outside the corporate limits of the City.
72. Automobile internet sales.
  - a. No outside storage of vehicles for sale or sales lots.

B. Office Uses:

1. Accounting offices.
2. Architecture or engineering offices.

3. Doctor, dentist or chiropractor offices.
4. Insurance offices.
5. Law offices.
6. Medical clinics.
7. Other public or professional offices.
8. Real estate offices.

C. Public and Semi-Public Uses:

1. Government offices.
2. Post offices.
3. Public or semi-public buildings and land uses, parks, playgrounds or community centers.
4. Utility offices.

D. Residential:

1. Caretaker or watchman quarters as an accessory use.

E. Temporary Uses:

Within the C-2 General Business District only the following uses are permitted for a period not to exceed twenty (20) days or otherwise indicated provided: 1) written permission of the property owner is provided; 2) these uses are not located within fifty (50) feet to any public right-of-way; 3) a sign (not portable) may be erected on the property provided it does not exceed a total of sixteen (16) square feet to ten (10) feet in height and is not placed within twenty (20) feet of any public right-of-way; 4) adequate parking, ingress and egress are provided on site or written permission is obtained if provided on an adjoining property; and 5) a temporary permit is applied for an approved by the Department of Planning and Department. All other requirements for licenses and regulations of the City of Buford shall be met.

1. The sale of fruits and vegetables – shall be located inside the premise or on a sidewalk abutting the premise as approved by the City. In no case shall the sale of fruits and vegetables be held in the parking lot.
2. Charitable or non-profit events not to exceed four (4) days.
3. Christmas tree sales between November 15 and January 1.
4. The sale of any items in association with an existing business located on the premises as a principal use (i.e., sidewalk, parking lot or tent sales).

A permit for any temporary use on the same property may not be applied for or renewed for a period of not less than six (6) months from the date of any prior approval of a temporary use. However, one ten (10) day extension of the twenty (20) day period may be granted by the Director of Planning and Development.

Special Uses:

Within the C-2 General Business District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the Board of Commissioners after receiving recommendations from the Planning Director and Planning Commission and after a public hearing.

1. Auto body repair shops.
2. Auto repair shops or tire stores including lubrication or tune-up centers (full service and self-service).
3. Automotive sales lots and associated service facilities (new or used), provided such building contains at least 2,000 square feet of heated floor space.
4. Building materials sales with outdoor storage.
5. Recreation facilities (commercial outdoor, such as miniature golf courses, driving ranges, water slides, drive-in theaters or race tracks).
6. Contractor's offices using fencing for any purpose or contractor's offices with outside storage of equipment and materials. Any fencing shall be located in the rear yard provided the storage or equipment areas are screened with a six (6) foot high, one hundred (100) percent opaque fence.
7. Heavy equipment and farm equipment rental or sales and service.

8. Lawn mower repair shops.
9. Machine or welding, radiator or muffler repair shops.
10. Mobile home or mobile building leasing or sales lots (new or used).
11. Veterinary clinics with outside runs or pens.
12. Animal hospitals provided they are located not less than three hundred (300) feet from any residential zoning district or use as measured from property line to property line.
13. Boat sales establishments (new or used).
14. Telecommunications tower.
15. Mini-warehouse storage facilities.
16. Boat storage facilities.
17. Any hotel or motel with guest rooms containing any two (2) or more of the following three (3) items: dishwasher, stove (cooktop), refrigerator.
18. Banks or other financial institutions with drive-in facilities.
19. Drive-in/through restaurants.
20. Tattoo parlors and body piercing establishments.
  - a. There shall be at least one thousand five hundred (1,500) feet from any other legally operating tattoo parlor and/or body piercing establishment, whether inside or outside the corporate limits of the City of Buford as measured from the front door of the structure of the business to the nearest boundary line of the second business as measured by a straight line on the ground.
  - b. There shall be at least one thousand five hundred (1,500) feet from any residentially zoned or residentially utilized property, whether inside or outside the corporate limits of the City, from the front door of the structure of the business to the nearest parcel boundary line of any residentially zoned property as measured by a straight line on the ground.

- c. There shall be at least one thousand five hundred (1,500) feet buffer from the front door of the structure of the business to the nearest parcel of land upon which a place of worship (e.g. church, synagogue, mosque), school, pre-kindergarten, governmental building, library, civic center, public park, or playground is located as measured by a straight line on the ground, whether inside or outside the corporate limits of the City.
- d. The City Commission recognizes that upon the adoption and effective date of this section, there appear to be active tattoo parlors and body piercing establishments in existence in the City limits. Without waiving any illegality of such physical structures based on zoning or other laws and without de factor or specifically granting any “grandfathered”, “vested”, or “legal non-conforming” (as those terms are defined in state zoning law) status by virtue of adoption of this purely regulatory section, it is the intention of the City Commission to allow the continued operation of the existing businesses provided same otherwise comply with all other applicable laws and regulations of the City and state.
- e. Any legally operating tattoo parlor or body piercing establishment in existence prior to December 3, 2018, shall be exempt from the distance requirements until such business ceases operation or such special use permit (if applicable) shall expire on its terms.

21. Vehicle rental establishments.

22. Car wash establishments.

23. Taxi cab establishments.

24. Office/warehouse condominiums.

25. Secondary residential uses are allowed in proposed multi-story, mixed use buildings and is limited to new construction provided:

- a. Commercial, retail, and/or office uses are provided on the first floor of the building;
- b. Residential uses are limited to the second and third story of such building with common floors/ceilings with the commercial development;
- c. The total heated residential floor area is not greater than two (2) times the total heated non-residential floor area;

- d. Garage parking is provided for the residential use within the building; and
  - e. The City Commission approves a concept plan depicting the site plan, building elevations, and mix of uses for the overall development;
  - f. Two (2) car garages shall be required for each residential unit and located in the rear of the building;
  - g. Residential garbage pick-up shall be housed and presented for pick-up next to the garage (rear of dwellings) and shall not be placed outside in excess of twenty-four (24) hours prior to pick-up. The City of Buford shall provide sanitation service.
26. Any retail or service establishment not specifically permitted herein, but which is similar to the listed uses, compatible with uses on adjoining property and which meets the intent and purpose of the District.
27. Clubs, lodges, fraternal institutions and meeting halls.
28. Pay day loans and check cashing establishments.
29. Liquor stores.

No license shall be issued for the retail sale in package form of distilled spirits for any business located or proposed to be located in the City if issuance of such license shall provide for more than one (1) such license business for each **ten thousand (10,000)** residents of the City, or portion thereof, based on most recent estimates of the City's population as prepared either by the City or the United States Bureau of the Census. Any existing license shall be exempt from the limitation set for the above.

**Distance Requirements:**

Package stores must meet setback requirements from certain uses. These are measured as a straight line connecting the closest points between the buildings. A package store must be setback a minimum of 300 feet from a church, a minimum of 600 feet from a school (daycares are not considered a school), a minimum of 200 feet from any residence, and a minimum of 1,500 feet from any other package store.

**Zoning Requirements:**

Package Stores are required to be located in the C-2 General Business District with a special use permit.

In addition to being properly zoned and obtaining a special use permit, package stores must meet the following zoning requirements:

(1) the property must have at least 200 feet of road frontage on a state highway or major street, be at least 1 acre in size, and must be used exclusively for the purpose of selling distilled spirits (This means that a package store shall not be part of a shopping center. It must be a stand-alone building.);

(2) any building constructed on the property must be at least 5,000 square feet, shall have one entrance and one exit located at the front of the building, shall have at least 150 square feet of plate glass (this excludes plate glass used in the doors), and shall have no windows or doors on the sides or rear of the building.

### 30. Tobacco Retail Establishments.

Tobacco retail establishments are defined as retail establishments in which tobacco and tobacco-related products exceed 50 percent of the total merchandise in inventory or any establishment where patrons share shisha or tobacco from a communal hookah defined a single or multi-stemmed instrument for vaporizing and whose vapor or smoke is passed through a water basin before inhalation.

The purpose of this section is to promote public health through prevention of underage smoking, to promote diverse economic uses, and to ensure compatibility with adjacent uses and surrounding neighborhoods and businesses. In addition to an application for a conditional use permit, the applicant shall submit evidence sufficient to demonstrate compliance, and at all times thereafter remain compliant with the following standards:

- (a) Tobacco retail establishments shall be permitted in shopping center and multi-tenant buildings;
- (b) Tobacco retail establishments shall not occupy a suite of less than 1,000 aggregate square feet in a shopping center or multi-tenant building;
- (c) Tobacco retail establishments located in a shopping center or multi-tenant building shall be required to install a sprinkler system complying with NFPA 13R or 13D, as determined by the fire marshal;
- (d) Freestanding buildings containing tobacco retail establishments shall be situated on parcel containing at least 20,000 square feet;

- (e) Any freestanding sign identifying the business premises shall be a monument sign constructed of the same material as the building in which the tobacco retail establishment is situated;
- (f) Tobacco retail establishments shall only occupy a parcel that fronts an arterial street on at least one side;
- (g) Freestanding buildings containing these establishments shall install a sprinkler system complying with NFPA 13;
- (h) The applicant shall provide evidence of all requisite professional and other licenses under state and local laws;
- (i) Smoking of a hookah in any establishment that serves alcohol or food shall be prohibited.

Other Provisions:

1. No outdoor storage or fencing except as otherwise provided herein.

Section 1308.1 C-2 General Business District - Permitted Uses - Retail and Services Uses (36) Hotel and Motels shall be subject to the following development regulations, to wit:

1. Each hotel/motel shall be accessed by patrons through a main or central lobby only with a minimum of 1,000 square feet;
2. Each guest room shall be accessed through an interior hallway and shall not have access to the exterior of the building (except through the central lobby);
3. Each hotel/motel must provide staff or management on duty twenty-four (24) hours a day;
4. Each motel/hotel building shall have a minimum roof pitch of six (6) in twelve (12);
5. Each motel/hotel shall provide an enclosed heated and air-conditioned laundry space with a minimum of three (3) washers and three (3) dryers (for patron use only);
6. Each motel/hotel footprint or site shall have a minimum area of two (2) acres;
7. Outside storage or parking or heavy equipment or construction related equipment is prohibited;
8. Banners or signs other than the hotel/motel marquee is prohibited on the subject premises; and

9. No business license shall be issued for any business operating from any guest room of the facility.

Items (1) through (9) shall apply to all hotel/motels and are not in lieu of any existing and/or more restrictive development regulations contained in this zoning classification or other ordinances and regulations of the City of Buford.

#### Section 1309. O-I. Office-Institutional District

This zoning district is established to provide a location for offices, institutions, and limited related retail business and service activities in buildings of high character in attractive surroundings.

1. Permitted Uses: A building or land may be used for the following purposes:
  - a. Professional and business offices.
  - b. Public offices.
  - c. Semi-public institutions such as churches and clubs.
  - d. Cultural facilities.
  - e. Accessory uses such as retail business and service establishments. In addition to the limitations on “accessory use” imposed under “Article III, Definitions”. Such permitted accessory uses specifically exclude retail business and service establishments that could be construed as principal uses and include only those uses that are primarily intended for and used by patrons or occupants of the principal use to which said establishment is accessory.
  - g. Accessory parking garages and parking lots.
  - h. Financial services/institutions without drive-in or drive-through facilities.
2. Limit on Distributive Functions: Distributive functions such as loading, unloading, storage, packaging, and unpacking shall be limited to ten (10) percent of the total building area and five (5) percent of the total lot area.

Within the O-I Office-Institutional District, the following uses may be permitted provided that the applicant for such a development is granted a Special Use Permit by the Board of Commissioners after receiving recommendations from the Planning Director and Planning Commission and after a public hearing: