



AGENDA STAFF MEMO

TO: City of Milton Planning Commission
FROM: Robyn MacDonald, Zoning Manager
DATE: January 22, 2026, for the Community Zoning Information Meeting on January 27, 2026

AGENDA ITEMS: RZ26-01 – Consideration of a Text Amendment to Article 8 Use Provisions; Article 11 Environment; and Article 12 Administration regarding public hearing notice publication requirements and appeal procedures.

RZ26-02 - Consideration of a Text Amendment to Article 8 Use Provisions with respect to "Limited Food Service Restaurant" in the Use Table for Crabapple FBC and Sec. 8.5.13.E; and to amend Sec. 8.7.1. F and Article 13 Definitions with respect to "Tasting Rooms".

SUMMARY:

RZ26-01 – The purpose of this text amendment is to update the notice requirements for public hearings to match revisions to State requirements. Currently, it calls out "not less than 30 and not more than 45 days" to "not less than 15 and not more than 45 days" throughout the Unified Development Code. The sections that are being updated as they relate to:

- 1) Adult entertainment establishments - Sections 8.5.1(A)(4)(c) and 8.5.1(B)(4)(c)
- 2) Stream buffers - Section 11.5.7(B)(2)(b)
- 3) Change to zoning map or text changes to the UDC - Section 12.3.2(A)(3)
- 4) Requests for relief (primary variances) – Section 12.4.3(J)(1)(a)
- 5) Historic preservation - Sections 12.7.1(D)(3) and 12.7.4(E)

RZ26-02 – The purpose of this text amendment is to remove "Limited Food Service Restaurant" in its entirety within the UDC. The removal of this alcohol license for "Limited Food Service Restaurant" has already occurred in Chapter 4 Alcohol of the City Code, thus making the two ordinances consistent.

The second is to provide consistency for the definition of "tasting room" between Chapter 4 Alcohol and the UDC.

AN ORDINANCE TO AMEND ARTICLE 8 USE PROVISIONS, ARTICLE 11 ENVIRONMENT, AND ARTICLE 12 ADMINISTRATION, OF THE UNIFIED DEVELOPMENT CODE FOR THE CITY OF MILTON, TO UPDATE THE NOTICE REQUIREMENTS FOR PUBLIC HEARING MATCH REVISIONS TO STATE REQUIREMENTS FOR PUBLIC HEARINGS TO MATCH REVISIONS TO STATE REQUIREMENTS

BE IT ORDAINED by the City Council of the City of Milton, GA, while in a regularly called council meeting on April 13, 2026, at 6:00 p.m., as follows:

SECTION 1. That Section 8.5.1(A)(4)(c) be amended by changing “not less than 30 and not more than 45 days” to read “not less than 15 and not more than 45 days”.; and

SECTION 2. That Section 8.5.1(B)(4)(c), be amended by changing “not less than 30 and not more than 45 days” to read “not less than 15 and not more than 45 days”.; and

SECTION 3. That Section 11.5.7(B)(2)(b) be amended be amended by adding “not less than 15 and not more than 45 days prior to such public hearing”.: and

SECTION 4. That Section 12.3.2(A)(3) be amended be amended by changing “at least 30 days and not more than 45 days” to read “not less than 15 and not more than 45 days”.: and

SECTION 5. That Section 12.4.3(J)(1)(a) be amended be amended by changing “at least 30 days, but no more than 45 days” to read “not less than 15 and not more than 45 days”.: and

SECTION 6. That Section 12.7.1(D)(3) be amended be amended by changing “not less than 30 and not more than 45 days” to read “not less than 15 and not more than 45 days”.: and

SECTION 7. That Section 12.7.4(E) be amended be amended by changing “not less than 30 and not more than 45 days” to read “not less than 15 and not more than 45 days”.: and

SECTION 8. All ordinances, parts of ordinances, or regulations in conflict herewith are repealed; and

SECTION 9. That this Ordinance shall become effective upon its adoption.

ORDAINED this the 13th day of April, 2026.

Peyton Jamison, Mayor

Attest:

Tammy Lowit, City Clerk

8.2.2. Use Table for Crabapple FBC

This table expands the categories of Table 7A.5.9 (Table 8A) and Sec. 7A.5.10 (Table 8B) to delegate specific permitted uses within Crabapple Form-Based Code Transect Zones.

Key: P=Permitted Use A=Administrative Permit W = Warrant U = Use Permit Empty Cell =Prohibited							
Use Category Specific Use	Crabapple Form-Based Code						
	T2	T3	T4	T4	T4	T5	Definition/Standards
Commercial Uses							
All restaurants, except as listed below:			P	P	P		Sec. 8.5.13
Brewpub			P	P	P		Sec. 8.5.13.B
Drive in/up restaurant				U	U		Sec. 8.5.13.C
Fast food restaurant							Sec. 8.5.13.D
Limited Food Service Restaurant							Sec. 8.5.13.E
Limited tap establishment [3]				U	U		Sec. 8.5.13.F
All retail sales, except as listed below:			P	P	P		Sec. 8.5.14
Art gallery			P	P	P		Sec. 8.5.14.B
Artist studio	U		U	U	U		Sec. 8.5.14.C
Craft beer and/or wine market			U	U	U		Sec. 8.5.14.D
Equine garment fabrication	U						Sec. 8.5.14.E
Flea market and second-hand surplus retailers							Sec. 8.5.14.F
Garden center				P	P		Sec. 8.5.14.G
Pawnshop							Sec. 8.5.14.H
Retail consumable hemp products							Sec. 8.5.14.M
Retail package distilled spirit store					U		Sec. 8.5.14.I
Retail package malt beverage/wine store			P	P	P		Sec. 8.5.14.J
Specialty gift shop			P	P	P		Sec. 8.5.14.K
Unregulated marijuana substitutes retail shop							Sec. 8.5.14.N
Vape shop							Sec. 8.5.14.L

8.5.13. Restaurant

A. Defined

A facility that prepares and sells food and drink for on-premises or off-premises consumption. Restaurant includes the following:

1. Brewpub.
2. Drive in/up restaurant.
3. Fast food restaurant.
- ~~4. Limited food service restaurant.~~
5. Limited tap establishment.
6. Restaurant.

B. Brewpub

1. Defined

A brewer that also qualifies as an eating establishment as defined in chapter 4 of the Milton Code of Ordinances in which malt beverages, wine, and/or distilled spirits may be licensed to be sold for consumption on-premises and malt beverages and wine may be sold by the package for off-premises consumption. Malt beverages manufactured or brewed on-premises is limited to 5,000 barrels per calendar year, of which no more than 5,000 barrels may be sold to licensed wholesale dealers.

C. Drive In/Up Restaurant

1. Defined

A restaurant designed for customers to park and place and receive food orders while remaining in their motor vehicles.

D. Fast Food Restaurant

1. Defined

A restaurant which sells food from a counter or window for consumption on-premises or off-premises. Tables may be provided, and food may be served at a table, but must not be ordered from a table.

~~E. Limited Food Service Restaurant~~

~~1. Defined~~

~~Any establishment that meets all the requirements of a restaurant but does not meet the requirements of an eating establishment. A limited food service restaurant must derive at least 30% of its total annual gross food and beverage sales from the sale of prepared meals or food.~~

F. Limited Tap Establishment

1. Defined

Any establishment that does not sell food prepared on the premises and that provides a limited selection of craft beer on tap for consumption on premises only. An establishment with a limited tap license is limited to having five or fewer malt beverage taps. Establishments with a limited tap license must limit consumption for any individual to a maximum of 48 ounces within a calendar day and must obtain approval from the fire marshal and building official in accordance with applicable codes.

8.7.1. Agriculture

A. Defined

The production of crops, livestock, or poultry. Agriculture includes the following:

1. Agricultural operations.
2. Agricultural-related activities.
3. Barn.
4. Composting.
5. Farm winery or Georgia farm winery.
6. Plant nursery.
7. Rural or agricultural event facility.

F. Farm Winery or Georgia Farm Winery

1. Defined

The same meaning as set forth by State law and chapter 4 of the Milton Code of Ordinances.

2. Use Standards

Where a farm winery or Georgia Farm Winery is allowed by use permit, it is subject to the following:

- a. The minimum lot size is 20 acres.
- b. Curb cut access must not be allowed from a local road shown in Figure 8.7.1.F.
- c. Parking.
 - i. Parking areas must be constructed of concrete, asphalt, and/or gravel or as approved by the Public Works Department or other materials that prevents erosion of the parking area.
 - ii. One parking space per 2.5 attendees is required.
 - iii. Parking areas must be screened from roads and adjacent properties.
- d. No amplified sound unless it is within an enclosed structure.
- e. Activity areas such as tasting rooms, buildings used for production, storage, and bathroom facilities, including parking must be at least 100 feet from any lot line but does not include the propagation of grapes and other crops.
- f. The maximum number of attendees and hours of operation including deliveries will be evaluated by the City Council on a case-by-case basis for each site to protect the public's health, safety, and welfare.
- g. Location and dimensions of undisturbed buffers, if needed to ameliorate the visual impact of the farm winery, will be evaluated and determined by City Council on a case-by-case basis for each site.
- h. The design of newly constructed structures is to be consistent with the "building and other structure design" (Sec. 6.3.4.H) of the Rural Milton Overlay Zoning District.
- i. Comply with applicable requirements for a Farm Winery in accordance with chapter 4 of the Milton Code of Ordinances

- j. All uses that otherwise require an administrative permit or use permit require a separate use permit to operate a farm winery.
- k. The tasting room must be located 50 feet from any adjacent residential property lines. Tasting room must not exceed and no larger than 2,500 square feet in size.

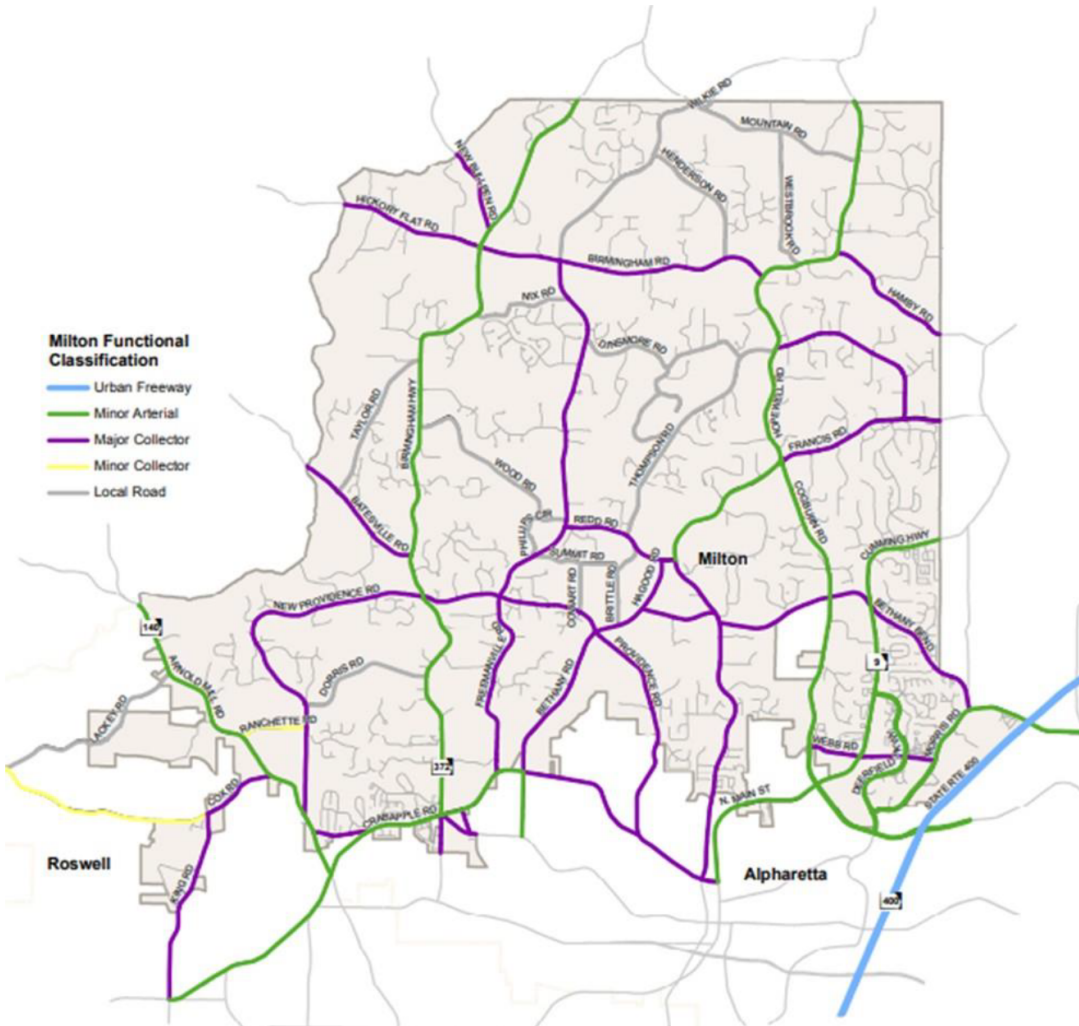


Figure 8.7.1.F: Functional Classification

Article 13 – Definitions

Tasting room. An outlet for the promotion of wine by Georgia Farm Winery by providing samples of such wine to the public and for the sale of such wine at retail for consumption on the premises and for sale in closed packages for consumption off-premises. Samples of wine can be given free of charge or for a fee. The tasting room must be located 50 feet from any adjacent residential property lines and no larger than 2,500 square feet in size.