



LAWRENCEVILLE

GEORGIA

PLANNING COMMISSION AGENDA

Monday, November 06, 2023
6:00 PM

Council Assembly Room
70 S. Clayton St, GA 30046

Call to Order

Approval of Prior Meeting Minutes

Approval of Agenda

New Business

- [1.](#) RZR2023-00020; City of Lawrenceville; 360, 342, & 328 N Perry Street; 112 W Oak Street; 287, 247, 248, 288, 344, & 372 N Clayton Street; 145 & 164 Oak Street; 269, 292, 386, 407, & 409 Chestnut Street
- [2.](#) CIC2023-00011; Enterprise Leasing Company of Georgia, LLC; 176 Scenic Highway
- [3.](#) 2045 Comprehensive Plan and Transportation Master Plan
- [4.](#) An Ordinance to Amend the Zoning Ordinance, ARTICLE 1; Districts
- [5.](#) An Ordinance to Amend the Zoning Ordinance, ARTICLE 2; Supplemental Regulations
- [6.](#) An Ordinance to Amend the Zoning Ordinance, ARTICLE 6; Architectural and Design Standards
- [7.](#) An Ordinance to Amend the Zoning Ordinance, ARTICLE 10; Definitions

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: PUBLIC HEARING NEW BUSINESS

Item: RZR2023-00020; City of Lawrenceville; 360, 342, & 328 N Perry Street; 112 W Oak Street; 287, 247, 248, 288, 344, & 372 N Clayton Street; 145 & 164 Oak Street; 269, 292, 386, 407, & 409 Chestnut Street

Department: Planning and Development

Date of Meeting: Monday, November 6, 2023

Applicant Request: Citywide Rezoning of properties to be consistent with their current use

Presented By: Todd Hargrave, Director of Planning and Development

Department Recommendation: **Approval**

Planning Commission Recommendation: **October 2, 2023, meeting- Table to November Meeting**

Summary: The Planning and Development Department requests the rezoning of an approximately 5.96-acre area consisting of seventeen (17) separate parcels in the area bounded by Born Street to the north, North Perry Street to the west, West Pike Street to the south, and Buford Drive to the east, colloquially known as North Downtown Lawrenceville (NDTL). The proposed city-initiated rezoning is from BGC (Central General Business District), BG (General Business District), and ON (Office Neighborhood District) to RS-60 (Single-Family Residential District) to bring the zoning in line with the current land use of the area; that is, single-family homes. The properties are all currently developed with single-family residential dwelling units.

- Attachments/Exhibits:**
- **RZR2023-00020_Report**

- **RZR2023-00020_Planning and Development recommendations**
- **RZR2023-00020_Aerial map (1:2,750)**
- **RZR2023-00020_Aerial map (1:5,500)**
- **RZR2023-00020_Character area map (1:2,750)**
- **RZR2023-00020_Character area map (1:5,500)**
- **RZR2023-00020_DDA map (1:2,750)**
- **RZR2023-00020_DDA map (1:5,500)**
- **RZR2023-00020_Zoning map (1:2,750)**
- **RZR2023-00020_Zoning map (1:5,500)**



LAWRENCEVILLE

Planning & Development

CASE NUMBER: RZR2023-00020

APPLICANT: TODD HARGRAVE

CONTACT: TODD HARGRAVE

PHONE NUMBER: 678.407.6583

LOCATION(S): 360, 342, & 328 N PERRY ST; 112 W OAK ST; 287, 247, 248, 288, 344, & 372 N CLAYTON ST; 145 & 164 OAK ST; 269, 292, 386, 407, & 409 CHESTNUT ST

PARCEL ID(S): R5146B009, R5146B010, R5146B011, R5146B015, R5146B029, R5146B028, R5146B051, R5146B049, R5146B046, R5146B045, R5146B061, R5146B059, R5146B058, R5146B086, R5146B083, R5146B081, & R5146B080

APPROXIMATE ACREAGE: 5.96

ZONING PROPOSAL: VARIOUS TO RS-60 (SINGLE-FAMILY RESIDENTIAL DISTRICT)

PROPOSED DEVELOPMENT: SINGLE-FAMILY RESIDENTIAL DWELLING UNIT

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**



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VICINITY MAP





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ZONING HISTORY

With the exceptions of 145 and 164 Oak Street as well as 288 North Clayton Street, the subject properties have retained the same zoning classifications since 1960 (BGC and BG). 145 and 164 Oak Street were rezoned from RS-120 (Single Family Residential District) to ON (Office Neighborhood District) at an undetermined date between 1987 and 2002. 288 N Clayton was rezoned from BGC (Central General Business) to RS-150 (Single Family Residential District) in 2016, and then was rezoned back to BGC in 2020.

PROJECT SUMMARY

The Planning and Development Department requests the rezoning of an approximately 5.96-acre area consisting of seventeen (17) separate parcels in the area bounded by Born Street to the north, North Perry Street to the west, West Pike Street to the south, and Buford Drive to the east, colloquially known as North Downtown Lawrenceville (NDTL). The proposed city-initiated rezoning is from BGC (Central General Business District), BG (General Business District), and ON (Office Neighborhood District) to RS-60 (Single-Family Residential District) to bring the zoning in line with the current land use of the area; that is, single-family homes. The properties are all currently developed with single-family residential dwelling units.

SURROUNDING ZONING AND USE

The surrounding area is mostly characterized by single-family homes, with many of these structures used as commercial offices. Most are currently zoned BGC regardless of whether they are being used in a commercial or residential capacity, though there is a cluster of single-family homes on RS-150 parcels around the intersection of Oak and Chestnut Streets. The southern end of the North DTL study area is more commercial in nature, composed mostly of businesses occupying older structures that encourage walkability. The historic courthouse on the square anchors the area to the south. There is also a singular multifamily structure in this area, on a parcel zoned RM-12 (Multifamily Residential District). Along Buford Drive to the west, there are more automobile-oriented businesses on parcels zoned BG. To the north, the parcels along Born Street have similar zoning and uses as well as



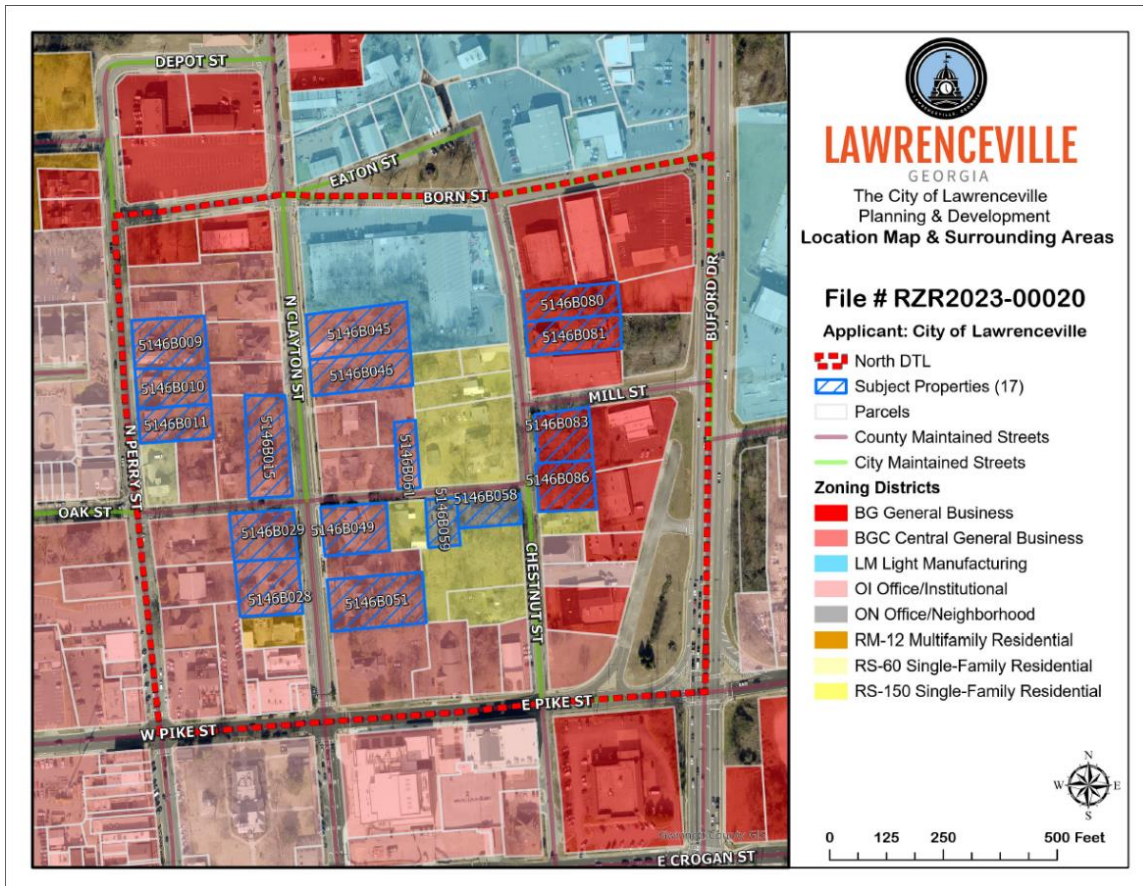
LAWRENCEVILLE

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industrial uses towards the freight rail corridor to the north; this includes the Ironshield Brewery within the North DTL study area.

Though the proposed request to rezone the properties to RS-60 may not necessarily be consistent with the established zoning pattern of the area as-is, it would be consistent with the established development and land use patterns within the area, which consist of predominately single-family residential dwelling units. Such a rezoning has recent precedent in the area; in November 2022, City Council approved the rezoning of 190 Oak Street (within the study area) to RS-60, and in June 2023, they approved the rezoning of 335 Oak Street and 255 West Pike Street to the same zoning district as proposed.

CITY OF LAWRENCEVILLE OFFICIAL ZONING MAP





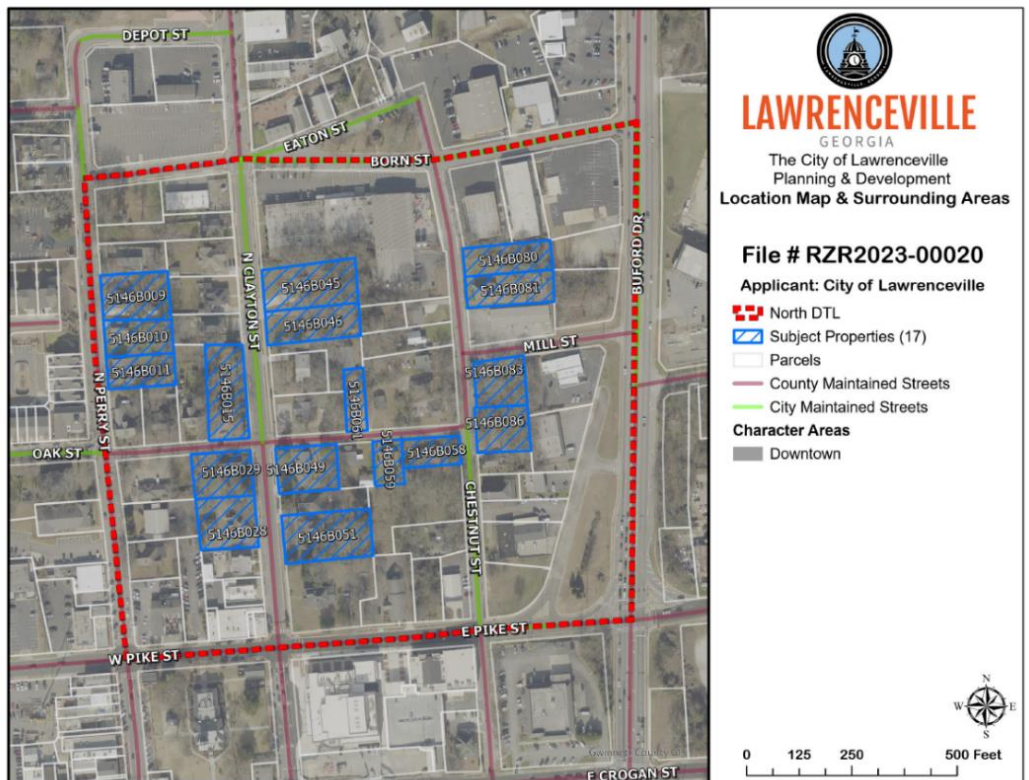
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2040 COMPREHENSIVE PLAN

The City of Lawrenceville 2040 Comprehensive Plan and Future Development Map indicate the subject properties are located within the Downtown character area. 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 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





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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 RZR2022-00014 and RZR2023-00019, when City Council approved requests to rezone various properties in the general area from BGC to RS-60 to allow for the construction of single-family homes.

Rather than continuing to spot-zone the area over time, this proposal would allow for a wide swath of properties within the greater Downtown Lawrenceville area 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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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 within the “North DTL” has long suffered due to antiquated 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 properties have a reasonable economic use as currently zoned, but retrofitting such single-family structures for commercial use may be prohibitively expensive due to code requirements.

- 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 (general business) 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. Downtown 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 November 2022 with RZR2022-00014 and continued with RZR2022-00019 in June 2023.

Approval of an RS-60 (Single-Family Residential District), subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. One-family detached dwelling unit, Live/Work Unit, accessory structure.
2. To satisfy the following site development considerations:
 - A. The new construction, building design, architectural materials and color selection of a one-family detached dwelling unit shall be subject to the minimum requirements of the City of Lawrenceville, Zoning Ordinance, Article 6 Architectural and Design Standards. All submittals shall be subject to the review and approval of the Director of Planning and Development, or designee, prior to the issuance of a Building Permit.
 - i. The new construction of a one-family detached dwelling unit shall be subject to the following dimensional standards:

Principal Structure		
<i>Minimum Lot Area (sq. ft.)</i>	<i>Maximum Impervious Surface (sq. ft.)</i>	<i>Minimum Lot Width (ea.)</i>
5,228 sq. ft.	2,614 sq. ft.	50 feet

Principal Structure					
<i>Maximum Building Height</i>	<i>Minimum Front Yard Setback</i>	<i>Minimum Rear Yard Setback</i>	<i>Minimum Side Yard Setback</i>	<i>Minimum Heated Floor Area</i>	<i>Minimum Heated Floor Area</i>
35 feet	15 feet	10 feet	5 feet	2,000 sq. ft. (1 story)	2,200 sq. ft. (2 stories)

- ii.* The new construction of a one-family detached dwelling unit shall require the design and construction of the façade, rear, and side elevations to consist of four (4) sides of fiber cement or wood siding and a thirty-six (36) inch water table.
 - iii.* The new construction of a one-family detached dwelling unit shall have an attached two-car garage with carriage-style garage doors. The garage shall be located in the Rear Yard Area.
 - iv.* The new construction of a one-family detached dwelling unit shall consist of a driveway constructed of an approved hard surface.
- B.** The new construction, building design, architectural materials and color selection of a detached accessory structure shall be subject to the minimum requirements of the City of Lawrenceville, Zoning Ordinance, Article 6 Architectural and Design Standards. All submittals shall be subject to the review and approval of the Director of Planning and Development, or designee, prior to the issuance of a Building Permit.
- i.* The new construction of an accessory structure shall be prohibited within the Front Yard Area.
 - ii.* The new construction of an accessory structure shall be subject to the following dimensional standards:

Accessory Structure					
<i>Allowance</i>	<i>Height</i>	<i>Front Yard Setback</i>	<i>Rear Yard Setback</i>	<i>Side Yard Setback</i>	<i>Maximum Square Footage</i>
<i>One Per Lot</i>	<i>18 feet</i>	<i>Prohibited</i>	<i>5 feet</i>	<i>5 feet</i>	<i>400 sq. ft.</i>

- iii.* The new construction of a detached accessory structure intended to be used as a garage shall have carriage-style garage doors. The Carriage-style garage doors shall face an adjacent Side Yard Area property line.

- C.** Provide and maintain a five (5) foot concrete sidewalk adjacent to public right-of-way(s).
 - D.** Natural vegetation shall remain on the property until the issuance of a building permit or development permit, as applicable.
 - E.** Any utility relocations shall be the responsibility of the developer.
- 2.** 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 102.4, Subsection B. Lot Development Standards, Minimum Development Size Requirement, allows the forty (40) percent reduction of the Minimum Development Size Requirement from ten (10) acres.
 - ii.** A variance from the Zoning Ordinance, Article 1, Section 102.4, Subsection B. Lot Development Standards, Front Yard Setback, allows the fifty-seven (57) percent reduction of the Minimum Front Yard Setback from thirty-five (35) feet to fifteen (15) feet.
 - iii.** A variance from the Zoning Ordinance, Article 1, Section 102.4, Subsection B. Lot Development Standards, Minimum Rear Yard Setback, allows the fifty (50) percent reduction of the Minimum Rear Yard Setback from twenty (20) feet to ten (10) feet.
 - iv.** A variance from the Zoning Ordinance, Article 1, Section 103.2, Use Table and related supplemental regulations of Article 2, Section 200.3 Supplemental Use Standards Subsection 200.3.47 Live/Work allows a Live/Work Unit as an Accessory Use at the subject property. The final design shall be subject to the review and approval of the Director of Planning and Development.



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

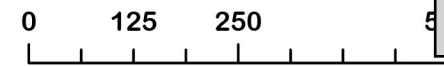
File # RZR2023-00020

Applicant: City of Lawrenceville

-  North DTL
-  Subject Properties (17)
-  Parcels
-  County Maintained Streets
-  City Maintained Streets



Gwinnett County GIS





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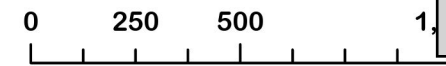
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The City of Lawrenceville
Planning & Development
Location Map & Surrounding Areas

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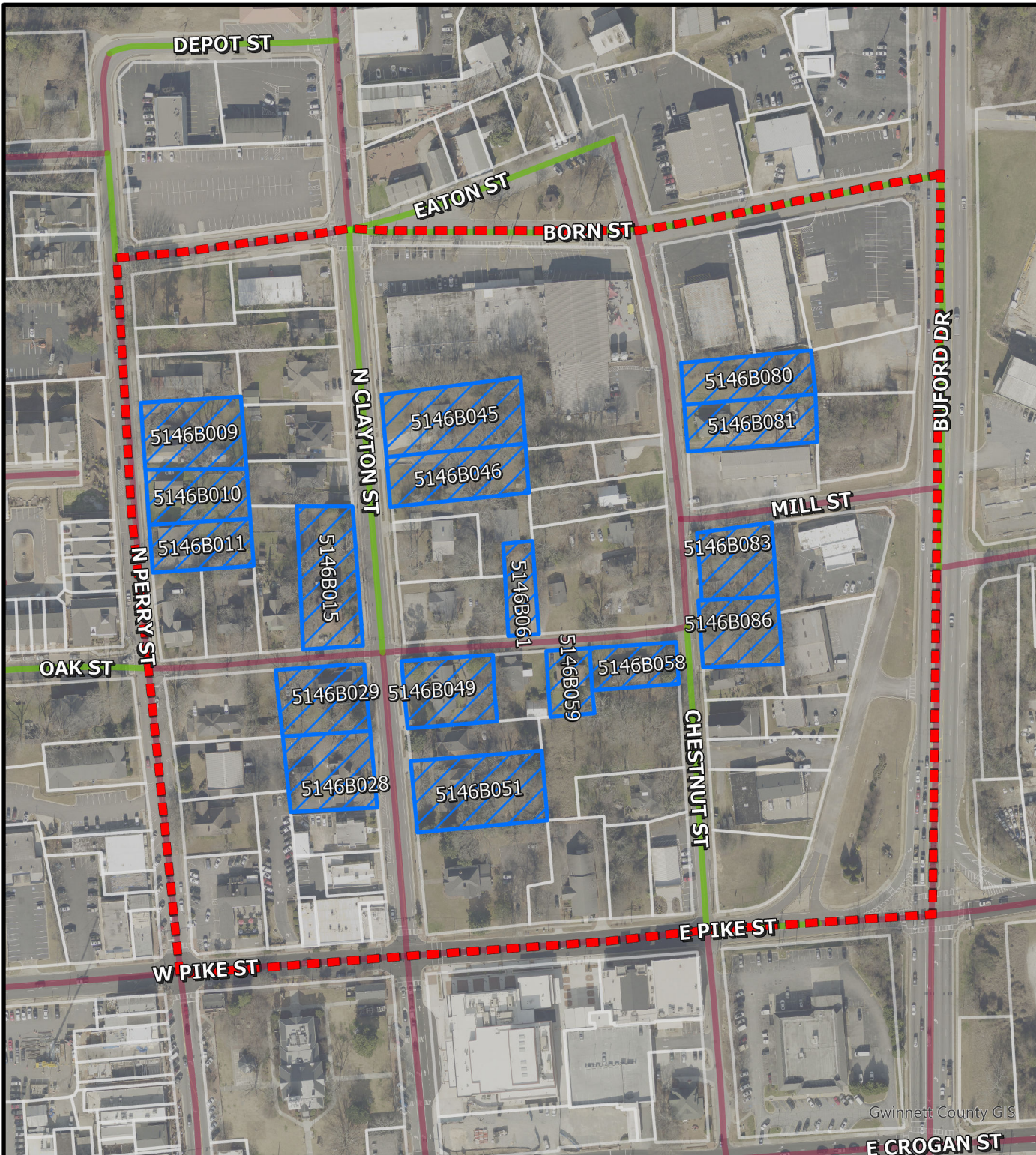
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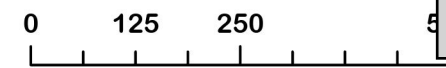
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Applicant: City of Lawrenceville

-  North DTL
-  Subject Properties (17)
-  Parcels
-  County Maintained Streets
-  City Maintained Streets
- Character Areas**
-  Downtown



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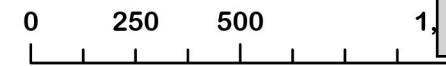
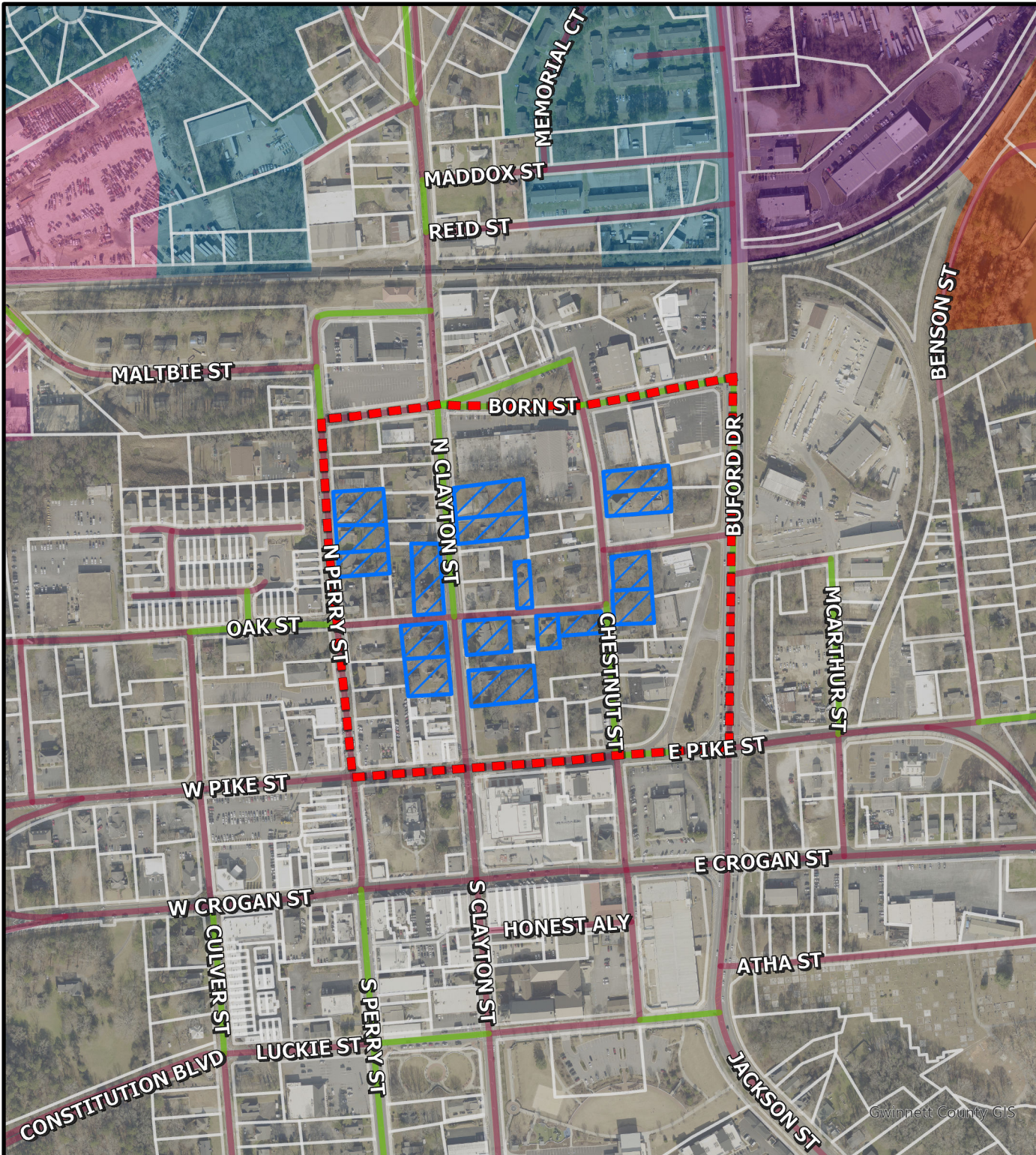
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The City of Lawrenceville
Planning & Development
Location Map & Surrounding Areas

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Applicant: City of Lawrenceville

-  North DTL
-  Subject Properties (17)
-  Parcels
-  County Maintained Streets
-  City Maintained Streets
- Character Areas**
-  Community Mixed Use
-  Neighborhood Mixed Use
-  Downtown
-  Industrial
-  College Corridor


















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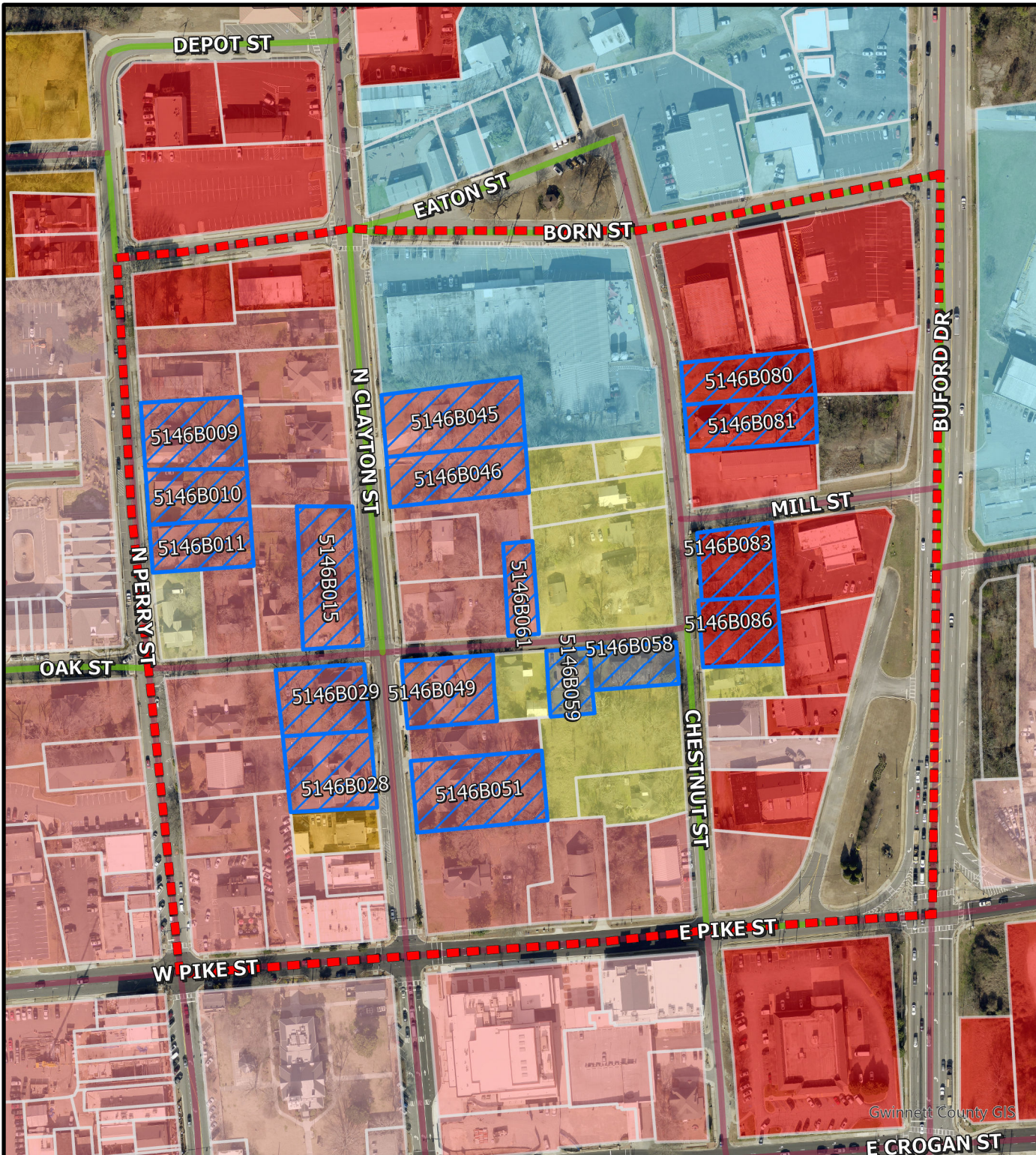
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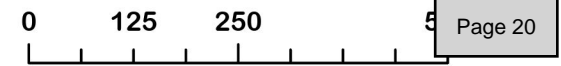
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Applicant: City of Lawrenceville

-  North DTL
-  Subject Properties (17)
-  Parcels
-  County Maintained Streets
-  City Maintained Streets
- Zoning Districts**
-  BG General Business
-  BGC Central General Business
-  LM Light Manufacturing
-  OI Office/Institutional
-  ON Office/Neighborhood
-  RM-12 Multifamily Residential
-  RS-60 Single-Family Residential
-  RS-150 Single-Family Residential



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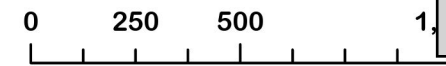
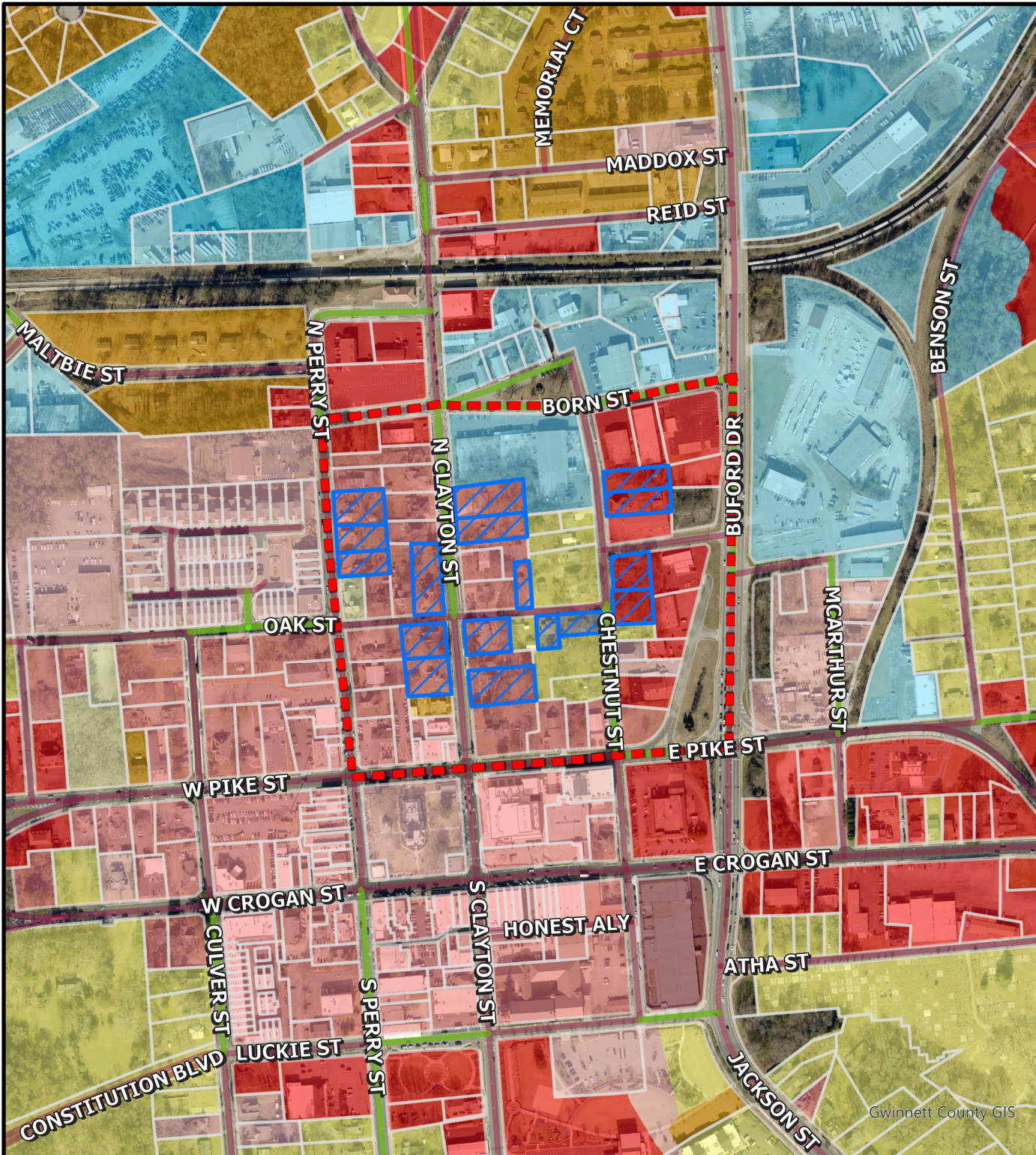
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- Zoning Districts**
-  BG General Business
 -  BGC Central General Business
 -  HSB Highway Service Business
 -  LM Light Manufacturing
 -  HM Heavy Manufacturing
 -  OI Office/Institutional
 -  ON Office/Neighborhood
 -  RM-12 Multifamily Residential
 -  RS-60 Single-Family Residential
 -  RS-150 Single-Family Residential









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Planning & Development
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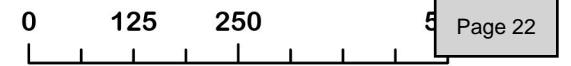
File # RZR2023-00020

Applicant: City of Lawrenceville

-  North DTL
-  Subject Properties (17)
-  Parcels
-  Downtown Development Authority Boundary
-  County Maintained Streets
-  City Maintained Streets



Gwinnett County GIS










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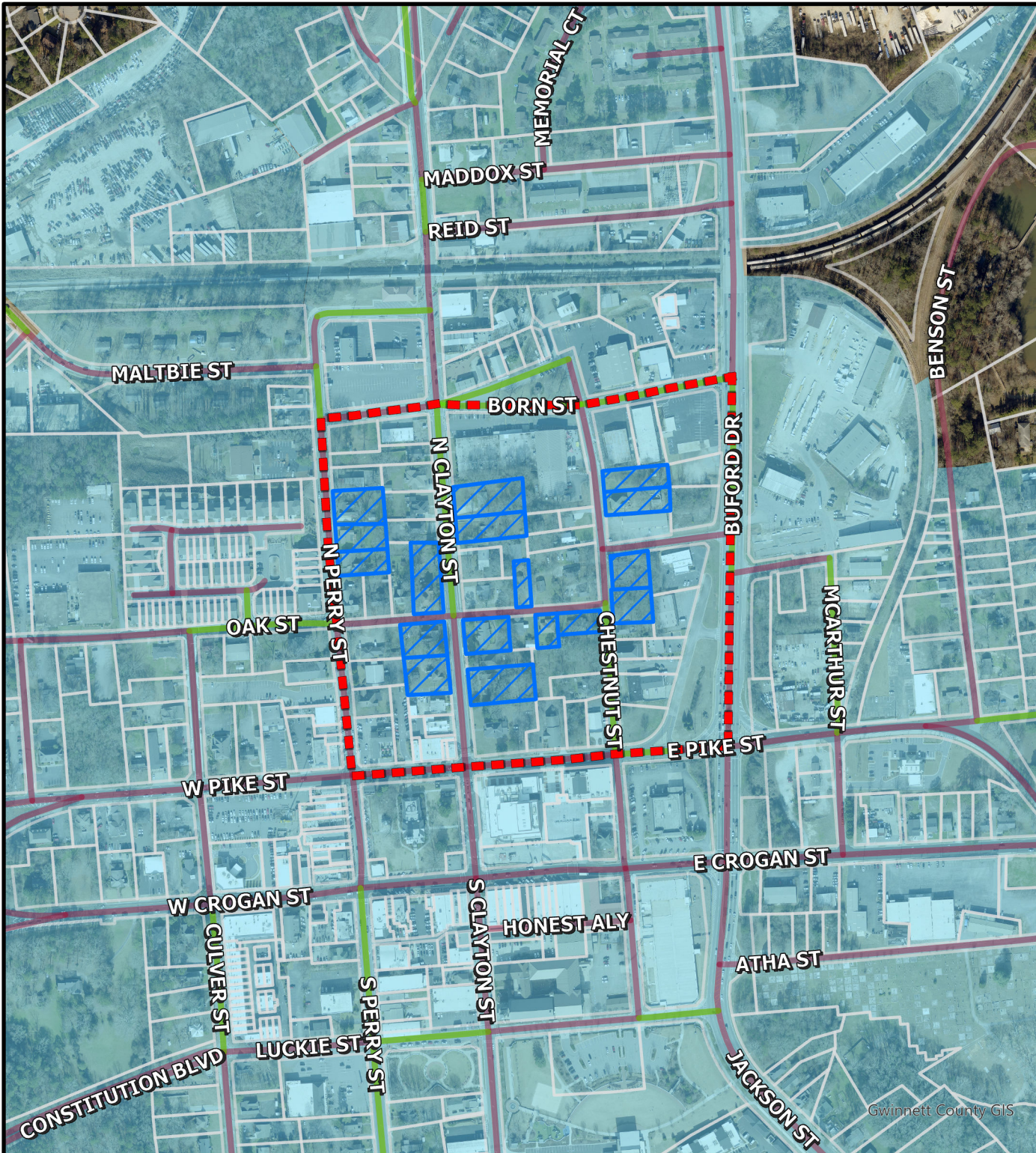
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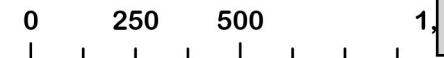
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Gwinnett County GIS





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AGENDA REPORT
MEETING: PLANNING COMMISSION
AGENDA CATEGORY: NEW BUSINESS

- Item:** CIC2023-00011; Enterprise Leasing Company of Georgia, LLC; 176 Scenic Highway
- Department:** Planning and Development
- Date of Meeting:** Monday, November 6, 2023
- Applicant Request:** Approval of Change-in-Conditions to the previously approved Special Use Permit for a Carwash
- Presented By:** Todd Hargrave, Director of Planning and Development
- Department Recommendation:** **Denial**

Summary: The applicant is seeking a Change-in-Conditions to remodel and improve an existing car wash structures condition at 176 Scenic Hwy. Lawrenceville, GA 30046. The property is currently zoned in General Business District and the intended use is staying the same as existing.

Enterprise Rent-A-Car has been operating here since 2001, which is when the original car wash along with the back side of the building was constructed. Since that time, in 2005, an ordinance was adopted by the City of Lawrenceville that required a business who operated car washes as a conditional use to have a Special Use Permit.

Enterprise applied for and was granted a Special Use Permit in 2019 with conditions of construction of an automatic car wash that would be installed inside the remodeled building envelope. During an analysis of the cost for such a project it was determined the burden on the local operators financially was too great. As such, the applicant is seeking a Change-in-Conditions to allow for a different design for the car wash canopy than what was approved by City Council in 2019.

Attachments/Exhibits:

- CIC2023-00011_Report

- CIC2023-00011_P&D Recommended Conditions
- CIC2023-00011_Application
- CIC2023-00011_Letter of Intent
- CIC2023-00011_Survey
- CIC2023-00011_Site Plan
- CIC2023-00011_2019 Approved Canopy Proposal
- CIC2023-00011_New Canopy Proposal
- CIC2023-00011_Map_Aerial Zoomed In
- CIC2023-00011_Map_Aerial Zoomed Out
- CIC2023-00011_Map_Character Areas Zoomed In
- CIC2023-00011_Map_Character Areas Zoomed Out
- CIC2023-00011_Map_DDA Zoomed In
- CIC2023-00011_Map_DDA Zoomed Out
- CIC2023-00011_Map_Zoning Zoomed In
- CIC2023-00011_Map_Zoning Zoomed Out



LAWRENCEVILLE

Planning & Development

CASE NUMBER: CIC2023-00011

OWNER: MEA FAMILY INVESTMENTS LP

APPLICANT: TIM TEAGUE

CONTACT: TIM TEAGUE – 706.968.8017

LOCATION(S): 176 SCENIC HIGHWAY

PARCEL ID(S): R5147 152

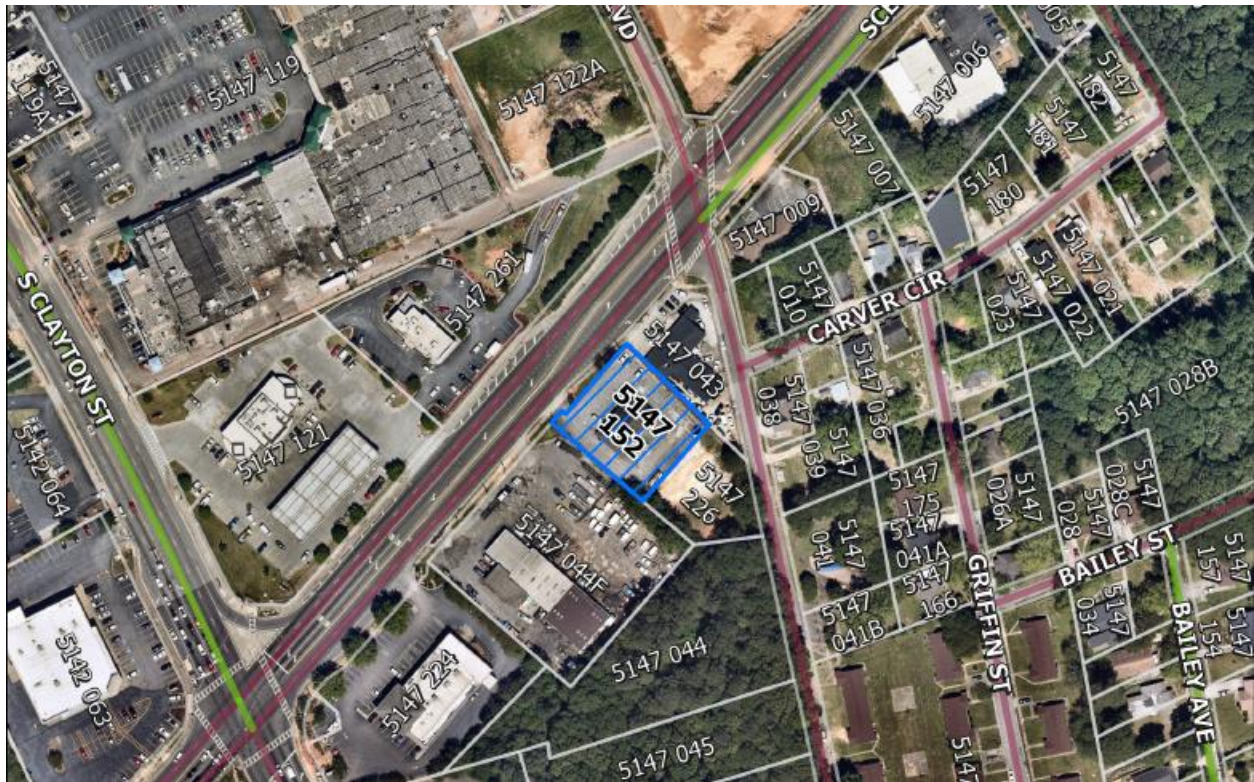
APPROXIMATE ACREAGE: 0.49

ZONING PROPOSAL: BG (GENERAL BUSINESS DISTRICT) – CHANGE IN CONDITIONS

PROPOSED DEVELOPMENT: RENTAL, AUTOMOBILE – CAR WASH CANOPY

DEPARTMENT RECOMMENDATION: DENIAL

VICINITY MAP





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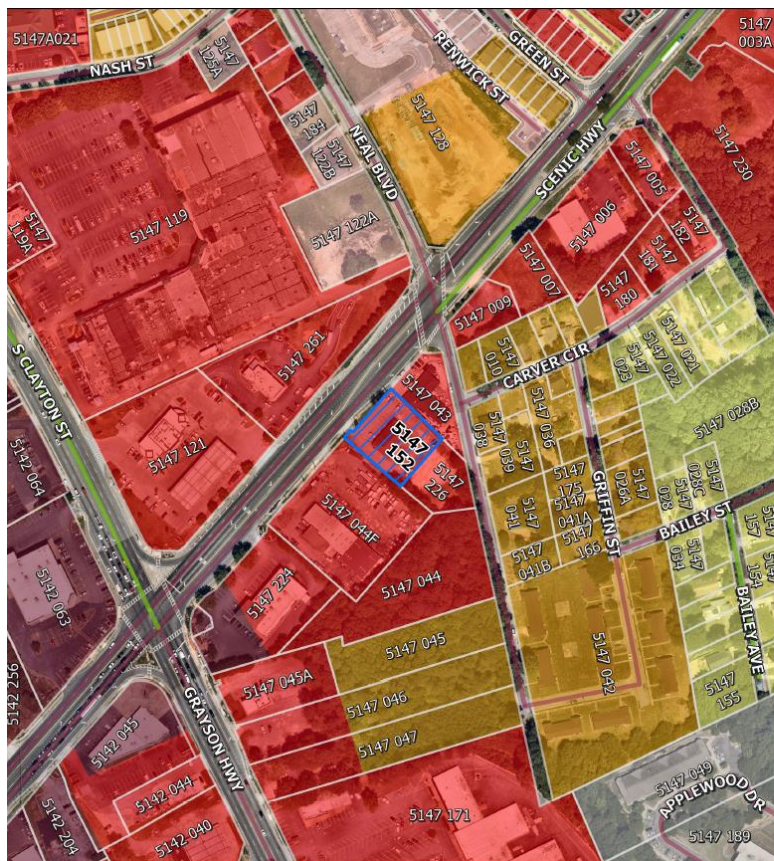
ZONING AND DEVELOPMENT STANDARDS

Zoning and other development considerations for the car wash canopy, such as its maximum size and exclusivity of use, were conditioned in the 2019 approval; these conditions shall remain, with the only proposed change being a change in the design for the proposed car wash canopy. The proposed change in conditions will not affect the overall development and zoning and development standards.

SURROUNDING ZONING AND USE

The surrounding area is characterized by commercial, institutional, and residential uses. The property is immediately surrounded by parcels zoned BG (General Business District), the same as the subject property. The greater area contains multifamily properties zoned RM-12 (Multifamily Residential District) and retail uses zoned HSB (Highway Service Business District).

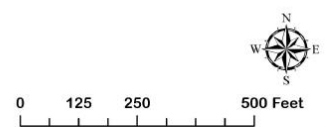
CITY OF LAWRENCEVILLE OFFICIAL ZONING MAP




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

File # CIC2023-00011
Applicant: Tim Teague

-  North DTL
-  Subject Property
-  Parcels
-  County Maintained Streets
-  City Maintained Streets
- Zoning Districts**
-  BG General Business
-  HSB Highway Service Business
-  OI Office/Institutional
-  RM-12 Multifamily Residential
-  RMHR Multifamily Residence District - High-Rise
-  RS-150 Single-Family Residential





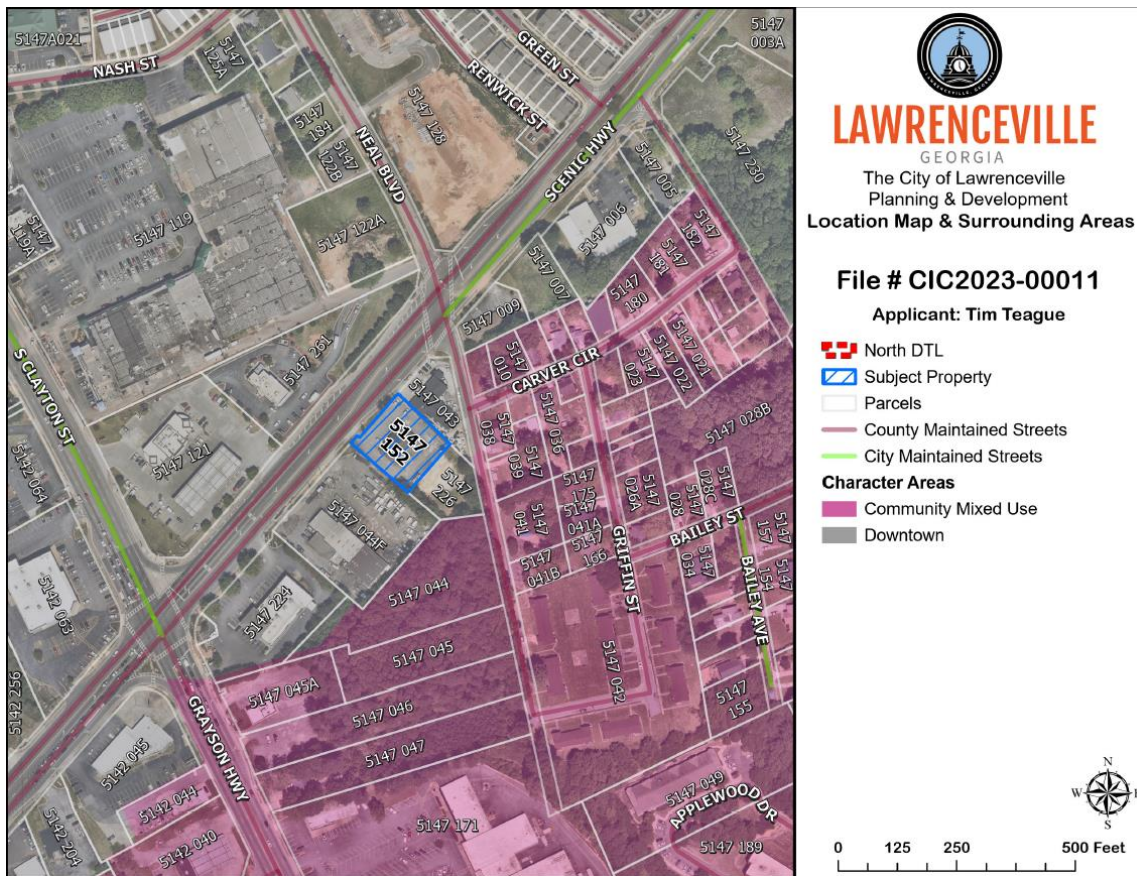
LAWRENCEVILLE

Planning & Development

2040 COMPREHENSIVE PLAN

The City of Lawrenceville 2040 Comprehensive Plan and Future Development Map indicate the subject property is located within the Downtown Character Area. Downtown is the heart of Lawrenceville, both in terms of its location and level of activity. The proposal is not consistent with the intent of the 2040 Comprehensive Plan due to its diminished architectural standards compared to the plan approved in 2019.

LAWRENCEVILLE 2040 COMPREHENSIVE PLAN – FUTURE LAND USE PLAN MAP





LAWRENCEVILLE

Planning & Development

STAFF RECOMMENDATION

Given that City Council approved car wash plans with a significantly different architectural character in 2019, a change of conditions to diminish the design standards would be inappropriate. The design of proposed canopy is at odds with City Council's stated goal of improving the quality of the built environment in and around Downtown Lawrenceville. Settling for a lower quality of development here would undermine previous precedent that has been set for the area, both in terms of the 2019 decision and through various long-range plans. Therefore, the Planning and Development Department recommends **DENIAL** of the requested Change in Conditions.



LAWRENCEVILLE

Planning & Development

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

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;**

The change in conditions does not affect the approved proposal from 2019.

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

The change in conditions does not affect the approved proposal from 2019.

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

The change in conditions does not affect the approved proposal from 2019.

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

The change in conditions does not affect the approved proposal from 2019.

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

No, the proposal is not consistent with the intent of the 2040 Comprehensive Plan due to its diminished architectural standards compared to the plan approved in 2019.

- 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;**

Yes, the diminished architectural quality of the proposed car wash would undermine prior precedent set by City Council's 2019 approval and through various long-range plans for the area.

**PLANNING AND DEVELOPMENT DEPARTMENT
P&D RECOMMENDED CONDITIONS – 10202023**

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

Approval of Change-in-Conditions as BG (General Business District) for an Accessory Car Wash, subject to the following enumerated conditions:

1. The car wash may only be used to serve business inventory as an accessory use.
2. The car wash shall be developed in general accordance with the submitted site plan and renderings, with changes necessary to meet conditions of zoning, requirements of the zoning ordinance and/or development regulations, and other minor adjustments as may be approved by the Director of Planning and Development.
3. The car wash shall be limited to a maximum of 1,500 square feet.
4. The Special Use Permit will be an accessory to the primary use of the property and will end should the existing primary use cease or change to another use.
5. Prior to the issuance of a Certificate of Occupancy the development of the subject property shall be in compliance with all applicable County and State regulations.



LAWRENCEVILLE

GEORGIA

CHANGE IN CONDITIONS APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Enterprise Leasign Company of Georgia, LLC</u>	NAME: <u>MEA Family Investments LP</u>
ADDRESS: <u>4151 Ashford Dunwoody Rd Ste 300</u>	ADDRESS: <u>4398 Lochsa Lane</u>
CITY: <u>Brookhaven</u>	CITY: <u>Suwanee</u>
STATE: <u>GA</u> ZIP: <u>30319</u>	STATE: <u>GA</u> ZIP: <u>30024</u>
CONTACT PERSON: <u>Tim Teague</u> PHONE: <u>706-968-8017</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>N/A</u> REQUESTED ZONING DISTRICT: <u>N/A</u>	
PARCEL NUMBER(S): <u>R5147 152</u> ACREAGE: <u>.49</u>	
ADDRESS OF PROPERTY: <u>176 Scenic Hwy N Lawrenceville, GA</u>	

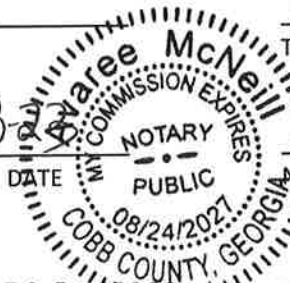
[Signature] 9/27/23
SIGNATURE OF APPLICANT DATE

[Signature] 9/27/23
SIGNATURE OF OWNER DATE

Tim Teague
TYPED OR PRINTED NAME

Tim Teague - Owner Agent
TYPED OR PRINTED NAME

Adware McNeill 92823
NOTARY PUBLIC DATE



Adware McNeill 92823
NOTARY PUBLIC DATE

70 S Clayton St • PO Box 22001 Lawrenceville, Georgia 30046-2200
770.963.2414 • www.lawrencevillega.org



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? 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.

October 4th, 2023

City of Lawrenceville
ATTN: Planning Department
70 S Clayton St.
Lawrenceville, GA 30046

Re: Letter of Intent to Change in Condition Application
176 Scenic Hwy. Lawrenceville, GA 30046

Planning Department Staff:

This applicant is seeking a Change in Condition to remodel and improve an existing car wash structures condition at 176 Scenic Hwy. Lawrenceville, GA 30046. The property is currently zoned in General Business District and the intended use is staying the same as existing.

Enterprise Rent-A-Car has been operating here since 2001, which is when the original car wash along with the back side of the building was constructed. Since that time, somewhere around 2005, an ordinance was adopted by the City of Lawrenceville that required a business who operated car washes as a conditional use to have a Special Use Permit. Enterprise applied and was granted one in 2018 with conditions of construction of an automatic car wash that would be installed inside the remodeled building envelope. During an analysis of the cost for such a project it was determined the burden on the local operators financially was too great.

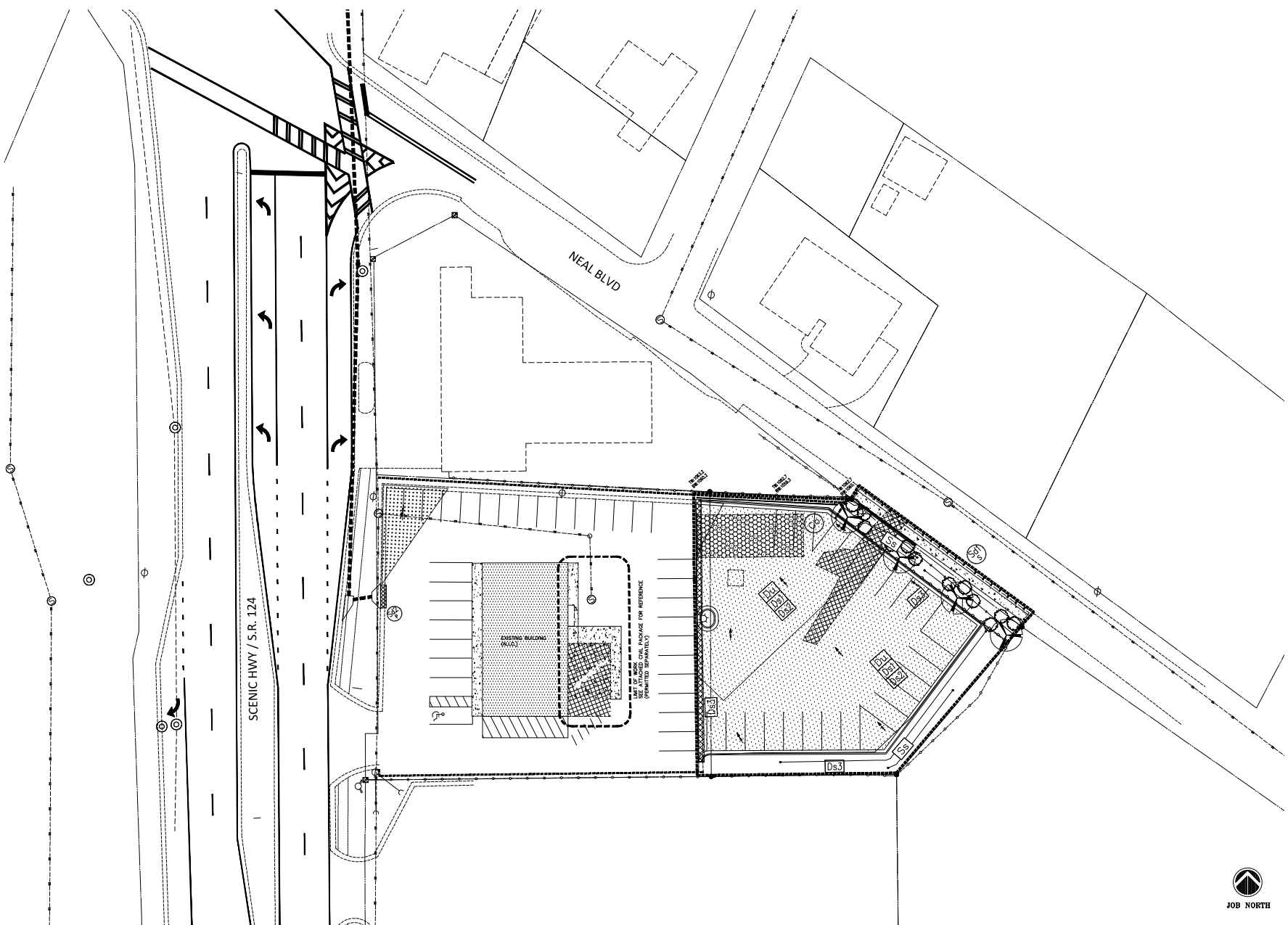
Since then, the existing car wash structure has continued to deteriorate to the point of being a safety and environmental issue. We submitted plans to Gwinnett County and the City of Lawrenceville for review and approval to bring the existing car wash structure back up to safe standards and more current design. The location remains in the same space behind the building hidden from view on Scenic Hwy. We proceeded with the project after receiving stamped and approved permits. At almost full completion a stop work order was placed on the project.

Our intent is to apply for a Change in Condition from the Special Use Permit to allow us to operate the recently repaired car wash facility and repaired parking lot. We appreciate your consideration of this Change in Condition. Enterprise looks forward to better being able to safely serve the Lawrenceville community.

Sincerely,

Tim Teague 
Enterprise Leasing Company of Georgia, LLC

Property Development & Facilities



Pate Design Group, Inc.
 Architecture / Interiors
 4168 Abbotts Bridge Road
 Duluth, Georgia 30097
 (p) 770-814-0885
 (f) 770-814-0886
 kirby@patedesigngroup.com

**ENTERPRISE
 LAWRENCEVILLE**
 ENTERPRISE WASH BAY CANOPY
 176 SCENIC HIGHWAY N.
 LAWRENCEVILLE, GA 30260
 GWINNETT COUNTY

Revisions:

No.	Date	Description

**ARCHITECTURAL
 SITE
 PLAN**

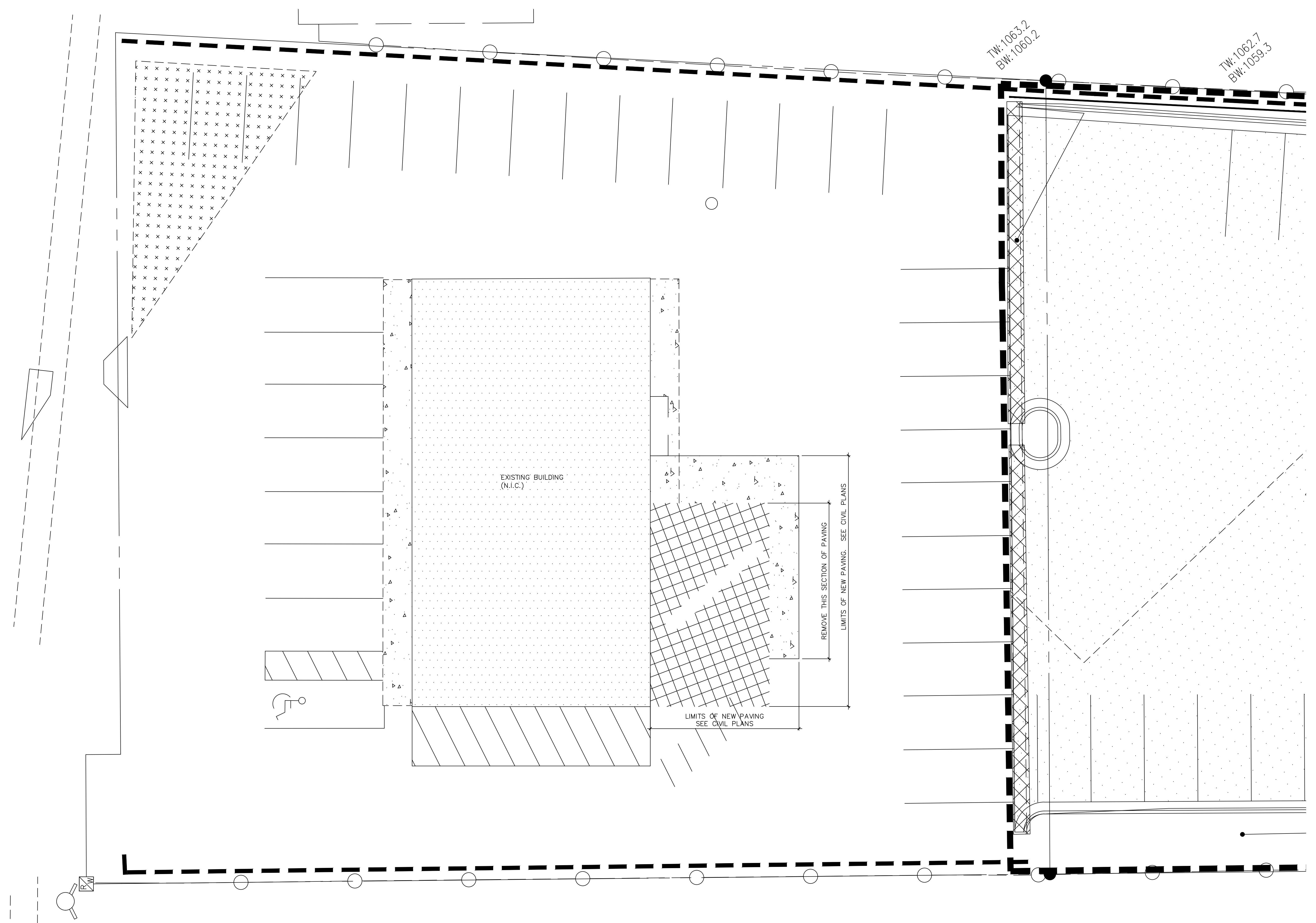
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 TLS
 Checked
 KEF
 Contract No.
 18-17
 Scale
 NTS
 Date
 10.26.18
 Last Rev.
 11.12.18



AS.1
 2 of 7 sheets

THIS DRAWING IS THE PROPERTY OF PATE DESIGN GROUP AND IS NOT TO BE COPIED IN WHOLE OR IN PART. IT IS TO BE USED FOR THE PROJECT AND THE SPECIFICALLY IDENTIFIED WORK AND IS NOT TO BE USED IN ANY OTHER PROJECT. IT IS TO BE RETURNED UPON REQUEST.

RELEASED FOR CONSTRUCTION



1 DEMO PLAN
SCALE: 1/8"=1'-0"



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Architecture / Interiors
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Duluth, Georgia 30097
(p) 770-814-0885
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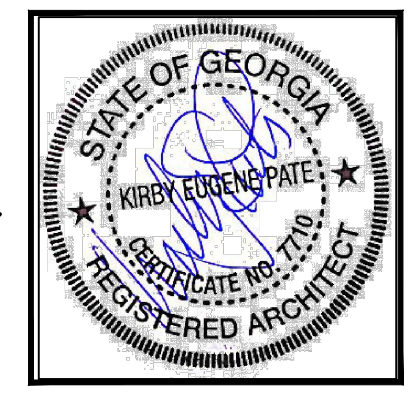
**ENTERPRISE
LAWRENCEVILLE**
ENTERPRISE WASH BAY CANOPY
176 SCENIC HIGHWAY N.
LAWRENCEVILLE, GA 30260
GWINNETT COUNTY

Revisions:

No.	Date	Description

DEMOLITION PLAN

Drawn
TLS
Checked
KEP
Contract No.
18-17
Scale
NTS
Date
10.26.18
Last Rev.
11.12.18



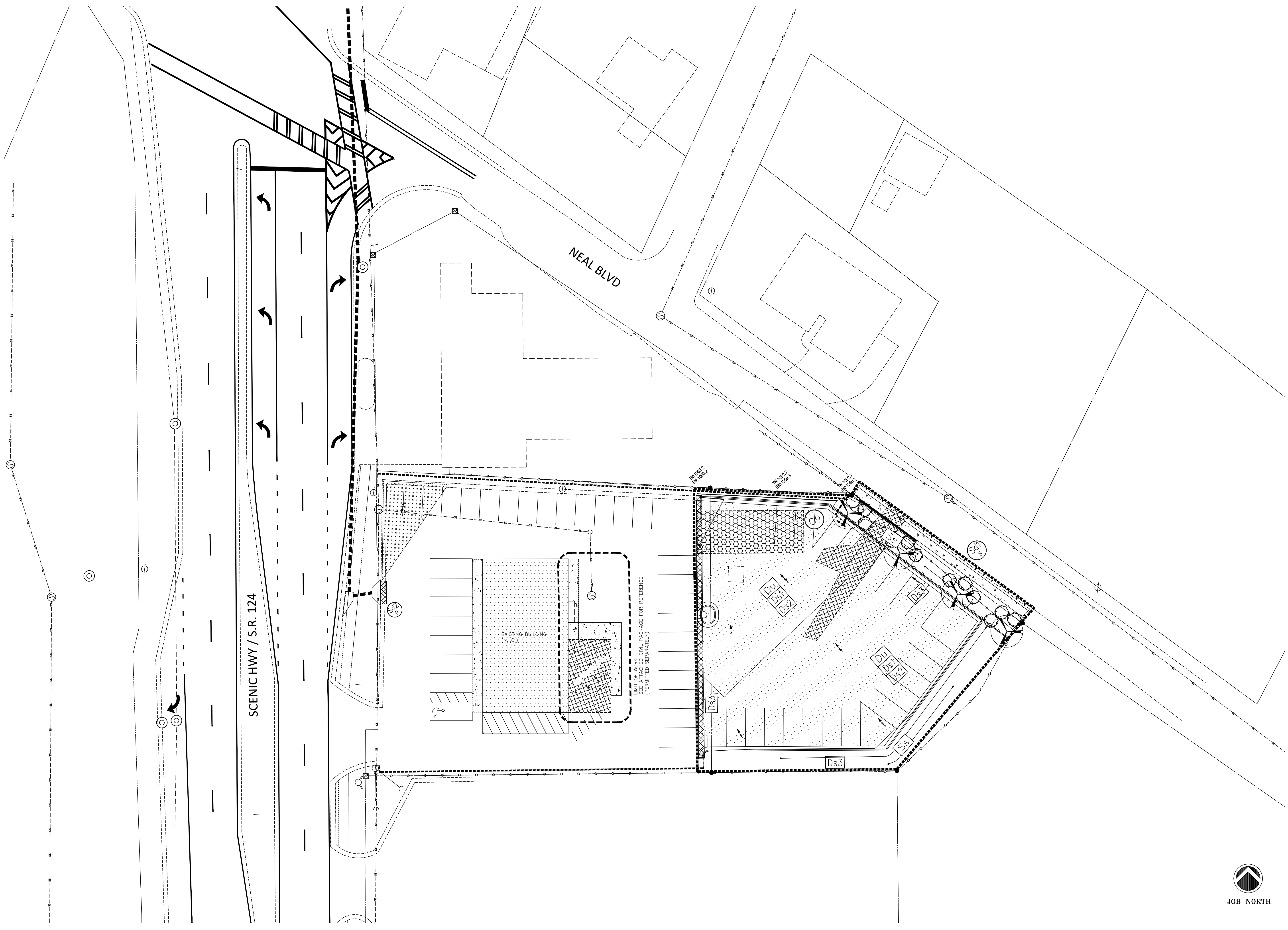
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3 of 7 sheets

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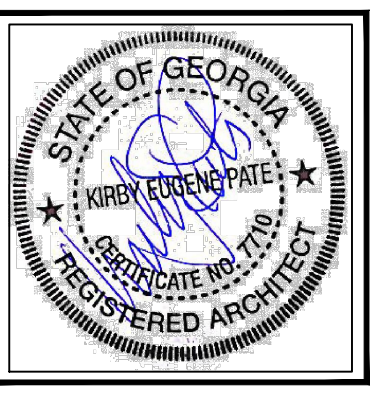


Revisions:

No.	Date	Description

ARCHITECTURAL
SITE
PLAN

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 Checked
 KEP
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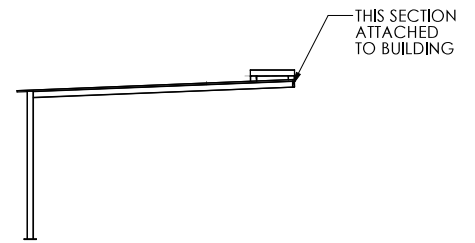
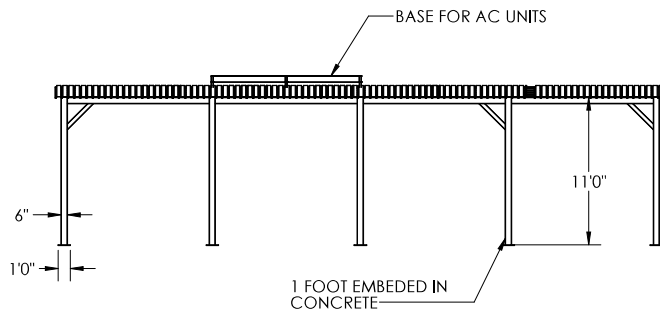
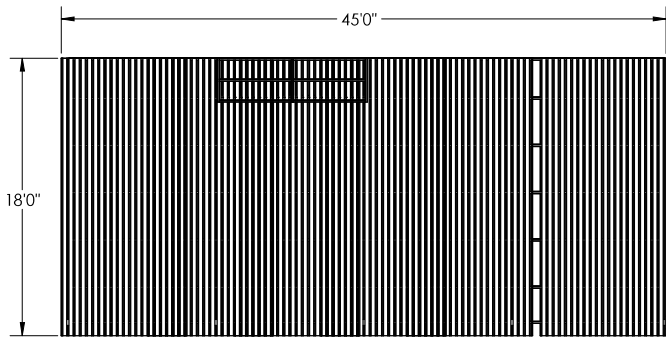
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Q.A.						WEIGHT:		SHEET 1 OF 2			

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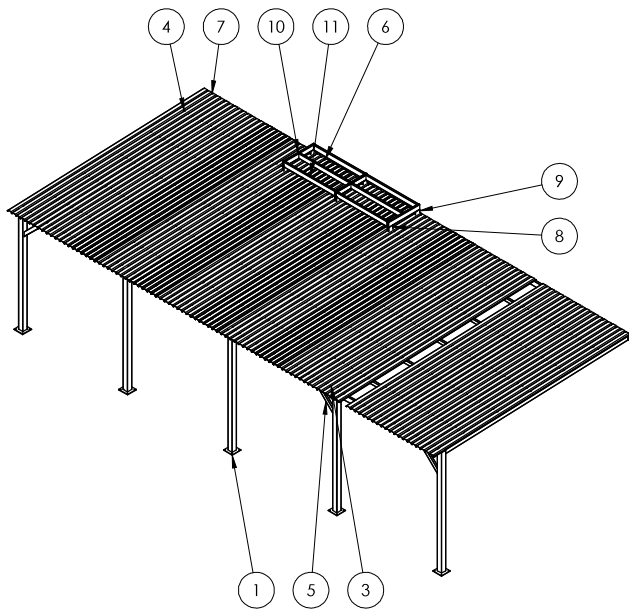
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ITEM NO.	PART NUMBER	DESCRIPTION	QTY.
1	CP-002-CAN	6" X 6" X 12' POST	5
2	CP-005-CAN	2"x6"x1/8" RECTANGULAR TUBING x 21'	5
3	CP-006-CAN	2"x6" X 1/8" RECTACGULAR TUBING X 11'-4"	4
4	CP-007-CAN	2"x4"x14 GA X 11' -4"	21
5	CP-008-CAN	2"x4"x 1/8" RECTANGLE TUBING X 36"	3
6	CP-010-CAN	ROOF	6
7	ASCC-002	2"x6"x1/8" rectangular tubing x 42'-6"	2
8	ASCC-003	2" X 6" TUBING	4
9	ASCC-004	2"x6" TUBING	4
10	ASCC-005	2"x6" TUBING	4
11	ASCC-006	2"x6" TUBING	6

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LAWRENCEVILLE

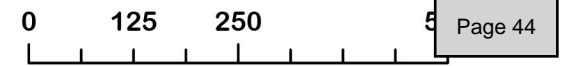
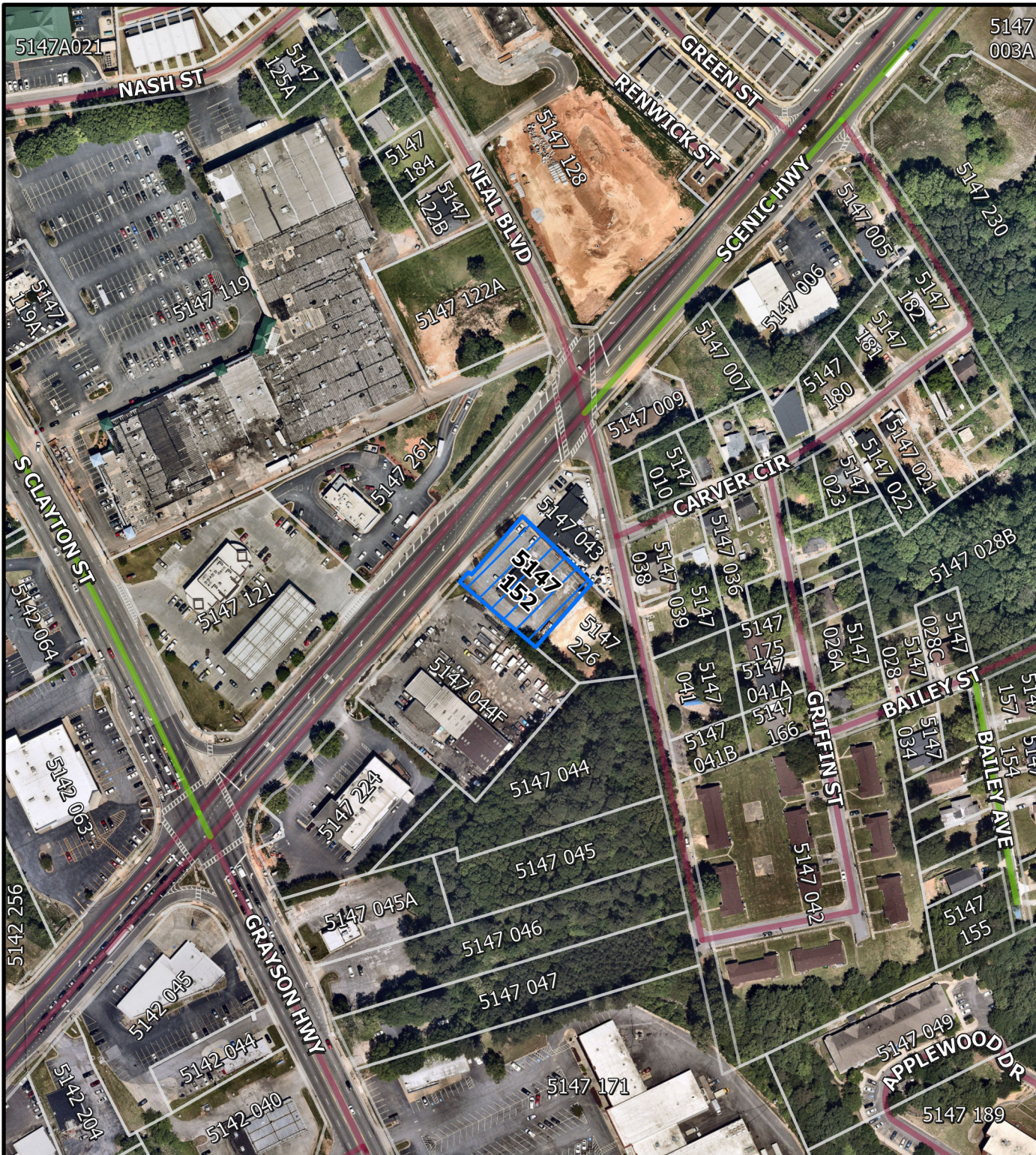
GEORGIA

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

File # CIC2023-00011

Applicant: Tim Teague

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





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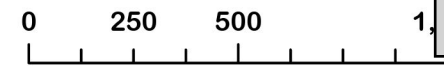
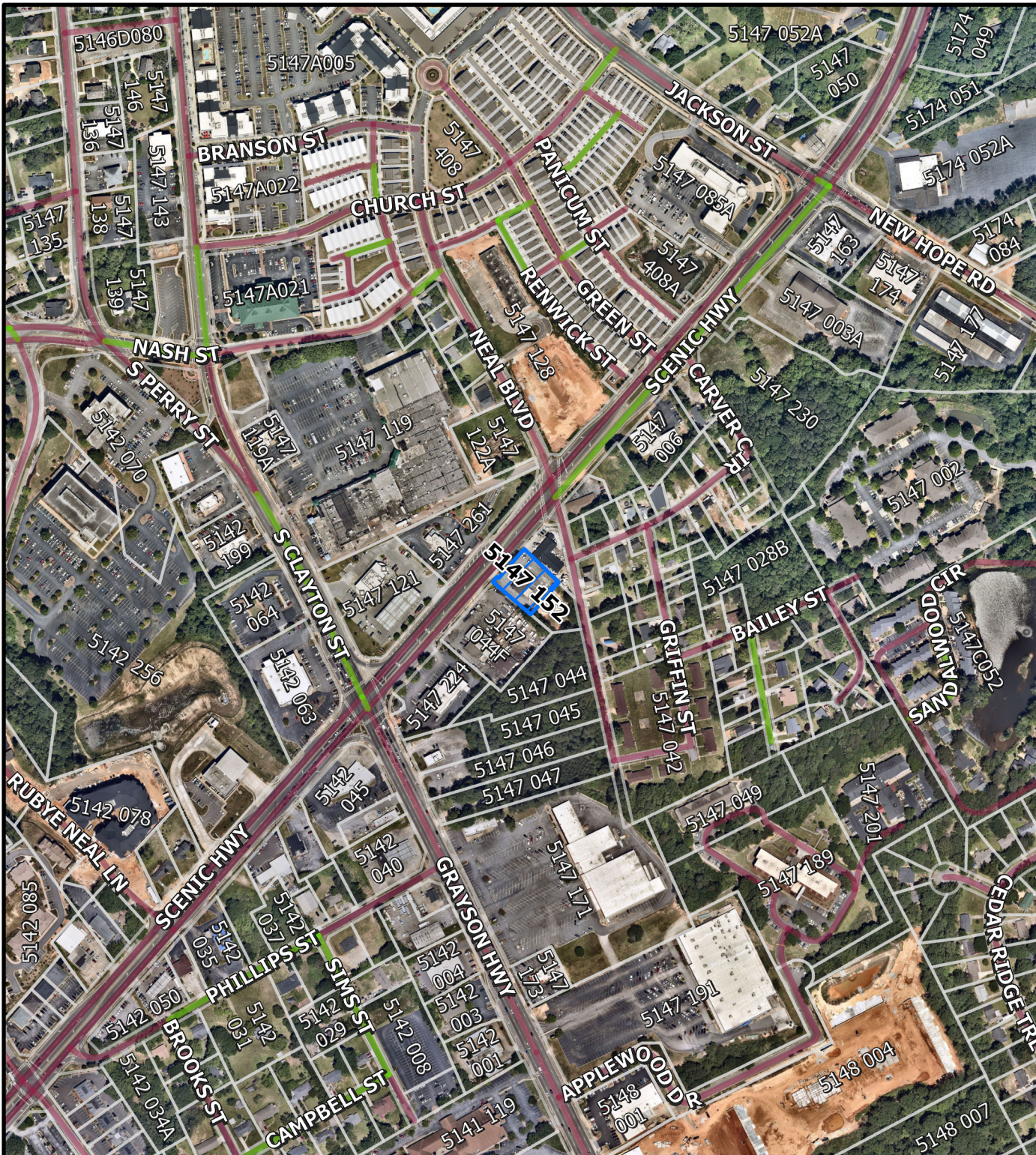
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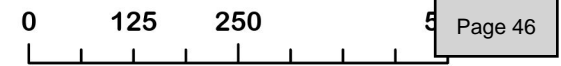
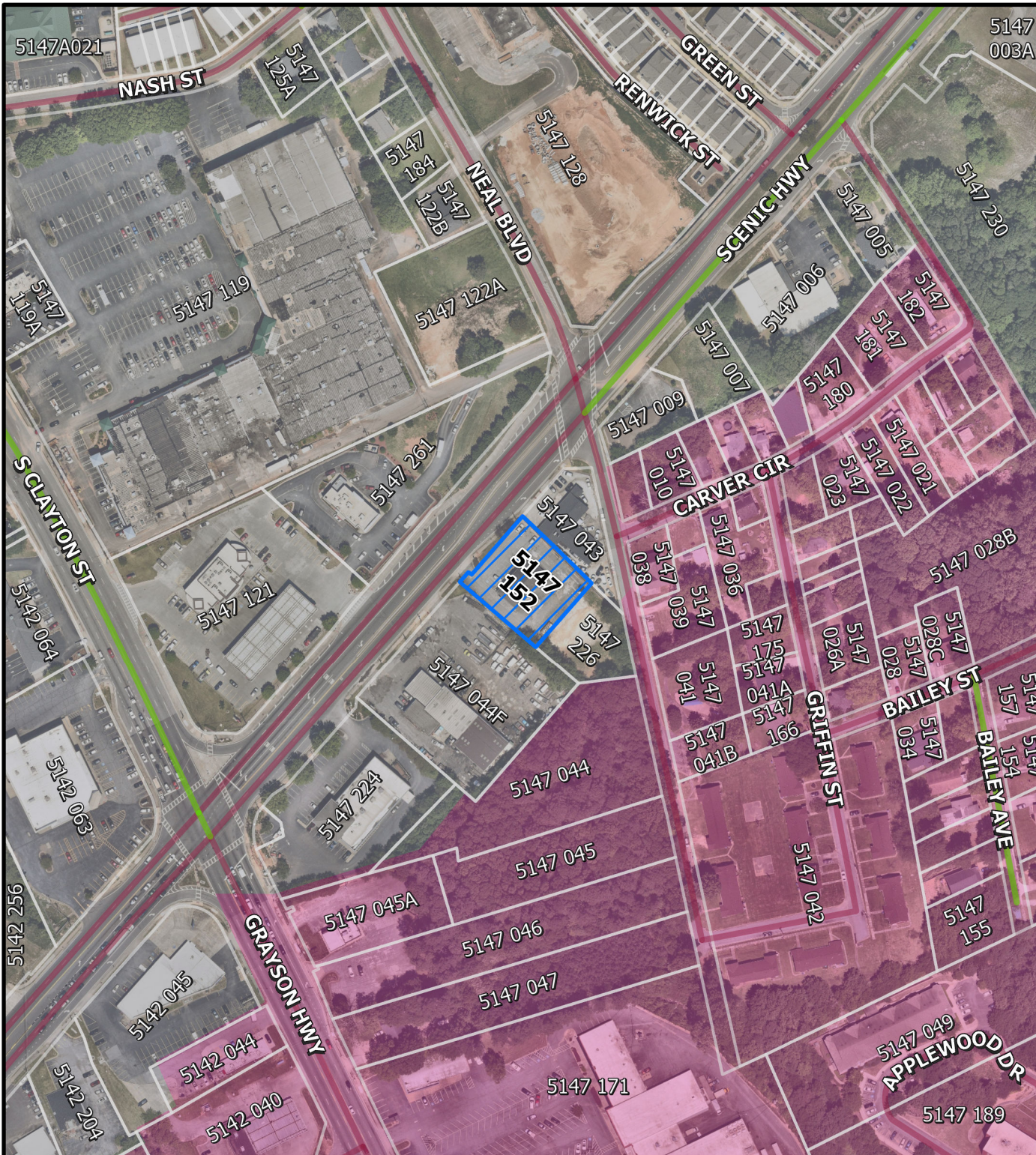
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- Character Areas**
-  Community Mixed Use
-  Downtown















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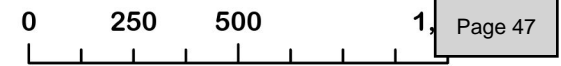
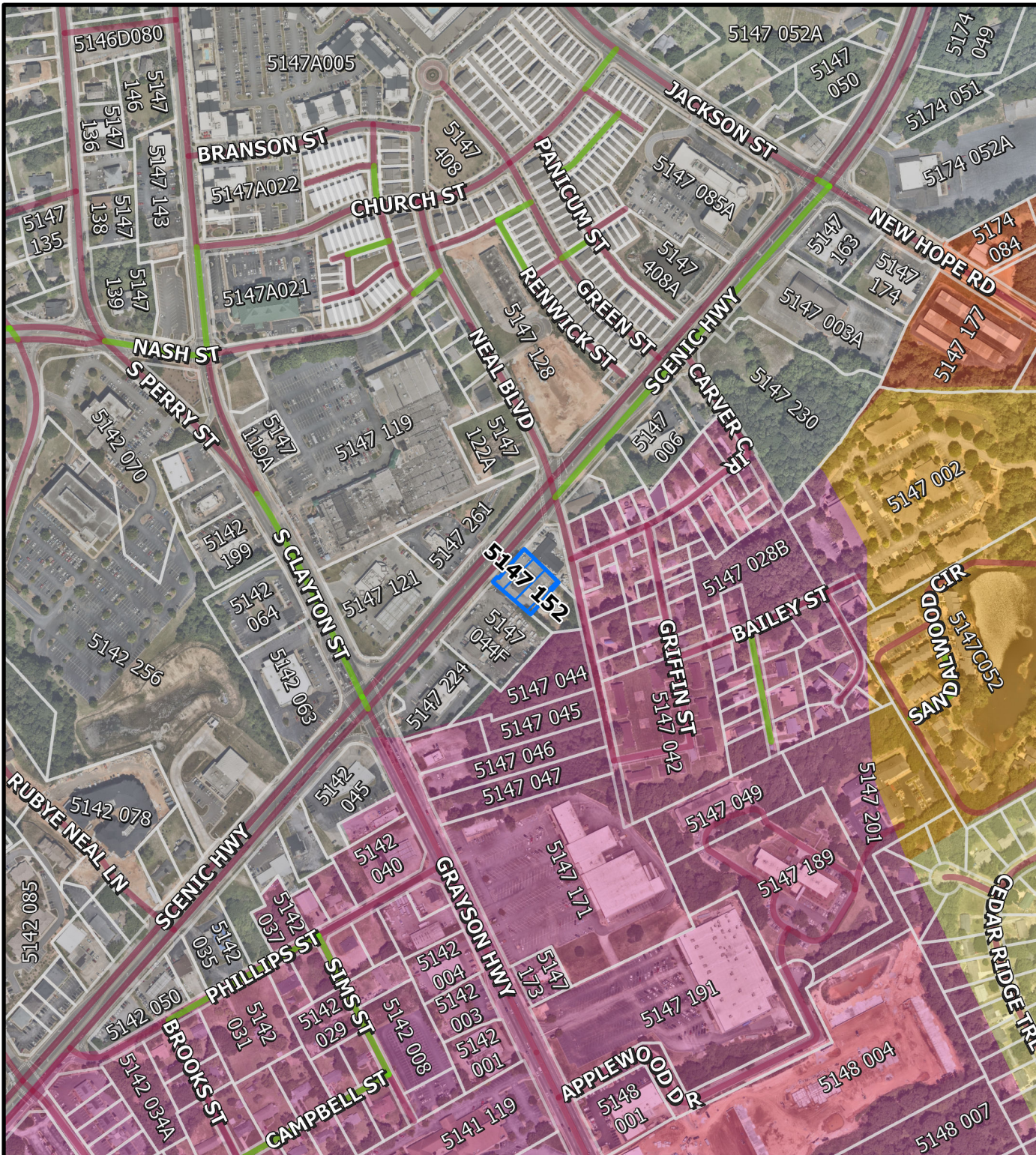
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-  Mixed Residential
-  Neighborhood Mixed Use
-  Downtown






LAWRENCEVILLE

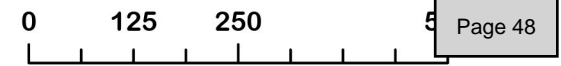
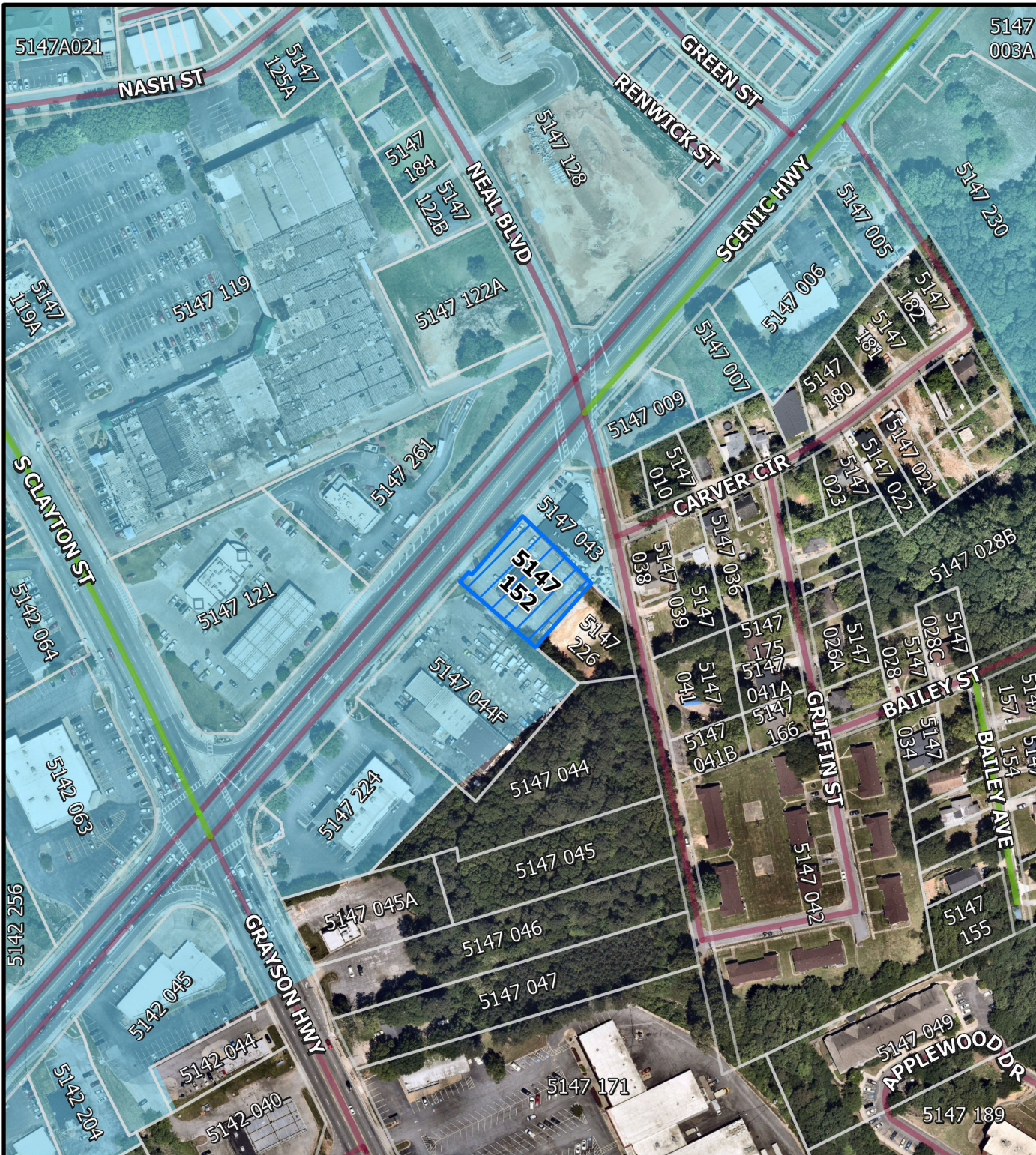
GEORGIA

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Planning & Development
Location Map & Surrounding Areas

File # CIC2023-00011

Applicant: Tim Teague

-  North DTL
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-  Downtown Development Authority Boundary
-  County Maintained Streets
-  City Maintained Streets





LAWRENCEVILLE

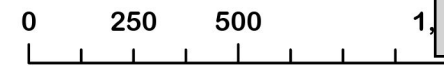
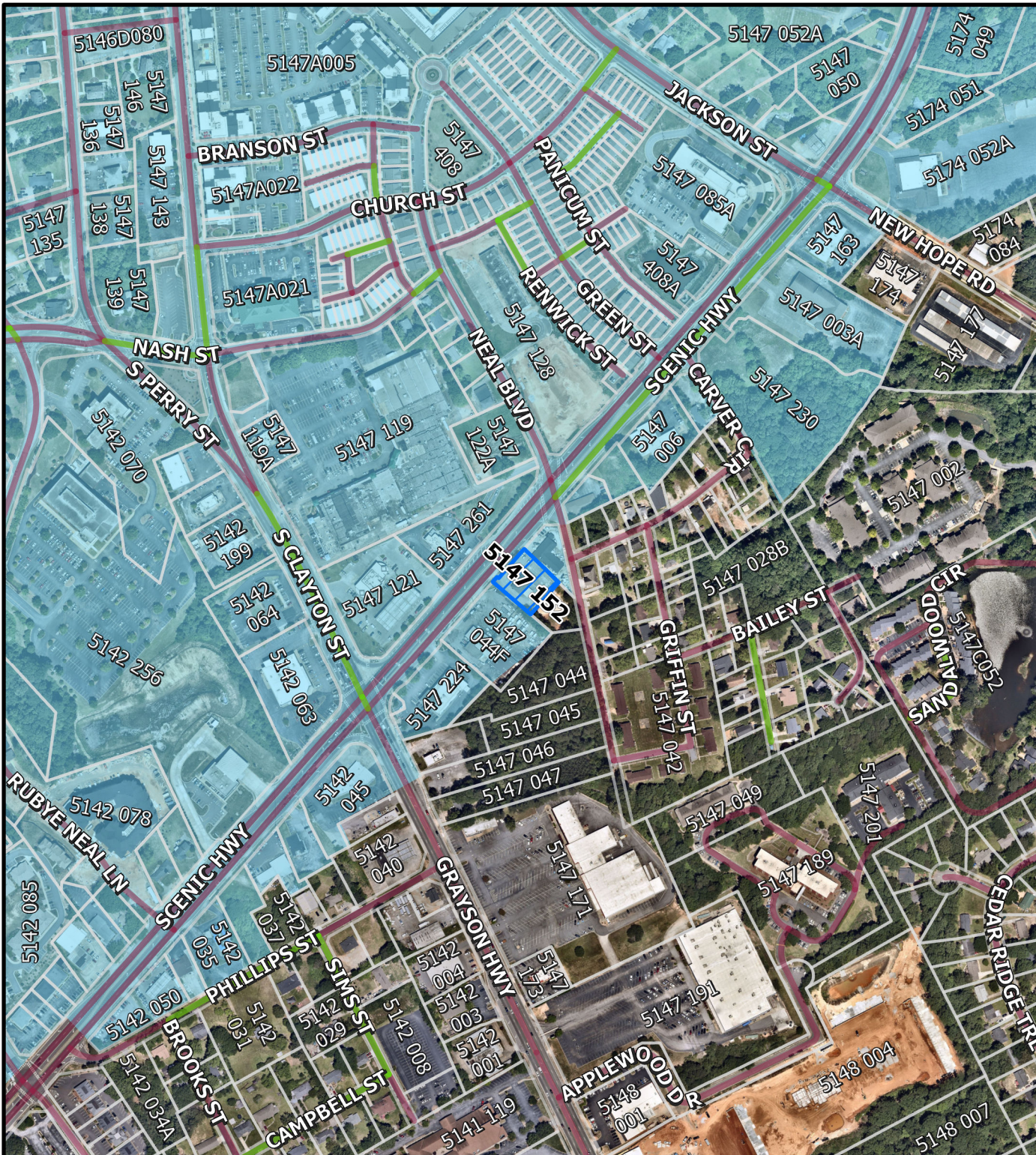
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LAWRENCEVILLE

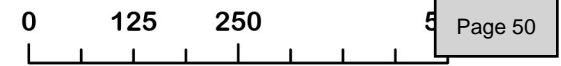
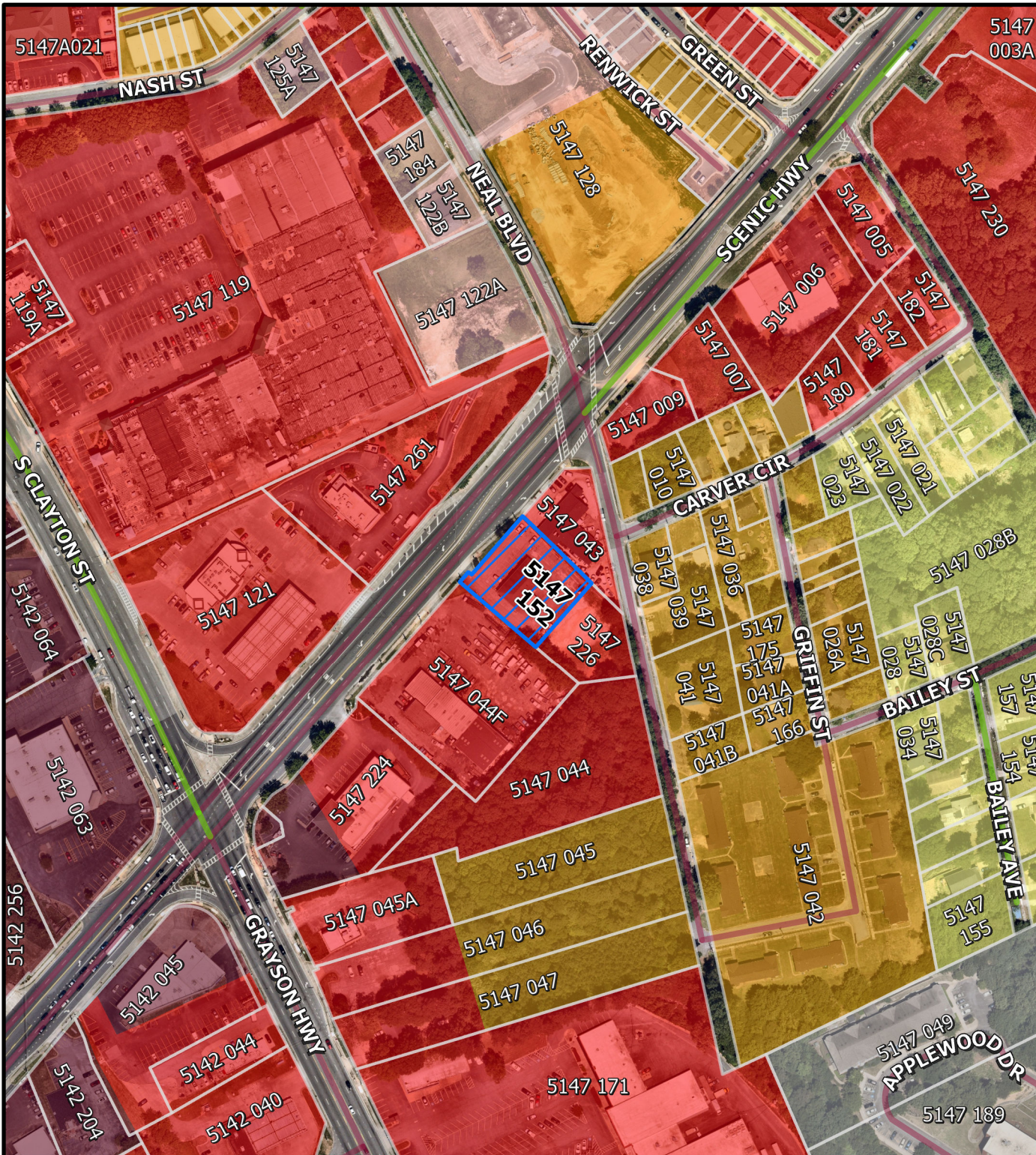
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 -  RS-150 Single-Family Residential




















LAWRENCEVILLE

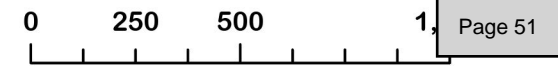
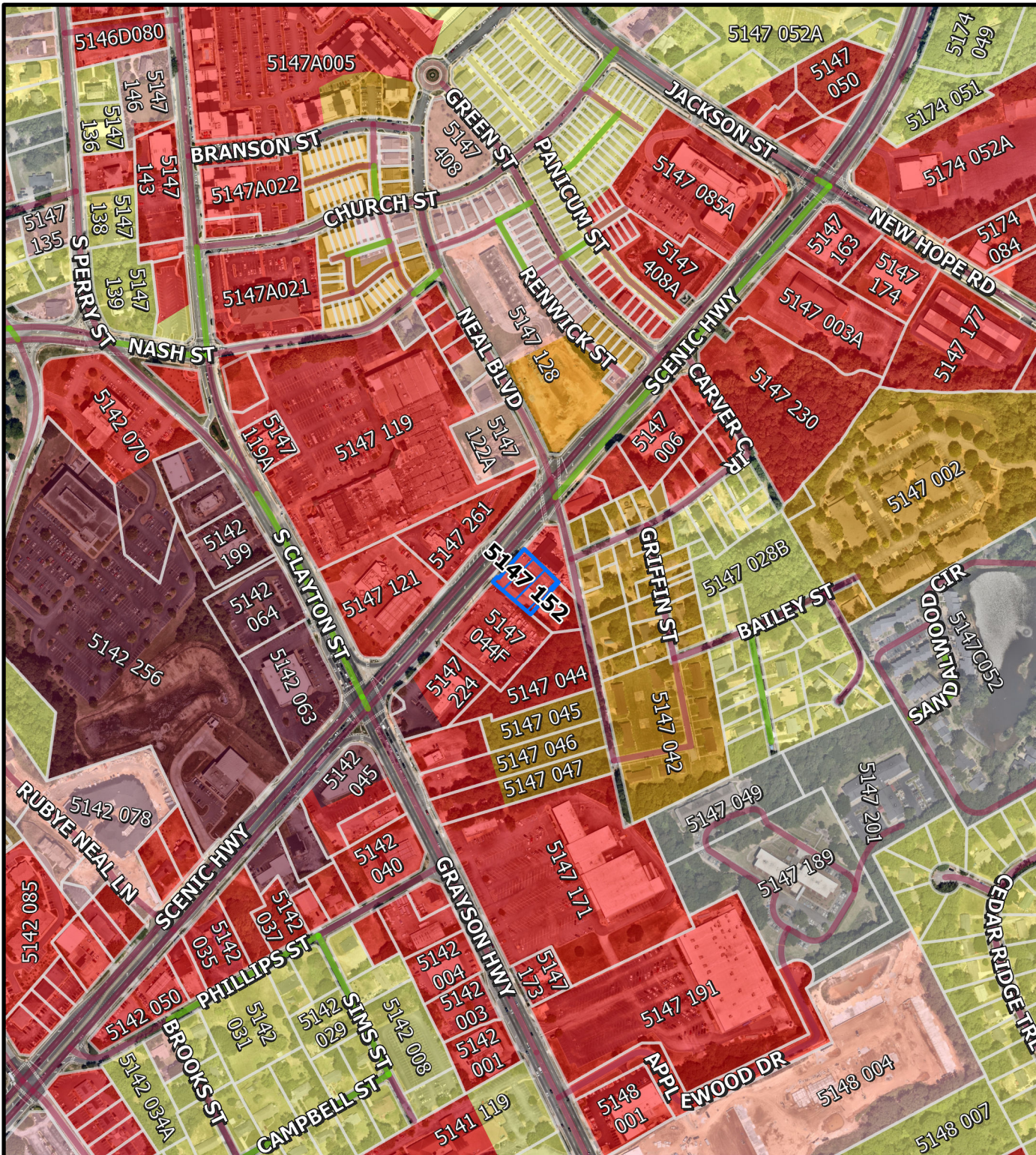
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 -  ON Office/Neighborhood
 -  RM-12 Multifamily Residential
 -  RM-8 Townhouse Residential
 -  RM-4-C Fee Simple Condominium Residence
 -  RMHR Multifamily Residence District - High-Rise
 -  RS-150 Single-Family Residential





LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: PLANNING COMMISSION
AGENDA CATEGORY: NEW BUSINESS

- Item:** 2045 Comprehensive Plan and Transportation Master Plan
- Department:** Planning and Development
- Date of Meeting:** Monday, November 6, 2023
- Applicant Request:** Review, and make recommendation
- Presented By:** Helen Balch, Deputy Director of Planning and Development
- Department Recommendation:** Approval

Summary: The Georgia Planning Act mandates local jurisdictions to craft and uphold comprehensive plans that guide long-term development. This requirement holds particular significance for Lawrenceville, GA, as it seeks to maintain its status as a qualified local government (QLG). These plans adhere rigorously to the Georgia Department of Community Affairs' (DCA) Minimum Standards and Procedures for Local Comprehensive Planning, encompassing facets such as land use, economics, housing, and transportation.

This comprehensive plan update holds a pivotal role in shaping the future trajectory of Lawrenceville and its surrounding regions. The City of Lawrenceville Comprehensive Plan 2045 serves as an integral framework, directing the city's growth and evolution. By furnishing a transparent roadmap for planning and development, this comprehensive process ensures a well-coordinated approach to growth. This not only improves residents' quality of life but also fosters a strong sense of community identity while preserving Lawrenceville's unique character.

Attachments/Exhibits:

- Draft to be provided at meeting.



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: PLANNING COMMISSION
AGENDA CATEGORY: NEW BUSINESS

- Item:** An Ordinance to Amend the Zoning Ordinance, ARTICLE 1; Districts
- Department:** Planning and Development
- Date of Meeting:** Monday, October 2, 2023
- Applicant Request:** Review of Amendment
- Presented By:** Todd Hargrave, Director of Planning and Development
- Department Recommendation:** **Approval**

Summary: Amendment to ARTICLE 1 Districts, to add new zoning classifications, rename existing classification and apply new common area standards, street network standards, and establishing a new section for homeowners association requirements, in addition to revising the Use Table to reflect changes from the Zoning Ordinance and the Code of Ordinances.

Attachments/Exhibits:

- ZON ORD_ART 1 DIST_ZON CLASS_09072023
- ZON ORD_ART 1 DIST_USE TBL_09072023

**AN ORDINANCE TO AMEND ARTICLE 1 DISTRICTS
OF THE CITY OF LAWRENCEVILLE ZONING ORDINANCE 2020**

The City Council of the City of Lawrenceville, Georgia hereby ordains that the City of Lawrenceville Zoning Ordinance 2020 is amended as follows:

Section 1. That the Zoning Ordinance Article 1 Districts, is amended by inserting the following Section 102.5 RS-50 INF – Infill One-Family Residential District.

102.5 RS-50 INF – ONE-FAMILY INFILL RESIDENTIAL DISTRICT

A. Purpose

This RS-50 INF zoning district is intended for the infill development of medium-density detached one-family dwelling units within the North Downtown Lawrenceville area.

B. Special Use Permit Required

On-Street Parking shall require the approval of a Special Use Permit ([see Article 5 Parking, Section 509 On-Street Parking Standards](#)).

C. Site Development Standards

1. Road Classification

RS-50 INF one-family lots shall not have direct access to an external classified Freeway/Expressway, Arterial (Principal, Major, Minor), Collector (Major, Minor).

Exception: RS-50 INF one-family lot development located within the North Downtown Lawrenceville Area may be approved with direct access to an external classified Collector (Major, Minor), subject to the review and approval of a Minor Subdivision Plat consisting of a maximum of five (5) lots of record ([see City of Lawrenceville Subdivision Regulations, Article VI, Subdivision Exemptions, Section 3. Minor Subdivision](#)).

2. Minimum External and Internal Road Frontage

The minimum external or internal road frontage width for which the RS-50 INF zoning classification is permitted shall be fifty (50) feet.

3. Minimum Cul-de-sac Road Frontage

Lots within one-family, townhouse, and two-family residential zoning classifications fronting cul-de-sacs shall be required to maintain a chord distance of thirty-five (35) feet as measured along the arc of the right-of-way or utility easement unless otherwise noted within the applicable zoning classification.

D. Minimum Architectural Standards

Architectural Standards shall be subject to the review and approval of the Director of the Planning and Development Department (See Article 6 Architectural and Design Standards).

E. Minimum Common Area Standards

A minimum of twenty (20) percent of the total project acreage shall be designated as a Common Area, excluding fifty (50) percent of any 100-year floodplain or wetland areas (see Article 1, Section 102.12, Minimum Recreation Area Standards).

F. Mandatory Homeowners Association

A Mandatory Homeowners Association shall be required for all one-family developments (see Zoning Ordinance, Article 1 Districts, Section 102.14, Mandatory Homeowners Association).

G. Property Development Standards

Property in the RS-50 INF District shall be developed in accordance with the applicable site-related provisions contained in this Article, and the City of Lawrenceville Subdivision Regulations and Development Regulations.

1. Density

Gross density in an RS-50 INF zoning classification shall not exceed eight (8) Units Per Acre (UPA). Density shall be calculated as defined in Article 10 Definitions, Density - Gross, and Density - Net.

2. Sewer Capacity

Sewer Capacity Certification Request shall require the review and approval of the Gwinnett County Department of Water Resources.

3. Dimensional Standards - Principal Structure

Table 102.5.G.3.A - Principal Structure

Minimum Lot Area (sq. ft.)	Maximum Impervious Surface (sq. ft.)	Minimum Lot Width (ea.)
5,228 sq. ft.	2,614 sq. ft.	50 feet

Table 102.5.G.3.B – Principal Structure^{a, b, c, d, & e}					
Maximum Building Height	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Heated Floor Area	Minimum Heated Floor Area
35 feet	15 feet	10 feet	5 feet	2,000 sq. ft. (1 story)	2,200 sq. ft. (2 stories)

- a.** The Minimum Building Setback for exterior walls shall factor any openings, penetrations, projections, and walls associated the construction of an exterior wall (See IRC - International Residential Code, Part III, Chapter 3, Section 302 Fire-Resistant Construction)
- b.** Minimum Building Setback adjacent to an internal Local Residential Street or Private Street shall be fifteen (15) feet.
- c.** Minimum Building Setback adjacent to an internal Private Alley shall be five (5) feet.
- d.** Minimum Building Setback adjacent to an external Collector (Major, Minor) shall be fifteen (15) feet (see Section 102.5, C.1. Exception).
- e.** Minimum Building Setback adjacent to a classified Freeway/Expressway, Arterial (Principal, Major, Minor), or Collector (Major, Minor) shall be fifty (50) feet (see Section 102.5, C.1. Exception).

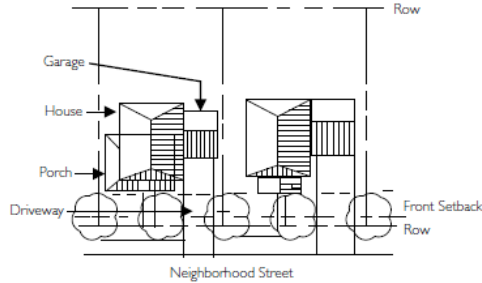
4. Dimensional Standards – Accessory Structure

Table 102.5.G.4 – Accessory Structure					
Allowance	Height	Front Yard Setback	Rear Yard Setback	Side Yard Setback	Maximum Square Footage
One Per Lot	18 feet	Prohibited	5 feet	5 feet	400 sq. ft.

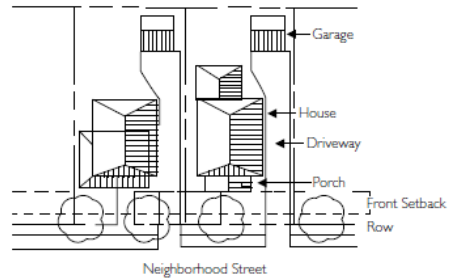
5. Front Access Units

Front Access Units shall be designed and constructed subject to the following rules and regulations:

Front Access Unit - Attached



Front Access Unit - Detached



- a. Front façade(s) of One-Family Detached Units shall be parallel or radial to a Local Street (Public Right-of-Way) or Private Street.
- b. Front façade(s) of One-Family Units Detached shall be constructed with a porch facing a Local Street (Public Right-of-Way) or Private Street (Utility Easement).

6. Two-Car Garage

- a. One-Family Detached Units shall be accessed via a driveway extended from a Local Residential Street (Public Right-of-Way) or Private Street (Utility Easement).
- b. One-Family Detached Units shall have an attached or detached two-car garage with front access as a minimum requirement.
- c. Two-car garages with front access shall be adjacent to and accessed via a driveway extended from a Local Street (Public Right-of-Way) or Private Street (Utility Easement).
- d. Two-car garages shall be a minimum of twenty (20) feet in length and twenty (20) feet in width.
- e. Two-car garage door openings shall be a minimum of sixteen (16) feet in width.
- f. Two-car garages shall not be converted into heated interior space without being replaced with another two-car garage within the building footprint of the property, subject to the terms of this Ordinance.

- g.** Two-car garage doors shall not be adjacent to, directly across, or visible from Recreational Areas.
- h.** Detached two-car garages shall be in the rear yard area only and shall be five (5) feet from rear and side yard property lines.
- i.** Attached two-car garages shall be in a side yard area only and shall be offset from the front façade a minimum of ten (10) feet.

DRAFT

Section 2. That the Zoning Ordinance Article 1 Districts, is amended by inserting the following 102.6 RS-TH INF - Townhouse Infill Residential District and renumbering the remaining sections accordingly.

102.6 RS-TH INF - TOWNHOUSE-FAMILY INFILL RESIDENTIAL DISTRICT

A. Purpose

This RS-TH INF zoning district is intended for the infill development of medium-density townhouse-family dwelling units within the North Downtown Lawrenceville area.

Property in the RS-TH INF Townhouse-Family Infill Residential District shall be developed in accordance with the Minimum Lot Area requirement and the applicable site related provisions of the City of Lawrenceville Development Regulations.

B. Special Use Permit Required

On-Street Parking shall require the approval of a Special Use Permit ([see Article 5 Parking, Section 509 On-Street Parking Standards](#)).

C. Site Development Standards

1. Minimum Site Area

The Minimum Site Area for which the RS-TH INF zoning classification is permitted shall be one-half (1/2) acres. The minimum Site Area shall not be reduced by a Variance. If a property was zoned (RM-12) General Residence, 3,600 Sq. Ft. District at the time of adoption of the City of Lawrenceville Zoning Ordinance 2020 (ZON-ORD 2020-9), on May 20, 2020, and the property does not meet the Minimum Site Area then the property owner may apply for a Variance.

2. Townhouse-Family Attached

A townhouse-family attached dwelling unit constructed in a group of four (4) attached units, but not more than eight attached units in which each unit extends from foundation to roof. Each one-family attached townhouse dwelling unit is separated from any other dwelling unit by one or more vertical common fire-resistance-rated walls. A townhouse shall have a minimum of two (2) stories above the

centerline grade of an adjacent public right-of-way or private street (see Article 1, Section 102.12., Table 102.12.I.).

3. Maximum Impervious Cover or Surface

The maximum Impervious Cover or Surface area shall be eighty (80%) percent.

D. Architectural Standards

Architectural Standards shall be subject to the review and approval of the Director of the Planning and Development Department (See Article 6 Architectural and Design Standards).

See figures for examples:

Ex. No. 1 - Rear Entry Townhouse Dwelling Units



Ex. No. 2 - Front Entry Townhouse Dwelling Units



E. Minimum Common Area Standards

A minimum of twenty (20) percent of the total project acreage shall be designated as a Common Area, excluding fifty (50) percent of any 100-year floodplain or wetland areas (see [Article 1, Section 102.12, Minimum Recreation Area Standards](#)).

F. Mandatory Homeowners Association

A Mandatory Homeowners Association shall be required for all Single-Family developments (see [Article 1, Section 102.14, Mandatory Homeowners Association](#)).

G. Property Development Standards^{1&2}

Property in the RS-TH District shall be developed in accordance with the applicable provisions contained in the City of Lawrenceville Development Regulations and Subdivision Regulations, and the following additional standards:

1. Density

Gross density in an RS-TH INF zoning classification shall not exceed eight (8) Units Per Acre (UPA). Density shall be calculated as defined in [Article 10 Definitions, Density - Gross, and Density - Net](#).

2. Sewer Capacity

Sewer Capacity Certification Request shall require the review and approval of the Gwinnett County Department of Water Resources.

3. Dimensional Standards - Principal Structure

Table 102.6 G.3.A - Principal Structure^{a, b & c}					
<i>Minimum Lot Area</i>	<i>Maximum Building Height</i>	<i>Maximum Number of Stories</i>	<i>Minimum Lot/Unit Width</i>	<i>Maximum Units Per Row (UPR)</i>	<i>Minimum Units Per Row (UPR)</i>
2,400 sq. ft.	35 feet	3 Stories	24 feet	6	4

Table 102.6 G.3.B - Principal Structure^a			
<i>Minimum Front Yard Setback</i>	<i>Minimum Rear Yard Setback</i>	<i>Minimum Side Yard Setback</i>	<i>Minimum Building (UPR) Separation</i>
15 feet	20 feet	0 feet	20 feet

a. The minimum Building Setback adjacent to a classified Arterial (Principal, Major, Minor), shall be fifty (50) feet.

4. Minimum Heated Floor Area - Principal Structure

Table 102.6 G.4. - Minimum Heated Floor Area				
<i>Studio</i>	<i>1-bedroom</i>	<i>2-bedroom</i>	<i>3-bedroom</i>	<i>4-bedroom</i>
-	1,000 sq. ft.	1,200 sq. ft.	1,400 sq. ft.	1,600 sq. ft.

5. Maximum % Bedroom Units - Principal Structure

Table 102.6 G.5. - Maximum % Bedroom Units	
<i>Three (3) bedroom units - Forty (40%) percent</i>	<i>Four (4) bedroom units - ten (10%) percent</i>

6. Townhouse Units - General

- a.** The front façade(s) of Townhouse Units shall be parallel or radial to a Local Residential Street (Public Right-of-Way) or Private Street (Utility Easement).
- b.** Front façade(s) of Townhouse Units parallel or radial to a Public Street (Public Right-of-Way).
- c.** Front façade(s) of Townhouse Units shall be staggered or offset to a minimum of two (2) feet providing architectural relief.
- d.** Townhouse Units shall not have direct access to an external classified Freeway/Expressway, Arterial (Principal, Major, Minor), Collector (Major, Minor), or Local Street.
- e.** Townhouse Units shall have a two-car garage as a minimum requirement. The connecting driveway of the garage shall be a minimum of twenty (feet) in length, as measured from the building footprint to an internal Public Right-of-Way or Utility Easement to accommodate two (2) additional vehicles.
- f.** Two-car garage door openings shall be a minimum of sixteen (16) feet in width.
- g.** Two-car Garages shall not be converted into heated interior space without being replaced with another two-car garage within the building of the property subject to the terms of this Ordinance.
- h.** Garage doors may face a Recreation Area or Local Street (Public Right-of-Way) internal to the development with the approval of a Special Use Permit.

7. Rear Entry Townhouse Units

Rear Entry Townhouse Units (Rear Elevation) shall be adjacent to and accessed via a driveway extended from a Private Alley (Utility Easement).

8. Front Entry Townhouse Units

Front entry units shall be designed and constructed to include the following:

- a.** All Front Entry Townhouse Units shall be internal to the development and concealed from view from of a classified external Freeway/Expressway, Arterial (Principal, Major, Minor) Collector (Major, Minor) or Local Street Public Right-of-Way).
- b.** Front Entry Townhouse Units shall be accessed via a driveway internal to the development extended from a Local Street (Public Right-of-Way).

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Section 3. That the Zoning Ordinance Article 1 Districts, is amended by deleting section 102.7 RM-8 Townhouse Residential District and inserting in lieu thereof section 102.7 RS-TH Townhouse One-Family Residential District.

102.7 RS-TH - TOWNHOUSE ONE-FAMILY RESIDENTIAL DISTRICT

A. Purpose

The RS-TH Townhouse One-Family Residential District is designed to provide for one-family attached townhome development amongst compatible density and zoning.

Property in the RS-TH Townhouse Residential District shall be developed in accordance with the Minimum Lot Area requirement and the applicable site related provisions of the City of Lawrenceville Development Regulations.

B. Lot Development Standards

Min. Lot Area	Unit Width Min.	External Min. Front Setback	External Min. Side Setback	External Min. Rear Setback	Min. Heated Floor Area	Impervious surface Max. Lot Coverage	Max. Building Height	Min. % Com. Area
5 acres	20 ft.	25 ft.	20 ft.*	20 ft.	See table below	40%	35 ft.	20%

- 40 feet if located on Major Arterial
- This Minimum Lot Area shall not be reduced by a Variance. If property was zoned (RM-12) General Residence, 3,600 Sq. Ft. District at the time of adoption of the City of Lawrenceville Zoning Ordinance 2020 (ZON-ORD 2020-9), on May 20, 2020, and property does not meet the Minimum Lot Area then the property owner may apply for a Variance.
- Duplexes shall be prohibited.

Minimum Heated Floor Area				
Studio	1-bedroom	2-bedroom	3-bedroom	4-bedroom
-	1,000	1,200 sq. ft.	1,400 sq. ft.*	1,600 sq. ft*

Minimum Dwelling Unit Width	
Double-car garage	20 ft.

*Three-bedroom units shall be limited to 40% of the entire townhouse development.

*Four-bedroom units shall be limited to 10% of the entire townhouse development.

C. Architectural Standards

Subject to review and approval by the Director of Planning and Development.

1. Each building shall consist of a minimum of two alternating roof types, specifically, open gable, boxed gable, dormer, hip, or flat roof lines.
2. Front, side, and rear facades shall be finished with primarily brick or stone on each elevation.
3. Elevations shall be staggered with alternating exterior treatments such as porches, balconies, awnings, chimney, stoops, decks, patios, and terraces.
4. Provide a unique architectural entrance with door surround.
5. Incorporate changes in building material texture, and color.
6. Provide elements such as shutters and roof eave brackets.
7. Refer to [Article 6, Architectural and Design Standards](#), for types of materials allowed in the district.

See figures for examples:

Ex. No. Rear Entry Townhouse Dwelling Units



Ex. No. 2 Front Entry Townhouse Dwelling Units



D. Minimum Common Area Standards

A minimum of twenty (20) percent of the total project acreage shall be designated as a Common Area, excluding fifty (50) percent of any 100-year floodplain or wetland areas (see Article 1, Section 102.12, Minimum Common Area Standards).

E. Mandatory Homeowners' Association

A Mandatory Homeowners' Association shall be required for all Single-Family developments (see Article 1, Section 102.13, Mandatory Homeowners Association).

F. Development Standards

The following minimum requirements shall be applied to the property:

1. All vehicles shall be parked on a subdivision lot on an approved hard surface.
2. Internal yard requirements: A 20-foot grassed or landscaped strip shall be provided between all buildings (facades/elevations) and interior private drives.
3. A minimum of three and a maximum of eight units shall be allowed in each row of townhouses.

- 4.** Private Drive shall be installed with the following dimensions:
 - a.** The street width shall be 24 feet. Two-foot curb and gutter required (dimensions are back-to-back of curbs).
 - b.** A 5-foot sidewalk is required and shall be 2 feet off of the back of the curb.
- 5.** All utilities shall be underground and shall be located within the required right-of-way.
- 6.** All townhouses must be rear entry; driveways shall have no access to exterior streets.
- 7.** Front entry units shall require the approval of an associated Special Use Permit. If approved, shall abide by the following rules and regulations:
 - a.** Front entry garages: may not be converted into heated interior space without being replaced with another garage within the building of the property subject to the terms of this Ordinance.
 - b.** Front entry units shall be setback 27 feet from required 24-foot Private Drive.
 - c.** Driveway must provide two external parking spaces (9 ft. x 20 ft.).
- 8.** Each townhome residence shall have a two-car garage as a minimum requirement.
- 9.** Rear entry garages:
 - a.** May not be converted into heated interior space without being replaced with another garage within the building of the property subject to the terms of this Ordinance.
 - b.** Require an 18-foot alley width.
 - c.** Shall be 27 feet off of required alley.
 - d.** Driveway must provide two external parking spaces (9 ft. x 20 ft.).
 - e.** Front facade shall be setback 20 feet from the required 24-foot Private Drive.
- 10.** No plumbing or heating vents shall be placed on the front side roof of any structure in this district.

- 11.** Building fronts shall be staggered to provide architectural relief.
- 12.** Sidewalks on both sides of all streets including cul-de-sacs shall be required as set forth in the subdivision regulations of the City of Lawrenceville.
- 13.** The term “pavement width of streets” as used in this Ordinance shall be defined as from the back of curb to back of curb.
- 14.** No driveway shall have access to exterior streets.
- 15.** Centralized mail kiosk shall have a minimum three-car stacking lane for every 100 units served.
- 16.** Dumpsters and recycling bins shall be screened from all units and not visible from right of way.

G. Utility Restrictions

- 1.** All utilities shall be located underground.
- 2.** All utilities meters shall be located along a side or rear elevation.

H. Zoning Exhibit

As part of the application for rezoning, an exhibit shall be submitted that includes the following information:

- 1.** A location map showing the boundaries of the property with the current zoning of the property, as well as zoning on adjacent properties.
- 2.** A plan showing applicable details, to include lots, streets and right-of-way, setback lines, dwelling sizes, off-street parking, on-street parking, street trees, sidewalks, multi-use trails, stormwater management facility areas, floodplain and wetlands, topography, and common space.
- 3.** Specifications, calculations, and applicable percentages for common area, density calculations, lot sizes, land use, gross and net acreage, dwelling units, and parking.
- 4.** Color elevations of front, sides, and rear of all typical units, including proposed building materials, building heights and any other structures.

- 5. Other architectural and engineering data necessary to demonstrate conformity with applicable standards of the district and with Article 6, Architectural and Design Standards.
- 6. Conceptual Signage Plan.

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Section 4. That the Zoning Ordinance Article 1 Districts, is amended by inserting the following 102.12 Minimum Common Area Standards and renumbering the remaining sections accordingly.

102.12 MINIMUM COMMON AREA STANDARDS

- A.** A minimum of twenty (20) percent of the total project acreage shall be designated as Common area. The minimum size for a Common Area shall be square 4,356 square feet.
- B.** Common areas shall not include any land area within undevelopable land designated or identified as a federal, state, regional, local protected area, bluff, floodplain, stream buffer or wetlands.
- C.** Common areas shall be designated on a recorded plat as a permanent recreation easement for recreational purposes, such as but not limited to parks, playgrounds, and other similar recreation uses.
- D.** Common areas shall be centrally located within a development in such a manner that at least seventy-five (75) percent of the dwelling units are within 300 feet of a common area, as measured from a building footprint.
- E.** Common areas shall consist of one (1) active recreational feature, such as a public gathering area (e.g., playground, swimming pool, tennis court or similar approved element activity center).
- F.** Common Areas shall consist of one (1) passive recreational feature, such as a public gathering area (e.g., green, park, plaza, square or similar approved recreational area).
- G.** Common Areas shall be accessible to the residents from four (4) points of entry by sidewalks.
- H.** Common areas shall be compliant with ADA requirements regulating accessibility.
- I.** 50% of the townhouses must be adjacent to or directly across the street from a common area such as a public green, park, or square. These units shall be rear entry only.
- J.** Common Areas shall consist of a mix of undisturbed natural plantings and/or formal plantings, subject to the review and approval of a Landscape, Buffer, and Tree Plan.
- K.** Provide benches, tables, seat walls, planters, play structure, and/or picnic areas/shelter.

L. Install outdoor lighting.

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Section 5. That the Zoning Ordinance Article 1 Districts, is amended by inserting the following 102.13 Street Network (Mixed-Use, Multifamily, One-Family, Two-Family and Townhouse Zoning Classifications and renumbering the remaining sections accordingly.

102.13 STREET NETWORK (MIXED-USE, MULTIFAMILY, ONE-FAMILY, TWO-FAMILY AND TOWNHOUSE ZONING CLASSIFICATIONS)

A. Street Network

Street Networks shall be designed based on their proximity and access to a classified Arterial, Collector, Public Street, Local Residential Street or Private Street (Utility Easement).

Street Networks shall be designed to follow the contour of the land to minimize the disturbance of the existing topography.

1. Arterial (Principal, Major, Minor) and Collector (Major, Minor)

Mixed-Use, Multifamily and One-Family (attached or detached) developments adjacent to or accessed via a classified Arterial Street or Collector Street shall be designed utilizing an interconnected curved street pattern (curvilinear) intended to promote vehicular connectivity. The overall design should incorporate courts, curving crescents, eyebrows, loop streets, and ovals.

2. Public Street, Local Residential

Mixed-Use, Multifamily and One-Family (attached or detached) developments adjacent to or accessed via an External Public Street or Internal Local Residential Street shall be designed utilizing an interconnected gridiron street pattern (grid) intended to promote pedestrian connectivity. The overall design shall discourage through-traffic by incorporating a discontinuous street pattern consisting of parallel four (4) way stop intersections, parallel street patterns and right angle intersections.

B. Alleys

1. Local Residential Streets, Private Streets or Private Alleys intersecting with an Arterial (Principal, Major, Minor) or Collector (Major, Minor) are subject to the approval of the City of Lawrenceville Engineering Department or the Gwinnett County Department of Transportation (as applicable).
2. Alleys shall provide a continuous connection between two streets (Public Right-of-Way) or Private Streets (Utility Easement).
3. Alleys shall be installed on a minimum four (4) inch gravel aggregate base with a minimum two (2) inch approved hard surface.
4. Alleys shall be graded to insure proper drainage.

C. Blocks

Blocks shall not be longer than 400 feet without an intersection with another Local Street (Public Right-of-Way), Private Street or Private Alley (Utility Easement).

D. Cul-de-sacs

The utilization of cul-de-sacs shall be minimized. Cul-de-sacs may be allowed due to topographical constraints (i.e., floodplain, streams, wetlands, etc.).

E. Lot Access

1. Lot Access shall be internal to the development.
2. Direct Lot Access to a collector or arterial roadway shall be prohibited for developments within residential zoning classifications.

F. Mail Kiosk

1. All developments or redevelopments shall be required to install a mail kiosk designed to the minimum standards of the *U.S. Postal Service National Delivery Planning Standards, A Guide for Builders and Developers Handbook, PO-632, July 2020*.

2. Mail kiosk shall have a minimum three-car stacking lane for every forty (40) units served.
3. Mail Kiosk shall be centrally located within a development in such a manner that at least seventy-five (75) percent of the townhomes are within 300 feet of a mail kiosk, as measured from a building footprint.

G. On-Street Parking

1. On-Street Parking shall be provided throughout the development at a ratio of two (2) parallel parking spaces per single-family unit
2. On-Street Parking shall be strictly limited to a Local Residential Street (Public Right-of-Way) or Private Street (Utility Easement) only.
3. On-Street Parking shall be prohibited along a Private Alley (Utility Easement).

H. Public Improvements

Common Area, Greenway Access, Sidewalks and Streets, shall be constructed in all new Mixed-Use, Multifamily and Single-Family (attached or detached) development or redevelopment along all abutting or internal streets, existing or new, private or public. Whenever a discrepancy occurs between the design and construction standards of the City of Lawrenceville Development Regulations, Subdivision Regulations, Zoning Ordinance and any state or federal regulation, then the most restrictive shall apply.

1. Width

A minimum five (5) foot sidewalk is required along both sides of an abutting or internal streets, existing or new, private, or public internal including cul-de-sacs. Sidewalks shall not be required along a Private Alley (Utility Easement)

2. Setback

Sidewalks shall be a minimum of two (2) feet off the back of curb.

3. Cross Slope

Sidewalks shall be constructed with a cross slope of 0.25 inch per foot. Sidewalks shall maintain this cross slope at driveway crossings or transition the sidewalk to a driveway with ramps and detectable warnings.

4. Material

Class “B” concrete (as defined by Georgia Department of Transportation [GDOT]) with a minimum strength of 2,200 PSI at twenty-eight (28) days.

5. Final Stabilization

Disturbed areas resulting from sidewalk construction shall be backfilled, stabilized, and grassed or landscaped.

6. Georgia Department of Transportation Controlled Roads

Sidewalks located in the right-of-way of roads under the jurisdiction of the GDOT shall be constructed in accordance with GDOT design and construction standards.

7. Sidewalk Curb Ramp Design and Construction Standards

Intersection radius curb ramps shall be provided at street intersections. Straight ramps may be provided at intersections of curbed driveways and at streets without sidewalks. Curb ramps shall meet the requirements of the Americans with Disabilities Act (ADA).

8. Damage Repair

Damage to roads, sidewalks, curbs, and ramps caused by construction or development activity shall be repaired at no cost to the City within thirty (30) days or prior to issuance of a Certificate of Occupancy, whichever is earlier.

I. Right-of-Way, Utility Easement, Pavement, Curb & Gutter

Right-of-way or Utility Easement for all existing and proposed Local Residential Streets, Private Streets and Private Alleys within a project shall be constructed in accordance with the minimum standards of the *City of Lawrenceville, Georgia, Subdivision Regulations, Article XI Required Improvements, Designs and Construction, Section 2., Required Improvements, Subsection 2.14 Street Design Standards.*

Local Residential Streets, Private Streets, Private Alleys, and Curb & Gutter shall be construction utilizing the minimum dimensions as shown below. Any variation from the rule shall be prohibited.

Table 102.12.I. - Street Dimensions

<i>Type of Street</i>	<i>Right-of-Way</i>	<i>Utility Easement</i>	<i>Pavement</i>	<i>Curb & Gutter*</i>
<i>Local Residential</i>	<i>50 feet</i>	<i>NA</i>	<i>24 feet</i>	<i>6" x 24" X 12"</i>
<i>Private Street</i>	<i>NA</i>	<i>50 feet</i>	<i>24 feet</i>	<i>6" x 24" X 12"</i>
<i>Private Alley</i>	<i>NA</i>	<i>40 feet</i>	<i>20 feet</i>	<i>6" x 24" X 12"</i>

**Curb & Gutter – Vertical Curbing Only, Minimum Strength (3000 PSI at 28 days)*

J. Utilities

All existing and proposed utilities located along public right-of-way or private street/utility easement, except for substations and major electric transmission lines located on separate easements, are required to be placed underground or relocated to the rear of the property so that they will be less visible from a public right-of-way.

1. All public or private utilities (e.g., cable, electric, gas, telephone, water, sewer, etc.) shall be installed underground and be located within a required Public Street (Right-of-Way), Private Street or Alley (Utility Easement)
2. All electrical, fuel gas, mechanical, plumbing appliances, or equipment (See Article 10, Definitions) shall not be visible from an adjacent Local Street (Right-of-Way), or Private Street (Utility Easement).
3. Satellite dish antennas shall be in a rear yard area only and not visible from an adjacent Public Street (Right-of-Way)
4. Vents (i.e., attic, combustion, dryer, exhaust, furnaces, intake plumbing, stacks, etc.) shall not be installed or visible from the pitch of a roof of an adjacent Public (Right-of-Way).
5. Air conditioners, furnace, heat pumps, shall be located in a rear yard area only and not visible from a Public (Right-of-Way).

Section 6. That the Zoning Ordinance Article 1 Districts, is amended by inserting the following 102.14 Mandatory Homeowners’ Association and renumbering the remaining sections accordingly.

102.14 MANDATORY HOMEOWNERS’ ASSOCIATION

A. Mandatory Homeowners’ Association

All AR (Agriculture Residential District), RS-180 (One-Family Residential District), RS-150 (One-Family Residential District), RS-60 (One-Family Residential District), RS-50 INF (Infill One-Family Residential District), RS-TH INF (Townhouse Infill One-Family Residential District) and RS-TH (Townhouse Residential District) developments shall require a Mandatory Homeowners Association. Mandatory compliance with the minimum standards is subject to the review and approval of the Director of the Planning and Development Department.

1. Homeowners Association

As part of the planning process for the development of a One-Family, Two-Family or Townhouse Dwelling development or subdivision, the developer shall propose at the time of the request for development a Homeowners Association to be attached to the development property. The Homeowners Association shall be recorded in the deed records of the Superior Court of Gwinnett County either as written restrictive covenants or on the plat for development of the subdivision.

2. Protective Covenant

The development shall have a mandatory community association(s) to provide maintenance for all common areas (including the maintenance of landscaping within internal rights-of-way and immediately adjacent external rights-of-way) and enforce reasonable and customary property maintenance standards through covenants on all residences within the community. The, and provide other services to be defined within the covenants, conditions, and restrictions that will be recorded with the City prior to the issuance of the first building permit. The covenants will run for 20 years and automatically renewed every 20 years unless 51% of the people owning lots in the subdivision vote to terminate the covenants as governed by O.C.G.A. 44-5-60. Subject to applicable City, local, and federal rules, laws, regulations, and rulings of courts having competent

jurisdiction over the subject property, said covenants shall include a restriction that no more than 10% of the single-family units (with an additional 5% hardship) may be leased to third parties by individual owners.

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

Mayor David R. Still

Attest: _____
City Clerk

DRAFT



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: PLANNING COMMISSION
AGENDA CATEGORY: NEW BUSINESS

- Item:** An Ordinance to Amend the Zoning Ordinance, ARTICLE 2; Supplemental Regulations
- Department:** Planning and Development
- Date of Meeting:** Monday, October 2, 2023
- Applicant Request:** Review of Amendment
- Presented By:** Todd Hargrave, Director of Planning and Development
- Department Recommendation:** **Approval**

Summary: Amendment to ARTICLE 2 Supplemental Regulations is necessary to clarify language that is consistent with Georgia State Law and the remainder of the Zoning Ordinance.

Attachments/Exhibits:

- ZON ORD_ART 2 SUPP ACC STNDRD_09072023

AN ORDINANCE TO AMEND
ARTICLE 2 SUPPLEMENTAL AND ACCESSORY USE STANDARDS,
OF THE CITY OF LAWRENCEVILLE ZONING ORDINANCE 2020

The City Council of the City of Lawrenceville, Georgia hereby ordains that the City of Lawrenceville Zoning Ordinance 2020 is amended as follows:

- Section 1.** That the Zoning Ordinance Article 2 Supplemental and Accessory Use Standards, Section 200.3 Supplemental Use Standards (As Per Section 103.2, Use Table), is amended by deleting the following Sub Section 200.3.36 Fortune Telling in its entirety, and renumbering the remaining Sub Sections accordingly.
- Section 2.** That the Zoning Ordinance, Article 2 Supplemental and Accessory Use Standards, Section 200.3 Supplemental Use Standards (As Per Section 103.2, Use Table) is amended by deleting Sub Section 200.3.55 Palmistry, Physic Reading, and Fortune Telling in its entirety, and renumbering the remaining Sub Sections accordingly.
- Section 3.** That the Zoning Ordinance, Article 2 Supplemental and Accessory Use Standards, Section 200.3 Supplemental Use Standards (As Per Section 103.2, Use Table) is amended by deleting Sub Section 200.3.75 Tattoo Parlor in its entirety, and renumbering the remaining Sub Sections accordingly.

Section 4. That the Zoning Ordinance, Article 2 Supplemental and Accessory Use Standards, Section 200.3 Supplemental and Accessory Use Standards (As Per Section 103.2, Use Table) is amended by deleting Sub Section 200.3.2 Adult Uses in its entirety and inserting in lieu thereof the following, and renumbering the remaining Sub Sections accordingly:

200.3.2 ADULT ENTERTAINMENT

Adult Entertainment shall comply with the following:

A. Permitted Use

Adult Entertainment may be permitted in the HM zoning classification.

B. Special Use Permit

Adult Entertainment may be permitted in the HSB zoning classifications with the approval of a Special Use Permit, pursuant to the City of Lawrenceville Zoning Ordinance, Article 9, Section 907. Rezoning and Special Use Permit Application Public Hearing Process.

C. Area

Lot Area shall be a minimum of three (3) acres or 130,680 square feet.

D. Location

Adult Entertainment businesses or uses restricted under this Sub Section shall not be located:

1. Within one thousand (1,000) feet of any parcel of land which is either named or used for residential uses or purposes.
2. Within one thousand (1,000) feet of any parcel of land upon which consist of a civic center, governmental building, library, place of worship, public park or playground, school (private or public).
3. Within one thousand (1,000) feet of any parcel of land upon which another Adult Entertainment business or use regulated or defined under this Sub Section.
4. Within one thousand (1,000) feet of any parcel of land upon which any other establishment selling alcoholic beverages is located.

For the purposes of this Sub Section, distance shall be by straight line measurement from the property line, using the closest property lines of

the parcels of land involved. The term "parcel of land" means any quantity of land capable of being described by location and boundary, designated, and used or to be used as a unit.

E. Interior Lighting

The interior lighting in the premises will provide adequate visibility for patrons and public safety personnel with a minimum of 10 candles at all times, as measured from the floor.

F. Road Classification

Adult Entertainment shall be located on a roadway classified as an Arterial or Collector Street, or a State Highway.

G. Road Frontage

Adult Entertainment shall be located on a legal lot of record consisting of a minimum of one hundred fifty (150 ft.) feet immediately adjacent to an Arterial or Collector Street, or a State Highway.

H. Off-Street Parking

Adult Entertainment shall conform to the Zoning Ordinance, Article 5 Parking, Section(s) 505 through 510 (Non-residential parking requirements).

I. Development Regulations

Adult Entertainment shall conform to the City of Lawrenceville Development Regulations.

J. Buildings and Building Regulations

Adult Entertainment shall conform to the Code of the City of Lawrenceville, Georgia, Part I – Charter, Chapter 10, Buildings and Building Regulations, Article VII. Construction Codes, Division 1. – State Minimum Codes, and Division 2. City of Lawrenceville Construction Code.

K. Businesses and Business Regulations

Adult Entertainment shall conform to the Code of the City of Lawrenceville, Georgia, Part I – Charter, Chapter 12, Business and Business Regulations, Article II. Business Regulations, Division 13. – Adult Entertainment.

Section 5. That the Zoning Ordinance Article 2 Supplemental and Accessory Use Standards, Section 200.3 (As Per Section 103.2, Use Table) is amended by deleting Sub Section 200.3.6 Automobile, Truck, or Vehicle Storage Lot (Other than Impound Lot) in its entirety and inserting in lieu thereof the following, and renumbering the remaining Sub Sections accordingly:

200.3.6 *AUTOMOBILE, TRUCK, OR VEHICLE STORAGE LOT (OTHER THAN IMPOUND LOT)*

See section 200.3.55 Outdoor Storage (Industrial)

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Section 6. That the Zoning Ordinance Article 2 Supplemental and Accessory Use Standards, Section 200.3 (As Per Section 103.2, Use Table) is amended by inserting the following Sub Section 200.3.14 Body Art Studios and renumbering the remaining Sub Sections accordingly.

200.3.14 BODY ART STUDIOS

Body Art Studios shall comply with the following:

A. Permitted Use

Body Art Studios may be permitted in the BGC zoning classification.

B. Special Use Permit

Body Art Studios may be permitted in the BG zoning classification with the approval of a Special Use Permit, pursuant to the City of Lawrenceville Zoning Ordinance, Article 9, Section 907. Rezoning and Special Use Permit Application Public Hearing Process.

C. Location

Body Art Studios businesses or uses restricted under this Sub Section shall not be located:

1. Within one thousand (1,000) feet of a regulated Body Art Studios businesses or uses.
2. Within five hundred (500) feet of any parcel of land upon which consist of a civic center, governmental building, library, place of worship, public park or playground, or school (private or public).
3. Within one hundred (100) feet of an RS-180, RS-150, RS-60, RS-50, RS-TH, RM-12, RM-24, and CMU zoning classification.

For the purpose of this Section, distance shall be by straight line measurement from the property line, using the closet property lines of the parcels of land involved.

D. Road Classification

Body Art Studios shall be located on a roadway classified as an Arterial or Collector Street, or a State Highway.

E. Off-Street Parking

Body Art Studios shall conform to the Zoning Ordinance, Article 5 Parking, Section(s) 505 through 510 (Non-residential parking requirements).

F. Development Regulations

Body Art Studios shall conform to the City of Lawrenceville Development Regulations.

G. Building and Building Regulations

Body Art Studios shall conform to the Code of the City of Lawrenceville, Georgia, Part I – Part I – Charter, Chapter 10, Buildings and Building Regulations, Article VII. Construction Codes, Division 1. – State Minimum Codes, and Division 2. City of Lawrenceville Construction Code.

H. Businesses and Business Regulations

Body Art Studios shall conform to the Code of the City of Lawrenceville, Georgia, Part I – Charter, Chapter 12, Business and Business Regulations, Article II. Business Regulations, Division 15. – Body Art Studios.

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Section 7. That the Zoning Ordinance Article 2 Supplemental and Accessory Use Standards, Section 200.3 Supplemental Use Standards (As Per Section 103.2, Use Table), is amended by inserting the following Sub Section 200.3.34 Estate Sales, and renumbering the remaining Sub Sections accordingly.

200.3.34 ESTATE SALES

Estate Sales shall comply with the following:

A. Permitted Use

Estate Sales may be permitted in the AR, RS-180, RS-150, RS-60, RS-50, RS-TH, RM-12, RM-24, and CMU zoning classification.

B. Businesses and Business Regulations

Estate Sales shall conform to the Code of the City of Lawrenceville, Georgia, Part I – Charter, Chapter 12, Business and Business Regulations, Article II. Business Regulations, Division 22. – Estate Sales.

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Section 8. That the Zoning Ordinance Article 2 Supplemental and Accessory Use Standards, Section 200.3 Supplemental Use Standards (As Per Section 103.2, Use Table), is amended by inserting the following Sub Section 200.3.38 Garage, Rummage, Yard, and Similar Sales, and renumbering the remaining Sub Sections accordingly.

200.3.38 GARAGE, RUMMAGE, YARD, AND SIMILAR SALES

A. Permitted Use

Garage, Rummage, Yard, and Similar Sales may be permitted in the AR, RS-180, RS-150, RS-60, RS-50, RS-TH, RM-12, RM-24, and CMU zoning classification.

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

B. Authorization

It shall be unlawful for any person or entity to conduct a yard sale from property zoned or used for residential purposes unless the person or entity conducting the yard sale shall have received a Garage, Rummage, Yard, and Similar Sales Permit from the city authorizing sale. Failure to obtain a permit could result in additional fees, fines, and court costs.

C. General Requirements

1. Yard Sales Permit shall not be permitted on any premises more than two times in a calendar year.
2. A second Yard Sales Permit on the premises shall not be issued until thirty (30) days after the last day of the previously issued permit.
3. Yard Sales Permits shall be limited to four consecutive days and shall be allowed only between the hours of 8:00 a.m. and 6:00 p.m.

D. Display Area

- a. All personal property offered for sale shall be displayed within the residence, garage, carport, or rear yard area.

- b. Items sold must be used goods from the participating household(s), and not goods purchased for resale. Items for sale may not be displayed on the public sidewalk, street, or right-of-way.

E. On-Street Parking And Sidewalks

1. Parking motor vehicles is restricted to one side of the street, and where practical, shall be restricted to the same side of the street which the sale will be conducted.
2. No permit holder shall allow vehicles to impede the passage of traffic on any public right-of-way in the vicinity of the sale.
3. Permit holders shall keep the public right-of-way and general vicinity of the sale free from trash and litter.
4. No permit holder shall permit persons to line up or congregate, either on foot or in automobiles, prior to the start of the event.
5. Permit holders shall report to the Police Department any vehicles which are parked in violation of this Subsection.

F. Noise Control

Noise Control shall conform to the Code of the City of Lawrenceville, Georgia, Part I – Charter, Chapter 20, Environment, Article III. Noise Control.

G. Signs

1. Any signs for the sale shall be removed immediately upon closing of the sale. Signs may not be posted on telephone poles, streetlights, traffic signs, or any other structure in the public right-of-way.
2. All signs placed off-site shall have the permission of the owner of the property on which the sign is to be placed. Signs may be posted the morning of the sale and must be taken down on a daily basis.
3. No sign may be larger than four (4) square feet.

Section 9. That the Zoning Ordinance Article 2 Supplemental and Accessory Use Standards, Section 200.3 Supplemental Use Standards (As Per Section 103.2, Use Table), is amended by inserting the following Sub Section 200.3.40 Handwriting Analysts and Fortune Tellers, and renumbering the remaining sections accordingly.

200.3.40 HANDWRITING ANALYSTS AND FORTUNE TELLERS

Handwriting Analysts and Fortune Tellers shall comply with the following:

A. Permitted Use

Handwriting Analysts and Fortune Tellers may be permitted in the HSB zoning classification.

B. Road Classification

Handwriting Analysts and Fortune Tellers shall be located on a roadway classified as an Arterial or Collector Street, or a State Highway.

C. Off-Street Parking

Handwriting Analysts and Fortune Tellers shall conform to the Zoning Ordinance, Article 5 Parking, Section(s) 505 through 510 (Non-residential parking requirements).

D. Development Regulations

Handwriting Analysts and Fortune Tellers shall conform to the City of Lawrenceville Development Regulations.

E. Building and Building Regulations

Handwriting Analysts and Fortune Tellers shall conform to the Code of the City of Lawrenceville, Georgia, Part I – Part I – Charter, Chapter 10, Buildings and Building Regulations, Article VII. Construction Codes, Division 1. – State Minimum Codes, and Division 2. City of Lawrenceville Construction Code.

F. Businesses and Business Regulations

Handwriting Analysts and Fortune Tellers shall conform to the Code of the City of Lawrenceville, Georgia, Part I – Charter, Chapter 12, Business and Business Regulations, Article II. Business Regulations, Division 10. – Handwriting Analysis and Fortune Telling.

Section 10. That the Zoning Ordinance Article 2 Supplemental and Accessory Use Standards, Section 200.3 Supplemental Use Standards (As Per Section 103.2, Use Table), is amended by deleting Sub Section 200.3.51 Massage Therapy in its entirety, and inserting in lieu thereof the following, and renumbering the remaining Sub Sections accordingly:

200.3.50 MASSAGE THERAPY BUSINESSES

Massage Therapy Businesses shall comply with the following:

A. Permitted Use

Massage Therapy Businesses may be permitted in the BG and BGC zoning classifications.

B. Location

Massage Therapy Businesses or use restricted under this Section shall not be located:

Within one hundred fifty (150) feet of an RS-180, RS-150, RS-60, RS-50 RM-12, RM-24, and CMU zoning classification.

Upon application for a massage therapy practice business license, the applicant will provide to the City a survey showing the distances to each residentially zoned property within a one hundred fifty (150) feet of the front door of the massage therapy practice.

For the purpose of this Section, distance shall be by straight line measurement from the front door of the structure where massage therapy practice occurs to the nearest parcel boundary line of any residentially zoned property as measured by a straight line on the ground.

C. Road Classification

Massage Therapy Businesses shall be located on a roadway classified as an Arterial or Collector Street, or a State Highway.

D. Off-Street Parking

Massage Therapy Businesses shall conform to the Zoning Ordinance, Article 5 Parking, Section(s) 505 through 510 (Non-residential parking requirements).

E. Development Regulations

Massage Therapy Businesses shall conform to the City of Lawrenceville Development Regulations.

F. Building and Building Regulations

Massage Therapy Businesses shall conform to the Code of the City of Lawrenceville, Georgia, Part I – Part I – Charter, Chapter 10, Buildings and Building Regulations, Article VII. Construction Codes, Division 1. – State Minimum Codes, and Division 2. City of Lawrenceville Construction Code.

G. Businesses and Business Regulations

Massage Therapy Businesses shall conform to the Code of the City of Lawrenceville, Georgia, Part I – Charter, Chapter 12, Business and Business Regulations, Article II. Business Regulations, Division 11. – Massage Therapy Businesses.

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Section 11. That the Zoning Ordinance Article 2 Supplemental and Accessory Use Standards, Section 200.3 Supplemental Use Standards (As Per Section 103.2, Use Table), is amended by deleting Sub Section 200.3.55 Outdoor Storage (Industrial) in its entirety and inserting in lieu thereof the following, and renumbering the remaining Sub Sections accordingly:

200.3.55 OUTDOOR STORAGE - INDUSTRIAL

- A.** In industrial zoning districts, outdoor storage of items, equipment, materials, and supplies which are not offered for sale, but which are considered to be an accessory to the principal permitted use, shall be allowed, subject to the following restrictions and requirements:
- 1.** Outdoor Storage shall not be located within the required front yard.
 - 2.** Outdoor storage shall not be located in the area between the front of the principal structure and the public right-of-way.
 - 3.** Outdoor Storage shall be located within a side or rear yard area only.
 - 4.** Outdoor storage shall be screened from the Right-of-Way by a solid wood fence, masonry wall or slatted chain-link fence at least 6 feet in height.
 - 5.** Outdoor Storage shall be setback a distance of at least 15 feet from any side or rear property lines; stream buffer and zoning buffer.
 - 6.** Setback area shall be landscaped to provide an affective year-round visual screening,
 - 7.** Materials stored outdoors shall not be placed or stacked at a height exceeding that of the screening fence.
 - 8.** Outdoor Storage shall not be adjacent to, or visible from, residentially zoned property.
 - 9.** Outdoor Storage of junk, scrap materials or metal, rags, paper, abandoned, junk or wrecked vehicles, material shall be prohibited.
- B.** Outdoor Storage shall be prohibited within the boundary of the geographical area of the Lawrenceville Downtown Development Authority.

- C.** Outdoor Storage shall be prohibited on industrial zoned property adjacent to, or visible within a distance of 250 feet from, Pike Street, Five Forks-Trickum Road, Scenic Highway, Lawrenceville Highway, Buford Drive (Hwy. 20), Hurricane Shoals Road, Lawrenceville Suwanee Road, Sugarloaf Parkway, Grayson Highway, or Gwinnett Drive.

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Section 12. That the Zoning Ordinance Article 2 Supplemental and Accessory Use Standards, Section 200.3 Supplemental Use Standards (As Per Section 103.2, Use Table), is amended by inserting the following Sub Section 200.3.63 Precious Metals Dealers and renumbering the remaining Sub Sections accordingly.

200.3.63 PRECIOUS METALS DEALERS

Precious Metals Dealers comply with the following:

A. Permitted Use

Precious Metals Dealers may be permitted in the CMU, BG, BGC, and HSB zoning classification.

B. Road Classification

Precious Metals Dealers shall be located on a roadway classified as an Arterial or Collector Street, or a State Highway.

C. Off-Street Parking

Precious Metals Dealers shall conform to the Zoning Ordinance, Article 5 Parking, Section(s) 505 through 510 (Non-residential parking requirements).

D. Development Regulations

Precious Metals Dealers shall conform to the City of Lawrenceville Development Regulations.

E. Building and Building Regulations

Precious Metals Dealers shall conform to the Code of the City of Lawrenceville, Georgia, Part I – Part I – Charter, Chapter 10, Buildings and Building Regulations, Article VII. Construction Codes, Division 1. – State Minimum Codes, Division 2. City of Lawrenceville Construction Code.

F. Businesses and Business Regulations

Precious Metals Dealers shall conform to the Code of the City of Lawrenceville, Georgia, Part I – Charter, Chapter 12, Business and Business Regulations, Article II. Business Regulations, Division 21. – Precious Metals Dealers.

Section 13. That the Zoning Ordinance Article 2 Supplemental and Accessory Use Standards, Section 200.3 Supplemental and Accessory Use Standards (As Per Section 103.2, Use Table) is amended by inserting the following Sub Section 200.3.78 Temporary Outdoor Activity, and renumbering the remaining Sub Sections accordingly:

200.3.78 TEMPORARY OUTDOOR ACTIVITY

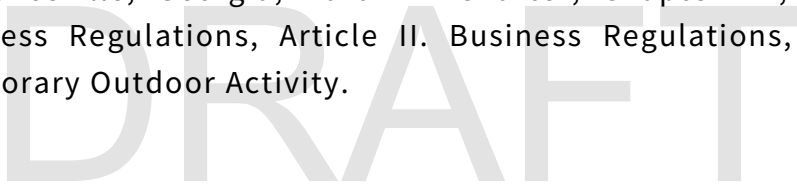
Temporary Outdoor Activity shall comply with the following:

A. Permitted Use

Temporary Outdoor Activity may be permitted in the BG, BGC, and HSB zoning classification.

B. Businesses and Business Regulations

Temporary Outdoor Activity shall conform to the Code of the City of Lawrenceville, Georgia, Part I – Charter, Chapter 12, Business and Business Regulations, Article II. Business Regulations, Division 8. – Temporary Outdoor Activity.



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

Mayor David R. Still

Attest: _____

City Clerk



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: PLANNING COMMISSION
AGENDA CATEGORY: NEW BUSINESS

- Item:** An Ordinance to Amend the Zoning Ordinance, ARTICLE 6; Architectural and Design Standards
- Department:** Planning and Development
- Date of Meeting:** Tuesday, September 5, 2023
- Applicant Request:** Approve request
- Presented By:** Todd Hargrave, Director of Planning and Development
- Department Recommendation:** **Approval**

Summary: ARTICLE 6 needs to be updated to be consistent with the vision from the 2040 Comprehensive Plan and the 2021 LCI for City of Lawrenceville.

Attachments/Exhibits:

- Proposed ARTICLE 6

AN ORDINANCE TO AMEND ARTICLE 6 ARCHITECTURAL AND DESIGN STANDARDS

OF THE CITY OF LAWRENCEVILLE ZONING ORDINANCE 2020

The City Council of the City of Lawrenceville, Georgia hereby ordains that the City of Lawrenceville Zoning Ordinance 2020 is amended as follows:

Section 1. That the Zoning Ordinance Article 6 Architectural and Design Standards, is amended as follows:

Architectural and Design Standards

600 PURPOSE AND INTENT

The purpose and intent of this article is to provide the minimum design standards for residential and non-residential development in the city. Specific standards listed in [Article 1 Districts](#) for specific zoning districts shall apply. The Architectural Design Standards were created to:

- Enhance the City’s historic and future role as the civic and economic center of Lawrenceville and as a symbol of Gwinnett County.
- Establish a logical framework for development.
- Improve the aesthetics of streets and built environments.
- Create an environment where people can live, work, meet and play.
- Encourage a balanced mix of retail, professional, residential, civic, entertainment, and cultural uses.
- Enhance the efficient utilization of parking facilities by encouraging shared parking and alternative modes of transportation.
- Promote pedestrian safety by ensuring sidewalk-oriented buildings along attractive street-facing facades that foster pedestrian activity and liveliness.
- Provide accessible and sufficient parking in an unobtrusive manner.
- Enhance Lawrenceville’s historic quality by ensuring that new and rehabbed buildings are compatible with the character of surrounding buildings.
- Provide safe and accessible parks and plazas.

All requests for development and building permits located within the city limits contained in this Article shall meet all of the requirements of the base zoning

district in which it is located; all conditions of rezoning or special use permit approvals; and shall also meet the requirements herein.

Building designs, architectural materials and color selection shall be subject to review and approval of the Director of Planning and Development, or designee, prior to the issuance of a Building Permit.

In any case that conditions of approval for a rezoning or special use permit are approved by the City Council and conflict with the provisions of this article, the approved conditions shall take precedence.

The following shall be submitted to the Director of Planning and Development for review and approval:

- A.** Color Elevations (front, side, and rear) and floor plans and examples exterior architectural treatments shall be required.
- B.** Site Plan (i.e., building setbacks, buffers, landscape, right-of-way, alleys, etc.).
- C.** Light Reflectance Value (LRV) Plan – quantifies the amount of light of an exterior color will reflect or absorb on an exterior wall. LRV shall be measured on a scale of 0 to 100 percent (%) or absolute black (absorbs light) to pure white (reflects light).
 - Low LRV: 0 %-40 %
 - Medium LRV: Greater than 40% - 60%
 - High LRV: Greater than 60% - 100% percent
- D.** Plans should show quality, durable materials on the exterior and interior of the home. Hardwood floors, hard surface countertops, and upgraded appliance packages are encouraged, as are sustainable materials.

The Director of Planning and Development may reject alternate proposals, which are deemed to be inconsistent with these minimum architectural and design standards. Alternate proposals rejected by the Director may be submitted for review and approval of the Board of Appeals.

601 MINIMUM ARCHITECTURAL AND DESIGN STANDARDS

The following standards and regulations shall apply to all zoning classifications and shall be subject to review and approval by the Director of the Planning and Development Department.

New development or construction shall maintain compatibility with surrounding buildings and community features; this may include existing materials otherwise not mentioned in this Article.

A. Building and Structure- Materials

Materials used for the construction of exterior walls shall comply with the provisions of the International Building Code (IBC) and International Residential Code (IRC) as applicable.

Exposed concrete blocks, retaining walls, fascia, plywood, sheet metal, soffit, etc. shall be constructed with materials designed and constructed to provide weather protection of a building or structure. Materials shall comply with the provisions of the International Building Code (IBC) and International Residential Code (IRC) as applicable.

B. Building and Structure – Color

It is the intent of these guidelines to establish timelessness in the color schemes incorporated in the overall design of the project relating to the exterior architectural treatments of the design of a building and structure. Color scheme shall be used to enhance the architecture of the project, not to attract to specific feature or element.

Exterior color of building and structure in all zoning classifications shall be limited as follows:

1. Shades of color consisting of a Light Reflective Value (LRV) of fifty (50) percent or greater shall be prohibited.
2. Shades of color consisting of an LRV of ten (10) percent or less shall be prohibited.
3. Primary Color shall have a LRV of fifty (50) percent or less.
4. Secondary Color (Tertiary) shall have an LRV of fifty (50) percent or less. Tertiary colors may be used in comparatively small quantities not exceeding twenty-five (25) percent of the total wall area of any façade or elevation of a building or structure.

5. Building and Structure Color shall include roof materials and colors. Roof materials and colors shall have an LRV of forty (40) percent or less.

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602 COMMERCIAL AND NON-RESIDENTIAL BUILDINGS

A. Exterior Wall Design

1. The facade, sides, and rear elevations shall incorporate materials, finish, color, style, and features compatible with the adjacent buildings on the same block.
2. The front, sides, and rear facades of buildings shall have glass, brick, and/or stone finish. Stucco/EIFS, textured concrete masonry, and/or fiber-cement board siding finish shall be allowed, not to exceed thirty (30) percent of any façade elevation. Architectural precast concrete and architectural non-ribbed metal panels with concealed fasteners may be permitted.
3. The facade, sides, and rear elevations of buildings two (2) stories or less, which are not adjacent to residentially zoned property, shall have glass, architectural precast concrete, brick and/or stone finish. Non-ribbed composite metal panels with concealed fasteners may be allowed for up to fifty (50) percent of the façade finish. Stucco/EIFS finish shall be allowed as a minor accent for components such as trim, linear design features, and/or porch gables.
4. The rear of buildings (not directly visible to streets) shall be brick, stone, stucco/EIFS finish, textured concrete masonry, architectural precast concrete, and/or fiber cement board siding finish.
5. Buildings in zoning districts that allow industrial classified buildings with industrial factory occupancies may have precast concrete or tilt-up concrete panels with textured coating finish. Concrete panels shall have a design pattern of architectural reveals and/or insets. The building facades shall incorporate a minimum of two colors.
6. Multi-tenant retail (mercantile) buildings and shopping centers shall incorporate distinct architectural entry identity for individual tenant suites exceeding 10,000 square feet of gross floor area, such as towers, portico, gables, or offset façade with change of materials.
7. Exposed neon or other types of color accent lighting shall be prohibited. Neon light graphic features or signage located on interior walls or bulkheads shall be located a minimum of eight (8) feet behind the exterior glass façade.
8. Ornamental wall-mounted sconce lights located on the building elevation adjacent to an entrance must be of non-clear translucent panels with low

wattage (not to exceed thirty (30) watts) light source and the light/wall location must be at least thirty (30) feet from the property line.

- 9.** Wall mounted electrical, mechanical, utility meters, and other utility equipment shall be screened. Screening height shall be equal to the height of the equipment. Equipment screens shall have finish, which is consistent with the finish materials of the building façade, or vegetative landscape screening shall be provided immediately in front of the equipment units.
- 10.** Ground mounted electrical, mechanical, and like utility equipment shall be screened. Screening height shall be equal to the height of the equipment. Equipment screens shall have a finish which is consistent with the finish materials of the building façade or provide vegetative landscape screening immediately around the units.
- 11.** Portable buildings shall be prohibited.

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603 COMMUNITY MIXED-USE BUILDINGS

Mixed-Use developments shall be designed in accordance with the rules and regulations governing this Article which requires that all requests for development and building permits located within the city limits contained in this Article shall meet all of the requirements of the base zoning district in which it is located; all conditions of rezoning or special use permit approvals; and shall also meet the requirements herein.

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604 LIVE-WORK UNITS – STOREFRONT DESIGN

The intent of Live-Work units is to preserve the historical character of existing commercial buildings or structures located in the Downtown Entertainment District. Live-Work units are permitted in the BGC Central General Business District as a use-by-right and CMU Community Mixed Use District.

Live-Work Units shall consist of a storefront design constructed with components consisting of awnings, bulkheads, canopies, display windows, indirect illumination, kick plates, knee walls, signage, transom sash and upper floor windows.

The following exterior architectural design standards shall be considered the minimum requirements for all Live-Work Units proposed for construction, unless otherwise indicated in the specific zoning classification or conditions of zoning:

A. Building Height

Building height shall be limited to three (3) stories or thirty-five (35) feet.

B. Components

Live-Work Units shall include the following components:

1. Expression Line/Cornice/Sign board separating non-residential use (first or main floor) from residential use (upper floors).
2. Masonry Pier or column (capital and base).
3. Transom Window
4. Display Windows intended to create storefront transparency. Seventy (70) percent is ideal.
5. Paneled Bulkhead Base or Window Base shall be a minimum of twenty-four (24) inches or two (2) feet in height.
6. Recessed Entry Door

C. Doors and Windows

Thirty-three (33) percent of the square footage of the wall area of each façade, side and rear elevation shall consist of doors, louvers skylights windows or other approved openings providing light and ventilation to outdoor air, excluding garage doors.

1. Doors

- a. All casing (trim work) shall have mitered corners.
- b. All exterior entryways shall include casing consisting of entablature (i.e., cornice, frieze, architrave) and pilasters (capital, base).

2. Windows

- a. All casing (trim work) shall have mitered corners.
- b. All exterior windows shall include casing consisting of entablature (i.e., cornice, frieze, architrave) and pilasters (capital, base).
- c. All windows shall be double hung.
- d. All window frames shall be recessed a minimum of two inches from the exterior façade.

D. Elevations – Rear and Side

The remaining balance the Live-Work Units opposite a public right-of-way shall include components of the following:

- 1. Solid surfaces or masonry walls (e.g., brick, granite, marble).
- 2. Lap Siding (Horizontal).
- 3. Board and Batten (Vertical).

E. Façade

- 1. Live-Work Units (first or main floor) shall consist of a high ratio of void (windows) to solid (wall) areas. Storefront Design shall be predominantly comprised of transparent surfaces (display windows) to foster pedestrian activity and accommodate retail-merchandising needs.
- 2. Building façades Live-Work Units shall be adjacent to a public right-of-way.
- 3. Building facades shall be arranged in a staggered pattern, incorporating varying building colors and materials into the overall design.
- 4. Thirty-three (33) percent of the square footage of a wall area of a first or main floor adjacent to a public right-of-way shall be constructed with transparent surfaces (i.e., doors, louvers skylights windows or other approved openings providing light and ventilation to outdoor air).
- 5. Sixty-seven (67) percent of the square footage of a wall area of an upper floor adjacent to a public right-of-way shall be constructed with solid surfaces or masonry walls (e.g., brick, granite, marble).

6. Brick color shall be reflective of the existing materials used in the local region (e.g., city, neighborhood, subdivision).
7. Coursing shall be horizontal (common or running).

Note: Exceptions to the rule shall include provisions of IBC Chapter 12 Interior Environment governing the lighting, rodent proofing, room dimensions, sound transmission, surrounding materials, temperature control, ventilation associated with the interior space of a building.

F. Garages (as applicable)

1. Garages shall be located in a rear yard area accessed via a private utility easement or via a single curb cut extended from a public right-of-way.
2. Garages shall be accessed via a forty (40) foot private utility easement (alley).
3. Garage doors shall not be visible from a public right-of-way.
4. Detached Garages associated with a Live-Work unit shall be located in a rear yard area.

G. Limitations

1. Live- Work Units shall be limited to the following:
2. The Live-Work Unit shall not be greater than 3,000 square feet in area.
3. The nonresidential area is permitted to be not more than fifty (50) percent of the area of each Live-Work Unit.
4. The nonresidential area function shall be limited to the first or main floor only of the Live-Work Unit.
5. Not more than five nonresidential workers or employees are allowed to occupy the nonresidential area at any one time.

H. Means of Egress

Except as modified by [International Building Code \(IBC\), Chapter 4](#), the means of egress components for a Live-Work Unit shall be designed in accordance with [IBC Chapter 10](#) for the function served.

I. Mechanical Equipment

Mechanical equipment located on a rooftop shall be concealed from view from a public right-of-way by an enclosed parapet a minimum of forty-two (42) inches height. Additional height may be necessary to properly conceal its view from a public right-of-way.

J. Occupancy

Live-Work Units shall be classified as a Group R-2 occupancy. Separation requirements found in IBC Sections 420 and 508 shall not apply within the Live-Work Unit where the Live-Work Unit is in compliance with IBC Section 419. Either nonresidential uses that would otherwise be classified as a Group H (High-Hazard) or S (Storage) occupancy shall not be permitted in a Live-Work Unit.

K. Outdoor Livable Space

1. Facades adjacent to a public right-of-way shall consist of a cantilevered balcony with security railing and inward opening Double French Doors on each additional story above street level.
2. Balconies shall provide thirty-two (32) square feet of outdoor living space.
3. Balconies may encroach into any front, rear or side yard setback a maximum depth of five (5) feet.
4. Balconies shall be a minimum of twelve (12) feet above the Finished Floor Elevation
5. Occupied roofs, such as gardens, terraces, decks, and balconies are encouraged.

L. Parking and Loading Spaces

Live-Work within the Downtown Entertainment District unable to meet the minimum parking requirements shall be required abide by the rules and regulations regulating the Downtown Parking program ([see Article 5 Parking](#)).

605 MULTIFAMILY RESIDENTIAL BUILDINGS

Multifamily Residential developments shall be designed in accordance with the rules and regulations governing the Multifamily Residential District zoning classifications.

Double-Loaded Corridor

A multifamily dwelling unit constructed in a group of twelve (12) attached units or more, including single-level units located in a multistory building. Each unit is accessed internally, via a double-loaded corridor; a building design in which there are apartments or other individual units on both sides of a passage corridor connecting twelve or more attached units as define in [Article 10 Definitions, Dwelling – Multifamily Residential](#).

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606 ONE-FAMILY, TOWNHOUSE-FAMILY, AND TWO-FAMILY BUILDINGS

The following exterior architectural design standards shall be considered the minimum requirements for all single-family attached and detached units proposed for construction, unless otherwise indicated in the specific zoning classification or conditions of zoning:

A. Building Height

Building Height shall be limited to three stories or 35 feet.

B. Building Setbacks

One-Family, Townhouse-Family, and Two-Family dwelling units shall be designed in accordance with the rules and regulations governing the specific zoning classification.

1. Chimney Design

- a. Chimneys shall begin at-grade and constructed with brick or stone.
- b. Chimneys shall not extend into any front, rear or side yard setback.

2. Deck

- a. Rear elevations shall consist of a cantilevered deck providing one-hundred-ninety (190) square feet of outdoor living space.
- b. Decks shall be accessed internally with inward opening Double French Doors on each unit.
- c. Decks may not encroach into any front, rear or side yard setback unless approved by the Board of Appeals.

3. Doors

- a. Thirty-three (33) percent of the wall area (square footage) of each façade and each side or rear elevation shall consist of doors, louvers skylights windows or other approved openings providing light and ventilation to outdoor air, excluding garage doors.
- b. All casing (trim work) shall have mitered corners.
 - i. Exterior front entryways shall consist of one of the following doors.
 - ii. Solid wood door with transom window (horizontal).
 - iii. Solid wood door with transom window (semi-circle).

- iv.* Solid wood door with transom window (horizontal or semi-circle) and sidelights (vertical).
- c.* All exterior entryways shall include casing consisting of entablature (i.e., cornice, frieze, architrave) and pilasters (capital, base).

4. Façade

- a.* Forty-five (45) percent of the façade shall consist of masonry walls constructed with brick or stone.
- b.* Brick and stone color shall be reflective of the existing materials used in the local region (i.e., city, development, neighborhood, subdivision, etc.).
- c.* Coursing shall be horizontal (common or running).

5. Façade Accents

- a.* Twenty-two (22) percent of the remaining balance of the façade may include accents of the following materials:
- b.* Lap Siding (Horizontal) - Accent only.
- c.* Board and Batten (Vertical) - Accent only
- d.* Wood shake- Accent only.

6. Elevations

The remaining balance of each elevation shall include components of the following:

- a.* Lap Siding (Horizontal).
- b.* Board and Batten (Vertical).
- c.* Wood shake.

7. Exterior Trim Work

- a.* Exterior Trim Work shall consist of the following:
- b.* Corner pilaster with decorative capital and base.
- c.* Mitered corner board or post.
- d.* All trim work shall have mitered corners.

8. Foundation

- a. Foundations shall consist of a brick or stone water table measuring at a minimum height of thirty-six (36) inches or three (3) feet.
- b. Water tables shall be aligned with wall framing and topped with a skirt board, drip cap.

9. Garage

a. One-Family Residential

- i. All One-Family dwelling units shall provide a double-car garage with a minimum garage door width of sixteen (16) feet.
- ii. Two (2) external off-street parking spaces (9 ft. x 20 ft. each) shall be required for each unit. Tandem style parking shall be prohibited.
- iii. Each lot on which a dwelling is constructed shall have provide two-car garage as a minimum requirement.
- iv. Garages shall not be converted into heated interior space without being replaced with another two-car garage.

b. Townhouse-Family and Two-Family Residential

- i. Garages shall be located in a rear yard area accessed via a private utility easement or via a single curb cut extended from a public right-of-way.
- ii. Garages shall be accessed via a forty (40) foot private utility easement (alley).
- iii. Garage doors shall not be visible from a public right-of-way.
- iv. Detached Garages associated with a Live-Work or Townhouse unit shall be located in a rear yard area.

10. Porch - One-Family Residential

- a. A porch shall be installed on the façade of each dwelling unit facing a Public Right-of-Way or Private Street (as applicable).
- b. Porches shall be a minimum of twelve (12) feet in width or thirty-three (33) percent the width of the front facade, whichever is greater. Said porch shall have a roof, balustrades, columns, and steps.
- c. Porches shall have a minimum depth of eight (8) feet and a minimum area of one hundred (100) square feet.

- d.* Porch Columns, excluding railings or pickets, shall have a minimum width of eight inches.
- e.* All exterior steps adjacent to a public right-of-way shall include enclosed risers and ends.
- f.* Porches adjacent to a public right-of-way or private utility easement shall not be enclosed with screen wire or glass.
- g.* Entry lighting for porches shall be installed ten (10) feet above the threshold of the primary entryway to the dwelling unit.

11. Roof Design

a. One-Family Residential

- i.* Flat roofs shall be prohibited.
- ii.* Eaves shall extend a minimum of eighteen inches beyond exterior building walls and consist of a decorative cornice.
- iii.* Roofing material must be architectural style shingles.
- iv.* Standing Seam Metal roofing may be permitted if approved by the Director of the Planning and Development Department ([See Section 601.B. Building and Structures – Color](#)).

b. Townhouse-Family and Two-Family Residential

- i.* Each row of buildings shall consist of a minimum of two alternating roof types (i.e., boxed, dormer, flat, hip, or open).
- ii.* Eaves shall extend a minimum of eighteen inches beyond exterior building walls and consist of a decorative cornice.
- iii.* Roofing material must be architectural style shingles.
- iv.* Standing Seam Metal roofing may be permitted if approved by the Director of the Planning and Development Department ([See Section 601.B. Building and Structures – Color](#)).

12. Stoop – Townhouse-Family and Two-Family Residential

- a.* A stoop shall be installed on the façade of each dwelling unit facing a public right-of-way or private access or utility easement.

- b.** Stoops shall be a minimum of six (6) feet in width or thirty-three (33) percent the width of the front facade, whichever is greater. Said stoop shall be constructed with brick or stone only.
- c.** Stoops shall be recessed and have a minimum depth of four (4) feet and a minimum area of twenty-four (24) square feet.
- d.** All exterior steps adjacent to a public right-of-way shall be constructed with brick or stone only.
- e.** Entry lighting for a stoop shall be installed ten (10) feet above the Finished Floor Elevation.

13. Window - One-Family, Townhouse-Family, and Two-Family Residential

Thirty-three (33) percent of the wall area (square footage) of each façade and each side or rear elevation shall consist of doors, louvers skylights windows or other approved openings providing light and ventilation to outdoor air, excluding garage doors.

- a.** All casing (trim work) shall have mitered corners.
- b.** All exterior windows shall include casing consisting of entablature (i.e., cornice, frieze, architrave) and pilasters (capital, base).
- c.** All windows shall be double hung.
- d.** All window frames shall be recessed a minimum of two inches from the exterior façade.
- e.** All doors and windows that operate as horizontal slides shall be prohibited.
- f.** Bay windows (i.e., box, canted, oriel, circle, etc.) or enclosed cantilevered extension may include exterior wall finishes of board and batten or lap siding.

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

Mayor David R. Still

Attest: _____
City Clerk

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LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: PLANNING COMMISSION
AGENDA CATEGORY: NEW BUSINESS

Item: An Ordinance to Amend the Zoning Ordinance, ARTICLE 10; Definitions
Department: Planning and Development
Date of Meeting: Tuesday, September 5, 2023
Applicant Request: Review of Amendment
Presented By: Todd Hargrave, Director of Planning and Development
Department Recommendation: **Approval**

Summary: Amendment to ARTICLE 10 Definitions is necessary to clarify language that is consistent with Georgia State Law.

Attachments/Exhibits:

- ZON ORD_ART 10 DEF_ADULT ENT_08142023
- ZON ORD_ART 10 DEF_BODY ART_08142023
- ZON ORD_ART 10 DEF_MASSAGE_08142023

AN ORDINANCE TO AMEND
ARTICLE 10 DEFINITIONS, SECTION 1000
OF THE CITY OF LAWRENCEVILLE ZONING ORDINANCE 2020

The City Council of the City of Lawrenceville, Georgia hereby ordains that the City of Lawrenceville Zoning Ordinance 2020 is amended as follows:

Section 1. **Article 10 Definitions, Section 1000 is hereby amended by deleting the defined term Adult Entertainment Establishment in its entirety, and inserting in lieu thereof the following:**

ADULT ENTERTAINMENT

Entertainment that is characterized by an emphasis on the depiction, display, or the featuring of specified anatomical areas.

For purposes of this Article Adult Entertainment shall mean and include any of the following:

ADULT ENTERTAINMENT - ADULT BOOKSTORE

An establishment having a substantial or significant portion of its stock in trade, books, magazines or other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas or an establishment with a segment or section, comprising five percent of its total floor space, devoted to the sale or display of such materials or five percent of its net sales consisting of printed materials which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

ADULT ENTERTAINMENT - ADULT BUSINESS

Shall mean and include any of the following:

1. Each of those enterprises defined in this Article.
2. Any business other than those expressly specified in this division, where employees or patrons expose specified anatomical areas or engage in specified sexual activities; or
3. Any other business or establishment which offers its patrons services or entertainment characterized by an emphasis on matter depicting, describing, discussing, or relating to specified sexual activities or specified anatomical areas.

ADULT ENTERTAINMENT - ADULT DANCING ESTABLISHMENT

A business that features dancers displaying or exposing specified anatomical areas.

ADULT ENTERTAINMENT - ADULT ENTERTAINER

Any person employed by an adult entertainment establishment who exposes his specified anatomical areas, as defined in this Article. The term "adult entertainer" includes employees as well as independent contractors.

ADULT ENTERTAINMENT - ADULT ESTABLISHMENT

Shall mean and include any of the following:

1. Any commercial establishment that employs or uses any person live, in any capacity in the sale of service of beverages or food while such person is unclothed or in such attire, costume or clothing, so as to expose any portion of his specified anatomical areas.
2. Any commercial establishment which provides live entertainment where any person appears unclothed or in such attire, costume, or clothing as to expose any portion of his specified anatomical areas, as defined in this Article or where such performances are distinguished or characterized by an emphasis on specified sexual activities, as defined in this Article.
3. Any commercial establishment which holds, promotes, sponsors, or allows any contest, promotion, special night, event, or any other

activity where live patrons of the establishment are encouraged or allowed to engage in any of the conduct described in this Article.

4. Any commercial establishment having a substantial or significant portion of its stock in trade, books, magazines or other periodicals, videotapes or movies or other reproductions, whether for sale or rent, which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, as those terms are defined in this section, or having a segment or section comprising more than ten (10) square feet of its total floor space, devoted to the sale or display of such material or which derives more than five (5) percent of its net sales for the sale or rental of such material;
5. Any commercial establishment utilizing an enclosed building with a capacity of fifty (50) or more persons used for cinematographic or videographic presentation of material distinguished by or characterized by an emphasis on matter depicting, describing, or relating to specified anatomical areas, as defined in this Article, for observation by patrons therein.
6. Any adult motion picture theater, adult motion picture arcade, adult mini-motion picture theater, adult bookstore, adult video store, adult hotel, or adult motel, as defined in this Article.

The term "adult entertainment establishment" does not include traditional or live theater (mainstream theater) which means a theater, concert hall, museum, educational institution or similar establishment which regularly features live performances which are not distinguished or characterized by an emphasis on the depiction, display, or description or the featuring of specified anatomical areas or specified sexual activities in that the depiction, display, description or featuring is incidental to the primary purpose of any performance.

ADULT ENTERTAINMENT - ADULT MINI-MOTION PICTURE THEATER

An enclosed building with a capacity of less than fifty (50) persons used for commercially presenting material distinguished or characterized by an emphasis on matter depicting or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

ADULT ENTERTAINMENT - ADULT MOTION PICTURE ARCADE

Any place to which the public is permitted or invited wherein coin- or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.

ADULT ENTERTAINMENT - ADULT MOTION PICTURE THEATER

An enclosed building with a capacity of fifty (50) or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

ADULT ENTERTAINMENT - ADULT VIDEO STORE

An establishment having a substantial or significant portion of its stock in trade, video tapes or movies or other reproductions, whether for sale or rent, which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas or an establishment with a segment or section, comprising five percent of its total floor space, devoted to the sale or display of such material or which derives more than five (5) percent of its net sales from videos which are characterized or distinguished by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

ADULT ENTERTAINMENT - CHILDREN'S DAY CARE FACILITY

A structure or portion of a structure wherein is provided care and supervision of children away from their place of residence for less than twenty-four (24) hours per day on a regular basis for compensation. For the purpose of this Article, the term "children's day care facility" includes, but is not limited to, the terms "nursery school," "early learning center," "day care center." "pre-kindergarten," "private kindergarten," "play school," or "pre-school."

ADULT ENTERTAINMENT - EROTIC DANCE ESTABLISHMENT

A nightclub, theater or other establishment which features live performances by topless and/or bottomless dancers, go-go dancers, strippers, or similar entertainers, where such performances are distinguished or characterized by an emphasis on specified sexual activities or specified anatomical areas.

ADULT ENTERTAINMENT - ESCORT BUREAU OR INTRODUCTION SERVICE

Any business, agency, or persons who, for a fee, commission, hire, reward, or profit, furnish or offer to furnish names of persons, or who introduce, furnish, or arrange for persons who may accompany other persons to or about social affairs, entertainments or places of resort or within any private quarters.

ADULT ENTERTAINMENT - GOOD MORAL CHARACTER

A person is of good moral character according to this division if that person has not been convicted of a felony, or any crime not a felony if it involves moral turpitude, in the past five years. The City may also take into account such other factors as are necessary to determine the good moral character of the applicant or employee. Conviction shall include pleas of nolo contendere or bond forfeiture when charged with such crime.

ADULT ENTERTAINMENT - MINOR

Any person who has not attained the age of eighteen (18) years.

ADULT ENTERTAINMENT - OPERATOR

The manager or other person principally in charge of an adult entertainment establishment.

ADULT ENTERTAINMENT - OWNER

Any individual or entity holding more than a twenty (20) percent interest in an adult entertainment establishment.

ADULT ENTERTAINMENT - PREMISES

The defined, closed, or partitioned establishment, whether room, shop or building wherein adult entertainment is performed.

ADULT ENTERTAINMENT - SPECIFIED SEXUAL ACTIVITIES

Shall mean and include any of the following:

1. Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral anal copulation, bestiality, direct physical stimulation of unclothed genitals, flagellation, or torture in the context of a sexual relationship, or the use of excretory functions in the context of a sexual relationship and any of the following sexually oriented acts or conduct: anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, picquerism, sapphism, zoerastia.
2. Clearly depicted human genitals in a state of sexual stimulation, arousal, or tumescence.
3. Use of human or animal ejaculation, sodomy, oral copulation, coitus, or masturbation.
4. Fondling or touching of nude human genitals, pubic region, buttocks, or female breast.
5. Masochism, erotic or sexually oriented torture, beating or the infliction of pain.
6. Erotic or lewd touching, fondling or other sexual contact with an animal by a human being; or
7. Human excretion, urination, menstruation, vaginal or anal irrigation.

ADULT ENTERTAINMENT - SPECIFIED ANATOMICAL AREAS

Shall mean and include any of the following:

1. Less than completely and opaquely covered human genitals or pubic region; buttocks; or female breast below a point immediately above the top of the areola; or
2. Human male genitalia in a discernably turgid state, even if completely and opaquely covered.

Section 2. **Article 10 Definitions, Section 1000 is hereby amended by deleting the defined terms Tattoo; Tattoo Artist or Practitioner; Tattoo Establishment; and Tattoo Operator in its entirety, and inserting in lieu thereof in alphabetical order the following defined terms:**

BODY ART STUDIOS

A tattoo or piercing placed on the body of a person for aesthetic or cosmetic purposes.

BODY ART STUDIOS - ARTIST

Any person who performs body art. Such term shall not include in its meaning any physician or osteopath licensed under O.C.G.A. Chapter 34 of Title 43, nor shall it include any technician acting under the direct supervision of such licensed physician or osteopath, pursuant to subsection (a) of Code Section 16-5-71.

BODY ART STUDIOS - STUDIO

Any facility or building on a fixed foundation wherein a body artist performs body art.

BODY ART STUDIOS - MICROBLADING OF THE EYEBROW

A form of cosmetic tattoo artistry where ink is deposited superficially in the upper three layers of the epidermis using a handheld or machine powered tool made up of needles known as a microblade to improve or create eyebrow definition, to cover gaps of lost or missing hair, to extend the natural eyebrow pattern, or to create a full construction if the eyebrows have little to no hair.

BODY ART STUDIOS - TATTOO

To mark or color the skin by pricking in, piercing, or implanting indelible pigments or dyes under the skin. Such term includes microblading of the eyebrow.

Section 3. Article 10 Definitions, Section 1000 is hereby amended by inserting the defined terms as follows:

COLOR

A phenomenon of light (such as red, brown, pink, or gray) or visual perception that enables one to differentiate otherwise identical objects; or the aspect of the appearance of objects and light sources that may be described in terms of hue, lightness, and saturation for objects and hue, brightness, and saturation for light sources; or a specific combination of hue, saturation, and lightness or brightness.

COLOR - ACCENT COLOR

A color used in sporadic quantities in a space, to add impact of interest.

COLOR - LIGHT REFLECTANCE VALUE (LRV)

The measure of the amount of visible and usable light that absorbs into or reflects from a surface. LRV shall be measured on a scale of 0 to 100 percent (%), with absolute black (0%) absorbing light to pure white (100%) reflecting light.

- Low LRV: 0% - 40%
- Medium LRV: Greater than 40% - 60%
- High LRV: Greater than 60% - 100% percent

COLOR - PRIMARY COLOR

Any of a set of colors from which all other colors may be derived.

COLOR - SECONDARY COLOR

A color formed by mixing two primary colors in equal or equivalent quantities.

COLOR - SHADE COLOR

A color is produced by adding black pigment or dye mixture to a pigment or dye mixture.

COLOR - TERTIARY COLOR

A color formed by mixing three primary colors in equal or equivalent quantities.

Section 4. Article 10 Definitions, Section 1000 is hereby amended by deleting the defined terms Dwelling; Dwelling, Apartment; Dwelling, Attached; Dwelling, Duplex; Dwelling, Fourplex; Dwelling, Live-Work; Dwelling, Mobile Home; Dwelling, One-Family; Dwelling, Residential/Business; Dwelling, Single-Family; Dwelling, Townhouse; Dwelling, Two-Family; Dwelling Unit; Dwelling, Apartment Studio; Dwelling, Villa; in its entirety, and inserting in lieu thereof in alphabetical and numerical order the following defined terms:

DWELLING

Any building that contains one or two dwelling units used, intended, or designed to be built, used, rented, leased, let, or hired out to be occupied, or that are occupied for living purposes.

DWELLING - 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.

DWELLING - LIVE-WORK UNIT

A dwelling unit or sleeping unit in which a significant portion of the space includes non-residential use that is operated by the tenant.

DWELLING - MANUFACTURED HOME

A structure that is transportable in one or more sections, built on a permanent chassis, designed for use with or without a permanent foundation when attached to the required utilities, and constructed to the Federal Mobile Home Construction and Safety Standards and rules and regulations promulgated by the U.S. Department of Housing and Urban Development. The term also includes mobile homes, park trailers, travel trailers and similar transportable structures.

DWELLING – MULTIFAMILY RESIDENTIAL

A multifamily dwelling constructed in a group of twelve attached dwelling units but not more than twenty-four attached dwelling units including single-level units located in a multistory building. Each attached dwelling unit is accessed internally, via a double-loaded corridor; a building design in which there are multifamily or other individual dwelling units on both sides of a passage corridor connecting twelve, but not more than twenty-four attached units.

DWELLING - ONE-FAMILY RESIDENTIAL

A one-family dwelling constructed of one detached dwelling unit, and only one detached dwelling unit, in which a detached dwelling unit extends from foundation to roof and with a yard of public way on not less than four sides. A one-family dwelling shall have at least one (1) story above the centerline grade of an adjacent public right-of-way, or private street (Utility Easement).

DWELLING – TOWNHOUSE-FAMILY RESIDENTIAL

A one-family dwelling constructed in a group of three attached dwelling units, but not more than eight attached dwelling units in which each dwelling unit extends from foundation to roof and with a yard or public way on at least two sides. Each dwelling unit is separated from any other unit by one or more vertical common fire-resistance-rated walls. A townhouse family residential (infill) dwelling shall have at least two stories above the centerline grade of an adjacent public right-of-way, or private street (Utility Easement).

DWELLING – TOWNHOUSE-FAMILY RESIDENTIAL (INFILL)

A one-family dwelling constructed in a group of four attached dwelling units, but not more than six attached dwelling units in which each dwelling unit extends from foundation to roof and with a yard or public way on at least two sides. Each dwelling unit is separated from any other unit by one or more vertical common fire-resistance-rated walls. A townhouse family residential (infill) dwelling shall have at least two stories above the centerline grade of an adjacent public right-of-way, or private street (Utility Easement).

DWELLING – TWO-FAMILY RESIDENTIAL

A one-family dwelling constructed in a group of two attached dwelling units, but not more than two attached dwelling units, in which each attached dwelling unit extends from foundation to roof and with a yard of public way on not less than two sides. Each attached dwelling unit is separated from any other dwelling unit by one or more vertical common fire-resistance-rated walls. A two-family dwelling shall have at least one (1) story above the centerline grade of an adjacent public right-of-way or private street (Utility Easement).

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Section 5. Article 10 Definitions, Section 1000 is hereby amended by inserting the defined terms as follows:

ESTATE SALES – ESTATE SALE

The sale of personal property, which is open to the public and conducted from or on any property located on any residential lot by an individual, company, firm, corporation, or other entity for a profit and on behalf of another person or persons. The term "estate sale" shall not include yard sales, garage sales or carport sales which are conducted directly by individuals who own the goods or merchandise to be sold.

ESTATE SALES - PERSONAL PROPERTY

Any property which is owned, utilized, and maintained by an individual and acquired in the normal course of living in or maintaining a residence. Such term includes, but is not limited to, clothing, furniture, jewelry, artwork, household items, dishes, antiques, and other similar goods owned by the person or persons who reside or formerly resided in the residence where such estate sale is to take place.

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Section 6. Article 10 Definitions, Section 1000 is hereby amended by inserting the defined terms as follows:

GARAGE, RUMMAGE, YARD, AND SIMILAR SALES

The sale of personal property, which is open to the public and conducted from or on any property located on any residential lot by an individual company, firm, corporation, or other entity for a profit and on behalf of another person or persons. The term "garage, rummage, yard, and similar sales" shall not include estate sales which are conducted directly by individuals who own the goods or merchandise to be sold.

GARAGE, RUMMAGE, YARD, AND SIMILAR SALES - PERSONAL PROPERTY

Any property which is owned, utilized, and maintained by an individual and acquired in the normal course of living in or maintaining a residence. Such term includes, but is not limited to, clothing, furniture, jewelry, artwork, household items, dishes, antiques, and other similar goods owned by the person or persons who reside or formerly resided in the residence where such garage, rummage, yard, and similar sales is to take place.

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Section 7. Article 10 Definitions, Section 1000 is hereby amended by deleting the defined term Fortune Telling in its entirety, and inserting in lieu thereof the following:

HANDWRITING ANALYSTS AND FORTUNE TELLERS - FORTUNE TELLING

The prediction of the future for a fee, gift, or donation.

HANDWRITING ANALYSTS AND FORTUNE TELLERS - HANDWRITING ANALYSIS

The interpretation of human experience based upon an examination of handwriting or other inscription done by hand for fee, gift, or donation.

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Section 8. Article 10 Definitions, Section 1000 is hereby amended by adding the defined terms as follows: **Massage Therapist Businesses – Act; Massage Therapist Businesses – Board; Massage Therapist Businesses – For Hire; Massage Therapist Businesses – Licensed Massage Therapist; Massage Therapist Businesses – Massage Therapy; Massage Therapist Businesses – Massage Therapy Business; Massage Therapist Businesses – Massage Therapist, Masseuse, Masseur, Massage Practitioner, Or Person Practicing Massage; Massage Therapist Businesses – Provisional Permit; Massage Therapist Businesses – Sexual Or Genital Area; Massage Therapist Businesses – State License:**

MASSAGE THERAPY BUSINESSES – ACT

The Georgia Massage Therapy Practice Act, enacted by and defined in O.C.G.A. § 43-24A-1 et seq. as amended.

MASSAGE THERAPY BUSINESSES – BOARD

The Georgia Board of Massage Therapy, enacted by the provisions of O.C.G.A. § 43-24A-4.

MASSAGE THERAPY BUSINESSES – FOR HIRE

A reasonable expectation that the person to whom the massage is provided, or some third person on his or her behalf, will pay money, give other consideration, or provide any gratuity therefor.

MASSAGE THERAPY BUSINESSES – LICENSED MASSAGE THERAPIST

A person who holds a valid, current, unrevoked, and unsuspended State license in the practice of massage therapy issued by the Board pursuant to the Act.

MASSAGE THERAPY BUSINESSES - MASSAGE THERAPY

The application of a system of structured touch, pressure, movement, and holding to the soft tissue of the body in which the primary intent is to enhance or restore health and well-being. The term "massage therapy" includes complementary methods, including, without limitation, the external application of water, superficial heat, superficial cold, lubricants, salt scrubs, or other topical preparations and the use of commercially available electromechanical devices which do not require the use of transcutaneous electrodes and which mimic or enhance the actions possible by the hands. The term "massage therapy" also includes determining whether massage therapy is appropriate or contraindicated, or whether referral to another health care provider is appropriate. The term "massage therapy" does not include the use of ultrasound, fluidotherapy, laser, and other methods of deep thermal modalities (O.C.G.A. § 43-24A-3).

MASSAGE THERAPY BUSINESSES - MASSAGE THERAPY BUSINESS

A business with a location in the City at which any person engages in or offers massage therapy, regardless of the name of the business or the words used to describe the business through signage or advertisement or in filings with the Secretary of State. Massage therapy businesses are subject to regulation by a local government, pursuant to O.C.G.A. §§ 43-24A-22(a) and 48-13-9(b)(17), as amended.

MASSAGE THERAPY BUSINESSES - MASSAGE THERAPIST, MASSEUSE, MASSEUR, MASSAGE PRACTITIONER, OR PERSON PRACTICING MASSAGE

A person who performs or engages in the practice of massage.

MASSAGE THERAPY BUSINESSES - PROVISIONAL PERMIT

A permit issued pursuant to Chapter 24A of Title 43 of the O.C.G.A. allowing the holder to practice massage therapy in this state.

MASSAGE THERAPY BUSINESSES - SEXUAL OR GENITAL AREA

The genitals, pubic area, anus, perineum of any person, or the vulva or breast of a female.

MASSAGE THERAPY BUSINESSES - STATE LICENSE

A license to practice massage therapy issued by the Board, pursuant to the Act.

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Section 9. Article 10 Definitions, Section 1000 is hereby amended by adding the defined terms as follows:

PRECIOUS METALS DEALERS

Any person, partnership, sole proprietorship, corporation, association, or other entity engaged in the business of purchasing, bartering, or acquiring in trade any precious metals from persons or sources, other than from manufacturers of or licensed dealers in precious metals, for re-sale in its original form or as changed by melting, reforming, remolding, or for re-sale as scrap or in bulk.

PRECIOUS METALS DEALERS - NONPERMANENT LOCATION

Any location used to conduct business in a temporary location or for a limited time. The term "nonpermanent location" includes, but is not limited to, moveable vehicles, temporary or moveable structures, tents, awnings, hotels, or motels and the like.

PRECIOUS METALS DEALERS - PERMANENT LOCATION

A business domiciled within a properly constructed building located within an area zoned for such business.

PRECIOUS METALS DEALERS - PRECIOUS METALS

Any metals, including, but not limited to, in whole or in part, silver, gold and platinum.

Section 10. Article 10 Definitions, Section 1000 is hereby amended by adding the defined term as follows:

STRUCTURE – MIXED-USE AND OCCUPANCY

A mixed-use structure consisting of two or more distinct uses and occupancies. Each portion of a mixed-use structure is required to be classified in accordance with the use and occupancy classification groups and constructed to a minimum applicable standard.

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Section 11. Article 10 Definitions, Section 1000 is hereby amended by adding the defined terms as follows:

TEMPORARY OUTDOOR ACTIVITY

For-profit activities involving the temporary outside sale of goods and merchandise in association with an existing business located on the premises is the principal use of the premises. The term "temporary outdoor activity" includes the sale of farm produce, carnivals, or sale of Christmas trees or Halloween pumpkins from property which is vacant, or which contains a separate and distinct primary use, such activities continuing for a period not exceeding 20 consecutive days, except Christmas tree sales shall be allowed between November 1 and December 31 and pumpkin sales shall be permitted from September 15 and October 31. Temporary outdoor activities shall occur in non-enclosed areas.

TEMPORARY OUTDOOR ACTIVITY - GOODS AND MERCHANDISE

Tangible or movable personal property, other than money.

TEMPORARY OUTDOOR ACTIVITY - TEMPORARY

A period of not to exceed 20 consecutive days. A second permit for a temporary outdoor activity on the same property may not be applied for or renewed within six months from the date of any prior approval of a temporary outdoor activity.

TEMPORARY OUTDOOR ACTIVITY - TEMPORARY OUTDOOR ACTIVITY PERMIT

Written authorization by the Director of the Planning and Development Department or his/her designee, for the applicant to engage in temporary outdoor activities at a specific, fixed location meeting all the requirements of this division.

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

Mayor David R. Still

Attest: -----
City Clerk

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