



LAWRENCEVILLE

GEORGIA

PLANNING COMMISSION AGENDA

Monday, May 01, 2023
6:00 PM

Council Assembly Room
70 S. Clayton St, GA 30046

Call to Order

Approval of Agenda

Approval of Prior Meeting Minutes

Old Business

New Business

1. RZC2023-00046; West Crogan Capital; 439 West Crogan Street
2. An Ordinance to Amend ARTICLE 1; ARTICLE 2, ARTICLE 5, ARTICLE 6, ARTICLE 7, AND ARTICLE 9 of the Zoning Ordinance

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



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: PLANNING COMMISSION
AGENDA CATEGORY: NEW BUSINESS

Item: RZC2023-00046; West Crogan Capital; 439 West Crogan Street

Department: Planning and Development

Date of Meeting: Monday, May 1, 2023

Applicant Request: Rezone property from OI (Office Institutional District) to BG (General Business District)

Presented By: Todd Hargrave, Planning and Development Director

Department Recommendation: **Denial**

Summary: The applicant requests the rezoning of an approximately 0.46-acre parcel at 439 West Crogan Street from OI (Office Institutional District) to BG (General Business District). The subject property is located along the northwestern intersection of West Crogan Street (a.k.a. U.S. Highway 29) and Pine Tree Drive. The parcel is currently developed as a two story, 3,484 square foot law office and the applicant intends to add an Electronic Messaging Center (EMC) sign to the existing monument sign on the West Crogan Street frontage.

Attachments/Exhibits:

- **RZC2023-00046_Report**
- **RZC2023-00046_Application**
- **RZC2023-00046_Letter of Intent**
- **RZC2023-00046_Legal Description**
- **RZC2023-00046_Survey**



LAWRENCEVILLE

1.

Planning & Development

CASE NUMBER: RZC2023-00046

APPLICANT: ERIC CRAWFORD

OWNER(S): WEST CROGAN CAPITAL LLC

CONTACT: ERIC CRAWFORD – 678.680.5000

LOCATION(S): 439 WEST CROGAN STREET

PARCEL ID(S): R5143 162

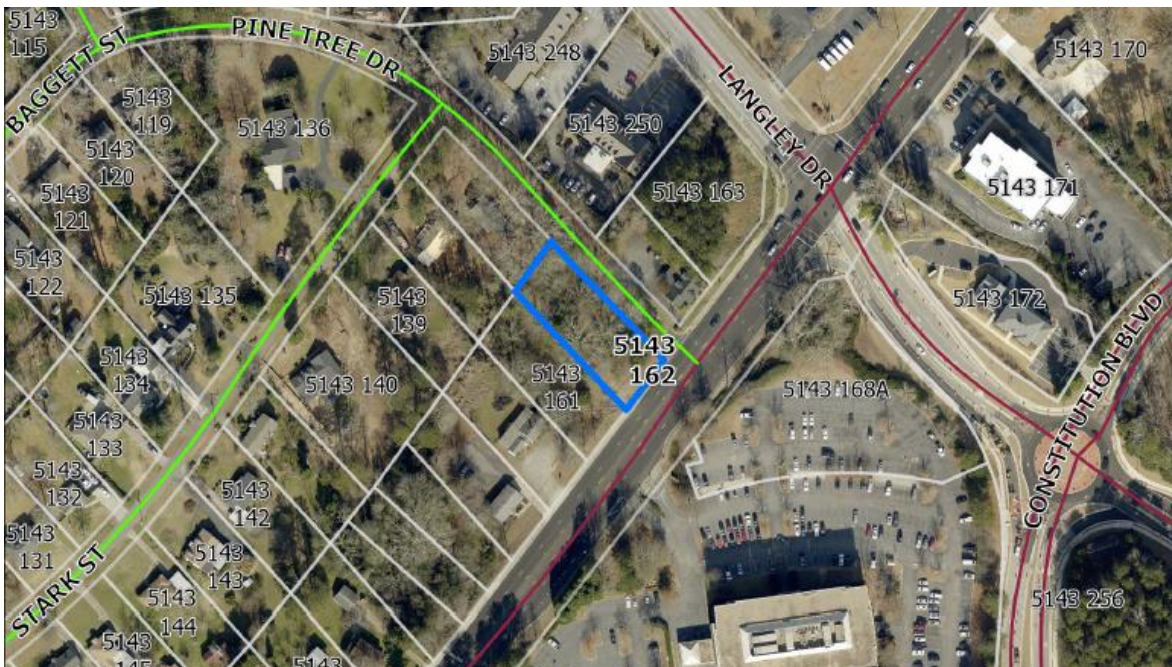
APPROXIMATE ACREAGE: 0.46

ZONING PROPOSAL: OI (OFFICE INSTITUTIONAL DISTRICT) TO BG
(GENERAL BUSINESS DISTRICT)

PROPOSED DEVELOPMENT: LAW OFFICE WITH AN ELECTRONIC MESSAGING
CENTER (EMC) SIGN

DEPARTMENT RECOMMENDATION: **DENIAL**

VICINITY MAP





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Planning & Development

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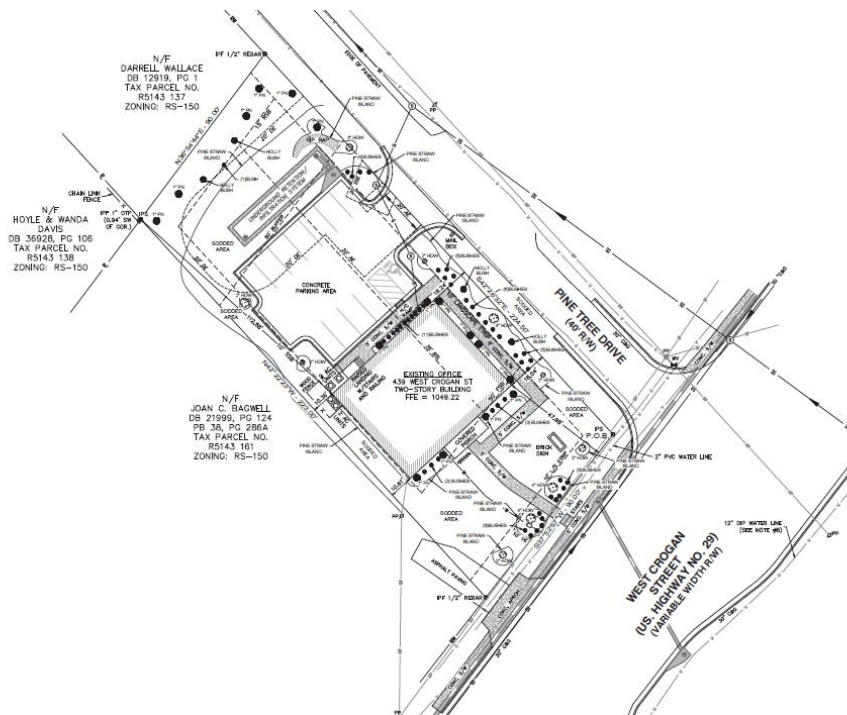
ZONING HISTORY

The subject property has been zoned OI (Office Institutional District) since 1960.

PROJECT SUMMARY

The applicant requests the rezoning of an approximately 0.46-acre parcel at 439 West Crogan Street from OI (Office Institutional District) to BG (General Business District). The subject property is located along the northwestern intersection of West Crogan Street (a.k.a. U.S. Highway 29) and Pine Tree Drive. The parcel is currently developed as a two story, 3,484 square foot law office and the applicant intends to add an Electronic Messaging Center (EMC) sign to the existing monument sign on the West Crogan Street frontage.

LAND SURVEY



ZONING AND DEVELOPMENT STANDARDS

The existing law office and monument sign conform to the standards of the 2020 Lawrenceville Zoning Ordinance, as both were permitted and constructed within the last year and passed all applicable inspections. The applicant has proposed to



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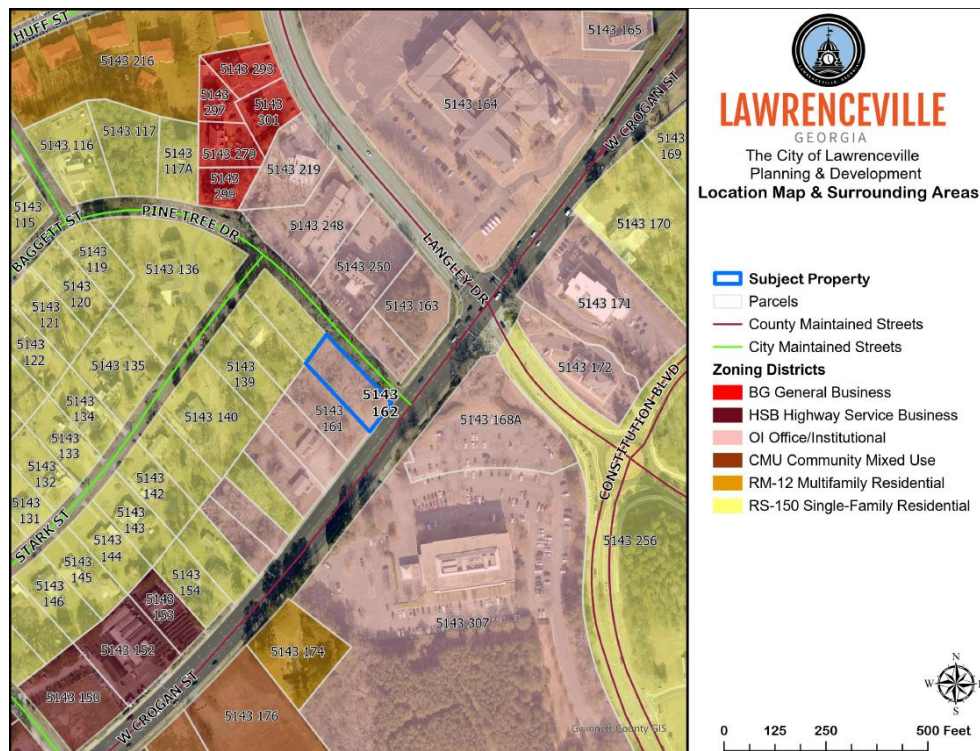
1.

add an Electronic Messaging Center (EMC) panel to the existing ground sign, but such a use is only allowed in BG (General Business District) and HSB (Highway Service Business District) zones.

SURROUNDING ZONING AND USE

The surrounding area is composed of a mixture of commercial offices and single-family dwellings. The adjacent parcels along West Crogan Street are all zoned OI (Office Institutional District). The parcels immediately across the street are also zoned OI; this includes the Gwinnett County Planning and Development offices at 446 West Crogan Street. The parcels behind the subject property (along Stark Street) are zoned RS-150 and are occupied by single family dwellings; the requisite fifty (50) foot commercial buffer is already in place between the subject property and these residential parcels. There are no other BG (General Business District) parcels in the immediate area, however; approval of this proposal would be an instance of spot zoning and would be inconsistent with existing zoning patterns.

CITY OF LAWRENCEVILLE OFFICIAL ZONING MAP





LAWRENCEVILLE

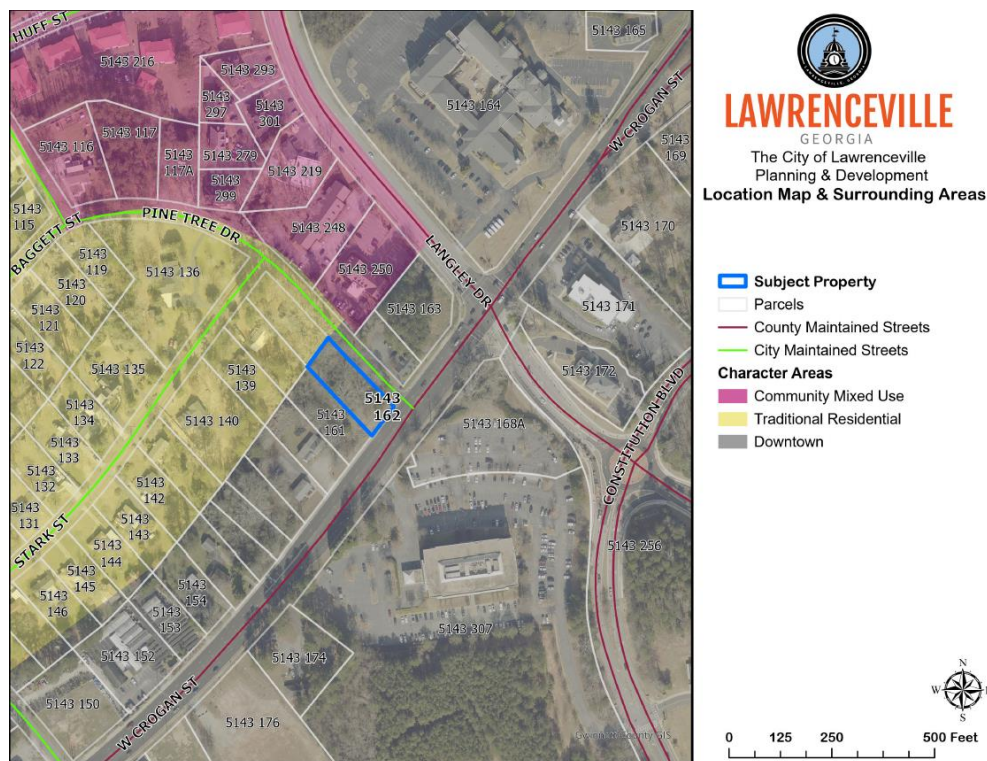
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2040 COMPREHENSIVE PLAN

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. It is the highest-intensity district in terms of its density and mixture of uses, particularly because of its mix of businesses and single-family uses. This Character Area supports a live-work-play lifestyle, with a variety of housing, employment, and entertainment options. As proposed, the request could be consistent with the intent of the 2040 Comprehensive Plan.

LAWRENCEVILLE 2040 COMPREHENSIVE PLAN – FUTURE LAND USE PLAN MAP



STAFF RECOMMENDATION

In conclusion, while the proposal is consistent with the established variety of land uses found in the greater Downtown Lawrenceville area — that is, a fine-grained mixture of single-family residential development, higher density multifamily



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residential dwellings, and pedestrian-friendly retail and office space — approval of the rezoning would be inconsistent with existing zoning in the immediate area. That is, approval of the proposal would be a tacit endorsement of spot zoning practices. Furthermore, even if the rezoning does proceed as proposed, an EMC sign would not be permitted at the subject property. According to the 2020 Zoning Ordinance, EMC signs are only permitted along certain street frontages in the City, of which this section of West Crogan Street is not included. As such, the Planning and Development Department recommends **DENIAL** of the request.



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CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS:

ENGINEERING DEPARTMENT

No comment

PUBLIC WORKS

No comment

ELECTRIC DEPARTMENT

No comment

GAS DEPARTMENT

No comment

DAMAGE PREVENTION DEPARTMENT

No comment

CODE ENFORCEMENT

No comment

STREET AND SANITATION DEPARTMENT

No comment



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1.

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

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

As proposed, the plan would be suitable in view of the use and development in the immediate area along West Crogan Street and the greater Downtown Lawrenceville area.

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

No; the subject property is already active as a law office, which is consistent with neighboring businesses along West Crogan Street. The rezoning as proposed is intended to allow the business to operate an Electronic Messaging Center (EMC) on their existing monument sign.

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

The property has reasonable economic use as currently zoned.

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

The rezoning proposal will not induce additional demand on public facilities in the form of traffic, utilities, school system, and stormwater runoff.

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

Policies of the City are intended to benefit or enhance the quality of life for existing and potential members of the public choosing to reside within the city limits. The Downtown character area is district composed of a wide variety of uses at differing levels of intensity, so this rezoning conforms with the long-range plan.



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

The 2020 City of Lawrenceville Zoning Ordinance limits where Electronic Messaging Center (EMC) signs can be located; the subject property is not located within one of these permitted areas. Furthermore, the proposal would not be suitable with the existing zoning of the immediate area along West Crogan Street, which is composed predominantly of OI and RS-150 parcels. Approval of the proposal would promote spot zoning in the area.



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REZONING APPLICATION

The application and all required documents must be complete and fees must be paid or the application will not be accepted.

Documents, exhibits and fees required at the time of application submittal:

1. Application Form (signed and notarized)
2. Disclosure of Campaign Contributions Form
3. Letter of Intent describing the proposed zoning change and development
4. Typed, metes and bounds Legal Description
5. Boundary survey (sealed by a Registered Land Surveyor) *7 Acres e 600y*
6. Property tax verification
7. Site Plan/Rezoning Exhibit: *7 Acres e 600y*
 - a. Prepared by a Registered Land Surveyor, Professional Engineer or Landscape Architect
 - b. One full size paper copy drawn to scale of 1"= 50' or greater
 - c. Electronic File (external hard drive)
 - d. Show property line data (metes and bounds) as well as existing infrastructure and existing site conditions, including:
 - i. Existing structures
 - ii. Full width of existing streets and intersecting streets
 - iii. Streams, stream buffers and impervious setbacks
 - iv. Flood hazard zones (reference source of data)
 - v. A vicinity map
 - e. Show proposed improvements, including:
 - i. Proposed buildings, setbacks, buffers and required screening
 - ii. Proposed streets, ingress/egress, driveways, sidewalks and parking
8. Application Fee
 - a. Payment may be made in cash, check or credit card (Visa, MasterCard). Please make checks payable to the City of Lawrenceville. One check is preferred.



LAWRENCEVILLE

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REZONING APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>West Crogan Capital, LLC</u>	NAME: <u>West Crogan Capital, LLC</u>
ADDRESS: <u>306 S. Hammond Dr.</u>	ADDRESS: <u>306 S. Hammond Dr.</u>
CITY: <u>Monroe</u>	CITY: <u>Monroe</u>
STATE: <u>GA</u> ZIP: <u>30655</u>	STATE: <u>GA</u> ZIP: <u>30655</u>
CONTACT PERSON: <u>Eric C. Crawford</u> PHONE: <u>(678) 680-5000</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>OI</u> REQUESTED ZONING DISTRICT: <u>BG</u>	
PARCEL NUMBER(S): <u>R5143 162</u> ACREAGE: <u>0.46</u>	
ADDRESS OF PROPERTY: <u>439 W. Crogan St., Lawrenceville, GA 30046</u>	

SIGNATURE OF APPLICANT

DATE

Eric C. Crawford

TYPED OR PRINTED NAME

SIGNATURE OF OWNER

DATE

Eric C. Crawford

TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE

Kristin Hendricks 2/28/23

KRISTIN HENDRICKS
NOTARY PUBLIC
Oconee County
STATE OF GEORGIA
My Comm. Expires May 5, 2025

NOTARY PUBLIC

DATE

Kristin Hendricks 2/28/23

KRISTIN HENDRICKS
NOTARY PUBLIC
Oconee County
STATE OF GEORGIA
My Comm. Expires May 5, 2025

70 S Clayton St • PO Box 2200 • Lawrenceville, Georgia 30046-2200
770.963.2814 • www.lawrencevillega.org



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DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

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

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

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

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

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

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



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1.

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR SPECIAL USE PERMIT

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

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

PARCEL I.D. NUMBER: R - 5143 - 162
(Map Reference Number) District Land Lot Parcel

Signature of Applicant

Date

Eric C. Crawford, Managing Partner, West Crogan Capital, LLC

Type or Print Name and Title

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

TAX COMMISSIONER'S USE ONLY

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

Chris Nelson

NAME

Tax Services Associate

TITLE

March 2, 2023

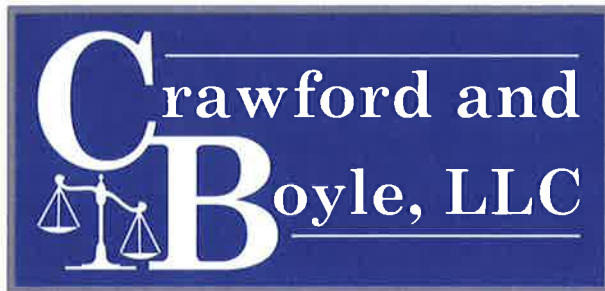
DATE

Main Office

306 S. Hammond Drive
Post Office Box 765
Monroe, Georgia 30655

(678) 951-8821 [phone]
(678) 244-3666 [fax]

www.crawfordboyle.com

**Satellite Offices**
(by appointment only)

189 W. Pike St. 1.
Suite 107

Lawrenceville, GA 30046

337 S. Milledge Avenue
Suite 220
Athens, GA 30605

LETTER OF INTENT**Application for Rezoning****City of Lawrenceville, Georgia**

West Crogan Capital, LLC (the “Applicant/Owner”) requests a rezoning of the approximately 0.46 acres located at 439 W. Crogan Street (Parcel Identification Number R5143 162) (the “Property” from the OI Office Institutional District zone to the BG General Business District zone for the ultimate purpose of installing an Electronic Messaging Center (EMC) sign.

The overall property was a wooded lot on which an office for a law firm is being built. Prior to construction, the lot appears to have been used by Central Gwinnett High Schoolers as a meeting place (due to the trash located in the center of the lot including beer cans and condoms). Now, it is a nicely landscaped, well-manicured, presentable office and lot.

There is minimal difference between the OI and BG zones, and the building and parking lot on the subject property complies with the lot development standards of both OI and BG. As there is a business beside the subject property (a State Farm agency) and government offices across the street, this rezone request will not adversely impact the character of this area. Additionally, because the office on this location has already been constructed, there will be no change in the footprint or the use of the property.

Furthermore, this request is in-line with the policies and objectives of the comprehensive plan. The change in zoning designation will not increase traffic in the area, will not affect storm drainage, will not negatively impact land values, and using the land for a professional law office would fall into the “wide range of retail and service establishments” covered by the BG zoning.

Because this small change in zoning from OI to BG will have minimal to no impact on the surrounding properties, and because this request is consistent with the factors the City is to consider when mulling a zoning change request, the Applicant respectfully asks the City of Lawrenceville to approve the rezoning as requested.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Eric C. Crawford', is written over a large, stylized blue loop.

Eric C. Crawford
Manager, West Crogan Capital, LLC
Managing Partner, Crawford and Boyle, LLC

METES AND BOUNDS LEGAL DESCRIPTION**439 W. CROGAN STREET**

All that tract or parcel of lying and being in the City of Lawrenceville in Land Lot 143 of the 5th District of Gwinnett County Georgia and being more particularly described as follows.

Beginning at a 5/8 rebar set at the intersection of the Northerly right of way of U.S. Hwy 29 (aka West Crogan Street) having a variable right of way and the westerly right of way line of Pine Tree Drive having a 40' right of way and thence run along said northern right of way line South 37 degrees 51 minutes 34 seconds West a distance of 90.0 feet to a 5/8-inch rebar set; thence leaving said right of way and run North 42 degrees 23 minutes 46 seconds West a distance of 223.00 feet to a 1-1/2-inch open top found; thence North 36 degrees 53 minutes 21 seconds East a distance of 90.00 feet to a 1/2-inch rebar found on said western right of way line; thence run along said western right of way line South 42 degrees 27 minutes 55 seconds East a distance of 224.50 feet to a 5/8-inch rebar set and the Point of Beginning.

Said Tract or Parcel contains 0.455 Acres.

LEGEND

AC	ACCESS EASEMENT
BFE	BASEMENT FLOOR ELEVATION
BOC	BACK OF CURB
C&G	CURB & GUTTER
CE	CENTERLINE
CMF	CONCRETE MONUMENT FOUND
CMP	CORRODATED METAL PIPE
CIO	CLEAN OUT
CTP	CORRODED TOP PIPE
DEED	DEED BOOKPAGE NUMBER
DE	DRAINAGE EASEMENT
DI	DITCH
DIP	DITCH INLET
DWCB	DOUBLE WING CATCH BASIN
EB	ELECTRIC BOX/TRANSFORMER
EP	EDGE OF PAVEMENT
ELEV	ELEVATION
EX	EXISTING
FF	FENCE LINE
FI	FIRE HYDRANT
FFR	FLARED END SECTION
FFE	FINISHED FLOOR ELEVATION
FA	FLOW ARROW
FSS	FRONT BUILDING SETBACK LINE
GV	GAS VALVE
GI	GRATE INLET
GW	GUY WIRE
HDW	HARDWOOD TREE
HW	HEADWALL
ICV	IRRIGATION CONTROL VALVE
IE	INVERT ELEVATION
IF	IRON PIN SET
JB	JUNCTION BOX
LP	LIGHT POLE/LAMP POST
LL	LAND LOT
LL	LAND LOT LINE
MFE	MINIMUM FLOOR ELEVATION
N	NOW OR FORMERLY
NTS	NOT TO SCALE
OCS	OUTLET CONTROL STRUCTURE
-OHP-OHP-	OVERHEAD POWER LINE
OT	OPEN TOP PIPE
PN	PINE TREE
PL	PLAT BOOKPAGE
PL	PROPERTY LINE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
PO	POINT ON LINE
PP	POWER POLE
RAH	RECORD ANGLE HELED
RBS	REAR BUILDING SETBACK LINE
RD	RECORD DISTANCE
RCH	REINFORCED CONCRETE PIPE
RHW	RIGHT OF WAY MONUMENT
RWM	RIGHT OF WAY MONUMENT
SMB	SANITARY SEWER MANHOLE
SMB	SINGLE WING CATCH BASIN
SBS	SIDE BUILDING SETBACK LINE
-SS-	SANITARY SEWER LINE
SSE	SANITARY SEWER EASEMENT
STA	STATION
TBM	TEMPORARY BENCHMARK
TBL	TELEPHONE BOX/SETBACK
TBS	TRAFFIC SIGNAL BOX
TSP	TRAFFIC SIGNAL POLE
-C-C-C-	UNDERGROUND CABLE TV LINE
-E-E-E-	UNDERGROUND ELECTRIC LINE
-G-G-G-	UNDERGROUND GAS LINE
-W-W-W-	UNDERGROUND WATER LINE
WM	WATER METER
WV	WATER VALVE
WI	WATER INLET

OWNER:
WEST CROGAN CAPITAL, LLC
308 S HAMMOND DR
MONROE, GA 30085
PHONE: (878) 951-8821
EMAIL: ERIC@CRAWFORDBOYLE.LAW
CONTACT: ERIC CRAWFORD

CONTRACTOR:
DOMINY CONSTRUCTION GROUP, INC.
4405 INTERNATIONAL BLVD, SUITE B108
NORCROSS, GA 30093
PHONE: (878) 776-2006
EMAIL: TIM@DOMINYCONSTRUCTION.COM
CONTACT: TIM DOMINY

PIPE CONTRACTOR:
AWA DEVELOPMENT SERVICES, INC.
PO BOX 760
HOSCHTON, GA 30548
SEAN@AWADEVELOPMENT.COM
PHONE: (770) 235-9391
CONTACT: SEAN MCCAA

CIVIL ENGINEER:
DOVETAIL CIVIL DESIGN, INC.
3651 MARS HILL RD
WATSONSVILLE, GA 30677
PHONE: (878) 726-3300
EMAIL: RICHARD@DOVETAILCIVIL.COM
CONTACT: RICHARD BREEDLOVE

SURVEYOR:
PARAMOUNT SURVEYS, INC.
PO BOX 1024
MADISON, GA 30650
PHONE: (404) 384-3122
EMAIL: RBB@PARAMOUNT-SURVEYS.COM
CONTACT: RICHARD BARNETT

N/F
DARRELL WALLACE
DB 12919, PG 1
TAX PARCEL NO.
R5143 137
ZONING: RS-150

N/F
HOYLE & WANDA
DAVIS
DB 36928, PG 106
TAX PARCEL NO.
R5143 138
ZONING: RS-150

N/F
JOAN C. BAGWELL
DB 21999, PG 124
PB 38, PG 286A
TAX PARCEL NO.
R5143 161
ZONING: RS-150

SURVEY NOTES

1. ANGULAR AND DISTANCE MEASUREMENTS WERE MADE USING A GEOMAX ZOOM 90 TOTAL STATION. A PORTION OF THIS SURVEY, INCLUDING THE ESTABLISHMENT OF HORIZONTAL AND VERTICAL CONTROL, WAS PERFORMED USING A CARLSON BROD INSIS ROVER WITH NETWORK ADJUSTED REAL TIME KINEMATIC MEASUREMENTS REFERENCED TO THE LEICA WIMBA NETWORK. THE GPS SURVEY INCLUDED REDUNDANT MEASUREMENTS WITH POSITIONAL ACCURACY OF BETTER THAN 0.04' (HORIZONTAL) AND 0.07' VERTICAL.

2. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 1,415.7 FEET.

3. HORIZONTAL DATUM: NAD83

4. VERTICAL DATUM: NAVD83 USING TOP OF MANHOLE ELEVATION ON REFERENCE DOCUMENT #1 AS BENCHMARK.

5. TOPOGRAPHIC INFORMATION SHOWN HEREON WAS OBTAINED FROM FIELD RUN TOPOGRAPHIC SURVEY UTILIZING THE GNSS EQUIPMENT MENTIONED IN SURVEY NOTE #1.

6. TOPOGRAPHIC INFORMATION SHOWN COMPLES WITH STANDARDS PROVIDED IN THE GEORGIA TECHNICAL STANDARDS FOR PROPERTY SURVEYS, RULE NO. 180-7-GA.

7. ZONING INFORMATION SHOWN HEREON OBTAINED FROM CITY OF LAWRENCEVILLE PUBLIC RECORDS AT THE TIME OF SURVEY. THIS SURVEYOR MAKES NO CERTIFICATION AS TO MATTERS OF ZONING.

8. THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. EASEMENTS OF RECORD OR OTHER TITLE MATTERS AFFECTING THE SUBJECT PROPERTY MAY EXIST. PARAMOUNT SURVEYS, INC. AND THE LAND SURVEYOR WHOSE SEAL IS AFFIXED HEREON DO NOT GUARANTEE THAT ALL EASEMENTS WHICH MAY AFFECT THIS PROPERTY ARE SHOWN.

9. UNDERGROUND UTILITY LOCATIONS THAT ARE SHOWN HEREON ON THIS SURVEY ARE SHOWN FOR FIELD LOCATED PLANT MARKINGS ON THE GROUND AT THE TIME OF SURVEY. THIS SURVEYOR HAS NO KNOWLEDGE AS TO THE SOURCE OR ACCURACY OF THESE PLANT MARKINGS. ONLY ABOVE GROUND APPURTENANCES BASED ON OBSERVED EVIDENCE ARE SHOWN HEREON. UNDERGROUND UTILITIES NOT OBSERVED OR LOCATED MAY EXIST ON THIS SITE, BUT NOT BE SHOWN, AND MAY BE FOUND UPON EXCAVATION. VERIFICATION OF EXACT UNDERGROUND UTILITY LOCATIONS SHOULD BE MADE PRIOR TO ANY CONSTRUCTION ACTIVITIES.

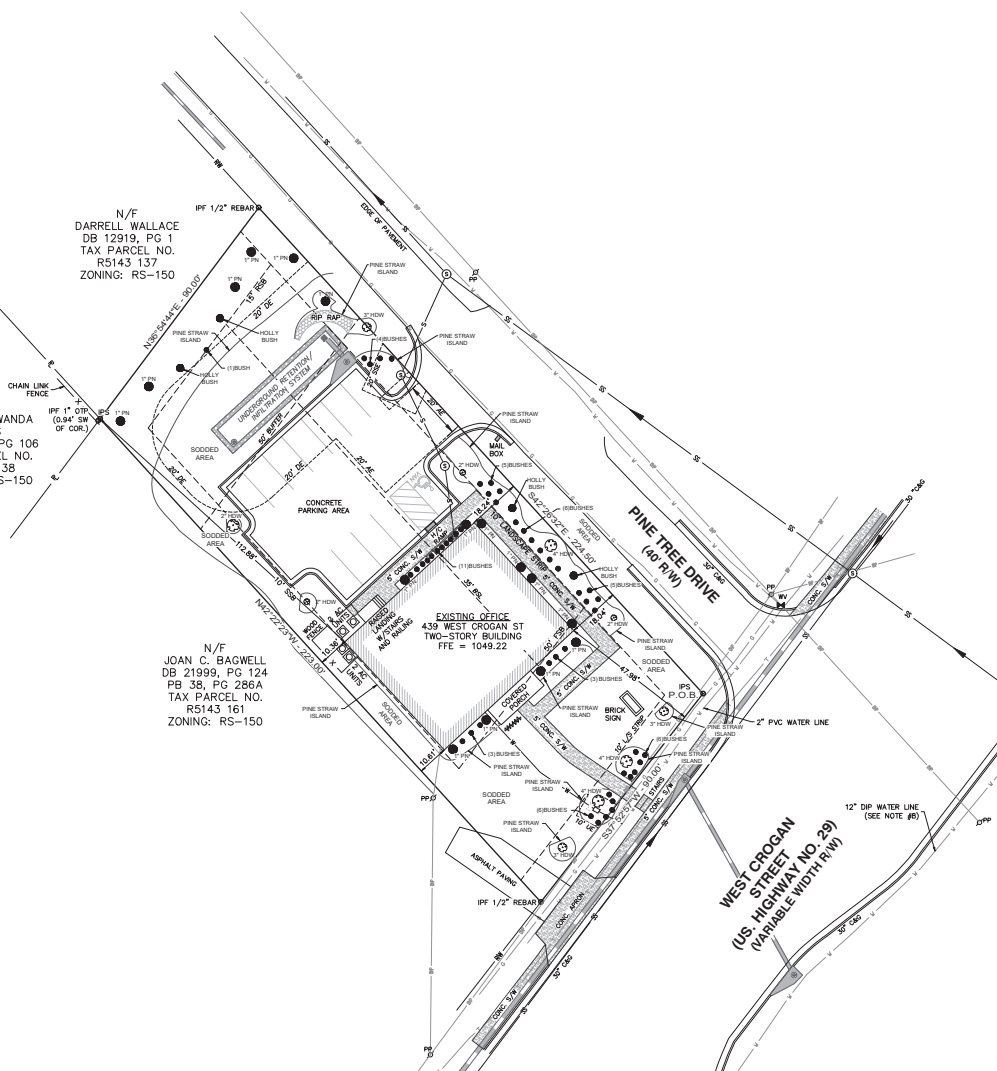
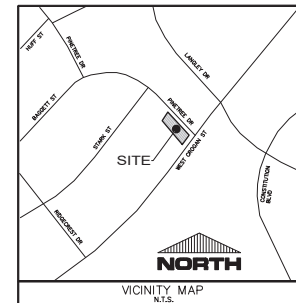
10. WATER LINE SIZE AND MATERIAL PROVIDED TO PARAMOUNT SURVEYS BY PHONE CONVERSATION WITH GWINNETT COUNTY GWR. THIS SURVEYOR HAS NO FURTHER KNOWLEDGE OF THE ACCURACY OF THIS INFORMATION.

FLOOD HAZARD NOTE

BY GRAPHIC PLATTING ONLY, THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD HAZARD AREA PER THE FEMA FLOOD INSURANCE RATE MAP OF GWINNETT COUNTY, GEORGIA. MAP NUMBER 13150C088P, DATED SEPTEMBER 26, 2006.

INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION.

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



LANDSCAPE MATERIALS LIST	
HARDWOOD TREES (2\"/>	= 4
HARDWOOD TREES (3\"/>	= 3
HARDWOOD TREES (4\"/>	= 3
PINE TREES (PN) (Leyland Cypress)	= 16
HOLLY BUSH	= 4
BUSHES	= 50

AS-BUILT LANDSCAPE PLAN FOR:

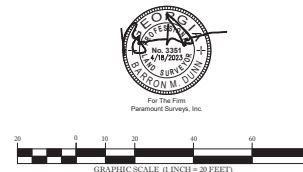
CRAWFORD & BOYLE, LLC
439 WEST CROGAN STREET

PARAMOUNT SURVEYS
Richard Barnett
404.384.3122
rb@paramount-surveys.com

Baron Dunn
404.328.3604
bd@paramount-surveys.com

PO Box 1024, Madison Georgia 30650 LSF #1295

DATE: 4/17/2023 COUNTY: GWINNETT CITY: LAWRENCEVILLE
DISTRICT: 01H LAND LOT: 143 Sheet Number
DRAWN BY: BD CHECKED BY: BD
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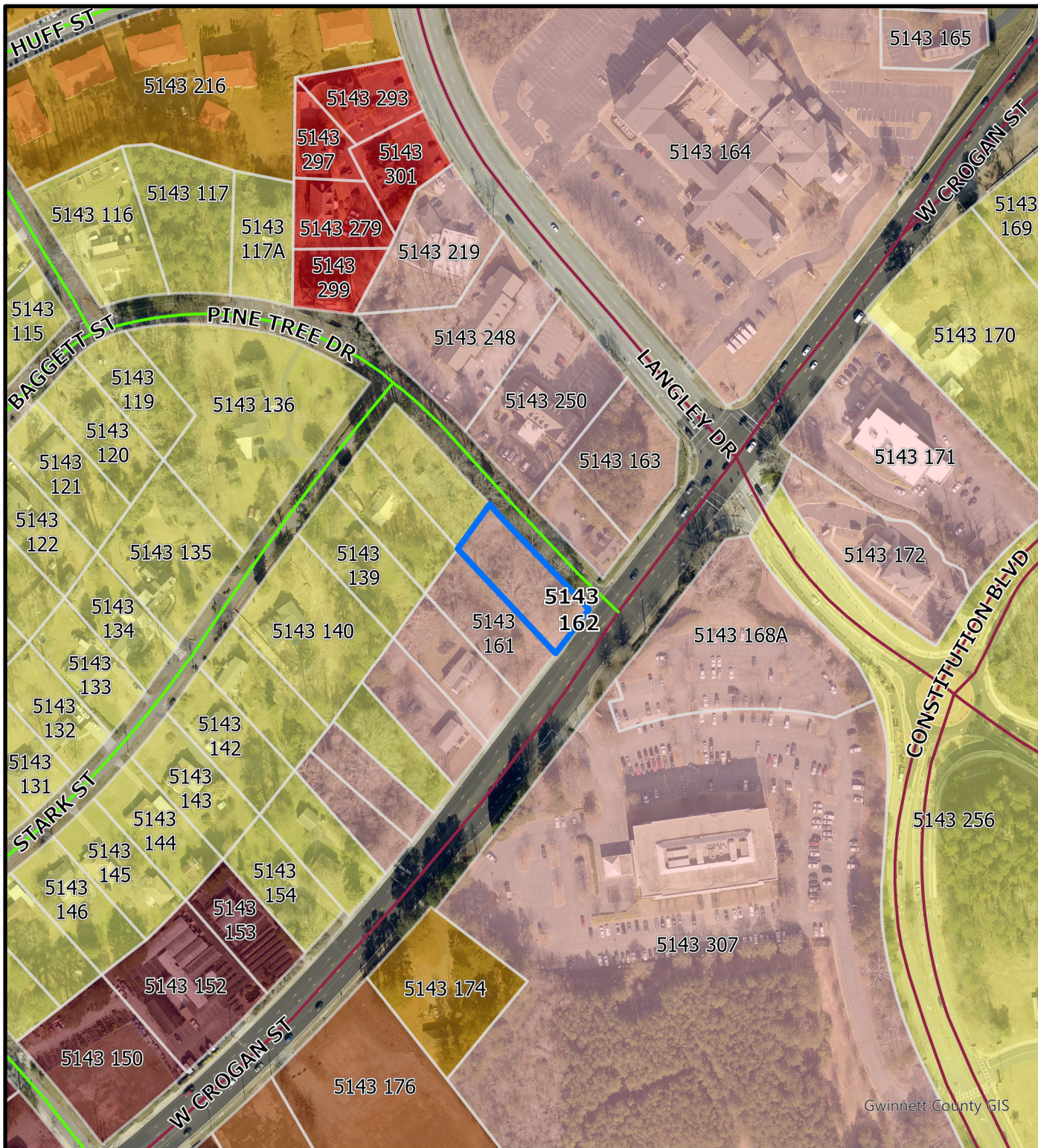


LAWRENCEVILLE

GEORGIA

The City of Lawrenceville
Planning & Development

Location Map & Surrounding Areas



Subject Property

Parcels

County Maintained Streets

City Maintained Streets

Zoning Districts

BG General Business

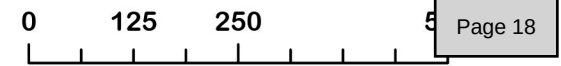
HSB Highway Service Business

OI Office/Institutional

CMU Community Mixed Use

RM-12 Multifamily Residential

RS-150 Single-Family Residential

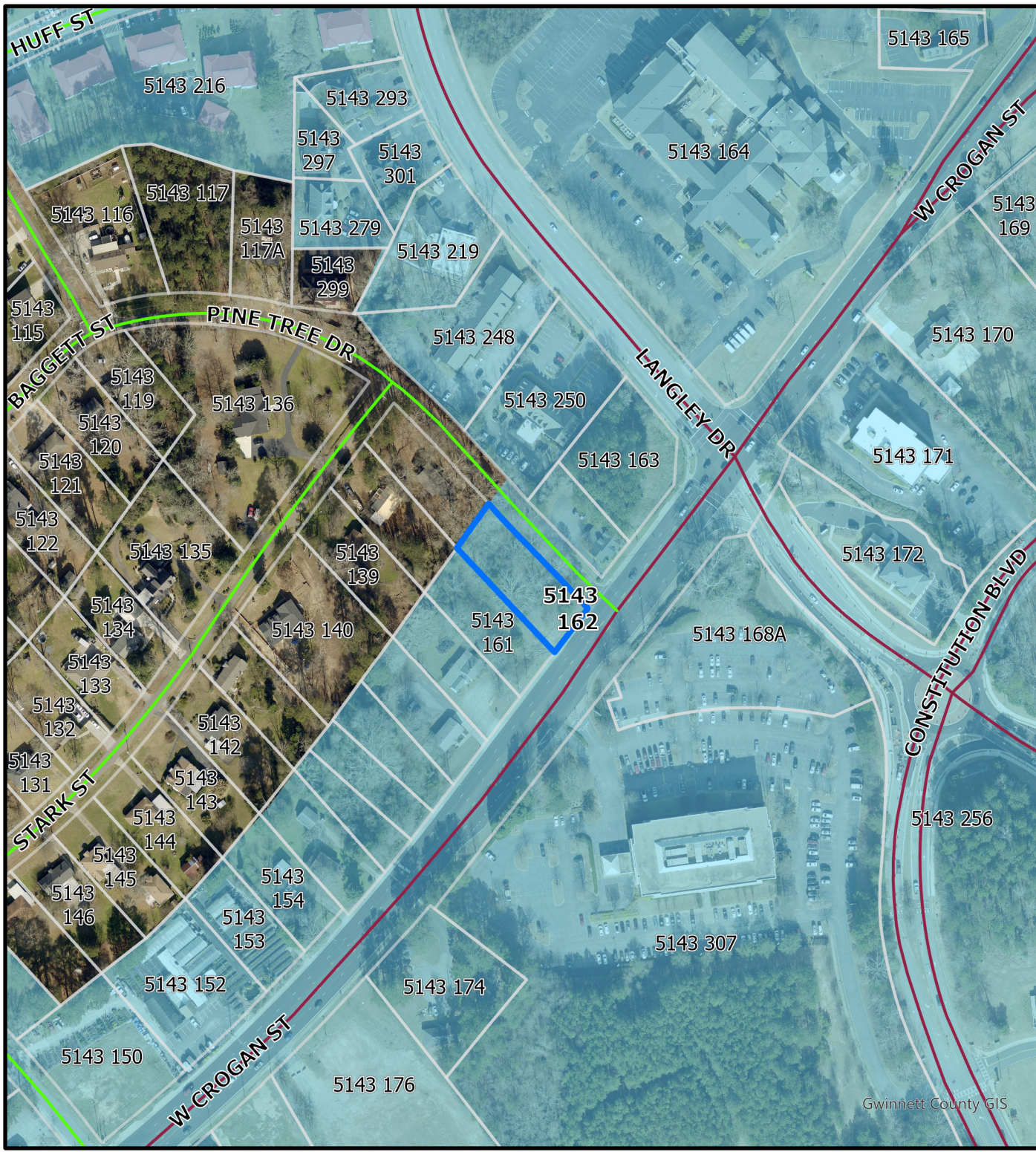




LAWRENCEVILLE

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



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



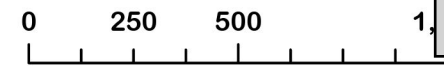


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- Subject Property
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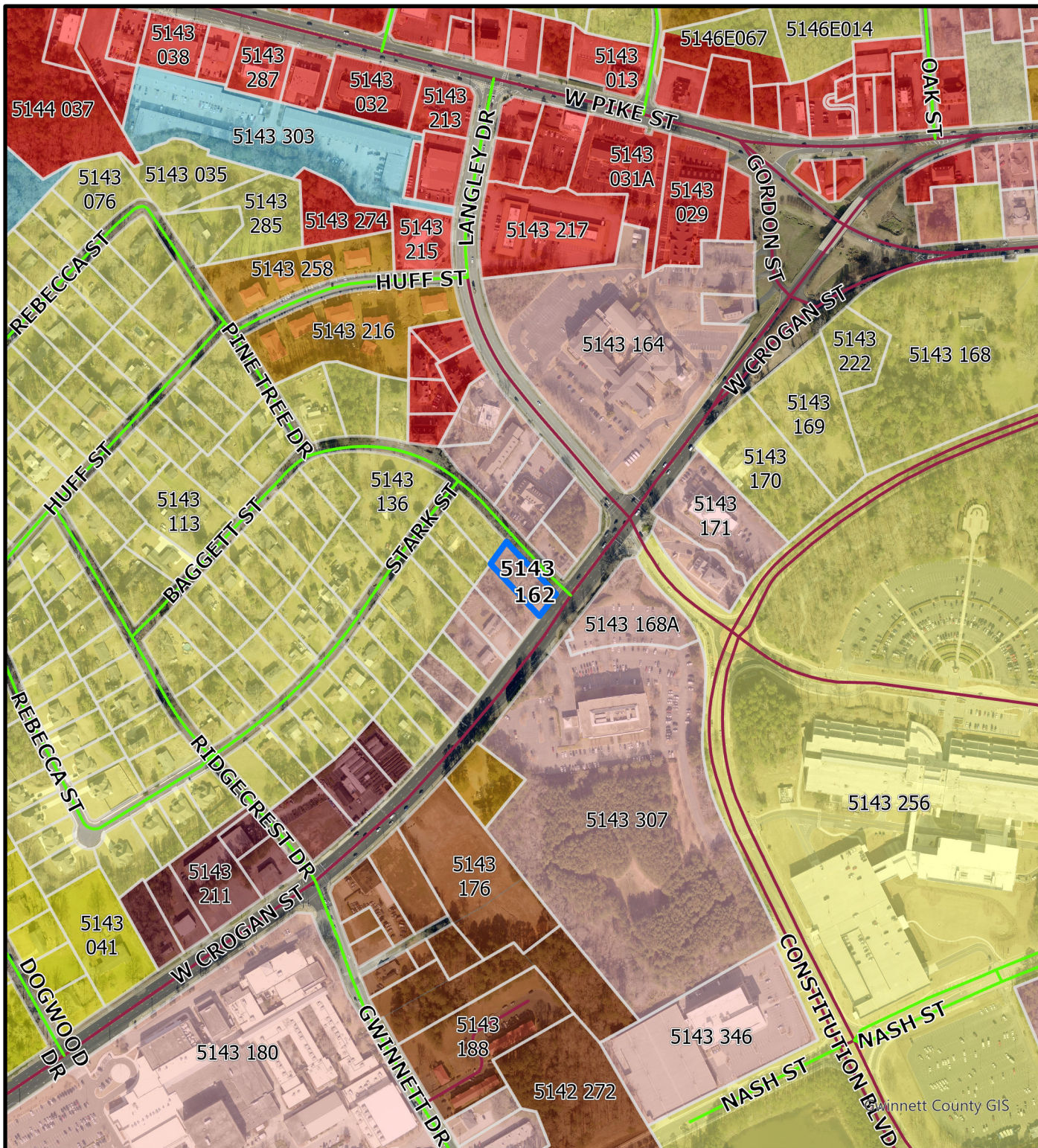




LAWRENCEVILLE

GEORGIA

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



Subject Property

Parcels

County Maintained Streets

City Maintained Streets

Zoning Districts

BG General Business

BGC Central General Business

HSB Highway Service Business

LM Light Manufacturing

OI Office/Institutional

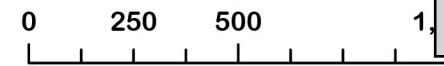
CMU Community Mixed Use

RM-12 Multifamily Residential

RS-60 Single-Family Residential

RS-150 Single-Family Residential

RS-180 Single-Family Residential





LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: PLANNING COMMISSION
AGENDA CATEGORY: NEW BUSINESS

Item: An Ordinance to Amend ARTICLE 1; ARTICLE 2, ARTICLE 5, ARTICLE 6, ARTICLE 7, AND ARTICLE 9 of the Zoning Ordinance

Department: Planning and Development

Date of Meeting: Monday, May 1, 2023

Fiscal Impact: None

Presented By: Todd Hargrave, Planning and Development Director

Action Requested: **Approval of amendment**

Summary: The City Council has determined that amendments need to be made to the Zoning Ordinance to clarify regulations and procedures.

Attachments/Exhibits:
ARTICLE 1, 2, 5, 6, 7, 9 Amendment Draft

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

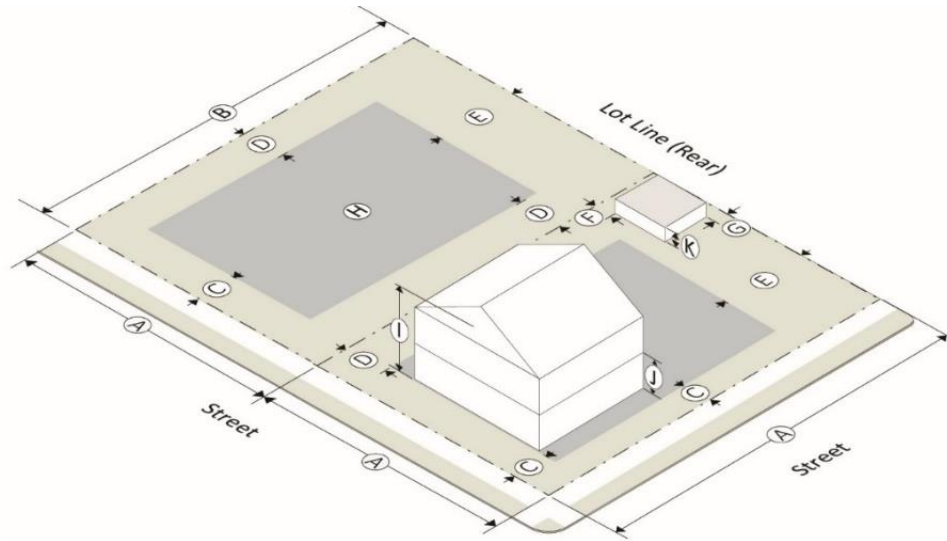
The City Council of the City of Lawrenceville, Georgia hereby ordains that the City of Lawrenceville Zoning Ordinance 2020 is amended as follows:

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

Interpretation

The following graphics depict the interpretation of lot development standards. The official definitions for these terms can be found in Article 10, Definitions, and should be used for any legal determinations.

Lot Area Dimensions	
Lot Area	
Ⓐ	Lot Width
Ⓑ	Lot Depth (Interior or Through Lot Only)
Setbacks	
Principal	
Ⓒ	Front Yard
Ⓓ	Side Yard
Ⓔ	Rear Yard
Accessory	
Ⓕ	Side Yard
Ⓖ	Rear Yard
Coverage	
Ⓗ	Buildable Area
Maximum Height	
Ⓘ	Principal Building
⓵	Story
Ⓚ	Accessory Building



Districts

For uses allowed in each district, please see *Section 103.2 Use Table*.

102.1 AR Agricultural Residential District

A. Purpose

The Agricultural Residential district provides an environment where limited agricultural endeavors can operate compatibly with a greater density of population than is normally found in farming areas.

B. Site Development Standards

1. Minimum Site Area

The minimum site area for which the AR zoning classification is permitted shall be 43,560 square feet.

2. Minimum External Road Frontage

The minimum external road frontage width for which the AR zoning classification is permitted shall be fifty (50) feet.

C. 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).

D. Property Development Standards

Property in the AR District shall be developed following the applicable site-related provisions contained in the City of Lawrenceville Subdivision Regulations and Development Regulation, and the following additional standards:

1. Sewer Capacity

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

2. Dimensional Standards – Principal Structure

Table 102.1.D.3.A. Principal Structure

Minimum Lot Area (sq. ft.)	Maximum Impervious Cover or Surface	Minimum Lot Width (ea.)
43,560 sq. ft.	26,136 sq. ft.	200 feet

Table 102.1.D.3.B Principal Structure^{a & b}

Maximum Building Height	Minimum Front Yard Setback ²	Minimum Rear Yard Setback ²	Minimum Side Yard Setback ²	Minimum Heated Floor Area (sq. ft.)	Minimum Heated Floor Area (sq. ft.)
35 feet	35 feet	40 feet	20 feet	2,000 sq. ft. (1 story)	2,400 sq. ft. (2 stories)

^{a.} Minimum Building Setback adjacent to a classified Freeway, Arterial or Collector shall be fifty (50) feet.

^{b.} Minimum Building Setback adjacent to a Public Street shall be thirty-five (35) feet.

E. Dimensional Standards – Accessory Structure

Table 102.1.D.3.C Accessory Structure^{c, d & e}

Allowance Maximum Square Footage (sq. ft.)	Height	Front Yard Setback	Rear Yard Setback	Side Yard Setback
1,000 sq. ft.	35 feet	SUP Required	15 feet	15 feet

^{c.} Accessory buildings or structures located in a front yard area shall require the approval of a Special Use Permit.

- d. Accessory buildings or structures located on lots one (1) acre or larger shall not exceed 1,000 sq. ft..
- e. Accessory Structures shall be subject to the rules and regulations of *Article 2, Supplemental and Accessory use Standards, Section 200.3.1. A., B. & C.,* as applicable.

102.2 RS-180 One-Family Residential District

A. Purpose

This RS-180 zoning district is intended for the development of low-density lots, consisting of one-family dwellings constructed of one dwelling unit, and only one dwelling unit.

B. Site Development Standards

1. Minimum Site Area

The minimum site area for which the RS-180 zoning classification is permitted shall be 18,000 square feet.

2. Minimum External Road Frontage

The minimum external road frontage width for which the RS-180 zoning classification is permitted shall be fifty (50) feet.

C. 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*).

D. Minimum Common Area Standards

A minimum of twenty (20) percent of the total project acreage shall be designated as Common area, excluding fifty (50) percent of any 100-year floodplain or wetland areas (see *Article 1, Section 102.11, Minimum Common area Standards*).

E. Mandatory Homeowners Association

A Mandatory Homeowners Association shall be required for all One-Family, Two-Family and Townhouse developments (see *Article 1, Section 102.13, Mandatory Homeowners Association*).

F. Property Development Standards

Property in the RS-180 District shall be developed in accordance with the applicable site-related provisions contained in the City of Lawrenceville

Subdivision Regulations and Development Regulation, and the following additional standards:

1. Density

Net density in an RS-180 zoning classification shall be calculated as defined in *Article 10 Definitions, Section 105. Density, Gross, and Section 106. 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 102.2.D.3.A. Principal Structure

Minimum Lot Area (sq. ft.)	Maximum Impervious Cover or Surface	Minimum Lot Width (ea.)
18,000 sq. ft.	9,000 sq. ft.	100 feet

Table 102.2.D.3.B. Principal Structure^{a & b}

Maximum Building Height	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Heated Floor Area (sf.)	Minimum Heated Floor Area (sf.)
35 feet	35 feet	40 feet	10 feet	2,000 sq. ft. (1 story)	2,400 sq. ft. (2 story)

- ^{a.} Minimum Building Setback adjacent to a classified Freeway/Expressway, Arterial (Principal, Major, Minor) or Collector (Major, Minor) shall be 50 feet.
- ^{b.} Minimum Building Setback adjacent to a Public Street shall be 35 feet.

4. Dimensional Standards – Accessory Structure

Table 102.2.D.3.C. Accessory Structure^{c & d}

Allowance	Height	Front Yard Setback	Rear Yard Setback	Side Yard Setback	Maximum Square Footage (sf.)
One Per Lot	18 feet	SUP Required	5 feet	5 feet	400 sq. ft.

- ^{c.} Accessory buildings or structures located in a front yard area shall require the approval of a Special Use Permit.

- d. Accessory Structures shall be subject to the rules and regulations of Article 2, Supplemental and Accessory use Standards, Section 200.3.1 A, B & E, as applicable.

102.3 RS-150 One-Family Residential District

A. Purpose

This RS-150 zoning district is intended for the development of low-density lots, consisting of one-family dwellings constructed of one dwelling unit, and only one dwelling unit.

B. Site Development Standards

1. Minimum Site Area

The minimum site area for which the RS-150 zoning classification is permitted shall be 15,000 square feet.

2. Minimum External Road Frontage

The minimum external road frontage width for which the RS-150 zoning classification is permitted shall be fifty (50) feet.

C. Minimum Architectural Standards

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

D. Minimum Common Area Standards

A minimum of twenty (20) percent of the total project acreage shall be designated as Common area, excluding fifty (50) percent of any 100-year floodplain or wetland areas (see *Article 1, Section 102.11, 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. Property Development Standards

Property in the RS-150 District shall be developed in accordance with the applicable site-related provisions contained in the City of Lawrenceville

Subdivision Regulations and Development Regulation, and the following additional standards:

1. Density

Net Density in an RS-150 zoning classification shall be calculated as defined in *Article 10 Definitions, Section 105. Density, Gross, and Section 106. 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 102.3.D.3.A. Principal Structure

Minimum Lot Area Square Footage (sq. ft.)	Maximum Impervious Cover or Surface	Minimum Width Lot (ea.)
15,000 sq. ft.	7,500 sq. ft.	100 ft.

Table 102.3.D.3.B. Principal Structure^{a, b & c}

Maximum Building Height	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback ³	Minimum Heated Floor Area (sq. ft.)	Minimum Heated Floor Area (sq. ft.)
35 feet	35 feet	40 feet	10 feet	2,000 sq. ft. (1 story)	2,400 sq. ft. (2 stories)

- ^a. Minimum Building Setback adjacent to an Internal Local Residential Street shall be as shown above (See Table C.2.)
- ^b. Minimum Building Setback adjacent to a classified Freeway/Expressway, Arterial (Principal, Major, Minor), or Collector (Major, Minor) shall be 50 feet
- ^c. Minimum Building Setback adjacent to a Public Street shall be 35 feet

4. Dimensional Standards – Accessory Structure

Table 102.3.D.3.C. 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.

102.4 RS-60 One-Family Residential District

A. Purpose

This RS-60 zoning district is intended for the development of medium-density lots, consisting of one-family dwellings constructed of one dwelling unit, and only one dwelling unit.

B. Site Development Standards

1. Minimum Site Area

The minimum site area for which the RS-60 zoning classification is permitted shall be five (5) acres.

2. Minimum External Road Frontage

The minimum external road frontage width for which the RS-60 zoning classification is permitted shall be fifty (50) feet.

C. 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).

D. Minimum Common Area Standards

A minimum of twenty (20) percent of the total project acreage shall be designated as Common area, excluding fifty (50) percent of any 100-year floodplain or wetland areas (see Article 1, Section 102.11, 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. Property Development Standards

Property in the RS-60 District shall be developed in accordance with the applicable site-related provisions contained in the City of Lawrenceville Subdivision Regulations and Development Regulations, and the following additional standards:

1. Density

Net density in an RS-60 zoning classification shall not exceed four (4) Units Per Acre (UPA); Density shall be calculated as defined in *Article 10 Definitions, Section 105. Density, Gross, and Section 106. 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

Table 102.4.D.3.A. - Principal Structure

Minimum Lot Area Square Footage (sq. ft.)	Maximum Impervious Cover or Surface	Minimum Width Lot (ea.)
7,500 sq. ft.	3,750 sq. ft.	60 ft.

Table 102.4.D.3.B. - Principal Structure ^{a, b & c}

Maximum Building Height	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback ³	Minimum Heated Floor Area (sq. ft.)	Minimum Heated Floor Area (sq. ft.)
35 feet	35 feet	20 feet	5 feet	2,000 sq. ft. (1 story)	2,400 sq. ft. (2 stories)

- a.** Minimum Building Setback adjacent to an Internal Local Residential Street shall be 35 feet
- b.** Minimum Building Setback adjacent to a classified Freeway/Expressway, Arterial (Principal, Major, Minor), or Collector (Major, Minor) shall be 50 feet
- c.** Minimum Building Setback adjacent to a Public Street shall be 35 feet.

4. Dimensional Standards – Accessory Structure

Table 102.4.D.3.C. - 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.

102.5 RS-TH Townhouse Residential District

A. Purpose

This RS-TH zoning district is intended for the development of medium-density lots, consisting of townhouse dwellings constructed of three or more dwelling units.

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. Special Use Permit Required

1. An increase in Density shall require the approval of a Special Use Permit (see Section 102.6 RS-TH, Subsection 1. Density).
2. On-Street Parking shall require the approval of a Special Use Permit (see Section 102.6 RS-TH, Subsection D.5.).

C. Site Development Standards

1. Minimum Site Area

The Minimum Site Area for which the RS-TH zoning classification is permitted shall be five (5) 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. Maximum Impervious Cover or Surface

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

3. Minimum External Road Frontage

The minimum external road frontage width for which the RS-TH zoning classification is permitted shall be one hundred (100) feet.

D. Architectural Standards

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

See figures for examples:

Rear Entry



Front Entry



E. Minimum Common Area Standards

A minimum of twenty (20) percent of the total project acreage shall be designated as Common area, excluding fifty (50) percent of any 100-year floodplain or wetland areas (*see Article 1, Section 102.11, Minimum Common area Standards*).

F. Mandatory Homeowners Association

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

Net density in an RS-TH zoning classification shall not exceed eight (8) Units Per Acre (UPA). Density shall be calculated as defined in Article 10 Definitions, Section 105. Density, Gross, and Section 106. 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 E.3.A – Principal Structure ^{a, b & c}					
Minimum Lot Area	Maximum Building Height	Maximum Number of Stories	Minimum Lot/Unit Width	Maximum Units Per Row (UPR)	Minimum Units Per Row (UPR)
2,400 sq. ft.	35 feet	3 Stories	24 feet	8	4

Table 102.6 E.3.B – Principal Structure ^{a, b, c & d}			
Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Building (UPR) Separation
20 feet	20 feet	0 feet	20 feet

- a. Minimum Building Setback adjacent to an internal Local Residential Street, Private Drive or Private Alley shall be as shown in Table 102.6. E.3. B.
- b. Minimum Building Setback adjacent to an external Local Residential Street shall be thirty (30) feet.
- c. Minimum Building Setback adjacent to an external Public Street shall be thirty-five (35) feet.

- d. Minimum Building Setback adjacent to a classified Freeway/Expressway, Arterial (Principal, Major, Minor), or Collector (Major, Minor) shall be fifty (50) feet.

4. **Minimum Heated Floor Area - Principal Structure**

Table 102.6 E.4.A - Minimum Heated Floor Area				
Studio	1-bedroom	2-bedroom	3-bedroom	4-bedroom
-	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 E.5.A - Maximum % Bedroom Units	
Three (3) bedroom units – Forty (40%) percent	Four (4) bedroom units – ten (10%) percent

6. **Townhouse Dwelling and Dwelling Units- General Requirements**

- a. The front façade(s) of the townhouse dwelling shall be parallel or radial to a Local Residential Street (Public Right-of-Way) or Private Street (Utility Easement).
- b. Front façade(s) of the townhouse dwellings and dwelling units shall be parallel or radial to a Public Street (Public Right-of-Way).
- c. Front façade(s) of the townhouse dwelling units shall be staggered or offset a minimum of two (2) feet providing architectural relief.
- d. Townhouse dwellings and dwelling units shall not have direct access to an external classified Freeway/Expressway, Arterial (Principal, Major, Minor), Collector (Major, Minor), or Local Street.
- e. Townhouse dwelling 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 Common area or Local Street (Public Right-of-Way) internal to the development with the approval of a Special Use Permit.

7. Rear Entry Townhouse Dwelling

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

8. Front Entry Townhouse Dwelling Units

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

- a.** A front entry townhouse dwelling unit shall be internal to the development and concealed from view from of a classified external Freeway/Expressway, Arterial (Principal, Major, Minor) or Collector (Major, Minor)
- b.** Front entry townhouse dwellings units shall be accessed via a driveway internal to the development extended from a Local Street Public Right-of-Way), Private Drive or Alley (Utility Easement).

102.6 RM-12 Multifamily Residential District

A. Purpose

The RM-12 Multifamily Residential District shall be designed to provide for low-rise and medium-density apartment developments that will be compatible when located near and among lower- and moderate-density types of developments. Dormitories are limited specifically to Georgia Gwinnett College campus.

Property in the RM-12 Multifamily 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. Site Development Standards

1. Minimum Site Area

The Minimum Site Area for which the RM-12 zoning classification is permitted shall be five (5) 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 rezoning.

2. 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 (*see Article 10 Definitions, Section 117. Dwelling, a. Multifamily Attached*);

3. Maximum Impervious Cover or Surface

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

4. Minimum External Road Frontage

The minimum external road frontage width for which the RM-12 zoning classification is permitted shall be one hundred (100) feet.

C. 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:



Source: Humphreys & Partners Architects



D. Minimum Common area Standards

A minimum of twenty (20) percent of the total project acreage shall be designated as Common area, excluding fifty (50) percent of any 100-year floodplain or wetland areas (*see Article 1, Section 102.11, Minimum Common area Standards*).

E. Multifamily Professional Property Management Requirement

All multifamily residential developments shall require mandatory *Multifamily Professional Property Management* (*see Article 1, Section 102.14, Professional Property Management*).

F. Multifamily Crime Free Requirements

Multifamily developments shall require mandatory compliance with the City of Lawrenceville *Multifamily Crime Free Requirements* (*see Article 1, Section 102.15, Multifamily Crime Free Requirements*).

G. Property Development Standards

Property in the RM-12 District shall be developed in accordance with the applicable site-related provisions contained in the City of Lawrenceville Subdivision Regulations and Development Regulation, and the following additional standards:

1. Density

Net Density in an RM-12 zoning classification shall not exceed twelve (12) Units Per Acre (UPA). Density shall be calculated as defined in *Article 10 Definitions, Section 105. Density, Gross, and Section 106. 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 102.7 D.3.A – Principal Structure ^{a, b, c, & d}

<i>Minimum Front Yard Setback</i>	<i>Minimum Rear Yard Setback</i>	<i>Minimum Side Yard Setback</i>	<i>Maximum Building Height</i>	<i>Maximum Number of Stories</i>	<i>Minimum Building Separation</i>
15 feet	30 feet	10 feet	35 feet	3 Stories	20 feet

- a. Minimum Building Setback adjacent to an internal Local Residential Street, Private Street or Private Alley (Utility Easement) shall be as shown in Table 102.7. D.3.A.*
- b. Minimum Building Setback adjacent to an external Local Residential Street shall be twenty (20) feet.*
- c. Minimum Building Setback adjacent to an external Public Street shall be thirty-five (35) feet.*
- d. Minimum Building Setback adjacent to a classified Freeway/Expressway, Arterial (Principal, Major, Minor) or Collector (Major, Minor) shall be fifty (50) feet.*

4. Minimum Heated Floor Area – Principal Structure

Table 102.7 D.4.A - Minimum Heated Floor Area			
<i>Studio</i>	<i>1-bedroom</i>	<i>2-bedroom</i>	<i>3-bedroom</i>
650 sq. ft.	800 sq. ft.	1,000 sq. ft.	1,200 sq. ft.

5. Minimum Heated Floor Area – Principal Structure

Table 102.7 D.5.A - Maximum % Bedroom Units
Three (3) bedroom units – Ten (10%) percent

102.7 RM-24 Multifamily Residential District

A. Purpose

The RM-24 Multifamily Residential District is designed to provide medium-rise and high-density apartment developments that will be compatible when located near and among lower- and moderate-density types of developments. Apartments may be allowed in this district.

Property in the RM-24 Multifamily 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. Site Development Standards

1. Minimum Site Area

The Minimum Site Area for which the RM-24 zoning classification is permitted shall be ten (10) 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 rezoning.

2. 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 (see *Article 10 Definitions, Section 117. Dwelling, a. Multifamily Attached*).

3. Maximum Impervious Cover or Surface

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

4. Minimum External Road Frontage

The minimum external road frontage width for which the RM-24 zoning classification is permitted shall be one hundred (100) feet.

C. 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).



D. Minimum Common area Standards

A minimum of twenty (20) percent of the total project acreage shall be designated as Common area, excluding fifty (50) percent of any 100-year floodplain or wetland areas (*see Article 1, Section 102.11, Minimum Common area Standards*).

E. Multifamily Professional Property Management Requirement

All multifamily residential developments shall require mandatory Multifamily Professional Property Management (*see Article 1, Section 102.14, Professional Property Management*).

F. Multifamily Crime-Free Requirements

Multifamily developments shall require mandatory compliance with the City of Lawrenceville Multifamily Crime-Free Requirements (*see Article 1, Section 102.15, Multifamily Crime-Free Requirements*).

G. Property Development Standards

Property in the RM-24 District shall be developed in accordance with the applicable site-related provisions contained in the City of Lawrenceville Subdivision Regulations and Development Regulation, and the following additional standards:

1. Density

Net density in an RM-24 zoning classification shall not exceed twenty-four (24) Units Per Acre (UPA). Density shall be calculated as defined in Article 10 Definitions, Section 105. Density, Gross, and Section 106. 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 102.8 D.3.A – Principal Structure ^{a, b, c & d}					
Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Maximum Building Height	Maximum Number of Stories	Minimum Building Separation
15 feet	30 feet	15 feet	70 feet	5 Stories	20 feet

- ^{a.} Minimum Building Setback adjacent to an internal Local Residential Street, Private Street or Private Alley (Utility Easement) shall be as shown in Table 102.8 D.3. A.
- ^{b.} Minimum Building Setback adjacent to an external Local Residential Street shall be twenty (20) feet.
- ^{c.} Minimum Building Setback adjacent to an external Public Street shall be thirty-five (35) feet
- ^{d.} Minimum Building Setback adjacent to a classified Freeway/Expressway, Arterial (Principal, Major, Minor), or Collector (Major, Minor) shall be fifty (50) feet.

4. Minimum Heated Floor Area

Table 102.8 D.4.A - Minimum Heated Floor Area			
Studio	1-bedroom	2-bedroom	3-bedroom
650 sq. ft.	800 sq. ft.	1,000 sq. ft.	1,200 sq. ft.

5. Maximum % Bedroom Units

Table 102.8 D.5.A - Maximum % Bedroom Units

Three (3) bedroom units – Ten (10%) percent

102.8 MH Manufactured Home Residential District

A. Purpose

The MH Manufactured Home Residential District is designed to provide for the inclusion of manufactured and mobile home parks and subdivisions as additional uses in residential districts at locations, which are suitable for manufactured home dwellings.

B. Development Standards¹

The development shall not exceed eight units per acre.

Use	Minimum Lot Area	Lot Width	Front Setback	Min. Side Setback	Min. Rear Setback	Impervious Surface Coverage	Max. Height
Development	10 acres min.	200 sq. ft.	50 ft.	10 ft. or 50 ft. ²	40 ft. or 50 ft. ²	60%	18 ft.

¹ Accessory structures shall be prohibited;

² The minimum External Side or Rear Yard Setback shall be 50 feet adjacent to a classified Freeway, Arterial, or Collector;

102.9 CMU Community Mixed-Use District

A. Purpose

The purpose of the CMU Community Mixed-Use District is to promote complementary groupings of small-scale mixed-use buildings that are within walking distance and compatible with the surrounding neighborhood. This district intends to provide for diverse housing options to accommodate multigenerational communities within a range of residential building forms, lot sizes, and dwelling sizes and neighborhood-oriented retail, services, and low-intensity office uses that are within convenient walking distances.

Property in the CMU Community Mixed-Use 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. Land Use Mix

1. The intent of allowing these nonresidential uses is to create a small node of retail and commercial services primarily for the convenience and amenity of residents of the CMU District. Nonresidential development must be compatible with the residential component of the development, and in general with the Architectural Design Standards specified in this section and *Article 6, Architectural Standards and Design Guidelines*;
2. Each CMU development shall include a mix of land uses, as indicated in the table below;

Land Use	Percentage of Gross Land Area	
	Minimum	Maximum
Residential Uses	35%	70%
Commercial (Retail), Office Institutional Uses	15%	30%

3. Each CMU development shall consist of three of the following zoning classifications:

CMU Zoning Classifications	
a.	Section 102.4 RS-60 One-Family Residential District
b.	Section 102.5 RS-TH Townhouse Residential District
c.	Section 102.6 RM-12 Multifamily Residential District
d.	Section 102.7 RM-24 Multifamily Residential District
e.	Section 102.16 OI Office Institutional District
f.	Section 102.17 BG General Business District

C. Site Development Standards

1. Minimum Site Area

The Minimum Site Area for which the CMU zoning classification is permitted shall be five (5) acres. Minimum Site 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 the property does not meet the Minimum Site Area then the property owner may apply for a Variance;

2. Double-Loaded Corridor

DISTRICT
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ARTICLE 1

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 (see *Article 10 Definitions, Section 117. Dwelling, a. Multifamily Attached*).

3. Maximum Impervious Cover or Surface

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

4. Minimum External Road Frontage

The minimum external road frontage width for which the CMU zoning classification is permitted shall be one hundred (100) feet.

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).

E. Property Development Standards

Property in the CMU District shall be developed in accordance with the applicable site related provisions contained in City of Lawrenceville Subdivision Regulations and Development Regulation, and the following additional standards:

1. Density

Net density in a CMU zoning classification shall be based on the net density allowed per selected zoning classification, or maximum Units Per Acre (UPA) allowed per selected zoning classification to be included in development (see *Article 10 Definitions, Section 105. Density, Gross, and Section 106. 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 102.7 E.3.A – Principal Structure ^{a, b, c & d}

Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Maximum Building Height	Maximum Number of Stories	Minimum Building Separation
See Notes	See Notes	See Notes	70 feet	5 Stories	20 feet

- a. Minimum Building Setback adjacent to internal Local Residential Street, Private Street or Private Alley shall be based on the minimum building setback allowed per selected zoning classification.*
- b. Minimum Building Setback adjacent to an external Local Residential Street shall be twenty (20) feet.*
- c. Minimum Building Setback adjacent to an external Public Street shall be thirty-five (35) feet*
- d. Minimum Building Setback adjacent to a classified Freeway/Expressway, Arterial (Principal, Major, Minor) or Collector (Major, Minor) shall be fifty (50) feet;*

4. Minimum Heated Floor Area – Principal Structure

Table 102.7 E.4.A - Minimum Heated Floor Area

Studio	1-bedroom	2-bedroom	3-bedroom
650 sq. ft.	800 sq. ft.	1,000 sq. ft.	1,200 sq. ft.

5. Minimum Heated Floor Area – Principal Structure

Table 102.6 E.5.A - Maximum % Bedroom Units

Three (3) bedroom units – Ten (10%) percent

E. Connectivity

1. Interconnected Network

It is the intent of this section that the public-access-ways, walkways, transportation facilities, and improvements in the mixed-use district contribute to an interconnected and continuous network providing convenient vehicular and pedestrian access to abutting properties. The design of the development and related public improvements shall provide for maximum connections for automobiles, pedestrians, bicycles, and public transportation to off-site and on-site attractions

such as concentrations of employment, shopping, housing, community services, public parking parks, and public facilities.

2. Vehicular connectivity

- a.** No streets may be longer than 400 feet without an intersection with another street or alley.
- b.** The street network shall form a connected pattern (grid system), with a minimum of cul-de-sacs approved by the Director of Planning and Development only in cases of topographical hardship. Street shapes should be varied with loop streets, curving crescents, ovals, and courts providing visual interest and traffic calming effects. Approved cul-de-sac streets may be no longer than 400 feet in length. Street patterns shall be designed to respect and follow existing terrain as much as possible to minimize earthmoving and disruption of the existing topography.
- c.** New streets shall contribute to an interconnected network and meet all of the following standards:
 - 1.** Location of the new street shall be reviewed and approved by the appropriate City department. Such approval shall be contingent on a finding that the new street will serve a public purpose such as improving traffic safety, reducing traffic congestion, or improving vehicular and pedestrian circulation and access to major thoroughfares;
 - 2.** Right-of-way and design of the new street shall meet applicable requirements of the appropriate City department.

F. Pedestrian Connectivity

- 1.** There shall be an adequate separation of pedestrian walkways from automobile traffic within a development. Appropriate design elements or traffic-calming measures, such as paving material variation or barriers (structural or spatial), shall be provided to distinguish vehicular and pedestrian access points.
- 2.** Safe, convenient, and continuous pedestrian walkways shall be provided:
 - a.** Between building entrances for all buildings in the same block.

- b. Along both sides of the street frontage of all streets.
- c. Through parking lots and parking structures at regular intervals connecting to building entrances and the public sidewalks on surrounding streets.

G. Public Improvements

- 1. Sidewalks shall meet the Engineering Department Requirements.
- 2. Crosswalks and pedestrian crossing signage shall be provided consistent with the most recent edition of the Manual of Uniform Traffic Control Devices (MUTCD) and AASHTO, as per Engineering Department approval.

H. Greenway Access

- 1. Greenways shall be provided in accordance with the Trail Master Plan and maintained in accordance with the plan and other applicable sections of the Zoning Ordinance. Final location of the greenways shall be coordinated with the Engineering Department.
- 2. If a project abuts a greenway, then a multiuse path shall be provided connecting to the greenway for pedestrian and bicycle use.

I. Access Easements and Inter-Parcel Access

- 1. Inter-parcel access, joint driveways, cross-access drives, and access easements shall be provided as follows except where the Director of Planning and Development determines that they are not feasible due to topographic or other site-specific constraints:
 - a. Inter-parcel driveway connection or provision of a future inter-parcel driveway stub (with appropriate cross-access easements) shall be required between adjacent non-residential properties on arterials or major collectors designated on the Gwinnett County Long Range Road Classification Map.
 - b. Joint driveways and cross-access easements shall be established for non-residential tracts wherever feasible along streets classified as arterials or major collectors on the Gwinnett County Long Range Classification map.

- c.** Roads are to be designed with a design speed of 25 mph and a two-way travel aisle with a minimum of 20 feet to accommodate automobiles, service vehicles, and loading vehicles.
- d.** Driveway aprons, stub-outs, and other design features or traffic calming features may be required by the Director or Engineering Department to indicate cross access or service drive for traffic safety or per City standards.

J. Parking

1. Vehicle Parking

The minimum number of required off-street parking spaces shall be provided in Article 5, Parking or in accordance with the following standards, whichever is lower:

- a.** Five parking spaces are required for every 1,000 square feet of the gross floor area of non-residential use.
- b.** 1.5 parking spaces are required for each residential dwelling unit.
- c.** The number of required off-street parking spaces may be reduced by an equal number of on-street parking spaces, or by a shared parking agreement.
- d.** All off-street parking must be located to the side or rear of the principal buildings within the CMU District and screened from residential districts. Off-site parking shall be prohibited in a front yard area.

2. Bicycle Racks

All uses that are required to provide off-street parking spaces for motorized vehicles also shall provide bicycle racks consistent with each of the standards below:

- a.** Uses that require more than 50 off-street parking spaces for motorized vehicles shall provide at least one bicycle rack space for every 25 parking spaces required for motorized vehicles.
- b.** No single building shall be required to provide more than 20 bicycle rack spaces.

- c. Bicycle racks shall be located outside of the street right-of-way; in a well-lit area; and no more than 75 feet from the intended use area or building.

3. Transit-Oriented Development Parking

The Director of Planning and Development may grant an administrative variance to reduce the number of parking spaces by no more than 20 percent of the required parking spaces for uses that are located along pedestrian walkways and within 1,320 feet of a fixed public transportation stop.

K. Landscape, Buffers, and Tree Protection

1. Purpose

The purpose of landscape requirements in Multifamily Developments is to provide for flexibility of design based upon the pedestrian and vehicular connectivity, the type of common space areas, architectural design, and density, while the objective is to maintain the health and well-being of the trees.

Trees within the Multifamily Development must meet street tree, parking lot tree and 16 tree density units per acre requirements. Street trees may count towards meeting the tree density units, subject to the review and approval of the Director of the Planning and Development Development.

2. Street Trees

- a. Buffers and tree protection shall be in conformity with *Development Regulations Buffer and Landscape Plan* requirements.
- b. Trees on major entry drives throughout the development shall be small or medium trees.
- c. Trees on local streets throughout the development may be small or medium trees.
- d. If tree wells are provided within sidewalks, a tree grate, or pavers shall be provided for each tree. Engineered soils and irrigation for each tree is required. An owner or developer shall submit to the Department the engineered soil specifications prior to issuance of development permit. Details of the tree grates are required to be on the plan.

3. Parking Lot Trees

- a.** Parking rows shall terminate with a planting island unless adjacent to a landscape strip.
- b.** The use of elongated planting strips that is perpendicular to the parking stalls.
- c.** Irrigation and a long-term maintenance plan for newly planted trees and shrubs; and,
- d.** The use of at-grade planting areas (bio-swales) in parking lots to promote stormwater runoff treatment.

4. Screening Off-Street Parking Lots

- a.** Off-street parking lots may be screened from adjacent roadways and sidewalks.
- b.** If landscape strips are provided within the right-of-way, they shall be a minimum of 5 feet in width, measured from back of curb and sidewalk.
- c.** Individual lot trees are not required on detached residential lots.

L. Streetscape Design

The location and specifications of other improvements in public rights-of-way, including streetlights, bike racks, trash receptacles, benches, street trees, and landscaping, shall be as provided in accordance with the following design criteria:

1. Lighting

A unified lighting plan must be submitted with the concept plan for approval by the Director in according to *Development Regulations Performance Standards - Lighting* and other sections as applicable.

2. Pedestrian Amenities

- a.** Public gathering areas shall be designed with appropriately scaled and thematic site furnishings or amenities such as decorative seating, planters or water fountains. Site furnishings and amenities shall be located outside of the street right-of-way and be privately maintained.
- b.** Materials should be durable and variable in texture, color and form. Plastic or petroleum-based resin materials are prohibited.

3. Landscaping shall be separated from vehicular uses by some form of barrier such as high back concrete curb, bollards, curb stops, or other suitable permanent alternative.

M. Utilities

All existing and proposed utilities located along streets in the CMU Development, 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 streets.

N. Signs

Signs shall be permitted in accordance with the *Zoning Ordinance, Article 7 Signs*.

O. Odor Scrubbing

When residential uses are located with other non-residential uses within the same building, odor-scrubbing equipment shall be required of the non-residential tenant to eliminate obnoxious odor as deemed appropriate for each use.

P. Doors and Entrances

1. Buildings must have a primary entrance door facing a public sidewalk. Entrances at building corners may be used to satisfy this requirement.
2. Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.

Q. Outdoor Operations

All uses and operations except off-street parking, off-street loading and delivery, and walk-up customer service windows shall be conducted completely within enclosed buildings, except as follows:

3. Outdoor seating for restaurants shall be subject to the supplemental use regulations of *Zoning Ordinance, Article 2 Supplemental and Accessory Use Standards, Section 200.3.50, Outdoor Seating* and be located outside of the street right-of-way.
4. Outdoor display or sales of merchandise shall be subject to the supplemental use regulations of *Zoning Ordinance Article 2 Supplemental*

and Accessory Use Standards, Section 200.3.49 Outdoor sales, or display and be located outside of the street right-of-way.

R. Application Process

The Community Mixed-Use rezoning process shall follow the process for rezoning as prescribed in *Zoning Ordinance, Article 9 Administration and Enforcement, Section 907, Rezoning Application Public Hearing Procedures* with the following modifications:

5. All such rezoning applications shall be accompanied by a Zoning Exhibit for review and approval by the Director of Planning and Development. The Zoning Exhibit shall provide all information necessary to demonstrate that it achieves the criteria 1 through 6 (see below) as applicable.
6. If the rezoning application is approved by the City Council, then such rezoning shall be conditioned on the applicant's substantial conformity with the Zoning Exhibit, including any modifications or conditions approved by the City Council pursuant to its deliberations on the application.
7. Zoning Exhibit approval shall not constitute entitlement to permits.
8. Each applicant for the mixed-use district shall provide evidence of the unified control of the entire parcel. During the development process, more than one owner may participate in the development of the approved plan so long as each parcel of land remains subject to all of the terms and conditions of the Zoning Exhibit approved for the property as a whole.

S. Phasing Plan

A phasing plan shall be submitted and approved by the Director. Such phasing plan shall describe and illustrate in a written and graphic format the incremental implementation of the Mixed-Use development over a few years, including the sequence, timing, and responsibility for construction of each building, support facilities, infrastructure, and utilities. The revision of the phasing plan is permitted and must be approved by the Director of Planning and Development prior to each construction phase.

T. Other Requirements

The applicant shall adhere to all other applicable requirements of this Ordinance and other applicable requirements of the City of Lawrenceville.

In any case where the standards and requirements of this district conflicts with other provisions of the City of Lawrenceville Code of Ordinances, the requirements of this district shall govern.

U. Zoning Exhibit

As part of the application for rezoning, zoning exhibits shall be required and include 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 rights-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. Architectural color elevations of front, sides, and rear of all typical units, including proposed building materials, building heights and any other structures shall be required to demonstrate conformity with applicable standards of the district and with the *Zoning Ordinance, Article 6 Architectural and Design Standards*.
5. Engineering data necessary to demonstrate conformity with applicable standards of the district and with the *City of Lawrenceville Development Regulations and Subdivision Regulations*.
6. Conceptual Signage Plan.

102.10 Minimum Common Area Standards

- A. A minimum of twenty (20) percent of the total project acreage shall be designated as Common area.
- 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.** Recreations 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.** Recreational 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.

102.11 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 designed 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 Single-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 Single-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>
<i>*Curb & Gutter – Vertical Curbing Only, Minimum Strength (3000 PSI at 28 days)</i>				

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 conditioner, furnace, heat pumps, shall be located in a rear yard area only and not visible from a Public (Right-of-Way).

102.12 Mandatory Homeowners Association

- A. 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 (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 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 renew every 20 years unless 51% of the persons 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.

102.13 Multifamily Professional Property Management

All RM-12 (Multifamily Residential District) and RM-24 (Multifamily Residential District) development shall require mandatory Multifamily Professional Property Management and 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.

Mandatory compliance with the minimum standards is subject to the review and approval of the Director of the Planning and Development Department.

102.14 Multifamily Crime-Free Requirements

All RM-12 (*Multifamily Residential District*) and RM-24 (*Multifamily Residential District*) development shall require mandatory compliance with the City of Lawrenceville *Multifamily Crime Free Requirements*. All protective measures shall be installed before the issuance of a Certificate of Occupancy (CO). Mandatory compliance with the minimum standards is subject to the review and approval of the Director of the Planning and Development Department throughout the life of the development.

A. Doors

1. All exterior doors shall be constructed of steel, aluminum alloy, or solid core hardwood, with a minimum of 16-gauge steel on the side and rear doors. Glass doors shall have shatter-resistant glass or Plexiglas installed.
2. Deadbolt Locks - tapered cylinder with a one-inch throw. Rotating cylinder guard preferred.
3. Double doors shall be secured with heavy-duty multi-point, three-inch long flush bolts; the frame of the door must be as strong as the door itself.
4. Double-throw cylinder locks shall be required where glass is located within 40 inches of the locking mechanism.
5. Eye Viewers - the 180-degree viewing angle, minimum.
6. Exterior swinging doors should have a one-inch deadbolt with a hardened steel insert and a free-turning steel cylinder guard.
7. Sliding Glass Doors – anti-slide devices, such as a Charlie Bar, or a Tension Bar with a pin. Lift protection employed in the door track.
8. Security Strike Plates – shall require three-inch screws in the strike place and one, three-inch screw in each door hinge.

B. Landscape Maintenance

1. To allow visibility throughout the development low tree branches shall be trimmed or removed and maintained to a height off the

ground a minimum of six feet or no more than 10% of the overall height of the tree.

2. Topping of trees shall be prohibited.
3. Shrubs adjacent to a structure shall be maintained to a maximum height of three feet.
4. Shrubs adjacent to the window shall not exceed a height greater than the height of the bottom of the window seal as measured from the ground up.
5. All landscaping is subject to the rules and regulations of the Development Regulations, Chapter 12, Section 1200.19 Performance Standards – Lighting.

C. Lighting

1. A unified lighting plan must be submitted with the concept plan for approval by the Director according to Development Regulations Performance Standards - Lighting and other sections as applicable
2. Adequate Lighting - visibility of a person for identification purposes at 100 feet.

D. Windows

1. Install glass break sensors in an alarm system in rooms with windows.
2. To provide optimum window security install bars, grilles, grates, or heavy-duty wire screening.
3. Secure all windows. First-floor windows should have shatter-resistant glass installed.
4. Sliding glass windows and sash windows should have locking pins, bolts, locks, or swing latches to prevent opening from the building's exterior.
5. Skylights, ventilation openings, air conditioning/heating ducts, and crawl spaces are all potential entry points for burglars. Permanently secure these openings by installing metal grilles or grates. If these openings cannot be secured, make sure they are protected by the alarm system.

6. Window Locks or Pins are required for ground-floor windows or windows accessible from the balcony.
7. Laminated or extruded cases.
8. A hardened steel shackle - minimum 9/32" in diameter.
9. A double locking bolt providing "heel and toe" locking.
10. At least 5-pin tumblers in the cylinder.
11. Key-retaining feature that prevents removal of the key until the padlock is locked.

102.15 Non-Residential and Multifamily Landscape, Buffers, and Tree Protection

A. Purpose

The purpose of landscape requirements in Multifamily Developments is to provide flexibility of design based on pedestrian and vehicular connectivity, the type of common areas, architectural design, and density, while the objective is to maintain the health and well-being of the trees.

Trees within the Multifamily Development must meet a street tree, parking lot tree, and 16 tree density units per acre requirements. Street trees may count towards meeting the tree density units, subject to the review and approval of the Director of Planning and Development.

B. 50-foot Landscape Setback

Provide a 50-foot-wide landscaped setback along all classified Freeways, Expressways, Arterial (Principal, Major, Minor), and Collector (Major, Minor, and Local Street frontages. The landscaped setback shall incorporate a six-foot berm, and natural vegetation, and include a decorative fence/wall and entrance monument. The fence shall be constructed with wrought iron-style fencing consisting of brick or stone columns (maximum 30 feet on-center) that are consistent with the exterior architectural treatments of the building. The fence may be placed along the inside edge of the required fifty (50) foot Landscape Setback.

C. Street Trees

1. Buffers and tree protection shall conform with Development Regulations Buffer and Landscape Plan requirements.

2. Trees on major entry drives throughout the development shall be small or medium trees.
3. Trees throughout the development may be small or medium trees.
4. If tree wells are provided within sidewalks, a tree grate or pavers shall be provided for each tree. Engineered soils and irrigation for each tree are required. An owner or developer shall submit to the Department the engineered soil specifications before issuance of a development permit. Details of the tree grates are required to be on the plan.

D. Parking Lot Trees

1. Parking rows shall terminate with a planting island unless adjacent to a landscape strip.
2. The use of elongated planting strips perpendicular to the parking stalls.
3. The use of at-grade planting areas (bio-swales) in parking lots to promote stormwater runoff treatment.

E. Screening Off-Street Parking Lots

1. Off-street parking lots may be screened from adjacent roadways and sidewalks.
2. If landscape strips are provided within the right-of-way, they shall be a minimum of 5 feet in width, measured from the back-of-curb and sidewalk.
3. Individual lot trees are not required on detached residential lots.

F. Separation

Landscaping shall be separated from vehicular uses by some form of barrier such as high back concrete curb, bollards, curb stops, or other suitable permanent alternatives.

G. Streetscape Design

The location and specifications of other improvements throughout the development, including streetlights, bike racks, trash receptacles, benches, street trees, and landscaping, shall be as provided under the following design criteria:

- 1. Public gathering areas shall be designed with appropriately scaled and thematic site furnishings or amenities such as decorative seating, planters, or water fountains. Site furnishings and amenities shall be located outside of the street right-of-way and be privately maintained.
- 2. Materials should be durable and variable in texture, color, and form. Plastic or petroleum-based resin materials are prohibited.

DRAFT

102.16 OI Office Institutional District

A. Purpose

The purpose of the Office Institutional District is to provide for a wide range of office and institutional establishments not involving the sale, storage, or processing of merchandise.

B. Lot Development Standards

<i>Use</i>	<i>Lot Area</i>	<i>Lot Width</i>	<i>Front Setback</i>	<i>Min. Side Setback</i>	<i>Min. Rear Setback</i>	<i>Impervious Surface Coverage</i>	<i>Max. Height</i>
<i>Principal</i>	<i>20,000 sq. ft. min.</i>	<i>100 ft.</i>	<i>50 ft.</i>	<i>10 ft.</i>	<i>15 ft.</i>	<i>70 %</i>	<i>35 ft.</i>

C. Miscellaneous Provisions

The OI District shall be located only on major arterial streets, state highways, or access roads paralleling expressways.

102.17 BG General Business District

A. Purpose

This district is intended to provide for a wide range of retail and service establishments.

B. Lot Development Standards

<i>Use</i>	<i>Lot Area Min.</i>	<i>Lot Width Min.</i>	<i>Front Setback</i>	<i>Min. Side Setback</i>	<i>Min. Rear Setback</i>	<i>Impervious Surface Coverage</i>	<i>Max. Height</i>
<i>Principal</i>	<i>None</i>	<i>None</i>	<i>50 ft.</i>	<i>10 ft.</i>	<i>10 ft.</i>	<i>95%</i>	<i>35 ft.</i>

102.18 BGC Central General Business District

A. Purpose

The BGC Central General Business District is intended to preserve the integrity of the historic characteristics of the Downtown area.

B. Lot Development Standards

<i>Use</i>	<i>Lot Area Min.</i>	<i>Lot Width Min.</i>	<i>Front Setback</i>	<i>Min. Side Setback</i>	<i>Min. Rear Setback</i>	<i>Impervious Surface Coverage</i>	<i>Max. Height</i>
<i>Principal</i>	<i>No min.</i>	<i>No min.</i>	<i>No min.</i>	<i>No min.</i>	<i>No min.</i>	<i>100%</i>	<i>40 ft.</i>

C. Miscellaneous Provisions as they apply to New Development

Off-street loading shall be provided for all new buildings. If off-street parking is provided on-site, then it should be located to the rear or side of the structure and minimize curb cuts along primary streets.

102.19 HSB Highway Service Business District

A. Purpose

This district is intended to provide for the effective use of land near major highways and highway interchanges.

B. Lot Development Standards

<i>Use</i>	<i>Lot Area Min.</i>	<i>Lot Width Min.</i>	<i>Front Setback</i>	<i>Min. Side Setback</i>	<i>Min. Rear Setback</i>	<i>Impervious Surface Coverage</i>	<i>Max. Height</i>
<i>Principal</i>	<i>10,000 sq. ft.</i>	<i>70 ft.</i>	<i>50 ft.</i>	<i>10 ft.</i>	<i>10 ft.</i>	<i>75%</i>	<i>45 ft.</i>

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

102.20 LM Light Manufacturing District

A. Purpose

This district is intended to provide for a wide range of light industrial uses, all of which shall be able to meet comparatively rigid specifications as to nuisance-free performance.

B. Lot Development Standards

Use	Lot Area Min.	Lot Width Min.	Front Setback	Min. Side Setback	Min. Rear Setback	Impervious Surface Coverage	Max. Height
Principal	1-acre	50 ft.	50 ft.	10 ft.	40 ft.	85%	50 ft.

C. Miscellaneous Provisions

Standards in Article 6 Architectural and Design Standards, for light manufacturing, shall apply.

102.21HM Heavy Manufacturing District

A. Purpose

The HM Heavy Manufacturing District is intended to provide for the widest range of industrial operations permitted in the city.

B. Lot Development Standards

Use	Lot Area Min.	Lot Width Min.	Front Setback	Min. Side Setback	Min. Rear Setback	Impervious Surface Coverage	Max. Height
Principal	1-acre	100 ft.	50 ft.	10 ft.	40 ft.	85%	70 ft.

C. Miscellaneous Provisions

Standards in Article 6 Architectural and Design Standards, for heavy manufacturing, shall apply.

Uses

103.1 Classification of Allowed Uses

A. Allowed uses in each zoning district are identified in Section 103.1, Use Table. The table identifies each use as described below:

1. Permitted Use (P)

Identifies that a use is permitted as of right in the specified district but may be subject to certain requirements of the Zoning Code.

2. Special Use (S)

Indicates that use is not allowed in a zoning district as a matter of right but is permitted upon findings of the City Council, after a recommendation of the Planning Commission, that under circumstances present such use is in harmony with the principal permitted uses of the district. Allowable conditions are specifically listed under the district regulations. The procedure for a special use permit shall follow that which is required for a rezoning, including the fees.

3. Supplemental or Accessory Regulations (√) - see Article 2, Supplemental and Accessory Use Standards

Any use not identified as permitted, special, or accessory and not determined to be part of a similar use determination by the Director of Planning and Development is prohibited from the applicable zoning district.

103.2 Use Table

The uses set forth in the table below shall be permitted only as listed within each zoning district and only in the manner for which is listed. Any use not listed in the said table shall be prohibited, except contained herein. Additionally, for any use not listed in said table, the Director of Planning and Development shall have the authority to determine the most appropriate zoning district(s) and/or Special Use Permit requirements for such use, after receiving documentation from the property owner adequately outlining and describing the specific details of the proposed use.

P- Permitted

S - Requires a Special Use Permit

Blank - Any use not listed with the letter P or S in a particular zoning district shall be prohibited in that zoning district, unless it is a non-conforming use lawfully

established prior to the effective date of this Zoning Ordinance or amendment that rendered it legally non-conforming (see Article 3, Nonconformities).

SAR - Supplemental or Accessory Regulations (✓) - see Article 2, Supplemental and Accessory Use Standards

Uses	SAR	AR	RS-180	RS-150	RS-60	RS-TH	RM-12	RM-24	MH	CMU	OI	BG	BGC	HSB	LM	HM
Accessory Building and Structure	✓	P	P	P	P											
Acupuncture (Therapy)										S	P	P		P		
Adult Entertainment	✓															
Agriculture (Farming)	✓	P														
Aircraft Manufacturing																
Aircraft Maintenance or Service															P	
Aircraft Landing Field, Heliport, Helipad												S		S	S	
Ambulance Services												S		S	P	
Animal Hospital or Veterinarian Clinic	✓	S								S	S	P		P	P	
Antique Shop										P		P	P	P	S	
Art and School Supply Store										P		P	P	P	S	
Art Gallery										P		P	P	P		
Asphalt Plant																
Automatic Teller Machine, Attached										P	P	P	P	P	P	
Automatic Teller Machine-Freestanding	✓									P		P	P	P		
Automobile – Agents and Brokers	✓											S		S	S	
Automobile – Dead Storage (Indoor Climate-Controlled)	✓														P	

Commented [TH1]: Proposed amendment

Deletion - Acupuncture, Holistic Medicine
Addition - Acupuncture (Therapy) see Art 10 Definitions

Commented [TH2]: Proposed Amendment

At the recommendation of the City Attorney, staff proposes the following:

Revised Adult Entertainment allowing as use-by-right in HM zoning classifications, subject to Art Supplemental and Accessory Use Standards, Sec . 200.3.5 Adult Entertainment

City Council opposed to proposed amendment. Please discuss the details of Law relating to this use.

Commented [TH3]: Proposed amendment

Deletion - Agricultural (crop and animal production)
Addition - Agriculture (Farming) see Art 10 Definitions

Commented [TH4]: Proposed Amendment

Deletion - Aircraft Factory
Addition - Aircraft Manufacturing see Art 10 Definitions

Commented [TH5]: Proposed Amendment

Deletion - Aircraft Hangar and Maintenance
Addition - Aircraft Maintenance or Service see Art 10 Definitions

Commented [TH6]: Deletion - Animal Hospital or Veterinary Clinic

Addition - Animal Hospital or Veterinarian Clinic, see Art 2 Supp and Acc Regs Sec. 200.3.7 and Art 10 Definitions

Commented [TH7]: Deletion - Automobile Sales or Auction and Related Service (outdoor) and (indoor) including Autobroker

Addition - Automobile - Agents and Brokers, see Art 2 Supp and Acc Regs Sec 200.3.9 and Art 10 Definitions

Commented [TH8]: Deletion - Automobile, Truck or Vehicle Storage Lot (excl. junk/wrecked vehicles)
Addition - Automobile - Dead Storage (Indoor Climate Controlled), see Art 2 Supp and Acc Regs, Sec. 200.3.10 and Art 10 Definitions

Uses	SAR	AR	RS-180	RS-150	RS-60	RS-TH	RM-12	RM-24	MH	CMU	OI	BG	BGC	HSB	LM	HM
Automobile – Dead Storage (Outdoor)	√														S	
Automobile – Auction and Other Motor Vehicle Merchant Wholesalers															S	
Automobile – Motor Vehicle Manufacturing															S	
Automobile – Motor Vehicle Body Manufacturing															S	
Automobile – New Car Dealers and Related Services	√											S		S	S	
Automobile – Private Sales		P	P	P												
Automobile – Rental												S		S	S	
Automobile – Used Car Dealers	√											S		S	S	
Automotive – Body Shop	√											S		S	S	
Automotive – Car Washes	√											S		S	P	
Automotive – Glass Replacement Shops	√											S		S	P	
Automotive – Motor Vehicle Supplies and New Part Merchant Wholesalers	√														S	
Automotive – Oil Change and Lubrication Shops	√											S		S	S	
Automotive – Parts and Accessories Retailers	√											S		S	S	
Automotive – Tire Dealers (Principal Use)												S		S	S	
Automotive Repair (General) – Automotive Engine Repair and Replacement Shops												S		S	S	
Automotive Repair (General) – Automotive Repair Garages [Except												S		S	S	

Commented [TH9]: Deletion - Automobile, Truck or Vehicle Storage Lot (excl. junk/wrecked vehicles)
Addition - Automobile - Dead Storage (Outdoor), see Art 2 Supp and Acc Regs, Sec. 200.3.11 and Art 10 Definitions

Commented [TH10]: Deletion - Automobile Sales or Auction and Related Service (outdoor sales(including Autobroker
Addition - Automobile - Auction and Other Motor Vehicle Merchant Wholesalers, See Art 10 Definitions

Commented [TH11]: Deletion - Automobile Manufacturing Plant
Addition - Automobile - Motor Vehicle Manufacturing, See Art 10 Definitions,
Addition - LM Special Use Permit

Commented [TH12]: Deletion - Automobile Manufacturing Plant
Addition - Automobile - Motor Vehicle Body Manufacturing, See Art 10 Definitions,
Addition - LM Special Use Permit, HM use by-right

Commented [TH13]: Deletion - Automobile Sales or Auction and Related Service (outdoor) and (indoor) including Autobroker

Addition - Automobile - New Car Dealers and Related Service, see Art 2 Sec 200.3.18 and Art 10 Definitions

Commented [TH14]: Deletion - Automobile Sales or Auction and Related Service (outdoor) and (indoor) including Autobroker
Addition - Automobile - Rental, see Art 10 Definitions

Commented [TH15]: Addition - Automobile - Private Sales - need an opinion relating to O.C.G.A.40-2-39.1. Staff interpretation would allow Private Sales as a use-by-right on real property regardless of zoning classification.

Commented [TH16]: Deletion - Automobile Sales or Auction and Related Service (outdoor) and (indoor) including Autobroker
Addition - Automobile - Rental, see Art 10 Definitions

Commented [TH17]: Deletion - Automobile Sales or Auction and Related Service (outdoor) and (indoor) including Autobroker
Addition - Automobile - Used Car Dealers, see Art 2 Sec 200.3.20 and Art 10 Definitions

Commented [TH18]: Deletion - Automobile Repair and Maintenance

Commented [TH19]: Deletion - Automobile Parts Store (without installation)

Commented [TH20]: Deletion - Automobile Parts Store (without installation)

Commented [TH21]: Deletion - Automobile Repair and Maintenance

Uses	SAR	AR	RS-180	RS-150	RS-60	RS-TH	RM-12	RM-24	MH	CMU	OI	BG	BGC	HSB	LM	HM
Gasoline Service Stations]																
Automotive Repair (General) – General Automotive Repair Shops												S		S	S	P
Automotive Repair (Specialized) - Brake Repair Shops												S		S	S	
Automotive Repair (Specialized) - Electrical Repair Shops												S		S	S	
Automotive Repair (Specialized) - Exhaust System Replacement and Repair Shops												S		S	S	P
Automotive Repair (Specialized) - Suspension Repair Shops												S		S	S	P
Automotive Repair (Specialized) - Transmission Repair Shops												S		S	S	P
Automotive Repair (Specialized) – Tune-Up Repair Shops												S		S	S	P
Automotive Repair and Maintenance (All Other) - Air Conditioning Repair Shops												S		S	S	
Automotive – Repair and Maintenance (All Other) - Tire Repair (Except Retreading) Shops												S		S	S	P
Automotive – Repair and Maintenance (All Other) - Rustproofing and Undercoating Shops												S		S	S	P
Bail Bonding and Bondsperson Services	√											S		S		
Bakery – Baked Good Stores										P		P	P	P		
Bakery - Commercial	√														P	
Bakery – Retail Bakeries	√														P	
Bakery – Snack and Nonalcoholic Bars										P		P	P	P		

Commented [TH22]: Deletion - Automobile Repair and Maintenance
Addition - Automotive Repair (Specialized) - Brake Repair Shops and Replacement Shops through Tune-Up Repair Shops , See Art 2. Sec 200.3.16 and Art 10 Definitions

Commented [TH23]: Deletion - Automobile Repair and Maintenance
Addition - Automotive Repair (All Other) - Air Conditioning Repair Shops through Rustproofing and Undercoating Shops, See Art 2. Sec 200.3.17 and Art 10 Definitions

Commented [TH24]: Deletion - Bail Bonding
Addition _ Bail Bonding and Bondsperson Services, See Art 2 Sec 22.3.21 and Art 10 Definitions

Commented [TH25]: Deletion - Bakery (Retail)
Addition - Bakery - Baked Good Stores, see Art 10 Definitions

Commented [TH26]: Deletion - Bakery (Industrial)
Additions - Bakery - Commercial and Retail Bakeries, See Art 2 Sec 200.3.22 and Art 10 Definitions

Commented [TH27]: Addition - Bakery - Snack and Nonalcoholic Bars, See Art 10 Definitions

Uses	SAR	AR	RS-180	RS-150	RS-60	RS-TH	RM-12	RM-24	MH	CMU	OI	BG	BGC	HSB	LM	HM
Bank or Financial Services Institution										P	P	P	P	P	P	
Bed and Breakfast Inn	√	S	S	S									S			
Beverage Bottling Plant															P	P
Bicycle Shop										P		P	P	P	P	P
Billboard	√													S	S	
Billiard Rooms	√											S	S	P		
Boat and Marine Equipment Sales and Service												S		S	S	
Body Art	√													P		
Book, Music, and Media Store										P		P	P	P	S	
Bowling Alley (accessory use)										P		P	P	P	S	
Bowling Alley (principal use)										S		P	S	P	S	
Brewery, Craft										S		S	S	P	P	
Brewery, Distillery or Winery															S	
Building Materials Sales (indoors)												P		P	P	P
Building Materials Sales (outdoors)												S		S	P	P
Bulk Storage Tank															P	P
Cabinet Shop												S			P	P
Call Center											S	P		P	P	P
Carpet and Upholstery Cleaning Service												P		P	P	P
Catering Service												P	P	P	P	P
Cement, Concrete or Masonry Plant																S
Cemetery or Mausoleum	√	S														
Cemetery, Family	√	P	P	P												
Check Cashing, Wire Transfer, Payday Loan Facility	√											S		S		

Commented [TH28]: Proposed Amendment

Addition - Billboard, see Art 2 Supp and Acc Regs, Sec. 200.3.24, Art 7 Signs Sec 702.1 Billboard and Art 10 Definitions

Commented [TH29]: Proposed Amendment

Deletion - Pool and Billiards Halls
Addition - Billiard Rooms see Art 2 Supp and Acc Regs Sec. 200.3.25 and 10 Definitions

Commented [TH30]: Proposed Amendment

At the recommendation of the City Attorney, staff proposes the following:

Addition- Body Art allowing as use-by-right in HSB and HM zoning classifications, subject to Art Supplemental and Accessory Use Standards, Sec . 200.3.26 Body Art

City Council opposed to proposed amendment. Please discuss the details of Law relating to this use with the City Council.

Uses	SAR	AR	RS-180	RS-150	RS-60	RS-TH	RM-12	RM-24	MH	CMU	OI	BG	BGC	HSB	LM	HM
Chemical Plant (non-pharmaceutical)															S	S
Child Caring Institutions (CCI)	√	S	S	S												
Clothing, Apparel and Shoe Stores										P		P	P	P	S	
Clothing, Apparel or Shoe Manufacturing															P	P
Club, Lodge or Fraternal Organization										S	S	P	P	P	S	
Cold Storage Plant															P	P
Community Center or Cultural Facility	√	P	P	P						P	P	P	P	P	S	S
Community Garden	√	P	P	P	P	P	P	P	P	P					P	P
Community Living Arrangement (CLA)	√	S	S	S												
Composting Facility (municipal solid waste)																S
Composting Facility (yard trimmings)	√														S	P
Consignment Shop, Clothing										P		P	P	P	S	
Consignment Shop, General										P		P		P	S	
Contractors Office, Building Construction	√											PS		PS	P	P
Contractors Office, Heavy/Civil	√														S	P
Contractors Office, Landscape	√											S		S	P	P
Convenience Store (with fuel pumps)												P		P		
Convenience Store (without fuel pumps)												P	S	P		
Convention Facility												P			P	P
Copy Shop and Parcel Shipping Store										P		P	P	P	P	

Uses	SAR	AR	RS-180	RS-150	RS-60	RS-TH	RM-12	RM-24	MH	CMU	OI	BG	BGC	HSB	LM	HM
Corporate Training and Education Centers										P	S	P	P	P	P	P
Crematory (principal use)															S	P
Customary Home Occupation	√	P	P	P	P	P	P	P	P							
Data Center											P	P		P	P	P
Day Care Facility	√	S	S	S						S	S	P	P	P	S	S
Day Care Facility (family)	√	S	S	S												
Department Store, Big Box Specialty Store or Supercenter	√											S		P		
Depot / Passenger Terminal (bus or rail)												S		S	P	P
Die Casting															P	P
Dispatch Facility												S		S	P	
Distribution Facility															P	
Dollar or Variety Store												S		S		
Driving Instruction/DUI School												P		P		
Drug Abuse Treatment Facility	√											S		S		
Dry Cleaning										P		P	P	P	P	
Dump, Junk Yard or Salvage Yard															S	
Dwelling, Mobile or Manufactured Home		S							P							
Dwelling, Multifamily							P			P						
Dwelling - One-Family		P	P	P	P					P						
Dwelling - Townhouse						P		P		P						
Dwelling - Two-Family	√									P						

Commented [TH31]: Addition - Dispatch Facility See art 10 Definitions

Commented [TH32]: Deletion - Salvage Operation or Junk Yard
Addition - Dump, Junk Yard or Salvage Yard, see Art 2 Sec 200.3.42, see Art 2 Sec 200.3 and Art 10 Definition Dump and Junk or Salvage Yard

Commented [TH33]: Deletion - Dwelling, Single-Family Detached through Townhouse
Addition - Dwelling - One-Family, Dwelling - Townhouse, and Dwelling - Two-Family, See ZO Art 1 (entire Article), and Art 10 Definitions

Uses	SAR	AR	RS-180	RS-150	RS-60	RS-TH	RM-12	RM-24	MH	CMU	OI	BG	BGC	HSB	LM	HM
Electronics, Cell Phone and Computer (Retail)										P		P	P	P	P	
Emissions Inspection Station (Principal Use)	√											S		S	S	S
Emissions Inspection Station (Accessory Use)	√											P		P	P	
Equestrian Facility, Riding Stables or Academy	√	P														
Explosives Plant/Storage															S	S
Family	√		S	S												
Farmer's Market (including off-site products)		S										S	S			
Farmer's Market (on-site products only)		P										S	S			
Fat and Bone Rendering Plant																S
Feed Processing Facility															S	P
Fertilizer Plant																S
Financial Institution										P	P	P	P	P	P	
Financial Institution, Small	√											S		S		
Fireworks Sales (accessory use)	√											P		P		
Fireworks Sales (principal use)	√											S		S		
Florist or Flower Shop										P	S	P	P	P	P	P
Food Processing/Packaging /Canning Plant															S	P
Food Store, Specialty (butcher, greengrocer, bakery)										P		P	P	P	P	
Funeral Home (including accessory crematory)												S		P	P	P

Commented [TH34]: Deletion - Emissions Inspection Station
Additions - Emissions Inspection Station (Principal Use) and Emissions Inspection Station (Accessory Use), See Art 2 Sec. 200.3.45 and 200.3.46, respectively and Art 10 Definitions

Commented [TH35]: Addition - Family, See Art 2 Sec 200.3.48 and Art 10 Definitions

Commented [TH36]: Deletion - Bank or Financial Services Institution
Addition - Financial Institution, see Art 10 Definitions

Commented [TH37]: Addition by reference - Financial Institution, Small

Uses	SAR	AR	RS-180	RS-150	RS-60	RS-TH	RM-12	RM-24	MH	CMU	OI	BG	BGC	HSB	LM	HM
Furniture or Home Furnishings Store										P		P	P	P	P	S
Garden Supply Center												S		P	P	P
Gift Shop or Greeting Card Shop										P		P	P	P		
Golf Course		S	S	S												
Golf Driving Range		S										S		S	S	S
Greenhouse or Plant Nursery (wholesale)		P													P	P
Grocery Store										P		P	P	P	S	
Hair Salon, Beauty Parlor, or Barber Shop	√									P	S	P	P	P		
Handwriting Analysis and Fortune Tellers	√													P		
Hardware Store										P		P	P	P	S	
Health Club, Spa, or Fitness Center										P		P	P	P	S	
Heavy or Farm Equipment Sales and Service															S	P
Home Improvement Center												S		P	S	
Home Occupation	√	P	P	P	P	P				P						
Hookah/Vapor Bar or Lounge	√											S	S	S		
Hospice Home											S	S		P		
Hospital												P		P	P	P
Hotel or Motel	√											S	S	P		
Human Services Ministry												P		P	P	P
Indoor Special Events Facility	√												P			
Insurance Agencies and Brokerages	√									P	P	P	P	P		
Interior Decorating Shop										P		P	P	P	P	
Janitorial and Maid Services												P		P	P	P
Jewelry Retailers										P		P	P	P		

Commented [TH38]: Deletion - Fortune Telling
Addition - Handwriting Analysis and Fortune Tellers, see Sec 200.3.52 and Art 10 Definitions

See Code of COL Part I, Chap 12, Art II Div 12

Commented [TH39]: Addition - Home Occupation,
See Art 2 Sec 200.3.54, Art 10 Definitions

Commented [TH40]: Deletion - Special Events Facility
Addition - Indoor Special Events Facility, See Art 2 200.3.57 and Art 10 Definitions

Commented [TH41]: Addition - Insurance Agencies and Brokerages, See Art 2 200.3.58 and Art 10 Definitions

Commented [TH42]: Deletion - Jewelry Store
Addition - Jewelry Retailers, see Art 10 Definitions

DISTRICT
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ARTICLE 1

Uses	SAR	AR	RS-180	RS-150	RS-60	RS-TH	RM-12	RM-24	MH	CMU	OI	BG	BGC	HSB	LM	HM
Joint Living Residence	√					S					S					
Kennel or Pet Boarding, Indoor	√	P										P		P	P	P
Kennel or Pet Boarding, with Outdoor Facilities	√	S										S		S	S	S
Laboratory (medical or dental)											S	S			P	P
Landfill	√	S														S
Laundry / Dry Cleaning Plant															P	P
Lawn Treatment Service														P	P	P
Limousine Service	√											S		S	S	
Liquid Waste Treatment/Recycling															S	S
Livestock Sales Pavilion or Auction Facility	√	S														
Livestock, keeping of (for personal utility)	√	P	S	S												
Live/Work	√									P			P			
Locksmith												P		P	P	P
Machine Shop												S			P	P
Maintenance Shop (fleet vehicles)															P	
Manufactured Building or Mobile Home Sales	√													S	S	
Manufacturing, General												S	S	S	P	
Massage Therapy or Massage	√											H		S		
Medical Office or Clinic											P	P	P	P	P	
Metal Smelting / Forging Works																
Miniwarehouses and Self-Storage Units (Self-Service)	√											S		S	P	

Commented [TH43]: Addition - Limousine Service, see Art 10 Definitions

Commented [TH44]: This topic may require additional conversation and a legal opinion. Massage therapist must be certified by the State of Georgia and an SUP would be extremely frustration to a legitimate therapist (i.e. doctors, trainers, physical therapist). Additionally, P&D was recently challenged on the current regulations relating to distance and fees (see COO CHAP 12 Business)

Commented [TH45R44]: Art 2 Sec 200.3.66 provides exemptions for doctors, therapist etc. Code of Ordinance states the following:
No application for a massage therapy business license shall be granted unless the business is permitted in the zoning district where operation of the business is proposed.
Is a SUP necessary?

Commented [TH46]: Deletion - Self-Storage or Mini-Warehouse Facility
Addition - Miniwarehouses and Self-Storage Units (Self-Service), See Art 2 200.3.67 and Art 10 Definitions

Uses	SAR	AR	RS-180	RS-150	RS-60	RS-TH	RM-12	RM-24	MH	CMU	OI	BG	BGC	HSB	LM	HM
Miniwarehouses and Self-Storage Units – Indoor Climate Controlled (Self-Service)	✓											S		S	P	
Motorcycle and Personal Watercraft Sales and Related Service												S		S	P	P
Motorcycle and Personal Watercraft Service and Repair												S		S	P	P
Motorcycle Parts, Accessories and Apparel Store												P		P	P	P
Movie Studio															P	P
Movie Theater, Cineplex, or Multiplex										P		P	S	P		
Moving Company												S		P	P	P
Museum or Library										P		P	P	P	P	P
Musical Instrument Store										P		P	P	P	P	P
Nightclub, Dance Club, or Lounge										S		S	S	P		
Nursing Home											S	P		P	S	S
Showroom Facility (accessory)												P		P	P	P
Outdoor Display or Sales of Merchandise	✓											S		S		
Outdoor Storage (other than junk/salvage yards)	✓											S		S	P	
Paper / Pulp Mill																
Parking Garage or Lot Privately Owned (principal use)	✓									S		S	S	S	S	
Parking Garage or Lot Publicly Owned (principal use)										P		P	P	P	P	
Pawnbroker and Secondhand Dealers	✓											S		S		
Personal Care Home, Commercial											S	S	S	S		

Commented [TH47]: Deletion - Self-Storage or Mini-Warehouse Facility
Addition - Miniwarehouses and Self-Storage Units - Indoor Climate - Controlled (Self-Service), See Art 2 200.3.68 and Art 10 Definitions

Commented [TH48]: Addition - Outdoor Display and Sales of Merchandise, See Art 2 Sec 200.3.70 and Art 10 Definitions

Commented [TH49]: Proposed Amendment
Delete Outdoor Sales, or Display (Retail) and amend as follows: Outdoor Display or Sales of Merchandise (Retail)

Prohibit Outdoors Display or Sales of Merchandise (Retail) in the LM and HM zoning classifications (Manufacturing Districts)

Commented [TH50]: Deletion Parking Garage or Lot (Principal Use)
Addition - Parking Garage or Lot Privately and Publicly Owned (Principal Use), See Art 2 200.3.73 and Art 10 Definitions

Commented [TH51]: Deletion - Pawn Shop
Addition - Pawnbroker and Secondhand Dealers, See Art 2 Sec 200.3.74 and Art 10 Definitions

DISTRICT
62
ARTICLE 1

Uses	SAR	AR	RS-180	RS-150	RS-60	RS-TH	RM-12	RM-24	MH	CMU	OI	BG	BGC	HSB	LM	HM
Personal Care Home, Family	√	S	S	S												
Pest Control / Extermination Business												P		P	P	P
Pet Grooming										P		P	P	P	S	
Pet Shop or Pet Supply Store										P		P	P	P		
Petroleum Refinery / Processing Plant	√															S
Pharmaceutical Manufacturing															P	P
Pharmacy or Drug Store										P		P	P	P		
Photo Processing Plant															P	P
Place of Religious Worship	√	S	S	S						S	P	P	P	P	S	S
Plastics Extrusion															P	
Plumbing Equipment Dealer	√											P		P	P	P
Pool – Private Pool (Accessory Use)	√	P	P	P	P	P										
Pool – Public Pool (Accessory Use)	√						P	P	P	P						
Pool – Public Pool (Principal Use)	√										S	S		S	P	P
Poultry / Meat Processing Plant																S
Precious Metals Dealers (Wholesale)	√														P	
Printing, Bookbinding or Publishing Plant												S			P	
Quarrying, Mineral Extraction	√														S	
Radio and Television Station or Studio												P		P	P	
Railroad Repair or Storage Yard															S	
Recording / Rehearsal Studio												P	S	P	P	P

Commented [TH52]: Deletion - Place or Worship
Addition - Place of Religious Worship, See Art 2 Sec 200.3.78 and Art 10 Definitions

Commented [TH53]: Addition - Pool - Private, Public as a principal and accessory use. See Art 2 Sec 200.3.80 and 200.3.81 and Art 10 Definitions

Commented [PL54]: No public pools in townhouse developments?

Commented [TH55]: Addition - Precious Metal Dealers
See Art 2 Sec 200,3,82 see Art 10 Definitions
Use is regulated by COO Finance Clerk and Police. It appears most if not all uses regulated by COO Chap 12 Art II do not factor zoning into the equation. Additionally, all of the requirements of the COO seem to contradict the any zoning approval

Commented [TH56]: Deletion - Quarry, Mining, Borrow Pit
Addition - Quarrying, Mineral Extraction see Art 2, Sec 200.3.83 and Art 10 Definitions

Uses	SAR	AR	RS-180	RS-150	RS-60	RS-TH	RM-12	RM-24	MH	CMU	OI	BG	BGC	HSB	LM	HM
Recovered Materials Processing Facility	√														S	
Recreation and Entertainment Facility (indoor)												P	P	P	P	S
Recreation and Entertainment Facility (outdoor)												S		S	S	S
Recreational Vehicle Park or Campground		S														
Recreational Vehicle Rental, Sales and Service												S		S	S	P
Rental, Consumer and Commercial												S		S	P	P
Rental, Industrial															S	P
Repair Shop, Electronics and Small Appliance												P		P	P	P
Repair Shop, Major Appliance												S		P	P	P
Repair Shop, Shoe and Leather												P	P	P	P	P
Research or Testing Facility (indoor)												S			P	P
Research or Testing Facility (outdoor)															S	S
Restaurant (coffee shop, doughnut shop, or ice cream parlor)										P		P	P	P	S	
Restaurant (drive-in or drive-thru fast food)												P		P		
Restaurant (full service)										P		P	P	P	S	
Retirement Community, Continuing Care	√							P		S	P	P	P	P		
Retirement Community, Independent Living	√						P	P		S	P	P	P	P		

Commented [PL57]: According to 200.3.84, requires a SUP in HM

Commented [PL58]: Per 200.3.86, requires SUP in CMU districts.

Commented [PL59]: Per 200.3.87, requires SUP in CMU districts.

Commented [TH60]: I would caution against permitted use across the board. At a minimum the use should be specific to a specific zoning classification and subject to the minimum architectural, development and zoning standards for each district and the Downtown Overlay. Current regs require SUP for proposal on less than 5 acres and less 2 acres will not be accepted. Modified Article 2 Supp regs

Uses	SAR	AR	RS-180	RS-150	RS-60	RS-TH	RM-12	RM-24	MH	CMU	OI	BG	BGC	HSB	LM	HM
Sawmills and Logging		S													S	P
School or College (Business)	√										S	P		P	P	P
School, Montessori											P	P	P	P	P	S
School, Private (College or University)		S									P	P	P	P	P	P
School, Private (Primary and Secondary)	√	S									P	P	P	P	P	P
School, Trade or Vocational												S		P	P	P
Scrap Tire Processing, Grinding or Retreading															S	S
Septic Tank Pumping Company															S	P
Shelter, Homeless												S		S	S	S
Shooting or Archery Range, and similar outdoor recreation		S										S		S	S	S
Shooting Ranges, Indoor												S	S	S	P	
Short-Term Rental	√															
Sign Shop (General Fabrication)												S			P	P
Sign Shop (Graphic Printing, Screen Printing)												P	P		P	P
Smoke or Novelty Shop												S		S		
Soft Drink Bottling / Distribution Plant															P	P
Solid Waste Transfer Station																S
Special Food Service Operations	√										S	P	P	P	P	P
Sporting Goods Store										P		P	P	P		
Sports Training Facility (indoor)												P		P	P	P

Commented [PL61]: Added, refers to 200.3.89

Uses	SAR	AR	RS-180	RS-150	RS-60	RS-TH	RM-12	RM-24	MH	CMU	OI	BG	BGC	HSB	LM	HM
Sports Training Facility (outdoor)												S		S	P	P
Stadium, Concert Hall or Amphitheater										S		P	S	S	S	S
Stone Yard or Stone Cutting															P	P
Studio, Art										P	P	P	P	P	P	P
Studio, Dance or Martial Arts										P	S	P	P	P	P	P
Studio, Photography										P	S	P	P	P	P	P
Swimming Pool Sales Facility												P		P	P	P
Swimming Pool Supply Store										P		P		P	P	P
Tailor, Dressmaker, Sewing Shop	√										S	P	P	P	P	P
Tall Structures										S	S	S	S	S	S	S
Tanning Salon	√											P	P	P		
Tattoo and Body Piercing	√											S		S		
Taxi or Ridesharing Services												S		S	P	P
Taxidermist												P		S	P	P
Textile or Carpeting Factory															P	P
Thrift Store or Used Merchandise Sales	√											P		P	P	P
Title Loan Facility												S		S		
Towing / Wrecker Service and Impound Lot										P					S	S
Toy Store, Hobby Shop or Game Store										P	P	P	P	P		
Travel Agency												P	P	P		
Tree Service	√														P	P
Truck Sales, Leasing and/or Service, Heavy														S	P	P
Truck Terminal or Intermodal Terminal															S	P

Uses	SAR	AR	RS-180	RS-150	RS-60	RS-TH	RM-12	RM-24	MH	CMU	OI	BG	BGC	HSB	LM	HM
Trucking and Hauling (dirt, gravel, sand, etc.; incl. stockpiling)										P	S				S	P
Tutoring and Learning Centers												P	P	P		
Upholstery Shop												P		S	P	P
Urgent Care Facility												P		P		
Used Book Retailers												P		P		
Used Clothing Retailers												P		P		
Used Household Appliance Retailers												P		P		
Used Merchandise Thrift Shops												P		P		
Used Sporting Goods Retailers												P		P		
Waste Incineration Facility																S
Welding Shop												S			P	P
Wholesale Membership Club												P		P	S	S
Wholesaling and Warehousing (retail accessory only)	√														P	P
Wood Chipping and Shredding															S	S

IT IS SO ORDAINED, this ____ day of _____, 2021.

Mayor David R. Still

Attest: _____

DISTRICT
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ARTICLE 1

City Clerk

DRAFT

DISTRICT
68
ARTICLE 1

Supplemental and Accessory Use Standards

200.1 Purpose and Intent

- A. The purpose of these standards is to supplement the Use Table by providing more specific standards for certain uses to ensure that they will be compatible with surrounding uses; have minimal impact on the environment; promote the health, safety, and welfare of the community; and meet the intent of the Comprehensive Plan.
- B. These standards apply to specific uses in all zoning districts unless otherwise noted.
- C. Any use that is regulated by this Article and is authorized in a zoning district shall be developed in compliance with the applicable Supplemental Use or Accessory Use Standards for that use. No permit shall be issued for a use, building, or structure that does not conform to applicable provisions of this Article; except that, where any requirement of the Supplemental Use or Accessory Use Standards conflicts with a condition of rezoning, special use permit, or other action of the City Council, the conditions per the approval shall prevail.

200.2 Applicability

The Supplemental Use Standards and Accessory Use Standards listed in *Section 200.3* are applicable as indicated by a check mark (✓) in the *Article 1, Section 103.2, Use Table*, as requiring Supplemental or Accessory Use Standards.

Upon passage of this Resolution, any existing regulated use is deemed a nonconforming use. Such nonconforming regulated uses shall be subject to the requirements of *Article 3, Nonconformities* of this Ordinance.

200.3 Supplemental Use Standards (As Per Section 103.2, Use Table)

200.3.1 Required City Approvals

The applicant shall be responsible for obtaining all the necessary zoning (approvals, certifications) for the use (residential or commercial) of the property before requesting a Building Permit (BLD), Land Development Permit (LDP), or

Commented [TH1]: Proposed Amendment

Delete in its entirety Sec. 200.3.1. Accessory Buildings and Structures.
Add in Sec. 200.3.4 Accessory Building and Structures in alphabetical and consecutive order.

Add Sec. 200.3.1. Required City Approvals

requesting a Certificate of Completion (CC) or Certificate of Occupancy (CO). In addition, the applicant shall be responsible for obtaining all the necessary approval from Gwinnett County relating to addressing, health, life-safety, water & sewer.

200.3.2 Minimum Lot Dimensional Standards

A. Method of Density Calculation

Gross density shall be determined by dividing the area of the tract of land by the minimum lot size specified in the underlying zoning.

Net density shall be determined by dividing the area of the tract of land by the minimum lot size specified in the underlying zoning, which excludes undevelopable land designated or identified as a federal, state, regional, or local protected area, bluff, floodplain, public right-of-way, slopes exceeding twenty-five (25) percent, State of Georgia twenty-five (25) foot stream buffer, utility easement (electric, gas, natural gas, petroleum, water), water bodies or wetlands (as applicable).

For any property permitted development shall be calculated based on net density (see Article 10 Definitions Section 117 Density, Net).

B. Principal Building or Use on a Lot

Only one principal building or structure or use and its customary accessory buildings and uses shall be permitted on any lot.

C. Minimum Road Frontage

1. No lot shall be created that does not abut for at least forty (40) feet, except as otherwise noted in the Zoning Ordinance, Article 1 Districts upon an open street which shall be either a public street, a publicly approved street, publicly maintained street, or private street. An exception shall include lots designated as a stormwater facility which shall abut for a minimum of thirty (30) feet.
2. No lot fronting a cul-de-sac shall have less than a minimum road frontage of thirty-five (35) feet when measured along a straight line along the chord of the arc at the right-of-way or property line.

D. Minimum Lot Size

Commented [TH2]: Proposed Amendment

Deletion - Sec. 200.3.2. Adult Uses.

Addition - Sec. 200.3.5 Adult Uses in alphabetical and consecutive order.

Addition - Sec. 200.3.2. Minimum Lot Dimensional Standards

1. Lots shall meet the minimum lot size and minimum lot width listed in Article 1 Districts for each district. However, no lot served by a septic tank shall have a lesser area than that approved by the Environmental Health Section.
2. Lot width for cul-de-sac lots shall be the distance measured between side lot lines at the point of the property line that is twice the front yard setback requirement from the front property line.

E. Reduction in Lot Dimensions.

No lot shall be reduced in size so that lot width or depth, size of yards, lot area, or any other requirement of the Zoning Ordinance is not maintained. This limitation shall not apply when a portion of a lot is acquired for a public purpose or unbuildable lots are used exclusively for subdivision identification signage, entrance or landscape features, common areas, mail kiosks, or stormwater facilities.

F. Substandard Lots of Record

Any lot of record existing at the time of the adoption or amendment of the Zoning Ordinance, that has an area or width less than required by the Zoning Ordinance, shall be subject to the following exceptions and modifications.

1. Adjoining Lots

When two or more adjoining lots of record with continuous frontage are in one ownership at any time after the adoption or amendment of the Zoning Ordinance and such lots, individually, have an area or width that is less than is required by the Zoning Ordinance, then such contiguous lots shall be considered as a single lot or several lots of the minimum width and area required in the Zoning District in which they are located and are required to be combined.

2. Individual Lot Not Meeting Minimum Lot Size Requirements

Except as set forth below in Section 200.3.3, in any Zoning District in which one-family, townhouse, and two-family dwellings are permitted, any lot of record existing at the time of adoption or amendment of the Zoning Ordinance which has an area, width, or depth less than that required by the Zoning Ordinance may be used as a building site for a one-family, townhouse or two-family dwelling.

In any case of such a lot, when it is not possible to provide the required Side Yard Setbacks and at the same time build a minimum-width one-family, townhouse or two-family dwelling, the Board of Appeals is hereby authorized to grant a Variance reducing the Side Yard Setback requirements for a minimum amount necessary for a reasonable dwelling, but in no case shall each of the Side Yard Setbacks be less than five (5) feet in width.

200.3.3 Minimum Building Dimensional Standards

A. Minimum Building and Structure Requirements

- 1. Buildings and Structures shall not be altered, constructed, erected, or reconstructed to:**
 - a. Exceed the height limits as established in Zoning Ordinance, Article 1, Districts.**
 - b. House a greater number of families per lot or occupy a smaller lot area per family than established in the Zoning Ordinance, Article 1 Districts.**
 - c. Have narrower or smaller front, rear, or side setbacks as established in the Zoning Ordinance, Article 1 Districts.**
- 2. All dwelling units shall have a minimum heated finished living area, excluding a basement, attic, carport, or garage as established in the Zoning Ordinance, Article 1 Districts.**

B. Building Height Requirements

- 1. For all buildings, except one-family, townhouse and two-family dwellings, accessory and agricultural buildings, the height requirements of the Zoning Ordinance, Article 1 Districts must be met unless the applicant is granted a Special Use Permit by the City Council after receiving recommendations from the Director of the Planning and Development Department and Planning Commission.**
- 2. For all one-family, townhouse and two-family dwellings, accessory and agricultural buildings, the height requirements of the Zoning Ordinance, Article 1 Districts must be met unless the applicant is granted a Variance by the Board of Appeals (See Zoning Ordinance, Article 9 Administration and Enforcement, Section 903 Board of Appeals).**

Commented [TH3]: Proposed Amendment

Deletion - Sec. 200.3.3. Agricultural Uses (Livestock).

Addition - Sec. 200.3.6 Agricultural Uses (Livestock) in alphabetical and consecutive order.

Addition - Sec. 200.3.2. Minimum Building Dimensional Standards

Commented [MS4]: Add Zoning Ordinance, for references

3. The Director of the Planning and Development may administratively grant a variance allowing a decrease in the building setbacks (Zoning Ordinance, Article 9 Administration and Enforcement, Section 902 Planning and Development Director).

4. **Building/Structure Height Measurements and Exceptions Minimum Separation**

The minimum distance between one-family, townhouse and two-family dwellings shall be ten (10) feet measured at the closest points between the two structures, excluding building projections such as cornices, eaves, steps, handrails, gutters, and downspouts, except where a greater distance is required by the City of Lawrenceville Zoning Ordinance or Building and Building Regulations.

C. Temporary Buildings

A temporary building or buildings for use in connection with a construction project or land subdivision development shall be permitted on the land of the project during the construction period.

D. Exceptions

Any lot of record existing at the time of the adoption or amendment of the Zoning Ordinance shall be subject to the following exceptions:

1. Front Yard Building Setback

Front Yard Setback shall be determined by calculating the average depth of the neighboring or closest existing one-family, townhouse or two-family dwelling unit located adjacent to the subject property. Under no circumstance shall the Front Yard Setback be any less than written in the Zoning Ordinance without the approval of Variance by the Board of Appeals (See Article 9 Administration and Enforcement, Section 903 Board of Appeals).

2. Building Height

Proposed buildings and structures exceeding the height limitations contained herein, and not approved by the City Council through a related zoning action, shall be subject to the review and approval of a Variance by the Board of Appeals (See Article 9 Administration and Enforcement, Section 903 Board of Appeals).

a. The height limitations of this Section shall not apply to the following:

- 1. One-family, townhouse and two-family dwellings erected at grade shall not exceed fifteen (15) feet above the maximum allowable building height or fifty (50) feet.**
- 2. Rooftop Structures erected on top of the roof deck or top of any part of a building shall not exceed fifteen (15) feet above the maximum allowable building height or fifty (50) feet.**
- 3. Conveyors, derricks, smokestacks, water towers, and similar industrial structures fifty (50) feet in height or less.**
- 4. Flagpoles fifty (50) feet in height or less.**
- 5. All other structures, except buildings, fifty (50) feet in height, or less.**

The City of Lawrenceville Tall Structure Ordinance regulates the height of transmission towers, radio, or television towers, antennas, and other telecommunication facilities is regulated in the City of Lawrenceville Telecommunications Tower and Antenna Ordinance.

These exclusions shall not apply in the vicinity of airports where Federal Aviation Administration runway protection zone standards shall apply.

The height of buildings and roof structures is also regulated by the City of Lawrenceville Zoning Ordinance and Building and Building Regulations.

3. Setbacks - Encroachment

The following encroachments upon required Building Setbacks shall be limited to the AR, RS-180, RS-150, RS-60 and RS-TH zoning classifications, and subject to the review and administrative approval of a Variance by the Director of the Planning and Development Department.

a. Architectural Features

Bay windows, chimneys, cornices, decks, eaves, porches, or other similar architectural features may extend into the required Front and Rear Setbacks provided such extensions do not exceed three (3) feet.

b. Patios

Patios may extend into the required Side or Rear Yard Setback areas of the provided such extensions do not exceed five (5) feet.

c. Steps and Landings

- i. Steps and landings may extend into the required Front Yard Setback area provided such extensions do not exceed ten (10) feet.
- ii. Steps and Landings may extend into the required Side Yard Setback Area provided such extensions do not exceed three (3) feet.
- iii. Steps and landings may extend into the Rear Yard Setback area, but no closer than five (5) feet from the property line.

4. Setbacks – Non-Residential Zoning Classifications

The following encroachments upon required Building Setbacks shall be limited to the OI, BG, BGC, HSB, LM, and HM zoning classifications and shall be subject to the review and administrative approval of a Variance by the Director of the Planning and Development Department.

- a. Canopies, covered entrances, or walkways for non-residential day care facilities, churches, or other similar uses may extend into the required Side or Rear Yard Setback Areas provided such extensions do not exceed three (3) feet.
- b. Canopies, covered entrances, or walkways for non-residential day care facilities, churches, or other similar uses may extend into the front yard setback area provided such extensions are not closer than fifteen (15) feet from an existing or proposed Freeway/Expressway, Arterial (Principal, Major, Minor) or Collector (Major, Minor) classified roadway, whichever is more restrictive shall apply.
- c. Canopies over pump islands or walkways may extend up to an existing or proposed Freeway/Expressway, Arterial (Principal, Major, Minor), or Collector (Major, Minor) classified roadway, whichever is more restrictive shall apply.

200.3.4 Accessory Building, Structure and Use Standards

Accessory Building, Structure and Use Standards shall comply with the following:

A. Variance Required

All accessory buildings or structures located in a front yard shall require the approval of a Variance (BOA/Administrative).

Commented [TH5]: Proposed Amendment

Deletion - Sec. 200.3.4. Animal Hospital or Veterinary Clinic

Addition - Sec. 200.3.7 Animal Hospital or Veterinarian Clinic in alphabetical and consecutive order.

Addition - Sec. 200.3.4. Accessory Building and Structures

B. Exceptions

Nothing in this Section shall be deemed to require the removal of any previously permitted and constructed accessory building or structure that was properly permitted and constructed in the front yard of the principal structure.

C. All Zoning Classifications Restrictions

1. Accessory building or structure shall be limited to one (1) per zoning lot.
2. All accessory buildings, structures, and uses of land shall be subordinate to and supportive of the principal use and located on the same lot as the principal use to which they are accessories.
3. No accessory building structures except driveways and individual mailboxes shall be located within the public right-of-way.
4. Accessory Buildings and Structures attached to a Principal Building or Structure shall comply with the minimum requirements of the Principal Structure Height, Setbacks, and Square Footage of the specific zoning classification.
5. Accessory buildings or structures shall not be erected on a lot before the time of permitted construction of the principal building to which it is accessory.
6. Accessory buildings shall not be used for the storage of hazardous materials, waste products, or putrescent materials.
7. Accessory buildings or structures shall not be utilized unless the principal structure has a Certificate of Occupancy or Completion.
8. Accessory buildings shall not be used for any commercial operation whether permanent or part-time or for any type of human habitation.

D. AR Zoning Classification Restrictions

1. Impervious Cover or Surface Area shall not exceed sixty (60) percent of the total square footage of the lot area.
2. Accessory buildings or structures shall be limited to a maximum height of thirty-five (35) feet.

3. Accessory buildings and structures (e.g., barns, bins, cribs, paddocks, silos, stables, etc.) may be utilized for business activity directly associated with active commercial agricultural activities.

E. RM-12, RM-24, CMU, OI, BG, BGC, HSB, LM and HM Zoning Classification Restrictions

1. In all multifamily and non-residential zoning districts, the following accessory uses, and structures shall be allowed in front yards: cart corrals, driveways, fences, flagpoles, fountains, gasoline pumps and canopies, lampposts, landscaping, mailboxes, mail kiosks, parking decks, parking lots, parking pads, sidewalks, signs, vacuum stands, and canopies, walkways, and walls.
2. Accessory buildings shall not be used for any commercial operation whether permanent or part-time or for any type of human habitation except as part of an approved accessory dwelling.

F. RS-180, RS-150, RS-60 and RS-TH Zoning Classification Restrictions

1. Accessory buildings or structures shall be limited to 400 square feet; Accessory buildings or structures exceeding 400 square feet in area shall require the approval of a Variance based on the overall increase in square footage (see Article 9 Administration and Enforcement Section 901.B. Administrative Variances and 902.C. Architectural, Dimensional and Locational Variances).
2. Accessory buildings or structures shall be limited to a maximum height of eighteen (18) feet.
3. Accessory buildings, structures, or uses shall not be allowed in the side yard of a corner lot adjacent to a public street, except those permitted within a front yard.
4. Accessory buildings or structures shall be constructed identically to the primary structure in percentage and type of materials.
5. Accessory buildings or structures greater than 120 square feet in floor area shall abide by the following design guidelines subject to review and approval of the Director of the Planning and Development Department:

- a. Exterior walls shall be finished with materials and colors like that of the principal building.
- b. Internal floors shall be a solid surface and constructed with materials such as, but not limited to, concrete or wood. Gravel and dirt floors are prohibited.
- c. Roofing materials and colors shall match that of the principal building. The roof pitch shall be commensurate with the roof pitch of the principal building.

6. Exceptions:

The following accessory uses, and structures shall be allowed in front yards: arbors, birdbaths, birdhouses, driveways, fences, flagpoles, lampposts, landscaping, mailboxes, mail kiosks, sidewalks, signs, trellises, walkways, and walls.

200.3.5 Adult Entertainment

Adult Entertainment shall comply with the following:

A. Special Use Permit

Adult Entertainment may be permitted in HSB and HM zoning classification with the approval of a Special Use Permit.

B. Restrictions

1. Such facilities shall be located on a roadway classified as an Arterial or Collector Street, or a State Highway.
2. 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.
3. Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When adjacent to a residentially zoned property, any outdoor light fixtures shall not exceed thirty-five (35) feet in height.

C. Area

Commented [TH6]: Proposed Amendment

Deletion - Sec. 200.3.5 Automatic Teller Machine - Freestanding (see Sec. 200.3.8 Automatic Teller Machine - Freestanding)

Addition - Sec. 200.3.5 Adult Entertainment Uses

Lot Area – 5.49 acres or 239,144.40 square feet

D. Landscape Strip

A fifteen (15) foot landscape strip shall be provided adjacent to all public rights-of-way.

200.3.6 Agricultural (Farming)

In agricultural zoning districts, the following shall be located no closer than one hundred (100) feet to any property line: corrals, stables, barns, pens, coops, chicken houses, and other similar livestock quarters.

200.3.7 Animal Hospital or Veterinarian Clinic

Special Use Permit shall be required if any outdoor run or pen is used to house or exercise animals.

200.3.8 Automatic Teller Machine – Freestanding

- A. Only one free-standing ATM may be installed per parcel.
- B. The structure built to house the ATM shall be architecturally compatible with the primary structure and incorporate similar construction materials.
- C. The structure shall not exceed a height of **twelve (12)** feet.
- D. The structure shall be setback from any right-of-way at least as required by the applicable zoning district.
- E. The structure may not be installed in any required parking spaces.
- F. A permanently installed trash receptacle shall be located within five feet of the structure which shall be maintained by the property owner on a regular scheduled basis.
- G. Installation shall not reduce any required or existing landscaping.
- H. Automatic Teller Machine (ATM) shall conform to the Official Code of Georgia, Title 7, Banking and Finance, Chapter 8 Safe Use of Remote Service Terminals.

Commented [TH7]: Proposed Amendment

Deletion - Sec. 200.3.6 Automobile, Truck or Vehicle Storage Lot (other than impound lot)

Addition - Sec. 200.3.6 Agricultural Uses (Livestock) in alphabetical and consecutive order.

Commented [TH8]: Proposed Amendment

Deletion - Sec. 200.3.7 Automobile Repair Shop

Addition - Sec. 200.3.7 Animal Hospital or Veterinarian Clinic in alphabetical and consecutive order.

Automobile Repair is based on NAICS standards and is defined and categorized by level of intensity

Proposed changes are as follows:

Sec. 200.3.12 Automotive - Body Shops, Car Washes, Glass Replacement Shops, Oil Change and Lubrication Shops, and Tire Dealers.

Sec. 200.3.13 Automotive - Motor Vehicle Supplies and New Part Merchant Wholesalers

Sec. 200.3.14 Automotive - Parts and Accessories Retailers

Sec. 200.3.15 Automotive - Repair (General)

Sec. 200.3.16 Automotive - Repair (Specialized)

Sec. 200.3.17 Automotive - Repair (All Other)

Sec. 200.3.18 Automobile - New Car Dealers and Related Service

Sec. 200.3.19 Automobile - Private Sales - need opinion.

Sec. 200.3.20 Automobile - Used Car Sales

Commented [TH9]: Proposed Amendment

Deletion - Sec. 200.3.8 Automobile Sales or Auction and Related Service (Used or New Car Outdoor Sales Lot)

Addition - Sec. 200.3.8 Automatic Teller Machine - Freestanding in alphabetical and consecutive order.

1. A marked and designated travel lane shall be provided with a landscape island buffer.

200.3.9 Automobile – Agents and Brokers

Automobile – Agents and Brokers shall comply with the following:

A. Special Use Permit Required

1. Automobile – Agents and Brokers may be permitted in the BG, HSB, and LM zoning classifications with the approval of a Special Use Permit.
2. Outdoor storage may be permitted in the BG and HSB zoning classifications with the approval of a Special Use Permit.

B. Restrictions

1. Automotive, Automotive Repair (General), Automotive Repair (Specialized) and Automotive Repair (All-Other) shall be prohibited.
2. Outdoor storage shall be prohibited in the LM and HM zoning classifications on properties located within the Lawrenceville Downtown Development Authority geographical area.
3. Prior to issuance of a Certificate of Occupancy, Automobile -Agents and Brokers shall obtain a City of Lawrenceville Zoning Certification and Automobile Broker Affidavit Certification.
4. Automobile - Agents and Brokers shall conform to the Official Code of Georgia, Title 43, Professions and Businesses, Chapter 47 Used Motor Vehicle and Used Motor Vehicle Parts Dealers.

200.3.10 Automobile – Dead Storage (Indoor Climate-Controlled)

Automobile – Dead Storage (Indoor Climate-Controlled) shall comply with the following:

A. Restrictions

Automobile – Dead Storage (Indoor Climate-Controlled) is intended to prevent deterioration of inactive automobiles for certain period and fees shall be subject to the following:

1. All automobiles shall be stored indoors.

Commented [TH10]: Proposed Amendment

Deletion - Sec. 200.3.9 Automobile Sales (Indoor) or Auction and Related Service

Addition - Sec. 200.3.9 Automobile - Agents and Brokers

Note: Automobile Repair is based on NAICS standards and is defined and categorized by level of intensity

Proposed changes are as follows:

Sec. 200.3.12 Automotive - Body Shops, Car Washes, Glass Replacement Shops, Oil Change and Lubrication Shops, and Tire Dealers.

Sec. 200.3.13 Automotive - Motor Vehicle Supplies and New Part Merchant Wholsalers

Sec. 200.3.14 Automotive - Parts and Accessories Retailers

Sec. 200.3.15 Automotive - Repair (General)

Sec. 200.3.16 Automotive - Repair (Specialized)

Sec. 200.3.17 Automotive - Repair (All Other)

Sec. 200.3.18 Automobile - New Car Dealers and Related Service

Sec. 200.3.19 Automobile - Private Sales - need opinion.

Sec. 200.3.20 Automobile - Used Car Sales

Commented [TH11]: Deletion - Sec. 200.3.10 Automobile Wash - Automatic and Self Service

Addition - Sec. 200.3.10 Automobile - Dead Storage (Indoor Climate-Controlled)

2. Accessory Automotive, Automotive Repair (General), Automotive Repair (Specialized) and Automotive Repair (All-Other) shall be prohibited.
3. Outdoor storage shall be prohibited.
4. Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When adjacent to a residentially zoned property, any outdoor light fixtures shall not exceed thirty-five (35) feet in height.

B. Area

Lot Area – Minimum of one (1) acre or 43,560 square feet.

C. Landscape Strip

A fifteen (15) foot landscaped strip shall be provided adjacent to a public right-of-way.

200.3.11

Automobile – Dead Storage (Outdoor)

Automobile – Dead Storage (Outdoor) shall comply with the following:

A. Special Use Permit Required

Automobile – Dead Storage (Outdoor) may be permitted in the LM zoning classification with the approval of a Special Use Permit.

B. Restrictions

1. Accessory Automotive, Automotive Repair (General), Automotive Repair (Specialized) and Automotive Repair (All-Other) shall be prohibited.
2. Outdoor storage shall be prohibited in the LM and HM zoning classifications on properties located within the Lawrenceville Downtown Development Authority geographical area.
3. No outdoor sound amplification device is permitted.
4. Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When adjacent to a residentially zoned property, any outdoor light fixtures shall not exceed thirty-five (35) feet in height.

C. Landscape Strip

Commented [TH12]: Deletion - Sec. 200.3.11 Bail Bonding

Addition - Sec. 200.3.11 Automobile - Dead Storage (Outdoor)

A fifteen (15) foot landscaped strip shall be provided adjacent to a public right-of-way.

200.3.12 Automotive – Body Shops, Car Washes, Glass Replacement Shops, Oil Change and Lubrication Shops and Tire Dealers

Automotive – Body Shops, Car Washes, Glass Replacement Shops, Oil Change and Lubrication Shops and Tire Dealers shall comply with the following:

A. Special Use Permit Required

1. Automotive – Body Shops, Car Washes, Glass Replacement Shops, Oil Change and Lubrication Shops and Tire Dealers may be permitted in the BG, HSB, and LM zoning classifications with the approval of a Special Use Permit.
2. Outdoor storage may be permitted in the BG and HSB zoning classification with the approval of a Special Use Permit.
3. Outdoor Display or Sales of Merchandise may be permitted in the BG and HSB zoning classifications with the approval of a Special Use Permit.

B. Restrictions

1. Any installation, maintenance, repair, or service associated with the principal use shall be conducted indoors.
2. No outdoor sound amplification device is permitted.
3. Outdoor storage shall be prohibited in the LM and HM zoning classifications on properties located within the Lawrenceville Downtown Development Authority geographical area.
4. Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When adjacent to a residentially zoned property, any outdoor light fixtures shall not exceed thirty-five (35) feet in height.
6. Such facilities shall be equipped with a separating-system floor drain (i.e., to separate oil, water, and other residue) for treating any surface run-off prior to entering the sanitary sewer system (as applicable).

C. Landscape Strip

Commented [TH13]: Deletion - Sec. 200.3.12 Bakery (Industrial; retail bakery as an accessory use) - (see Sec. 200.3.22)

Addition - Sec. 200.3.12 Automotive - Body Shops, Car Washes, Glass Replacement Shops, Oil Change and Lubrication Shops and Tire Dealers

A fifteen (15) foot landscaped strip shall be provided adjacent to a public right-of-way.

D. Emissions Testing

Automotive – Body Shops, Car Washes, Glass Replacement Shops, Oil Change and Lubrication Shops, and Tire Dealers may offer emissions testing as a by-right accessory use.

200.3.13 Automotive – Motor Vehicle Supplies and New Part Merchant Wholesalers

Automotive – Motor Vehicle Supplies and New Part Merchant Wholesalers shall comply with the following:

A. Special Use Permit Required

Automotive – Motor Vehicle Supplies and New Part Merchant Wholesalers may be permitted in the LM zoning classifications with the approval of a Special Use Permit.

B. Restrictions

1. Accessory Automotive, Automotive Repair (General), Automotive Repair (Specialized) and Automotive Repair (All-Other) shall be prohibited.
2. Outdoor storage shall be prohibited in the LM and HM zoning classifications on properties located within the Lawrenceville Downtown Development Authority geographical area.
3. Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When adjacent to a residentially zoned property, any outdoor light fixtures shall not exceed thirty-five (35) feet in height.

C. Landscape Strip

A fifteen (15) foot landscape strip shall be provided adjacent to a public right-of-way.

200.3.14 Automotive – Parts and Accessories Retailers

Automotive – Parts and Accessories Retailers shall comply with the following:

Commented [TH14]: Deletion - Sec. 200.3.13 Bed and Breakfast - (see Sec. 200.3.23)

Addition - Sec. 200.3.13 Automotive - Motor Vehicle Supplies and New Part Merchant Dealers

A. Special Use Permit Required

1. Automotive – Parts and Accessories Retailers may be permitted in the BG and HSB zoning classifications with the approval of a Special Use Permit.
2. Outdoor storage may be permitted in the BG and HSB zoning classifications with the approval of a Special Use Permit.
3. Outdoor Display or Sales of Merchandise may be permitted in the BG and HSB zoning classifications may be permitted with the approval of a Special Use Permit.

B. Restrictions

1. Accessory Automotive, Automotive Repair (General), Automotive Repair (Specialized) and Automotive Repair (All-Other) shall be prohibited.
2. Outdoor storage shall be prohibited in the LM and HM zoning classifications on properties located within the Lawrenceville Downtown Development Authority geographical area.
3. Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When adjacent to a residentially zoned property, any outdoor light fixtures shall not exceed thirty-five (35) feet in height.

C. Area

Lot Area – Minimum of 0.25 acres or 10,890 square feet.

D. Landscape Strip

A fifteen (15) foot landscape strip shall be provided adjacent to a public right-of-way.

200.3.15 Automotive – Repair (General)

Automotive – Repair (General) shall comply with the following:

A. Special Use Permit Required

1. Automotive - Repair (General) may be permitted in the BG, HSB, and LM zoning classifications with the approval of a Special Use Permit.

Commented [TH15]: Deletion - Sec. 200.3.15 Cemetery, Family Cemetery, or Mausoleums (see Sec. 200.3.28 Cemetery, Family Cemetery, or Mausoleum and Sec. 200.3.28 Cemeteries - Existing

Addition - Sec. 200.3.15 Automotive - Repair (General)

2. Outdoor storage may be permitted in the BG and HSB zoning classifications with the approval of a Special Use Permit.
3. Outdoor Display or Sales of Merchandise may be permitted in the BG and HSB zoning classifications with the approval of a Special Use Permit.

B. Restrictions

1. Outdoor Automotive Repair (General) shall be prohibited. All installation, maintenance, repair, or service shall be conducted indoors.
2. Outdoor storage shall be prohibited in LM and HM zoning classifications on properties located within the Lawrenceville Downtown Development Authority geographical area.
3. Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When adjacent to a residentially zoned property, any outdoor light fixtures shall not exceed thirty-five (35) feet in height.
4. Automobile service bays shall not be visible from a public right-of-way.

C. Landscape Strip

A fifteen (15) foot landscape strip shall be provided adjacent to a public right-of-way.

D. Emissions Testing

Automotive - Repair (General) facilities may offer emissions testing as a by-right accessory use.

200.3.16 Automotive - Repair (Specialized)

Automotive - Repair (Specialized) shall comply with the following:

A. Special Use Permit Required

1. Automotive - Repair (Specialized) may be permitted in the BG, HSB, and LM zoning classifications with the approval of a Special Use Permit.
2. Outdoor storage may be permitted in the BG and HSB zoning classifications with the approval of a Special Use Permit.

Commented [TH16]: Deletion - Sec. 200.3.16 Check Cashing, Payday Loan, Pawn Shop, Title Loan, and Wire Transfer Facility (see Sec. 200.3.29 Check Cashing, Payday Loan, Pawn Shop, Title Loan, and Wire Transfer Facility)

Addition - Sec. 200.3.16 Automotive - Repair (Specialized)

3. Outdoor Display or Sales of Merchandise may be permitted in the BG and HSB zoning classifications with the approval of a Special Use Permit.

B. Restrictions

1. Outdoor Automotive Repair (Specialized) shall be prohibited. All installation, maintenance, repair, or service shall be conducted indoors.
2. Outdoor storage shall be prohibited in the LM and HM zoning classifications on properties located within the Lawrenceville Downtown Development Authority geographical area.
3. Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When adjacent to a residentially zoned property, any outdoor light fixtures shall not exceed thirty-five (35) feet in height.
4. Automobile service bays shall not be visible from a public right-of-way.

C. Landscape Strip

A fifteen (15) foot landscaped strip shall be provided adjacent to a public right-of-way.

D. Emissions Testing

Automotive - Repair (Specialized) facilities may offer emissions testing as a by-right accessory use.

200.3.17 Automotive - Repair (All Other)

Automotive - Repair (All Other) shall comply with the following:

A. Special Use Permit Required

1. Automotive - Repair (All Other) may be permitted in the BG, HSB, and LM zoning classifications with the approval of a Special Use Permit.
2. Outdoor storage may be permitted in the BG and HSB zoning classifications with the approval of a Special Use Permit.
3. Outdoor Display or Sales of Merchandise may be permitted in the BG and HSB zoning classifications may be permitted with the approval of a Special Use Permit.

Commented [TH17]: Deletion - Sec. 200.3.17 Child Caring Institutions (CCI) - (see Sec. 200.3.30 Child Caring Institutions (CCI))

Addition - Sec. 200.3.17 Automotive _ Repair (All Other)

B. Restrictions

1. Outdoor Automotive Repair (All Other) shall be prohibited. All installation, maintenance, repair, or service shall be conducted indoors.
2. Outdoor storage shall be prohibited in the LM and HM zoning classifications on properties located within the Lawrenceville Downtown Development Authority geographical area.
3. Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When adjacent to a residentially zoned property, any outdoor light fixtures shall not exceed thirty-five (35) feet in height.
4. Automobile service bays shall not be visible from a public right-of-way.

D. Landscape Strip

A fifteen (15) foot landscaped strip shall be provided adjacent to a public right-of-way.

E. Emissions Testing

Automotive - Repair (Specialized) facilities may offer emissions testing as a by-right accessory use.

200.3.18 Automobile – New Car Dealers and Related Service

Automobile – New Car Dealers and Related Services shall comply with the following:

A. Special Use Permit Required

1. Automobile – New Car Dealers and Related Services (i.e., by-right accessory uses) may be permitted in the BG, HSB, and LM zoning classifications subject to the approval of a Special Use Permit.
2. Outdoor storage may be permitted in the BG and HSB zoning classifications with the approval of a Special Use Permit.
3. Outdoor Display or Sales of Merchandise may be permitted in the BG and HSB zoning classifications subject to the approval of a Special Use Permit.

B. Restrictions

Commented [TH18]: Deletion - Sec. 200.3.18 Community Center or Cultural Facility (see Sec. 200.3.31 Community Center or Cultural Facility)

Addition - Sec. 200.3.18 Automobile - New Car Dealers and Related Service

1. New Car Dealers and Related Service (i.e., by-right accessory uses) facilities with outdoor display or sales of merchandise (vehicles) with outdoor display or sales of merchandise (vehicles) shall be limited to properties adjacent to a segment of the Buford Drive public, beginning at its northern intersection with the CSX Railway (f/k/a Seaboard Air Line Railway) extending to the north along the right-of-way of Buford Drive to city limits.
2. Outdoor Automotive, Automotive Repair (General), Automotive Repair (Specialized) and Automotive Repair (All-Other) shall be prohibited. All installation, maintenance, repair, or service shall be conducted indoors.
3. Outdoor storage shall be prohibited in the LM and HM zoning classifications on properties located within the Lawrenceville Downtown Development Authority geographical area.
4. Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When adjacent to a residentially zoned property, any outdoor light fixtures shall not exceed thirty-five (35) feet in height.
5. Automobile service bays shall not be visible from a public right-of-way.

C. Area

Lot area shall be a minimum of one (1) acre or 43,560 square feet.

D. Landscape Strip

A fifteen (15) foot landscape strip shall be provided adjacent to a public right-of-way.

200.3.19 Automobile – Private Sales

A vehicle for sale or for private sale of the vehicle is prohibited except in accordance with the provisions of O.C.G.A. § 40-2-39.1(a).

Commented [TH19]: Deletion - Sec. 200.3.19 Community Garden (see Sec. 200.3.32 Community Garden)

Addition - Sec. 200.3.19 Automobile - Private Sales

200.3.20 Automobile – Used Car Sales

A. Special Use Permit Required

1. Automobile – Use Car Sales may be permitted in the BG, HSB, and LM zoning classifications subject to the approval of a Special Use Permit.

Commented [TH20]: Deletion - Sec. 200.3.20 Community Living Arrangement (CLA) - (see Sec. 200.3.33 Community Living Arrangement (CLA))

Addition - Sec. 200.3.20 Automobile - Used Car Sales

2. Outdoor storage may be permitted in the BG and HSB zoning classifications with the approval of a Special Use Permit.
3. Automotive, Automotive Repair (General), Automotive Repair (Specialized) and Automotive Repair (All-Other) may be permitted in BG, HSB and LM zoning classifications subject to the approval of a Special Use Permit.

B. Restrictions

1. Used Car Dealers display, or sales of merchandise (vehicles) shall be limited to properties adjacent to a segment of the Buford Drive corridor, beginning at its northern intersection with the CSX Railway (f/k/a Seaboard Air Line Railway) extending to the north along the right-of-way of Buford Drive to city limits.
2. Outdoor storage shall be prohibited in the LM and HM zoning classifications on properties located within the Lawrenceville Downtown Development Authority geographical area.
3. Outdoor Automotive, Automotive Repair (General), Automotive Repair (Specialized) and Automotive Repair (All-Other) shall be prohibited. All installation, maintenance, repair, or service shall be conducted indoors.
1. Used Car 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 5. – Used Car Dealers.
2. Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When adjacent to a residentially zoned property, any outdoor light fixtures shall not exceed thirty-five (35) feet in height.
4. Automobile service bays shall not be visible from a public right-of-way.

C. Area

Lot Area shall be a minimum of one (1) acre or 43,560 square feet.

D. Landscape Strip

A fifteen (15) foot landscape strip shall be provided adjacent to all public rights-of-way.

200.3.21 **Bail Bonding and Bondsperson Services**

A. **Special Use Permit Required**

1. Bail Bonding and Bondsperson Services may be permitted in the BG and HSB zoning classifications subject to the approval of a Special Use Permit.
2. Outdoor storage may be permitted in the BG and HSB zoning classifications with the approval of a Special Use Permit.
3. Outdoor Display or Sales of Merchandise may be permitted in the BG and HSB zoning classifications subject to the approval of a Special Use Permit.

B. **Restrictions**

1. Bail Bonding and Bondsperson Services or uses shall be restricted to parcels within the city limits and direct access to a segment of the Buford Drive public right-of-way, beginning at its northern intersection with State Route 316 (a.k.a. University Parkway) extending to the north along the right-of-way of Buford Drive to city limits.
2. The parking of commercial vehicles is prohibited.
3. Vehicle signage is prohibited.
4. Outdoor storage shall be prohibited in the LM and HM zoning classifications on properties located within the Lawrenceville Downtown Development Authority geographical area.
5. Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When adjacent to a residentially zoned property, any outdoor light fixtures shall not exceed thirty-five (35) feet in height.

C. **Landscape Strip**

A fifteen (15) foot landscape strip shall be provided adjacent to a public right-of-way.

200.3.22 **Bakery (Commercial and Retail Bakeries)**

Bakery (Commercial and Retail Bakeries) shall comply with the following:

A. **Restrictions**

Commented [TH21]: Deletion - Sec. 200.3.21 Composting Facility, Yard Trimmings (see Sec. 200.3.34 Composting Facility, Yard Trimmings)

Addition - Sec. 200.3.21 Bail Bonding and Bondsperson Services

Commented [TH22]: Deletion - Sec. 200.3.22 Contractor's Office (see Sec. 200.3.35 Contractor's Office)

Addition - 200.3.22 Bakery (Commercial and Retail Bakeries)

1. Accessory Retail Sales of baked goods produced on-site shall be limited to fifteen (15) percent of the gross floor area.
2. All activities associated with accessory retail sales of baked goods produced on-site shall be conducted indoors.
3. Accessory retail sales of baked goods produced on site shall be limited to Monday through Friday from 8 a.m. to 5 p.m., and Saturday from 8 a.m. until 1 p.m.
4. Accessory retail sales of baked goods produced off-site shall be prohibited.

200.3.23 Bed and Breakfast Inn

Bed and Breakfast Inn shall comply with the following:

A. Special Use Permit

1. Bed and Breakfast Inn may be permitted in the AR, RS-180, RS-150 and BGC zoning classifications subject to the approval of a Special Use Permit.
2. A restaurant (accessory use) serving up to 50 additional guests may be permitted in BGC subject to approval of a Special Use Permit.

B. Restrictions

1. Such facilities shall be owner-occupied.
2. Such facilities shall be operated from a one-family dwelling, dwelling unit, building or structure.
3. No guest shall reside in a Bed and Breakfast Inn for a period in excess of fourteen (14) calendar days.
4. Guestrooms shall not be equipped with cooking facilities.
5. In residential zoning districts, food may be served on the premises only for overnight guests and employees of the Bed and Breakfast Inn.
6. If located in a residential zoning district, the structure shall be compatible with the character of the neighborhood in terms of height, setbacks, and bulk. Any modifications to the structure shall be compatible with the character of the neighborhood.

Commented [TH23]: Deletion - Sec. 200.3.23 Construction Trailer/Temporary Building (see Sec. 200.3.36 Construction Trailer/Temporary Building

Addition - Sec.200.3.23 Bed and Breakfast Inn

7. Prior to business occupancy, the site and structure shall be brought into compliance with all applicable State of Georgia, Department of Public Health, Rules and Regulations, Tourist Accommodations, Chapter 511-6-2.

8. Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When adjacent to a residentially zoned property, any outdoor light fixtures shall not exceed thirty-five (35) feet in height.

C. Area

Lot area shall be a minimum of one (1) acre or 43,560 square feet.

D. Floor Area

Floor area shall be a minimum of 2,500 square feet of heated floor area.

E. Landscape Strip

A fifteen (15) foot landscape strip shall be provided adjacent to a public right-of-way.

200.3.24 Billboards

A. Special Use Permit Required

Billboards may be permitted in the HSB, LM, and HM zoning classifications subject to the approval of a Special Use Permit.

B. Restrictions

Billboards shall be subject to the Zoning Ordinance, Article 7 Signs, Section 702 Types of Signs, Sub Section 702.1 Billboard.

200.3.25 Billiard Rooms

Billiard Rooms shall comply with the following:

A. Special Use Permit Required

Billiard Rooms with more than one (1) billiard table may be permitted in the BG an BGC zoning classifications subject to the approval of a Special Use Permit.

Commented [TH24]: Deletion - Sec. 200.3.24 Customary Home Occupation (see Sec. 200.3.51 Home Occupation Permit)

Addition - Sec. 200.3.24 Billboards

Commented [TH25]: Deletion - Sec. 200.3.25 Day Care Facility (Family) - (see Sec. 200.3.37 Day Care Facility (Family))

Addition - Sec. 200.3.25 Billiard Rooms

B. Restrictions

1. Billiard Rooms 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 17. – Billiard Rooms.
2. Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When adjacent to a residentially zoned property, any outdoor light fixtures shall not exceed thirty-five (35) feet in height.

C. Landscape Strip

A fifteen (15) foot landscape strip shall be provided adjacent to a public right-of-way.

200.3.26 Body Art

Body Art shall comply with the following:

A. Restrictions

1. Such facilities shall be located on a roadway classified as an Arterial or Collector Street, or a State Highway.
2. Body Art 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. – Tattoo Establishments.
3. Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When adjacent to a residentially zoned property, any outdoor light fixtures shall not exceed thirty-five (35) feet in height.

B. Area

Lot Area – 5.49 acres or 239,144.40 square feet.

D. Landscape Strip

A fifteen (15) foot landscape strip shall be provided adjacent to a public right-of-way.

200.3.27 Cemetery, Family Cemetery, or Mausoleum

Commented [TH26]: Deletion - Sec. 200.3.26
Department Store or Supercenter (see Sec. 200.3.38
Department Store or Supercenter)

Addition - Sec. 200.3.26 Body Art

Cemetery, Family Cemetery or Mausoleum shall comply with the following:

A. Special Use Permit Required

Cemetery, Family Cemetery, or Mausoleum may be permitted in the AR zoning classifications with the approval of a Special Use Permit.

B. Restrictions

Cemeteries, Family Cemeteries and Mausoleums shall conform to the following requirements:

1. Such facilities shall be located on a roadway classified as an Arterial or Collector Street, or a State Highway.
2. The cemetery shall be bordered by a 15-foot-wide buffer and a minimum six-foot-high decorative fence or wall along the exterior property lines and frontage streets and not extending into the required front yard. The buffer strip shall be planted with evergreen trees or shrubs that grow at least eight feet tall and provide an effective visual screen.
3. Prior to the approval of a request to use property as a cemetery, a site plan and a covenant for perpetual care shall be submitted to the Planning and Development Department. The covenant for perpetual care shall include measures to be undertaken to preserve, protect, and provide for ongoing maintenance, including fencing, landscaping, and gravesites.
4. The covenant for perpetual care and a plat of survey delineating the limits of the cemetery shall be recorded by the Gwinnett County Clerk of Superior Court (Deeds and Records).

200.3.28 Cemeteries – Existing

Whenever a development site contains or is adjacent to an existing cemetery, the following cemetery protection measures shall be required:

A twenty-five (25) foot in-depth grassed buffer strip and a minimum four (4) foot high wrought-iron style fence or brick/stone wall shall be provided around the entire perimeter of the cemetery. Said fence or wall shall be located exterior to the required grassed strip. In instances where a cemetery includes an existing fence or wall, the existing fence or wall may be considered to satisfy this requirement.

Commented [TH27]: Deletion - Sec. 200.3.28 Drug Abuse Treatment Facility (see Sec. 200.3.40 Drug Abuse Treatment Facility)

Addition - Sec. 200.3.28 Cemeteries - Existing

subject to the review and approval of the Director of the Planning and Development Department.

200.3.29 Check Cashing, Pawn Shop, Payday Loan, Small Financial Institution, Title Loan, and Wire Transfer (Financial Institution, Small)

Check Cashing, Pawn Shop, Payday Loan, Small Financial Institution, Title Loan and Wire Transfer (Financial Institution, Small) shall comply with the following:

A. Special Use Permit Required

Check Cashing, Pawn Shop, Payday Loan, Small Financial Institution, Title Loan, and Wire Transfer Facility (Financial Institution, Small) may be permitted in BG (General Business District) and HSB (Highway Service Business District) with the approval of a Special Use Permit.

B. Restrictions

- 1.** Shall not be located within one hundred (100) feet, as measured from property line to property line, of any AR, RS-180, RS-150, RS-60, R-TH, CMU, RM-12, and RM-24 zoning classification.
- 2.** Shall not be located within one thousand five hundred (1,500) feet, as measured from property line to property line, of any other Check Cashing, Pawn Shop, Payday Loan, Title Loan, and Wire Transfer Facility.
- 3.** Shall not be located within one thousand (1,000) feet, as measured from property line to property line, of any School or College (Business), School, Montessori, School, Private (College or University), School, Private (Primary and Secondary), School, Trade or Vocational
- 4.** Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When adjacent to a residentially zoned property, any outdoor light fixtures shall not exceed thirty-five (35) feet in height.

C. Landscape Strip

A fifteen (15) foot landscape strip shall be provided adjacent to a public right-of-way.

D. Road Classification

Commented [TH28]: Deletion - Sec. 200.3.29 Dump, Junkyard, Salvage Yard, Automobile Junk/Salvage Yard

Addition - Sec. 200.3.29 Check Cashing, Pawn Shop, Payday Loan, Title Loan, and Wire Transfer Facility

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

E. Exemptions

Discount Department Store or Supercenter, Grocery Store, or Convenience Store facilities may offer Check Cashing, Pawn Shop, Payday Loan, Title Loan, and Wire Transfer Facility as a by-right accessory use.

200.3.30 Child Caring Institutions (CCI)

Child Caring Institutions (CCI) shall comply with the following:

Special Use Permit

Child Caring Institutions (CCI) may be permitted in AR, RS-180 and RS-150 zoning classifications with the approval of a Special Use Permit from the term “Family,” (see Sub Section 200.3.46 Exceptions from the Definitions of the term “Family.”)

200.3.31 Community Center or Cultural Facility

Community Center or Cultural Facility shall comply with the following:

A. Special Use Permit Required

1. Community Center or Cultural Facility may be permitted in LM and HM zoning classifications with the approval of a Special Use Permit.
2. Accessory Recreation and Entertainment (Outdoor) may be permitted in LM and HM zoning classifications with the approval of a Special Use Permit.
3. Accessory Day Care Facility may be permitted in LM and HM zoning classifications with the approval of a Special Use Permit.
4. Accessory School, Private (Primary and Secondary) may be permitted in LM and HM zoning classifications with the approval of a Special Use Permit.
5. Accessory Cemetery, Family Cemetery, or Mausoleum may be permitted in the LM and HM zoning classifications with the approval of a Special Use Permit.

Commented [TH29]: Deletion - Sec. 200.3.30 Electronic Message Center (EMC) - (see Sec. 200.3.43 Electronic Message Center (EMC))

Addition - Sec. 200.3.30 Child Caring Institution

Commented [TH30]: Deletion - Sec. 200.3.31 Emissions Inspection Station - (see Sec. 200.3.44 Emissions Inspection Station (Principal Use) and Sec. 200.3.45 Emissions Inspection Station (Accessory Use))

Addition - Sec. 200.3.31 Community Center or Cultural Facility

6. Accessory Medical Office or Clinic may be permitted in the LM and HM zoning classifications with the approval of a Special Use Permit.

B. Off-Street Parking

1. Community Center or Cultural Facility shall be subject to the rules and regulations of the City of Lawrenceville Zoning Ordinance, Article 5 Parking, Section 505 Number of Off-Street Parking Spaces Required, Table 5-3, Occupancy Classification & Use, Assembly

2. Parking shall be prohibited with a designated front yard setback area.

C. Area

Minimum lot area – five (5) acre or 217,800 square feet

D. Accessory Uses

Accessory Uses - Day Care Facility, Cemetery, Family Cemetery, or Mausoleum, Medical Office or Clinic, School, Private (Primary and Secondary) shall be prohibited in AR, RS-180, RS-150, CMU, OI, BG, BGC, and HSB zoning classifications.

C. Buffer

A fifty (50) foot undisturbed buffer shall be provided adjacent to residentially zoned properties.

D. Building Setbacks

The buildings shall be located not less than fifty (50) feet from any public right-of-way and not less than thirty (30) feet from any side or rear property line.

E. Landscape Strip

A fifteen (15) foot landscape strip shall be provided adjacent to all public rights-of-way.

F. Building Setbacks

Proposed buildings are setback not less than fifty (50) feet from any public right-of-way and not less than thirty (30) feet from any side or rear property line.

G. Noise

Accessory Recreation and Entertainment (Outdoor) shall conform to the Code of the City of Lawrenceville, Part I. - Charter, Chapter 20 - Environment, Article III. - Noise Control.

Commented [MS31]: Need verification.

H. Road Classification

Such facilities shall be on a Principle Arterial, Major Arterial, Minor Arterial, Major Collector Street, or a State Highway.

I. Road Frontage

Shall have a minimum of two hundred fifty (250) feet of road frontage with direct access to the subject property.

200.3.32 Community Garden

A. Community gardens shall be subject to the following requirements:

1. The garden shall not be located within any required buffer.
2. Outdoor lighting shall be prohibited.
3. Signage shall be limited to a single, non-illuminated sign of no more than four square feet.
4. Gardening equipment and machinery must be stored in an enclosed, secure building or shed.
5. Retail sales shall be prohibited.
6. Composting is permitted on the premises if stored in a manner that controls odor, prevents insect or rodent infestation, and minimizes runoff into waterways and onto adjacent properties.
7. The garden must maintain an orderly appearance and may not be neglected or allowed to become overgrown or eroded.
8. If a community garden ceases operation, and is no longer desired by the owners, it shall be stabilized with grass, trees, and/or shrubbery in accordance with a landscape plan submitted for approval by the Director of Planning and Development.

Commented [TH32]: Deletion - Sec. 200.3.32 Equestrian Facilities, Riding Stables, or Academies (see Sec. 200.3.46 Equestrian Facilities, Riding Stables, or Academies)

Addition - Sec. 200.3.32 Community Garden

200.3.33 Community Living Arrangement (CLA)

Commented [TH33]: Delete - Sec. 200.3.33 Fences and Walls - see PMO Ch 10 Art II Fences, hedges and Walls

Addition - Community Living Arrangement (CLA)

Community Living Arrangement (CLA) shall comply with the following:

Special Use Permit Required

Community Living Arrangement (CLA) may be permitted in AR, RS-180 and RS-150 zoning classifications with the approval of a Special Use Permit from the term “Family,” (see Sub Section 200.3.48 Exceptions from the Definitions of the term “Family.”)

200.3.34 Composting Facility, Yard Trimmings

Yard Trimmings Composting Facilities shall meet the following design standards:

1. Composting materials shall be limited to tree stumps, branches, leaves, and grass clippings, or similar putrescent vegetative materials. Composting materials shall not include animal products or inorganic materials such as bottles, cans, plastics, metals, or similar materials.
2. Along the entire road frontage (except for approved access crossings), and along the side and rear property lines, provide a landscape earthen berm and/or a fence or masonry wall. Landscape earthen berms shall be three feet high with a maximum slope of three-to-one. Fences or masonry walls shall be a minimum of six feet high and composed of 100-percent-opaque solid wood. The fence/wall or berm must be located outside of any public right-of-way and interior to any landscape strip. The finished side of a wall shall face the exterior property lines.

Commented [TH34]: Deletion - Sec. 200.3.34 Fireworks Sales - see Sec. 200.3.48 Fireworks Sales

Addition - Sec. 200.3.34 Composting Facility, Yard Trimmings

200.3.35 Contractors Office (Construction or Landscape)

Contractors Office, Building Construction, Contractors Office, Landscape shall comply with the following:

Special Use Permit

Outdoor Storage (Retail) may be permitted in BG and HSB zoning classifications with the approval of a Special Use Permit.

Commented [TH35]: Deletion - Sec. 200.3.34 Food Trucks - see Sec. 200.3.88 Special Food Service Operations

Additions - Sec. 200.3.35 Contractors Office (Construction or Landscape)

200.3.36 Contractors Office (Heavy or Civil)

Contractors Office, Heavy or Civil shall comply with the following:

1. Special Use Permit

Commented [TH36]: Deletion - Sec. 200.3.36 Fortune Telling - see Sec. 200.3.50 Handwriting Analysis and Fortune Tellers

Addition - Sec. 200.3.36 Contractors Office (Heavy or Civil)

Outdoor Storage (Industrial) may be permitted in LM zoning classification with the approval of a Special Use Permit.

2. Restrictions

Outdoor storage shall be prohibited in the LM and HM zoning classifications on properties located within the Lawrenceville Downtown Development Authority geographical area.

200.3.37 Construction Trailer (Temporary Building)

A temporary building or buildings for use in connection with a construction project or land subdivision development shall be permitted on the land of the project during the construction period.

Commented [TH37]: Deletion - Sec. 200.3.37 Garage or Yard Sales - see COO Part II Ch 12 Art II Div 22 Estate Sales

Addition - Sec. 200.3.37 Construction Trailer (Temporary Building)

200.3.38 Day Care Facility (Family)

Day Care Facility (Family) shall comply with the following:

A. Special Use Permit Required

Day Care Facility (Family) may be permitted in AR, RS-180 and RS-150 zoning classifications with the approval of a Special Use Permit.

Commented [TH38]: Deletion - Sec. 200.3.38 Hair Salon, Beauty Parlor or Barber Shop - See Sec. 200.3.45 Hair Salon, Beauty Parlor or Barber Shop

Addition - Sec. 200.3.38 Day Care Facility (Family)

B. Restrictions

1. The day care facility (family) must be properly licensed through the Department of Early Care and Learning.
2. Proof of owner consent to operate a family day care home must be provided to the Department of Planning and Development if the property is leased.
3. A drop-off and pick-up plan shall be provided to the Department of Planning and Development which illustrates that the operation will not have adverse effects on the flow of traffic.
4. No more than five (5) children under eighteen (18) years of age, including children residing in the dwelling, dwelling unit, building or structure, may be cared for at one time.

200.3.39 Department Store or Supercenter

Such stores may offer automobile maintenance and tire service as a by-right accessory use, provided that junked or wrecked vehicles shall not be allowed on-site, and vehicles undergoing routine service are not kept on the property for more than forty-eight (48) hours. Maintenance bay doors shall not face a public right-of-way.

Commented [TH39]: Deletion - Sec. 200.3.39 Helicopter Landing Pad

Addition - Sec. 200.3.39 Department Store or Supercenter

200.3.40 Drive-Through Service Windows

Drive-Through Service Windows shall comply with the following:

- A.** Drive-through service windows shall provide adequate queue space for a minimum of three cars per lane.
- B.** Stacking lanes shall be delineated from traffic aisles, other stacking lanes, and parking areas with striping, curbing, landscaping, and the use of alternative paving materials or raised medians.
- C.** Stacking lanes shall be designed to prevent circulation congestion, both on site and on adjacent public streets. The circulation shall:
 - 1.** Separate drive-through traffic from site circulation.
 - 2.** Not impede or impair access into or out of parking spaces.
 - 3.** Not impede or impair vehicle or pedestrian traffic movement; and
 - 4.** Minimize conflicts between pedestrian and vehicular traffic with physical and visual separation between the two.
- D.** Stacking lanes shall not interfere with required loading and trash storage areas and loading or trash operations shall not impede or impair vehicle movement. If said separate stacking lane is curbed, an emergency by-pass or exit shall be provided.
- E.** No outdoor speakers shall be employed within two hundred (200) feet of a one-family, townhouse, or two-family uses and zoning.

Commented [TH40]: Deletion - Sec. 200.3.40 Hookah/Vapor Bar or Lounge

Addition - Sec. 200.3.40 Drive-Through Service Windows

200.3.41 Drug Abuse Treatment and Education Programs

Drug Abuse Treatment Facility shall comply with the following:

A. Special Use Permit Required.

1. Drug Abuse Treatment Facility may be permitted in BG and HSB zoning classifications with the approval of a Special Use Permit.
2. Drug Abuse Treatment Facilities providing living arrangements may be permitted with the approval of a Special Use Permit required for the definition of the term “Family.”

B. Restrictions

1. Drug Abuse Treatment and Education Programs shall comply with the provisions of O.C.G.A. § 26-5-1 - § 26-5-23.
2. Shall not be located within 1,000 feet, as measured from property line to property line, of any AR, RS-180, RS-150, RS-60, R-TH, CMU, RM-12, and RM-24 zoning classification.
3. Shall not be located within 1,000 feet, as measured from property line to property line, of any other Drug Abuse Treatment Facility and Education Program.
4. Shall not be located within 1,000 feet, as measured from property line to property line, of any School or College (Business), School, Montessori, School, Private (College or University), School, Private (Primary and Secondary), School, Trade or Vocational
5. Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When adjacent to a residentially zoned property, any outdoor light fixtures shall not exceed thirty-five (35) feet in height.

C. Area

Lot Area – one (1) acre or 43,560 square feet.

D. Landscape Strip

A fifteen (15) foot landscape strip shall be provided adjacent to a public right-of-way.

E. Road Classification

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

200.3.42 **Dump, Junk Yard or Salvage Yard**

Dump, Junk Yard, or Salvage Yard shall comply with the following:

A. **Special Use Permit Required.**

Dump, Junk Yard, or Salvage Yard may be permitted in the LM and HM zoning classifications with the approval of a Special Use Permit.

B. **Restrictions**

1. Shall always have one employee on-site.
2. Shall not be located any closer than three hundred (300) feet from a residential or commercial zoning classification.
3. Shall be completely enclosed with an opaque fence measuring eight (8) feet in height, and in no case less than such height as will effectively screen all storage and other operations from view.
4. Shall be one thousand (1,000) feet from the nearest edge of the right-of-way of any roadway within the city limits of Lawrenceville, Georgia, having a right-of-way of one hundred (100) feet or greater.
5. Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When adjacent to a residentially zoned property, any outdoor light fixtures shall not exceed thirty-five (35) feet in height.

C. **Area**

Minimum lot area - 5 acre or 217,800 square feet.

D. **Landscape Strip**

A fifteen (15) foot landscape strip shall be provided adjacent to all public right-of-ways.

Commented [TH41]: Deletion - 200.3.42 Joint Living Residence

Addition - 200.3.42 Dump, Junkyard, Salvage Yard, Automobile Junkyard or Salvage Yard

200.3.43 **Dumpsters**

Dumpsters shall comply with the following:

A. **Location**

1. Dumpsters shall be in the rear or side yard area only.

Commented [TH42]: Deletion - Sec. 200.3.43 Kennels and Pet Boarding

Addition - Sec. 200.3.43 Dumpsters

2. Dumpsters shall not be allowed in front yard area.
3. Dumpsters, including enclosed structure, shall be setback a minimum of five (5) feet from a side or rear property lines.

B. Enclosure and Pad

1. Dumpster enclosures shall be constructed with exterior architectural treatments that are consistent with the façade of the principal structure.
2. Dumpster enclosure shall be screened on three (3) sides by a brick or masonry wall measuring a minimum of six (6) feet in height, with access provided via an opaque metal gate.
3. Dumpster pads shall be of sufficient size and strength to support the weight of service vehicles. Dumpster pads shall be a minimum of fourteen (14) feet in width and thirty (30) feet in length.

C. Lid and Plug

Dumpsters shall be required to have lids and plugs.

D. Construction Dumpster

1. Dumpsters for construction and debris materials may be permitted with a valid building permit.
2. Dumpsters for construction may be located within a public right-of-way pending the review and approval of the Director of the Planning and Development Department
3. Dumpsters for construction shall be exempt from *Location and Enclosure Pad* requirements of this Sub Section.

200.3.44 Electronic Message Center (EMC)

Electronic Message Center (EMC) shall comply with the following:

A. Special Use Permit Required.

Electronic Message Center (EMC) may be permitted in the BG, HSB and OI zoning classifications with the approval of a Special Use Permit.

B. Restrictions

Commented [TH43]: Deletion - Sec. 200.3.44 Landfills

Addition - Sec. 200.3.44 Electronic Message Center (EMC)

1. Electronic Message Centers (EMC) shall be restricted to properties with direct access to the following public rights-of-way:
 - a. Scenic Highway – From City Limits to Moon Road
 - b. Buford Drive/SR 20 North – From City Limits (at SR 124 intersection) to Railroad Bridge
 - c. W Pike St/SR 120 – From SR 316/City Limits to Railroad Bridge
 - d. Sugarloaf Parkway – From Lawrenceville/Suwanee Road to Five Forks - Trickum Road
 - e. East Crogan Street – From the Eastern City Limits to the Scenic Highway/E. Pike Street intersection.
 - f. West Crogan Street – From its intersection with eastern right-of-way of Gwinnett Drive to its intersection with Langley Drive.
 - g. Text messages shall not scroll or flash. All text messages shall be static for a minimum of 6-seconds.

E. Landscape Strip

A five (5) foot landscape strip shall be provided adjacent to the required ground sign monument.

200.3.45 Emissions Inspection Station (Principal Use)

Emissions Inspection Stations (Principal Use) shall comply with the following:

A. Special Use Permit Required

1. Emissions Inspection Stations may be permitted in the BG, HSB, and LM zoning classifications with the approval of a Special Use Permit.
2. Outdoor storage may be permitted in the BG and HSB zoning classifications with the approval of a Special Use Permit.
3. Outdoor Display or Sales of Merchandise may be permitted in the BG and HSB zoning classifications with the approval of a Special Use Permit.

B. Restrictions

Commented [TH44]: Deletion - Sec. 200.3.45
Livestock, Keeping of (for personal utility)

Addition - Sec. 200.3.45 Emissions Inspection Station
(Principal Use)

1. Outdoor Emissions Inspection Stations shall be prohibited. All installation, maintenance, repair, or service shall be conducted indoors.
2. Outdoor storage shall be prohibited in the LM and HM zoning classifications on properties located within the Lawrenceville Downtown Development Authority geographical area.
3. The facility shall be in a freestanding permanent non-combustible structure.
4. The structure shall include a controlled climate (HVAC), a designated indoor public waiting area (minimum three fixed seats), and restrooms.
5. The facility shall provide a minimum of four paved parking spaces. Drive-through facilities shall also provide a paved stacking lane for a minimum of four vehicles. Parking spaces and stacking lane shall be striped.
6. Emissions Inspection Stations within existing structures containing a floor drain shall be equipped with a separating-system floor drain (i.e., to separate oil, water, and other residue) for treating any surface run-off prior to entering the sanitary sewer system.
7. If constructed on an existing parking lot, the facility and stacking lane(s) shall not occupy any required on-site parking space or encroach into any minimum required driveway width.
8. Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When adjacent to a residentially zoned property, any outdoor light fixtures shall not exceed thirty-five (35) feet in height.
9. Automobile service bays shall not be visible from a public right-of-way.

C. **Landscape Strip**

A fifteen (15) foot landscape strip shall be provided adjacent to a public right-of-way.

200.3.46 Emissions Inspection Stations (Accessory Use)

Emissions Inspection Stations may be a by-right accessory use if directly associated with a legally permitted Automotive, Automotive Repair (General), Automotive Repair (Specialized) and Automotive Repair (All-Other) facilities.

Commented [TH45]: Deletion - Sec. 200.3.46 Livestock Sales Pavilions or Auction Facilities

Addition - Sec. 200.3.46 Emissions Inspection Stations (Accessory Use)

200.3.47 Equestrian Facilities, Riding Stables, or Academies

Stables, corrals, riding rings, and other similar facilities shall not be located closer than 100 feet to any property line.

Commented [TH46]: Deletion - Sec. 200.3.47 Live/Work

Addition - Sec. 200.3.47 Equestrian Facilities, Riding Stables, or Academies

200.3.48 Exceptions from the Definition of the term "Family"

Exceptions from the Definition of the term "Family" shall be as follows:

Commented [TH47]: Deletion - Sec. 200.3.48 Manufactured House/Mobile Home Sales Lot

Addition - Sec. 200.3.48 Exceptions from the Definition of the term "Family"

A. Variance Required

Exceptions from the Definition of the term "Family" may be permitted in the RS-180 and RS-150 zoning classifications with the approval of a Variance.

B. Restrictions

The City Council shall have the power to hear and decide requests for exceptions from the definition of the term "Family" by Special Use Permit when such requests are submitted by groups of more than two (2) persons who are not all related by blood or marriage.

Such exceptions may be granted in cases of unnecessary hardship upon a finding by the City Council that:

1. There are extraordinary or exceptional conditions pertaining to the group in question, and relief, if granted, would not cause substantial detriment to the public good nor impair the purposes or intent of this Zoning Ordinance.
2. Shall be limited to six (6) occupants who live together as a single housekeeping unit and who would otherwise find it economically prohibitive to live in a group of three (3) or fewer persons in a one-family zoning classification.
3. Shall always have one employee on-site.
4. The integrity of the residential character of the one-family dwelling unit shall be preserved and be consistent with the residential character of neighboring one-family dwelling units.

5. The residential dwelling which forms the subject of the variance request contains at least eighty (80) square feet of bedroom space per occupant.
6. The residential dwelling which forms the subject of the variance request is served by public water and sewer service or public water and a septic system approved by the Environmental Health Section for the proposed number of occupants.
7. The residential dwelling lot which forms the subject of the Special Use Permit request contains a paved parking area of no less than twelve hundred (1,200) square feet.
8. Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When adjacent to a residentially zoned property, any outdoor light fixtures shall not exceed thirty-five (35) feet in height.

C. Area

Lot Area – one (1) acre or 43,560 square feet.

D. Landscape Strip

A fifteen (15) foot landscape strip shall be provided adjacent to a public right-of-way.

E. Personal Care Home (PCH) and Community Living Arrangement (CLA)

1. Shall not be located within one thousand (1,000) feet of another Personal Care Home (PCH) or Community Living Arrangement (CLA).

F. Road Classification

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

200.3.49 Fireworks Sales (Principal Use)

Retail sales of fireworks shall be subject to the following restrictions:

A. Special Use Permit Required

Commented [TH48]: Deletion - Sec. 200.3.49
Massage Therapy

Addition - Sec. 200.3.49 Fireworks Sales

1. Fireworks Sales (Principal Use) may be permitted in the BG and HSB zoning classifications with the approval of a Special Use Permit.
2. Outdoor Display or Sales of Merchandise may be permitted in the BG and HSB zoning classifications with the approval of a Special Use Permit.

B. Restrictions

Fireworks Sales (Principal Use) shall comply with the provisions of O.C.G.A. § 25-10-5.1.

200.3.50 Fireworks Sales (Accessory Use)

Fireworks Sales may be a by-right accessory use if directly associated with a legally permitted convenience stores, discount stores, dollar or variety stores, grocery stores, hardware stores, pharmacy and drug stores, sporting goods stores, and wholesale membership clubs, subject to the restrictions of Section 200.3.49 Fireworks Sales (Principal Use).

Commented [TH49]: Deletion - Sec. 200.3.50
Outdoor Sales, or display

Addition - Sec. Fireworks Sales (Accessory Use)

200.3.51 Hair Salon, Beauty Parlor, or Barber Shop

All hair salons, beauty parlors, and/or barber shops must have a posted up-to-date certification from the Georgia State Board of Cosmetology and Barbers.

Commented [TH50]: Deletion - Sec. 200.3.51
Outdoor Seating

Addition - Sec. 200.3.51 Hair Salon, Beauty Parlor, or Barber Shop

200.3.52 Handwriting Analysts and Fortune Tellers

Handwriting Analysts and Fortune Tellers shall comply with the following:

Restrictions

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 Analysts and Fortune Tellers.

Commented [TH51]: Deletion - Sec. 200.3.52
Outdoor Storage (retail)

Addition - Sec. 200.3.52 Handwriting Analysts and Fortune Tellers

200.3.53 Helicopter Land Pad

Helicopter Landing Pad shall comply with the following:

- A. Air services are not permitted to be the primary business or use of the property.
- B. No commercial air services are permitted (i.e.: air taxi, sightseeing, crop dusting, aircraft sales, etc.)

Commented [TH52]: Deletion - Sec. 200.3.53
Outdoor Storage (Industrial)

Addition - Sec. 200.3.53 Helicopter Landing Pad

- C. The owner must hold a valid permit from the Federal Aviation Administration (FAA).

200.3.54 **Home Occupation Permit**

Home Occupation Permits are intended; to protect residential areas from potential adverse impacts of activities defined as home occupations; to permit residents of the community a broad choice in the use of their homes as a place of livelihood in the production or supplementing of personal/family income; to restrict incompatible uses; to establish criteria and develop standards for the use of residential structures or dwelling units for home occupations.

It is not the intent of the Article or Section to eliminate businesses operating as home occupations that may be compatible with residential character of the surrounding area.

A Home Occupation is a small-scale enterprise, occupation, profession, or service operating from the confines of a principal one-family dwelling unit.

Home Occupations shall be strictly limited to the AR, RS-180, RS-150, RS-60, R-TH, and CMU zoning classifications only.

Commented [TH53]: Deletion - Sec. 200.3.54
Outdoor Storage (Residential)

Addition - Sec. 200.3.54 Home Occupation Permit

Table 1 – Examples of Home of Occupations

The examples shown below are intended to be a guide and should not be misconstrued or interpreted as being an approved Home Occupation. Any Home Occupation proposing to include the employment of unrelated persons, on-site assembly, equipment, production, storage or supply of goods and merchandise produced on-site, or on-site appointments, assemblages, business, conferences, consultations or meetings with clients, patients, unrelated employees, or short-term rental unit, persons shall require the approval of a Special Use Permit;

<u>Affiliate Marketer</u>	<u>Animator</u>	<u>Architect</u>	<u>Attorney</u>	<u>Blogger</u>
<u>Bookkeeper</u>	<u>Child/Day Care</u>	<u>Clinical Research Coordinator</u>	<u>Consultant</u>	<u>Copy Writer</u>
<u>Cottage Food Program</u>	<u>Customer Service Representative</u>	<u>Data Entry</u>	<u>Dentist</u>	<u>Editing/ Proofreading</u>
<u>Electronic Business (E-Business)</u>	<u>Electronic Commerce (E-Commerce)</u>	<u>Engineer</u>	<u>Event Planner</u>	<u>Freelance Web Designer</u>

<u>Freelance Writer</u>	<u>Grant Writer</u>	<u>Graphic Designer</u>	<u>Handmade Crafter</u>	<u>Handyman</u>
<u>Insurance Agent/Broker</u>	<u>Interior Designer</u>	<u>Internet Instructor</u>	<u>Internet Security Specialist</u>	<u>Land Surveyor</u>
<u>Online Teacher</u>	<u>Pet Groomer</u>	<u>Photographer/Videographer</u>	<u>Physician</u>	<u>Product Reviewer</u>
<u>Programmer</u>	<u>Realtor</u>	<u>Resume Writer</u>	<u>Search Engine Evaluator</u>	<u>Social Media Manager</u>
<u>Studio (Art)</u>	<u>Tax Preparer</u>	<u>Telephone Nurse</u>	<u>Transcriber/Transcriptionist</u>	<u>Translator</u>
<u>Travel Agent</u>	<u>Virtual Assistant</u>	<u>Virtual Public Relations Representative</u>	<u>Virtual Recruiter</u>	<u>Virtual Tax Preparation</u>
<u>Virtual Tutor</u>	<u>Voice Acting</u>	<u>Web Developer</u>	<u>Web Search Evaluator</u>	<u>Website Tester</u>

All administration, determination, enforcement or interpretation of this Article or Section shall be as defined in Article 9, Administration and Enforcement, Section 902, Planning and Development Director.

A. General Requirements

1. Home Occupation Permit

It shall be a violation of this Article for any person to occupy or use any land, building, or structure or change the use of any land, building, or structure, except for land used for agricultural purposes, without first obtaining a Home Occupation Permit.

2. Mandatory Compliance Statement

Failure to comply with rules and regulations relating to Home Occupation Permits could result in actions authorized by this Ordinance to ensure compliance with or to prevent violation of its provisions, which could include the issuance of a Notice of Violation or Citation, and potentially resulting in Fees, Penalties and/or other Judicial Remedies.

3. Owner's Consent

Where acquisition of the Home Occupation Permit is being undertaken by other than the Owner of the property, an application shall be completed by the owner and submitted to the Planning and Development Department prior to the issuance of a required certificate or permit.

4. Certificate of Occupancy

It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both until a Certificate of Occupancy has been issued by the Director of Planning and Development or their designee stating that the proposed use of the building or land conforms to the provisions of this Ordinance.

5. Occupational Tax Certificate

All persons desiring to operate a Home Occupation shall, prior to commencing such business, trade, or profession, comply with all rules and regulations adopted by the governing authority regulating the operation of a Home Occupation.

B. Permitted, Special Use Permit, Prohibited and Restrictions Home Occupations

Home Occupations shall be classified as Category 1 - Permitted, Category 2 - Special Use Permit and Category 3 -Prohibited.

1. Category 1 – Administrative Approval

Category 1- Permitted does not require a public hearing. The Director of the Planning and Development Department shall have the authority to grant administrative approval of a request.

As part of the application process, each owner of property sharing a common boundary with the subject property must consent to the granting of the variance. If adjoining property owners do not provide consent, the administrative variance application will be considered incomplete and rejected. Any further review of the application will require the review and approval of the City Council through the public hearing process (see Section 200.3.43, Sub Section B. 2. Category – Special Use Permit).

Any person or persons severally or jointly aggrieved by any decision of the Director of Planning and Development may present an Appeal to the Board of Appeals (see Zoning Ordinance, Article 9, Administration and Enforcement).

The authority to grant approval of such request shall be limited to the following:

- a. Permitted Home Occupations shall be conducted through a controlled or connected commercial electronic information service or the internet only.
- b. Home Occupations shall be conducted in conjunction with the use of a principal dwelling unit as a home by the occupant(s) thereof and the residential character of the exterior of a dwelling unit is not altered.
- c. Home Occupations shall be permitted to use a single-family dwelling as a place of work, home office or business mailing address.
- d. Home Occupations shall be limited to twenty-five (25) percent of the total heated floor area of the principal building or structure.
- e. Home Occupations shall not be conducted from an accessory building or structure.
- f. Home Occupations shall be prohibited from using an apparatus that causes dust, electrical or transmitter interference, fumes, glare, noise, odors, or vibration detectable at an adjacent property line.
- g. Home Occupations shall be prohibited from possessing, storing, or using equipment and materials or supplies not normally a part of domestic or household equipment at or on the subject property.
- h. Outdoor display or storage of products associated with a Home Occupation shall be prohibited.
- i. Signage relating to a Home Occupation shall be prohibited from being displayed at or on the subject property.
- j. Home Occupations hours of operation shall be limited to Monday through Friday, 8:00 a.m. to 5:00 p.m.
- k. Home Occupations proposing on-site appointments, conferences, consultations, meetings, sales associated with on-site interactions with clients, customers, patients, or non-resident employees shall be prohibited.
- l. Mandatory compliance with the rules and regulations of this Article and Section shall be required. Non-compliance with this Article and Section shall be considered a violation and may be subject to the rules

and regulations of Article 8, General Regulations, Section 804 Violations and Penalties.

2. Category 2 - Special Use Permit

Category 2 – Special Use Permit shall require a public hearing. The City Council shall have the authority to grant approval of Special Use Permits.

Any person or persons severally or jointly aggrieved by any decision of the City Council may present an Appeal to the Gwinnett County Superior Court (see Zoning Ordinance, Article 9, Administration and Enforcement).

The authority to grant approval of such request shall be limited to the following:

- a. Home Occupations shall be controlled by or connected through a commercial electronic information service or the internet only.
- b. Home Occupations shall be conducted in conjunction with the use of a dwelling unit as a home by the occupant(s) thereof; Exceptions may include the employment of unrelated persons, as defined in Article 10, Definitions, Family, and shall be limited to two unrelated persons with the approval of a Special Use Permit.
- c. Home Occupations proposing external or internal alterations inconsistent with the residential character and use of the single-family building or structure shall be prohibited. There shall be no evidence on the exterior of the premises or visible from the exterior of the premises that the property is used in any way other than for a single-family use.
- d. Home Occupations shall be limited to 25 percent of the total heated floor area of the principal building or structure.
- e. Home Occupations shall not be conducted from an accessory building or structure.
- f. Home Occupations proposing on-site appointments, conferences, consultations, meetings, sales associated with on-site interactions with clients, customers, patients, or non-resident employees shall require the approval of a Special Use Permit.

- g. Home Occupations shall be prohibited from using an apparatus that causes dust, electrical or transmitter interference, fumes, glare, noise, odors, or vibration detectable at an adjacent property line.
- h. Home Occupations shall be prohibited from possessing, storing, or using equipment and materials or supplies not normally a part of domestic or household equipment at or on the subject property.
- i. Outdoor display or storage of products associated with a Home Occupation shall be prohibited.
- m. Signage relating to a Home Occupation shall be prohibited from being displayed at or on the subject property.
- j. Home Occupations hours of operation shall be limited to Monday through Friday, 8:00 a.m. to 5:00 p.m.
- k. On-site assembly, equipment, production, storage or supply of goods and merchandise produced on-site shall require the approval of a Special Use Permit.
- l. All transactions relating to the delivery, distribution or sales of goods and merchandise shall be conducted off-site directly to a consumer at a non-profit event, for-profit event, and through on-line e-commerce.
- m. On-site appointments, assemblages, business, conferences, consultations, or meetings shall require the approval of a Special Use Permit.
- g. An increase in the number of vehicles used by clients or business-related visitors to any Home Occupation shall be limited to two at any time and require the approval of a Special Use Permit.
- h. Vehicles used in connection with the conduct of the Home Occupation shall comply with the requirements of the Code of the City of Lawrenceville, Georgia, Part – Charter., Chapter 10 – Building and Building Regulations, Article II. – Property, as applicable.
- i. Mandatory compliance with the rules and regulations of this Article and Section shall be required. Non-compliance with this Article and Section shall be considered a violation, and subject to the rules and

regulations of Article 8, General Regulations, Section 804 Violations and Penalties.

3. Category 3 - Prohibited

The uses shown below shall be strictly prohibited as a Home Occupation. Any other use of residential property deemed by the Director of Planning and Development as being detrimental or inconsistent with the residential character of the neighborhood shall be prohibited.

Any person or persons severally or jointly aggrieved by any decision of the Director of Planning and Development may present an Appeal to the Board of Appeals. Subsequently, any person or persons severally or jointly aggrieved by any decision of the Board of Appeals may present an Appeal to the Gwinnett County Superior Court. (See Zoning Ordinance, Article 9, Administration and Enforcement).

- a. Automotive, Automotive Repair (General), Automotive Repair (Specialized), Automotive Repair and Maintenance (All Other) facilities, including, but not limited to similar activities associated with any Vehicle or Vessel.
- b. Bakery (Industrial or Retail).
- c. Building Materials Sales.
- d. Contractors Office, Building, Conditioned Air, Construction, Electrical, General, Heavy/Civil, Landscape, Plumbing, Residential, Utility, including but not limited to Commercial Kennels, Excavating, Machine Shops, Welding, and Veterinary Clinics.
- e. Funeral Home, including, but not limited to Crematory, Mausoleum.
- f. Dispatch Facility.
- g. Distribution Facility.
- h. Machine Shop.
- i. Maintenance Shop.
- j. Medical or Dental Clinics (inpatient or outpatient).
- k. Heavy or Farm Equipment Rental, Sales, or Service.

- l. Limousine Service*
- m. Taxi or Ridesharing Service.*
- n. Towing/Wrecker Service.*
- o. Trucking and hauling.*
- p. Sale or use of hazardous materials more than consumer quantities packaged for consumption by individual households for personal care or household use.*
- q. Maintenance, painting, repair, and service, of any including, but not limited to, boats, lawn mower, motor vehicles, personal watercraft, recreation vehicles, small engines, trailers, vessels, or vehicles.*

200.3.55 Hookah, Vapor Bar or Lounge

Hookah, Vapor Bar or Lounge shall comply with the following:

A. Special Use Permit Required

Hookah, Vapor Bar or Lounge may be permitted in BG, BGC and HSB zoning classifications with the approval of a Special Use Permit.

B. Restrictions

1. Smoking of Hookah in any establishment that serves alcohol shall be prohibited.
2. Hours of operation shall not exceed 11:00pm.
3. Hookah bars and lounges shall not serve patrons under the age of 18.
4. Accessory sale of consumer hookah vapes shall be limited to convenience stores, discount stores, dollar or variety stores, grocery stores, hardware stores, pharmacy and drug stores, sporting goods stores, and wholesale membership clubs.
5. Sales and storage of hookah, vapes shall comply with all applicable federal, state and local regulations.

200.3.56 Hotel or Motel

Hotel or Motel shall comply with the following:

Commented [TH54]: Deletion - Sec. 200.3.55
Palmistry, Psychic Reading and Fortune Telling

Addition - Sec. 200.3.55 Hookah, Vapor Bar or Lounge

Commented [TH55]: Deletion - Sec. 200.3.56 Pawn Shop

Addition - Sec. 200.3.56 Hotel or Motel

A. Special Use Permit Required

Hotel or Motel may be permitted in the BG and BGC zoning classifications with the approval of a Special Use Permit.

B. Restrictions

1. All guestrooms which have facilities for both storage and preparation of food shall have a minimum of 250 square feet of floor area.
2. No hotel or motel under this section may be converted to or used as an apartment or condominium.
3. Each guestroom must be protected with a sprinkler system and hard-wired smoke detector.
4. No facility may contain more than fifty guest rooms per gross acre of development.
5. No outside storage or permanent parking of equipment or vehicles shall be permitted.
6. No permanent business license shall be issued for the conduct of any business from any guest room of the facility.
7. An active recreation area shall be provided which meets the following criteria:
8. The size of each recreation area shall be calculated at a ratio of five square feet per room with a minimum area of 750 square feet.
9. All recreation areas must be approved by staff prior to development.
10. Recreation area may be indoors or outdoors.
11. All hotels and motels shall provide a one-hundred-foot buffer from any property zoned for residential purposes.
12. There shall be no access to any guestrooms from the exterior of the building.
13. No individual guest shall register, reside in, or occupy a room or rooms within the same facility for more than forty-five days in any ninety-day period, nor shall any guests move from one room to another without a three-day vacancy in between.

200.3.57 Indoor Special Event Facility

Commented [TH56]: Deletion - Sec. 200.3.57 Payday Loan

Addition - Sec. 200.3.57 Payday Loan

Indoor Special Events Facilities shall comply with the following:

A. Restrictions

1. Indoor Special Events Facilities may be permitted in the BGC zoning classification on properties located within the Lawrenceville Downtown Entertainment District geographical area.
2. Indoor Special Event Facility shall conform to the Code of the City of Lawrenceville, Georgia, Part I – Charter, Chapter 4, Alcoholic Beverages.
3. Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When adjacent to a residentially zoned property, any outdoor light fixtures shall not exceed thirty-five (35) feet in height.

B. Landscape Strip

A fifteen (15) foot landscape strip shall be provided adjacent to all public rights-of-way.

C. Activities

All activities shall take place indoors.

D. Occupancy

Occupancy shall be a minimum of two hundred (200) people.

E. Off-Street Parking

All Special Events Facilities shall be subject to the rules and regulations of the City of Lawrenceville Zoning Ordinance, Article 5 Parking, Section 505 Number of Off-Street Parking Spaces Required, Table 5-3, Occupancy Classification & Use, Assembly.

Special Events Facilities located within the Downtown Entertainment District shall comply with the requirements the City of Lawrenceville Zoning Ordinance, Article 5 Parking, Section 507, Downtown Parking Requirements.

Commented [MS57]: Delete Subsection and add Requirements to match the Section title.

F. Noise

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

G. Restrooms

Permanent restroom facilities shall be provided on-site within the confines of the structure.

H. Road Classification

Such facilities shall be on a Principle Arterial, Major Arterial, Minor Arterial, Major Collector Street, or a State Highway.

I. Security

Security shall be required for each event as established by the City Council at the expense of the applicant.

J. Square Footage

Special Events Facilities shall consist of a minimum of 3,000 square feet of heated space.

K. Exceptions

1. Existing Special Events Facilities operating prior to the adoption of this ordinance in possession of a valid Certificate of Occupancy, Occupational Tax Certificate, Alcoholic Beverage License.
2. Federal, State, County and Municipal Facilities
3. Places of Worship

200.3.58 Insurance Agencies and Brokerages

Insurance Agencies and Brokerages engaged in acting as agents in selling annuities and insurance policies shall comply with the following:

Insurance Agencies and Brokerages shall conform to the Code of the City of Lawrenceville, Chapter 12 – Businesses and Business Regulations, Article II – Business Regulations, Division 2. – Insurance Businesses.

200.3.59 Joint Living Residence

- A. The following shall be considered for the application for a Joint Living Residence:

Commented [TH58]: Deletion - Sec. 200.3.58 Personal Care Home, Family

Addition - Sec. 200.3.58 Insurance Agencies and Brokerages

Commented [TH59]: Deletion - Sec. 200.3.59 Petroleum or Chemical Storage - Above Ground

Addition - Sec. 200.3.59 Joint Living Residence

1. Whether there are extraordinary or exceptional conditions pertaining to the application.
2. Whether, if granted, a joint living residence would cause a substantial detriment to the public good.
3. The number of persons applying to live together in the joint living residence.
4. The square footage of bedroom space per occupant in the proposed joint living residence, not including kitchens, dining rooms, living rooms, garages, hallways, bathrooms, or non-heated spaces.
5. The number of bathrooms in the proposed joint living residence.
6. Whether the proposed joint living residence is served by public water and sewer service.
7. The lot size upon which the proposed joint living residence is located; and
8. The area of the paved parking area serving the proposed joint living residence and the number of cars to be parked in such area.

200.3.60 **Kennels and Pet Boarding**

In agricultural zoning, dog runs, pens, and other similar facilities shall be located no closer than one hundred (100) feet to any property line. Any property where there are four (4) or more dogs over the age of three (3) months kept, maintained, or housed shall be deemed to constitute a kennel, regardless of whether such dogs are kept for business or profit purposes.

Commented [TH60]: Deletion - Sec. 200.3.60
Kennels and Pet Boarding

Additions - Sec. 200.3.60 Places of Religious Worship

200.3.61 **Landfills**

Landfills shall comply with the following:

A. Special Use Permit Required

Landfills may be permitted in the AR and HM zoning classifications with the approval of a Special Use Permit.

B. Restrictions

Commented [TH61]: Deletion - Sec. 200.3.61
Plumbing Equipment Dealer

Addition - Sec. 200.3.61 Landfills

1. A minimum twenty (20) foot natural undisturbed buffer shall be provided between all active waste burial areas and exterior property lines except for approved perpendicular access and utility crossings.
2. A minimum seventy-five (75) foot natural, undisturbed buffer shall be provided between non-waste disposal operations and exterior property lines except for approved perpendicular access and utility crossings.
3. The limits of any 100-year floodplain or a stream buffer of two hundred (200) feet, whichever is greater, shall be preserved as a natural, undisturbed area except for approved perpendicular access and utility crossings.
4. The entire site shall be fenced with a minimum six (6) foot in height chain-link security fence.
5. The landfill shall be located on or have direct private access to a road designated as an arterial roadway in the *Comprehensive Plan*.
6. The applicant shall include with the Special Use Permit application a report detailing the phasing of the landfill and plans for closure and reclamation.
7. The following waste disposal activities, recycling facilities, and recovery activities shall be permitted as accessory uses to landfills, unless otherwise stipulated by the City Council:
 - a. Composting, Municipal Solid Waste.
 - b. Composting, Yard Trimmings.
 - c. Consumer Recycling Centers.
 - d. Gas Recovery/Gas Co-Generation Plant.
 - e. Recovered Materials Processing Facility.
 - f. Solid Waste Transfer Stations.

200.3.62 Livestock (Keeping of for Personal utility)

Livestock, keeping of (for personal utility) shall comply with the following:

A. Special Use Permit Required

Commented [TH62]: Deletion - Sec. 200.3.62 Quarry

Addition - Sec. 200.3.62 Livestock (Keeping of for Personal Utility)

Livestock, keeping of (for personal utility) may be permitted in RS-180 and RS-150 with the approval of a Special Use Permit.

B. Restrictions

1. AR Zoning Classification:

Corrals, Stables, Barns, Pens, Coops, Chicken Houses, and other similar animal quarters shall be located no closer than one hundred (100) feet to any property line.

2. RS-180 and RS-150 zoning classification:

- a. Raising and keeping of livestock for personal pleasure or utility on a parcel which contains the dwelling of the owner, provided that the parcel is at least three (3) acres in area and all animal quarters are located no closer than one hundred (100) feet to any property line.
- b. The minimum lot size for the keeping of chickens shall be ten thousand five hundred (10,500) square feet.
- c. Chickens must be kept securely in an enclosed yard or six (6) sided pen at all times.
- d. Minimum pen area for chickens shall be ten (10) square feet per chicken.
- e. Chickens must be housed at least twenty (20) feet from any property line, and fifty (50) feet from any dwelling or dwelling unit on a neighboring property.
- f. Any structure housing chickens must be located in the rear yard.
- g. The keeping of roosters is prohibited.
- h. The maximum number of chickens shall be as follows:

<u>Lot Area (Square Footage)</u>	<u>Max. # - Chickens</u>
<u>10,500 sq. ft. to 12,499 sq. ft.</u>	<u>3</u>
<u>12,500 sq. ft. to 24,999 sq. ft.</u>	<u>5</u>
<u>25,000 sq. ft. to 39,999 sq. ft.</u>	<u>8</u>
<u>40,000 square feet to 2.99 acres</u>	<u>10</u>

<u>3 acres or larger</u>	<u>No maximum</u>
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- i. Each coop shall have at least four (4) square feet of floor space per chicken over four (4) months old.
- j. Chickens are only permitted as pets or for egg laying production; chickens cannot be kept for slaughter.
- k. Chickens must be kept under sanitary conditions and shall not be a public nuisance as defined by State law.

200.3.63 Livestock (Sales Pavilions or Auction Facilities)

Livestock Sales Pavilions or Auction Facilities shall comply with the following:

A. Special Use Permit Required

Livestock Sales Pavilions or Auction Facilities may be permitted in the AR zoning classification with the approval of a Special Use Permit.

B. Restrictions

- 1. Livestock sales pavilions, auction facilities, show rings or other arenas for the display, exhibition training, or sale of livestock, and animal quarters, shall be located no closer than one hundred (100) feet to any property line.
- 2. Adequate off-street parking shall be provided for livestock trailers, recreation vehicles, etc., associated with the use.
- 3. The event is held more than three (3) days per month.
- 4. Hours of operation extend beyond 6:00 p.m.
- 5. A public address system is utilized.
- 6. Permanent concession facilities are provided.
- 7. Portable restroom facilities are provided.
- 8. Seating facilities for more than one hundred (100) people are provided.
- 9. Parking facilities for more than fifty (50) vehicles are provided.
- 10. An admission fee is charged.

Commented [TH63]: Deletion - Sec. 200.3.63 Recovered Materials Processing Facility
Addition - Sec. 200.3.63 Livestock (Sales Pavilions or Auction Facilities)

200.3.64 **Live/Work Units**

Live/Work Units shall be subject to the rules and regulations of the International Building Code, Chapter 4 Special Detailed Requirements Based on Occupancy and Use, Section 419 Live/Work Units.

Commented [TH64]: Deletion - Sec. 200.3.64 Recreational Vehicles and Vessels

Addition - Sec. 200.3.64 Live/Work Units

200.3.65 **Manufactured House/Mobile Home Sales Lot**

Manufactured House or Mobile Home Sales Lot shall comply with the following:

Commented [TH65]: Deletion - Sec. 200.3.65 Recycling and Donation Containers

Addition - Sec. 200.3.65 Manufactured House/Mobile Home Sales Lot

A. Special Use Permit Required

Manufactured House or Mobile Home Sales Lot may be permitted in HSB and LM zoning classifications with the approval of a Special Use Permit.

B. Restrictions

1. Sales shall not be conducted on lots within one hundred (100) feet of a residential zoned property.
2. All lots must have a permanent building made of brick, stone, or wood frame of no less than one thousand (1000) square feet.
3. Sales units shall not have metal building facades.
4. Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When adjacent to a residentially zoned property, any outdoor light fixtures shall not exceed thirty-five (35) feet in height.

D. Area

Lot Area shall be one (1) acre or 43,560 square feet.

F. Landscape Strip

A fifteen (15) foot landscape strip shall be provided adjacent to a public right-of-way.

200.3.66 **Massage Therapy**

Massage Therapy shall comply with the following:

Commented [TH66]: Deletion - Sec. 200.3.66 Retirement Community, Continuing Care

Addition - Sec. 200.3.66 Massage Therapy

A. Special Use Permit Required

Massage Therapy may be permitted in BG and HSB zoning classifications with the approval of a Special Use Permit.

B. Restrictions

Message Therapists engaged in offering 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 shall comply with the following:

Massage Therapist shall conform to the Code of the City of Lawrenceville, Chapter 12 – Businesses and Business Regulations, Article II – Business Regulations, Division 11. – Massage Therapist.

C. Exemptions

The requirements of this division shall have no application to or effect upon the following persons acting within the scope of their professions:

1. Medical doctors registered or licensed practical nurses.
2. Cosmetologists duly licensed to practice in this State pursuant to State law, except that this exemption shall apply solely to massaging the head, neck, face, scalp, hair, hands, or feet of the patron.

200.3.67 Miniwarehouses and Self-Storage Units (Self-Service)

Miniwarehouses and Self-Storage Units (Self-Service) shall comply with the following:

A. Special Use Permit Required

Miniwarehouses and Self-Storage Units (Self-Service) may be permitted in BG and HSB zoning classifications with the approval of a Special Use Permit.

B. Restrictions

1. Access to all units shall be internal to the development. Doorways leading to external units shall not be visible from a public right-of-way.
2. Storage units shall not be used for manufacturing, retail, or wholesale selling, office, other business or service use, or human habitation.
3. Outdoor speakers or sound amplification systems shall be prohibited.
4. Such a facility may include one accessory office/apartment which is clearly subordinate to the primary use of the facility for warehousing purposes.

Commented [TH67]: Deletion - Sec. 200.3.67 Retirement Community, Independent Living

Addition - Sec. 200.3.67 Miniwarehouses and Self-Storage Units

5. Provide adequate loading and unloading areas outside of fire lanes, required parking lanes, and travel lanes.
6. No outdoor storage of any type shall be allowed at the facility.

200.3.68 Miniwarehouses and Self-Storage Units - Indoor Climate Controlled (Self-Service)

Miniwarehouses and Self-Storage Units (Indoor Climate Controlled) shall comply with the following:

A. Special Use Permit

Miniwarehouses and Self-Storage Units (Indoor Climate Controlled) may be permitted in BG and HSB zoning classifications with the approval of a Special Use Permit.

B. Restrictions

1. Access to all units shall be from the interior of the main building. No access to a storage unit shall lead directly to the exterior of the building.
2. Doorways leading to the interior units shall not be visible from a public right-of-way.
3. Units shall not be used for manufacturing, retail, or wholesale selling, office, other business or service use, or human habitation.
4. Outdoor speakers or sound amplification systems shall be prohibited.
5. Such a facility may include one accessory office/apartment which is clearly subordinate to the primary use of the facility for warehousing purposes.
6. Provide adequate loading and unloading areas outside of fire lanes, required parking lanes, and travel lanes.
7. No outdoor storage of any type shall be allowed at the facility.

200.3.69 Outdoor Dining Area

Outdoor Dining Area shall comply with the following:

Commented [TH68]: Deletion - Sec. 200.3.68 Schools and Colleges (Private)

Addition - Sec. 200.3.68 Miniwarehouses and Self-Storage Units (Indoor Climate Controlled)

Commented [TH69]: Deletion - Sec. 200.3.69 Self-Storage and Mini-Warehouse Facilities

Addition - Sec. 200.3.69 Outdoor Dining Area

A. Outdoor Right-of-Way Restaurant Operations License may be permitted upon the completion of and submittal of an application and final agreement subject to the following:

1. A License Application Fee in the amount of \$100.00 shall be paid to the City of Lawrenceville at the time the application is submitted to the City.
2. General Liability Insurance with a minimum per occurrence amount of one (1) million dollars shall be maintained during any time that this License Agreement is in effect. Said policy shall cover and apply to the Outdoor Dining Area shown on the Site Plan attached to this Application and Agreement ("Outdoor Dining Area"). The City of Lawrenceville shall be named as an additional insured on said policy and a certificate of insurance shall be provided to the City prior to starting operations and use of the Outdoor Dining Area.
3. The License granted by this Agreement shall give the Restaurant(s) the right to control use of the Outdoor Dining Area. The Restaurant may post signage, subject to approval by the City, informing the public of its right to control access to the Outdoor Dining Area. The Restaurant shall be responsible for enforcement of the use of the Outdoor Dining Area and not the City.
4. The Restaurant shall be responsible for cleaning the Outdoor Dining Area. This includes making sure that all trash and debris is properly disposed of and that no trash or debris is permitted to leave the Outdoor Dining Area without being picked up. Trash and debris from this area shall not be permitted to become litter on the streets, sidewalks and surrounding areas.
5. The Restaurant shall be responsible for maintenance and repair of the physical structure of the Outdoor Dining Area in compliance with City and State codes and requirements.
6. This License shall be valid for 1 year from the date of issuance. The City may revoke this License upon thirty (30) days written notice to the Restaurant for failure to comply with the terms and conditions of this Agreement as well as conditions of all required licenses. The Restaurant may apply for renewal of License 60 days before expiration of current

license. A renewal fee as determined by the City Manager at the time of renewal shall be applicable.

7. The Restaurant agrees to protect, defend, indemnify, and hold harmless the City, its Mayor, City Council members, officers, agents and employees from and against any and all liability, damages, claims, suits, liens, expenses, and judgments, for whatever nature, including claims for contribution and/or indemnification, for injuries to or death of any person or persons, or damage to the property or other rights of any person or persons. The Restaurant further agrees to protect, defend, indemnify, and hold harmless the City, its Mayor, City Council members, officers, agents, and employees from and against any and all claims or liability for compensation under the Worker's Compensation Act arising out of injuries sustained by any employee of the Restaurant.
8. The Restaurant and City acknowledge and agree that the Terms and Conditions may be updated by the City from time to time. The City shall provide Restaurant with thirty (30) days written notice of a change to the Terms and Conditions, unless said change is deemed an emergency in which case the City shall provide Restaurant with five (5) business days written notice of the change. Outdoor seating may be within the public right-of-way, and shall be delineated using fixtures such as walls, railings, planters or other similar decorative fixtures, and that do not present a safety hazard.

200.3.70 Outdoor Display or Sales of Merchandise

Outdoor Display or Sales of Merchandise shall comply with the following:

A. Special Use Permit Required

Outdoor Display or Sales of Merchandise may be permitted in BG and HSB zoning classifications with the approval of a Special Use Permit.

B. Restrictions

- 1.** Merchandise may be displayed on the front sidewalk immediately adjacent to a retail building or immediately beneath an actively operating fuel island canopy.
- 2.** Merchandise shall be permitted only along the business' tenant bay or storefront façade.

Commented [TH70]: Deletion - Sec. 200.3.70 Small Financial Institution

Addition - Sec. 200.3.70 Outdoor Display or Sales of Merchandise

3. Merchandise shall not block an entrance or exit to or from the building.
4. Merchandise displayed for sale shall be that normally found within the on-premises business.
5. Merchandise shall not be located on sidewalks that are less than six (6) feet in width or depth and may not extend beyond the limits of the sidewalk.
6. All such display or sales shall meet applicable building and life safety codes.
7. Merchandise displayed or sales shall not be allowed within a required building setback, buffer, driveway, easement, landscape strip, parking space or right-of-way.
8. The Outdoor Display or Sales of Merchandise shall be kept neat and orderly.

200.3.71 Outdoor Storage (Retail)

Outdoor Storage (Retail) shall comply with the following:

A. Special Use Permit

Outdoor Storage (Retail) may be permitted in BG and HSB zoning classifications with the approval of a Special Use Permit.

B. Restrictions

Outdoor Storage of items, equipment, materials, and supplies which are not offered for sale, but which are 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 a required front yard.
2. Outdoor storage shall not be 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 six (6) feet in height.

Commented [TH71]: Deletion - Sec. 200.3.71 Solar Panels

Addition - Sec. 200.3.71 Outdoor Storage (Retail)

Commented [TH72]: Section 200.3.17 – Outdoor Storage (Industrial) is specific to LM and HM zoning classifications. This addition may not be necessary...

5. Outdoor Storage shall require a fifteen (15) foot buffer from any side or rear property lines, including stream buffer and zoning buffer. The required buffer area shall be landscaped to provide an effective year-round visual screening, subject to the review and approval of the Director of the Planning and Development Department.
6. Materials stored outdoors shall not be placed or stacked at a height exceeding that of the screening fence.
7. Outdoor Storage shall not be adjacent to, or visible from a residentially zoned property.
8. Outdoor Storage of junk, scrap materials or metal, rags, paper, abandoned, junk or wrecked vehicles, material shall be prohibited.

200.3.72 **Outdoor Storage (Industrial)**

A. Restrictions

1. In LM and HM zoning classifications, 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:
 - a. Outdoor storage shall be prohibited in the LM and HM zoning classifications on properties located within the Lawrenceville Downtown Development Authority geographical area.
 - b. Outdoor Storage shall not be located within a required front yard.
 - c. Outdoor storage shall not be in the area between the front of the principal structure and a public right-of-way.
 - d. Outdoor Storage shall be located within a side or rear yard area only.
 - e. Outdoor storage shall be screened from a public right-of-way by a solid wood fence, masonry wall, or slatted chain-link fence at least six (6) feet in height.
 - f. Materials stored outdoors shall not be placed or stacked at a height exceeding that of the screening fence or six (6) feet.

Commented [TH73]: Deletion - Sec. 200.3.72 Special Events Facility

Addition - Sec. 200.3.72 Outdoor Storage (Industrial)

- g.** Outdoor Storage shall require a fifteen (15) foot buffer from any side or rear property lines, including stream buffer and zoning buffer. The required buffer area shall be landscaped to provide an effective year-round visual screening, subject to the review and approval of the Director of the Planning and Development Department.
- h.** Outdoor Storage shall not be adjacent to, or visible from a residentially zoned property.
- i.** Outdoor Storage of junk, scrap materials or metal, rags, paper, abandoned, junk or wrecked vehicles, material shall be prohibited.
- j.** Outdoor Storage shall be prohibited within the boundary of the geographical area of the Lawrenceville Downtown Development Authority.
- k.** Outdoor Storage shall be prohibited adjacent to, or visible from, Buford Drive (Hwy. 20), Crogan Street, Five Forks-Trickum Road, Hurricane Shoals Road, Jackson Street, Lawrenceville Highway (Hwy. 29), Lawrenceville-Suwanee Road, Grayson Highway, Gwinnett Drive, Pike Street, Scenic Highway, and Sugarloaf Parkway, subject to the review and approval of the Director of Planning and Development.

200.3.73 Parking Garage or Lot – Privately or Publicly Owned (Principal Use)

Parking Garage or Lot – Privately or Publicly Owned (Principal Use) shall comply with the following:

A. Special Use Permit

Parking Garage or Lot – Privately Owned (Principal Use) may be permitted in the OI, BG, BGC, HSB, LM or HM zoning classifications with the approval of a Special Use Permit.

B. Restrictions

- 1.** Parking Garage or Lots may be designed or used for the temporary parking of motor-driven vehicles for a fee.

Commented [TH74]: Deletion - Sec. 200.3.73 Swimming Pool, Private

Addition - Sec. 200.3.73 Parking Garage or Lot - Privately or Publicly Owned (Principal Use)

2. Parking Garage or Lots shall not be permitted within one hundred (100) feet of a one-family zoned property.
3. Parking Garage or Lots shall be a minimum of twenty-five thousand (25,000) square feet.
4. Parking Structure or Lots shall not be used for the parking or storage of vehicles or vessels, designed, or operated for the transportation of animals, commodities, freight, merchandise, produce, or property.
5. Parking Garages or Lots containing more than ten (10) parking spaces shall provide a minimum of ten (10%) percent of the parking spaces to accommodate compact or electric vehicles.
6. Outdoor Storage shall be prohibited.
7. Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When adjacent to a residentially zoned property, any outdoor light fixtures shall not exceed thirty-five (35) feet in height.

C. **Landscape Strip**

A fifteen (15) foot landscaped strip shall be provided along the right-of-way.

200.3.74 Pawnbrokers and Secondhand Dealers (Financial Institution, Small)

Pawnbrokers and Secondhand Dealers shall comply with the following:

A. **Special Use Permit Required**

Pawnbrokers and Secondhand Dealers may be permitted in BG and HSB zoning classifications with the approval of a Special Use Permit.

B. **Restrictions**

1. Pawnbrokers and Secondhand 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 7. – Pawnbrokers and Secondhand Dealers.
2. Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When

Commented [TH75]: Deletion - Sec. 200.3.74 Tall Structure Permits

Additions - Sec. 200.3.74 Pawnbrokers and Secondhand Dealers

adjacent to a residentially zoned property, any outdoor light fixtures shall not exceed thirty-five (35) feet in height.

C. Landscape Strip

A fifteen (15) foot landscape strip shall be provided adjacent to a public right-of-way.

200.3.75 Personal Care Home (Commercial)

Personal Care Home (Commercial) shall comply with the following:

A. Special Use Permit Required

Permitted in OI (Office Institutional District), BG (General Business District), BGC (Central General Business District) and HSB (Highway Service Business District) with the approval of a Special Use Permit.

B. Restrictions

1. Shall comply with all applicable building, development, fire, health, licensing, and zoning rules and regulations of the City of Lawrenceville, and applicable County and State requirements.
2. Shall always have one employee on-site.
3. Such facilities shall be located on a roadway classified as an Arterial or Collector Street, or a State Highway.
4. All business activity shall be limited to indoors only.

Commented [TH76]: Deletion - Sec. 200.3.75 Tattoo Parlor

Addition - Sec. 200.3.75 Personal Care Home (Commercial)

200.3.76 Personal Care Home (Family)

Personal Care Home (Family) shall comply with the following:

Special Use Permit Required

Personal Care Home (Family) may be permitted in AR, RS-180 and RS-150 zoning classifications with the approval of a Special Use Permit from the term "Family," (see Sub Section 200.3.48 Exceptions from the Definitions of the term "Family.")

Commented [TH77]: Deletion - Sec. 200.3.76 Taxi or Limousine Service

Addition - Sec. 200.3.76 Personal Care Home (Family)

200.3.77 Petroleum or Chemical Storage (Above Ground)

Commented [TH78]: Deletion - Sec. 200.3.77 Title Loan

Addition - Sec. 200.3.77 Petroleum or Chemical Storage (Above Ground)

This use shall be considered a special use when more than 150,000 gallons are stored on one lot of less than one acre in size or when more than 25,000 gallons are stored in any one tank.

200.3.78 Places of Religious Worship

Places of Religious Worship shall comply with following:

A. Special Use Permit Required

1. Places of Religious Worship may be permitted in AR, RS-180, RS-150, CMU, LM and HM zoning classifications with the approval of a Special Use Permit.
2. Accessory Recreation and Entertainment (Outdoor) may be permitted in AR, RS-180, RS-150, CMU, LM and HM zoning classifications with the approval of a Special Use Permit.
3. Accessory Day Care Facility may be permitted in AR, RS-180, RS-150, LM and HM zoning classifications with the approval of a Special Use Permit.
4. Accessory School, Private (Primary and Secondary) may be permitted in AR, RS-180, RS-150, CMU, LM and HM zoning classifications with the approval of a Special Use Permit.

B. Restrictions

1. Shall have a minimum of **two hundred fifty (250)** feet of road frontage with direct access to the subject property.
2. The buildings shall be located not less than **fifty (50)** feet from any **public right-of-way** and not less than **thirty (30)** feet from any side or rear property line.

C. Off-Street Parking

1. Places of Religious Worship shall be subject to the rules and regulations of the City of Lawrenceville Zoning Ordinance, Article 5 Parking, Section 505 Number of Off-Street Parking Spaces Required, Table 5-3, Occupancy Classification & Use, Assembly
2. Parking shall be prohibited with a designated front yard setback area.

Commented [TH79]: Deletion - Sec. 200.3.78 Truck Sales, Leasing, and/or Heavy Service

Addition - Sec. 200.3.78 Places of Religious Worship

D. Area

Minimum lot area – five (5) acre or 217,800 square feet

E. Buffer

A twenty (20) foot undisturbed buffer shall be provided adjacent to residentially zoned properties. This buffer shall be increased to fifty (50) feet in width adjoining any outdoor church recreation facilities.

F. Landscape Strip

A fifteen (15) foot landscape strip shall be provided adjacent to all public rights-of-way.

G. Building Setbacks

Proposed buildings are setback not less than fifty (50) feet from any public right-of-way and not less than thirty (30) feet from any side or rear property line.

H. Noise

Accessory Recreation and Entertainment (Outdoor) shall conform the Code of the City of Lawrenceville, Georgia, Part I - Charter, Chapter 20 – Environment, Article III. – Noise Control.

Commented [MS80]: Need verification.

I. Road Classification

Such facilities shall be on a Principle Arterial, Major Arterial, Minor Arterial, Major Collector Street, or a State Highway.

200.3.79 Plumbing Equipment Dealer

Subject to the rules and regulations of this Article relating to Outdoor Storage.

200.3.80 Pool – Private Pool (Accessory Use)

Issuance of a building permit for a swimming pool as an accessory use to a single residence, whether to be issued at the same time as or subsequent to the permitting or construction of the single-family dwelling, shall first require approval of a Swimming Pool Location Plan as described below.

A. Swimming Pool Location Plan

A Swimming Pool Location Plan is required for residential lots in order to obtain a building permit for a swimming pool. Its purpose is to ensure that the rear yard location and Accessory Structure Setback Requirements are met and that easements are kept free of encroachments.

B. Size and Description

Swimming Pool Location Plans shall be drawn to scale and may be shown on a certified boundary survey of the lot or any other drawing showing the information required below. The Department may accept a Swimming Pool Location Plan drawn to the same scale as shown on the Final Plat where sufficient detail can be shown to support an adequate review and approval.

C. Preparation of Plans

The Swimming Pool Location Plan shall be prepared by an authorized registered professional. The drawing shall accurately depict existing and proposed conditions ensuring the proposed improvements will be constructed on the lot in conformance with the requirements of this Zoning Ordinance, or other regulations as applicable.

D. Minimum Plan Requirements

1. Boundary lines of the lot with distances and bearings.
2. Location and names of all abutting streets or other street rights-of-way.
3. Minimum required front building setback lines with dimensions.
4. Shall be located in a rear yard area.
5. Minimum required 5-foot accessory structure setback from side and rear property lines.
6. Self-closing and self-latching gate equipped with a locking device.
7. Pump, equipment structures and decking.
8. Septic tank and drain field (if applicable).
9. Height, type, and location of required pool fencing.
10. The approximate outline of all buildings, driveways, swimming pools, recreational courts, patios, accessory structures, and other improvements, existing or proposed, on the property, and dimensions of

buildings and distances between all structures and the nearest property lines.

11. Location and dimensions of any water, sewer, drainage or other easements, stormwater management facilities, septic tank, and septic tank drain field located on the lot.
12. Subdivision name, lot, and block designation.
13. North arrow and scale.
14. 100-year floodplain limits, any applicable stream buffers, or other special building setback lines.
15. Any other applicable requirements of the Zoning Ordinance or conditions of zoning approval.

E. Residential Drainage Study

Based on site conditions, a Residential Drainage Study (RDS) may also be required prior to issuance of the building permit. A Certificate of Occupancy for the residence shall not be issued until conformance to the Swimming Pool Location Plan (and to provisions of the RDS, if applicable) has been field verified by the Department.

F. Compliance

City of Lawrenceville Planning and Development Department - building, development, and zoning codes, ordinances, and regulations (i.e., Building Permit & Certificate of Occupancy required)

Gwinnett County Department of Planning and Development codes, ordinances, and regulations (e.g., Addressing, Water & Sewer).

Gwinnett County Environmental Health Department (i.e., in-ground pool located on single-family lot served by a septic tank).

State of Georgia, Department of Public Health, Rules and Regulations, Tourist Accommodations, Chapter 511-6-2.

200.3.81 Pool – Public Pool (Accessory or Principal Use)

Issuance of a building permit for a swimming pool as an accessory or principal use whether to be issued at the same time as or subsequent to the permitting or

development of the property, shall first require approval of a Swimming Pool Location Plan as described below. These rules prescribe minimum design, construction, and operation requirements for the protection of public health and safety of the public in swimming pools, spas, and recreational water parks.

A. Special Use Permit

1. Permitted as an accessory or principal use in the OI (Office Institutional District), BG (General Business District) and HSB (Highway Service Business District) with the approval of a Special Use Permit.
2. Outdoor storage of equipment, materials and/or merchandise shall be subject to approval of a Special Use Permit.

B. Swimming Pool Location Plan

A Swimming Pool Location Plan is required for a property owner to obtain a building permit for a swimming pool. Its purpose is to ensure that the rear yard location and accessory structure setback requirements are met and that easements are kept free of encroachments.

C. Size and Description

Swimming Pool Location Plans shall be drawn to scale and may be shown on a certified boundary survey of the lot or any other drawing showing the information required below. The Department may accept a Swimming Pool Location Plan drawn to the same scale as shown on the Final Plat where sufficient detail can be shown to support an adequate review and approval.

D. Preparation of Plans

The Swimming Pool Location Plan shall be prepared by an authorized registered professional. The drawing shall accurately depict existing and proposed conditions ensuring the proposed improvements will be constructed on the lot in conformance with the requirements of this Zoning Ordinance, or other regulations as applicable.

E. Minimum Plan Requirements

1. Boundary lines of the lot with distances and bearings.
2. Location and names of all abutting streets or other street right-of-way.
3. Minimum required front building setback lines with dimensions.

4. Minimum required 5-foot accessory structure setback from side and rear property lines.
5. Self-closing and self-latching gate equipped with a locking device.
6. Pump, equipment structures and decking.
7. Septic tank and drain field (if applicable).
8. Height, type and location of required pool fencing.
9. The approximate outline of all buildings, driveways, swimming pools, recreational courts, patios, accessory structures and other improvements, existing or proposed, on the property, and dimensions of buildings and distances between all structures and the nearest property lines.
10. Location and dimensions of any water, sewer, drainage or other easements, stormwater management facilities, septic tank, and septic tank drain field located on the lot.
11. Development name.
12. North arrow and scale.
13. 100-year floodplain limits, any applicable stream buffers, or other special building setback lines.
14. Any other applicable requirements of the Zoning Ordinance or conditions of zoning approval.

F. Residential Drainage Study

Based on site conditions, a Residential Drainage Study (RDS) may also be required prior to issuance of the building permit. A Certificate of Occupancy for the residence shall not be issued until conformance to the Swimming Pool Location Plan (and to provisions of the RDS, if applicable) has been field verified by the Department.

G. Compliance

1. City of Lawrenceville building, development, and zoning codes, ordinances, and regulations.
2. Gwinnett County Department of Planning and Development codes, ordinances, and regulations (e.g., Addressing, Fire, Water & Sewer).

3. Gwinnett County Environmental Health Department (in-ground pool located on single-family lot served by a septic tank).
4. State of Georgia, Department of Public Health, Rules and Regulations, Public Swimming Pools, Spas, and Recreational Water Parks, Chapter 511-3-5.

200.3.82 Precious Metals Dealers

Precious Metals Dealers 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 shall comply with the following:

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

200.3.83 Quarrying, Mineral Extraction

Quarry shall comply with the following:

A. Special Use Permit

Quarry may be permitted in LM and HM zoning classifications with the approval of a Special Use Permit.

B. Restrictions

1. Such facilities shall be located on a roadway classified as an Arterial or Collector Street, or a State Highway.
2. Quarry areas being evacuated shall be entirely enclosed within a fence located at least ten (10) feet back from the edge of any excavation and of such constructions and height as to be demonstrably able to exclude children and animals from the quarry area.
3. The operators and owners of the quarry present to the Mayor and Council an acceptable comprehensive plan for the reuse of the property at the cessation of the quarry operations.

Commented [MS81]: "Extraction" added to be consistent with SAR Table and Definition

4. In the case of an existing quarry, an extension of the quarry operations beyond the areas being quarried or approved for quarrying at the effective date of this Ordinance shall be permitted and shall not be considered a new operation (provided that said extension does not extend to within one thousand (1,000) feet of a residential or commercial zoning district boundary line).

200.3.84 Recovered Materials Processing Facility

Recovered Materials Processing Facility shall comply with the following:

A. Special Use Permit Required

Recovered Material Processing Facility may be permitted in LM and HM zoning classifications with the approval of a Special Use Permit.

B. Restrictions

1. Outdoor storage shall be prohibited in the LM and HM zoning classifications on properties located within the Lawrenceville Downtown Development Authority geographical area.
2. Activities shall be limited to collection, sorting, compaction, and shipping.
3. Shall not be located adjacent to or across the street from any property used for or zoned for one-family, townhouse or two-family residential uses.
4. Hours of operation shall be limited to Sunday through Saturday, 7:00 a.m. and 6:00 p.m.
5. Such facilities shall be located on a roadway classified as an Arterial or Collector Street, or a State Highway.
6. Any outside storage areas shall be screened by a minimum eight (8) foot in height opaque fence; masonry wall; or slatted chain-link fence. Materials stored outdoors shall not be placed or stacked at a height exceeding that of the screening fence.
7. Outdoor Storage of components, debris, equipment, goods, items, equipment, materials, merchandise, products, supplies, tractor, tractor-

trailers, vehicles, vending machines, vessels or similar items shall be prohibited.

200.3.85 Recycling and Donation Containers

Recycling and donation containers shall be prohibited in the City.

200.3.86 Retirement Community, Continuing Care

Retirement Community, Continuing Care facilities shall comply with the following:

A. Special Use Permit

Retirement Community, Continuing Care may be permitted in the CMU zoning classifications with the approval of a Special Use Permit.

B. Restrictions

1. Mixed-Use proposals consisting of commercial, multifamily, one-family, two-family and townhouse dwellings and dwelling units shall be designed in accordance with the rules and regulations governing the CMU zoning classification.
2. Shall be located on a Principal Arterial, Major Arterial, Minor Arterial, Major Collector Street or State Highway.

C. Area

Minimum lot area shall be five (5) acres or 217,800 square feet.

G. Landscape Strip

A fifteen (15) foot landscape strip shall be provided adjacent to a public right-of-way.

Commented [TH82]: In response to comments found in Article 1. May need additional thought

200.3.87 Retirement Community, Independent Living

Retirement Community, Independent Living facilities shall comply with the following:

C. Special Use Permit

Retirement Community, Independent Living may be permitted in the CMU zoning classifications with the approval of a Special Use Permit.

Commented [TH83]: In response to comments found in Article 1. May need additional thought

D. Restrictions

1. Mixed-Use proposals consisting of commercial, multifamily and one-family, two-family and townhouse dwellings and dwelling units shall be designed in accordance with the rules and regulations governing the CMU zoning classification.
2. Shall be located on a Principal Arterial, Major Arterial, Minor Arterial, Major Collector Street or State Highway.

D. Area

Lot area shall be five (5) acres or 217,800 square feet.

H. Landscape Strip

A fifteen (15) foot landscape strip shall be provided adjacent to a public right-of-way.

200.3.88 School, Private (College or University)

School, Private (College or University) shall comply with the following:

A. Special Use Permit Required

School, Private (College or University) may be permitted in AR zoning classification with the approval of a Special Use Permit.

B. Restrictions

1. The proposed facility shall be located on an Arterial Roadway or Collector Street as identified in the *Comprehensive Plan* or a State Highway with a minimum of two hundred (200) feet of frontage on the street or highway.
2. The proposed site contains at least five acres of land with at least four acres lying outside of any 100-year FEMA Flood Hazard area.
3. Proposed buildings are setback not less than fifty (50) feet from any street and not less than twenty (20) feet from any side or rear property line. Note: If an abutting property is zoned non-residential, the minimum side and rear yard setbacks for the buildings shall match the minimum setbacks required of the adjacent zoning category where it abuts the non-residential category.

4. Parking shall be prohibited within the fifty (50) foot Front Yard Setback.
5. When adjacent to a property zoned for a single-family detached residential use, a buffer of at least forty (40) feet shall be provided along the common property line(s).
6. The tract shall be one contiguous zoning classification.

200.3.89 Short-Term Rental Unit

Short-Term Rental Unit shall comply with the following:

A. General Requirements

For the purposes of this subsection, a short-term rental unit shall include any non-subsidized Hotel and Motel, Multifamily, One-Family, Two-family, and Townhouse on any property within the city that is rented to the same tenant for a period of less than twenty (20) nonconsecutive business days. A short-term rental unit shall be located inside the property owner's occupied principal dwelling located on the same property.

1. Short-Term Rental Unit Permit

It shall be a violation of this Article for any person to occupy or use any land, building, or structure or change the use of any land, building, or structure, without first obtaining a Short-Term Rental Unit Permit.

2. Mandatory Compliance Statement

Failure to comply with rules and regulations relating to Home Occupation Permits could result in actions authorized by this Ordinance to ensure compliance with or to prevent violation of its provisions, which could include the issuance of a Notice of Violation or Citation, and potentially resulting in Fees, Penalties and/or other Judicial Remedies.

3. Owner's Consent

Where acquisition of the Short-Term Rental Unit Permit is being undertaken by other than the Owner of the property, an application shall be completed by the owner and submitted to the Planning and

Development Department prior to the issuance of a required certificate or permit.

4. Certificate of Occupancy

It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both until a Certificate of Occupancy has been issued by the Director of Planning and Development or their designee stating that the proposed use of the building or structures conforms to the provisions of this Ordinance.

5. Occupational Tax Certificate

All persons desiring to operate a Short-Term Rental Unit shall, prior to commencing such business, trade, or profession, comply with all rules and regulations adopted by the governing authority regulating the operation of a Short-Term Rental Unit.

B. Permitted, Special Use Permit, and Restrictions

Short-Term Rental Units shall be classified as *Category 1 – Administrative Approval*, and *Category 2 – Special Use Permit*.

1. Category 1 – Administrative Approval

Category 1- Administrative Approval does not require a public hearing. The Director of the Planning and Development Department shall have the authority to grant administrative approval of a request.

As part of the application process, each owner of property sharing a common boundary, lot line or property line with the subject property must consent to the granting of the variance. If adjoining property owners do not provide consent, the administrative variance application will be considered incomplete and rejected. Any further review of the application will require the review and approval of the City Council through the public hearing process (see Section 200.3.54, Sub Section B. 2. Category – Special Use Permit).

Any person or persons severally or jointly aggrieved by any decision of the Director of Planning and Development may present an Appeal to the Board of Appeals (see Zoning Ordinance, Article 9, Administration and Enforcement).

a. Authority to Grant Approval

The authority to grant approval of such request shall be limited to the following:

- i. A short-term rental unit permit is valid for one (1) year from the date of issuance.
- ii. The owner, platform or manager operating a short-term rental unit shall hold a valid city Occupational Tax Certificate. Any advertisement of the short-term rental unit shall include the relating Occupational Tax Certificate number.
- iii. All owners, platforms and managers of multiple short-term rental units shall register and provide detailed records of rental activity and taxes by rental unit.
- iv. All owners or hosts shall post the city's noise ordinance in a visible location in the short-term rental unit (see *The Code of the City of Lawrenceville, Part I. – Charter, Chapter 20. – Environment, Article III. – Noise Control*).
- v. Vehicles and Vessels used in connection with the conduct of the Home Occupation shall comply with the requirements of the *Code of the City of Lawrenceville, Georgia, Part I – Charter, Chapter 10 – Building and Building Regulations, Article III. – Property, as applicable*.
- vi. Vehicles and Vessels parked in conjunction with the conduct of the Short-Term Rental Unit shall parked on an approved *hard surface*. The number of vehicles or vessels parked outside of the dwelling on any given parcel shall not exceed four.
- vii. Mandatory compliance with the rules and regulations of this Article and Section shall be required. Non-compliance with this Article and Section shall be considered a violation and may be subject to the rules and regulations of Article 8, *General Regulations, Section 804 Violations and Penalties*.

2. Category 2 - Special Use Permit

Category 2 – Special Use Permit shall require a public hearing. The City Council shall have the authority to grant approval of Special Use Permits.

The authority to grant approval of such request shall be subject to the rules and regulations found in this Section, Sub Section B.1.a.(i through vii).

C. Denial, Suspension and Revocation

1. Any person or persons severally or jointly aggrieved by any decision of the City Council may present an Appeal to the Gwinnett County Superior Court (see Zoning Ordinance, Article 9, Administration and Enforcement).
2. A permit may be revoked by the city at any time, due to the failure of the permit holder to comply with any requirements of this chapter. Notice of revocation shall be made in writing to the permit holder. Any person aggrieved by such notice may appeal the revocation pursuant to this Section.
3. An advertisement promoting the availability of property containing short-term rental units in violation of this Section shall be prima facie evidence of a violation, and may be grounds for denial, suspension, or revocation of a license.

200.3.90 Small Financial Institution (Financial Institution, Small)

See Check Cashing, Payday Loan, Small Financial Institution, Title Loan and Wireless Transfer Facility.

Commented [MS84]: Discuss "Check Cashing ..." Definition

200.3.91 Special Food Service Operations

Special Food Service Operations shall comply with the following:

A. City of Lawrenceville Registration Required

1. It shall be unlawful for any person to sell or offer for sale of food of any type from a Special Food Service Operation without approval of the Director of the Planning and Development Department.
2. An application for a Special Food Service Operations hereunder shall be submitted to the Planning and Development Department setting forth all information required hereunder and in compliance with this article. The

review process for said application shall be conducted in conformity with the rules and regulations of this Section.

B. Application

An application for a permit hereunder shall be submitted to the Director of the Planning and Development Department or designee setting forth all information required hereunder and in compliance with this Section.

The following information shall be provided with each application for Special Food Service Operation:

- Business Name
- Federal ID (FEIN)
- Georgia Sales and Use Tax Number
- Business Owner Contact Information (e.g., name, email, phone number, business address)
- On-Site Operator Contact Information (e.g., name, email, phone number, business address, etc.)
- Property Owner Contact Information (e.g., name, email, phone number, business address, etc.)
- Site Location Information
- Gwinnett Environmental Health (e.g., permit number, application, letter of compliance)
- Mobile Vending Unit (Mobile or Temporary)
- Vehicle Make, Model, and License Plate Number (as applicable).
- Owner's contact information
- List of operating locations and times
- Signatures from property owners indicating consent for the use of their property.
- Signature of the applicant indicating agreement to the listed requirements.

C. State and County Health and Safety Regulations

Special Food Service Operations shall comply with all State of Georgia and Gwinnett County health and safety regulations.

1. Shall obtain and maintain all licenses and permits required by any other health, or governmental organization or entity having jurisdiction over this subject matter.
2. Shall be directly affiliated, or contractually obligated with a primary use owner/operator of a properly licensed and permitted Food Service Establishment or Base of Operations/Commissary.
3. Shall have written permission from the primary use owner/operator to conduct business utilizing their licenses and permits.

D. Required Documentation

1. Gwinnett Environmental Health

- Copy of Gwinnett Environmental Health Food Service Permit Application
- Copy of Gwinnett Environmental Health Letter of Compliance.

2. Proof of Authorization

Special Food Service Operations shall comply with all federal, state and county health and safety regulations and requirements and shall obtain and maintain any municipal certificates, decals, licenses required by any other health organization or governmental organization having jurisdiction over this subject matter.

3. Proof of Liability Insurance

Shall provide proof of current liability insurance, issued by an insurance company licensed to do business in the state, protecting the Special Food Service Operations vendor and the public from all claims for damage to property and bodily injury, including death, which may arise from operation under or in connection with the permit. Such insurance shall provide that the policy shall not terminate or cancel prior to the expiration date without 30 days' advanced written notice to the city.

4. Property Owner Consent

Special Food Service Operations shall not operate from any property without the written consent of the property owner of record.

E. Types of Special Food Service Operations

1. Catering Food Service Establishment

A catering food service establishment may include one or more mobile catering units and other components which allow for the preparation and service of food at the service site; however, the term shall not include operations such as temporary food service establishments or extended food service establishments and shall not include delivery of food (for example, pizza) by a food service establishment to a consumer (See Food Processing Establishment/Commercial Kitchen).

2. Extended Food Service Unit

A permitted stationary trailer, kiosk or similar unit operating as an extension of and under the managerial authority of a permitted food service establishment located on the same property.

3. Incubator Food Service Establishment

These commercial food service kitchen facilities are rented to incubatees/members on a separation of time and space basis. The incubator food service establishment, also known as a kitchen incubator or shared kitchen, enables a food service operation to develop to the stage where it may invest in its own commercial food service establishment equipment and facilities (See Food Processing Establishment/Commercial Kitchen).

4. Mobile Food Service Unit

An independent trailer, motor driven or manually propelled pushcart, food truck, watercraft, movable portable structure, vehicle vendor or any other similar conveyance which is not connected to a permanent water supply or sewer disposal system and from which food is offered for sale or service.

5. "Pop-Up" Food Service Establishment

The sale of food to a limited group of customers by a permitted food service establishment coordinated through a facilitator, at an off-site

location within a building or enclosed courtyard that has been approved by the Health Authority.

6. Temporary Food Service Establishment

A food service establishment that operates at the same location for a period of no more than fourteen (14) consecutive days in conjunction with a single event or celebration.

Subject to the rules and regulations of the 2018 IBC International Business Code, City of Lawrenceville Building and Building Regulations, Development Regulations and Zoning Ordinance.

B. Restrictions

1. Alcoholic Beverages

Special Food Service Operations shall abide by the rules and regulations of the Code of Ordinances, Part I. Charter, Chapter 4. – Alcoholic Beverages

2. Hours of Operation

Shall limit the hours of operations between 10:00 am and close of business of the primary use of the lot, Sunday through Saturday.

Exceptions – City of Lawrenceville sponsored or sanctioned events (i.e. celebrations, concerts, parades, etc.).

3. Noise

Special Food Service Operations shall abide by the rules and regulations of the Code of Ordinances, Part I. Charter, Chapter 20. – Environment, Article III. – Noise Regulation

4. Site Restrictions

- i.* Special Food Service Operations are allowed only in commercial zoning districts, except as part of a special event sponsored by a homeowners' association or similar official neighborhood organization (See Section 200.3.35.E Temporary Use Permit Required).

- ii. Shall not conduct business or operate on a public property or within a public right-of-way.*
- iii. Shall not block any ingress/egress or vehicular circulation in a parking lot, loading/unloading area, or building entrance.*
- iv. Shall occupy no more than ten (10) percent of the designated parking spaces on a given property, and at no time shall the operation reduce the number of required parking spaces on a property as required by the *Zoning Ordinance, Article 5 Parking.**
- v. Shall not be left unattended or stored at any time on the site when vending is not taking place or during restricted hours of operation.*
- vi. Shall be limited to a maximum of two (2) Extended, Mobile “Pop-Up” or Temporary units per zoning lot, consisting of a principally permitted building and use on the same zoning lot.*
- vii. Shall not operate on a vacant lot or on a lot where the principal building is vacant or unoccupied.*
- viii. Temporary outdoor table and seating shall be removed from the subject property within twenty-fours (24) hours of the end of the scheduled event.*
- ix. On-site/off-site signage shall not be permitted.*

Exceptions – City of Lawrenceville sponsored or sanctioned events (e.g., celebrations, concerts, parades).

5. Schedule of Events

- i. Special Food Service Operations shall provide quarterly schedule of events.*
- ii. A permitted Mobile Food Service Unit may conduct business for eight (8) days in any calendar month. A minimum of two calendar days must transpire between operating periods on any given property.*
- iii. A permitted Temporary Food Service Establishment may conduct business for fourteen (14) consecutive days in conjunction with a City of Lawrenceville sponsored or sanctioned event.*

Exceptions – City of Lawrenceville sponsored or sanctioned events (i.e. celebrations, concerts, parades, etc.).

C. Temporary Use Permit Required

Shall be permitted in the RS-180, RS-150, RS-60, RM-12, RM-24, and CMU zoning classifications with the approval of a Temporary Use Permit.

1. Temporary Use Permit Restrictions

- i.* Temporary Food Service Establishments may be allowed in residential zoning districts as part of a special event sponsored by a homeowners' association or similar official neighborhood organization.
- ii.* A food service establishment that operates at a location for a period of no more than one (1) day in conjunction with a single event or celebration.

Exceptions – City of Lawrenceville sponsored or sanctioned events (e.g., celebrations, concerts, parades).

1. Temporary Use Permit Restrictions

a. Alcoholic Beverages

Temporary Food Service Establishments shall abide by the rules and regulations of the *Code of Ordinances, Part I. Charter, Chapter 4. – Alcoholic Beverages*

b. Schedule of Events

- i.* Mobile or Temporary Food Service Establishment(s) shall provide a schedule of events.
- ii.* A permitted Mobile or Temporary Food Service Establishment may conduct business for four (4) days in any calendar month. A minimum of six calendar days must transpire between operating periods on any given property.
- iii.* Shall limit the hours of operations between 10:00 a.m. and 10 p.m., Friday and Saturday only.

Exceptions – City of Lawrenceville sponsored or sanctioned events (i.e. celebrations, concerts, parades, etc.).

c. Noise

Mobile and Temporary Food Service Establishment(s) shall abide by the rules and regulations of the Code of Ordinances, Part I. Charter, Chapter 20. – Environment, Article III. – Noise Regulation

d. Site Restrictions

- i. Shall not conduct business or operate on a public property or within a public right-of-way, without the approval of the City Engineer and Director of the Planning and Development Department.
- ii. Shall not block any ingress/egress or vehicular circulation in a parking lot, loading/unloading area, or building entrance.
- iii. Shall not be left unattended or stored at any time on the site when vending is not taking place or during restricted hours of operation.
- iv. Shall be limited to a maximum of one (1) Mobile Food Service Establishments per event.
- v. Temporary outdoor table and seating shall be removed from the subject property within twenty-fours (24) hours of the end of the scheduled event.
- vi. On-site/off-site signage shall not be permitted.

Exceptions – City of Lawrenceville sponsored or sanctioned events (e.g., celebrations, concerts, parades, etc.).

200.3.92 Tall Structure Ordinance

ARTICLE I - TOWERS AND ANTENNAS

DIVISION 1. IN GENERAL

A. Purpose

The purpose of this Ordinance is to establish guidelines for all tall structures fifty (50) in height or greater (e.g., antennas, buildings, structures, towers, etc.):

1. To encourage the location of towers in non-residential areas.
2. To minimize the total number of towers within community necessary to provide adequate personal wireless services to residents.
3. To encourage the joint use of new and existing tower sites among service providers:
4. To locate telecommunications towers and antennas in areas where adverse impacts of the community are minimized.
5. To encourage design and construction of towers and antennas to minimize adverse visual impacts; and,
6. To enhance the ability of providers of telecommunications services to deliver such services to the community effectively and efficiently.

B. Application of Ordinance

1. District Heights Limitations

Except as set forth in *Division 1, Subsection B. Application of Ordinance, 3. Amateur Radio: Receive-Only Antennas* herein, the requirements of this Ordinance shall govern the location of telecommunications towers that exceed, and antennas installed at a height more than 50 feet.

2. Governmental Exemption

The provision of this Ordinance shall not apply to governmental facilities and structures.

3. Amateur Radio; Receive-Only Antennas

This Ordinance shall not govern any tower, or the installation of any antenna that is 75 feet or less in height and is owned and operated by a federally licensed amateur radio station operator from the operator's primary place of residence or is used exclusively as a receiver-only antenna.

4. Pre-Existing Towers and Antennas

Any tower or antenna for which was legally permitted and issued prior to the effective date of this Ordinance shall not be required to meet the provisions of this Ordinance other than the requirements of *Division 2, Subsection(s) H. Federal Requirements and I. Building Code: Safety*

Standards. Any such towers or antennas shall be referred to as “preexisting towers” or “preexisting antennas.”

5. Additional Antennas

If an additional antenna is co-located affixed to a preexisting tower after adoption of this Ordinance, then fencing and landscaping requirements of *Division 2, Subsection(s) H. Federal Requirements and I. Building Code: Safety Standards Section (s) 108-57 and 108-58* shall be required as part of the permitting process.

C. Removal of Abandoned Towers and Antennas

- 1.** Any tower or antenna not operating for a continuous period exceeding six months shall be considered abandoned and the owner of such tower and antenna shall remove the structure within 60 days of receipt of notice from the Department notifying the owner of such abandonment. If said tower or antenna is not removed within said 60 days, the governing authority may, in the manner provided in the Official Code of Georgia, Section(s) 41-2-7 through 41-2-17, remove such tower or antenna at the owner’s expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease utilizing the tower or antenna.
- 2.** Prior to the issuance of a permit for the construction of a tower or antenna, the owner of the tower or antenna facility shall procure a bond or letter of credit from a surety with an office located in Gwinnett County, State of Georgia, in an amount not less than \$25,000 conditioned upon the removal of the tower and/or antenna, should it be deemed abandoned under the provisions set forth in paragraph (1) of this Section. Such bond or letter of credit must be renewed at least every two years during the life of the tower or antenna.

D. Legal Status Provisions

Whenever the regulations of this Ordinance require a greater depth, size or width of yard or impose other restrictive standards than are required in or under any other statute or covenants, the requirements of *Section 200.3.37* shall govern. Whenever the provisions of any other statute or covenants require more restrictive standards than those of *Section 200.3.37*, the provisions of such statutes or covenants shall govern.

DIVISION 2. GENERAL PROVISIONS

A. Principal and Accessory Use

A tower and/or antenna is considered a principal use if located on any lot or parcel of land as the sole or primary structure and is considered an accessory use if located on a lot or parcel shared with different existing primary use or existing structure. An existing use or structure on the same lot or parcel shall not preclude the installation of a tower or antenna. For purposes of determining whether the installation of a tower or antenna complies with the zoning district requirements, including but not limited buffer, setback and other requirements, the dimensions of the entire lot or parcel shall control, even though the tower or antenna may be located on a leased area within such lot or parcel. Towers or antennas constructed and installed in accordance with the provisions of this Ordinance shall not be deemed to constitute the expansion of a nonconforming use or structure.

B. Inventory of Existing Sites

1. The City of Lawrenceville Planning and Development Department shall maintain an inventory of all tower structures, active or inactive, which are present in the city limits. This inventory shall include specific information about the design, height, location (latitude and longitude coordinates), tower type and general suitability for antenna co-location of each tower and other pertinent information.
2. To facilitate the co-location of antennas each Applicant seeking to locate a new tower, alternative tower structure or antenna, or modify any existing structure shall provide the Department an affidavit setting forth an inventory of its existing towers or alternative tower structures as provided for below. The Applicant shall specifically identify its towers or alternative structures, active or inactive, which are present in the City of Lawrenceville. Applicants seeking to erect an amateur radio tower or antenna shall be exempt from this provision.
3. The Applicant's affidavit shall include all of its structures that are within the jurisdiction of the governing authority; within one mile of the border of City of Lawrenceville, and shall include specific information about the design, height, location (latitude and longitude coordinates) and general suitability for antenna co-location of each tower, and other pertinent information as may be required by the Department. The Department may

share such information with other organizations seeking to locate towers or antennas within the jurisdiction of the governing authority, provided however that the Department shall not, by sharing information, in any way be deemed to have represented or warranted that such sites are available or suitable.

4. An application for a Tall Structure Permit shall not be considered complete without this affidavit of inventory.

C. Co-location; Design Requirements

In addition to all applicable building and safety codes, all towers, except amateur radio towers, shall be designed to accommodate the co-location of cellular telecommunication antennas according to the following:

1. For towers up to 125 feet in height, the structure and fenced compound shall be designed to accommodate at least two providers.
2. For towers greater than 125 in height, the structure and fenced compound shall be designed to accommodate a least four providers.

D. Co-location; Availability of Suitable Existing Structures

No new tower, except amateur radio towers, shall be permitted unless the Applicant demonstrates to the satisfaction of the Planning and Development Department, City Manager and City Council that no existing tower or alternative tower structure can accommodate the Applicant's proposed antenna. All evidence submitted shall be signed and sealed by appropriate licensed professionals or qualified industry experts and shall consist of more than mere conclusory statements that no existing tower is suitable. Evidence submitted to demonstrate that no existing tower or structure can accommodate the proposed antenna shall consist of one or more of the following:

1. That no existing towers or suitable alternative tower structures are located within the geographic antenna placement area required to satisfy the minimum engineering requirements.
2. That existing towers or structures do not have sufficient structural strength to support an additional antenna and relating equipment.

3. That the proposed antenna(s) would cause electromagnetic interference with the antenna(s) on the existing towers and structures, or the antenna on the existing towers or structures would cause interference with the proposed antenna.
4. That the cost or contractual provisions required by the tower owner to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Cost exceeding new tower development are presumed to be unreasonable.
5. That the applicant adequately demonstrates that there are other limiting factors rendering the existing tower and structures as unsuitable.

For each of the above, the applicant must submit an affidavit listing the existing towers which were considered and ultimately rejected by the applicant and provide a detailed explanation of why the existing towers are not usable.

E. Aesthetics

The guidelines set forth in this Section shall govern the design, construction, and installation of all towers and antennas.

1. Towers and/or antennas shall either maintain a galvanized steel or concrete finish or, subject to any applicable standards of the FAA, be painted a neutral color to reduce visual obtrusiveness.
2. All at all tower sites the design of all buildings and related structures shall use materials, colors, landscaping, materials, screening, and textures that will blend the tower facilities to the natural setting and building environment.
3. For antennas installed on a structure other than a tower the antenna and supporting electrical and mechanical ground equipment shall be a neutral color to make the antenna and related equipment visually unobtrusive.
4. Towers will not be artificially lighted unless required by the FAA or other applicable authority. If lighting is required, the governing authority may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views. In the event a tower requires lighting by virtue of its height the City may require the

construction of the tower at a lower height in order to avoid lighting requirements.

5. No signage or other identifying markings of a commercial nature shall permit upon any tower of alternative tower structure with the City of Lawrenceville.

F. Setbacks and Separation

The following setbacks and separation requirements shall apply to all towers;

1. Towers shall be set back a distance equal to one-half (1/2) of the height of the tower from its base to any public right-of-way or property line of the lot or parcel containing the tower.
2. Towers in excess of fifty (50) feet located on a residentially zoned property shall be set back from any off-site residential structure a distance equal to the full height of the tower;
3. Guy-wires, and accessory buildings and facilities shall meet the minimum accessory structure setback requirement of five (5) feet;
4. In zoning districts other than BG, BGC, HSB, OI, LM and HM or city owned property towers over one-hundred (100) feet in height shall not be located closer than fifteen-hundred (1,500) feet from any existing tower that is over one-hundred (100) feet in height. This requirement shall not apply to amateur radio towers ;

G. Security Fencing/Anti-Climbing Devices

1. All towers and supporting equipment shall be enclosed by not less than six (6) feet in height and shall be equipped with appropriate climbing devices. Fencing shall be chainlink, wood or other approved alternative.
2. Amateur radio towers and antennas, or receive-only antennas shall not be subject to the provisions of this Subsection unless compliance is required by the City Council through the Tall Structures Permit process.

H. Landscaping

1. Where adequate vegetation is not present, the following requirements shall govern landscaping surrounding all towers.

Provide a ten (10) foot landscaped strip along the outside of the fenced perimeter of the compound; Plant materials shall effectively screen the view of the tower compound from a public right-of-way.

2. Where adequate vegetation is present, the following requirements shall govern landscaping surrounding all towers.

Provide a natural undisturbed buffer; mature tree growth and natural landforms on the site shall be preserved to the maximum extent possible.

3. Amateur radio antennas, receive-only antennas or towers shall be exempt from this Section unless compliance is required by the City Council through the Tall Structure Permit process.

I. Review of Antenna and Tower Erection by Aviation Division

If upon receipt of a Tall Structure Permit, the Department deems that the proposed Tall Structure Permit may interfere with the public use of the airways of the county or interfere with the operation of existing or proposed airport facilities, a copy of the application shall be submitted by the department to the Gwinnett County Airport Division of the County Department of Transportation for review and recommendation.

J. Public Hearing

1. Before acting upon the proposed Tall Structure Permit, the City Council shall hold a public hearing on the matter. At least fifteen (15) days prior to the date of the public hearing, the City Council shall cause the following notice requirements to be instituted by the Planning and Development Department:
2. A sign shall be erected in a conspicuous location, on or adjacent to the property under consideration. The sign shall state the time, place location, and purpose of the public hearing.
3. A letter shall be sent by regular mail to all abutting property owners of record, as indicated by the county tax commissioners' records, giving notice of the public hearing. The letter shall state the same information as required for the sign permit.

K. Federal Requirements

All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, the owners of the towers and antennas governed by this Ordinance shall bring such towers and antennas into compliance with the revised standards and regulations within six (6) months of the effective date of such standards and regulations unless a more or less stringent compliance schedule is mandated by the controlling federal agency. Failure to bring antennas and towers into compliance with such revised standards and regulations shall constitute grounds for the removal of the antenna or tower at the expense of the owner. Any such removal by the governing authority shall be in the manner provided in Official Code of Georgia (OCGA), Chapter 2. Abatement of Nuisances Generally, Section(s) 41-2-7 through 41-2-17.

L. Building Codes and Safety Standards

To ensure the structural integrity of the towers, the owner, permittee or subsequent lessee of a tower or alternative tower structure shall ensure the tower or alternative tower is maintained in compliance with standards contained in applicable local building codes and the applicable standards for towers published by the Electronic Industries Association, as amended from time to time. If, upon inspection, the Planning and Development Department concludes that a tower fails to comply with such codes and standards, or constitutes a danger to persons or property, then upon receipt of written notice by owner, permittee or subsequent lessee of the tower, said party shall have fifteen (15) days to bring the tower into compliance with such standards. If the owner, permittee, or subsequent lessee fails to bring the tower into compliance within the fifteen (15) day period, the governing authority may remove the tower at the owner, permittee or subsequent lessee's expense. Prior to the removal of any tower the Department may consider detailed plans submitted by the owner, permittee, or subsequent lessee for repair of substandard towers, and may grant a reasonable extension of the above referenced compliance period. Any such removal by the governing authority shall be in the manner provided in Official Code of Georgia (OCGA), Chapter 2. Abatement of Nuisances Generally, Section(s) 41-2-7 through 41-2-17.

M. Change of Ownership

Upon the transfer of ownership of any tower, alternative tower structure or lot upon which such a structure has been erected, the tower permittee shall notify the Department of Planning and Development in writing within thirty (30) days.

DIVISION 3. PERMITTED USES

A. Generally

The uses listed in Division 3 are deemed to be permitted uses and shall not require administrative review or approval of a Tall Structure Permit. However, all such uses shall comply with requirements set for in Division 2 of this Section and all other applicable codes, ordinances and regulations.

B. Co-location of Antennas Required

Applicants for the erection of a tower or placement of an antenna shall be required to co-locate upon an existing tower or alternative tower structure. An exception to co-location shall only be made if the applicant adequately demonstrates that an existing tower suitable for co-location does not exist in the geographic antenna placement area utilizing the tower inventory maintained by the Planning and Development Department, and that no suitable alternative tower structure is available as set forth in Subsection

200.3.93 Taxi or Ridesharing Service

Taxi or Ridesharing Service shall comply with the following:

A. Special Use Permit

1. Taxi or Ridesharing Service may be permitted in BG and HSB zoning classifications the approval of a Special Use Permit.
2. Outdoor storage may be permitted in the BG and HSB zoning classifications with the approval of a Special Use Permit.

B. Restrictions

1. Taxi and Ridesharing Service shall conform to the Code of the City of Lawrenceville, Chapter 12 – Businesses and Business Regulations, Article II – Business Regulations, Division 12. – Taxicabs.

2. Outdoor storage shall be prohibited in the LM and HM zoning classifications on properties located within the Lawrenceville Downtown Development Authority geographical area.
3. Outdoor Storage shall be limited to ten (10) taxi or ridesharing vehicles.
4. Outdoor storage of any additional items or objects of attention, concern, or interest not directly associated with the use or occupancy (i.e., belongings, equipment, materials, merchandise, objects, supplies, stuff, things, vehicles, vending machines, vessels, or similar items) shall be prohibited.
5. Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When adjacent to a residentially zoned property, any outdoor light fixtures shall not exceed thirty-five (35) feet in height.

200.3.94 Temporary Outdoor Activity

Temporary Outdoor Activity shall comply with the following:

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.

200.3.95 Title Loan (Financial Institution, Small)

See Section 200.3.16; Check Cashing, Payday Loan, Pawn Shop, Small Financial Institution, Title Loan, and Wire Transfer Facility (above).

200.3.96 Truck Sales, Leasing, and/or Service, Heavy

Truck Sales, Leasing, and/or Service, Heavy shall comply with the following:

A. Special Use Permit

1. Truck Sales, Leasing, and/or Service, Heavy (i.e., by-right accessory uses) may be permitted in the HSB zoning classification with the approval of a Special Use Permit.
2. Outdoor storage may be permitted in the HSB zoning classifications with the approval of a Special Use Permit.

B. Restrictions

1. Truck Sales, Leasing, and/or Service, Heavy shall be limited to an area beginning at its northern intersection with the CSX Railway (f/k/a Seaboard Air Line Railway) extending to the north along the right-of-way of Buford Drive to city limits.
2. Outdoor Storage shall be prohibited in the LM and HM zoning classification on properties located inside of the Lawrenceville Downtown Development Authority geographical area.
3. Outdoor Automotive, Automotive Repair (General), Automotive Repair (Specialized) and Automotive Repair (All-Other) shall be prohibited. All installation, maintenance, repair, or service shall be conducted indoors.
4. Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When adjacent to a residentially zoned property, any outdoor light fixtures shall not exceed thirty-five (35) feet in height.
5. Automobile service bays shall not be visible from a public right-of-way.

C. Area

Lot area shall be a minimum of one (1) acre or 43,560 square feet.

D. Landscape Strip

A fifteen (15) foot landscape strip shall be provided adjacent to a public right-of-way.

200.3.97 Wire Transfer Facility (Financial Institution, Small)

See Section 200.3.16; Check Cashing, Payday Loan, Pawn Shop, Small Financial Institution, Title Loan, and Wire Transfer Facility.

200.3.98 Wood Chipping, Shredding, and Log Splitting Facility

Wood Chipping, Shredding, and Log Splitting Facility, shall comply with the following:

A. Special Use Permit

Wood Chipping, Shredding, and Log Splitting Facility may be permitted in LM and HM zoning classifications with the approval of a Special Use Permit.

B. Restrictions

1. Outdoor Storage shall be prohibited in the LM and HM zoning classifications on properties located within the Lawrenceville Downtown Development Authority geographic area.
2. Outdoor Storage shall be subject to the rules and regulations of this Article, Sub Section 200.3.69 Outdoor Storage (Industrial).
3. Shall not be located within one thousand five hundred (1,500) of a RS-180, RS-150, RS-60, R-TH, RM-12, RM-24, or CMU zoning classification.
4. Composting materials shall be limited to tree stumps, branches, leaves, and grass clippings, or similar putrescent vegetative materials.
5. Municipal Solid Waste, Hazardous Waste, Industrial Non-Hazardous Waste, Agricultural and Animal Waste, Medical Waste, Radioactive Waste, Construction and Demolition Debris, Extraction and Mining Waste, Oil and Gas Production Waste, Fossil Fuel Combustion Waste, Sewage Sludge, etc. shall be prohibited.

C. Landscape Strip

A fifteen (15) foot landscape strip shall be adjacent to a public right-of-way and property lines.

1. Along the entire road frontage (except for approved access crossings), and along the side and rear property lines, provide a landscape earthen berm and/or a fence or masonry wall. Landscape earthen berms shall be three (3) feet high with a maximum slope of three-to-one (3:1).
2. Fences or masonry walls shall be a minimum of six (6) feet high and composed of opaque fencing or masonry walls. The fence/wall must be located outside of any public right-of-way and interior to any landscape strip. The finished side of a fence/wall shall face the exterior property lines.

ADDITIONS – UNDERLINED

DELETIONS – ~~STRIKETHROUGH~~ (SEE ATTACHED – ZON ART 5 PARKING_EXISTING_02022023)

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

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

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

Parking and Loading

500 Purpose

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

501 Paving of Approved Hard Surface

A. Non-Residential Districts

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

B. One-Family, Townhouse and Two-Family Zoning Classifications

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

502 Required Off-Street Parking and Loading

A. Multifamily and Non-Residential Districts

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

503 Non-Residential and Multifamily Ingress/Egress and Parking

A. Non-Residential and Multifamily Ingress/Egress

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

B. Parking Space

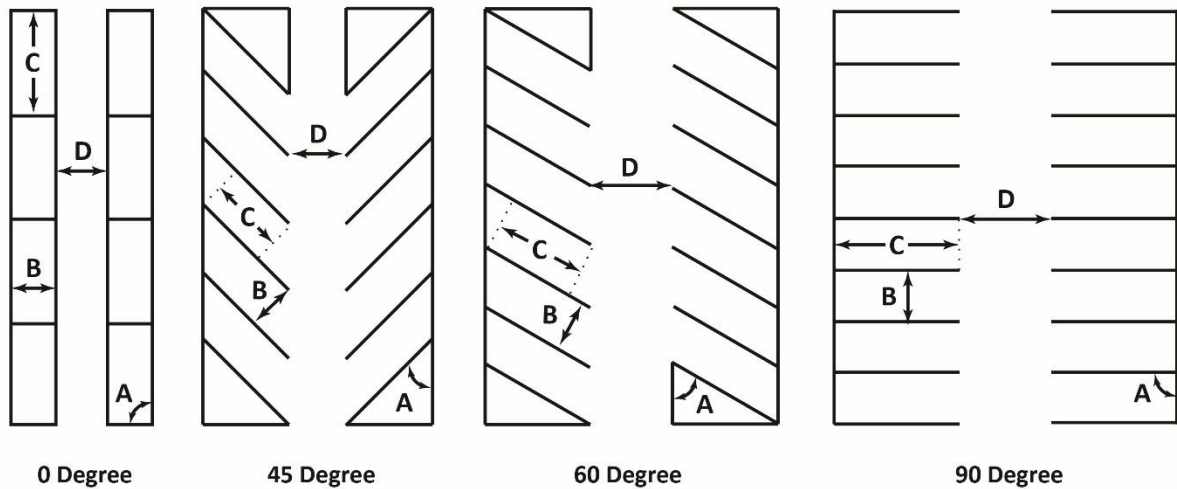
For this Ordinance, a parking space shall be as follows:

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

C. Parking Space Aisles

Aisle minimums shall be as follows:

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



D. Parking Lot Access and Curb Cut Width

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

E. Compact Spaces

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

504 Computation of Off-Street Parking

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

A. Floor Area

ADDITIONS – UNDERLINED

DELETIONS – ~~STRIKETHROUGH~~ (SEE ATTACHED – ZON ART 5 PARKING_EXISTING_02022023)

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

B. Places of Public Assembly

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

505 Off-Street Parking Spaces Required

A. Off-Street Parking Spaces Required

1. Required

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

2. Minimum Parking Space Requirements

The minimum number of parking spaces shall be determined based on the spaces required for *Occupancy Classification and Use* from *Table 5-3: Number of Off-Street Parking Spaces Required*.

3. Maximum Parking Space Requirements

The maximum number of parking spaces shall be determined based on the spaces required for *Occupancy Classification and Use* from *Table 5-3: Number of Off-Street Parking Spaces Required*.

4. Combination of Uses

ADDITIONS – UNDERLINED

DELETIONS – ~~STRIKETHROUGH~~ (SEE ATTACHED – ZON ART 5 PARKING_EXISTING_02022023)

Where there is a combination of Occupancy Classifications and Use, the required number of parking spaces shall be the sum of that found for each occupancy classification.

5. Accessible spaces

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

Table 5-3: Number of Off-Street Parking Spaces Required			
Occupancy Classification & Use	Minimum	Maximum	Downtown Entertainment District
<u>Assembly</u>	<u>1 per 300 GFA</u>	<u>1 per 150 GFA</u>	<u>1 per 750 GFA</u>
<u>Dwelling</u>	<u>2 per dwelling unit</u>	<u>4 per dwelling unit</u>	<u>2 per dwelling unit</u>
<u>Health club</u>	<u>1 per 100 GFA</u>	<u>1 per 50 GFA</u>	<u>1 per 750 GFA</u>
<u>Hotel/motel</u>	<u>1 per room, plus 1 per 500 GFA common area</u>	<u>2 per room, plus 1 per 250 GFA common area</u>	<u>1 per room, plus 1 per 750 GFA common area</u>
<u>Manufacturing</u>	<u>1 per 100 GFA</u>	<u>1 per 50 GFA</u>	<u>1 per 750 GFA</u>
<u>Medical office</u>	<u>1 per 100 GFA</u>	<u>1 per 50 GFA</u>	<u>1 per 750 GFA</u>
<u>Office</u>	<u>1 per 500 GFA</u>	<u>1 per 250 GFA</u>	<u>1 per 750 GFA</u>
<u>Restaurant</u>	<u>1 per 250 GFA</u>	<u>1 per 100 GFA</u>	<u>1 per 750 GFA</u>
<u>Retail</u>	<u>1 per 250 GFA</u>	<u>1 per 100 GFA</u>	<u>1 per 750 GFA</u>
<u>School</u>	<u>1 per 300 GFA (assembly), plus 1 per faculty member</u>	<u>1 per 150 GFA (assembly), plus 2 per faculty member</u>	<u>1 per 300 GFA (assembly), plus 1 per faculty member</u>
<u>Warehouse</u>	<u>1 per 500 GFA</u>	<u>1 per 250 GFA</u>	<u>1 per 750 GFA</u>

B. Reduction of Required Parking Spaces

ADDITIONS – UNDERLINED

DELETIONS – ~~STRIKETHROUGH~~ (SEE ATTACHED – ZON ART 5 PARKING_EXISTING_02022023)

The reduction of the minimum parking space requirements shall only be used consisting of a minimum of thirty (30) off-street parking spaces.

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

C. Compact Spaces

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

506 Off-Site Parking Spaces Required

A. Location on Lot

Off-Site Parking Spaces Required by this Article shall be provided on the same lot as the use or where the exclusive use of such is provided on another property not more than two hundred (200) feet as measured along a public right-of-way utilizing existing public pedestrian corridors (e.g., bridges, crosswalks, parks, sidewalks, etc.).

B. Proof of Written Agreement

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

C. Mandatory Compliance

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

507 Downtown Parking Requirements

Where a lot is located within the Downtown Entertainment District and a proposed use is unable to meet the minimum requirements set forth in this Article, the applicant for such use must provide to the Development Department with proof of adequate off-site parking by agreement with other

ADDITIONS – UNDERLINED

DELETIONS – ~~STRIKETHROUGH~~ (SEE ATTACHED – ZON ART 5 PARKING_EXISTING_02022023)

property owners or will be required to enter into an agreement with the City through entry into the Downtown Parking Credit Program.

D. Downtown Parking Requirements

1. The Downtown Parking program is an agreement with the city to pay into a parking bank that will be used to build parking decks or lots. The fee is per parking space required for a specific use. Fees are subject to the policy regulating the Continuance of Nonconforming Uses (see Zoning Ordinance Article 3, Nonconformities, Section 302 Continuance of Nonconforming Uses).
2. Where a parcel is located within the Downtown Parking and a proposed use is unable to meet the minimum requirements outlined in this Article, the applicant for such use ~~shall~~ provide the Planning and Development proof of adequate off-site parking by agreement with other property owners or will be required to enter into an agreement with the City through entry into the Downtown Parking Credit program.

508 Electric Vehicle Charging Stations

A. General

Electric Vehicle Charging Station, Private (Restricted-Access) are permitted as an accessory use to a Parking Garage or Lot – Privately or Publicly Owned (Principal Use). Subject to the rules and regulations governing the Zoning Ordinance, Article 1 Districts, Section 103.2 Use Table, and Article 2 Supplemental and Accessory Use Standards, Section 200.3.70.

B. Required

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

ADDITIONS – UNDERLINED

DELETIONS – ~~STRIKETHROUGH~~ (SEE ATTACHED – ZON ART 5 PARKING_EXISTING_02022023)

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

ADDITIONS – UNDERLINED

DELETIONS – ~~STRIKETHROUGH~~ (SEE ATTACHED – ZON ART 5 PARKING_EXISTING_02022023)

purposes only. For purposes of this provision, "charging" means that an EV is parked at an Electric Vehicle Charging Station, Public and is connected to the battery charging station equipment.

F. Maintenance

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

G. Incentive

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

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

H. Final Plat

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

I. Compliance

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

507 Off-Street Parking Design and Maintenance

ADDITIONS – UNDERLINED

DELETIONS – ~~STRIKETHROUGH~~ (SEE ATTACHED – ZON ART 5 PARKING_EXISTING_02022023)

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

A. Screening

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

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

B. Surfacing

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

C. Space and Directional Arrow Markings

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

D. Drainage

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

E. Separation from Public Right-Of-Way

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

ADDITIONS – UNDERLINED

DELETIONS – ~~STRIKETHROUGH~~ (SEE ATTACHED – ZON ART 5 PARKING_EXISTING_02022023)

F. Separation from Adjoining Properties

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

G. Interior Design and Landscaping

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

508 Off-Street Loading Spaces

A. Required

1. Off-Street Loading spaces shall be provided on the same lot for every building in the Commercial and Industrial zones.
2. No loading space is required if prevented by an existing lawful building.

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

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

C. Mixed-Use

ADDITIONS – UNDERLINED

DELETIONS – ~~STRIKETHROUGH~~ (SEE ATTACHED – ZON ART 5 PARKING_EXISTING_02022023)

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

D. Surface

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

E. Access

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

F. Location

Off-street loading areas shall:

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

G. Screening

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

H. Lighting

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

509 Non-Residential Off-Street Loading Construction and Dimensions

ADDITIONS – UNDERLINED

DELETIONS – ~~STRIKETHROUGH~~ (SEE ATTACHED – ZON ART 5 PARKING_EXISTING_02022023)

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

A. Dimension

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

Minimum Dimensions of Off-Street Loading Spaces		
<i>Description</i>	<i>Commercial/Office</i>	<i>Industrial</i>
Parking Space Length	20 ft.	53 ft.
Parking Space Width	10 ft.	10 ft.
Outside Turning Radii	24 ft.	24 ft.
Vertical Clearance	14 ft.	14 ft.
Backing and Maneuvering Area	50 ft.	50 ft.
Loading Dock Area		Area of Truck Bed multiplied by 2
Loading Dock Width		10 ft.
Loading Dock Height		4 ft.

B. Screening

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

C. Surface

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

510 On-Street Parking Standards

ADDITIONS – UNDERLINED

DELETIONS – ~~STRIKETHROUGH~~ (SEE ATTACHED – ZON ART 5 PARKING_EXISTING_02022023)

A. Applicability

1. On-Street Parking may be used on city-maintained public streets if approved by the City Council and shall be limited to local streets internal to Mixed-Use (CMU-Community Mixed-Use District), Multifamily (RM-12 and RM-24 Multifamily Residential Districts), and RS-TH (Townhouse Single-Family Attached Residential District) zoning districts that provide pedestrian walkability within the project.
2. On-Street Parking shall be shown on the zoning exhibit and is subject to review and approval of the Director(s) of the Engineering Department and Planning and Development Department prior to submission to the City Council.
3. On-Street Parking shall be permitted to serve multiple buildings or parcels within a Mixed-Use, Multifamily, and Townhouse development. On-Street Parking shall not be permitted or for the exclusive use for an individual building, business, parcel or patron.

B. Parking Space Requirements

1. On-Street Parking calculations shall be provided on the zoning exhibit.
2. Handicap parking shall comply with the ADA Standards, the Georgia State Law for Accessible Design and the Georgia Accessibility Code for Buildings and Facilities for all multi-family and non-residential uses.
3. A maintenance agreement for On-Street Parking shall be authorized between the owner/developer and the Planning and Development Department before the issuance of a development permit.
4. A Mandatory Property Owners Association shall be established. The Mandatory Property Owners Association shall be responsible for the maintenance of any On-Street Parking in the development. A maintenance responsibility statement for On-Street Parking shall be placed on the approved plans and the covenants shall include a section that specifically states who is responsible for maintenance and what the maintenance standards are for On-Street Parking.
5. On-Street Parking shall be constructed in accordance with GCDOT Standards and designed to minimize potential adverse impacts with existing or proposed traffic flow on an adjacent public right-of-way or local street.

ADDITIONS – UNDERLINED

DELETIONS – ~~STRIKETHROUGH~~ (SEE ATTACHED – ZON ART 5 PARKING_EXISTING_02022023)

6. Up to 100 percent of On-Street Parking spaces available within 500 feet of a retail use may be counted towards the minimum Off-Street Parking requirements for the entire development as shown on the zoning exhibit.
7. No more than twenty (25%) percent of the required Off-Street Parking spaces may be provided by On-Street Parking.

C. Pedestrian Circulation

1. Multifamily and Non-residential parking lots containing 100 spaces or more shall incorporate pedestrian access corridors into their design.
2. Pedestrian corridors shall include five (5) foot wide sidewalks with two (2) foot grassed strips along at least one side of primary driveways. The pedestrian corridors shall connect parking areas directly with buildings and adjacent public streets. These corridors shall not apply to auto sales lots.
3. Where pedestrian corridors cross a driveway, they shall be constructed as a raised, flat hump with a height of 4 inches and a 6-foot wide top with 4-foot wide ramps and marked as a crosswalk; or shall be constructed with an approved contrasting paver and marked as a crosswalk. Parking spaces shall not be located more than 200 feet from any pedestrian corridor.

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

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

1. Stacking Lanes

- a. Drive-through lanes shall be separated by striping or curbing from off-street parking areas. Individual lanes shall be striped, marked or otherwise distinctly delineated.
- b. Stacking lanes shall be a minimum of 10 feet in width, and parallel the entire length for the drive-through service area and narrowing to 8.5 feet adjacent to the service window or facility.

ADDITIONS – UNDERLINED

DELETIONS – ~~STRIKETHROUGH~~ (SEE ATTACHED – ZON ART 5 PARKING_EXISTING_02022023)

- c. Stacking lanes shall be a minimum of 12 feet in width along curved segments.
- d. Stacking lanes shall be delineated from traffic aisles, other stacking lanes and parking areas with striping, curbing, landscaping and the use of alternative paving materials or raised medians.
- e. Entrances to stacking lane(s) shall provide adequate storage length from the nearest intersection.
- f. Stacking lanes shall not interfere with required loading and trash storage areas and loading or trash operations shall not impede or impair vehicle movement. If said separate stacking lane is curbed, an emergency by-pass or exit shall be provided.
- g. Service areas and stacking lanes shall be set back 5 feet from all lot lines and roadway right-of-way lines.
- h. All stacking lane entrances shall provide adequate storage length from the nearest intersection.

E. Stacking Spaces

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

F. Separate Driveway and Stacking Lane

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

511 Definitions

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

ADDITIONS – UNDERLINED
DELETIONS – ~~STRIKETHROUGH~~ (SEE ATTACHED – ZON ART 5 PARKING_EXISTING_02022023

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

Mayor David R. Still

Attest: _____
City Clerk

Architectural and Design Standards

600 PURPOSE AND INTENT

The purpose and intent of this article are 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 ~~RM-8~~ shall apply.

The Design Standards ~~were~~^{are} created to:

1. Enhance the City's historic and future role as the civic and economic center of Lawrenceville and as a symbol of Gwinnett County.
2. Establish a logical framework for development.
3. Improve the aesthetics of street and built environments.
4. Create an environment where people can live, work, meet and play.
5. Encourage a balanced mix of retail, professional, residential, civic, entertainment, and cultural uses.
6. Enhance the efficient utilization of parking facilities by encouraging shared parking and alternative modes of transportation.
7. Promote pedestrian safety by ensuring sidewalk-oriented buildings along attractive street-facing facades that foster pedestrian activity and liveliness.
8. Provide safe and accessible parking facilities for the public.
- Provide safe and accessible common areas for the public.

9. Enhance Lawrenceville's historic quality by ensuring that new and rehabbed buildings are compatible with the character of surrounding buildings.

All requests for development and building permits located within the city limits shall meet all requirements contained in this article, the ~~base zoning~~^{base zoning} district, and all requirements contained herein.

~~A.~~ Exceptions: City Council-approved conditions of rezoning or special use permit requests in conflict with the provisions of this Article shall take precedence.

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601 MINIMUM STANDARDS AND REGULATIONS

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

A. Building and Structure- Materials

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

B. Building and Structure – Colors

These guidelines intend 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. The color scheme shall be used to enhance the architecture of the project, not to attract specific features or elements.

Exterior colors of buildings and structures in all zoning classifications shall be limited as follows:

- 1.** Primary Colors shall be earth-tone, muted, or neutral and considered to be a shade that lacks color (e.g., black, brown, gray, tans, white).
- 2.** Secondary Colors (Tertiary) shall be used in comparatively small quantities not exceeding twenty-five (25) percent of the total wall area of any façade or elevation.
- 3.** Shades of color considered bright, fluorescent, glimmering, luminous, or shining shall be prohibited (e.g., blue, green, orange, pink, purple, red, yellow, etc.).
- 2-4.** Building and Structure Color shall include roof materials and colors.

602 COMMUNITY MIXED-USE DISTRICT

Mixed-Use developments shall be designed in accordance with the rules and regulations governing Article 6, Architectural and Design Standards, Section 603. Live/Work Units – Storefront Design and Subsection F. -Family Attached and Detached - RS-180, RS-150, RS-60, and RS-TH (as applicable).

601603 LIVE/WORK UNITS – STOREFRONT DESIGN

Live/Work units intend 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 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.

1. Awnings

Awnings shall be of fabrics, canvas, fixed metal, or similar material. Internally lit awnings and canopies are prohibited.

2. Doors

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

3. Windows

- i.* All casing (trim work) shall have mitered corners.
- ii.* All exterior windows shall include casing consisting of the entablature (e.g., cornice, frieze, architrave) and pilasters (capital, base).

iii. All windows shall be double hung.

iii-iv. All window frames shall be recessed a minimum of two inches from the exterior façade.

v. Windows, including display windows but not transoms, shall be greater in height than in width.

D. Elevations – Rear and Side

The remaining balance of 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).

D-E. Façade

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.

- 1.** Building façades *Live/Work Units* shall be adjacent to a public right-of-way.

2. Building facades shall be arranged in a staggered pattern, incorporating varying building colors and materials into the overall design.
3. 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 (e.g., doors, louvers skylights windows, or other approved openings providing light and ventilation to outdoor air).
4. 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).
5. The brick color shall be reflective of the existing materials used in the local region (e.g., city, neighborhood, subdivision, etc.),
6. 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, and ventilation associated with the interior space of a building.

E-F. Garages (as applicable)

1. Garages shall be 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 in a rear yard area.

F-G. Limitations

Live/Work Units shall be limited to the following:

1. *Live/Work Units* shall not be greater than 3,000 square feet in area.
2. Non-residential square footage of a *Live/Work Units* shall be limited to 1,500 square feet.

3. The non-residential area function shall be limited to the first or main floor only of the *Live/Work Unit*.
4. Not more than five nonresidential workers or employees are allowed to occupy the nonresidential area at any one time.

G.H. Means of Egress

Except as modified by *IBC Chapter 4, Section 419.3*, the means of egress components for a *Live/Work Unit* shall be designed in accordance with *IBC Chapter 10* for the function served.

H.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 in height. Additional height may be necessary to properly conceal its view from a public right-of-way.

H.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 following *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*.

J.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 at a maximum depth of five (5) feet.
- 1-4. Balconies shall be a minimum of twelve (12) feet above the Finished Floor Elevation (FFE).
- 2-5. 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 to abide by the rules and regulations regulating the Downtown Parking program (see Article 5 Parking).

604 MULTIFAMILY

B. Multifamily residential developments shall be designed in accordance with the rules and regulations governing the CMU, RM-12, and RM-24 Multifamily Residential District zoning classification.

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.

602605 NON-RESIDENTIAL

A. General Exterior Wall Design

The facade, rear, and side elevations shall incorporate materials, finish, color, style, and features compatible with the adjacent buildings on the same block. The applicant shall submit a site location plan and photographs of all buildings located within the same block of the proposed project. The site location plan shall include photograph markers that are key to the photographs of the adjacent buildings.

B. Building Height and Setbacks

Non-Residential Buildings or Structures shall be designed in accordance with the rules and regulations governing the specific commercial, industrial, mixed-use, multifamily, or office zoning classifications.

C. Architectural Design

Non-Residential Buildings and Structures shall be designed and constructed consisting of the following exterior architectural designs and building materials as defined by the International Building Code (IBC) and/or subsequent editions and amendments to these codes as adopted by the State of Georgia shall become a part of this code and subject to enforcement on the date mandated by State Law;

1. Facade

The façade of non-residential buildings or structures adjacent to a public right-of-way shall consist of the following materials.

a. Masonry (e.g., glass unit, plain, reinforced, solid, unreinforced).

b. Ordinary Precast Structural Wall.

2. Accents

Accent materials of non-residential buildings or structures shall not exceed fifty (50) percent of the façade, rear, or side elevations, and consist of the following materials:

a. Ordinary Reinforced Concrete Structural Wall (e.g., *cast-in-place*)

b. Exterior Insulation and Finishing Systems (*EIFS*)

c. Polymer-Based (*PB*)

d. Polymer-Modified (*PM*)

e. Fiber Cement Products (*Backer Board, Siding, Soffit, Trim, and Underlayment*).

f. Metal Composite Material (*MCM*).

g. Polypropylene Siding

3. Colors

Non-residential buildings and structures shall incorporate a minimum of two colors. Subject to the review and approval of the Director of the Planning and Development Department.

4. Public Right-of-Way

The remaining balance of each elevation facing a public right-of-way shall maintain the exterior architectural design and building materials required on the front façade.

5. Exposed Neon

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.

6. Lighting

Ornamental wall-mounted sconce lights located on the building elevation adjacent to an entry 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.

7. Multi-Tenant Retail

Multi-tenant retail (mercantile) buildings and shopping centers shall incorporate distinct architectural entry identities for individual tenant suites exceeding 10,000 square feet of gross floor area, such as towers, porticos, gables, or offset façade with a change of materials.

8. Portable Buildings

Portable buildings shall be prohibited.

9. Screening

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 a finish consistent with the finish materials of the building façade, or vegetative landscape screening shall be provided immediately in front of the equipment units.

F. One-Family, Townhouse and Two-Family Dwellings and Dwelling Units

The following exterior architectural design standards shall be considered the minimum requirements for one-family, townhouse and two-family dwellings and dwelling units proposed for construction unless otherwise indicated in the specific zoning classification or conditions of zoning:

1. Building Height

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

1-2. Building Setbacks

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

3. Chimney Design

a. Chimneys shall begin at grade and be constructed with brick or stone.

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~~a-b.~~ Chimneys shall not extend into any front, rear, or side yard setback.

4. 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.

2-5. Doors

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. Exterior front entryways shall consist of one of the following doors.

i. Solid wood door with transom window (horizontal).

ii. Solid wood door with transom window (semi-circle).

iii. Solid wood door with transom window (horizontal or semi-circle) and sidelights (vertical).

c. All exterior entryways shall include casing consisting of the entablature (e.g., cornice, frieze, architrave) and pilasters (capital, base).

3-6. 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 (e.g., city, development, neighborhood, subdivision, etc.).

c. Coursing shall be horizontal (common or running).

7. Façade Accents

Twenty-two (22) percent of the remaining balance of the façade may include accents of the following materials:

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

8. Elevations

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

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

4-9. Exterior Trim Work

Exterior Trim Work shall consist of the following:

- a. Corner pilaster with decorative capital and base.
- b. Mitered corner board or post.
- c. All trim work shall have mitered corners.

5-10. 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 skirting board, and drip cap.

11. Garages

- a. Each lot on which a dwelling unit is constructed shall provide a two-car garage as a minimum requirement.
- a-b. All dwelling units shall provide a double-car garage door measuring a minimum width of sixteen (16) feet.
- c. 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.

d. Garages shall not be converted into heated interior space without being replaced with another two-car garage.

b-e. Garages shall be in a rear yard area accessed via a private utility easement or via a single curb cut extended from a public right-of-way.

e-f. Garages shall be accessed via a forty (40) foot private utility easement (alley).

d-g. Garage doors shall not be visible from a public right-of-way.

e-h. Detached Garages associated with a Live/Work unit shall be in a rear yard area.

7-12. Porches and Stoops

a. Porches

i. A porch shall be installed on the façade of each dwelling unit facing a Public Right-of-Way or Private Street (as applicable).

ii. Porches shall be a minimum of twelve (12) feet in width or thirty-three (33) percent of the width of the front facade, whichever is greater. Said porch shall have a roof, balustrades, columns, and steps.

iii. Porches shall have a minimum depth of eight (8) feet and a minimum area of 100 square feet.

iv. Porch Columns, excluding railings or pickets, shall have a minimum width of eight inches.

v. All exterior steps adjacent to a public right-of-way shall include enclosed risers and ends.

i-vi. Porches adjacent to a public right-of-way or private utility easement shall not be enclosed with screen wire or glass.

ii-vii. Entry lighting for porches shall be installed ten (10) feet above the threshold of the primary entryway to the dwelling unit.

a-b. Stoops

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

ii. Stoops shall be a minimum of six (6) feet in width or thirty-three (33) percent of the width of the front facade, whichever is greater. Said stoop shall be constructed with brick or stone only.

iii. Stoops shall have a minimum depth of four (4) feet and a minimum area of twenty-four (24) square feet.

iv. All exterior steps adjacent to a public right-of-way shall be constructed with brick or stone only.

i-v. Entry lighting for stoops shall be installed ten (10) feet above the Finished Floor Elevation.

6-13. Roof Design

a. One-Family Dwellings and Dwelling Units

i. Flat roofs shall be prohibited.

i-ii. Eaves shall extend a minimum of eighteen inches beyond exterior building walls and consist of a decorative cornice.

ii-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.A.2. Building and Structures – Colors).

a-b. Townhouse and Two-Family Dwellings and Dwelling Units

i. Townhouse Dwellings and Dwelling Units shall consist of a minimum of two alternating roof types (e.g., boxed, dormer, flat, hip, or open).

i-ii. Two-Family Dwelling and Dwelling Units shall consist of one (1) roof type only (e.g., boxed, dormer, flat, hip, or open).

ii-iii. Roof type or types shall be compatible with existing conditions or an approved concept plan.

iii-iv. Eaves shall extend a minimum of eighteen inches beyond exterior building walls and consist of a decorative cornice.

iv-v. Roofing material must be architectural-style shingles.

v-vi. Standing Seam Metal roofing may be permitted if approved by the Director of the Planning and Development Department (See Section 601.A.2. Building and Structures – Colors).

7-14. Windows

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. Windows

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

606 Downtown Entertainment Overlay

A. Downtown Entertainment Overlay

1. Existing Buildings or Structures

- a.* For all existing buildings within the Downtown Entertainment District, the Architectural Requirements stated in this Article shall not apply if the exterior façade of the building is not being changed and the owner or occupant is requesting a permit to do one or a combination of the following:
 - i.* Continuing the existing use of the building without making any changes to the exterior.
 - ii.* Performing only interior remodeling of the building even if the use of the interior is changing; or,
 - iii.* Making only repairs to the existing façade of the building.

b. For all existing buildings within the Downtown Entertainment District, the Architectural Requirements outlined in this Article shall apply if the owner or occupant is requesting approval to do one or a combination of the following:

- i.* A change in the façade of the existing building.
- ii.* A new addition, construction, or demolition of any part of the existing building; or
- iii.* A change in the zoning of the property.

2. Architectural Design – -Family and Townhouse

a. The following shall apply to all Live/Work units in the Downtown Entertainment Overlay:

i.

4. Porches and Stoops – One-Family

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

b. Porches shall extend the entire width of the building or with a width of one-half (½) of the building. Said porch shall include square columns that taper from bottom to top but are not less than eight (8) inches square. Said columns shall be set atop stone or masonry bases extended to the ground. They may include optional square or rectangular balusters and handrails.

c. Stoops shall be a minimum of six (6) feet in width or one-quarter (¼) the width of the front façade, whichever is greater.

d. Stoops shall be recessed and have a minimum depth of four (4) feet from the façade and a minimum area of twenty-four (24) square feet.

~~a-e.~~ Entry lighting for a porch or stoop shall be installed at a height of ten (10) feet above the Finished Floor Elevation.

5. Stoops – Live/Work Townhouse and Townhouse Residential

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

- b. Stoops shall be a minimum of six (6) feet in width or one-quarter the width of the front façade, whichever is greater. Said columns shall be set atop stone or masonry bases extended to the ground. They may include optional square or rectangular balusters and handrails.
- c. Stoops shall be recessed and have a minimum depth of four (4) feet from the façade and a minimum area of twenty-four (24) square feet.
- a-d. Entry lighting for a porch or stoop shall be installed at a height of ten (10) feet above the Finished Floor Elevation.

603607 ACCESS, GARAGE, DRIVEWAY, AND PARKING REQUIREMENTS

A. Access and Driveway Requirements

- 1. Driveways and Curb Cuts shall be required for each proposed development and subject to the rules and regulations regulating the Driveway Design Standards (see Development Regulations Article 12, Section 1200.14), and Non-Residential Parking and Driveways regulating Mixed-Use Occupancy (see Zoning Ordinance, Article 5 Parking, Section 503 & 505).
- 2. No more than one (1) curb cut shall be permitted for each development, provided properties with more than one road frontage may have one curb cut per road frontage. For this Section, two (2) curb cuts serving a one-way driveway shall only be counted as one curb cut.
- 3. Driveways and curb cuts shall be limited to a one-way maximum width of twelve (12) feet or a two-way maximum width of twenty-four (24) feet.
- 4. No curb cuts, driveways, or circular drives shall be permitted on roads fronting the Courthouse Square. Access shall be provided from a side or rear street.

B. Off-Street Parking

- 1. Off-Street Parking serving any Live/Work, Mixed-Use, Multifamily, Single-Family, or Townhouse developments shall be set back a minimum of ten feet from a public right-of-way.**
- 2. Garage doors serving townhouses shall not face adjacent streets.**
- 3. Rear alleys shall be provided to access Live/Work, Mixed-Use, Multifamily, Single-Family or Townhouse developments, and commercial**

loading and service areas, where such access is feasible. The Director of the Planning and Development Department shall determine feasibility.

C. Parking Requirements

1. Parking and Loading Requirements

a. Parking and loading requirements shall be as established in the Zoning Ordinance, Article 5 Parking.

a-b. Off-Street Parking shall be provided to access Live/Work, Mixed-Use, Multifamily, One-Family, Townhouse, and Two-Family developments, and commercial loading and service areas, where such access is feasible. Subject to the review and approval of the Director of the Planning and Development Department.

b-c. Loading docks and dumpsters shall be screened so as not to be visible from any park, plaza, or sidewalk. In addition, all external dumpsters shall be vertically enclosed with opaque walls.

2. Reduction of Parking

The Director of the Planning and Development Department may permit a reduction of parking requirements, subject to an Off-Site Parking arrangement under the following criteria:

a. All shared parking spaces shall be marked; and,

b. An applicant shall submit the following information as part of the application to reduce parking requirements and avoid conflicting parking demands:

i. Off-Site Parking is within 300 feet of the development.

ii. A to-scale map indicating the location of proposed parking spaces.

iii. Hours of business operation of nonresidential parking users.

iv. Written consent of property owners agreeing to the shared parking arrangement (when provided off-site); and,

v. Copies of parking lease agreements are required. Renewed leases shall be filed with the Director of the Planning and Development Department. Lapse of a required lease agreement shall terminate approval for shared parking.

3. Downtown Parking Program

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

4. Parking Decks and Structures

- a.** Parking Decks and Structures include but are not limited to multi-story parking decks and parking structures.
- b. Exterior Wall Design**
 - i.** The front, sides, and rear facades of parking decks shall have opaque glass, brick, stone, and/or architectural pre-cast concrete finish that relates to the finishes of the adjacent primary building.
 - ii.** The front, sides, and rear facades shall incorporate changes in façade material and color.
 - iii.** Facades facing public streets or private driveways shall incorporate landscape areas immediately in front of the parking structure.
 - iv.** Any openings for ventilation, service or emergency access located in the façade of the first level must be decorative and be an integral feature of the overall façade design.

604 Residential Minimum Architectural and Design Standards

E. Public Space Requirements

- 1.** All developments within this district shall be required to construct public space within the confines of the development. The minimum on-site requirement shall be as follows:

Minimum Public Space Requirements	
Less than 5 acres	10 percent
5 to 10 acres	15 percent
Greater than 10 acres	20 percent

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2. In addition, the requirements contained within its definitions, public space shall be designed and constructed pursuant to the following regulations:

a. Floodplains and detention ponds are not to be used in the calculations for public space.

b. The owner shall submit a notarized document establishing a mechanism for maintaining the required public space, which shall be approved by the Director of the Planning and Development Department.

a. Certificate(s) of Occupancy/Completion shall not be issued until the construction of the required public space is completed. ~~Exterior Wall Design~~

~~a. For the purpose of this minimum, special design guidelines developed by the Planning Department~~

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F. Other Regulations

1. Fences, Hedges, and Retaining Walls are subject to the rules, regulations, and exceptions found in *the Code of the City of Lawrenceville, Part I, Chapter 10, Article II, Property*.

2. Loading docks and dumpsters shall be screened so as not to be visible from any park, plaza, or sidewalk. In addition, all external dumpsters shall be vertically enclosed with opaque walls.

3. Building mechanical and accessory features:

1. Shall be located to the side or rear of the principal structure and shall not be visible from any park, plaza, or sidewalk.

2. When located on rooftops, shall be incorporated into the design of the building, and screened with materials similar to the building.

A.G. Building and Sign Structure Colors

1. These guidelines intend to establish timelessness in the color schemes incorporated in building design, project design, and sign structure design. Colors are intended to enhance the architecture of the project, not to attract attention to specific features or elements such as roof or parapet lines and signs. Building and sign structure colors in all zoning classifications other than residentially zoned properties shall be limited as follows:

~~1.a.~~ The use of muted, subdued, or earth-tone colors are encouraged while the use of novelty and primary colors are to be avoided.

~~2.b.~~ The following colors are prohibited: pink, purple, and bright or fluorescent shades of orange, yellow, blue, green, or red.

~~3.c.~~ Any appeal regarding the application of this section shall be made to the Mayor and Council only.

~~a.d.~~ Design and colors are subject to review and approval by the Planning and Development Department.

B. Live/Work Single-Family and Live/Work Townhouse

Live/Work buildings shall consist of the following exterior architectural designs and building materials:

1. Minimum Requirements

a. Live/Work units consisting of single-family dwellings on an individual lot shall be designed in accordance with the rules and regulations governing the specific zoning classification and Section 602.C.

b. Live/Work units consisting of townhouse units shall be designed in accordance with the rules and regulations governing the RS-TH Townhouse Residential District zoning classification and Section 602.D.

c. Live/Work units shall be limited to the Downtown Entertainment District, and subject to the rules and regulations regulating Article 2 Supplemental and Accessory Use Standards.

d. Primary pedestrian entrances or street level (storefront) shall be recessed a maximum of five (5) feet from the exterior façade and have a surface area that is at least fifty (50%) percent glass.

e. The Interior recessed ceiling shall be a minimum of eighteen inches from the display window opening or primary pedestrian entrance.

f. Live/Work units within the Downtown Entertainment District unable to meet the minimum parking requirements shall be required to abide by the rules and regulations regulating the Downtown Parking program (See Article 5 Parking).

2. Façade

- a. Street facades shall delineate upper and lower facades with windows, belt courses, cornice lines, or similar architectural treatments creating a recognizable *Tripartite Division* (base, shaft, and capital).
- b. The primary pedestrian entrance shall be located adjacent to a public right-of-way and have a minimum height of ten (10) feet.
- c. A primary pedestrian entrance shall be adjacent to a public right-of-way and be directly accessible from an adjacent public sidewalk.
- d. Primary pedestrian entrances or street level shall be recessed a maximum of five (5) feet from the exterior façade and have a surface area that is at least fifty (50%) percent glass.
- e. A non-glass base or knee wall beginning at grade and extending to a point no less than eighteen (18) inches but not more than twenty-four (24) inches above the sidewalk.
- f. A glass transom is located above the glass display window and sidewalk-level door and has a minimum height of twenty-four inches and a maximum height of thirty-six inches.
- g. A glass display window beginning at the top of the bulkhead or knee wall, to a height not less than ten feet and not more than eleven feet above, said sidewalk.
- h. All exterior steps adjacent to a public right-of-way shall include enclosed risers and ends.
- i. Live/Work units located at an intersection of the public right-of-way surrounding the Courthouse Square (Clayton Street, Crogan Street, Perry Street, and Pike Street) shall provide a primary pedestrian entrance at an angle facing the intersection.

3. Remaining Balance

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

- a. Glass
- b. Metal¹ – Accent only
- c. Stone² - Accent only
- d. Wood- Accent only

4. Doors and Windows

- a.** Entry lighting for entryways shall be installed ten feet above the Finished Floor Elevation.
- b.** All entryways facing a public right-of-way shall consist of a glass transom. In addition, each entryway shall include a non-glass frieze (decorative feature), no less than twenty-four (24) inches in height, located above the glass transom.
- c.** Exterior walls without windows shall be prohibited.
- d.** Entry window trim shall not be flush with the exterior wall and shall have a minimum relief of one-quarter inch from the exterior wall.
- e.** Doors and windows that operate as horizontal sliders are prohibited.
- f.** All exterior doors shall be wood panels or fixed glass panels in a wood frame.
- g.** All windows shall be double hung.
- h.** Openings above the first story shall not exceed fifty percent of the total façade area, with each façade being calculated independently.
- i.** Window frames shall be recessed a minimum of two inches from the exterior façade.
- j.** Primary pedestrian entrance to all first-story individual businesses establishments shall remain unlocked during business hours.
- k.** Windows and storefronts shall be subject to the minimum requirements regulating Window Signage. Tinted glass panels shall be prohibited in the Downtown Entertainment District.
- l.** Porches shall be prohibited.

C. Mixed-Use and Multifamily – Downtown Entertainment District³

1. Minimum Requirements

The following standards shall apply to all proposal proposed for construction in the Downtown Entertainment District, unless otherwise indicated in this Article, a specific zoning classification or City Council approved conditions of zoning:

1-2. Lot Development Standards

Min. Acreage (Site)	Min. Road Frontage (Site)	External Min. Front Setback	External Min. Side Setback	External Min. Rear Setback	Max. Building Height
1 ac ¹ No Min. ³	40 ft.	15 ft. ² 0 ft. ³	20 ft. ² 0 ft. ³	20 ft. ² 15 ft. ³	45 ft.

¹ Acreage (ac)

² Mixed-Use or Multifamily developments adjacent to an Arterial or Collector roadway shall have a forty (40) foot Building Setback

³ Courthouse Square only

3. Façade

- a.** Each building shall consist of a minimum of two alternating roof types, specifically, open gable, boxed gable, and dormer, hip, or flat rooflines.
- b.** Front, side, and rear facades shall be finished with primarily brick or stone on each elevation.
- c.** Elevations shall be staggered with alternating exterior treatments such as porches, balconies, awnings, chimneys, stoops, decks, patios, and terraces.
- d.** Provide a unique architectural entrance with a door surround.
- e.** Incorporate changes in building material texture, and color.
- f.** Provide elements such as shutters and roof eave brackets.
- g.** Townhouse units within the Downtown Entertainment District unable to meet the minimum parking requirements shall be required to abide by the rules and regulations regulating the Downtown Parking program (See Article 5 Parking).

C. Non-Residential – Downtown Entertainment District

Non-Residential buildings and structures shall consist of the following exterior architectural designs and building materials:

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1. Minimum Requirements

The following standards shall supplement the minimum requirements of the Zoning Ordinance for all non-residential proposed for construction in the Downtown Entertainment District unless otherwise indicated in

this Article, a specific zoning classification or Council-approved conditions of zoning:

1-2. Architectural Design

- a.** The front and sides of buildings shall have glass, brick, stone, and/or stucco/EIFS finish. Textured concrete masonry, architectural precast concrete, and/or fiber-cement siding finish shall be allowed, not to exceed 50 percent of any façade elevation.
- b.** 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.
- c.** 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.
- d.** The building facades shall incorporate a minimum of two colors.
- e.** Multi-tenant retail (mercantile) buildings and shopping centers shall incorporate distinct architectural entry identities for individual tenant suites exceeding 10,000 square feet of gross floor area, such as towers, porticos, gables, or offset façade with a change of materials.
- f.** Portable buildings shall be prohibited.
- g.** 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.
- h.** Ornamental wall-mounted sconce lights located on the building elevation adjacent to an entry must be of non-clear translucent panels with low wattage (not to exceed 30 watts) light source and the light/wall location must be at least 30 feet from the property line.
- i.** 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 a finish consistent with the finish materials of the building façade, or vegetative landscape screening shall be provided immediately in front of the equipment units

- i. Ground-mounted electrical, mechanical, and utility equipment shall be screened. Screening height shall be equal to the height of the equipment. Equipment screens shall have a finish that is consistent with the finish materials of the building façade or provide a vegetative landscape screening around the units.

B. Single-Family Residential – Downtown Entertainment District

1. Minimum Requirements

The following standards shall supplement the minimum requirements of Section 601.E. Single-Family Residential for all single-family dwellings proposed for construction in the Downtown Entertainment District, unless otherwise indicated in this Article, a specific zoning classification or Council-approved conditions of zoning:

2. Lot Development Standards

Min. Acreage (Lot)	Min. Road Frontage (Lot)	Min. Front Yard Setback	Min. Side Yard Setback	Min. Rear Yard Setback	Max. Building Height	Min. % Com. Area
6,000 sq. ft.	40 ft.	15 ft.	5 ft.	20 ft.	35 ft.	85%

² Single-Family dwellings adjacent to an Arterial or Collector roadway shall have a forty (40) foot Building Setback

D. Townhouse Residential – Downtown Entertainment District³

1. Minimum Requirements

The following standards shall supplement the minimum requirements of Section 601.E. Townhouse Residential for all townhouse units proposed for construction in the Downtown Entertainment District unless otherwise indicated in this Article, a specific zoning classification or City Council approved conditions of zoning:

1-2. Lot Development Standards

Min. Acreage (Site)	Min. Road Frontage (Site)	Unit Width Min.	External Min. Front Setback	External Min. Side Setback	External Min. Rear Setback	Impervious surface Max. Lot Coverage	Max. Building Height	Min. % Com. Area
1 ac ¹ No Min. ³	50 ft.	20 ft.	10 ft. ² 0 ft. ³	20 ft. ² 0 ft. ³	20 ft. ² 15 ft. ³	40%	45 ft.	15%

¹ Acreage (ac)

² Townhouse units adjacent to an Arterial or Collector roadway shall have a forty (40) foot Building Setback

³ Courthouse Square only

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.*

Min. 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.

3. Façade

h. Each building shall consist of a minimum of two alternating roof types, specifically, open gable, boxed gable, and dormer, hip or flat rooflines.

i. Front, side, and rear facades shall be finished with primarily brick or stone on each elevation.

j. Elevations shall be staggered with alternating exterior treatments such as porches, balconies, awnings, chimneys, stoops, decks, patios, and terraces.

k. Provide a unique architectural entrance with a door surround.

l. Incorporate changes in building material texture, and color.

m. Provide elements such as shutters and roof eave brackets.

~~6-11.~~ Townhouse units within the Downtown Entertainment District unable to meet the minimum parking requirements shall be required to abide by the rules and regulations regulating the Downtown Parking program (See Article 5 Parking).

~~605 — Performance Standards—Lighting~~

~~A. Purpose:~~

~~The purpose of this subsection is to promote public safety, nighttime vision, natural resource conservation, community values, and aesthetics by establishing standards for the design and application of outdoor lighting sources and fixtures for nighttime use. Accordingly, the specific~~

Commented [TH1]: Performance Lighting Standards – moved to Development Regulations.

606608 APPEALS

- A.** Architectural exterior treatments, building design, and color selection shall be subject to review and approval of the Director of Planning and Development, or their designee before the issuance of a Building Permit.

If changes to this Article are requested, plans should include quality durable materials on the exterior and interior of the building or structure. Hardwood floors, hard surface countertops, and upgraded appliance packages are encouraged, as are sustainable materials. Plans shall be submitted to the Director of Planning and Development Director for review and approval:

1. Architectural Exterior Treatments (i.e., examples of exterior architectural treatments shall be required).
2. Color Elevations (e.g., scaled drawings, color elevations of facade, rear and side of typical units, building height, building materials, exterior architectural treatments, etc.).
3. Floor plans (e.g., scaled drawings, interior features, interior walls, restrooms, windows, and doors, etc.).
4. Site Plan (e.g., scaled drawings, alleys, buffers, building setbacks, building location, easements, landscape, location map, right-of-way, etc.)

B. Interpretations and Determinations

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

C. Appeals to the Board of Appeals

Appeals concerning interpretation or administration of the Zoning Ordinance shall be subject to the rules and regulations of the *City of Lawrenceville Zoning Ordinance, Article 9 Administration and Enforcement, Section 903 Board of Appeals*.

D. Authority

The Board of Appeals shall have the authority to review variance request applications for the following:

1. All existing and/or new buildings and/or premises located in the Downtown Entertainment District; and
2. All variances from the architectural standards for signage or for any exterior features of construction, alteration, restoration, moving, demolition, or repair of existing buildings or improvements involving or resulting in a change in the existing structural composition or architectural design or character of such building or improvement.
3. The Board of Appeals shall have the power to grant or deny variances and exceptions for existing and new buildings from the architectural requirements of this Article provided the maximum effort is made to comply with the intent of the design standards established in this Article. Blanket variances may be granted for existing buildings by the Board of Appeals pursuant to the approval of a specific site plan and elevation drawings.
4. The following shall not be subject to review and action by the Board:
 - a. The ordinary maintenance or repair of any exterior elements of any building or structure.
 - b. The construction, reconstruction, alteration, or demolition of any such elements which the authorized City officers shall certify as required for public safety.
 - c. Any variation of state law requirements.
5. Exposed foundation exteriors shall be faced with exterior architectural treatments consisting of brick, stone or other material approved by the Director of Planning and Development.
6. Finished floor elevation shall be a minimum of two (2) feet above the centerline elevation of an adjacent public right-of-way or private utility easement.
7. Utility meters and relating equipment shall not be installed on the front façade of any structure.
- ~~3-8.~~ Vinyl or Metal siding shall be prohibited in all single-family, mixed-use, and multifamily zoning classifications.

AN ORDINANCE TO AMEND

THE ZONING ORDINANCE OF THE CITY OF LAWRENCEVILLE

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

Section 1. **Delete Article 7, Signs, Section 702, Sub Section 702.3 Ground Sign – Commercial, Industrial, or Office in its entirety and replace it as follows:**

702.3 Ground Sign – Commercial, Industrial, or Office ⁴

An independent permanent structure, attached to the ground with a solid supporting base. The following types of signs are permitted and regulated within the OI, BG, BGC, HSB, LM and HM zoning classifications. The ground shall not be altered for the sole purpose of providing additional sign height.



Permitted Sign Dimensions

Maximum Height (including structure)

Twelve (12) feet

Minimum Setback from Right-of-Way

Fifteen (15) feet

Maximum Sign Surface Display Area

Gross Building Space	Maximum Sign Size
0 – 5,000	24 S.F
> 5,000 - 10,000	36 S.F.
> 10,000 – 50,000	42 S.F.
> 50,000 -100,000	48 S.F.
> 100,000	54 S.F.

A. Location – Prohibited

1. A Ground Sign shall be prohibited within a required buffer landscape strip, right-of-way, stream buffer, or zoning buffer.
2. A Ground Sign shall be prohibited in an RS-180, RS-150, RS-60, RS-TH, RM-12, RM-24 zoning classification.

B. Length, Width and Height

Length, Width and Height shall be measured as follows:

1. Length (l)

The longer or longest dimension of an object as measured horizontally.

2. Width (w)

The horizontal measurement taken at right angles to the length or the sides of an object as measured horizontally.

3. Height (h)

The distance from the bottom to the top of an object as measured vertically.

C. Sign Surface Display Area – Dimensions

The entire area within a continuous perimeter, enclosing the extreme limits of sign surface display area, including any frame or border but excluding any supports. Curved, spherical, or any other shaped sign face shall be computed based on the actual Sign Surface Display Area. The copy of signs composed of individual letters, numerals, or other devices shall be the sum of the area of the smallest rectangle or other geometric figure encompassing each of said letters or devices as well as spaces between each letter, words, lines, or device. The Sign Surface Display Area calculation for a double-faced sign shall be the area of one (1) only where the Sign Surface Display Area is parallel or whether the interior angle formed by the Sign Surface Display Area is sixty (60) degrees or less. The area of the larger Sign Surface Display Areas shall be computed in cases in which the two (2) sides do not coincide.

1. Sign Surface Display Area shall be limited to a maximum display area of fifty-four square feet (54 sq. ft.) or six feet (6 ft.) in height and nine feet (9 ft.) in width per properly zoned lot or parcel of land.
2. Sign Surface Display Area shall be limited to a minimum display area of twenty-four square feet (24 sq. ft.) or four feet (4 ft.) in height and six feet (6 ft.) in width per properly zoned lot or parcel of land.
3. The bottom of a *Sign Surface Display Area* shall be a minimum of four feet six inches (4 ft. 6 in.) as measured in vertical feet from the average elevation of the ground level at the base of the ground sign at grade.

4. The *Sign Surface Display Area* shall be attached and centered to the body of a *Ground Sign* and be encased with brick, stone, or material similar to the primary structure on the parcel. No air space shall be visible within or between the sign display area and the supporting cap.
5. The sides of a *Sign Surface Display Area* shall be a minimum of six inches (6 in.) as measured horizontally from the outside edge of the body of the required *Ground Sign*.
6. *Sign Surface Display Area* shall be limited to one (1) display area facing in any one direction.
7. Any extension, structure or temporary cutout protruding beyond the *Sign Surface Display Area* of any *Ground Sign* is specifically prohibited.

D. Ground Sign - Dimensions

A *Ground Sign* shall consist of a capstone, body, cap, and base. The structure shall consist of a foundation designed and constructed in accordance with the International Building Code (IBC).

1. A *Ground Sign* shall not exceed an overall height of twelve (12) feet, as measured in vertical feet from the average elevation of the ground level at the base of the ground sign at grade to the highest point of the ground sign or the top of the required capstone.
2. A *Ground Sign* shall consist of a body and capstone, measuring a maximum height of eight feet (8 ft.), as measured in vertical feet from the average elevation of the top of the required cap to the highest point of the ground sign or top of required capstone.
 - i. The body shall be a maximum of ten feet (10 ft.) in length, one foot (1 ft.) in width, and seven feet nine inches (7 ft. 9 in.) in height.
 - ii. The capstone shall be a maximum of ten feet six inches (10 ft. 6 in.) in length, one foot six inches (1 ft. 6 in.) in width, and three inches (3 in.) in height.
3. The body and capstone of a *Ground Sign* shall be affixed atop and proportionately centered to the required supporting base and supporting cap.
4. A *Ground Sign* shall consist of a supporting base and supporting cap, and shall not exceed a height of four feet (4 ft.), as measured in vertical feet

from the average elevation of the ground level at the base of the ground sign at grade to the highest point of the required cap.

- i.* The supporting base shall not exceed eleven feet (11 ft.) in length, two feet (2 ft.) in width, and three feet nine inches (3 ft. 9 in.) in height.
 - ii.* The supporting cap shall not exceed eleven feet six inches (11 ft. 6 in.) in length, two feet six inches (2 ft. 6 in.) in width, and three inches (3 in.) in height.
5. The construction material used for the base and cap, body and capstone of the sign must be used to frame the Sign Surface Display Area on both sides with a minimum width of six inches (6 in.).

E. Ground Sign – Construction Materials

- 1. The supporting base and structure shall consist of brick, stone or material similar to the primary structure on the parcel. Fiber Cement Siding, Metal or Wood Post shall not be used on the supporting base and structure.
- 2. The construction material used for the base of the sign must be used to frame the *Sign Surface Display Area* on both sides of the *Ground Sign* as detailed in *Sub Section 702., A. Ground Sign – Dimensions*.
- 3. Existing non-conforming signage and monumentation located on the property upon which an *Ground Sign* and *Sign Surface Display Area* is to be located shall meet the current sign standards, including landscape and color requirements.
- 4. All *Ground Signs* shall be subject to the review and approval of the Director of the Planning and Development Department.

F. Illumination

Illumination of signs shall be subject to *Section 701, Sub Section B. Illumination of Signs*, and the following:

- 1. If the owner of a sign fails to control brightness within these limits, the sign permit shall be revoked. Should a permit be revoked, the sign must be turned off immediately and remain off unless and until the sign is re-permitted. Re-permitting requires the owner to reapply in accordance with the procedures in place at the time of the new permit application, including paying fees required for a new permit.

2. The sign owner and installer shall provide a letter to the Planning and Development Department certifying that the light sensors are operational and that the sign meets the brightness standards established in this Article.

G. Malfunctioning EMC Sign Surface Display Area

Internal or external illumination of a Sign Surface Display Area not functioning properly shall be disconnected from all underground conductors in a building or other structure from the service conductors.

H. Service Equipment – Disconnecting Means

Disconnecting Means shall be provided to disconnect all underground conductors in a building or other structure from the service conductors.

I. Nonconforming Signs

It is the policy of the City to encourage that all signs within the city limits be brought into compliance with the terms and requirements of this Ordinance (see Section 705 Nonconforming Signs).

J. Variance

A Ground Sign below grade and adjacent to an elevated segment of an Arterial (Principal, Major, Minor) or Collector (Major, Minor) may be granted a variance to increase the overall height requirement to not more than twelve feet (12 ft.) above the centerline elevation of an adjacent Arterial or Collector classified street.

K. Administrative Reduction – Minimum Standards

The overall dimensions of a Ground Sign may be reduced thirty percent (30%) administratively. In addition, the Sign Surface Display Area shall be dimensionally proportionate and configured in a shape and size considered to be in general accordance with the minimum standards of this Sub Section, subject to the following:

- i.* A Ground Sign shall not be less than an overall height of nine (9) feet, as measured in vertical feet from the average elevation of the ground level at the base of the ground sign at grade to the highest point of the ground sign or the top of the required capstone.
- ii.* The body shall be a minimum of seven feet (7 ft.) in length, one foot (1 ft.) in width, and four feet nine inches (4 ft. 9 in.) in height.

- iii.** The capstone shall be a minimum of seven feet six inches (7 ft. 6 in.) in length, one foot six inches (1 ft. 6 in.) in width, and three inches (3 in.) in height.
- iv.** The supporting base shall not be less than eight feet (8 ft.) in length, two feet (2 ft.) in width, and three feet nine inches (3 ft. 9 in.) in height.
- v.** The supporting cap shall not be less than eight feet six inches (8 ft. 6 in.) in length, two feet six inches (2 ft. 6 in.) in width, and three inches (3 in.) in height.
- vi.** A Sign Surface Display Area shall not be less than twenty-four square feet (24 sq. ft.) or four feet (4 ft.) in height and six feet (6 ft.) in width per properly zoned lot or parcel of land.

L. Exemptions

Public Schools and Government Facilities may install EMCs in accordance with the regulations herein but may be exempt from any location requirements.

4_ ZON ORD-2023-X An Ordinance to amend the Zoning Ordinance of the City of Lawrenceville. The City Council of the City of Lawrenceville, Georgia hereby ordains that The Zoning Ordinance of the City of Lawrenceville is amended as follows: Delete Article 7, Signs, Section 702.3 Electronic Message Center (EMC) Sign in its entirety, and replace with Article 7, Signs, Section 702.3 Ground Sign as adopted on Day, Month, Date, 2023.

ORDINANCE NO: ZON-ORD-

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

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

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

Administration and Enforcement

900 General Provisions

A. DECISION-MAKING RESPONSIBILITIES

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

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

ORDINANCE NO: ZON-ORD-

901 Policies and Procedures

A. POLICIES AND PROCEDURES GOVERNING HEARINGS ON ZONING DECISIONS

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

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

ORDINANCE NO: ZON-ORD-

B. POLICIES AND PROCEDURES GOVERNING HEARINGS ON QUASI-JUDICIAL DECISIONS

For purposes of this section the terms “quasi-judicial decision” shall include hearings on appeals of administrative decisions and hearings on applications for variances, special administrative permits, special exceptions, conditional use permits, and other similar permits. Prior to making a quasi-judicial decision, the Zoning Board of Appeals or the City Council shall conduct a public hearing. The public hearing shall be called, and a public notice provided in accordance with the provisions of O.C.G.A §36-66-4. At any such public hearing, the following procedures shall apply:

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

ORDINANCE NO: ZON-ORD-

7. The applicant and any opponents to the zoning decision shall acquaint themselves with the provisions of §36-67a-3 and shall comply with the provisions of that statute.

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ORDINANCE NO: ZON-ORD-

902 Planning and Development Director

A. ROLE OF THE DIRECTOR OF PLANNING AND DEVELOPMENT

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

B. ADMINISTRATIVE VARIANCES

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

Commented [FH1]: Feet or % - whichever is less or greater?

C. BUILDING PERMITS REQUIRED

ORDINANCE NO: ZON-ORD-

No building or structure shall be erected, moved, added to, or structurally altered without a permit issued by the Director of the Planning and Development Department. No building permit shall be issued except in conformity with the provisions of this Ordinance unless the Director receives a written order from the Board of Appeals in the form of an administrative review or variance as provided by this Ordinance.

D. APPLICATION FOR BUILDING PERMIT

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

E. CERTIFICATE OF OCCUPANCY REQUIRED

1. It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both until a Certificate of Occupancy has been issued by the Director of Planning and Development or their designee stating that the proposed use of the building or land conforms to the provisions of this Ordinance.

ORDINANCE NO: ZON-ORD-

2. A record of all Certificates of Occupancy shall be kept on file in the Planning and Development Department and a copy shall be furnished, upon request, to any person.

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ORDINANCE NO: ZON-ORD-

903 Board of Appeals

A. ESTABLISHMENT AND PROCEDURE

1. COMPOSITION, APPOINTMENT, AND TENURE

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

2. VACANCIES

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

3. REMOVAL

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

4. COMPENSATION

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

5. OFFICERS AND RULES OF PROCEDURE

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

ORDINANCE NO: ZON-ORD-

and other official actions, which minutes and records shall be filed in the Planning and Development Department and open to the public for inspection.

6. QUORUM

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

B. BOARD OF APPEALS HEARINGS.

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

C. POWERS AND DUTIES

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

1. ARCHITECTURAL, DIMENSIONAL, AND LOCATIONAL VARIANCES

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

- a.** A written application for a variance is submitted demonstrating that:
 - i.** Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.
 - ii.** That the special conditions and circumstances did not result from the actions of the applicant.
 - iii.** No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings on other districts shall be considered grounds for the issuance of a variance.

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- b.** Notice of a public hearing shall be given as in *Subsection 903 C.1., Architectural, Dimensional and Locational Variances.*
- c.** Where the strict application or literal enforcement of the requirements of this Zoning Ordinance would result in the applicant suffering practical difficulties, the Board of Appeals shall have the power to authorize a variance from the terms of this Zoning Ordinance to relieve such difficulties. In granting a variance, the Board of Appeals may impose such conditions as may be necessary to comply with the factors herein to reduce or minimize potential injurious effects of such variance upon neighboring properties and to carry out the general purpose and intent of this Zoning Ordinance. In making such a determination, the Board of Appeals shall consider all the following factors, including whether:
 - i.** The property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance.
 - ii.** The variance is substantial.
 - iii.** The essential character of the neighborhood would be substantially altered or adjoining properties would suffer a substantial detriment as a result of the variance.
 - iv.** The variance would adversely affect the delivery of government services (i.e., water, sewer, garbage).
 - v.** The property owner purchased the property with knowledge of the zoning restriction.
 - vi.** The property owner's predicament feasibly can be obviated through some method other than a variance.
 - vii.** The spirit and intent behind the zoning requirement would be observed and substantial justice is done by granting the variance; and
 - viii.** Any other relevant factor to assist the Board of Appeals in weighing and balancing the public and private benefits and harms of the requested relief is necessary.

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- d.* In granting any variance, the Board of Appeals may prescribe appropriate conditions and safeguards in conformity with the intent of this Ordinance.
- e.* Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance and punishable under the provisions of this Ordinance.
- f.* Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or to allow any use expressly or by implication prohibited by the terms of this Ordinance in said district.

2. APPEAL OF ADMINISTRATIVE REVIEW:

a. HEARINGS, APPEALS, NOTICE

- i.* Appeals to the Board of Appeals concerning interpretation or administration of the Zoning Ordinance may be taken by any person aggrieved or by any officer or bureau of the governing body of the City affected by any decision rendered.
- ii.* Such appeals shall be submitted within thirty (30) days of the action by filing with the Director of Planning and Development a notice of appeal specifying the grounds thereof.
- iii.* The Director of the Planning and Development Department or his/her designee shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken. The Board of Appeals shall fix a reasonable time for the hearing of an appeal; give due notice thereof to all parties in interest; and after hearing, decide the same within a reasonable time. At the hearing, any party in interest may appear in person, or by agent or attorney, and be heard by the Board of Appeals on the third (3rd) Monday of each month at 6:00 p.m., unless otherwise specified.

b. STAY OF PROCEEDINGS

- i.* An appeal stays all proceedings in furtherance of the action appealed from, unless the Director of the Planning and Development Department, or other person or agency from whose action the

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appeal is taken certifies to the Board of Appeals after the notice of appeal is filed that by reason of facts stated in such certification a stay would, in the opinion of the person making the certification, cause imminent peril to life and property.

- ii.* In such cases, proceedings may be stayed by a restraining order issued by the Board of Appeals, or by a court of record, on the application, on notice to the parties of interest, and for good cause shown.

c. HEARING OF APPEAL

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

d. POWERS TO REVERSE OR AFFIRM

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

e. BOARD OF APPEALS DECISIONS.

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

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

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Any person or persons severally or jointly aggrieved by any decision of the Board of Appeals may take an appeal to the City Council. Any appeal filed by the City shall be filed by the City Manager. Said appeals to the City Council shall be filed within thirty (30) days on the date of the decision of the Board of Appeals. If no appeal of the decision of the Board of Appeals is filed within thirty (30) days, said decision of the Board of Appeals shall be final. Any appeals to the City Council shall be filed with the City Clerk, and upon receipt of the appeal, the City Clerk shall place the matter on the agenda of the next regularly scheduled City Council meeting, which is scheduled at least thirty (30) days after the date the appeal is received by the City Clerk. The appeal to the City Council shall be a de novo hearing, and the parties to the appeal shall be entitled to present whatever evidence they deem appropriate to the City Council. Evidence submitted to the City Council on the appeal may be in writing or through oral presentation. However, the City Council shall have the right to limit oral presentations to no more than fifteen (15) minutes per side. Upon hearing an appeal, the City Council may render a decision at the meeting or may take the matter under advisement and render a decision at any regularly scheduled or specially called meeting in the next forty-five (45) days. Decisions by the City Council may be in writing or by oral motion but shall be approved at a regular or specially called meeting.

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

Any person or persons severally or jointly aggrieved by any decision of the City Council on an appeal from a decision of the Board of Appeals may take an appeal to the Superior Court of Gwinnett County. Said appeal to the Superior Court shall be by Writ of Certiorari pursuant to the superior court's appellate jurisdiction from a lower judicatory body and shall be brought by way of a petition for such review as provided in Title 5 of the Official Code of Georgia Annotated. Said appeal must be filed within thirty (30) days from the date of the written decision of the City Council. If no appeal of the decision of the City Council is filed within thirty (30) days, the decision of the City Council shall be final. Any appeals to the Superior Court shall be an appeal based on the record created before the City Council and shall be limited to determining whether the City Council acted arbitrarily or capriciously, or capriciously or abused its discretion in exercising the powers granted to it. Any such appeal shall be served upon

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the City Clerk who shall have the authority to approve or issue any form or certificate necessary to perfect the appeal petition.

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

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

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904 Planning Commission

A. ESTABLISHMENT AND PROCEDURE.

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

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

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

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

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

C. SPECIAL USES

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

1. The Planning Commission shall give due regard to the nature and condition of all adjacent uses and structures and in authorizing a special use may impose such requirements and conditions, in addition to those expressly stipulated in this Zoning Ordinance, as it may deem necessary for the protection of adjacent properties and the public interest.
2. In deciding a special use, the Planning Commission may recommend conditions as may be necessary to comply with the standards set forth herein to reduce or minimize potential injurious effects upon neighboring properties and to carry out the general purpose and intent of this Zoning Ordinance.
3. A special use shall become null and void at the expiration date recommended by the Planning Commission; set and approved by the City Council. If special use conditions are not met within one hundred eighty (180) days or six (6) months from the date of the adoption of the amendment as established by and approved by the City Council, the special use shall be null and void.
4. The Planning Commission shall not recommend a special use unless it, in each specific case, makes specific findings of fact directly based upon credible evidence as to all the following:
 - a. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.
 - b. The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or will not substantially diminish and impair property value within the neighborhood.

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

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application shall be considered only if it is made by the owner of the property or his/her authorized agent.

D. DECISIONS OF THE PLANNING COMMISSION

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

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905 City Council

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

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

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906 Authority

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

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

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907 Rezoning and Special Use Permit Application Public Hearing Process

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

A. SCHEDULE OF EVENTS

1. At least one week prior to the scheduled Planning Commission Meeting, the Planning Staff Report and Recommendation will be emailed to the applicant and will be available at the Planning and Development office.
2. The applicant is encouraged to appear before the City of Lawrenceville Planning Commission to present their case in support of the rezoning application. The Planning Commission may ask questions of the applicant and the opposition. The Planning Commission is a recommending body. Their recommendation will be forwarded to the City Council.
3. The applicant is encouraged to be present at the City Council Work Session.
4. The applicant should be present and expected to appear before the City Council for the Public Hearing. The applicant may be asked to present their case or to answer questions, at the desire of the City Council.
5. If the rezoning application is denied by the City Council, any new application shall meet the requirements of *Section 910 Lapse of Time Requirements for Reapplication*.

B. PROCEDURES

1. In the approval process for a zoning proposal application, the City Council shall consider the policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area and shall consider the potential adverse impacts on the surrounding area, especially with regard to but not limited to traffic, storm drainage, land values, and compatibility of land use activities, subject to *Section 901, Sub Section A. Policies and Procedures Governing Hearings on Zoning Decisions*.

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2. If an application is approved and a zoning proposal is granted, all conditions which may have been attached to the approval are binding on the property. All subsequent development and use of the property shall be in accordance with the approved plan and conditions. All final site plans shall be approved by the Director of Planning and Development or his or her designee prior to the issuance of any permits.
3. Once established, the zoning proposal shall be permanent unless otherwise rezoned.
4. Upon approval by the City Council, a zoning proposal shall be identified on the official zoning maps.
5. Upon approval by the City Council of zoning proposal, the owner of the property shall be issued a notice from the Planning and Development Department, which states the rezoning, the requirements of this section, and any conditions attached to the approval.
6. Any person, persons, or entities jointly or severally aggrieved by any decision of the City Council regarding a zoning proposal application may take an appeal to the Superior Court of Gwinnett County. The appeal must be filed within thirty (30) days of the decision of the City Council, and upon failure of such appeal, the decision of the City Council shall be final.

C. STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

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

1. Whether a zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
2. Whether a zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
3. Whether the property to be affected by a zoning proposal has a reasonable economic use as currently zoned.

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4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
5. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan; and
6. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal.

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908 Variance Public Hearing Procedures

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

A. SCHEDULE OF EVENTS

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

B. PROCEDURE

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

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909 Withdrawal of Application

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

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

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910 Lapse of Time for Reapplication

The following shall apply to the reapplication for a Zoning Map Amendment, Variance or Special Use Permit.

- A.** No application or reapplication for any zoning map amendment affecting the same land or any portion thereof shall be acted upon within twelve (12) months from the date of last action by the City Council unless such twelve (12) month period is waived by the City Council, and in no case may such an application or reapplication be reconsidered in less than six (6) months from the date of last action by the City Council.
- B.** No application or reapplication for the same type of Variance or Special Use Permit affecting the same land or any portion thereof shall be acted upon within twelve (12) months from the date of last action by the City Council or Zoning Board of Appeals, as appropriate, unless such twelve (12) month period is waived by the City Council or Zoning Board of Appeals as appropriate, and in no case may such an application or reapplication be reconsidered in less than six (6) months from the date of last action by the City Council or Zoning Board of Appeals, as appropriate.

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911 Appeals to Superior Court

A. APPEALS OF ZONING DECISION

Any person or persons severally or jointly aggrieved by any zoning decision, as defined in this Ordinance (also see O.C.G.A. Section 36-66-3) and being legislative in nature, shall have a direct constitutional challenge as set forth in O.C.G.A. Section 36-66-5.1. Such challenges shall be by way of a de novo review by the Superior Court of Gwinnett County. Any such direct challenge to the superior court shall be brought within 30 days of the written decision being challenged.

B. APPEALS OF QUASI-JUDICIAL DECISION

Any person or persons severally or jointly aggrieved by any quasi-judicial decision, as defined by this Ordinance, may take an appeal of the quasi-judicial decision to the Superior Court of Gwinnett County. Said appeal to the Superior Court shall be pursuant to the superior court's appellate jurisdiction from a lower judicatory body and shall be brought by way of a petition for such review as provided in Title 5 of the Official Code of Georgia Annotated. Said appeal must be filed within thirty (30) days from the date of the written decision. If no appeal of the quasi-judicial decision is filed within thirty (30) days, the decision shall be final. Any appeals to the Superior Court shall be an appeal based on the record. Any such appeal shall be served upon the City Clerk who shall have the authority to approve or issue any form or certificate necessary to perfect the appeal petition.

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

Mayor David R. Still

Attest: _____
City Clerk

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