



LAWRENCEVILLE

GEORGIA

PLANNING COMMISSION AGENDA

Monday, February 06, 2023
6:00 PM

Council Assembly Room
70 S. Clayton St, GA 30046

Call to Order

Approval of Agenda

Approval of Prior Meeting Minutes

New Business

- [1.](#) RZC2022-00045; Alessandro Salvo; 530 Lyle Circle
- [2.](#) RZR2023-00015: Citywide Rezoning- DERRICK CHEEK, MAHLON SWEAT, KENNY TONG, SHEILA AND DANIEL HUFF, ANNE AND THOMAS IWANOWSKI, CLINE NICHOLS, MAHLON AND CAROLYN SWEAT; Multiple addresses
- [3.](#) RZR2023-00015: Citywide Rezoning-DERRICK CHEEK, PAPPY AND ANNAMMA SAMUEL, RICKIE AND GARNETT LANCE; Multiple addresses
- [4.](#) RZR2023-00017; Karen Wright; 577 Scenic Highway
- [5.](#) An Ordinance to Amend ARTICLE 5; Parking of the Zoning Ordinance
- [6.](#) An Ordinance to Amend the Zoning Ordinance, Article 9, Administration and Enforcement
- [7.](#) An Ordinance to Amend the Code of Ordinance, Chapter 10, Article II

Public Comment

To participate in the Public Comment part of the Agenda, you must register prior to noon in the Planning and Zoning Office on Friday before the meeting. Presentations will be limited to two minutes.

Final Adjournment



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AGENDA REPORT
MEETING: PLANNING COMMISSION
AGENDA CATEGORY: NEW BUSINESS

Item: RZC2022-00045; Alessandro Salvo; 530 Lyle Circle

Department: Planning and Development

Date of Meeting: Monday, February 6, 2023

Fiscal Impact: None

Presented By: Todd Hargrave, Director Planning and Development

Planning and Development Recommendation: **Denial**

Planning Commission Recommendation:

Summary: The applicant requests the rezoning of an approximately 1.63-acre parcel at 530 Lyle Circle. The proposed rezoning is from LM (Light Manufacturing District) with conditions to LM (Light Manufacturing District) without conditions. The subject property is located along the southwestern right-of-way of Lyle Circle, between its intersections with Hurricane Shoals Road and Buford Drive. The parcel is currently undeveloped outside of incidental uses associated with 526 Lyle Circle.

Attachments/Exhibits:
RZC2022-00045_ Application
RZC2022-00045_ Report
RZC2022-00045_ Planning and Development recommendations
RZC2022-00045_ Deed
RZC2022-00045_ Legal Description
RZC2022-00045_ Proposed Plans
RZC2022-00045_ DDA Map Zoomed in

RZC2022-00045_ DDA Map Zoomed out
RZC2022-00045_ Aerial Map zoomed in
RZC2022-00045_ Aerial Map zoomed out
RZC2022-00045_ Zoning Map zoomed in
RZC2022-00045_ Zoning Map zoomed out



LAWRENCEVILLE

1.

Planning & Development

CASE NUMBER: RZC2022-00045

OWNER: ALESSANDRO SALVO

APPLICANT: ALESSANDRO SALVO

CONTACT: DION ALLEN - 678.856.9002

LOCATION(S): 530 LYLE CIRCLE

PARCEL ID(S): R5176 035B

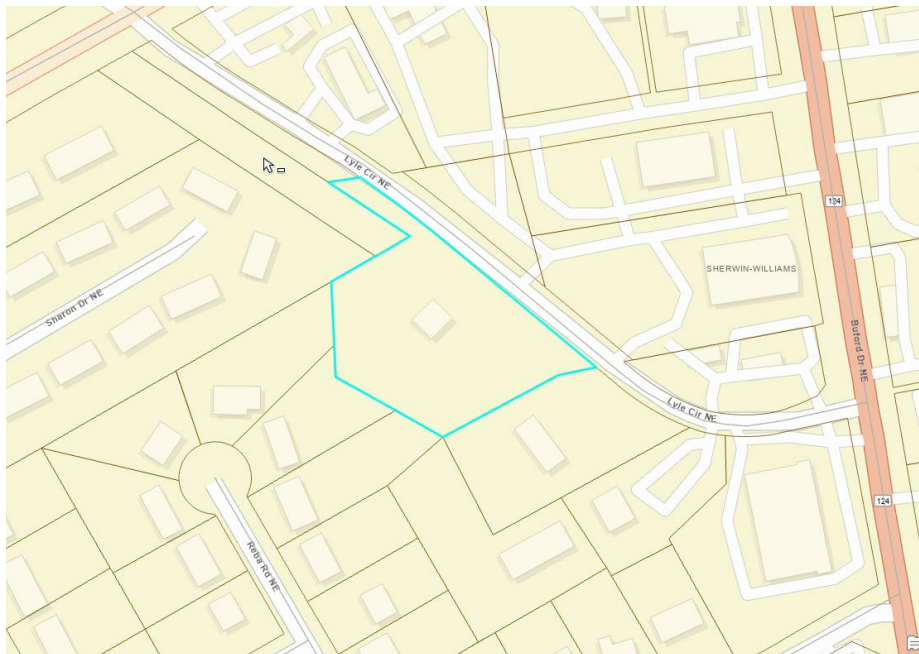
APPROXIMATE ACREAGE: 1.63

ZONING PROPOSAL: LM (LIGHT MANUFACTURING DISTRICT) TO LM
(LIGHT MANUFACTURING DISTRICT)

PROPOSED DEVELOPMENT: OUTDOOR STORAGE

DEPARTMENT RECOMMENDATION: DENIAL

VICINITY MAP





LAWRENCEVILLE

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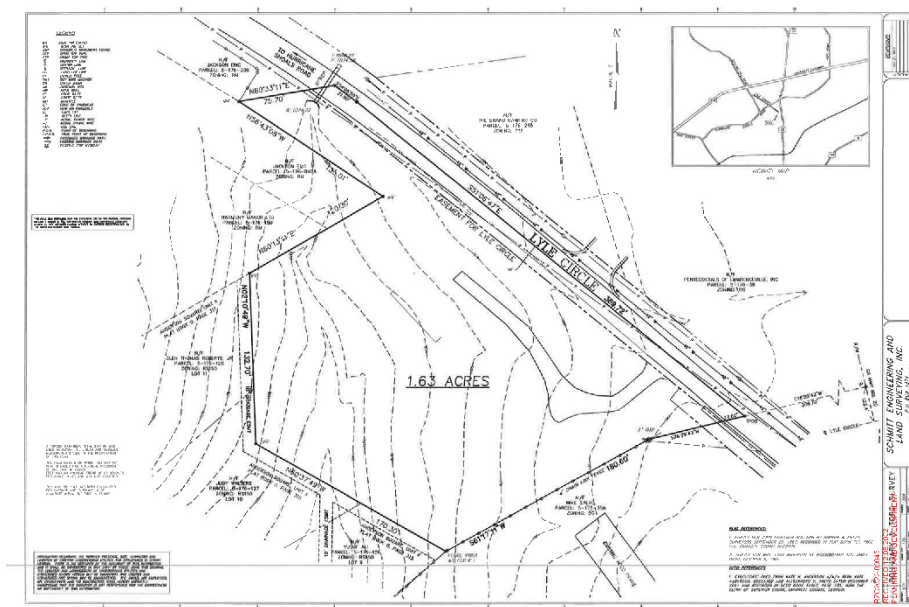
ZONING HISTORY

In 1986, the subject property was zoned RS-120 (Single-Family Residential District). By 2002, the property was rezoned to RS-150 (Single-Family Residential District), pursuant to a city-wide rezoning. In 2013, the property was rezoned from RS-150 to LM (Light Manufacturing District), pursuant to RZ-12-02. In 2017, a Change-in-Conditions and Special Use Permit requests were approved allowing a self-storage facility, pursuant to CIC-17-05 and SU-17-06, respectively. In 2018, a Change-in-Conditions and Special Use Permit requests were denied to allow Outdoor Storage, pursuant to CIC-18-12 and SU-18-12, respectively.

PROJECT SUMMARY

The applicant requests the rezoning of an approximately 1.63-acre parcel at 530 Lyle Circle. The proposed rezoning is from LM (Light Manufacturing District) with conditions to LM (Light Manufacturing District) without conditions. The subject property is located along the southwestern right-of-way of Lyle Circle, between its intersections with Hurricane Shoals Road and Buford Drive. The parcel is currently undeveloped outside of incidental uses associated with 526 Lyle Circle.

LAND SURVEY





LAWRENCEVILLE

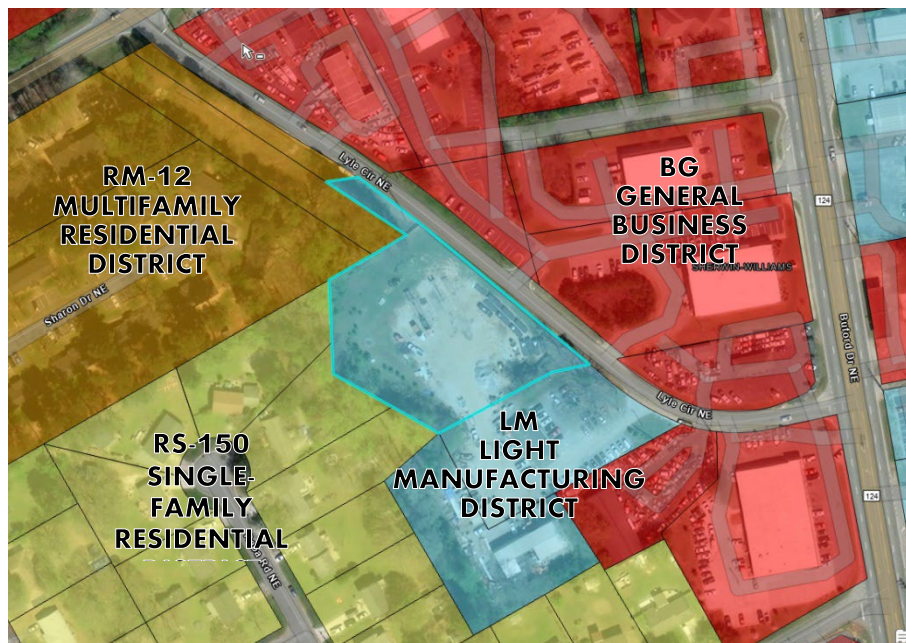
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ZONING AND DEVELOPMENT STANDARDS

The proposal put forth is intended to allow for 530 Lyle Circle to be used as a location for outdoor storage, specifically to store construction materials for the adjacent construction business at 526 Lyle Circle, GS Construction. Materials would include PVC and steel pipes as well as precast concrete structures such as manholes and pipe fittings. Such a use is not allowed by the current conditions of zoning (adopted 2017), which were intended to develop the site as a self-storage facility; the 2017 proposal was never developed and the site has remained vacant since. Additionally, in 2018 a Change-in-Conditions and Special Use Permit to allow outdoor display of merchandise, goods and services or products associated with moving truck rental facility was denied, pursuant to CIC-18-12 and SUP-18-12. Furthermore, being that the subject property is within the boundaries of the Lawrenceville Downtown Development Authority, any outdoor storage is prohibited regardless of zoning or special use permits.

CITY OF LAWRENCEVILLE OFFICIAL ZONING MAP





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SURROUNDING ZONING AND USE

The surrounding area is characterized by a mixture of single-family and multifamily residential with adjacent commercial and industrial uses. There is a residential subdivision zoned RS-150 (Single-Family Residential District) to the southwest of the subject property and a multifamily subdivision zoned RM-12 (Multifamily Residential District) directly to the west. The adjacent property to the east, 526 Lyle Circle, is zoned LM (Light Manufacturing District). The northeasterly side of the Lyle Circle right-of-way is occupied by commercial businesses in parcels zoned BG (General Business District). Further east, across Buford Drive, are more industrial parcels zoned LM. Given the existing mixture of uses and zoning categories in this area, the proposal would be appropriate in the context of zoning.

LAWRENCEVILLE DOWNTOWN DEVELOPMENT AUTHORITY MAP



2040 COMPREHENSIVE PLAN

The City of Lawrenceville 2040 Comprehensive Plan and Future Development Map indicate the subject property is located within the College Corridor character areas. The intent of the College Corridor character area is to provide a unique place in the community, connecting two of the city's strongest anchors: Downtown and



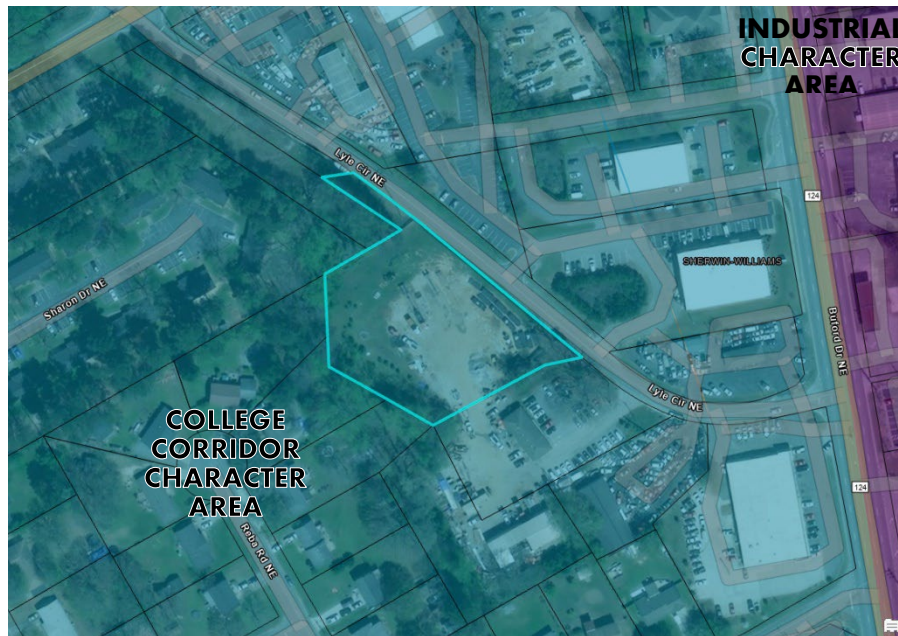
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Georgia Gwinnett College (GCC). The vision for the College Corridor character area is a multi-modal, vibrant, mixed-use corridor. Over time, this area will transition from suburban-style development to a more mixed environment of higher density development and green space. It will also have services and housing products that appeal to college faculty, students, and staff, as well as those who want to live near Downtown. As proposed, the requested industrial rezoning would be inconsistent with the policies of the 2040 Comprehensive Plan and the established intent for the character area; the Industrial character area across Buford Drive would be a more appropriate location for such development.

LAWRENCEVILLE 2040 COMPREHENSIVE PLAN – FUTURE LAND USE PLAN MAP



STAFF RECOMMENDATION

In conclusion, while the proposal is not inconsistent with the established zoning and land use patterns in the immediate area, it does conflict with the long-term vision established by the City in its 2040 Comprehensive Plan. Policies relating to long range planning suggest the city embrace the principles of new urbanism by creating a variety of high quality mixed-use development as well as a housing stock



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that is well maintained and includes homes with a variety of forms and price points. The intent of the Comprehensive Plan is to encourage positive redevelopment of benefiting from the “halo effect” of high-quality development already happening nearby; this development would not meet the standards of such high-quality development. Such uses may be appropriate for the Industrial character area to the east, but it is not appropriate for the College Corridor. The subject property is in fact located within the bounds of the Lawrenceville Downtown Development Authority, where outdoor storage is prohibited entirely.

The property owner has not complied with the conditions of the 2017 Change-in-Conditions resolution (CIC-17-05), which are still active as of the time of this writing. These conditions included a landscape plan with plantings to adequately screen the property from the public right-of-way with an assurance to keep this buffer area free of weeds, vines, and underbrush; instead, all that exists today is overgrown and screened only with a transparent chain link fence. Since the property owner did not comply with the buffer conditions within 120 days of the 2017 zoning approval, the property has thus been considered noncompliant. Furthermore, the incidental activity and outdoor storage that occurs on the property contradicts the conditions of Special Use Permit resolution SU-17-06, which prohibited all outdoor storage on the parcel. Given the aforementioned factors, the Planning and Development Department recommends **DENIAL** of the request.



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CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS:

ENGINEERING DEPARTMENT

No comment

PUBLIC WORKS

No comment

ELECTRIC DEPARTMENT

No comment

GAS DEPARTMENT

No comment

DAMAGE PREVENTION DEPARTMENT

No comment

CODE ENFORCEMENT

No comment

STREET AND SANITATION DEPARTMENT

No comment



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STATE CODE 36-67-3 (FMR.) REVIEW STANDARDS:

- 1. Whether a zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;**

As proposed the plan could be suitable in view of the use and development in the immediate area, but the proposal lacks consistency the long range plans of the City of Lawrenceville.

- 2. Whether a zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;**

The area along the right-of-way of Lyle Circle has long suffered due to antiquated zoning policies and lack of enforcement. New decisions must be consistent with the polices relating to the long range plans for the immediate area in order for the City to flourish.

- 3. Whether the property to be affected by a zoning proposal has a reasonable economic use as currently zoned;**

The property has a reasonable economic use as currently zoned, that being a self-storage facility.

- 4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;**

Impacts on public facilities would be anticipated in the form of traffic and stormwater runoff. The developer would have to take the necessary precautions to ensure that these do not overwhelm local systems.

- 5. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan;**

Policies of the City are intended to benefit or enhance the quality of life for existing and potential members of the public choosing to reside within the city limits. The College Corridor is intended as a mixed-use district that includes commercial and residential activity, which this proposal does not include.



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- 6. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal;**

The parcel falls within the jurisdiction of the Lawrenceville Downtown Development Authority. The DDA prohibits all forms of outdoor storage within its bounds; such a proposal directly contradicts this rule. Furthermore, the subject property is noncompliant with the conditions laid out in resolution CIC-17-05, which outlined plans for landscaped buffer to screen the property. This landscape plan never materialized.

PLANNING AND DEVELOPMENT

RECOMMENDED CONDITIONS_01192023

RZC2022-00045

NOTE: The following conditions are provided as a guide should the City Council choose to approve the petition of this request.

Approval as LM (Light Manufacturing District) for a light manufacturing development, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:

A. Light manufacturing uses and accessory uses. The following uses shall be prohibited:

- Adult Entertainment Facility
- Auction House
- Automobile Accessories Sales and Installation
- Automobile Body Repair, Painting or Rebuilding
- Automobile Broker
- Automobile Manufacturing Plant
- Automobile, Truck or Vehicle Storage Lot (excl. junk/wrecked vehicles)
- Automobile Parts Store (with/without installation)
- Automobile Repair and Maintenance (Principal Use)
- Automobile Sales or Auction and Related Service (indoor/outdoor sales)
- Automobile Wash (Carwash)
- Bail Bonding
- Building Materials Sales (indoors/outdoors)
- Depot / Passenger Terminal (bus or rail)
- Dollar or Variety Store
- Garden Supply Center

- Hookah/Vapor Bar or Lounge
- Machine Shop
- Maintenance Shop (fleet vehicles)
- Motorcycle and Personal Watercraft Sales and Related Service
- Motorcycle and Personal Watercraft Service and Repair
- Motorcycle Parts, Accessories and Apparel Store
- Pawn Shop
- Smoke or Novelty Shop
- Tobacco or Novelty Shop
- Tattoo and Body Piercing
- Title Loan Facility

B. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-twirlers or sign walkers shall be prohibited.

C. Peddlers and/or any parking lot sales unrelated to the rezoning shall be prohibited.

D. Outdoor storage shall be prohibited.

E. The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

2. To satisfy the following site development considerations:

A. The development shall be constructed in conformity with the City of Lawrenceville Zoning Ordinance and Development Regulations. Final design shall be subject to the review and approval of the Director of Planning and Development.

B. Buildings shall be designed and constructed in conformity with Zoning Ordinance, Article 6 Architectural and Design Standards, and International Building Code (IBC). Final building elevations shall be subject to the review

and approval of the Director of Planning and Development.

- C.** Landscape shall be designed and installed to meet the conditions of zoning, requirements of the Zoning Ordinance and Development Regulations. Landscape planting shall include a mix of deciduous and evergreen trees and shrubs. Trees shall be grouped and arranged to create an effective and aesthetic visual screen. Final design shall be subject to the review and approval of the Director of Planning and Development Department.
- D.** Provide and maintain a fifty (50) foot zoning buffer adjacent to residentially zoned properties along the side and rear property lines.
- E.** Provide a ten (10) foot landscape strip adjacent to the Lyle Circle public right-of-way. Landscape strip shall consist of an earthen berm a minimum of four (4) feet in height and ten (10) feet in width. Berm shall be planted with evergreen screening trees that are a minimum of 6 feet tall at time of planting.
- F.** Provide a five (5) foot landscape strip adjacent to all internal property lines.
- G.** Required buffers and landscape strips shall be void of invasive exotic plants, underbrush, and species of plants determined by the Director of Planning and Development Department to be of poor quality and with undesirable characteristics.
- H.** Provide a six (6) foot concrete sidewalk adjacent to all public right-of-ways.
- I.** Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or right-of-ways.
- J.** The “Front Load Dumpster” enclosure shall be uncovered and a concrete pad measuring ten (10) feet in width and thirty (30) feet in length, and shall be designed and installed of sufficient size and strength to support the weight of service vehicles. The final site and building design shall be subject to review and approval of the Director of the Planning and Development Department
- K.** Dumpsters shall be screened on all sides by a minimum six (6) foot high brick or masonry wall with access via an opaque metal gate enclosure. Dumpster enclosure shall be constructed of materials consistent with materials and colors of the primary structure. The dumpsters and associated enclosure

and pad shall be located outside of any required buffer, easement, or setback.

- L.** Natural vegetation shall remain on the property until the issuance of a development permit.
- M.** Any utility relocations shall be the responsibility of the developer.
- N.** The parking of tractor-trailers shall be on an approved hard surface and limited to the front yard area, from curb-cut to curb-cut, adjacent to Fredrix Alley as shown on the submitted site plan.
- O.** A total of six tractor-trailers shall be allowed within the front yard area, from curb-cut to curb-cut, adjacent to Fredrix Alley. Tractor-trailers may be utilized for the storage of disassembled, disposed, or recycled electronic equipment. The doors of the tractor-trailers must be closed at the end of each business day.
- P.** Hours of operation shall be limited to Monday through Friday, from 7 AM until 5 PM, Saturday from 8 AM until 12 PM. Sunday operations shall be prohibited.
- Q.** Prior to the issuance of a Certificate of Occupancy the subject property shall be in compliance with all applicable Municipal, County and State regulations.



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NOTIFICATION REQUIREMENTS

Written Notification

The applicant is required to notify all adjoining property owners (including those across any streets) of their intention to rezone the property. The notification shall be sent by Certified Mail and be postmarked no later than the published deadline contained in the Rezoning Schedule. A sample notification letter is provided at the end of this packet.

The written notice shall include:

1. Rezoning case number
2. Dates, times and place of public hearings
3. Copy of the application
4. Applicant contact information
5. Letter of Intent
6. Site plan
7. Vicinity map

Proof that the notifications were mailed as required must be delivered to the Planning Department as soon as is feasible, but no later than 12:00 p.m. (noon) on the Wednesday prior to the Planning Commission meeting. Failure to submit the required proof of mailing will result in the application being tabled to the next month's meeting.

Notification Sign

The applicant is required to post a notification sign (provided by the Planning Department) in a clearly visible location on the property, at or near the public street, no later than the published deadline contained in the Rezoning Schedule. It is the responsibility of the applicant to insure that the notification sign remain on the property throughout the rezoning proceedings. (COPY TO BE GIVEN TO APPLICANT)

RZC2022-00045

CASE NUMBER

12/08/2022

DATE

Dion Allen

ACKNOWLEDGED BY (PRINT NAME)

Dion Allen

SIGNATURE

70 S Clayton St • PO Box 2200 • Lawrenceville, Georgia 30046-2200
770.963.2414 • www.lawrencevillega.org



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REZONING APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Alessandro Salvo</u>	NAME: <u>Alessandro Salvo</u>
ADDRESS: <u>526 Lyle Circle</u>	ADDRESS: <u>526 Lyle Circle</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Lawrenceville</u>
STATE: <u>GA</u> ZIP: <u>30046</u>	STATE: <u>GA</u> ZIP: <u>30046</u>
CONTACT PERSON: <u>Dion Allen</u> PHONE: <u>678-956-9002</u>	
* If multiple property owners, each owner must file an application form or attach a list, however only one fee. Multiple projects with one owner, must file separate applications, with separate fees.	
PRESENT ZONING DISTRICT(S): <u>Residential</u> REQUESTED ZONING DISTRICT: <u>Light Manufacturing</u>	
PARCEL NUMBER(S): <u>5176035A</u> ACREAGE: _____	
ADDRESS OF PROPERTY: <u>530 Lyle Circle Lawrenceville, GA</u>	

[Signature] 8/18/22
SIGNATURE OF APPLICANT DATE

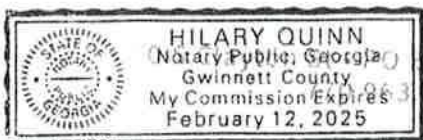
Alessandro Salvo
TYPED OR PRINTED NAME

[Signature] 8/18/22
SIGNATURE OF OWNER DATE

Alessandro Salvo
TYPED OR PRINTED NAME

[Signature] 8/18/22
NOTARY PUBLIC DATE

[Signature] 8/18/22
NOTARY PUBLIC DATE





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DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to the Mayor of the City of Lawrenceville, a member of the City Council, or to a member of the Planning Commission of the City of Lawrenceville? N Y/N

If the answer is yes, please complete the following section:

NAME OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or more)	DATE CONTRIBUTION WAS MADE (Within last two years)

Have you, within the two years immediately preceding the filing of this application, made gifts having in the aggregate a value of \$250.00 or more to the Mayor of the City of Lawrenceville, a member of the City Council, or to a member of the Planning Commission of the City of Lawrenceville? N Y/N

If the answer is yes, please complete the following section:

NAME OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or more)	DATE CONTRIBUTION WAS MADE (Within last two years)

Attach additional sheets if necessary to disclose or describe all contributions/gifts.



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VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR SPECIAL USE PERMIT

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL CITY OF LAWRENCEVILLE PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

*Note: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE SPECIAL USE PERMIT REQUEST.

PARCEL I.D. NUMBER:
(Map Reference Number)

5 - 174 - 035B
District Land Lot Parcel


Signature of Applicant

8/19/22
Date

Alessandro Salvo, Owner
Type or Print Name and Title

PLEASE TAKE THIS FORM TO THE TAX COMMISSIONER'S OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.

TAX COMMISSIONER'S USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

Jacqueleen Garcia

Tax Associate I

NAME

TITLE

08/19/2022

DATE

70 S Clayton St • PO Box 2200 • Lawrenceville, Georgia 30046-2200
770.963.2414 • www.lawrencevillega.org

Letter of Intent

Application for Rezoning

Applicant Alessandro Salvo
 526 Lyle Circle
 Lawrenceville, GA
 30046

**Assembled
Properties** ~1.63 acres located at
 526 Lyle Circle
 Lawrenceville , GA
 30046

 5th District Land Lot
 176

 Parcel I.D.: #035B
 Owner: Alessandro
 Salvo

Intended Project

530 Lyle Circle, Lawrenceville, GA 30046

Requested Approval

In accordance therewith, Applicant hereby requests that the City rezone the property from Residential to "LM-Light Manufacturing".

Narrative Overview

The purpose of this request is to allow usage of the property located at 530 Lyle Circle. Currently, the property is vacant and not being used. Also there are no existing structures on the property or is the applicant requesting permission to add any type of structures such as a building or office complex.

The property is enclosed by a six foot tall non transparent chain link fence. (Which is shared with the property owned by applicant at 526 Lyle Circle). This property is adjacent to the property located at 526 Lyle Circle which is owned by GS Construction.

The owner of GS Construction is also the owner of the property located at 526 Lyle Circle. The applicant would like to use the property located at 530 Lyle Circle for storage of materials such as pvc pipe, steel pipe, precast concrete structures such as manholes, pipe fittings, etc...that are used on a daily basis by GS Construction.

These materials would not affect the community at all as all the materials are environmentally friendly. In addition it will not be an eye sore to the community since the six foot tall non transparent fence prevents visibility from the road

Waivers & Variances

N/A

Additional Submittals

Attached hereto is the following additional information submitted in support of this Application:

- Rezoning Application
- Disclosure of Campaign Contributions
- Boundary Survey
- Legal description
- Site Plan

BK51067 PG0335

FILED & RECORDED
CLERK SUPERIOR COURT
GWINNETT COUNTY, GA.

2011 DEC 20 PM 3:46

RICHARD ALEXANDER, CLERK

PT-81# 067-2011-035141
GWINNETT CO. GEORGIA
REAL ESTATE TRANSFER TAX
\$ 110.00
TOM LAWLER CLERK OF
SUPERIOR COURT

314695

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)

After recording, please return to:
WEBB, TANNER, POWELL, MERTZ & WILSON, LLP
P. O. Box 1390
Lawrenceville, GA 30046-1390
11-180 BE/jp

STATE OF GEORGIA

COUNTY OF GWINNETT

EXECUTORS' DEED

THIS INDENTURE, made this 19th day of December, in the year Two Thousand and Eleven, between **EVA G. ANDERSON**, as executor of the last will and testament of **KATE N. ANDERSON a/k/a REBA KATE ANDERSON, DECEASED** late of the State of Georgia, County of Gwinnett, deceased, of the first part (hereinafter called "Grantor") and **ALESSANDRO V. SALVO** (hereinafter called "Grantee"), the words "Grantor" and "Grantee" to include their respective heirs, successors, and assigns where the content requires or permits:

WITNESSETH:

THAT THE said Grantor (acting under and by virtue of the power and authority contained in Item VIII of said will, the same having been duly probated in solemn form on October 17, 2002 and recorded in the Probate Court of Gwinnett County, Georgia, and numbered as Estate 02-001802 in said Court), for and in consideration of the sum of \$10.00 and other valuable consideration in hand paid, at and before the sealing and delivery of these presents, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said Grantee, the following described property, to wit:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 176 of the 5th District, City of Lawrenceville, Gwinnett County, Georgia and being more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference and made a part of this description.

CIC-18-12 & SU-18-12 0105387
Received: July 20, 2018
Planning & Developmet

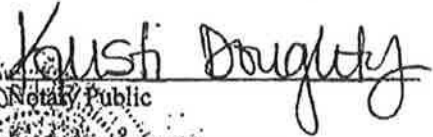
BK51067 PG0336

TO HAVE AND TO HOLD the same, together with the rights, members, appurtenances thereunto belonging, or in anywise appertaining, to it, the said Grantee, its own proper use, benefit and behoof forever, in as full and as ample a manner as the same was possessed or enjoyed by the said deceased, in her lifetime.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and affixed its seal, the day and year first above written.

Signed, sealed and delivered
this 19th day of December, 2011.


Unofficial witness


Notary Public



 (SEAL)
Eva G. Anderson as Executor of the Last Will
and Testament of Kate N. Anderson a/k/a Reba
Kate Anderson, deceased

CIC-18-12 & SU-18-12
Received: July 20, 2018
Planning & Development

BK51067 PG0337

Exhibit "A"

Parcel No. 1

All that tract or parcel of land lying and being in Land Lot 176 of the 5th Land District, Gwinnett County, Georgia, containing .49 acres and being Tract No. 1 as shown on a plat of survey for John W. Eschelman and Son prepared by Hannon & Neaks, Surveyors, September 29, 1967, recorded in Plat Book "Q", Page 153, Gwinnett County Records, and more particularly described as follows:

To locate the point of beginning, begin at an iron pin on the westerly right of way line of Georgia Highway No. 20 located 122.4 feet northerly as measured along said right of way line from the center line of Lyle Circle; thence South 75 degrees 57 minutes West 308.7 feet to a point in the center of Lyle Circle and the PLACE OR POINT OF BEGINNING; thence South 75 degrees 57 minutes West 77.6 feet to an iron pin; thence North 50 degrees 12 minutes West 280.4 feet to an iron pin; thence North 59 degrees 12 minutes West 135.3 feet to a concrete marker; thence North 78 degrees 01 minutes East 75.7 feet to a point in the center of Lyle Circle; thence South 56 degrees 24 minutes East along the center of Lyle Circle 21.9 feet to a point; thence South 53 degrees 25 minutes East along the center of Lyle Circle 391.9 feet to the place or point of beginning.

Parcel No. 2

All that tract or parcel of land lying and being in Land Lot 176 of the 5th Land District, Gwinnett County, Georgia, containing 1.13 acres, being more particularly shown on a survey prepared by Higginbotham and James, Registered Land Surveyors, for Mrs. Lyon Anderson on October 6, 1965, being more particularly described according to said plat as follows:

TO FIND THE TRUE POINT OF BEGINNING, begin at the point formed by the intersection of the center line of Georgia Highway No. 20, and the center line of Lyle Circle, and run thence from said point of intersection along the center line of Lyle Circle in a northwesterly direction 377.0 feet to a point located on said center line; thence run South 76 degrees 29 minutes West 76.3 feet to an iron pin, which is the TRUE POINT OF BEGINNING; thence from said point of beginning South 58 degrees 45 minutes West 180.6

feet to an iron pin; thence North 63 degrees 10 minutes West 170.3 feet to an iron pin; thence North 4 degrees 43 minutes West 132.7 feet to an iron pin; thence North 57 degrees 41 minutes East 120.3 feet to an iron pin located on the southwesterly side of the former Lawrenceville-Suwanee Railroad right of way; thence along said former right of way South 50 degrees 11 minutes East 280.4 feet to an iron pin, which is the point of beginning.

CIC-18-12 & SU-18-12
Received: July 20, 2018
Planning & Development





DEVELOPMENT PLANS FOR 530 LYLE CIRCLE



LOCATED AT 530 LYLE CIRCLE
5TH DISTRICT, LAND LOT 176, PARCEL #035B,
LAWRENCEVILLE
GWINNETT COUNTY,
GEORGIA

PREPARED BY:
GS CONSTRUCTION
526 LYLE CIRCLE
LAWRENCEVILLE, GA 30046

FOR:
ALESSANDRO SALVO
526 LYLE CIRCLE
LAWRENCEVILLE, GA 30046
678-283-5518

AUGUST 18, 2022



SHEET INDEX

- 1.0 COVER
- 2.0 SITE PLAN
- 3.0 GRADING, DRAINAGE AND UTILITY PLAN
- 3.1 SANITARY SEWER PLAN & PROFILE
- 4.0 EROSION CONTROL PLAN-INITIAL
- 4.1 EROSION CONTROL PLAN-INTERMEDIATE
- 4.2 EROSION CONTROL PLAN-FINAL
- 4.3 ESCP PLAN
- 4.4 EROSION CONTROL DETAILS

GENERAL NOTES:
IT IS THE OWNER'S/DEVELOPER'S RESPONSIBILITY TO BE IN COMPLIANCE
WITH APPLICABLE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM
(NPDES) PERMIT AND CLEAN WATER ACT REQUIREMENTS.
ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY
LAND DISTURBANCE ACTIVITY.

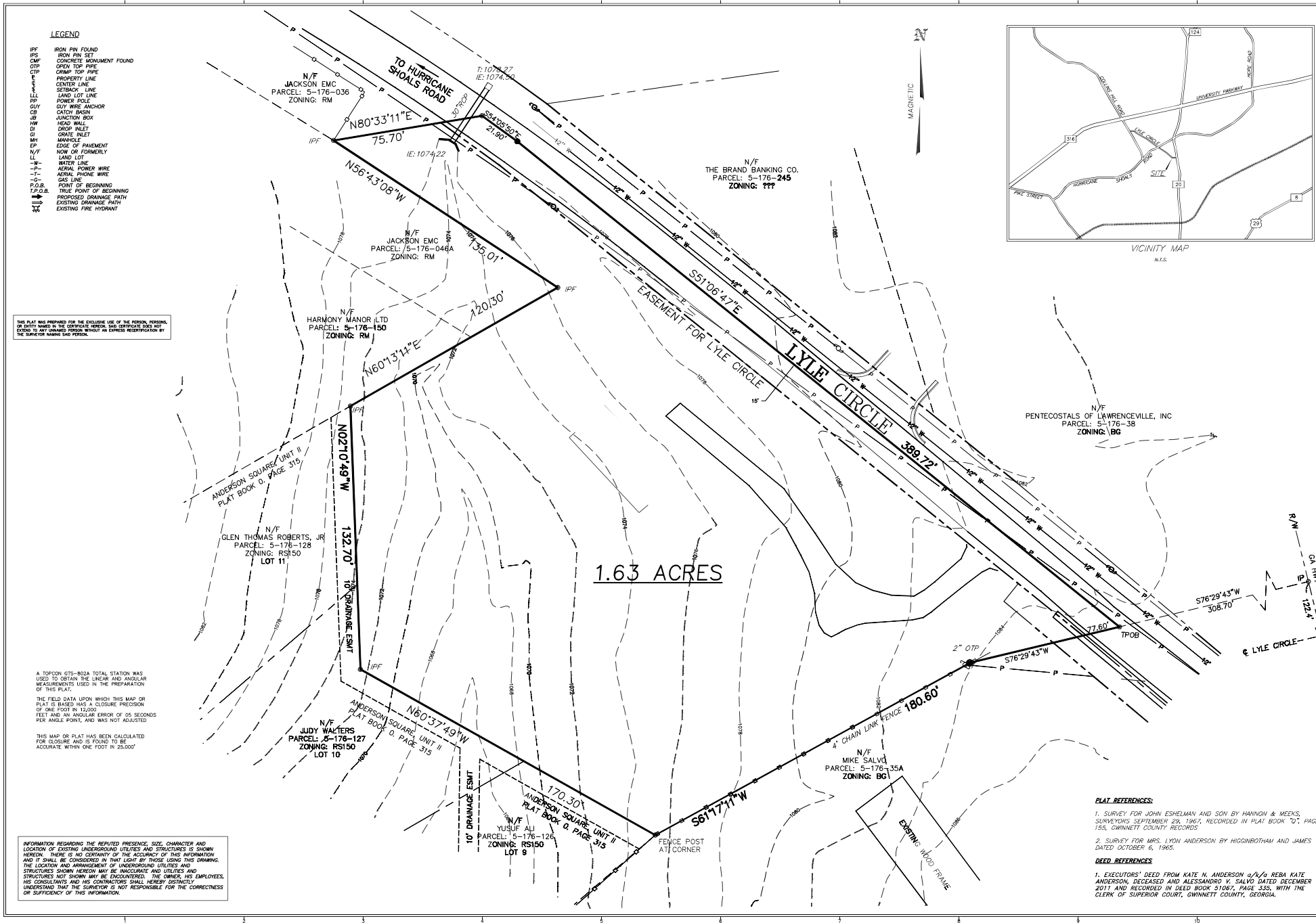


REVISIONS
1. NOV 21, 2013 GSWCC REVIEW
2. DEC 6, 2013 GSWCC REVIEW
3. DEC 10, 2013 GSWCC REVIEW

REVISIONS

- 1. NOV 21, 2013 GSWCC REVIEW
- 2. DEC 6, 2013 GSWCC REVIEW
- 3. DEC 10, 2013 GSWCC REVIEW

RZC2022-00045
RECEIVED 12.08.2022
PLANNING AND DEVELOPMENT



REVISIONS:

NO.	DATE	DESCRIPTION
1	10/15/2022	ISSUED FOR RECORD

BOUNDARY & TOPO SURVEY

DATE: 10/15/2022

BY: J. SCHMITT

FOR: SCHMITT ENGINEERING AND LAND SURVEYING, INC.

PROJECT: 22-0000000005

FILE: 22-0000000005

PLANNING AND DEV

1. SURVEY FOR JOHN ESHelman AND SON BY HANNON & MEERS, SURVEYORS, SEPTEMBER 29, 1967, RECORDED IN PLAT BOOK 121, PAGE 155, GWINNETT COUNTY RECORDS

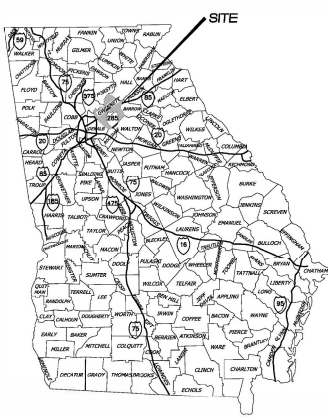
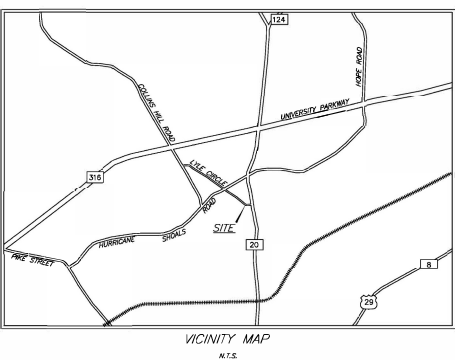
2. SURVEY FOR MRS. LYON ANDERSON BY HIGGINBOTHAM AND JAMES, DATED OCTOBER 6, 1965.

DEED REFERENCES:

1. EXECUTORS' DEED FROM KATE N. ANDERSON a/k/a REBA KATE ANDERSON, DECEASED AND ALESSANDRO V. SALVO DATED DECEMBER 19, 2011 AND RECORDED IN DEED BOOK 51067, PAGE 335, WITH THE CLERK OF SUPERIOR COURT, GWINNETT COUNTY, GEORGIA.



DEVELOPMENT PLANS
FOR
530 LYLE CIRCLE



LOCATED AT 530 LYLE CIRCLE
5TH DISTRICT, LAND LOT 176, PARCEL #035B,
LAWRENCEVILLE
GWINNETT COUNTY,
GEORGIA

PREPARED BY:
GS CONSTRUCTION
526 LYLE CIRCLE
LAWRENCEVILLE, GA 30046

FOR:
ALESSANDRO SALVO
526 LYLE CIRCLE
LAWRENCEVILLE, GA 30046
678-283-5518

AUGUST 18, 2022

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4.1	EROSION CONTROL PLAN—INTERMEDIATE
4.2	EROSION CONTROL PLAN—FINAL
4.3	ESPCP PLAN
4.4	EROSION CONTROL DETAILS

REVISIONS	
1.	NOV 21, 2013 GSWCC REVIEW
2.	DEC 6, 2013 GSWCC REVIEW
3.	DEC 10, 2013 GSWCC REVIEW



WETLANDS CERTIFICATION
THE DESIGN PROFESSIONAL, WHOSE SEAL APPEARS HEREON, CERTIFIES THE FOLLOWING:
(1) THE NATIONAL WETLANDS INVENTORY MAP HAS BEEN CONSULTED AND (2) THE APPROPRIATE PLAN SHEET
O DOES NOT DOES NOT
INDICATE AREAS OF UNITED STATES ARMY CORPS OF ENGINEERS DETERMINED WETLANDS AS SHOWN ON THE MAPS AND (3) IF THERE IS ANY DISTURBANCE OF PROTECTED WETLANDS SHALL NOT OCCUR UNLESS THE APPROPRIATE REGIONAL WETLANDS DISTURBANCE PERMIT HAS BEEN OBTAINED.

GEORGIA

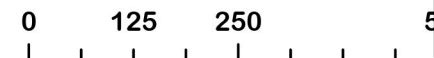
Location Map & Surrounding Areas

Applicant: Alessandro Salvo

-  Subject Property
 Downtown Development Authority Boundary
 Parcels
 City Maintained Streets
 County Maintained Streets



Page 33

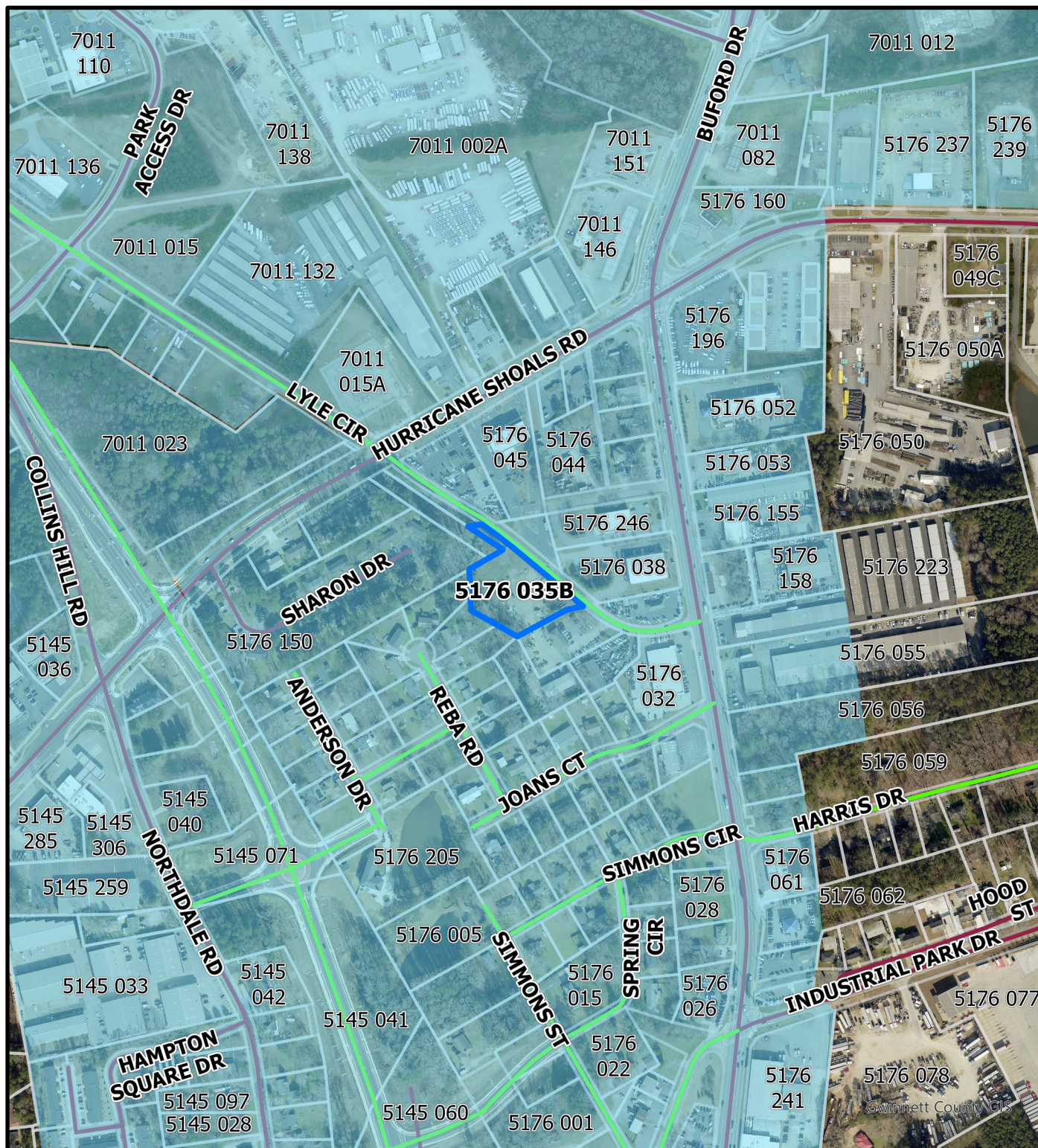


GEORGIA

Location Map & Surrounding Areas

Applicant: Alessandro Salvo

-  Subject Property
 Downtown Development Authority Boundary
 Parcels
 City Maintained Streets
 County Maintained Streets



0 250 500

GEORGIA

Location Map & Surrounding Areas

Applicant: Alessandro Salvo

-  Subject Property
 Parcels
 City Maintained Streets
 County Maintained Streets



0 125 250

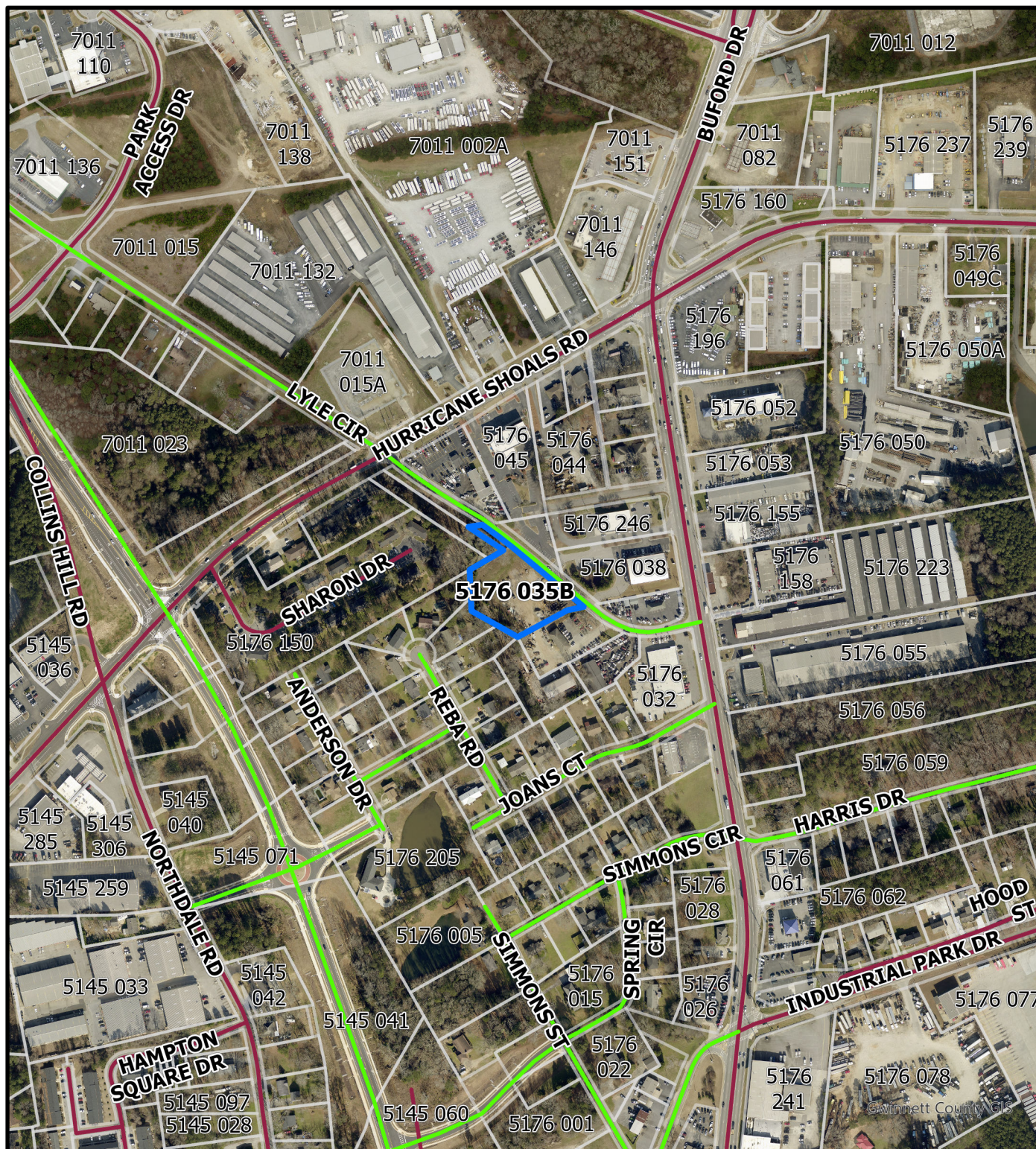


GEORGIA

Location Map & Surrounding Areas

Applicant: Alessandro Salvo

-  Subject Property
 Parcels
 City Maintained Streets
 County Maintained Streets



0 250 500



LAWRENCEVILLE

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The City of Lawrenceville
Planning & Development

Location Map & Surrounding Areas

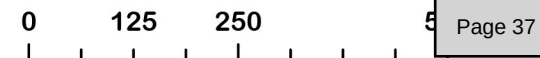
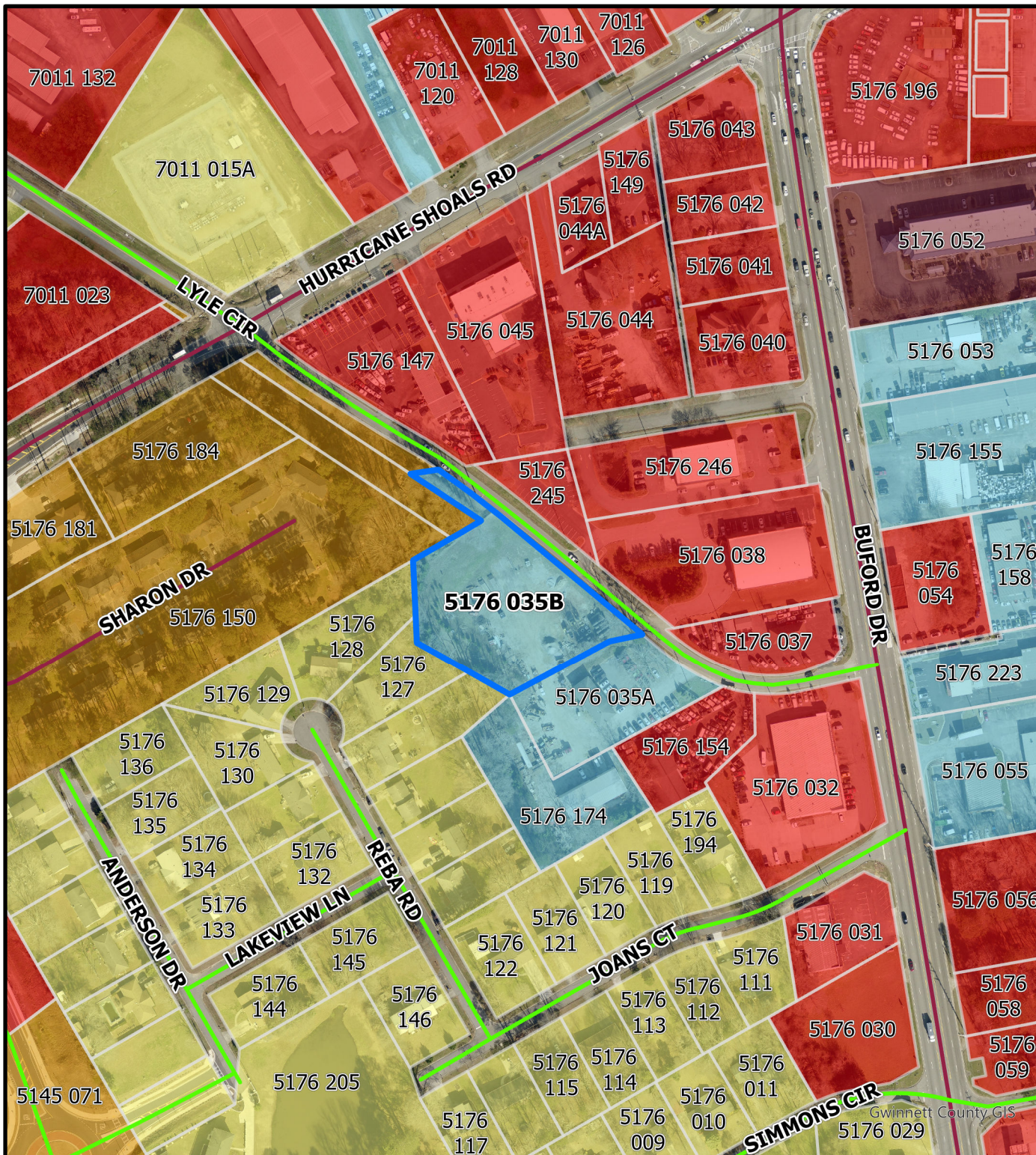
File # RZC2022-00045

Applicant: Alessandro Salvo

- Subject Property
- Parcels
- City Maintained Streets
- County Maintained Streets

Zoning Districts

- BG General Business
- HSB Highway Service Business
- LM Light Manufacturing
- RM-12 Multifamily Residential
- RS-150 Single-Family Residential





LAWRENCEVILLE

GEORGIA

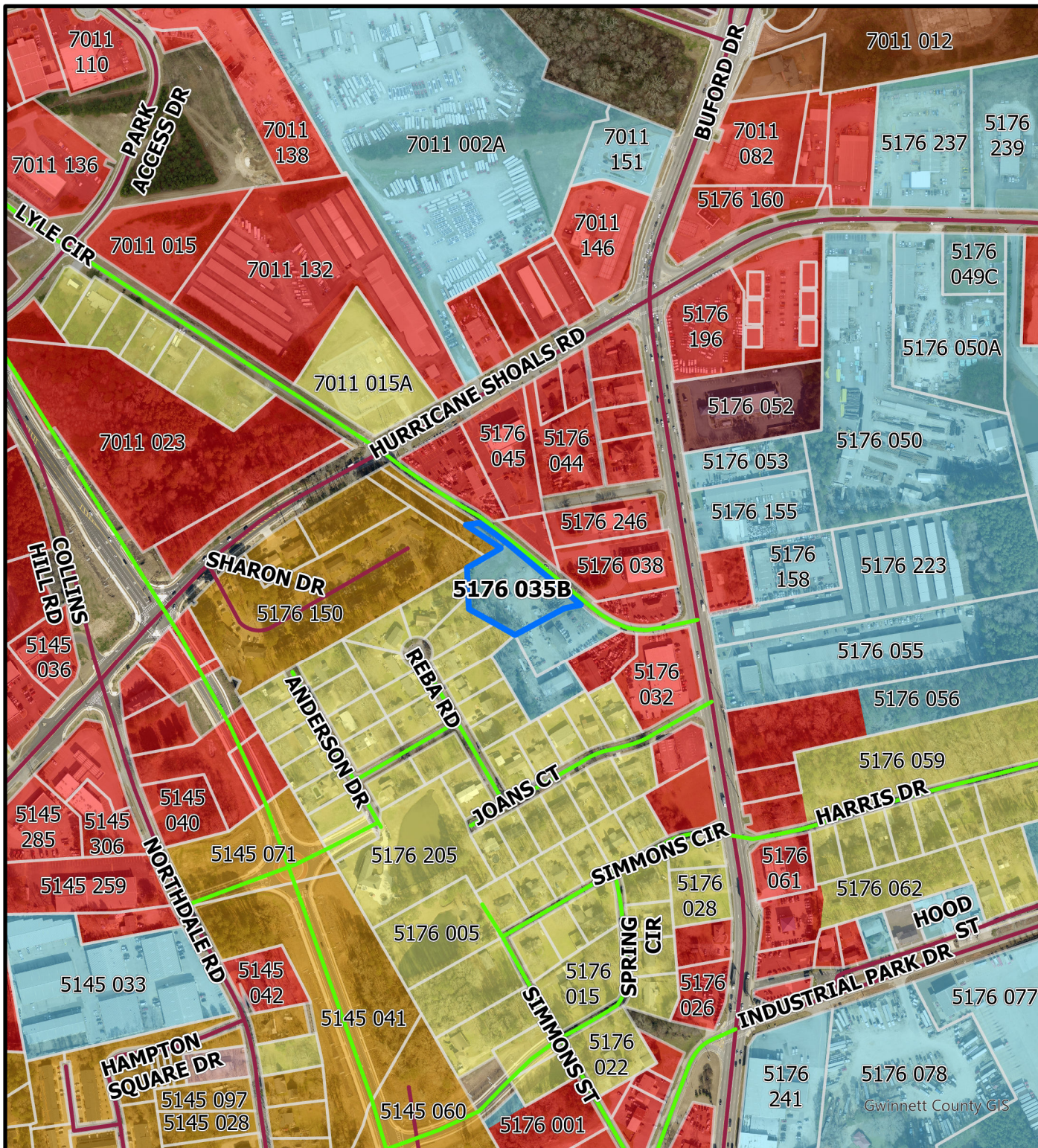
The City of Lawrenceville
Planning & Development

Location Map & Surrounding Areas

File # RZC2022-00045

Applicant: Alessandro Salvo

- Subject Property
 - Parcels
 - City Maintained Streets
 - County Maintained Streets
- Zoning Districts**
- BG General Business
 - HSB Highway Service Business
 - LM Light Manufacturing
 - OI Office/Institutional
 - ON Office/Neighborhood
 - CMU Community Mixed Use
 - RM-12 Multifamily Residential
 - RS-150 Single-Family Residential





LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: PLANNING COMMISSION
AGENDA CATEGORY: NEW BUSINESS

Item: RZR2023-00015: Citywide Rezoning- DERRICK CHEEK, MAHLON SWEAT, KENNY TONG, SHEILA AND DANIEL HUFF, ANNE AND THOMAS IWANOWSKI, CLINE NICHOLS, MAHLON AND CAROLYN SWEAT; Multiple addresses

Department: Planning and Development

Date of Meeting: Monday, February 6, 2023

Fiscal Impact: None

Presented By: Todd Hargrave, Director Planning and Development

Planning and Development Recommendation: **Approval**

Planning Commission Recommendation:

Summary: The Planning and Development Department requests the rezoning of an approximately 3.69-acre area consisting of seven separate parcels along Northdale Road. The proposed city-initiated rezoning is from RM-12 (Multifamily Residential District) to RS-150 (Single-Family Residential District) to bring the zoning in line with the current land use of the area; that is, single-family homes. The subject properties are located along the both sides of the right-of-way of Northdale Road, between its intersections with the Anderson Drive Connector and the N Clayton Connector in the College Corridor alongside the Collins Hill Extension. With the exception of 224 Northdale Road (PIN: R5145 028), which is undeveloped aside from an accessory shed, the properties are all currently developed with single-family residential dwelling units.

Attachments/Exhibits:
RZR2022-00015_Report
RZR2022-00015_Planning and Development recommendations

RZR2022-00015_Zoning Map zoomed in
RZR2022-00015_Zoning Map zoomed out
RZR2022-00015_Aerial Map zoomed in
RZR2022-00015_Aerial Map zoomed out



LAWRENCEVILLE

Planning & Development

CASE NUMBER: RZR2022-00015

APPLICANT: TODD HARGRAVE

CONTACT: TODD HARGRAVE

PHONE NUMBER: 678.407.6583

LOCATION(S): 432, 224, 467, 447, 439, 431, AND 448 NORTHDAL
ROAD

PARCEL ID(S): R5145 027, R5145 028, R5145 043, R5145 045,
R5145 046, R5145 047, AND R5145 097

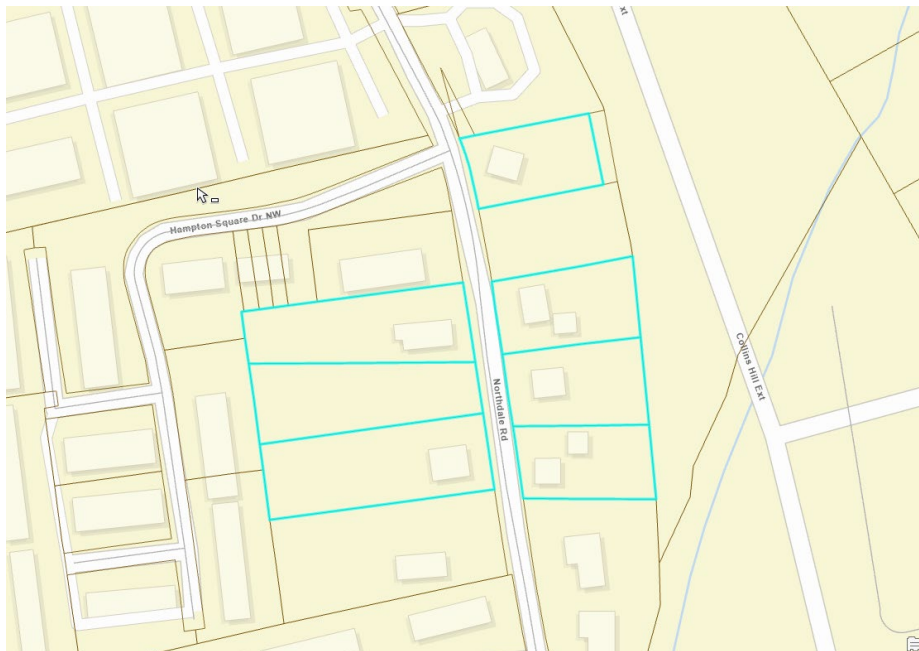
APPROXIMATE ACREAGE: 3.69

ZONING PROPOSAL: RM-12 (MULTIFAMILY RESIDENTIAL DISTRICT) TO
RS-150 (SINGLE-FAMILY RESIDENTIAL DISTRICT)

PROPOSED DEVELOPMENT: SINGLE-FAMILY RESIDENTIAL DWELLING UNIT

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

VICINITY MAP





LAWRENCEVILLE

Planning & Development

ZONING HISTORY

The property was zoned RM (Multifamily Residential District) since 1960. By 2002, the parcel was rezoned to RM-12 (Multifamily Residential District), pursuant to a city-wide rezoning.

PROJECT SUMMARY

The Planning and Development Department requests the rezoning of an approximately 3.69-acre area consisting of seven separate parcels along Northdale Road. The proposed city-initiated rezoning is from RM-12 (Multifamily Residential District) to RS-150 (Single-Family Residential District) to bring the zoning in line with the current land use of the area; that is, single-family homes. The subject properties are located along the both sides of the right-of-way of Northdale Road, between its intersections with the Anderson Drive Connector and the N Clayton Connector in the College Corridor alongside the Collins Hill Extension. With the exception of 224 Northdale Road (PIN: R5145 028), which is undeveloped aside from an accessory shed, the properties are all currently developed with single-family residential dwelling units.

SURROUNDING ZONING AND USE

The surrounding area is mostly characterized by multifamily and single-family residential uses, with some commercial and light industrial uses to the north. Immediately adjacent to the south are single-family dwelling units located on RM-12 zoned properties. To the east is the newly established College Corridor, designed to provide a direct connection from the Georgia Gwinnett College (GGC) to the Downtown Entertainment District. To the west, along Hampton Square Drive, are townhouse properties that are currently zoned RM-12. In addition, there is an adjacent office institutional use on a property zoned OI (Office Institutional District). To the northwest, across Northdale Road is a mini-warehouse development zoned LM (Light Manufacturing District). To the immediate north of the northmost parcel (PIN: R5145 043), there is a single-family home zoned BG (General Business District) used as an office for a drywall business. Although the proposed request to rezone the property to RS-150 may not necessarily be consistent with the established zoning pattern of the area as-is, it would be



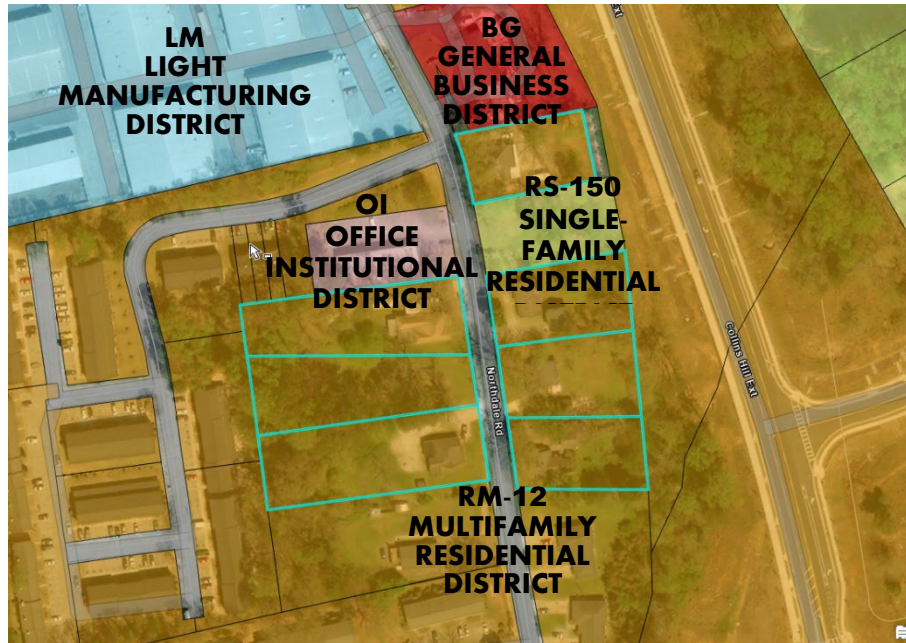
LAWRENCEVILLE

2.

Planning & Development

consistent with the established development and land use pattern along Northdale Road, which consist of predominately single-family residential dwelling units.

CITY OF LAWRENCEVILLE OFFICIAL ZONING MAP



2040 COMPREHENSIVE PLAN

The City of Lawrenceville 2040 Comprehensive Plan and Future Development Map indicate the subject properties are located within the College Corridor character area. The intent of the College Corridor character area is to provide a unique place in the community, connecting two of the city's strongest anchors: Downtown and Georgia Gwinnett College (GCC). The vision for the College Corridor character area is a multi-modal, vibrant, mixed-use corridor. Over time, this area will transition from suburban-style development to a more mixed environment of higher density development and green space. It will also have services and housing products that appeal to college faculty, students, and staff, as well as those who want to live near Downtown. As proposed, the requested rezoning would be consistent with the policies of the 2040 Comprehensive Plan and the established intent for both character areas.

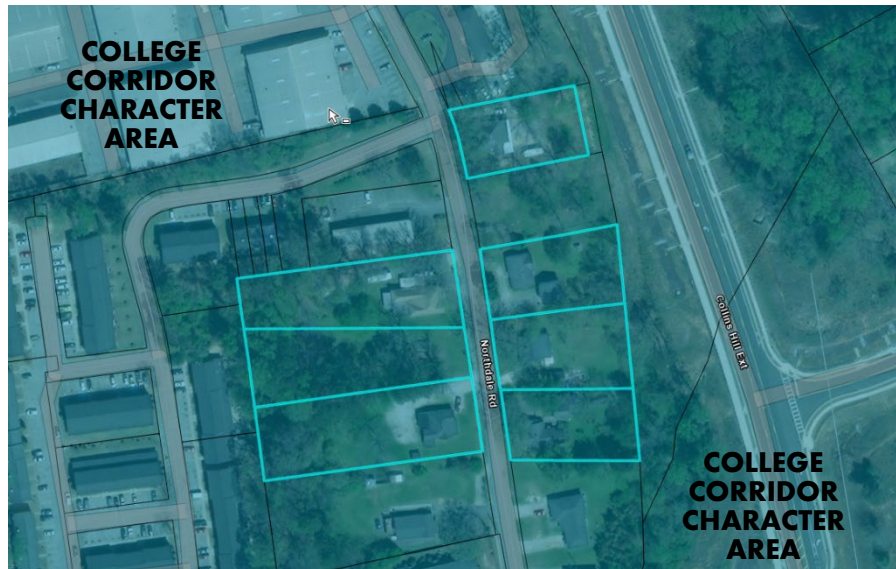


LAWRENCEVILLE

2.

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LAWRENCEVILLE 2040 COMPREHENSIVE PLAN – FUTURE LAND USE PLAN MAP



STAFF RECOMMENDATION

In conclusion, the proposal may not be consistent with the established zoning pattern in the immediate area, however, policies relating to long range planning suggest the city embrace the principles of new urbanism by creating a housing stock that is well maintained and includes homes with a variety of forms and price points. The intent of the Comprehensive Plan is to encourage positive redevelopment of benefiting from the “halo effect” of high-quality development already happening nearby. This proposal would continue with the precedent set by RZR2022-00012, when City Council approved the request to rezone 457 Northdale Road from RM-12 to RS-150 to allow for the construction of a single-family home. Rather than continuing to spot-zone the area over time, this proposal would allow for a wide swath of properties alongside Northdale Road to have their zoning reflect their actual use, simplifying the permitting process for existing property owners and allowing the city to continue to rectify past zoning missteps and inconsistencies. Given the aforementioned factors, the Planning and Development Department recommends **APPROVAL WITH CONDITIONS** for the proposal.



LAWRENCEVILLE

2.

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CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS:

ENGINEERING DEPARTMENT

No comment

PUBLIC WORKS

No comment

ELECTRIC DEPARTMENT

No comment

GAS DEPARTMENT

No comment

DAMAGE PREVENTION DEPARTMENT

No comment

CODE ENFORCEMENT

No comment

STREET AND SANITATION DEPARTMENT

No comment



LAWRENCEVILLE

Planning & Development

2.

STATE CODE 36-67-3 (FMR.) REVIEW STANDARDS:

- 1. Whether a zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;**

As proposed, the plan could be suitable in view of the use and development in the immediate area, but the proposal lacks consistency (i.e. local services, pedestrian connectivity, etc.) with the long range plans of the City of Lawrenceville.

- 2. Whether a zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;**

The area along the right-of-way of Northdale Road has long suffered due to antiquated policies and lack of enforcement. New decisions must be consistent with the policies relating to the long range plans for the immediate area in order for the City to flourish.

- 3. Whether the property to be affected by a zoning proposal has a reasonable economic use as currently zoned;**

The properties may not have a reasonable economic use as currently zoned, since new Multifamily Residential development requires a minimum lot size that these parcels currently do not meet.

- 4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;**

Transitioning from a higher intensity use (multifamily residential) to a lower intensity one (single-family residential) would reduce the demand on public facilities in the form of traffic, utilities, stormwater runoff, and schools. This reduction would likely be minimal, however, given that these homes are already being used as single-family dwellings.



LAWRENCEVILLE

Planning & Development

2.

5. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan;

Policies of the City are intended to benefit or enhance the quality of life for existing and potential members of the public choosing to reside within the city limits. The College Corridor is intended as a mixed-use district that includes single-family residential housing, so this rezoning conforms with the long-range plan.

6. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal;

The proposal would continue a long overdue zoning clean up in this area that began in October 2022 with RZR2022-00012.

PLANNING AND DEVELOPMENT

RECOMMENDED CONDITIONS_01182023

RZR2022-00015

Approval of an RS-150 (Single-Family Residential District), subject to the following enumerated conditions:

- 1.** To restrict the use of the property as follows:
 - A.** New Construction of Single-family detached dwelling units, accessory uses, and structures.
 - B.** The minimum heated floor area per dwelling unit shall be 2,000 square feet for one-story homes and 2,200 square feet for two-story homes.
 - C.** The façade, rear and side elevations of the single-family detached residential unit shall be designed and constructed consisting of four (4) sides of masonry, which could be brick, stone, or a combination of brick and stone (with accents of fiber cement siding). The final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - D.** The single-family detached dwelling unit shall have a double-car garage with carriage-style garage doors. The final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - E.** The single-family detached dwelling unit shall consist of two (2) car garages, with a driveway measuring eighteen (18) feet in width (20) feet in depth, providing sufficient space for two (2) passenger vehicles. The final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - F.** The single-family detached dwelling unit shall be a maximum height of thirty-five (35) feet in height, as measured from the lowest elevation of the finished floor. The final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - G.** The Front Yard Area shall be adjacent to the College Corridor. The Front Yard Area shall have a Building Setback of thirty-five (35) feet.

- H.** The façade of the single-family detached dwelling unit shall face or be adjacent to the College Corridor.
- I.** The Rear Yard Area shall be adjacent to Northdale Road. The Rear Yard Area shall have a Building Setback of forty (40) feet.
- J.** The rear elevation of the single-family detached dwelling unit shall face or be adjacent to Northdale Road.
- K.** The Side Yard Area shall have a Building Setback of ten (10).
- L.** Vehicular access to the subject property shall be provided by an existing curb cut along Northdale Road.

2. To satisfy the following site development considerations:

- A.** Detached Single-Family dwellings shall be designed and constructed in conformity with Zoning Ordinance, Article 6 Architectural and Design Standards, Section 601 Residential Minimum Architectural and Design Standards, and International Residential Code (IRC). Final building elevations shall be subject to the review and approval of the Director of the Planning and Development Department.
- B.** Maintain or provide a five (5) foot concrete sidewalk adjacent to the Northdale Road right-of-way.
- C.** Natural vegetation shall remain on the property until the issuance of a development permit.
- D.** Any utility relocations shall be the responsibility of the developer.



LAWRENCEVILLE

GEORGIA

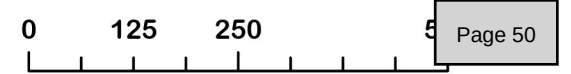
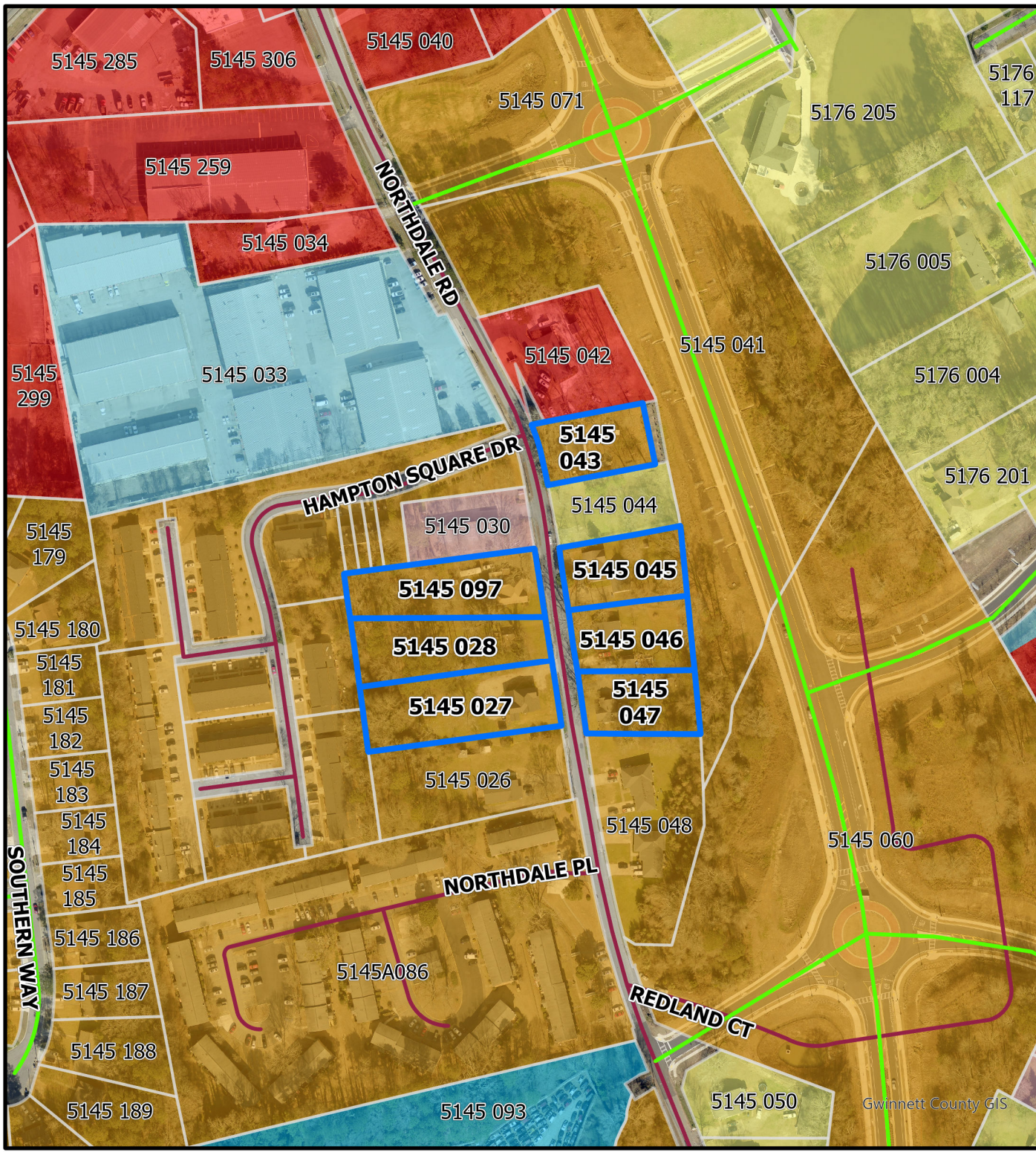
The City of Lawrenceville
Planning & Development

Location Map & Surrounding Areas

File # RZR2022-00015

Applicant: Todd Hargrave

- Subject Properties
 - Parcels
 - City Maintained Streets
 - County Maintained Streets
- Zoning Districts**
- BG General Business
 - LM Light Manufacturing
 - HM Heavy Manufacturing
 - OI Office/Institutional
 - RM-12 Multifamily Residential
 - RS-150 Single-Family Residential





LAWRENCEVILLE

GEORGIA

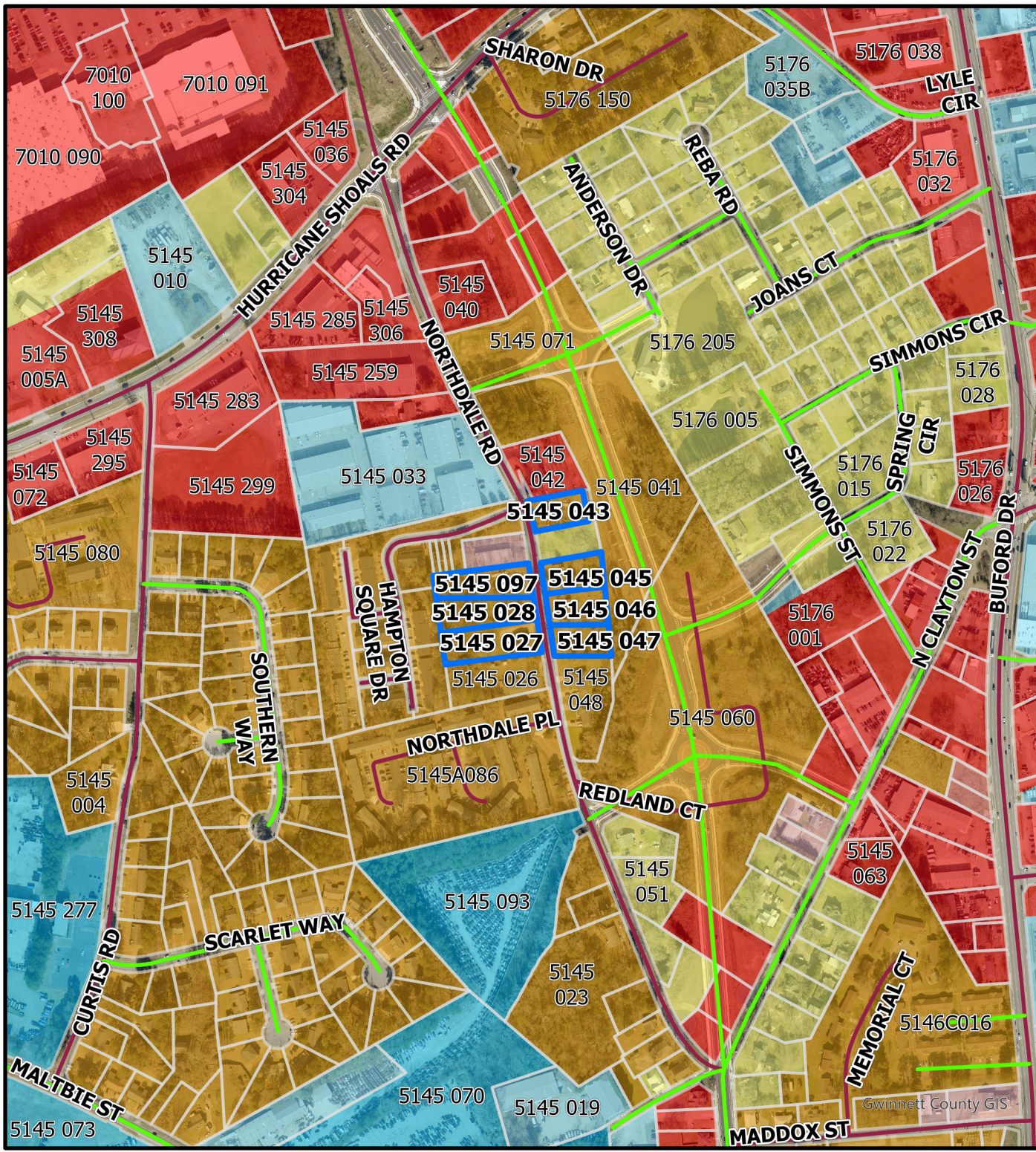
The City of Lawrenceville
Planning & Development

Location Map & Surrounding Areas

File # RZR2022-00015

Applicant: Todd Hargrave

- Subject Properties
 - Parcels
 - City Maintained Streets
 - County Maintained Streets
- Zoning Districts**
- BG General Business
 - BGC Central General Business
 - LM Light Manufacturing
 - HM Heavy Manufacturing
 - OI Office/Institutional
 - RM-12 Multifamily Residential
 - RS-150 Single-Family Residential





LAWRENCEVILLE

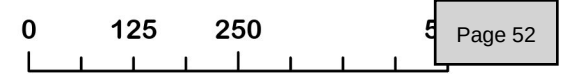
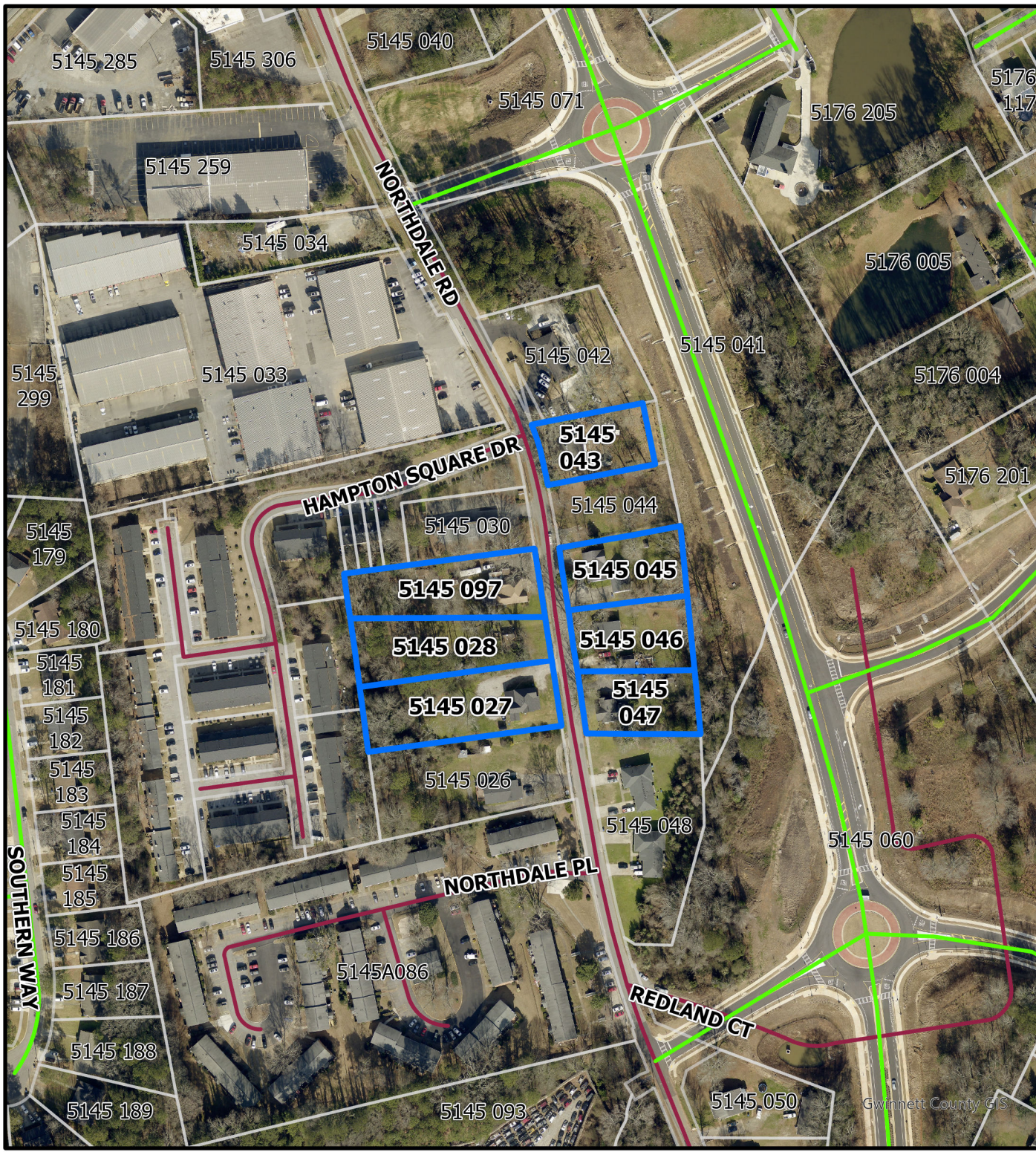
GEORGIA

The City of Lawrenceville
Planning & Development
Location Map & Surrounding Areas

File # RZR2022-00015

Applicant: Todd Hargrave

-  Subject Properties
-  Parcels
-  City Maintained Streets
-  County Maintained Streets



GEORGIA

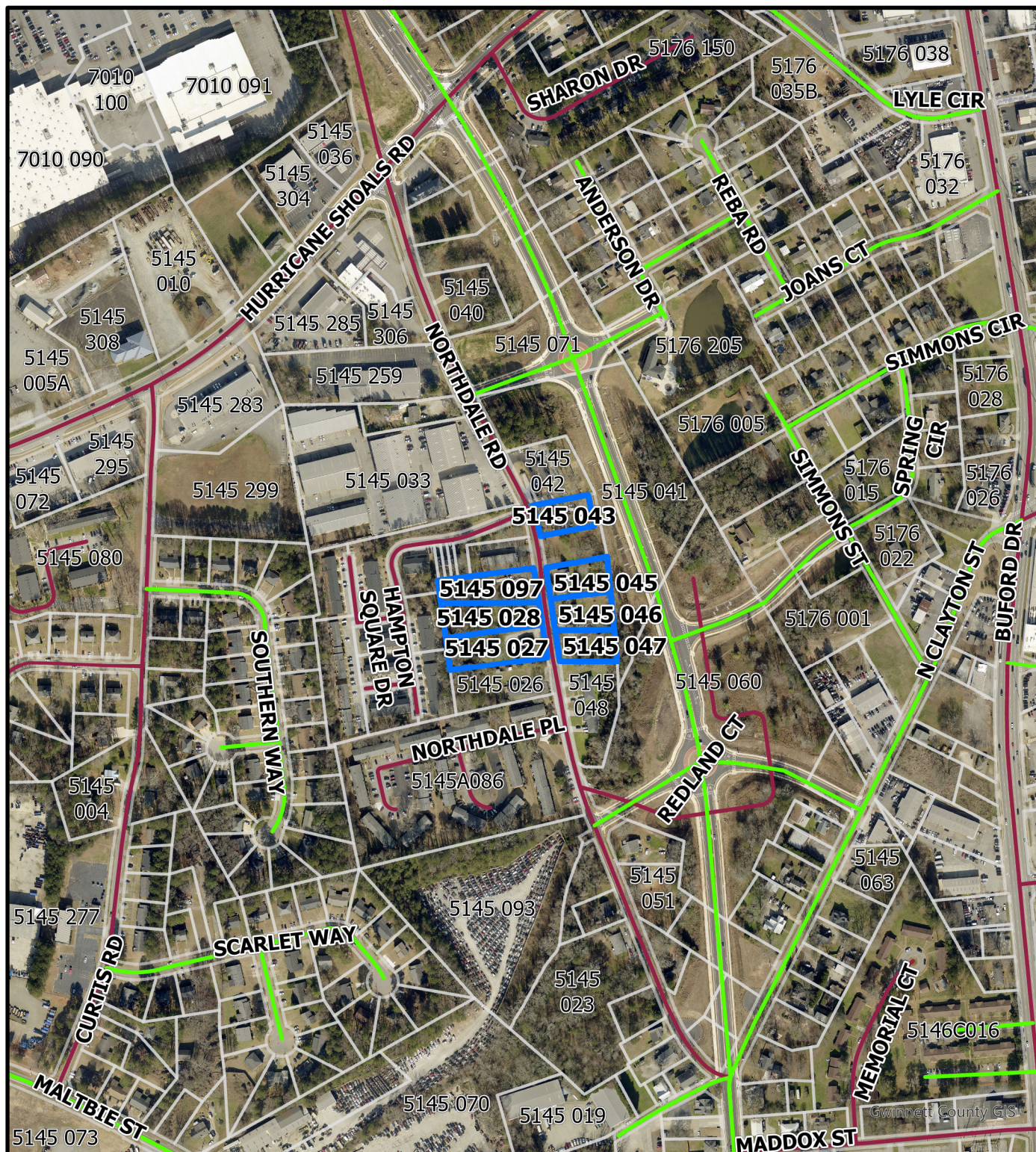
Location Map & Surrounding Areas

Applicant: Todd Hargrave

-  Subject Properties
 Parcels
 City Maintained Streets
 County Maintained Streets



0 250 500





LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: PLANNING COMMISSION
AGENDA CATEGORY: NEW BUSINESS

Item: RZR2023-00015: Citywide Rezoning-DERRICK CHEEK, PAPPY AND ANNAMMA SAMUEL, RICKIE AND GARNETT LANCE; Multiple addresses

Department: Planning and Development

Date of Meeting: Monday, February 6, 2023

Fiscal Impact: None

Presented By: Todd Hargrave, Director Planning and Development

**Planning and
Development**

Recommendation: **Approval**

**Planning
Commission
Recommendation:**

Summary: The Planning and Development Department requests the rezoning of an approximately 1.82-acre area consisting of five separate parcels along Northdale Road. The proposed city-initiated rezoning is from RM-12 (Multifamily Residential District) to RS-150 (Single-Family Residential District) to bring the zoning in line with the current land use of the area; that is, single-family homes. The subject properties are located along the western right-of-way of Northdale Road, south of its intersection with the N Clayton Connector in the College Corridor alongside the Collins Hill Extension. Three of the three parcels are already developed with single-family homes (102, 123, and 155 Northdale Road), while the remaining two parcels are vacant undeveloped land (PINs R5145 275 and R5145 297).

Attachments/Exhibits:

RZR2022-00016_Report

RZR2022-00016_Planning and Development recommendations

RZR2022-00016_Zoning Map zoomed in

RZR2022-00016_Zoning Map zoomed out
RZR2022-00016_Aerial Map zoomed in
RZR2022-00016_Aerial Map zoomed out



LAWRENCEVILLE

3.

Planning & Development

CASE NUMBER: RZR2022-00016

APPLICANT: TODD HARGRAVE

CONTACT: TODD HARGRAVE

PHONE NUMBER: 678.407.6583

LOCATION(S): 102, 123, 155, 0, AND 0 NORTHDAL ROAD

PARCEL ID(S): R5145 022, R5145 023B, R5145 024, R5145 275,
AND R5145 297

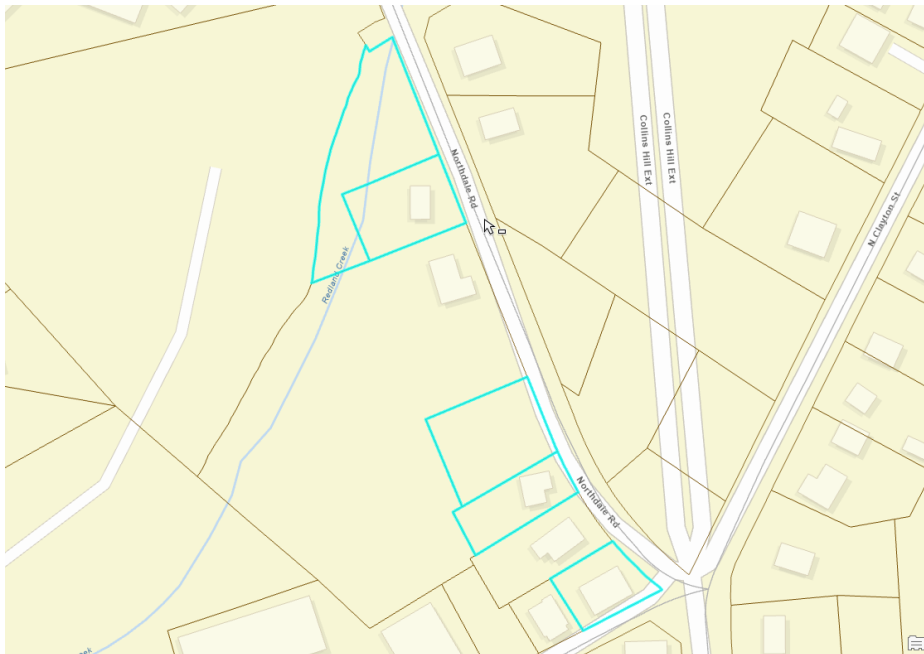
APPROXIMATE ACREAGE: 1.82

ZONING PROPOSAL: RM-12 (MULTIFAMILY RESIDENTIAL DISTRICT) TO
RS-150 (SINGLE-FAMILY RESIDENTIAL DISTRICT)

PROPOSED DEVELOPMENT: SINGLE-FAMILY RESIDENTIAL DWELLING UNIT

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

VICINITY MAP





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ZONING HISTORY

The property was zoned RM (Multifamily Residential District) since 1960. By 2002, the parcel was rezoned to RM-12 (Multifamily Residential District), pursuant to a city-wide rezoning.

PROJECT SUMMARY

The Planning and Development Department requests the rezoning of an approximately 1.82-acre area consisting of five separate parcels along Northdale Road. The proposed city-initiated rezoning is from RM-12 (Multifamily Residential District) to RS-150 (Single-Family Residential District) to bring the zoning in line with the current land use of the area; that is, single-family homes. The subject properties are located along the western right-of-way of Northdale Road, south of its intersection with the N Clayton Connector in the College Corridor alongside the Collins Hill Extension. Three of the three parcels are already developed with single-family homes (102, 123, and 155 Northdale Road), while the remaining two parcels are vacant undeveloped land (PINs R5145 275 and R5145 297).

SURROUNDING ZONING AND USE

The surrounding area is mostly characterized by multifamily and single-family residential uses, with heavy industrial uses to the west and commercial uses in the south. Immediately adjacent to these properties are single-family dwelling units on parcels zoned both RM-12 and RS-150. To the east is the newly established College Corridor, designed to provide a direct connection from the Georgia Gwinnett College (GGC) to the Downtown Entertainment District. There is a smattering of parcels zoned RS-150 and BG (General Business District) alongside Collins Hill Extension, but as of now these parcels remain vacant due to the recent infrastructural work. Further to the east, alongside N Clayton Street, there are extant single-family homes zoned RS-150. To the west of the subject area is a large junkyard currently zoned HM (Heavy Manufacturing District). There is a single-family home zoned BG directly to the south of the subject properties, used as an office for a drug testing services office. Although the proposed request to rezone the property to RS-150 may not necessarily be consistent with the established zoning pattern of the area as-is, it would be consistent with the established



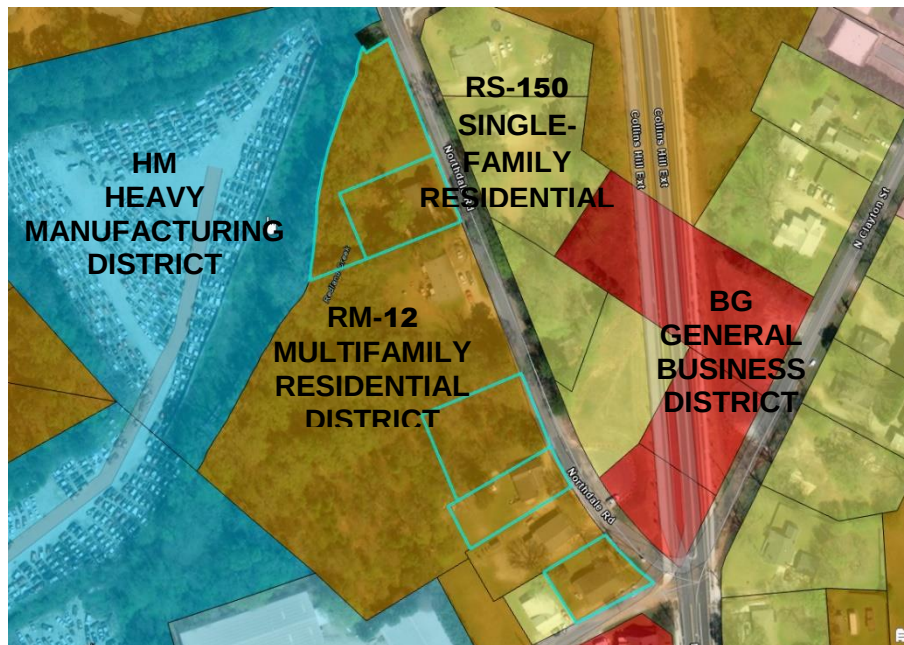
LAWRENCEVILLE

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development and land use pattern along Northdale Road, which consist of predominately single-family residential dwelling units.

CITY OF LAWRENCEVILLE OFFICIAL ZONING MAP



2040 COMPREHENSIVE PLAN

The City of Lawrenceville 2040 Comprehensive Plan and Future Development Map indicate the subject properties are located within the College Corridor and the Downtown character areas. The intent of the College Corridor character area is to provide a unique place in the community, connecting two of the city's strongest anchors: Downtown and Georgia Gwinnett College (GCC). The vision for the College Corridor character area is a multi-modal, vibrant, mixed-use corridor. Over time, this area will transition from suburban-style development to a more mixed environment of higher density development and green space. It will also have services and housing products that appeal to college faculty, students, and staff, as well as those who want to live near Downtown. Likewise, Downtown is the heart of Lawrenceville, both in terms of its location and the level of activity. It is the highest intensity district in terms of its density and mixture of uses, particularly

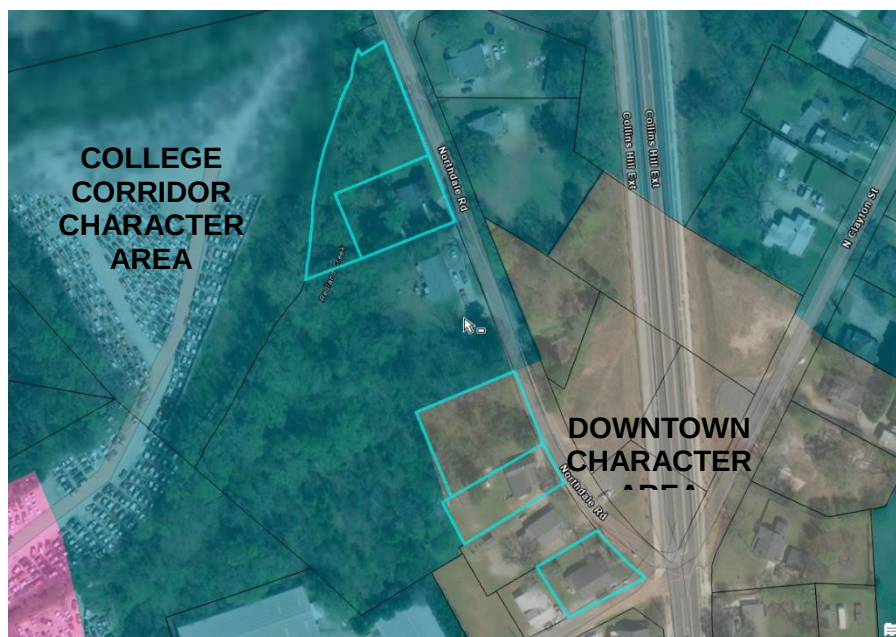


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because of its mix of businesses. Development supports a live-work-play lifestyle, with a variety of housing, employment, and entertainment options. The streets are vibrant and walkable, and the sidewalks do not roll up at 5:00pm every night—it is a center for arts, culture, and music in Gwinnett County. In Downtown, there is a place for everyone: families, students, millennials, empty nesters, and seniors all feel at home and welcome. As proposed, the requested rezoning would be consistent with the policies of the 2040 Comprehensive Plan and the established intent for both character areas.

LAWRENCEVILLE 2040 COMPREHENSIVE PLAN – FUTURE LAND USE PLAN MAP



STAFF RECOMMENDATION

In conclusion, the proposal may not be consistent with the established zoning pattern in the immediate area, however, policies relating to long range planning suggest the city embrace the principles of new urbanism by creating a housing stock that is well maintained and includes homes with a variety of forms and price points. The intent of the Comprehensive Plan is to encourage positive redevelopment of benefiting from the “halo effect” of high-quality development



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already happening nearby. This proposal would continue with the precedent set by RZR2022-00012, when City Council approved the request to rezone 457 Northdale Road from RM-12 to RS-150 to allow for the construction of a single-family home. Rather than continuing to spot-zone the area over time, this proposal would allow for a wide swath of properties alongside Northdale Road to have their zoning reflect their actual use, simplifying the permitting process for existing property owners and allowing the city to continue to rectify past zoning missteps and inconsistencies. Given the aforementioned factors, the Planning and Development Department recommends **APPROVAL WITH CONDITIONS** for the proposal.



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CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS:

ENGINEERING DEPARTMENT

No comment

PUBLIC WORKS

No comment

ELECTRIC DEPARTMENT

No comment

GAS DEPARTMENT

No comment

DAMAGE PREVENTION DEPARTMENT

No comment

CODE ENFORCEMENT

No comment

STREET AND SANITATION DEPARTMENT

No comment



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3.

STATE CODE 36-67-3 (FMR.) REVIEW STANDARDS:

- 1. Whether a zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;**

As proposed, the plan could be suitable in view of the use and development in the immediate area, but the proposal lacks consistency (i.e. local services, pedestrian connectivity, etc.) with the long range plans of the City of Lawrenceville.

- 2. Whether a zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;**

The area along the right-of-way of Northdale Road has long suffered due to antiquated policies and lack of enforcement. New decisions must be consistent with the policies relating to the long range plans for the immediate area in order for the City to flourish.

- 3. Whether the property to be affected by a zoning proposal has a reasonable economic use as currently zoned;**

The properties may not have a reasonable economic use as currently zoned, since new Multifamily Residential development requires a minimum lot size that these parcels currently do not meet.

- 4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;**

Transitioning from a higher intensity use (multifamily residential) to a lower intensity one (single-family residential) would reduce the demand on public facilities in the form of traffic, utilities, stormwater runoff, and schools. This reduction would likely be minimal, however, given that these homes are already being used as single-family dwellings.



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5. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan;

Policies of the City are intended to benefit or enhance the quality of life for existing and potential members of the public choosing to reside within the city limits. The College Corridor is intended as a mixed-use district that includes single-family residential housing, so this rezoning conforms with the long-range plan.

6. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal;

The proposal would continue a long overdue zoning clean up in this area that began in October 2022 with RZR2022-00012.

PLANNING AND DEVELOPMENT

RECOMMENDED CONDITIONS_01182023

RZR2022-00016

Approval of an RS-150 (Single-Family Residential District), subject to the following enumerated conditions:

- 1.** To restrict the use of the property as follows:
 - A.** New Construction of Single-family detached dwelling units, accessory uses, and structures.
 - B.** The minimum heated floor area per dwelling unit shall be 2,000 square feet for one-story homes and 2,200 square feet for two-story homes.
 - C.** The façade, rear and side elevations of the single-family detached residential unit shall be designed and constructed consisting of four (4) sides of masonry, which could be brick, stone, or a combination of brick and stone (with accents of fiber cement siding). The final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - D.** The single-family detached dwelling unit shall have a double-car garage with carriage-style garage doors. The final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - E.** The single-family detached dwelling unit shall consist of two (2) car garages, with a driveway measuring eighteen (18) feet in width (20) feet in depth, providing sufficient space for two (2) passenger vehicles. The final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - F.** The single-family detached dwelling unit shall be a maximum height of thirty-five (35) feet in height, as measured from the lowest elevation of the finished floor. The final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - G.** The Front Yard Area shall be adjacent to the Northdale Road. The Front Yard Area shall have a Building Setback of thirty-five (35) feet.

- H.** The Rear Yard Area shall have a Building Setback of forty (40) feet.
- I.** The Side Yard Area shall have a Building Setback of ten (10).
- J.** Vehicular access to the subject property shall be provided by an existing curb cut along Northdale Road.

2. To satisfy the following site development considerations:

- A.** Detached Single-Family dwellings shall be designed and constructed in conformity with Zoning Ordinance, Article 6 Architectural and Design Standards, Section 601 Residential Minimum Architectural and Design Standards, and International Residential Code (IRC). Final building elevations shall be subject to the review and approval of the Director of the Planning and Development Department.
- B.** Maintain or provide a five (5) foot concrete sidewalk adjacent to the Northdale Road right-of-way.
- C.** Natural vegetation shall remain on the property until the issuance of a development permit.
- D.** Any utility relocations shall be the responsibility of the developer.



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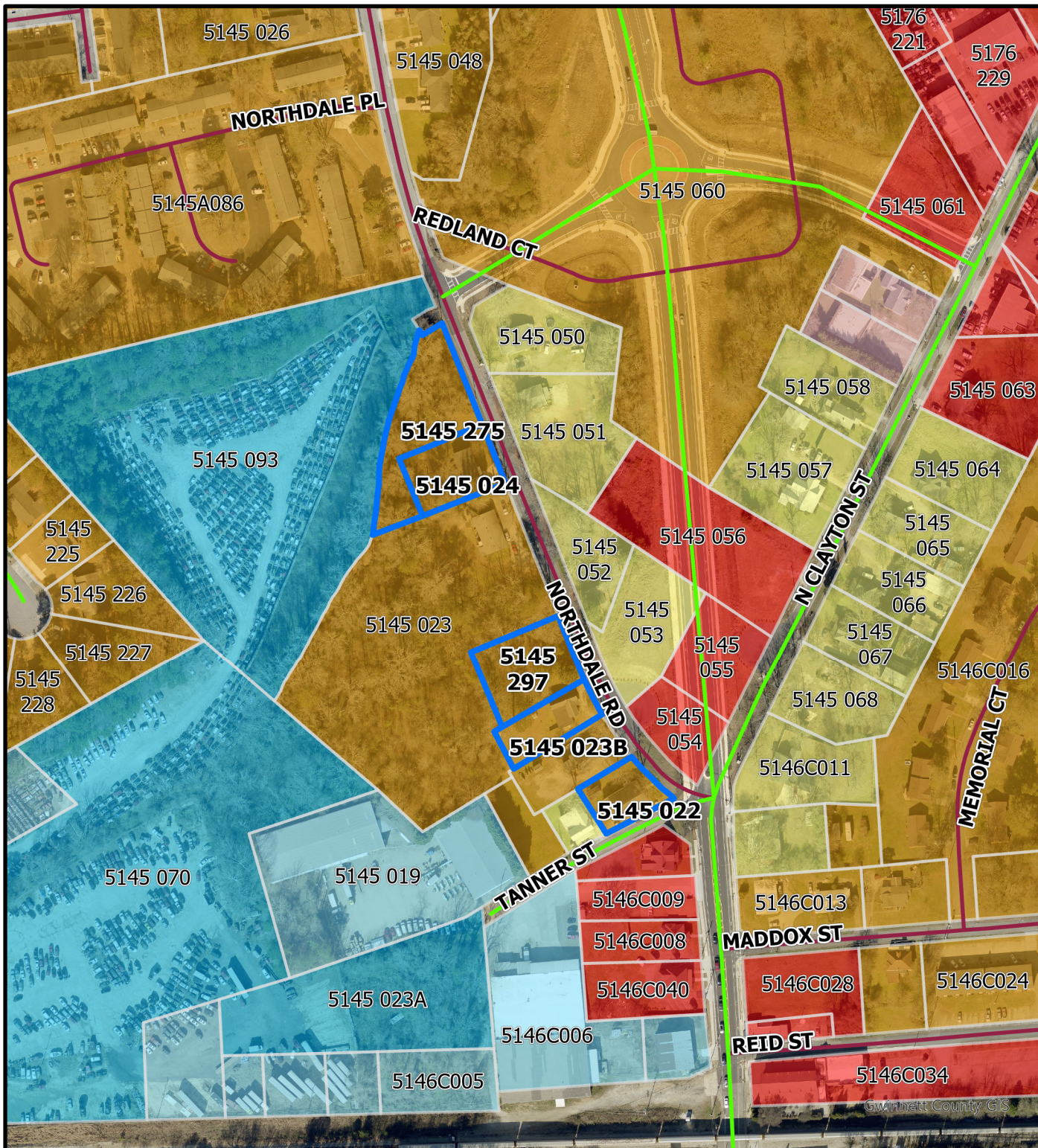
The City of Lawrenceville
Planning & Development

Location Map & Surrounding Areas

File # RZR2022-00016

Applicant: Todd Hargrave

- Subject Properties
- Parcels
- City Maintained Streets
- County Maintained Streets
- Zoning Districts**
 - BG General Business
 - LM Light Manufacturing
 - HM Heavy Manufacturing
 - OI Office/Institutional
 - RM-12 Multifamily Residential
 - RS-150 Single-Family Residential





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The City of Lawrenceville
Planning & Development

Location Map & Surrounding Areas

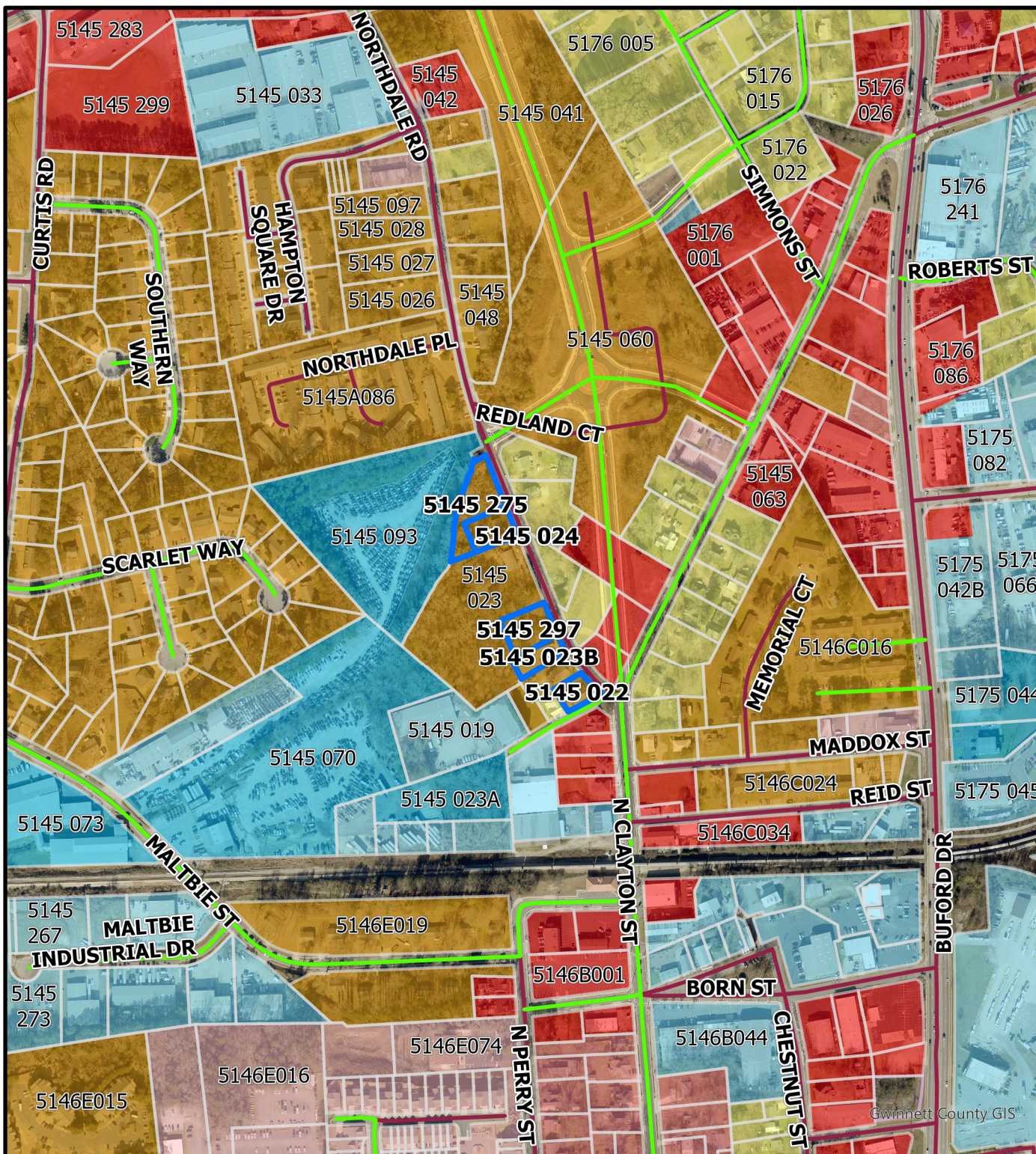
File # RZR2022-00016

Applicant: Todd Hargrave

- Subject Properties
- Parcels
- City Maintained Streets
- County Maintained Streets

Zoning Districts

- BG General Business
- BGC Central General Business
- LM Light Manufacturing
- HM Heavy Manufacturing
- OI Office/Institutional
- RM-12 Multifamily Residential
- RS-150 Single-Family Residential
- <all other values>





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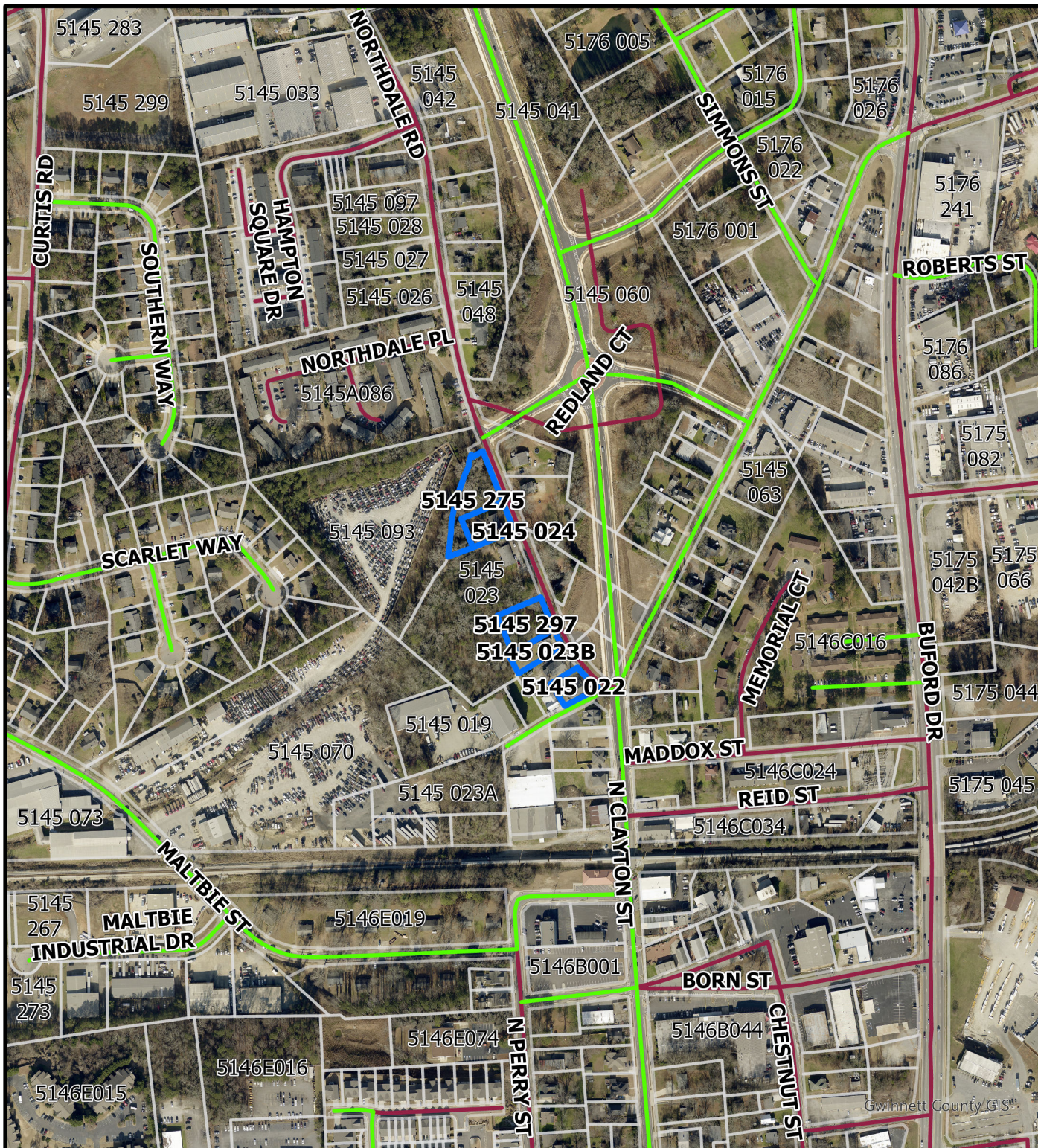
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The City of Lawrenceville
Planning & Development
Location Map & Surrounding Areas

File # RZR2022-00016

Applicant: Todd Hargrave

-  Subject Properties
-  Parcels
-  City Maintained Streets
-  County Maintained Streets

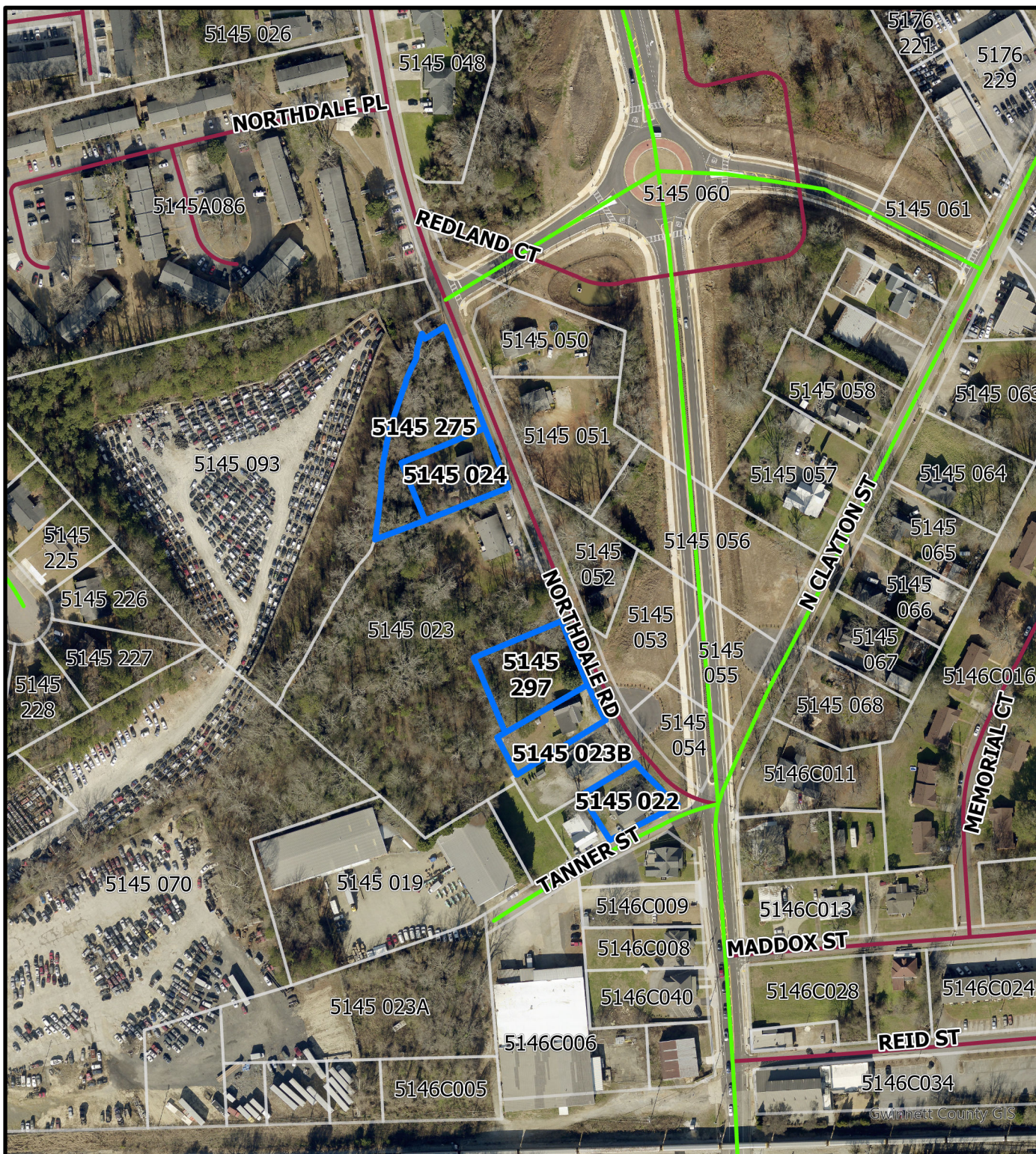


GEORGIA

Location Map & Surrounding Areas

Applicant: Todd Hargrave

-  Subject Properties
 Parcels
 City Maintained Streets
 County Maintained Streets





LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: PLANNING COMMISSION
AGENDA CATEGORY: NEW BUSINESS

Item: RZR2023-00017; Karen Wright; 577 Scenic Highway

Department: Planning and Development

Date of Meeting: Monday, February 6, 2023

Fiscal Impact: None

Presented By: Todd Hargrave, Director Planning and Development

Planning and Development Recommendation: **Approval with Conditions**

Planning Commission Recommendation:

Summary: The applicant requests the rezoning of an approximately 0.45-acre parcel at 577 Scenic Highway; the proposed rezoning is from OI (Office-Institutional District) to RS-180 (Single-Family Residential District). The subject property are located along the western right-of-way of Scenic Highway, just north of its intersection with Moon Road. The parcel is already developed with a single-family home that is currently being used as an office.

Attachments/Exhibits:
RZR2022-00017_Report
RZR2022-00017_Planning and Development recommendations
RZR2022-00017_Application
RZR2022-00017_Letter of Intent
RZR2022-00017_Survey
RZR2022-00017_Zoning Map zoomed in
RZR2022-00017_Zoning Map zoomed out

RZR2022-00017_Aerial Map zoomed in
RZR2022-00017_Aerial Map zoomed out

4.



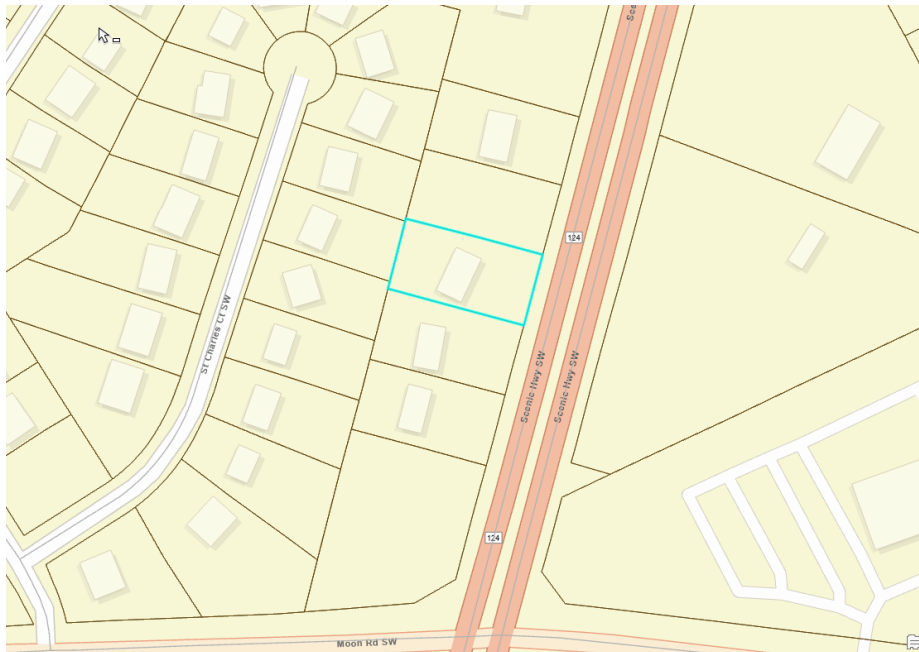
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CASE NUMBER:	RZR2022-00017
APPLICANT:	KAREN WRIGHT
OWNER(S):	KAREN WRIGHT
CONTACT:	770.899.0786
LOCATION(S):	577 SCENIC HIGHWAY
PARCEL ID(S):	R5116 101
APPROXIMATE ACREAGE:	0.45
ZONING PROPOSAL:	OI (OFFICE-INSTITUTIONAL DISTRICT) TO RS-180 (SINGLE-FAMILY RESIDENTIAL DISTRICT)
PROPOSED DEVELOPMENT:	SINGLE-FAMILY RESIDENTIAL DWELLING UNIT
DEPARTMENT RECOMMENDATION:	APPROVAL WITH CONDITIONS

VICINITY MAP





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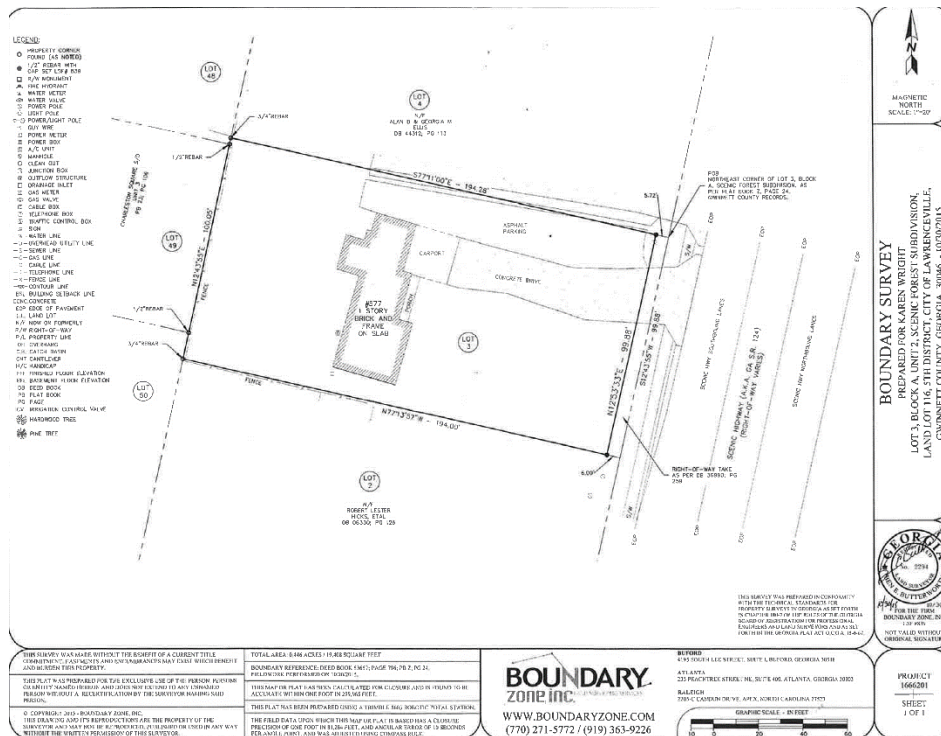
ZONING HISTORY

In 1986, the subject property was zoned RS-180 (Single-Family Residential District). The subject property was rezoned to ON (Office-Neighborhood District) in 2004. In 2016, the subject property was rezoned to OI (Office-Institutional District), its current zoning category.

PROJECT SUMMARY

The applicant requests the rezoning of an approximately 0.45-acre parcel at 577 Scenic Highway; the proposed rezoning is from OI (Office-Institutional District) to RS-180 (Single-Family Residential District). The subject property are located along the western right-of-way of Scenic Highway, just north of its intersection with Moon Road. The parcel is already developed with a single-family home that is currently being used as an office.

LAND SURVEY





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ZONING AND DEVELOPMENT STANDARDS

The existing single-family home would be repurposed to fulfill its original use as a residential dwelling unit. A variance is requested to reduce the minimum lot width from 100' to 99.88'; this discrepancy is minor and was likely due to surveying error.

SURROUNDING ZONING AND USE

The surrounding area is mostly characterized by multifamily and single-family residential uses. Immediately adjacent to this property on Scenic Highway are single-family dwelling units on parcels zoned RS-180 (Single-Family Residential District). To the west along St Charles Court are several duplexes on parcels zoned RM-12 (Multifamily Residential District). There is another parcel zoned OI (Office Institutional District) to the north along Scenic Highway and several parcels zoned BG (General Business District) around three corners of the Scenic Highway / Moon Road intersection. Finally, the parcels along the eastern right-of-way of Scenic Highway are both zoned RS-180. The proposal to rezone the property to RS-180 would be consistent with the established zoning and land use patterns of the area along Scenic Highway, which consists predominately of single-family homes.

CITY OF LAWRENCEVILLE OFFICIAL ZONING MAP





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2040 COMPREHENSIVE PLAN

The City of Lawrenceville 2040 Comprehensive Plan and Future Development Map indicate the subject properties are located within the Traditional Residential character area. Traditional Residential areas are predominantly single-family, suburban-style neighborhoods located in the southern half of the city. The purpose of this character area is to preserve these traditional neighborhoods and buffer them from more intense land uses. Density is typically low (less than 3 dwelling units per acre), and most open space is in private yards. As proposed, the requested rezoning would be consistent with the policies of the 2040 Comprehensive Plan.

LAWRENCEVILLE 2040 COMPREHENSIVE PLAN – FUTURE LAND USE PLAN MAP



STAFF RECOMMENDATION

In conclusion, the proposal is consistent with the established zoning pattern in the immediate area, that of traditional residential development composed of single-family homes. While there are already some houses that have been rezoned for



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commercial use in the general area, this was done in a piecemeal fashion during a time when the city was not considering a long-term vision for development. According to the 2040 Comprehensive Plan, the area along Scenic Highway where the subject property is located should remain as traditional residential. This rezoning request would align the zoning of the subject property with the land uses of the area in a manner that is consistent with the vision put forth in the 2040 Comprehensive Plan. As such, the Planning and Development Department recommends **APPROVAL WITH CONDITIONS** for the request.



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CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS:

ENGINEERING DEPARTMENT

No comment

PUBLIC WORKS

No comment

ELECTRIC DEPARTMENT

No comment

GAS DEPARTMENT

No comment

DAMAGE PREVENTION DEPARTMENT

No comment

CODE ENFORCEMENT

No comment

STREET AND SANITATION DEPARTMENT

No comment



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Planning & Development

4.

STATE CODE 36-67-3 (FMR.) REVIEW STANDARDS:

- 1. Whether a zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;**

As proposed, the plan would be suitable in view of the use and development in the immediate area along Scenic Highway.

- Whether a zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;**

The area along the right-of-way of Scenic Highway has long suffered due to antiquated policies and lack of enforcement. New decisions must be consistent with the policies relating to the long range plans for the immediate area in order for the City to flourish.

- 2. Whether the property to be affected by a zoning proposal has a reasonable economic use as currently zoned;**

The property has a reasonable economic use as currently zoned.

- 3. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;**

Transitioning from a higher intensity use (offices) to a lower intensity one (single-family residential) would reduce the demand on public facilities in the form of traffic, utilities, and stormwater runoff. The school system could have marginally increased demand; however, this impact would be mitigated with appropriate planning.

- 4. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan;**

Policies of the City are intended to benefit or enhance the quality of life for existing and potential members of the public choosing to reside within the city limits. The Traditional Residential character area is district composed



LAWRENCEVILLE

4.

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predominantly of single-family residential housing, so this rezoning conforms with the long-range plan.

- 5. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal;**

The proposal would continue a long overdue zoning clean up for this area.

PLANNING AND DEVELOPMENT

RECOMMENDED CONDITIONS_01252023

RZR2022-00017

Approval of an RS-180 (Single-Family Residential District), subject to the following enumerated conditions:

- 1.** To restrict the use of the property as follows:
 - A.** New construction of single-family detached dwelling units, accessory uses, and structures.
 - B.** The minimum heated floor area per dwelling unit shall be 2,000 square feet for one-story homes and 2,400 square feet for two-story homes.
 - C.** The façade, rear and side elevations of the single-family detached residential unit shall be designed and constructed consisting of four (4) sides of masonry, which could be brick, stone, or a combination of brick and stone (with accents of fiber cement siding). The final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - D.** The single-family detached dwelling unit shall have a double-car garage with carriage-style garage doors. The final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - E.** The single-family detached dwelling unit shall consist of two (2) car garages, with a driveway measuring eighteen (18) feet in width (20) feet in depth, providing sufficient space for two (2) passenger vehicles. The final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - F.** The single-family detached dwelling unit shall be a maximum height of thirty-five (35) feet in height, as measured from the lowest elevation of the finished floor. The final design shall be subject to the review and approval of the Director of the Planning and Development Department.
 - G.** The Front Yard Area shall be adjacent to the Scenic Highway. The Front Yard Area shall have a Building Setback of no less than fifty (50) feet.

- H.** The Rear Yard Area shall have a Building Setback of forty (40) feet.
- I.** The Side Yard Area shall have a Building Setback of ten (10).
- J.** Vehicular access to the subject property shall be provided by an existing curb cut along Scenic Highway.

2. To satisfy the following site development considerations:

- A.** Detached Single-Family dwellings shall be designed and constructed in conformity with Zoning Ordinance, Article 6 Architectural and Design Standards, Section 601 Residential Minimum Architectural and Design Standards, and International Residential Code (IRC). Final building elevations shall be subject to the review and approval of the Director of the Planning and Development Department.
- B.** Maintain or provide a five (5) foot concrete sidewalk adjacent to the Scenic Highway right-of-way.
- C.** Natural vegetation shall remain on the property until the issuance of a development permit.
- D.** Any utility relocations shall be the responsibility of the developer.

3. The following variances are granted:

- A.** Variances to allow the rehabilitation of the existing structure or new construction, subject to the following:
 - i.** A variance from the Zoning Ordinance, Article 1, Section 102.2, Subsection B. Lot Development Standards, Lot Minimum Width, allows reduction of the minimum lot width requirement from 100 feet to 99.88 feet.



LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Karen Wright</u>	NAME: <u>Karen Wright</u>
ADDRESS: <u>577 Scenic Hwy</u>	ADDRESS: <u>561 Harris Drive</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Mc Donough</u>
STATE: <u>GA</u> ZIP: <u>30046</u>	STATE: <u>GA</u> ZIP: <u>30252</u>
CONTACT PERSON: <u>Karen Wright</u> PHONE: <u>770-899-0786</u>	
* If multiple property owners, each owner must file an application form or attach a list, however only one fee. Multiple projects with one owner, must file separate applications, with separate fees.	
PRESENT ZONING DISTRICT(S): <u>OT</u> REQUESTED ZONING DISTRICT: <u>RS-150 Residential</u>	
PARCEL NUMBER(S): <u>RS116 101</u> ACREAGE: <u>0.45</u>	
ADDRESS OF PROPERTY: <u>577 Scenic Hwy, L'ville, GA 30046</u>	

[Signature] 12/29/2022
SIGNATURE OF APPLICANT DATE

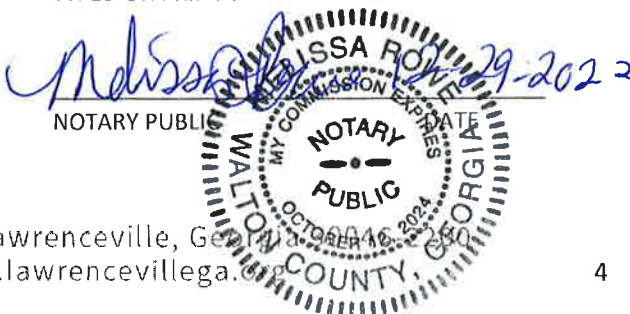
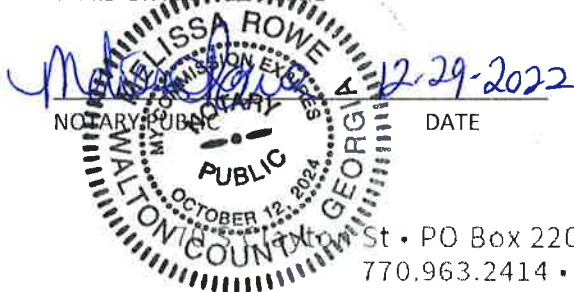
Karen Wright

TYPED OR PRINTED NAME

[Signature] 12/29/2022
SIGNATURE OF OWNER DATE

Karen Wright

TYPED OR PRINTED NAME





LAWRENCEVILLE

GEORGIA

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR SPECIAL USE PERMIT

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL CITY OF LAWRENCEVILLE PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

*Note: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE SPECIAL USE PERMIT REQUEST.

PARCEL I.D. NUMBER:

(Map Reference Number)

District

Land Lot

Parcel

RS116-101

Signature of Applicant

Date

Type or Print Name and Title

Karen Wright - Owner

PLEASE TAKE THIS FORM TO THE TAX COMMISSIONER'S OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.

TAX COMMISSIONER'S USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

NAME

TITLE

DATE



LAWRENCEVILLE

GEORGIA

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to the Mayor of the City of Lawrenceville, a member of the City Council, or to a member of the Planning Commission of the City of Lawrenceville? No Y/N

If the answer is yes, please complete the following section:

NAME OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or more)	DATE CONTRIBUTION WAS MADE (Within last two years)
NA		

Have you, within the two years immediately preceding the filing of this application, made gifts having in the aggregate a value of \$250.00 or more to the Mayor of the City of Lawrenceville, a member of the City Council, or to a member of the Planning Commission of the City of Lawrenceville? _____ Y/N

If the answer is yes, please complete the following section:

NAME OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or more)	DATE CONTRIBUTION WAS MADE (Within last two years)
NA		

Attach additional sheets if necessary to disclose or describe all contributions/gifts.



LAWRENCEVILLE

GEORGIA

FEE SCHEDULE

Rezoning, Change-in-Conditions and Special Use Permit Fees-

(Note: a Special Use Permit related to a companion rezoning case shall not incur an additional fee)

For Single-Family Residential Districts.

Fee:

< 5 Acres = \$500
 5 – 10 Acres = \$750
 10 – 20 Acres = \$1,000
 20 Acres or more = \$1,500

For the following: Multifamily (attached housing); Mixed-Use Districts.

Fee:

< 5 Acres = \$500 + \$10 per unit
 5 – 10 Acres = \$750 + \$10 per unit
 10 – 20 Acres = \$1,000 + \$10 per unit
 20 Acres or more = \$1,500 + \$10 per unit

For Commercial, Office and Industrial Districts.

Fee:

< 5 Acres = \$500
 5 – 10 Acres = \$750
 10 – 20 Acres = \$1,000
 20 Acres or more = \$1,500

KAREN WRIGHT

3980 North Henry Blvd, Suite D

Stockbridge, GA 30281

Dear Sir/Madam:

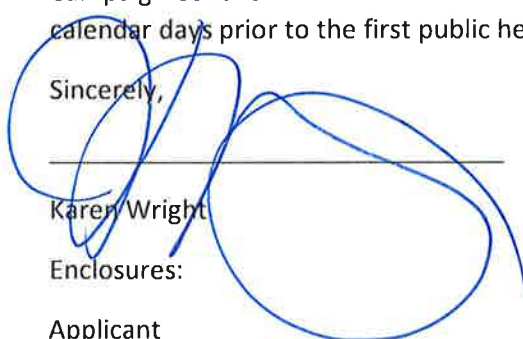
Please be advised that **Karen Wright** has applied for a rezoning of property located at 577 Scenic Highway, Lawrenceville, GA 30046 from **O&I** to residential to allow residential use.

The Lawrenceville Planning Commission will hold a public hearing on **February 6, 2023** in order to make a recommendation to the Mayor and City Council on the rezoning request. This meeting will be at 7:00 P.M. in the Council Assembly Room, 4th Floor of City Hall, which is located at 70 South Clayton Street, Lawrenceville, Georgia. The Mayor and City Council will hold a public hearing on the rezoning request on February 6, 2023. This meeting will also be held at 7:00 P.M. in the Council Assembly Room of City Hall.

If you would like to comment on the rezoning request, please plan to attend these meetings. The public is allowed to speak during both the Planning Commission meeting and City Council public hearing.

If you plan to speak in opposition to this request, please be advised that in accordance with Chapter 36-67A-3(c) of the Code of Georgia, if you have made, within the two years immediately preceding the filing of this zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider this application, you must contact this Department to obtain the appropriate Campaign Contributions Disclosure Form. This disclosure requirement must be filed at least five calendar days prior to the first public hearing by the Planning Commission.

Sincerely,



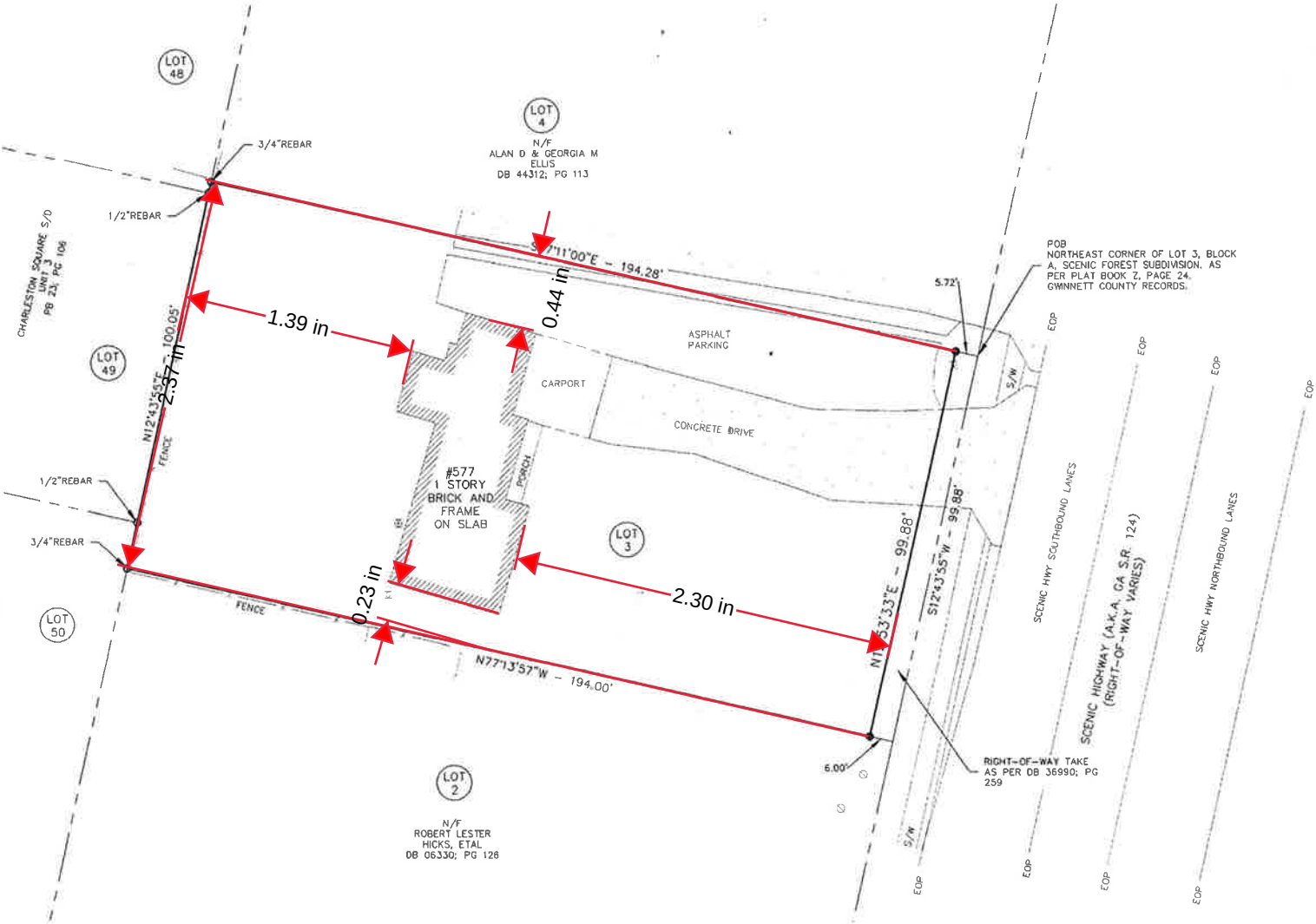
Karen Wright

Enclosures:

Applicant

LEGEND:

- PROPERTY CORNER FOUND (AS NOTED)
- 1/2" REBAR WITH CAP SET LSF# 839
- R/W MONUMENT
- ▲ FIRE HYDRANT
- ⊕ WATER METER
- ⊕ WATER VALVE
- ⊕ POWER POLE
- ⊕ LIGHT POLE
- ⊕ POWER/LIGHT POLE
- ⊕ GUY WIRE
- ⊕ POWER METER
- ⊕ POWER BOX
- ⊕ A/C UNIT
- ⊕ MANHOLE
- CLEAN OUT
- ⊕ JUNCTION BOX
- ⊕ OUTFLOW STRUCTURE
- ⊕ DRAINAGE INLET
- ⊕ GAS METER
- ⊕ GAS VALVE
- ⊕ CABLE BOX
- ⊕ TELEPHONE BOX
- ⊕ TRAFFIC CONTROL BOX
- ⊕ SIGN
- W— WATER LINE
- U— OVERHEAD UTILITY LINE
- S— SEWER LINE
- G— GAS LINE
- C— CABLE LINE
- T— TELEPHONE LINE
- X— FENCE LINE
- 200— CONTOUR LINE
- BSL BUILDING SETBACK LINE
- CONC. CONCRETE
- EOP EDGE OF PAVEMENT
- L.L. LAND LOT
- N/F NOW OR FORMERLY
- R/W RIGHT-OF-WAY
- P/L PROPERTY LINE
- OH OVERHANG
- C.B. CATCH BASIN
- CNT CANTILEVER
- H/C HANDICAP
- FE FINISHED FLOOR ELEVATION
- BFE BASEMENT FLOOR ELEVATION
- DB DEED BOOK
- PB PLAT BOOK
- PG PAGE
- ICV IRRIGATION CONTROL VALVE
- ⊕ HARDWOOD TREE
- ⊕ PINE TREE



MAGNETIC NORTH
SCALE: 1"=20'

BOUNDARY SURVEY
PREPARED FOR KAREN WRIGHT
LOT 3, BLOCK A, UNIT 2, SCENIC FOREST SUBDIVISION,
LAND LOT 116, 5TH DISTRICT, CITY OF LAWRENCEVILLE,
GWINNETT COUNTY, GEORGIA, 30046 - 10/30/2015.



THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON AND DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT A RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.

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THIS DRAWING AND ITS REPRODUCTIONS ARE THE PROPERTY OF THE SURVEYOR AND MAY NOT BE REPRODUCED, PUBLISHED OR USED IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF THIS SURVEYOR.

TOTAL AREA: 0.446 ACRES / 19,408 SQUARE FEET

BOUNDARY REFERENCE: DEED BOOK 53657; PAGE 796; PB 2; PG 24.
FIELDWORK PERFORMED ON 10/20/2015.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 299,965 FEET.

THIS PLAT HAS BEEN PREPARED USING A TRIMBLE 5603 ROBOTIC TOTAL STATION.

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 81,284 FEET, AND ANGULAR ERROR OF 10 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE.

BOUNDARY
zone, inc.

WWW.BOUNDARYZONE.COM
(770) 271-5772 / (919) 363-9226

BUFORD
4195 SOUTH LEE STREET, SUITE 1, BUFORD, GEORGIA 30518

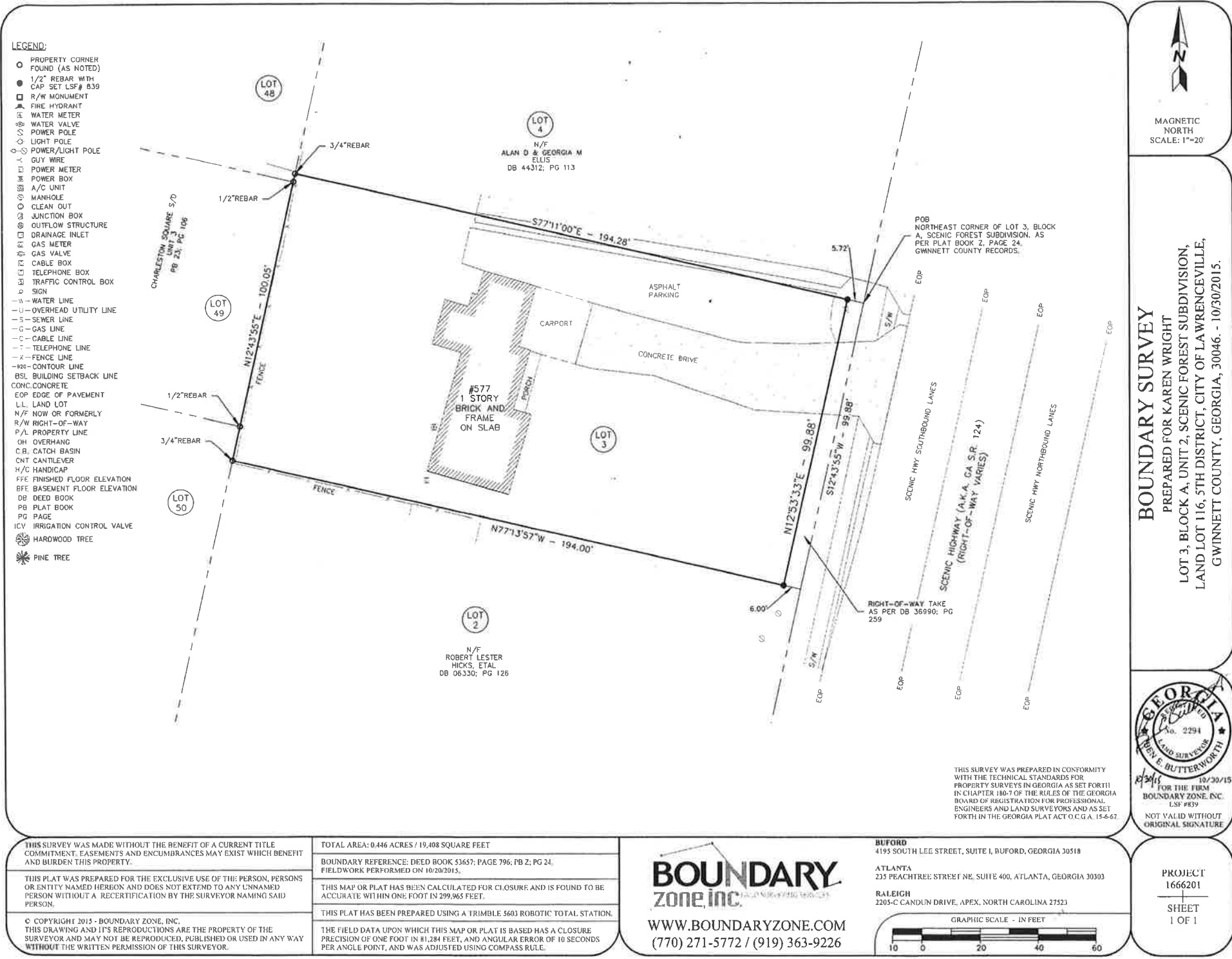
ATLANTA
235 PEACHTREE STREET NE, SUITE 400, ATLANTA, GEORGIA 30303

RALEIGH
2205-C CANDUN DRIVE, APEX, NORTH CAROLINA 27523

GRAPHIC SCALE - IN FEET
10 0 20 40 60

PROJECT
1666201

SHEET
1 OF 1



GEORGIA

Location Map & Surrounding Areas

Applicant: Karen Wright

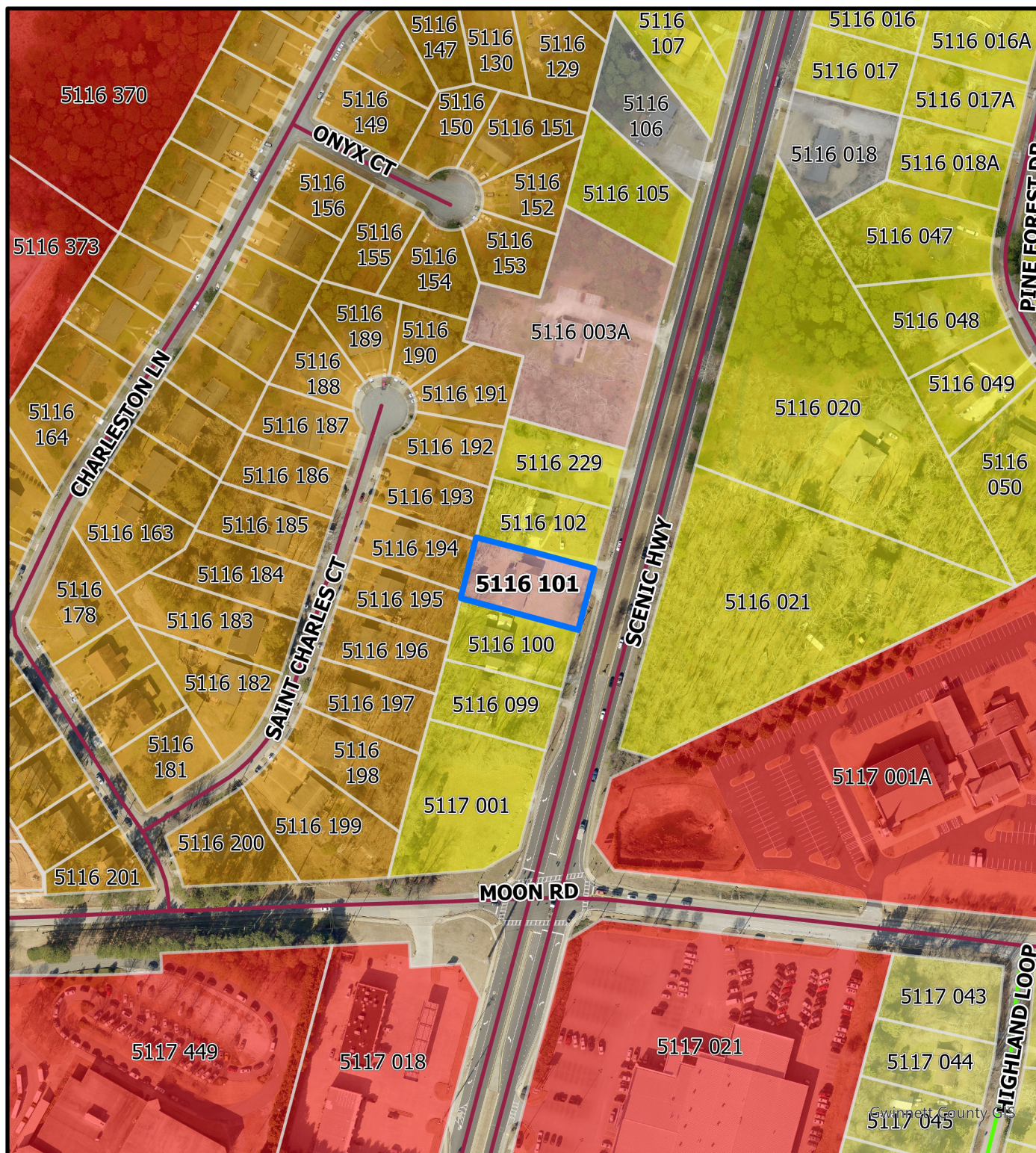
-  Subject Property
 Parcels
 City Maintained Streets
 County Maintained Streets

Zoning Districts

-  BG General Business
-  OI Office/Institutional
-  ON Office/Neighborhood
-  RM-12 Multifamily Residential
-  RM-8 Townhouse Residential
-  RS-150 Single-Family Residential
-  RS-180 Single-Family Residential



0 125 250





LAWRENCEVILLE

GEORGIA

The City of Lawrenceville
Planning & Development

Location Map & Surrounding Areas

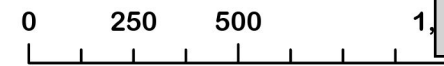
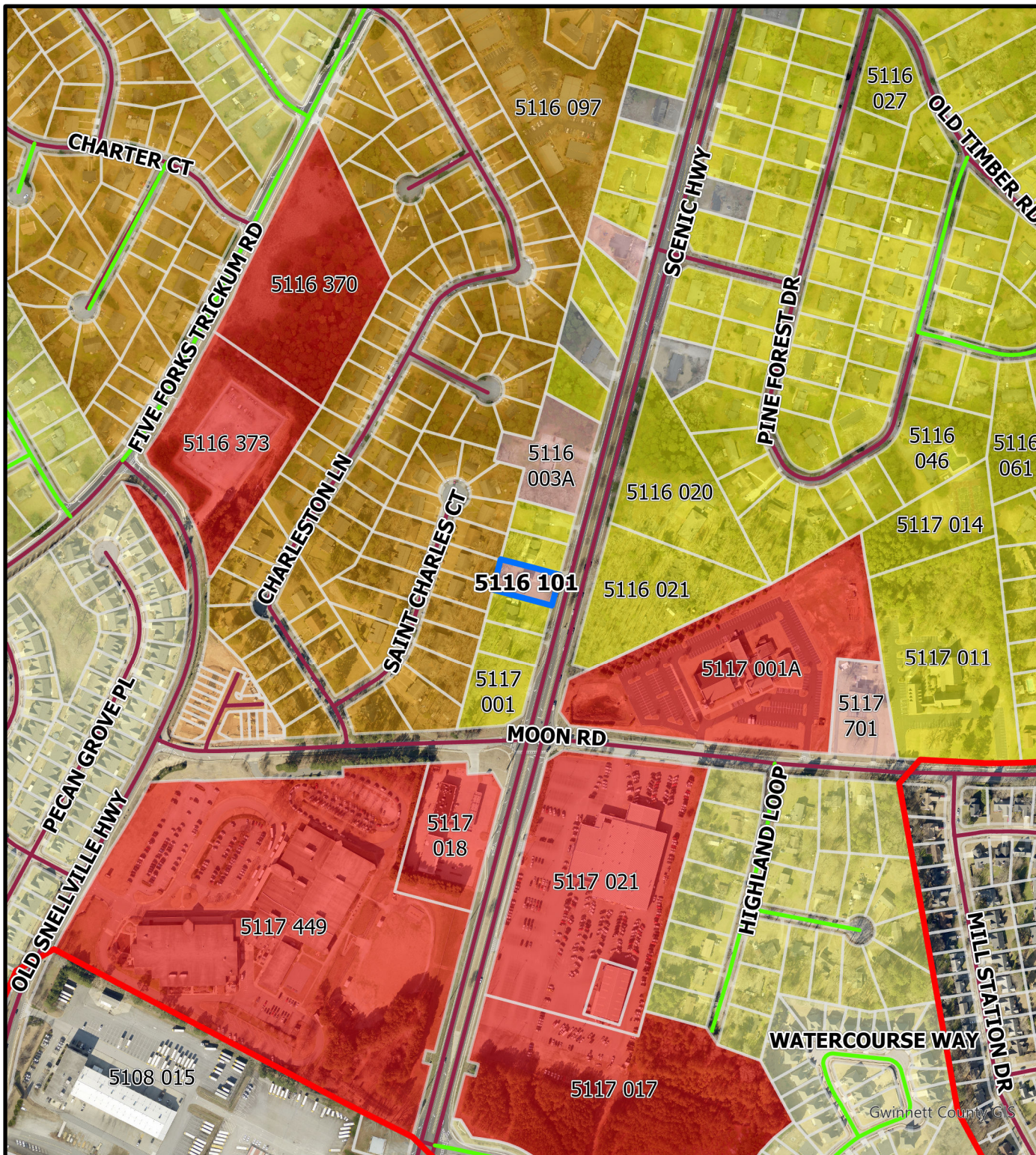
File # RZR2022-00017

Applicant: Karen Wright

- Subject Property
- Lawrenceville City Limits
- Parcels
- City Maintained Streets
- County Maintained Streets

Zoning Districts

- BG General Business
- OI Office/Institutional
- ON Office/Neighborhood
- RM-12 Multifamily Residential
- RM-8 Townhouse Residential
- RS-60 Single-Family Residential
- RS-150 Single-Family Residential
- RS-180 Single-Family Residential





LAWRENCEVILLE

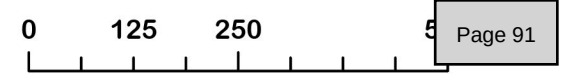
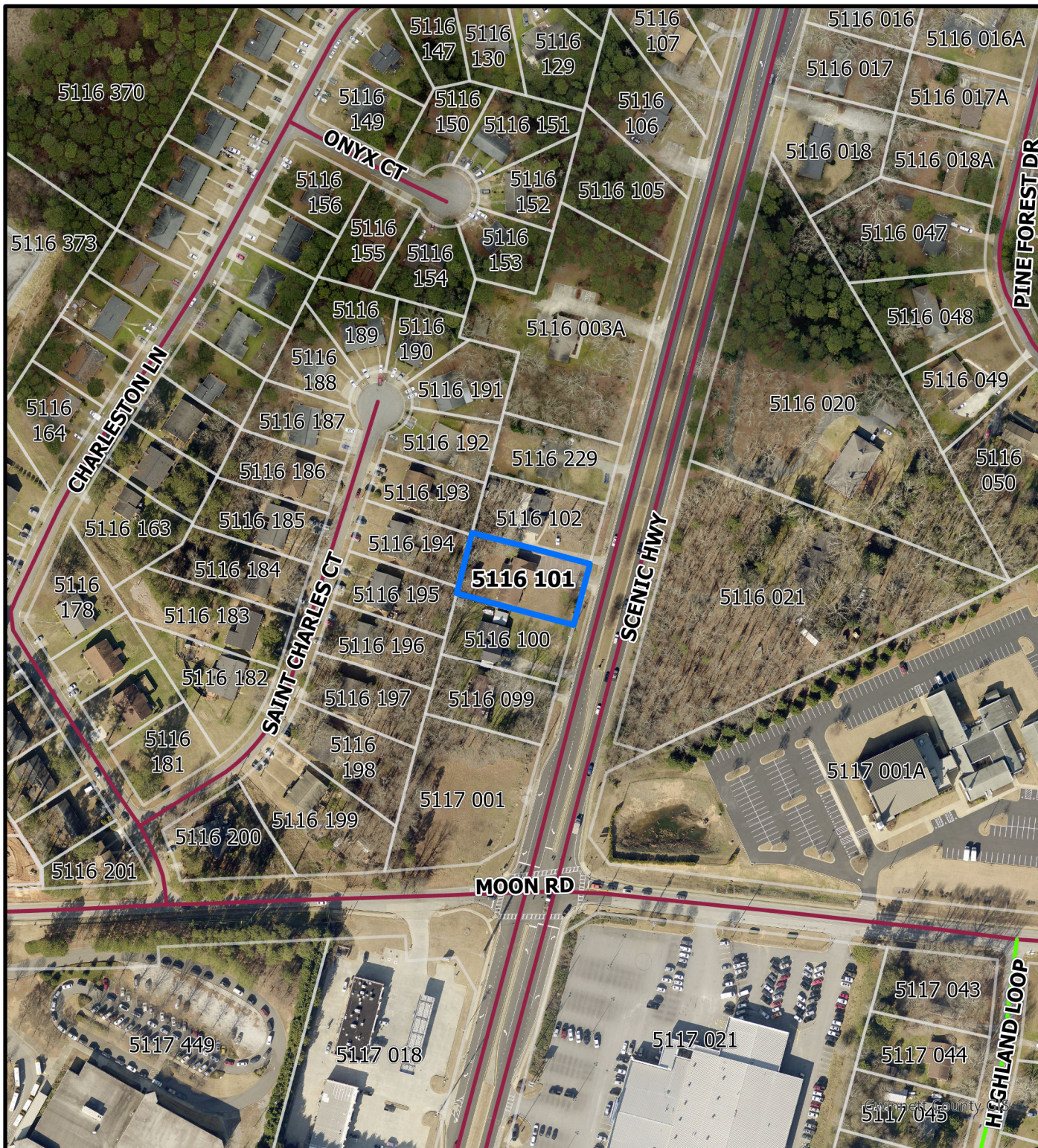
GEORGIA

The City of Lawrenceville
Planning & Development
Location Map & Surrounding Areas

File # RZR2022-00017

Applicant: Karen Wright

-  Subject Property
-  Parcels
-  City Maintained Streets
-  County Maintained Streets





LAWRENCEVILLE

GEORGIA

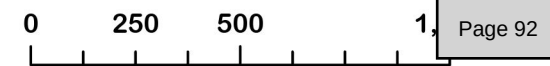
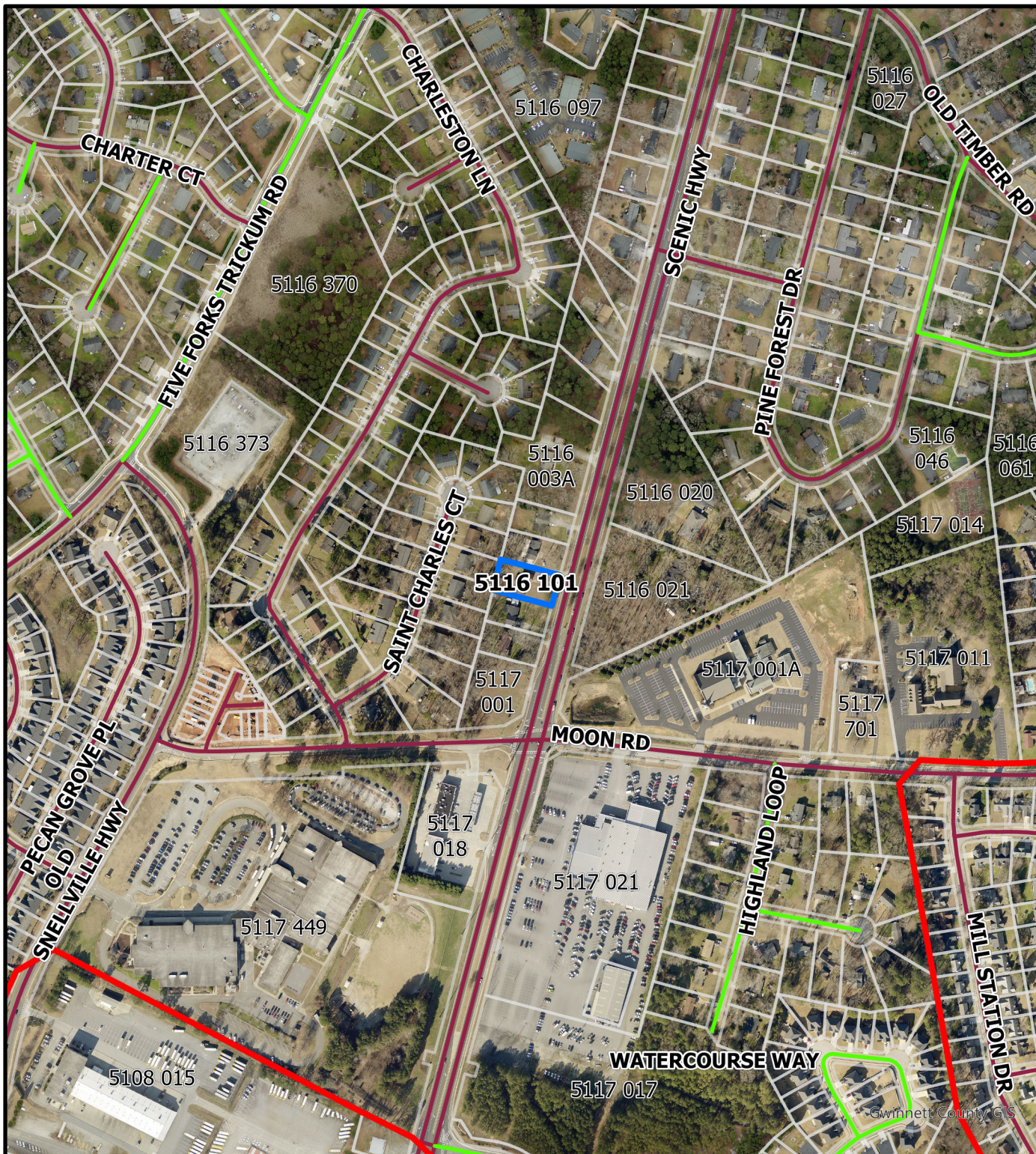
The City of Lawrenceville
Planning & Development

Location Map & Surrounding Areas

File # RZR2022-00017

Applicant: Karen Wright

-  Subject Property
-  Lawrenceville City Limits
-  Parcels
-  City Maintained Streets
-  County Maintained Streets





LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: CITY COUNCIL WORK SESSION
AGENDA CATEGORY: DISCUSSION OF CITY BUSINESS

Item:	An Ordinance to Amend ARTICLE 5; Parking of the Zoning Ordinance
Department:	Planning and Development
Date of Meeting:	Wednesday, February 15, 2023
Fiscal Impact:	None
Presented By:	Todd Hargrave, Planning and Development Director
Action Requested:	Approval of amendment
Planning Commission Recommendation:	Table to the March 6, 2023 Public Hearing

Summary: The article is revised to clarify parking regulations and extract property maintenance regulations. The recommendation is to remove residential parking requirements from Article 5 of the Zoning Ordinance and include it in Chapter 10 of the General Code.

Attachments/Exhibits:
ARTICLE 5 Amendment Draft

**AN ORDINANCE TO AMEND ARTICLE 5 PARKING
OF THE CITY OF LAWRENCEVILLE ZONING ORDINANCE 2020**

The City Council of the City of Lawrenceville, Georgia hereby ordains that The Zoning Ordinance of the City of Lawrenceville is amended as follows:

Section 1. **Delete Article 5 Parking in its entirety and replace it as follows:**

Parking and Loading

500 Purpose

The purpose of this Article is to prevent or alleviate the congestion of the public street; to minimize any detrimental effects of off-street parking areas on adjacent properties; to enhance off-street parking areas with landscape elements for improved traffic circulation and visual amenities, and to promote the safety and welfare of the public.

501 Paving of Approved Hard Surface

A. Non-Residential Districts

- 1.** Vehicles or vessels shall be parked on an approved hard surface made of solid, impermeable material that significantly impedes or prevents the natural infiltration of water into soil such as asphalt, concrete, or traditional pavers.
- 2.** Parking on a graveled surface may be allowed in the LM and HM zoning classifications if authorized by a Special Use Permit approved by the City Council.
- 3.** All off-street parking, loading spaces, access, and aisles shall be provided with an approved hard surface.

B. Single-Family Residential Districts

- 1.** Maximum allowable impervious surface area in the front yard area:
 - a.** Single-Family Attached or Detached: thirty-five (35) percent.
- 2.** Townhouse Residential District, driveways shall be separated by a 4-foot wide grassed strip.
- 3.** All off-street parking spaces shall be provided with an approved hard surface.

502 Required Off-Street Parking and Loading

A. **Multifamily and Non-Residential Districts**

- 1. All buildings, structures, and uses of land shall provide off-street parking and loading space in an amount sufficient to meet the demand caused by the building or use of land.
- 2. Each use of land and each building or structure hereafter constructed or established, and each addition to a structure in excess of 300 square feet, except as herein provided, shall provide off-street parking and loading according to the standards set forth herein.
- 3. When an addition is made to a building non-conforming to parking or loading requirements, a conforming amount of parking or loading spaces shall be supplied based upon the size of the addition.
- 4. No addition to an existing building shall be constructed which reduces the number of spaces, area, or usability of existing parking or loading space unless such building and its addition conform with the regulations for parking and loading contained herein.

503 **Non-Residential Parking and Driveways**

A. **Mixed-Use and Multifamily Developments**

Shall be limited to two ingress/egress points per street frontage into the off-street parking area with a maximum width of twenty-four (24) feet, including the required two-foot curb and gutter (dimensions are back-to-back of curbs). If the ingress and egress points are one-way only, the maximum width may be decreased by fifty (50%) percent.

B. **Parking Space**

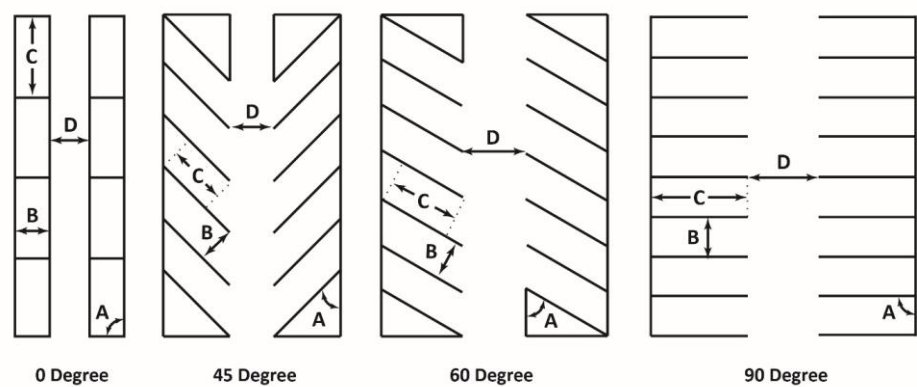
For the purpose of this Ordinance, a parking space shall be as follows:

Table 5-1: Parking Space Dimensional Requirements				
Dimension	0° Parallel (A)	45° Diagonal (A)	60° Diagonal (A)	90° Perpendicular (A)
Space Width (feet) (B)	9	9	9	9
Space Length (feet) (C)	20	20	20	18

C. Parking Space Aisles

Aisle minimums shall be as follows:

Table 5-2: Driveway Aisle Dimensional Requirements				
Dimension	0° Parallel	45° Diagonal	60° Diagonal	90° Perpendicular
One Way Drive Width (feet) (D)	12	14	15	24
Two Way Drive Width (feet) (D)	24	24	24	24



D. Parking Lot Access and Curb Cut Width

Access to an off-street parking lot is required to be a minimum of eleven (11) feet in width for one-way access and twenty-two (22) feet in width for a two-way access where off-street parking spaces are not accessed from the drive.

E. Compact Spaces

Compact spaces may be permitted if reviewed and approved by the Director of Planning and Development. Compact spaces shall not be less than eight (8) feet in width and sixteen (16) feet in length.

504 **Computation of Off-Street Parking**

For the purposes of determining off-street parking requirements, the following units of measurement shall apply:

A. Floor Area

In the case of uses where floor area is the unit for determining the required number of off-street parking spaces, such unit shall mean the *Gross Floor Area (GFA)* used or intended to be used by occupants or for service to the public as patrons, patients, visitors, residents, or persons in attendance.

B. Places of Public Assembly

1. In stadiums, sports arenas, places of religious worship, and other places of public assembly, in which those in attendance occupy benches, pews or other similar seating facilities, each thirty (30) inches of such seating facilities shall be counted as one seat for the purpose of determining off-street parking requirements under this Article.
2. In cases where a place of assembly has both fixed seats and open assembly area, requirements shall be computed separately for each type and added together.

505 Off-Street Parking Spaces Required

- A.** Development Department with proof of adequate off-site parking by agreement with other property owners or will be required to enter into an agreement with the City through entry into the Downtown Parking **Off-Street Parking Spaces Required**

1. Required

All uses of land and buildings shall provide off-street parking and loading space on the same lot as such use or building and said parking or loading space shall have convenient and unobstructed pedestrian access across said lot to a principal entrance to the building or use as hereinafter set forth.

2. Combination of Uses

Where there is a combination of uses on a lot, the required number of parking spaces shall be the sum of that found for each use.

3. Accessible spaces

Accessible parking spaces and passenger loading zones shall be provided in accordance with the building code. Passenger loading zones shall be designed and constructed in accordance with International Code Council, Standard and Commentary: Accessible and Usable Building and Facilities (ICC A117.1-2017).

Table 5-3: Number of Off-Street Parking Spaces Required

Occupancy Classification & Use	Minimum	Maximum	Downtown Entertainment District
Assembly	1 per 300 GFA	1 per 150 GFA	1 per 750 GFA
Dwelling	2 per dwelling unit	4 per dwelling unit	2 per dwelling unit
Health club	1 per 100 GFA	1 per 50 GFA	1 per 750 GFA
Hotel/motel	1 per room, plus 1 per 500 GFA common area	2 per room, plus 1 per 250 GFA common area	1 per room, plus 1 per 750 GFA common area
Manufacturing	1 per 100 GFA	1 per 50 GFA	1 per 750 GFA
Medical office	1 per 100 GFA	1 per 50 GFA	1 per 750 GFA
Office	1 per 500 GFA	1 per 250 GFA	1 per 750 GFA
Restaurant	1 per 250 GFA	1 per 100 GFA	1 per 750 GFA
Retail	1 per 250 GFA	1 per 100 GFA	1 per 750 GFA
School	1 per 300 GFA (assembly), plus 1 per faculty member	1 per 150 GFA (assembly), plus 2 per faculty member	1 per 300 GFA (assembly), plus 1 per faculty member
Warehouse	1 per 500 GFA	1 per 250 GFA	1 per 750 GFA

Commented [TH1]: Three different categories (minimum, maximum and Downtown Entertainment District) all totals based on 1,500 sq.ft.

B. Reduction of Required Parking Spaces

The reduction of required parking spaces shall only be used in parking garages or lots consisting of a minimum of thirty (30) off-street parking spaces.

Exceptions: *Sub-Section B. 2. Downtown Parking Requirements.*

1. Compact Spaces

The number of compact spaces shall not exceed fifteen (15%) percent of the minimum parking spaces required

2. Downtown Parking Requirements

- a. The Downtown Parking program is an agreement with the city to pay into a parking bank that will be used to build parking decks or lots.

The fee is per parking space required for a specific use. Fees are subject to the policy regulating the Continuance of Nonconforming Uses (see *Zoning Ordinance Article 3, Nonconformities, Section 302 Continuance of Nonconforming Uses*).

- b.** Where a parcel is located within the Downtown Parking and a proposed use is unable to meet the minimum requirements outlined in this Article, the applicant for such use shall provide the Planning and Development proof of adequate off-site parking by agreement with other property owners or will be required to enter into an agreement with the City through entry into the Downtown Parking Credit program.

3. Electric Vehicle Charging Stations

a. General

- i.** Electric Vehicle Charging Station, Private (Restricted-Access) are permitted as an accessory use to a Parking Garage or Lot – Privately Owned (Principal Use). Subject to the rules and regulations of the Zoning Ordinance, Article 1 Districts, Section 103.2 Use Table, and Article 2 Supplemental and Accessory Use Standards, Section 200.3.19.
- ii.** Electric Vehicle Charging Station, Public are permitted as accessory use to a Parking Garage or Lot – Publicly Owned (Principal Use). Subject to the rules and regulations of the Zoning Ordinance, Article 1 Districts, Section 103.2 Use Table, and Article 2 Supplemental and Accessory Use Standards, Section 200.3.19.

b. Required

- i.** All new single-family (one and two-family attached or detached) dwelling units shall be equipped with EVSE infrastructure to accommodate future installation. EVSE infrastructure shall:
 - 1.** Include the installation of Electric Vehicles Charging Stations internally to the single-family dwelling units (attached or detached).
 - 2.** Include a raceway, which is continuous from the branch circuit/feeder panel location to the future electric vehicle parking space.

- 3. include a raceway measuring a minimum of one (1) inch in size; and,
 - 4. include a raceway consisting of a pull rope or line installed for future conductor installation, with the raceway sealed and labeled for future use.
- ii.* All Electric Vehicle Charging Stations and EVSE infrastructure shall be installed per the requirements of The Code of the City of Lawrenceville, Georgia, Part I, Chapter 10 – Building and Building Regulations.
- c. Equipment***
- i.* Electric Vehicle Charging Station is removed or becomes inoperable for more than (14) fourteen consecutive business days, the reduction of the required Off-Street Parking spaces shall no longer remain in effect and the required Off-Street Parking spaces shall be provided.
 - ii.* EVSE shall be designed and located to not impede pedestrian, bicycle or wheelchair movement or create safety hazards on sidewalks.
 - iii.* Wheel stops, bollards, or similar device shall be installed to separate vehicles from EVSE.
- d. Parking***
- i.* Electric Vehicle Charging Stations shall be reserved exclusively for the charging and parking of an EV connected to the EVSE for electric charging purposes.
 - ii.* Electric Vehicle Charging Stations, Public shall be reserved for parking and charging EVs.
 - iii.* EVs may be parked in any space designated for public parking, subject to the restrictions that apply to any other vehicle
 - iv.* Electric Vehicle Charging Stations, Private (Restricted-Access) shall be reserved for parking and charging of EVs.
- e. Posted Information***
- i.* Information shall be posted identifying voltage and amperage levels and any type of use, fees, or safety information related to

the Electric Vehicle Charging Stations, Private (Restricted-Access) or Public.

- ii.* Electronic Vehicle Charging Stations, Public shall be posted with signage indicating that the space is reserved for electric vehicle charging purposes only. For purposes of this provision, "charging" means that an EV is parked at an Electric Vehicle Charging Station, Public and is connected to the battery charging station equipment.

f. Maintenance

Failure to maintain the Electric Vehicle Charging Stations, Private (Restricted-Access) and Public in all respects, including the functioning of the equipment, shall revoke the incentive and require the installation of the parking required by Section 506. B. Downtown Parking Requirements in accordance with Table 5-3: Number of Off-Street Parking Spaces Required.

g. Incentive

New proposals for the development or redevelopment of commercial, manufacturing, mixed-use, multifamily, or office-institutional zoned properties may be administratively approved to reduce the number of *Off-Street Parking Spaces Required*, subject to the review and approval of the Director of the Planning and Development Department.

- i.* Ten (10%) percent of the total *Off-Street Parking Spaces Required* shall be dedicated to *Electric Vehicle Parking Spaces*.
- ii.* Contingent upon compliance with Sub-Subsection g.i., an applicant shall be granted an administrative variance allowing a fifteen (15%) percent reduction of the total number of *Off-Street Parking Spaces Required*.

h. Final Plat

The required Final Plat (Utility Plan) shall include the location of the designated *Electric Vehicle Parking Spaces* with associated *EVSE*.

i. Compliance

Failure to maintain the conditions of this Sub-Section shall revoke the incentive and require the installation of the required Off-Street Parking spaces.

4. Off-Site Parking Spaces

a. Location on Lot

Off-Street Parking Spaces Required by this Article shall be provided on the same lot as the use or where the exclusive use of such is provided on another property not more than 500 feet as measured radially from the main entrance of the principal use of the subject property.

b. Proof of Written Agreement

Proof of adequate Off-Site Parking shall be provided to the Planning and Development Department in the form of a written agreement specifically allowing the applicant to utilize the property for Off-Site Parking Spaces.

c. Mandatory Compliance

- i.* The development of an Off-Site Parking Lot shall require mandatory compliance with all applicable City of Lawrenceville building, development, and zoning codes, ordinances, and regulations, and applicable Gwinnett County rules and regulations.
- ii.* If unable to provide adequate Off-Site Parking an applicant shall be required to enter into an agreement with the City through entry into the Downtown Parking program.

509 Off-Street Parking Design and Maintenance

Every parcel of land used as an off-street parking area shall be designed in accordance with the Development Regulations, Tree and Landscape Plan, and Off-Street Surface Parking Lot Requirements as follows:

A. Screening

Off-street parking areas for more than ten (10) vehicles shall:

1. Be effectively screened by a six (6) foot high solid wall or opaque fence on each side which adjoins or faces and is within ten (10) feet of any lot situated in any residence district, unless such screening is provided by a required zoning buffer.
2. The required solid wall or opaque fence shall be supplemented with plantings of shrubbery or ground cover along its base.

B. Surfacing

Off-Street Parking areas shall be constructed of an approved hard surface, consisting of cement or asphalt, and shall be provided with adequate drainage to prevent surface water run-off on adjacent properties or onto the public right-of-way.

C. Space and Directional Arrow Markings

Designated parking spaces shall be marked on the surface of the parking area with paint or permanent marking materials and maintained in a visible condition. One-way and two-way accessways into required parking facilities must be identified by directional arrows.

D. Drainage

All off-street parking facilities shall be provided with adequate drainage facilities to prevent surface water run-off onto adjoining properties or onto the public right-of-way.

E. Separation from Public Right-Of-Way

Except in districts zoned exclusively for residential uses, all off-street parking facilities located within a front yard shall be separated from public sidewalks or the existing right-of-way by a grass area at least 10 feet in width. A minimum six-inch barrier curb shall be provided on the parking lot side of the required landscaped areas.

F. Separation from Adjoining Properties

Except in districts zoned exclusively for residential uses, all off-street parking facilities shall be separated from adjoining properties by a grass area of at least ten (10) feet in width and a minimum six (6) inch barrier curb.

G. Interior Design and Landscaping

All areas of off-street parking facilities that are unusable, either for parking, circulation, or loading, shall be landscaped with grass and/or plant material and be properly maintained.

510 Off-Street Loading Spaces**A. Required**

1. Off-Street Loading spaces shall be provided on the same lot for every building in the Commercial and Industrial zones.

2. No loading space is required if prevented by an existing lawful building.

- B.** In connection with every non-residential building, there shall be at least one off-street loading space provided and maintained as identified in Table 5-4:

Table 5-4: Number of Off-Street Loading Spaces Required			
Gross Floor Area of Structure (feet ²)	Office	Commercial	Industrial
0-5000	0	0	1
5001-9,999	0	1	1
10,000-19,999	1	1	1
20,000-49,999	1	2	2
50,000-99,999	2	3	3
100,000-499,999	2	4	4
500,000 or more	3 plus 1 per each additional 100,000 sq. ft. in excess of 500,000	5 plus 1 per each additional 100,000 sq. ft. in excess of 500,000	5 plus 1 per each additional 100,000 sq. ft. in excess of 500,000

C. Mixed-Use

In the case of mixed uses, the total requirements for off-street loading facilities shall be the sum of the various uses computed separately.

D. Surface

Loading Areas shall be constructed of an approved hard surface, consisting of cement or asphalt, and shall be provided with adequate drainage to prevent surface water run-off on adjacent properties or onto the public right-of-way.

E. Access

Each loading space shall be served by direct access to a street, service drive, or alley in a manner that will not interfere with traffic or parking lot circulation.

F. Location

Off-street loading areas shall:

- 1. Be located on the same zoning lot as the specific use to be served.
- 2. Not be located in any front yard except for areas used for the occasional drop-off or pick-up of goods by vans, step-vans, or panel trucks, or within the Downtown Entertainment District.
- 3. Not obstruct any parking space, drive aisle, or driveway unless the site constraints will not allow the complete separation of off-street loading and only when reviewed and approved by the Director of Planning and Development.

G. Screening

All operations, materials, and vehicles in any loading space that are visible from public streets or residential districts shall be screened. The screening material, upon installation, shall be at least six (6) feet in height and 100% opaque.

H. Lighting

Any light used to illuminate off-street loading facilities shall be equipped with suitable shielding designed to prevent glare on surrounding public or private property and pedestrian and vehicular traffic (See *Development Regulations, Performance Standards – Lighting*).

511 Non-Residential Off-Street Loading Construction and Dimensions

All non-residential parking lots shall be laid out, constructed, and maintained in accordance with the following requirements:

A. Dimension

- 1. The minimum area of a loading space shall be 400 square feet and the minimum dimensions shall be ten (10) feet in width and twenty (20) feet in length.
- 2. Each loading space shall have a clear height of fourteen (14) feet and shall be directly accessible through a usable door not less than three (3) feet in width and six (6) feet, eight (8) inches in height.

Minimum Dimensions of Off-Street Loading Spaces		
Description	Commercial/Office	Industrial
Parking Space Length	20 ft.	53 ft.

Parking Space Width	10 ft.	10 ft.
Outside Turning Radii	24 ft.	24 ft.
Vertical Clearance	14 ft.	14 ft.
Backing and Maneuvering Area	50 ft.	50 ft.
Loading Dock Area		Area of Truck Bed multiplied by 2
Loading Dock Width		10 ft.
Loading Dock Height		4 ft.

B. Screening

All operations, materials, and vehicles in any loading space that are visible from public streets or residential districts shall be screened. The screening material, upon installation, shall be at least six (6) feet in height and 100% opaque.

C. Surface

All loading areas shall be constructed of an approved hard surface, consisting of cement or asphalt, and shall be provided with adequate drainage to prevent surface water run-off on adjacent properties or onto the public right-of-way.

512 On-Street Parking Standards

A. Applicability

- On-Street Parking* may be used on city-maintained public streets if approved by the City Council and shall be limited to local streets internal to Mixed-Use (CMU-Community Mixed-Use District), Multifamily (RM-12 and RM-24 Multifamily Residential Districts), and RS-TH (Townhouse Single-Family Attached Residential District) zoning districts that provide pedestrian walkability within the project.
- On-Street Parking* shall be shown on the zoning exhibit and is subject to review and approval of the Director(s) of the *Engineering Department* and *Planning and Development Department* prior to submission to the *City Council*.
- On-Street Parking* shall be permitted to serve multiple buildings or parcels within a Mixed-Use, Multifamily, and Townhouse development.

On-Street Parking shall not be permitted or for the exclusive use for an individual building, business, parcel or patron.

B. Parking Space Requirements

1. *On-Street Parking* calculations shall be provided on the zoning exhibit.
2. Handicap parking shall comply with the ADA Standards, the Georgia State Law for Accessible Design and the Georgia Accessibility Code for Buildings and Facilities for all multi-family and non-residential uses.
3. A maintenance agreement for *On-Street Parking* shall be authorized between the owner/developer and the *Planning and Development Department* before the issuance of a development permit.
4. A Mandatory Property Owners Association shall be established. The Mandatory Property Owners Association shall be responsible for the maintenance of any *On-Street Parking* in the development. A maintenance responsibility statement for *On-Street Parking* shall be placed on the approved plans and the covenants shall include a section that specifically states who is responsible for maintenance and what the maintenance standards are for *On-Street Parking*.
5. On-Street Parking shall be constructed in accordance with GCDOT Standards and designed to minimize potential adverse impacts with existing or proposed traffic flow on an adjacent public right-of-way or local street.
6. Up to 100 percent of *On-Street Parking* spaces available within 500 feet of a retail use may be counted towards the minimum *Off-Street Parking* requirements for the entire development as shown on the zoning exhibit.
7. No more than twenty (25%) percent of the required *Off-Street Parking* spaces may be provided by *On-Street Parking*.

C. Pedestrian Circulation

1. Multifamily and Non-residential parking lots containing 100 spaces or more shall incorporate pedestrian access corridors into their design.
2. Pedestrian corridors shall include five (5) foot wide sidewalks with two (2) foot grassed strips along at least one side of primary driveways. The pedestrian corridors shall connect parking areas directly with buildings and adjacent public streets. These corridors shall not apply to auto sales lots.

3. Where pedestrian corridors cross a driveway, they shall be constructed as a raised, flat hump with a height of 4 inches and a 6-foot wide top with 4-foot wide ramps and marked as a crosswalk; or shall be constructed with an approved contrasting paver and marked as a crosswalk. Parking spaces shall not be located more than 200 feet from any pedestrian corridor.

D. Stacking Lanes; Spaces For Drive-Through Facilities Or Service Windows

Stacking lanes and spaces shall be designed to prevent circulation congestion, both on-site and on adjacent public streets. The circulation shall separate drive-through traffic from site circulation, not impede or impair access into or out of parking spaces, not impede or impair vehicle or pedestrian traffic movement, and minimize conflicts with physical and visual separation between pedestrian and vehicular traffic.

1. Stacking Lanes

- a. Drive-through lanes shall be separated by striping or curbing from off-street parking areas. Individual lanes shall be striped, marked or otherwise distinctly delineated.
- b. Stacking lanes shall be a minimum of 10 feet in width, and parallel the entire length for the drive-through service area and narrowing to 8.5 feet adjacent to the service window or facility.
- c. Stacking lanes shall be a minimum of 12 feet in width along curved segments.
- d. Stacking lanes shall be delineated from traffic aisles, other stacking lanes and parking areas with striping, curbing, landscaping and the use of alternative paving materials or raised medians.
- e. Entrances to stacking lane(s) shall provide adequate storage length from the nearest intersection.
- f. Stacking lanes shall not interfere with required loading and trash storage areas and loading or trash operations shall not impede or impair vehicle movement. If said separate stacking lane is curbed, an emergency by-pass or exit shall be provided.
- g. Service areas and stacking lanes shall be set back 5 feet from all lot lines and roadway right-of-way lines.

- h.* All stacking lane entrances shall provide adequate storage length from the nearest intersection.

E. Stacking Spaces

- a.* Each stacking space shall be a minimum of 20 feet in length and 10 feet in width along straight portions.
- b.* Stacking spaces shall be a minimum of 12 feet in width along curved segments.
- c.* Provide adequate queue space for a minimum of five cars per lane

F. Separate Driveway and Stacking Lane

A separate driveway and stacking lane is required for any drive-through window, bank drive-through, ATM stand-alone structure, or drop-off or pick-up area. These stacking lanes shall be separate and distinct from the required through-lane providing circulation around the building or service facility.

513 Definitions

Italicized words may be defined in the Zoning Ordinance, Article 10 Definitions.

IT IS SO ORDAINED, this ____ day of _____, 2023.

Mayor David R. Still

Attest: _____
City Clerk



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: CITY COUNCIL WORK SESSION
AGENDA CATEGORY: DISCUSSION OF CITY BUSINESS

Item:	An Ordinance to Amend the Zoning Ordinance, Article 9, Administration and Enforcement
Department:	Planning and Development
Date of Meeting:	Wednesday, January 18, 2023
Fiscal Impact:	None
Presented By:	Todd Hargrave, Planning and Development Director
Action Requested:	Approval of amendment
Planning Commission Recommendation:	Table Indefinitely

Summary: The recommendation is to eliminate the Architectural Review Board and to provide clarity and eliminate contradicting language for the withdrawal process for public hearings. Staff is building relationships with developers which gives room for conversations about compliance with the rules and better decision making. In 2019, the department received five applications for variances. There were no meetings in 2020 due to the pandemic, and all meetings in 2021 were cancelled due applicants within the Downtown Entertainment District meeting and exceeding architectural design standards set forth in Article 6 of the Zoning Ordinance. The Board has only met once in 2022; in March to go over the responsibilities of the members and sign their commitment to the City. Only three of the seven members were in attendance.

Attachments/Exhibits:
ARTICLE 9 Amendment Draft

**AN ORDINANCE TO AMEND
THE ZONING ORDINANCE OF THE CITY OF LAWRENCEVILLE, GEORGIA**

The City Council of the City of Lawrenceville, Georgia hereby ordains that the City of Lawrenceville Zoning Ordinance is amended as follows:

Section 1. Delete Article 9, Administration and Enforcement in its entirety and replace it as follows:

Administration and Enforcement

900 General Provisions

A. Decision-Making Responsibilities

The following table provides a summary of the decisions and applicable decision-makers for each of the determinations to be made in this Article.

Table 900-1: Summary Table of Procedures and Decision-Making Roles				
	Director of Planning and Development	Board of Appeals	Planning Commission	City Council
Administrative Variance	√			
Appeals		√		√
Building Permit	√			
Certificate of Occupancy	√			
Special Uses			√	√
Temporary Uses	√			
Variances		√		√
Zoning Ordinance Enforcement	√			
Zoning Ordinance Text Amendments			√	√
Zoning Map Amendments			√	√

901 Policies and Procedures

For purposes of this section the terms “zoning decision” shall have the meanings set forth in O.C.G.A. §36-66-3. Prior to making any zoning decision, the City Council shall conduct a public hearing. The public hearing shall be called, and a public notice provided in accordance with the provisions of O.C.G.A §36-66-4. At any such public hearing, the following procedures shall apply:

1. A member of the planning staff will briefly summarize the requested zoning change; and shall respond to any questions from the City Council regarding the staff recommendations related to the proposed zoning change.
2. The applicant shall be provided an opportunity to be heard, and may present any evidence, information, or materials which the applicant desires for the City Council to consider in arriving at its determination.
3. Public comments will be accepted and individuals making public comment may present any evidence, information and/or materials the individual desires for the City Council to consider in arriving at its determination.
4. The City Council may place reasonable time limitations on the presentation of the applicant and on public comments by individuals in support or opposition to the zoning decision. An equal period be allowed for presentation data, evidence, and opinion by proponents of the zoning decision and by opponents of the zoning decision, and in no event shall the minimum time period allowed for presentation be less than 10 minutes per side.
5. Persons speaking either in support of or in opposition to a zoning decision shall be recognized by the mayor, shall state their name and address for the public record, and shall present any written documents which they desire to be included in the record of the meeting to the City Clerk and Director of Planning and Development.
6. All comments shall be directed to the City Council and shall be made in an orderly manner.
7. The applicant and any opponents to the zoning decision shall acquaint themselves with the provisions of §36-67a-3 and shall comply with the provisions of that statute

902 Planning and Development Director

A. Role of the Director of Planning and Development

1. The Director of Planning and Development shall administer and enforce this Ordinance with the assistance of the Planning and Development, and Code Enforcement staff and other persons as designated by the Director of the Planning and Development Department.
2. The Director shall have the authority to approve and issue Administrative Variances, Building Permits, Certificates of Occupancy, and Temporary Outdoor Activity Permits, and to make interpretations and determinations of the Zoning Ordinance and Zoning Map in order to carry out the intent and purpose of this Zoning Ordinance.
3. If the Director finds that any of the provisions of this Ordinance are being violated, they shall notify in writing the property owner and tenant responsible for such violations, indicating the nature of the violation, and ordering the action necessary to correct it. The Director shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of illegal additions, alterations, or structural changes; discontinuance of any illegal work being done; or shall take any other action authorized by this Ordinance to ensure compliance with or to prevent violation of its provisions.

B. ADMINISTRATIVE VARIANCES

1. The Director shall have the power to grant variances (except for density and use) from the development standards of this Ordinance where, in his or her opinion, the intent of the Ordinance can be achieved, and equal performance obtained by granting a variance. The authority to grant such variance shall be limited to variances from the following requirements:
 - a. Front yard or yard adjacent to a public street - variance not to exceed twenty (20) percent.
 - b. Side yard - Variance not to exceed ten (10) percent.
 - c. Rear yard - Variance not to exceed twenty (20) percent.

C. BUILDING PERMITS REQUIRED

No building or structure shall be erected, moved, added to, or structurally altered without a permit issued by the Director of the Planning and

Development Department. No building permit shall be issued except in conformity with the provisions of this Ordinance unless the Director receives a written order from the Board of Appeals in the form of an administrative review or variance as provided by this Ordinance.

D. APPLICATION FOR BUILDING PERMIT

1. The applicant for a building permit shall submit plans at a suitable scale showing the shape, size, and location of the lot to be built upon; the shape, size, height, use, and location of the buildings to be erected, altered, or moved and of any buildings already occupying the lot; the number of dwelling units the building is designed to accommodate; the setback line of the buildings on adjoining lots; and any other information needed to determine whether the provisions of this Ordinance are being followed.
2. If the plans conform to the provisions of this Ordinance, the City building Ordinances, and other Ordinances of the City, the permit shall be issued upon payment of the required fee. If compliance does not result, the building permit shall be refused by the Planning and Development Director stating such refusal in writing with the cause.
3. If no visible progress on construction or modification has been made within 12 months of the date that said permit is issued, the permit becomes invalid. The Director may renew the permit pending review and recommendation of the Building Inspector. A renewal fee is required to be paid by the applicant before the permit is renewed.

E. CERTIFICATE OF OCCUPANCY REQUIRED

1. It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both until a Certificate of Occupancy has been issued by the Director of Planning and Development or their designee stating that the proposed use of the building or land conforms to the provisions of this Ordinance.
2. A record of all Certificates of Occupancy shall be kept on file in the Planning and Development Department and a copy shall be furnished, upon request, to any person.

903 Board of Appeals

A. ESTABLISHMENT AND PROCEDURE

1. COMPOSITION, APPOINTMENT, AND TENURE

A Board of Appeals (BOA) shall consist of five (5) members, appointed by the Mayor, **and** with the consent of the City Council. The terms of the members shall be for four years each with staggered terms. No member of the Board of Appeals may hold any other public office or position in the Municipality.

2. VACANCIES

Vacancies shall be filled by appointments for unexpired terms only and in the same manner as the original appointment.

3. REMOVAL

Any member of the Board of Appeals may be removed by the Mayor, with **the** consent of the City Council, for **any reason** after written notice and a public **vote**. Any member who misses more than three meetings in any one calendar quarter without excuse shall be removed from the Board by the City Council. The Director of Planning and Development shall keep an attendance record and report if a member's attendance does not meet this requirement to the mayor's office.

4. COMPENSATION

All members of the Board of Appeals shall receive compensation in an amount to be determined by the City Council.

5. OFFICERS AND RULES OF PROCEDURE

The Board of Appeals shall elect one of its members as Chairman who shall serve for one year or until such person is reelected or a successor is elected. The Director of Planning and Development **Department or their designee** shall act as Secretary for the Board of Appeals. Meetings shall be heard regularly, once a month, at the call of the Chairman and at such other times as the Board may determine. The Board of Appeals shall follow the rules adopted by the City Council in accordance with the provisions of this Section; shall keep minutes of its proceedings showing the absence, vote, or the failure to vote of each member; and shall keep records of its examination and other official actions, which minutes and records shall be filed in the Planning and Development Department and open to the public for inspection.

6. QUORUM

For the purpose of transacting business, a quorum of the Board of Appeals shall be considered to be **three (3)** of the five **(5)** members.

B. BOARD OF APPEALS HEARINGS.

The Board of Appeals shall conduct public hearings on all applications or referrals, within a reasonable time and place to advertise as required by State law. Any party in interest may appear in person, or by an agent or by an attorney, and be heard.

C. POWERS AND DUTIES

The Board of Appeals shall have the following powers and duties:

1. ARCHITECTURAL, DIMENSIONAL AND LOCATIONAL VARIANCES

If literal enforcement of the provisions of this Ordinance would result in unnecessary hardship due to special conditions and not to the intentional conduct of the requesting party, the Board of Appeals may authorize such variance if it is not contrary to the public interest. A variance from the terms of this Zoning Ordinance shall not be granted by the Board of Appeals unless and until:

- a.** A written application for a variance is submitted demonstrating that:
 - i.** Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.
 - ii.** That the special conditions and circumstances did not result from the actions of the applicant.
 - iii.** No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings on other districts shall be considered grounds for the issuance of a variance.
- b.** Notice of a public hearing shall be given as in *Subsection 903 C.1., Architectural, Dimensional and Locational Variances.*
- c.** Where the strict application or literal enforcement of the requirements of this Zoning Ordinance would result in the applicant suffering practical difficulties, the Board of Appeals shall have the

power to authorize a variance from the terms of this Zoning Ordinance to relieve such difficulties. In granting a variance, the Board of Appeals may impose such conditions as may be necessary to comply with the factors herein to reduce or minimize potential injurious effects of such variance upon neighboring properties and to carry out the general purpose and intent of this Zoning Ordinance. In making such a determination, the Board of Appeals shall consider all the following factors, including whether:

- i.* The property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance.
 - ii.* The variance is substantial.
 - iii.* The essential character of the neighborhood would be substantially altered or adjoining properties would suffer a substantial detriment as a result of the variance.
 - iv.* The variance would adversely affect the delivery of government services (i.e., water, sewer, garbage).
 - v.* The property owner purchased the property with knowledge of the zoning restriction.
 - vi.* The property owner's predicament feasibly can be obviated through some method other than a variance.
 - vii.* The spirit and intent behind the zoning requirement would be observed and substantial justice is done by granting the variance; and
 - viii.* Any other relevant factor to assist the Board of Appeals in weighing and balancing the public and private benefits and harms of the requested relief is necessary.
- d.* In granting any variance, the Board of Appeals may prescribe appropriate conditions and safeguards in conformity with the intent of this Ordinance.
- e.* Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance and punishable under the provisions of this Ordinance; and

- f. Under no circumstances shall the Board of Appeals grant a variance to allow a use permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

2. APPEAL OF ADMINISTRATIVE REVIEW:

a. HEARINGS, APPEALS, NOTICE

- i. Appeals to the Board of Appeals concerning interpretation or administration of the Zoning Ordinance may be taken by any person aggrieved or by any officer or bureau of the governing body of the City affected by any decision rendered.
- ii. Such appeals shall be submitted within 30 days of the Board by filing with the Director of Planning and Development a notice of appeal specifying the grounds thereof.
- iii. The Director of Planning and Development or his or her designee shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken. The Board of Appeals shall fix a reasonable time for the hearing of an appeal; give due notice thereof to all parties in interest; and after hearing, decide the same within a reasonable time. At the hearing, any party in interest may appear in person, or by agent or attorney, and be heard.

b. STAY OF PROCEEDINGS

- i. An appeal stays all proceedings in furtherance of the action appealed from, unless the Director, or other person or agency from whose action the appeal is taken certifies to the Board of Appeals after the notice of appeal is filed that by reason of facts stated in such certification a stay would, in the opinion of the person making the certification, cause imminent peril to life and property.
- ii. In such case, proceedings may be stayed by a restraining order issued by the Board of Appeals, or by a court of record, on the application, on notice to the parties of interest, and for good cause shown.

c. HEARING OF APPEAL

The Board of Appeals shall conduct a public hearing as described in *Subsection 903 C.1., Architectural, Dimensional and Locational Variances.*

d. POWERS TO REVERSE OR AFFIRM

In exercising the above-mentioned powers so long as such action is in conformity with the terms of this Ordinance, the Board shall have the power to reverse or affirm, wholly or partly, or to modify the order, requirement, decision, or determination as ought to be made, and to that end shall have the powers of the Director, or other person or agency from whom the appeal is taken. The concurring vote of three members of the Board of Appeals shall be necessary to reverse any order, requirement, decision, or determination from which the appeal was made, or to decide in favor of the applicant on any matter upon which it is required to pass under this Ordinance or to affect any variation in the application of the Ordinance.

e. BOARD OF APPEALS DECISIONS.

All Board of Appeals decisions shall be in writing and shall contain findings of facts and conclusions of law. Decisions shall be mailed to the applicant and any interested parties who make a written request for a copy of the written decision without unreasonable delay after the close of the hearing. Where an application has been denied, no new application on substantially the same facts shall be filed within six months of the date the previous denial, unless the Board of Appeals, for good cause shown by the applicant, grants permission to do so.

f. APPEALS FROM THE BOARD OF APPEALS TO CITY COUNCIL.

Any person or persons severally or jointly aggrieved by any decision of the Board of Appeals may take an appeal to the City Council. Any appeal filed by the City shall be filed by the City Manager. Said appeals to the City Council shall be filed within thirty (30) days on the date of the decision of the Board of Appeals. If no appeal of the decision of the Board of Appeals is filed within thirty (30) days, said decision of the Board of Appeals shall be final. Any appeals to the City Council shall be filed with the City Clerk, and upon receipt of the appeal, the City Clerk shall place the matter on the agenda of the next regularly scheduled City Council meeting, which is scheduled at least ten (10)

days after the date the appeal is received by the City Clerk. The appeal to the City Council shall be a de novo hearing, and the parties to the appeal shall be entitled to present whatever evidence they deem appropriate to the City Council. Evidence submitted to the City Council on the appeal may be in writing or through oral presentation. However, the City Council shall have the right to limit oral presentations to no more than fifteen (15) minutes per side. Upon hearing an appeal, the City Council may render a decision at the meeting or may take the matter under advisement and render a decision at any regularly scheduled or specially called meeting in the next forty-five (45) days. Decisions by the City Council may be in writing or by oral motion but shall be approved at a regular or specially called meeting.

g. APPEALS FROM THE CITY COUNCIL TO THE SUPERIOR COURT OF GWINNETT COUNTY

Any person or persons severally or jointly aggrieved by any decision of the City Council on an appeal from a decision of the Board of Appeals may take an appeal to the Superior Court of Gwinnett County. Said appeal to the Superior Court shall be by Writ of Certiorari. Said appeal must be filed within thirty (30) days from the date of the decision of the City Council. If no appeal of the decision of the City Council is filed within thirty (30) days, the decision of the City Council shall be final. Any appeals to the Superior Court shall be an appeal based on the record created before the City Council and shall be limited to determining whether the City Council acted arbitrarily or capriciously or abused its discretion in exercising the powers granted to it.

h. DUTIES OF ADMINISTRATIVE OFFICIAL, BOARD OF APPEALS, CITY COUNCIL AND COURTS ON MATTERS OF APPEAL.

It is the intent of this Ordinance that all questions of interpretation of this Ordinance shall be first presented to the Director of Planning and Development. Questions of interpretation shall be presented to the Board of Appeals only upon appeals from a decision of the Director of Planning and Development. It is further the intent of this Ordinance that any such decision by the Board of Appeals shall be appealable to the City Council, and that the only recourse from the decisions of the City Council shall be to the Courts as provided by law.

904 Planning Commission**A. ESTABLISHMENT AND PROCEDURE.**

The Planning Commission shall consist of **five (5)** members appointed by **Mayor with consent of the** City Council for terms of **four (4)** years on a rotating basis from and among the qualified electors of the City. Members of the Planning Commission shall not hold any other City office.

- 1.** The Planning Commission may make recommendations to the City Council on all matters affecting the physical growth and development of the City, shall be consulted on the Comprehensive Plan and the implementation or amendment thereof, and shall exercise all other responsibilities as may be provided by the City Ordinance, including, but not limited to, this Zoning Ordinance.
- 2.** Meetings of the Planning Commission shall be held once a month as determined by the Planning and Development Department. Hearing dates will be available online and in-person at the Planning and Development Department.
- 3.** The Planning Commission shall follow the rules and procedures adopted by the City Council and shall keep a record of its proceedings, recording the vote upon each question, and shall also keep records of its hearings and other official actions.
- 4.** Actions of the Planning Commission shall be a public record and all meetings of the Planning Commission shall be open to the public except in those instances when the Planning Commission is acting in a quasi-judicial manner; in which case the Planning Commission shall conduct a record hearing and may deliberate in private, and any matters permitted to be closed to the public under applicable Georgia law.

B. AMENDMENTS TO THE ZONING ORDINANCE AND MAP (REZONING)

- 1.** Petitions for amendments to the Zoning Ordinance or Zoning Map shall be made to the Planning Commission and City Council if the petition is City initiated or non-City initiated. If a petition is made for a Zoning Map amendment, the petition shall only be considered if one or more owners of property in the proposed area or an authorized agent are party to the petition.

2. The Planning and Development Department shall create a yearly calendar of all meetings and shall provide notice of each hearing as required by State statutes.

C. SPECIAL USES

The Planning Commission shall review and make a recommendation to the City Council regarding the establishment or material change in Special Uses as regulated in this *Section*.

1. The Planning Commission shall give due regard to the nature and condition of all adjacent uses and structures and in authorizing a special use may impose such requirements and conditions, in addition to those expressly stipulated in this Zoning Ordinance, as it may deem necessary for the protection of adjacent properties and the public interest.
2. In deciding a special use, the Planning Commission may impose conditions as may be necessary to comply with the standards set forth herein to reduce or minimize potential injurious effects upon neighboring properties and to carry out the general purpose and intent of this Zoning Ordinance.
3. A special use shall become null and void at the expiration date recommended by the Planning Commission; set and approved by the City Council.
4. The Planning Commission shall not recommend a special use unless it, in each specific case, makes specific findings of fact directly based upon credible evidence as to all the following:
 - a. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.
 - b. The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or will not substantially diminish and impair property value within the neighborhood.
 - c. The establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

- d.* Adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.
 - e.* Adequate measures have been or will be taken to provide ingress and egress so designed to minimize traffic congestion in the public streets; and
 - f.* The special use will be in a district where such use may be permitted and that all requirements set forth in this Zoning Ordinance and applicable to such conditional use will be met.
- 5.** The special use permit is designed to be used when:
 - a.* A special use listed under the zoning district is desired for development in a more intensive zoning district which contains that use as a use by right would not be appropriate for the property; or
 - b.* A special use listed under the zoning district is desired for development and no zoning district contains that use as a use by right; or
 - c.* The height of a building may affect the overall density of development; or
 - d.* The height of any structure may affect neighboring properties; and,
 - e.* The special use would be consistent with the needs of the neighborhood or the community, be compatible with the neighborhood, and would not conflict with the overall objectives of the comprehensive plan.
- 6.** To accommodate these special uses, the special use permit allows the City Council to approve a special use on a particular lot without changing the general zoning district.
- 7.** Such approval shall be subject to the requirements set forth below and any additional conditions deemed necessary to ensure the compatibility of the special use with the surrounding properties.
- 8.** All special use permit applications shall be for planned developments only and shall not be used for securing early zoning for conceptual proposals which may not be undertaken for some time. A special use permit application shall be considered only if it is made by the owner of the property or his/her authorized agent.

D. DECISIONS OF THE PLANNING COMMISSION

1. The Planning Commission may, by a vote of not less than a simple majority of the members, present at a meeting:
 - a. Recommendation to City Council that the proposed amendment to the Zoning Map or Zoning Ordinance or a Special Use be **Approved as Requested**; or
 - b. Recommendation to City Council that the proposed amendment to the Zoning Map or Zoning Ordinance or a Special Use be **Approved with Conditions**; or
 - c. Recommend to City Council **Denial** of the proposed amendment to the Zoning Map or Zoning Ordinance or a Special Use; or
 - d. Recommend to City Council to **Table** the proposed amendment to the Zoning Map or Zoning Ordinance or a Special Use.
2. The recommendation shall be forwarded in writing to City Council within 30 days of the Planning Commission's vote, after which a public hearing shall be held by City Council in accordance with its rules of procedure.

905 City Council

Under this Ordinance, the City Council shall have only the following duties:

- A. Considering and adopting or rejecting proposed amendments or the repeal of this Ordinance, as provided by law.
- B. Hearing and making a final determination on Special Uses as identified in *Section 904 C., Special Uses and Section 907, Rezoning and Special Use Permit Application Public Hearing Process.*
- C. Hearing and making a final determination on appeals to this Zoning Ordinance and Zoning Map amendments.
- D. Establishing a schedule of fees and charges as stated in this Ordinance; and
- E. Such other duties as may be established by laws of the State of Georgia or subsequently enacted Ordinances of the City.

906 Authority

The City Council may from time to time amend the boundaries of the zoning districts established on the official zoning map or the regulations set forth in this Ordinance **or amend the text of this Ordinance.**

- A.** Any proposed amendments shall be submitted to the Planning Commission for its recommendation. The Planning Commission shall make a recommendation to the City Council within thirty (30) days, or the Council shall be free to proceed without further awaiting the report of the Planning Commission.
- B.** When acting on an application for a rezoning or a Special Use Permit, the City Council shall have the right to grant the application, to deny the application, to grant a rezoning to less intense **zoning classification** than the **classification** requested, or to grant the application with the appropriate conditions. The City Council may also table the proposal **or allow the proposal to be withdrawn without prejudice**. In granting a rezoning application or Special Use Permit, in addition to imposing appropriate and necessary conditions, the Council shall have the authority to grant variances of the terms and conditions of **this Ordinance if an application is allowed to be withdrawn without prejudice there shall be no waiting period for the filing of a new application**.

907 Rezoning and Special Use Permit Application Public Hearing Process

The Applicant or representative is encouraged to appear at the Planning Commission Meeting and the City Council Public Hearing. Failure to attend a meeting may result in the tabling of the application until the next meeting of that group. However, the Planning Commission and the City Council may act on the application should they so choose. Meeting dates, times, and locations are available online and in-person at the Planning and Development Department.

A. Schedule Of Events

- 1.** At least one week prior to the scheduled Planning Commission Meeting, the Planning Staff Report and Recommendation will be emailed to the applicant and will be available at the Planning and Development office.
- 2.** The applicant is encouraged to appear before the City of Lawrenceville Planning Commission to present their case in support of the rezoning application. The Planning Commission may ask questions of the applicant and the opposition. The Planning Commission is a recommending body. Their recommendation will be forwarded to the City Council.
- 3.** The applicant is encouraged to be present at the City Council Work Session. The applicant may be asked to present their case or to answer questions, at the desire of the City Council.

4. The applicant is encouraged to appear before the City Council for the Public Hearing.
5. If the rezoning application is denied by the City Council, any new application shall meet the requirements of Section 911 Lapse of Time Requirements for Reapplication.

B. Procedures

1. In the approval process for a zoning proposal application, the City Council shall consider the policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area and shall consider the potential adverse impacts on the surrounding area, especially with regard to but not limited to traffic, storm drainage, land values, and compatibility of land use activities.
2. If an application is approved and zoning proposal is granted, all conditions which may have been attached to the approval are binding on the property. All subsequent development and use of the property shall be in accordance with the approved plan and conditions. All final site plans shall be approved by the Director of Planning and Development or his or her designee prior to the issuance of any permits.
3. Once established, the zoning proposal shall be permanent unless otherwise rezoned.
4. Upon approval by the City Council, a zoning proposal shall be identified on the official zoning maps.
5. Upon approval by the City Council of zoning proposal, the owner of the property shall be issued a notice from the Planning and Development Department, which states the rezoning, the requirements of this section, and any conditions attached to the approval.
6. Any person, persons, or entities jointly or severally aggrieved by any decision of the City Council regarding a zoning proposal application may take an appeal to the Gwinnett County Clerk of Superior Court. The appeal must be filed within 30 business days of the decision of the City Council, and upon failure of such appeal, the decision of the City Council shall be final.

C. STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

The City Council finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

1. Whether a zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
2. Whether a zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
3. Whether the property to be affected by a zoning proposal has a reasonable economic use as currently zoned.
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
5. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan; and
6. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal.

909 Variance Public Hearing Procedures

The Applicant is required to appear at the Board of Appeals Meeting. Failure to attend the meeting may result in the tabling of the application until the next meeting of that group. However, the Board of Appeals may act on the application should they so choose. Meeting dates, times, and locations are available online and in-person at the Planning and Development Department.

A. SCHEDULE OF EVENTS

1. After confirming that the conditions for a variance as described in Section 903C.1.a are met, the applicant can apply through the Planning and Development Department.
2. The applicant must post a sign given to them by the Planning and Development Department at least 15 days prior to the public hearing.
3. The applicant shall appear before the City of Lawrenceville Board of Appeals to present their case in support of the variance application. Any

opposition to the variance application will be given equal time to present its case.

B. PROCEDURE

1. In the approval process for a variance application, the Board of Appeals shall consider all the factors listed in 903 C.1.c. before deciding.
2. Once approved, the applicant may begin development. A variance is a permanent entitlement to the land.
3. Upon approval by the Board of Appeals, the variance shall be archived by the Planning and Development Department.
4. Any person, persons, or entities jointly or severally aggrieved by any decision of the Board of Appeals regarding a variance application may take an appeal to the City Council. The appeal must be filed within 30 business days of the decision of the Board of Appeals, and upon failure of such appeal, the decision of the Board of Appeals shall be final.

910 Withdrawal of Application

Once an application for an amendment to the Official Zoning Map or an application for a Variance or Special Use Permit has been made the applicant may withdraw such application without prejudice at any time until the official withdrawal deadline published in the Public Hearing Schedule maintained by the Department has passed.

An application may not be withdrawn by an applicant or property owner under any circumstance after the official withdrawal deadline. Once past the published withdrawal deadline all applications shall be considered by the City Council or Board of Appeals, as appropriate, and shall receive final action, unless the City Council or the Board of Appeals votes to allow the application to be withdrawn without prejudice. Any application that is allowed to be withdrawn without prejudice shall have no waiting period for filing a new application.

IT IS SO ORDAINED, this ____ day of _____, 2022.

Mayor David R. Still

Attest: _____
City Clerk

DRAFT



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: CITY COUNCIL REGULAR MEETING
AGENDA CATEGORY: NEW BUSINESS

Item: An Ordinance to Amend the Code of Ordinance, Chapter 10, Article II

Department: Planning and Development

Date of Meeting: Wednesday, November 16, 2022

Presented By: Todd Hargrave, Planning and Development Director

Action Requested: Adoption of Amendment

Summary: Deleting the property maintenance ordinance in its entirety and replaced with the proposed changes; this includes regulations extracted from the Zoning Ordinance so that the document is more cohesive.

Attachments/Exhibits:

- **Proposed Amendment**

**AN ORDINANCE TO AMEND
THE CODE OF THE CITY OF LAWRENCEVILLE, GEORGIA,
CHAPTER 10 – BUILDING AND BUILDING REGULATIONS, ARTICLE II. - PROPERTY**

The City Council of the City of Lawrenceville, Georgia hereby ordains that the Code of the City of Lawrenceville, Georgia is amended as follows:

Section 1. Adopt Chapter 10 – Building and Building Regulations, Article II. – Property Adopt13Property Maintenance Ordinances as follows:

Chapter 10 – Building and Building Regulations,

Article I. – IN GENERAL ~~Interpretation~~

Sec. 10-1. Title

The title of this Chapter shall be the “City of Lawrenceville Property Maintenance Ordinance” and may be cited hereinafter as “This Chapter.”

Sec. 10-2. Purpose

The purpose of this Chapter is to establish minimum requirements and standards for premises and structures in order to promote and protect the public health, safety, convenience, order, and general welfare of the citizens of the City.

Sec. 10-3. Scope

This Chapter shall apply to all existing structures and premises and constitute minimum requirements and standards for existing structures and premises.

Sec. 10-4. Interchangeability

Words stated in the present tense include the future. Words stated in the masculine gender include the feminine and neuter. Words stated in the singular number include the plural and the plural singular.

Definitions

Terms not defined in this section shall have their meaning as defined in the Zoning Ordinance, the Development Regulations, and the Construction Code, or in the absence of such definition, terms shall have their common dictionary definition. Whenever the terms "dwelling unit," "premises," "building," "rooming house," "rooming unit," or "story" are stated in this chapter, they shall be construed as

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~~though they were followed by the term "or any part thereof." The following definitions shall apply in the interpretation and enforcement of this chapter:~~

Sec. 10-29. Duties of Property Owner

It is the duty of every property owner located within the City of Lawrenceville, Georgia to:

- a.** Construct and maintain such property in conformance with all applicable codes in force within the City limits, and any such ordinances which regulate and prohibit activities on ~~property~~property, and which declare it to be a public nuisance to construct or maintain any property in violation of such codes or ordinances; and
- b.** Keep such property reasonably clean and free of any materials or conditions which create a health or safety hazard either on such property or to surrounding persons or ~~properties~~properties.

Sec. 10-30. Fences, Hedges and Walls (RS-180, RS-150, RS-60, RS-50, R-TH)

a. Fence, Hedge and Wall - Location

- i.** Fences, Hedges and Walls shall be prohibited within a designated private/public access/utility easement or public right-of-way.
- ii.** Fences, Hedges and Walls shall be prohibited from obstructing the view of an individual operating a vehicle while entering or exiting a designated driveway, private/public access or utility easement or a public right-of-way.

b. Fence, Hedge and Wall - Height

- i.** Fences, Hedges and Walls in required front yard areas shall not exceed four (4) feet in height.
- ii.** Fences, Hedges and Walls adjacent to an interior lot line in required rear and side yard areas shall not exceed six (6) feet in height.

c. Fence, Hedge and Wall - Exceptions

- i.** Fences, Hedges or Walls enclosing an approved stormwater management facility may be a maximum of six (6) feet in height.
- ii.** Fences, Hedges or Walls enclosing a tennis court may be a maximum of twelve (12) feet in height.

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iii. Fences, Hedges and Walls located on lot with double frontage may have a fence, hedge, or wall up to (6) feet in height within a designated no access easement, subject to the review and approval of the Director of Planning and Development.

iv. The City Council may condition the approval of a Rezoning or Special Use Permit allowing an increase of the height of Fences, Hedges or Walls in excess of the minimum requirements of this Ordinance.

d. Subdivision Entrance Features

Walls or fences incorporated into a subdivision entrance feature shall not exceed ten feet in height and shall be subject to review and approval by the Director after the submission of a landscape plan, site plan, and architectural elevations to the Department.

e. Fence Materials

i. Any wall or fence which extends into the required front yard on property less than 3 acres in area shall be ornamental or decorative and constructed of brick, stone, wood, or wrought iron.

ii. No wall or fence constructed of woven wire or metal fabric (chain link, hog wire, or barbed wire) shall extend into a front yard.

iii. Electric and barb wire fences shall be prohibited in residential districts except on lots that meet or exceed the minimum requirements for raising and keeping livestock (3 acres). Woven wire or metal fabric fences may extend into a front yard area, subject to the review and approval of the Director of Planning and Development.

iv. Exposed concrete blocks, tires, scrap metal, sheet metal, plastic/fiberglass sheeting, vinyl siding or fabric, plywood, pallet material, junk, or other discarded items shall be prohibited as fence material in residential and non-residential districts.

Sec. 10-31. Garage, Rummage, and Yard Sales

Garage, rummage, yard, and similar sales shall be permitted from an occupied residence, or group of residences in the case of a neighborhood event, subject to the following requirements and limitations:

1. Zoning

Garage, rummage, yard, and similar sales shall be permitted within the Mixed-Use, Multifamily, and Single-Family zoning classifications with the

review and approval of an administrative variance by the Director of the Planning and Development Department;

2. Permit Restrictions

- a. A Temporary Use Permit shall be required;
- b. The person or entity seeking to conduct such a sale shall obtain the approval at least five business days before the start date of a garage or yard sale;
- c. Garage or Yard Sales shall be limited to Friday, Saturday, and/or Sunday only, between the hours of 8 AM and 5 PM;
- d. Garage or Yard Sales shall be limited to four events in any calendar year;
- e. No more than one temporary outdoor activity shall be permitted simultaneously on a parcel;
- f. An additional permit for a Garage or Yard Sale on the same property may not be applied for or renewed within 90 days from the date of any prior approval;
- g. No evidence of the Garage or Yard Sale shall remain on a parcel of property for more than 12 consecutive hours of any calendar day;
- h. No permit holder shall permit any loud or boisterous conduct on or near the premises;
- i. No permit holder shall permit persons to line up or congregate, either on foot or in automobiles, before the start of the Garage or Yard Sale;

3. Sales and Display

- a. An affirmative statement that the goods to be sold are owned by the person or persons conducting the sale, and that such goods were not acquired for resale;
- b. No display shall be erected or installed, nor shall any display take place, within a City, County, or State right-of-way;
- c. All personal property offered for sale shall be displayed within the residence, garage, and carport or rear yard area;
- d. A Vehicle offered for sale may be displayed on the paved driveway within the front yard;

4. Signs

- a. Signs shall be a maximum of four square feet;
- b. Signs shall not be in the public right-of-way (i.e. street lights, telephone poles, traffic signs, or any other structure);
- c. All signs placed off-site shall have the permission of the owner of the property on which the sign is to be placed;
- d. Signs shall only be posted during the duration of the permitted event;
- e. Signs shall be a maximum of four square feet;

5. Temporary Structures

No temporary structure or covering shall be erected as a part of an Estate Sale. Display tables and Pop-Up Tents (max. area 100 square feet) may be used;

6. Traffic Control

- a. A traffic and parking plan detailing the proposed method for controlling traffic to ensure the flow of vehicular traffic will not be impeded during the proposed sale; and
- b. Parking of motor vehicles is restricted to one side of the street, and where practical, shall be restricted to the same side of the street on which the sale will be conducted;
- c. No permit holder shall allow vehicles to impede the passage of traffic on any roads or streets in the vicinity of the sale. Permit holders shall report to the Police Department any vehicles which are parked in violation of this division;
- d. Permit holders shall keep the streets, sidewalks, and general vicinity of the sale location free from trash and litter.

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7. Code Enforcement

The City of Lawrenceville Planning and Development Department, Code Enforcement Unit shall be authorized to inspect the Garage and Yard Sale for compliance with the provision of this Article;

8. Compliance

- a. Mandatory compliance with all applicable Municipal, County, and State requirements is required;

b. City of Lawrenceville Planning and Development Department - Building Plan Review, Development Plan Review, Zoning - Permit Required;

c. City of Lawrenceville Police Department – General Safety and Welfare of the Public, Parking, Traffic Control – (Internal Staff Notification Only).

Sec. 10-32. Graffiti

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It shall be a violation of this Ordinance for any person having a legal or equitable interest in a parcel of real property to permit graffiti to remain on a structure located thereon for a continuous period of more than 72 hours. For purposes of this Ordinance, the term "graffiti" shall have the same meaning as outlined in O.C.G.A. § 17-15A-2 (see Property Maintenance Ordinance, Sec. 10-XX Definitions).

~~Fences, Hedges and Walls (RS-180, RS-150, RS-60, RS-50, R-TH) Multifamily Residential, Office Institutional, and Single-Family Residential Zoning Classifications (CMU, BG, BGC, HSB, OI, LM, HM, RM-12, RM-24, RS-180, RS-150, RS-60, RS-50, R-TH)~~

a. Premises and Exterior Property Maintenance

- i. Grass shall not exceed 6 inches in height.
- ii. Weeds or uncultivated vegetation shall not exceed 6 inches in height.
- iii. Weeds or uncultivated vegetation shall be maintained and contained from encroaching on adjacent properties.
- iv. Property owners of developed property adjacent to a public right-of-way shall be required to maintain the area extending from the right-of-way/property line to the back-of-curb/edge of pavement in the same manner as described above.
- v. Undeveloped properties and portions of developed property where the intent is to leave the property in its natural state shall abide by the following:
 1. Grass, weeds, or uncultivated vegetation shall be maintained to a height of six (6) inches along the right-of-way/property line at a minimum distance equivalent to fifty (50) percent of the width of the public right-of-way as measured from the centerline of public roadway.
 2. Grass, weeds, or uncultivated vegetation shall be maintained to a height of six (6) inches along the side and rear property lines at a

minimum distance of twenty (20) feet interior to the property when undeveloped property abuts an adjacent developed property to minimize encroachment of undesirable vegetation.

3. Exceptions to subsections (1) and (2) are required stream and zoning buffers however vegetation within buffers shall be maintained so that it does not encroach onto other properties.

Sec. 10-34. Outdoor Storage – Single-Family Residential Zoning Classifications (RS-180, RS-150, RS-60, RS-50, R-TH)

- a. Outdoor Storage in residential zoning districts shall be part of, and strictly used for the residential purpose of the owner or occupant of the residentially zoned property.

Outdoor Storage in mixed-use, multifamily, and single-family zoning classifications shall be governed by the following restrictions and requirements:

- i. Outdoor storage of appliances, building materials, construction equipment, debris, garbage, glass, junk vehicles, junk vessels, materials, merchandise, rubbish, trash, or other similar materials shall not be allowed on any residentially zoned property.
- ii. Outdoor Storage shall be stored in an approved accessory structure an enclosed garage connected to the principal structure, or in the rear or side yard areas.
- iii. Outdoor Storage stored in the rear or side yard area shall be screened with either landscaping or fencing that provides an effective year-round visual screen from neighboring properties and/or public right-of-way.
- iv. Garbage, rubbish, trash, or other similar items shall not be placed outside for collection by an authorized waste hauler not more than 24 hours before the designated collection date for a residentially zoned property.
- v. This Section is not intended to, and shall not be interpreted to, prohibit the construction of mailboxes, driveways, walkways, lampposts, decorative columns, or landscaping within the right-of-way, provided such structures are located behind the curb line and do not create a traffic hazard.

Sec. 10-35. Private or Residential Swimming Pool and Spa

A Private or Residential Swimming Pool and Spa, as defined by *International Swimming Pool and Spa Code (ISPSC)* shall be maintained in a mechanically and structurally safe, sanitary, and secure condition always.

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A Private or Residential Swimming Pool and Spa shall be surrounded by a barrier, fence, or wall having a minimum height of four (4) feet. When the sides of an aboveground pool are used as the barrier the ladder or steps shall be capable of being secured, locked, or removed to prevent access; or the ladder or steps shall be surrounded by a fence or wall which meets these requirements.

In addition to any State laws, City and County ordinances and regulations, or health codes which govern the maintenance of multifamily residential swimming pools within the City of Lawrenceville, the following regulations shall apply:

- a. Swimming pools, when uncovered, shall be maintained in such a manner that the water in the pool is kept clear and free of algae. The bottom of the pool, at its deepest point, shall be always visible.
- b. When not covered, the filtration system must be operational either continuously or at set intervals as controlled by an electronic timing device to prevent water from becoming stagnant.
- c. When covered, the cover shall remain securely affixed and must remain in good repair. Accumulated leaves and tree debris must be removed to ensure the pool cover is visible and to prevent damage or breach of the cover.
- d. Stagnant water located within swimming pools or on swimming pool covers conducive to the breeding and harboring of mosquitoes or other insects shall not be permitted or maintained on any premises.

Sec. 10-36. Trees - Commercial, Industrial, Mixed-Use, Multifamily, Office Institutional, and Single-Family Zoning Classifications (BG, BGC, HSB, OI, LM, HM, CMU, RM-12, RM-24, RS-180, RS-150, RS-60, RS-50, R-TH)

a. Easements

Trees shall not be in a recorded easement defined as granting the right of a person, government agency, or public utility to use public or private land owned by another for a specific purpose (i.e., drainage, electric, gas, sewer, water).

b. Hazardous Trees

Dead, dying, damaged or diseased trees shall not be allowed to exist or to be maintained on any premises, which are hazardous to persons on adjacent property or to adjacent property.

c. Tree Stumps

i. Tree stumps shall not be permitted or maintained on any premises.

ii. Exceptions:

1. Property covered by a valid land-disturbing permit.
2. Undeveloped property and portions of developed property where the intent is to leave the property in its natural state (see Property Maintenance Ordinance, Sec. 10.31. Grass, Weeds and Uncultivated Vegetation. a.v.1-3.).

d. Tree Debris

ii. Felled trees, slash, removed tree limbs, or other portions of any tree shall not be permitted or maintained on the ground on any premises.

iii. Exceptions:

1. Property covered by a valid land-disturbing permit.
2. Cut wood which is neatly stacked in lengths equivalent to one cord of wood or 4 feet width, 8 feet length, and 4 feet height shall be neatly stacked in a rear yard area only: and
3. Undeveloped property and portions of developed property where the intent is to leave the property in its natural state (See Property Maintenance Ordinance, Sec. 10.31. Grass, Weeds and Uncultivated Vegetation. a.v.1-3.).

Sec. 10-37. Residential Vehicle Parking

a. General

In all residential zoning districts, the parking of the following vehicles and vessels shall be as follows:

- i. No more than four (4) vehicles or vessels may be parked on any parcel of land. The parking of additional Vehicles or Vessels shall require the approval of Variance (see Zoning Ordinance, Article 9 Administration and Enforcement, Section 903 Board of Appeals).
- ii. Vehicles or Vessels shall be parked on an approved hard surface (see Property Maintenance Ordinance, Sec. 10.39. Residential Driveways).

b. Passenger Car, SUV, Truck or Van

In all residential zoning districts, the parking of the following vehicles shall be permitted:

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Passenger Car, SUV, Truck, or Van, as defined by this Property Maintenance Ordinance.

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c. Recreational Vehicles, or Recreational Vessels

- i. Recreational Vehicles or Vessels intended for recreational purposes shall be parked in a carport, garage, or the Rear Yard Area on an approved hard surface.
- ii. Recreational Vehicles or Vessels parked in the Rear Yard Area shall be parked at least fifteen (15) feet from an adjacent side or rear property line:
- iii. Recreational Vehicles shall not exceed a length of forty-five (45) feet, a width of eight and one-half (8½) feet, and a height of thirteen and one-half (13½) feet.
- iv. Recreational Vessels shall not exceed a length of thirty (30) feet, a width of eight and one-half (8½) feet, and a height of thirteen and one-half (13½) feet including the trailer.
- v. Recreational Vehicles or Vessels, including a trailer, may not be parked or stored where it would constitute a clear and demonstrable vehicular traffic hazard or be a threat to public health or safety.

d. Commercial Vehicles - Residential

In all residential zoning districts, the parking of the following Vehicles shall be prohibited:

- i. Any vehicle-for-hire including but not limited to the following Vehicles as defined by this Property Maintenance Ordinance; All-Terrain; Buses; Commercial; Former Military Motor Vehicle; Limousine; Pole Trailer; Semitrailers; Special Mobile Equipment; Taxicab; Tractor; Trailer; Truck; Truck Tractor and Wrecker.
- ii. In all residential zoning districts, the parking of any Vehicle or Vessel over twenty (20) feet in length, seven (7) feet in height, or seven (7) feet in width shall be prohibited.
- iii. Exceptions:

1. Any vehicle-for-hire parked temporarily in conjunction with a delivery, sale, or service, including but not limited to a list of vehicles found in this (Property Maintenance Ordinance, Sec. 10.37. d.i.).

2. Vehicles used for agricultural purposes on residential property with five (5) acres or more are permitted if parked outside the required Front Yard Area. Vehicles or equipment used for agricultural purposes on residential property with five (5) or more acres may be exempt from hard surface requirements if parked outside the required Front Yard Area.

a. Commercial Vehicles – Commercial, Industrial or Office-Institutional

In all commercial, industrial, and office zoning districts, the parking of the following shall be restricted as follows:

i. No required parking spaces or drive aisles may be used for the sale, repair, dismantling, servicing, or long-term storage of any vehicles, vessels, or equipment, unless permitted with the approval of a Special Use Permit.

ii. Vehicles intended for delivery, sales, or service displaying advertising shall not be parked within a Front Yard Area.

iii. Vehicles intended for delivery, sale, or service displaying advertising shall be parked within the Side or Rear Yard Areas only.

b. Junk Vehicle or Vessel

i. Any vehicle or vessel shall not be kept, maintained, parked, permitted, or stored on any premise or public right-of-way. Junk vehicles found to be on any public street shall be subject to immediate removal to an impound facility by the Lawrenceville Police Department.

ii. Any vehicle or vessel of any kind or type, or contrivance or part thereof which is abandoned, disassembled, discarded, dismantled, inoperative, junked, stripped, wrecked, or incapable of being legally operated on a public highway due to flat or removed tires, missing or inoperative parts, or other defects, or which are stored outside of a building, carport, garage or similar structure for at least twenty (20) days shall be considered and defined as a Junk Vehicle or Vessel.

Sec. 10-38. Residential Driveways

In all residential zoning districts, the installation of a residential driveway shall be designed and constructed as follows:

- a. Approved hard surface driveways shall be required for all residential uses.
- b. One access driveway per lot, minimum width of sixteen (16) feet, and maximum width of twenty-four (24) feet.
- c. Driveways shall extend to, and provide access to, a carport or garage.
- d. Driveways shall intersect perpendicular to the street and may not extend along the street in a parallel or radial manner.
- e. The maximum allowable impervious surface area in the Front Yard Areas shall be a maximum of thirty-five (35) percent.
- f. Individual driveways adjacent to an Arterial or Collector shall not be approved for newly subdivided lots of less than five acres.

Sec. 10-39. Residential Parking Pads

In all residential zoning districts, the installation of a residential parking pad shall be designed and constructed as follows:

- a. Parking pads shall be limited to one pad per lot measuring a maximum of nine (9) feet in width and eighteen (18) feet in length or a maximum of 162 square feet; whichever is stricter shall apply.
- b. Parking pads shall be considered an extension of the required driveway and shall be located a minimum of eighteen (18) feet as measured from a public right-of-way/property line.
- c. Parking pads shall be considered an extension of the required driveway and shall be located a minimum of five (5) feet as measured from a rear or side property line.
- d. Residential Driveways to private residences accessing an Arterial or Collector Street(s) shall install a parking pad to avoid vehicles backing into an Arterial or Collector Street.

Sec. 10-40. Vending Machines (BG, BGC, HSB, OI, LM, and HM zoning classifications)

Outdoor storage of vending machines, boxes, or other similar containers used to distribute food or beverages, newspapers, propane tanks, ice, videos, or other similar consumer product, provided that the following requirements are met:

- a. The vending machine is not greater than seven feet in height or more than four feet in width or depth and the number of vending machines, boxes, or other similar containers shall not exceed one machine for every 3,000 square feet of building area and a maximum of three machines, boxes, or other similar containers per lot; and
- b. The machines shall be located against and parallel to the building facade.

Grass, Weeds, and Uncultivated Vegetation

Vehicle Parking Area

Sec. 10-41. Buildings

A. Exterior Surface Treatment

All exterior surfaces, including, but not limited to, siding, doors, door and window frames, cornices, porches, window shutters, gutters, and other similar exterior surfaces and trim shall be maintained in good repair and kept clean of visible signs of mold, mildew or algae growth;growth.

1. Exterior walls

Exterior walls of buildings shall be maintained free from holes, breaks, or loose or rotting materials, and shall be maintained weatherproof and properly surface-coated (i.e. protective covering or treatment) as needed to prevent deterioration (i.e. peeling, flaking, and chipping);

2. Roofs

Roofs of buildings shall be maintained so that they are structurally sound, in a safe condition, and have no defects, which might admit rain or cause dampness in the interior portions of a building. Roofs and gutters shall be kept free of excessive accumulations of leaves, pine straw, or other debris;debris.

3. Exterior Stairways, Decks, Porches, and Balconies

Exterior stairways, decks, porches, and balconies, and all appurtenances attached thereto, of buildings shall be maintained with a so that they are in good repair;repair.

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Supplemental and Accessory Use Standards, Section
200.3.86 Vehicle Parking Area

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4. Windows

Windows of buildings shall be fully supplied and maintained with glass window panes or with a substitute approved by the Director of the Planning and Development Department of Planning, Zoning and Inspections, which are without open cracks or holes. Screens, if provided, shall be securely fastened to the window or window frame. Exceptions include a commercial business that has closed may board up the windows for security for a period not to exceed sixty (60) days.

5. Exterior Doors and Frames

Exterior doors of buildings shall be maintained so that they fit reasonably well within their frames so as to substantially prevent rain and wind from entering the building. Exterior doorjambes, stops, headers and moldings shall be securely attached to the structure and maintained in good condition without splitting or deterioration. Additionally, exterior doors shall be in proper working condition, with proper hardware and maintained weather-resistant or watertight caulk, sealant, and paint.

6. Decorative Features

Cornices, belt courses, corbels, terra cotta trim, wall facings, and similar decorative features shall be in good repair and maintained with a weather-resistant or watertight caulk, sealant, and paint.

7. Accessory Buildings

Under no circumstances shall accessory buildings be constructed or repaired in whole or in part with a tarp, or any tarp-like material, vinyl, plastic, or PVC.

B. Satellite Dish Antennas

In all districts, satellite dish antennas shall be permitted as accessory structures subject to the following restrictions:

1. Located only in rear yards, unless it can be documented that reception is impaired by such a location. In this case, an antenna would be permitted in a side yard, but not a front yard.
2. Satellite dish antennae larger than 18 inches in diameter shall not be located on the roof of a residential building.

3. Except as provided herein, any variation from the requirements in this Section shall require a variance to the Board of Appeals; Appeals.

C. Solar Panels

Solar panels are permitted as an accessory use in all districts to promote clean, sustainable, and renewable energy resources. The intent of these regulations is to establish general guidelines to prevent off-site nuisances including unreasonable visual interference, light glare, and heat that the incorrect placement of solar panels may create. Furthermore, no solar panel system shall be constructed, erected, installed, or located before proper approval has been obtained pursuant to this Section.

1. Requirements and Regulations

Solar panel systems shall conform to or be evaluated for compliance with the following standards:

- a. The proposed system is no larger than necessary to provide 120 percent of the electrical energy requirements of the primary structure to which it is an accessory to as determined by a contractor licensed to install solar and photovoltaic energy systems.
- b. If roof-mounted, the solar panel system shall:
 - i. Be flush mounted on the roof unless good cause is shown by the applicant that the solar panel is not at an appropriate angle to obtain sufficient sun exposure; exposure.
 - ii. Be located in the most inconspicuous location on the roof so as not to be seen from the street, if possible, and still be able to function as designed; and
 - iii. Not extend higher than the peak of a sloped roof or higher than 5 feet from the top of a flat roof; roof.
- c. If freestanding, the solar panel system shall:
 - i. Not extend more than 10 feet above the existing grade in residential districts. In all other districts, the maximum height of a solar panel system will be determined on a case-by-case basis upon plan review.
 - ii. Not be located in a required front yard; yard.
 - iii. Not be located in any required side or rear yard setback areas for accessory uses.

iv. Not be positioned so as to reflect sunlight onto neighboring property, public streets, or sidewalks, including onto any neighboring structures.

v. Be landscaped at the base and the back of the panel structure if the structure is visible from the neighboring properties.

d. Signs

i. All signs, both temporary and permanent, are prohibited on a solar panel or solar collection systems, except as follows:

ii. Manufacturer or installer's identification information on the system.

iii. Appropriate warning signs and placards.

b. Solar Panel Systems

Shall comply with all applicable sections of the City of Lawrenceville Building Code, International Building Code (IBC), and applicable industry standards such as the American National Standards Institute (ANSI), Underwriters Laboratories (UL), or an equivalent third party;

c. Utilities

All electrical transmission wires and connections on freestanding solar panel systems shall be located underground.

2. Interconnection Agreement

An Interconnection Agreement shall be required for interconnection and parallel operations of small-distributed generation equipment or facilities of 10kW or less, which includes solar panel systems proposed for connection to the local utility power grid. Adherence to corresponding statutory provisions of the Georgia Statutes shall be required.

3. Maintenance

All solar panel systems shall be maintained in good, working order.

D. Swimming Pools (Residential)

In addition to any State laws, County ordinances, or health codes governing the maintenance of residential swimming pools within the City of Lawrenceville, the following regulations shall apply:

- 1. All residential swimming pools, when uncovered, shall be maintained in such a manner that the water in the pool is kept clear and free of algae. The bottom of the pool, at its deepest point, shall be visible at all times be always visible.
- 2. When not covered, the filtration system must be operational either continuously or at set intervals as controlled by an electronic timing device to prevent water from becoming stagnant.
- 3. When covered, the cover shall remain securely affixed and must remain in good repair. Accumulated leaves and tree debris must be removed to ensure the pool cover is visible and to prevent damage or breach of the cover.
- 4. Stagnant water located within swimming pools or on swimming pool covers conducive to the breeding and harboring of mosquitoes or other insects shall not be permitted or maintained on any premises;premises.
- 5. PSwimming pools proposed to be located inbe in a front or side yard area shall require the review and approval of the Board of Appeals;Appeals.
- 6. Swimming Pools (Residential) shall be subject to the rules and regulations of Article 2, Supplemental and Accessory Use Standards.

*Maximum of 400 square feet. Accessory structures are prohibited in the front yards. Utilities shall be underground.

A. Purpose

* 400 square feet maximum. Accessory structures are prohibited in the front yards. Utilities shall be underground.

Sec. 10-42. ~~RS-60 Single-Family Residential District~~ Residential Occupancy Limitations

A. Overcrowding

1. Dwelling Units

Dwelling units shall not be occupied by more persons than permitted by area requirements set forth outlined in the following table and elsewhere in this section:

Table of Minimum Area Requirements	
	Minimum Area (in square feet)

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Space	1—2 occupants	3—5 occupants	6+ occupants
Living room ¹	No Requirement	120	150
Dining room ¹	No Requirement	80	100
Kitchen	50	50	60
Bedrooms	See subsection (b) of this section, sleeping areas.		

¹Living room and dining room spaces may be combined if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living/dining room.

2. Sleeping Areas

a. Area for Sleeping Purposes

Every person occupying a dwelling unit shall have a sleeping area of no less than 80 square feet of floor area.

b. Prohibited Occupancy.

Kitchens, dining rooms, living rooms, bathrooms, hallways, unfinished basements, garages, and non-heated spaces shall not be used for sleeping purposes and may not be used in the calculation of required sleeping space. Furthermore, partial spaces in separate rooms may not be combined to arrive at the required 80 square feet of floor area per occupant.

3. Efficiency Units

An efficiency unit is permissible if it meets the following requirements:

- The unit shall be provided with a kitchen area to include a sink, cooking appliance, and refrigeration unit each with at least 30 inches of front clearance.
- The unit shall include a separate bathroom containing a toilet, sink, and bathtub or shower.
- The unit shall have no more than three occupants.
- The unit shall have a floor area of 220 square feet for up to 2 occupants and 320 feet for three occupants. These required floor

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areas are exclusive of the required kitchen and bathroom spaces listed above;above.

4. Short-Term Occupancy

This section shall not apply to short-term occupancy not lasting longer than one week. However, the week limitation may be extended at the discretion of the Director of Planning and Development in cases of displacement due to natural or man-made disasters.

Sec. 10-43. Vacant, Foreclosed, and Delinquent Property

A. Registration required

1. The owner of any vacant, foreclosed, or delinquent real property shall maintain an agent for said property in the State of Georgia and shall register the property and the name of the agent with the Director within 14 days of the property becoming vacant, foreclosed, or delinquent.
2. The registration shall utilize a copy of the form developed by the Georgia Department of Community Affairs, as may be amended. Generally, this form shall include the following information:
 - a. The real property owner's name, street address, mailing address, phone number, facsimile number, and e-mail address.
 - b. The agent's name, street address, mailing address, phone number, facsimile number, and e-mail address.
 - c. The real property's street address and tax parcel number.
 - d. The transfer date of the instrument conveying the real property to the owner and the recording information, including deed book and page numbers, at such time as the recording information becomes available, of said instrument.
3. If the property is acquired by foreclosure under the power of sale or through a deed in lieu of foreclosure, the owner may file a copy of the deed transferring ownership of the property in lieu of submitting a registration of the required form in the following circumstances:
4. The deed contains the information specified in Subsection (2) of this Section.
 - a. The deed is filed with the Clerk of the Superior Court within sixty (60) days of the transfer.

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b. The filing date stamp or a receipt showing payment of the required filing fee with the Superior Court is provided along with a copy of the entire deed.

c. A filing in this manner shall be exempt from the registration fee required in Subsection (5) of this Section.

d. All information required in Subsection (2) or (3) of this Section shall be kept up to date, and therefore, any change to that information shall be updated through a revised filing with the Director within 30 days of the change in such information.

5. At the time of registration under this article, the owner shall pay an administrative fee as may be established from time to time.

6. The submitter required by this article shall be limited in the number of times the Director develops and the electronic filing fee is paid. The fee shall be paid to the Director and shall be used to cover the cost of the electronic filing fee.

7. Except for the forms created by the Georgia Department of Community Affairs, the Director shall create the forms necessary to carry out the provisions of this article. The owner shall be required to utilize the forms created by the Director.

B. Removal from Registry

The owner of a property may apply to have the property removed from registration by providing an application and proof that the property is occupied and that all pertinent utility accounts have been established and are being utilized. The City shall either grant or deny the application for removal from the registration list within thirty (30) days of the date of receipt of the application by the City. If no action is taken by the City within thirty (30) days, the application shall be deemed granted.

C. Penalties

Any person found to have violated any provision of this article shall be punished by a fine not to exceed \$1,000.00.

D. The appeal of the decision of the Director of the Planning and Development Department

1. Any decision of the Director required by this article shall be subject to appeal and review by the Municipal Court of the City of Lawrenceville.

2. Any decision required to be made by the Director by this Property Maintenance Ordinance article shall be in writing, and a copy shall be provided to the owner of the property.

3. Any appeal taken under this article shall be in writing and shall be filed within 30 days of the decision in question with the Clerk of Court of the Municipal Court of the City of Lawrenceville.

4. Upon receipt of the written appeal, the Clerk of Court shall notify the Director of the appeal, and the Director shall, within ten days, transmit all papers constituting the record to the Clerk of Court. The Clerk of Court shall schedule a hearing on the appeal.

5. The Municipal Court's review shall be limited to determining whether the decision of the Director constitutes an abuse of its discretion in its application and enforcement of this Property Maintenance Ordinance article.

Sec. 10-44. Enforcement, Unlawful Acts, Notice of Violation, and Emergency Nuisances Procedure

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A. Complaints Regarding Violations

Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint, fully stating the causes and basis thereof, shall be filed with the Department of Planning and Development. The Director shall properly record such complaint, immediately investigate, and take action thereon as provided by this Ordinance.

B. Enforcement

The Director of the Department of Planning and Development Department or their designee shall enforce this Ordinance.

C. Unlawful Acts

1. It shall be unlawful for a person, firm, or corporation to be in conflict with, or in violation of, this Ordinance, including violations of conditions and safeguards established in connection with grants of Variances, Special Use Permits, Rezoning, and Change In Conditions. Grandfathered, legal, non-conforming uses shall be permitted to continue under the rules and regulations of this Zoning Ordinance.

2. The owner and tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other

person or people who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

D. Notice of Violation

1. Enforcement shall begin with a written notice of violation provided to the owner and/or occupant. The notice may be delivered personally or sent by first class mail. The notice shall be served at the officer's discretion, and contain a deadline of not less than one day or more than twenty days for compliance. The deadline for compliance may be modified by the Director for good cause shown on a case by case basis.
2. If the violation continues past the deadline, the Director shall issue a summons, citation or accusation charging the person or persons, firm, corporation, or agent with a violation of this Ordinance or the City shall institute legal proceedings charging the person or persons, firm, corporation, or agent with a violation of this Ordinance. If a summons, citation or accusation is issued requiring the alleged violator(s) to appear in Municipal Court, the summons, citation or accusation shall be conspicuously posted on the property that is the subject matter of the alleged violation and a copy shall be served in the following manner:
 - a. If each owner and party in interest is a resident of the county, service shall be either personal or by statutory overnight delivery, return receipt requested; shall occur at least fourteen (14) days ~~prior~~ ~~to~~ before the date of the hearing; and a return of service, filed with the Clerk of Court, shall be deemed sufficient proof that the summons, citation or accusation was served;
 - b. If any owner or party in interest is a resident of this state but resides outside of the county, service shall occur by certified mail or statutory overnight delivery, return receipt requested, to the most recent address shown in county tax records and mailed at least fourteen (14) days ~~prior~~ ~~to~~ before the date of the hearing;
 - c. Nonresidents of this state, whose mailing address is known, shall be served by certified mail or statutory overnight delivery, return receipt requested, and mailed at least fourteen (14) days ~~prior~~ ~~to~~ before the date of the hearing. For nonresidents whose mailing address is unknown, a notice stating the date, time, and place of the hearing shall be published in the newspaper in which the sheriff's

advertisements appear in the such county once a week for two consecutive weeks prior to before the hearing;

E. Powers of the Court

The Municipal Court shall have the power and authority to order the violation corrected in compliance with this Ordinance and the court may require payment of restitution or impose other punishment allowed by law;

F. Penalties

Any person convicted by the Municipal Court of violating any provision of this Ordinance shall be guilty of violating a duly adopted ordinance of the City and shall be punished by a fine not to exceed One Thousand Dollars (plus applicable fees and surcharges), impose community service work, or by a sentence of imprisonment not to exceed six months. Each day that a violation continues after due notice has been served shall be deemed a separate offense;

G. Lien Imposition

If, after thirty (30) days from the date of the Municipal Court-imposed fine, any person or entity has not paid said fine in full, the City of Lawrenceville shall have the authority to file a lien on the property in violation for the amount of the imposed fine and shall record it with the Gwinnett County Clerk's Office;

H. Other Legal Remedies

1. In any case, in which a violation of this Ordinance has occurred, the City, in addition to other remedies provided by law, may petition for a restraining order, injunction, abatement, or take any other appropriate legal action or proceeding through the Municipal Court to prevent, restrain, or abate such unlawful use or activity;
2. Where a determination is made that the property is in violation of the Property Maintenance Ordinance, and any other Ordinances and laws enforced by the City of Lawrenceville, and all reasonable efforts and means to obtain compliance having been exhausted or it is in the best interest of the City and/or its citizens, the City of Lawrenceville is authorized to effect such compliance at public expense. The cost of effectuating compliance shall constitute a lien upon the property and said lien shall be recorded by the City of Lawrenceville with the Gwinnett County Clerk's Office;

Sec. 10-45. Severability

Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid;

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Indent at: 2.25"**Sec. 10-46. Repeal of Conflicting Ordinances**

All Ordinances or parts of Ordinances in conflict with this Ordinance herewith are repealed;

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Indent at: 2.25"**Sec. 10-47. Effective Date**

This Ordinance shall take effect and be in force from and after the adoption of this Ordinance through Ordinance by City Council.

Sec. 10-48. Definitions**A. Definitions**

Terms not defined in this section shall have their meaning as defined in the Zoning Ordinance, and the Development Regulations, or in the absence of such definition, terms shall have their common dictionary definition. Whenever the terms "dwelling unit," "premises," "building," "rooming house," "rooming unit," or "story" are stated in this Article, they shall be construed as though they were followed by the term "or any part thereof." The following definitions shall apply in the interpretation and enforcement of this chapter:

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Indent at: 2.25"**1. AGENT**

An individual with a place of business in this State at which he is authorized to accept inquiries, notices, and service of process on behalf of a vacant, foreclosed, or delinquent real property owner.

2. BARRIER

A permanent fence, wall, building wall, or combination thereof that surrounds the pool or spa and obstructs access to the pool or spa. The term "permanent" shall mean not being able to be removed, lifted, or relocated without the use of a tool.

3. BATHROOM

A room containing plumbing fixtures, including a bathtub or shower.

4. BEDROOM

Any room or space used or intended to be used for sleeping purposes.

5. CLOSING

Causing a property to be vacated and secured against unauthorized entry.

6. DELINQUENT REAL PROPERTY

Any improved or unimproved real property on which there have been repeated violations of this Code that remain uncorrected for at least 90 days.

7. DIRECTOR

The Director of the City of Lawrenceville Planning and Development Department or their designated representative.

8. DRUG CRIME

An act which is a violation of O.C.G.A. Title 16, Chapter 13, Article 2, known as the Georgia Controlled Substances Act.

9. DWELLING UNIT

A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

10. EXTERIOR PROPERTY

The open space on the premises and on adjoining property under the control of owners or operators of such premises.

11. FLOOR AREA

The area of a given room as measured from wall face to wall face, or in the case where an obstruction (cabinet, appliance, etc.), the face of that obstruction.

12. FORECLOSED REAL PROPERTY

An improved or unimproved real property for which a land-disturbance permit has been issued and is held pursuant to a judicial or non-judicial foreclosure of a mortgage, deed of trust, security deed, deed to secure debt, or other security

instrument securing debt or obligation owed to a creditor or a deed in lieu of foreclosure in full or partial satisfaction of a debt or obligation owed to a creditor.

13. GARBAGE

The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

14. GRAFFITI

Any inscriptions, words, figures, paintings, or other defacements that are written, marked, etched, scratched, sprayed, drawn, painted, or engraved on or otherwise affixed to any surface of real property or improvements thereon without prior authorization of the owner or occupant of the property by means of any aerosol paint container, broad-tipped marker, gum label, paint stick, graffiti stick, etching equipment, brush, or other device capable of scarring or leaving a visible mark on any surface.

15. HABITABLE SPACE

Any space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

16. HARD SURFACE

A surface made of solid, impermeable material that significantly impedes or prevents the natural infiltration of water into the soil such as asphalt, concrete, or similar impervious surface.

17. INTER-CONNECTION AGREEMENT

The interconnection and parallel operations of small-distributed generation equipment or facilities of 10kW or less, which includes solar panel systems and generators proposed for connection to the local utility power grid.

18. INTERESTED PARTY

The property owner, those parties having an interest in the property as revealed by a certification of title to the property conducted in accordance with the Title Standards of the State Bar of Georgia, those parties having filed a notice in accordance with O.C.G.A. § 48-3-9, and any other party having an interest in the property whose identity and

address are reasonably ascertainable from the records of the petitioner or records maintained in the County Courthouse or by the Clerk of the Court. The term "interested parties" shall not include the holder of the benefit or burden of any easement or right-of-way whose interest is properly recorded which interest shall remain unaffected; and persons in possession of said property and premises.

JUNK VEHICLE AND VESSEL

Any vehicle or vessel of any kind or type, or contrivance or part thereof which is abandoned, disassembled, discarded, dismantled, inoperative, junked, stripped, wrecked, or incapable of being legally operated on a public right-of-way due to flat or removed tires, missing or inoperative parts, or other defects including lack of a valid license or registration, which are stored outside of a building, carport, garage or similar structure for at least twenty (20) days.

ny vehicle, automobile, truck, van, trailer of any or type, or contrivance or part thereof which is wrecked, dismantled, partially dismantled, stripped, partially stripped, inoperative, abandoned, discarded, or kept parked, stored or maintained on any premises or public right-of-way without a current license plate and/or decal displayed on the vehicle.

The act of keeping property, structures, or vegetation in a proper condition so as to prevent their decline, failure, or uncontrolled growth.

21. OCCUPANT

Any individual living or sleeping in a building or utilizing the space within a building.

22. OPERATOR

Any person who has charge, care, or control of a structure or premises which is let or offered for occupancy.

The storage, outside of a fully enclosed lawful structure, of items or objects of attention, concern, or interest. (-i.e., belongings, equipment, materials, merchandise, objects, supplies, stuff, things, equipment, materials, supplies, merchandise, vehicles, vending machines, vessels, or similar items; items).

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24. OWNER

Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the State of Georgia or Gwinnett County as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

25. PARKING PAD

An extension of the required driveway constructed of material consistent with the definition of a Hard Surface.

26. PASSENGER CAR, SUV, TRUCK OR VAN

Every motor vehicle, except an all-terrain, bus, commercial, former military motor vehicle, fully autonomous vehicle, limousine, low-speed vehicle, motor-driven cycle, multipurpose off-highway vehicle, personal vehicle, pole trailer, cycle, recreational off-highway vehicle, semitrailer, special mobile unit, taxicab, tractor, trailer, truck, truck tractor or wrecker and, designed for carrying ten passengers or less and used for the transportation of persons.

27. PLANT TRIMMINGS

Plant trimmings generated from the maintenance or alteration of public, commercial, industrial, and office institutional premises or multifamily and single-family residential premises landscapes, including, without limitation, grass cuttings, yard clippings, leaves, tree trimmings, pruning, brush, and weeds.

28. PREMISES

A lot, ~~plot~~plot, or parcel of land, including any structures thereon.

29. PUBLIC AUTHORITY

Any member of a governing authority, any housing authority officer, or any officer who ~~is in charge of~~oversees any department or branch of the government of the Municipality, County, or State relating to health, fire, or building regulations or ~~to~~other activities concerning dwellings, buildings, or structures in the County or Municipality.

30. PUBLIC OFFICER

Any person listed in Section 1306.B. This Property Maintenance Ordinance shall be enforced by the Director of the Department of Planning and Development Department, or by the Director's duly authorized representative.

31. REPAIR

Altering or improving a property so as to bring any dwelling, building, or structure into compliance with the applicable codes in the jurisdiction where the property is located and/or the cleaning or removal of debris, trash, and other materials present and accumulated which create unsanitary and unsafe conditions which are an endangerment to the public health or safety in or about any property.

32. RUBBISH/TRASH

Combustible and noncombustible waste materials, except garbage, including paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches or trunks, yard trimmings, tin, cans, metals, bricks, lumber, concrete, mineral matter, glass, crockery, and including the residue from the burning of wood, coal, coke or other combustible material.

33. STREET ADDRESS

The street or route address and does not mean or include a post office box.

34. TOILET ROOM

A room containing a water closet or urinal but not a bathtub or shower.

35. VACANT REAL PROPERTY

A. The term "vacant real property" means real property that:

- i. Is intended for habitation; has not been lawfully inhabited for at least 60 days, and has no evidence of utility usage within the past 60 days; days: or
- ii. Is partially constructed or incomplete, without a valid building permit.

B. The term "vacant real property" does not include a building or structure containing multiple units with common ownership that has at least one unit occupied with evidence of utility usage.

36. VEHICLE

Any vehicle propelled by its own motor and operating on ordinary roads. As used herein, the term includes passenger cars, motorcycles, motorized bicycles, motor scooters, SUVs, trucks, vans and the like. For purposes of this part, classes of automobiles may be separately controlled or regulated (as for example passenger cars, SUVs, trucks and vans).

a. ALL-TERRAIN VEHICLE

Any motorized vehicle originally manufactured for off-highway use which is equipped with three or more non-highway tires is 80 inches or less in width with a dry weight of 2,500 pounds or less and is designed for or capable of cross-country travel on or immediately over land, water, snow, ice, marsh, swampland, or other natural terrain.

b. BATTERY ELECTRIC VEHICLE (BEV)

Any motor vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's battery and produces zero tailpipe emissions or pollution when stationary or operating.

c. BUS

Any motor vehicle designed for carrying more than ten passengers and used for the transportation of persons and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

d. COMMERCIAL

Any self-propelled or towed motor vehicle used on a highway in intrastate and interstate commerce to transport passengers or property when the vehicle:

- i. Has a gross vehicle weight rating, gross combination weight rating, gross vehicle weight, or gross combination weight of 4,536 kg (10,001 lbs.) or more.
- ii. Is designed or used to transport more than eight passengers, including the driver, for compensation.

iii. Is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation: or

iv. Is used to transport material determined to be hazardous by the secretary of the United States Department of Transportation under 49 U.S.C. Section 5103 and transported in a quantity that requires placards under regulations prescribed under 49 C.F.R., Subtitle B, Chapter I, Subchapter C.

e. ELECTRIC VEHICLE

Any motor vehicle that is licensed and registered to operate on public and private highways, roads, and streets, and operates either partially or exclusively on electrical energy from the grid, or an off-board source, that is stored on-board for motive purpose. Electric vehicle includes battery electric vehicles and plug-in hybrid electric vehicles.

f. FORMER MILITARY MOTOR VEHICLE

A motor vehicle that operates on the ground, including a trailer, that was manufactured for use in any country's military forces and is maintained to represent its military design, regardless of the vehicle's size, weight, or year of manufacture. Such term shall not include motor vehicles armed for combat or vehicles owned or operated by this state, the United States, or any foreign government.

g. FULLY AUTONOMOUS VEHICLE

A motor vehicle equipped with an automated driving system that can perform all aspects of the dynamic driving task without a human driver within a limited or unlimited operational design domain and will not at any time request that a driver assume any portion of the dynamic driving task when the automated driving system is operating within its operational design domain.

h. GOLF CAR/CART

Any motorized vehicle designed for the purpose and exclusive use of conveying one or more persons and equipment to play the game of golf in an area designated as a golf course. For such a vehicle to be considered a golf car or golf cart, its average speed shall be less than 15 miles per hour (24 kilometers per hour) on a level road surface with

a 0.5% grade (0.3 degrees) comprising a straight course composed of a concrete or asphalt surface that is dry and free from loose material or surface contamination with a minimum coefficient of friction of 0.8 between tire and surface.

i. LIMOUSINE

Any motor vehicle that meets the manufacturer's specifications for a luxury limousine with a designed seating capacity for no more than ten passengers and with a minimum of five seats located behind the operator of the vehicle, and which does not have a door at the rear of the vehicle designed to allow passenger entry or exit; further, no vehicle shall be permitted to be operated both as a taxicab and a limousine.

j. PASSENGER CAR, SUV, TRUCK OR VAN

Every motor vehicle, except an all-terrain, bus, commercial, former military motor vehicle, fully autonomous vehicle, limousine, low-speed vehicles, motor driven cycles, multipurpose off-highway vehicles, personal transportation vehicles pole trailer cycles, recreational off-highway vehicle, semitrailer, special mobile unit, taxicab, tractor, trailer, truck, truck tractor or wrecker and, designed for carrying ten passengers or less and used for the transportation of persons.

k. PERSONAL TRANSPORTATION VEHICLE (PTV)

Any motor vehicle having no fewer than three wheels and an unladen weight of 1,300 pounds or less and which cannot operate at more than 20 miles per hour if such vehicle was authorized to operate on local roads by a local authority prior to January 1, 2012. Such vehicles may also be referred to as "motorized carts" in such local ordinances; and any motor vehicle: With a minimum of four wheels; Capable of a maximum level ground speed of less than 20 miles per hour; With a maximum gross vehicle unladen or empty weight of 1,375 pounds; and Capable of transporting not more than eight persons.

The term does not include mobility aids, including electric personal assistive mobility devices, power wheelchairs, and scooters, that can be used indoors and outdoors for the express purpose of enabling mobility for a person with a disability. The term also does not include any all-terrain vehicle or multipurpose off-highway vehicle.

l. PLUG-IN HYBRID ELECTRIC VEHICLE (PHEV)

An electric vehicle that (1) contains an internal combustion engine and allows power to be delivered to drive wheels by an electric motor; (2) charges its battery primarily by connecting to the grid or other off-board electrical source; (3) may additionally be able to sustain battery charge using an on-board internal-combustion-driven generator; and (4) has the ability to travel powered by electricity.

m. POLE TRAILER

Any vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle utilizing a reach or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

n. RECREATIONAL

Any vehicle designed for recreational use (i.e., camping, caravan, motor home, recreational vehicle, trailer, etc.)

o. RECREATIONAL OFF-HIGHWAY VEHICLE

Any motorized vehicle designed for off-road use which is equipped with four or more non-highway tires, and which is 65 inches or less in width.

p. RECREATIONAL VEHICLE

A vehicle which is:

- i. Built on a single chassis.
- ii. 400 square feet or less when measured at the largest horizontal projection.
- iii. Designed to be self-propelled or permanently towable by light-duty truck.
- iv. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

q. SEMITRAILER

Any vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

r. SPECIAL MOBILE EQUIPMENT

Any vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including but not limited to: ditch-digging apparatus, well-boring apparatus, and road construction and maintenance types of machinery such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earth-moving carryalls and scrapers, power shovels and draglines, and self-propelled cranes and earth-moving equipment. The term does not include house trailers, dump trucks, truck-mounted transit mixers, cranes or shovels, or other vehicles designed for the transportation of persons or property to which machinery has been attached.

s. TAXICAB

Any motor vehicle for hire which conveys passengers between locations of their choice and is a mode of public transportation for a single passenger or small group for a fee. Such term shall also mean taxi or cab, but not a bus or school bus, limousine, passenger car, or commercial motor vehicle.

t. TRACTOR

Any self-propelled vehicle designed for use as a traveling power plant or for drawing other vehicles but having no provision for carrying loads independently.

u. TRAILER

Any vehicle with or without motive power, other than a pole trailer, designed for carrying property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

v. TRUCK

Any motor vehicle designed, used, or maintained primarily for the transportation of property.

w. TRUCK TRACTOR

Any motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

x. WRECKER

Any vehicle designed, equipped, or used to tow or carry other motor vehicles utilizing a hoist, crane, sling, lift, or roll-back or slide back platform, by a mechanism of a like or similar character, or by any combination thereof, and the terms "tow truck" and "wrecker" are synonymous.

37.VEHICLE GROSS WEIGHT

The weight of a vehicle without load plus the weight of any load thereon.

38.VESSEL

A watercraft, other than a seaplane on the water or a sailboard, used or capable of being used as a means of transportation on water and specifically includes, but is not limited to, inflatable rafts and homemade vessels.

a. HOMEMADE

Any vessel that is built by an individual for personal use from raw materials that does not require the assignment of a federal hull identification number by a manufacturer according to federal law. A person furnishing raw materials under a contract may be considered the builder of a homemade vessel. Antique boats, boats reconstructed from existing boat hulls, and rebuilt or reconstructed vessels are not considered homemade vessels.

b. MECHANICALLY PROPELLED

Any vessel propelled by machinery using a volatile liquid for fuel.

c. NONMOTORIZED

Any vessel, other than a sailboat which has no motor attached in a manner to make it readily available for operation.

d. POWERBOAT

Any boat, vessel, or water-going craft which is propelled by mechanical rather than manual means whether or not such a propulsion device forms an integral part of the structure thereof.

e. RECREATIONAL

Any vessel designed for recreational use (i.e. boating, canoeing, fishing, kayaking, rafting, trailer, etc.)

f. WATERCRAFT

A vessel for transport by water constructed to provide buoyancy by excluding water and shaped to give stability and permit propulsion. This definition includes but is not limited to watercraft both mounted and not mounted, as well as boats, air boats, jet skis, wave runners, Sea Doo, and the like.

38.WEEDS

All rank vegetative growth, including, but not limited to, kudzu, poison ivy, jimsonweed, burdock, ragweed, thistle, cocklebur, dandelion, plants of obnoxious odors, other similar unsightly vegetative growths, and any invasive exotic plant species. The term "weeds" shall not include cultivated flowers, fruits and vegetables, and gardens.

39.WOODED LOT

A lot or portion of left in its natural state. A wooded lot is not meant to be manicured and usually devoid of grass.

40.YARD TRIMMINGS

All leaves, brush, grass, clippings, shrub and tree pruning's, discarded Christmas trees, and vegetative matter resulting from landscaping or maintenance activities.