



AGENDA
COUNCIL MEETING
4040 S. BERKELEY LAKE RD.
BERKELEY LAKE, GEORGIA 30096
JUNE 18, 2026

6:30 PM Work Session
8:00 PM Formal Session

Citizens are encouraged to offer comments on issues of concern as agenda items are reached and at the end of the meeting for all other issues. Please limit citizen comments to 2 minutes. Longer citizen comments are welcome in writing and will be added to the official record of this meeting.

WORK SESSION

CALL TO ORDER

AGENDA

PUBLIC HEARING

- a) O-26-262 – Amendment to Chapter 78, Article X, Commercial Use District

CONSENT AGENDA

- a) Minutes of May 21, 2026, Council Meeting
- b) Minutes of May 21, 2026, Council Work Session
- c) Financial Statements of April 2026 – Unaudited

OLD BUSINESS

- a) O-26-262 – Amendment to Chapter 78, Article X, Commercial Use District

NEW BUSINESS

- a) R-26-03 – Resolution to name the City’s Greenspace “Bernie’s Woods”

EXECUTIVE SESSION *(if needed)*

CITIZEN COMMENTS

ADJOURNMENT

Requests for reasonable accommodations required by individuals to fully participate in any open meeting, program, or activity of the City of Berkeley Lake government should be made at least five days prior to the event by contacting the ADA Coordinator at 770-368-9484.



**COUNCIL MEETING
4040 SOUTH BERKELEY LAKE ROAD
BERKELEY LAKE, GEORGIA 30096
DRAFT MINUTES
MAY 21, 2026**

ATTENDANCE

Mayor: Lois Salter

Council Members: Skip Dahlstrom, Bill Lacy, Bill Lyons, Chip McDaniel and Rebecca Spitler

City Officials: Leigh Threadgill - City Administrator, Thomas Mitchell– City Attorney

Members of the Public: 5

Members of the Press: 0

CALL TO ORDER

Salter called the meeting to order at 8:00 PM. A quorum of council members was in attendance.

AGENDA

Salter noted there is a desire to amend the agenda and asked Mitchell for a description of the amendment. Mitchell noted that it would be to add a resolution to impose a moratorium on zoning for six months. Salter solicited a motion regarding the agenda.

Dahlstrom made a motion to accept the agenda as amended. Lyons seconded the motion. All council members were in favor, and the motion passed.

PUBLIC HEARING

Salter noted that there are no public hearings tonight.

CONSENT AGENDA

Salter noted the following as items on the consent agenda and solicited a motion:

- a) Minutes of April 16, 2026, Council Meeting
- b) Minutes of April 16, 2026, Council Work Session
- c) Financial Statements of March 2026 – Unaudited

Spitler made a motion to approve all items on the consent agenda. McDaniel seconded the motion. All were in favor and the motion passed.

OLD BUSINESS

Salter noted that there is no old business tonight.

NEW BUSINESS

a) O-26-262 – Amendment to Chapter 78, Article X, Commercial Use District

Threadgill: The Planning & Zoning Commission considered this request to create a C-2, General Business, district at their April meeting. After much discussion, the commission recommended approval and asked staff to try to create an amendment that would follow TSW's draft recommendations for the Unified Development Ordinance. The city contracted with TSW, a premier planning firm, to develop the UDO to ensure that any new zoning regulations that are recommended have been carefully crafted through a public process. Unfortunately, when staff compared the proposal to the county's current C-2 district and the draft recommendations for the city's consideration, it became clear that trying to adopt something outside of the UDO process would result in an incomplete set of district regulations. Staff recommended denial at planning & zoning and is still not comfortable with creating a C-2 district outside of the UDO process that we are currently in the middle of. The ordinance is up for first read consideration.

Lacy made a motion to put the ordinance on first read. Dahlstrom seconded the motion. Spitler voted in opposition. McDaniel, Lyons, Lacy and Dahlstrom were in favor and the motion passed.

b) R-26-01 – Resolution to Join Amicus Brief – Chang v. City of Milton

Threadgill: This comes at the request of the City of Milton and follows on the heels of a similar resolution that the city council adopted last year to support the City of Milton. It is endorsed by our City Attorney and recommended for your adoption tonight.

McDaniel made a motion to adopt R-26-01, a resolution authorizing participation in an amicus brief in the Chang v. City of Milton appeal. Lyons seconded the motion. All council members were in favor, and the motion passed.

c) 2026 LMIG Paving Project – Engineer's Recommendation of Contract Award

Threadgill: The 2026 Paving Project consists of milling, patching, and resurfacing the streets in Miramont as well as Habersham Drive. In addition, there are a few areas on Little Ridge Road that need repair. Finally, this includes some sidewalk repair work in Miramont and at City Hall. The project was put out to bid in accordance with state law. Bids were opened on April 21, 2026. The City Engineer recommends awarding the bid to Garrett Paving Company, Inc. in the amount of \$556,372.99. We typically also add a 10% contingency for projects like these, which would bring the total cost to \$612,010.29. The project is anticipated to be funded by SPLOST and LMIG.

Spitler made a motion to authorize the Mayor to enter into a contract for the 2026 Paving Project with Garrett Paving Company, Inc. in the amount of \$556,372.99 subject to approval as to form by the City Attorney and to further authorize a contingency in the amount of \$55,637.30. Lacy seconded the motion. All were in favor and the motion passed.

d) Google Fiber Franchise Agreement

Threadgill: The City contracts with the Georgia Municipal Association for telecommunications and right-of-way assistance, and this agreement comes to us from the consultant who works on behalf of cities in regard to franchise agreements related to telecommunications facilities and their impact on the city's right-of-way. The City Attorney has reviewed the agreement and made a few minor corrections, which Google has accepted. It is before you tonight for your approval.

Lyons made a motion to authorize the Mayor to sign the agreement subject to approval as to form by the City Attorney. Dahlstrom seconded the motion. All were in favor and the motion passed.

e) Council Consideration Regarding Greenspace

Salter noted that she added this to the agenda because we received a letter which has been shared with the council requesting additional interventions regarding the greenspace. I have tried to keep up with what's happening in other cities regarding deer management issues and wanted to share with you that I discussed this a week ago with other mayors.

Mike Mason, Mayor of Peachtree Corners, reports that Peachtree Corners is finding it slow going to work out something that would allow them to cull deer. He said that everything about that project is more difficult and takes longer than might have been reasonably expected, but they are trying to continue exploring that. I did hear from Norcross that some of their citizens are beginning to hear from people in Peachtree Corners and Berkeley Lake that are interested in deer management, but they aren't making any plans for intervention at this point.

Salter noted that Peachtree Corners has recently found several dead deer that had apparently died from hemorrhagic fever. We may begin to lose some deer through natural processes with illnesses like that, but we don't need to be worried about that particular illness transmitting to humans or pets.

The city is continuing to implement and continue the recommendations for community action that have been suggested to us by the Berkeley Lake Wildlife Advisory Committee as follows:

1. Community Education: Host deer management workshops, like our recent town hall, and distribute information about humane deterrence.
2. Supportive Landscaping: Promote deer-resistant gardening and secure composting practices. We are indebted to Susan Hanson who did some good research about deer resistant gardening for us which has been shared.
3. Civic Involvement: Encourage residents to attend town halls and join a deer management committee. That committee has been publicized in the Mayor's Message.
4. Policy Adjustments: Revisit fencing ordinances and explore humane control methods in consultation with wildlife experts.
5. Regional Learning: Study strategies from similar communities to guide local solutions. Salter noted that she hasn't found any other communities in Gwinnett County and Peachtree Corners is the only city investigating a culling intervention with regard to deer overpopulation concerns. There may be others at some point, but no one else is planning to do that at this point.

I bring before you so you can discuss with each other and some of the folks here tonight whether you want to take any further action than the recommendations just read that were suggested to us by Berkeley Lake Wildlife Advisory Committee.

Dahlstrom noted he isn't sure what else can be done short of hiring the USDA, which won't be a cure either, but will speed it up.

Salter noted she appreciated the efforts to help citizens in the ways described here and that she'll continue to try to explore what other cities are doing and share that with the council.

f) Resolution 26-02 for a Moratorium on zoning changes for six months

Spitler made a motion for a resolution to put a moratorium on zoning changes for the next six months.

Mitchell read the resolution into the record.

Whereas, the Mayor and Council of the City of Berkeley lake are in the process of reviewing and possibly modifying the Zoning Ordinance, and other land use ordinances and other development regulations for the City of Berkeley Lake; and

Whereas, development in the City will impact the economic wellbeing and public health, as well as the safety and welfare of the citizens; and

Whereas, development pressures have resulted in the need to evaluate the City's policies, and the regulations and standards applicable to land use; and

Whereas, the City is considering the policies, regulations and standards governing development and land use to encourage quality growth and development in Berkeley Lake; and

Whereas, the Mayor and Council are considering the experiences and challenges of other counties and municipalities that are experiencing the challenge of growth and development; and

Whereas, the City desires to consider recent developments in the law and in practice in the regulation of land use in light of the policies, regulations and standards as they may be modified by the adoption of a new Unified Development Ordinance; and

Whereas, the City is in the process of developing and approving a new Unified Development Ordinance; and

Whereas, the Mayor and Council deem it in the best interest of the citizens of the City of Berkeley Lake that no requests or applications for annexation, changes of condition or prior approvals, conditional uses, waivers, amendment to the Zoning Map or requests for applications for rezoning property in the City shall be accepted by the City while the City studies the experiences, challenges and recent development and revises its Zoning Ordinance or other development regulations; and

Whereas, the Mayor and Council believe that completing this process will require a minimum of six months;

Now, therefore, the Mayor and Council of the City of Berkeley Lake do hereby resolve that the City shall continue to consider revisions to land use ordinances and other development regulations impacting land use in the City and the drafting and adoption of a Unified Development Ordinance;

And further that the City shall not accept any application or requests for annexation, changes to conditions on prior approvals, variances, conditional uses, waivers, amendments to the Zoning Map or requests for zoning or rezoning of any property in the City from the date of execution of this resolution through and including November 20, 2026, or the date upon which the City lifts this moratorium, whichever first occurs.

There was discussion about excluding variance applications from the moratorium, and it was decided the moratorium would not cover variances.

The moratorium is property specific and does not impact the proposed text amendment that was considered earlier in the agenda.

Lyons seconded the motion. All were in favor and the motion passed.

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

There being no further business to discuss, Lyons moved to adjourn. Spitler seconded the motion. All were in favor and the motion passed.

Salter adjourned the meeting at 8:21 PM.

Submitted by:

Leigh Threadgill, City Clerk



**COUNCIL WORK SESSION
4040 SOUTH BERKELEY LAKE ROAD
BERKELEY LAKE, GEORGIA 30096
DRAFT MINUTES
MAY 21, 2026**

ATTENDANCE

Mayor: Lois Salter

Council Members: Skip Dahlstrom, Bill Lacy, Bill Lyons, Chip McDaniel and Rebecca Spitler

City Officials: Leigh Threadgill - City Administrator, Thomas Mitchell - City Attorney

Members of the Public: 4

Members of the Press: 0

WORK SESSION

Threadgill presented training materials related to public works as orientation for new council members and a refresher for existing council members.

Salter reviewed the agenda with the council and solicited questions regarding the items for consideration.

There was discussion about the need for a moratorium on zoning applications until the Unified Development Ordinance project is complete. There was consensus to add the moratorium to the agenda in session.

The work session was adjourned.

Submitted by:

Leigh Threadgill, City Clerk

City of Berkeley Lake

Budget vs. Actuals: Budget_FY26_P&L - FY26 P&L

January - April, 2026

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
Income				
100 100 General	345,917.18	1,587,856.00	-1,241,938.82	21.79 %
320 320 SPLOST Income	182,376.55	2,125,743.00	-1,943,366.45	8.58 %
Total Income	\$528,293.73	\$3,713,599.00	\$ -3,185,305.27	14.23 %
GROSS PROFIT	\$528,293.73	\$3,713,599.00	\$ -3,185,305.27	14.23 %
Expenses				
1 Gen Govt	160,529.82	607,035.00	-446,505.18	26.44 %
2 Judicial	1,794.50	9,449.00	-7,654.50	18.99 %
3 Public Safety	49,434.60	175,421.00	-125,986.40	28.18 %
4 Public Works	66,795.17	547,645.00	-480,849.83	12.20 %
6 Culture and Recreation	5,098.04	23,915.00	-18,816.96	21.32 %
7 Housing and Development	34,419.18	224,390.00	-189,970.82	15.34 %
SPLOST Expenses	65,438.00	2,125,743.00	-2,060,305.00	3.08 %
Total Expenses	\$383,509.31	\$3,713,598.00	\$ -3,330,088.69	10.33 %
NET OPERATING INCOME	\$144,784.42	\$1.00	\$144,783.42	14,478,442.00 %
NET INCOME	\$144,784.42	\$1.00	\$144,783.42	14,478,442.00 %

City of Berkeley Lake

Income & Expense

April 2026

	TOTAL
Income	
100 100 General	75,570.76
320 320 SPLOST Income	48,220.91
Total Income	\$123,791.67
GROSS PROFIT	\$123,791.67
Expenses	
1 Gen Govt	49,842.30
2 Judicial	1,324.50
3 Public Safety	16,884.53
4 Public Works	23,356.43
6 Culture and Recreation	3,658.04
7 Housing and Development	13,411.50
SPLOST Expenses	12,907.50
Total Expenses	\$121,384.80
NET OPERATING INCOME	\$2,406.87
NET INCOME	\$2,406.87

City of Berkeley Lake

Balance Sheet

As of April 30, 2026

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
Debt Service Fund	0.00
General Fund	5,394,754.66
SPLOST Fund	1,394,660.58
Suspense 1.11.1000	0.00
Total Bank Accounts	\$6,789,415.24
Accounts Receivable	
Accounts Rec 1.11.1900.1	42,774.78
Total Accounts Receivable	\$42,774.78
Other Current Assets	
1.11.27 Grant Receivable	0.00
Accounts Rec - SPLOST 1.11.2000	90,507.05
AccountsRec-OtherTax1.11.1900.2	0.00
Franchise Tax Rec 1.11.1550	48,000.00
Interest Receivable 1.11.1400	0.00
Prepaid Expense 1.11.3600	0.00
Prepaid items 1.11.3800	8,938.00
QuickBooks Tax Holding Account	0.00
Taxes Receivable 1.11.1600	12,065.88
Undeposited Funds 1.11.1114	1,020.00
Total Other Current Assets	\$160,530.93
Total Current Assets	\$6,992,720.95
Fixed Assets	
Building & Improvements 1.11.7400	1,770,036.08
Computer Equipment 1.11.6700	48,172.61
Furniture & Fixtures 8.11.7700	71,493.47
Land 8.11.7100	9,392,320.74
Machinery & Equipment 1.11.6500	173,026.24
Total Fixed Assets	\$11,455,049.14
Other Assets	
Accum amort - bond cost	0.00
Amt avail 4 debt svc 9.11.9100	0.00
Bond issuance cost	0.00
Loan Receivable - Facilities	0.00
Loan Receivable - Paving	0.00
To be prov 4 debt 1.11.7500	0.00
Total Other Assets	\$0.00
TOTAL ASSETS	\$18,447,770.09

City of Berkeley Lake

Balance Sheet As of April 30, 2026

	TOTAL
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable 1.12.1100	14,280.26
Operating AP	0.00
SPL2005 Admin Facil- City H-AP*	0.00
SPLOST account - Suntrust-AP*	0.00
Total Accounts Payable	\$14,280.26
Credit Cards	
Anderson Credit Card (8186)	539.09
BOZEMAN, MARTY (0241)	0.00
Hiller Credit Card (8402)	25.00
Hunter Credit Card (0891)	125.17
Threadgill Credit Card (3322)	1,306.58
Wilhite Credit Card (1132)	0.00
Total Credit Cards	\$1,995.84
Other Current Liabilities	
*Sales Tax Payable	0.00
1.12.28 Bonds payable - current	0.00
Accounts Payable Accruals-L*	0.00
Accounts payable-L 1.12.1100.2	0.00
Accrued Expenses 1.12.1150	0.00
Accrued Interest Payable	0.00
Accrued Salaries 1.12.1200	0.00
Accrued SPLOST Expenses 2.12.1250	0.00
Deferred revenue 1.12.2500	15,187.08
Direct Deposit Payable	-0.01
MyGov	5.00
Payroll Liabilities	66.10
PR Tax Payable - Fed 1.12.1300	0.00
PR Tax Payable - State 1.12.1310	0.00
PTO Accrual	18,586.43
Regulatory Fees Payable	18,380.24
Retainage Payable	0.00
Total Other Current Liabilities	\$52,224.84
Total Current Liabilities	\$68,500.94

City of Berkeley Lake

Balance Sheet

As of April 30, 2026

	TOTAL
Long-Term Liabilities	
Gen Oblig Bond Payable1.12.3000	0.00
GOB Payable - 2009 1.12.3000.2	0.00
GOB Payable - 2011 1.12.3000.3	0.00
GOB Payable - 2012 1 12.3000.4	0.00
SPLOST Loan Payable - Paving	0.00
SPLOST Loan Payable Facilities	0.00
Total Long-Term Liabilities	\$0.00
Total Liabilities	\$68,500.94
Equity	
Fund Bal Unrsvd 1.13.4220	5,366,808.85
Investmt in fixedassets 1.13.4K	11,327,229.85
Opening Bal Equity	0.00
Reserve for prepaids 1.13.4125	8,938.00
Reserved for Debt Service	0.00
Restricted for Debt Svc 1.13.4105	0.00
Restricted4CapitalProj 1.13.4155	1,422,606.39
Retained Earnings 1.13.3000	108,901.64
Net Income	144,784.42
Total Equity	\$18,379,269.15
TOTAL LIABILITIES AND EQUITY	\$18,447,770.09

ORDINANCE NO. 26-262

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BERKELEY LAKE TO AMEND CHAPTER 78. "ZONING," ARTICLE X, "COMMERCIAL USE DISTRICT", BY ADDING NEW SECTIONS 78-281 THROUGH 78-285 TO PROMULGATE REGULATIONS PERTAINING TO A NEW GENERAL BUSINESS (C-2) DISTRICT; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

SECTION I.

IT IS HEREBY ORDAINED, by the governing authority of the City of Berkeley Lake that Chapter 78 of the Code of Ordinances, entitled "Zoning," shall be amended by adding the following sections to Article X, Commercial Use District:

78-281, C-2, general business district

78-282, Uses permitted

78-283, Grassing and paving required

78-284, Buffer zones established

78-285, Area, yard, height and supplementary regulations as to C-2 commercial use district

ARTICLE X. COMMERCIAL USE DISTRICT

Sec. 78-267. General purposes of commercial districts.

The commercial districts established in this article are designed to promote and protect the public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- (1) To provide sufficient space, in appropriate locations in proximity to residential areas, for local retail development catering to the regular shopping needs of the occupants of nearby residences, with due allowance for the need for a choice of sites.
- (2) To provide appropriate space, and in particular sufficient depth from a street, to satisfy the needs of modern local retail development, including the need for offstreet parking spaces in areas to which a large proportion of shoppers come by automobile, and to encourage the natural tendency of local retail development to concentrate in continuous retail frontage, to the mutual advantage of both consumers and merchants.
- (3) To protect both local retail development and nearby residences against fire, explosion, toxic and noxious matter, radiation and other hazards, and against offensive noise, vibration, smoke, dust and other particulate matter, odorous matter, heat, humidity and glare and other objectionable influences.

- (4) To protect both local retail development and nearby residences against congestion, particularly in areas where the established pattern is predominantly residential but includes local retail uses on the lower floors, by regulating the intensity of local retail development, by restricting those types of establishments which generate heavy traffic, and by providing for offstreet parking and loading facilities.
- (5) To provide sufficient space in appropriate locations for all types of commercial and miscellaneous service activities, with due allowance for the need for a choice of site.
- (6) To provide freedom of architectural design, in order to encourage the development of more attractive and economic building forms, within proper standards.
- (7) To promote the most desirable use of land and direction of building development in accord with a well-considered plan, to promote stability of commercial development, to strengthen the economic base of the city, to protect the character of the district and its peculiar suitability for particular uses, to conserve the value of the land and buildings and to protect the city's tax revenue.

(Code 2004, § 39-1001)

Sec. 78-268. C-1 neighborhood business district.

The C-1 neighborhood business district is designed to provide for local shopping and include a wide range of retail stores and personal service establishments which cater to frequently recurring needs. The district regulations are designed to promote convenient shopping and the stability of retail development by encouraging continuous retail frontage and by prohibiting local service and manufacturing establishments which tend to break such continuity.

(Code 2004, § 39-1002)

Sec. 78-269. Uses permitted.

In C-1 neighborhood business districts, the following uses shall be permitted:

- (1) Any retail, financial or personal business or service providing convenience goods and services to nearby residential areas, except gasoline stations and drive-through eating places.
- (2) Within the C-1 neighborhood business district, automobile parking is permitted within the front yard setback provided a street barrier strip is provided so that no automobile can back into the bordering street.
- (3) Communication towers and antennas subject to the requirements of Chapter 77, Standards for Wireless Communication Facilities.

(Code 2004, § 39-1003; Ord. No. O-103-09, 6-18-2009)

Sec. 78-270. Grassing and paving required.

All driveways and parking areas on commercial lots shall be paved with concrete and all areas not paved shall be suitably grassed or landscaped including all banks and slopes to a degree sufficient to effectively prevent erosion or siltation and sedimentation in runoff waters. All banks and slopes are to be grassed or stabilized immediately upon completion of grading.

(Code 2004, § 39-1004)

Sec. 78-271. Buffer zones established.

In all C-1 neighborhood business districts a buffer strip at least 50 feet wide is required where said neighborhood business district abuts an industrial district. Where it abuts a residential district, the buffer strip shall be at least 75 feet wide. Buffers shall be planted to meet the requirements of Chapter 42 - Natural Resources, Article VII - Buffers, Landscape and Trees, Division 2 - Buffer Regulations.

(Ord. No. O-118-10, § 1, 10-21-2010)

Editor's note(s)—Ord. No. O-118-10, § 1, adopted Oct. 21, 2010, repealed § 78-271 in its entirety and enacted new provisions to read as herein set out. Prior to amendment § 78-271 pertained to similar subject matter. See Code Comparative Table for derivation.

Sec. 78-272. Area, yard, garage, height and supplementary regulations as to C-1 commercial use district.

The following regulations shall apply to commercial uses:

(1)	District area	Minimum	Ten acres.
(2)	Lot area	Minimum	30,000 square feet.
(3)	Lot frontage	Minimum	150 feet.
(4)	Lot depth	Minimum	200 feet.
(5)	Front yard	Minimum	75 feet.
(6)	Rear yard	Minimum	25 feet.
(7)	Side yard	Minimum	25 feet.
(8)	Building height	Maximum	Two stories or 40 feet, whichever is less.
(9)	Location of driveways	At least	100 feet from street intersection; at least 100 feet from each other measured at the center of the driveway.

(Code 2004, § 39-1006)

Secs. 78-273—78-~~292~~280. Reserved.

Sec. 78-281. C-2 general business district.

The C-2 general business district is intended to provide adequate space in appropriate locations among major streets, thoroughfares and intersections for various types of business use. These uses include the retailing of major goods and services, general office facilities and public functions that would serve a community area of several neighborhoods. The intensity of development and uses in the C-2 general business district is greater than in the C-1 Neighborhood Business District because it is intended to serve a greater population and to offer a wider range of goods and services.

Sec. 78-282. Uses permitted.

In C-2 general business districts, the following uses shall be permitted:

Commented [LT1]: Uses with asterisks are to address the catch all use categories that leave question as to whether more specific uses would be allowed within them. Ex: body art studio or massage therapy as general personal service use. These would not be allowed under the general heading general personal service use, but that isn't clear here. The proposed UDO will have definitions for each use category, which will help. However, deriving a use list from a use table is problematic because the list doesn't capture the context of where uses are or aren't permitted.

Public and Institutional Uses

- a) Place of Worship
- b) Commercial School
- c) Daycare Center

Commercial Uses

- a) General indoor recreation and entertainment*
- b) Club, private
- c) Convention hall or event facility
- d) General food and beverage*
- e) Food caterer
- f) General medical
- g) Medical laboratory
- h) General office
- i) Radio and television studio
- j) General personal service uses*
- k) Animal care, indoor
- l) Copy and print business
- m) Funeral home (without crematorium)
- n) Health Club
- o) Instructional studio
- p) General retail uses*
- q) Department store
- r) Furniture store
- s) Home improvement
- t) Retail bank
- u) General wholesale trade

Sec. 78-283. Grassing and paving required.

All driveways and parking areas on commercial lots shall be paved with concrete and all areas not paved shall be suitably grassed or landscaped including all banks and slopes to a degree sufficient to effectively prevent erosion or siltation and sedimentation in runoff waters. All banks and slopes are to be grassed or stabilized immediately upon completion of grading.

Sec. 78-284. Buffer zones established.

A buffer strip at least 50 feet wide is required where said business district abuts an industrial district. Where it abuts a residential district, the buffer strip shall be at least 75 feet wide. Buffers shall be planted to meet the requirements of Chapter 42 – Natural Resources, Article VII – Buffers, Landscape and Trees, Division 2 – Buffer Regulations.

Sec. 78-285. Area, yard, height and supplementary regulations as to C-2 commercial use district.

Commented [LT2]: This isn't identical to the applicant's proposal because it doesn't include accessory building standards. There is language in the city's code that says all structures in nonresidential districts are considered primary structures. The draft UDO also has different standards than those proposed by the applicant.

<u>(1)</u>	<u>Building Height</u>	<u>Maximum</u>	<u>40 feet</u>
<u>(2)</u>	<u>Lot Width</u>	<u>Minimum</u>	<u>100 feet</u>
<u>(3)</u>	<u>Lot Depth</u>	<u>Minimum</u>	<u>100 feet</u>
<u>(4)</u>	<u>Front Yard</u>	<u>Minimum</u>	<u>35 feet</u>
<u>(5)</u>	<u>Corner Side Yard</u>	<u>Minimum</u>	<u>10 feet</u>
<u>(6)</u>	<u>Side Yard</u>	<u>Minimum</u>	<u>10 feet</u>
<u>(7)</u>	<u>Rear Yard</u>	<u>Minimum</u>	<u>35 feet</u>

Secs. 78-286-78-292. - Reserved.

SECTION 2:

Should any article, section, subsection, paragraph, clause, phrase or provision of this ordinance be adjudged invalid or held unconstitutional, such decision shall not affect or invalidate the remaining portions of this ordinance.

SECTION 3:

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4.

This ordinance shall be effective upon adoption.

Passed and adopted by the Mayor and Council on this _____ day of _____ 2026

 LOIS D. SALTER
 Mayor

ATTEST:

 LEIGH THREADGILL
 City Clerk

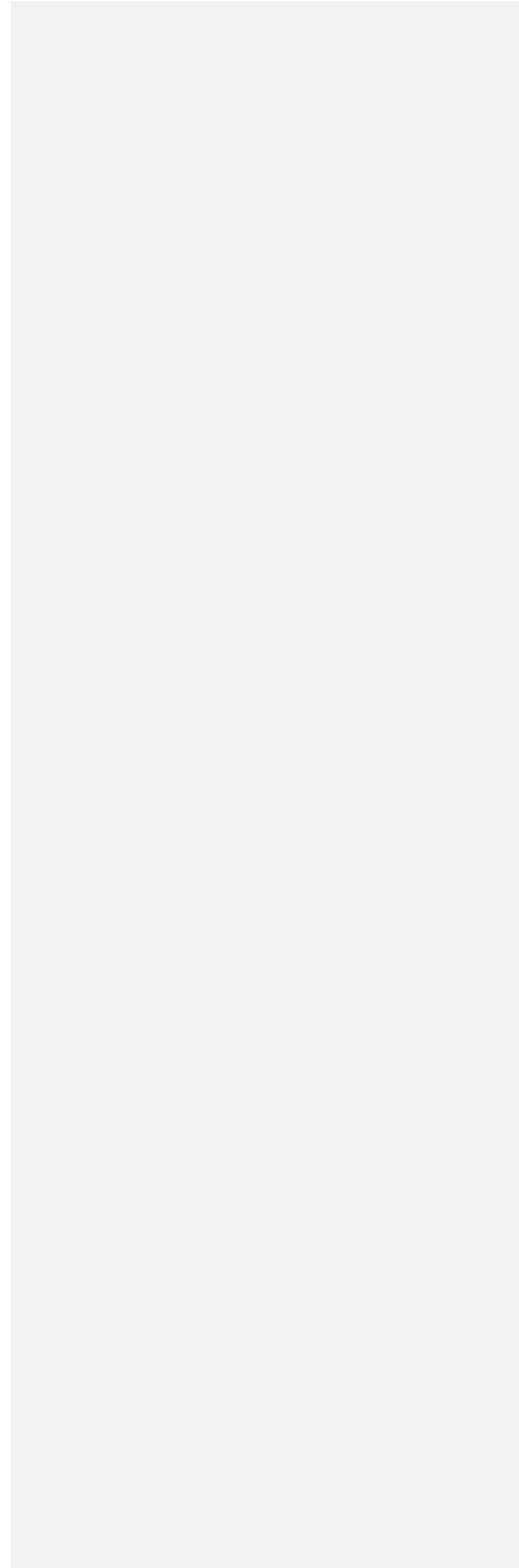
Planning Commission

Consideration: April 14, 2026

1st Reading: May 21, 2026

2nd Reading and Public Hearing: June 18, 2026

Council Adoption:



**City of Berkeley Lake
Staff Analysis**

CASE NUMBER:	PZTA-26-02
CODE SECTIONS:	ARTICLE X, Section 78-281 – 78-285 - C-2, General Business District Regulations
PURPOSE:	AMENDMENT TO CREATE A C-2 District
MEETING DATE:	MAY 21, 2026 and JUNE 18, 2026 CITY COUNCIL

PURPOSE:

The owner of 4477 Peachtree Industrial Boulevard is requesting the city adopt a C-2, General Business, district for the purpose of creating a district that allows the use (indoor recreation center) that he proposes to develop on the property.

ANALYSIS:

The city received a request to amend the zoning ordinance to create a new zoning district, C-2, General Business, for the purpose described above.

All of the non-residential properties annexed in the 2011–2012-time frame were zoned Gwinnett County – Annexed (GC-A) upon annexation. The GC-A district froze the Gwinnett County zoning standards that applied to the property immediately prior to annexation. The city has been applying 2011 Gwinnett County zoning standards to the annexed non-residential areas for 15 years.

Properties that were annexed had been zoned neighborhood business (C-1), general business (C-2), light industrial (M-1), heavy industrial (M-2), office and institutional (O&I) and single-family residence (RZT) when in unincorporated Gwinnett County. If an owner wanted to change the zoning from GC-A (C-1) to GC-A (C-2), he could not. He could only apply to rezone his property to a City of Berkeley Lake zoning district. While the city has a C-1, M-1 and O&I zone, the city does not have a C-2, M-2 or RZT zone. Therefore, there is no comparable city zoning district for several of the properties that were annexed.

In the time since annexation, two rezonings have been approved in the annexed areas. Both changed the zoning designation from GC-A to a city district, one from GC-A (C-2) to C-1 (4790 Peachtree Industrial Boulevard) and one from GC-A (O&I) to M-1 (4487 South Old Peachtree Road).

The applicant for this text amendment owns a property that was zoned C-1 with conditions while in unincorporated Gwinnett County, and under the GC-A district that currently governs the property, those standards still apply. He wishes to develop the property with a use that is not permitted by the current zoning of the property. But the city doesn't have a district for him to zone to that allows his proposed use either. The use that he is interested in developing on the property, indoor recreation center, requires the city to adopt a new zoning district.

The city has been working with TSW, a team of experts, to create a Unified Development Ordinance (UDO) that would include the creation of new zoning districts to accommodate

annexed properties so that there is no longer a need to rely on obsolete Gwinnett County zoning standards for regulation of annexed property. A C-2 district is proposed to be included in the UDO. However, the UDO is comprehensive, including not only zoning regulations but also other development regulations such as landscaping and sign regulations. It is not yet ripe for action given the iterative process of review and revision to create a draft that is suitable for adoption.

However, the applicant is interested in pursuing development of the property now and has submitted a draft C-2 district, modeled after current Gwinnett County zoning regulations, to allow development of his property to proceed. Unfortunately, it is not as simple as copying Gwinnett County code into the city's zoning ordinance. There are conflicts in regulation as well as a difference in how use permissions are represented that prevent a seamless adoption of current Gwinnett County standards as city standards.

During the Planning & Zoning Commission's deliberation of this request, staff was asked to try to revise the applicant's proposal to be consistent with the permitted uses included in the draft C-2 district that is proposed as part of the UDO. This proved to be a task that required a much more comprehensive change to the city's zoning ordinance. As an example, the proposed UDO seeks to define each use category in the permitted use table. These definitions are important to interpret and administer the use permissions. In trying to fulfill the P&Z Commission's request, staff realized that to revise the applicant's text amendment proposal to be consistent with the consultant's proposed draft is much more complex than just making sure the permitted use list is the same.

RECOMMENDATION:

This text amendment application is a change to city policy. It creates a new zoning district and must be carefully evaluated for unintended consequences. While it doesn't change the zoning of any individual property, it creates a district to which a property can be zoned if requested, subject to evaluation and analysis in accordance with the zoning standards that currently exist in the city's zoning ordinance.

Because of the importance of land use regulation through zoning, the city must ensure that zoning code changes that seek to create new districts are carefully prepared so that any new districts created are in harmony with the city.

Staff recommends denial of the text amendment to avoid adoption of a temporary, rudimentary, C-2 district, under which development could be authorized and vested, that would be replaced by the adoption of a robust and publicly vetted C-2 district as part of the Unified Development Ordinance, which is currently being drafted.

City of Berkeley Lake
P&Z Committee
4040 S. Berkeley Lake Road NW
Berkeley Lake, GA 30096

February 4, 2026

Re: Letter for Creating a C2 District for 4477 Peachtree Industrial Blvd.

The concept for Berkeley Lake Sports Club is a recreation destination for Berkeley Lake residents. Berkeley Lake consists of multiple neighborhoods which do not have tennis courts and clubhouses. BL Sports Club plans to fill that void with a modern clubhouse with meeting space, café, golf simulators, F1 simulators, padel and pickleball courts.

The facility will provide padel courts and pickleball courts (demand dependent), but indoor golf simulators and F1 simulators are other planned recreational activities. A meeting room for game playing and general meetings will be available. The bathrooms will be designed to be locker rooms. The planned café is a healthy and fresh menu of salads, sandwiches and protein shakes. Exercise equipment and a bar area for alcohol sales may be added based on demand.

The current zoning for the land is C1, which is designed for neighborhood businesses serving residents within the proximity of the community. This letter serves as a text amendment to create a C2 district, which expands the commercial use of the C1 code. The properties immediately south of the property are zoned C-2 per Gwinnett County records. Furthermore, the City of Berkeley Lake has engaged with Georgia Tech Urban Design Studios and TSW, a zoning and development consulting company. Both have tentatively recommended Berkeley Lake to incorporate the Gwinnett County C2 zoning.

Specifically, the code to be incorporated into the code would be the Gwinnett County C2 Zone:

C-2 General Business District.

Purpose and Intent. The C-2 General Business District is intended to provide adequate space in appropriate locations along major streets, thoroughfares and intersections for various types of business use. These uses include the retailing of major goods and services, general office facilities and public functions that would serve a community area of several neighborhoods. The intensity of development and uses in the C-2 General Business District is greater than in the C-1 Neighborhood Business District because it is intended to serve a greater population and to offer a wider range of goods and services.

DEVELOPMENT REQUIREMENTS

Minimum lot size: N/A

Minimum lot width: 100 feet

Minimum lot depth: 100 feet

Setbacks Principal Building:

1. Primary Frontage: 35 feet (min)
2. Secondary Frontage: 10 feet (min)
3. Side Setback: 10 feet (min)
4. Rear Setback: 35 feet (min)

Setbacks Accessory Buildings:

1. Primary Frontage: 35 feet (min)
2. Secondary Frontage: 10 feet (min)
3. Side Setback: 10 feet (min)
4. Rear Setback: 35 feet (min)

Building Height:

1. Principal Building Height: 40 feet (max)
2. Accessory Building Height: 35 feet (max), but not higher than the height of the principal building.

C-2 PERMITTED USES

The following uses are permitted by right in the C2 district.

The uses set forth in the table below shall be permitted only as listed and only in the manner so listed.

P: A permitted use.

S: A special use requiring a Special Use Permit subject to approval.

C: A conditional use subject to additional requirements.

Land Use	C-2
General Commercial Uses	
Eating and Drinking Establishments, not included below	P
Brewpub	P
Restaurant, with drive-in or drive-thru service	P

Lodging Establishments, not included below	P
Bed and Breakfast Inn	P
Extended Stay Facility	S
Business, Medical, or Professional Offices, not included below	P
Automobile Brokerage Office, no storage of vehicles	C
Medical Laboratory	P
Radio, Recording, or Television Studio	P
Personal Services Establishments, not included below	P
ATM, standalone drive-up	P
Animal Care Establishment, indoor only	P
Animal Care Establishment, with outdoor pens or runs	S
Check Cashing/Payday Loan Establishment, Standalone	S
Catering Service Establishment	P
Daycare Facility	P
Locksmith Establishment	P
Massage Therapy Establishment	P
Tattoo and Body Piercing Studio	P
Tutoring and Learning Center	P
Retail Sales or Rental of Goods Establishments, not included below	P
Copy and Print Store	P
Department or Wholesale Store	P
Discount, Dollar, or Thrift Store	S
Furniture Sales or Rental Store	P
Fireworks Sales, ancillary use	P
Fireworks Sales Establishment, principal use	S
Garden Supply Center	S
Home Improvement or Building Supply Store	P
Precious Metals Dealer Establishment	P
Smoke, Novelty, or CBD Shop	P
Entertainment and Recreation Uses	
Indoor Entertainment and Recreation Facilities, not included below	P
Health or Fitness Center	P
Hookah, Vapor, or Cigar Lounge	S/C
Lounge or Nightclub Establishment	S
Microbrewery or distillery Facility	C
Movie Theater	P

Pool or Billiard Halls	P
Shooting or Archery Range, indoor	S
Special Events Facility	P
Outdoor Entertainment and Recreation Facilities, not included below	S
Aircraft Landing Field, private	S
Recreational Vehicle Park or Campground	S
Civic and Institutional Uses	
Civic, Private and Public Institutions, not listed below	P
Club, Lodge, or Fraternal Organization Facility	P
Cemetery or Mausoleum	S/C
Community Center or Cultural Facility	P
Place of Worship	P
School, college, private, trade, or similar	C
Shelters, community or residential	S
Hospitals and Related Healthcare Facilities, not included below	P
Nursing Home	P
Residential Rehab Center (alcohol or drug)	S
Personal Care Home, congregate	P
Personal Care Home, Group	P
Automobile, Truck, Recreational Vehicle, Motorcycle, Boat, ATV, and Related Uses	
Vehicle Rental and Related Services Establishments, not included below	S
Vehicle Repair, Service, and Body Work Establishments, not included below	S
Convenience Store, with fuel pumps	S
Parts and Accessories Store, without installation	P
Parts and Accessories Store, with installation	S
Vehicle Washing Establishment	S/C
Emissions Inspections Establishment	C
Vehicle Sales and Related Services Establishments	S/C
Industrial Uses	
Contractors Offices, not included below	
Carpet or Upholstery Cleaning Service Office	S
Landscaping Contractors Office	S

Ambulance or Medical Transport Company	S
Carpet or Upholstery Cleaning Service	S
Crematory, as a principal use	S
Stone Yard or Stone Cutting Establishment	S
Warehouse, Wholesale, and Distribution Facilities, not included below	
Self-Storage Facility, indoor climate controlled	S/C
Outdoor Sales, Storage and Display Uses	
Outdoor Sales and Storage of Goods, not included below	S/C
Public or Private Parking Garage or Lot, standalone	P
Outdoor Display of Goods, retail	C

Grassing and paving required.

All driveways and parking areas on commercial lots shall be paved with concrete and all areas not paved shall be suitably grassed or landscaped including all banks and slopes to a degree sufficient to effectively prevent erosion or siltation and sedimentation in runoff waters. All banks and slopes are to be grassed or stabilized immediately upon completion of grading.

Buffer zones established.

A buffer strip at least 50 feet wide is required where said business district abuts an industrial district. Where it abuts a residential district, the buffer strip shall be at least 75 feet wide. Buffers shall be planted to meet the requirements of Berkeley Lake Code of Ordinances.

Please contact Gary Volino with questions or comments.

Gary Volino
gvolino@hotmail.com
 Cell: 678-362-5229

RESOLUTION 26-03

**STATE OF GEORGIA
COUNTY OF GWINNETT**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BERKELEY LAKE
TO DESIGNATE THE CITY GREENSPACE “BERNIE’S WOODS”.**

WHEREAS, the Mayor and Council of the City of Berkeley Lake wish to create a special honor for their former Mayor, Bernie Cohen; and

WHEREAS, Cohen’s remarkable vision, courage, and tenacity led to the City’s ownership of the beautiful area we have called The Greenspace and

WHEREAS, this protected forest has been enjoyed by so many;

NOW, THEREFORE, the Mayor and Council of the City of Berkeley Lake do hereby resolve that The Greenspace shall be named “Bernie’s Woods.”

PASSED, ADOPTED AND APPROVED this ____ day of _____, 2026.

Lois Salter, Mayor

ATTESTED BY:

Leigh Threadgill, City Clerk