



LAWRENCEVILLE

GEORGIA

CITY COUNCIL SPECIAL CALL AGENDA

Monday, April 27, 2020
5:00 PM

Virtual Meeting
70 S. Clayton St, GA 30046

*****Public Attendance Information*****

The meeting will be broadcast from our Facebook page and you are encouraged to view it from there using this link.

<https://www.facebook.com/cityoflawrenceville>

When: Apr 27, 2020 05:00 PM Eastern Time (US and Canada)

Topic: Mayor & Council - Special Call Meeting - April 27, 2020 - 5:00 PM

Please click the link below to join the webinar:

<https://zoom.us/j/95603976223>

Or iPhone one-tap :

US: +16465588656,,95603976223# or +13126266799,,95603976223#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 646 558 8656 or +1 312 626 6799 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782

Webinar ID: 956 0397 6223

Call to Order

Prayer

Pledge of Allegiance

Approval of Prior Meeting Minutes

1. February 19, 2020 Special Call
2. February 24, 2020 Regular Meeting
3. February 24, 2020 Executive Session
4. March 11, 2020 Special Call

5. March 11, 2020 Work Session
6. March 11, 2020 Executive Session
7. March 18, 2020 Special Call
8. March 23, 2020 Regular Meeting
9. April 15, 2020 Special Call

Public Hearing New Business

- [10.](#) RZR2019-00003 & SUP2019-00019; 138 Paper Mill Road; Shane Lanham
- [11.](#) RZC2019-00010 & SUP2019-00022; The Residential Group c/o Mahaffey Pickens Tucker, LLP- Shane Lanham; Buford Drive (SR 20) at University Parkway (SR 316) Pending Annexation
- [12.](#) RZC2020-00012 & SUP2020-00027; One Street Residential LLC, 334 & 354 Grayson Highway
- [13.](#) SUP2020-00026; Third Rail Distillery, Inc.; 625 N. Clayton Street
- [14.](#) SU-18-21, Gann Enterprises Inc., c/o Andersen, Tate & Carr, P.C.; 45 East Crogan Street
- [15.](#) City of Lawrenceville Zoning Ordinance

Council Business New Business

- [16.](#) Gas Rate Analysis
- [17.](#) GGC Corridor-Phase II Project Change Order 2
- [18.](#) First Amendment to Intergovernmental Agreement with Gwinnett County, Gwinnett County Water and Sewerage Authority and the City of Lawrenceville for the GGC Corridor
- [19.](#) Intergovernmental Agreement with Impact 46, Inc. for Lawrenceville Response Center
- [20.](#) Resolution to Revise Downtown Development Authority Boundary
- [21.](#) Resolution Amending the FY 2020 Budget
- [22.](#) FY 2021 Proposed Budget

Final Adjournment



LAWRENCEVILLE

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AGENDA REPORT

MEETING: SPECIAL CALL, APRIL 27, 2020

AGENDA CATEGORY: PUBLIC HEARING NEW BUSINESS

Item: RZR2019-00003 & SUP2019-00019; 138 Paper Mill Road; Shane Lanham

Department: Planning and Development

Date of Meeting: Monday, April 27, 2020

Applicant Request: Rezone from RM-12 to RM-8

Presented By: Todd Hargrave

Department Recommendation: Denial

Planning Commission Recommendation: Approval with Planning Commission conditions

Summary: The applicant is requesting the rezoning of approximately 14.5 acres from RM-12 to RM-8 for the development of 116 townhomes. The applicant is also requesting a special use permit to allow front entry for 92 of the units.

Attachments/Exhibits:

RZR2019-00003 & SUP2019-00019 Report

RZR2019-00003 & SUP2019-00019 Attachments

RZR2019-00003 & SUP2019-00019 Planning Commission Conditions

RZR2019-00003 & SUP2019-00019 Paper Mill Townhomes CEW Conditions

**CITY OF LAWRENCEVILLE
PLANNING AND DEVELOPMENT DEPARTMENT
REZONING AND SPECIAL USE REPORT**

CASE NUMBER	RZR2019-00003 & SUP2019-00019
APPLICANT	TPA ACQUISITIONS 1, LLC c/o MAHAFFEY PICKENS TUCKER, LLP
CONTACT	SHANE LANHAM
PHONE NUMBER	770.232.0000
ZONING CHANGE	RM-12 TO RM-8
LOCATION	138 PAPER MILL ROAD
PARCEL ID	R5174 027
ACREAGE	14.48
PROPOSED DEVELOPMENT	116-UNIT TOWNHOUSE DEVELOPMENT WITH SPECIAL USE PERMIT TO ALLOW FRONT ENTRY UNITS
DEPARTMENT RECOMMENDATION	DENIAL

ZONING HISTORY:

The property has been zoned RM-12 (General Residence, 3,600 Square Foot District) since 1970. In 2019, the City of Lawrenceville Zoning Ordinance was amended by deleting Article VII, Section 7.5, RM-12 (General Residence, 3,600 Square Foot District) in its entirety and replacing with Article VII, Section 7.5, RM-12 (General Residence District) and adding section 7.5.01, RM-8 (General Residence, Townhouse District).

PROJECT DATA:

The applicant requests rezoning of a 14.5-acre parcel from RM-12 (General Residence District) to RM-8 (General Residence, Townhouse District) zoning, along with a Special Use Permit to allow front entry units. The subject property is located along the northern right-of-way of Paper Mill Road east of its intersection with East Crogan Street. The property is developed with a single-family dwelling and accessory structures with undisturbed wooded areas in the rear. Access to the development would be via one main entrance on Paper Mill Road.

The applicant proposes to construct a 116-townhouse community with associated amenities, driveways and parking. The development would consist of attached townhomes with a

maximum of eight units in each building. They would provide on-street parking. Rear entry units would have access to the public street via the required alley. The applicant proposes one-car garages, which do not meet the minimum two-car garage requirement. The zoning district requires 22-foot wide units. Per the letter of intent, all units would be 20 feet wide, which does not meet the minimum requirements. Additionally, in lieu of all units having views to community open spaces, the applicant intends to provide a pool and cabana towards the entrance and common areas that may be considered pocket parks throughout the development. The site plan indicates that there would be one stormwater management area on the southeast corner of the property, and a proposed undisturbed common area on the north end of the property. The entrance to the development would have an acceleration lane and deceleration lane that may need additional review by the Engineering Department. Additionally, the side setback shown in the site plan is not consistent with the dimensional requirements in the RM-8 zoning district. The proposed development may require multiple variances if approved as submitted to the Planning and Development Department on August 5, 2019.

The property lies within the Neighborhood Mixed Use Character Area of the 2040 Comprehensive Plan and Future Development Map. The Character Area encourages the development of single-family attached residential uses that contain higher density types of housing such as townhomes. However, the proposed development does not meet the minimum requirements of the RM-8 zoning district and the overall intent of the zoning district, which is to have buildings oriented towards the street, with limited parking in the front, and to have high architectural standards.

The surrounding area is characterized by single-family and multifamily developments along this segment of Paper Mill Road. Immediately to the north of the subject property is a multifamily development zoned RM-12. Adjacent to the east are the Alexander Mill apartments zoned RM-12. To the south across Paper Mill Road are several properties zoned RM-12 developed with single-family dwellings and a few multifamily developments. Immediately to the west is a property zoned BG (General Business District).

The proposed development does not meet the intent of the Zoning Ordinance and would require multiple variances to allow encroaching into setbacks, smaller units, reduced parking, and reduced vistas. Given the aforementioned factors, the Planning and Development Department recommends **DENIAL** of the requested rezoning and Special Use Permit.

CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS:**ENGINEERING DEPARTMENT**

Schedule a pre-design consultation with the Engineering Department to discuss how the City's Stormwater management requirements can be met.

All Development Regulations must be met.

ELECTRIC DEPARTMENT

The electric utilities internal to the development must be placed underground.

The developer will have to sign an underground service agreement.

The developer will be required to pay the per unit fees for electric service to this development, even if they build all electric units. There will be a \$2,000 per unit fee for electric service.

The developer will be required to pay the lighting costs for this development, \$400 fee per light installation.

GAS DEPARTMENT

There is an existing 4" plastic gas main on the ROW of this property. It has ample capacity to serve the units proposed. The gas main would be installed at no cost and gas services would have to be applied for separately on our website under the "gas tap application". If the required mix of appliances is met with gas, then the tap would also be free. Additional information is available on the gas tap application.

There is also an existing house on the property with gas service. This would need to be requested to kill, if needed.

WATER DEPARTMENT

The Water Department has a 12-inch ductile iron water line located on Paper Mill Road and will provide water service for this development.

Fire hydrants will not be allowed to be installed on a water line less than 8 inches.

Demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards (City requirement) and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development and will not be provided by this department.

CODE ENFORCEMENT

No Comment.

**PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS**

RZR2019-00003:

Approval as RM-8 (General Residence, Townhouse District) for a townhouse development, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Multifamily attached dwellings.
 - B. The maximum number of units shall be 116.
 - C. The front facades must meet the RM-8 architectural standards set forth in the Zoning Ordinance.
 - D. All dwellings shall have a double-car garage.
2. To satisfy the following site development considerations:
 - A. The development shall abide by all applicable standards of the Development Regulations, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.
 - B. Natural vegetation shall remain on the property until the issuance of a development permit.
 - C. All grassed areas on dwelling lots shall be sodded.
 - D. Underground utilities shall be provided throughout the development.
 - E. Building lots shall not be located within any required stream buffer or accompanying impervious setback area.
 - F. The electric utilities internal to the development must be placed underground.

**PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS**

SUP2019-00019:

Approval of Special Use for three front entry units, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Multifamily attached dwellings.
 - B. The maximum number of front entry units shall be 92.
 - C. The front facades must meet the RM-8 architectural standards set forth in the Zoning Ordinance.
 - D. All dwellings shall have a double-car garage.
2. To satisfy the following site development considerations:
 - A. The development shall abide by all applicable standards of the Development Regulations, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.
 - B. Natural vegetation shall remain on the property until the issuance of a development permit.
 - C. All grassed areas on dwelling lots shall be sodded.
 - D. Underground utilities shall be provided throughout the development.
 - E. Building lots shall not be located within any required stream buffer or accompanying impervious setback area.

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

1. Will the rezoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property? *Yes.*
2. Will the rezoning proposal adversely affect the existing use or usability of adjacent or nearby property? *No.*
3. Does the property to be affected by the rezoning proposal have a reasonable economic use as currently zoned? *Yes.*
4. Will the rezoning proposal result in a use, which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools? *Yes.*
5. Is the rezoning proposal in conformity with the policy and intent of the City of Lawrenceville comprehensive plan? *Yes.*
6. Are there other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the rezoning proposal? *The proposed development does not meet the minimum standards for the RM-8 zoning district.*

ZONING ORDINANCE SECTION 13.3 REZONING PROCEDURE:

1. What are the existing uses and zoning of nearby property?
SEE PAGE 2.
2. What is the extent to which the property values are diminished by the particular zoning restrictions of the current zoning? *None.*
3. What is the extent to which the destruction of property values of the plaintiffs promotes the health, safety, morals or general welfare of the public? *None.*
4. What is the relative gain to the public, as compared to the hardship imposed upon the individual property owner? *The proposed zoning change is compatible with the recommendations of the 2040 Comprehensive Plan and Future Development Map but does not meet the Zoning Ordinance requirements.*
5. What is the suitability of the subject property for its current zoning? *It is suitable.*
6. What is the suitability of the subject property for the proposed zoning? *The property is at a location that makes the development viable pending requirements being met.*
7. How long has the property been vacant as zoned considered in the context of land development in the area in the vicinity of the property? *NA*
8. How does the property conform with or diverge from the Land Use Plan or other applicable local, state laws and ordinances? *The property meets the intent of the character area but does not conform with the Zoning Ordinance.*
9. What is the availability of adequate sites for the proposed use in districts that permit such use? *RM-8 is the only district that allows townhomes.*
10. What is the suitability of the site for the proposed use relative to the requirements set forth in the zoning ordinance (such as off-street parking, setbacks, buffer zones and open space)? *Not suitable.*



LAWRENCEVILLE

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REZONING APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>TPA Acquisitions 1, LLC c/o Mahaffey Pickens Tucker, LLP</u>	NAME: <u>Multiple--see attached</u>
ADDRESS: <u>1550 North Brown Road, Suite 125</u>	ADDRESS: _____
CITY: <u>Lawrenceville</u>	CITY: _____
STATE: <u>Georgia</u> ZIP: <u>30043</u>	STATE: _____ ZIP: _____
CONTACT PERSON: <u>Shane Lanham</u> PHONE: <u>770 232 0000</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>RM-12</u> REQUESTED ZONING DISTRICT: <u>RM-8</u>	
PARCEL NUMBER(S): <u>5174 027</u> ACREAGE: <u>+/-14.48</u>	
ADDRESS OF PROPERTY: <u>138 Paper Mill Road</u>	

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF OWNER

DATE

Shane M. Lanham, Attorney

TYPED OR PRINTED NAME

TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE



DATE

RZR2019-00003

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LAWRENCEVILLE

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10.

REZONING APPLICATION

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SIGNATURE OF APPLICANT DATE

Shane M. Lanham, Attorney

TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE

SIGNATURE OF OWNER

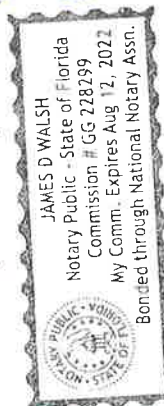
DATE

Jennifer M. Bird

TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE



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22R-2014-00003
SUP 2014-00



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DATE

Shane M. Lanham, Attorney

TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE

SIGNATURE OF OWNER

DATE

Patricia A. Kennedy

TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE

Amanda Mosley 7/25/19

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REZONING APPLICATION

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SIGNATURE OF APPLICANT

DATE

Shane M. Lanham, Attorney

TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE

SIGNATURE OF OWNER

DATE

Debra L. Cagle

TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE

Amanda Masley 7/25/19

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22R2019-00-003
SUP2019-00018



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SIGNATURE OF APPLICANT DATE

Shane M. Lanham, Attorney
TYPED OR PRINTED NAME

NOTARY PUBLIC DATE

Williams David Cale 7-25-19
SIGNATURE OF OWNER DATE

Williams David Cale
TYPED OR PRINTED NAME

Amanda Masley 7/25/19
NOTARY PUBLIC DATE



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228-201-0003
84P2019-0003



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SIGNATURE OF APPLICANT DATE

Shane M. Lanham, Attorney

TYPED OR PRINTED NAME

NOTARY PUBLIC DATE

Patricia Ann Cagle Kennedy 7/25/19
SIGNATURE OF OWNER DATE

Patricia Ann Cagle Kennedy, as Executor under the Will of Williams C. Cagle, Jr.

TYPED OR PRINTED NAME

Amanda Mosley 7/25/19
NOTARY PUBLIC DATE



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R2R2019-00003
SUP2019-00003

Matthew P. Benson
Gerald Davidson, Jr.*
Brian T. Easley
Kelly O. Faber
Christopher D. Holbrook
Nicholas N. Kemper
Shane M. Lanham
Austen T. Mabe

Jeffrey R. Mahaffey
Steven A. Pickens
Catherine V. Schutz
Thomas A. Simpson
Andrew D. Stancil
R. Lee Tucker, Jr.

*Of Counsel

LETTER OF INTENT FOR REZONING APPLICATION
OF TPA ACQUISITIONS 1, LLC

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached Rezoning and Special Use Permit Applications on behalf of TPA Acquisitions 1, LLC (the "Applicant") to request the rezoning to the RM-8 zoning classification of an approximately 14.5-acre tract (the "Property") situated along the north side of Paper Mill Road just east of its intersection with East Crogan Street (State Route 8, U.S. Route 29). The Property is currently zoned RM-12. The Property is surrounded on all sides by land zoned either RM-12, O-I, or BG. To the east and north are additional multi-family and single-family residential developments on land zoned RS-150, RM-4, and RZT in unincorporated Gwinnett County. To the south across Paper Mill Road are existing townhome and single-family attached residential communities as well as the Pine Valley mobile home park. To the west is a mix of commercial and office and commercial uses along Stanley Court and East Crogan Street. Accordingly, the area is generally mixed-use in character and already has a diverse mix of housing types.

The Applicant proposes to develop a single-family residential community, including 116 attached single-family townhomes under the RM-8 zoning classification with a special use permit for front-entry units. The proposed development would have a density of approximately 8.0 units per acre as required by the 2005 Lawrenceville Zoning Ordinance (the "Ordinance"). The proposed single-family community would consist of homes at a size, quality, and price-point commensurate with or exceeding homes in the surrounding area. The Property is currently zoned RM-12 and the proposed downzoning represents a lower density than could be developed on the Property under its current zoning classification. The proposed development includes an attractive mix of front and rear-entry homes with a front width of 20 feet. Front and rear-entry homes would each have one-car garages with rear-entry units having access from private alleys. The proposed community would also include a pool, cabana, and areas of pocket parks and other

open space. The proposed development also includes sidewalks on both sides of the streets creating a walkable environment and would also connect to existing sidewalks on Paper Mill Road enhancing the walkability of that corridor. Residents would have convenient access to Rhodes Jordan Park via such existing sidewalks and established, striped, and signalized pedestrian crossings on East Crogan Street.

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Rezoning Application filed herewith. The Applicant respectfully requests your approval of this Application.

Respectfully submitted this 1st day of August, 2019.

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham

Attorneys for Applicant

PROPERTY DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 175, of the 5th District, Gwinnett County, and being more particularly described as follows:

To find THE TRUE POINT OF BEGINNING, begin at an iron pin set at the intersection of the North line of Land Lot 175 with the south right-of-way line of Lawrenceville Highway (U.S. Highway 29), said land lot line also being the South line of Land Lot 178 thence South 29 degrees 01 minutes 38 seconds East along the common land lot line of Land Lots 175 and 178, 216.62 feet to a point; THENCE South 29 degrees 01 minutes 38 seconds East 178.77 feet to a point; THENCE South 07 degrees 09 minutes 58 seconds 50.80 feet to a point, said point being THE TRUE POINT OF BEGINNING;

THENCE South 29 degrees 01 minutes 38 seconds East a distance of 860.51 feet to a point;
 THENCE North 60 degrees 58 minutes 22 seconds East a distance of 150.00 feet to a point;
 THENCE South 29 degrees 01 minutes 38 seconds East a distance of 111.00 feet to a point;
 THENCE along a curve to the left for an arc length of 75.58 feet, having a radius of 40.00 feet, being subtended by a chord bearing South 11 degrees 03 minutes 32 seconds East, for a distance of 64.83 feet to a point;

THENCE South 60 degrees 19 minutes 55 seconds West a distance of 100.01 feet to a point;
 THENCE South 29 degrees 01 minutes 38 seconds East a distance of 150.01 feet to a point;
 THENCE South 31 degrees 28 minutes 18 seconds East a distance of 187.00 feet to a point;
 THENCE South 67 degrees 09 minutes 13 seconds West a distance of 292.41 feet to a point;
 THENCE South 06 degrees 11 minutes 08 seconds West a distance of 26.17 feet to a point;
 THENCE North 88 degrees 23 minutes 04 seconds West a distance of 125.00 feet to a point;
 THENCE South 05 degrees 10 minutes 49 seconds East a distance of 125.00 feet to a point;
 THENCE North 87 degrees 05 minutes 36 seconds West a distance of 397.57 feet to a point;
 THENCE North 07 degrees 24 minutes 38 seconds East a distance of 310.05 feet to a point;
 THENCE North 88 degrees 32 minutes 22 seconds West a distance of 100.00 feet to a point;
 THENCE North 07 degrees 24 minutes 38 seconds East a distance of 1120.18 feet to a point, said point being THE TRUE POINT OF BEGINNING.

Said property contains an area of 14.5 acres more or less.

20' REAR ENTRY, SINGLE CAR GARAGE TOWNHOME



Front Elevation A



Front Elevation B



Front Elevation C



Front Elevation D

20' FRONT ENTRY, SINGLE CAR GARAGE TOWNHOME

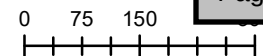




The City of Lawrenceville
Planning & Development
**Aerial Map and
Surrounding Area**
File # RZR19-00003
File # SUP19-00019
Applicant:
TPA Acquisitions 1, LLC c/o
Mahaffey Pickens Tucker, LLP

Legend

-  Subject Property
-  Roads
-  Parcels





The City of Lawrenceville
Planning & Development
**Location Map and
Surrounding Zoning**
File # RZR19-00003
File # SUP19-00019
Applicant:
TPA Acquisitions 1, LLC c/o
Mahaffey Pickens Tucker, LLP

Legend

 Subject Property

 Roads

 Parcels

ZONING

 BG

 ON

 OI

 LM

 RM-12

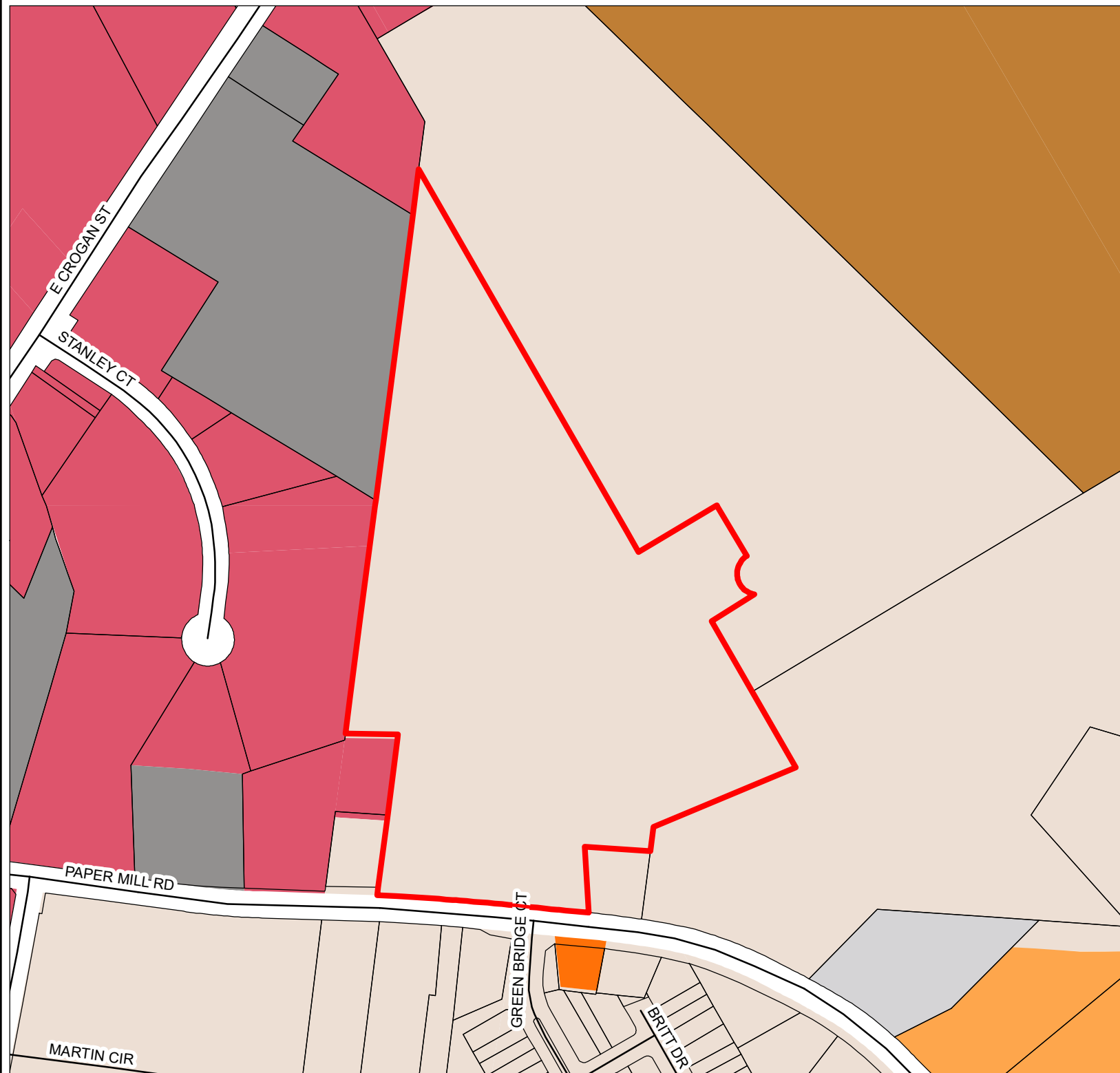
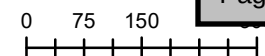
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Page 25



**CITY OF LAWRENCEVILLE
PLANNING AND DEVELOPMENT DEPARTMENT**

**PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS**

Bold – Additions

~~Strikethrough~~ - Deletions

RZR2019-00003:

Approval as RM-8 (General Residence, Townhouse District) for a townhouse development, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Multifamily attached dwellings.
 - B. The maximum number of units shall be 116.
 - C. The front facades must meet the RM-8 architectural standards set forth in the Zoning Ordinance.
 - D. All dwellings shall have a double-car garage.
2. To satisfy the following site development considerations:
 - A. The development shall abide by all applicable standards of the Development Regulations, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.
 - B. Natural vegetation shall remain on the property until the issuance of a development permit.
 - C. All grassed areas on dwelling lots shall be sodded.
 - D. Underground utilities shall be provided throughout the development.
 - E. Building lots shall not be located within any required stream buffer or accompanying impervious setback area.
 - F. The electric utilities internal to the development must be placed underground.

**PLANNING COMMISSION
RECOMMENDED CONDITIONS**

SUP2019-00019:

Approval of Special Use ~~for three front entry~~ **allowing 116 townhouse** units, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Multifamily attached dwellings.
 - B. ~~The maximum number of front entry units shall be 92.~~ **The minimum number of rear entry units shall be 94, and the maximum number of front entry units shall be 22.**
 - C. The front facades must meet the RM-8 architectural standards set forth in the Zoning Ordinance.
 - D. All dwellings shall have a double-car garage.
2. To satisfy the following site development considerations:
 - A. The development shall abide by all applicable standards of the Development Regulations, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.
 - B. Natural vegetation shall remain on the property until the issuance of a development permit.
 - C. All grassed areas on dwelling lots shall be sodded.
 - D. Underground utilities shall be provided throughout the development.
 - E. Building lots shall not be located within any required stream buffer or accompanying impervious setback area.

CITY OF LAWRENCEVILLE PLANNING AND DEVELOPMENT DEPARTMENT

IF THE COUNCIL DECIDES TO MOVE FORWARD WITH THE REZONING THE FOLLOWING ARE PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDED CONDITIONS

Bold – Additions

~~Strikethrough~~ - Deletions

RZR2019-00003:

Approval as RM-8 (General Residence, Townhouse District) for a townhouse development, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. ~~Multifamily attached dwellings.~~ **Attached Townhouse Units.**
 - B. The maximum number of units shall be 116.
 - C. The front facades must meet the RM-8 architectural standards set forth in the Zoning Ordinance **in addition to the following standards:**
 - i. **Vertical and horizontal offsets**
 - ii. **Sides of buildings (not directly adjacent to another building) shall be predominately brick or stacked stone with windows and other treatments to break up the wall of the structure**
 - iii. **Front of each structure shall be predominately brick or stacked stone.**
 - D. **75% of the units** ~~All dwellings~~ shall have a double-car garage.
 - E. **Minimum SF shall be 1400 sf for 2 bedroom and 1600sf for 3 bedroom.**
 - F. **Interior amenities shall include the following at a minimum:**
 - i. **Stainless Steel Appliances**
 - ii. **Washer and Dryer**
 - iii. **Granite counter tops**
 - G. **Four bedroom units are prohibited.**

H. Property shall have one owner. Subdividing portions of the property is prohibited.

I. Property shall be served with dumpsters for sanitation pickup by the City. Individual unit trash pickup shall be prohibited.

2. To satisfy the following site development considerations:

A. The development shall abide by all applicable standards of the Development Regulations, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.

B. Natural vegetation shall remain on the property until the issuance of a development permit.

C. All **disturbed areas not paved** ~~grassed areas on dwelling lots~~ shall be sodded.

D. Underground utilities shall be provided throughout the development.

E. Building lots shall not be located within any required stream buffer or accompanying impervious setback area.

F. The layout of the development shall be in general conformance to the site plan presented at the February 12, 2020 Council Work Session.

G. Driveway length shall meet the following standards:

a. **Front Car Garages – 20' from structure to sidewalk**

b. **Rear Car Garages – 20' from structure to edge of curb**

H. Sidewalks are required along Paper Mill Road frontage as well as throughout the interior of the development.

I. The property shall be gated and a wrought iron type fence with brick or stacked stone columns every 30' shall be installed across the entire frontage of the property. The rest of the property shall be enclosed with a black vinyl coated chain link fence.

J. The entire frontage shall be landscaped as well as screening landscaping shall be provided around any detention pond. All landscaping plans shall be reviewed and approved by the Director of Planning and Development.

K. Professional property management shall be provided and shall include at a minimum maintenance of all fencing, landscaping, paving, common areas, detention ponds, and exteriors of all structures.

- L. Left turn lanes shall be added to Paper Mill Road in general conformance with the site plan presented at the 2/12/2020 Council Work Session and shall be reviewed and approved by the City Engineer.**
- M. Development amenities shall include a resort style pool, cabana, fitness center, and community room for residents. Community room shall be sized large enough for activities such as student after school programs, etc. Common area(s)/Park(s) shall be programmed with amenities to maximize use such as benches, tables, grills, etc.**
- N. Property shall be included in a Crime Free Multi-Housing Program similar to Gwinnett County's program.**
- ~~O. The electric utilities internal to the development must be placed underground.~~

IF THE COUNCIL DECIDES TO MOVE FORWARD WITH THE REZONING THE FOLLOWING ARE PLANNING AND DEVELOPMENT DEPARTMENT RECOMMENDED CONDITIONS

Bold – Additions

~~Strikethrough~~ - Deletions

SUP2019-00019:

Approval of Special Use for front entry **townhouse** units, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Attached Townhouse ~~Multifamily attached dwellings.~~
 - B. ~~The maximum number of front entry units shall be 92.~~ **The maximum number of front entry units shall be 20% and located in general conformance to the site plan presented at the February 12, 2020 Council Work Session.**
 - C. The front facades must meet the RM-8 architectural standards set forth in the Zoning Ordinance.
 - ~~D. All dwellings shall have a double car garage.~~
2. To satisfy the following site development considerations:
 - A. The development shall abide by all applicable standards of the Development Regulations, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.
 - ~~B. Natural vegetation shall remain on the property until the issuance of a development permit.~~
 - ~~C. All grassed areas on dwelling lots shall be sodded.~~
 - ~~D. Underground utilities shall be provided throughout the development.~~
 - ~~E. Building lots shall not be located within any required stream buffer or accompanying impervious setback area.~~



LAWRENCEVILLE

GEORGIA

11.

AGENDA REPORT

MEETING: SPECIAL CALL, APRIL 27, 2020

AGENDA CATEGORY: PUBLIC HEARING OLD BUSINESS

Item: RZC2019-00010 & SUP2019-00022; The Residential Group c/o Mahaffey Pickens Tucker, LLP- Shane Lanham; Buford Drive (SR 20) at University Parkway (SR 316) Pending Annexation

Department: Planning and Development

Date of Meeting: Monday, April 27, 2020

Applicant Request: Rezoning from C2 and RTH to BG with Special Use Permit to allow a high-rise development

Presented By: Todd Hargrave

Department Recommendation: Approval with Conditions

Planning Commission Recommendation: Approval with Planning Commission recommended Conditions

Summary: The applicant requests the rezoning of an approximately 40 acres, pending annexation from Gwinnett County. The rezoning requested is BG (General Business District).

Attachments/Exhibits:

RZC2019-00010 & SUP2019-00022 Report

RZC2019-00010 & SUP2019-00022 Attachments

RZC2019-00010 & SUP2019-00022 Planning Commission conditions

**CITY OF LAWRENCEVILLE
PLANNING AND DEVELOPMENT DEPARTMENT
REZONING AND SPECIAL USE REPORT**

CASE NUMBER	RZC2019-00010 & SUP2019-00022
APPLICANT	THE RESIDENTIAL GROUP, LLC C/O MAHAFFEY PICKENS TUCKER, LLP
CONTACT	SHANE LANHAM
PHONE NUMBER	770.232.0000
ZONING CHANGE	R-TH & C-2 TO BG, WITH A SPECIAL USE PERMIT TO ALLOW A MIXED-USE DEVELOPMENT
LOCATION	BUFORD DRIVE AT UNIVERSITY PARKWAY
PARCEL ID	R7011 011 / 7011 024 / 7011 025 / 7012 119 / 7012 002B / 7012 002D
ACREAGE	42.1
PROPOSED DEVELOPMENT	APARTMENTS
DEPARTMENT RECOMMENDATION	APPROVAL WITH CONDITIONS

ZONING HISTORY:

In 1970, the subject property located within unincorporated Gwinnett County, was zoned R-100 (Single-Family Residence District) and C-1 (Neighborhood Business District). In 2006, the Gwinnett County Board of Commissioners approved a request to rezone the subject property from R-100 and C-1 to R-TH Single-Family Residence Townhouse District) and C-2 (General Business District), pursuant to RZC2006-00053.

PROJECT DATA:

The applicant requests rezoning, annexation, and subdivision of a 42.1-acre parcel assemblage from R-TH (Gwinnett County Single-Family Residence Townhouse District) and C-2 (Gwinnett County General Business District,) to BG (General Business District), along with a Special Use Permit to allow mixed-use development. The applicant intends to subdivide and develop the parcel assemblage in two phases that include a multifamily component referred to as 'Tract 1', consisting of 18.00-acres, and at a later date, commercial/retail component referred to as 'Tract 2' consisting of 22.68-acres. The subject property is located within unincorporated Gwinnett County, along University Parkway between Buford Drive and Collins Hill Road,

bounded to the east by Buford Drive, to the south by Georgia Highway 316, and to the west Lendon Connector. The property is currently vacant and undeveloped.

The applicant proposes to develop 'Tract 1' with 361 apartment units, at a density of 20.05 units per acre. The plan proposes five three-story apartment buildings with basements, consisting of approximately 208 studio/one-bedroom units and 153 two-bedroom units. The proposed building height is approximately 55 feet in height, exceeding the minimum building height requirements of the Zoning Ordinance for both multifamily and single-family residential proposals. Therefore, a variance to allow a building height increase will be required for this particular request. The proposed plan includes 514 parking spaces and associated driveways. A water quality/detention pond is proposed along the western property line, and a stream meanders along the southern property line, both of which may require additional review by the Engineering Department. Additionally, the site plan indicates there would be active and passive common space, pool courtyard and other amenities. Access to the proposed multifamily development would be via two curb cuts along the proposed expansion of Collins Industrial Way (a.k.a Lendon Connector).

The surrounding area is characterized by a variety of uses and zoning. To the north, along the north side of the proposed Collins Industrial Way (a.k.a. Lendon Connector) roadway expansion are the Edd Harris Subdivision and Lendon Lane Estates single-family subdivisions zoned R-100 (Single-Family Residence District, Gwinnett County). To the north and east, across the existing Lendon Lane are BG (General Business District) zoned properties located in the city limits of Lawrenceville. Immediately adjacent to the south and west is the Georgia Highway 316. Further to the west, across Collins Hill Road, are light industrial, institutional, office, retail and senior-oriented multifamily residential uses and zoning, including the Georgia Gwinnett College campus, Garden Plaza retirement community and Life Care Center of Lawrenceville nursing home. The variety of uses and zoning in the immediate area further supports the request.

The City of Lawrenceville 2040 Comprehensive Plan and Future Development Map indicates the subject property is located in close proximity to the College Corridor, Community Mixed-Use and Industrial Character Areas. These character areas encourage general commercial uses along major corridors, as well as, mixed-use developments, which may include a diversity of development types and densities. Additionally, the Plan encourages developments providing services and housing products that appeal to college faculty, students, and staff, as well as those who want to live near Downtown.

In agreeance with the City's land recommended policies, the prospective development would contribute land use patterns and design elements that support walkability and an enhanced sense of place. The property's location is at the intersection of two major transportation corridors, which make it a convenient location for a mixed-use development with multifamily

residential uses. Given the aforementioned factors, the Planning and Development Department recommends **Approval with Conditions** of the requested Annexation, Rezoning, and Special Use Permit.

**PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS**

RZC2019-00010

Approval as BG (General Business District) for a Mixed-Use development, subject to the following enumerated conditions:

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

- A. For the residential component, no more than 361 apartments shall be allowed. The development shall be a fenced and gated community comprised of metal with spaced columns every 25 feet, with a maximum building height of 55 feet. The final site and building design shall be subject to review and approval of the Director of the Planning and Development Department.
- B. Buildings shall be constructed as urban-style, flat-roofed buildings with primary exterior treatments of brick or stacked stone on each elevation. The remainder of each elevation may be the same, or fiber-cement shake or siding. Building elevations shall be submitted for review and approval of the Director of Planning and Development prior to the issuance of a development permit.
- C. For the retail component, the following uses shall be prohibited:
 - 1. Adult Bookstores or Entertainment
 - 2. Automotive Parts Stores
 - 3. Bail Bonding
 - 4. Contractors Offices
 - 5. Emissions Inspection Stations
 - 6. Equipment Rental
 - 7. Extended Stay Hotels or Motels
 - 8. Hookah/Vapor Bar or Lounge
 - 9. Pawn Shop
 - 10. Recovered Materials Processing Facilities
 - 11. Smoke or Novelty Shop
 - 12. Tobacco or Novelty Shop
 - 13. Tattoo and Body Piercing
 - 14. Taxidermists
 - 15. Title Loan Facility
 - 16. Yard Trimming Composting Facilities

2. To abide by the following site development considerations:

- A. The development shall abide by all applicable standards of the Development Regulations, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.
- B. Provide a 50-foot wide natural undisturbed buffer adjacent to the Edd Harris Subdivision and Lendon Lane Estates residentially-zoned properties. The buffer shall be enhanced where sparsely vegetated. Final landscaping shall be subject to review and approval of the Director of the Planning and Development Department.
- C. Provide a 20-foot landscape strip along the southern right-of-way of the proposed Collins Industrial Way (a.k.a Lendon Connector) expansion. Final landscaping design shall be subject to review and approval of the Director of the Planning and Development Department.
- D. Provide a 10-foot landscape strip along the perimeter of the overall development and along the internal property line separating 'Tract 1' and 'Tract 2.' Final landscaping design shall be subject to review and approval of the Director of the Planning and Development Department.
- E. 'Tract 1' Ground signage shall be limited to a one-monument type sign, and shall be subject to the review and approval of the Director of the Planning and Development Department. The sign shall have a minimum two-foot-high brick base, complementing the buildings' architectural treatments.
- F. 'Tract 2' Ground Signage shall be limited to a one-monument type sign along Buford Drive (a.k.a. Georgia Highway 20), and shall be subject to the review and approval of the Director of the Planning and Development Department. The sign shall have a minimum two-foot-high brick base, complementing the buildings' architectural treatments.
- G. All grassed areas within the development shall be sodded.
- H. All utilities shall be placed underground.
- I. Outdoor commercial sales or storage shall be prohibited.
- J. Window signage (signs displayed on the interior or exterior of the business windows) shall be prohibited, except for open/closed signs required by city, county, state or federal law. Flashing or blinking signs and exposed neon or LED signs shall be

prohibited. Exposed or visible lighting strips mounted on the building or around window frames shall be prohibited.

- K. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-twirlers or sign walkers shall be prohibited.
- L. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or right-of-ways.
- M. Peddlers and/or parking lot sales shall be prohibited.
- N. Outdoor loudspeakers shall be prohibited.
- O. Dumpsters shall be screened by solid masonry walls matching the building, with an opaque metal gate enclosure.
- P. The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

**PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS**

SUP2019-00022:

Approval of a Special Use Permit for a 361-unit apartment development, subject to the following enumerated conditions:

1. To restrict the Special Use Permit as follows:
 - A. Multifamily attached Dwelling Apartment units, not to exceed 361 apartment units or 20.05 units per acre.
 - B. Multifamily dwelling units shall be constructed in a group of twelve attached units or more, including single-level units located in a multistory building.
 - C. Each unit shall be accessed internally, via a double-loaded corridor (hallway), consisting of apartment units on both sides of the passage corridor connecting twelve or more attached units.
 - D. The buildings must meet the minimum architectural standards set forth in the RM-12 zoning district of the Zoning Ordinance. Final elevations shall be subject to the review and approval of the Director of the Planning and Development Department.

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

1. **Will the rezoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?** *Yes.*
2. **Will the rezoning proposal adversely affect the existing use or usability of adjacent or nearby property?** *No.*
3. **Does the property to be affected by the rezoning proposal have a reasonable economic use as currently zoned?** *Yes.*
4. **Will the rezoning proposal result in a use, which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?** *No.*
5. **Is the rezoning proposal in conformity with the policy and intent of the City of Lawrenceville comprehensive plan?** *Yes.*
6. **Are there other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the rezoning proposal?** *No.*

ZONING ORDINANCE SECTION 13.3 REZONING PROCEDURE:

1. **What are the existing uses and zoning of nearby property?**
SEE PAGE 2
2. **What is the extent to which the property values are diminished by the particular zoning restrictions of the current zoning?** *None.*
3. **What is the extent to which the destruction of property values of the plaintiffs promotes the health, safety, morals or general welfare of the public?** *None*
4. **What is the relative gain to the public, as compared to the hardship imposed upon the individual property owner?** *The proposed zoning change is compatible with the recommendations of the 2040 Comprehensive Plan and Future Development Map.*
5. **What is the suitability of the subject property for its current zoning?** *It is suitable.*
6. **What is the suitability of the subject property for the proposed zoning?** *The property is at a location that makes the development viable.*
7. **How long has the property been vacant as zoned considered in the context of land development in the area in the vicinity of the property?** *NA*
8. **How does the property conform with or diverge from the Land Use Plan or other applicable local, state laws and ordinances?** *The property meets the intent of the character area.*
9. **What is the availability of adequate sites for the proposed use in districts that permit such use?** *Other commercially-zoned sites are available in the city.*
10. **What is the suitability of the site for the proposed use relative to the requirements set forth in the zoning ordinance (such as off-street parking, setbacks, buffer zones and open space)?** *Suitable.*



LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
The Residential Group, LLC c/o Mahaffey NAME: <u>Pickens Tucker, LLP</u>	NAME: <u>Multiple--see attached</u>
ADDRESS: <u>1550 North Brown Road, Suite 125</u>	ADDRESS: _____
CITY: <u>Lawrenceville</u>	CITY: _____
STATE: <u>Georgia</u> ZIP: <u>30043</u>	STATE: _____ ZIP: _____
CONTACT PERSON: <u>Shane Lanham</u> PHONE: <u>770 232 0000</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>R-TH & C-2 (Gwinnett)</u> REQUESTED ZONING DISTRICT: <u>BG w/ SUP</u>	
PARCEL NUMBER(S): <u>Multiple--see attached</u> ACREAGE: <u>+/-</u>	
ADDRESS OF PROPERTY: <u>Buford Drive (SR 20) @ University Parkway (SR 316)</u>	

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF OWNER

DATE

Shane M. Lanham, Attorney

TYPED OR PRINTED NAME

TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE

NOTARY PUBLIC

DATE



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 770.963.2614 • www.lawrencevillega.org



LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

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PARCEL NUMBER(S): <u>Multiple--see attached</u> ACREAGE: <u>+/-</u>	
ADDRESS OF PROPERTY: <u>Buford Drive (SR 20) @ University Parkway (SR 316)</u>	

SIGNATURE OF APPLICANT DATE

Shane M. Lanham, Attorney
TYPED OR PRINTED NAME

SIGNATURE OF OWNER DATE

William J. Martin
TYPED OR PRINTED NAME

Amanda Masley 10/3/19
NOTARY PUBLIC DATE

Amanda Masley 10/3/19
NOTARY PUBLIC DATE



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LAWRENCEVILLE

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ADDRESS OF PROPERTY: <u>Buford Drive (SR 20) @ University Parkway (SR 316)</u>	

SIGNATURE OF APPLICANT DATE

Shane M. Lanham, Attorney
TYPED OR PRINTED NAME

NOTARY PUBLIC DATE

[Signature] 3 OCT 2019
SIGNATURE OF OWNER DATE

BILL MARTIN, AS REGISTERED AGENT
TYPED OR PRINTED NAME

Amanda Mosley 10/3/19
NOTARY PUBLIC DATE



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LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

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SIGNATURE OF APPLICANT DATE

Shane M. Lanham, Attorney
TYPED OR PRINTED NAME

NOTARY PUBLIC DATE

SIGNATURE OF OWNER DATE

BILL MARTIN, AS EXECUTOR
TYPED OR PRINTED NAME

NOTARY PUBLIC DATE

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LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

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SIGNATURE OF APPLICANT

DATE

Shane M. Lanham, Attorney

TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE

SIGNATURE OF OWNER

DATE

Bill Martin, AS EXECUTOR

TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE

Amanda Mosley 10/3/19

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LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

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PRESENT ZONING DISTRICT(S): <u>R-TH & C-2 (Gwinnett)</u> REQUESTED ZONING DISTRICT: <u>BG w/ SUP</u>	
PARCEL NUMBER(S): <u>Multiple--see attached</u> ACREAGE: <u>+/-</u>	
ADDRESS OF PROPERTY: <u>Buford Drive (SR 20) @ University Parkway (SR 316)</u>	

SIGNATURE OF APPLICANT _____ DATE _____

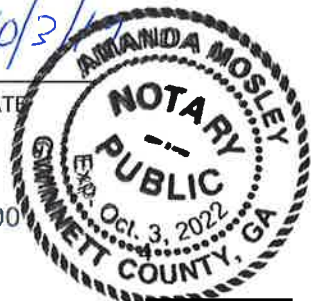
Shane M. Lanham, Attorney
TYPED OR PRINTED NAME

NOTARY PUBLIC _____ DATE _____

SIGNATURE OF OWNER _____ DATE 03 OCT 19

SAMUEL A. MARTIN III
TYPED OR PRINTED NAME

NOTARY PUBLIC _____ DATE 10/3/19



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



LAWRENCEVILLE

GEORGIA

SPECIAL USE PERMIT APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: The Residential Group c/o Mahaffey Pickens Tucker, LLP	NAME: <u>Multiple--see attached</u>
ADDRESS: <u>1550 North Brown Road, Suite 125</u>	ADDRESS: _____
CITY: <u>Lawrenceville</u>	CITY: _____
STATE: <u>Georgia</u> ZIP: <u>30043</u>	STATE: _____ ZIP: _____
PHONE: <u>770 232 0000</u>	PHONE: _____
CONTACT PERSON: <u>Shane Lanham</u> PHONE: <u>770 232 0000</u>	
CONTACT'S E-MAIL: <u>slanham@mptlawfirm.com</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.	
ZONING DISTRICT(S): <u>BG</u> ACREAGE: <u>+/-</u>	
PARCEL NUMBER(S): <u>Multiple--see attached</u>	
ADDRESS OF PROPERTY: <u>Buford Drive (SR 20) @ University Parkway (SR 316)</u>	
PROPOSED SPECIAL USE: <u>High-Rise Development</u>	

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF OWNER

DATE

Shane M. Lanham, Attorney

TYPED OR PRINTED NAME

TYPED OR PRINTED NAME

NOTARY PUBLIC

NOTARY PUBLIC

DATE

70 S Clayton St., 20 S. 2nd St., Lawrenceville, Georgia 30046-2200
 770.241.1822 www.lawrencevillega.org





LAWRENCEVILLE

GEORGIA

SPECIAL USE PERMIT APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: The Residential Group c/o Mahaffey Pickens Tucker, LLP	NAME: Multiple--see attached
ADDRESS: 1550 North Brown Road, Suite 125	ADDRESS: _____
CITY: Lawrenceville	CITY: _____
STATE: Georgia ZIP: 30043	STATE: _____ ZIP: _____
PHONE: 770 232 0000	PHONE: _____
CONTACT PERSON: Shane Lanham PHONE: 770 232 0000	
CONTACT'S E-MAIL: slanham@mptlawfirm.com	
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ZONING DISTRICT(S): BG ACREAGE: +/-	
PARCEL NUMBER(S): Multiple--see attached	
ADDRESS OF PROPERTY: Buford Drive (SR 20) @ University Parkway (SR 316)	
PROPOSED SPECIAL USE: High-Rise Development	

SIGNATURE OF APPLICANT DATE

Shane M. Lanham, Attorney

TYPED OR PRINTED NAME

NOTARY PUBLIC DATE

[Signature] 3 OCT 2019

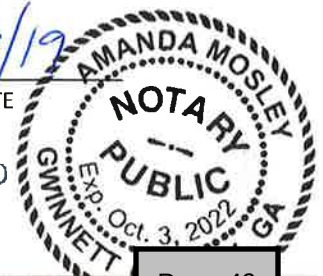
SIGNATURE OF OWNER DATE

William J MARTIN

TYPED OR PRINTED NAME

Amanda Mosley 10/3/19

NOTARY PUBLIC DATE



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LAWRENCEVILLE

GEORGIA

SPECIAL USE PERMIT APPLICATION

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STATE: Georgia ZIP: 30043	STATE: _____ ZIP: _____
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CONTACT PERSON: Shane Lanham PHONE: 770 232 0000	
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PROPOSED SPECIAL USE: High-Rise Development	

SIGNATURE OF APPLICANT DATE

Shane M. Lanham, Attorney
TYPED OR PRINTED NAME

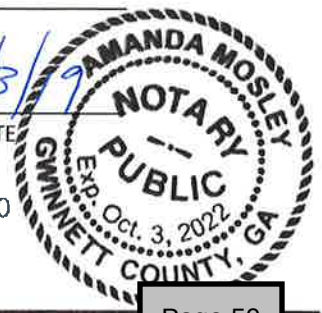
NOTARY PUBLIC DATE

SIGNATURE OF OWNER DATE

SAMUEL A. MARTIN III
TYPED OR PRINTED NAME

NOTARY PUBLIC DATE

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LAWRENCEVILLE

GEORGIA

SPECIAL USE PERMIT APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
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PARCEL NUMBER(S): Multiple--see attached	
ADDRESS OF PROPERTY: Buford Drive (SR 20) @ University Parkway (SR 316)	
PROPOSED SPECIAL USE: High-Rise Development	

SIGNATURE OF APPLICANT DATE

Shane M. Lanham, Attorney
TYPED OR PRINTED NAME

NOTARY PUBLIC DATE

SIGNATURE OF OWNER DATE

DILL MORTON, AS EXECUTOR
TYPED OR PRINTED NAME

NOTARY PUBLIC DATE

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LAWRENCEVILLE

GEORGIA

SPECIAL USE PERMIT APPLICATION

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PROPOSED SPECIAL USE: High-Rise Development	

SIGNATURE OF APPLICANT DATE

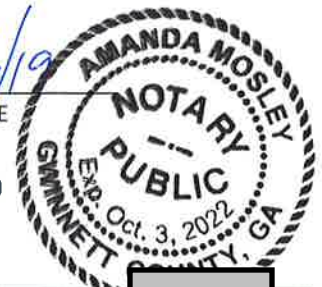
Shane M. Lanham, Attorney
TYPED OR PRINTED NAME

NOTARY PUBLIC DATE

SIGNATURE OF OWNER DATE

BILLY MARTIN, AS EXECUTOR
TYPED OR PRINTED NAME

NOTARY PUBLIC DATE

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LAWRENCEVILLE

GEORGIA

SPECIAL USE PERMIT APPLICATION

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PARCEL NUMBER(S): Multiple--see attached	
ADDRESS OF PROPERTY: Buford Drive (SR 20) @ University Parkway (SR 316)	
PROPOSED SPECIAL USE: High-Rise Development	

SIGNATURE OF APPLICANT DATE

Shane M. Lanham, Attorney
TYPED OR PRINTED NAME

NOTARY PUBLIC DATE

SIGNATURE OF OWNER DATE

BILLY MARTIN, AZ REGISTERED AGENT
TYPED OR PRINTED NAME

NOTARY PUBLIC DATE

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

PROPERTY OWNER LIST

Name	Address	Parcel
Martin, Samuel A III & William J.	2065 Windsor Mill Ct, Grayson, GA 30017	7011 011
Martin, Samuel A Jr. & Elaine S	2065 Windsor Mill Ct, Grayson, GA 30017	7011 024
Martin, Samuel A III	440 Mooring Line Dr, Naples, FL 34102	7011 025
Martin, Samuel A III	2065 Windsor Mill Ct, Grayson, GA 30017	7012 119
Collar Shop Properties, LLLP	2065 Windsor Mill Ct, Grayson, GA 30017	7012 002A
Collar Shop Properties, LLLP	2065 Windsor Mill Ct, Grayson, GA 30017	7012 002B
Collar Shop Properties, LLLP	2065 Windsor Mill Ct, Grayson, GA 30017	7012 002D

Matthew P. Benson
Gerald Davidson, Jr.*
Brian T. Easley
Kelly O. Faber
Christopher D. Holbrook
Nicholas N. Kemper
Shane M. Lanham
Austen T. Mabe

Jeffrey R. Mahaffey
Steven A. Pickens
Catherine V. Schutz
Thomas A. Simpson
Andrew D. Stancil
R. Lee Tucker, Jr.

*Of Counsel

**LETTER OF INTENT FOR REZONING APPLICATION OF
THE RESIDENTIAL GROUP, LLC**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached annexation, rezoning, and special use permit applications (the “Applications”) on behalf of The Residential Group, LLC (the “Applicant”) in order to allow a mixed-use development on an approximately 42-acre tract (the “Property”) located along University Parkway (SR 316) between Collins Hill Road and Buford Drive (SR 20). The Property is bounded on the east by Buford Drive, the south by 316, the west by the Lendon Connector, and the north by the proposed Lendon Connector extension. The Applicant is proposing to create an integrated, walkable, mixed-use environment by annexing the Property into the corporate limits of the City of Lawrenceville and rezoning it to the BG zoning classification with a Special Use Permit for a High Rise Development pursuant to Section 7.19 of the City of Lawrenceville Zoning Ordinance. In order to facilitate the proposed mixed-use development, the Applicant is also requesting an amendment of the Highway Overlay District Map to include the Property within Zone 35 of the High Rise Overlay District in line with adjacent land on the northerly side of 316.

The Property is currently located in unincorporated Gwinnett County and is zoned R-TH and C-2. Though not classified on the City of Lawrenceville 2040 Future Development Map, the Property is adjacent to land classified as within the Community Mixed-Use and College Corridor character areas. The 2040 Plan strongly supports mixed-use developments especially in activity centers such as the Community Mixed-Use and College Corridor character areas. Specifically, Policy LU1.1 of the 2040 Plan is to “[e]ncourage a mixture and concentration of residential, retail, office, recreational, and educational facilities at key locations to encourage walking and biking to everyday needs.” Residents of the proposed residential community would have convenient vehicular and pedestrian access to educational and employment opportunities at Georgia Gwinnett College, which lies just to the west across Collins Hill Road, as well as expanding commercial options along Buford Drive as that major north-south corridor continues to redevelop.

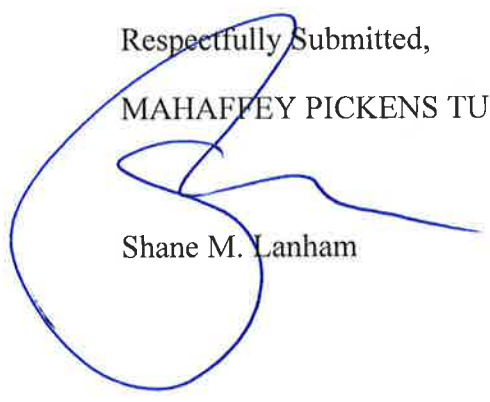
The proposed residential component of the development would comprise approximately 18.0 acres of the Property and would be focused around an expansive amenity area with approximately 361 units spread across five buildings. The balance of the Property would be reserved for commercial development pursuant to the requirements of the BG zoning classification and the requirements of the High Rise Overlay District. The central common space would include both passive and active amenities for residents including pocket parks and dog walk areas. The proposed residential community would also include a more active resort-style pool and patio area with outdoor grills, seating areas, and fire pits. The residential development would also include connections to the adjacent commercial/retail area promoting walkability and an enhanced sense of place. Residents would have quick, convenient, access to shopping, dining, and employment opportunities nearby. In accordance with the City's land use policies, the proposed development would provide land use patterns and design elements that support walkability and an improved sense of place. The proposed development would improve the aesthetics of main corridors and gateways into the City and diversify the land use mix in this area of the City. Moreover, the Property's location at the intersection of two major transportation corridors makes it an appropriate location for a mixed-use development with multi-family residential uses.

The Applicant and its representatives welcome the opportunity to meet with staff of the City of Lawrenceville Planning and Development Department to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Application filed herewith. The Applicant respectfully requests your approval of this Application.

This 4th day of October, 2019.

Respectfully Submitted,

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham

Legal Description

Tract 1

All that tract or parcel of land lying and being in Land Lot 11 of the 7th District, City of Lawrenceville, Gwinnett County, Georgia and being more particularly described as follows:

To Reach the TRUE POINT OF BEGINNING commence at a concrete monument found at the intersection of the northeasterly Right of Way of Georgia Highway 316 (Exit Ramp "V"; Variable R/W) and the northerly Right of Way of Lendon Connector (Variable R/W); thence running along said Right of Way of Lendon Connector North 50° 32' 36" East a distance of 100.39 feet to a Right of Way Monument found (underwater); thence North 24° 18' 40" East a distance of 136.51 feet to a Right of Way Monument found; thence running along a curve to the right an arc length of 160.66 feet, (said curve having a radius of 865.00 feet, with a chord bearing of North 55° 54' 30" East, and a chord length of 160.43 feet) to a Right of Way Monument found and the TRUE POINT OF BEGINNING, from point thus established and running along said Right of Way North 23° 42' 32" West a distance of 58.05 feet to a point on the southerly Proposed Right of Way of Collins Industrial Way (a.k.a Lendon Connector; said point being 40' from the proposed centerline; Road Not Yet Constructed); thence running along said Proposed Right of Way along a curve to the right an arc length of 400.61 feet, (said curve having a radius of 810.00 feet, with a chord bearing of North 78° 42' 33" East, and a chord length of 396.54 feet) to a point; thence continuing along said Proposed Right of Way South 87° 07' 19" East a distance of 1027.18 feet to an iron pin set; thence leaving said Right of Way and running South 02° 46' 50" West a distance of 648.28 feet to an iron pin set; thence North 83° 25' 24" West a distance of 1176.87 feet to an iron pin set; thence North 23° 45' 35" West a distance of 473.66 feet to the TRUE POINT OF BEGINNING. Said tract contains 18.000 Acres (784,080 Square Feet).

Legal Description

Tract 2

All that tract or parcel of land lying and being in Land Lot 11 of the 7th District, City of Lawrenceville, Gwinnett County, Georgia and being more particularly described as follows:

To Reach the TRUE POINT OF BEGINNING commence at a concrete monument found at the intersection of the northeasterly Right of Way of Georgia Highway 316 (Exit Ramp "V"; Variable R/W) and the northerly Right of Way of Lendon Connector (Variable R/W); thence running along said Right of Way of Lendon Connector North 50° 32' 36" East a distance of 100.39 feet to a Right of Way Monument found (underwater); thence North 24° 18' 40" East a distance of 136.51 feet to a Right of Way Monument found; thence running along a curve to the right an arc length of 160.66 feet, (said curve having a radius of 865.00 feet, with a chord bearing of North 55° 54' 30" East, and a chord length of 160.43 feet) to a Right of Way Monument found; thence North 23° 42' 32" West a distance of 58.05 feet to a point and the TRUE POINT OF BEGINNING; from point thus established and running North 23° 43' 37" West a distance of 238.99 feet to an axle found; thence South 87° 45' 45" East a distance of 442.11 feet to a 1" square rod found; thence South 87° 41' 42" East a distance of 199.81 feet to a point; thence South 87° 09' 43" East a distance of 515.25 feet to a point on the southerly terminus of Forest Way (60' RW); thence running along said terminus South 87° 10' 03" East a distance of 60.00 feet to a point; thence leaving said terminus South 87° 10' 03" East a distance of 315.00 feet to a point; thence South 87° 17' 47" East a distance of 399.80 feet; thence South 86° 32' 24" East a distance of 100.02 feet to a point; thence South

88° 20' 20" East a distance of 99.92 feet to a 1" open top pipe found; thence South 87° 19' 54" East a distance of 100.11 feet to a 1" crimp top pipe found; thence North 03° 08' 01" East a distance of 148.57 feet to a point on the southerly Right of Way of Lendon Lane (Variable R/W); thence running along said Right of Way the following courses: South 81° 22' 56" East a distance of 117.08 feet to a point; thence South 80° 59' 54" East a distance of 205.15 feet to a point; thence South 81° 27' 55" East a distance of 132.59 feet to a point at the intersection of the southerly Right of Way of Lendon Lane (Variable R/W) and the westerly Right of Way of Georgia Highway 20 (Variable R/W); thence running along the westerly Right of Way of Georgia Highway 20 South 06° 11' 08" West a distance of 6.08 feet to a point; thence leaving said Right of Way North 85° 34' 52" West a distance of 132.48 feet to a point; thence South 05° 57' 57" West a distance of 100.66 feet to a 2" open top pipe found; thence South 86° 55' 01" East a distance of 132.73 feet to a point on the aforementioned Right of Way of Georgia Highway 20; thence running along said Right of Way the following courses: South 05° 48' 42" West a distance of 273.73 feet to a point; thence South 47° 14' 52" West a distance of 12.80 feet to a point; thence South 30° 05' 13" East a distance of 14.90 feet to a point; thence South 05° 52' 11" West a distance of 160.32 feet to a point on the northerly Right of Way of State Route 316 (Limited Access Highway); thence running along said Right of Way the following courses: North 89° 58' 42" West a distance of 285.99 feet to a 3/8" rebar found; thence South 01° 35' 39" East a distance of 75.70 feet to a Right of Way monument found; thence South 67° 14' 49" West a distance of 578.85 feet to a point; thence leaving said Right of Way North 83° 25' 24" West a distance of 335.63 feet to an iron pin set; thence North 02° 46' 50" East a distance of 648.28 feet to an iron pin set; thence North 87° 07' 19" West a distance of 1027.18 feet to a point; thence running along a curve to the left an arc length of 400.61 feet, (said curve having a radius of 810.00 feet, with a chord bearing of South 78° 42' 33" West, and a chord length of 396.54 feet) to the TRUE POINT OF BEGINNING. Said tract contains 22.678 Acres (987,846 Square Feet).

NOTES:

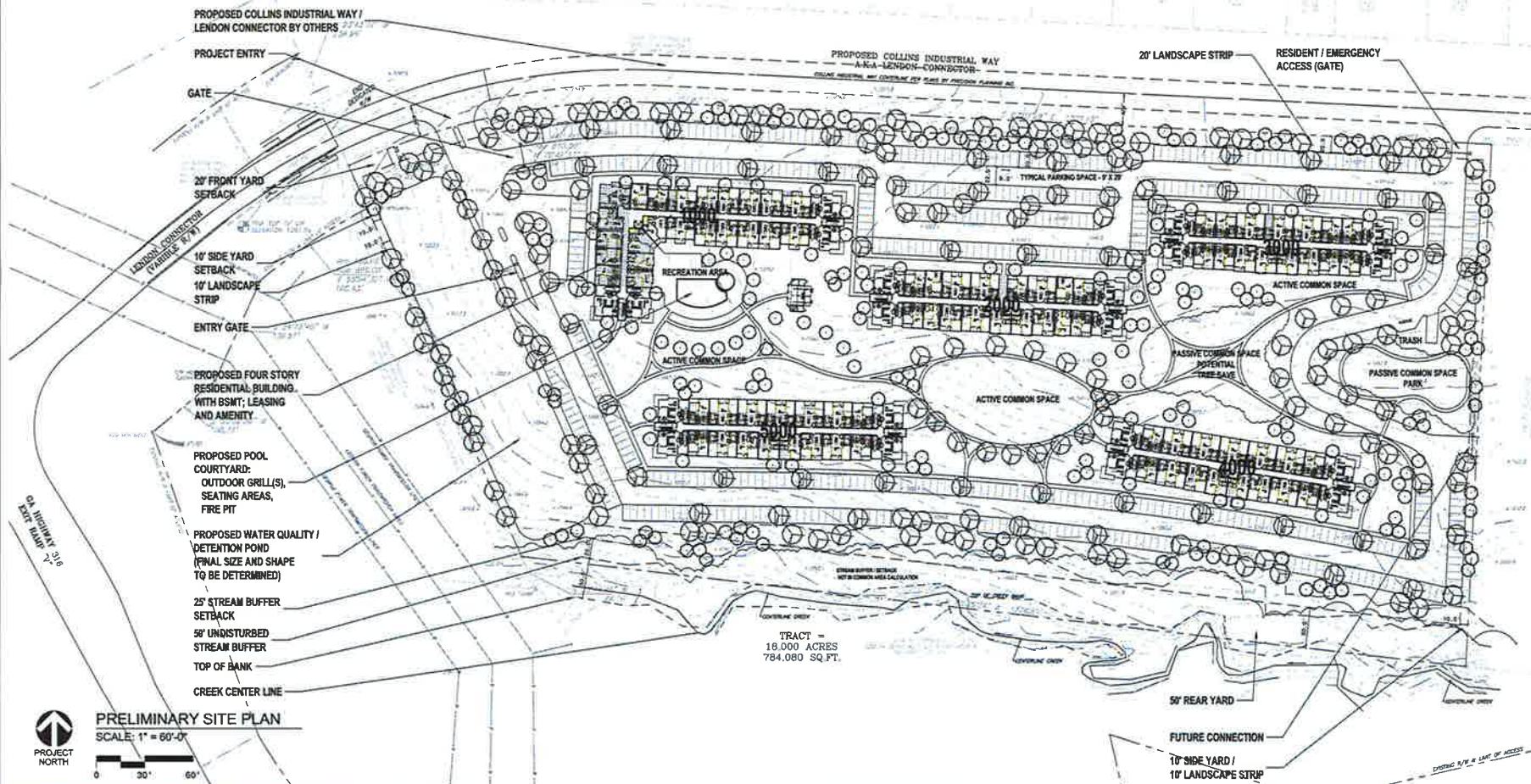
1. PROPERTY TO BE ANNEXED FROM GWINNETT COUNTY TO THE CITY OF LAWRENCEVILLE.
2. ZONING TO BE DETERMINED WITH SPECIAL USE APPLICATION.
3. ALL CALCULATIONS ARE APPROXIMATE AND BASED ON THIS PRELIMINARY SITE PLAN.
4. ALL BUILDINGS ARE 3 STORY W/ BASEMENT.
5. LANDSCAPE / HARDSCAPE SHOWN IS CONCEPTUAL: DESIGN SUBJECT TO LANDSCAPE ARCHITECT'S FINAL DRAWINGS.
6. WATER QUALITY / DETENTION IS CONCEPTUAL AND SUBJECT TO CIVIL ENGINEER'S FINAL DRAWINGS.
7. ALL COMMON AREAS, STORM WATER FACILITIES, ETC., SHALL REMAIN UNDER THE OWNERSHIP OF THE PROPERTY OWNER AT LARGE. MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE OWNERSHIP GROUP.
8. A CROSS ACCESS EASEMENT SHALL BE GRANTED WHEN THE ADJACENT PROPERTY IS DEVELOPED.
9. ALL GRASSED AREAS TO BE SODDED.
10. ALL NEW OR RELOCATED UTILITIES SHALL BE PLACED UNDERGROUND.
11. TRASH ENCLOSURE TO BE SCREENED ON ALL SIDES WITH A 6' WALL WITH OPAQUE METAL GATE.
12. THE SUBJECT PROPERTY DOES NOT LIE WITHIN A FLOOD HAZARD AREA PER FIRM MAP NUMBERS 13135C0073F & 13135C0074F, DATED 9/28/06. THE SUBJECT PROPERTY LIES WITHIN A ZONE X, WHICH IS DEFINED AS AREAS OUTSIDE THE 500 YEAR FLOOD PLAIN.

SITE DATA

design standard	provided	notes
Site Area	18.0 ac	784,084 SF
No. Units	363 units	
	studio / 1 bedroom units	208 units
	2 bedroom units	153 units
Parking	514 sp	1.47 sp/du 1sp/bedroom
Density (sp)	22.03 du/ac	
Building Coverage	278,079 SF	35%
Total Building Area	335,088 SF	
	residential	327,988 SF
	loading, club room, fitness, etc.	7,100 SF
Fr. Setback	25'	
Side Setback	10'	
Rear Setback	50'	
Bldg Height	55'	from curb at front of bldg to mid peak of roof on same side of 3 story w/ basement bldg
Stream Buffer	50'	undisturbed
Stream Buffer Setback	25'	disturbed / revegetated
Total Common Area	157,800 SF	common area calculations are approximate, based on the conceptual plan. Does not include stream buffers or detention area.
	passive (tree cover)	30,800 SF
	active	113,200 SF
	recreation area	13,800 SF



Vicinity Map (NTS)



Developer/Contract:
Ruri Alexander
The Residential Group
7100 Peachtree University Rd NE
Atlanta, GA 30328
878-646-1544

TRG HWY 316
LAND LOT 11 - 7TH DISTRICT
LAWRENCEVILLE, GEORGIA

RESIDENTIAL
GROUP

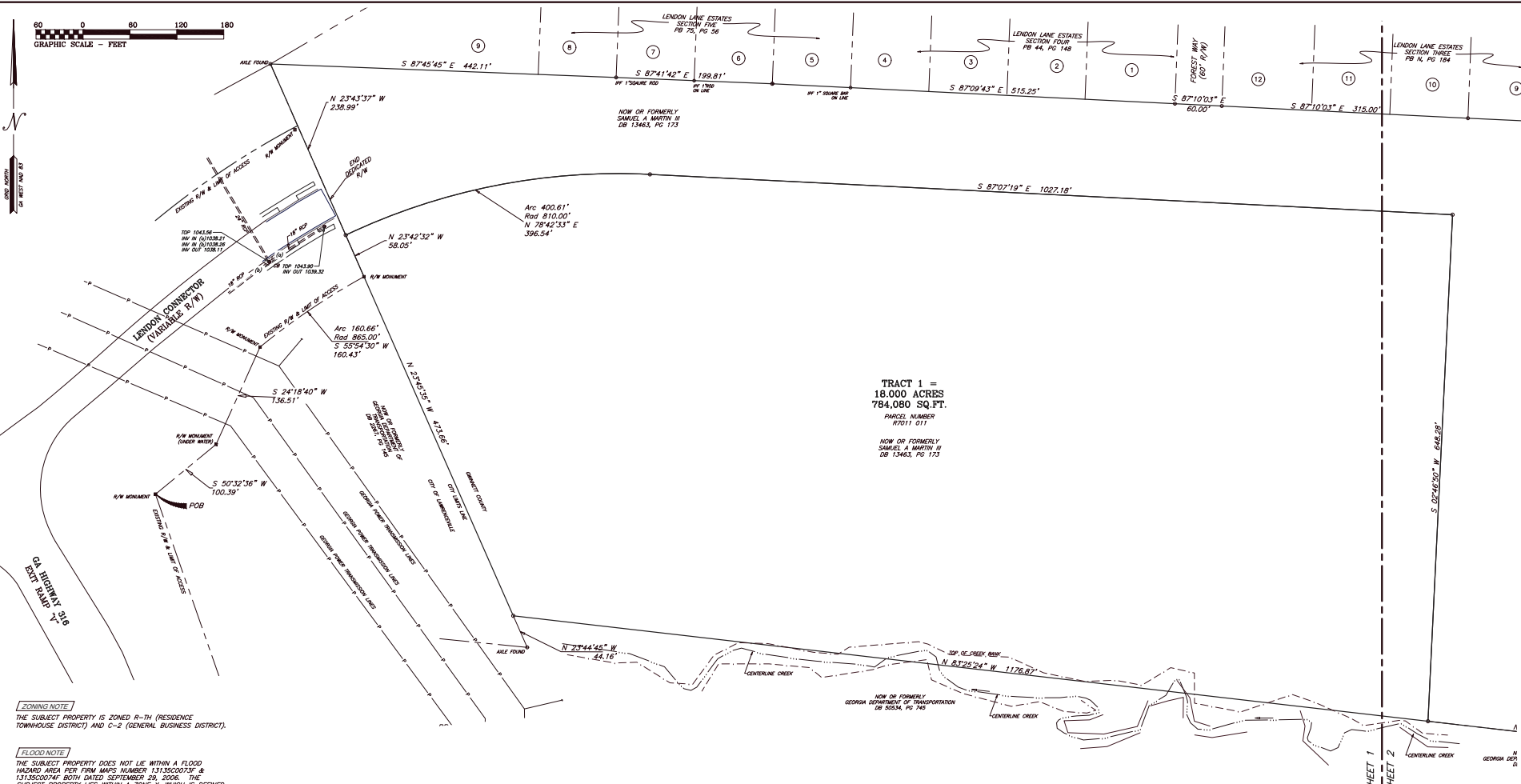
studio
ARCHITECTS

PRELIMINARY
SITE PLAN

DATE:
Preliminary Site Plan
October 3, 2019

19-154

psp.01



ZONING NOTE
THE SUBJECT PROPERTY IS ZONED R-TH (RESIDENCE TOWNHOUSE DISTRICT) AND C-2 (GENERAL BUSINESS DISTRICT).

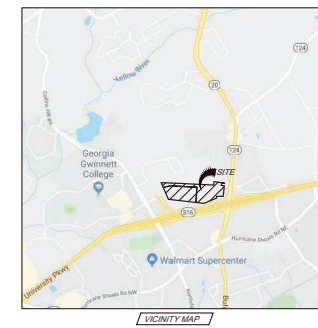
FLOOD NOTE
THE SUBJECT PROPERTY DOES NOT LIE WITHIN A FLOOD HAZARD AREA PER FIRM MAPS NUMBER 13135C0073F & 13135C0074F BOTH DATED SEPTEMBER 20, 2006. THE SUBJECT PROPERTY LIES WITHIN A ZONE X, WHICH IS DEFINED AS AREAS OUTSIDE THE 500 YEAR FLOODPLAIN.

CONFORMITY STATEMENT
This survey was prepared in conformity with The Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act O.C.G.A. 15-6-67.

REFERENCES
1. BOUNDARY SURVEY FOR JON DEVELOPMENT COMPANY PERFORMED BY GEOSURVEY LTD. DATED 09/14/06.
2. GEORGIA DEPARTMENT OF TRANSPORTATION R/W PLANS FOR SR 316 HOV LANES, BEING PROJECT NO. MSLO-0004-00(086) DATED 10/11/2007.
3. GWINNETT DOT PLANS BY PRECISION PLANNING INC. OF COLLINS INDUSTRIAL WAY, R/W PLANS SUBMITTAL DATE 3/23/16.

CLOSURE STATEMENT
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 31,054 FEET AND AN ANGULAR ERROR OF .001 PER ANGLE AND WAS ADJUSTED USING THE COMPASS RULE.
A LEICA 1512 TOTAL STATION AND ALL GARMIN DATA COLLECTOR WERE USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.
THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 30,461.0 FEET.

- LEGEND**
- IRON PIN FOUND
 - IRON PIN SET
 - REBAR
 - OPEN TYP. PIPE
 - RIGHT OF WAY
 - MANHOLE
 - CATCH BASIN
 - DROP INLET
 - JUNCTION BOX
 - RAISED TOP DROP INLET
 - HEADMILL
 - CORRUGATED METAL PIPE
 - REINFORCED CONCRETE PIPE
 - DUCTILE IRON PIPE
 - FIRE HYDRANT
 - WATER METER
 - WATER VALVE
 - GAS METER
 - 24" CURB & GUTTER
 - 24" C&G
 - OV
 - PP
 - GLP
 - LS
 - TS
 - TL
 - FL
 - TELEPHONE LINE
 - POWER LINE
 - WATER LINE
 - 11 REGULAR PARKING SPACES
 - 1 HANDICAP PARKING SPACE
 - TRANSFORMER
 - CONCRETE PAVING



TRACT 1 =
18.000 ACRES
784,080 SQ.FT.
PARCEL NUMBER
R7011 011
NOW OR FORMERLY
SAMUEL A MARTIN III
DB 13463, PG 173

SURVEYOR'S CERTIFICATION
I certify that this survey was prepared in conformity with The Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act O.C.G.A. 15-6-67.



S. #3138
October 22, 2019
Date

TSS

TECHNICAL SURVEY SERVICES

Land Surveyors

1641 Autumn Blvd, SW

Conyers, Georgia 30012

(770) 922-6391 Office

(770) 922-6767 Fax

www.tssall.com

Field Date: 10/16/2019

Plot Date: 10/22/2019

Scale: 1" = 60'

BOUNDARY SURVEY

FOR

THE RESIDENTIAL GROUP

LAND LOT 11 7th DISTRICT

GWINNETT COUNTY, GEORGIA

1

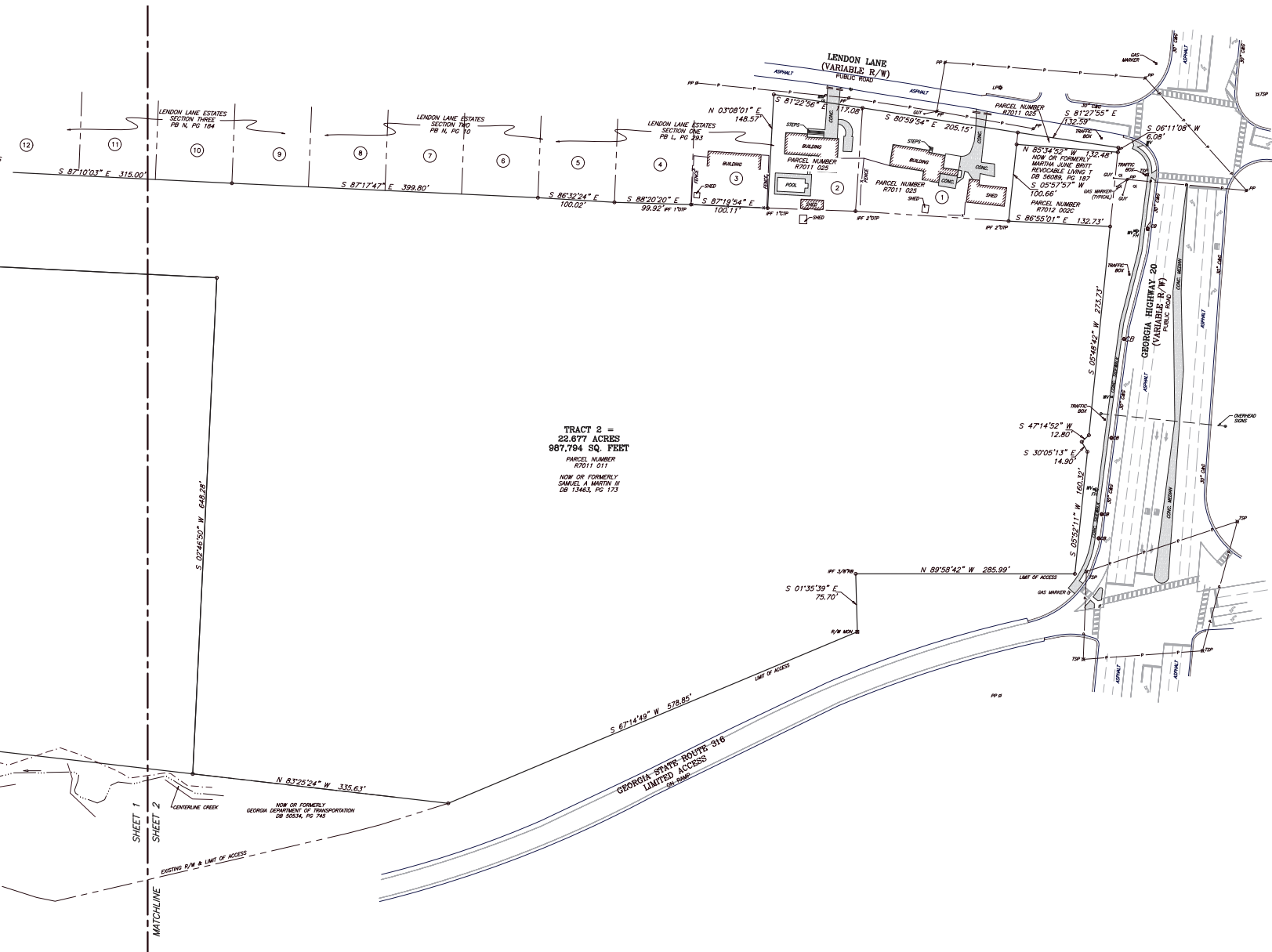
SHEET 1 OF 2

JOB #: 2019-570

CRD: COLLINSND

DWG: 2019-570 COL IND WA

LSV: BOUNDARY





The City of Lawrenceville
Planning & Development

**Aerial Map and
Surrounding Area**
File # RZC2019-00010
& SUP2019-00022

**Applicant: The Residential
Group c/o Mahaffey, Pickens,
Tucker, LLP**

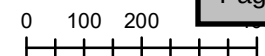
**Address: Buford Drive and
University Parkway**

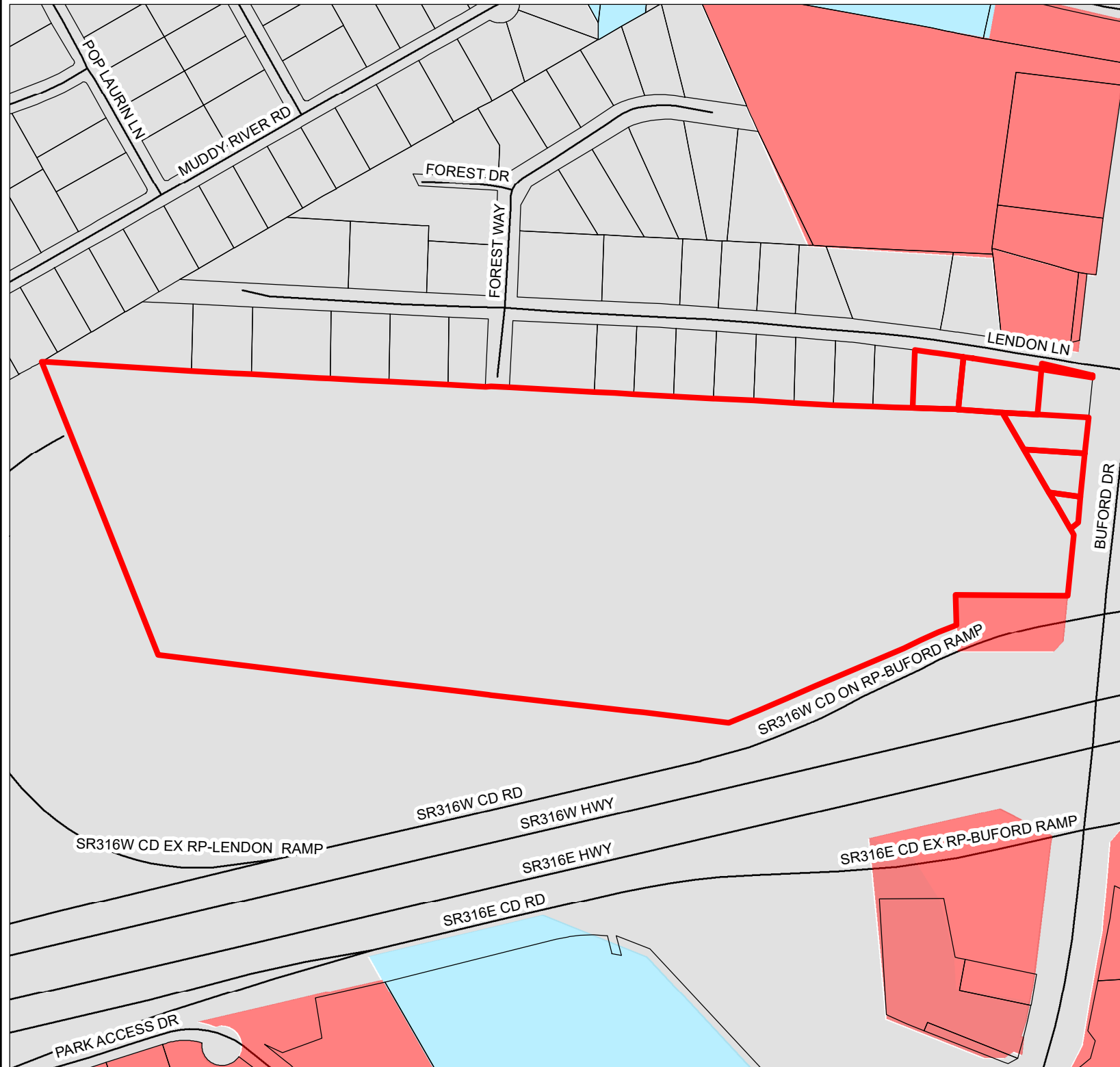
Legend

- Subject Properties
- Roads



Page 62





The City of Lawrenceville
Planning & Development

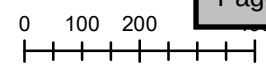
**Location Map and
Surrounding Zoning
File # RZC2019-00010
& SUP2019-00022**

**Applicant: The Residential
Group c/o Mahaffey, Pickens,
Tucker, LLP**

**Address: Buford Drive and
University Parkway**

Legend

-  Subject Properties
-  BG
-  HSB
-  LM
-  Unincorporated
-  Roads



SUP2019-00022 - Planning Commission Conditions

Approval of a Special Use Permit for a 361-unit apartment development, subject to the following enumerated conditions:

1. To restrict the Special Use Permit as follows:

- A. The property shall be developed in general accordance with the submitted color renderings, elevations and site plan, dated November 19, 2019, titled TRG – Hwy 316, prepared for The Residential Group, prepared by Studio Architects, with changes necessary to meet conditions of zoning, requirements of the Zoning Ordinance and/or Development Regulations, and other minor adjustments as may be approved by the Director of Planning and Development.
- B. Multifamily attached Dwelling Apartment units, not to exceed 361 apartment units or 20.05 units per acre.
- C. Multifamily dwelling units shall be constructed in a group of twelve attached units or more, including single-level units located in a multistory building.
- D. Each unit shall be accessed internally, via a double-loaded corridor (hallway), consisting of apartment units on both sides of the passage corridor connecting twelve or more attached units.
- E. The buildings must meet the minimum architectural standards set forth in the RM-12 zoning district of the Zoning Ordinance. Final elevations shall be subject to the review and approval of the Director of the Planning and Development Department.

APPLICANT REVISED CONDITIONS - SUP2019-00025

Approval of Special Use Permit for a Mixed-Use development, subject to the following enumerated conditions:

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

- A. For the residential component, no more than ~~280~~ **312** apartments shall be allowed. The development shall be a fenced and gated community. ~~Fencing shall be provided in general accordance with the site plan presented at the January 6, 2020 Planning Commission public hearing and~~ comprised of wrought iron style fencing with masonry columns along public right-of-way spaced every ~~30-50~~ 25 feet, ~~or as approved by the Director of Planning and Development.~~ ~~The~~ with a maximum building height ~~shall be of 55~~ **60** feet. The final site and building design shall be subject to review and approval of the Director of the Planning and Development Department.
- B. Buildings shall be constructed as urban style, flat-roofed or flat-roofed style buildings with primary exterior treatments of brick, **fiber cement siding**, or stacked stone on each elevation **in general accordance with the building elevations presented at the January 6, 2020 Planning Commission public hearing**. Buildings may be constructed with low pitch roofs and decorative parapets and, flat-roofed accents. **Building elevations facing external street right-of-way shall include brick or stacked stone on each such elevation.** The remainder of each elevation may be the same, **fiber cement siding**, glass, stucco, or architectural metal. **Commercial buildings shall have exterior treatments of primarily glass, brick and/or stacked stone on each elevation with accents of stucco or architectural metal.** Building elevations shall be submitted for review and approval of the Director of Planning and Development prior to the issuance of a development permit.
- C. Efficiency and four-bedroom units shall be prohibited, and the complex shall be limited to a maximum of five ~~ten~~ percent of units as three-bedroom apartments.
- D. For the retail component, the following uses shall be prohibited:
 - i. Adult Bookstores or Entertainment
 - ii. Automotive Repair or Parts Stores
 - iii. Bail Bonding
 - iv. Contractors Offices
 - v. Emissions Inspection Stations
 - vi. Equipment Rental
 - vii. Extended Stay Hotels or Motels
 - viii. Hookah/Vapor Bar or Lounge
 - ix. Pawn Shop
 - x. Recovered Materials Processing Facilities
 - xi. Smoke or Novelty Shop
 - xii. Tobacco, **Vape** or Novelty Shop
 - xiii. Tattoo and Body Piercing
 - xiv. Taxidermists
 - xv. Title Loan Facility

xvi. Yard Trimming Composting Facilities

- E. **Enclosed garages of 10% of the parking required by the development shall be provided for the residential component. Garages shall be located to the rear of the site and the architectural look shall be in general conformance with the building exterior of the development and shall be approved by the Director of Planning and Development.**
 - F. **Interior unit features shall include stainless steel appliances, stone countertops, and primarily faux hardwood floors.**
 - G. **The residential component shall be a gated community, with automatic card access gates at all entrances/exits. The access gate system is required to be properly maintained and functional at all times, with any required repairs to be made within one week. Fencing shall be wrought iron style type fencing with masonry columns spaced every 25 feet.**
2. To abide by the following site development considerations:
- A. The development shall abide by all applicable standards of the Development Regulations, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.
 - B. Provide a 20-foot landscape strip with evergreens consisting of understory and canopy trees along Buford Drive, and the northern property line, ~~and eastern property line~~; except **(i)** where parking will be provided and (ii) where not in accordance with Georgia Power easements, ~~encroaching into the rear side setback~~. Final landscaping design shall be subject to review and approval of the Director of the Planning and Development Department.
 - C. Ground Signage shall be limited to one-monument type sign along Buford Drive (**per parcel**). The sign shall have a minimum two-foot-high brick base, complementing the buildings' architectural treatments, subject to the review and approval of the Director of the Planning and Development Department.
 - D. All grassed areas within the development shall be sodded.
 - E. All utilities shall be placed underground.
 - F. Outdoor commercial sales or storage shall be prohibited.
 - G. Window signage (signs displayed on the interior or exterior of the business windows) shall be prohibited, except for open/closed signs required by city, county, state or federal law. Flashing or blinking signs and exposed neon or LED signs shall be prohibited. Exposed or visible lighting strips mounted on the building or around window frames shall be prohibited.
 - H. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons

or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-twirlers or sign walkers shall be prohibited.

- I. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or right-of-ways.
- J. Peddlers and/or parking lot sales shall be prohibited.
- K. Outdoor loudspeakers shall be prohibited.
- L. Dumpster/compacter locations shall be screened by a 100% opaque brick or stack stone wall with an opaque metal gate enclosure.
- M. In the event of residential tenant eviction, any belongings of the tenant will be placed of the subject property that is not visible from public-right-of-way unless otherwise required by law.
- N. The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
- O. **Detention ponds shall include a six-foot tall black vinyl coated chain link fence and landscaping so as to be screened from view of adjacent property or rights of way.**
- P. **Development shall include amenities for residents including a resort style pool and clubhouse, fitness center, outdoor fire pits and grilling stations. Design and location of amenities shall be subject to the review and approval by the Director of Planning and Development.**
- Q. **If approved by GDOT and before the first CO is provided for the development, the developer shall provide a new traffic signal at the entrance to the development on SR 20 at no cost to the City. New traffic signal shall utilize City standard Black Mast Poles.**
- R. **Existing structure on outparcel 3 shall be demolished as part of the first phase of development on the site.**



LAWRENCEVILLE

GEORGIA

AGENDA REPORT

MEETING: SPECIAL CALL, APRIL 27, 2020

AGENDA CATEGORY: PUBLIC HEARING NEW BUSINESS

Item:	RZC2020-00012 & SUP2020-00027; One Street Residential LLC, 334 & 354 Grayson Highway
Department:	Planning and Development
Date of Meeting:	Monday, April 27, 2020
Applicant Request:	BG to OI with a Special Use Permit
Presented By:	Todd Hargrave
Department Recommendation:	Approval with Conditions
Planning Commission Recommendation:	Approval with Staff Conditions

Summary: The applicant requests a rezoning from BG (General Business District) zoning to OI (Office Institutional District) zoning with a Special Use Permit to allow a multifamily development.

Attachments/Exhibits:

- RZC2020-00012 & SUP2020-00027 Report
- RZC2020-00012 & SUP2020-00027 Attachments

**CITY OF LAWRENCEVILLE
PLANNING AND DEVELOPMENT DEPARTMENT
REZONING AND SPECIAL USE REPORT**

CASE NUMBER: RZC2020-00012 & SUP2020-00027

APPLICANT: ONE STREET RESIDENTIAL, LLC

CONTACT: SHAWN HICKS

PHONE NUMBER: 770.726.5060

ZONING CHANGE: BG TO OI

LOCATION: 334 GRAYSON HWY

PARCEL ID: R5148 004, R5148 005, R5148 162, R5148 308

ACREAGE: 9.71

PROPOSED DEVELOPMENT: 233-UNIT APARTMENT DEVELOPMENT WITH
SPECIAL USE PERMIT TO ALLOW AN APARTMENT
DEVELOPMENT AT 24 UNITS PER ACRE

DEPARTMENT RECOMMENDATION: **APPROVAL WITH CONDITIONS**

ZONING HISTORY:

The property has been zoned BG (General Business District) since 1970.

PROJECT DATA:

The applicant requests rezoning of a 9.71-acre parcel assemblage from BG (General Business District) to OI (Office Institutional District), along with a Special Use Permit to allow a multifamily development. The subject property is located along the eastern right-of-way of Grayson Highway, just south of its intersection with Applewood Drive, with a section of the property being located along the southern right-of-way of Applewood Drive. The property is currently undeveloped, heavily wooded, with a stream meandering throughout the property.

The applicant proposes to develop the property with 233 apartment units, at a density of 24.00 units per acre. The plan proposes seven, three- to four-story apartment buildings at an approximate height of 45 feet, exceeding the minimum building height requirements of the Zoning Ordinance. Therefore, a variance to allow a building height increase will be required for this particular request. The submitted site plan proposes 339 parking spaces at a ratio of 1.6 per dwelling unit; however, the City minimum standard requires two parking spaces per dwelling unit. A water quality /detention pond is proposed near the northeastern property line. Additionally, a stream meanders along the eastern and southern portions of the property, both of which may require additional review by the Engineering Department. Additionally, the plan

proposes a gated entrance, leasing/amenity office, mail kiosk, and an outdoor amenities area. Access to the proposed multifamily development would be via one curb cut along Georgia Highway 20/Grayson Highway. The required 50-foot zoning buffer is reflected along the rear property line immediately adjacent to an existing single-family development. Per the site plan, building coverage of the site is shown at 25 percent, with a tolerance of 70 percent. However, the minimum standards for the OI zoning classification limit the maximum ground coverage to 70 percent. In order to meet the minimum standards for the OI zoning classification numerous reductions in development and zoning standards would be required.

The surrounding area is characterized by commercial, institutional and multi-family developments along Grayson Highway and by single-family residences to the rear of the property. Adjacent to the northwest and across Applewood Drive are properties zoned BG, developed with a shopping center and a call center. Also to the north, are properties zoned RM-HR (Residential Multiple Family Highrise District), developed with senior living high-rise apartments. Immediately to the east of the subject property is the Acadia Woods single-family subdivision zoned RS-150 (Single-Family Residence 15,000 Square Feet District). Adjacent to the south is a BG-zoned property developed with an oil change station and a RS-150 zoned property developed with a Veterans of Foreign Wars post. To the west across Grayson Highway is a place of worship with split zoning of RS-150 and BG.

The property lies within the Community Mixed-Use Character Area of the 2040 Comprehensive Plan and Future Development Map. This character area was developed to encourage general commercial uses along major corridors, and mixed-use developments, which may include a diversity of development types and densities. The property is situated near the intersection of two major transportation corridors and along a county bus route, which would make it a convenient location for a multifamily residential development.

In agreeance with the City of Lawrenceville Comprehensive Plan policies, the proposed development could contribute land use patterns and design elements that support walkability and an enhanced sense of place. Given the aforementioned factors, the Planning and Development Department recommends **APPROVAL WITH CONDITIONS** of the requested rezoning and Special Use Permit.

CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS:**ENGINEERING DEPARTMENT**

The applicant is advised that there are watercourses on three sides of the property that lie within 75' of the property lines and which could therefore impact the proposed development should they meet the definition of a watercourse that requires buffers and an impervious setback.

ELECTRIC DEPARTMENT

Three and single phase power are to be made available to the serve the facility.

The Electric Department will serve the development with underground electric service.

The developer will be required to pay a per unit fee for the underground electric service.

GAS DEPARTMENT

The Gas Department has existing gas mains on the right-of-way for Grayson Highway and has ample capacity for this project.

WATER DEPARTMENT

No Comment.

CODE ENFORCEMENT

No Comment.

**PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS**

RZC2020-00012:

Approval as OI (Office Institutional District) for an apartment development, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Multifamily apartment buildings and its associated accessory use structures.
 - B. The maximum number of units shall be 233.
2. To satisfy the following site development considerations:
 - A. The property shall be developed in general accordance with the submitted site plan, dated February 6, 2020, with changes necessary to meet conditions of zoning, requirements of the Zoning Ordinance and/or Development Regulations, and other minor adjustments as may be approved by the Director of Planning and Development.
 - B. Provide a 50-foot wide natural undisturbed buffer along the eastern property line, immediately adjacent to the Acadia Woods single-family subdivision. The buffer shall be enhanced where sparsely vegetated. Final landscaping shall be subject to review and approval of the Director of the Planning and Development Department.
 - C. Provide a 10-foot landscape strip along the eastern right-of-way of Grayson Highway, and the southern right-of-way of Applewood Drive. Final landscaping design shall be subject to review and approval of the Director of the Planning and Development Department.
 - D. The apartment buildings shall meet the RM-12 architectural standards set forth in the Zoning Ordinance. Final elevations shall be subject to the review and approval of the Director of Planning and Development Department.
 - E. Ground Signage shall be limited to a maximum height of 6 feet and shall be setback from the right-of-way a minimum of 10 feet. Maximum Sign Display Area shall not exceed 32 square feet.
 - F. The front, side and rear facades of associated accessory use structures shall be finished with a minimum of 50 percent brick on each elevation.

- G. All grassed areas shall be sodded.
- H. Underground utilities shall be provided throughout the development.
- I. The electric utilities internal to the development must be placed underground.
- J. The developer shall provide a bus shelter along Grayson Highway.

**PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS**

SUP2020-00027:

Approval of Special Use for an apartment development at 24 units per acre, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Multifamily apartment buildings and its associated accessory use structures.
 - B. The maximum number of units shall be 233.
2. To satisfy the following site development considerations:
 - A. The property shall be developed in general accordance with the submitted site plan, dated February 6, 2020, with changes necessary to meet conditions of zoning, requirements of the Zoning Ordinance and/or Development Regulations, and other minor adjustments as may be approved by the Director of Planning and Development.
 - B. The apartment buildings shall meet the RM-12 architectural standards set forth in the Zoning Ordinance.
 - C. The front, side and rear facades of associated accessory use structures shall be finished with a minimum of 50 percent brick on each elevation.
 - D. All grassed areas shall be sodded.
 - E. Underground utilities shall be provided throughout the development.
 - F. The electric utilities internal to the development must be placed underground.

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

1. **Will the rezoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?** *Yes.*
2. **Will the rezoning proposal adversely affect the existing use or usability of adjacent or nearby property?** *No.*
3. **Does the property to be affected by the rezoning proposal have a reasonable economic use as currently zoned?** *Yes.*
4. **Will the rezoning proposal result in a use, which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?** *No.*
5. **Is the rezoning proposal in conformity with the policy and intent of the City of Lawrenceville comprehensive plan?** *Yes.*
6. **Are there other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the rezoning proposal?** *No.*

ZONING ORDINANCE SECTION 13.3 REZONING PROCEDURE:

1. **What are the existing uses and zoning of nearby property?**
SEE PAGE 2.
2. **What is the extent to which the property values are diminished by the particular zoning restrictions of the current zoning?** *None.*
3. **What is the extent to which the destruction of property values of the plaintiffs promotes the health, safety, morals or general welfare of the public?** *None.*
4. **What is the relative gain to the public, as compared to the hardship imposed upon the individual property owner?** *The proposed zoning change is compatible with the recommendations of the 2040 Comprehensive Plan and Future Development Map.*
5. **What is the suitability of the subject property for its current zoning?** *It is suitable.*
6. **What is the suitability of the subject property for the proposed zoning?** *The property is at a location that makes the development viable pending conditions being met.*
7. **How long has the property been vacant as zoned considered in the context of land development in the area in the vicinity of the property?** *NA*
8. **How does the property conform with or diverge from the Land Use Plan or other applicable local, state laws and ordinances?** *The property meets the intent of the character area.*
9. **What is the availability of adequate sites for the proposed use in districts that permit such use?** *RM-12 is the only district that allows apartments.*
10. **What is the suitability of the site for the proposed use relative to the requirements set forth in the zoning ordinance (such as off-street parking, setbacks, buffer zones and open space)?** *It is suitable pending conditions being met.*



LAWRENCEVILLE

GEORGIA

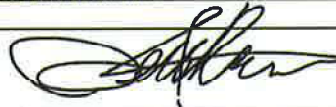
REZONING APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>One Street Residential, LLC</u>	NAME: <u>Albert Shamsi & Edmund I. Shamsi, Trustees of A A R REALTY TRUST</u>
ADDRESS: <u>2000 RiverEdge Parkway, Suite 450,</u>	ADDRESS: <u>274 N Tigertail Road,</u>
CITY: <u>Atlanta</u>	CITY: <u>Los Angeles, CA 90049</u>
STATE: <u>GA</u> ZIP: <u>30328</u>	STATE: <u>CA</u> ZIP: <u>90049</u>
CONTACT PERSON: <u>Shawn Hicks</u> PHONE: <u>(770) 726-5060</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>BG</u> REQUESTED ZONING DISTRICT: <u>OI w/SUP</u>	
PARCEL NUMBER(S): <u>5-148-004</u> ACREAGE: <u>.57</u>	
ADDRESS OF PROPERTY: <u>334 Grayson Hwy Lawrenceville, Georgia 30046</u>	


SIGNATURE OF APPLICANT

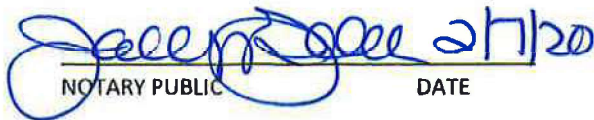
2/4/2020
DATE

Brendan Barr
TYPED OR PRINTED NAME


SIGNATURE OF OWNER

2-7-2020
DATE

Albert Shamsi
TYPED OR PRINTED NAME


NOTARY PUBLIC DATE


NOTARY PUBLIC



70 S Clayton St. • PO Box 2200 • Lawrenceville, Georgia 30046
Notary Public, Cobb County, Georgia 30046 • 770-963-2414 • www.lawrencevillega.org
My Commission Expires 3-30-2021

R2C2020.00012



LAWRENCEVILLE

GEORGIA

REZONING APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>One Street Residential, LLC</u>	NAME: <u>Albert Shamsi & Edmund I. Shamsi, Trustees of the Asek Darom Realty Trust</u>
ADDRESS: <u>2000 RiverEdge Parkway, Suite 450,</u>	ADDRESS: <u>274 N Tigertail Road,</u>
CITY: <u>Atlanta</u>	CITY: <u>Los Angeles, CA 90049</u>
STATE: <u>GA</u> ZIP: <u>30328</u>	STATE: <u>CA</u> ZIP: <u>90049</u>
CONTACT PERSON: <u>Shawn Hicks</u> PHONE: <u>(770) 726-5060</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>BG</u> REQUESTED ZONING DISTRICT: <u>OI w/SUP</u>	
PARCEL NUMBER(S): <u>5-148-162, 5-148-005, 5-148-308</u> ACREAGE: <u>9.11</u>	
ADDRESS OF PROPERTY: <u>354 Grayson Hwy and Applewood Drive, Lawrenceville, GA 30046</u>	

[Signature] 2/4/2020
SIGNATURE OF APPLICANT DATE

[Signature] 2-7-2020
SIGNATURE OF OWNER DATE

Brendan Barr
TYPED OR PRINTED NAME

Albert Shamsi
TYPED OR PRINTED NAME

[Signature] 2/1/20
NOTARY PUBLIC DATE

[Signature] 2/1/20
NOTARY PUBLIC



70 S Clayton St • PO Box 2200 • Lawrenceville, Georgia 30046 • 770-963.2414 • www.lawrencevillega.org
My Commission Expires 3-30-2021

RZC1020-00012



2000 RiverEdge Parkway
Suite 450
Atlanta GA 30328
770-850-8280

February 7, 2020

Todd Hargrave
Director
Planning and Development
City of Lawrenceville
70 S Clayton St
PO Box 2200,
Lawrenceville GA 30046

RE: Letter of Intent for Rezoning Application - 334 Grayson Highway, Lawrenceville, GA

OneStreet Residential LLC (the "Applicant") submits this Letter of Intent and attached Rezoning Application for the purpose of requesting the rezoning of an approximately 9.708 acre tract located at 334 Grayson Highway, Lawrenceville, GA, Parcels 5-148-004, 5-148-005, 5-148-162 and 5-148-308 (the "Property"). The property is currently zoned BG.

The Applicant is requesting to rezone the Property to the OI zoning classification and a Special Use Permit allowing a multifamily development exceeding 12 units per acre. The proposed building within this development will include attractive architectural elements and community amenities such as a green space with splash pad and walking path. The community will have an entry gate and fence. The community will also include a central building that will include a fitness center, business center, multipurpose room for both afterschool programs and adult events. The building façade will include building materials such as brick or natural or manufactured stone on each of the exterior wall surfaces.

The Property is adjacent to other properties currently zoned BG to the North and RMHR to the Northeast. The uses on the adjacent properties are commercial uses and Apartment Housing. The Property proposed uses are compatible with existing with surrounding uses.

VARIANCE Request –

- **Building height variance request, to exceed 35' in building height.**
- **Parking and Loading Requirements to reduce the minimum required parking ratio from 2 per dwelling unit to 1.6 per dwelling unit.**
- **Parking and Loading Requirements to reduce the required number of loading spaces from 11 to 10**
- **Breezeway openness –**
 - **Per 2012 NFPA 101 section 7.2.2.6.6 That states that outside stairs, shall be not less than 50 percent open on one side – we are requesting a variance to allow us to construct breezeways and outside stairs with openness in entirety. If needing to cover the open portion for 50%, we can conform to this requirement and follow the design**

intent.

The Applicant welcomes the opportunity to meet with Staff of The City of Lawrenceville Planning and Development Department to answer any questions or comments and concerns relating to the referenced rezoning request.

The applicant respectfully requests your approval of this Application. Please do not hesitate to contact Shawn Hicks at shawn@onestreetres.com or (770) 726-5060 or me at brendan@onestreetres.com or (678) 209-3079



Brendan Barr

Managing Partner for Applicant

LEGAL DESCRIPTION

ALL THAT TRACT OF LAND LYING IN THE CITY OF LAWRENCEVILLE IN LAND LOT 148, OF THE 5TH DISTRICT OF GWINNETT, COUNTY GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

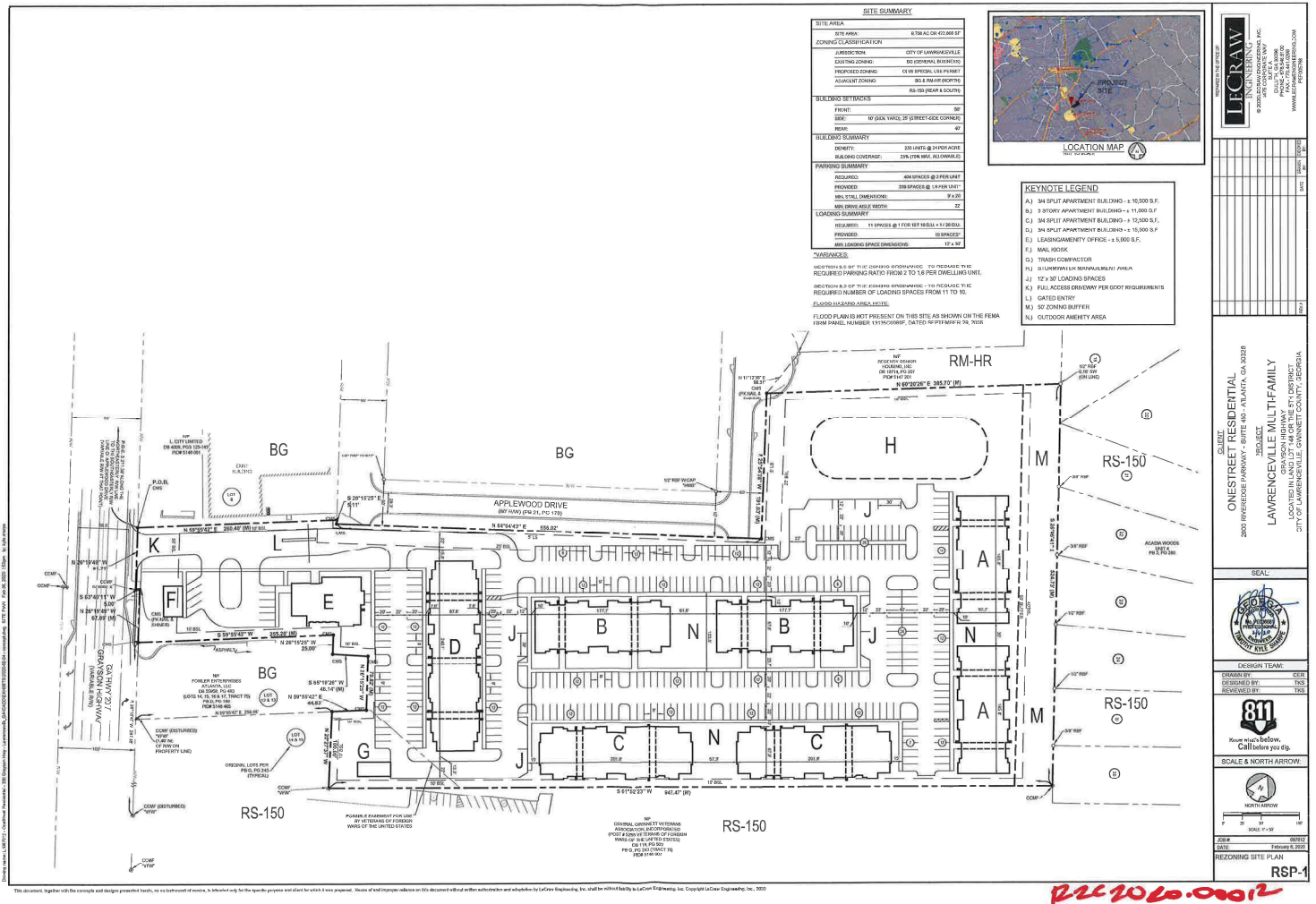
COMMENCING AT A POINT AT THE INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF APPLEWOOD DRIVE (VARIABLE RIGHT-OF-WAY AT THIS POINT) AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF GEORGIA HIGHWAY 20, A.K.A. GRAYSON HIGHWAY (VARIABLE RIGHT-OF-WAY, 90-FOOT AT THIS POINT); THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF GEORGIA HIGHWAY 20, 211.38 FEET TO A 1/2-INCH REBAR WITH CAP SET, SAID POINT BEING THE **POINT OF BEGINNING**.

THENCE LEAVING SAID RIGHT-OF-WAY LINE AND FOLLOWING THE DIVISION LINE BETWEEN L CITY LIMITED (PER DEED BOOK 4009, PAGES 125-145, GWINNETT COUNTY, GEORGIA, RECORDS) TO THE NORTHWEST AND A.A.R. REALTY TRUST (PER DEED BOOK 4594, PAGE 70, AFORESAID RECORDS) TO THE SOUTHEAST, NORTH 59°55'42" EAST A DISTANCE OF 260.40 FEET TO A 1/2-INCH REBAR WITH CAP SET ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF APPLEWOOD DRIVE (60-FOOT RIGHT-OF-WAY); THENCE ALONG THE SOUTHWEST, SOUTHEAST AND NORTHEAST RIGHT-OF-WAY LINE, RESPECTIVELY THE FOLLOWING 3 COURSES AND DISTANCES: SOUTH 26°15'25" EAST A DISTANCE OF 5.11 FEET TO A 1/2-INCH REBAR WITH CAP SET, NORTH 64°04'43" EAST A DISTANCE OF 556.02 FEET TO A 1/2-INCH REBAR WITH CAP SET AND NORTH 25°54'28" WEST A DISTANCE OF 191.03 FEET TO A 1/2-INCH REBAR WITH CAP SET; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND FOLLOWING THE DIVISION LINE BETWEEN REGENCY SENIOR HOUSING, INC. (PER DEED BOOK 10714, PAGE 207, AFORESAID RECORDS) TO THE NORTHWEST AND ASEK DAROM REALTY TRUST (PER DEED BOOK 3359, PAGE 190, AFORESAID RECORDS) TO THE SOUTHEAST, NORTH 60°20'26" EAST PASSING A 1/2-INCH REBAR FOUND AT A DISTANCE OF 385.54 FEET, A TOTAL DISTANCE OF 385.70 FEET TO A POINT;; THENCE FOLLOWING THE DIVISION LINE BETWEEN SAID ASEK DAROM REALTY TRUST TO THE SOUTHWEST AND UNIT 4 OF ACADIA WOODS (PER PLAT BOOK 3, PAGE 280, AFORESAID RECORDS) TO THE NORTHEAST, SOUTH 26°46'41" EAST A DISTANCE OF 524.73 FEET TO A CONCRETE MONUMENT FOUND; THENCE FOLLOWING THE DIVISION LINE BETWEEN SAID ASEK DAROM REALTY TRUST TO THE NORTHWEST AND NORTHEAST, RESPECTIVELY AND CENTRAL GWINNETT VETERANS ASSOCIATION, INCORPORATED (PER DEED BOOK 119, PAGE 503, AFORESAID RECORDS) TO THE SOUTHEAST AND SOUTHWEST, RESPECTIVELY THE FOLLOWING 2 COURSES AND DISTANCES: SOUTH 61°52'23" WEST A DISTANCE OF 947.47 FEET TO A CONCRETE MONUMENT FOUND MARKED "VFW" AND

R2C 2020.0002

NORTH 25°27'37" WEST A DISTANCE OF 100.00 FEET TO A 1/2-INCH REBAR WITH CAP SET; THENCE FOLLOWING THE DIVISION LINE BETWEEN SAID ASEK DAROM REALTY TRUST TO THE SOUTHEAST, NORTHEAST, NORTHWEST, NORTHEAST AND NORTHWEST RESPECTIVELY AND FOWLER ENTERPRISES ATLANTA, LLC (PER DEED BOOK 55958, PAGE 493, AFORESAID RECORDS) TO THE NORTHWEST, SOUTHWEST, SOUTHEAST, SOUTHWEST AND SOUTHEAST, RESPECTIVELY THE FOLLOWING 5 COURSES AND DISTANCES: NORTH 59°55'42" EAST A DISTANCE OF 44.83 FEET TO A 1/2-INCH REBAR WITH CAP SET, NORTH 26°15'25" WEST A DISTANCE OF 70.82 FEET TO A 1/2-INCH REBAR WITH CAP SET, SOUTH 65°19'26" WEST A DISTANCE OF 46.14 FEET TO A 1/2-INCH REBAR WITH CAP SET, NORTH 26°15'25" WEST A DISTANCE OF 25.00 FEET TO A 1/2-INCH REBAR WITH CAP SET AND SOUTH 59°55'42" WEST A DISTANCE OF 255.20 FEET TO A 1/2-INCH REBAR WITH CAP SET ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF GEORGIA HIGHWAY 20 A.K.A. GRAYSON HIGHWAY (VARIABLE RIGHT-OF-WAY, 100-FOOT AT THIS POINT); THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH 26°19'49" WEST A DISTANCE OF 67.89 FEET TO A PK NAIL & SHINER SET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE SOUTH 63°40'11" WEST A DISTANCE OF 5.00 FEET TO A CONCRETE MONUMENT FOUND ON THE 90-FOOT RIGHT-OF-WAY LINE; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE NORTH 26°19'49" WEST A DISTANCE OF 81.77 FEET BACK TO THE **POINT OF BEGINNING**.

CONTAINING 422,866 SQUARE FEET OR 9.708 ACRES, A PORTION OF WHICH ALSO ENCOMPASSES LOTS 9-11 OF THE LANDS OF J. H. COOPER (PER PLAT BOOK D, PAGE 180, GWINNETT COUNTY, GEORGIA, RECORDS).



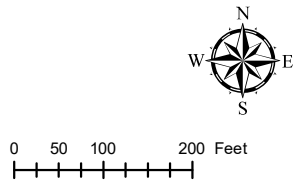


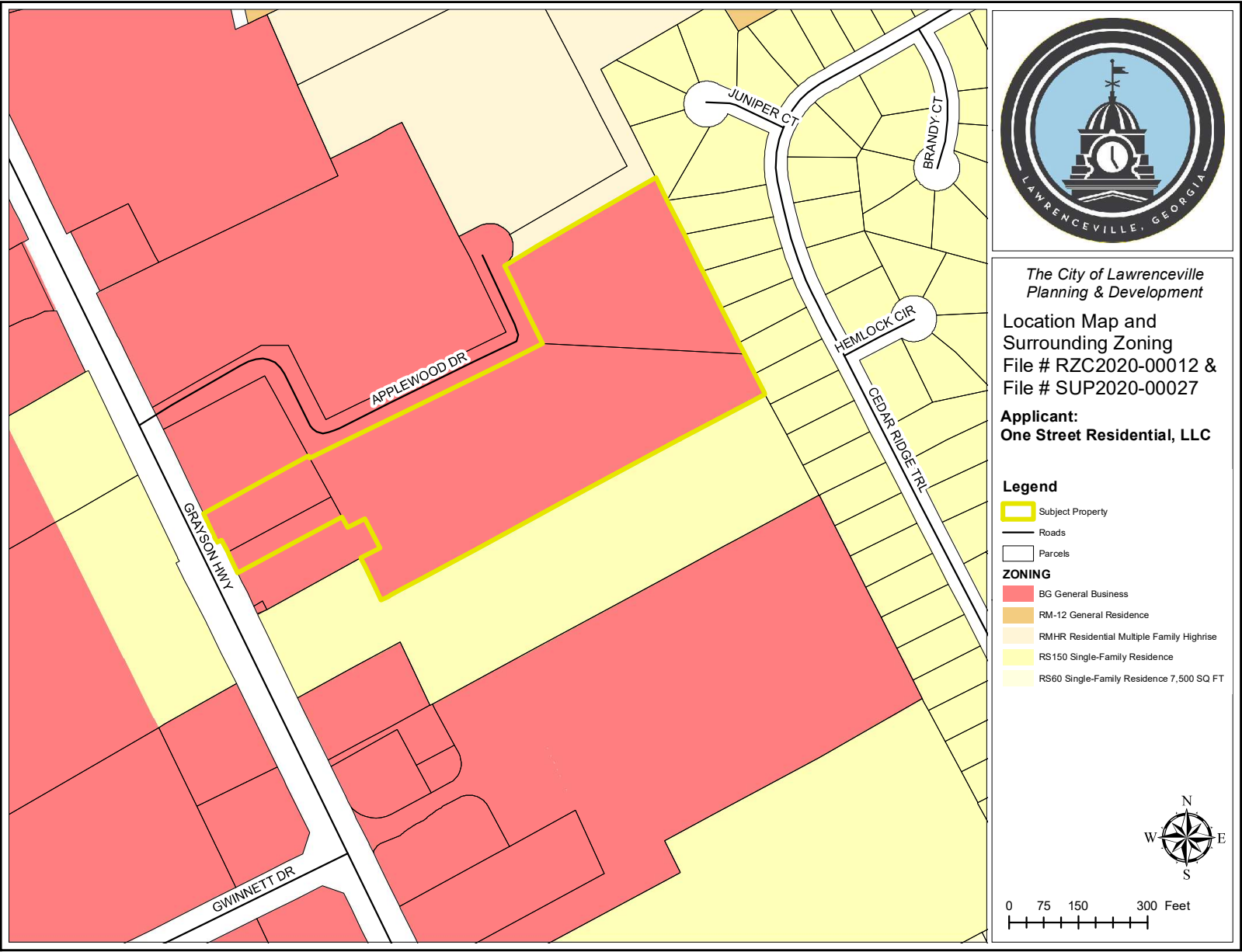
*The City of Lawrenceville
Planning & Development*

Location Map and
Surrounding Zoning
File # RZC2020-00012 &
File # SUP2020-00027

Applicant:
One Street Residential, LLC

- Legend**
- Subject Property
 - Roads
 - Parcels





*The City of Lawrenceville
Planning & Development*

**Location Map and
Surrounding Zoning**
File # RZC2020-00012 &
File # SUP2020-00027

Applicant:
One Street Residential, LLC



LAWRENCEVILLE

GEORGIA

13.

AGENDA REPORT
MEETING: SPECIAL CALL, APRIL 27, 2020
AGENDA CATEGORY: PUBLIC HEARING NEW BUSINESS

Item: SUP2020-00026; Third Rail Distillery, Inc.; 625 N. Clayton Street

Department: Planning and Development

Date of Meeting: Monday, April 27, 2020

Applicant Request: Special Use Permit for a Distillery

Presented By: Todd Hargrave

Department Recommendation: Approval with Conditions

Planning Commission Recommendation: Approval with Staff Conditions

Summary: The applicant requests a Special Use Permit to allow a craft distillery with a tasting room.

Attachments/Exhibits:

- SUP2020-00026 Report
- SUP2020-00026 Attachments

**CITY OF LAWRENCEVILLE
PLANNING AND DEVELOPMENT DEPARTMENT
SPECIAL USE REPORT**

CASE NUMBER: SUP2020-00026
APPLICANT: THIRD RAIL DISTILLERS, INC
CONTACT: JODY CHARLES CAMPBELL
PHONE NUMBER: 470.365.2890
LOCATION: 625 N. CLAYTON ST
PARCEL ID: R5146C007
ACREAGE: 0.23
PROPOSED DEVELOPMENT: DISTILLERY
DEPARTMENT RECOMMENDATION: APPROVAL WITH CONDITIONS
ZONING HISTORY:

The property has been zoned LM (Light Manufacturing District) since 1960.

PROJECT DATA:

The applicant requests a Special Use Permit of a 0.23 acre property, zoned LM (Light Manufacturing District, to allow a craft distillery with a tasting room. The subject property is located in the Depot Area along the western right-of-way of North Clayton Street at its intersection with the northern right-of-way of Seaboard Airline Rail Road (A.K.A. Seaboard Coastline R.R.). The applicant, Third Rail Distillers, Inc., intends to utilize the site for the production of high quality distilled spirits.

The property is currently developed with a concrete block storage building, associated driveway and loading dock. The site plan proposes a building height of 50 feet, and an additional 1,520 square feet of floor area, in addition to the existing 3,240 square foot building. Furthermore, the plans propose the addition of an exterior patio wrapping around the main entry (front) connecting to an existing patio (loading dock) located along the south side of the building. In addition, a porch would be added to the rear of the building along the western property line. immediately adjacent to the Rail Road right-of-way. The applicant is also proposing to install a grain silo that would be utilized as a monument sign. Access to the site is proposed via one driveway on the north side of the property. In order to address the lack of parking at the subject property, the applicant suggest entering into a private agreement with neighboring property owners and utilizing a public parking facility to satisfy this deficiency. However, the applicant

must enter into an agreement with the City in order to utilize City-owned spaces. Part of this agreement could include that the applicant provide additional compensation in order to satisfy the parking and loading requirements of the City. Furthermore, the submitted site plan does not meet the required front, side and rear yard setbacks for the LM zoning classification. In order to meet the minimum standards for the LM zoning classification numerous reductions in development and zoning standards would be required.

The City of Lawrenceville 2040 Comprehensive Plan and Future Development Map indicates the subject property is located within the College Corridor Character Area. The vision for this character area is a multi-modal, vibrant, mixed-use corridor. Over time, this area will transition from suburban-style development to a more mixed environment of higher density development and green space.

The surrounding area is characterized by a mix of light industrial, commercial, single-family and multifamily uses and zoning. To the north, are BG (General Business District) zoned properties, primarily use small scale office and retail uses. To the east, across North Clayton Street, area BG, RM (Multifamily Residence District), RS-150 (Single-Family Residence District), and LM zoned properties and uses; which includes 550 Trackside special events facility. To the south, across Seaboard Coastline R.R., are BG and LM zoned properties and uses; which include the Council approved craft breweries Slow Pour Brewing Company (SU-16-10) and Beer Republic Brewing, LLC (aka Iron Shield) (RZ-18-02 & SU-18-04). Each of the two craft breweries operate in a similar manner as proposed by the applicant.

Although the proposed development may require the approval of numerous variance request, the proposal could be considered to be consistent with the policies of the 2040 City of Lawrenceville Comprehensive Plan. The proposed development, if properly conditioned could contribute land use patterns and design elements that support walkability and an enhanced sense of place. Given the aforementioned factors, the Planning and Development Department recommends **Approval with Conditions** of the Special Use Permit.

CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS:**ENGINEERING DEPARTMENT**

The engineering department stated the attorney's letter says in one paragraph "Dr. Acuff's plans call for the razing of the existing building and construction of a new facility . . ." and then in the next paragraph "If the project is approved, Dr. Acuff will be investing significant sums of money into remodeling and repairing the existing building . . ." The two Bullard Land Planning exhibits say the existing building is to remain. The attorney's letter says the project will be accessed in part "via Railroad Street". None of the exhibits provided shows Railroad Street which, if it exists, is not a City owned or maintained road.

ELECTRIC DEPARTMENT

No comment.

GAS DEPARTMENT

The gas department has an existing gas main located on the South and East sides of the property. It is a plastic gas main of 4 inch and has ample capacity to serve the future customer.

Please note the close proximity of the silo location to our gas main.

There will need to be locates called in and actual verification of the gas main location by the property owner before construction.

WATER DEPARTMENT

No comment.

DAMAGE PREVENTION DEPARTMENT

It is the applicant's responsibility to ensure that all existing underground utilities within the limits of the work are located prior to any excavation activities.

The Georgia Utility Facility Protection Act (GUFPA) mandates that before starting any mechanized digging or excavation work, you must contact Georgia 811 at least 48 hours but no more than 10 working days in advance to have utility lines marked. This law covers activities such as excavation, tunneling, grading, boring, demolition or any similar work – even on private property.

CODE ENFORCEMENT

In 2016, three Notice of Violations were issued for multiple violations, which includes; graffiti, trash and debris, and overgrown grass.

**PLANNING AND DEVELOPMENT DEPARTMENT
RECOMMENDED CONDITIONS**

SUP2020-00026

Approval of Special Use Permit for a Distillery, subject to the following enumerated conditions:

1. The property shall be developed in general accordance with the submitted site plan, dated February 03, 2020, with changes necessary to meet conditions of zoning, requirements of the Zoning Ordinance and/or Development Regulations, and other minor adjustments as may be approved by the Director of Planning and Development.
2. The development shall abide by all applicable standards of the Development Regulations, unless otherwise specified in these conditions or through approval of a variance administratively or by the Zoning Board of Appeals, as appropriate.
3. The building must meet the minimum architectural requirement of the City of Lawrenceville. Final elevations shall be subject to the review and approval of the Director of Planning and Development Department.
4. Ground Signage shall be limited to a maximum height of 12 feet and shall be setback from the right-of-way a minimum of 12 feet. The maximum sign display area shall be limited to 75 square feet. Wall signage shall be limited 36 square feet per elevation, with a total wall sign area limited to 72 square feet.
5. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-twirlers or sign walkers shall be prohibited.
6. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or right-of-ways.
7. Peddlers and/or any parking lot sales unrelated to the Special Use shall be prohibited.
8. Outdoor storage shall be prohibited.
9. Dumpsters shall be screened by solid masonry walls matching the building, with an opaque metal gate enclosure.
10. The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

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

1. **Will the Special Use Permit allow a use that is suitable in view of the use and development of adjacent and nearby property?** *Yes.*
2. **Will the Special Use Permit adversely affect the existing use or usability of adjacent or nearby property?** *No.*
3. **Does the property to be affected by the Special Use proposal have a reasonable economic use as currently zoned?** *Yes.*
4. **Will the Special Use proposal result in a use, which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?** *No.*
5. **Is the Special Use proposal in conformity with the policy and intent of the City of Lawrenceville comprehensive plan?** *Yes.*
6. **Are there other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the Special Use proposal?** *No.*

ZONING ORDINANCE SECTION 13.3 SPECIAL USE PERMIT PROCEDURE:

1. **What are the existing uses and zoning of nearby property?**
SEE PAGE 2
2. **What is the extent to which the property values are diminished by the particular zoning restrictions of the current zoning?** *None.*
3. **What is the extent to which the destruction of property values of the plaintiffs promotes the health, safety, morals or general welfare of the public?** *None*
4. **What is the relative gain to the public, as compared to the hardship imposed upon the individual property owner?** *The proposed use is compatible with the recommendations of the 2040 Comprehensive Plan and Future Development Map.*
5. **What is the suitability of the subject property for its current zoning?** *It is suitable.*
6. **What is the suitability of the subject property for the proposed zoning?** *The property is at a location that makes the development viable.*
7. **How long has the property been vacant as zoned considered in the context of land development in the area in the vicinity of the property?** *NA*
8. **How does the property conform with or diverge from the Land Use Plan or other applicable local, state laws and ordinances?** *The property meets the intent of the character area.*
9. **What is the availability of adequate sites for the proposed use in districts that permit such use?** *Other commercially-zoned sites are available in the city.*
10. **What is the suitability of the site for the proposed use relative to the requirements set forth in the zoning ordinance (such as off-street parking, setbacks, buffer zones and open space)?** *Suitable.*



LAWRENCEVILLE

GEORGIA

SPECIAL USE PERMIT APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Third Rail Distillers, Inc.</u>	NAME: <u>Garbro, Inc.</u>
ADDRESS: <u>c/o Blum & Campbell, LLC</u> <u>3000 Langford Road, Bldg. 100</u>	ADDRESS: <u>382 S. Perry St.</u>
CITY: <u>Peachtree Corners</u>	CITY: <u>Lawrenceville</u>
STATE: <u>GA</u> ZIP: <u>30071</u>	STATE: <u>GA</u> ZIP: <u>30046</u>
PHONE: <u>470-365-2890</u>	PHONE: <u>470-365-2890</u>
CONTACT PERSON: <u>Jody Charles Campbell</u> PHONE: <u>470-365-2890</u>	
CONTACT'S E-MAIL: <u>jody@blumcampbell.com</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.	
ZONING DISTRICT(S): <u>LM</u> ACREAGE: <u>0.23</u>	
PARCEL NUMBER(S): <u>R5146 C007</u>	
ADDRESS OF PROPERTY: <u>625 N. Clayton Street, Lawrenceville, GA 30046</u>	
PROPOSED SPECIAL USE: <u>Distillery</u>	

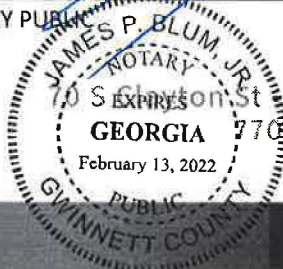
SIGNATURE OF APPLICANT

DATE

Jody Campbell, Atty for Applicant
TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE



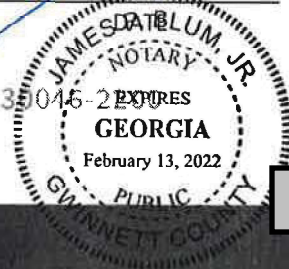
SIGNATURE OF OWNER

DATE

Jody Campbell, Atty for Owner
TYPED OR PRINTED NAME

NOTARY PUBLIC

DATE



PO Box 2200 • Lawrenceville, Georgia 30046-2200
770-963.2414 • www.lawrencevillega.org

92000-00026

BLUM & CAMPBELL, LLC

Attorneys at Law

JODY CHARLES CAMPBELL
ATTORNEY AT LAW
LICENSED IN GA

3000 Langford Road, Building 100
Peachtree Corners, Georgia 30071

TELEPHONE: (470) 365-2890
FACSIMILE: (470) 365-2889
JODY@BLUMCAMPBELL.COM

February 7, 2020

VIA HAND DELIVERY

Honorable Mayor David Still
Council Member Glenn Martin
Council Member Victoria Jones
Council Member Robert P. Clark
Council Member Keith Roche
City of Lawrenceville, Georgia
70 South Clayton Street
PO Box 2200
Lawrenceville, Georgia 30046

Re: **Third Rail Distillers, Inc.**
Rezoning Application and Special Use Permit Application
Property Address: 625 N. Clayton Street, Lawrenceville, Georgia 30046
Parcel No. R5146C007

Dear Mayor and City Council Members:

This law firm has the pleasure of representing Dr. Cory Acuff, Third Rail Distillers, Inc. and Garbro, Inc.. My clients have requested that we pursue a Special Use Permit Application on their behalf for the real property and improvements located at 625 N. Clayton Street, Lawrenceville, Georgia 30046 (the "Property"). The Property consists of ± 0.23 acres of land on which a concrete block storage building is currently located. My clients are requesting that the City issue a Special Use Permit for this Property that is currently zoned Light Manufacturing (LM) to allow for the operation of a local, craft distillery with a tasting room. I am attaching hereto a proposed site plan and photographs showing examples of types of improvements and features Dr. Acuff's intends to construct.

In the last decade, Georgia has witnessed extraordinary growth in the craft brewing and craft distilling industries. These businesses have provided tremendous economic growth to cities and counties alike resulting in the addition of hundreds of jobs both from the direct operation as well as associated supporting businesses. Additionally, the success of these establishments has resulted in much needed revitalization and conversion of industrial areas, brought countless visitors to cities, and generated millions of dollars in tax revenue. In addition to the retail and wholesale impact of these establishments, many of these businesses offer public tours and tasting

rooms for their various products, which creates significant economic impact to the surrounding businesses and restaurants.

Lawrenceville is certainly no stranger to the economic power of these businesses and has, in fact, utilized these powerful revitalization engines. The approval, opening, and operation of Slow Pour Brewery has been an unmitigated success bringing much needed attention, beautification, and development in the area near the old Train Depot. With significant infrastructure improvements already underway and the rapid progress the City has made on the College Corridor, this area is ripe for additional commercial expansion and revitalization of old industrial/manufacturing properties using new and exciting businesses.

We believe Third Rail Distillery is just such a project. Dr. Acuff is a passionate advocate for the distilling industry who understands the complicated science and artistry needed to produce high quality, distilled spirits. With his chemistry background, he seeks to open Third Rail Distillery, which will produce craft spirits for sale on both a wholesale and retail level. Dr. Acuff's plans call for the razing of the existing building and construction of a new facility which will include both production space and a tasting room for the general public. Third Rail Distillery would be a perfect companion business to Slow Pour Brewing Company, would further the redevelopment of the area, and assist in the transitioning this former industrial area into a thriving commercial node that bridges the College Corridor into the downtown area.

Dr. Acuff has invested thousands of dollars in design costs and acquisition costs for the distiller project. If the project is approved, Dr. Acuff will be investing significant sums of money into remodeling and repairing the existing building and other landscaping and beautification for the Property. The Property would be accessed via a new driveway installed on the north side of the property and via Railroad Street, NW. To satisfy the requirements of Special Use Permits for distillery projects, Dr. Acuff intends to enter into an agreement with neighboring property owners to allow for sufficient public parking for the distillery's daily operation. Additionally, public parking is available in the lot located on Born street between N. Perry and N. Clayton.

We respectfully request that the Special Use Permit be approved as presented and that the designs be approved per the attached elevation renderings and site plans. Should the City have any additional questions or need any additional information, please do not hesitate to contact me. I remain

Very Truly Yours,

BLUM & CAMPBELL, LLC

Jody Charles Campbell

Cc: Dr. Cory Acuff

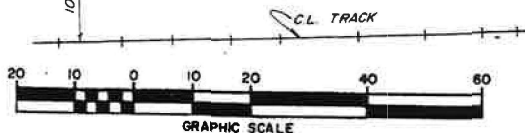
LEGEND

- IPF = IRON PIN FOUND
- IPS = IRON PIN SET
- PC = POINT OF CURVATURE
- PT = POINT OF TANGENCY
- CL = CENTER LINE
- R/W = RIGHT OF WAY
- BL = BUILDING LINE
- - - POWER OR TELEPHONE
- R = RADUS
- MT = MARKED TREE
- LLL = LAND LOT LINE

MAGNETIC NORTH



SEABOARD AIRLINE RAIL ROAD
(A.K.A. SEABOARD COASTLINE R.R.)



McNally & Patrick

1505 Highway 29 South
Lawrenceville, GA 30245 • 404/963-8520

IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS & REQUIREMENTS OF GA. LAW

LAND LOT 146 of the 5th DISTRICT
CITY OF LAWRENCEVILLE
GWINNETT COUNTY, GEORGIA 0.2205 ACRES

DATE: 1-31-92

SCALE: 1" = 20'

Page 97

FILE NO

THIS PROPERTY DOES NOT LIE WITHIN A F.I.R.M. FLOOD HAZARD AREA AS PER GWINNETT COUNTY COMMUNITY PANEL No 130099 0002 B.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 74,038 FEET AND AN ANGULAR ERROR OF 12.1" PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 85,770 FEET.

EQUIPMENT USED TO OBTAIN FIELD DATA:
TOPCON GTS-2 & A STEEL TAPE.

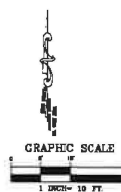
FILED & RECORDED
CLERK SUPERIOR COURT
GWINNETT COUNTY GA
DATE 2-18-92 TIME 9:00 AM
PLAT BOOK 55 PAGE 65
GARY R. YATES, CLERK

SURVEY OF:
LOT 2 & PART OF LOT 1, HIRAM O. MACKIN PROPERTY

G. MICHAEL CROW

3 7835

SUP 2010.00026



0.2205 ACRES
42,750 SQUARE FEET
TAX ID: 5-146-C007
EXISTING ZONING: LM
PROPOSED ZONING: LM SUP
HIGH RISE OVERLAY DISTRICT

SETBACKS:
FRONT = 50 FEET
SIDE = 0 FEET
REAR = 0 FEET

MAX. HEIGHT = 50 FEET
MAX. IMPERVIOUS: 85%

SPECIAL USE PLAN FOR:
LAWRENCEVILLE DISTILLERY
625 N. CLAYTON ST

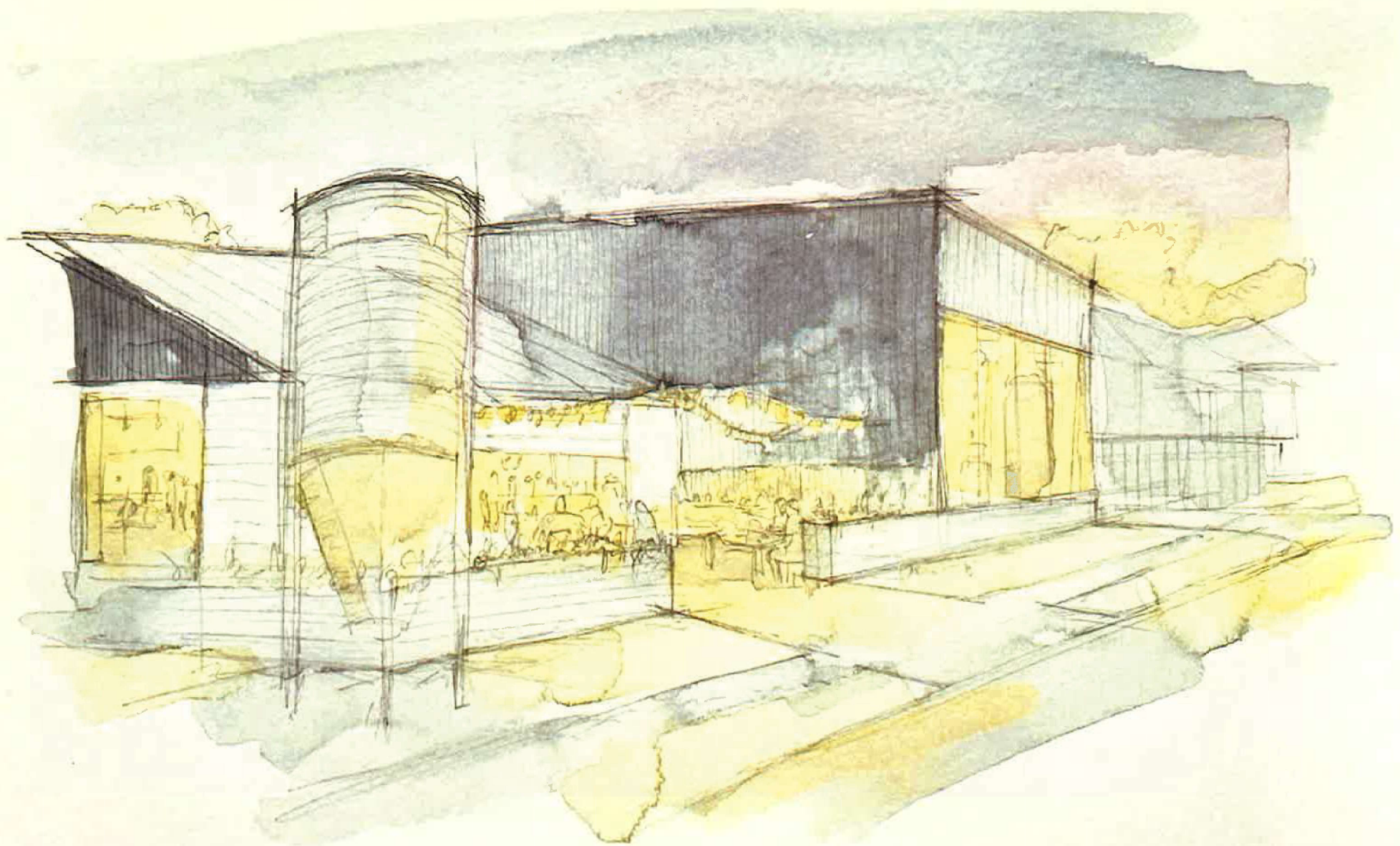
OWNER:
CARBRO INC
382 S. PERRY ST
LAWRENCEVILLE, CA 30046-4839

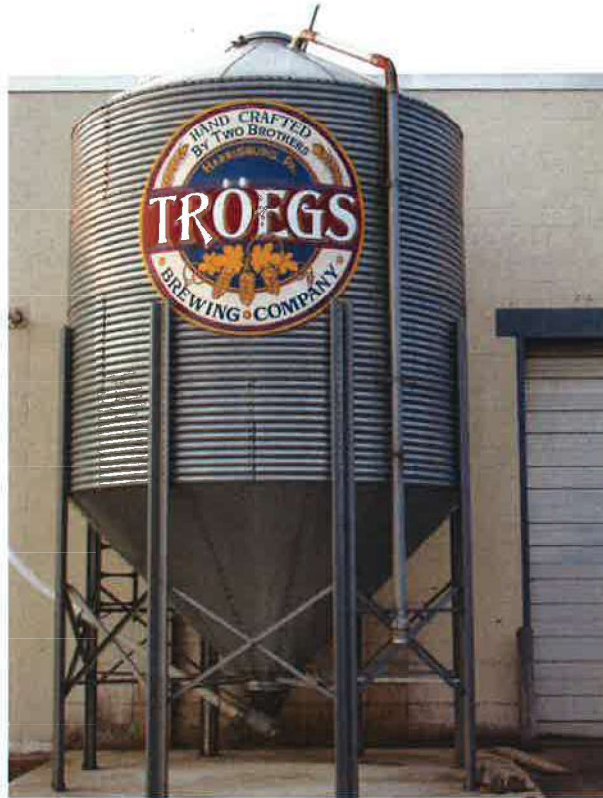
DESIGNER:
BULLARD LAND PLANNING, INC
3790 CANNONWOLDE DR
SNELLVILLE, GA. 30039
CONTACT PERSON: BOBBY BULLARD
578-344-1293 blpbobby@bellsouth.net



-DATE: 02/03/2024

UVP 2010 - 00026

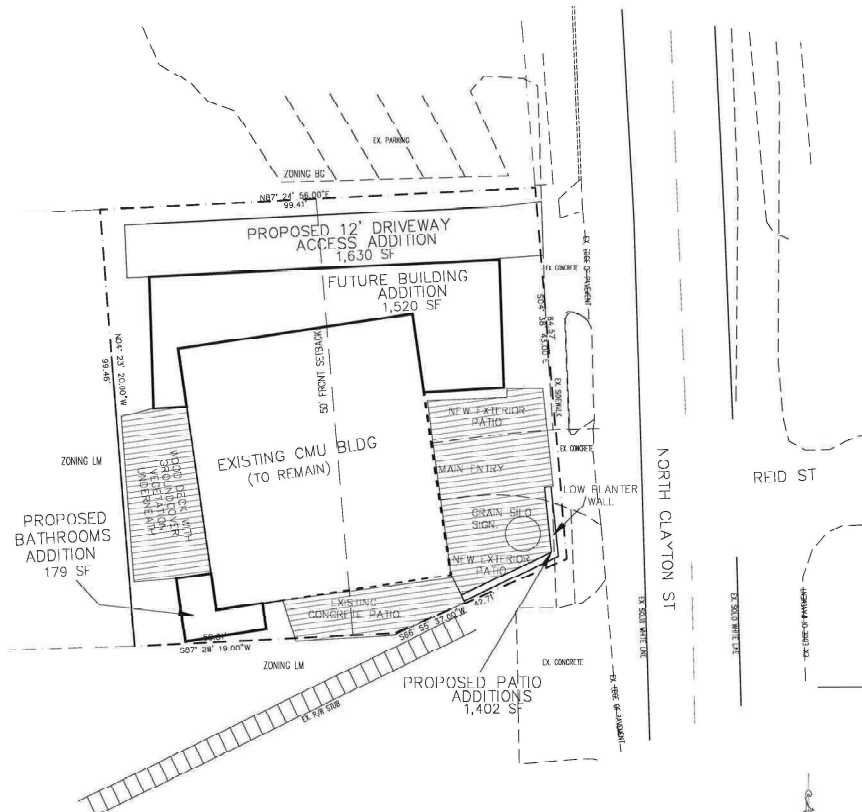
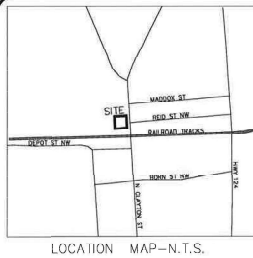




LEGAL DESCRIPTION:

ALL THAT TRACT or parcel of land lying and being in Land Lot 146 of the 5th Land District, Gwinnett County, Georgia, being in the City of Lawrenceville, and being particularly shown on a plat of survey for G. Michael Crow by McNally & Patrick, Surveyors, dated January 31, 1992, and recorded in Plat Book 55, Page 65, Gwinnett County records, which plat is hereby referred to and made a part of this description.

SUP 2020-00026



SITE INFORMATION

0.2205 ACRES
42,750 SQUARE FEET
TAX ID: 5-146-0207
EXISTING ZONING: LM
PROPOSED ZONING: LM SJP
11011 23C OVERLAY DISTRICT

SETBACKS:
FRONT = 50 FEET
SIDE = 0 FEET
REAR = 0 FEET
MAX. HEIGHT - 50 FEET
MAX. IMPERVIOUS: 85%

TOTAL NEW OR REPLACED
IMPERVIOUS AREA: 4,731 SF

SPECIAL USE PLAN FOR:

LAWRENCEVILLE DISTILLERY
625 N. CLAYTON ST

OWNER:
GARDRO INC
382 S. PERRY ST
LAWRENCEVILLE, GA 30046-4839



DESIGNER:
BULLARD LAND PLANNING, INC
3700 CANNONWOLDE DR
SNELLVILLE, GA. 30039
CONTACT PERSON: BOBBY BULLARD
678-344-1293 blpbobby@bellsouth.net



DATE: 02/03/2020

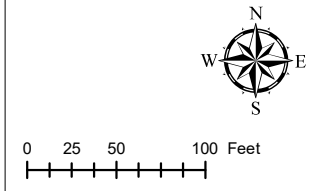
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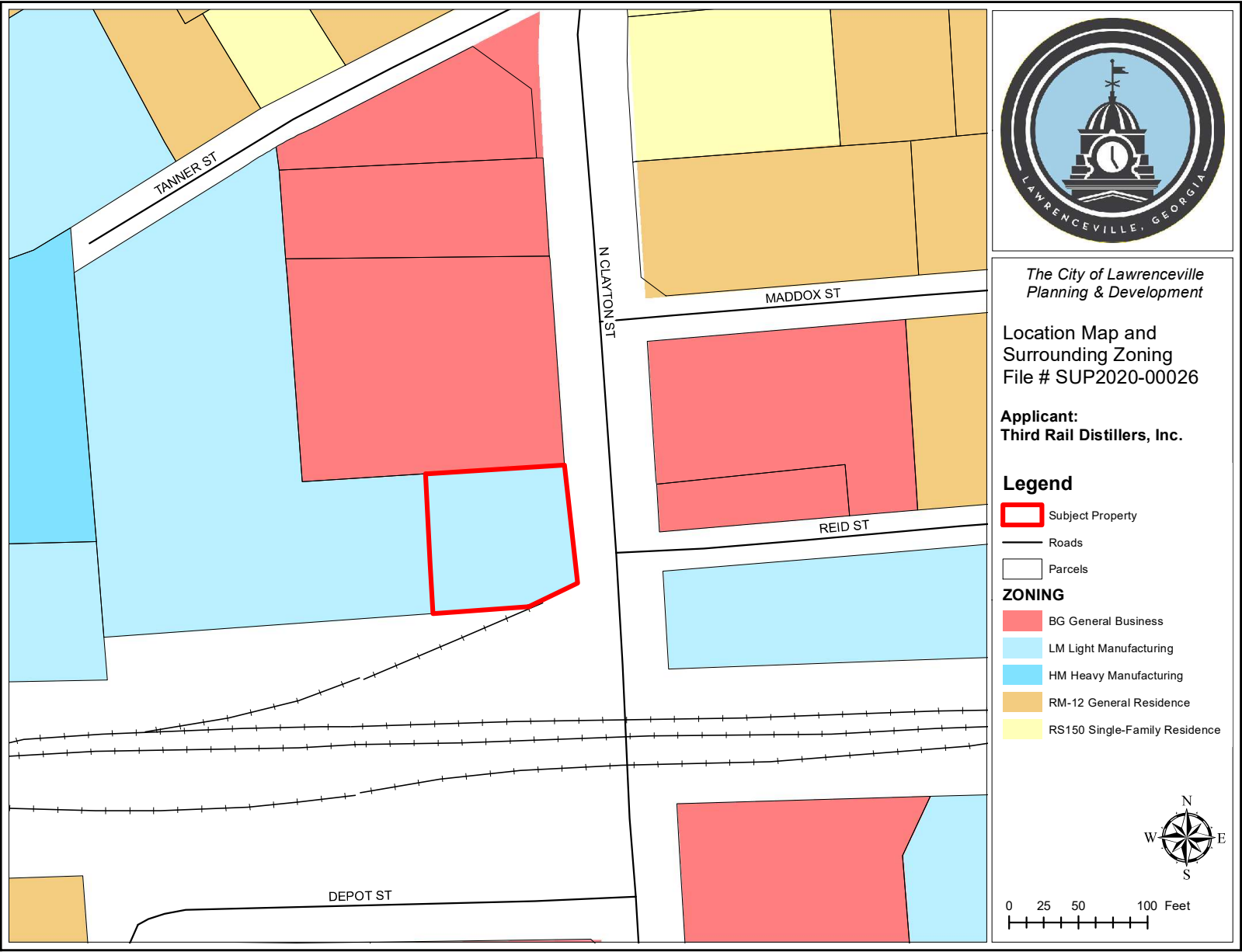


The City of Lawrenceville
Planning & Development
Aerial Map and
Surrounding Area
File # SUP2020-00026

Applicant:
Third Rail Distillers, Inc.

- Legend**
-  Subject Property
 -  Roads
 -  Parcels





The City of Lawrenceville
Planning & Development

Location Map and
Surrounding Zoning
File # SUP2020-00026

Applicant:
Third Rail Distillers, Inc.

Legend

- Subject Property
- Roads
- Parcels

ZONING

- BG General Business
- LM Light Manufacturing
- HM Heavy Manufacturing
- RM-12 General Residence
- RS150 Single-Family Residence



0 25 50 100 Feet



LAWRENCEVILLE

GEORGIA

AGENDA REPORT

MEETING: SPECIAL CALL, APRIL 27, 2020

AGENDA CATEGORY: PUBLIC HEARING NEW BUSINESS

Item:	SU-18-21, Gann Enterprises Inc., c/o Andersen, Tate & Carr, P.C.; 45 East Crogan Street
Department:	Planning and Development
Date of Meeting:	Monday, April 27, 2020
Fiscal Impact:	None
Presented By:	Todd Hargrave
Department Recommendation:	Approval with Conditions
Planning Commission Recommendation:	Approval with staff's conditions

Summary: The applicant is requesting a Special Use Permit to continue to use the property as an auto sales lot. The subject property is a 2-acre parcel, zoned BG (General Business District), located on the south side of East Crogan Street and east of its intersection with Scenic Highway. The applicant is requesting the special use permit in order to bring the property into compliance with the City's Zoning Ordinance.

Attachments/Exhibits:

SU-18-21 Report
SU-18-21 ATTACHMENTS

**CITY OF LAWRENCEVILLE
PLANNING AND DEVELOPMENT DEPARTMENT
CHANGE IN CONDITIONS AND SPECIAL USE PERMIT REPORT**

SPECIAL USE PERMIT CASE NUMBER: SU-18-21

PROPERTY OWNER: Gann Enterprises Inc.

APPLICANT NAME: Gann Enterprises Inc. c/o Andersen, Tate & Carr

PROPERTY IN QUESTION: 45 East Crogan Street

PARCEL ID NUMBERS: 5-174-042

PRESENT ZONING: BG

PROPOSED USE: Continuance of auto sales on property

ORDINANCE SECTION: 7.9

EXISTING CONDITIONS: Property is developed as a car lot with one modular office.

SITE PLAN RECOMMENDATION: None.

PROPERTY ZONING HISTORY: Per city records, the property has been BG (General Business District) since the City's incorporation.

FUTURE DEVELOPMENT MAP: Downtown Character Area

OVERLAY DISTRICT: None

ZONING RECOMMENDATION INCLUDING CONDITIONS AND SAFEGUARDS TO ENSURE CONFORMITY TO THE ZONING ORDINANCE:

The applicant is requesting a Special Use Permit to continue to use the property as an auto sales lot. The subject property is a 2-acre parcel, zoned BG (General Business District), located on the south side of East Crogan Street and east of its intersection with Scenic Highway. The applicant is requesting the special use permit in order to bring the property into compliance with the City's Zoning Ordinance.

The property is currently developed as a car lot with one modular office. Access to the property is off one right-in, right-out driveway on East Crogan Street and one unused driveway on Scenic Highway. The site plan shows the overall land to be paved but does not show lined parking spaces. The applicant proposes to place a 12 by 45-foot modular office on the northeast side of the property where the current modular office is. Per the site plan, there will be a Stormwater management facility on the southeast side of the property.

The 2040 Comprehensive Plan and Future Development Map indicate the property lies within the Downtown Character Area. The character area encourages general commercial development that enhance and maintain the existing history of the City. It encourages new buildings to be complementary in scale and have their own style rather than mimicking older styles. The applicant proposes to have a modular office, however, staff recommends to make every effort to meet the Downtown Development Authority and the Architectural Review

Board's goals to improve the aesthetics of street and built environment and enhance Lawrenceville's historic quality by ensuring that new and rehabbed buildings are compatible with the character of the Downtown. With recommended conditions, the use of the property as an auto sales lot would be consistent with policies of the Comprehensive Plan and the Future Development Map.

The surrounding area is characterized by commercial uses all zoned BG (General Business District). To the north across East Crogan Street is the Rhodes Jordan Park and to the west of the park is an auto repair shop. Adjacent to the east is property used for mini-warehouses and other commercial uses that serve the residential communities farther to the east. The property adjacent to the south is developed with a dwelling and across Scenic Highway to the west is an undeveloped property.

The proposed continuance use of the property as an auto sales lot may be consistent with policies of the Comprehensive Plan, if operated with recommended conditions. Therefore, the Planning and Development Department recommends **APPROVAL WITH CONDITIONS** of this request.

SU-18-20:

Approval of a Special Use Permit for the continuance use of the property as an Auto Sales Lot subject to the following enumerated conditions:

1. Auto Sales Lot as a Special Use permit in BG (General Business District) zoning.
2. The modular building shall have the appearance as if it were a permanent structure with architectural treatments such as brick, fiber cement siding, or stacked stone to maintain the intent of the Downtown Development Authority. Subject to review and approval by the Director of the Planning and Development Department.
3. No storage of disassembled cars, car parts/car body parts, tires, or other similar materials shall be permitted.
4. Any repair or servicing of vehicles shall be prohibited.
5. All display vehicles shall be parked on paved surfaces and within lined spaces.
6. Outdoor speakers or sound amplification systems shall be prohibited.
7. Exterior lighting shall be designed and directed so that it does not shine directly onto adjacent properties or right-of-way.
8. The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
9. Sign-walkers and sign-twirlers shall be prohibited.
10. The Special Use Permit shall be valid for a two-year period, at which time the use shall cease, or an application shall be made for renewal of the Special Use Permit.

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

1. **Will the rezoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?** *Yes*
2. **Will the rezoning proposal adversely affect the existing use or usability of adjacent or nearby property?** *No*
3. **Does the property to be affected by the rezoning proposal have a reasonable economic use as currently zoned?** *Yes*
4. **Will the rezoning proposal result in a use, which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?** *No.*
5. **Is the rezoning proposal in conformity with the policy and intent of the City of Lawrenceville comprehensive plan?** *Yes.*
6. **Are there other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the rezoning proposal?** *The proposed use could be considered to be compatible with the neighboring commercial and service uses along East Crogan Street.*

ZONING ORDINANCE SECTION 13.3 REZONING PROCEDURE:

1. **What are the existing uses and zoning of nearby property?**
SEE PAGE 1
2. **What is the extent to which the property values are diminished by the particular zoning restrictions of the current zoning?** *None*
3. **What is the extent to which the destruction of property values of the plaintiffs promotes the health, safety, morals or general welfare of the public?** *There is benefit to the property owner and public.*
4. **What is the relative gain to the public, as compared to the hardship imposed upon the individual property owner?** *The requested Special Use Permit will not impose any hardship upon the individual property owner.*
5. **What is the suitability of the subject property for its current zoning?** *The proposed use is compatible with the existing principal use and neighboring uses.*
6. **What is the suitability of the subject property for the proposed zoning?** *No rezoning is proposed.*
7. **How long has the property been vacant as zoned considered in the context of land development in the area in the vicinity of the property?** *The property has been occupied continuously.*
8. **How does the property conform with or diverge from the Land Use Plan or other applicable local, state laws and ordinances?** *The proposed accessory use is considered compatible with recommendations of the Downtown Character Area.*
9. **What is the availability of adequate sites for the proposed use in districts that permit such use?** *Automobile sales require a Special Use Permit.*
10. **What is the suitability of the site for the proposed use relative to the requirements set forth in the zoning ordinance (such as off-street parking, setbacks, buffer zones and open space)?** *The proposed use will not require additional variances or exceptions.*

LETTER OF INTENT FOR SPECIAL USE PERMIT APPLICATION
OF GANN ENTERPRISES, INC.

Andersen Tate & Carr, P.C. submits this Letter of Intent and attached Special Use Permit Application ("Application") on behalf of the property owner, Gann Enterprises, Inc. (the "Applicant") for the purpose of requesting a special use permit for the continued use of an automobile sales business on an approximate 2.032-acre tract located at the intersection of Scenic Highway (State Route 124) and East Crogan Street (the "Subject Property"). The Property is currently zoned BG.

The Applicant is requesting a special use permit in order to bring the current use of the Property into compliance with the requirements of the 2005 City of Lawrenceville Zoning Ordinance, which will include paving the property. The Subject Property is located at the intersection of two major transportation corridors and the surrounding area is characterized by commercial uses. Specifically, the Subject Property is surrounded by an auto repair business to the North and a self-storage facility to the East.

The Applicant welcomes the opportunity to meet with staff of the City of Lawrenceville Planning & Zoning Department to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Application filed herewith. The Applicant respectfully requests your approval of this Application.

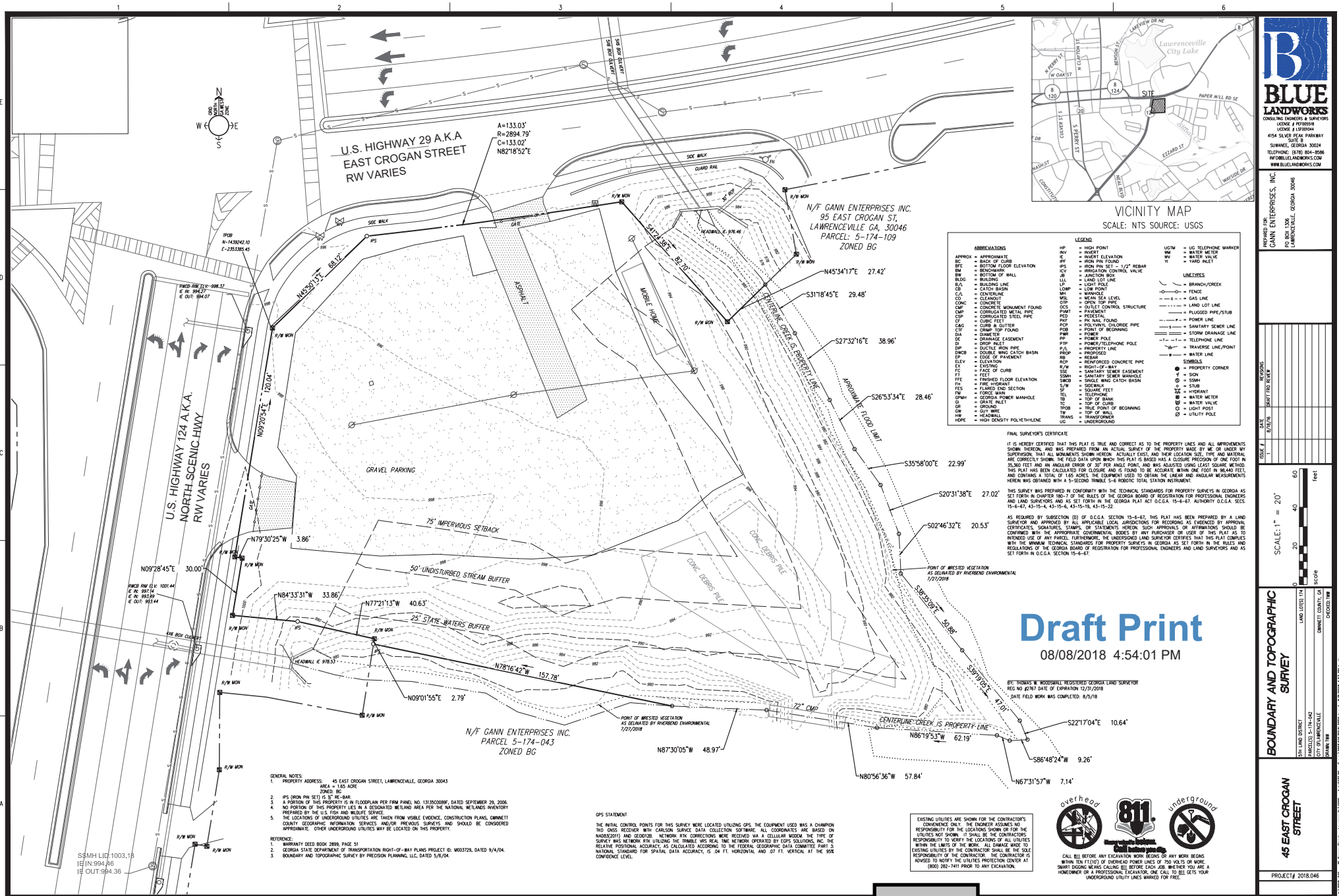
Respectfully submitted this 14th day of December, 2018.

ANDERSEN TATE & CARR, P.C.


Melody A. Glouton, Esq.
Attorneys for Applicant

PROPERTY DESCRIPTION

BEGINNING at the point of intersection of the south right of way line of U. S. Highway 29 with the east right of way line of Lawrenceville-Snellville Highway; run thence easterly along the southerly right of way line of U. S. Highway 29, a/k/a Lawrenceville-Winder Highway, a distance of 165 feet, more or less, to the point at which said right of way line is intersected by the centerline of a creek; run thence southerly along the centerline of said creek (which creek is sometimes known as Arnold Branch) and continuing southwesterly along the centerline of a stream sometimes known as Cemetery Branch, to a point on the north line of property now or formerly owned by Edmonds; run thence westerly along the north line of said Edmonds property 250 feet, more or less, to a point on the east right of way line of the Lawrenceville-Snellville Highway; run thence northeasterly along said right of way line a distance of 239 feet, more or less to the point of intersection of the east side of the Lawrenceville-Snellville Highway with the south right of way line of U. S. Highway 29, which is the place or point of beginning.





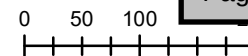
*The City of Lawrenceville
Planning & Development*

Aerial Map and Surrounding Area File # SU-18-21

Applicant:
Gann Enterprises Inc.

Legend

- Roads
- Parcels





The City of Lawrenceville
Planning & Development

Location Map and Surrounding Zoning File # SU-18-21

Applicant:
Gann Enterprises Inc.

Legend

 Subject Property

 Roads

 Parcels

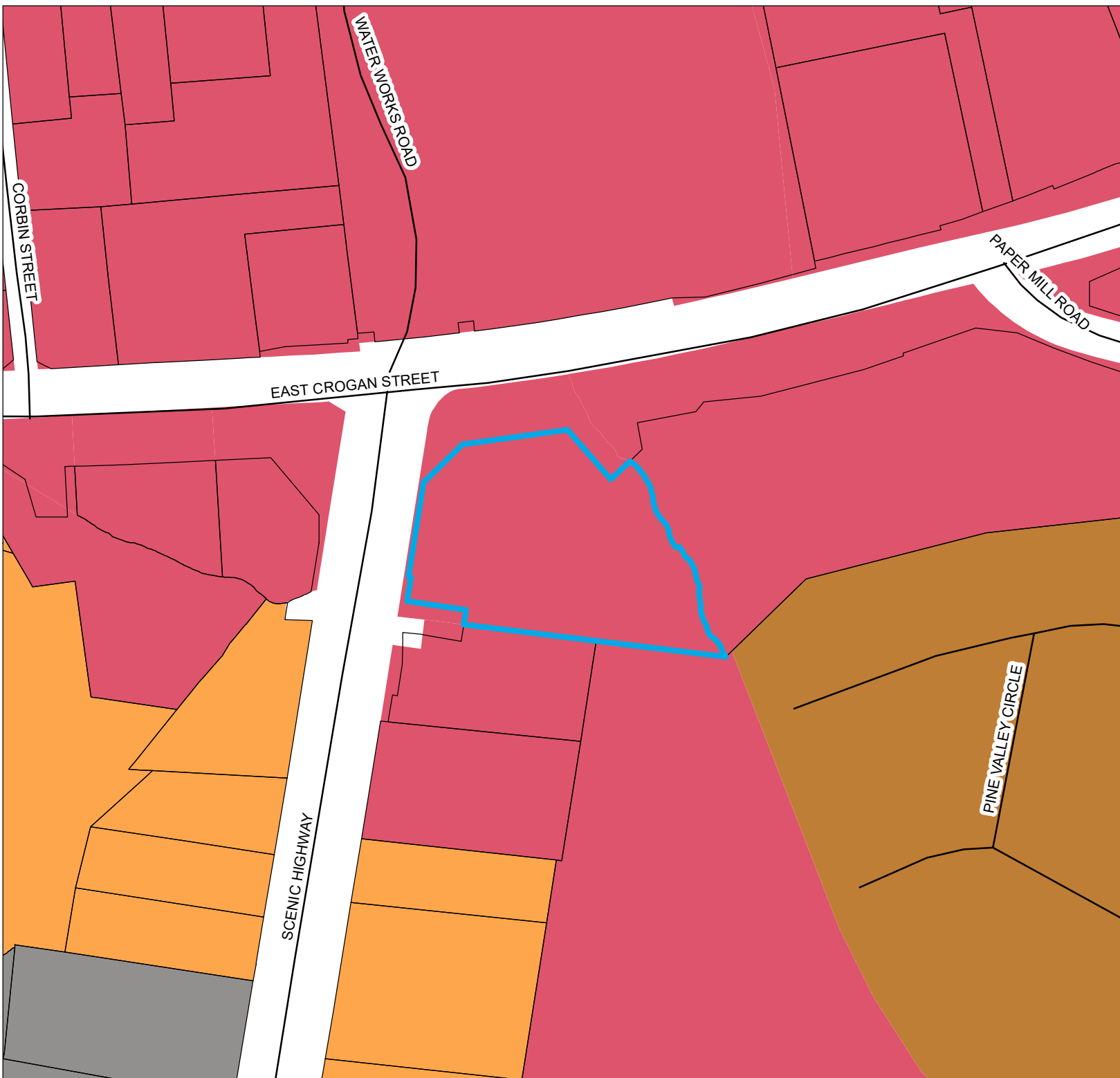
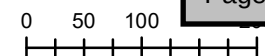
ZONING

 BG

 OI

 RM-M

 RS150





LAWRENCEVILLE

GEORGIA

AGENDA REPORT

MEETING: SPECIAL CALL, APRIL 27, 2020

AGENDA CATEGORY: PUBLIC HEARING NEW BUSINESS

Item: City of Lawrenceville Zoning Ordinance

Department: Planning and Development

Date of Meeting: Monday, April 27, 2020

Fiscal Impact:

Presented By: Todd Hargrave

Action Requested: Adopt the new City of Lawrenceville Zoning Ordinance

**Planning
Commission
Recommendation:** Table

Summary: The Zoning Ordinance contains local regulations concerning the use and development of land and buildings, including zoning. The purpose and intent of the rewrite is to create an ordinance that preserves, protects and promotes the public health, safety and general welfare of the residents and businesses in the City.

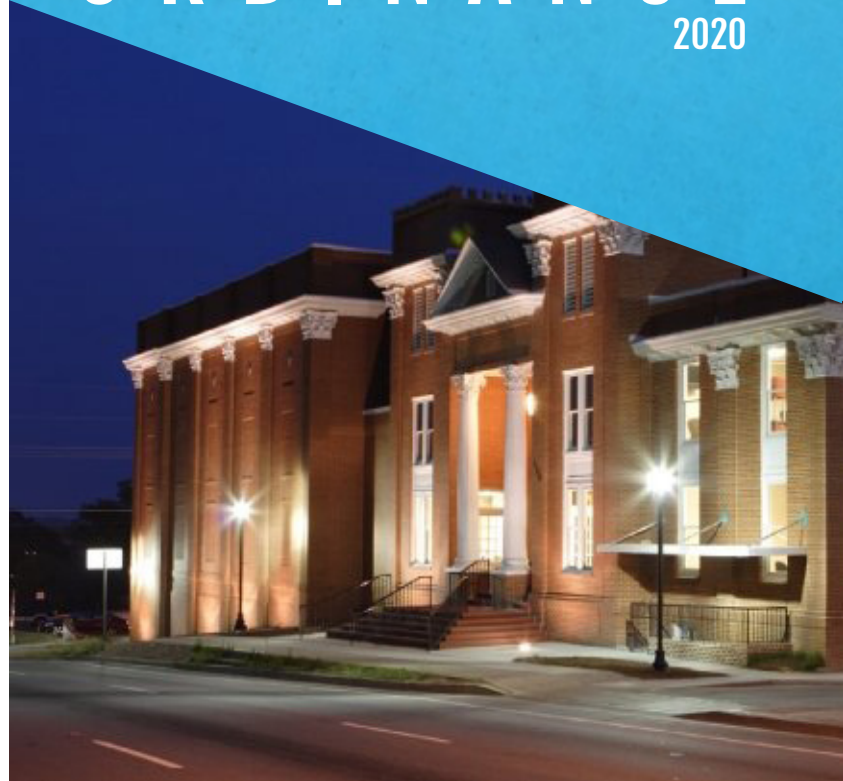
Attachments/Exhibits:

City of Lawrenceville 2020 ZONING ORDINANCE



ZONING ORDINANCE

15.
2020



LAWRENCEVILLE

GEORGIA

ACKNOWLEDGEMENTS

15.

This ordinance is the result of the community's collaborative efforts to strengthen local development, including contributions from community members, the steering committee, elected officials, and the planning team:

CITY COUNCIL

David Still, *Mayor*
Robert P. Clark * *Mayor Pro Tem*
Keith Roche

Victoria Jones
Glenn Martin

STEERING COMMITTEE

Ben Bailey
Allen Hoskyn
Lee Merritt
Rafael Ramirez
Lee Tucker

Peter Bronnum
Rory Johnson
Linda Nash
Austin Thompson

Brad Crowe
Gerold Martin
Fisher Paty
Mary Thompson

CITY OF LAWRENCEVILLE

Chuck Warbington, PE, *City Manager*
Steve North, *Deputy City Manager*
Barry Mock, *Assistant City Manager & Public Works Director*
Todd Hargrave, *Director of Planning and Development*
Helen Appenzeller Balch, *Deputy Director of Planning and Development*
Dennis Billew, *City Engineer*
Jessica Watson, *Planner*
David Thompson, *Planner*
Elizabeth Griffin, *Intern*

This space reserved for revisions:

ADOPTED/FIRST EDITION

2020

A special thanks to all other partners, interviewees, workshop and survey participants for their insights and

* Also participated in the Steering Committee

Contents

15.

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ARTICLE 1

Districts within the City of Lawrenceville

15.

AR	AGRICULTURAL RESIDENTIAL
RS-180	SINGLE-FAMILY RESIDENTIAL
RS-150	SINGLE-FAMILY RESIDENTIAL
RS-60	SINGLE-FAMILY RESIDENTIAL
RM-12	MULTIFAMILY RESIDENTIAL
RM-8	TOWNHOME RESIDENTIAL
MH	MANUFACTURED HOME RESIDENTIAL
CMU	COMMUNITY MIXED USE
OI	OFFICE/INSTITUTIONAL
BG	GENERAL BUSINESS
BGC	CENTRAL GENERAL BUSINESS
HSB	HIGHWAY SERVICE BUSINESS DISTRICT
LM	LIGHT MANUFACTURING
HM	HEAVY MANUFACTURING

FOR INACTIVE DISTRICTS, PLEASE SEE ARTICLE 12

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

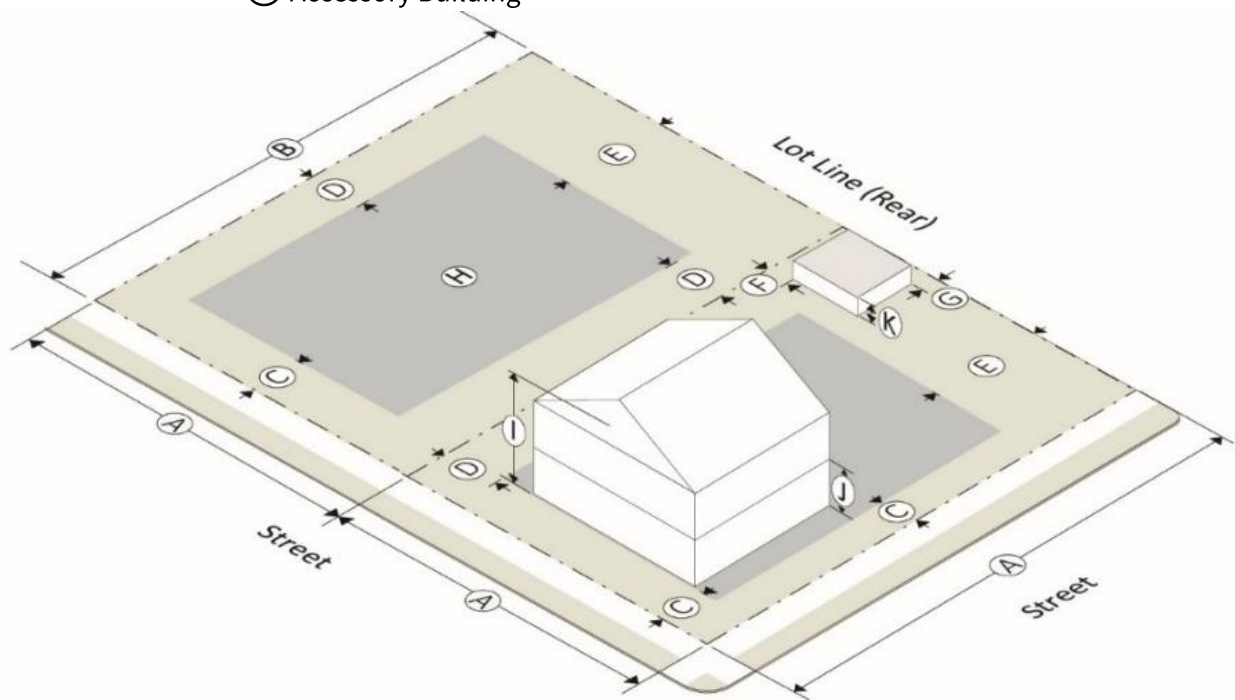
- Ⓕ Side Yard
- Ⓖ Rear Yard

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

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. Lot Development Standards

Use	Lot Area	Lot Width Min.	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Min. Heated Floor Area	Max. Lot Coverage	Max. Building Height
Principal	1 Acre min.	300 ft.	50 ft.	10 ft. each yard	40 ft.	Single story- 2,000 sq. ft. Two story- 2,400 sq. ft.	60%	35 ft.
Accessory*	-	-	-	15 ft.	15 ft.	-	-	35 ft.

Barns and other agricultural structures are permitted at any size for active agriculture activity.

* Accessory structures are prohibited in the front yards.

102.2 RS-180 Single Family Residential District

A. Purpose

The RS-180 Single Family Residential district is intended for single-family homes and designed to stabilize and protect the residential characteristics of the district.

B. Lot Development Standards

Use	Min. Lot Area	Lot Width Min.	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Min. Heated Floor Area	Max. Lot Coverage	Max. Building Height
Principal	18,000 sq. ft.	100 ft.	50 ft.	10 ft. each yard	40 ft.	Single story- 2,000 sq. ft. Two story- 2,400 sq. ft.	25%	35 ft.
Accessory* One/lot max.	-	-	-	5 ft.	5 ft.	*	-	18 ft.

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

- C. Mandatory Homeowners Association.** As part of the planning process for the development of a subdivision, the developer shall propose at the time of the request for development a Home Owners Association to be attached to the development of the property. The Home Owners 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.

102.3 RS-150 Single Family Residential District

A. Purpose

The RS-150 Single Family Residential district is intended for single-family homes and designed to stabilize and protect the residential characteristics of the district.

B. Lot Development Standards

Use	Lot Area	Lot Width Min.	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Min. Heated Floor Area	Max. Lot Coverage	Max. Building Height
Principal	15,000 sq. ft.	85 ft.	35 ft.	10 ft. each yard	40 ft.	Single story- 2,000 sq. ft Two story- 2,400 sq. ft.	30%	35 ft.
Accessory* One/lot max	-	-	-	5 ft.	5 ft.	*	-	18 ft.

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

- C. Mandatory Homeowners Association.** As part of the planning process for the development of a subdivision, the developer shall propose at the time of the request for development a Home Owners Association to be attached to the development of the property. The Home Owners 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.

102.4 RS-60 Single Family Residential District

A. Purpose

This zoning district is intended to allow the construction of single-family developments on small lots.

B. Lot Development Standards

Development size requirement: 10 acres minimum.

Use	Lot Area	Lot Width Min.	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Min. Heated Floor Area	Max. Lot Coverage	Max. Building Height
Principal	7,500 sq. ft.	60 ft.	35 ft.	5 ft. each yard	20 ft.	1,800 sq. ft (1 story) 2,000 sq. ft. (2 story)	75%	35 ft.
Accessory* One/lot max	-	-	-	5 ft.	5 ft.	*	-	18 ft.

* 400 square feet maximum. Accessory structures are prohibited in the front yard.

C. Miscellaneous Provisions

This zoning classification will contain provisions for green space areas for common benefit of the community to be maintained by a homeowner's association. The zoning district shall be considered through individual rezoning applications where water supply and sewage facilities are available or can be obtained and where there is convenient access to collector streets, major thoroughfares, or state and interstate highways. A complete detailed site plan shall be submitted with each application showing, among other things, open space and recreational amenities. Such application shall also include additional information, such as architectural renderings and restrictive covenant controls to be used by the Planning Commission and the City of Lawrenceville to determine if a proposed project is in the interest of the health, safety, and welfare of the community for which it is proposed.

D. Mandatory Homeowners Association. As part of the planning process for the development of a subdivision, the developer shall propose at the time of the request for development a Home Owners Association to be attached to the development of the property. The Home Owners 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.

E. Utility Restrictions

All utilities shall be located underground.

102.5 RM-12 Multi-Family Residential District

A. Purpose

The RM-12 Multi-Family Residential District is 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. Apartments and dormitories may be allowed in this district.

B. Lot Development Standards

Min. Lot Area	Lot Width Min.	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Min. Heated Floor Area	Max. Lot Coverage	Max. Building Height
5 acre	100 ft.	50 ft.	25 ft.	40 ft.	See table below	60%	35 ft.

Min. Heated Floor Area	STUDIO	1-bedroom	2-bedroom	3-bedroom
Apartments*	650 sq. ft.	800 sq. ft.	1000 sq. ft.	1,200 sq. ft.
Dormitories**	-	400 sq. ft.	500 sq. ft.	600 sq. ft.

* No more than 10% of the total units shall be three-bedroom apartments.

** Dormitories are limited specifically to Georgia Gwinnett College campus.

C. Mandatory Property Owner's Association. As part of the planning process for the development of a subdivision, the developer shall propose at the time of the request for development a Home Owners Association to be attached to the development of the property. The Home Owners 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.

D. Architectural Standards

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

1. Each building shall consist of a minimum of two alternating roof types, specifically, open gable, boxed gable, dormer, hip, or flat roof lines.
2. Common entrances shall incorporate a distinctive architectural entrance structure such as a tower element, arched portal, or arbor/trellis.
3. Front, side, and rear facades shall be finished with a minimum of 75 percent brick on each elevation. Elevations shall be staggered with alternating exterior materials and treatments such as porches, balconies, awnings, chimney, stoops, decks, patios, and terraces.
4. Provide unique architectural entrance surrounding entryway.
5. Front façade and elevations visible from right-of-way shall include, at a minimum, one window and associated shutters and shall provide decorative elements.
6. Refer to [Article 6, Design and Architectural Standards](#), for types of materials allowed in the district.

7. See figures below for examples:



F. Development Standards

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

1. No more than three stories.
2. 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.
3. Provide pedestrian corridors within and beyond the development.
4. Provide potential future connections to adjacent sites or parallel roads.
5. Organize buildings around a park to create more park views and provide more natural security.
6. Buildings should be oriented parallel to both external and internal streets, providing a frontage that helps frame the public realm.
7. Break up parking to avoid large areas of asphalt.

8. Buildings should be used to screen the large parking areas from street view.
9. Provide a decorative entrance to the development with a roundabout or decorative fountain.
10. Provide a 50-foot wide landscaped setback along all exterior street frontages. The landscaped setback shall incorporate a six-foot berm, natural vegetation, and include a decorative fence/wall and entrance monument. The fence shall be constructed as a wrought iron-style fence with 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 50-foot setback.
11. The landscape may vary heights, sizes, and types of plant materials around the building foundation but are subject to review and approval by the Director of Planning and Development.
12. Create focal cluster groups of plants adjacent to the building entry points.
13. Incorporate perennials and annuals to add color.
14. Centralized mail kiosk shall have a minimum three-car stacking lane for every 100 units served.
15. Dumpsters and recycle bins shall be screened from all units and not visible from right of way.

G. Utility Restrictions

All utilities shall be located underground.

H. 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 housing and public facilities.

102.6 RM-24 Multi-Family Residential District

A. Purpose

The RM-24 Multi-Family Residential District is designed to provide for 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.

B. Lot Development Standards

Min. Lot Area	Lot Width Min.	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Min. Heated Floor Area	Max. Lot Coverage	Max. Building Height
10 acre	100 ft.	50 ft.	25 ft.	40 ft.	See table below	60%	70 ft.

Min. Heated Floor Area	Efficiency	1-bedroom	2-bedroom	3-bedroom
Apartments*	650 sq. ft.	800 sq. ft.	1000 sq. ft.	1,200 sq. ft.

* No more than 10% of the total units shall be three-bedroom apartments.

C. Mandatory Property Owner's Association. As part of the planning process for the development of a subdivision, the developer shall propose at the time of the request for development a Home Owners Association to be attached to the development of the property. The Home Owners 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.

D. Architectural Standards

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

1. Each building shall consist of a minimum of two alternating roof types, specifically, open gable, boxed gable, dormer, hip, or flat roof lines.
2. Common entrances shall incorporate a distinctive architectural entrance structure such as a tower element, arched portal, or arbor/trellis.
3. Front, side, and rear facades shall be finished with a minimum of 75 percent brick on each elevation. Elevations shall be staggered with alternating exterior materials and treatments such as porches, balconies, awnings, chimney, stoops, decks, patios, and terraces.
4. Provide unique architectural entrance surrounding entryway.
5. Front façade and elevations visible from right-of-way shall include, at a minimum, one window and associated shutters and shall provide decorative elements.
6. Refer to [Article 6, Design and Architectural Standards](#), for types of materials allowed in the district.

7. See figures below for examples:



I. Development Standards

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

1. No more than four stories.
2. 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
3. Provide pedestrian corridors within and beyond the development.
4. Provide potential future connections to adjacent sites or parallel roads.
5. Organize buildings around a park to create more park views and provide more natural security.
6. Buildings should be oriented parallel to both external and internal streets, providing a frontage that helps frame the public realm.
7. Break up parking to avoid large areas of asphalt.

8. Buildings should be used to screen the large parking areas from street view.
9. Provide a decorative entrance to the development with a roundabout or decorative fountain.
10. Provide a 50-foot wide landscaped setback along all exterior street frontages. The landscaped setback shall incorporate a six-foot berm, natural vegetation, and include a decorative fence/wall and entrance monument. The fence shall be constructed as a wrought iron-style fence with 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 50-foot setback.
11. The landscape may vary heights, sizes, and types of plant materials around the building foundation but are subject to review and approval by the Director of Planning and Development.
12. Create focal cluster groups of plants adjacent to the building entry points.
13. Incorporate perennials and annuals to add color.
14. Centralized mail kiosk shall have a minimum three-car stacking lane for every 100 units served.
15. Dumpsters and recycle bins shall be screened from all units and not visible from right of way.

J. Utility Restrictions

All utilities shall be located underground.

K. 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 housing and public facilities.

102.7 RM-8 Townhouse Residential

A. Purpose

The RM-8 Townhome Residential District is designed to provide for low townhome development that will be compatible when located near and among lower- and moderate-density types of developments.

B. Lot Development Standards

Min. Lot Area	Lot Width Min.	External Min. Front Setback	External Min. Side Setback	External Min. Rear Setback	Min. Heated Floor Area	Impervious surface Max. Lot Coverage	Max. Building Height	Min. % Com. Area
5 acre	20 ft.	25 ft.	20 ft.*	20 ft.	See table below	30%	35 ft.	15%

* 40 feet if located on Major Arterial

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

Min. Unit width	
Double-car garage	20 ft.

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

C. Mandatory Homeowners Association. As part of the planning process for the development of a townhome subdivision, the developer shall propose at the time of the request for development a Home Owners Association to be attached to the development of the property. The Home Owners 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.

D. Architectural Standards

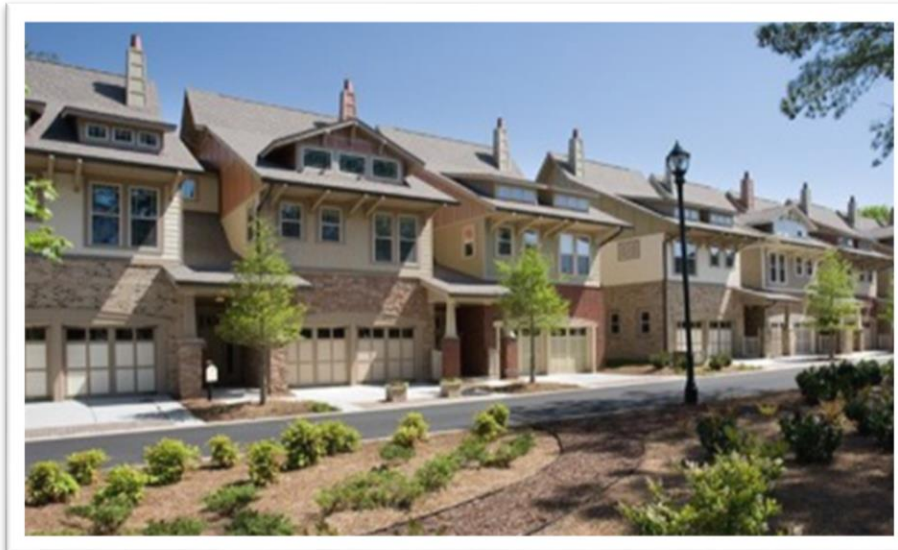
Subject to review and approval by the Director of Planning and Development.

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

8. See figures for examples:



Rear Entry



Front Entry

E. Development Standards:

As part of the planning process for the development of a townhome subdivision, the developer shall propose at the time of the request for development a Home Owners Association to be attached to the development of the property. The Home Owners 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. In addition, the following minimum requirements shall be applied to the property:

1. All vehicles shall be parked on a subdivision lot on a paved surface.
2. Internal yard requirements: A 20-foot grassed or landscaped strip shall be provided between all buildings and interior driveways/streets.
3. A minimum of three and a maximum of eight units shall be allowed in each row of townhouses.

4. Right-of-way shall be 40 feet with the following dimensions:
 - a. Street width shall be 22 feet, with a 2-foot curb and gutter.
 - b. A 5-foot sidewalk is required and shall be 2 feet off of the back of the curb.
5. All utilities shall be underground and shall be located within the required right-of-way.
6. All townhouses must be rear entry; driveways shall have no access to exterior streets.
7. Front entry units shall require the approval of an associated Special Use Permit. If approved, shall abide by the following rules and regulations:
 - a. Front entry garages: may not be converted into heated interior space without being replaced with another garage within the building of the property subject to the terms of this Ordinance.
 - b. Driveway must provide two external parking spaces (9 ft. x 20 ft.).
8. Each townhome residence shall have a two-car garage as a minimum requirement.
9. Rear entry garages:
 - a. May not be converted into heated interior space without being replaced with another garage within the building of the property subject to the terms of this Ordinance.
 - b. Require an 18-foot alley width.
 - c. Shall be 20 feet off of required alley.
 - d. Driveway must provide two external parking spaces (9 ft. x 20 ft.).
10. All sides of the structures constructed in this subdivision shall be brick or stone. No other exterior surfaces shall be allowed within a townhome subdivision.
11. No plumbing or heating vents shall be placed on the front side roof of any structure in this district.
12. The maximum height of any structure constructed within a townhome subdivision shall be 35 feet.
13. Building fronts shall be staggered to provide architectural relief.
14. Sidewalks on both sides of all streets including cul-de-sacs shall be required as set forth in the subdivision regulations of the City of Lawrenceville.
15. The term “pavement width of streets” as used in this Ordinance shall be defined as from the back of curb to back of curb.
16. No driveway shall have access to exterior streets.
17. Centralized mail kiosk shall have a minimum three-car stacking lane for every 100 units served.
18. Dumpsters and recycle bins shall be screened from all units and not visible from right of way.

F. Utility Restrictions

All utilities shall be located underground.

G. 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 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. Said 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.

H. Green/Common Space:

1. Every townhome subdivision development shall be required to construct an area of public green space within the confines of the development.
2. At least 15% of the net project acreage (total acreage of the project excluding 50% of the 100-year floodplain and wetland areas) shall be designated on a recorded plat as a permanent common area for the use of the residents of the development.
3. Depending on the scale of the development, the common area shall include at least one conveniently-located public gathering area or activity center with related amenities and improvements in the form of a square, green, plaza, or similar approved element that is accessible to the residents from at least three points of entry by sidewalks. Active recreation areas, including swimming pools, tennis courts, basketball courts, clubhouses, and other recreational amenities may not be constructed in the green space.
4. 50% of the townhouses must be adjacent to or directly across the street from a common area such as a public green, park, or square. These units shall be rear entry only.
 - a. The minimum size for a public green, park or square 3,000 square feet
 - b. Provide a mix of undisturbed natural plantings and/or formal plantings
 - c. Provide benches, tables, seat walls, planters, play structure, and/or picnic areas/shelter.
 - d. Install outdoor lighting.

102.8 MH Manufactured Home Residential

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. Lot Development Standards

The development shall not exceed eight units per acre.

Use	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.	40 ft.	60%	18 ft.

Accessory structures shall be prohibited.

- C. Mandatory Homeowners Association.** As part of the planning process for the development of a subdivision, the developer shall propose at the time of the request for development a Home Owners Association to be attached to the development of the property. The Home Owners 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.

102.9 Community Mixed-Use District (CMU)

A. Purpose

The purpose of the Community Mixed-Use District (CMU) is to promote complementary groupings of small-scale mixed-use buildings that are within walking distance and compatible with the surrounding neighborhood. It is the intent of this district 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.

B. Land Use Mix

Each CMU development shall include a mix of land uses, as indicated in the table below.

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 and Design Standards](#).

Land Use	Percentage of Gross Land Area	
	Minimum	Maximum
Residential Uses	30%	75%
Civic/Institutional Uses	15%	50%
Commercial/Retail, Light Industrial or Office Uses	15%	50%

2. This district provides for a diversity of housing types. Each CMU development shall include at least one housing option, including apartments, single-family residences, or townhomes.

a. Single-family detached dwellings on large lots (at least 9,500 sq. feet)
b. Single-family detached dwellings on mid-size lots (7500-9499 sq. feet)
c. Single family detached dwellings on small lots (4500-7499 sq. feet)
d. Townhouses (see Section 102.7, RM-8 standards above)
e. Multifamily (see Section 102.5 and 102.6, RM-12 and RM-24 standards above)

C. Lot Development Standards

Project Area Standard			Off Internal Streets or Private Driveways		
Minimum	Road Frontage	Max. Height	Min. Front Setback	Min. Side Setback	Min. Rear Setback
5 acres	40 ft./lot	45 ft.	5-15 ft.	10-20 ft.	25-40 ft.

Dwelling Unit Floor Area: Minimum Heated Floor Area			
1-Bedroom	2-Bedroom	3-Bedroom	
850sq. ft.	1200 sq. ft.	1400 sq. ft.	

D. Mandatory Homeowners Association. As part of the planning process for the development of a subdivision, the developer shall propose at the time of the request for development a Home Owners Association to be attached to the development of the property. The Home Owners 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

E. Common Area

At least 10% of the net project acreage shall be designated on a recorded plat as a permanent common area for the use of the residents, workers, patrons, and visitors to the development.

1. Common areas shall meet the standards set forth in this section and [Article 6, Architectural Standards and Design Guidelines](#).
2. Depending on the scale of the development, the common areas shall include at least one conveniently located public gathering area or activity center with related amenities and improvements in the form of a square, green, plaza, or similar approved element that is accessible by the general public from at least three points of entry by sidewalks.

F. 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:
 - i. 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.
 - ii. Right-of-way and design of the new street shall meet applicable requirements of the appropriate City department.
- 3. Pedestrian Connectivity
 - a. 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.
 - b. Safe, convenient, and continuous pedestrian walkways shall be provided:
 - i. Between building entrances for all buildings in the same block.
 - ii. Along both sides of the street frontage of all streets.
 - iii. 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.
- 3. Greenway Access
 - a. 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.
 - b. If a project abuts a greenway, then a multiuse path shall be provided connecting to the greenway for pedestrian and bicycle use.

H. 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.

I. Parking

1. Vehicle Parking
 - a. 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:
 - i. Five parking spaces are required for every 1,000 square feet of the gross floor area of non-residential use.
 - ii. 1.5 parking spaces are required for each residential dwelling unit.
 - iii. 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.
 - b. 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 in the front yard is not permitted within the CMU District.
2. Bicycle Racks
 - a. 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:
 - i. 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.
 - ii. No single building shall be required to provide more than 20 bicycle rack spaces.
 - iii. 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
 - a. 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.

J. Landscape, Buffers, and Tree Protection

1. The purpose of landscaping in the Community Mixed-Use District is to provide for flexibility of design based upon pedestrian and vehicular connectivity; the types of common space areas; architectural design; and density. The objective is to maintain the health and well-being of the trees.
2. Buffers and tree protection shall be in conformity with [Article 4, Buffers](#).
3. Trees within the Community Mixed-Use development must meet the street tree, parking lot tree, and 16 tree density units per acre requirements. Street trees may count as units toward the tree density requirement.
 - a. Street Trees
 - i. Trees on major entry drives throughout the development shall be canopy trees.
 - ii. Trees on local streets throughout the development may be canopy or small trees.
 - iii. 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 the development permit. Details of the tree grates are required to be on the plan.

- b. Parking Lot Trees
 - i. Parking rows shall terminate with a planting island unless adjacent to a landscape strip.
 - ii. Recommendations for parking lot planting area designs:
 - 1) The use of elongated planting strips that is perpendicular to the parking stalls;
 - 2) Irrigation and a long term maintenance plan for newly planted trees and shrubs; and,
 - 3) The use of at-grade planting areas (bioswales) 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 by a five-foot landscape strip with the following requirements:
 - i. One tree for every 25 linear feet of strip length shall be provided. Deciduous trees shall be at least 2-inches caliper and evergreen trees shall be at least 6 feet in height at time of planting. Trees shall be a species native or suitable to this region as provided in [Article 4, Buffers](#).
 - ii. One evergreen shrub for each 8 linear feet of strip length shall be provided. Each shrub shall be a species native or suitable to this region.
- 5. If landscape strips are provided within the right-of-way, they shall be a minimum of five feet in width, measured from the back of the curb and sidewalk.
- 6. Individual lot trees are not required on detached residential lots.

K. Streetscape Design

- 1. The location and specifications of other improvements in public right-of-ways, including street lights, bike racks, trash receptacles, benches, street trees, and landscaping, shall be as provided in accordance with the [Article 6, Architectural and Design Standards](#) and the following design criteria:
 - a. Lighting
 - i. A unified lighting plan must be submitted with the concept plan for approval by the Director to be in accordance with [Article 6, Architectural and Design Standards](#), and other sections as applicable. Such lighting provides adequate vehicular and pedestrian visibility and security of on-site areas such as building entrances, parking, service delivery, and pedestrian walkways. Light fixtures shall include glare shields to limit direct rays onto adjacent residential properties. Such a lighting plan must include typical designs for shielded light fixtures, light poles, and lighting levels that are compatible with or complement the surrounding developments.
 - b. Pedestrian Amenities
 - i. Public gathering areas shall be designed with approximately 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.
 - ii. Materials should be durable and variable in texture, color, and form. Plastic or petroleum-based resin materials are prohibited.

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

L. Utilities

All existing and proposed utilities located along streets in the Community Mixed-Use District, 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.

M. Signs

Signs for buildings with an individual use or tenant shall be permitted in accordance with [Article 7, Signs](#).

N. Architectural Standards

1. The applicant for a building permit in the Community Mixed-Use District shall prepare and submit preliminary architectural plans and elevations of all buildings for review by the Director. The Director shall review such plans and elevations in order to determine if they conform to the City of Lawrenceville Architectural Standards and are substantially consistent with the City of Lawrenceville Zoning Ordinance.
2. Odor Scrubbing
 - a. 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.
3. Doors and Entrances
 - a. Buildings must have a primary entrance door facing a public sidewalk. Entrances at building corners may be used to satisfy this requirement.
 - b. 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.

O. Outdoor Operations

1. 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:
 - a. Outdoor seating for restaurants shall be subject to the supplemental use regulations of [Article 2, Section 200.3.51, Outdoor Seating](#) and be located outside of the street right-of-way.
 - b. Outdoor display or sales of merchandise shall be subject to the supplemental use regulations of [Article 2, Section 200.3.52 Outdoor sales, storage, or display \(retail\)](#) and be located outside of the street right-of-way.

P. Property Owners Association

1. Common areas, stormwater management facilities, and floodplain and wetland areas shall be owned in fee simple by a mandatory property owners association or approved entity. The developer shall record the deed to the common area prior to, or concurrent with, the recording of the first final subdivision plat.

2. The property owners association or other approved entity shall be responsible for the continuous maintenance and protection of buffers, common areas, and recreation areas established pursuant to this Section.
3. At a minimum, the property owners association's bylaws or covenants shall contain the following provisions:
 - a. Governance of the association by the [Georgia Property's Association Act \(OCGA Section 44-3-220 et seq.\)](#) or a successor to that Act that grants lien rights to the association for maintenance expenses and tax obligations.
 - b. Responsibility for maintenance of the open space or common area.
 - c. Responsibility for insurance and taxes.
 - d. Automatic compulsory membership of all lot purchasers and their successors and compulsory assessments.
 - e. Conditions and timing of transferring control of the association from the developer to the lot owners.
 - f. Guarantee that the association will not be dissolved without the advance approval of the City Council.

Q. Application Process

1. The Community Mixed-Use rezoning process shall follow the process for rezoning as prescribed in [Article 9, Section 908, Rezoning Public Use Hearing Procedures](#) with the following modifications:
 - a. 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.
 - b. 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.
 - c. Zoning Exhibit approval shall not constitute entitlement to permits.
 - d. 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.

R. Zoning Exhibit

1. As part of the application for rezoning, an exhibit shall be submitted that includes the following information:
 - a. A location map showing the boundaries of the property with the current zoning of the property, as well as zoning on adjacent properties.
 - b. A plan showing applicable details, to include lots, streets and right-of-ways, 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.
 - c. Specifications, calculations, and applicable percentages for common area, density calculations, lot sizes, land use, gross and net acreage, dwelling units, and parking.

- d. Color elevations of front, sides, and rear of all typical units, including proposed building materials, building heights and any other structures.
- e. Other architectural and engineering data necessary to demonstrate conformity with applicable standards of the district and with the [Architectural and Design Standards in Article 6](#).
- f. Conceptual Signage Plan.

S. Phasing Plan

A phasing plan shall be submitted with the Concept Plan and approved by the Director unless the entire development is to be completed at one time. Such phasing plan shall describe and illustrate in a written and graphic format the incremental implementation of the Mixed-Use development over a number of 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. Concept Plan

A concept plan must be submitted and approved by the Director after the rezoning process and prior to submittal of an application for a Development Permit. The purpose of the Concept Plan review is to ensure the soundness of the proposed development, compatibility with the surrounding area and compliance with zoning conditions. The Concept Plan shall be developed in substantial conformance with the Zoning Exhibit approved by the City Council, along with any conditions added thereto by the City Council, according to the plan and plat guidelines listed in the Development Regulations.

U. Building Plans

Prior to issuance of a building permit for any occupied structure to be located within the Community Mixed-Use District, the builder shall provide architectural plans and elevations at a scale no smaller than 1/8"=1'-0" that demonstrate compliance with the requirements of the Architectural Design Standards. The Director shall have the authority to review and approve the building plans for conformity with the requirements of this article and [Article 6, Architectural and Design Standards](#).

V. 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 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. Said 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.

W. 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.

102.10 OI Office/Institutional District

A. Purpose

This district is intended to provide for a wide range of office and institutional establishments not involving the sale, storage, or processing of merchandise.

B. Lot Development Standards

Use	Lot Area	Lot Width	Front Setback	Min. Side Setback	Min. Rear Setback	Impervious Surface Coverage	Max. Height
Principal	20,000 sq. ft. min.	100 ft.	50 ft.	10 ft.	15 ft. 40ft.	70 %	35 ft.

C. Miscellaneous Provisions

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

102.11 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

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

102.12 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

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

C. Miscellaneous Provisions as they apply to New Development

1. Off-street loading shall be provided for all new buildings.
2. 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.

102.13 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

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

Subject to review by the Director of Planning and Development.

102.14 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	25,000 sq. ft.	50 ft.	50 ft.	0 ft.	0 ft.	85%	50 ft.

C. Miscellaneous Provisions

Performance standards in [Article 6 Architectural Desing Standards, section 603](#), for light manufacturing shall apply.

102.15HM 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	20,000 sq. ft.	100 ft.	50 ft.	10 ft.	40 ft.	85%	70 ft.

C. Miscellaneous Provisions

Performance standards in [Article 6 Architectural Desing Standards, section 603](#), for heavy manufacturing shall apply.

Uses

103.1 Classification of Allowed Uses

- A. Allowed uses in each zoning district are identified in Section 104.3, 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 a use is not allowed in a district as a matter of right, but is permitted upon findings of the City Council, after a recommendation of the Planning Commission, that under particular circumstances present such use is in harmony with the principal permitted uses of the district. Allowable conditions are specifically listed under the district regulations. 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 Use Standards](#).
- B. 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 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- Use not permitted

SAR- Supplemental or Accessory Regulations √- See [Article 2, Supplemental Use Standards](#)

Uses	SAR	AR	RS-180	RS-150	RS-60	RM-12	RM-8	MH	CMU	OI	BG	BGC	HS B	LM	HM
Accessory Building and Structure	√	P	P	P	P										
Acupuncture, Holistic Medicine									S	P	P		P		
Adult Uses	√												S		
Agriculture (crop or animal production)	√	P													
Aircraft Factory															P

Uses	SAR	AR	RS-180	RS-150	RS-60	RM-12	RM-8	MH	CMU	OI	BG	BGC	HS B	LM	HM
Aircraft Hangar and Maintenance														P	P
Aircraft Landing Field, Heliport, Helipad											S		S	S	P
Ambulance or Medical Transport Company											S		S	P	P
Animal Hospital or Veterinary Clinic	√	S							S	S	P		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															S
Auction House									S		S	S	P	P	P
Automatic Teller Machine, Attached									P	P	P	P	P	P	P
Automatic Teller Machine, Freestanding	√								S		S	S	S		
Automobile Accessories Sales and Installation											S		S	P	P
Automobile Body Repair, Painting or Rebuilding	√										S		S	P	P
Automobile Manufacturing Plant															P
Automobile, Truck or Vehicle Storage Lot (excl. junk/wrecked vehicles)	√										S		S	S	P
Automobile Parts Store (with installation)											S		S	P	P
Automobile Parts Store (without installation)											P		P	P	P
Automobile Repair and Maintenance	√										S		S	P	P

Uses	SAR	AR	RS-180	RS-150	RS-60	RM-12	RM-8	MH	CMU	OI	BG	BGC	HS B	LM	HM
Automobile Sales or Auction and Related Service (outdoor sales)	√										S		S	S	P
Automobile Sales or Auction and Related Services (indoor only)	√													P	P
Automobile Wash (Carwash)	√										S		S	P	P
Bail Bonding	√										S		S		
Bakery (Industrial)														P	P
Bakery (Retail)									P		P	P	P		
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
Boat and Marine Equipment Sales and Service											S		S	S	S
Book, Music and Media Store									P		P	P	P	S	
Bowling Alley (accessory use)									P		P	P	P	S	
Bowling Alley (principle use)									S		P	S	P	S	
Brewery, Craft									S		S	S	P	P	P
Brewery, Distillery or Winery														S	S
Building Materials Sales (indoors)											P		P	P	P
Building Materials Sales (outdoors)											S		S	P	P
Bulk Storage Tank (accessory use)														P	P
Bulk Storage Tank (principle use)														P	P
Cabinet Shop											S			P	P
Call Center										S	P		P	P	P

Uses	SAR	AR	RS-180	RS-150	RS-60	RM-12	RM-8	MH	CMU	OI	BG	BGC	HS B	LM	HM
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		
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		
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
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											P		P	P	P

Uses	SAR	AR	RS-180	RS-150	RS-60	RM-12	RM-8	MH	CMU	OI	BG	BGC	HS B	LM	HM
Contractors Office, Heavy/Civil														S	P
Contractors Office, Landscape											S		S	P	P
Contractors Office, Specialty Trade	√										P		P	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	
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							
Data Center										P	P		P	P	P
Day Care Facility									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
Distribution Facility														P	P
Dollar or Variety Store											P		P		
Driving Instruction/DUI School											P		P		
Drug Abuse Treatment Facility	√										S		S		
Dry Cleaning									P		P	P	P	P	

Uses	SAR	AR	RS-180	RS-150	RS-60	RM-12	RM-8	MH	CMU	OI	BG	BGC	HS B	LM	HM
Dwelling, Mobile or Manufactured Home		S						P							
Dwelling, Multifamily						P			P						
Dwelling, Single-Family Detached		P	P	P	P				P						
Dwelling, Townhouse							P		P						
Electronics, Cell Phone and Computer (Retail)									P		P	P	P	P	
Emissions Inspection Station	√										P		P	P	P
Equestrian Facility, Riding Stables or Academy	√	P													
Explosives Plant/Storage														S	S
Farmer's Market (including off-site products)		S									P		P		
Farmer's Market (on-site products only)		P													
Fat and Bone Rendering Plant															S
Feed Processing Facility														S	P
Fertilizer Plant															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	
Fortune Telling	√											P	P		

Uses	SAR	AR	RS-180	RS-150	RS-60	RM-12	RM-8	MH	CMU	OI	BG	BGC	HS B	LM	HM
Funeral Home (including accessory crematory)											S		P	P	P
Furniture or Home Furnishings Store	√								P		P	P	P	P	
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		
Hardware Store									P		P	P	P	S	
Health Club, Spa, or Fitness Center									P		P	P	P	S	S
Heavy or Farm Equipment Sales and Service														S	P
Home Improvement Center											S		P	S	
Hookah/Vapor Bar or Lounge	√										S	S	S		
Hospice Home										S	S		P		
Hospital											P		P	P	P
Hotel or Motel	√										S		P		
Human Services Ministry											P		P	P	P
Interior Decorating Shop									P		P	P	P	P	P
Janitorial and Maid Services											P		P	P	P
Jewelry Store									P		P	P	P		
Joint Living Residence	√					S	S			S					
Kennel or Pet Boarding, Indoor	√	P									P		P	P	P

Uses	SAR	AR	RS-180	RS-150	RS-60	RM-12	RM-8	MH	CMU	OI	BG	BGC	HS B	LM	HM
Kennel or Pet Boarding, with Outdoor Facilities	√	S									S		S	S	S
Laboratory (medical or dental)											S			P	P
Landfill	√	S													S
Laundry / Dry Cleaning Plant														P	P
Lawn Treatment Service													P	P	P
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	P
Manufactured Building or Mobile Home Sales	√												S	S	P
Manufacturing, General											S	S	S	P	P
Massage Therapy	√										P		P		
Medical Office or Clinic										P	P	P	P	P	P
Metal Smelting / Forging Works															P
Motorcycle and Personal Watercraft Sales and Related Service											S		S	P	P
Motorcycle and Personal Watercraft Service and Repair											S		S	P	P

Uses	SAR	AR	RS-180	RS-150	RS-60	RM-12	RM-8	MH	CMU	OI	BG	BGC	HS B	LM	HM
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 Sales, Storage, or Display (retail)	√										S		P	S	S
Outdoor Storage (other than junk/salvage yards)	√													P	P
Paper / Pulp Mill															S
Parking Garage or Lot (principal use)	√								S		P	P	P	P	P
Pawn Shop	√										S		S		
Personal Care Home, Commercial	√									S	P	S	P		
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		

Uses	SAR	AR	RS-180	RS-150	RS-60	RM-12	RM-8	MH	CMU	OI	BG	BGC	HS B	LM	HM
Photo Processing Plant														P	P
Place of Worship	√	S	S	S					S	P	P	P	P	S	S
Plastics Extrusion														P	P
Plumbing Equipment Dealer	√										P		P	P	P
Pool or Billiards Halls									S		S		S		
Poultry / Meat Processing Plant															S
Printing, Bookbinding or Publishing Plant											S			P	P
Quarry, Mining, Borrow Pit	√													S	S
Radio and Television Station or Studio											P		P	P	P
Railroad Repair or Storage Yard														S	P
Recording / Rehearsal Studio											P	S	P	P	P
Recovered Materials Processing Facility	√													S	P
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, Automobile											P		P	P	P
Rental, Consumer and Commercial											S		S	P	P
Rental, Industrial														S	P
Repair Shop, Electronics and Small Appliance											P		P	P	P

Uses	SAR	AR	RS-180	RS-150	RS-60	RM-12	RM-8	MH	CMU	OI	BG	BGC	HS B	LM	HM
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	S
Retirement Community, Continuing Care										S	P		P		
Retirement Community, Independent Living						P				S	S		S		
Salvage Operation or Junk Yard	√													S	S
Sawmills and Logging		S												S	P
School or College, Business										S	P		P	P	P
School, Montessori										P	P	P	P	S	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
Self-Storage or Mini-Warehouse Facility	√										S		P	P	P

Uses	SAR	AR	RS-180	RS-150	RS-60	RM-12	RM-8	MH	CMU	OI	BG	BGC	HS B	LM	HM
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	
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 Events Facility	√										S	S	S	S	S
Sporting Goods Store									P		P	P	P		
Sports Training Facility (indoor)											P		P	P	P
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
Tailor, Dressmaker, Sewing Shop									P		P	P	P	P	P

Uses	SAR	AR	RS-180	RS-150	RS-60	RM-12	RM-8	MH	CMU	OI	BG	BGC	HS B	LM	HM
Tanning Salon									P		P	P	P		
Tattoo and Body Piercing	√										S		S		
Taxi or Limousine Service	√										S		S	S	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														S	S
Toy Store, Hobby Shop or Game Store							P		P		P	P	P		
Travel Agency									P	P	P	P	P		
Tree Service														S	P
Truck Sales, Leasing and/or Service, Heavy	√												S	P	P
Truck Terminal or Intermodal Terminal														S	P
Trucking and Hauling (dirt, gravel, sand, etc.; incl. stockpiling)														S	P
Tutoring and Learning Centers									P	S	P	P	P		
Upholstery Shop											P		S	P	P
Urgent Care Facility											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	P

ARTICLE 2

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 Accessory Buildings and Structures

- A. Limited to one Accessory Building or Structure per zoning lot, provided that each of the following conditions is met:
 - 1. A Principal Permitted Use has already been permitted and constructed on the zoning lot;
 - 2. It has a maximum height of 18 feet;
 - 3. No Accessory Building or Structure can cover more than 400 square feet, and shall be limited to one Accessory Building/Structure on the same zoning lot. Accessory building/structure over 400 square feet shall require the approval of a Special Use Permit.
 - 4. It is located in the Rear Yard; and
 - 5. The Accessory Building or Structure shall be constructed from a wood frame with wood siding, including hardy plank style siding, masonry, stucco, or some combination thereof and shall be constructed to match the primary structure in percentage and type of materials.
 - 6. A permit for the Accessory Building or Structure is required.

200.3.2 Adult Uses

- A. Adult uses shall include the following types of establishments (as defined in [Article 10, Definitions](#)): adult bookstores, adult entertainment establishment, and adult theater. Regulations shall be required as identified in [Chapter 12, Article II, Division 13, Adult Entertainment, of the Lawrenceville, Georgia Code of Ordinances](#) and as follows:
1. An adult bookstore, adult entertainment establishment, or adult theater, as defined by this Ordinance, shall not be located:
 - a. Within 1,000 feet of the property line of a private residential dwelling;
 - b. Within 1,000 feet of the property line of any public library or branch of any public library;
 - c. Within 1,000 feet from the property line of any place of worship;
 - d. Within 1,000 feet of the property line of any school or college campus. The schools and colleges referred to herein shall include only such public, private, or church-supported schools as teach the subjects commonly taught in the common schools and colleges of this State, and shall not include private schools or colleges wherein only specialized subjects such as law, stenography, business, music, art, vocational occupations, and other special subjects are taught.
 - e. Within 500 feet of a regular Gwinnett County school bus stop where school children board or get off the bus.
 2. The distance restrictions set out herein shall apply in any and all directions from the property line of the proposed regulated use, as measured in a straight line. This distance shall be verified by a plat showing distances furnished by the applicant and prepared by a licensed Georgia surveyor or civil engineer. This plat shall accompany and be made a part of the special use application.
 3. The interior lighting in the premises will provide adequate visibility for patrons and public safety personnel with a minimum of 10 candles at all times, as measured from the floor.
 4. The proposed use will not include material which would be obscene as defined by Georgia law.
 5. The proposed use will contain a minimum of one parking space for each 25 square feet of gross building area.
 6. The proposed use shall be on a lot having a minimum of 150 feet of road frontage on a public road, street, or highway.
 7. The proposed use shall have a minimum of two driveways, which shall provide access to a public road, street, or highway.
 8. The proposed use shall have a minimum of one security camera for each light standard or pole in the parking lot. The use shall maintain surveillance tapes from the camera for 90 days to guarantee the safety and security of patrons, employees, and other visitors to the site.
 9. In reviewing and ruling upon the application, the governing body may consider the adverse secondary effects of the proposed activity to the extent permitted by law.
 10. The Planning Commission, Mayor, and City Council shall consider whether the proposed use meets the following objective criteria:
 - a. The proposed use shall be consistent with the City's Comprehensive Plan;
 - b. The proposed use will not generate noises, odors, visual blight, or cause any decrease in the value of surrounding properties;
 - c. The proposed use will not have any detrimental impact on the schools or on children traveling to and from school or school activities;

- d. The proposed use will not have any detrimental impact on the residents of any City, County, or other public housing projects and the residents of such projects.

200.3.3 Agricultural Uses (livestock)

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

200.3.4 Animal Hospital or Veterinary Clinic

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

200.3.5 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 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. All requirements of O.C.G.A. § 7-8-1 et seq. shall be met;
- I. A marked and designated travel lane shall be provided with a landscape island buffer.

200.3.6 Automobile, Truck, or Vehicle Storage Lot (other than impound lot)

- A. See section 200.3.54 Outdoor Storage (Industrial)

200.3.7 Automobile Repair Shop

- A. Automobile service bays are not permitted to face the street;
- B. A 15-foot landscaped buffer shall be provided fronting the street;
- C. Overnight parking is permitted in side and rear yards, but the parking must be screened from view with minimum six-foot opaque fencing;
- D. No work shall be conducted on the outside grounds of the establishment; and
- E. No metal building facades.

200.3.8 Automobile Sales or Auction and Related Service (Used or New Car Outdoor Sales Lot)

- A. No used car lots are permitted within 100 feet of any residential property;
- B. No lots smaller than 25,000 square feet;
- C. All buildings must have a permanent foundation. Architectural exterior treatments must consist of brick, or stone.
- D. The building must be at least 1000 square feet;
- E. No metal building facades; and
- F. A 15-foot landscaped buffer shall be provided fronting the street.

200.3.9 Automobile Sales (Indoor) or Auction and Related Service

- A. No used car lots are permitted within 100 feet of any residential property;
- B. No lots smaller than 25,000 square feet;
- C. All buildings must have a permanent foundation. Architectural exterior treatments must consist of brick, or stone.
- D. The building must be at least 1000 square feet;
- E. No metal building facades; and
- F. A 15-foot landscaped buffer shall be provided fronting the street.
- G. Auto repair shall be prohibited.
- H. Display and outdoor storage shall be prohibited.

200.3.10 Automobile Wash – Automatic and Self Service

- A. Metal building facades are prohibited; and
- B. Pre-fabricated awning type structures are only permitted at automatic facilities.

200.3.11 Bail Bonding

- A. The use is only allowed with a Special Use permit on properties which front Buford Drive from SR 316, north of the city limits.
- B. The color of building and signage must be approved through the Special Use Permit process.
- C. The parking of commercial vehicles is prohibited.
- D. Vehicle signage is prohibited.

200.3.12 Bakery (Industrial; retail bakery as an accessory use)

- A. Accessory retail sales of baked goods produced on-site shall be limited to 15-percent of the gross floor area.
- B. All activities associated with accessory retail sales of baked goods produced on-site shall be conducted indoors.
- C. Accessory retail sales of baked goods produced on site shall be limited to Monday through Friday from 8 AM to 5 PM, and Saturday from 8AM until 1 PM.
- D. Accessory retail sales of baked goods produced off-site shall be prohibited.

200.3.13 Bed and Breakfast Inn

- A. Bed and Breakfast Inns shall be subject to the following requirements:
 - 1. The operator of the establishment shall reside in the dwelling.
 - 2. The use shall have a lot area of not less than 20,000 sq. ft. and a floor area of the dwelling unit of no less than 2,500 sq. ft.
 - 3. No guest shall reside in a Bed and Breakfast Inn for a period in excess of 14 days.
 - 4. 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.
 - 5. Guestrooms may not be equipped with cooking facilities.
 - 6. In residential zoning districts, food may be served on the premises only for overnight guests and employees of the Bed and Breakfast Inn. However, a restaurant serving up to 50 additional guests may be permitted subject to approval of a Special Use Permit (Article 9, Administration and Enforcement).

200.3.14 Business and Commercial Vehicles in Residential Districts

- A. A maximum of two Business Vehicles (as defined in Article 10, Definitions) shall be allowed per residence with the exception that any ladders must be removed from the Business Vehicles while parked at the residence.
- B. Commercial Vehicles (as defined in Article 10, Definitions) are prohibited in all residential zoning districts.

200.3.15 Cemetery, Family Cemetery, or Mausoleum

- A. Except when used as an accessory to a place of worship, cemeteries, family cemeteries, and mausoleums shall conform to the following requirements:
 - 1. The cemetery may front only on a street classified as a Collector or Arterial roadway in the Comprehensive Plan or along a State Highway, and the entrance and exits to the cemetery shall only be from the classified street on which it fronts.
 - 2. The cemetery shall be bordered by a 15-foot-wide buffer and a minimum six-foot-high decorative fence or wall along all of its 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).

200.3.16 Check Cashing, Payday Loan, Pawn Shop, Title Loan, and Wire Transfer Facility

- A. Check cashing and wire transfer facilities are allowed by right as an accessory use when located internal to a Discount Department Store or Supercenter, Grocery Store, or Convenience Store, at which there shall be no exterior ground, wall, or window signage accompanying the accessory use.
- B. The use shall be permitted only on a parcel of land which has direct access to a major thoroughfare;
- C. The establishment shall not be permitted within 1,000 feet of another like use; and
- D. The establishment may not be within 100 feet of any residential property.
- E. This section shall exempt grocery stores that do not charge a fee to cash a check as cashing customer's checks as a convenience is incidental to their main business of selling food and household items. This section shall also exempt tax preparation services such as H&R Block.

200.3.17 Child Caring Institutions (CCI)

- A. Child Caring Institutions (CCI) facilities shall be located on a lot of at least 1 acre in size.
- B. Shall be limited to no more than eight residents.
- C. A Special Use permit is required.

200.3.18 Community Center or Cultural Facility

- A. In residential zoning districts, community centers or cultural facilities shall conform to the following requirements and restrictions. Residentially zoned properties not meeting these requirements shall be required to obtain a Special Use Permit.

1. They shall be located on an Arterial Roadway or Collector Street as identified in the [Comprehensive Plan](#) or State Highway on a site of not less than five acres with 250 feet of road frontage.
2. The buildings shall be located not less than 50 feet from any street and not less than 30 feet from any side or rear property line.
3. Parking shall not be provided in the front yard setback area.
4. A minimum 50-foot-wide buffer shall be provided adjacent to residentially-zoned properties.
5. Accessory Uses Requiring Special Use Permit. In residential zoning, the following additional uses may be permitted as accessory to a community center or cultural facility only upon approval of a Special Use Permit:
 - a. Lighted outdoor ball fields, pools, or similar recreation facilities.
 - b. Cemeteries or mausoleums.
 - c. Day Care Centers.
 - d. Kindergartens.
 - e. Private schools (K-12).
 Health and social services including out-patient clinics, transitional housing, shelters, and other similar facilities.

200.3.19 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. Retail sales shall be prohibited.
 5. 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.
 6. The garden must maintain an orderly appearance, and may not be neglected or allowed to become overgrown or eroded.
 7. 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 plan submitted for approval by the Director.

200.3.20 Community Living Arrangement (CLA)

Community Living Arrangement (CLA) facilities shall be located on a lot of at least one acre in size, and shall be limited to no more than eight residents.

200.3.21 Composting Facility, Yard Trimmings

- A. 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 fence/wall shall face the exterior property lines.

200.3.22 Contractor's Office

See Section 200.3.51 Outdoor storage (retail) and 200.3.52 Outdoor Storage (Industrial).

200.3.23 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.

200.3.24 Customary Home Occupation

- A. Any use, such as a home-based business, customarily conducted entirely within the dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof.
- B. No person other than members of the family residing on the premises shall be engaged in such home occupation.
- C. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes. No home occupation shall be conducted in any accessory building.
- D. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation.
- E. There shall be no receipt or delivery of goods sold in connection with such home occupation nor shall any inventory of goods for sale be stored or maintained in or about the premises
- F. No traffic shall be generated by such home occupation than would normally be expected in a residential neighborhood. The off-site employees of the resident shall not congregate on the premises for any purpose concerning the business of home occupation.
- G. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses at the lot line of the operation conducted in a single-family residence, or outside the dwelling unit if conducted somewhere other than a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in electrical line voltage off the premises.

200.3.25 Day Care Facility (family)

- A. Day Care Facility (family) must meet the following criteria:
 - 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 must be provided to the Department of Planning and Development which illustrates that the operation will not have adverse effects on the flow of traffic; and

4. No more than five children under 18 years of age, including children residing in the home, may be cared for at one time.

200.3.26 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 48 hours. Maintenance bay doors shall not face a public right-of-way.

200.3.27 Drive-through Service Windows

- 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 200 feet of any single-family residential use.

200.3.28 Drug Abuse Treatment Facility

- A. The Drug Abuse Treatment Facility must, at all times, be approved and properly licensed through the Georgia Department of Community Health;
- B. No Drug Abuse Treatment Facility may be located within 1,000 feet of any residential property, measured from property line to property line;
- C. No Drug Abuse Treatment Facility may be located within 1,000 feet of any other Drug Abuse Treatment Facility, measured from property line to property line; and
- D. The Drug Abuse Treatment Facility must be located on a major thoroughfare.

200.3.29 Dump, Junkyard, Salvage Yard, Automobile Junk/Salvage Yard

- A. The junkyard shall not be located any closer than 300 feet from a residential or commercial zoning district boundary line.
- B. The junkyard must be completely enclosed with a solid fence not projecting into the right-of-way of any roadway adjoining said junkyard, no less than eight feet high, and in no case less than such height as will effectively screen all storage and other operations from view.
- C. The junkyard shall not be located any closer than 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 100 feet or greater.

200.3.30 Electronic Message Center (EMC)

Electronic Message Centers (EMC) shall require a Special Use Permit unless it meets all of the standards in [Article 7, Signs](#), as it relates to EMC's.

200.3.31 Emissions Inspection Stations

- A. Emissions inspection stations shall meet the following design standards:
1. The facility shall be located in a permanent non-combustible structure.
 2. The structure shall include a designated indoor public waiting area (minimum three fixed seats) with restrooms; or as an alternative, shall provide the required designated indoor waiting area and restrooms upon the same lot, within 500 feet of the testing facility.
 3. 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.
 4. If constructed in 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.

200.3.32 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.

200.3.33 Fireworks Sales

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

1. Sales and storage of fireworks shall comply with all applicable federal, state and local regulations.
2. The sale of consumer fireworks as a principal use shall require approval of a Special Use Permit.
3. Accessory sale of consumer fireworks 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.
4. Outdoor sales shall be in accordance with section 200.3.49.

200.3.34 Food Trucks

- A. Food Trucks may only be located on a lot with a principally permitted use on the same zoning lot, and shall be a special use permitted in an OI Office/Institutional, any B Business District, or M Manufacturing District provided the following conditions can be met:
1. A food truck operator shall have written permission by the property owner to conduct business. Such permission shall identify the dates and times of operation.
 2. Unless otherwise specified or permitted by the City, food truck hours shall only be between the hours of 10:00 am and close of business of the primary use of the lot on which the food truck is operating.
 3. The food truck must be licensed by the Gwinnett County Health Department and have a valid business license for food truck operations.
 4. A minimum one-half acre lot is required.
 5. A maximum of 2 food trucks on lots one-half acre to one acre in size.
 6. A maximum of 3 food trucks on lots greater than one acre.
 7. Temporary outdoor seating is only permitted upon review and approval of Planning Director.

8. Food trucks shall not block any ingress/egress or vehicular circulation in a parking lot, loading/unloading area, or building entrance.
9. Food trucks shall not block any fire hydrant or fire lane.
10. Food truck operations shall be located a minimum of 100 feet from a residential dwelling.
11. No audio speakers or on-site/off-site signage shall be permitted other than what is displayed on the food truck.
12. Grease, liquid waste, and garbage shall not be disposed of on-site.
13. Food trucks shall be subject to all other applicable City and County Ordinances related to food operations.
14. Food trucks may not conduct sales when parked on a public street unless approved by the Planning Director and City Engineer.
15. Food trucks shall not locate on a vacant lot or on a lot where the principal building is vacant or unoccupied.

200.3.35 Fortune Telling

See the Code of the City of Lawrenceville, Chapter 12 – Businesses and Business Regulations, Article II – Business Regulations, Division 10. – Handwriting Analysts and Fortune Telling.

200.3.36 Garage or Yard Sales

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

1. Sales may only occur on Friday, Saturday, and/or Sunday. The collective total of all such sales shall not exceed four (4) events in any calendar year. Sales are limited to between 8:00 a.m. and 5:00 p.m.
2. Items sold must be used goods, from the participating household(s), and not goods purchased for resale. Items for sale may not be displayed on the public sidewalk, street, or right-of-way.
3. Any signs for the sale shall be removed immediately upon closing of the sale. Signs may not be posted on telephone poles, street lights, traffic signs, or any other structure in the public right-of-way.
4. All signs placed off-site shall have the permission of the owner of the property on which the sign is to be placed. Signs may be posted no more than one week before the sale weekend, and must be taken down within one day after the sale.
5. No sign may be larger than four (4) square feet.

200.3.37 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.

200.3.38 Helicopter Landing Pad

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

200.3.39 Hooka/Vapor Bar or Lounge

- A. Smoking of Hookah in any establishment that serves alcohol shall be prohibited.
- B. Hours of operation shall not exceed 11:00pm.
- C. Hookah bars and lounges shall not serve patrons under the age of 18.

200.3.40 Hotel or Motel

Hotels and motels shall meet the following design standards:

- 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 (50) 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:
 - a. 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.
 - b. All recreation areas must be approved by staff prior to development.
 - c. Recreation area may be indoors or outdoors.
- 8. All hotels and motels shall provide a one-hundred-foot buffer from any property zoned for residential purposes.
- 9. There shall be no access to any guestrooms from the exterior of the building.
- 10. 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.

200.3.41 Joint Living Residence

- A. The following shall be considered for the application for a 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.

200.3.42 Kennels and Pet Boarding

In agricultural zoning, dog runs, pens, and other similar facilities shall be located no closer than 100 feet to any property line.

200.3.43 Landfills

- A. A landfill may be permitted in certain zoning districts provided the following conditions are met:
 - 1. A minimum twenty-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-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 one-hundred-year floodplain or a stream buffer of two hundred 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-foot-high 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.
- B. 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:
 - 1. Composting, Municipal Solid Waste.
 - 2. Composting, Yard Trimmings.
 - 3. Consumer Recycling Centers.
 - 4. Gas Recovery/Gas Co-Generation Plant.
 - 5. Recovered Materials Processing Facility.
 - 6. Solid Waste Transfer Stations.

200.3.44 Livestock, Keeping of (for personal utility)

- A. In agricultural zoning district: corrals, stables, barns, pens, coops, chicken houses, and other similar animal quarters shall be located no closer than 100 feet to any property line.
- B. In non-agricultural zoning districts: the raising and keeping of livestock (other than chickens) for personal pleasure or utility on a parcel which contains the dwelling of the owner of the livestock is permitted, provided that the parcel is at least 3 acres in area and all animal quarters are located no closer than 100 feet to any property line.
- C. In non-agricultural residential zoning districts: the keeping of chickens for personal pleasure or utility on a parcel which contains the dwelling of the owner is permitted, subject to the following requirements:
 - 1. The minimum lot size for the keeping of chickens shall be ten-thousand five-hundred (10,500) square feet.
 - 2. Chickens must be kept securely in an enclosed yard or 6-sided pen at all times.
 - 3. Minimum pen area for chickens shall be 10 square feet per chicken.
 - 4. Chickens must be housed at least 20 feet from any property line, and 50 feet from any residence other than the owner's.

5. Any structure housing chickens must be located in the rear yard.
6. The keeping of roosters is not allowed.
7. The maximum number of chickens shall be as follows: Lots 10,500 square feet to 12,499 square feet: maximum of three chickens; lots 12,500 square feet to 24,999 square feet: maximum of five chickens; lots 25,000 square feet to 39,999 square feet: maximum of eight chickens; lots of 40,000 square feet to 2.99 acres: maximum of 10 chickens; lots 3 acres or larger: no maximum.
8. Each coop shall have at least 4 square feet of floor space per chicken over 4 months old.
9. Chickens are only permitted as pets or for egg laying production; chickens cannot be kept for slaughter.
10. Chickens must be kept under sanitary conditions and shall not be a public nuisance as defined by State law.

200.3.45 Livestock Sales Pavilions or Auction Facilities

- A. 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 100 feet to any property line.
- B. Adequate off-street parking shall be provided for livestock trailers, recreation vehicles, etc., associated with the use.
- C. A Special Use Permit is required if any of the following apply:
 1. The event is held more than three days per month.
 2. Hours of operation extend beyond 6:00 p.m.
 3. A public address system is utilized.
 4. Permanent concession facilities are provided.
 5. Portable restroom facilities are provided.
 6. Seating facilities for more than 100 people are provided.
 7. Parking facilities for more than 50 vehicles are provided.
 8. An admission fee is charged.

200.3.46 Live/Work

- A. Only allowed in the BGC and CMU District. Commercial business or professional office may be operated in the basement or first floor/story of the structure (excluding any required garage).
- B. The business or office may not exceed 50 percent (50%) of the floor area of the dwelling unit.
- C. Businesses operated in such space shall not be considered Home Occupations, and need not be operated by the resident of the dwelling.

200.3.47 Manufactured House/Mobile Home Sales Lot

- A. No mobile home sales lots are permitted within 100 feet of any residential property;
- B. Sales shall not be conducted on lots smaller than 25,000 square feet;
- C. All lots must have a permanent building made of brick, stone, or wood frame of no less than 1000 square feet;
- D. Sales units shall not have metal building facades; and
- E. A 15-foot landscaped buffer shall be provided fronting the street.

200.3.48 Massage Therapy

Regulations shall be required as identified in [Chapter 12, Article II, Division 11, Massage Therapists](#), of the Lawrenceville, Georgia Code of Ordinances.

200.3.49 Outdoor sales, storage or display

- A. Outdoor display or sales of merchandise shall be subject to approval of a Special Use Permit, with the following exceptions:
 - 1. Businesses which have obtained a valid Temporary Outdoor Activity Permit (TOAP) shall be exempt during the permit period;
 - 2. Merchandise may be displayed on the front sidewalk immediately adjacent to a retail building or immediately beneath an actively operating fuel island canopy, subject to the following restrictions and requirements:
 - a. Merchandise shall be permitted only along the business' tenant bay or storefront façade;
 - b. Merchandise shall not block an entrance or exit to or from the building;
 - c. Merchandise displayed for sale shall be that normally found within the on-premise business;
 - d. Merchandise shall not be located on sidewalks that are less than six feet in depth and may not extend beyond the limits of the sidewalk;
 - e. All such display or sales shall meet applicable building, fire and safety codes;
 - f. Merchandise displayed or sales shall not be allowed within a required building setback, buffer, driveway, easement, landscape strip, parking space or right-of-way;
- B. The Outdoor Display or Sales of Merchandise shall be kept neat and orderly.

200.3.50 Outdoor Seating

- A. Outdoor seating for restaurant service is permitted subject to the following requirements and restrictions:
 - 1. The perimeter of the outdoor seating area be outside of any 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.
 - 2. Tables, chairs, umbrellas, canopies, awnings, and other similar fixtures shall be of uniform design and shall be made of quality materials and workmanship to ensure the safety and convenience of users and to enhance the visual quality of the urban environment.
 - 3. Design, materials, and colors shall be compatible with the abutting building for all locations, and any applicable design guidelines.

200.3.51 Outdoor Storage (retail)

In non-residential zoning districts (other than industrial), outdoor storage of equipment, materials and/or merchandise shall be subject to approval of a Special Use Permit.

200.3.52 Outdoor Storage (Industrial)

- A. In industrial zoning districts, outdoor storage of items, equipment, materials and supplies which are not offered for sale but which are considered to be an accessory to the principal permitted use, shall be allowed, subject to the following restrictions and requirements:
 - 1. Outdoor Storage shall not be located within a required front yard;
 - 2. Outdoor storage shall not be located in the area between the front of the principal structure and the public right-of-way;
 - 3. Outdoor Storage shall be located within a side or rear yard area only;

4. Outdoor storage shall be fully screened by a solid wood fence, masonry wall or slatted chain-link fence at least 8 feet in height;
 5. Outdoor Storage shall be setback a distance of at least 15 feet from any side or rear property lines; stream buffer and zoning buffer.
 6. Setback area shall landscaped to provide an affective year-round visual screening;
 7. Materials stored outdoors shall not be placed or stacked at a height exceeding that of the screening fence.
 8. Outdoor Storage shall not be adjacent to, or visible from a residentially zoned property;
 9. Outdoor Storage of junk, scrap materials or metal, rags, paper, abandoned, junk or wrecked vehicles, material shall be prohibited.
- B. Outdoor Storage shall be prohibited within the boundary of the geographical area of the Lawrenceville Downtown Development Authority;
- C. Outdoor Storage shall be prohibited on industrial zoned property adjacent to, or visible within a distance of 250 feet from, Pike Street, Five Forks-Trickum Road, Scenic Highway, Lawrenceville Highway, Buford Drive (Hwy. 20), Hurricane Shoals Road, Lawrenceville Suwanee Road, Sugarloaf Parkway, Grayson Highway, or Gwinnett Drive, in which case all items shall be stored in the rear yard only.

200.3.53 Outdoor Storage (Residential)

- A. Outdoor Storage in residential zoning districts shall be part of, and strictly used for the residential purposed of the owner or occupant of the residential zoned property. Outdoor Storage in residential zoning districts shall be governed by the following restrictions and requirements:
1. Outdoor storage of appliances, building materials, construction equipment, debris, garbage, glass, materials, merchandise, rubbish, trash or other similar materials shall not be allowed on any residential zoned property;
 2. Outdoor Storage shall be stored in an approved accessory structure (see Accessory Structure), an enclosed garage connected to the principal structure, or in the rear or side yard areas.
 3. Outdoor Storage stored in the rear or side yard area shall be screened with either landscaping or fencing that provides an effective year-round visual screen from neighboring properties and/or public right-of-ways; Garbage, rubbish, trash or other similar items placed outside for collection by an authorized waste hauler not more than 24 hours prior to the designated collection date for a residential zoned property.

200.3.54 Palmistry, Psychic Reading and Fortune Telling

- A. Conformity with regulations shall be required as identified in [Chapter 12, Article II, Division 10, Handwriting Analysts and Fortune Tellers](#), of the Lawrenceville, Georgia Code of Ordinances and as follows:
1. Requires a Special Use Permit.
 2. The use shall be permitted only on a parcel of land which has direct access to a State Highway;
 3. The establishment shall not be permitted within 1,000 feet of an existing fortune telling establishment; and
 4. Establishment may not be within 100 feet of any residential property.

200.3.55 Pawn Shop

See Section 203.16; Check Cashing, Payday Loan, Pawn Shop, Title Loan, and Wire Transfer Facility (above).

200.3.56 Payday Loan

See Section 203.16; Check Cashing, Payday Loan, Pawn Shop, Title Loan, and Wire Transfer Facility (above).

200.3.57 Personal Care Home, Family

The Personal Care Home shall:

1. Requires the approval of a Special Use Permit.
2. Family Personal Care Homes shall be located on a lot of at least one acre in size, and shall be limited to no more than six residents;
3. Contain a residential facade which is architecturally similar to adjacent buildings;
4. Have at least one employee on-site at all times;
5. Not exceed one percent (1%) of the total number of homes in the subdivision, provided that any subdivision with less than 100 homes shall be allowed one Personal Care Home;
6. Not be located within 1,000 feet of another Personal Care Home;
7. Be licensed by and operate in accordance with the rules of the State of Georgia and the Georgia Department of Community Health at all times; and
8. Meet all requirements of the International Building Code, as well as all City zoning requirements and building codes, including minimum dwelling space requirements.

200.3.58 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.

200.3.59 Places of Religious Worship

- A. In all residential zoning districts, places of worship shall conform to the following requirements. Residentially-zoned properties not meeting these requirements shall be required to obtain a Special Use Permit.
 1. They shall be located on an Arterial Roadway or Collector Street as identified in the [2040 Comprehensive Plan](#) or State Highway on a site of not less than 250 feet of road frontage.
 2. The buildings shall be located not less than 50 feet from any street and not less than 30 feet from any side or rear property line.
 3. Parking shall not be provided in the front yard setback area.
 4. A minimum 20-foot-wide buffer shall be provided adjacent to residentially-zoned properties. This buffer shall be increased to 50 feet in width adjoining any outdoor church recreation facilities.
 5. 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.
 6. Proposed buildings are setback not less than 50 feet from any street and not less than 30 feet from any side or rear property line. 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.
 7. The tract shall be one contiguous zoning classification.
- B. Accessory Uses Requiring Special Use Permit:

1. In residential zoning, the following additional uses may be permitted as accessory to a place of worship only upon approval of a Special Use Permit.
 - a. Lighted outdoor ball fields, pools, or similar recreation facilities.
 - b. Day Care Centers.
 - c. Kindergartens.
 - d. Private schools (K-12).

200.3.60 Plumbing Equipment Dealer

See Section 200.3.51 Outdoor Storage (retail) and section 200.3.52 Outdoor Storage (Industrial).

200.3.61 Quarry

- A. Quarry areas being evacuated shall be entirely enclosed within a fence located at least 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.
- B. 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.
- C. 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 1,000 feet of a residential or commercial zoning district boundary line).

200.3.62 Recovered Materials Processing Facility

- A. Recovered Materials Processing Facilities shall meet the following design standards:
 1. Activities shall be limited to collection, sorting, compaction, and shipping.
 2. The facility shall not be located adjacent to or across the street from any property used for or zoned for single-family residential use.
 3. Any outside storage areas shall be screened by a minimum eight-foot-high solid wood 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.

200.3.63 Recreational Vehicles and Watercraft

- A. Recreational Vehicles
 1. A maximum of one Recreational Vehicle, provided that:
 - a. Has a maximum length of 45 feet; and
 - b. Is stored or parked completely within a garage or carport, or in the side or rear yard on a hardened surface of gravel, or on pavement as wide and long as the vehicle.
 2. The Recreational Vehicle may be connected to an outlet but may not be occupied.
 3. The setback for a Recreational Vehicle shall be five feet on the side yard, and 10 feet in the rear yard.
 4. A Recreational Vehicle may not be parked or stored where it would constitute a clear and demonstrable vehicular traffic hazard or be a threat to public health or safety.
- B. Watercraft
 1. A maximum of one watercraft, provided that:
 - a. Has a maximum length of 30 feet;

- b. It is stored or parked completely within a garage or carport, or in the side yard, or in the rear yard on a hardened surface of gravel, or on pavement as wide and long as the vehicle; and
- c. The setback for watercraft shall be five feet on the side lot line and 10 feet in the rear yard. Watercraft may not be parked or stored where it would constitute a clear and demonstrable vehicular traffic hazard or be a threat to public health or safety.

200.3.64 Recycling and Donation Containers

Recycling and donation containers shall be prohibited in the City.

200.3.65 Schools and Colleges (Private)

- A. 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 200 feet of frontage on the subject street or highway.
- B. 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.
- C. Proposed buildings are setback not less than 50 feet from any street and not less than 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.
- D. Parking is not to be located within the 50-foot front yard setback.
- E. When adjacent to a property zoned for a single-family detached residential use, a buffer of at least 40 feet shall be provided along the common property line(s).
- F. The tract shall be one contiguous zoning classification.
- G. A Special Use Permit is required in AR zoning districts.

200.3.66 Self-Storage and Mini-Warehouse Facilities

- A. Self-Storage and Mini-Warehouse Facilities shall meet the following restrictions and design standards:
 - 1. Storage units shall not be used for manufacturing, retail, or wholesale selling, office, other business or service use, or human habitation.
 - 2. Site access shall not be onto roadways classified as local residential streets.
 - 3. Outdoor speakers or sound amplification systems shall be prohibited.
 - 4. Such a facility may include one accessory manager's office/apartment which is clearly subordinate to the primary use of the facility for warehousing purposes.
 - 5. Provide adequate loading and unloading areas outside of fire lanes, required parking lanes, and travel lanes.
 - 6. Access to all storage 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.
 - 7. No outdoor storage of any type shall be allowed at the facility.

200.3.67 Small Financial Institution

See 203.16; Check Cashing, Payday Loan, Pawn Shop, Title Loan and Wireless Transfer Facility (above).

200.3.68 Solar Panels

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

- A. Requirements and Regulations. Solar panel systems shall conform to or be evaluated for compliance with the following standards:
 1. The proposed system is no larger than necessary to provide 120 percent of the electrical energy requirements of the primary structure to which it is accessory to as determined by a contractor licensed to install solar and photovoltaic energy systems.
 2. If roof mounted, the solar panel system shall:
 - a. Be flush mounted on the roof unless good cause is shown by the applicant that the solar panel is not at an appropriate angle to obtain sufficient sun exposure;
 - b. Be located in the most inconspicuous location on the roof so as not to be seen from the street, if possible, and still be able to function as designed; and
 - c. Not extend higher than the peak of a sloped roof or higher than 5 feet from the top of a flat roof.
 3. If freestanding, the solar panel system shall:
 - a. Not extend more than 10 feet above the existing grade in residential districts. In all other districts, the maximum height of a solar panel system will be determined on a case by case basis upon plan review.
 - b. Not be located in a front yard.
 - c. Not be located in any required side or rear yard setback areas for accessory uses.
 - d. Not be positioned so as to reflect sunlight onto neighboring property, public streets or sidewalks, including onto any neighboring structures.
 - e. Be landscaped at the base and the back of the panel structure if structure is visible from neighboring property.
 4. All signs, both temporary and permanent, are prohibited on solar panel or solar collection systems, except as follows:
 - a. Manufacturer or installer's identification information on the system.
 - b. Appropriate warning signs and placards.
 5. Solar panel systems shall comply with all applicable sections of the [City of Lawrenceville Building Code](#), [International Building Code \(IBC\)](#), and applicable industry standards such as the American National Standards Institute (ANSI), Underwriters Laboratories (UL), or an equivalent third party.
 6. All electrical transmission wires and connections on freestanding solar panel system shall be located underground.
- B. Utility Connection. Solar panel systems proposed to be connected to the local utility power grid shall adhere to corresponding statutory provisions of the Georgia Statutes.
- C. Maintenance. All solar panel systems shall be maintained in good, working order.

200.3.69 Special Event Facility

- A. Such facilities shall be located on a principle arterial, major arterial, minor arterial, major collector street, or a state highway.
- B. During inclement weather, there shall be sufficient space to safely shelter guests.
- C. Adequate permanent restroom facilities shall be provided, which shall meet the minimum requirements of the Gwinnett County Environmental Health section and building code requirements.
- D. Adequate off-street parking facilities shall be provided on-site.
- E. Such facilities shall meet the Lawrenceville Code of Ordinance: Special Events Facilities.

200.3.70 Swimming Pool, Private

Private swimming pools exclusively for the use of residents of the premises and their non-paying guests subject to any other regulations and Ordinances of the City of Lawrenceville.

200.3.71 Tattoo Parlor

- A. Regulations shall be required as identified in [Chapter 12, Article II, Division 15, Tattoo Establishments](#), of the Lawrenceville, Georgia Code of Ordinances and as follows:
 - 1. The use shall be permitted only on a parcel of land which has direct access to a major thoroughfare;
 - 2. The establishment shall not be permitted within 1,000 feet of an existing tattoo parlor; and
 - 3. The establishment may not be within 100 feet of any residential property.

200.3.72 Taxi or Limousine Service

- A. All vehicles associated with the business shall be parked in the side or rear of the property, away from all public right-of-way, and not in areas normally utilized by customers.
- B. No more than 10 vehicles associated with the business shall be parked on site.
- C. Outdoor storage of anything other than the vehicles associated with this use shall be prohibited.

200.3.73 Title Loan

See Section 200.3.16; Check Cashing, Payday Loan, Pawn Shop, Title Loan, and Wire Transfer Facility (above).

200.3.74 Truck Sales, Leasing, and/or Service, Heavy

See section 200.3. 8 Automobile Sales or Auction and Related Service (Used or New Car Outdoor Sales Lot)

200.3.75 Vending Machines

- A. Outdoor storage of vending machines, boxes, or other similar containers used to distribute food or beverages, newspapers, propane tanks, ice, videos, or other similar consumer product, provided that the following requirements are met:
1. The vending machine is not greater than seven feet in height or more than four feet in width or depth and the number of vending machines, boxes, or other similar containers shall not exceed one machine for each 3,000 square feet of building area and a maximum of three machines, boxes, or other similar containers per lot; and
 2. The machines shall be located against and parallel to the building facade.

200.3.76 Wire Transfer Facility

See Section 200.3.16; Check Cashing, Payday Loan, Pawn Shop, Title Loan, and Wire Transfer Facility (above).

200.3.77 Wood Chipping and Shredding, Log Splitting Facility, and Yard Trimming Composting Facility

- A. Wood Chipping and Shredding and Log Splitting Facilities shall meet the following restrictions and design standards:
1. Such facilities shall not be located closer than 200 feet from residentially-zoned property.
 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 fence/wall shall face the exterior property lines.
- B. When yard trimming composting facilities are present:
1. Composting materials shall be limited to tree stumps, branches, leaves, and grass clippings, or similar putrescent vegetative materials, not including animal products, 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 fence/wall shall face the exterior property lines.

ARTICLE 3

Nonconformities

300 General Provisions

Within the districts established by this Ordinance or amendments that may later be adopted there may exist lots, structures, uses of land and structures which were lawful before this Ordinance was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this Ordinance or future amendment. It is the intent of this Ordinance to permit these nonconformities to continue until they are removed. It is further the intent of this Ordinance that nonconformities shall not be enlarged upon, expanded, or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

- A. Legally existing nonconforming uses are declared by this Ordinance to be incompatible with permitted uses in the districts involved. A nonconforming use of a structure, nonconforming use of land, or nonconforming use of structure and land in combination shall not be extended or enlarged after the passage of this Ordinance.
- B. To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in the plans, construction, or designated use of any building for which approval has been granted and permits issued or on which actual construction was lawfully begun prior to the effective date of adoption of this Ordinance. Actual construction is hereby defined to include the placing of construction materials in a permanent position and fastened in a permanent manner. Where excavation or demolition or removal of an existing building has substantially begun preparatory to rebuilding, such excavation or demolition or removal shall be deemed to be actual construction.

301 Nonconforming Lots of Record

In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this Ordinance, a single-family dwelling and customary accessory buildings may be erected on any single lot of record, as officially recognized by the City of Lawrenceville, at the effective date of adoption or amendment of this Ordinance. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions and other requirements not involving area or width, or both, of the lot, shall conform to the provisions of this Article.

302 Continuance of Nonconforming Uses

The lawful use of any building or structure or land existing at the time of the enactment or amendment of this Ordinance may be continued even though such use does not conform with the provisions of this Ordinance, except that the nonconforming use shall not be:

- A. Extended to occupy a greater area of land.
- B. Extended to occupy a greater area of a building or structure, unless such additional area of the building or structure existed at the time of the enactment or amendment of this Ordinance and was clearly designed to house the same use as the nonconforming use occupying the other portion of the building or structure.
- C. Reestablished after discontinuance for six months.
- D. Changed to another nonconforming use.

303 Continuance of Nonconforming Structure

A nonconforming building existing at the time of the enactment or amendment of this Ordinance may be retained as follows:

- A. An existing nonconforming single-family dwelling, may be repaired to the extent necessary to maintain it in a safe and sanitary condition.
- B. Additions or alterations to an existing nonconforming single-family dwelling shall comply with this Ordinance.
- C. Existing nonconforming nonresidential and multifamily structures may be enlarged or altered, only in conformity with this Ordinance, but it may be repaired to the extent necessary to maintain it in a safe and sanitary condition.
- D. Existing nonconforming nonresidential and multifamily structures shall be altered, rebuilt, or repaired only in conformity with this Ordinance. However, the structure may be rebuilt as originally constructed provided that damage or destruction occurred as a result of fire, flood, wind, earthquake, or other natural disaster.
- E. If a nonconforming structure or portion of a structure is condemned, the structure or portion of the structure will no longer be considered legal nonconforming.

304 Structures Where Construction Has Begun

To avoid undue hardship, nothing in this Article shall be deemed to require a change in the plans, construction, or designated use of any building or structure for which a development or building permit was lawfully applied for or issued, or a subdivision development plan or final subdivision plat was lawfully approved, prior to the effective date of the Zoning Ordinance or amendment thereto, provided:

- A. Such permit or approval has not by its own terms expired prior to such effective date.
- B. Actual building construction is commenced prior to the expiration of such permit or approval.
- C. Actual building construction is carried on pursuant to said permit or approval and limited to and in strict accordance with said permit or approval.



ARTICLE 4

Buffers

400 Applicability

Buffer areas required in this section shall be established and maintained by the owner of the commercial, industrial, or otherwise incompatible use. These buffers are specifically to mitigate harmful or incompatible uses, whether industrial area is encroaching on a residential area or a residential area is encroaching on an industrial area.

A buffer is a strip of land, established to protect one type of land use from another with which it is incompatible. A buffer may include additional transition uses, yard space, fences, landscapes areas, or height restrictions.

401 Standards for Permanent Buffers

The buffer area must:

1. Be shown on each plat prior to final approval and be designated as a permanent easement.
2. Not be temporarily or permanently disturbed by grading, property improvements, or construction activities.
3. Utilize existing vegetation, or where required be supplemented with additional plantings.
4. Retain its natural topography except when a portion must be cleared and graded as required by the City or County to prevent soil erosion.
5. Shall be completely installed in accordance with the approved plan prior to issuance of a certificate of occupancy.
6. Not be used for temporary or permanent parking, or for a structure other than a fence, or for provision of drainage improvements as mandated by the City or County.

402 Buffer Screening

- A. In those instances where natural vegetation and site topography are deemed substantial to provide necessary visual and acoustical buffering, the land shall be preserved in its natural state. Any disturbance of such natural growth shall be limited to that necessary to prevent nuisance, or to remove growth inhibiting natural growth or to remove diseased or dangerous growth.
- B. Where existing natural vegetation and site topography are insufficient to accomplish the purpose of the required buffer area, existing vegetation will be supplemented. These additional plantings shall consist of evergreen trees not less than six feet in height, and shrubs not less than three feet in height at time of planting. All landscaping is subject to the review of the Director of Planning and Development.
- C. The following types of vegetation are approved for this purpose:
 1. Trees:
 - a. Southern Magnolia (*Magnolia Grandiflora*)
 - b. Eastern Red Cedar (*Juniperus Virginiana*)
 - c. White Pine (*Pinus Strobus*)
 - d. American Holly (*Ilex Opaca*)
 - e. Cherry Laurel (*Prunus Caroliniana*)
 2. Shrubs:
 - a. Glossy Ligustrum (*Ligustrum Lucidium*)
 - b. Cleyera (*Cleyera Japonica*)

- c. Burford Holly (*Ilex Burfordi*)
- d. Southern Waxmyrtle (*Myrica Cerifera*)

3. Ground Cover:

- a. Short Juniper (*Juniperus Conforta*)
- b. Honeysuckle (*Lonicera Semperv*)
- c. Periwinkle (*Vinca Minor*)
- d. English Ivy (*Hedera Helix*)

403 Buffers Table

Minimum Buffer Requirements																			
New Development	Existing Adjacent Development																		
	AR	CMU	RS-180	RS-150	RS-60	RM-12	RM-8	RM-6	RM-4-C	M	MH	ON	OI	BN	BG	BGC	HSB	LM	HM
AR																			
CMU	75		50	50	25				25	25	25								
RS-180																			
RS-150																			
RS-60																			
RM-24	50		50	50	25														
RM-12	50		50	50	25														
RM-8	50		50	50	25														
MH	75	75	75	75	75	75	75	75	75										
OI	50		50	50	25	25	25	25	25	25	25								
BN	50		50	50	50	35	35	35	35	35	35								
BG	75		75	75	50	50	50	50	50	50	50								
BGC	65		50	50	50	50	50	50	50	50	50								
HSB	85		85	85	85	70	70	70	70	70	70								
LM	50	50	50	50	50	50	50	50	50	50	50	50	50	50	50	50	50		
HM	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100		



ARTICLE 5

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 Vehicle Parking Area

A. Residential

1. The parking of the following vehicles is permitted:
 - a. A commercial vehicle that is parked temporarily in conjunction with a commercial service, sale, or delivery.
2. The parking of the following vehicles is prohibited:
 - a. Any vehicle for hire including but not limited to limousines, taxis, box trucks, flatbed trucks, dump trucks, tow trucks, transport wreckers, tandem axle trucks, cab-on-chassis trucks, trailers, wheeled attachments, pull behind cement mixers, or trailers, bucket trucks, buses, earth moving machinery, and semi-trailers.

B. Non-Residential

1. The parking of the following vehicles is permitted:
 - a. Delivery/service vehicles displaying advertising must be parked within the side or rear yard of the property and may not park within the front yard.
 - b. Customer parking

502 Required Off-Street Parking and Loading

- A. 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.
- B. Each use of land and each building or structure hereafter constructed or established, and each addition to a structure in excess of 300 square feet, except as herein provided, shall provide off-street parking and loading according to the standards set forth herein.
- C. 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.
- D. 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 Paving of Surfaces

- A. All off-street parking and loading spaces, access, and aisles shall be provided with a paved surface in all nonresidential zoning classifications.
- B. Porous asphalt or pervious concrete is encouraged to reduce surface water run-off. The use of such materials shall be approved by the Director of Planning and Development prior to installation.
- C. Parking on a non-paved graveled surface may be allowed in the LM and HM zoning classifications if authorized by a Special Use Permit approved by the City Council.

504 Residential Parking and Driveways

Access for each residential use shall be as follows:

- A. For single-family dwellings:
1. Paved driveways shall be required for all residential uses.
 2. One access drive per unit, a minimum width of 16 feet and a maximum width of 24 feet.
 3. Driveways shall extend to, and provide access to, a carport or garage; or shall extend to the front plane of the principal residential structure on the lot.
 4. Driveways shall intersect perpendicular to the street, and may not extend along the street in a parallel fashion.
 5. Additional parking/vehicle turnaround pads shall be limited to one pad per lot no greater than 20 feet by 20 feet, and shall be setback at least 10 feet from the right-of-way.

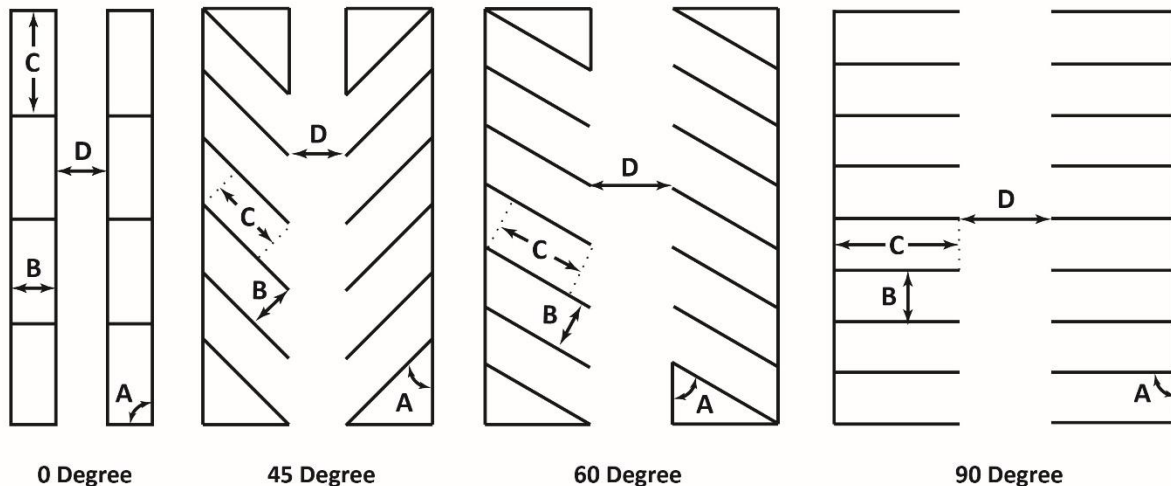
505 Non-Residential Parking Driveways

- A. For multifamily dwellings, no more than two ingress/egress points per street frontage into the off-street parking area with a minimum width of 20 feet and a maximum width of 30 feet shall be allowed. If the ingress and egress points are one-way only, the minimum widths may be decreased by 50%.
- B. Parking Space. For the purpose of 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 11 feet in width for one-way access and 22 feet in width for a two-way access where no off-street parking spaces are directly 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 8 feet in width and 16 feet in length.

506 Computation of Off-Street Parking

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

- B. **Floor Area.** In the case of uses where floor area is the unit for determining the required number of off-street parking spaces, such unit shall mean the gross floor area (GFA)(as defined in Article 10, Definitions) used or intended to be used by occupants or for service to the public as patrons, patients, visitors, residents, or persons in attendance.
- C. **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 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.

507 Mixed Use Occupancy

In the case of mixed or multiple uses in one building or on one lot, the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. This sum may be reduced by up to 25% as long as all parking spaces on site are available for all uses on that lot or in that building.

508 Number of Off-Street Parking Spaces Required

- A. Off-Street Parking 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.
- B. Downtown Parking. Where a lot is located within the Downtown 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 Department of 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.
- C. Compact Spaces. If approved by the Director of Planning and Development, the number of compact spaces shall not exceed 15% of the minimum parking space requirement as identified in Table 5-3, Number of Off-Street Parking Spaces Required (below). These spaces shall be clearly marked. The compact spaces requirement can only be utilized in parking lots where a minimum of 30 parking spaces are required.
- D. Reduction of Spaces. The minimum number of required parking spaces may be reduced, if approved by the Director of Planning and Development, based on the following:
 - 1. If the parking lot provides electric vehicle (EV) charging stations, a reduction of 2 spaces per EV charging station provided may be requested.
 - 2. 50% of the off-street parking spaces required by a use whose peak attendance will be at night or on Sundays may be shared with a use that will be closed at night or on Sundays

Table 5-3: Number of Off-Street Parking Spaces Required	
Use	Minimum Number of Spaces Required SF= Square Feet GFA = Gross Floor Area
Adult Uses	1 per 300 SF GFA
Agriculture (crop or animal production)	1 per site
Aircraft Factory	1 per 2,000 SF GFA
Aircraft Hangar and Maintenance	2 per hangar
Aircraft Landing Field, Heliport, Helipad	1 per aircraft tie down
Animal Hospital or Veterinary Clinic	1 per 400 SF GFA
Automobile Body Repair, Painting or Rebuilding	2 per service bay
Automobile Repair and Maintenance	2 per service bay plus 1 per 500 SF of service area
Automobile Sales and Related Service	1 per 500 SF GFA of sales or service area
Bank or Financial Services Institution	1 per 300 SF GFA

Table 5-3: Number of Off-Street Parking Spaces Required	
Use	Minimum Number of Spaces Required SF= Square Feet GFA = Gross Floor Area
Banquet or Rental Hall	1 space per 100 SF GFA or 1 space per 5 seats, whichever is greater
Beauty Parlor or Barber Shop	3 per stylist chair
Bed and Breakfast Inn	1 space per guest room plus 2 spaces for the resident(s)
Boat and Marine Equipment Sales and Service	1 per 1,000 SF GFA indoor showroom space
Brewery, Craft	4 spaces per each 3,000 SF GFA plus 1 space per 100 SF GFA of tasting room
Brewery, Distillery, or Winery	1 spaces per each 2,000 SF GFA plus 1 space per 100 SF GFA of tasting room
Bulk Storage Tank	1 per 250 SF GFA office space
Call Center	1 per 250 SF GFA
Cemetery or Mausoleum	1 per 100 SF GFA used for assembly
Child Caring Institutions (CCI)	1 per two beds
Club, Lodge or Fraternal Organization	1 space per 100 SF GFA
Community Center or Cultural Facility	1 per 150 SF GFA
Community Garden	2 per site
Community Living Arrangement (CLA)	1 per two beds plus 1 for each 250 SF GFA of common space
Contractors Office	1 per 250 SF GFA
Convention Facility	1 per 400 SF GFA or 1 per 6 seats, whichever is greater
Country Club or Golf Course	4 per hole plus 1 per 100 SF GFA of club house
Data Center	1 per 4,000 SF GFA
Day Care Facility	2 per facility plus 1 per 8 clients of design capacity
Depot / Passenger Terminal (bus or rail)	1 per 500 SF GFA

Table 5-3: Number of Off-Street Parking Spaces Required	
Use	Minimum Number of Spaces Required SF= Square Feet GFA = Gross Floor Area
Distribution Facility	1 per 4,000 SF GFA
Dwelling	Two car garage required; 6 total parking spaces per dwelling unit. This includes the garage spaces.
Emissions Inspection Station	1 per 500 SF GFA
Equestrian Facility, Riding Stables, or Academy	1 per stable plus 1 per five seats in facility
Farmer's Market	4 per facility
Fishing Club or Fishing Pond	1 per 10,000 SF or property
Funeral Home (including accessory crematory)	1 per 100 SF GFA used for assembly
Golf Driving Range	2 per tee
Greenhouse or Plant Nursery (wholesale)	1 per 500 SF of greenhouse or nursery area
Health Club, Spa, or Fitness Center	1 per 150 SF GFA
Hookah/Vapor Bar or Lounge	1 per 4 seats
Hospice Home	1 per two beds plus 1 for each 250 SF GFA of common space
Hospital	2 spaces per bed plus 1 space per exam room
Hotel or Motel	1 per guest room plus 1 per 200 SF GFA of common area
Joint Living Residence	1 per two beds plus 1 for each 250 SF GFA of common space
Kennel or Pet Boarding	1 per 500 SF GFA
Laboratory (medical or dental)	1 per 750 SF GFA
Landfill	1 per 250 SF GFA office space
Lawn and Garden Equipment Sales and Service	1 per 400 SF GFA of showroom space
Livestock Sales Pavilion or Auction Facility	1 per 500 SF GFA of pavilion or facility

Table 5-3: Number of Off-Street Parking Spaces Required	
Use	Minimum Number of Spaces Required SF= Square Feet GFA = Gross Floor Area
Manufacturing, Artisan	1 per 750 SF GFA
Manufacturing, General	1 per 2,000 SF GFA
Medical Office or Clinic	2 spaces per patient room plus 1 space per 250 SF GFA
Motorcycle and Personal Watercraft Sales and Service	1 per 400 SF GFA of showroom space
Movie Theater, Cineplex, or Multiplex	1 per 5 seats
Nursing Home	1 per two beds plus 1 for each 250 SF GFA of common space
Office (business, government or professional)	1 per 300 SF GFA
Personal Care Home	1 per two beds plus 1 for each 250 SF GFA of common space
Place of Religious Worship	1 per 4 seats
Radio and Television Station, Recording or Rehearsal Studio	1 per 250 SF GFA
Recreation and Entertainment Facility (indoor)	1 per 150 SF GFA or 1 per 5 seats, whichever is greater
Recreation and Entertainment Facility (outdoor)	1 per 1,000 SF outdoor use area plus 1 per 5 seats
Recreational Vehicle Rental, Sales and Service	1 per 1,000 SF GFA indoor showroom space
Rental, Automobile	1 per 400 SF GFA office space
Rental, Heavy and Farm Equipment	1 per 400 SF GFA office space
Rental, Sales and Repair, Truck and Trailer	1 per 400 SF GFA office space
Research or Testing Facility	1 per 750 SF GFA
Restaurant	1 per 2.5 seats
Retail Sales and Service	Uses less than 10,000 SF GFA - 1 per 300 SF GFA Uses 10,000-50,000 SF GFA - 1 per 400 SF GFA

Table 5-3: Number of Off-Street Parking Spaces Required	
Use	Minimum Number of Spaces Required SF= Square Feet GFA = Gross Floor Area
	Uses greater than 50,000 SF GFA – 1 per 500 SF GFA
Retirement Community, Continuing Care	1 per two beds plus 1 for each 250 SF GFA of common space
Retirement Community, Independent Living	1 per patient room plus 1 for each 250 SF GFA of common space
School or College, Business, Trade, Vocational	1 per 5 classroom seats of design capacity plus 1 per 3 auditorium seats
School, Primary and Secondary	1 per 10 classroom seats of design capacity
Self-Storage or Mini-Warehouse Facility	1 per 10 units
Shooting or Archery Range, and similar outdoor recreation	2 per range lane plus 1 per 100 SF GFA of retail sales space.
Solid Waste Transfer Station	1 per 250 SF GFA office space
Stadium, Concert Hall, or Amphitheater	1 per 5 seats
Studio, Dance, Martial Art	1 per 50 SF GFA
Studio, Gallery, Meeting Facility, or Place of Assembly	1 space per 100 SF GFA or 1 space per 5 seats, whichever is greater
Towing / Wrecker Service and Impound Lot	1 per 250 SF GFA office space
Truck Terminal or Intermodal Terminal	1 per 250 SF GFA office space
Trucking and Hauling (dirt, gravel, sand, etc.; incl. stockpiling)	1 per 250 SF GFA office space
Warehousing	1 per 1,000 SF GFA
Waste Incineration Facility	1 per 250 SF GFA office space
Wholesaling	1 per 1,000 SF GFA
Winery	1 per 250 SF GFA of indoor sales and 1 for each 4 seats

508 Off-Street Parking Design and Maintenance

Every parcel of land used as an off-street parking area shall be designed and maintained in accordance with the Lawrenceville Development Regulations Article VIII, Landscape Ordinance, Section 8.4.3, Off-Street Surface Parking Lot Requirements, and the following requirements:

- A. Screening. Off-street parking areas for more than 10 vehicles shall:
 1. Be effectively screened by a 6-foot-high solid wall or opaque fence on each side which adjoins or faces, and is within 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. Any off-street parking area and access drives shall be graded and surfaced with asphalt or concrete or other comparable durable material.
- 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 clearly visible condition. One-way and two-way access ways into required parking facilities must be identified by directional arrows.
- D. Drainage. All off-street parking facilities shall be provided with adequate drainage facilities to prevent surface water run-off onto adjoining properties or onto the public right-of-way.
- E. Separation from Public Right-of-Way. Except in districts zoned exclusively for residential uses, all off-street parking facilities located within a front yard shall be separated from public sidewalks or the existing right-of-way by a grass area at least 10 feet in width. A minimum six-inch barrier curb shall be provided on the parking lot side of the required landscaped areas.
- F. Separation from Adjoining Properties. Except in districts zoned exclusively for residential uses, all off-street parking facilities shall be separated from adjoining properties by a grass area of at least 10 feet in width and a minimum six-inch barrier curb.
- G. Interior Design and Landscaping. All areas of off-street parking facilities which are unusable, either for parking, circulation, or loading, shall be landscaped with grass and/or plant material and be properly maintained.

509 Off-Street Loading

- A. When Required. 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	0
5001-9,999	0	0	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

- B. Dimension. Each off-street loading space shall not be less than 10 feet in width, 45 feet in length, and 14 feet in height, unless waived by the Director of Planning and Development for good cause shown.
- C. Mixed Uses. 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. All loading areas shall be paved with 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 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 from residential districts shall be screened. The screening material, upon installation, shall be at least six feet in height and 100% opaque.
- D. 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.



ARTICLE 6

Architectural and Design Standards

600 Purpose and Intent

The purpose and intent of this article is to provide the minimum design standards for residential and non-residential development in the city. Specific standards listed in Article 1 for specific zoning districts such as RM-12, RM-24 and RM-8 shall apply.

The Design Standards 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 accessible and sufficient parking in an unobtrusive manner.
9. Enhance Lawrenceville's historic quality by ensuring that new and rehabbed buildings are compatible with the character of surrounding buildings.
10. Provide safe and accessible parks and plazas.

All development and building permits for lots located within the City limits contained in this article shall meet all of the requirements of the base zoning district in which it is located; all conditions of rezoning or special use permit approvals; and shall also meet the requirements herein.

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

If changes to these regulations are requested, the following shall be submitted to the Planning and Development Director for review and approval:

- A. The builder should bring front, side, and rear elevation drawings along with floor plan and examples of alternative materials to be used.
- B. Plans should show quality, durable materials on exterior and interior of home. Hardwood floors, hard surface countertops, and upgraded appliance packages are encouraged, as are sustainable materials.

601 Residential Minimum Architectural and Design Standards

The following standards shall be considered the minimum requirements for residential buildings:

A. Single-Family Residential

1. Exterior Wall Design
 - a. The front facade of a single-family residence shall be constructed of brick, cementitious stucco and or stone. Up to one-tenth accents of the front façade may be of a fiber cement or stucco product.
 - b. The sides and rear façade of a single-family residence shall be, at a minimum, one-third brick or stone. The balance shall be fiber cement or stucco.

- c. No vinyl or metal shall be used as siding.
 - d. Construction on lots within an existing subdivision must maintain compatibility with surrounding buildings and community features. This may include existing materials otherwise not mentioned in this section.
2. Roof and Chimney Design
 - a. Roofing material must be architectural style shingles. Metal roofing may be permitted if approved by the Planning and Development Department.
 - b. No plumbing or heating vents shall be placed on the front side roof of any single family residence.
 - c. No portions of the chimney shall extend into any setback.
 3. Yards and Landscaping
 - a. Two trees per lot shall be provided or preserved in the front or side yard area.
 - b. Trees shall not be located in utility easements, drainage and septic drain fields.
 - c. The builder/developer shall be responsible for planting or preserving the individual lot trees prior to the issuance of a Certificate of Occupancy.
 - d. Detention ponds shall be screened from public right-of-way.

B. Multifamily Residential

1. Exterior Wall Design
 - a. Front, side, and rear facades shall be finished with a minimum of 75 percent brick or stone subject to the review and approval of the Director of Planning and Development.
 - b. No utility meters or equipment are permitted on the front façade.
 - c. Elevations shall be staggered with alternating exterior treatments such as porches, balconies, awnings, chimney, stoops, decks, patios, and terraces.
 - d. Front entrance ways shall have a minimum of a 64-square-foot deck and shall be covered.
 - e. First floor elevation shall have a minimum height of 10 feet.
 - f. If dwelling units are developed in a horizontal format, individual units shall be staggered to provide architectural relief.
 - g. Rear of building must have a minimum 10-by-10-foot deck.
 - h. New development or construction must maintain compatibility with surrounding buildings and community features.
2. Roof Design
 - a. Each building shall consist of a minimum of two alternating roof types, specifically, open gable, boxed gable, dormer, hip, or flat roof lines.
 - b. Utility meters or equipment on the roofs shall be screened from the view of a public right-of-way or from any surrounding property.
3. Yard and Landscaping
 - a. A 20-foot grass and landscaping strip between parking and building shall be installed.
 - b. The grounds must have an underground sprinkler system installed.
 - c. Detention ponds shall be screened from buildings and the right of way unless installed to be an amenity.
 - d. A decorative fence with brick or stone columns on center required every 25 feet at minimum along the public right-of-way.
 - e. Evergreen screen trees approved by the Planning and Development Department, such as Leyland Cypress, Easter Red Cedar, Arbor Vitae, or mixture thereof, required on the internal side of all fencing minimum spacing of 10 foot on center.

- f. Landscape shall be installed throughout the development subject to the review and approval of the Planning and Development Department.

602 Non-Residential Minimum Architectural and Design Standards

The following minimum architectural and design standards shall apply to all structures.

1. Exterior Wall Design

- a. The front façade of a non-residential building may be constructed of:
 - i. Architectural Block
 - ii. Brick
 - iii. Concrete Block⁴
 - iv. Exterior Tile
 - v. Fiber Cement Siding
 - vi. Glass
 - vii. Metal¹
 - viii. Stone²
 - ix. Stucco³
 - x. Tilt/Pre-cast Concrete⁴
 - xi. Wood

1-Only allowed in industrially zoned properties; if on a local or minor collector street and that façade is not facing the street, otherwise No

2 – Stone includes natural or cultured

3 – Stucco includes cementitious and EIFS

4- Only allowed in industrially zoned properties

2. Roof Design

- a. Each building shall consist of one or more roof types such as, specifically, shed, gable, flat, butterfly, hip or combination roof.
- b. Utility meters or equipment on the roofs shall be screened from the view of a public right-of-way or from any surrounding property.

3. Yard and Landscaping

- a. A 20-foot grass and landscaping strip between parking and building shall be installed.
- b. The grounds must have an underground sprinkler system installed.
- c. Landscape shall be installed throughout the development, subject to the review and approval of the Planning and Development Department.

4. Other Material Requirements:

- a. Deviations from the above requirements in, Permitted Building Materials, shall apply for a variance to the Board of Appeals.
- b. Metal roofs greater than a 3/12 pitch must be standing seam.
- c. Mechanical systems from the front or side must be screened from any street by the backside of a pitched roof, hidden by a parapet wall, or other similar screening device.
- d. Veneers of less than two inches are not permitted.

A. Building and Sign Structure Colors

It is the intent of these guidelines 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. The use of muted, subdued, or earth-tone colors are encouraged while the use of novelty and primary colors are to be avoided.
2. The following colors are prohibited: pink, purple, and bright or fluorescent shades of orange, yellow, blue, green, or red.
3. Any appeal regarding the application of this section shall be made to the Mayor and Council only.

B. Design and colors are subject to review and approval by the Planning and Development Department.

603 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 regulatory objectives of this subsection are as follows:

1. Promote nighttime visibility by directing appropriate levels of illumination upon intended targets.
2. Redress the disabling visual effects of glare and excessive illumination, and the extreme contrasts between brightly lighted areas, and the lower ambient levels of adjacent areas.
3. Limit light trespass across property lines and its intrusive and devaluing effects upon nearby private and public property.
4. Protect air and water quality and conserve natural resources.
5. Limit light pollution for the following purposes:
 - a. Restore natural cycles of light and dark to the indigenous natural environment, thereby redressing a cause of impaired vegetative growth and wildlife habitat; and
 - b. Darken the night sky by reducing the unnecessary transmission of upward light, both directly from an unshielded light source and indirectly from ground-level reflections of excessive downward light.

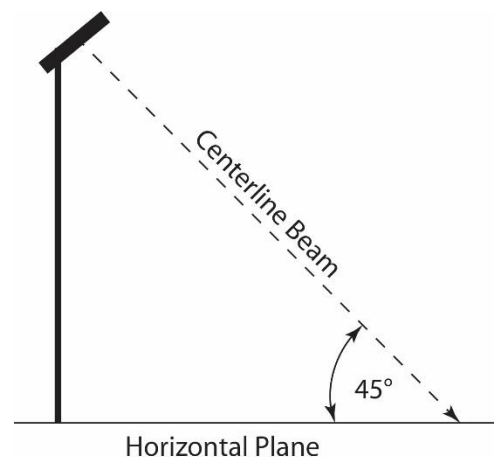
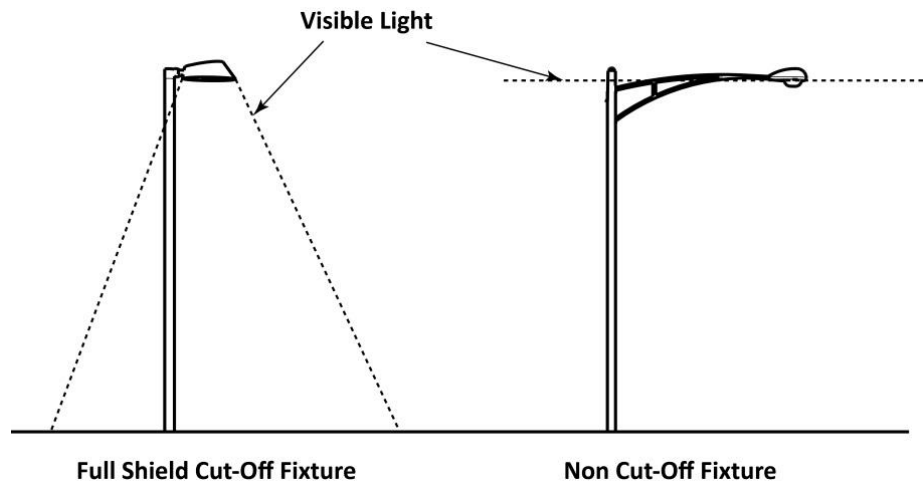
B. Applicability.

1. New or altered installation. Except as specified otherwise herein, the provisions of this subsection shall apply to all affixed (non-mobile) outdoor lighting fixtures as follows:
 - a. Fixtures newly permitted and installed after the effective date of this subsection;

- b. Existing fixtures if electrically altered with respect to lamp type to provide an increase in wattage, or lumen output, or if structurally modified, replaced, repaired, or relocated after the effective date of this ordinance; and
 - c. All fixtures illegally installed at any time.
 - d. Any lighting, existing or new, must comply with this subsection when proposed in association with additional structural or site improvement square footage added to an existing structure or site improvement in any district that is greater than 25 percent of the existing building square footage for structural improvements or 25 percent of the existing site improvement square footage for site improvements.
- C. Resumption of Use after Abandonment. Any non-conforming lighting structure or any building utilizing non-conforming lighting structures that are abandoned or discontinued for a period of six consecutive months shall be reviewed and brought into compliance with this subsection before use of the structure or its site is permitted to be resumed.
- D. Outdoor Lighting Standards.

1. Glare and Directional Control.

- a. Full shielding required. All outdoor lighting fixtures shall be horizontally cut-off or otherwise fully shielded, and shall comply with the terms of this subsection with respect to lighting intensity, glare, and trespass, except as specified otherwise herein.
- b. Non-constant lighting exception. Full shielding is not required for non-constant fixtures, provided all of the following conditions are met:
 - i. Fixture is top-shielded; and
 - ii. Spot- or flood-light fixtures have centerline beam aimed no more than 45 degrees above the horizontal plane.
- c. Diffused-light exception in residential zones. Full shielding to control glare and light trespass is not required in residential zones, provided the fixture is top shielded, emits its light through a frosted, matte, or other translucent, light-diffusing material.
- d. There shall be no exceptions for diffused-light in non-residential zones.
- e. Upward-light, excluding sign illumination. Full shielding to control glare is required for illumination of architectural elements, building facades, landscaping features, commercial



displays, or other vertical structures, and shall meet the following light-containment standards:

- i. The source of the light shall be located in such a way that no pedestrian ways are located between the light source and the targeted area. An exception would be when the light source is not visible from a pedestrian way.
 - ii. All light from an upward-directed fixture shall be contained from projecting beyond the targeted surface, such as by a building façade, roof overhang, or landscape feature, and the light source shall not be visible from any roadway or adjacent property.
 - iii. When total light output for all upward-directed fixtures exceeds 2,200 lumens per application, a permit shall be required for which the applicant shall provide manufacturer specifications, photometric, or other evidence demonstrating compliance with the provisions of this subsection.
- f. Light Standards in Parking Lots.
- i. Pole- aluminum or fiber glass; black, direct buried or base mounted 40 feet mounting height or less.
 - ii. Luminary- black exterior, LED, 4000k color or lower.

2. Light Trespass.

The following light-trespass standard shall apply to all outdoor fixtures not located within a public right-of-way.

- a. The standard can be achieved by means of fixture design, metal shielding, lamp type and lumen output, mounting height, location, or natural or constructed barriers on the subject property.
- b. Outdoor-lighting fixtures shall be shielded such that light of 1 foot-candle or greater is not transmitted over the property line of the subject property by more than 10 feet in residential zones, by no more than 20 feet in any other zone, or to the wall of the nearest structure on the immediately adjacent property if located at a distance that is less than those listed in this subsection.

3. Intensity of Illumination.

Outdoor sites shall not be illuminated in excess of the standards for lighting levels specified in Table 10-1 (below) for specific zones and classes of use or application, measured in foot-candle units, and based upon the initial lumen-output rating of the fixture lamps. Compliance shall be demonstrated by detailed descriptions, specifications, and photometric plans or studies, as determined by the Zoning Administrator.

Table 10-1. Maximum Allowable Light Standards.

For classes of outdoor use, in foot-candles (fc) by zoning districts, based upon initial lumen-output rating of fixture lamps.

Class of Use or Application	Residential Zones	Commercial and Industrial Zones
Building entries, retail sales and merchandise display areas	8 fc	14 fc
Parking areas and parking structures	4 fc	6 fc
Non-dedicated or private roadways	4 fc	6 fc
Pedestrian walkways	2 fc	3 fc
Structural facades and monuments	6 fc vertical	10 fc vertical
Landscaping features	2 fc vertical	3 fc vertical
Common open space	1 fc	1 fc
Sign faces exceeding 32 square feet, illuminated from below with upwardly directed fixtures	40 fc vertical	60 fc vertical
Under canopies and drive-through facilities	8 fc	25 fc

4. Sign Illumination.

Except as otherwise specified herein, the following provisions shall apply to all outdoor signs, advertising billboards, or other commercial or informational displays.

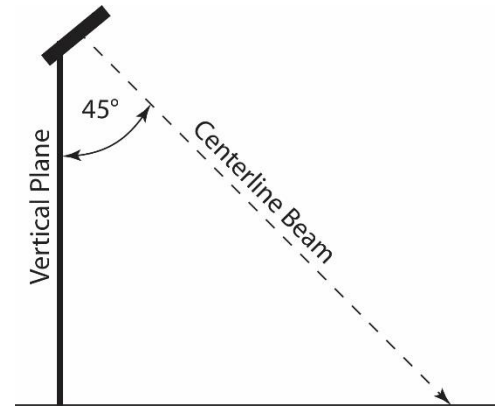
- a. External illumination of outdoor signs shall be designed and installed to meet the glare and trespass objectives of this subsection, and so that the light source is not visible from any roadway or adjacent property.

5. Specific Exceptions.

Specific exemptions to the standards of this subsection shall apply to the following applications, but should be implemented in a manner consistent with the general purposes of this subsection.

- a. Temporary lighting for occasional events, such as outdoor sporting contests, concerts, theater, festivals, carnivals, social gatherings, celebrations, special promotions, or similar occasional events not exceeding a time period of five days and permitted by the City of Lawrenceville.
- b. Celebratory lighting for seasonal and holiday observances that does not violate the prohibitions of Section 1003K.3.g, Prohibitions, of this subsection.
- c. Flags of the United States and the State of Georgia are encouraged to be flown only during daylight hours, but nighttime display of flags is permitted, provided illumination is by no more than two spotlight fixtures not exceeding 3,000 lumens in total. The spotlight can be either a direct burial ground fixture or a pole-mounted fixture, aimed upward and placed as close to the flag as reasonably possible. Wall-mounted fixtures are permissible, with the same maximum wattage. All fixtures should be mounted such that the light source is not visible from pedestrian pathways.
- d. Decorative architectural lighting and fixtures, such as acorn or lantern styles and Edison bulb style string lighting, are permitted, provided that the:
 - i. Electrical draw does not exceed 75 watts; and
 - ii. Upward-emitted light is refractive only, not direct, and does not exceed 2% of their total light output.
- e. Neon or other luminous-tube lighting shall be illuminated only during the operating hours of the associated use or business, but is otherwise exempt from the provisions of this subsection.
- f. Safety lighting is exempt from the provisions of this subsection, provided it is required for aviation, navigation, tower identification, vehicular-traffic control, emergency response, or any other governmental purpose related to public safety.

- g. Contingency lighting is exempt from the provisions of this subsection, provided it is for public emergencies or construction activities authorized by a government agency; such illumination is temporary; and its duration does not extend beyond the period of the permitted activity.
6. Flood and Spotlight Fixtures: Directional Adjustments.
- Vertical angle of illumination.
The directional angle of light from applicable fixtures shall be vertically downward, or above the vertical plane at an inclination angle not to exceed 45 degrees.
 - Horizontal angle of illumination adjacent to public roadways.
 - Applicable fixtures within 100 feet of a public right-of-way shall also conform to either of the following glare-abatement standards:
 - The light-trespass provisions of this subsection; or
 - The fixture's directional axis of light shall be away from the nearest roadway, and aimed on a horizontal plane at an angle from the roadway not less than 45 degrees, or 90 degrees minus the distance (in feet) between the fixture's location and the right-of-way, whichever is greater.
 - In those instances where multiple roadways are impacted by a fixture's glare, the Zoning Administrator shall determine the appropriate horizontal angle, shielding, or other remedy that maximizes public safety.
7. Prohibitions.
Except for uses specifically permitted elsewhere herein, the following applications of outdoor lighting shall be prohibited and shall be in violation of this subsection:
- Light which is flashing, pulsing, moving, rotating, flickering, chasing, or changing in intensity or color;
 - Searchlights, beacons, laser-source, or other high-intensity lights;
 - Bare lamps with illumination ratings exceeding 50 lumens, or 20 lumens if clear glass, that are not housed and protected within a light fixture, and are visible anywhere from beyond the property on which they are located;
 - Fixtures that may be confused with or construed as a traffic-control or other public-safety device;
 - Lighting found by reason of attraction, intensity, glare, or trespass to be a public-safety hazard that rises to the level of a public or private nuisance;
 - Installation, repair, or lamp replacement of any mercury-vapor light fixture.
- E. Accent Lighting
Accent lighting for all buildings in all zoning classifications other than AR, RS-180, RS-150, RS-60, and RM shall be limited as follows:
- Temporary accent lighting shall be allowed beginning November 15th of each year but shall be removed by January 15th of the following year.
 - Permanent accent lighting shall be prohibited except as allowed under 603.D, Outdoor Lighting (above).





ARTICLE 7



Signs

700 Purpose and Intent

This Article is adopted to serve substantial governmental interests of correcting and avoiding multiple problems that would occur without the regulation of signs. The regulations contained herein are no more extensive than necessary to serve the substantial governmental interests defined in this Article. It is not the intent of this Article to regulate the content of signs, but only their composition, type, location, distance from the right-of-way, height, size, illumination, and in some cases, the duration they may be displayed, or other non-content based restrictions implied in this Article. It is not the intent of this Article to foreclose important and distinct mediums of expression for political, religious, or personal messages on any sign permitted to be erected by this Article. These regulations shall not be construed as limiting the message content of any sign.

It is hereby declared that the aesthetic and safety interests of the City of Lawrenceville are reasonably promoted by the provisions of this Article.

Accordingly, it is the intent and purpose of this article to provide for the orderly and harmonious display of signs within the community; to avoid the erection of displays which produce deleterious and injurious effects to adjacent properties and to the natural-beauty of the environment; to provide for: the safety of the traveling public by limiting distractions, hazards, and obstructions; to minimize visual clutter and encourage a positive visual environment within the City; and to promote the mental health, physical health, safety, and welfare of the public.

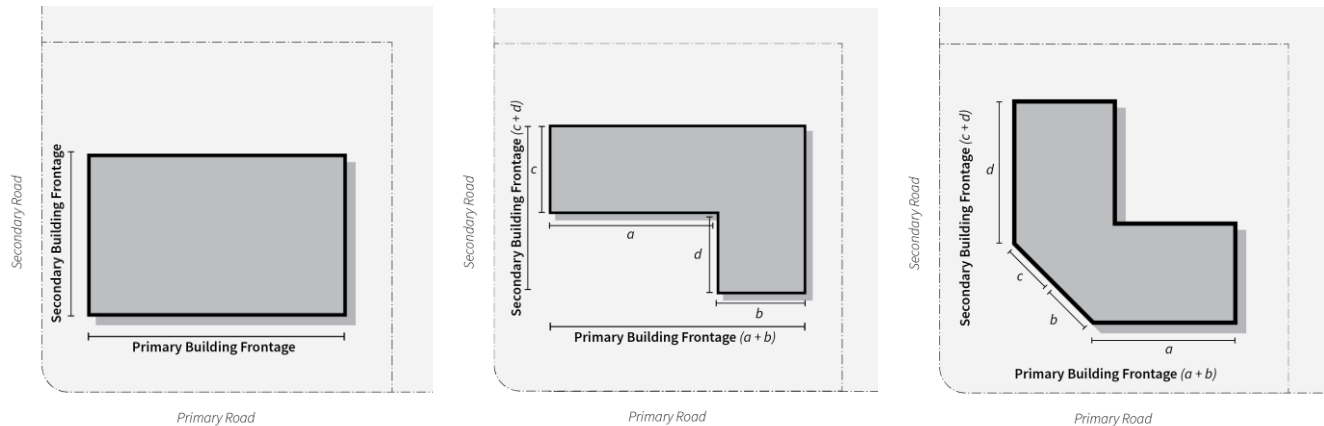
The regulations and requirements set forth herein shall be the minimum requirements to promote the health, safety, morals, and general welfare of the public, and to protect the character of the City of Lawrenceville.

The purpose and intent of these regulations is to create the legal framework for a comprehensive and balanced system of signage to improve and enhance the aesthetic environment of the City and to avoid the visual clutter that is potentially harmful to traffic and to the appearance of the community. The City Council of the City of Lawrenceville finds that the regulations set forth herein will improve the visual appearance of the City by limiting the number and size of signs within the corporate limits, consistent with constitutional guarantees, while continuing to provide an effective means of communication.

701 Sign Regulations

All signs must be designed and sited according to the regulations outlined in this section. Applicants proposing signs that require a Special Use Permit or do not conform to these regulations may apply

See the illustrations below for examples of building frontages for use in allowable sign area calculations.



for a Special Use Permit by filing it with a standard sign permit application with the Department of Planning and Development, processed and considered in accordance with the procedures required in [Article 9, Section 907, Special Uses](#), unless otherwise specified.

701.1 Premises

A designed parcel, tract, lot or area of land, together with improvements located thereon, if any, established by plat, subdivision, or as otherwise permitted by law, to be used, developed or built upon as a unit.

701.2 Primary Roadway

The public right-of-way, which is identified as the address of the premises.

701.3 Sign

Any surface, fabric, device, or display that bears letters, numbers, symbols, pictures or sculptured matter, whether illuminated or unilluminated, designed to identify, announce, direct or inform, and that is visible, from a public right-of-way. For purposes of this Ordinance, the term "sign" includes all structural members.

701.4 Sign Area

The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color-forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any

supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning Ordinance regulations and is clearly incidental to the display itself.

701.5 Surface Area

The entire area within a continuous perimeter, enclosing the extreme limits of sign display, including any frame or border but excluding any supports. Curved, spherical, or any other shaped sign face shall be computed on the basis of actual surface 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 calculation for a double-faced sign shall be the area of one face only where the sign faces are parallel or whether the interior angle formed by the faces is 60 degrees or less. The area of the larger side shall be computed in cases in which the two sides do not coincide.

702 Types of signs

702.1 Animated Sign

Signs that flash or move or otherwise change at intervals more frequently than once each Aseconds. Any sign that utilizes the appearance of movement using lighting to depict action or to create a special effect or scene.

702.2 Awning Sign – Wall Sign

Any sign attached to, in any manner or otherwise made a part of any awning or awning-like structure which projects beyond a building or extends along and projects beyond the wall of the building, generally designed and constructed to provide protection from the weather.

702.3 Banner Sign

A sign either enclosed or not enclosed in a rigid frame and secured or mounted to allow movement caused by the atmosphere. Flags are not banners.

702.4 Billboard

A sign, larger than 200 square feet in area.



Permitted Sign Dimensions

Maximum Height (including structure)

45 feet

Minimum Setback from Right-of-Way

100 feet

Maximum Sign Display Size

672 square feet- 14 feet (H) x 48 feet (W)

Quantity Permitted

Special Use Permit required

- A. Billboards shall be allowed only in LM and HM Zoning Districts under the City of Lawrenceville zoning classifications and provided that a Special Use Permit is obtained from the Lawrenceville City Council. The Special Use Permit shall be issued if the billboard and application meet all of the following conditions:
1. Special Use Permit Application
 - a. Within the City Limits of the City of Lawrenceville, a Special Use Permit may be applied for to allow the construction of a billboard within a corridor along Georgia Highway 316 (no further than 100 feet from the right-of-way line) between the intersection of Georgia Highway 316 and Georgia Highway 20/124 and the intersection of Georgia Highway 316 and High Hope Road.
 - b. The Special Use Permit shall be applied for by filing a standard sign permit application with the Department of Planning and Zoning. The Special Use Permit may be granted only by the affirmative vote of the majority of the Mayor and Council after a review and recommendation from the Planning Commission.
 - c. The standard procedure for securing a Special Use Permit under Article 9, Section 907 of this Ordinance shall be followed.
 2. In granting the Special Use Permit, the Mayor and Council shall be limited as follows:
 - a. The maximum square footage of the face of the billboard may be 672 square feet.
 - b. The minimum space between billboards shall be no less than 1000 feet.
 - c. The dimensions of the sign shall not exceed 14 feet in height by 48 feet in length with or without trim. The height of the entire structure shall not exceed 45 feet.
 3. Signs may only be located within 100 feet of Georgia Highway 316 R/W.
 4. No billboard shall rotate or have any moving parts.
 5. No billboard shall be located within 1,500 feet of any residentially zoned property.
 6. In order to construct a billboard under the standards of this provision, the applicant is required to own a fee simple property interest in the site large enough for a Fall Zone. A Fall Zone is defined as an area large enough and set back far enough from any buildings, structures or property lines equal to 133% of the height of the entire structure in every direction. Within the Fall Zone, no buildings or other structures may be constructed.
 7. Each billboard site shall have a designated driveway access point which is shown on the site plan presented with the application. The applicant shall have a property interest specifically providing for ingress and egress to the site. The ingress and egress driveway shall be paved and 2 additional paved parking spaces shall be provided for inspection, maintenance and supervision of the billboard.
 8. All billboard construction must meet engineering standards which are capable of withstanding 125 mile per hour wind velocity.
 9. All illuminated billboards other than EMC's must use base mounted florescent or mercury vapor lights and shall be activated by photocells. Any additional lights, including but not limited to, neon, animation or running lights is specifically prohibited by this Ordinance.
 10. Any structure extending beyond the face of any billboard, excluding the aprons is specifically prohibited.
 11. All billboard applications shall meet all of the other requirements set forth in the current Article 7 of this Ordinance.
 12. Billboards may be an electronic message center if it satisfies the following provisions:
 - a. EMCs shall not interfere with any public safety vehicle or traffic control device.

- b. EMCs shall have light sensors/monitors to control brightness as specified below for all times and all weather conditions; day, night, twilight, overcast skies and dark clouds. Excessive brightness is a distraction to vehicular traffic and as such is a hazard. Failure to control a sign's brightness will result in the sign being turned off until the brightness is within the standards.
 - c. The City will from time to time check the brightness of each EMC to verify the levels specified in this ordinance are met. If the owner of a sign fails to control brightness within these limits the sign permit will 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.
 - d. EMC light levels shall not increase lighting or brightness levels by more than 0.30 foot-candles above ambient levels as measured using a standard foot-candle meter.
 - e. The sign owner and installer shall provide a letter to the Planning and Zoning Department certifying that the light sensors are operational and that the sign meets the brightness standards established in paragraph (vii).
 - f. Text messages shall not scroll or flash. All Text messages shall be static for a minimum of 10 seconds.
 - g. The display of video from an EMC is strictly prohibited regardless of applicant. Failure to abide by this ordinance will result in the revocation of an EMC permit.
 - h. Types of screens permitted include Color and Monochrome in Light Emitting Diode (LED).
 - i. For LED signs no screen may have a density of less than 16 mm (Bulb Cluster Spacing on center).
 - j. All EMCs shall have a switch or circuit breaker located on the property that allows electrical power to be turned off. The Owner of each EMC shall provide to the Planning and Zoning Department contact information for a 24-hour, 7-day/week contact person who has the authority and is able to turn off the sign promptly if a malfunction occurs. If at any time more than 40% of the digital display lights malfunction or are no longer working properly, the owner of said EMC shall turn off the electronic display until repairs are made.
 - k. No EMC shall utilize, house or contain any interactive features or components or in any way function as an interactive sign.
 - l. In considering the Special Use Permit, the City Council shall consider whether the applicant has agreed to publish public service announcements for the benefit of the citizens of the City of Lawrenceville. Public service announcements shall include, but are not limited to, dates and times of meetings of the Mayor and Council of the City, and the date, time, and place of City elections. These announcements would be published in accordance with an agreement consented to by the applicant and made a part of the Special Use Permit.
 - m. All EMC Billboards shall meet all requirements of the Georgia Department of Transportation for construction, placement and operation of such billboards.
- B. Issuance of the Special Use Permit.
1. At the time of issuance of a special use permit for a billboard, the applicant shall complete a registration form that contains the name of the owner of the property, the tenants if the site is leased, the billboard company operating the billboard sign, addresses and telephone numbers of all interested parties, as well as, other contact information necessary to communicate with

the billboard owners in the event of an emergency. The actual form of the registration shall be devised by the Planning Director.

2. Should the City have a reasonable belief that the safety of a billboard may be in question, the Planning Director may request submission of an inspection report. The inspection report shall certify and guarantee that the billboard is being maintained in a sound and safe condition. It will certify that all the welds and structural components of the sign have been physically inspected within the last two (2) months by a Professional Engineer Registered in the State of Georgia. The certification shall guarantee and certify that there is no structural weakness in the sign and that it will withstand the wind conditions established for a new permit in the existing billboard sign Ordinance. This certification shall be in a form acceptable to the Planning and Zoning Director. The form shall contain a provision for the current operator to certify that it will hold harmless the City from any structural defects not disclosed in the report and will indemnify the City, its agents, employees and related parties from any liability resulting from a failure that occurs after the inspection. The certification required by this provision shall be executed by a certified professional engineer.
3. When property is annexed into the City of Lawrenceville and the property to be annexed already has a billboard constructed on the property at the time the application is filed, the owner shall submit with the annexation petition a registration form pursuant to paragraph (a) above and an inspection report pursuant to paragraph (b) above before the annexation hearing. The Property shall not be annexed unless this inspection report shows the billboard meets all existing regulations and requirements of the City.

702.5 Canopy Sign – Wall Sign

A sign attached to, in any manner, or otherwise made a part of any awning or awning-like structure which projects beyond a building or extends along and projects beyond the wall of the building generally designed and constructed to provide protection from the weather.



Permitted Sign Dimensions

<u>Gross Building Space</u>	<u>Maximum Sign Size</u>	<u>Total Sign Area</u>
0 - 2,500	36 S.F.	72 S.F.
2,501 – 15,000	60 S.F.	120 S.F.
15,001 -50,000	100 S.F.	200 S.F.
>50,001	200 S.F.	400 S.F.

Wall Sign includes the advertisement (text/images) on awnings or canopies.

702.6 Directory Sign

Any sign located on developed premises, adjacent to exits, entrances, driveways or off-street parking facilities.

- A. Maximum Sign Display Area shall not exceed 6 square feet, with a Minimum Setback from Right-of-Way of zero feet. (see 704 Signs Exempt from Permitting A.2.).

702.7 Door Sign

A sign that is applied or attached to the exterior or interior of a door or located in such a manner withing a building that it can be seen from the exterior of the structure through a door (see 749 Signs Exempt from Permitting, A.3.). Door Signs with a Maximum Sign Display Area greater than 20% require a Sign Location Permit.



Permitted Sign Dimensions

Maximum Height (including structure)

N/A

Maximum Sign Display area

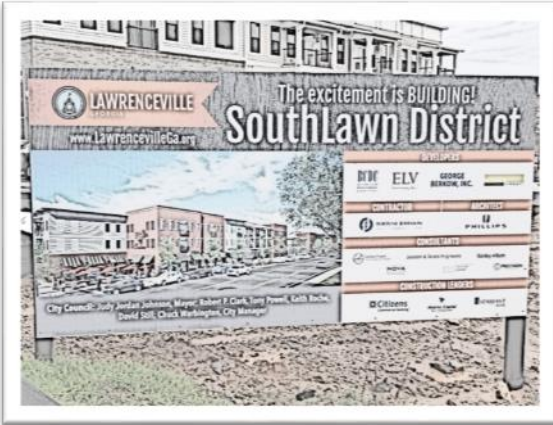
As measured from its outermost points, covers no more than 20% of each door area

Minimum Setback from Right-of-Way

N/A

702.8 Double Post Sign – Temporary

A temporary, free-standing sign where the primary support is supplied by two posts positioned no more than two inches from the outer edge of the sign display area. The support posts shall be constructed of wood beams. A Double Post Sign shall not exceed a total surface area of 18 square feet per lot. A Double Post Sign – Temporary, may contain advertising real property listed for sale or lease, construction related activities associated with a valid permit or a non-commercial message.



Permitted Sign Dimensions

Maximum High (including structure)

8 feet

Maximum Sign Display Area

18 S.F.

Minimum Setback from Right-of-Way

Equal to height of sign

702.9 Electronic Message Center (EMC) Sign

A computer programmable sign capable of displaying figures, picture images, symbols or words that can be altered or rearranged on-site or by remote means without altering the face or surface of the sign. If any indoor EMC signs are visible from a public right-of-way, they will be subject to all conditions and standards of this ordinance.

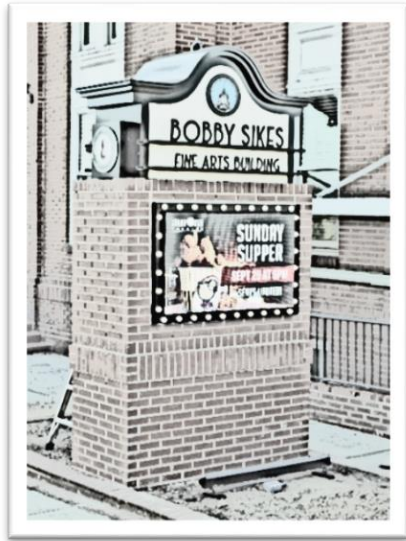
Purpose and Intent; Findings Regarding Electronic Message Center (EMC) Signs

Unless restricted as required by this ordinance Electronic Message Center (EMC) signs, which allow operators to change the content from remote locations in a matter of seconds, have been shown to create possible threats to public safety. Such signs are erected for the purpose of trying to hold the attention of motorists by changing messages and pictures for short durations using a series of bright, colorful images produced mainly via LED (light-emitting diode) technologies. Brightly lit signs that change messages every few seconds compel motorists to notice them, and they lure the attention of motorists away from what is happening on the road and onto the sign. Such signs pose public safety threats because if they attract a motorist's attention, the motorist will look at the sign and not the road. Electronic Message Center (EMC) signs are also a threat to public safety because of their brightness, making them visible from great distances. Due to their nature of brightness and changing displays, Electronic Message Center (EMC) signs are more distracting than signs which do not vary the message. Some such signs could, if unregulated, have the appearance of large,

plasma-screen televisions. An electronic LED display contains brightly-lit text and graphics which can be seen from hundreds of feet away, drawing the attention of everyone within view. Unless otherwise regulated, such displays can be extremely bright since they are designed to be visible in bright sunlight and at night. Furthermore, the human eye is drawn to them far more strongly than to traditional illuminated signs. Such electronic LED displays can be seen from as far away as six-tenths of a mile, making them distracting. It takes a minimum of six seconds to comprehend the message on an electronic sign, which is three times the safe period for driver distraction. For these reasons, it is the intent of the City Council to regulate Electronic Message Center (EMC) signs. The City Council relies on the following studies and findings, among others, as empirical and professional justification for imposing this regulation:

1. Federal Highway Administration (FHWA). September 11, 2001. *Research Review of Potential Safety Effects of Electronic Billboards on Driver Attention and Distraction*.
2. University of North Carolina Highway Safety Research Center. May 2001. *The Role of Driver Distraction in Traffic Crashes*.
3. University of North Carolina Highway Safety Research Center. May 2003. *Distractions in Everyday Driving*.
4. Pettit, M., Burnett, G., Stevens, A. 2005. "Defining Driver Distraction." Paper presented at World Congress on Intelligent Transport Systems, San Francisco, November 2005.
5. Wallace, B. 2003. "Driver Distraction by Advertising: Genuine Risk or Urban Myth?" Proceedings of the Institution of Civil Engineers. *Municipal Engineer* 156 September 2003 Issue ME3, Pages 185-190.
6. Scenic America. "Billboards in the Digital Age: Unsafe (and Unsightly) at any Speed. *Scenic America Issue Alert 2 Electronic Signs*.

A Wisconsin Department of Transportation study examined crash rates on I-94 East and West adjacent to the Milwaukee County stadium, after a variable message sign that showed sports scores and ads had been installed and concluded that "it is obvious that the variable message sign has had an effect on traffic, most notably in the increase of the side swipe crash rate." An analysis of the 100-Car Naturalistic Driving Study, conducted by the National Highway Traffic Safety Administration, released in 2006, showed that taking one's eyes off the road for more than two seconds for any reason not directly related to driving (such as checking the rearview mirror) "significantly increased individual near-crash/crash risk." A 1998 FHWA memo noted that digital signs raise "significant highway safety questions because of the potential to be extremely bright, rapidly changing, and distracting to motorists." A 2001 FHWA review of billboard safety studies found that "the safety consequences of distraction from the driving task can be profound."



Permitted Sign Dimensions

Maximum Height (including structure)

12 feet

Minimum Setback from Right-of-Way

Equal to height of sign

Maximum Sign Display Area

54 S.F. per lot

All EMCs shall require the approval of a Special Use Permit from the Lawrenceville City Council unless such sign meets the requirements of Section 719 Ground Sign – Commercial, Industrial or Office herein. All EMCs must satisfy the following requirements:

- A. EMC signs may be permitted as ground signs only.
- B. EMC signs are restricted to properties that are zoned General Business (BG) and Highway Service Business (HSB).
- C. Public Schools and Government Facilities may install EMC's in accordance with the regulations herein but may be exempt from any location requirements.
- D. EMC signs shall not interfere with any public safety vehicle or traffic control device.
- E. Brightness. EMC signs shall have light sensors/monitors to control brightness as specified in F.2 (below) for all times and all weather conditions; day, night, twilight, overcast skies, and dark clouds. Excessive brightness is a distraction to vehicular traffic and as such is a hazard. Failure to control a sign's brightness will result in the sign being turned off until the brightness is within the standards.
 1. The City will from time to time check the brightness of each EMC to verify the levels specified in F.2 (below) are met. 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. EMC signs light levels shall not increase lighting or brightness levels by more than 0.30 foot-candles above ambient levels as measured using a standard foot-candle meter.
 3. The sign owner and installer shall provide a letter to the Planning and Zoning Department certifying that the light sensors are operational and that the sign meets the brightness standards established in F.2 (above).
- F. The combined EMC portion or element of any sign where the text will change no more than 4 times in any 24-hour period may be a maximum of 54 square feet, provided the following additional requirements are met:

1. No lot shall be permitted to have more than 3 display panels on any sign or combination of signs;
 2. No single display panel shall exceed 18 square feet;
 3. There shall be a minimum of one inch of space in between each display panel;
 4. For changeable text the minimum text height shall be six inches;
 5. Text messages shall not scroll or flash, and all text messages shall be static for a minimum of 6 hours; and
 6. The EMC sign must be specifically authorized as a permitted accessory use for the zoning classification of the property upon which the sign is to be located.
- G. The EMC portion or element of any sign where the text may change more than four (4) times in any twenty-four (24) hour period may be a maximum of Seventy Two (72) square feet, provided the following additional requirements are met:
1. Such signs are restricted to properties with frontage along the following portions of roads:
 - i. Scenic Highway – From City Limits to Moon Road
 - ii. Buford Drive/SR 20 North – From City Limits (at SR 124 intersection) to Railroad Bridge
 - iii. W Pike St/SR 120 – From SR 316/City Limits to Railroad Bridge
 - iv. Sugarloaf Parkway – From Lawrenceville/Suwanee Road to Five Forks Trickum Road
 - v. Lawrenceville Highway – From the Eastern City Limits to the Scenic Highway/E. Pike Street intersection
- H. For Changeable Text, the minimum text height shall be six (6) inches.
- I. The display of video from an EMC sign is strictly prohibited regardless of the applicant. Failure to abide by this ordinance will result in the revocation of an EMC permit.
- J. Types of screens permitted include Color and Monochrome in Light Emitting Diode (LED), Liquid Crystal Display (LCD), Plasma and other similar technology.
- K. For LED signs no screen may have a density of less than 19 mm (Bulb Cluster Spacing on center) except for those signs meeting the requirements of subsection (x) above.
- L. All EMC signs shall have a switch or circuit breaker located on the property that allows electrical power to be turned off. The Owner of each EMC shall provide to the Planning and Zoning Department contact information for a 24-hour, 7-day/week contact person who has the authority and is able to turn off the sign promptly if a malfunction occurs. If at any time more than 40% of the digital display lights malfunction or are no longer working properly, the owner of said EMC shall turn off the electronic display until repairs are made.
- M. No EMC shall utilize, house or contain any interaction features or components or in any way function as an interactive sign.
- N. At the direction of the City Clerk, all permitted EMC signs shall publish public service announcements for the benefit of the citizens of the City of Lawrenceville. Public service announcements shall include but are not limited to, dates and times of meetings of the Mayor and Council of the City, and the date, time, and place of City elections.
- O. Malfunctioning or damaged EMC portions of legal non-conforming and legal conforming EMC signs may be replaced provided that the replacement must be equal to or better than the original display technology and the display area may not be any greater in size. The new EMC portion must be in compliance with current ordinance requirements regarding brightness levels and copy change time limitations.

- P. All other signage located on the property upon which an EMC sign is to be located shall meet the current sign standards, including landscape and color requirements.

702.10 Exposed Neon

Any display which utilizes bulbs or glass to directly illuminate without any form of color translucent covering including, but not limited to, being placed directly on or in a sign structure or located on a building as accents. This definition shall include LED linear rope lights or similar devices intended to imitate Exposed Neon.

- A. Exposed Neon requires the approval of a Special Use Permit by the City Council. An applicant for a Special Use Permit to use Exposed Neon shall include specific plans for the use of the Exposed Neon, including colors and dimensions. Upon receipt of the application, the staff shall propose a staff recommendation and place the application on the next available regular City Council meeting agenda for consideration. In considering the application, the City Council shall consider the following factors:

1. The proposed location of the Exposed Neon.
2. Whether the Exposed Neon is part of a lettered sign or proposed as an accent on a building facade or window.
3. Whether the Exposed Neon is part of a sign or building that is traditionally used by a franchise or business with multiple locations and standard building and sign designs.
4. Whether the color and size of the Exposed Neon is appropriate for the location or whether it will create visual clutter and be aesthetically unpleasing.
5. Whether the business has adequate means to allow for public identification without the Exposed Neon.

702.11 Ground Sign – Commercial, Industrial or Office

An independent permanent structure, attached to the ground with a solid supporting base.



Permitted Sign Dimensions

Maximum Height (including structure)

12 feet

Minimum Setback from Right-of-Way

Equal to height of sign

Maximum Sign Display Area

<u>Gross Building Space</u>	<u>Maximum Sign Size</u>
0 - 10,000	75 S.F.
10,001 – 50,000	100 S.F.
50,001 -100,000	150 S.F.
>100,001	200 S.F.

- A. 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.
- B. The maximum height of the supporting base and structure shall be 12 feet in height and 16 feet in width. The supporting base shall be at least 18 inches in height and shall be 6 inches wider on each side of the sign display area.
- C. One sign per road frontage, not to exceed maximum allowable square footage. Where two signs are allowed, the distance between the signs shall be a minimum of 100 feet.
- D. A ground sign shall be set back at least 5 feet from any property line.
- E. A ground sign shall not be located within a required buffer, landscape strip, right-of-way, stream buffer, or zoning buffer.

702.12 Ground Sign – Residential Subdivision Sign

Any sign located in a subdivision or planned unit development.



Permitted Sign Dimensions

Maximum Height (including structure)

6 feet

Minimum Setback from Right-of-Way

10 feet

Maximum Sign Display Area

32 S.F. per sign (structure not included)

- A. The supporting base and structure shall consist of brick, stone or material similar to the primary structures.
- B. Two signs are allowed per entrance.

702.13 Height – Ground Sign

The distance in vertical feet from the average elevation of the ground level at the base of the sign to the highest point of the sign structure. The ground shall not be altered for the sole purposed of providing additional sign height.

702.14 Illuminated Sign

A sign illuminated in any manner by an artificial light source

702.15 Inflatable Sign (Static)

Any sign inflated or supported by air, pneumatic noncombustible pressure or winds which is securely anchored to the ground and does not move (see Section 733 - Temporary Sign).

702.16 Marquee Sign – Wall Sign

Any sign attached to, in any manner, or otherwise made a part of any permanent roof-like structure, which projects beyond a building or extends along and projects beyond the wall of the building, may be designed and constructed to provide protection from the weather.



702.17 Motor Vehicle Sign

A sign mounted, painted, placed or written on a vehicle or trailer whether motor-driven or not.

- A. No delivery/service vehicle and vehicles, including, but not limited to, 18-wheel tractor-trailers and vehicles advertising, shall be parked in the front yard of the property except vehicles parked temporarily while making a delivery, providing a service, or purchasing goods and services.

702.18 Mural (Advertisement) – Wall Sign

A painted or otherwise attached or adhered image or representation on the exterior of a building that is visible from a public right-of-way or neighboring property, contains a commercial advertisement (is commercial in nature), and is designed in a manner so as to serve as to advertise a local commercial, industrial or office establishment occupying appropriately zoned tenant space.



702.19 Mural (Public Art)

A painted or otherwise attached or adhered image or representation on the exterior of a building that is visible from a public right-of-way or neighboring property, does not contain commercial advertisement (is noncommercial in nature), and is designed in a manner so as to serve as public art, to enhance public space, and to provide inspiration.

702.20 Pennant

Any long, narrow flag which does not meet any other sign definition in this Ordinance (see Section 750 Signs Exempt from Permitting A.5. Pennants, Balloons and Streamers).

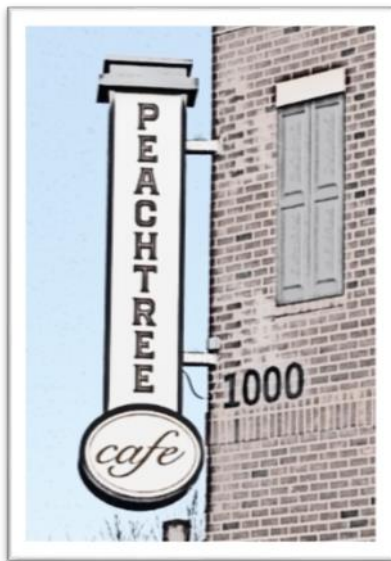
- A. Pennants, Balloons, and Streamers are allowed one (1) time only for a change in use or change in occupancy of the premises from two (2) weeks prior to the change in use or occupancy until two (2) weeks after the change in use or occupancy.

702.21 Portable Sign

Any sign which is not permanently attached to the ground or other permanent structure, including, but not limited to signs attached to vehicles, trailers, securely anchored into the ground or any sign which may be transported or is designed to be transported. Such signs shall include, but are not limited to, "A" and "T" type, sandwich, sidewalk, trailer signs; curb type signs, banners; curb type signs, banners; balloons or other commercial advertisement attached to vehicles. Exceptions: Signs which are painted, bolted, screwed or magnetically attached to the top, sides or rear of the vehicle. Signs which are placed in the bed of a truck or trunk of an automobile or a banner attached to the vehicle regardless of the information contained thereon or method of attachment are not included in this exception.

702.22 Projecting Sign – Wall Sign

A sign that is wholly or partly dependent upon a building for support and which projects more than 12 inches from such building. Projecting signs shall be so located and shall provide such vertical clearance to provide for safe, convenient, and unobstructed passage for pedestrians and vehicles.



Permitted Sign Dimensions

Maximum Sign Display Size

36 Square Feet

Maximum Sign Display Height

12 Feet

Minimum Setback from Right-of-Way

2 Feet

Vertical Clearance - Sidewalk

10 feet

Vertical Clearance – Driveways & Parking Areas

14 feet

702.23 Sandwich Board or A-Frame Sign

A sign that is portable and self-supporting.



Permitted Sign Dimensions

Maximum Height (including structure)

5.5 feet

Minimum Setback from Right-of-Way

0 feet

Minimum Sign Display Area

One sign totaling 13 square feet-
4.5 feet x 3.5 feet

- A. Sandwich Board, A-frame sign signs, sidewalk or curb signs are allowed in the Courthouse Square area, provided that the sign area does not exceed 4 ½ feet by 3 ½ feet, the height of the sign does not exceed 5 ½ feet, and the sign does not impede the flow of pedestrian or vehicular traffic. Any a-frame, sandwich board, sidewalk or curb sign which does not meet the criteria listed above shall only be allowed upon approval of a permit by the City Council. An applicant seeking a permit shall file a regular sign permit application and a \$25.00 application fee with the Department of Planning and Development. The application shall include a description and/or sketch of the proposed sign and a sketch of the area in which the sign is to be located. The description sketch shall include dimensions and colors to be used on the sign. Upon receipt of the application, the staff shall prepare a staff recommendation and place the application on the next regular City Council meeting agenda for consideration. In considering the applications for a permit, the Council shall consider the following factors:
1. If the sign will be located on public property;
 2. If the sign will be located on public property, can the sign be placed in such a location that it will not impede the flow of vehicular traffic or pedestrian traffic and will not pose a threat to the health and safety of the general public;
 3. Is the coloring and size of the sign appropriate for the location and will the sign create visual clutter and be aesthetically unpleasing in its proposed location;
 4. Does the business proposing the sign have other adequate signage to allow for public identification of the business.
- B. If the permit is approved, the Council may place conditions on the permit, including but not limited to specifying the exact location in which the sign may be placed, placing size and color restrictions on the sign, and placing time restrictions on when the sign may be displayed.

702.24 Temporary Sign

A display, sign, banner, or other devices with or without a structural frame, not permanently mounted, and intended to be displayed for only a limited time.

Banner: A sign either enclosed or not enclosed in a rigid frame and secured or mounted to allow movement caused by the atmosphere. Flags are not banners.



Permitted Sign Dimensions

Minimum Setback from Right-of-Way

10 feet

Maximum Sign Display Area

32 S.F.

A. Temporary signs:

1. A sign permit is required for all temporary signs.
2. Unless allowed under Section 749 (Signs Exempt from Permitting), the only temporary signs allowed are a banner or banners, inflatable sign (static), pennants, balloons, or streamers.
3. The standards for a temporary sign permit are as follows:
 - a. A temporary sign may only be displayed with a permit issued by the City of Lawrenceville for the temporary sign pursuant to the requirements of this section.
 - b. A permit shall not be valid for longer than a period of 14 days from the date of issuance, after which time the owner of the temporary sign or owner of the premises shall remove the sign from the premises. No two permits shall be issued consecutively. The owner must wait 72 hours before applying for a new permit. The applicant must wait 90 days before placing a sequential permitted sign on the premise.
 - c. No more than four permits may be issued to the same premises in any one calendar year. In the event a temporary sign is not removed within five days after the expiration or revocation of the permit, no new permit will be issued for the premises for a period of the remainder of the calendar year.
 - d. Temporary signs must be set back at least 10 feet from the property line. The placement of a temporary sign in a parking space that is required to meet the minimum parking requirements for the premises is prohibited. The placement of a temporary sign in the public right-of-way is prohibited and will be cause for revocation of the permit.
 - e. A banner shall not exceed a maximum of 32 square feet in area per face.

- B. Pennants, Balloons, and Streamers. Pennants, Balloons and Streamers are allowed one time only for a change in use or change in occupancy of the premises from two weeks prior to the change in use or occupancy until two weeks after the change in use or occupancy (four weeks total).
- C. Attention-Getting Devices – Any balloon, figurine, inflatable sign (static), pennant, propeller, ribbon, searchlight, spinner, statue, streamer, or other similar device or ornamentation designed to or having the effect of attracting the attention of potential customers or the general public. An Attention-Getting Device shall be considered a sign and shall meet all requirements of this ordinance for a sign.
- D. Inflatable Sign (Static) - Section 719, shall be allowed only one time per year per premises, and for not more than seven consecutive days. The inflatable sign shall not exceed a height of 11, 15 feet in width, nor exceed a maximum of 199 square feet of sign area and shall be securely attached to the ground

702.25 Wall Sign

A sign painted on or attached to a wall of a building or structure and in the same plane as the wall.



Permitted Sign Display Area

Maximum Sign Display Area

<u>Gross Building Space</u>	<u>Maximum Sign Size Per Elevation</u>	<u>Total Sign Area</u>
0 - 2,500	36 S.F.	72 S.F.
2,501 – 15,000	60 S.F.	120 S.F.
15,001 -50,000	100 S.F.	200 S.F.
>50,001	200 S.F.	400 S.F.

- A. Wall Sign includes any advertisement (text/images) on awnings or canopies.
- B. Wall Signs may not exceed 50% of the total square footage of any building elevation
- C. The total of all wall signs on all elevations shall not exceed the total square footage listed above.

702.26 Window Sign

A sign placed inside or upon the window panes of glass of any window or door. An applicant seeking to cover more than 20% shall apply for a regular sign permit along with a Special Use Permit application with the Planning and Development Department. (Section 704 A.9.). Window Signs with a Maximum Sign Display Area greater than 20% require a Sign Location Permit.



Permitted Sign Dimensions

Maximum Sign Display Height

6 feet

Minimum Setback from Right-of-Way

10 feet

Maximum Sign Display Size

32 S.F.

Quality Per Lot Permitted

Two signs per entrance

703 Prohibited Signs

The following types of signs are prohibited in all zoning districts of Lawrenceville:

1. Flashing Sign - A sign, the illumination of which is not kept constant in intensity at all times when in use, and which exhibits marked changes in lighting effects. Illuminated signs which indicate only the time, temperature, or date or any combination thereof shall not be considered as flashing signs.
2. Roof Sign - Any sign erected or installed upon the roof of any building of a structure
3. Any sign greater than 12 feet in height, 16 feet in width, or 200 square feet in size unless permitted as a billboard under Section 702.4 Billboards.
4. Signs, which emit an odor or visible smoke, vapor or particles.
5. Signs, which produce noise or sound that are not generally associated with the normal operations of a sign.
6. Bandit Signs - Any sign of any material whatsoever that is attached or painted in any way to a natural object or feature, plant, post, rock, shrub, street sign or marker, traffic control sign or device, tree, utility pole or any object located or situated on any public road right-of-way, easements or alleys. This shall include guerilla and snipe signs.
7. Inflatable Sign (Animated) - Any sign inflated or supported by air, pneumatic noncombustible pressure or winds which moves or is caused to move in any way to thereby distract or draw attention
8. Movable Panel Sign - Any sign which utilizes movable discs, panels or other similar methods which allows the message change to be actuated by a control rather than manually changing the message.
9. Pole Signs - Any Ground Sign where the primary support is one post or column.

704 Signs Exempt from Permitting

- A. Unless expressly prohibited under Section 703 Prohibited Signs, the following types of signs are exempt from permitting requirements of this Article provided, however, that all such signs meet the height and setback requirements of this Section:
1. Construction Sign - A temporary sign erected on premises where construction is taking place. Maximum Sign Display Area shall not exceed 50 square feet.
 2. Directory Sign - Any sign located on developed premises, adjacent to exits, entrances, driveways or off-street parking facilities. Maximum Sign Display Area shall not exceed 6 square feet, with a Minimum Setback from Right-of-Way of zero feet.
 3. Door Signs (Section 702.7) provided that each sign, as measured from its outermost points, covers no more than 20% of the total door area.
 4. Flags - A cloth with colors or patterns, which does not meet any other sign definition under this Ordinance
 5. Pennants, Balloons and Streamers are allowed one time only for a change in use or change in occupancy of the premises from two weeks prior to the change in use or occupancy until two weeks after the change in use or occupancy (see 702.23 Temporary Sign).
 6. Signs containing a non-commercial message with a maximum total surface area not to exceed 18 square feet per lot (see 702.8 Double Post Sign – Temporary).
 7. Signs located on property which is listed for sale or lease with a maximum total surface area not to exceed 18 square feet per lot (see 702.8 Double Post Sign – Temporary).
 8. Signs within a business, office, mall or totally enclosed area except as described in the definition of Electronic Message Centers (Section 702.9).
 9. Window Signs (Section 702.25) provided that each sign, as measured from its outermost points, covers no more than 20% of the total window area.
- B. In addition to the requirements in Section A (above), the following regulations shall also apply:
1. Setbacks. All exempt signs must be located out of the right-of-way or at least 10 feet from the back of the curb or edge of pavement of the adjacent street, whichever is greater. Signs located on a corner lot within 50 feet of the intersection of rights-of-way must be out of right-of-way or at least 15 feet from the back of the curb or edge of pavement of the adjacent streets, whichever is greater.
 2. Height. The topmost portion of an exempt sign, except flags, shall not exceed a maximum height of 8 feet. Flagpoles in residential districts shall not exceed 25 feet in height or the height of the primary structure on the lot, whichever is less.

705 Nonconforming Signs

It is the policy of the City to encourage that all signs within the City be brought into compliance with the terms and requirements of this Ordinance.

- A. The City finds that non-conforming signs may adversely affect the public health, safety and welfare. Such signs adversely affect the aesthetic characteristics of the City and may adversely affect public safety due to the visual impact of said signs. Accordingly, the following registration requirements are found to be necessary in order to minimize these possible adverse by establishing an inventory of all non-conforming signs and allowing the City to perform periodic inspections and to remain cognizant of the locations and maintenance of non-conforming signs.

- B. The owners of all non-conforming signs must register the non-conforming sign with the City of Lawrenceville within 90 days of their receipt of the written notice that the sign is non-conforming. Any non-conforming sign that does not comply with the registration requirements shall be deemed to be an illegal sign and shall be subject to all enforcement provisions of this Ordinance related to illegal signs. At the direction of the City Council, the Planning Director, shall identify and inventory non-conforming signs. Prior to taking any enforcement action against a non-conforming sign for failure to register the sign in accordance with the provisions of this paragraph, the Director shall first provide notice of the intention to take enforcement action to the owner in writing at least 15 days prior to the actual enforcement action. Should the owner of the sign register the sign as required by the provisions of this paragraph within the 15 day period between receiving notice of the violation and actual enforcement of the violation, the owner shall be deemed in compliance with the registration requirements of this paragraph. The Director shall promulgate a form for the registration of non-conforming signs and shall periodically inspect such signs to ensure that they continue in all of their aspects in conformity with all of the provisions of this ordinance, and any other applicable ordinance or regulations of the City. A registration fee may be assessed to cover the cost of administration of non-conforming signs in accordance with the provisions of this paragraph.
- C. The Director may inspect existing signs in the City from time to time to determine if such signs conform to the provisions of this Ordinance.
- D. Any non-conforming sign located on property that remains vacant for a period of six (6) months or more loses its non-conforming status .shall be removed by the owner of the sign or the owner of the property.
- E. No change in shape, size or design, shall be permitted except to make a nonconforming sign comply with all requirements of this Ordinance
- F. A nonconforming sign may not be replaced by another nonconforming sign.

706 Procedures

706.1 Sign Permits Required

- A. Permits Required: Signs larger than six (6) square feet and A-frame signs require a sign permit. Face change for single-tenant signs even though no structural modifications are proposed require a sign permit. No person shall erect, alter, repair or relocate any sign that requires a permit without first obtaining a sign permit for such work from the Department of Planning & Zoning of the City of Lawrenceville. No permit shall be issued until the Department of Planning & Zoning of the City of Lawrenceville determines that such work is in accordance with the requirements contained in this Ordinance, and the Department of Planning & Zoning of the City of Lawrenceville determines such work will not violate any building, electrical or other adopted codes of the City of Lawrenceville.
- B. Applications: All required sign permit applications shall be filed on forms supplied by the Department of Planning & Zoning of the City of Lawrenceville. The application shall contain the information and documents required in Section C of this paragraph and shall be accompanied by the required sign permit fee.
- C. Permit Contents: The completed application for a sign shall include the following applicable information:

1. The name, address and telephone number of the property owner.
 2. The name, address, telephone number and registration number of the engineer.
 3. The name, address, telephone number and license number of the sign contractor/manufacturer.
 4. The name and address of the business where the sign is to be erected. The zoning district, the building frontage of the tenant space and the road frontage of the parcel is also required.
 5. The types of sign, square footage, height and location of all signage currently displayed on the site.
 6. The type of sign, square footage, height and location of the sign or signs proposed to be erected on the site. If the sign is to be electrically lighted, additional information is to be provided regarding the Testing Laboratory or the ETL Number, and the name and address of the Electrical Contractor.
 7. A fully dimensioned site plan showing the lot frontage, building frontage, parking areas and location of all existing and proposed signs. For ground signs, the sign plan must show the distance from the right-of-way and edge of pavement, and the street corner. Visibility calculations must be made to insure that the sign location does not block pedestrian traffic visibility.
 8. Site plan (does not apply to temporary signs). The application shall:
 - a. Provide a summary table listing location type and area of any existing and proposed signs.
 - b. Provide fully dimensioned elevation drawing of any proposed sign, showing sign type, height and copy area.
 - c. For façade signs, provide an elevation of the building, showing placement of any sign.
 9. The type of construction, sign supports, electrical details.
 10. Wind load calculations and footer details as required by the City's adopted building code.
- D. Investigation/Time Limits: Upon the receipt of a completed sign permit application and upon payment of the appropriate sign permit fee by the applicant, the Department of Planning & Zoning of the City of Lawrenceville shall promptly conduct an investigation of the application, the proposed sign and the premises. The Director of Planning & Zoning or his designated representative of the Department of Planning & Zoning of the City of Lawrenceville shall grant or deny the sign permit application within thirty (30) days from the date the completed application with application fee was filed with the Department of Planning & Zoning of the City of Lawrenceville.
- E. Issuance or Denial of Permit:
1. If, after review and investigation as required herein, the Director of Planning and Development or his designated representative determines that the application meets the requirements contained in this Ordinance and determines the proposed sign will not violate any building, electrical or other adopted codes of the City of Lawrenceville, the Director of Planning and Development or his designee shall issue the permit.
 2. If, after review and investigation as required here, the Director of Planning and Development or his designee determines that one or more reasons for denial exist, the permit shall be denied and the Director of Planning and Development or his designee shall make a written report of the denial and the reasons therefore. A copy of the report shall be sent by certified mail to the designated return address of the applicant on the application. The application for a permit shall be denied if one or more of the following conditions are found to exist:
 - a. The application does not comply with the requirements of this Ordinance; or,
 - b. The application would violate any building, electrical, or other adopted codes of the city of Lawrenceville.

3. The sign permit application shall be deemed granted in the event the Director of Planning and Development or his designee fails to take action within 30 days from the date the completed application with application fee was filed with the Planning and Development Department.
4. Any application for a Special Use Permit required under this Article shall be acted on by the City Council within 60 days of receipt of a completed application with the required fee and supporting documentation. The application for a Special Use Permit shall be deemed granted if the City Council fails to take final action on the application within 60 days of receipt of a completed application with application fee and supporting documentation unless the applicant specifically agrees in writing or on the public record of a meeting for action on the application to be tabled to a later date.
- F. Fees. The sign permit fee for signs shall be determined pursuant to the sign permit fee schedule established by separate Ordinance.

706.2 Appeals

- A. Any person aggrieved by any order, requirement, decision or determination of the Administrative Official in the implementation or enforcement of this Ordinance may file a written appeal to the Zoning Board of Appeals within ten (10) calendar days after rendition of the order, requirement, decision or determination by the Administrative Official to which the appeal is directed. The procedures for such an appeal are contained in 11.6.4 of the City of Lawrenceville Zoning Ordinance.

For purposes of review of appeals from this Sign Ordinance, the Lawrenceville Zoning Board of Appeals shall have forty-five (45) days in which to make a decision regarding the appeal. The Zoning Board of Appeals shall have the authority to approve, deny or remand the order, requirement, decision or determination by the administrative official. A remand in this case is an action to send a particular appeal to the Mayor and Council for modification of the Ordinance consistent with appropriate constitutional principles. Any person aggrieved by any order, requirement, decision or determination of the Zoning Board of Appeals shall have thirty (30) days in which to appeal such decision to the Superior Court of Gwinnett County by a Writ of Certiorari. Consistent with the decisions of the Supreme Court of the State of Georgia, an appeal from the Zoning Board of Appeals shall not be de novo and the records below shall be binding on all parties to the appeal.

- B. Any person denied a sign permit for signs by the Department of Planning and Zoning may file a written appeal to the Zoning Board of Appeals within ten (10) calendar days after rendition of the denial. Any person aggrieved by any order, requirement, decision or determination of the Zoning Board of Appeals shall have thirty (30) days in which to appeal such decision to the Superior Court of Gwinnett County by a Writ of Certiorari. Consistent with the decisions of the Supreme Court of the State of Georgia, an appeal from the Zoning Board of Appeals shall not be de novo and the records below shall be binding on all parties to the appeal.
- C. Any person denied a Special Use Permit for a sign by the City Council shall have thirty (30) days in which to appeal such decision to the Superior Court of Gwinnett County by a Writ of Certiorari. Consistent with the decisions of the Supreme Court of the State of Georgia, an appeal of the

denial by the City Council shall not be de novo and the records below shall be binding on all parties to the appeal.

706.3 Penalties for Violations

Violations of this Ordinance shall be punishable by the issuance of a citation and summons to Municipal Court. Any person found guilty of violating this Ordinance shall be fined an amount not to exceed \$1000.00 and/or probation or community service. If the prohibited sign is not removed or corrected within 10 days of the disposition of any citation in Municipal Court, the owner or occupant shall be subject to multiple citations and fines in Municipal Court until the sign is removed or brought into compliance with this Ordinance.

706.4 Interpretation and severability

- A. Nothing in this Article shall be construed to regulate the content of the message displayed on any sign. All signs may display a noncommercial message in addition to, or in lieu of, any other message.
- B. In the event any section, subsection, sentence, clause or phrase of this Article shall be declared or adjudged invalid or unconstitutional including but, not limited to, a declaration or adjudication that such section, subsection, sentence, clause or phrase of the Article relates to the content of any sign or in any way violates the constitutional provisions of free speech under the State of Georgia or United States Constitution, such adjudication shall in no manner effect the other sections, subsections, sentences, clauses or phrases of this Article, which shall remain in full force and effect as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional were not originally a part thereof. The City Council hereby declares it would have adopted the remaining parts of the Article if it had known that such part or parts thereof would be declared or adjudged invalid or unconstitutional. The provisions of this Article are declared severable to the maximum extent allowed by law. It is the policy of the City to encourage that all signs be brought into compliance with the terms and requirements of this Ordinance.
- A. The City finds that non-conforming signs may adversely affect the health, safety, and welfare of the public. Such signs adversely affect the aesthetic characteristics of the City and may adversely affect public safety due to the visual impact of said signs. Accordingly, the following registration requirements are found to be necessary in order to minimize these possible adverse effects by establishing an inventory of all non-conforming signs and allowing the City to perform periodic inspections and to remain cognizant of the locations and maintenance of non-conforming signs.
- B. Any non-conforming sign that does not comply with the registration requirements shall be deemed to be an illegal sign and shall be subject to all enforcement provisions of this Ordinance related to illegal signs. Prior to taking any enforcement action against a non-conforming sign for failure to register the sign in accordance with the provisions of this paragraph, the Planning Director shall first provide notice of the intention to take enforcement action to the owner in writing at least 15 days prior to the actual enforcement action. Should the owner of the sign register the sign as required by the provisions of this paragraph within the 15-day period between receiving notice of the violation and actual enforcement of the violation, the owner shall be deemed in compliance with the registration requirements of this paragraph. The Planning Director shall promulgate a form for the registration of non-conforming signs and shall periodically inspect such signs to ensure that they

continue in all of their aspects in conformity with all of the provisions of this ordinance and any other applicable ordinance or regulations of the City. A registration fee may be assessed to cover the cost of administration of non-conforming signs in accordance with the provisions of this paragraph.

- C. The Planning Director may inspect existing signs in the City from time to time to determine if such signs conform to the provisions of this Ordinance.
- D. Any non-conforming sign located on a property that remains vacant for a period of six months or more loses its non-conforming status and it shall be removed by the owner of the sign or the owner of the property.
- E. No change in shape, size, or design shall be permitted except to make a non-conforming sign comply with all requirements of this Ordinance.
- F. A non-conforming sign may not be replaced by another non-conforming sign.

707 Maintenance and Removal

Every sign, including those specifically exempt from this Code in respect to permits and permit fees, shall be maintained in good structural condition at all times. All signs shall be kept neatly painted, including all metal parts and supports thereof that are not galvanized or of rust-resistant material. The Planning Director or his authorized representative shall inspect and shall have the authority to order the painting, repair, alteration, or removal of a sign which shall constitute a hazard to safety, health, or public welfare by reason of inadequate maintenance, dilapidation, or obsolescence.

- A. **Abandoned Signs.** Any non-conforming sign that is located on a property which becomes vacant or is unoccupied for a period of six months or more shall be deemed abandoned. An abandoned sign is prohibited and shall be removed by the owner of the sign or the owner of the property.
- B. **Dangerous or Defective Signs.** No person shall permit signs in dangerous or defective condition on premises they own or control. Any such sign shall be removed or repaired by the owner of the sign or the owner of the premises. Signs that are lit but are not functioning as designed shall not be illuminated until the defective bulbs are replaced.
- C. **Removal of Signs by the Planning Director.** The Planning Director shall have authority to remove any sign in any road right-of-way which violates this Ordinance or endangers public safety, such as a dangerous or materially, electrically, or structurally defective sign, for which no permit has been issued.
- D. **Change in Tenant.** Any change in tenant space which requires a change in signage shall require the replacement of the tenant name panel on the sign structure with an opaque panel of a similar material and background color to the rest of the sign panels on that sign. In no case shall bare bulbs or the interior of the sign structure be visible from any public right of way or adjoining property.

ARTICLE 8

General Regulations

800 Short Title

The Zoning Ordinance for the City of Lawrenceville, Georgia shall be known and may be cited and referred to as the "Zoning Ordinance" or "Ordinance."

801 Purpose and Objectives

The text and Zoning Map in this Zoning Ordinance constitute the comprehensive regulations for the incorporated area of the City of Lawrenceville and are adopted to protect and promote the public health, safety, convenience, comfort, prosperity, or general welfare, and to provide the economic and social advantages which result from an orderly, planned use of land resources. Such regulations are designed to achieve the following objectives:

- A. To promote the implementation of the Comprehensive Plan for the City;
- B. To protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses, and to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to share services; and
- C. To ensure preservation of adequate space for commercial, industrial, and other activities necessary for a healthy economy.

802 Scope

In their interpretation and application, the provisions of this Zoning Ordinance shall be held to be minimum requirements, adopted for the promotion of the public health, safety, convenience, comfort, prosperity, or general welfare. Wherever the requirements of the Zoning Ordinance are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the provisions of this Zoning Ordinance shall control.

803 Map and Districts Established

- A. Official Zoning Map
 - 1. There is hereby established a zoning plan for the City of Lawrenceville, Georgia, which plan is set forth in the text, map, and descriptions which constitute this Ordinance.
 - 2. The City of Lawrenceville is hereby divided into zoning districts, as shown on the Official Zoning Map which is hereby adopted by reference and declared to be a part of this Ordinance.
 - 3. The Official Zoning Map shall be identified by a signature block that includes the signature of the Mayor, and attested by the City Clerk, over the following words: "This is to certify that this is the Official Zoning Map referred to in the Lawrenceville Zoning Ordinance," together with the date of its adoption.
 - 4. The location and boundaries of the zoning districts established by this Zoning Ordinance are depicted on and maintained as part of the City's geographic information system (GIS), under the direction of the City Manager. A print-out or plot of this "zoning" geographic coverage layer that includes the signature block described in subsection (A)(3) above constitutes the City of Lawrenceville Official Zoning Map.
 - 5. The latest adopted version of the Official Zoning Map shall be available for inspection in the offices of the City of Lawrenceville Planning & Development Department during regular business hours of the City, and a copy will be available for general public reference on the City's official website.

6. Maintenance and updates. The Director of Planning and Development is responsible for directing revisions to the Official Zoning Map to reflect its amendment as soon as possible after the effective date of zoning map amendments. No unauthorized person may alter or modify the Official Zoning Map. The Director of Planning and Development may authorize printed copies of the Official Zoning Map to be produced, and must maintain digital or printed copies of superseded versions of the Official Zoning Map for historical reference.
7. Annexation. Any land subsequently annexed to the City shall be annexed in accordance with the procedures adopted by mayor and council that are based upon state law and are part of the City Code. It shall, immediately upon annexation, be classified into a zoning category compatible with adjacent zoning, land uses, and sound planning principles

B. Amendment to Maps

1. If, in accordance with the provisions of this Ordinance, changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be entered into the digital GIS record promptly after the amendment has been approved by the City Council.
2. No changes of any nature shall be made in the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this Ordinance.
3. Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map signed by the Mayor and attested by the City Clerk which shall be located in the Department of Planning and Development and be the final authority as to current zoning status of the city.

C. Replacement of the Official Zoning Map

1. In the event that the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the City Council may, by resolution, adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map.
2. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original Official Zoning Map.
3. The new Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Clerk, and bearing the seal of the City under the following words:

"This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted the date of insert date, as part of the Lawrenceville Zoning Ordinance.".
4. Unless the previous Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant remaining parts thereof shall be preserved, together with all available records pertaining to its adoption or amendment.

D. Rules for Interpretation of District Boundaries

Where uncertainty exists with respect to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

1. Boundaries indicated as approximately following the centerline of streets, highways, right-of-way, alleys, railroads, streams, or other bodies of water shall be construed as following such centerlines.
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

3. Boundaries indicated as approximately following corporate limits shall be construed as following such corporate lines.
 4. Boundaries indicated as following creeks and streams should be construed to follow the approximate centerline of such creek or stream, and in the event of change in such river or stream, should be construed as moving with the actual centerline.
 5. Boundaries indicated as parallel to or extensions of features indicated in Subsections 1 through 4 above shall also be construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
 6. Where district boundaries are in doubt, the Director of Planning and Development shall make such interpretation using the appropriate scale from the Official Zoning Map or from the official tax maps of the municipality. Appeals of the interpretation may be made to the Planning Commission.
- E. Districts Listed. Symbols, titles, and a brief description of each of the zoning districts established by this Ordinance are as identified and described in [Article 1, Districts](#).

804 Violations and Penalties

- A. Complaints Regarding Violations. Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint, fully stating the causes and basis thereof, shall be filed with the Department of Planning and Development. The Director shall properly record such complaint, immediately investigate, and take action thereon as provided by this Ordinance.
- B. Enforcement. This Ordinance shall be enforced by the City of Lawrenceville Planning and Development Department.
- C. Unlawful Acts
1. It shall be unlawful for a person, firm, or corporation to be in conflict with, or in violation of, this Ordinance, including violations of conditions and safeguards established in connection with grants of variances, special use permits, rezonings and change in conditions. Grandfathered, legal, non-conforming uses shall be permitted to continue under the rules and regulations of this Zoning Ordinance.
 2. The owner and tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.
- D. Violation
1. Enforcement shall begin with a written notice of violation provided to the owner and occupant. The notice may be delivered personally or sent by first class mail. The notice shall contain a deadline of three days for compliance unless modified by the Department of Planning and Development for good cause shown on a case by case basis.
 2. If the violation continues past the deadline, the City shall institute legal proceedings charging the person or persons, firm, corporation, or agent with a violation of this Article. In all cases in which the City institutes a complaint pursuant to this Ordinance, a copy of the complaint and summons shall be conspicuously posted at the subject property 14 days prior to the date of the hearing. Furthermore, a copy of the complaint and summons shall be served in the following manner:

- a. If each owner and party in interest is a resident of the county, service shall be either personal or by statutory overnight delivery, return receipt requested; shall occur at least 14 days prior to the date of the hearing; and a return of service, filed with the Clerk of Court, shall be deemed sufficient proof that the complaint and summons was served;
 - b. If any owner or party in interest is a resident of this state but resides outside of the county, service shall occur by certified mail or statutory overnight delivery, return receipt requested, to the most recent address shown in county tax filings and mailed at least 14 days prior to the date of the hearing;
 - c. Nonresidents of this state, whose mailing address is known, shall be served by certified mail or statutory overnight delivery, return receipt requested, mailed at least 14 days prior to the date of the hearing. For nonresidents whose mailing address is unknown, a notice stating the date, time, and place of the hearing shall be published in the newspaper in which the sheriff's advertisements appear in such county once a week for two consecutive weeks prior to the hearing.
- E. Penalties. Any person convicted by the Municipal Court of violating any provision of this Zoning Ordinance shall be guilty of violating a duly adopted ordinance of the City and shall be punished either by a fine as established by City Council or State Statutes for minor misdemeanors, or by a sentence of imprisonment as established by the Municipal Court. Each day that a violation continues after due notice has been served shall be deemed a separate offense.
- F. Powers of the Court. The Municipal Court shall have the power and authority to order the violation corrected in compliance with this Ordinance and the court may require payment of restitution or impose other punishment allowed by law.
- G. Lien Imposition. If, after 30 days from the date of the Municipal Court-imposed fine, any person or entity has not paid said fine in full, the City of Lawrenceville shall have the authority to file a lien on the property in violation for the amount of the imposed fine and shall record it with the Gwinnett County Clerk's Office.
- H. Other Legal Remedies
- 1. In any case in which a violation of this Article has occurred, the City, in addition to other remedies provided by law, may petition for a restraining order, injunction, abatement, or take any other appropriate legal action or proceeding through the Municipal Court to prevent, restrain, or abate such unlawful use or activity.
 - 2. Where a determination is made that the property is in violation of the Lawrenceville Zoning Ordinance, and any other Ordinances and laws enforced by the City of Lawrenceville, and all reasonable efforts and means to obtain compliance having been exhausted, the City of Lawrenceville is authorized to effect such compliance at public expense. The cost of effectuating compliance shall constitute a lien upon the property and said lien shall be recorded by the City of Lawrenceville with the Gwinnett County Clerk's Office.

805 Separability

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

806 Repeal of Conflicting Ordinances

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

807 Effective Date

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

ARTICLE 9

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	Downtown Architectural Review Board
Administrative Variance	√				
Appeals		√		√	
Appeal of Downtown Architectural Requirements					√
Building Permit	√				
Certificate of Occupancy	√				
Special Uses			√	√	
Temporary Uses	√				
Variances		√			
Variances (Downtown)					√
Zoning Ordinance Enforcement	√				
Zoning Ordinance Text Amendments			√	√	
Zoning Map Amendments			√	√	

901 Director of Planning and Development

A. Role of the Director of Planning and Development

1. The Director of Planning and Development or his or her designee shall administer and enforce this Ordinance with the assistance of the Planning and Development staff and other persons as appointed by the City Council.

2. The Director of Planning and Development or his or her designee shall have the authority to approve and issue certificates of occupancy, 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 of Planning and Development or his or her designee finds that any of the provisions of this Ordinance are being violated, they shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He or she 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

To issue variances on permits, the Director of Planning and Development or his or her designee shall have the power to grant variances (except for density and use variances) 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:

1. Front yard or yard adjacent to a public street - variance not to exceed ten feet.
2. Side yard - variance not to exceed five feet.
3. Rear yard - variance not to exceed ten feet.

C. Building Permits Required. No building or structure shall be erected, moved, added to, or structurally altered without a permit therefore issued by the Director of Planning and Development or his or her designee. No building permit shall be issued except in conformity with the provisions of this Ordinance unless the Director receives a written order from the Board of Appeals in the form of an administrative review or variance as provided by this Ordinance.

D. Application for Building Permit

1. The applicant for a building permit shall submit plans at a suitable scale showing the shape, size, and location of the lot to be built upon; the shape, size, height, use, and location of the buildings to be erected, altered, or moved and of any buildings already occupying the lot; the number of dwelling units the building is designed to accommodate; the setback line of the buildings on adjoining lots; and any other information needed to determine whether the provisions of this Ordinance are being followed.
2. If the plans conform to the provisions of this Ordinance, the City building Ordinances, and other Ordinances of the City, the permit shall be issued upon payment of the required fee. If compliance does not result, the building permit shall be refused by the Director of Planning and Development or his or her designee stating such refusal in writing with the cause.
3. If no visible progress on construction or modification has been made within 12 months of the date that said permit is issued, the permit becomes invalid. The Director or his or her designee 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 his or her designee stating that the proposed use of the building or land conforms to the provisions of this Ordinance.
2. A nonconforming structure or use shall be maintained, renewed, changed, or extended until a Certificate of Occupancy is issued by the Director or his or her designee. The Certificate of Occupancy shall state specifically wherein the nonconforming use differs from the provisions of this Ordinance.
3. 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.

902 Board of Appeals

A. Establishment and Procedure

1. Composition, Appointment, and Tenure. A Board of Appeals (BOA) shall consist of five members, appointed by the Mayor, by 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 advice and consent of the City Council, for cause after written notice and a public hearing. Any member who misses more than three meetings in any one calendar quarter without excuse shall be removed from the Board by the Mayor and Council. The Chairman of the Board shall keep an attendance record and report attendance to the Mayor's office on a monthly basis.
4. Compensation. All members of the Board of Appeals shall receive compensation in an amount to be determined by the Mayor and 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 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 shall adopt rules in accordance with the provisions of this Section; shall keep minutes of its proceedings showing the absence, vote, or the failure to vote of each member; and shall keep records of its examination and other official actions, which minutes and records shall be filed in the Planning and Development Department and open to the public for inspection.
6. Quorum. For the purpose of transacting business, a quorum of the Board of Appeals shall be considered to be three of the five members.
7. Downtown Architectural Review Board Variance. The Downtown Architectural Review Board shall have concurrent jurisdiction under the same procedures and standards as the Board of Appeals to hear and grant variances within the Downtown District.

- B. Board of Appeals Hearings. The Board of Appeals shall conduct public hearings on all applications or referrals, within 30 days, at a time and place to be publicly advertised as established by State Statutes. Any party in interest may appear in person, or by an agent or by an attorney, and be heard.

C. Powers and Duties

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

1. 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 as long as it is not contrary to the public interest.

A variance from the terms of this Ordinance shall not be granted by the Board of Appeals unless and until:

- a. A written application for a variance is submitted demonstrating that:
 - i. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.
 - ii. That the special conditions and circumstances did not result from the actions of the applicant.
 - iii. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings on other districts shall be considered grounds for the issuance of a variance;
- b. Notice of a public hearing shall be given as in Subsection 902 B, Board of Appeals Hearings (above);
- 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 so as 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 of 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 whether adjoining properties would suffer a substantial detriment as a result of the variance;
 - iv. The variance would adversely affect the delivery of government services (i.e., water, sewer, garbage);
 - v. The property owner purchased the property with knowledge of the zoning restriction;
 - vi. The property owner's predicament feasibly can be obviated through some method other than a variance;
 - vii. The spirit and intent behind the zoning requirement would be observed and substantial justice is done by granting the variance; and
 - viii. Any other relevant factor to assist the Board of Appeals in weighing and balancing the public and private benefits and harms of the requested relief is necessary.
- d. In granting any variance, the Board of Appeals may prescribe appropriate conditions and safeguards in conformity with the intent of this Ordinance;

- e. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance and punishable under the provisions of this Ordinance; and
 - f. Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.
2. Appeal of Administrative Review:
- a. Hearings, Appeals, Notice
 - i. Appeals to the Board of Appeals concerning interpretation or administration of the Zoning Ordinance may be taken by any person aggrieved or by any officer or bureau of the governing body of the City affected by any decision rendered.
 - ii. Such appeals shall be taken within a reasonable time, not to exceed 30 days or such lesser period as may be provided by the rules of the Board by filing with the Planning and Development Department and with the Board of Appeals a notice of appeal specifying the grounds thereof.
 - iii. The Director of Planning and Development or his or her designee shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken. The Board of Appeals shall fix a reasonable time for the hearing of an appeal; give due notice thereof to all parties in interest; and after hearing, decide the same within a reasonable time. At the hearing, any party in interest may appear in person, or by agent or attorney, and be heard.
 - b. Stay of Proceedings
 - i. An appeal stays all proceedings in furtherance of the action appealed from, unless the Director of Planning and Development, Planning Commission, or other person or agency from whose action the appeal is taken certifies to the Board of Appeals after the notice of appeal is filed that by reason of facts stated in such certification a stay would, in the opinion of the person making the certification, cause imminent peril to life and property.
 - ii. In such case, proceedings may be stayed by a restraining order issued by the Board of Appeals, or by a court of record, on the application, on notice to the parties of interest, and for good cause shown.
 - c. Hearing of Appeal

The Board of Appeals shall conduct a public hearing as described in Subsection 902 B., Board of Appeals Hearings (above).
- D. In exercising the above-mentioned powers, and 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 of Planning and Development, Planning Commission, 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 effect any variation in the application of the Ordinance.

- E. Board of Appeals Decisions. All Board of Appeals decisions shall be in writing and shall contain findings of facts and conclusions of law. Decisions shall be mailed to the applicant and any interested parties who make a written request for a copy of the written decision without unreasonable delay after the close of the hearing. Where an application has been denied, no new application on substantially the same facts shall be filed within six months of the date the previous denial, unless the Board of Appeals, for good cause shown by the applicant, grants permission to do so.
- F. Appeals from the Board of Appeals. Any person or persons severally or jointly aggrieved by any decision of the Board of Appeals may take an appeal to the State Superior Court. Said appeal to the Superior Court shall be the same as an appeal to the Superior Court from any decision made by the Probate Court and as specified in [Section 5-3-20, Time for Filing Appeals, of the Georgia Code](#) given that said appeal may be filed within 30 days from the date of the decision of the Board of Appeals. Upon failure to file said appeal within 30 days, the said decision of the Board of Appeals shall be final, provided, however, that such an appeal will be limited to determining whether the Board of Appeals arbitrarily or capriciously abused its discretion in exercising the powers granted herein.
- G. Appeals from the Board of Appeals to City Council. Any person or persons severally or jointly aggrieved by any decision of the Board of Zoning 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 Zoning Appeals. If no appeal of the decision of the Board of Zoning Appeals is filed within thirty (30) days, said decision of the Board of Zoning Appeals shall be final. Any appeals to the City Council shall be filed with the City Clerk, and upon receipt of the appeal, the City Clerk shall place the matter on the agenda of the next regularly scheduled City Council meeting, which is scheduled at least ten (10) days after the date the appeal is received by the City Clerk. The appeal to the City Council shall be a de novo hearing, and the parties to the appeal shall be entitled to present whatever evidence they deem appropriate to the City Council. Evidence submitted to the City Council on the appeal may be in writing or through oral presentation. However, the City Council shall have the right to limit oral presentations to no more than fifteen (15) minutes per side. Upon hearing an appeal, the City Council may render a decision at the meeting or may take the matter under advisement and render a decision at any regularly scheduled or specially called meeting in the next 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.
- H. 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 Zoning Appeals may take an appeal to the Superior Court of Gwinnett County. Said appeal to the Superior court shall be by Writ of Certiorari. Said appeal must be filed within thirty (30) days from the date of the decision of the City Council. If no appeal of the decision of the City Council is filed within thirty (30) days, the decision of the City Council shall be final. Any appeals to the Superior Court shall be an appeal based on the record created before the City Council and shall be limited to determining whether the City Council acted arbitrarily or capriciously, or abused its discretion in exercising the powers granted to it.

903 Planning Commission

- A. Establishment and Procedure. The Planning Commission shall consist of five members appointed by City Council for terms of three 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 Planning and Development Department and 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 adopt rules of procedure 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. Findings of fact and the reasons for the action shall be included in the minutes of each case. 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 by the Director of Planning and Development or his designee; any member of the Planning Commission; any member of City Council; the City Manager; or any citizen elector of the City. If a petition is made for a Zoning Map amendment, the petition shall only be considered if one or more owners of property in the proposed area or an authorized agent are party to the petition.
 - 2. The Planning and Development Department shall create a yearly calendar of all meetings to be approved by the Planning Commission and shall provide notice of each hearing as required by State statutes.
- C. Special Uses

The Planning Commission shall review and make a recommendation to the Mayor and City Council regarding the establishment or material change in Special Uses as regulated in this section and Section 907.

 - 1. The Planning Commission shall give due regard to the nature and condition of all adjacent uses and structures and in authorizing a special use may impose such requirements and conditions, in addition to those expressly stipulated in this Zoning Ordinance, as it may deem necessary for the protection of adjacent properties and the public interest.
 - 2. In deciding a special use, the Planning Commission may impose conditions as may be necessary to comply with the standards set forth herein to reduce or minimize potential injurious effects upon neighboring properties and to carry out the general purpose and intent of this Zoning Ordinance.

3. A special use shall become null and void at the expiration date set by the Planning Commission and approved by the City Council.
 4. The Planning Commission shall not recommend a special use unless it, in each specific case, makes specific findings of fact directly based upon credible evidence as to all of the following:
 - a. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare;
 - b. The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, or will not substantially diminish and impair property value within the neighborhood;
 - c. The establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;
 - d. Adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided;
 - e. Adequate measures have been or will be taken to provide ingress and egress so designed to minimize traffic congestion in the public streets; and
 - f. The special use will be located in a district where such use may be permitted and that all requirements set forth in this Zoning Ordinance and applicable to such conditional use will be met.
 5. The special use permit is designed to be used when:
 - a. A special use listed under the zoning district is desired for development in a more intensive zoning district which contains that use as a use by right would not be appropriate for the property; or
 - b. A special use listed under the zoning district is desired for development and no zoning district contains that use as a use by right; or
 - c. The height of a building may affect the overall density of development; or
 - d. The height of any structure may affect neighboring properties; and,
 - e. The special use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objectives of the comprehensive plan.
 6. In order to accommodate these special uses, the special use permit allows the Mayor and Council to approve a special use on a particular lot without changing the general zoning district.
 7. Such approval shall be subject to the requirements set forth below and any additional conditions deemed necessary to ensure the compatibility of the special use with the surrounding properties.
 8. All special use permit applications shall be for planned developments only and shall not be used for securing early zoning for conceptual proposals which may not be undertaken for some time. A special use permit application shall be considered only if it is made by the owner of the property or his/her authorized agent.
- D. Decisions of the Planning Commission
1. The Planning Commission may, by a vote of not less than a simple majority of the members, present at a meeting:
 - a. Recommendation to City Council that the proposed amendment to the Zoning Map or Zoning Ordinance or a Special Use be **approved as requested**; or
 - b. Recommendation to City Council that the proposed amendment to the Zoning Map or Zoning Ordinance or a Special Use be **approved with conditions**; or

- c. Recommend to City Council **denial** of the proposed amendment to the Zoning Map or Zoning Ordinance or a Special Use; or
 - d. Recommend to City Council **denial without prejudice** of the proposed amendment to the Zoning Map or Zoning Ordinance or a Special Use.
2. The recommendation shall be forwarded in writing to City Council within 30 days of the Planning Commission's vote, after which a public hearing shall be held by City Council in accordance with its rules of procedure.

904 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 903 C, Special Uses and Section 907, Special Use Permit Public Hearings;
- C. Hearing and making a final determination on appeals to this Zoning Ordinance;
- 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.

905 Downtown Architectural Review Board

A. Establishment and Procedure

1. Establishment

- a. A Downtown Architectural Review Board shall consist of seven members, appointed by the Mayor, by and with the consent of the City Council. The terms of the members shall be for four years each, serving on staggered terms. The Downtown Architectural Review Board shall include the following seven members:
 - i. Two Downtown Development Authority members;
 - ii. Two at-large citizens;
 - iii. One landscape architect;
 - iv. One registered architect; and
 - v. One engineer.
- b. All members of the Downtown Architectural Review Board shall receive compensation in an amount to be determined by the Mayor and City Council.
- c. Vacancies shall be filled by appointments for unexpired terms only and in the same manner as the original appointment.
- d. Any member of the Downtown Architectural Review Board may be removed by the Mayor, with the advice and consent of the City Council, for cause after written notice and a public hearing.

2. Proceedings

- a. The Board shall elect a Chair and a Vice-Chair from its members who shall serve for one year or until their successors are elected. Meetings of the Board shall be held at the call of the Chair, the call of the Director of Planning and Development, or at such other times as four members of the Board may determine. All meetings of the Board shall be open to the public pursuant to Georgia Law.

- b. A minimum of four members of the Board shall constitute a quorum. Any act of the Board shall require a majority vote of the Board members at a meeting at which a quorum is present.
 - c. The Director of Planning and Development or his or her designee shall serve as a non-voting secretary to the Downtown Architectural Review Board. The Board shall maintain minutes of its proceedings, including the results of all votes taken, and shall maintain records of its examinations and other official actions, all of which shall be filed in the Planning and Development Department.
- B. Powers and Duties of the Downtown Architectural Review Board
 - 1. The Board shall review variance request applications in the Downtown District which the Downtown Administrative Review Committee cannot review under its powers as prescribed under Section 905 B. for:
 - a. All existing and/or new buildings and/or premises located in the Downtown District; and
 - b. 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.
 - 2. The Board shall have the power to grant or deny variances and exceptions for existing and new buildings from the architectural requirements of the Downtown District provided the maximum effort is made to comply with the intent of the design standards established in the architectural requirements of the Downtown District. Blanket variances may be granted for existing buildings by the Board pursuant to the approval of a specific site plan and elevation drawings.
 - 3. The Board shall have the power to grant or deny variances and exceptions for the premises from the design standards of the Downtown District provided the maximum effort is made to comply with the intent of the design standards established for the requirements of the Downtown District.
 - 4. The Board shall act in an advisory role to other City departments, Boards, and Commissions.
 - 5. 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.
- C. Appeals from Downtown Architectural Review Board Decisions
 - 1. Any person or persons severally or jointly aggrieved by any decision of the Downtown Architectural Review Board may file a written appeal with the Mayor and Council of the City of Lawrenceville within 30 calendar days after rendering the decision.
 - 2. Failure to file said appeal within 30 calendar days shall render the decision of the Downtown Architectural Review Board final. The procedures for such an appeal are contained in Subsection 902C.2, Appeal of Administrative Review (above). Such appeal shall be limited to determining whether the Downtown Architectural Review Board arbitrarily or capriciously abused its discretion in exercising the powers granted herein.

906 Special Use Permit Public Hearing

The Applicant is required 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. Approximately one week prior to the scheduled Planning Commission Meeting, the Planning Staff Report and Recommendation will be available at the Planning and Development office.
2. The applicant shall appear before the City of Lawrenceville Planning Commission to present their case in support of the special use permit application. Any opposition to the application will be given equal time to present its case. 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 shall be present at the City Council Work Session. The applicant may be asked to present their case or to answer questions at the desire of the City Council.
4. The applicant shall appear before the City Council for the Public Hearing. The applicant and any opposition will be given equal time to present their cases. The City Council may ask questions of the applicant and opposition prior to making their final decision regarding the application.
5. If the Special Use application is denied by the Mayor and City Council, any new application for the same zoning classification on the subject property may not be submitted for at least twelve (12) months from the date of denial. Application for a different zoning classification may be submitted after six (6) months from the date of the denial.

B. Procedures

1. Any uses permitted under a special use permit shall also conform to the requirements of this resolution and the development regulations for the use as found in the zoning district.
2. The application and review process for a special use permit shall be the same as for the zoning district under which the special use is found. In addition to the information and/or site plans which are required to be submitted for the proposed development, additional information deemed necessary by the Planning and Development Department in order to evaluate a proposed use and its relationship to the surrounding area shall be submitted. In the review process, particular emphasis shall be given to the evaluation of the characteristics of the proposed use in relation to its immediate neighborhood and the compatibility of the proposed use with its neighborhood.
3. In the approval process for a special use permit application, the Mayor and 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.
4. If an application is approved and a special use permit 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.

5. Once established, the special use shall be in continuous operation. Upon discovery that the operation of the special use has or had ceased for a period of 90 days or more and the owner of the property has not requested voluntary termination of the special use permit, the Director of Planning and Development or his or her designee shall forward a report to the Mayor and Council through the Planning Commission which may recommend that action be taken to remove the special use permit from the property. The Planning and Development Department shall also notify the City Council through the Planning Commission of voluntary terminations as they occur and shall change the official zoning maps to reflect any voluntary terminations.
6. Changes to a special use or development of a site for the special use shall be treated as an amendment to the special use permit and shall be subject to the same application and review process as a new application.
7. The special use for which a special use permit is granted shall commence operations or construction within 12 months of the date of approval by the Mayor and Council. If at the end of this 12-month period, the Planning and Development Department determines that active efforts are not proceeding toward operation or construction, a report may be forwarded to the Mayor and Council through the Planning Commission which may recommend that action be taken to remove the special use permit from the property.
8. The Planning and Development Department shall have the right to periodically examine the operation of the specific use to determine compliance with the requirements of any conditions. If the Administrator determines that the requirements and conditions are being violated, a written notice shall be issued to the owner of the property outlining the nature of the violations and giving the owner of the property a maximum of 10 days to come into compliance. If after 10 days the violations continue to exist, the Administrator shall forward a report to the Mayor and Council through the Planning Commission, which may recommend that action be taken to remove the special use permit from the property.
9. Upon approval by the Mayor and Council, a special use permit shall be identified on the official zoning maps.
10. Upon approval by the Mayor and Council of a special use permit, the owner of the property shall be issued a notice from the Planning and Development Department, which states the specific use permitted, the requirements of this section, and any conditions attached to the approval.
11. The Planning and Development Department shall not issue a Certificate of Occupancy for the specific use unless all requirements and conditions of the special use have been fulfilled by the owner of the property.
12. Any person, persons, or entities jointly or severally aggrieved by any decision of the City Council regarding a Special Use permit application may take an appeal to the Board of Appeals. The appeal must be filed within 30 business days of the decision of the City Council, and upon failure of such appeal, the decision of the City Council shall be final.

908 Rezoning Application Public Hearing Procedures

The Applicant is required 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. Approximately one week prior to the scheduled Planning Commission Meeting, the Planning Staff Report and Recommendation will be available at the Planning and Development office.
2. The applicant shall appear before the City of Lawrenceville Planning Commission to present their case in support of the rezoning application. Any opposition to the rezoning request will be given equal time to present its case. 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 shall be present at the City Council Work Session. The applicant may be asked to present their case or to answer questions, at the desire of the City Council.
4. The applicant shall appear before the City Council for the Public Hearing. The applicant and any opposition will be given equal time to present their cases. The City Council may ask questions of the applicant and opposition prior to making their final decision regarding the application.
5. If the rezoning application is denied by the Mayor and City Council, any new application for the same zoning classification on the subject property may not be submitted for at least twelve (12) months from the date of denial. Application for a different zoning classification may be submitted after six (6) months from the date of the denial.

B. Procedures

1. In the approval process for a rezoning application, the Mayor and City Council shall consider the policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area, and shall consider the potential adverse impacts on the surrounding area, especially with regard to but not limited to traffic, storm drainage, land values, and compatibility of land use activities.
2. If an application is approved and rezoning 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 rezoning shall be permanent unless otherwise rezoned.
4. Upon approval by the Mayor and Council, a rezoning shall be identified on the official zoning maps.
5. Upon approval by the Mayor and Council of rezoning, 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 Special Use permit application may take an appeal to the Board of Appeals. The appeal must be filed within 30 business days of the decision of the City Council, and upon failure of such appeal, the decision of the City Council shall be final.

909 Variance Public Hearing Procedures

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

A. Schedule of events

1. After confirming that the conditions for a variance as described in Section 902C.1.a are met, the applicant can submit an application 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 of the factors listed in 902C.1.c. before making a decision.
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.



ARTICLE 10

DEFINITIONS

1000 General Meaning of Words and Terms

For the purposes of the Lawrenceville Zoning Ordinance, the words and terms defined in this Article have the meanings ascribed to them.

1. Any word or term not specifically defined or described in this Article shall have their common definition by the Merriam-Webster dictionary.
2. Words used in the present tense shall include the future tense;
3. The singular form of the word shall include the plural, and the plural the singular;
4. The word “person” shall include a firm, association, organization, partnership, trust, company or corporation;
5. The words “used or occupied” shall include the words “intended, designed, or arranged to be used or occupied”;
6. The word “shall” or “will” is mandatory, and the word “may” is permissive.
7. The word “zoning map” means the Official Zoning Map of the City of Lawrenceville, Georgia.
8. The word “lot” shall be construed to include “parcel”.
9. Whenever a conflict of definitions is considered to exist or an interpretation of these definitions is necessary, the Director of Planning and Development shall resolve the conflict and interpret the definition. The action of the Director shall be recorded.

A

1. **ACCENT LIGHTING**

The use of lighting or lighted bulbs to emphasize or draw attention to a building or portions of a building. This definition shall not include traditional landscape lighting, security lighting, or similar lighting shown on the building plans and specifications approved at the issuance of the building permit.

2. **ACCESSORY DWELLING UNIT**

A dwelling unit sharing ownership and utility connections with a single-family dwelling or townhouse.

3. **ACCESSORY BUILDING**

A building detached from a principal building on the same lot and customarily incidental to the principal building or use including but not limited to detached garages, carports and utility buildings, sheds, gazebos, or barns.

4. **ACCESSORY STRUCTURE**

A structure detached from a principal building on the same lot and customarily incidental to the principal building or use, but not including stormwater infrastructure or a fence, wall, or trellis which is customarily placed along a property line and not including HVAC equipment or similar utilities that occupy less than 30 square feet in footprint.

5. ACCESSORY USE

A use of land or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with such principal use.

6. ADULT ENTERTAINMENT ESTABLISHMENT

Shall have the same meaning as set forth in [Chapter 12, Article II, Division 13, Sec. 12-401](#) of the Lawrenceville Code of Ordinances.

7. ADVERTISING SIGN (BILLBOARD):

Any structure or portion thereof situated on private premises on which lettered, figured, or pictorial matter is displayed for advertising purposes, except for the name and occupation of the user of the premises; the nature of the business conducted on the premises; or the products sold or manufactured on the premises.

8. AGRICULTURAL DISPLAY STAND

A structure or vehicle used for the display and sale of products raised on the same premises.

9. AIR TRAFFIC CONTROL

Any person, partnership, joint venture, or company engaged in the business of directing and/or controlling the taxi, take off, approach, landing, scheduling, clearing, or otherwise managing flights from an airport for a fee.

10. AIRCRAFT

All equipment now or hereafter used for the navigation of or flight in air or space, including, but not limited to, airplanes, gliders, lighter-than-air craft, helicopters, amphibians, and seaplanes.

11. AIRCRAFT MAINTENANCE OR SERVICE

Engaging in the business of providing goods, supplies, or services for the repairing, refurbishing, rebuilding, constructing, altering, fueling, refueling, cleaning, inspecting, testing, or otherwise modifying any aircraft for a fee.

12. AIRLINE

Any person, partnership, joint venture, or company engaged in the business of transporting passengers, baggage, and/or cargo by aircraft for profit.

13. AIRPORT

A tract of land or water equipped with facilities for the taxi, take off, approach, landing, shelter, storage, supply, maintenance and/or service of aircraft. Airports may be used, but are not required to be used, for the transportation of passengers, baggage, and/or cargo for a fee.

14. ALLEY

A public or private way, at the rear or side of the property, permanently reserved as a means of secondary vehicular access to abutting property.

15. AMENITY

Something that helps to provide comfort, convenience, and/or enjoyment.

16. ANIMAL HOSPITAL

See VETERINARIAN CLINIC.

17. ANIMATED SIGNS

Any sign that utilizes the appearance of movement using lighting to depict action or to create a special effect or scene.

18. ANTENNA

A system of poles, panels, rods, or other similar devices used for the transmission or reception of radio frequency signals.

19. APPEAL

A request for a review of the Department's interpretation or decision of any provision of this Ordinance.

20. ATTENTION GETTING DEVICE

Any pennant, propeller, spinner, ribbon, streamer, searchlight, balloon, inflatable sign (static), figurine, statue, or other similar device or ornamentation designed to or having the effect of attracting the attention of potential customers or the general public.

21. ATTIC

The unfinished space between the ceiling joist of the top story and the roof rafters.

22. AUCTION HOUSE

A place where the sale of property to the highest bidder occurs.

23. AUTOMOBILE AUCTION

The sale of automobiles to the highest bidder.

24. AUTOMOBILE BODY SHOP

A building, lot, or portion of a lot used or intended to be used for the business of collision service, which shall include body, frame, or fender-straightening or repair; painting; and glass replacement. It also includes the reconditioning of motor vehicles, which may include repainting, re-sculpturing, rust repair, engine, underbody steam cleaning, and undercoating.

25. AUTOMOBILE REPAIR

A building and/or lot where motor vehicle fuels or lubricating oil or grease or accessories for motor vehicles are dispensed, sold, or offered for sale at retail only; where services are provided on motor vehicles, including greasing and oiling on the premises, including vehicle washing; and where repair services may be incidental to the use.

26. AUTOMOBILE WASH

A building, lot, or portion of a lot used or intended to be used exclusively for exterior washing and interior cleaning of motor vehicles.

27. AVIATION

The operation of aircraft.

28. AVIATION BUSINESS

Any business engaged in the operation, service, support, maintenance, repair, management, or control of aircraft for a fee.

29. AWNING

A rooflike structure with a rigid frame which cantilevers from the elevation of a building designed to provide continuous overhead protection.

B

30. BANNER SIGN

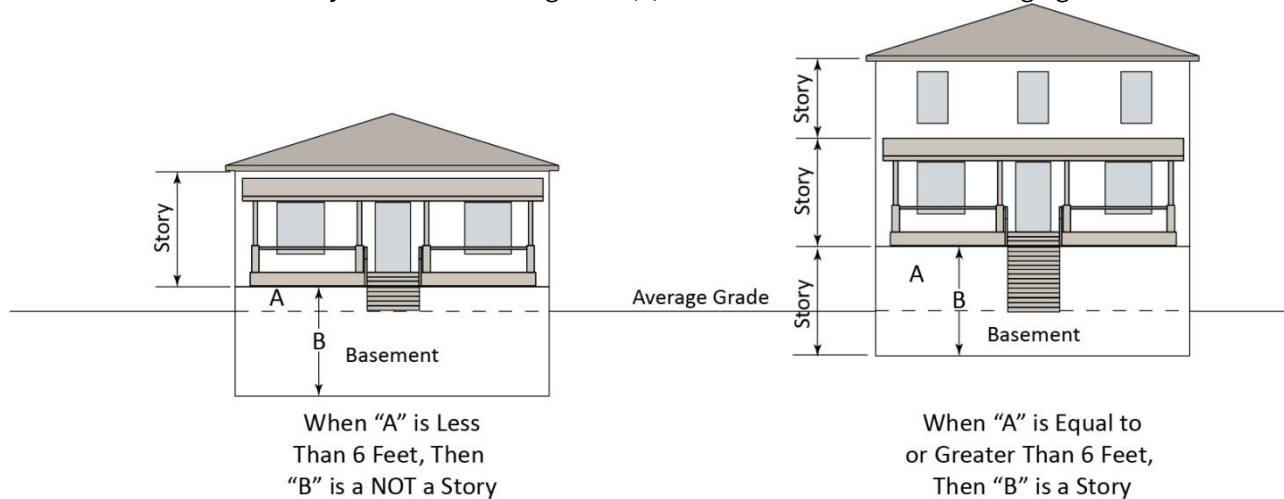
A sign either enclosed or not enclosed in a rigid frame and secured or mounted to allow movement caused by the atmosphere. Flags are not banners.

31. BAR, TAVERN, OR LOUNGE

A business enterprise physically separated into a free-standing building or separated by a permanent or temporary wall from the restaurant portion of an establishment permitted to sell beer, wine, and spirituous liquor.

32. BASEMENT

That portion of a building that is partly or completely below grade. A basement is not deemed a story unless the ceiling is six (6) feet or more above the average grade.

**33. BED AND BREAKFAST ESTABLISHMENT**

An owner-occupied residential single-family, detached structure where lodging and breakfast only are provided to transient guests for compensation and the provision of lodging and breakfast are subordinate to the principal use of the structure. The provision of lodging and breakfast shall be subordinate to the principal use of the structure.

34. BILLBOARD

A sign larger than 200 square feet in area.

35. BOARD

The Board of Appeals of the City of Lawrenceville, Georgia.

36. BREWERY

An establishment where malt liquors are produced.

37. BUFFER

A strip of land, identified in this Ordinance, established to protect one type of land use from another with which it is incompatible. A buffer may include additional transition uses, yard space, fences, landscapes areas, or height restrictions.

38. BUILDABLE AREA

The portion of a lot remaining after required yards have been provided.

39. BUILDING AREA

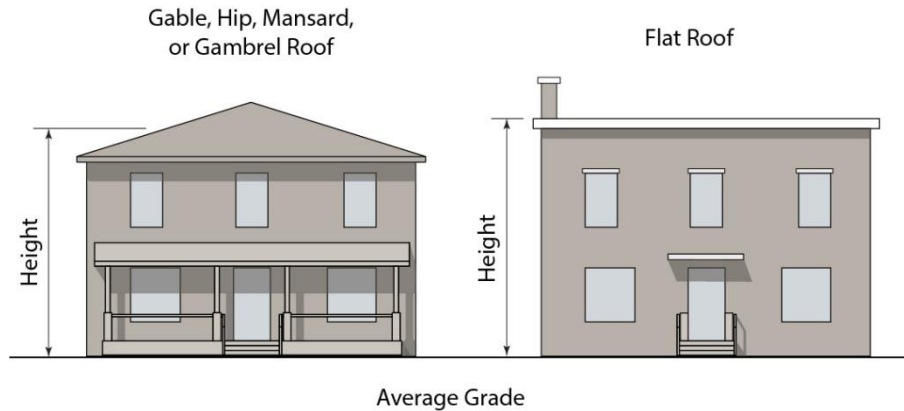
The area of the face of a building (height x width), not including the roof.

40. BUILDING FRONTAGE

The side of the building on the primary roadway.

41. BUILDING HEIGHT

The vertical distance from the average grade at the exterior wall to the average height of the highest roof surface of a gable, hip, mansard, or gambrel roof, or to the highest point of the roof surface of a flat roof.

**42. BUILDING AND CONSTRUCTION MATERIALS AND HARDWARE**

A retailing, wholesaling, or rental of building supplies or construction equipment, typically with outdoor bulk materials and lumberyards. This classification includes lumberyards, home improvement sales and services, tool and equipment sales, and rental establishments.

43. BUILDING OFFICIAL

The individual appointed by the City Council of the City of Lawrenceville, Georgia, and charged with the responsibility of building permit and certificate of occupancy issuance.

44. BUILD-TO-LINE

The build-to-line is the line parallel to the front lot line to which buildings shall front to the extent identified in this Section.

C

45. CANOPY

See AWNING.

46. CAR WASH

See AUTOMOBILE WASH.

47. CARPORT

A permanent, open-sided shelter for an automotive vehicle, usually formed by a roof projecting from the side of a building.

48. CEMETERY

An area and use of land set apart for the purpose of burial plots for deceased persons or animals and for the erection of customary markers, monuments and/or mausoleums related thereto; and which may be maintained by a church or other place of worship, or a private corporation.

49. CERTIFICATE OF COMPLETION

Document issued by the Department to indicate that the construction work authorized by a building permit has been completed which is either applicable to a non-occupied building, structure, building/structure addition, or any portion thereof, or involves a limited scope of renovation that does not change the occupancy or configuration of the affected space.

50. CERTIFICATE OF OCCUPANCY

A permit issued by the Department indicating that the use of the building or land in question is in conformity with this Ordinance or that there has been a legal variance therefrom as provided by this Ordinance.

51. CHECK CASHING FACILITY

Any business that cashes checks for a fee, excluding “Financial Institutions.” This does not include companies that do tax return preparation and offer “refund anticipation” loans.

52. CHILD-CARING INSTITUTION (CCI)

See also “Group Home.” A State licensed child-welfare agency that is any institution, society, agency, or facility, whether incorporated or not, which either primarily or incidentally provides full-time care (room, board and watchful oversight) for children through 18 years of age outside of their own homes. (Source: Georgia Department of Human Resources)

53. CIVIC USES

Public parks, squares, plazas, greens, lawns, amphitheaters, stages, churches or places of worship, public or private schools, gymnasiums, assembly halls, community meeting rooms, community service centers, post offices, fire stations, libraries, museums, public libraries, or other government or public service buildings and facilities except for those requiring outdoor storage or maintenance yards.

54. CLUB

A nonprofit association of persons who are bona fide members, paying regular dues, and are organized for some common purpose, but not including a group organized solely or primarily to provide a place of residence or render a service customarily carried on as a commercial enterprise.

55. CLUSTER

A development design technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation and/or common open space, as well as to preserve environmentally sensitive features.

56. CLUSTER SINGLE-FAMILY DEVELOPMENT

A form of development for single-family residential subdivisions that permits a reduction in lot area requirements, provided there is no increase in the number of lots that would normally be permitted under conventional zoning and subdivision requirements and the resultant land area is devoted to open space.

57. COMMERCIAL EQUIPMENT AND MACHINERY SALES, RENTAL, LEASING, AND REPAIR

A business primarily engaged in renting or leasing machinery for use in general business or residential activity. Examples include the leasing of furniture, trucks and trailers, moving and storage services, party supplies, limosines, etc.

58. COMMERCIAL ENTERTAINMENT

A facility for any indoor profit-making activity which is providing participatory and/or spectator activities, such as, but not limited to, motion picture theaters, live performances, bowling alleys, video game rooms, billiard halls, indoor skating rinks, bingo parlors, and similar entertainment activities. Commercial entertainment shall not include Adult Uses.

59. COMMERCIAL VEHICLE

A vehicle that is designed for commercial use (as the transportation of cargo other than passengers). See Supplemental Regulations.

60. COMMISSION

The Planning Commission of the City of Lawrenceville, Georgia.

61. COMMON SPACE

Natural or improved land that provides continuous public access.

62. CONVALESCENT FACILITY

See NURSING HOME.

63. CONVENIENCE STORE

A facility primarily engaged in retailing a limited line of goods that generally includes milk, bread, soda, and snacks.

64. COMMUNITY GARDEN

A private, public, or non-profit facility for cultivation of fruits, vegetables or ornamental plants cultivated by more than one household.

65. COMMUNITY LIVING ARRANGEMENT (CLA)

A State-licensed residence, whether operated for profit or not, that undertakes through its ownership or management to provide or arrange for the provision of daily personal services, support, care, or treatment exclusively for two or more adults who are not related to the owner or administrator by blood or marriage and whose residential services are financially supported, in whole or in part, by funds designated through the Georgia Department of Human Resources, Division of Mental Health, Developmental Disabilities, and Addictive Diseases. (Source: Georgia Department of Human Resources)

66. CONDITIONAL ZONING

The granting or adoption of zoning for a property subject to compliance with restrictions as to use, size, project design, or timing of development, stipulated by the City Council to mitigate adverse impacts that could be expected without the imposition of such conditions.

67. CONDOMINIUM

A form of property ownership in which the buildings or portions of the buildings, whether residential or non-residential in use, are owned by individuals separate from the lands which surround the buildings, said lands held in common ownership by the owners of the several buildings.

68. CONSTRUCTION SIGN

A temporary sign erected on premises where construction is taking place.

69. CONTINUING CARE RETIREMENT COMMUNITY

See RETIREMENT COMMUNITY, CONTINUING CARE.

70. COUNCIL

The City Council of the City of Lawrenceville, Georgia.

71. CORNER LOT

See LOT, CORNER.

72. CULTURAL INSTITUTION

A nonprofit institution engaged primarily in the performing arts or in the display or preservation of objects of interest in the arts or sciences that are open to the public on a regular basis, with or without a charge for admission. Cultural institution includes performing arts centers for theater, dance and events, museums, historical sites, art galleries, aquariums, and the like.

D

73. **DAYCARE CENTER**

A private establishment that provides supervision and care of more than six children or adults for periods of less than twenty-four (24) hours per day. The facility typically charges tuition, fees, or other forms of compensation for the care of the children or adults and is licensed or approved to operate as a care facility in the State of Georgia. (Source: Georgia Department of Human Resources)

74. **DEVELOPMENT REGULATIONS**

The adopted regulations providing for the subdivision and development of real property within the City of Lawrenceville, as amended from time-to-time by the City Council of the City of Lawrenceville.

75. **DIRECTOR**

See PLANNING AND DEVELOPMENT DIRECTOR.

76. **DIRECT BURIAL GROUND FIXTURE**

Upward directed lighting assembly that is installed such that the lens or outermost portion of the fixture is flush with the grade of the ground or surrounding surface in which it is installed.

77. **DIRECT LIGHT**

Light or illumination emitted directly from a fixture's light source, including the lens and globes associated with the fixture.

78. **DIRECTORY SIGN**

Any sign located on developed premises, adjacent to exits, entrances, driveways or off-street parking facilities.

79. **DISTRIBUTION FACILITY**

A warehouse established where individual tenants engage in the receipt, storage, and distribution of their goods, products, cargo, and materials, including transshipment by boat, rail, air, or motor vehicle.

80. **DISTILLERY/WINERY**

A facility that: (1) ferments juices from grapes and/or other fruit; (2) blends wines; (3) distills and/or blends alcoholic liquors; (4) manufactures, bottles, labels, and packages wine and/or alcoholic liquors; and/or (5) performs any other similar activity authorized by the Alcohol and Tobacco Division of the Georgia Department of Revenue.

81. DOOR SIGN

A sign that is applied or attached to the exterior or interior of a door or located in such manner within a building that it can be seen from the exterior of the structure through a door.

82. DOUBLE POST SIGN

A permanent, free-standing sign where the primary support is supplied by two posts positioned no more than two inches from the outer edge of the sign display area.

83. DOUBLE FRONTAGE LOT

See LOT, DOUBLE FRONTAGE.

84. DRIVE-IN or DRIVE-THRU

A facility at which the service or business transaction occurs while the customer remains sitting in a vehicle.

85. DRUG ABUSE TREATMENT FACILITY

A residential facility staffed by professional and paraprofessional persons offering treatment or therapeutic programs for drug-dependent persons who live on the premises. A Drug Abuse Treatment Facility must be approved and licensed by the Georgia Department of Community Health.

86. DUMP

A commercial operation of a parcel of land on which junk, waste material, inoperative vehicles, and/or other machinery are collected, stored, salvaged, or sold. This includes the terms junkyard and landfill.

87. DUMPSTER, RECYCLING, OR TRASH CONTAINER

A mobile bin designed to be brought and taken away, or lifted and emptied, by a special truck for the disposal of trash, refuse, garbage, and junk.

88. DWELLING

A building which is designed or used exclusively for residential purposes, including single-family, multifamily residential buildings, rooming and boarding houses, fraternities, sororities, dormitories, manufactured homes, but not including hotels and motels.

89. DWELLING, APARTMENT

A multifamily dwelling unit constructed in a group of twelve 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. This definition shall not include Dwelling Duplex, Dwelling Residential/Business, Dwelling Townhouse or Dwelling Villa.

90. DWELLING, ATTACHED

See Dwelling Apartment, Dwelling Duplex, Dwelling Unit Studio, Dwelling Residential/Business, Dwelling Townhouse or Dwelling Villa.

91. DWELLING, DUPLEX

A dwelling containing two and only two dwelling units. This definition shall not include Dwelling Apartment, Dwelling Residential/Business Dwelling Townhouse or Dwelling Villa).

92. DWELLING, FOURPLEX

A residential building designed for four (4) or more families or housekeeping units, living independently of each other in separate dwelling units.

93. DWELLING, LIVE-WORK

A dwelling in which a significant portion of the space includes a non-residential use that is operated by the tenant. A dwelling or sleeping unit that includes an office that is less than 10 percent of the area of the dwelling unit shall not be classified as a live/work unit.

94. DWELLING, MOBILE HOME

A detached single-family dwelling unit having all of the following characteristics:

- A. Designed for long term occupancy as opposed to transient location, containing sleeping accommodations, toilet facilities, with plumbing and electrical connections provided;
- B. Designed to be transported after fabrication on its own wheels or flatbed or other trailer or on detachable wheels; and
- C. Built to arrive at the site where it is to be occupied as a dwelling unit complete, including major appliances, and ready for occupancy except for minor and incidental unpacking and assembly operations, location on a permanent foundation, or integration into a prepared structure.

95. DWELLING, ONE-FAMILY

See "Dwelling Single-Family".

96. DWELLING, RESIDENTIAL/BUSINESS

A type of attached dwelling in which a commercial business or office may be operated in the basement or first floor/story of the structure. Each unit is separated from any other unit by one or more vertical common fire-resistance-rated walls. The business need not be operated by the resident of the dwelling. This definition shall not include Dwelling Apartment, Dwelling Duplex, Dwelling Residential/Business, Dwelling Townhouse or Dwelling Villa.

97. DWELLING, SINGLE-FAMILY

A dwelling containing one and only one dwelling unit, other than a manufactured home.

98. DWELLING, TOWNHOUSE

A multifamily dwelling unit constructed in a group of three attached units, but not more than eight attached units in which each unit extends from foundation to roof and with a yard or public way on at least two sides. Each unit is separated from any other unit by one or more vertical common fire-resistance-rated walls. A townhouse shall have at least two stories. This definition shall not include Dwelling Apartment, Dwelling Duplex, Dwelling Residential/Business or Dwelling Villa.

99. DWELLING, TWO-FAMILY

See “Dwelling, Duplex”.

100. DWELLING UNIT

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

101. DWELLING, APARTMENT STUDIO

A dwelling unit consisting of not more than one habitable room together with kitchen or kitchenette and sanitary facilities (see Dwelling Attached).

102. DWELLING, VILLA

A multifamily one-family dwelling unit with at least three, but no more than four, attached units in which each unit has at least two exterior walls and each unit is separated from any other unit by one or more vertical common fire resistance-rated walls. Villas are exclusively single-story but may include a bonus room over a garage or covered porch. This definition shall not include Dwelling Apartment, Dwelling Duplex, Dwelling Residential/Business, Dwelling Townhouse or Dwelling Villa).

E

103. EASEMENT

The Right of a person, government agency, or public utility company to use public or private land owned by another for a specific purpose.

104. ELECTRONIC MESSAGE CENTER (EMC)

A computer programmable sign capable of displaying words, symbols, figures, or picture images that can be altered or rearranged on-site or by remote means without altering the face or surface of the sign.

105. ENFRONT

To place an element along a build-to-line.

106. **ESSENTIAL PUBLIC SERVICES AND UTILITIES**

An agency that, under public franchise or ownership or governmental control, provides essential services such as electricity, natural gas, heat, steam, communications, transportation, water sewage collection or another similar service to the general public. This includes transmission lines, generation buildings, stations, substations, lay down, and maintenance yards.

107. **EXPOSED NEON**

Any display which utilizes bulbs or glass to directly illuminate without any form of colored translucent covering. Including but not limited to being placed directly on or in a sign structure or located on a building as accents. This definition shall include LED linear rope lights or similar devices intended to imitate Exposed Neon.

F

108. **FACADE**

The face or elevation of a building.

109. **FALL ZONE**

A Fall Zone is defined as an area large enough and set back far enough from any buildings, structures, or property lines equal to 133% of the height of the entire structure in every direction.

110. **FAMILY**

One or more persons living together as a single housekeeping unit. No more than two unrelated persons shall reside in a single housekeeping unit. The term “family” does not include any organization or institutional group and is distinguished from “joint living,” defined below.

111. **FAMILY DAY CARE HOMES**

A private residence operated by any person who receives therein for pay for supervision and care fewer than twenty-four hours per day, without the transfer of legal custody, at least three but not more than six children under thirteen years of age, who are not related to such person and whose parents or guardians are not residents of the same private residence; provided however, that the total number of unrelated children cared for in such home for pay and not for pay may not exceed six children under thirteen years of age at one time. (Source: Georgia Department of Human Resources).

112. **FAMILY PERSONAL CARE HOME:**

See PERSONAL CARE HOME, FAMILY.

113. FEE SIMPLE

A form of property ownership in which the buildings and surrounding lands are owned with absolute title without limit to inheritance or heirs, and unrestricted as to transfer of ownership.

114. FENCE

A structural barrier for enclosure, screening or demarcation, presenting a solid face or having openings amongst or between its constituent members; also, a wall separate from or extending from a building.

115. FINANCIAL INSTITUTION

A state or federally chartered bank, savings association, credit union, or industrial land company located in a building, or portion of a building, which provides for the custody, loan, exchange, or issue of money, the extension of credit, or facilitating the transmission of funds, and which may include accessory drive-up customer service facilities on the same premises. This does not include small loan lenders, title loan companies, or check cashing facilities.

116. FINANCIAL INSTITUTION, SMALL

A company that specializes in consumer loans of any type, and that may accept as security an interest in personal property (e.g. a lien on an automobile, tax refunds, checks, notes, or any other chattel or intangible property). This definition shall exclude insured, full-service banking institutions and licensed credit unions. These shall include but are not limited to, Pawn Shop, Check Cashing Facility, Title Loan Facility, Small Loan Lender (see definitions).

117. FLAG

A cloth with colors and patterns, which does not meet any other sign definition under this Ordinance. A flag is not a banner.

118. FLAG LOT

A lot not meeting minimum frontage requirements and where access to the public road is by a narrow, private right-of-way or driveway.

119. FLASHING SIGN

A sign, the illumination of which is not kept constant in intensity at all times when in use, and which exhibits marked changes in lighting effects. Illuminated signs which indicate only the time, temperature, date, or any combination thereof shall not be considered as flashing signs.

120. FLOOD PLAIN

That area within the intermediate regional flood contour elevations subject to periodic flooding as designated by the Department of Housing and Urban Development.

121. FLOODLIGHTS

Fixtures that project light in a broad, directed beam, typically of two lamp types:

- A. Simple lamps where the supporting optic elements are part of the fixture casement, having wide beam angles up to 110 degrees; or
- B. Sealed-beam lamps with internal parabolic reflectors, having narrower beam-spread angles of 25 to 55 degrees.

122. FLUORESCENT LIGHTING

A lamp that produces visible light by fluorescence, especially a glass tube whose inner wall is coated with a material that fluoresces when an electrical current causes a vapor within the tube to discharge electrons.

123. FOOD TRUCK PARK

An area where two or more licensed, motorized vehicles which prepare and sell food on a lot privately or publicly owned to the general public.

124. FOOT-CANDLE

Measure of illumination equivalent to one lumen produced uniformly on a surface of one square foot, as measured by a light meter.

125. FOURPLEX:

See DWELLING, FOURPLEX.

126. FREE-STANDING AUTOMATED TELLER MACHINE (ATM)

An automated device which performs banking and financial functions at a freestanding location which is remote from the controlling financial institution.

127. FREESTANDING SIGN

A permanent sign supported by any structure or support placed in or anchored in the ground and not attached to any building or structure. All freestanding signs must meet the requirements of a ground sign or a double post sign unless specifically approved through the granting of a variance.

128. FRONT YARD

See YARD, FRONT.

129. FULL-CUTOFF LIGHT FIXTURE

Class of lighting fixture defined by the Illuminating Engineering Society of North America (IESNA) according to technical photometric criteria. Included among those design criteria is a pattern of light distribution which does not permit any light to project at or above the horizontal plane from the lowest light-emitting point of the lighting fixture either dispersed directly from the lamp source or an integrated diffusing element, or indirectly from an integrated reflector surface, refractive lens, or refractive globe. These fixtures are also often referred to as "horizontally cutoff fixtures".

130. **FUNERAL HOME**

An establishment primarily engaged in the provision of services involving the care, preparation, or disposition of human dead. Typical uses include funeral parlors, crematories, mortuaries or columbaria.

G

131. **GARAGE**

A permanent enclosed area primarily for parking or storing motor vehicles.

132. **GOVERNMENT OFFICE BUILDING**

Administrative, clerical, or public contact offices of a government agency.

133. **GREEN**

A type of public space

134. **GROSS FLOOR AREA**

The total floor area included within surrounding exterior walls of a building. Areas of a building not provided with surrounding walls shall be included in the building area if such areas are included within the horizontal projection of the roof or floor above.

135. **GROUP HOME**

A state-licensed Child Care Institution (for six or more children) or Child Care Institution for Medically Fragile Children (up to 12 children) either residential or institutional in character that provides full-time group home care for children through 18 years of age outside their own homes. (Source: Georgia Department of Human Resources)

136. **GROUND COVERAGE**

The area of a zoning lot occupied by all buildings expressed as a percentage of the gross area of the zoning lot.

137. **GROUND SIGN**

A permanent, freestanding sign with a solid supporting base. This definition shall not include a Subdivision Sign.

138. **GROUND TRANSPORTATION**

The transportation of passengers, baggage, cargo, goods, products, or other items for a fee.

139. **GROUP LIVING**

A dwelling including shared living quarters such as rooming houses, dormitories, sororities, fraternities, and patient family homes.

140. GROWLER

Any glass, plastic, or other types of container, not less than 12 ounces or more than 64 ounces, used to hold specialty malt beverages such as beer and hard cider, which are dispensed from a tap and sealed airtight before being sold to the customer for off-premises consumption.

141. GROWLER RETAILER

A person or entity that holds a current retail package (malt beverage) license from the city for the sale of malt beverages pursuant to the laws of the State of Georgia and a valid current alcohol license from the state and sells specialty malt beverages in growlers. A growler retailer does not include any retailer that sells distilled spirits or that holds a consumption license from the city.

H

142. HABITABLE SPACE

Covered building floor area utilized for any principal permitted use except parking, storage, digital industry switchboards, power generators, and other relay equipment.

143. HARD SURFACE

A 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.

144. HEIGHT

The distance in vertical feet from the average elevation of the ground level at the base of the sign to the highest point of the sign structure.

145. HELIPORT OR HELICOPTER LANDING PAD

A facility or landing place for helicopters.

146. HOME OCCUPATION

Any use conducted entirely within a dwelling and carried on by the occupants thereof, which is clearly incidental and secondary to the use of the dwelling for residential purposes and operated in accordance with applicable provisions. Distinguished from Office.

147. HOSPITAL

An institution providing health services primarily for in-patient medical or surgical care of the sick or injured and including related facilities such as laboratories, out-patient facilities, training facilities, central service facilities, and staff offices which are an integral part of the facility.

148. HOTEL OR MOTEL

A facility offering transient lodging accommodations to the general public which may provide additional, accessory services such as restaurants, bars, meeting rooms, entertainment, and recreation facilities.

149. IESNA

Abbreviation for Illuminating Engineering Society of North America, a professional society of individuals, academics, and businesses engaged in the lighting industry.

150. ILLUMINATED SIGN

A sign illuminated in any manner by an artificial light source.

151. INDEPENDENT LIVING FACILITY

See RETIREMENT COMMUNITY (INDEPENDENT LIVING).

152. INDUSTRIAL EQUIPMENT SALES, RENTAL AND LEASE

A building, lot, or portion of a lot used or intended to be used for the display, sale, rent, or lease of new or used truck and industrial equipment, in operable condition and where repair service is accessory to the sale, rental, or lease. This includes semi-tractors, trailers, and construction equipment. This excludes body work.

153. INFLATABLE SIGN (ANIMATED)

Any sign inflated or supported by winds, air, or pneumatic noncombustible pressure which moves or is caused to move in any way to thereby distract or draw attention.

154. INFLATABLE SIGN (STATIC)

Any sign inflated or supported by winds, air, or pneumatic noncombustible pressure which is securely anchored to the ground and does not move.

155. INDOOR CLIMATE CONTROLLED STORAGE FACILITY

A storage facility where all storage units are climate controlled.

156. INDUSTRIALIZED HOME

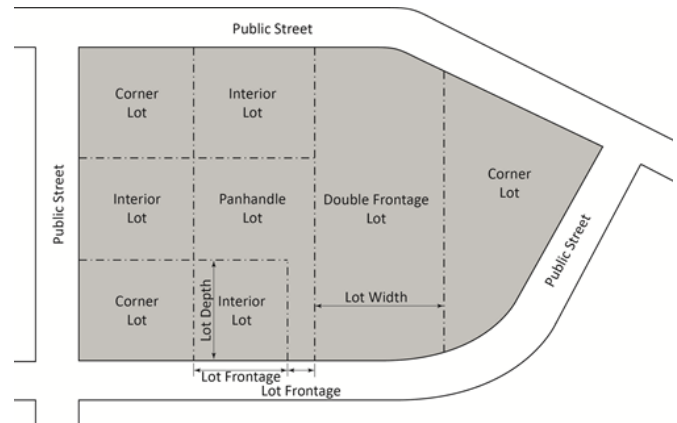
An industrialized home or modular home is a factory-fabricated transportable building consisting of units designed to be incorporated at a building site on a permanent foundation into a structure to be used for residential purposes.

157. INTERIOR LOT

See LOT, INTERIOR.

158. INTERMEDIATE CARE FACILITY

See NURSING HOME.

J**159. JUNK**

Old, dilapidated, scrap, or abandoned materials that shall include, but are not limited to, metal, paper, building material and equipment, bottles, glass, appliances, rags, rubber, motor vehicles, and parts thereof.

160. JUNK VEHICLE

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

161. JUNK OR SALVAGE YARD

A place where waste, discarded or salvaged metals, building materials, paper, textiles, used plumbing fixtures, used cars or trucks in inoperable condition, are bought, sold, exchanged, stored, baled, or cleaned.

K**162. KENNEL**

An establishment for the breeding or boarding of dogs or cats. Any property where there are four (4) or more dogs or cats 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.

L

163. LABORATORY, RESEARCH OR TESTING ESTABLISHMENT

A facility primarily conducting medical, pharmaceutical, optical, orthotic, prosthetic, or dental laboratory services, photographic, analytical, or testing services or a facility engaged in the research, development, and controlled production of high technology electronics, industrial, or scientific products or commodities.

164. LAMP

Component, tube, or bulb of a lighting fixture that produces the light. Multiple lamps within a single fixture are lumen-rated cumulatively as if a single lamp.

165. LAND DISTURBANCE

Any activity that comprise, facilitate or result in land disturbance, and which may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands within the state, including, but not limited to, clearing, clearing and grubbing, dredging, grading, excavating, transporting, and filling of land but not including agricultural practices. Each clearing, clearing and grubbing, grading, or development permit shall include the required erosion and sediment control measures and practices.

166. LANDSCAPE STRIP

Land area located within the boundary of a lot and required to be set aside and used for landscaping upon which only limited encroachments are authorized.

167. LANDFILL

See DUMP.

168. LIGHT FIXTURE

Complete lighting assembly consisting of a lamp or lamps, together with the parts designed to power, position, house, and protect the lamp; and other parts (such as a lens, reflector, or globe) which function together with the lamp as a light source to emit, control, direct, and disperse light. Not included is the support assembly (pole, arm, or mounting bracket) to which the lighting unit is attached. If multiple lighting units are attached to a common support assembly, each unit shall be considered to be an individual lighting fixture. A fixture with multiple lamps comprises only a single fixture.

169. LIGHT POLLUTION

A general expression for any and all uncontained light; both directed and reflected, that increases ambient light.

170. LIGHT SOURCE

The point of origin from which illumination emanates; usually a lamp.

171. LIGHT TRESPASS

Intrusion of direct light projected from one property or roadway onto another property or roadway.

172. LIMITED USE

Principal permitted uses subject to additional restrictions that are identified in this Zoning Ordinance.

173. LOADING SPACE, OFF-STREET

Space logically and conveniently located for bulk pickups and deliveries.

174. LOT

A zoning lot unless the context shall clearly indicate a contrary definition.

175. LOT FRONTAGE

The portion of a lot adjacent to a street.

176. LOT, CORNER

A lot situated at the intersection of two (2) streets or bounded on two or more adjacent sides by street right-of-way lines.

177. LOT, DOUBLE FRONTAGE

A lot, other than a corner lot, which fronts on two streets that are parallel to each other. Also known as a “through lot”.

178. LOT, INTERIOR

A lot other than a corner lot.

179. LOT, PANHANDLE

A lot that is setback from the street and is only accessible via a long, narrow drive. Also known as a “flag lot”.

180. LOT LINE

A boundary of a lot. Lot line is synonymous with property line.

181. LOT DEPTH

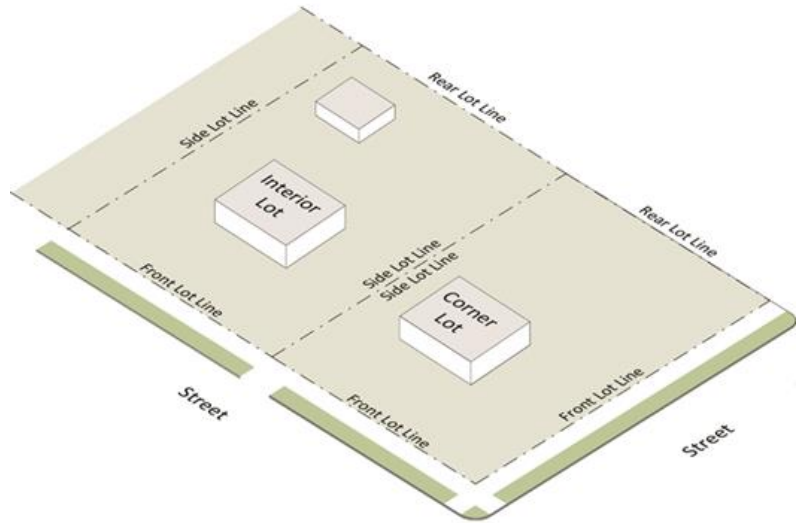
Considered to be the distance between midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

182. LOT WIDTH

The distance between side lot lines measured at the rear of the required front yard line on a line parallel with a line tangent to the street right-of-way line.

183. LOT OF RECORD

Land designated as a separate and distinct parcel in a subdivision, the plat of which has been recorded in the office of the Clerk of the Superior Court of Gwinnett County, or a parcel of land, the deed to which was recorded in said office prior to the adoption of this Ordinance.

**184. LUMEN**

Unit of illumination measuring the rate at which a lamp emits light where one lumen per square foot is one foot-candle.

M

185. MAINTENANCE

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

186. MANUFACTURED HOME

A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems connected therein. The term "manufactured home" includes the term "mobile home".

187. MANUFACTURED HOME LOT

A parcel of land for the exclusive use of the occupants of a single manufactured home.

188. MANUFACTURED HOME PARK

A manufactured home park is a parcel of land that has been planned and improved for the placement of manufactured homes for non-transient use.

189. MANUFACTURED HOME SUBDIVISION

A tract of land that is used, designated, maintained, or held out for sale of lots to accommodate manufactured homes. Services such as water, sewage, recreational facilities, and solid waste collection may be provided for a service charge.

190. **MANUFACTURING, ARTISAN**

A business primarily engaged in the limited on-site production of goods, by-hand manufacturing, which involves the use of hand tools and small scale equipment.

191. **MANUFACTURING, GENERAL**

A facility engaged in the production of products, from extracted or raw materials, or recycled or secondary materials, or bulk storage and handling of such products and materials. This classification includes food, beverage, and tobacco product manufacturing; textiles, apparel, leather, and allied products; wood products, paper, chemicals, plastics, rubber, nonmetallic mineral products, fabricated metal products, and transportation equipment.

192. **MANUFACTURING, HIGH INTENSITY**

A business engaged in the production of acetylene, cement, lime, gypsum or plaster-of-Paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins, and radioactive materials. This group also includes smelting, animal slaughtering, and oil refining.

193. **MARQUEE SIGN**

Any sign attached to, in any manner, or otherwise made a part of any permanent roof-like structure which projects beyond a building or extends along and projects beyond the wall of the building, generally designed and constructed to provide protection from the weather.

194. **MEDICAL OR DENTAL OFFICE OR CLINIC**

A facility other than a hospital where medical, mental health, surgical, and other personal health services, are provided on an outpatient basis. Examples of these uses include: offices for physicians, dentists, chiropractors, or other health care professionals; outpatient care facilities; urgent care facilities; and other allied health services.

195. **MOBILE HOME**

See, DWELLING, MOBILE HOME.

196. **MODULAR HOME**

See INDUSTRIALIZED HOME.

197. **MOTOR VEHICLE SIGN**

A sign mounted, placed, written, or painted on a vehicle or trailer whether motor-driven or not.

198. **MOVABLE PANEL SIGN**

Any sign which utilizes movable discs, panels, or other similar methods which allows the message change to be actuated by control rather than manually changing the message.

N

199. **NON-CONFORMING USE**

A use which lawfully occupies a building or land at the time this Ordinance or an amendment thereto becomes effective but does not meet the requirements of this Ordinance or any amendment thereto.

200. **NON-CONFORMING BUILDING**

A building or structure or portion thereof, lawfully existing at the time this Ordinance or an amendment thereto becomes effective, which does not meet the bulk, height, yard, parking, loading, or other requirements of this Ordinance or any amendment thereto.

201. **NON-CONSTANT LIGHTING**

Light fixtures meant not to operate continuously, and operated only briefly, irregularly, intermittently, or occasionally by a switching device. Fixture activation by a motion sensor may provide non-constant lighting.

202. **NURSING HOME**

A State licensed facility which admits patients on medical referral only and for whom arrangements have been made for continuous medical supervision; it maintains the services and facilities for skilled nursing care, rehabilitative nursing care, and has a satisfactory agreement with a physician and dentist who will be available for any medical and/or dental emergency and who will be responsible for the general medical and dental supervision of the home; and otherwise complies with the rules and regulations of the Georgia Department of Human Resources. (Source: Georgia Department of Human Resources)

O

203. **OCCUPANCY**

The purpose for which a building is utilized or occupied.

204. **OFFICE**

A building or portion of a building wherein service is performed involving predominately administrative, professional, or clerical operations. Distinguished from Home-Based Occupation.

205. **OIL, GAS, AND CHEMICAL STORAGE, BULK**

A tank farm or other similar outdoor facility for the storage of oil, gas, chemicals, and related bulk products.

206. **OFF-STREET PARKING**

All parking accommodations that are not located on the street, including parking decks, driveways, parking garages, and/or parking lots that allow cars to park on or near the place of use.

207. **ON-STREET PARKING**

Spaces on the street that are officially designated for parking by street paint, signage, parking meters, or a combination of the three.

208. **OUTBUILDING**

An ancillary building or structure located towards the rear of the same lot as a principal structure.

209. **OUTDOOR DISPLAY AND SALES OF MERCHANDISE**

The placement of goods, materials, merchandise, or equipment for sale, rental, or lease in a location not enclosed by a structure consisting of walls and roof. "Outdoor display" shall not mean yard sales or vehicle sales lots.

210. **OUTDOOR LIGHTING**

Illumination of an exterior area. Included are open-air spaces which are under a roof or other cover and not fully enclosed, such as a canopy, pavilion, drive-through bay, or parking deck.

211. **OUTDOOR STORAGE**

The storage, outside of a fully enclosed lawful structure, of vehicles, items, equipment, materials, supplies, merchandise, vending machines, or similar items.

P

212. **PARCEL**

A designated lot, tract, or area of land established by plat, subdivision, or as otherwise permitted by law, to be separately owned, used, developed, or built upon.

213. **PARK**

A publicly accessible open space that provides recreation and gathering places.

214. **PARKING GARAGE**

A structure or portion thereof, other than a private or storage garage, designed or used for the storage of motor-driven vehicles for a fee.

215. **PARKING LOT**

A parcel of land containing one or more unenclosed parking spaces whose use is principal to the lot.

216. PARKING SPACE, OFF-STREET

An off-street space for the temporary storage of a motor vehicle with room for opening doors on both sides, together with properly-related access to a public street or alley and maneuvering spaces.

217. PAWN SHOP

An establishment engaged in the buying or selling of new or secondhand merchandise and offering loans secured by personal property.

218. PENNANT

Any long, narrow flag which does not meet any other sign definition in this Ordinance.

219. PERSONAL CARE HOME

Any dwelling, whether operated for profit or not, which undertakes through its ownership or management to provide or arrange for the provision of housing, food service, and one or more personal services for two or more adults who are not related to the owner or administrator by blood or marriage. (Source: Georgia Department of Human Resources). The term Personal Care Home shall also encompass the term Assisted Living Facility.

220. PERSONAL CARE HOME, FAMILY

Any dwelling, whether operated for profit or not, which undertakes through its ownership or management to provide or arrange for the provision of housing, food service, and one or more personal services for up to eight adults who are not related to the owner or administrator by blood or marriage. (Source: Georgia Department of Human Resources)

221. PERMEABLE SURFACE

A surface made of material such as gravel, permeable pavers, turf, planting bed, or mulched beds that allows storm water to infiltrate into the ground.

222. PLANNING AND DEVELOPMENT DIRECTOR

The person responsible for the administration and enforcement of this Zoning Ordinance. This includes the Director's designee unless otherwise specified herein.

223. PLAT

A map indicating the subdivision, resubdivision, or recombination of land.

224. PLAZA

A publicly accessible open space that is available for civic and commercial activities, but may have access limited for the purposes of providing outdoor dining areas.

225. PORTABLE SIGN

Any sign which is not permanently attached to the ground or other permanent structure including, but not limited to, signs attached to vehicles, trailers, securely anchored into the ground, or any sign which may be transported or is designed to be transported. Such signs include, but are not limited to, "A" and "T" type, sidewalk, sandwich, trailer signs, curb type signs, banners, balloons, or other commercial advertisement attached to vehicles.

Exceptions: Signs which are painted, bolted, screwed or magnetically attached to the top, sides or rear of the vehicle. Signs which are placed in the bed of a truck or trunk of an automobile or a banner attached to the vehicle regardless of the information contained thereon or method of attachment are not included in this exception.

226. PORTABLE STORAGE CONTAINER

Any secure portable container used for the temporary storage of personal or commercial goods that is filled on site and transferred to an off-site facility for storage.

227. PREMISES

A designed parcel, tract, lot, or area of land, together with improvements located thereon, if any, established by plat, subdivision, or as otherwise permitted by law, to be used, developed or built upon as a unit.

228. PRINCIPAL PERMITTED USE

The primary use of a lot which is among the uses allowed as a matter of right under the zoning classifications.

229. PUBLIC SAFETY FACILITY

A facility for public safety and services, including police and fire protection, jail, reformatory and related training facilities.

230. PUBLIC SPACES

Exterior and interior spaces appropriately improved for pedestrian amenity or for aesthetic appeal and not including areas used for vehicles, except for incidental service, maintenance, or emergency actions only.

231. PUBLIC WORKS AND MAINTENANCE FACILITY

A government-owned facility providing maintenance and repair services for government vehicles and equipment and areas for storage of equipment and supplies. This classification includes government-owned construction yards, equipment service centers, and similar facilities.

Q

232. **QUARRYING AND MINERAL EXTRACTION**

The removal of minerals, aggregates, sand, limestone, gravel, stone, clay overburden, topsoil, and the like from the ground for storage, processing and sales.

R

233. **RAILROAD TRAIN YARD, SPUR, SIDING, RIGHT-OF-WAY**

Land used for classification yards, switch tracks, team tracks, storage tracks, through tracks, and areas for the transfer and storage of freight, locomotives, and railcars.

234. **REAR YARD**

See YARD, REAR.

235. **RECREATION FACILITY, PRIVATE**

A place, indoor or outdoor, designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities. Private recreational facilities are operated by a non-profit organization and open only to bonafide members and guests of such non-profit organization.

236. **RECREATION FACILITY, PUBLIC**

A place, indoor or outdoor, designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities. Public recreational facilities are operated by a governmental unit and are open to the public for free or through a membership fee.

237. **RECREATIONAL VEHICLE**

A vehicle which is:

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

238. **REGULATED USE**

Any building or structure or portion of any building or structure used or proposed to be used for an adult-use as defined in this Article.

239. RELIGIOUS PLACE OF WORSHIP

A permanently located church, cathedral, synagogue, temple, mosque, or other place dedicated to religious worship. As part of its functions, it may include the following incidental and subordinate uses subject to applicable federal, state, and local regulations: offices, residences for clergy, religious instruction, schools, daycare centers, shelters, and community and recreational activities.

240. RESTAURANT

An establishment that serves food prepared on-site and beverages primarily for consumption on- or off-premise.

241. RESOLUTION

Means by which a local legislature or other board expresses its policy or position on a subject.

242. RETAIL SALES AND SERVICE

A business engaged in sales of goods or the provision of services directly to consumers. This classification includes the retail sale or rental of merchandise not specifically listed under another use classification.

243. RETIREMENT COMMUNITY (CONTINUING CARE)

A managed residential facility for elderly adults that allows residents to age in one community, with on-site access to healthcare services and a transition to greater levels of care over time. These facilities provide distinct levels of care: independent living in which residents live on their own and have access to a wide array of amenities; assisted living, which provides help with daily tasks such as bathing and dressing; and 24-hour nursing home-style care. As the resident's health needs increase, they transition from one level to the next, all within the same community.

244. RETIREMENT COMMUNITY (INDEPENDENT LIVING)

A managed housing complex designed for older adults who are generally able to live independently and care for themselves. Limited or no personal or healthcare services are offered; however, activities and socialization opportunities may be provided.

245. ROAD FRONTAGE

The distance, measured in a straight line, from the two furthest property corners located on the same public right-of-way, excluding parcels.

246. ROOF SIGN

A sign erected or constructed, in whole or in part, upon or above the highest point of a building with a flat roof, or the lowest portion of a roof for any building with a pitched, gambrel, gable, or hip roof. Signs mounted below the highest point of a mansard-style parapet shall not be considered roof signs.

247. RUNWAY

A paved or cleared strip of land on which aircraft may take off and land.

S

248. **SCHOOL, COLLEGE, UNIVERSITY, VOCATIONAL AND TECHNICAL**

An institution of higher education providing curricula of a general, religious, or professional nature, typically granting recognized degrees, licensure, or certifications. This classification also includes business and computer schools; management training; technical, vocational, and trade schools; but excludes personal instructional services.

249. **SCHOOL, ELEMENTARY AND SECONDARY**

An institution having regular sessions with regularly-employed instructors teaching subjects which are fundamental and essential for general academic education, under the supervision of, and in accordance with, the applicable statutes of the State of Georgia.

250. **SCREENING**

A method of shielding or obscuring one abutting or nearby structure or use from another by opaque fencing, walls, berms, densely planted vegetation, or the like.

251. **SHELTER, EMERGENCY**

A nonprofit institutional use, comprised of a building, institutional in nature, which provides overnight shelter, sleeping accommodations, and services, and not otherwise mandated by the state government for related or nonrelated individuals for a period of time not to exceed 15 hours every 24 hours. Stay of the individuals is presumed to be of a temporary nature.

252. **SHELTER, HOMELESS**

A type of homeless service agency which provides temporary residence for homeless individuals and families. Distinguished from emergency shelters, which are operated for specific circumstances and populations.

253. **SIDE YARD**

See YARD, SIDE.

254. **SIDEWALK CLEAR ZONE**

The portion of a sidewalk that is unobstructed by permanent objects and is reserved for pedestrian passage.

255. **SIDEWALK LANDSCAPED ZONE**

The portion of a sidewalk adjacent to the street curb and reserved for the placement of trees and street furniture including utility poles, waste receptacles, fire hydrants, traffic signs, traffic control boxes, newspaper boxes, bus shelters, bicycle racks, and similar elements in a manner that does not obstruct pedestrian access or motorist visibility.

256. **SIGN**

Any surface, fabric, device, or display which bears letters, numbers, symbols, pictures, or sculptured matter, whether illuminated or unilluminated; designed to identify, announce, direct or inform; and that is visible, from a public right-of-way. For purposes of this Ordinance, the term "sign" does not include all structural members.

257. **SIGN AREA**

The surface area of the display.

258. **SINGLE-FAMILY ATTACHED DWELLING**

See, DWELLING, SINGLE-FAMILY ATTACHED.

259. **SINGLE-FAMILY DETACHED DWELLING**

See DWELLING, SINGLE-FAMILY DETACHED.

260. **SKILLED NURSING FACILITY**

See NURSING HOME.

261. **SMALL LOAN LENDER**

An establishment which is engaged exclusively in the business of making consumer loans of \$3000 or less.

262. **SOLID WASTE**

Putrescible and non-putrescible wastes, except water-carried body waste, and shall include garbage, rubbish, ashes, street refuse, dead animals, sewage sludge, animal manures, industrial wastes, abandoned automobiles, dredging wastes, construction wastes, hazardous wastes, and other waste material in a solid or semi-solid state not otherwise defined in this Ordinance.

263. **SOLID WASTE TRANSFER STATION**

Any facility which collects, consolidates, and ships solid waste to a disposal facility or processing operation.

264. **SPECIAL EVENTS FACILITY**

A facility designed to accommodate guests, that can be rented by patrons as a venue for social or professional events or occasions.

265. **SPECIAL USE**

A use which is permitted if it meets stated conditions and is approved by the City Council of the City of Lawrenceville.

266. **SPOTLIGHTS**

Fixtures that project light in a narrow beam, contained and centered on a directional axis. Related lamps typically are sealed-beam with internal parabolic reflectors and beam-spread angles of 9 to 15 degrees.

267. STOP WORK ORDER

An order to cease and desist building, development, and land disturbing that is issued by the Department of Planning and Development pursuant to the requirements of this Ordinance and Construction Codes.

268. STORY

That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above, or if there is no floor above, the space between the floor and the ceiling next above. Each floor or level in a multi-story building used for parking, even if below grade, shall be classified as a story.

269. STREET FAÇADE

The exterior wall of a building that fronts the street.

270. STRUCTURE

Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground.

271. STUDIO OR MEETING FACILITY

A building typically accommodating groups of students in multiple instructional spaces. Examples of these facilities include individual and group instruction and training in the arts; production rehearsal; photography, and the processing of photographs produced only by users of the studio facilities; martial arts training studios; gymnastics instruction, and aerobics and gymnastics studios with no other fitness facilities or equipment. This definition also includes production studios for individual musicians, painters, sculptors, photographers, and other artists.

272. SUBDIVISION

The process (and the result) of dividing a parcel of raw land into smaller buildable sites, blocks, streets, open space, and public areas, and the designation of the location of utilities and other improvements.

273. SUPPLEMENTAL ZONE

The area between the back of the sidewalk clear zone and the build-to-line.

T**274. TATTOO**

To mark or color the skin, by pricking in coloring matter so as to form indelible marks or figures, or by the production of scars; provided, however, that the term "tattoo" does not mean a mark placed upon the skin by a physician for medical identification purposes.

275. TATTOO ARTIST OR PRACTITIONER

Any person who actually performs the work of tattooing.

276. TATTOO ESTABLISHMENT

The room, place or building where tattooing is practiced or where any part of the business of tattooing is conducted.

277. TATTOO OPERATOR

Any person, firm, or entity which controls, operates, conducts or manages any tattoo establishment, whether actually performing the work of tattooing or not.

278. TEMPORARY SIGN

A display, sign, banner, or other device with or without a structural frame, not permanently mounted, and intended to be displayed for only a limited time.

279. TITLE LOAN LENDER

Establishments which engage in the business of providing money to customers on a temporary basis, where such loans are secured by a car title or a lien against a car title. Includes Title Pawn Lenders.

280. TOP-SHIELDED LIGHT FIXTURE

A lighting fixture that, either by its top-most shielding or by its sheltered placement under a soffit, cornice, roof, canopy, or other structural element, limits light at or above the horizontal plane.

281. TRUCK TERMINAL, TRANSFER FACILITY

A facility for the storage of commercial goods within an enclosed building for distribution by truck.

282. TUBE LIGHTING

Gas-filled glass tube that becomes luminescent in a color characteristic of the particular gas used, such as neon, argon, krypton, etc. Excluded from this lighting class are common fluorescent tubes.

U

283. UNDISTURBED

Land in its natural state of vegetation.

284. USE

The purpose or purposes for which land or a building is designed, arranged, or intended, or to which said land or building is occupied, maintained, or leased.

285. **URGENT CARE FACILITY**

An outpatient facility, operated by a hospital or health organization, and staffed with individuals that provide immediate emergency care services similar to what would be expected in a hospital.

V

286. **VARIANCE**

A resolution which grants a property owner relief from certain provisions of a zoning ordinance when, because of the particular physical surroundings, shape, or topographical condition of the property, compliance would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or desire to make more money.

287. **VEHICLE SALES, RENTAL, AND LEASE**

A building, lot, or portion of a lot used or intended to be used for the display, sale, rent, or lease of new or used motor vehicles in operable condition and where repair service is accessory to the sale, rental, or lease. This excludes bodywork.

288. **VEHICLE SERVICE AND REPAIR FACILITY**

A building or premises where products necessary for automobile service or maintenance are sold, provided there is no storage of automobiles, and only minor services are rendered. An automobile service station is not a repair garage or a body shop.

289. **VETERINARIAN CLINIC**

A facility or premises utilized for the diagnosis and treatment of ill and injured animals and the short-term boarding incidental to the clinical use.

W

290. **WALL SIGN**

Any sign painted on or attached to a wall of a building or structure and in the same plane as the wall.

291. **WAREHOUSE, PERSONAL STORAGE/MINI**

A facility for the storage of personal property in a secure, individual unit with each unit having direct access to the service drive.

292. **WAREHOUSING**

A facility for the storage and distribution of property, merchandise, or equipment, without direct sales to the public.

293. WASTE INCINERATION

A building or facility used for the combustion of organic substances found in waste materials.

294. WATERCRAFT

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

295. WINDOW SIGN

Any sign placed inside or upon the window panes or glass of any window or door. A sign that is applied or attached to the exterior or interior of a window or located in such manner within a building that it is clearly visible 40 feet or more from the exterior of the structure.

296. WIRELESS TELECOMMUNICATIONS ANTENNA, FACILITY OR TOWER

Public and private transmission, broadcast, repeater and receiving stations for radio, television, telegraph, telephone, data network, and wireless communications, including commercial earth stations for satellite-based communications. Wireless communication facilities include antennas, satellite dish antennas, and equipment buildings. Wireless communication facilities do not include telephone, telegraph and cable television transmission facilities that utilize hard-wired, fiber optic, or direct cable connections.

297. WRECKING YARD

See JUNK AND SALVAGE YARD.

298. WHOLESALE AND DISTRIBUTION

An establishment that engages in the sale of goods, merchandise, and commodities for resale by the purchaser.

Y

299. **YARD**

A required open space located on the same lot as the principal building, unoccupied and unobstructed except for accessory uses and for shrubs, fences, etc.

300. **YARD, FRONT**

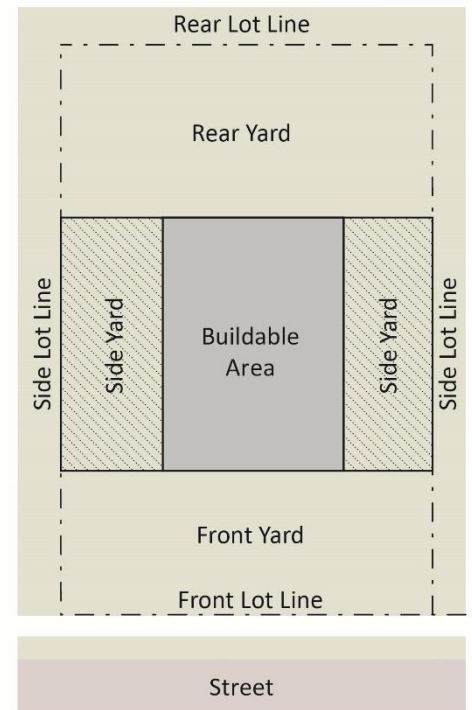
The area of a lot extending across the full width of the lot and measured between the building line and the front lot line.

301. **YARD, REAR**

The area of a lot extending across the full width of the lot and measured between the building and the rear lot line.

302. **YARD, SIDE**

The area of a lot extending from the front yard to the rear yard and measured between the building and the side lot line.



Z

303. **ZONING DISTRICTS**

Zoning districts defined in this Zoning Ordinance.

304. **ZONING LOT**

A single tract of land, located within a single block which, at the time of filing for a building permit or a certificate of occupancy, is designated by the owner or developer as a tract to be used, developed, or built upon as a unit, under single or unified ownership or control, and assigned to the particular use, building or structure, for which the building permit or certificate of occupancy is issued and including such area of land as may be required by the provisions of this Ordinance for such use, building or structure.

ARTICLE 11

INACTIVE ZONING DISTRICTS

This article is provided as a reference for projects developed under requirements of the 2005 Zoning Ordinance, and which have been retired with adoption of the 2019 Zoning Ordinance. No new zoning applications will be accepted for the following districts; properties or parcel assemblages governed by these pre-existing zoning classifications may continue to be developed.

Modified General Residence

RM-6 Duplex/Triplex/Quadplex Residential

RM-4 Fee Simple Condominium Residential

RM-HR Multi-Family High Rise Residential

ON Office Neighborhood District

BN Neighborhood Business District

1100.1 (RM-6) GENERAL RESIDENCE DISTRICT

PURPOSE:

This district is designed to provide for low rise, medium density apartment development that will be compatible when located near and among lower and moderate density type of development.

PRINCIPAL PERMITTED USES:

The principal permitted uses common to all residential districts, except attached or detached condominiums, which shall only be constructed in the RM-4-C Condominium District, containing not more than six (6) dwelling units per acre.

Joint Living Residence

PERMITTED ACCESSORY USES:

The permitted accessory uses common to all residential districts.

CONDITIONAL USES:

The conditional uses common to all residential districts, non-profit community buildings and social welfare establishments other than those providing living accommodations.

SPECIAL USE:

Personal Care Homes of six (6) or fewer individuals, exclusive of staff.

SPACE LIMITS:

Minimum lot area: 3600 square feet per dwelling unit, except that residential buildings containing two (2), three (3) or four (4) dwelling units shall have a minimum of 8000 square feet per dwelling unit.

Minimum width of lot: fifty (50) feet

Maximum height of building: thirty-five (35) feet

Minimum front yard: fifty (50) feet

Minimum rear yard: forty (40) feet

Minimum side yard: ten (10) feet

Minimum side yard on street side of corner: fifteen (15) feet

Maximum ground coverage, including accessory buildings: sixty percent (60%)

Minimum size: Apartment – 1000 square feet heated space

ARCHITECTURAL STANDARDS:

Front facades shall be brick.

Front façade shall have a pitched roof.

Front façade first floor windows shall be bay windows.

No utility meters or equipment permitted on the front façade, nor visible if on the roof.

Individual units shall be staggered to provide architectural relief.

Front entrance ways shall have a minimum of a sixty-four (64) square foot deck and shall be covered.

Minimum twenty (20) foot grass and landscaping strip between parking and building.

First floor elevation shall have a minimum height of ten (10) feet.

Trim work for building shall be consistent throughout all sides.

Side and rear facades must have a minimum of first floor brick, unless visible from city right of way then entire elevation must be brick.

Rear of building must have minimum of ten (10) foot by ten (10) foot patio or deck.

DEVELOPMENT STANDARDS:

Six (6) foot high fence required along right-of-way.

Brick columns with a minimum spacing of thirty (30) feet on center required.

Material between columns may be brick, wrought iron, or black aluminum.

Six (6) foot high fencing required along the remaining boundary.

Leyland Cypress required on the internal side of all fencing minimum spacing of ten (10) foot on center.

Centralized mail kiosk (if provided) shall have a minimum three (3) car stacking lane for every one hundred (100) units served.

Dumpsters and recycle bins shall be screened from all units and not visible from right of way.

The grounds must have underground sprinkler system.

Detention pond shall be screened from buildings and the road right-of-way.

UTILITY RESTRICTIONS:

All utilities shall be located underground.

Should any part or portion of this Ordinance be declared invalid for any reason by any competent jurisdiction, such declaration shall not affect the remaining portions of this Ordinance not so declared to be invalid, but all such remaining portions of this Ordinance shall remain in full force and effect as if they were separately adopted.

1100.2 (M) MODIFIED RESIDENTIAL DISTRICT

PURPOSE:

This district is designed to provide for the inclusion of mobile home parks and subdivisions as additional uses in residential districts at locations which are suitable for mobile home dwellings.

PRINCIPAL PERMITTED USES:

Any principal permitted use in the primary district to which the (M) Modified Residential District classification is appended when established according to the rules and conditions of the primary district.

Manufactured home parks and manufactured home subdivisions.

PERMITTED ACCESSORY USES:

Any permitted accessory use allowed in the primary district to which the -M Modified Residential District classification is appended when established according to the rules and conditions of the primary district.

Those accessory uses other than those permitted by the primary district regulations, but which are or may in the future, be required for inclusion in mobile home parks or mobile home subdivisions by other Ordinances of the City.

CONDITIONAL USES:

Any conditional use permitted in the primary district to which the (M) Modified Residential District classification is appended when established according to the rules and conditions of the primary district.

SPACE LIMITS:

All space limit provisions of the primary district to which the (M) Modified Residential District classification is appended shall be adhered to.

PROCEDURE:

The (M) Modified Residential District classification shall be considered as a separate and distinct zoning classification and shall be appended to a primary district in the same manner in which zoning map changes are made under the provisions of the statutes of the State of Georgia and of this Ordinance, and shall modify the regulations applying to the specific sites or zoning lots upon which the (M) Modified Residential District classification is designed.

MISCELLANEOUS PROVISIONS:

A manufactured home park shall be treated as one (1) zoning lot, except when uses other than those normally included or required by Ordinance within a manufactured home park are established within the boundaries of a manufactured home park. In those instances, a separate zoning lot shall be designated for such other uses.

Site Conditions, Planning and Construction

- (1) Site Conditions. Manufactured home parks and/or subdivisions shall be sited on land in accordance with standards of professional civil engineering. Site planning must take into account such conditions as flooding, erosion, and land subsidence. Soil characteristics including soil conditions, groundwater level, drainage, rock formations, and topology must be addressed to insure health and safety of the occupants.
- (2) Site Planning. Planning for the manufacturing home park and/or subdivision should be adapted to individual site conditions and the type of use or uses served, reflect advances in site planning techniques, and be adapted to the trends in the design of the manufactured home itself. Site planning and improvements shall: provide for facilities and amenities appropriate to the needs of the occupants; safe, comfortable, and sanitary use by occupants under all weather conditions; and practical and efficient operation and maintenance of all facilities at reasonable costs. The street and block pattern for the park shall be designed to attain proper

sizes and shapes of manufactured home spaces so as to provide desirable areas and to reduce excessive length of street construction without impairing convenient circulation and access.

- (a) Site Construction. No site construction shall be undertaken and no permits shall be issued until a Preliminary Subdivision Plat that meets the requirements of the Development Regulations of the City of Lawrenceville as well as this zoning ordinance has been given tentative approval.

(3) General Development Requirements

Manufactured home parks and/or subdivisions shall meet the following requirements:

- (a) Site Frontage, Access, and Minimum Width. Properties containing manufactured home parks and/or subdivisions shall have a minimum of two hundred (200) feet of property frontage on a public street, and direct vehicular access to the manufactured home park shall be provided by means of an abutting public street with at least two hundred (200) feet of property frontage. The manufactured home park and/or subdivision shall have a minimum lot width of two hundred (200) feet throughout the entire depth of the developed portion of the property.
- (b) Perimeter Buffer or Landscape Screen. A minimum twenty (20) foot wide buffer, where natural vegetation exists and provides a more or less opaque screen; or, where no natural vegetation forming an opaque screen exists, a minimum twenty (20) foot wide landscape strip with evergreen trees that will grow to a height of at least six (6) feet within three (3) years shall be installed and maintained around the entire perimeter of the development, except for approved access and utility crossings.
- (c) Open Space and Recreational Areas. A minimum of twenty (20) percent of the site area shall be open space and recreational area, including the required perimeter buffer or landscape screen. A minimum of eight (8) percent of the total site area, counted as part of the required twenty (20) percent site area that is open space and recreation area, shall be devoted to one or more active recreation facilities.
- (d) Community Services. As part of the site plan review process, the developer may propose and the City may approve one or more other structures for manufactured home park occupants, such as laundries, storage, garages,

and a park leasing or management office. However, any structure that draws its trade from outside the park boundaries is prohibited.

- (e) Interior Access Roads, Addresses, and Signing. The road system within the manufactured home park and/or subdivision shall be designed to meet the requirements of the Gwinnett County Fire Marshal and the traveling public to include the following:
 - (i) All interior roads shall be private but constructed to provide fire apparatus access and paved.
 - (ii) One-way interior roads shall be constructed with a minimum surface width of fourteen (14) feet, and shall be designated "no parking."
 - (iii) Two-way interior roads shall be constructed with a minimum surface width of twenty-four (24) feet, and shall be designated "no parking."
 - (iv) Interior roads shall be clearly marked at each intersection with signs to identify traffic directions and space numbers served by the road.
 - (v) Driveways shall be provided on the site where necessary for convenient access to service entrances of buildings, to delivery and collection points for refuse and other material, and elsewhere as needed.
 - (vi) The entrance road to a manufactured home park and/or subdivision shall have a minimum right-of-way width of sixty (60) feet with a minimum pavement width of twenty-eight (28) feet. The entrance road shall have a turning radius from the highway of at least thirty (30) feet and the entrance road shall extend at least one hundred (100) feet into the park and/or subdivision.
- (f) Guest Parking. In addition to on-site parking, guest parking spaces shall be provided as part of the development, at a ratio of one (1) parking space per each six (6) manufactured home spaces. Guest parking spaces shall be grouped and distributed evenly throughout the manufactured home park.
- (g) Utilities. All manufactured home parks and/or subdivisions, and each manufactured home space within the park, shall be served by approved public water and public sanitary sewer or community sewerage system,

and electricity. All utilities shall be installed underground with above ground connections.

- (h) Drainage. Drainage facilities shall be designed by an engineer and are subject to the approval of the City Engineer as part of the site plan review process.
- (i) Refuse Collection. Each manufactured home park and/or subdivision shall provide refuse collection pads at locations convenient to each manufactured home space.
- (j) Walkways. Sidewalks shall be required along one (1) side of all interior streets and in areas where pedestrian traffic is expected, such as around recreation, management, mailbox groupings if provided, and community services areas.
- (k) Park Rules. The property owner or manager shall submit operating rules and regulations governing the park to the Land Use Officer prior to occupancy.

(4) Requirements for Manufactured Home Spaces

- (a) Design. Each manufactured home space shall be designed and constructed at such elevation, distance, and angle with respect to its access to provide for safe and efficient placement and removal of the manufactured home. Each manufactured home space shall be designed with no more than a five (5) percent gradient and compacted with appropriate material to support maximum anticipated loads during all seasons.
- (b) Width, Depth, and Size of Spaces and Markings. Each manufactured home space shall be at least forty (40) feet wide and seventy-five (75) feet in depth. The minimum area for a manufactured home space shall be three thousand (3,000) square feet. The corners of each manufactured home space shall be clearly marked on the ground by permanent flush stakes, makers, or by other similar means.
- (c) Use of Spaces. No more than one (1) manufactured home shall occupy any individual space. Accessory uses and structures on individual spaces may be permitted, subject to compliance with the development standards provided in this Zoning Ordinance.

- (d) Space Identification Numbers. Manufactured home space numbers at least four (4) inches in height shall identify each space and shall remain readily identifiable while in use.
 - (e) Parking. Two (2) on-site paved parking spaces shall be provided on each manufactured home space or immediately off-site.
 - (f) Walkways. A walkway at least two (2) feet wide must be provided from each individual space to connect the manufactured home with the common walk or street.
 - (g) Setbacks. No manufactured home shall be located closer than five (5) feet to a manufactured home space boundary, and spaces shall be designed to provide for a minimum of fifteen (15) feet of separation between manufactured homes on abutting spaces.
 - (h) Additions and Accessory Structures. Decks, porches, outdoor storage, or other exterior additions may be constructed or erected on a manufactured home space, subject to the approval of the manufactured home park and/or subdivision management. No such accessory structure shall be located closer than five (5) feet to a manufactured home space boundary. The minimum porch size for each manufactured home shall be one hundred eighty (180) square feet. This total minimum requirement shall be the combination of the square footage of the porch for the front door of the manufactured home and the back door of the manufactured home.
 - (i) Maximum Density. The total number of spaces and total number of manufactured homes within the manufactured home park and/or subdivision shall not exceed eight (8) homes per acre.
- (5) Requirements for Manufactured Homes
- (a) All homes within the manufactured home park and/or subdivision shall be constructed in conformity with all federal and state standards in effect on the date of manufacture.
 - (b) Skirting. All manufactured homes shall be skirted and skirting will be either brick and/or masonry block and mortar or commercial grade skirting. This includes any skirting material which is manufactured solely for that purpose.

- (c) Anchoring and Underpinning. All manufactured homes shall be anchored with a sufficient number of tiedowns and underpins to ensure the home is secure against movement.
- (d) Exclusions. Transportable living units not meeting the definition of a “manufactured home” as defined in this ordinance including, but not limited to, travel trailers, truck campers, camping trailers and self propelled motor homes are specifically prohibited in any manufactured home park and/or subdivision.

Existing Manufactured Home Parks And/Or Subdivisions. In addition to providing more comprehensive regulations for future manufactured home parks and/or subdivisions in the City of Lawrenceville, it is the intention of this zoning ordinance to gradually bring existing manufactured home parks and/or subdivisions into compliance with these regulations. Accordingly, once a Manufactured Home is removed from a Lot, the Lot must then comply with these applicable regulations and standards before another manufactured home is placed on the Lot. All manufactured homes placed on a lot after the date of adoption of this ordinance shall comply with all the terms of this ordinance.

1100.3 RM-4-C FEE SIMPLE CONDOMINIUM RESIDENCE DISTRICT

PURPOSE:

This District is designed to provide for low rise medium density fee simple attached and detached condominium development that will be compatible with moderate density development in close proximity.

PRINCIPAL PERMITTED USES:

Multiple dwellings containing not more than four (4) units per acre of fee simple attached and detached condominiums which are to be deeded to the owners of the individual units; provided, however, that it shall be unlawful for the occupants residing in or for the owner of any single dwelling unit to have more than two unrelated individuals residing therein, nor shall any family as defined in Section 6.2 have, additionally, more than one unrelated individual residing with such family.

CONDITIONAL USES:

Non-profit Community Buildings and Social Welfare establishments other than those providing living accommodations.

SPECIAL USES:

Joint Living Residence. In considering whether to grant or deny an application for a Special Use Permit for a Joint Living Residence, the City Council shall consider the following:

- (1) Whether there are extraordinary or exceptional conditions pertaining to the applications;
- (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.

DISTRICT DEVELOPMENT REGULATIONS:

Minimum lot area: 3,600 square feet dwelling unit, except that residential buildings containing two (2) or more dwelling units shall have a minimum of 8,000 square feet per dwelling unit.

Minimum width of lot: sixty (60) feet

Maximum height building: thirty-five (35) feet

Minimum front yard: fifty (50) feet

Minimum rear yard: forty (40) feet

Minimum side yard: twenty (20) feet

Minimum side yard on street side of corner: fifteen (15) feet

Maximum ground coverage, including accessory buildings: sixty percent (60%)

Minimum house size: Single family resident – 1600 square feet of heated space

Minimum duplex, triplex or quadraplex condominium: 1200 square feet of heated space per dwelling unit

All condominiums developed in this district shall comply with all of the statutory requirements of state law. A fee of One Thousand Dollars (\$1000.00) shall be paid at the time of filing of the preliminary site plan review to cover the extra legal and administrative costs of reviewing the review of the condominium declaration and related documents by the City. Any areas of common ownership shall be deeded to a condominium association which shall be created in accordance with Georgia law prior to the approval of the final plat.

The condominium association shall have responsibility for ownership and maintenance of all common areas of the development.

1100.4 RM-HR - RESIDENTIAL MULTIPLE FAMILY HIGHRISE DISTRICT

PURPOSE:

The RM-HR District is intended specifically for the use of multi-family dwelling units with a maximum density of twenty (20) units per acre. This zoning district should be for housing of the retired, or elderly.

This district is intended to be located in areas of more intensive development near such services as retail shopping centers, churches, major thoroughfares and connector streets.

PRINCIPAL PERMITTED USES:

Elderly highrise not to exceed the regulations contained in this Ordinance.

SPACE LIMIT:

Minimum lot area: The development shall have a minimum lot area of five (5) acres.

Maximum height of building: 6 stories.

Minimum front yard: 50 feet.

Minimum rear yard: 50 feet.

Minimum side yard: 50 feet.

MISCELLANEOUS PROVISIONS:

- (1) The minimum floor area shall be 550 square feet for a one (1) bedroom and 750 square feet for a two (2) bedroom.
- (2) Within the development, no buildings shall be within 150 feet of other residential and multi-residential districts.
- (3) Building to be completely sprinklered for minimum fire safety. With the exception: Building will have standpipe systems on every floor. All halls, corridors and other places of assembly with exception of rooms will have approved complete automatic sprinkler systems.
- (4) .Entire building will have installed approved monitoring smoke detection systems as in accordance with MFPA codes.

- (5) Access will be provided in all areas around building to insure proper placement of fire equipment when and if needed.
- (6) Other requirements will be provided when plans are reviewed as set forth in the 1976 Edition of the A.I.A. Fire Prevention Code, 1976 Edition of the 101 Life Safety Code and the Gwinnett County Fire Prevention Ordinance.
- (7) The specific requirements set forth above are not necessarily exhaustive of all requirements or conditions which the City may require prior to approval of any rezoning application under this district. This enactment specifically reserves, in the favor of the City, the discretion to deny any individual rezoning application submitted hereunder if, after review of the site plan and other materials submitted therewith and a careful consideration of all of the facts and circumstances relating to the proposed development, the City deems the proposed development not to be in the best interest of the health, safety and welfare of the present and future citizens of the City of Lawrenceville.
- (8) For buffer requirements see Section 8.411/03/81

1100.5 (ON) OFFICE/NEIGHBORHOOD DISTRICT

PURPOSE: To allow for the transition from residential to offices without changing the character of the neighborhood. The use will change from residential to low intense office, while the physical appearance will remain unchanged.

PRINCIPAL PERMITTED USES:

Professional & Business Offices.

SPECIAL USE:

Beauty Salon/Barber Shop, not to exceed two (2) chairs.

Florists.

SPACE LIMITS:

Shall be set at the rezoning hearing, with the following recommended space limits:

Minimum Lot Area: As existing, lot may not be subdivided.

Minimum Lot Width: As existing.

Maximum Height of Building: As existing.

Minimum Front Yard: Front of existing residence.

Minimum Rear Yard: Fifteen (15) feet when abutting a commercial district, forty (40) feet when abutting a residential district.

Minimum Side Yard: ten (10) feet.

Minimum Side Yard on Street Side of Corner: twenty-five (25) feet.

MISCELLANEOUS PROVISIONS:

The structure must remain intact, and any additions must be kept in architectural conformity to the single family theme.

Number of employees may not exceed five (5).

Parking requirements shall be set at the rezoning hearing.

Buffer requirements: fifteen (15) feet along rear if adjacent property is residential.

Fencing requirements: six (6) feet high solid wood fence shall be erected on the rear property line if adjacent property is residential.

Signage: three (3) feet height maximum, fifteen (15) feet maximum square footage, white light only.

1100.6 (BN) Neighborhood Business District

PURPOSE:

To allow for the transition from residential to offices without changing the character of the neighborhood. The use will change from residential to low intense office, while the physical appearance will remain unchanged.

PRINCIPAL PERMITTED USES:

Professional & Business Offices.

SPECIAL USE:

Beauty Salon/Barber Shop, not to exceed two (2) chairs.

Florists.

SPACE LIMITS:

Shall be set at the rezoning hearing, with the following recommended space limits:

Minimum Lot Area: As existing, lot may not be subdivided.

Minimum Lot Width: As existing.

Maximum Height of Building: As existing.

Minimum Front Yard: Front of existing residence.

Minimum Rear Yard: Fifteen (15) feet when abutting a commercial district, forty (40) feet when abutting a residential district.

Minimum Side Yard: ten (10) feet.

Minimum Side Yard on Street Side of Corner: twenty-five (25) feet.

MISCELLANEOUS PROVISIONS:

The structure must remain intact, and any additions must be kept in architectural conformity to the single family theme.

Number of employees may not exceed five (5).

Parking requirements shall be set at the rezoning hearing.

Buffer requirements: fifteen (15) feet along rear if adjacent property is residential.

Fencing requirements: six (6) feet high solid wood fence shall be erected on the rear property line if adjacent property is residential.

Signage: three (3) feet height maximum, fifteen (15) feet maximum square footage, white light only.



LAWRENCEVILLE

GEORGIA

70 S. CLAYTON STREET STREET | PO BOX 2200 | LAWRENCEVILLE, GA 30046 | 770.963.2414
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LAWRENCEVILLE

GEORGIA

AGENDA REPORT

MEETING: SPECIAL CALL, APRIL 27, 2020

AGENDA CATEGORY: COUNCIL BUSINESS NEW BUSINESS

Item: Gas Rate Analysis

Department: Gas

Date of Meeting: Monday, April 27, 2020

Fiscal Impact: Possible Revenue Generation of \$676,404.00+ per Year

Presented By: Todd Hardigree

Action Requested:

Summary: The last increase in gas rates was in March, 2017. Since this increase, the cost of materials, contract labor and many other factors have increased. The gas director is seeking approval or recommendation for gas rate increases to be effective starting July, 2020. The recommendation is a one-dollar increase on the base rate per year, for the next three years and no increase to the volumetric/distribution charges are recommended. The large commercial meters are also recommended to go to a tiered structure based on meter size and equipment.

Background: Residential customer impacts of \$12.00 per year, each year. Commercial customer impact varies based on size of meter.

Fiscal Impact: Potential revenue generation of \$676,404.00 for the first year and compounding subsequently.

Attachments/Exhibits:
Power Point Presentation

City of Lawrenceville



Gas Rate Analysis

Presented by: Todd Hardigree



Where do we stand?

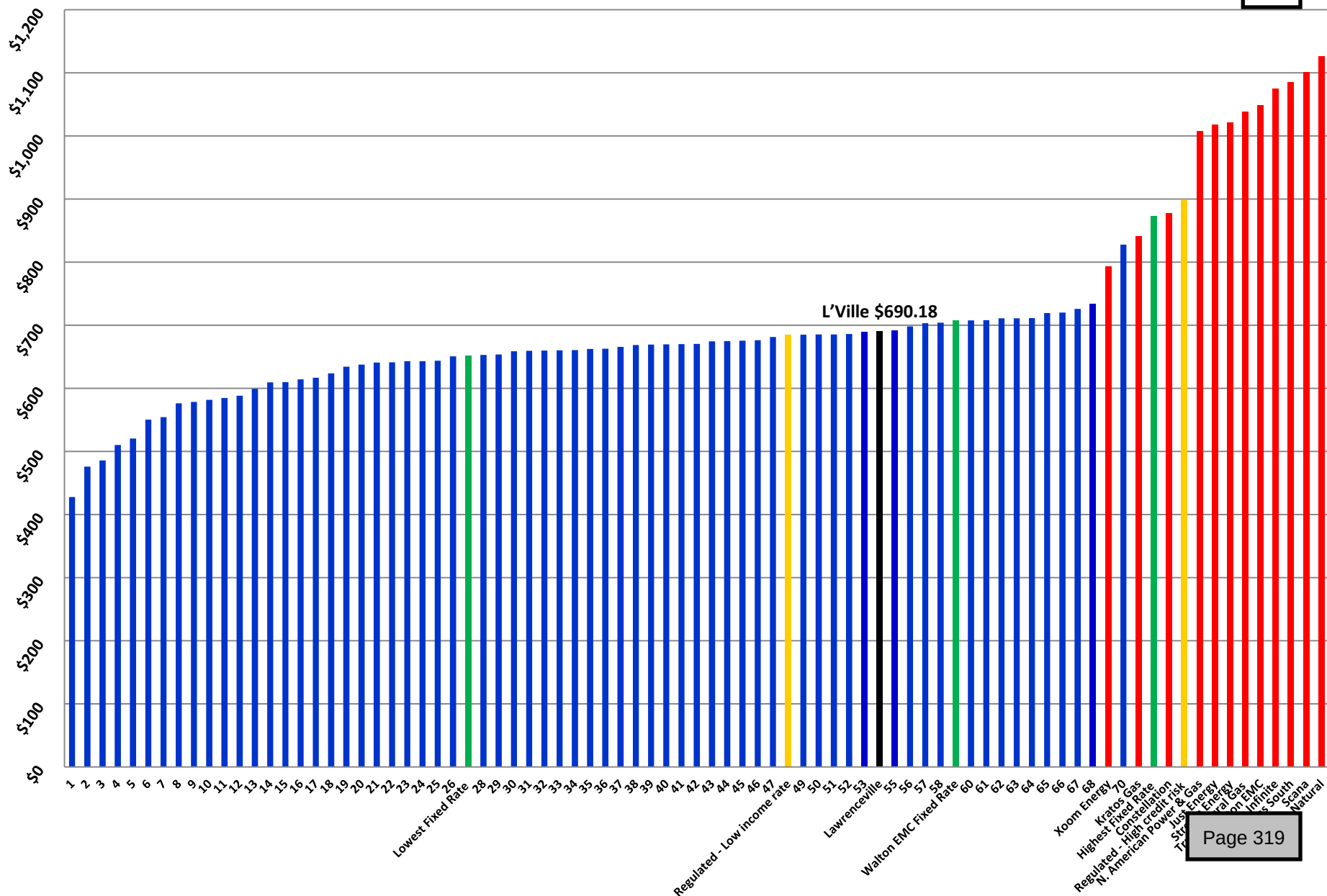
Residential Rates

16.

<u>Gas Provider</u>	<u>Base Rate</u>	<u>Dist Charge/Mcf</u>	<u>Total Bill 500 Therms</u>
Comparable City	\$17.00	\$1.00	\$485.94
Comparable City	\$11.95	\$3.45	\$578.49
Comparable City	\$12.00	\$3.75	\$634.25
**AGL - Marketer (Lowest 12 Month Fixed)	\$36.48	N/A	\$651.30
Comparable City	\$13.64	\$4.93	\$669.97
Lawrenceville (Current Rates)	\$21.00	\$4.00	\$690.18
**AGL - Marketer (Walton EMC)	\$36.48	N/A	\$707.23
Comparable City	\$22.00	\$5.50	\$726.07
**AGL - Marketer (Highest 12 Month Fixed)	\$36.48	N/A	\$872.80

2019 Average Residential Bill (500 Therms) Municipals and Marketers (Current Rate Structure)

16.





On Our Website for Direct Comparison Versus Marketers

LAWRENCEVILLE VARIABLE GAS RATE/BILL COMPARISON (12 MONTH AVERAGE)

Based on Dec18-Nov19 Period Using PSC/AGL Consumption of 717 Therms)(Lawrenceville bills in CCF and numbers have been converted to match "therm")

Monthly Base Charge Total and Average		Average Marketer Variable Rates (Price/Therm)		Marketer Variable Rates (Customer Charge)		Total Bill	
AGL Customer Base Charge (1.3 DDDC) Total	\$ 356.44	True Natural Gas	\$ 1.21	True Natural Gas	\$ 5.95	True Natural Gas	\$ 1,316.95
Average	\$ 29.70	Walton EMC	\$ 1.24	Walton EMC	\$ 5.83	Walton EMC	\$ 1,333.84
		Stream Energy	\$ 1.19	Stream Energy	\$ 6.37	Stream Energy	\$ 1,284.64
		Constellation	\$ 0.90	Constellation	\$ 5.95	Constellation	\$ 1,072.42
Lawrenceville Total	\$ 252.00	Scana Energy	\$ 1.34	Scana Energy	\$ 5.95	Scana Energy	\$ 1,398.13
Average	\$ 21.00	Gas South	\$ 1.31	Gas South	\$ 9.95	Gas South	\$ 1,423.13
		Infinite Energy	\$ 1.29	Infinite Energy	\$ 5.95	Infinite Energy	\$ 1,352.09
		Georgia Natural	\$ 1.41	Georgia Natural	\$ 6.99	Georgia Natural	\$ 1,478.70
		Just Energy	\$ 1.18	Just Energy	\$ 5.95	Just Energy	\$ 1,273.90
		Kratos Gas and Power	\$ 0.83	Kratos Gas and Power	\$ 5.95	Kratos Gas and Power	\$ 1,014.14
		North American	\$ 1.16	North American	\$ 5.95	North American	\$ 1,258.84
		Xoom Energy	\$ 0.76	Xoom Energy	\$ 5.85	Xoom Energy	\$ 980.13
		Average	\$ 1.15	Average	\$ 6.39	Average	\$ 1,265.58
		Lawrenceville	\$ 0.91	Lawrenceville	N/A	Lawrenceville	\$ 788.86

The seal of Lawrenceville, Georgia, is located in the top left corner. It features a circular design with a blue background. Inside the circle is a white illustration of a classical building with a dome and a clock tower. The words "LAWRENCEVILLE, GEORGIA" are written in a circular path around the central image.

Where Do We Need To Be?

- Based on current market (AGL has an approved increase of around 4% or \$30-\$45 per customer per year), increased costs of system maintenance, improvements and contract pricing (up over 10% since last rate increase in 2017)
- Proposing a \$1.00 increase to the base rate per year over the next three years and a \$0 to the mcf/ccf distribution charge
- Recommending an increase to the base rate for customers with large rotary style meters over 1500 CFH (on next slide), due to the costs of installation, proper maintenance and yearly testing, to include contract customers
- If approved, this would take place on July 1, 2020
- This keeps our gas competitive, allows us to give the best customer service field experience at an excellent level and sustain the gas system to cover increasing costs

Where Do We Need To Be? Commercial Rates

16.



***PROPOSED NEW BASE RATE FOR LARGE METER CUSTOMERS**

METER SIZE	TOTAL (ACTIVE IN SYSTEM)	NEW RATE ANALYSIS		
		NEW	OLD BASE RATE	NEW NET REVENUE PER YEAR
1.5M	34	\$38.00	\$27.00	\$4,488.00
2M	71	\$38.00	\$27.00	\$9,372.00
3M	100	\$40.00	\$27.00	\$15,600.00
5M	70	\$65.00	\$27.00	\$31,920.00
7M	24	\$65.00	\$27.00	\$10,944.00
11M	14	\$65.00	\$27.00	\$6,384.00
16M	0	\$200.00	\$27.00	\$0.00
23M	3	\$225.00	\$27.00	\$7,128.00
TOTAL	316	\$188,220.00	\$102,384.00	\$85,836.00

- ❖ This will include our contract customers (Ricoh, Publix, Hospital)



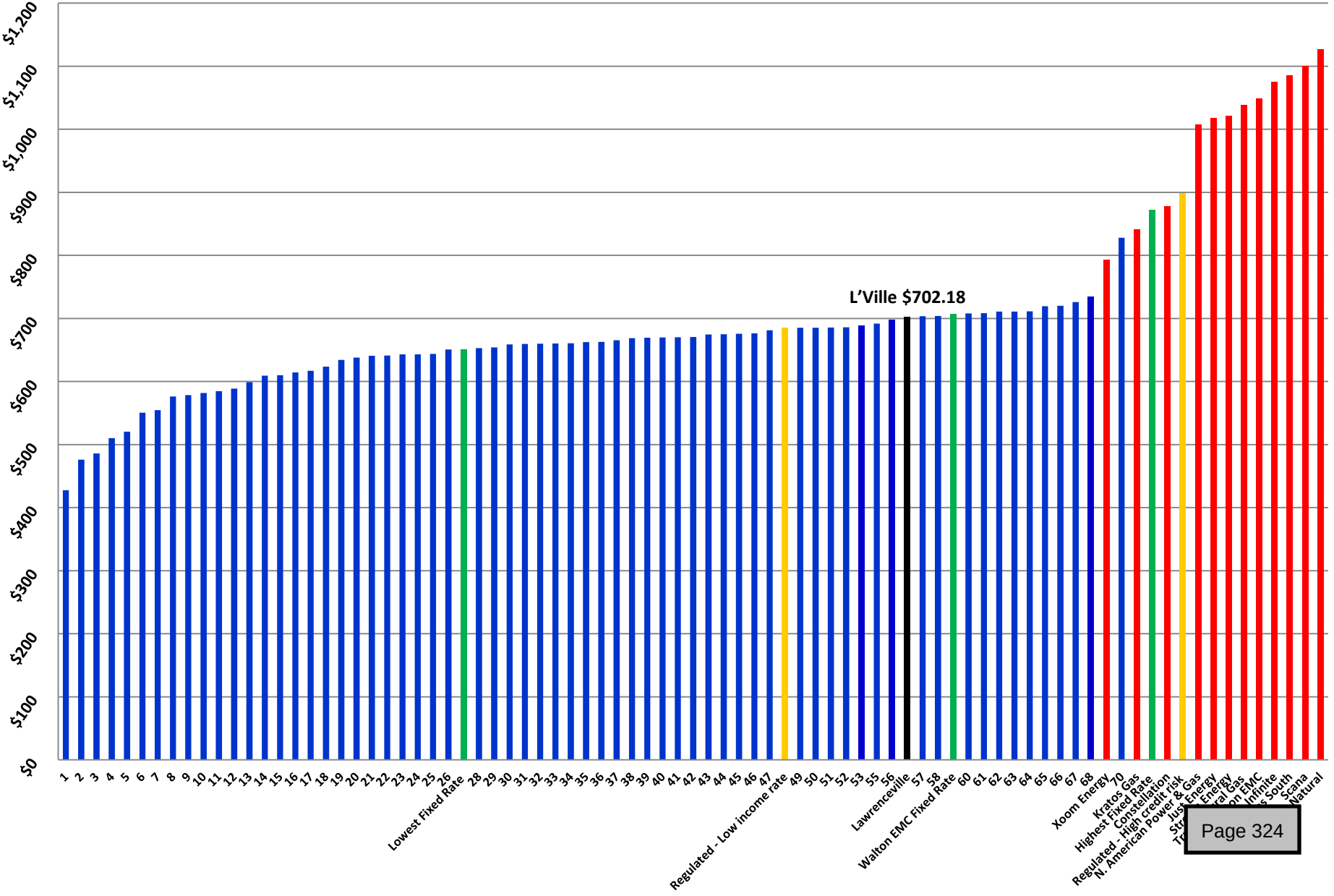
Comparison With New Rate 2020

Residential and Commercial

16.

<u>Gas Provider</u>	<u>Residential</u>		<u>Small Commercial</u>	
	<u>Base Rate</u>	<u>Dist Charge/Mcf</u>	<u>Base Rate</u>	<u>Dist Charge/Mcf</u>
Comparable City	\$17.00	\$1.00	\$17.00	\$1.00
Comparable City	\$11.95	\$3.45	\$13.50	\$3.45
Comparable City	\$12.00	\$3.75	\$20.00	\$3.75
**AGL - Marketer (Lowest 12 Month Fixed)	\$36.48	N/A		
Comparable City	\$13.64	\$4.93	\$14.65	\$4.93
Lawrenceville (Current Rates)	\$21.00	\$4.00	\$27.00	\$4.00
Lawrenceville (\$1.00/month Base Rate Increase)	\$22.00	\$4.00	\$28.00	\$4.00
**AGL - Marketer (Walton EMC)	\$36.48	N/A		
Comparable City	\$22.00	\$5.50	\$26.00	\$5.50
**AGL - Marketer (Highest 12 Month Fixed)	\$36.48	N/A		

2019 Average Residential Bill (500 Therms)
Municipals and Marketers With \$1/month increase



Gas Budget Forecast

with \$1 Base Rate Increase

(Based on “Warm” Winter Forecast)

16.



Customer Class	Customer Count	Base Rate	Distribution Margin/Mcf	Avg Annual Cust Bill	Additional Margin From Current Base Rates	Proposed Monthly Increase Per Cust/Per Year
Residential	46,500	\$ 22.00	\$ 4.00	\$672	\$558,000.00	\$1
Small Com/Ind	2,714	\$ 28.00	\$ 4.00	\$2,430	\$32,568.00	\$1
Large Meter	316	\$38-\$225	\$4.00/Variable		\$85,836.00	Stays On Proposed Schedule
Total FY21	49,530				\$676,404.00	
Total FY22	50,355				\$1,286,772.00	
Total FY23	51,180				\$1,916,940.00	



LAWRENCEVILLE

GEORGIA

AGENDA REPORT

MEETING: SPECIAL CALL, APRIL 27, 2020

AGENDA CATEGORY: COUNCIL BUSINESS NEW BUSINESS

Item:	GGC Corridor-Phase II Project Change Order 2
Department:	Administration
Date of Meeting:	Wednesday, April 15, 2020
Fiscal Impact:	\$48,000.00
Presented By:	Chuck Warbington
Action Requested:	Approval of GGC Corridor-Phase II Project Change Order 2 to E.R. Snell Contractor, Inc. in the amount of \$136,829.00. Authorization for Mayor to execute change order 2.

Summary: When installing storm drain pipes on the Corridor Project, the Contractor has run into more unsuitable subgrade material than was originally estimated. That material must be removed then replaced by good material that will provide required support of the pipes. The expectation is to uncover more of the unsuitable material. This Change Order is to cover that additional cost.

Three creeks come together in this area; one is fed by two small lakes, to form the headwaters of Redland Creek.

Background: This project consists 0.908 miles of clearing & grubbing, grading, roadway construction, asphalt paving, curb & gutter, sidewalk, construction of two (2) roundabouts, striping, lighting, traffic signals, ITS and landscaping.

Fiscal Impact: Amount not to exceed \$48,000.00. This project is funded by the 2014 Joint SPLOST Fund (3224200.541470). Project T-10. Approval of this change order will bring the total contract value to \$10,173,228.16.

Attachments/Exhibits:

Change Order 2



CITY OF LAWRENCEVILLE CONTRACT/PO CHANGE ORDER

17.

Department: Engineering Change Order #: 2

Project/PO: GGC Corridor Ph 2 Construction [PO #210294] Change Order Date: 04/27/2020

Contractor/Vendor: E. R. Snell Contractor, Inc.

Reason Codes: **A**-New Requirement, **B**- Unforeseen Condition, **C**- Professional Errors & Omissions, **D**- City Request, **E**- Project Close-out and/or Progress Adjustments not included in Change Order

It is agreed to modify the Contract referred to above as follows:

Item	Reason Code	Item and Description of Change	Change in Contract Amount (Increase/Decrease)
1	B	Item 210: Foundation Backfill Material, Type II	\$48,000.00
		Net Amount	\$48,000.00

A completed Change Order Detail Listing must be attached. If applicable, attach justification memo, proposal, etc.

Original Contract/PO Amount: \$ 9,988,399.16

Previous Change Order Amount: \$ 136,829.00

Amount of Change Order Requested (Increase/Decrease) \$ 48,000.00

New Contract/PO Amount (Including this Change Order) \$ 10,173,228.16

This contract period provided for completion will be increased/decreased by No Change calendar days. Adjusted completion date is _____, 20____.

This document will become a supplement to the contract and all provisions of the contract will apply hereto.

Billew
Requestor

Dennis Billew
Department Director

Authorized Approval



LAWRENCEVILLE

GEORGIA

18.

AGENDA REPORT

MEETING: SPECIAL CALL, APRIL 27, 2020

AGENDA CATEGORY: COUNCIL BUSINESS NEW BUSINESS

Item: First Amendment to Intergovernmental Agreement with Gwinnett County, Gwinnett County Water and Sewerage Authority and the City of Lawrenceville for the GGC Corridor

Department: City Manager

Date of Meeting: Monday, April 27, 2020

Fiscal Impact: \$85,000.00

Presented By: Chuck Warbington

Action Requested: Approve the first amendment to Intergovernmental Agreement with Gwinnett County, Gwinnett County Water and Sewerage Authority and the City of Lawrenceville for the GGC Corridor in the amount of \$85,000.00 and authorize the Mayor to sign the amendment upon approval of the City Attorney.

Summary: The original IGA was entered into on May 2, 2018.

Attachments/Exhibits:

Draft Amendment to IGA
Exhibit A to amendment

After recording return to:

Gwinnett County Law Department

**FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT
MADE MAY 2, 2018 BETWEEN
GWINNETT COUNTY, GWINNETT COUNTY WATER AND SEWERAGE
AUTHORITY AND CITY OF LAWRENCEVILLE**

STATE OF GEORGIA

CITY OF LAWRENCEVILLE

COUNTY OF GWINNETT

THIS FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT (hereinafter, the “**FIRST AMENDMENT**”), is made and entered into on the _____ day of _____, 2020, by and between GWINNETT COUNTY, GEORGIA, a body corporate and politic and a political subdivision of the State of Georgia, acting by and through its duly elected governing authority, (hereinafter referred to as "Gwinnett"), the GWINNETT COUNTY WATER & SEWERAGE AUTHORITY, a body corporate and politic and a political subdivision of the State of Georgia, acting by and through its duly appointed governing authority, (hereinafter referred to as the “WSA”), and the CITY OF LAWRENCEVILLE, GEORGIA, a political subdivision and municipal corporation of the State of Georgia, acting by and through its duly elected governing authority, (hereinafter referred to as "Lawrenceville"). Gwinnett and the WSA are collectively, the “Utility”. Gwinnett, the WSA and Lawrenceville are collectively, the “Parties”.

RECITALS

WHEREAS, the parties entered into the agreement on May 2, 2018 to partner on the installation of select water mains at the intersection of Collins Hill Road and Hurricane Shoals Road as part of the roadway improvement project known as the Collins Hill Extension Project being implemented by Lawrenceville (hereinafter, the “Road Project”); and

WHEREAS, the construction of the Road Project has identified a conflict with existing sewer facilities owned by Gwinnett which are in poor condition; and

WHEREAS, the sewer facilities are more particularly described as facility identification numbers 173049, 173594 and 197114 and consist of 642 linear feet of 8-inch diameter vitrified clay pipe installed in 1982 (hereinafter, the “Sewer Facilities”) as outlined in Exhibit A; and

WHEREAS, incorporating replacement of the Sewer Facilities with new PVC sewer into the Road Project will avoid aging clay pipe being located under the newly installed road and avoid the future costs of replacing said pipes and closing the new road; and

WHEREAS, upsizing the existing Sewer Facilities from 8-inch diameter to 12-inch diameter will avoid future disruption to the area should new development and redevelopment occur along the corridor of the Road Project; and

WHEREAS, the Parties wish to work in good faith to partner on replacement of the Sewer Facilities to avoid future disruption to the area.

TERMS AND CONDITIONS

NOW, THEREFORE, for and in consideration of the mutual covenants, promises, tenants, and agreements contained herein and for other good and valuable mutual consideration, the receipt and sufficiency of which hereby is acknowledged, it is mutually agreed by and among Gwinnett, the WSA and Lawrenceville as follows:

1. Recitals.

The above Recitals are true, correct and form a material part of this Agreement.

2. Obligations of the City of Lawrenceville.

- a) Lawrenceville shall amend the Road Project to incorporate replacement and upsizing of the Sewer Facilities along the shoulder of the Road Project.
- b) Lawrenceville shall construct the Sewer Facilities and provide record as-built documentation to Gwinnett.

3. Obligations of Gwinnett County.

- a) Gwinnett shall pay to Lawrenceville the sum of Eighty Five Thousand Dollars (\$85,000) for replacement of the Sewer Facilities.
- b) Gwinnett shall be responsible for inspection of the Sewer Facilities and all operation, maintenance and repair of the Sewer Facilities once construction has been approved by Gwinnett.

4. Original Agreement

Except as expressly stated herein, the other terms of the original May 2, 2018 agreement shall remain unchanged.

5. Notice.

- (a) Any notice or documentation must be sent to the City of Lawrenceville at:

City of Lawrenceville
 City Manager
 PO Box 2200
 70 South Clayton Street, Georgia 30046
 (770) 963-2414

(b) Any notice or documentation must be sent to Gwinnett County at:

Gwinnett County Administrator
Gwinnett Justice and Administration Center
75 Langley Drive
Lawrenceville, Georgia 30046

With a copy to:
Gwinnett County Attorney
Gwinnett Justice and Administration Center
75 Langley Drive
Lawrenceville, Georgia 30046

(c) Any notice or documentation must be sent to the WSA at:

Chairman
Gwinnett County Water and Sewerage Authority
684 Winder Highway
Lawrenceville, Georgia 30045

With a copy to:
Director
Department of Water Resources
684 Winder Highway
Lawrenceville, Georgia 30045

(d) Notice via email is acceptable only as an additional method of notice to either regular or certified mail.

IN WITNESS WHEREOF, the parties hereto, acting by and through their duly authorized officials, have caused this Agreement to be executed in two counterparts, each to be considered as an original, by their authorized representative the day and date herein above written.

CITY OF LAWRENCEVILLE, GEORGIA

By: _____
David Still, Mayor

Signed, sealed and delivered in the
presence of:

ATTEST:

Unofficial witness

City Clerk

(City Seal)

DRAFT

GWINNETT COUNTY, GEORGIA

By: _____
Charlotte J. Nash, Chairman
Gwinnett County

Signed, sealed and delivered in the
presence of:

ATTEST:

Unofficial witness

County Clerk
(County Seal)

APPROVED AS TO FORM:

County Attorney

**GWINNETT COUNTY WATER &
SEWERAGE AUTHORITY**

By: _____, Chairman

ATTEST:

_____, Secretary

Signed, sealed and delivered in the
presence of:

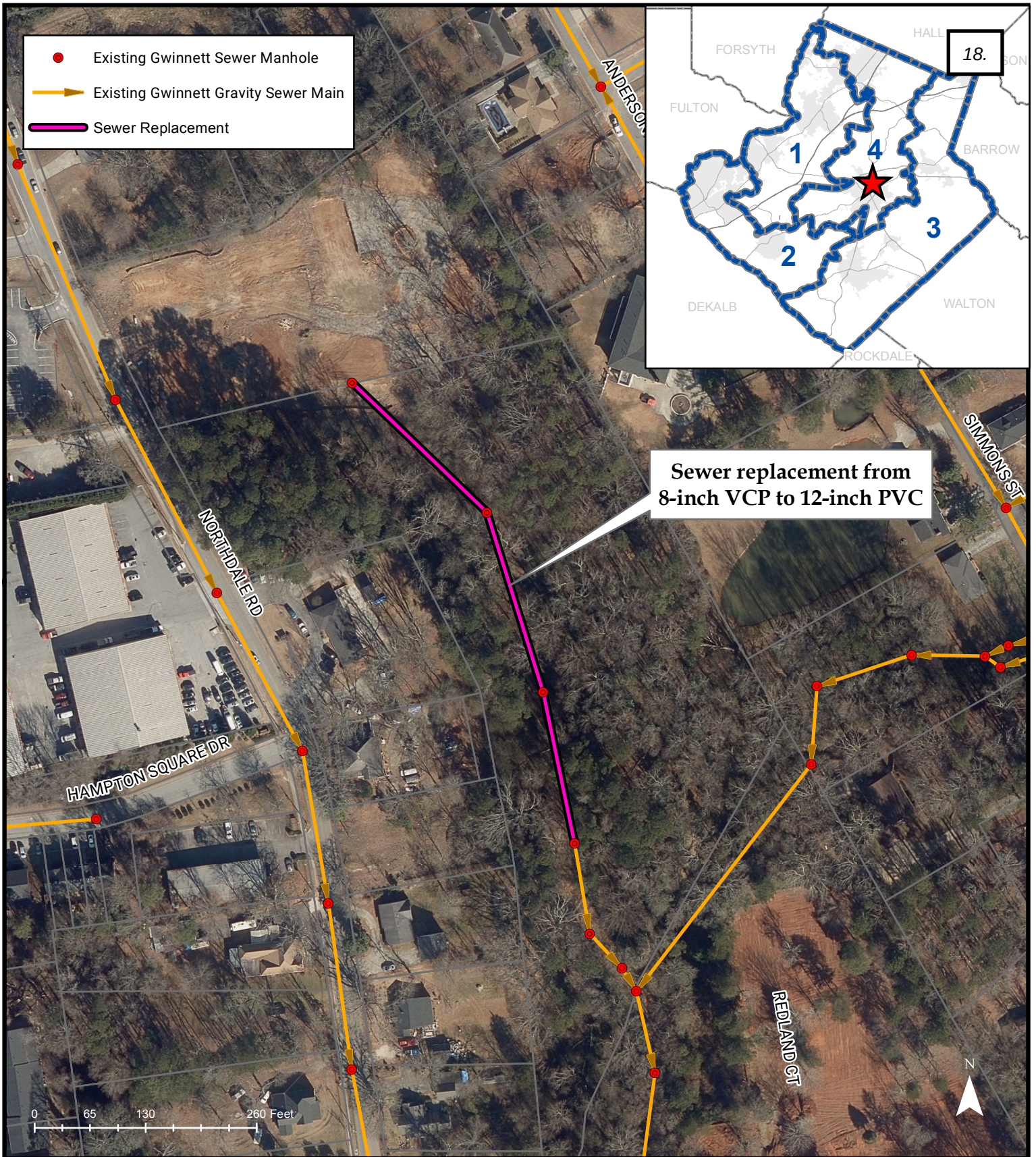
NOTARY:

Unofficial witness

[Notarial seal]

Approved as to Form:

Attorney





LAWRENCEVILLE

GEORGIA

AGENDA REPORT

MEETING: SPECIAL CALL, APRIL 27, 2020

AGENDA CATEGORY: COUNCIL BUSINESS NEW BUSINESS

Item:	Intergovernmental Agreement with Impact 46, Inc. for Lawrenceville Response Center
Department:	City Manager
Date of Meeting:	Monday, April 27, 2020
Fiscal Impact:	\$125,000.00 will come out of contingency
Presented By:	Chuck Warbington
Action Requested:	Approve the Intergovernmental Agreement with Impact 46, Inc. for Lawrenceville Response Center and authorize the Mayor to sign the agreement upon review and approval of the City Attorney.

Fiscal Impact: \$125,000.00 will come out of contingency

Attachments/Exhibits:

LRC Impact 46 Contract – FY2020- Funding Agreement

AGREEMENT

This **AGREEMENT** made and entered into this ____ date of _____, 2020 by and between the City of Lawrenceville, Georgia, a political subdivision of the State of Georgia, hereinafter referred to as the “City,” and Impact 46, Inc., a domestic nonprofit corporation, hereinafter referred to as “Impact 46.”

NOW THEREFORE, for and in consideration of the mutual promises and obligations contained herein and under the conditions hereinafter set forth, the parties do hereby agree as follows:

1. PURPOSE:

The City declared a Public Health State of Emergency on March 18, 2020. The City's declaration followed action by the World Health Organization declaring the Novel Coronavirus Disease 2019 (COVID-19) a world health emergency and a pandemic. The City's declaration also followed actions by the President of the United States and the Governor of the State of Georgia declaring COVID-19 as Public Health Emergencies. The City and its citizens are directly impacted by COVID-19. These impacts include but are not limited to financial burdens, temporary and permanent job loss and unemployment, and mental and physical health effects. It is important for the City to protect the well-being and health and safety of its citizens. The City must mitigate burdens placed on the public safety infrastructure, city owned and operated utilities, and demands for resources including those of food banks and the Lawrenceville Housing Authority. Providing assistance, including food, housing and other life sustaining necessities, to the citizens of Lawrenceville that are the most vulnerable is in the best interest of the City and its citizens. Such assistance directly benefits the City and its citizens by preventing hunger, preventing homelessness, helping to maintain property values by preventing foreclosures, allowing continued payment of utility bills, and lessening the burdens placed on public safety infrastructure. Because of the needs of its citizens and benefits received by the City and its citizens, the City finds that it is in its best interest and the best interest of its citizens to provide assistance to help those impacted by COVID-19 as set forth in this Agreement.

The purpose of the execution of this Agreement is solely for the purpose of providing funding from the City to Impact 46 during the calendar year 2020 for the expressed purpose of supporting the Lawrenceville Response Center as defined further in the Scope of Work and Performance sections of this Agreement.

2. TERM:

This Agreement shall commence on April 27, 2020 and end on December 31, 2020. At the end of the term, Impact 46's authority to expend unencumbered funds or to obligate them contractually will expire, unless a written amendment to extend the term of the contract is signed by both parties.

3. USE OF FUNDS:

Impact 46 agrees to maintain a separate and distinct set of accounts and records to ensure that funds will be used solely for the purposes outlined herein. All funds must have documented expenditures within the term of the Agreement. Any ineligible or unexpended funds must be returned to the City not later than 15 business days following the date of termination of this Agreement.

4. SCOPE OF WORK:

Impact 46 shall:

- a) Administer and oversee the terms and conditions in this Agreement and shall ensure that the monies provided are utilized pursuant to the provisions of this Agreement.
- b) In response to COVID-19, Impact 46 will lead strategic non-profit partners to operate an emergency intake center (Lawrenceville Response Center) as well as develop a long-term sustainability model for services to vulnerable families/residents in Lawrenceville. This will include:

- i. Immediate Response:

- 1. As a specific extension of the county wide efforts of Home First Gwinnett, Impact 46 (with strategic partners) will provide a Lawrenceville Response Center ("LRC") to respond to those in need of housing, financial resources, and food as a result of income loss from COVID19. The purpose of the LRC is to have a city specific place where Lawrenceville residents can contact a case manager for resources. The case manager will receive intake forms from Home First Gwinnett as well as intake forms from its own website and then assess, manage, and report.

- 2. Impact 46 will serve as the community liaison and fiscal agent to create a network of community partners and providers with collaborative and coordinated efforts to:

- a. Fund the Short-term and long term strategies through community partners, sponsors, in-kind donations, and donors;
- b. Identify and understand the underlying systematic issues and approaches surrounding poverty; and
- c. Build working and sustainable models for unique and long-term community outreach.

- ii. Impact 46 will serve as a community hub for coordination and collaboration in Lawrenceville that:

- 1. Helps move existing charity models towards strategic plans for long-term systematic impact and
- 2. Launch pilot programs in coordination with community partners and providers.

5. PERFORMANCE:

Impact 46 agrees to furnish all skill and labor of every description necessary to carry out and complete in good, firm and substantial, workmanlike manner, the work specified herein. Anticipated results of this partnership include creation and operation of the LRC as well as the development and implementation a long-term sustainability model for services to vulnerable families/residents in Lawrenceville.

6. FEES AND EXPENSES:

Within fifteen days of the execution of this Agreement and securing a match of a minimum of \$125,000.00, the City agrees to pay Impact 46 an amount not to exceed \$125,000.00, to facilitate the scope of work outlined herein. Impact 46 must document expenditures through monthly reporting and will be required to return any unobligated or ineligible expenses to the City upon the termination of this Agreement. Any ineligible or unexpended funds must be returned to the City not later than 15 business days following the date of termination of this Agreement.

7. RECORDS:

Impact 46's financial records and service provision records must be available for City review. Impact 46 must adhere to Georgia state laws and policies with regard to expenditure reporting and auditing. An audit must be on file with the City for the most recent fiscal year prior to this Agreement. An audit for the fiscal year(s) covered by this Agreement must be submitted as soon as it is available.

8. REPORTING:

On, or before, the 10th day of each month, Impact 46 will provide the City with a monthly report pertaining to the administration and expenditure of funded activities. The report format is attached as Exhibit A – Monthly Report Form.

9. SERVICE WITHIN CITY:

Impact 46 agrees that City contributed funds will be used only within the boundaries of the City of Lawrenceville.

10. METHOD OF NOTIFICATION:

All notices and communications provided for hereunder shall be sent to the following:

(1) Jen Young,
Impact 46

(2) Chuck Warbington, City Manager
City of Lawrenceville
PO Box 2200, Lawrenceville, GA 30046
Chuck.Warbington@lawrencevillega.org
678-407-6577

11. NOTIFICATION OF CHANGES:

Impact 46 agrees to report to the City any substantial changes to the scope of work. A substantial change includes, but is not limited to, the introduction of a new focus area or a budget increase/decrease of more than 25% within a focus area already approved. Any such changes would exceed the scope and must be approved as an Amendment to this Agreement.

12. AMENDMENTS:

No modification of this Agreement shall be made unless acknowledged in a written amendment signed by both parties.

13. INDEMNIFICATION AND HOLD HARMLESS:

Impact 46 agrees to protect, defend, indemnify, and hold harmless the City, its Council, officers, agents and employees from and against any and all liability, damages, claims, suits, liens, and judgments, of 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 to the extent arising out of and attributed to the negligent errors, acts, or omissions of Impact 46.

Impact 46 further agrees to protect, defend, indemnify, and hold harmless the City, its Council, 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 Impact 46.

14. TERMINATION FOR CAUSE:

The City may terminate this Agreement for cause at any time. Such termination shall be without prejudice to any of the City's rights or remedies provided by law.

15. TERMINATION FOR CONVENIENCE:

Either party may terminate this Agreement for its convenience at any time upon sixty (60) days written notice to the other party. In the event of the City's termination of this Agreement for convenience, Impact 46 will be paid for those services actually performed. Partially completed performance of the Agreement will be compensated based upon a signed statement of completion to be submitted by Impact 46 who shall itemize each element of performance.

16. AGREEMENT NOT TO DISCRIMINATE:

During the performance of this Agreement, Impact 46 will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, age, or disability which does not preclude the applicant or employee from performing the essential functions of the position. Impact 46 will also, in all solicitations or advertisements for employees placed by qualified applicants, consider the same without regard to race, creed, color, sex, national origin, age, or disability which does not preclude the applicant from performing the essential functions of the job. Impact 46 will cause the foregoing provisions to be inserted in all subcontracts for any work covered by this Agreement so that such provision will be binding upon each subcontractor, providing that the foregoing provisions shall not apply to contracts or subcontracts for standard commercial supplies or raw materials.

17. ASSIGNMENT:

Impact 46 shall not sublet, assign, transfer, pledge, convey, sell or otherwise dispose of the whole or any part of this Agreement or its right, title, or interest therein to any person, firm, or corporation without the previous consent of the City in writing.

18. WAIVER:

A waiver by either party of any breach of any provision, term, covenant, or condition of this Agreement shall not be deemed a waiver of any subsequent breach of the same or any other provision, term, covenant, or condition.

19. SEVERABILITY:

The parties agree that each of the provisions included in this Agreement is separate, distinct and severable from the other and remaining provisions of this Agreement, and that the invalidity of any Agreement provision shall not affect the validity of any other provision or provisions of this Agreement.

20. GOVERNING LAW:

The parties agree that this Agreement shall be governed and construed in accordance with the laws of the State of Georgia. This Agreement has been signed in Gwinnett County, Georgia.

21. MERGER CLAUSE:

The parties agree that the terms of this Agreement include the entire Agreement between the parties, and as such, shall exclusively bind the parties. No other representations, either oral or written, may be used to contradict the terms of this Agreement.

IN WITNESS WHEREOF, the parties hereto, acting through their duly authorized agents, have caused this **AGREEMENT** to be signed, sealed and delivered.

Impact 46, INC

By: _____
Signature

Print Name

Title

ATTEST:

Signature

(Seal)

CITY OF LAWRENCEVILLE,
GEORGIA

By: _____
David R. Still
Mayor
City of Lawrenceville

ATTEST:

Karen Pierce, City Clerk
City of Lawrenceville

(Seal)

APPROVED AS TO FORM:

Signature
City Attorney
Thompson, Sweeny, Kinsinger &
Pereira P.C

Exhibit A

Monthly Report Form

MONTHLY REPORT

Impact 46

Lawrenceville Response Center – FY2020

Reporting Period:

Name/Title of Individual Completing the Report:

Contact Information:

Project Activity

1. Did the project serve only City of Lawrenceville residents? ☐ yes ☐ no

If Yes, which zip code?

If No, please identify other funding sources used to cover the costs of non-Gwinnett County residents served.

2. Provide a comprehensive narrative about your project accomplishments during the reporting period identifying key dates and activities accomplished.

3. Detail your project implementation and expenditure schedule. Please specify your response by focus area and elaborate on any unexpected delays or identified problems.

Project Accomplishments

(Complete this section only for projects meeting completion during the reporting period)

4. How did the project meet the identified need(s) in our community?

5. What unmet need(s) remain?



LAWRENCEVILLE

GEORGIA

AGENDA REPORT

MEETING: SPECIAL CALL, APRIL 27, 2020

AGENDA CATEGORY: COUNCIL BUSINESS NEW BUSINESS

Item:	Resolution to Revise Downtown Development Authority Boundary
Department:	DDA
Date of Meeting:	Monday, April 27, 2020
Fiscal Impact:	none
Presented By:	Barry Mock
Action Requested:	Approve the Resolution to Revise Downtown Development Authority Boundary.

Summary: DDA is aware that City Council is considering an expansion of the DDA boundary to help spur economic development in certain areas of the City. DDA supports the expansion of the DDA boundary as proposed in the attachment.

Fiscal Impact: None

Concurrences: DDA

Attachments/Exhibits:

Resolution

Proposed DDA boundary expansion map

RESOLUTION _____

**RESOLUTION ALTERING THE GEOGRAPHICAL
AREA OF THE DOWNTOWN DEVELOPMENT AREA**

WHEREAS, the Mayor and Council of the City of Lawrenceville did pass a resolution on November 7, 1983, determining that there was a need for a Downtown Development Authority for the City of Lawrenceville; and

WHEREAS, said Resolution adopted by the Mayor and Council of the City of Lawrenceville did create the Downtown Development Authority of Lawrenceville, Georgia and did designate a geographic area to be known as the downtown development area; and

WHEREAS, the Mayor and Council of the City of Lawrenceville have from time to time adopted resolutions altering the geographical boundaries of the downtown development area; and;

WHEREAS, the Mayor and Council of the City of Lawrenceville have now determined that the geographic area to be known as the downtown development area should be altered as allowed and authorized by O.C.G.A. § 36-42-6;

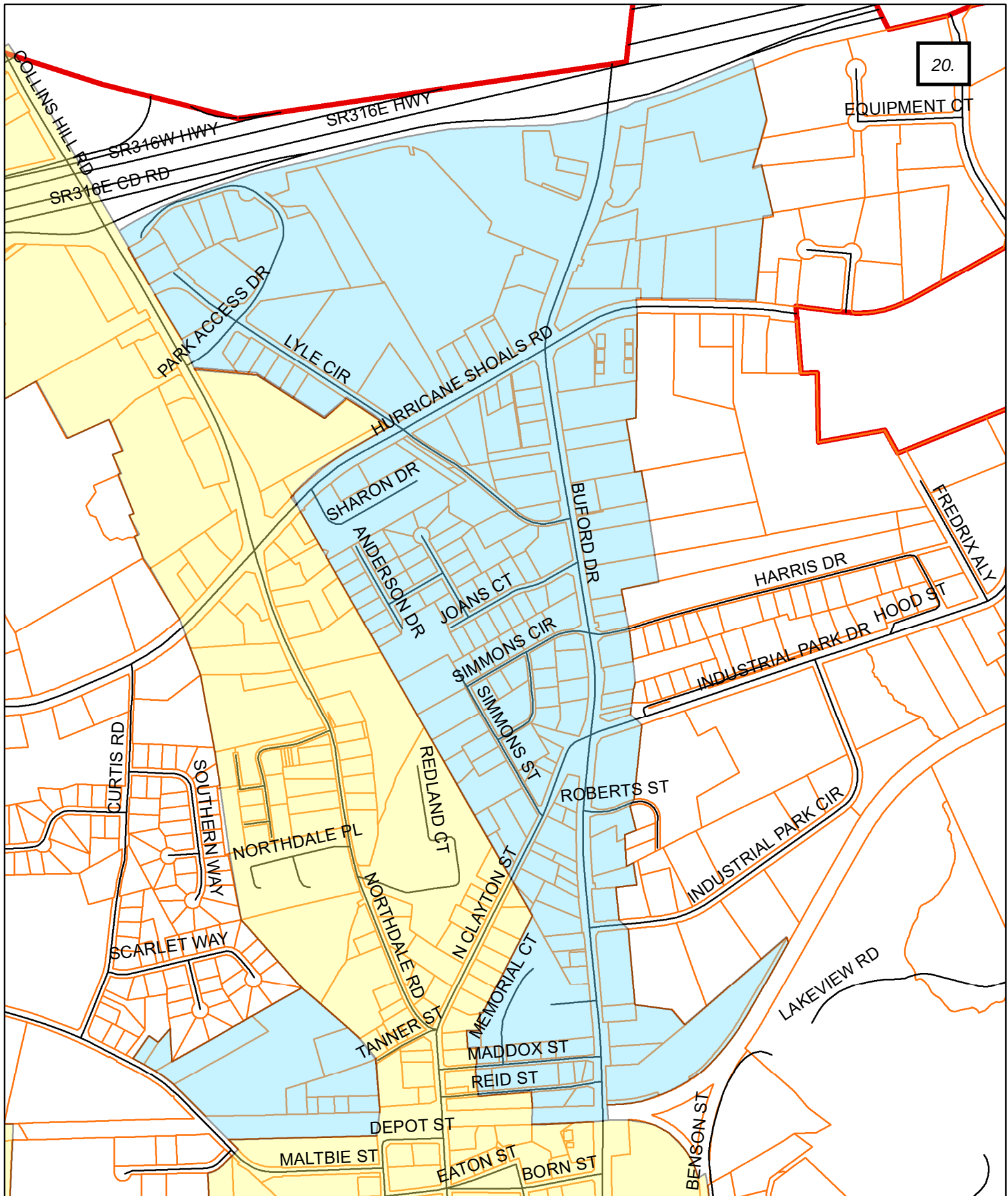
NOW THEREFORE, the Council of the City of Lawrenceville, Georgia hereby ordains and resolves that the geographic area to be known as the downtown development area as set forth in the Resolution of November 7, 1983, as amended, is hereby altered and amended by adding the area shown in blue on Exhibit "A", which is attached hereto and incorporated herein by reference. The geographic area to be known as the downtown development area shall now include the geographic area, as it previously existed with the addition of the area shown in blue on Exhibit "A".

IT IS SO ORDAINED AND RESOLVED this 27th day of April, 2020.

David R. Still, Mayor

ATTEST:

Karen Pierce, City Clerk



DD Boundary

- Existing
- New

City of Lawrenceville DDA Boundary Map

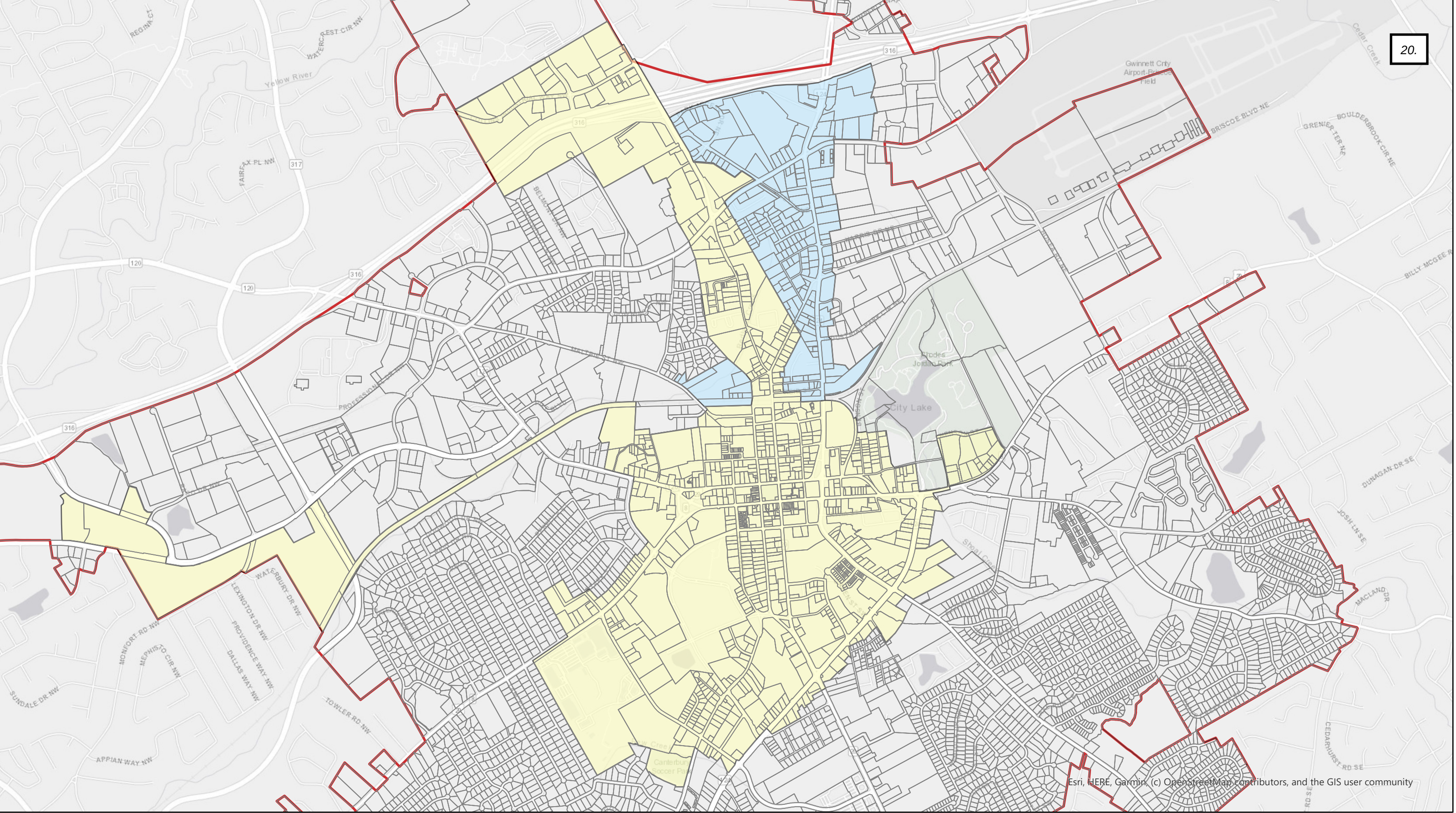
Date: 4/6/2020

Team GIS LIT

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LAWRENCEVILLE
GEORGIA



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

- Boundary
Areas
- Existing DDA Boundary
 - New DDA Boundary

City of Lawrenceville
Downtown Development Authority Boundaries

Date: 4/23/2020

Team GIS | IT

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0 0.1 0.2 0.3 Miles

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LE



LAWRENCEVILLE

GEORGIA

21.

AGENDA REPORT
MEETING: SPECIAL CALL, APRIL 27, 2020
AGENDA CATEGORY: COUNCIL BUSINESS NEW BUSINESS

Item:	Resolution Amending the FY 2020 Budget
Department:	Finance
Date of Meeting:	Monday, April 27, 2020
Fiscal Impact:	Revenue Reduction: \$1,023,790.00 & Expenditure Reduction: \$1,560,986.00
Presented By:	Keith Lee
Action Requested:	Approve the Resolution amending the FY2020 budget and authorize the Director of Finance to adjust various sources of revenue totaling \$1,023,790.00 and various expenditure accounts totaling \$1,560,986.00 in the FY 2020 budget.

Summary: As the City has responded to the COVID-19 outbreak, both revenues and expenditures are impacted. The City collects taxes on items such as hotel stays, alcohol sales, and motor vehicles. Each of these sources of revenues have been impacted by various social distancing orders. Additionally, revenues associated with the City's Utilities are impacted as a number of businesses are closes or operating below capacity. The anticipated reduction in revenues is \$1,023,790.00.

The social distancing orders also reduce costs for the City. Line items such as travel and education may be reduced, as non-essential travel is restricted. The departments of the City evaluated where they could reduce expenditures during the emergency conditions. The line items included small equipment, lawn care, professional services and others.

Overall the Departments are proposing to reduce their budgets collectively by \$1,560,986.00.

Fiscal Impact: Revenue Reduction: \$1,023,790.00 & Expenditure Reduction: \$1,560,986.00

Concurrences: City Manager

Attachments/Exhibits:

Budget Update April 27 2020

RESOLUTION _____**A RESOLUTION AMENDING THE FY 2020 BUDGET**

WHEREAS, the City Council of The City of Lawrenceville has approved and adopted a budget for Fiscal Year 2020; and

WHEREAS, the City Council of The City of Lawrenceville wishes to amend various accounts as result of the COVID-19 emergency conditions;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lawrenceville authorizes the Director of Finance to make adjustments to the FY 2020 budget based on Schedule A which is attached hereto and incorporated herein by reference.

BE IT IS SO RESOLVED this 27th day of April, 2020.

David R. Still, Mayor

ATTEST:

Karen Pierce, City Clerk

SCHEDULE A

REVENUE IMPACTS				
				Amount
MV TITLE AD VALOREM TAX				\$ 133,250
HOTEL/MOTEL TAX				\$ 53,140
WHOLESALE EXCISE				\$ 159,000
EXCISE TAX ON RENTAL MV				\$ 28,800
CONNECT FEES				\$ 110,600
MUNICIPAL COURT FINES				\$ 210,000
INTEREST INCOME				\$ 29,000
ELECTRIC INCOME				\$ 150,000
GAS INCOME				\$ 150,000
		TOTAL REVENUE REDUCTION		\$ 1,023,790
EXPENSE REDUCTIONS				
Department				Amount
CITY CLERK / ELECTIONS				\$ 61,167
COMMUNICATIONS				\$ 78,020
DAMAGE PREVENTION				\$ 29,550
ELECTRIC				\$ 167,900
ENGINEERING				\$ 10,000
FACILITIES & GROUNDS				\$ 72,850
FINANCE				\$ 15,600
FLEET MAINTENANCE				\$ 55,311
GAS				\$ 71,500
HUMAN RESOURCES				\$ 79,694
PLANNING				\$ 103,625
POLICE				\$ 116,730
PUBLIC WORKS ADMIN				\$ 5,250
SANITATION				\$ 5,500
STREETS				\$ 96,175
VACANT POSITIONS				\$ 121,964
WATER				\$ 170,150
WORKER COMPENSATION				\$ 300,000
		TOTAL EXPENSE REDUCTION		\$ 1,560,986



FY 2020 Budget Admendment

April 27, 2020



Agenda

- **FY 2020 Update**
- **Review Revenue Assumptions**
- **Proposed Expense Reductions**
- **Re-Cap**



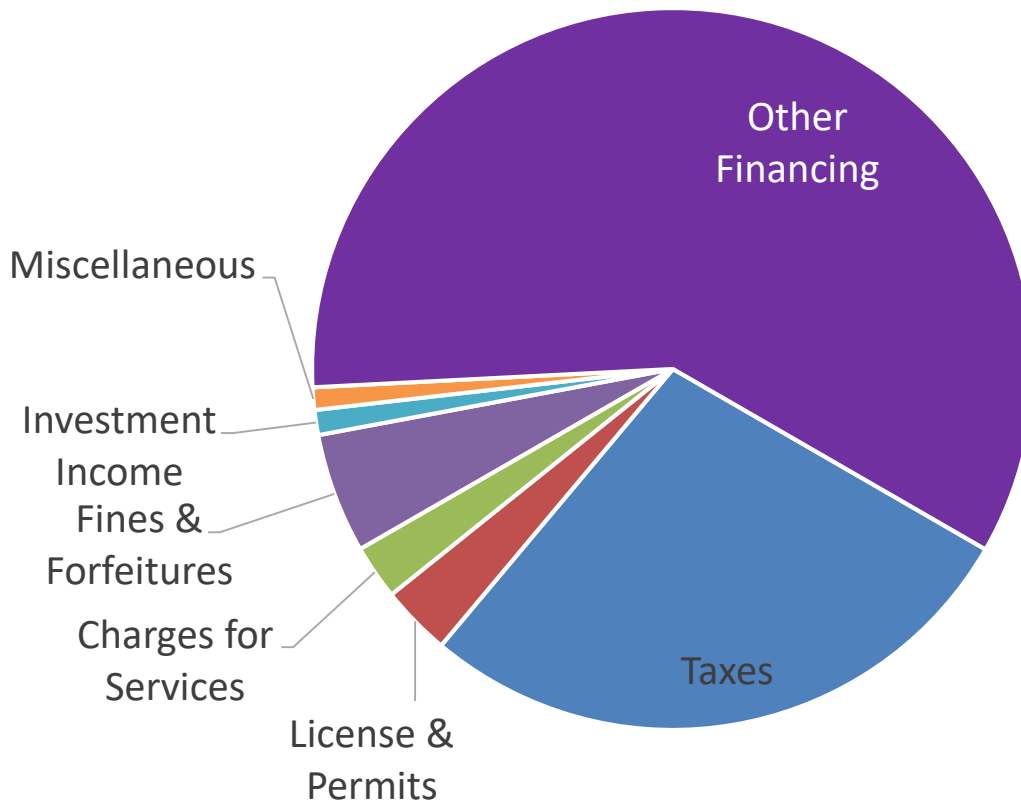
General Fund (YTD)

	FY 2020 Third Quarter		
	Budget	Projected	Actual
Revenue	\$28,863,575	\$22,253,620	\$23,114,670
Expenditures	\$28,905,445	\$21,105,008	\$19,479,474
Excess (Deficiency)	(\$41,870)	\$1,148,611	\$3,635,196

- Revenues are above projections by \$861K
- Expenses are below projections by \$1.63M



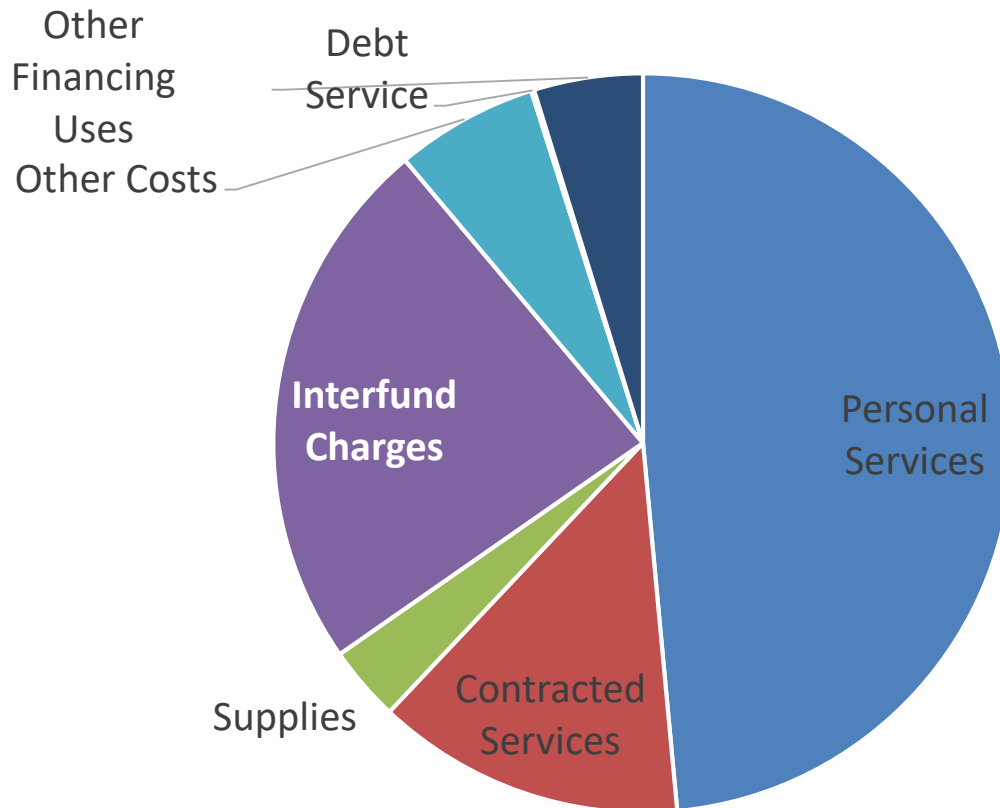
General Fund (Revenue)



Taxes	\$6,419,356
License & Permits	\$726,715
Charges for Services	\$564,383
Fines & Forfeitures	\$1,242,108
Investment Income	\$258,814
Miscellaneous	\$232,707
Other Financing	\$13,670,586
	\$23,114,669



General Fund (Expenses)



Personal Services	\$9,451,861
Contracted Services	\$2,632,492
Supplies	\$639,447
Interfund Charges	\$4,586,906
Other Costs	\$1,215,711
Debt Service	\$25,306
Other Financing Uses	\$927,750
	\$19,479,473



General Fund (Projected)

FY 2019 Ending Fund Balance	\$14,885,225	
FY 2020 projected changes	<u>\$1,686,585</u>	
FY 2020 Ending Fund Balance (projected)		\$16,571,810
Restricted by Fund Balance Policy	<u>(\$7,442,644)</u>	
• FY 2020 Budget		
Fund Balance Above Policy		\$9,129,166



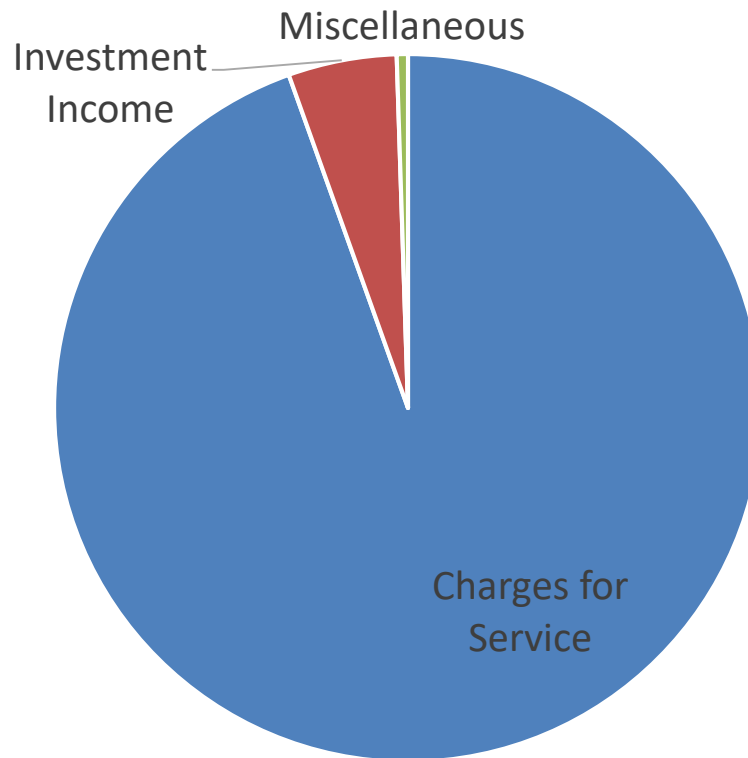
Electric Fund (YTD)

	FY 2020 Third Quarter		
	Budget	Projected	Actual
Revenue	\$37,784,000	\$28,027,580	\$28,733,880
Expenditures	\$37,784,000	\$28,532,416	\$27,864,092
Excess (Deficiency)	\$0	-\$504,836	\$869,787

- Revenues are above projections by \$706K
- Expenses are below projections by \$668K



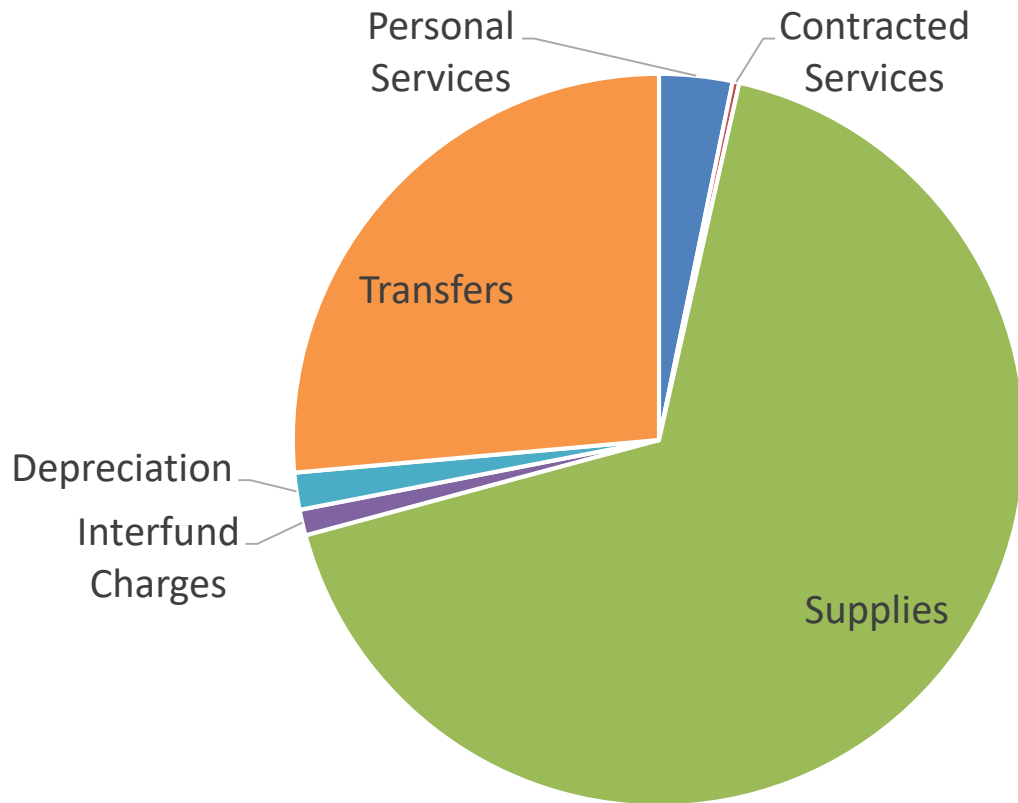
Electric Fund (Revenue)



Charges for Service	\$27,162,280
Investment Income	\$1,424,702
Miscellaneous	\$146,898
	\$28,733,880



Electric Fund (Expenses)



Personal Services	\$899,750
Contracted Services	\$81,926
Supplies	\$18,748,114
Interfund Charges	\$316,256
Depreciation	\$455,599
Transfers	\$7,362,446
	\$27,864,091



Electric Fund (Projected)

FY 2019 Ending Working Capital	\$6,591,241	
FY 2020 additions	<u>\$1,224,623</u>	
FY 2020 Ending Working Capital (Projected)		\$7,815,864
Restricted by Working Capital Policy	<u>(\$5,511,596)</u>	
• FY 2020 Budget		
Working Capital Above Policy		\$2,304,268



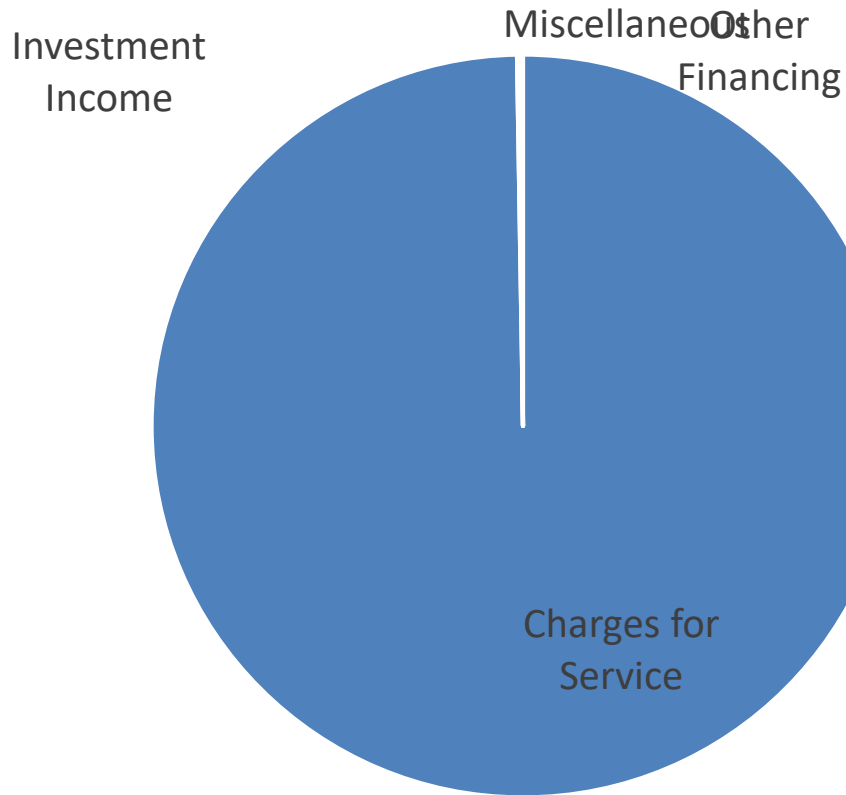
Gas Fund (YTD)

	FY 2020 Third Quarter		
	Budget	Projected	Actual
Revenue	\$48,245,600	\$38,701,676	\$36,186,118
Expenditures	\$48,677,354	\$38,554,067	\$35,553,024
Excess (Deficiency)	(\$431,754)	\$147,609	\$633,094

- Revenues are below projections by \$2.5M
- Expenses are below projections by \$3.0M



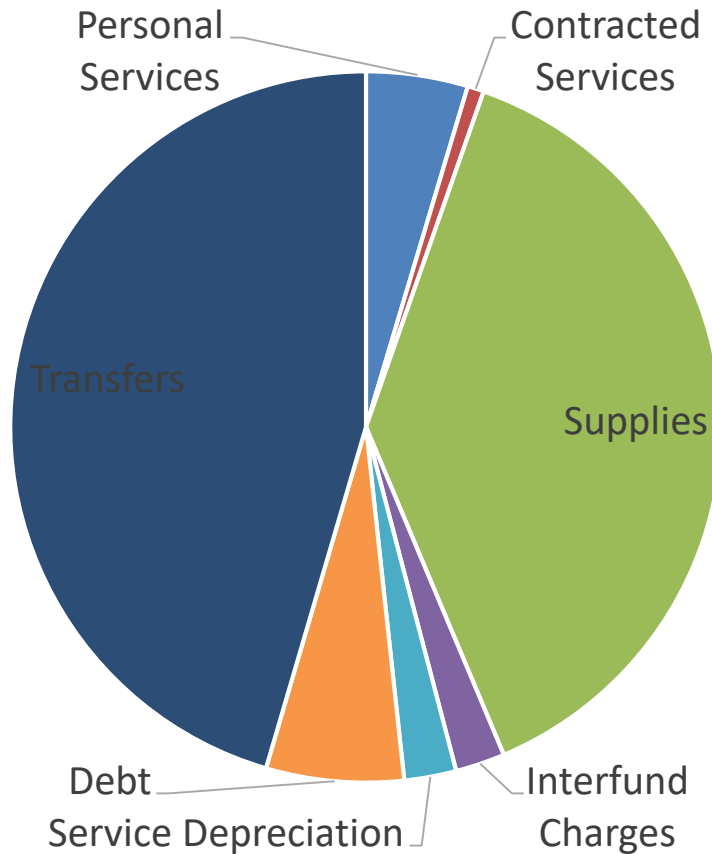
Gas Fund (Revenue)



Charges for Service	\$36,104,211
Investment Income	\$54,322
Miscellaneous	-\$5,792
Other Financing	\$33,378
	\$36,186,119



Gas Fund (Expenses)



Personal Services	\$1,643,624
Contracted Services	\$265,237
Supplies	\$13,615,967
Interfund Charges	\$800,344
Depreciation	\$840,299
Debt Service	\$2,224,438
Transfers	\$16,163,116
	\$35,553,025



Gas Fund (Projected)

FY 2019 Ending Working Capital	\$7,809,441	
FY 2020 changes	<u>\$335,813</u>	
FY 2020 Ending Working Capital (Projected)		\$8,145,254
Restricted by Working Capital Policy	<u>(\$6,911,098)</u>	
• FY 2020 Budget		
Working Capital Above Policy		\$1,234,156

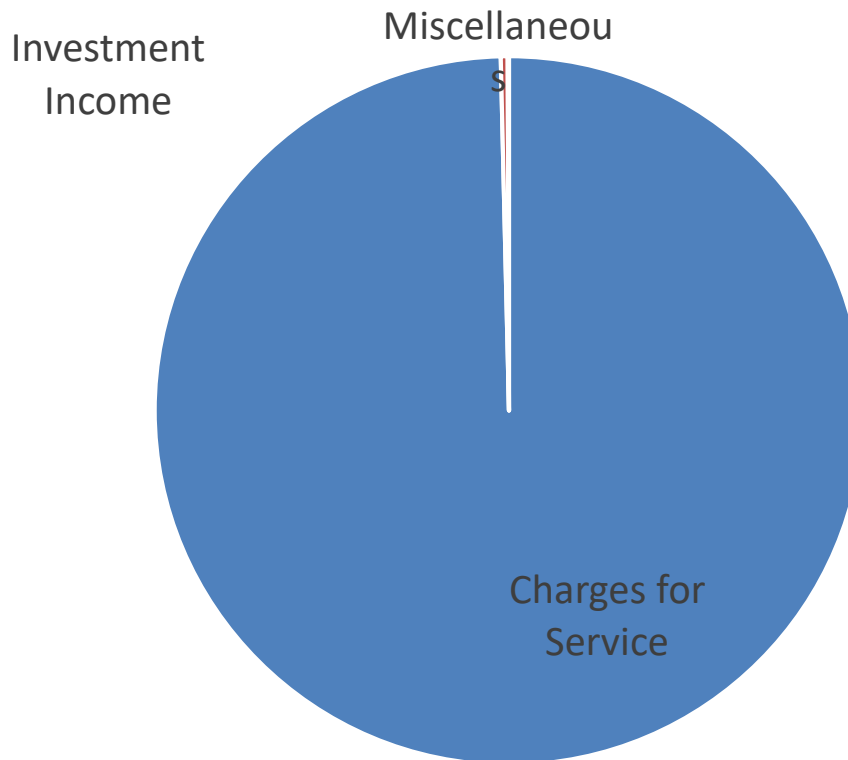


Water Fund (YTD)

	FY 2020 Third Quarter		
	Budget	Projected	Actual
Revenue	\$5,261,325	\$1,519,037	\$5,069,078
Expenditures	\$4,701,629	\$1,401,686	\$3,748,283
Excess (Deficiency)	\$559,696	\$117,351	\$1,320,796



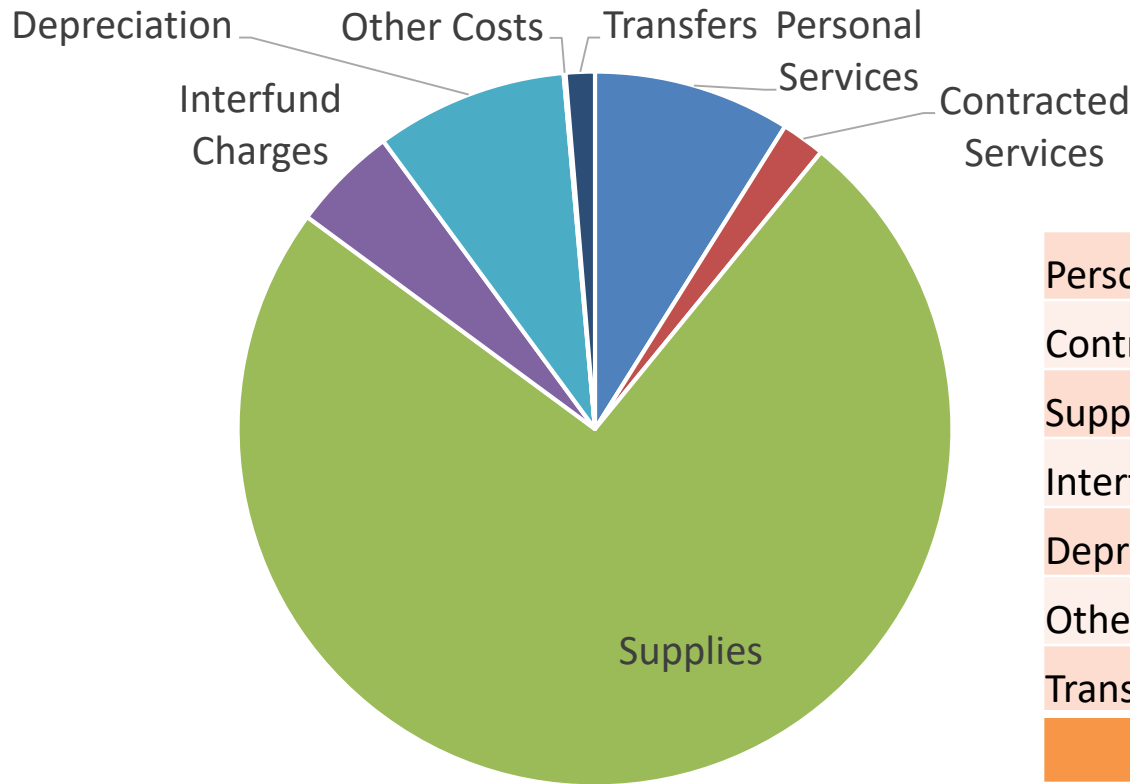
Water Fund (Revenue)



Charges for Service	\$5,050,216
Investment Income	\$15,858
Miscellaneous	\$3,005
	\$5,069,079



Water Fund (Expenses)



Personal Services	\$334,562
Contracted Services	\$73,898
Supplies	\$2,781,553
Interfund Charges	\$179,981
Depreciation	\$325,588
Other Costs	\$3,350
Transfers	\$49,350
	\$3,748,283



Water Fund (Projected)

FY 2019 Ending Working Capital	\$872,012	
FY 2020 changes	<u>\$1,469,888</u>	
FY 2020 Ending Working Capital (Projected)		\$2,341,900
Restricted by Working Capital Policy	<u>(\$859,819)</u>	
• FY 2020 Budget		
Working Capital Above Policy		\$1,482,081



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FY 2020 Update

- Questions



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FY 2020 Budget Amendment



Revenue Assumptions

- All major vehicle manufactures are reporting lower sales – reduction in TAVT Tax
- Hotel / Motel Tax & Motor Vehicle Rental reduction due to reduced travel
- Municipal Court Revenue decline due to fewer court sessions
- Electric & Gas Revenue reductions due to closed businesses



Revenue Assumptions

REVENUE IMPACTS

		Monthly			Amount
		Average	Projected		
MV TITLE AD VALOREM TAX	\$	66,625	\$ 33,313	\$	133,250
HOTEL/MOTEL TAX	\$	26,570	\$ 13,285	\$	53,140
WHOLESALE EXCISE	\$	53,000	\$ 13,250	\$	159,000
EXCISE TAX ON RENTAL MV	\$	9,600	\$ 2,400	\$	28,800
CONNECT FEES	\$	55,300	\$ 27,650	\$	110,600
MUNICIPAL COURT FINES	\$	140,000	\$ 70,000	\$	210,000
INTEREST INCOME	\$	29,000	\$ 21,750	\$	29,210
ELECTRIC INCOME				\$	418,000
GAS INCOME				\$	150,000

TOTAL REVENUE REDUCTION

\$ 1,

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Expenditure Reductions

- Reduction in travel and education expenses
- Vacant Positions evaluated and scheduled for when they can be filled
- Departments evaluated non-essential purchases
- Reviewed Capital for savings



Expenditure Reductions

EXPENSE REDUCTIONS

CITY CLERK / ELECTIONS	\$	61,167
COMMUNICATIONS	\$	78,020
DAMAGE PREVENTION	\$	29,550
ELECTRIC	\$	167,900
ENGINEERING	\$	10,000
FACILITIES & GROUNDS	\$	72,850
FINANCE	\$	15,600
FLEET MAINTENANCE	\$	55,311
GAS	\$	71,500
HUMAN RESOURCES	\$	79,694
PLANNING	\$	103,625
POLICE	\$	116,730
PUBLIC WORKS ADMIN	\$	5,250
SANITATION	\$	5,500
STREETS	\$	96,175
VACANT POSITIONS	\$	121,964
WATER	\$	170,150
WORKER COMPENSATION	\$	300,000

TOTAL EXPENSE REDUCTION

\$ 1,



Re-Cap

Overall Budget Adjustments	
Revenue Reduction	\$ 1,023,790
Expenditure Reduction	\$ 1,560,986
Excess Revenue	\$ 537,196

- If Revenue Reductions are under projected, then the City will have a buffer of \$537,196 due to departmental savings



Questions?



LAWRENCEVILLE

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

Item: FY 2021 Proposed Budget

Department: FINANCE

Date of Meeting: Monday, April 27, 2020

Fiscal Impact: All Funds Revenue: \$160,389,762 & All funds Expense \$167,336,812

Presented By: Keith Lee

Action Requested: Present the FY 2021 Budget to Council to begin the approval process.

Summary: This is the first meeting and an overview of the Proposed FY 2021 Budget. The city is proposing a \$167,336,812 expense budget that includes seven new positions, funding for a parking deck, funding to support homelessness, investment in police and IT capital as well as other departments.

The Budget includes an increase in contingencies to mitigate any impacts from the COVID-19 outbreak. The contingencies were created by reducing the proposed capital, reducing travel and training, and other operating expenses. These expenditures will be monitored and controlled through the first quarter to limit any impacts.

While City Hall remains closed a copy of the proposed budget will be placed in the foyer facing Clayton Street, such that a citizen may review a physical copy. An electronic version will be placed on the City website.

Concurrences: City Manager

Attachments/Exhibits: FY 2021 Proposed Budget



FY 2021 Proposed Budget

April 27, 2020

Agenda

- **Overview**
- **Personnel**
 - **Proposed Salary Adjustments**
 - **New Positions**
- **Changes at the Fund Level**
- **Capital Projects**



FY 2020 Overview

- Funding includes:
 - Salary Study Implementation
 - Funding for Parking Deck
 - Funding for Redevelopment
 - Homeless Initiative
 - Housing Study
 - Contingency Funds for Education, Training and Travel



Personnel – Salary Adjustments

- Proposed FY 2020 Salary Adjustments
 - Salary Increases based on Salary Study
 - Implementation July 1, 2020



Personnel – New Positions

- Proposed eight new positions
 - Senior Project Manager – Stormwater Fund
 - 4 Police Officers (Complete Shift) – General Fund
 - 3 Street Maintenance Workers (Complete Crew) – General Fund
- Proposed budget includes operating and capital requests to support new positions
- Funded by millage increase of 0.71 mils



FY 2021 Overview

	Revenues	Expenditures	Net
General Fund	\$33,128,733	\$38,128,733	-\$5,000,000 (1)
Confiscated Assets	\$427,480	\$361,480	\$66,000
911 Fund	\$1,076,890	\$1,076,890	\$0
Hotel / Motel	\$330,000	\$330,000	\$0
Vehicle Rental	\$92,000	\$92,000	\$0
Capital Projects	\$22,386,456	\$22,386,456	\$0
Water Fund	\$5,937,500	\$5,937,500	\$0
Electric Fund	\$37,111,600	\$37,111,600	\$0
Gas Fund	\$45,413,200	\$47,426,250	-\$2,013,050 (2)
Sanitation Fund	\$2,073,682	\$2,073,682	\$0
Stormwater Fund	\$2,394,803	\$2,394,803	\$0
Group Health	\$7,196,600	\$7,196,600	\$0
Workers Comp	\$313,400	\$313,400	\$0
Fleet Fund	\$1,850,868	\$1,850,868	\$0
Risk Fund	\$656,550	\$656,550	\$0
Total	\$160,389,762	\$167,336,812	-\$6,947,050

(1) \$5,000,000 planned use of General Fund Fund Balance for Parking Deck

(2) \$2,013,050 use of 2015 LBA Bonds for Eligible Gas Projects



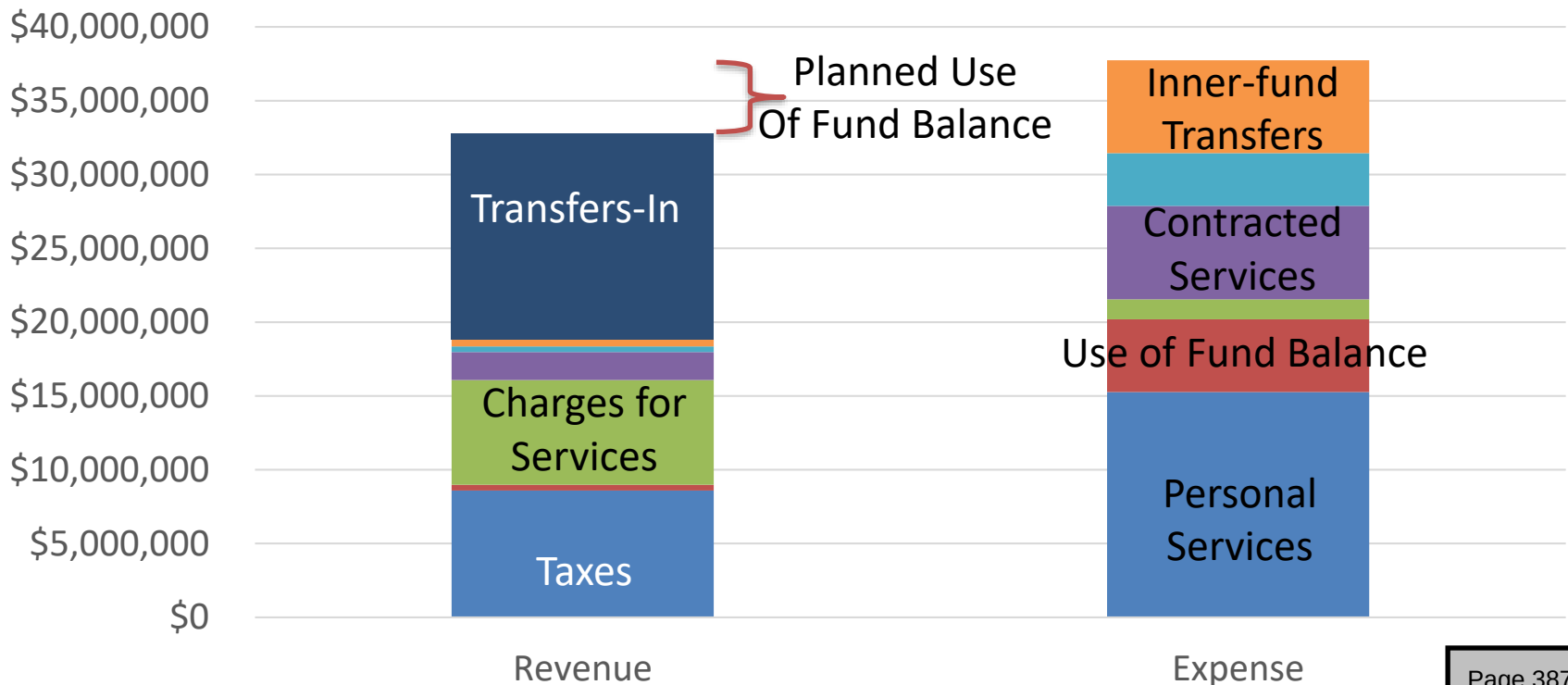
Expense Adjustments

- Adjustments for COVID-19
 - Police Capital to Confiscated Assets - \$360K
 - Moved Eligible Gas Capital to 2015 Bonds \$2M
 - Reduced capital request based on FY 2020 savings \$937K
 - Moved Travel and Training to Contingency \$113K
 - Moved Redevelopment Funds to contingency \$500K
 - Moved Sims/Phillips improves to contingency \$250k
 - Reduced vehicle replacement by \$584K
 - Froze vacant positions \$149K



General Fund

- \$38,128,733 Proposed Expenditure Budget





General Fund

	Revenue	Expense	
31 - Taxes	\$8,093,100	\$15,263,406	51 - Personal Services
32 - Licenses & Permits	\$389,850	\$6,220,910	52 - Contracted Services
34 - Charges for Services	\$7,092,024	\$1,355,695	53 - Supplies
35 - Fines & Forfeitures	\$1,902,850	\$6,330,250	55 - Interfund Charges
36 - Investment Income	\$375,000	\$3,573,833	57 - Other Costs
38 - Miscellaneous	\$464,330	\$5,000,000	61 - Other Financing Uses
39 - Other Financing	\$14,811,579		
	\$33,128,733	\$38,128,733	



General Fund - Revenue

- \$33,128,733 Proposed Revenue Budget
 - Includes 5% projected growth in property tax
 - Millage increase for new public safety and street positions
 - Requires an advertisement for property tax increase by state law
 - Additional revenue of \$835,000
 - Insurance Premium Tax increase of \$119,000 (6.1%)
 - TAVT increase of \$200,000 (33%)
 - Indirect Costs \$6,245,024 (New – part of charges for services)



General Fund - Expenses

- \$38,128,733 Proposed Budget
 - Planned for Normal Revenues and Shortfall is covered by increased contingency
 - \$2,447,522 for Contingency (increase of \$1,447,522)
 - Education and Training
 - Travel
 - Reduction in Capital Expenditures
 - Holding Vacant Positions (need to move to contingency)
 - \$55,000 Stormwater Fees (decrease of \$235,000)
 - \$1,371,875 Payments to DDA (increase of \$346,250)
 - \$5,000,000 planned use of Fund Balance for Parking D



General Fund - Expenses

- \$38,128,733 Proposed Budget
 - Using \$360,000 in Confiscated Asset Funds for Capital for the Police Department
 - Reduced Capital by \$922,142 due to roll-over capital savings in FY 2020



General Fund Balance

		Amount
FY 2020 Projected Ending Fund Balance		\$16,571,810
FY 2021 Use of Fund Balance		<u>-\$5,000,000</u>
FY 2021 Projected Ending Fund Balance		\$11,571,810
FY 2021 General Fund Fund Balance Policy Minimum		\$8,186,023
Funds Above Policy		\$3,385,787



Water fund

- \$5,937,500 Proposed Budget
- Capital Improvement Plan reflects implementing capital items
 - This will require a rate increase according to planned previously presented in FY 2020



Electric Fund

- \$37,161,600 Proposed Budget
- No additional Rate Changes Proposed for FY 2021
- Increased MEAG Costs
 - Maintenance on ash ponds



Gas Fund

- \$45,413,200 Proposed Budget
- FY 2021 includes changes in rates presented to Council in March 2020
 - \$620,000 additional funds for FY 2021

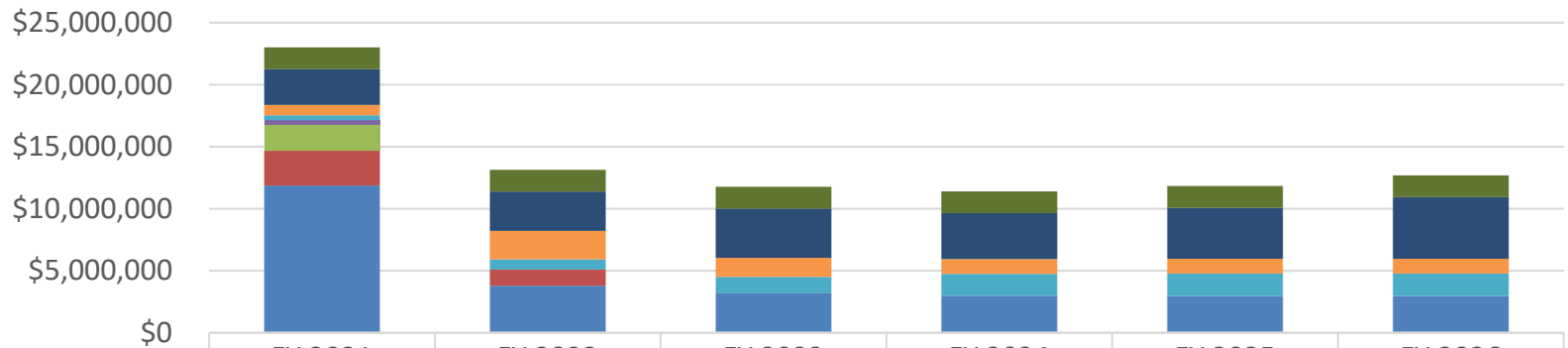


Storm Water Fund

- \$2,394,803 Proposed Budget
 - Capital \$1,752,705
 - \$1,474,705 Stormwater Maintenance
 - \$250,000 Phillips Rd
 - \$28,000 vehicle for new position



Projected Budgets - Capital



	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
Fleet Services	\$0	\$0	\$0	\$0	\$0	\$0
Stormwater	\$1,752,705	\$1,752,705	\$1,752,705	\$1,752,705	\$1,752,705	\$1,752,705
Solid Waste	\$0	\$0	\$0	\$0	\$0	\$0
Gas	\$2,891,230	\$3,177,200	\$3,969,550	\$3,709,970	\$4,115,110	\$4,974,160
Electric	\$830,000	\$2,285,000	\$1,535,000	\$1,190,000	\$1,190,000	\$1,190,000
Water	\$403,225	\$830,500	\$1,282,500	\$1,760,000	\$1,811,000	\$1,811,000
Confiscated Assets	\$360,395					
SPLOST Joint	\$2,100,402	\$0	\$0	\$0	\$0	\$0
SPLOST	\$2,797,445	\$1,300,000	\$0	\$0	\$0	\$0
General	\$11,879,809	\$3,799,685	\$3,229,359	\$2,988,124	\$2,963,124	\$2,963,124



Capital Projects

- \$23,065,211 Proposed Budget
- Highlights
 - \$5,000,000 for Parking Facilities
 - \$2,000,000 for Redevelopment
 - \$1,000,000 for Homeless Initiative (First Installment)
 - \$663,865 for IT Projects
 - (Backup System, ERP System, etc.)
 - \$615,794 for Police Projects
 - (Cameras, Radios, Radar, etc.)



Capital Projects

- \$ 23,065,211 Proposed Budget
- Highlights
 - \$830,000 for Electric Projects
 - (Tree Trimming, Pole Inspection, etc.)
 - \$2,891,230 for Gas Projects
 - (New Mains and Services, Pressure Improvements, etc.)
 - \$1,752,705 for Stormwater
 - (Stormwater Maintenance, Vehicle for New Position)



Projected Budgets - Assumptions

- Changes in Taxes
 - 5% annual growth - Historical Growth in Digest (last 3 years) was 6%
 - Millage Increase FY 2021 (October 2020 Tax Bills)
 - 1% annual growth in Franchise Taxes, Occupation Tax, Insurance Premium Tax
- Fines and Forfeitures
 - Based on FY 2020 activity annual revenue is expected to be \$1,600,000
- SPLOST
 - Projected based on Intergovernmental Agreement
- Enterprise Funds
 - Gas adding 750 customers a year
 - Electric Fund based on MEAG growth estimates (.33% annually)

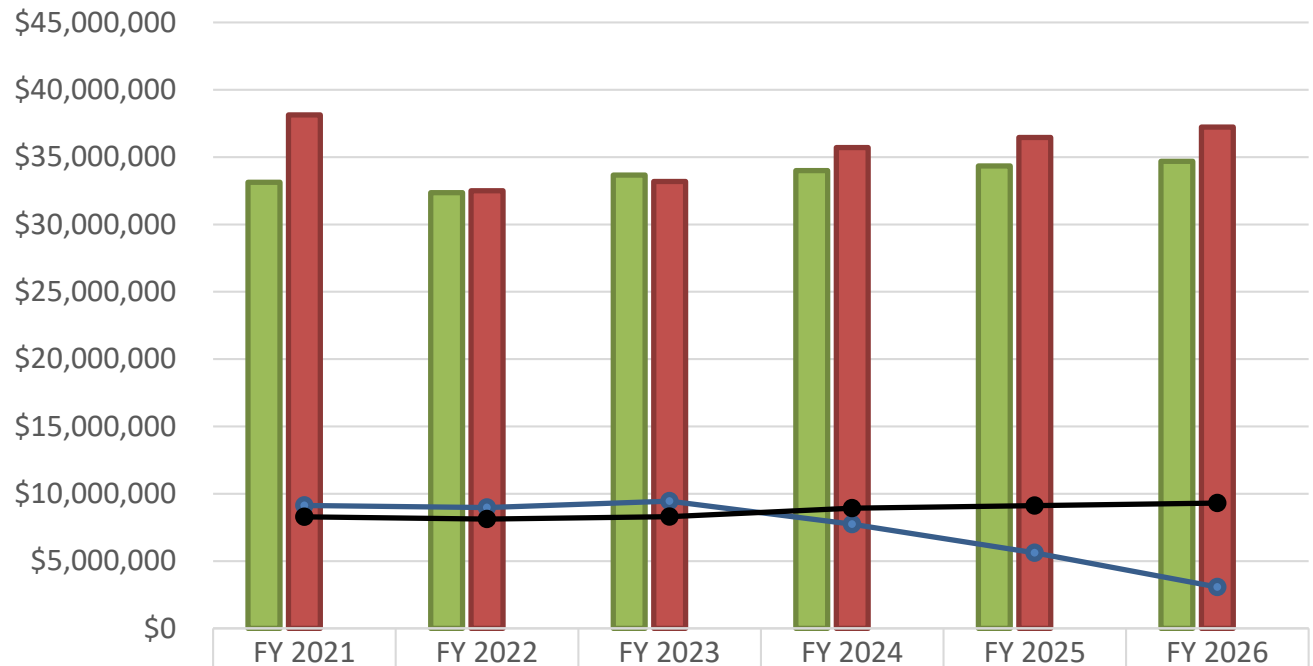


Projected Budgets - Assumptions

- Salary Changes
 - Annual Increase of 3%
- Health Care Costs
 - Based on 5% Annually
- Other Operating
 - Historical Inflation
- Capital
 - Based on Capital Plan
- Debt Service
 - LBA – Series 2019: \$1,800,000 (FY 2024 – FY 2026)
 - DDA – Series 2020: \$500,000 additional (FY 2022 – FY 2026)



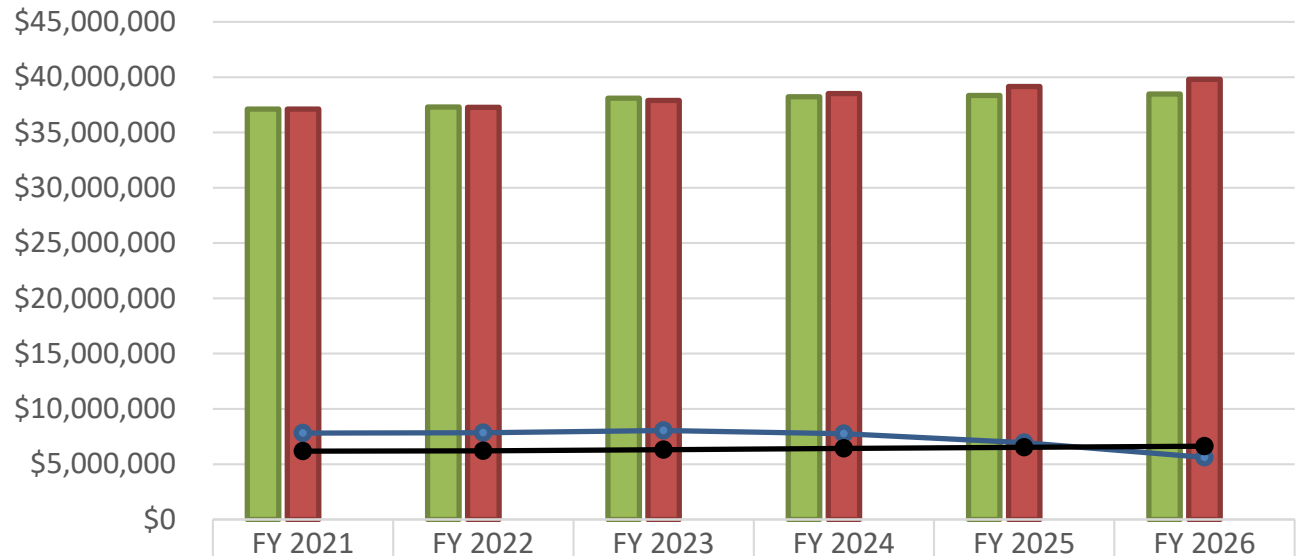
Projected Budgets – General Fund



General Fund Revenue	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
General Fund Expenses						
General Fund Transfer-In (Additional)						
General Fund Fund Balance						
General Fund Fund Balance Policy						



Projected Budgets – Electric Fund

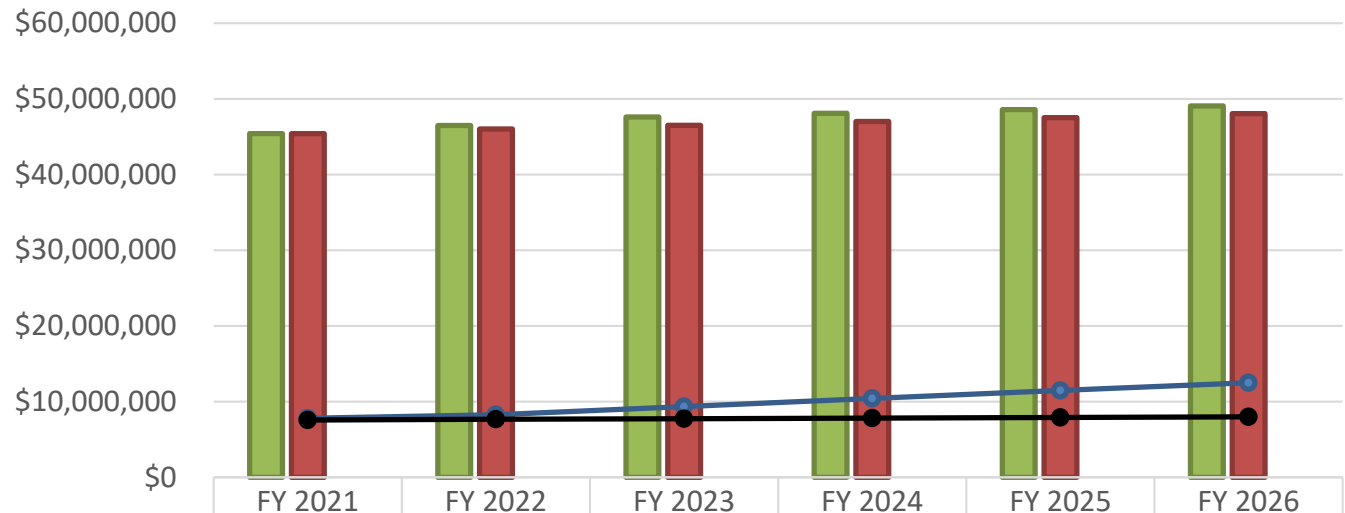


Electric Fund Revenue	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
Electric Fund Expenses	\$37,111,600	\$37,301,660	\$38,095,353	\$38,221,671	\$38,348,412	\$38,475,578
Electric Fund Available to Transfer Out		\$27,684	\$206,259	(\$295,086)	(\$808,814)	(\$1,335,191)
Electric Fund Fund Balance	\$7,815,864	\$7,843,548	\$8,049,808	\$7,754,722	\$6,945,908	\$5,610,716
Electric Fund Fund Balance Policy	\$6,186,504	\$6,213,572	\$6,316,112	\$6,420,743	\$6,527,510	\$6,636,455

- Includes approved rate increases. FY 2021, FY 2022, FY 2023



Projected Budgets – Gas Fund

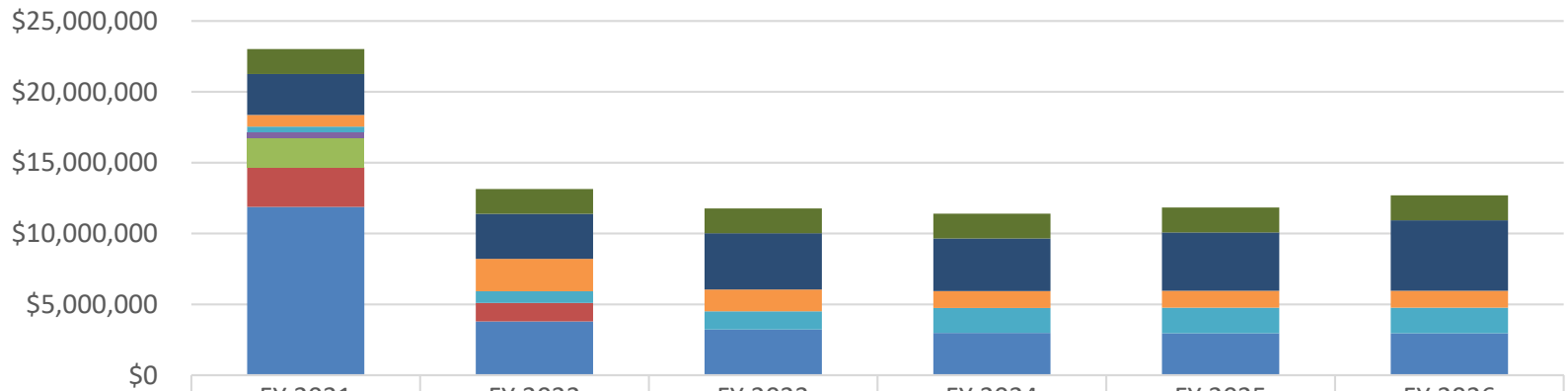


Gas Fund Revenue	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
Gas Fund Expenses	\$45,413,200	\$46,487,032	\$47,621,900	\$48,098,117	\$48,579,096	\$49,064,885
Gas Fund Available to Transfer Out	\$45,413,200	\$46,038,357	\$46,525,582	\$47,022,872	\$47,530,444	\$48,048,519
Gas Fund Fund Balance		\$448,675	\$1,096,318	\$1,075,245	\$1,048,653	\$1,016,366
Gas Fund Fund Balance Policy	\$7,815,864	\$8,264,539	\$9,360,857	\$10,436,103	\$11,484,755	\$12,501,121
	\$7,570,380	\$7,674,594	\$7,755,815	\$7,838,713	\$7,923,325	\$8,009,688

- Includes approved rate increases. FY 2021, FY 2022, FY 2023



Projected Budgets – Capital



	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
■ Fleet Services	\$0	\$0	\$0	\$0	\$0	\$0
■ Stormwater	\$1,752,705	\$1,752,705	\$1,752,705	\$1,752,705	\$1,752,705	\$1,752,705
■ Solid Waste	\$0	\$0	\$0	\$0	\$0	\$0
■ Gas	\$2,891,230	\$3,177,200	\$3,969,550	\$3,709,970	\$4,115,110	\$4,974,160
■ Electric	\$830,000	\$2,285,000	\$1,535,000	\$1,190,000	\$1,190,000	\$1,190,000
■ Water	\$403,225	\$830,500	\$1,282,500	\$1,760,000	\$1,811,000	\$1,811,000
■ Confiscated Assets	\$360,395					
■ SPLOST Joint	\$2,100,402	\$0	\$0	\$0	\$0	\$0
■ SPLOST	\$2,797,445	\$1,300,000	\$0	\$0	\$0	\$0
■ General	\$11,879,809	\$3,799,685	\$3,229,359	\$2,988,124	\$2,963,124	\$2,963,124



Projected Budgets – Wrap Up

- General Fund will need additional transfers-in from the Gas and Electric Funds beginning in FY 2023
- Gas Revenues should provide some of the resources
- Electric Revenues will need to be reviewed for potential increases in FY 2023
- Declining capital needs may offset pressure on transfers out from the Electric and Gas Funds
- SPLOST renewal should coordinate with the Capital Plan to ensure funding stability of the City's Major Operating Funds.



LAWRENCEVILLE
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Questions